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(Re)Presenting Eichmann: One Man, Many Murders

A Thesis by

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Chapman University

Orange, CA

Wilkinson College of Arts, Humanities, and Social Sciences

Submitted in partial fulfillment of the requirements for the degree of

Master of Arts in War and Society

August 2021

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CHAPMAN UNIVERSITY  
WILKINSON COLLEGE OF ARTS, HUMANITIES, AND SOCIAL SCIENCES  
War and Society

The thesis of Nina Handjeva-Weller is approved.



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July 2021

(Re)Presenting Eichmann: One Man, Many Murders

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## ABSTRACT

(Re)Presenting Eichmann: One Man, Many Murders

by Nina Handjeva-Weller

This thesis argues that the act of recording the trial of Adolf Eichmann was an interpretation by director Leo Hurwitz, and that at the time it was recorded, and since then, the material has been used by different actors for different purposes. I examined the use made of that material by six individuals/countries: Leo Hurwitz, the accused, director Eyal Sivan, screenwriter Simon Block, West German presenters Joachim Besser and Peter Schier-Gribowsky, and the Israeli government under David Ben-Gurion. To understand the intent of Leo Hurwitz, footage of trial sessions was analyzed as were interviews with him by Professor Susan Slyomovics of UCLA and the work of Professors Sylvie Lindeperg and Annette Wiewiorka. To see what Eichmann hoped to accomplish by his self-representation, his performance was analyzed using the work of Hajo Adam and Adam D. Galinsky. To appreciate the intention of Eyal Sivan, his writings, presentations, and interviews were examined as was his film *The Specialist: A Modern Criminal Mind*. Simon Block's dialogue for *The Eichmann Show* and interviews with him were also studied to see his intention. To gain an insight into the West Germany program showing the trial, the work of Judith Keilbach of Utrecht University, and the first eight broadcasts of the program *Eine Epoche vor Gericht* were considered. Finally, to get an overview of the aim of Israel in having the trial video-taped and broadcast, its history, and the work of writers like Ari Shavit, Amos Oz, Tom Segev, and Haim Gouri were studied. This research shows that all six actors used the tapes for different purposes. Hurwitz tried to show the dangers of fascism. Eichmann worked to present himself a law-abiding German. Eyal

Sivan countered the narrative established by the original recording. Simon Block revealed the dynamics of the two people most concerned with capturing the trial for posterity. The presenters of *Eine Epoche vor Gericht* revealed a reformed Germany that was still aware of its past misdeeds, and finally the Israeli government made use of the recording to educate others about the Holocaust, pull Israelis together, and substantiate Israel's right to exist.

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## Introduction

Adolf Eichmann has cropped up in the form of film and television shows repeatedly since his trial took place Jerusalem in 1961. There are numerous commercial films such as *Operation Eichmann*. (1961), *The Man who Captured Eichmann* (1996), *Eichmann* (2007), *The People vs Fritz Bauer* (2015), and *Operation Finale* (2018). There is also the well-known television program *The House on Garibaldi Street* (1979) and more recently the BBC TV film *The Eichmann Show* (2015) was very popular. A little earlier, a more controversial work appeared, that of Eyal Sivan: *The Specialist: A Modern Criminal Mind* (1999). All these representations have their own specific focus and interpretation of the characters and events involved in the capture and/or trial of Adolf Eichmann. However, until quite recently few scholars have examined how the trial itself was mediated by being recorded and presented as T.V. broadcasts world-wide. In 2014, historian Sylvie Lindeperg, a professor at the University of Paris, and historian Anette Wieviorka, a specialist in the Holocaust and the history of the Jewish people, co-authored an examination of the process in their article “The Two Stages of the Eichmann Trial”. They show that the 2-inch video tapes sent out to television stations were not raw footage. Although director Leo Hurwitz’s task was to record the trial as it took place, what he produced was his interpretation of the ongoing interactions in the courtroom. He decided what to record, he moved between the four cameras he had installed, he made use of cinematographic techniques such as close ups, zooms, and panning, and he edited the footage. The recording of the trial was thus a work that he created (Lindeperg and Wieviorka 2016).

I argue that the process of recording the trial and the session recordings themselves were used both at the time of the trial and since then, as a means to promote the agendas of different



individuals and different nations. I will investigate six actors who used the recording. The director, Leo Hurwitz, and the accused, Adolf Eichmann, had opposite intentions. The former to uncover the face of fascism, the latter to reveal nothing under that face. Two successful films were directly inspired by the recording: *The Specialist: A Modern Criminal Mind* (1999) directed by Eyal Sivan, and *The Eichmann Show* (2015) scripted by Simon Block. Both those works have their own goals. One was critical of Zionist-Israel and the structure of the trial. The other was interested in the dynamics between Leo Hurwitz and Milton Fruchtman, the producer of the recordings. The two countries most concerned with the trial also had their own aims. West Germany, the country vulnerable to what the trial could expose, used trial session excerpts in the television program *Eine Epoche vor Gericht* (An Era on Trial) to present itself in a positive light. Meanwhile, the Israeli government's designs for the trial itself and the recording were to produce tools to educate Israelis and the world about the extermination of Jews. I will examine the background of the actors and show how they used the material for their own purposes.

The footage of the trial that I analyze was taken from two sources: [collections.ushmm.org](http://collections.ushmm.org) (United States Holocaust Memorial Museum) and [youtube.com/EichmannTrial](https://youtube.com/EichmannTrial). The information about the intent of the director is taken from the taped interviews with Leo Hurwitz by Professor Susan Slyomovics of UCLA, some of his own writing, and other work including that of Sylvie Lindeperg and Annette Wiervioka. It proved possible to access only broadcasts 1-8 of the television program *Eine Epoche vor Gericht*, so I relied on the work of Judith Keilbach, Associate Professor of Television Studies in the Media and Culture Studies Department of Utrecht University, for information about later broadcasts (Keilbach 2019). As regards *The Specialist* I was able to listen to several presentations by Eyal Sivan and consult the works of other scholars such as Rebecka Katz Thor (Katz Thor 2018).

The trial recording and the above-mentioned films had as their starting point, a man, who at the time of his capture, was a middle-aged German national, working for Mercedes-Benz in Buenos Aires. What he had done before his capture by agents of the Israeli secret service, Mossad, was what had given him his notoriety. After joining the Nazi party in 1932, he had by 1934, transferred to the *Sicherheitsdienst* (Security Service) and become known for his grasp of Zionist and Jewish affairs. This led to his being sent to Vienna when Austria was annexed by Germany. There, he was very successful at organizing the forced emigration of Jews which cemented his reputation as someone capable of getting things done efficiently. He was promoted to work under Heinrich Mueller in the *Reichsicherheitshauptamt* (Reich Security Main Office) the office concerned with protecting Germans. According to Nazi ideology Jews were a danger to the purity of the Aryan race and hence to the German state. When Germany first invaded Poland, 3.5 million Jews lived there. After Hitler declared war on Russia, all of them came under German control. As the war worsened for the Germans with the unexpected resistance of Russians and other Eastern European peoples as well as the failure of the invasion of Britain, Hitler called for the extermination of every Jew in the Reich. Under Reinhard Heydrich, Eichmann, now *Obersturmbannfuhrer* (Lieutenant Colonel), became the ‘specialist’ responsible for gathering information on Jews, confiscating their possessions, and holding them in ghettos until he could schedule the transports to ship them to camps where some were used as slave labor, but most were murdered (Stangenth 2015). After the war ended Adolf Eichmann was able to flee to Argentina and assume a new identity. Once tracked down there, he was brought to Israel to stand trial for war crimes, genocide, and crimes against humanity. The recording of that trial represented the first use of the medium of television to broadcast coverage of a trial internationally.

## 1 Leo Hurwitz's Recording of the Trial

The person responsible for recording the trial was Leo Hurwitz. His background both as a political person and a filmmaker played an important part in how he chose to construct the image of Eichmann that came to be known world-wide. He was an innovative and creative filmmaker, part of a group of young filmmakers who in the 1930s created the social documentary film (Bagnall and Hurwitz 2020). His work was central to the invention of multi-camera live television (Bagnall and Hurwitz 2020). This technique was one he brought to the filming of the trial, but equally as important as his technical skills was the passion he brought in the fight against fascism. Leading up to the Eichmann trial he was active during the 1950's working as a technical consultant on *The Salt of the Earth* in 1953, and in 1956 making *The Museum and the Fury*. He had been asked by the Polish Film Board to make a film about Fascism because they were concerned that it was once again on the upsurge in West Germany (Hurwitz 2009, Part 5). In *The Museum and the Fury* while images of camp guards are being shown, an almost soothing female voice says, "They looked human like us. We could not understand them. They had turned man into an object for use. Like coal. Like lumber" (*The Museum and the Fury* 1965). The film shows how Jews were dehumanized by those serving in a Fascist system. Furthermore, excerpts of the Nuremberg Trial when all the defendants plead not guilty are also highlighted. That film was a work of art encapsulating the memory of the horrors of that time and the need to remember (Hurwitz 2009, Part 5).

Then, five years later came the opportunity to film the Eichmann trial in Jerusalem. The producer, Milton Fruchtman, was required to use Israeli cameramen, but they had to be trained because Israel had no television network at that time. He needed someone with that kind of experience, and Hurwitz had it. In addition, Hurwitz impressed Fruchtman by showing him *The*

*Museum and the Fury* (Doyle, Fox and Kaufman 2016). Hurwitz wanted a chance to reveal the dangers of such absolute powers like those Eichmann wielded. Prior to arriving in Israel, he had been exhilarated at the prospect of Eichmann being put on trial because he felt that it would be an opportunity to expose the nature of fascism and to show Eichmann accepting individual responsibility for what he had done (Bagnall and Hurwitz 2020). He was taken by the idea that ordinary individuals who had suffered such out-of-the-ordinary horrors would be able to face Eichmann. By their presence and testimonies, they could challenge him to admit the part he played, and the stories of what they endured would finally be heard. When he could step outside the courthouse during breaks from making the recording, he spoke with Israelis he met; on his days off, he traveled around Israel. Yet, while talking and travelling, Hurwitz discovered that Jews in Israel did not understand what he felt the trial was about. The contrast between Eichmann, the man who had wielded absolute power over the lives of others, and those who had been at the mercy of such men was meant to show that “power can destroy human relations” (Bagnall and Hurwitz 2020). This was what he wanted to bring out in his recording of the trial.

To do this, Hurwitz had to consider where to locate the cameras within the space where the trial was held. The fact that the space was a theatre is important. Even though most court rooms are spaces in which dramas unfold; this specific auditorium combined with the recording of what was transpiring exerted an influence on how both the chief prosecutor Gideon Hausner and the accused Adolf Eichmann performed during the trial. As political scientist and philosopher, Hannah Arendt wrote:

There is no doubt from the very beginning that it is judge Landau [the presiding judge] who sets the tone, and that he is doing his best, his very best, to prevent the trial from becoming a show trial under the influence of the prosecutor’s love of showmanship. Among the reasons he cannot always succeed is the simple fact that the proceedings happen on a stage before an audience, with the usher’s marvelous

shout at the beginning of each session producing the effect of a rising curtain. Whoever planned this auditorium in the newly built Beth Ha'am, the House of the People...had a theater in mind, complete with orchestra and gallery, with proscenium and stage, and with side doors for the actors' entrance. Clearly, this courtroom is not a bad place for the show trial David Ben Gurion, Prime Minister of Israel, had in mind when he decided to have Eichmann kidnapped in Argentina and brought to the District of Jerusalem to stand trial for his role in the 'final solution of the Jewish question.' And Ben Gurion, rightly called the 'architect of the state', remains the invisible stage manager of the proceedings (Arendt 2006, 4-5).

An idea of the layout of the courthouse/theatre and where the key players were positioned helps to understand why Hurwitz placed the cameras where he did. On the ground floor there were seats in rows which sloped up towards the back of the hall, and above those were seats in the balcony. All members of the audience saw everyone taking part in the trial. From the rear, they saw both the prosecution and the defense teams who were seated at long tables to the right and left, respectively. The prosecution team consisted of Lead Prosecutor, Gideon Hausner, and his assistants Gavriel Bach and Ya'akov Baror. The defense team was composed of Dr. Robert Servatius and his assistant, Dieter Wechtenbruch. The two teams sat facing the judges' bench set on a raised platform. There, looking down on them and the audience, were the three judges, with Presiding Judge Moshe Landau in the middle, Judge Benjamin Halevi to the left and Judge Yitzhak Raveh to the right. Against the left wall of the courtroom, was the raised glass booth in which Adolf Eichmann sat facing the witness stand across the hall on the far right. This placement of Eichmann and the witnesses is unlike the placement of defendant and witness in North American courtrooms where a witness is not situated across from the accused but faces the audience, the prosecutor, and the counsel for the defense. The locations on the 'stage' of the accused and the accusers seemed designed to set them up to confront each other.

The accounts of Hurwitz and Milton Freeman many years later differ. Hurwitz in his interviews says that Milton had suggested one hole in the courthouse wall behind which a camera

would be installed, but Leo Hurwitz had other ideas (Bagnall and Hurwitz 2020). He wanted cameras located in various parts of the courtroom so that he could catch what was he felt was a crucial moment wherever it was happening. He was able to install four of them which were for the most part unobtrusive. Walls were taken down and rebuilt with openings covered with chicken wire. This wire would not show up on the recording but would make the cameras and camera operators less visible to the audience and trial participants. Participants might see some movement, but they remained ignorant of which camera was recording the material Hurwitz would finally use.

The four camera locations allowed in the courtroom were set up as follows. Number one was behind the booth of Eichmann and could look across at the witness, over his right shoulder at the judges, to the right at the audience, and at Eichmann from his right side. Camera number two was placed behind the witness box and looked directly across at Eichmann in his glass booth. This camera could also turn towards the prosecutor and defense attorney as well as the audience behind them. Hurwitz had the use of the two other cameras and other techniques to make the proceedings of the trial a meaningful experience for viewers. Number three camera was on the left side of the mezzanine. It could look down on the audience, the individual judges at their desk, the table of the defense counsel and prosecutor as well as focus on the witness. Camera number four was installed behind a horizontal slit in the back wall. This moveable camera allowed for shots of the courtroom area, the audience from above, Eichmann from the side, and the judges across the room.

Hurwitz himself could not be behind every camera; he trained the Israeli cameramen to be 'his' eyes. He could move viewers from viewpoint to viewpoint by switching from camera to camera. He was also the one who decided the average length of the shots (ASL), and he edited the footage. Throughout the trial Hurwitz looked for the telling moment: a gesture, an expression, an exchange. He wanted to be able to concentrate on what he discerned as being crucial to

understanding what was going on. In a sense his use of cameras is similar to the use of cameras showing a tennis match on television. Viewers, sitting in the stands at the court, cannot see the expression on the face of a player as they are about to serve or when they miss a return; they cannot look closely at how the hand holds the racket or a player moves his feet. A camera can zoom in and show that. A camera can move to track a player as she runs to the net or swerves to return a shot. A camera focuses the attention of the viewer on what the director wants the viewer to see. The camera “can do something that is more probing than the eyes and ears of a human” (Bagnall and Hurwitz 2020).

To show how Hurwitz used his different camera positions and techniques to involve viewers emotionally in what was going on daily in the courtroom, I examine a portion of session number 70, showing Esther Goldstein, shot on August 9, 1961. I describe the shots and techniques not only objectively but as they impacted on me as well because this is what I believe the filmmaker intended the experience of the average viewer to be. I make a reasonable guess as to which cameras are being used; this is based on my close and repeated viewing of the footage.

This session begins with the end of the testimony of Raya Kagan, but my focus is on the segment which introduces Ms. Esther Goldstein. A guard has been sent to bring this witness into the courtroom. In the first shot of this segment, Prosecutor Hausner is seen from the camera behind the witness box. He is shown standing behind his table. The camera is fixed as he speaks to the judges. The next shot is from behind Eichmann’s booth showing the audience. The screen is full of the hubbub of people moving, talking, and shifting about to see the witness enter the hall. Again, the camera does not move; the only movement is that of the people filling the screen. Then we catch a glimpse of the guard entering from the top right corner of the screen. Next is a long shot from the camera in the back wall looking down at a portion of the audience, the prosecutor, and

the judges on the platform. The camera position switches to the one used previously to show the screen again filled with the audience as the guard comes down the stairs towards the front of the hall. As do the audience members, we too anticipate the arrival of Esther Goldstein. Still in the same position the camera now tracks her as she makes her way alone past the rows of people sitting to her right and to her left. In the sea of people, she looks vulnerable as she moves carefully down the stairs in her pale striped summer dress, and then up onto the platform past the dark robed, seated figure, of Barr and the dark robed, standing figure, of Hausner beside him, to enter the witness box.

The next shot is taken by the camera in the back wall. The camera is trained on the witness box with Ms. Goldstein standing there while a guard stands in front of the box. Next, the camera reveals the head and shoulders of the presiding judge, Moshe Landau, asking the witness to give her name and to repeat after him to swear to tell the truth. The following shot is either taken from the back wall or from behind and to the right of Eichmann's booth. The shot is a much closer look at Esther Goldstein as if she is being introduced to the viewer. Then, we have a full-length body shot of her while she gives her name to the judge. Following that she is caught as she leans forward to correctly inform the judge that her name is Esther, and then we see from the perspective of the camera set behind the back wall. She is now seated with her arms crossed as the guard adjusts the microphone. The next scene is Hauser in profile standing behind his table looking down at his notes and then holding black and white photographs. That is shot from behind the witness box. Then, our perspective switches once more to the back-wall camera showing the head and shoulders of Ms. Goldstein. After which, we have a close-up of her as she is looking down at her lap with her left hand up to her forehead hiding her face, then looking at Hausner, then licking her lips. We, as viewers, are already starting to sympathize with this young woman, surrounded by men.



Eichmann is across from her, the judges are on one side of her, and the prosecutor and defense counsel are on the other.

From the camera behind the witness box, we see Hausner in a three-quarter length shot before we move back to a head and shoulders shot of Esther Goldstein. She is in focus while Hausner, out of focus, addresses her from behind his table whilst he is holding some photographs in his hands. The next shot is of him moving from behind the table to take the black and white photographs to Ms. Goldstein. The camera stays focused on the prosecutor's table so that the empty chair remains in the center of the screen with Barr to one side and Dr. Servatius in profile to the other. The camera from the back wall then shows a long shot of Ms. Goldstein in the witness box as Hausner approaches to place the photos in front of her. We have not yet been able to see the photographs; all we know is they are familiar to her, and they are black and white. She is asked to identify the figures captured on film over fifteen years earlier. Most of the people in the photograph she is shown were killed shortly after it was taken. She is now looking at them again; it is hard not to imagine she is in some way re-experiencing what happened to her.

Then the screen is taken up by the black and white photo. It shows Ms. Goldstein, wearing a white headscarf, standing in a crowd which includes her sisters, as they are in the process of being shipped to Auschwitz. Because the image she sees is all we can see, it is as if we were there with her; the fear and uncertainty she must have felt become ours too. The image fades to black and the head and shoulders of Esther Goldstein fill the screen once more with Hausner standing to her left. Then, a second black and white photograph is all we can see; it shows a group of men, one wearing an arm band, another a Star of David. The witness is asked to identify a Dr. Kellermann, and this image fades. What next replaces it is a view of Ms. Goldstein from the front. She is still identifying people in the photographs on the desk in front of her, while Hausner stands

beside the box. The first photograph fills the screen again and then from the camera placed behind Eichmann's booth we see Esther Goldstein's head and shoulders. A different black and white photograph takes up the screen. This time the camera pans slowly across it revealing the people standing there from left to right. Then the screen fades to black, before once again revealing the witness from the camera positioned across from the witness box.

This is only the beginning of Ms. Goldstein's testimony, and so many shots and techniques have been used to keep us, the viewers, intently focused on the screen. What do we know by this time? What we know is her name, and that she was taken from Hungary on a transport to Auschwitz, and that she was with her mother, father, sisters and two of one of her sister's children. We have also learned that her brother and sisters survived but that her mother, and her father, and her sister's two children did not. She has had to identify her father and explain how an SS officer made the selection of who was to live and who to go to the gas chambers. One can only imagine how she felt reliving those experiences. As the session continues and Hurwitz moves from one camera shot to another, we become aware that the camera stops more frequently and lingers longer on the witness box as Esther Goldstein angles her body away from the glass booth and talks to Hausner. He pats her back and points to the glass of water. The camera holds on that scene and holds again as she turns away and tries to rise, but he does not let her stand up or leave. It is hard not to see the discomfort suffered by Ms. Goldstein and not to ignore "the professional" attitude of Mr. Hausner who appears to be persuading her to continue with her testimony.

The above describes one short segment of one session out of the two that were recorded daily: one in the morning and another in the afternoon, day after day, week after week, over four months. It reveals a profound knowledge of how moving images work on the human psyche. Hurwitz used his remarkable skill with the cameras he had placed around the courtroom to make

viewers feel not only as if they were there but that they also had an insight into what was going on in the minds of the participants. Amongst other techniques, his editing and the framing of the shots served to evoke both cognitive and emotional empathy in viewers.

Hurwitz's personal goal in filming the trial was not achieved but perhaps another one was. Hurwitz believed that in a fascist state, human beings become capable of doing inhuman things. He had hoped that faced with the testimony of witnesses Eichmann would become aware of the wrongness of what he had done in carrying out the work he did (Bagnall and Hurwitz 2020). Although the location of the accused and the accusers was predetermined, Sylvie Lindeperg suggests that Leo Hurwitz positioned cameras one and two to have Eichmann and the witness appear to face off against each other. She suggests that Hurwitz's use of a shot/reverse shot technique showing first one and then the other would persuade viewers to see Eichmann as the one responsible for the suffering being described (CUNY 2017). It can be seen, though, by anyone watching the film footage closely, that rarely do the witnesses look at Eichmann, and rarely does he look at them. He could not but be conscious of being scrutinized for any reaction, and much of the information presented by witnesses had no direct bearing on the charges brought against him. He himself had gone to Kulmhof (Chelmno), Minsk, Auschwitz and Lublin-Majdanek. He had seen the result of gassing in vans and shooting in trenches. He was not unaware of what had been done to the people he had sent, as 'goods', on carefully scheduled trains in wagons he had filled to capacity; they were 'liquidated'. In the controlled and formal environment of the courtroom over a decade and a half later there were no smells, no screams, no dead or dying. Why would he react to the narration of suffering no matter how emotionally presented or how graphically gruesome the description? Hurwitz could cut from witness to accused and back again, but the most the camera could show was the emotions of the former and the lack of emotions of the latter.

Hurwitz, unlike Gideon Hausner, did not believe that those who did what Eichmann had done were monsters. He wanted to uncover the human who had come to behave in an inhuman way, but he was unable to do that. Nevertheless, through his focus on Eichmann, he did succeed in showing that someone who believes they are superior to others and who has unlimited power over them, risks becoming unmoored from their humanity. The tapes of the *trial* were remarkable and earned a special Peabody Award that was given to Capital Cities Broadcasting Corporation and Milton Fruchtman with no mention was made of Leo Hurwitz. Although the thirty-minute documentary *Verdict for Tomorrow*, which he edited and which used the footage of the trial, was also mentioned in the award, again his name was omitted. Through the effort of Professor Susan Slyomovics of UCLA, he has been given credit for the work he did, the work that has left its mark on representations of Eichmann in the years since. Just as the original recording became a historical record that was available to educate Israelis and non-Israelis alike, so later fictionalized renditions of Eichmann too became history lessons for viewers.

## 2 Operation Finale

Unlike the other two films I examine, *Operation Finale* deals with what happened before Eichmann was put on trial. It is, in a sense, a prequel. Almost six decades after that trial took place; people like screenwriter Matthew Orton are still drawn to the character of Adolf Eichmann. It is his screenplay that drew me to the film, and I will focus on that. As a university student Orton had to write a paper investigating whether something as vast as the Holocaust had ever happened before. This led him to discuss the topic with a friend and then to read Mossad agent Peter Malkin's account of the capture of Eichmann. From this grew his desire to weave together his version of Eichmann and Eichmann's role in the Holocaust, the strong Nazi presence in Argentina, and the birth of Israel. To that end he did further reading (Bernadello 2018). The screenplay Orton has written tells of Adolf Eichmann's kidnapping, the hunt by his family and friends to find him, and what takes place in the safehouse before he is taken out of Argentina to Israel. It focuses primarily on his confinement in Buenos Aires. There, the conversations between Malkin and Eichmann gradually lay bare the dark side of the antisemitic Eichmann, the suffering of Jews who were murdered, and of those who survived. Apart from starting my analysis of the film with the way Orton introduces the killings, I will look at the film as it unfolds.

The Holocaust is indicated through the introduction of many scenes in which Malkin imagines and reimagines how his sister, Fruma, died. Seeing her death, we, as viewers, come to experience the different ways the victims of the genocide were killed. Fruma and the children are shot standing in a trench. They are shot in a forest. We see her body hanging in a forest clearing, surrounded by laughing German soldiers. We see bodies tangled in a mass as the doors of a gassing van are opened. These scenes encapsulate stories offered by witnesses at Eichmann's trial. One well known example is Rivka Yoselevska who in her testimony, told of her whole family,

including the child she held in her arms, being shot. She was the last member of her family to be shot, but she did not die. She was able to claw her way up through the bodies, dead and dying, to escape the pit where they had fallen. By focusing so much attention on Malkin's memories, Orton brought out the sorrow the survivors of the Holocaust lived with day after day, years after the Holocaust.

The very first time we see Fruma though she is very much alive as she is in her brother's imagination. Her whole face fills the screen. She is a unique and beautiful individual. Then superimposed on her face is the face of a man in darkness driving a car at night and, as the young woman's face appears again, we sense that he is living in the present and she is fixed in the past. In the next scene this person, who we later learn is Peter, and two accomplices, kill a German officer as he celebrates Christmas with his wife and two small children. They mistook him for Eichmann. This foreshadows what awaits Eichmann at the end of his journey to Israel, but when first we see him, he is a powerful man in the uniform of an SS officer. He descends a majestic staircase before being driven to a forest. There he looks down on civilians, one of whom appears to be Fruma offering up her baby to him. The people stand three deep in silent rows in a trench that, as the camera pulls back, is revealed to wind on for miles. With a drop of his hand the shooting begins. The voiceover is Eichmann saying: "Our work, was paperwork. Our war, a numerical one, and although I struggled against endless idiocy...I only did what little I could in Germany's fight against her enemies". There is applause as Eichmann, now in civilian clothes, is shown seated in a comfortable armchair sipping alcohol from a small glass. This defense of being a bureaucrat dealing with numbers, was the one he offered up at his trial.

Next there is a flurry of shots which rush viewers through the years Eichmann scheduled the transports. Maps, typing, lists of numbers being added up, a paint brush layering thick paint down a canvas, more maps with a pin on Auschwitz, a pen nib drawing lines leading to Munchen (Munich) on a map, another line to Berlin, the same paintbrush applying more paint in vertical lines, lines and more pins, a telephone receiver being lifted from its cradle, a hand holding a pen and signing the name Eichmann, more columns of numbers, more paint on a canvas, the name Warsaw, a skull head ring, threads on a map between different locations spread out, pages flipping, cigarette butts, Belzec, a Swastika and eagle, hands wiping off paint with a rag, and finally the camera pulls back to reveal a map of Europe densely crisscrossed with threads. This almost frenetic opening presents what Eichmann did; it also presents how Peter Malkin struggles to work through the loss of his sister by painting.

As viewers we are momentarily disoriented, as perhaps we are supposed to be, when the story then shifts abruptly to the interior of a darkened cinema. On the screen we see a confrontation between a young man and the young girl who loves him. We are reminded of the way Jews were seen by Germans during the Nazi era as the young man starts hitting her while shouting over and over the question “Was your mother a nigger?” Meanwhile, we see a young girl in the audience telling a group of boys to hush as they laugh. Sylvia Lothar is the young girl in the theatre, and Klaus Eichmann is the young man she talks with as they stand outside after the film has ended. It is the beginning of their romance and the beginning of the uncovering of Eichmann’s identity. Klaus is soon shown visiting Sylvia at her home where her father Lothar, connects him to the man he calls his uncle but who is in fact his father, hiding under the assumed name of Ricardo Klement. Orton wanted to indicate the atmosphere in the South American country where so many Nazis had

found shelter. He does this by showing Horst Carlos Fulder, the SS officer responsible for establishing routes which allowed Nazis to escape Germany to Argentina after the war, addressing a crowd in a hall. There, his shout of what to do with ‘the Jew’ is answered with a roar of ‘soap’.

Then, back in Israel as a reminder to viewers of the loss survivors lived with long after the war ended, we see the Mossad team assigned to capture Eichmann seated around a table in a restaurant. The members toast the ones who cannot be there before they leave on their mission to Buenos Aires. One asks the others to share how many family members he lost in the Holocaust. The figure of Ben-Gurion arrives before they go on, and into his mouth Matthew Orton puts the amazing words the prime minister uses to encourage the team.

If you succeed, we deny the world the chance to let Eichmann’s murderous edicts sink into obscurity. For the first time in our history, we will judge our executioner. We will also warn off any who may wish to follow his example. If you fail, he escapes justice. Perhaps forever. For the sake of our people, I beg you: do not fail. Our memory reaches back through recorded history. The book of memory still lies open and here, now you are the hand that holds the pen. (*Operation Finale* 2018)

This so beautifully sums up what the trial means for Israel and how the act of bringing Eichmann to trial will reverberate in the memory and history of the Jewish people for generations to come. Then, there is again a flurry of shots ending with the arrival of the team in Buenos Aires which slows down as we hear Eichmann once more repeating the words he spoke before, “I only did what little I could in Germany’s fight against her enemies.” Before the team capture him, there is a short and memorable scene—a piece of visual poetry. The camera is behind Eichmann as he looks up at a murmuration of birds moving gracefully through the darkening sky. All we hear is the sound of their wings beating. Do they represent the multitudes who died? Are those sounds those of suffering



that cannot find expression in words? The scene is an interlude of peace which allows viewers time to reflect before words become the key used to unlock Eichmann's identity in the safehouse.

The film then takes up the relationship between Malkin and Eichmann after the departure of the plane returning them all to Israel is delayed. The unexpected need to get Eichmann's signature on a document saying he agrees to stand trial in Israel gives rise to exchanges between Peter Malkin and Adolf Eichmann. The screenwriter uses those to emphasize the divide between how one presents oneself to be seen and how one is seen by others. This is ultimately what the trial became: how Eichmann was represented by the prosecution and how he chose to present himself. Talking with Malkin, Eichmann scoffs at being called 'the architect of the Final Solution' and says, "I would rather die than have my history told the way someone else would like it to have been." He adds "You have no interest in what I have to say, unless it confirms what you think you already know." Looking at the original trial footage one can see Prosecutor Hausner pushing and pushing the accused to admit that the act of killing Jews was a crime. He finally says that on a personal level, he considers himself guilty of wrongdoing, but only after complaining to the judge that he was being "roasted till done." In other words, he was being coerced into conforming to an image that others had pre-formed about him. He did not consider himself culpable. As the time of the El Al plane's departure comes closer; the relationship between Eichmann and Malkin evolves, and other facets of Eichmann's personality, that did not emerge during the trial, are brought forward. Orton depicts Peter Malkin bartering information about himself in exchange for getting the signature needed to fly Eichmann out of Argentina. He suggests that Eichmann might want to tell his side of the story for his children. The Mossad agent tells Eichmann of the loss of his sister and his little nephew, a boy who was the same age as Eichmann's youngest son. After a silence

Eichmann simply says “But, he was a Jew.” The inference being that Jews and Germans were not equal, and Jews did not deserve to live, yet during the actual trial much of his refrain was that he had no hatred of Jews and how he tried to save Jews.

The film leaves us with a picture of Eichmann that is multifaceted and thought provoking. Throughout much of *Operation Finale* he is presented as soft spoken and compliant, but towards the end he is portrayed as someone unpleasantly different. He is shown using the personal information that Peter Malkin has shared about Fruma’s death to taunt him about how she might have suffered before dying. He does this in order to anger Malkin into overdosing him when he is being sedated before leaving for the airport. That scene is a vivid contrast to the way Eichmann was portrayed previously. We are forced to think more deeply about the persona shown in the recordings made of Eichmann at his trial and consider some questions that the film raises. Was Eichmann the man who tried to find a ‘home’ for Jews in Madagascar in order to save them from being killed, or did he expect them to perish there? Was he the man who was unable to find the language to explain himself to the three judges, or was he a person who could use language to present himself in different disguises? Were the actions he undertook to have Jews murdered actions he believed would protect his country and people, or was he truly antisemitic? Maybe he was a more complex man than the trial sessions by Hurwitz suggest. The film teases viewers into looking more deeply at this man, but it does more than that. By 2018, Orton had access to information that was not available in 1961-especially about the worsening relations between Jews and Palestinians. Orton hints at the possibility that Jews might, as Eichmann had done, rationalize the eradication of others as self-protection when he has Eichmann say that he knows of the

construction of the nuclear reactor in the Negev desert. The film offers viewers an overview of the Holocaust, Israel in 1961, survivors' guilt, and the complex character of Eichmann. The ending of the film, however, does not belong to him. It is left to Fruma and Peter. The past and the present come together as Fruma walks towards him and gives him a kiss before walking on. We are left believing that the capture and trial of Eichmann was a turning point for Israel in the healing process.

### **3 Eichmann's Self-Representation During the Trial**

In addition to the representation of Eichmann in the film described above, Eichmann himself worked hard to create the image he wanted to present to those watching him in the courtroom and those watching him on television around the world. As the accused on trial, sitting isolated and displayed in a glass booth raised up so he was clearly visible to everyone in the hall, Eichmann was observed and very much aware of being observed. He was taking part in a performance as soon as he entered from a side door to appear before the audience. What means did Eichmann have at his disposal to present himself as he wanted to be seen given that he was physically an unprepossessing man, whom Hannah Arendt described as “medium sized, slender, middle-aged, with receding hair, ill-fitting teeth, and nearsighted eyes, who throughout the trial keeps craning his scraggy neck towards the bench” (Arendt 2006, 5)? The means he had at his disposal were limited. He had speech. He could choose his words and how he delivered his statements. He had the clothes he wore: his suit and tie. He had his body language: his facial expressions, how he stood, sat, and held himself. He had his gaze: where he looked and how he looked at others. He used everything he could to give the impression of himself as he wanted to be seen: an honest, law-abiding German official who had upheld his oath to the Fuhrer and done the task he was given to do to the best of his ability. He strove to show that he was a civilized person, not someone swayed by any emotion. I analyze how Eichmann strove to create that image of himself.

It must have been very difficult for Eichmann to remain under public scrutiny day after day, week after week over four months, and in the footage of the sessions, it looks like he used certain rituals to claim his space and to maintain control over his body. Hurwitz captures this very effectively when he keeps the camera on Eichmann during the session in which he was being cross

examined by Hausner about the work he did in Hungary (“Eichmann Trial Session No. 94” 1961). He came into his booth, lowered his stack of files on the right side of his desk and then placed what looked like notes carefully on the left side. He set a piece of paper which he lifted from the right-hand pile in front of him, unfolded his glasses, and put them on top of that sheet of paper. All those actions make him look rather like a businessman setting up for the day. Once his space was organized, he blew his nose and adjusted his jacket, and appeared to lock himself into an upright position on his chair. He set his two thumbs together and the tips of his two forefingers so that his hands formed a diamond shaped space. Because Hurwitz focused on the hands, Eichmann can be seen pressing them against each other at thumb tip and fingertip. He held that position until the judges entered, and then he stood smartly. Each time he rose to answer a question from the bench he stood with his arms at his side and when he sat down, he pinched up both his trouser legs. All those actions would suggest that he was projecting the image of a man in control of himself, a man not given to an overt show of emotions.

Eichmann was also very careful with the way he used speech. He wanted to appear as someone who thought logically and as someone who was honest. He used the bureaucratese way of speaking (*Amtssprache*) that was prevalent in his department of the Reich Main Security Office. This made it seem that he could not speak, and hence think, other than logically. There were also many instances of his insistence on exactitude. One example is when he was being questioned by Hausner as to whether he had signed the order to possess the property of Jews in the occupied territories. Eichmann answered that yes it was signed by him, but that he had not initiated that process. Chief Prosecutor Hausner retorted that Eichmann was the one who had convened the meeting at which these plans were made, and, again, Eichmann said he did so because of an order

that had been given him. When he was told one more time that he was the one who solved the question of the disposal of the property of Jews, Eichmann still refused to let that statement stand un-challenged; he reiterated that it had not been upon his initiative (“Eichmann Trial Session No. 94” 1961). Throughout the trial Eichmann tried hard to show that he did not lie. When Prosecutor Hausner was reading a list of names of people who were involved in removing the Jews from Hungary and asking Eichmann to verify that those were the people involved. Eichmann answered to the effect that “there are names that now seem quite foreign/unknown to me, but there were several members gathered together there in Matthausen from various locations.” When Hausner, who had the had the written transcript in front of him, referred to Eichmann’s statement which listed the names, Eichmann replied “I won’t deny it, but now that I’m under oath I have to be careful and for that reason I say that I don’t know *exactly*” (my italics). He could not say exactly. Further, when he was asked to confirm a particular name, he did not say “Yes” rather he said, “Yes indeed, that is also correct.” It was almost as if to make sure that his confirmation was utterly clear (“Eichmann Trial Session No. 103” 1961).

Over the years different historians have suggested that Eichmann wore a mask to suit his needs at the trial. French journalist Joseph Kessel, who is quoted in historian Deborah Lipstadt’s book, *The Eichmann Trial*, said he could feel “‘passion and rage’ emerging from beneath the ‘hollow mask’. This he declared, was the ‘true Eichmann’” (Lipstadt 2011, 116). Historian Bettina Stangneth, in her work, *Eichmann Before Jerusalem. The Unexamined Life of a Mass Murderer*, says that once transported to captivity in Israel, Eichmann had decided to present the image of the “Cautious Bureaucrat” (Stangneth 2015, 363). His face rarely revealed any response other than attention to the judges and prosecutor. Otherwise, he appeared to withdraw into himself during the

witness testimonies except for one time. Hurwitz had tried to catch Eichmann revealing some response to the witnesses as they shared their anguish or information across from him. He did not catch that, but he did catch something that could not be contained. I refer to what Eichmann did during the testimony of Ms. Henriette Samuel on May 11<sup>th</sup> (“Eichmann Trial” Session No.36,37 1961). Ms. Samuel appeared on the witness stand dressed in a light colored, small hat with a veil atop it, wearing a darker colored jacket, skirt and light-colored blouse and shoes. Throughout her testimony, her face was compressed in concentration as she looked down to read the text that lay in front of her and then up again to deliver the words. When she was asked how she and her children were able to escape from Norway into Sweden, she recounted how forty people were hidden under potatoes covered by tarpaulins in the back of two trucks. Clearly this was traumatic for her as she and her children were in danger of being caught and transported to their deaths in Auschwitz. Nevertheless, while she looked very serious during her delivery, there was a contrast between her earnest face and what she was saying as she explained that she and the others were told if the truck stopped, they were not to utter a word, they were potatoes and had to act like potatoes. While she was speaking, we see Barr in profile, looking at the witness, from the perspective of the camera hidden in the back wall. Next, the camera shows Ms. Samuel in the witness box. Then, from the camera behind the witness stand, we look straight at Eichmann, and suddenly the camera is on Eichmann’s face which takes up most of the screen. Why did the camera move so quickly and come in so closely? Eichmann has revealed an expression. He has been caught smiling. The camera stays on him as he raises his right hand to cover his mouth with his forefinger stretched across his lips and the other fingers fanned out, cupping his chin, but the smile is still there. Even his eyes were wide open in an expression that seemed to be seeking confirmation that the contrast between the seriousness of

Ms. Samuel's demeanor and what she was saying was humorous.

Eichmann could control his body and his facial expressions, and he could also control where he cast his gaze. He sat across from the witnesses who bore testimony against him only fifteen years after he worked so hard to have them all annihilated, but he rarely looked at them. His gaze did not fall on them as they gave their testimony, nor did he do more than glance at the audience. Unless he was addressing a judge, Dr. Servatius, answering Chief Prosecutor Hausner, or reading his notes, Eichmann seemed unable, or unwilling, to settle his gaze anywhere. However, when he spoke to the judges, not only his delivery made him appear sincere, but he seemed so because he leant forward earnestly and looked upwards at them as if showing his respect for and obedience to authority. Perhaps by showing them the respect they commanded, he showed that he was continuing to do what he had done as *Obersturmbannfuhrer*: respecting and obeying those above him.

His clothing was also very important to him, and he always appeared in a suit and tie—except for once. In his interview with Professor Susan Slyomovics, Hurwitz comments on one of the few times that he found Eichmann seemed to show any reaction during his trial. (“Eichmann Trial Session No. 70” 1961). It was while Eichmann was watching a film that was being projected on the wall across from his booth. A part of film showed concentration camp inmates. One of them was having a skin graft examined by doctors in their white coats; the same doctors then watched another inmate try to walk back and forth in front of the table behind which they were sitting. Then two photographs of Nazi officers in uniform appeared. These were followed by a scene of killings, which was shot by Marine Sergeant Reinhard Wiener as a wartime trophy. Men get down from the backs of trucks and walk, then run, towards trenches into which they can be seen falling after



having been shot. Earth is then kicked over them (Tobias Ebbrecht-Hartmann 2016). At the start of this film session, Eichmann could be seen wearing a sweater and shirt, leaning on his right arm, and resting his head in his hand. It was just after the scene of the physicians and the two officers in uniform were shown and a new reel was being loaded into the projector, that Eichmann leant forward, put on his headset, and activated his microphone. Hurwitz cut to Servatius, to whom Eichmann was talking, and back to Eichmann again. Then the camera aimed at Eichmann began steadily focusing more and more closely on the hands that were usually so still in his lap. They could be seen gesticulating. Hurwitz recounts in his conversation with Professor Susan Slyomovics that what distressed Eichmann were not the scenes that he was watching but the fact that he had not been given the time to put on his suit (Hurwitz interview on the Meaning and the Making of the Eichmann Trial, 1986). He had been promised that he would always be allowed to appear in court in his suit. (Hurwitz interview on the Meaning and the Making of the Eichmann Trial, 1986). I suggest that what triggered his response at that time, was the effect of seeing doctors in their “uniforms” of white coats and officers in their military uniforms while he was not wearing his “uniform.” “Enclothed cognition” according to researchers Hajo Adam and Adam D. Galinsky is a term that suggests clothing affects the way a person believes he is perceived and the way a person feels. Eichmann very much wanted to appear as someone who had standing. As *Obersturmbannfuhrer* his well-tailored SS uniform gave him the look of someone with authority. His appearance in that role commanded respect and fear. As a civilian his suit also gave him the look of someone who was worthy of respect because it showed him to be a capable member of society. That was the image he wanted to project and the image his sweater did not. His performance as someone who had only followed orders convinced few. He succeeded

in persuading Hannah Arendt who, after she had read all the trial transcripts and attended part of the trial proceedings, came to the conclusion that Eichmann did not have a passion to persecute Jews. She was the one who famously coined the term “the banality of evil” to describe how such a seemingly ordinary person could bring about such horrific outcomes. She saw him as someone unable to think for himself and suggested this confined him to using cliches and bureaucratese which he could not “unpack.” She gives the example of when Eichmann was asked by Judge Landau to explain “kontra geben” and he could not find another way to explain what he was trying to say. He replied to the judge’s request for clarification with “Officialese is my only language.” (Arendt 2006, 48.) Arendt went on to say, “The longer one listened to him, the more obvious it became that his inability to speak was closely connected with an inability to *think*, (italics taken from text) namely, to think from the standpoint of somebody else” (Arendt 2006, 49). Philosopher Bettina Stangneth wrote that Eichmann was not telling the truth but was lying during the trial and that doing so gave him a sense of power (Frum 2014). The judges’ verdict also showed that they had not believed him. After all the material had been presented, the witnesses had given their testimony, Eichmann had been cross-examined, and the defense counsel and prosecutors had made their closing arguments, the verdict handed down was not that he was innocent. Eichmann was sentenced to death, and his plea for clemency rejected. His claims to be an honest person and to show himself as such by making so much effort to answer questions accurately and in the minutest detail, were not successful. Ultimately his lengthy and constant circumlocutions annoyed the judges, and he was reprimanded numerous times (Lipstadt 2011, 115). In addition, he failed to present himself as only following orders. Gideon Hausner was able to show that he went above and beyond what was required of him. The chief Prosecutor produced a note by Franz Rademacher who was involved in the deportation of Jews from Serbia. In the margin of that note was a comment that during a telephone call Eichmann had recommended shooting Serbian Jews (Lipstadt 2011, 142). In a second instance,

Eichmann had the Jewish wife of an Italian, who at the time was living in Holland and whom the Italian authorities had asked to be sent to Italy, deported to the East (Lipstadt 2011, 126). Other evidence proved Eichmann to have been committed to his work not only because of his oath but because he believed in the necessity of eradicating Jews. The transcripts of talks with Willem Sassen a Dutch Nazi who had interviewed Eichmann extensively in Argentina, reveal a man unlike the one who appeared in court. Excerpts show this very clearly when Eichmann talks of the satisfaction he would have felt if 10.3 million Jews had been killed. "I would be satisfied, and would say, good, we have destroyed an enemy... We would have fulfilled our duty to our blood and our people and to the freedom of the peoples, if we had exterminated the most cunning intellects alive today" (Stangneth 2015, 304). Yet, after he was found guilty, he said that he did not think he would not be believed. "Ich habe nicht gedacht, dass man mich so gar nicht glauben wurde" (I did not think that one would not believe me at all). This statement can be interpreted in a least two ways, not only that he was surprised that he had failed because he was not an effective enough liar, but also that he was surprised because he had spoken his truth and yet he had still failed to convince the judges that he was innocent of the crimes of which he had been accused: he had simply done his duty and done it well.

## 4 Two Filmic Representations Related to the Trial Recording

Eichmann left his legacy in audio-taped recordings with Dutch journalist Willem Sassen, the transcripts of prison interviews with Chief Inspector Avner Less of the national police, his own writings, and the video recordings made by Leo Hurwitz. To some extent those representations were under his control. After his death much was written about him and the trial over which he clearly had no control. As stated in the introduction, many films concerning him were made. *The Specialist* and *The Eichmann Show* stand out as they both reveal a strong influence of the recording of the trial and the trial itself and yet create their own interpretation of that event and the people involved. *The Specialist* is made entirely of footage from the trial shot by Hurwitz but has a very different objective: to show that the trial served the Israeli government rather than justice. *The Eichmann Show* narrates the story of how the trial came to be recorded and the different goals of Milton Fruchtman and Leo Hurwitz in making the recording. Although *The Specialist* was made with co-writer Rony Brauman, I refer mainly to the presentations and work of Eyal Sivan as the film seems to belong more to his oeuvre, and he talks of it frequently. I have only been able to locate one talk by Rony Brauman. From this point on I will refer to Sivan when talking of the film.

### 4.1 The Specialist: A Modern Criminal Mind

Just as it is important to understand Leo Hurwitz' background and thinking to see how he approached the recording of the trial I believe it is necessary to understand the filmmaker Eyal Sivan's philosophy to grasp why he chose the footage he did to make his film. An Israeli Jew living in France and teaching in the United Kingdom, and Israel, he is an activist, who quotes political activist and artist, Gustav Metzger: "Every artist should take a stand" (Sivan 2014) and seems to take that advice to heart. Even though he started his artistic life with a passion for photography and even now considers still photography superior to film (Al Jazeera 2011) he has made numerous

documentaries in which he has taken a stand, especially on the Israeli-Palestinian conflicts. As a young man, he left Israel but returned to make a documentary about displaced Palestinians surviving in a refugee camp established by the United Nations.

In an interview at the Sarajevo Film Festival (2012) he states that the first films ever made, by the Lumiere brothers, were documentaries. He explains how the first film, showing modern transport in the form of a train, presages what such transport would do in the construction of nations. He explains how the second film is a documentary because it shows workers exiting a factory, and those workers are of a lower class than the filmmakers. They are thus seen and represented as ‘the other.’ He continues by saying that this is what documentarians will continue to do from that time on: present ‘the other.’ The other are the voiceless victims. He compares a cinema with a church: people sit in rows. They look at something on the wall. In a church it is a victim in the form of a crucified Jew; in the theatre, there are moving images of victims shown. In both cases viewers can feel good about themselves because they feel compassion for those displayed before them (Eyal Sivan 2012).

#### **4.2 Memory, The Persecuted and the Persecutors**

Sivan has said that he was drawn to the topic of the trial because a friend of his had read Hannah Arendt’s *Eichmann in Jerusalem. A Report on the Banality of Evil* and passed the book on to him. In her “report” she spoke against the use of so much material extraneous to the charges brought against Eichmann: the many witnesses and the memory of Jewish persecution throughout the ages. Those stories were being used to form the thinking of young Israelis in 1961, and to create for the world, a picture of Jews as a persecuted people, who needed the sanctuary of the state of Israel. As in his earlier documentaries, he questions this representation and this use of memory. In *Aqabat Jaber: Passing Through* (1987), and *Izkor: Slaves of Memory* (1991), he shows how memory is used

to educate, first, Palestinian children living in the refugee camp, and next, Israeli children in schools. This is done to foster in them a sense of nationalism and at the same time victimhood, or perhaps more properly expressed nationhood through victimhood.

Like Hannah Arendt Sivan seeks to shift the focus onto the accused, to examine how he presented himself, what the witness evidence presented with regard to his guilt, and to see whether Eichmann holds himself personally responsible for any deaths. This theme of responsibility is one he brings up in his talk when he shows an excerpt from *The Specialist* (Sivan 2014). In that excerpt Eichmann is shown repeatedly pressed by Hausner to say if he felt that he was complicit in the murder of Jews. He is pushed past any prevarications until he can no longer take refuge behind the protection of legal definitions of what was then lawfully acceptable. He is forced to think for himself if what he did was morally right or wrong. Told to answer according to his conscience, he finally admits that in ‘human’ terms he was “guilty” because he was guilty of the transportation of Jews. He did add the caveat that his innermost feelings had no bearing on what he was being charged with. Sivan asks if there can be such a thing as collective responsibility. For Eichmann, like those charged at Nuremberg, the defense they used was that they were following orders, hence their crime was shared with all those who followed orders. Eichmann stresses time and time again he was part of a system and did not act as an individual. Sivan questions the idea of a collective crime. If a crime is committed by many, then all are guilty. If everyone is responsible, who can be judged? The possibility of judgement vanishes (“Extinction Marathon” 2014). He questions the purpose of the trial and the assigning of guilt. Arendt’s version of the trial thus appealed to him as it suggested the trial was more of a ‘show’ trial than a real trial. “For this case was built on what the Jews had suffered, not on what Eichmann had done.... Was it not logical to bring before the court all the facts of the Jewish suffering (which of course, were never in dispute and then look for

evidence which in one way or another could connect Eichmann with what had happened?” (Arendt 2006, 6). She holds a different view of what function a trial serves if it is to be a genuine trial and says of this one: “A show trial needs more urgently than an ordinary trial a limited and well-defined outline of what was done and how it was done. In the center of a trial can only be the one who did- in this respect, he is like the hero in the play-and if he suffers, he must suffer for what he has done not for what he has caused others to suffer” (Arendt 2006, 9).

Eyal Sivan constructed his film to question the way the original trial recording presented Eichmann’s guilt and to suggest Jews as well as others were complicit in what happened. Sivan crafted his version by carefully selecting scenes from the original film footage. The chronology of the actual trial is irrelevant to his message. He opens the film as if it had a cast of actors. The names of the various participants are shown with the ‘role’ they played. In his film, the accused, Adolf Eichmann, and Chief Prosecutor, Gideon Hausner, have starring roles, but the three judges too are important, as are the half dozen witnesses he has selected from the many that stepped forward. The only setting is the interior of the courtroom, the stage, where the actors in the drama are confined like those in Sartre’s *No Exit*.

By the time *The Specialist* was made, Israel’s policy towards Arabs within their borders and in Gaza was already clear. For Sivan, the suffering of the Holocaust did not give the Jews of Israel ‘carte blanche’ to persecute others. It did not absolve them of blame for what they did to Arabs. For him Israel had, by 1999, become a nation of persecutors too (Sivan 2012), and his film shows how easy it is to turn against others. His choice of witness material makes this clear. Out of the more than one hundred witnesses less than a dozen were selected and others were referred to in only passing shots.

### 4.3 Key Witnesses Chosen by Sivan

The first witness whose testimony he shows at length is that of Lesley Gordon, who alone of his large family, whose members he painstakingly lists, survived. He describes people, who after having been forced to take off their clothes, climb naked into trenches and lie down, as ordered, one on top of the other and then wait to be shot. Not all of them were dead before they were covered in earth and lime, a task allotted to him. Lesley Gordon is a witness who needs to be pushed by Hausner. When he is first asked who was being murdered, he replies that they were women, men, and children. He does not immediately reply that they were Jews and needs to be prompted to do so. Why does Sivan choose to include this? Is he saying people are simply people? Witness George Wellers is another significant choice. He talks of the utter distress of Jewish children arriving in Camp Drancy outside Paris and then being sent to Auschwitz. He describes the role of the French police in rounding them up, guarding them, and bodily carrying them as they struggle and scream, out of the buildings which they refused to leave and putting them on the buses which transported them all to the waiting cattle cars and to their death. Wellers talks also of the negative judgement by Jews of fellow Jews who tried to kill themselves and failed. It was better for everyone to be on the transport. If they committed suicide once on the train another person would not need to be sent in place of the one who had taken his life. The next two witnesses chosen, talk of the more active role of Jews in the arrangements made with Germans to send fellow Jews to extermination camps. There is no voice-over; there is no text super-scribed on the images, only the voices of witnesses talking of the system that Jews worked within. Then, Dr. Joseph Melkman explains how the Jewish council was set up in Amsterdam, how it drew up the lists of those to be transported. The transports always had to have more people than on the list because people inevitably died in the confined and crowded spaces of the wagons without water, food or sufficient



fresh air. Another important witness selected by Sivan is Phinas Freudiger. He was a member of the *Judenrat* (Jewish council) in Budapest, Hungary. As a member of the *Judenrat*, he received the Vrba-Wetzler Report which documented the atrocities in Auschwitz. He did not pass that information on to other Jews, so they remained ignorant of what awaited them at the end of the train journey. When asked why he did not tell the Hungarian Jews what would happen to them once the wagons arrived in Auschwitz, Freudiger is seen replying that by the time he got the information 300,000 Jews had already been shipped there. Sivan included the outcries against him from audience by those whose family members had perished. They accused him of being a collaborator. The scene shows Judge Landau having one man removed and then cutting the session short when another man stands up; the shouting is included. Thus, these four witnesses reveal more than the degradation of Jews by Nazis; they reveal the complicity of others in that torment: Jews and French police.

#### **4.4 Scenes of 'Bureaucrat' Eichmann**

Woven into the witness scenes are many selections of Eichmann which show him almost as a pedantic bureaucrat. Sivan uses slow motion only once and this is the scene in which Eichmann is standing in his glass booth, both arms upraised, as he holds up a chart he has made. This he explains, will make clear his low position in the chain of command through which the orders he had to follow came down to him. The screen fades to black with his hands still holding up his neatly drawn diagram. Sivan has already layered meaning upon meaning by his choice of witnesses and by the time the film narrows its focus on Eichmann, it is clear he is being presented as a fastidious man obsessed with order and hygiene. He uses his white handkerchief to dust off his desk and papers. While already wearing glasses, we see him cleaning another pair and then raising them to his eyes to inspect if they were clean. The implication of what is being shown suggest

Eichmann is well suited to doing the precise work required in the timetabling of transports; perhaps overly perfectionist. Sivan also draws visual parallels between the work that Eichmann, Servatius, and Hausner do. Servatius goes through files on the table in front of him, the prosecutors bent over paperwork, the judges behind their bench, each one examining documents, and Eichmann, in his booth, looking at the papers he has stacked before him. It is hard to avoid seeing how they are similar somehow. All of them are bureaucrats.

#### **4.5 Dialogue: Eichmann and Judges**

Sivan uses the testimonies of witnesses who present their statements, but he also uses specific exchanges between Eichmann and the judges as well as Eichmann and Hausner to sharpen his point about Eichmann not accepting personal responsibility for what he has done. He leads us there carefully. For example, Judge Halevi asks Eichmann what was discussed at the Wansee Conference in January 1942-was it the methods of killing? To which Eichmann seemingly in a matter of- fact way that, yes it was methods of killing. Judge Landau then repeats that at the Wansee Conference they were talking of methods of killing. Left unsaid is that the killing refers to the killing of Jews, people like the judges, those prosecuting him, and most of the audience. To all of this Eichmann seems oblivious. Judge Moshe Landau is clearly upset that Eichmann seems to be so emotionless about this. Does Sivan use this clip because it shows that Eichmann's thinking is so consumed with the facts he is presenting, that he cannot sense the pain that the content of the message carries with it, or because what he was discussing at Wansee was purely a business matter?

For the most part the judges speak in carefully measured tones, almost as if they were addressing a child. This is especially so when he is being asked about his conscience. Eichmann does not seem to understand the question addressed to him about an inner awareness or mental

reservation concerning what he was doing in his role. When he is asked by Judge Halevi why he could do nothing about Jews dying on the transports, he explains again that what happened to people once they were on the trains was not his responsibility. He could not possibly know what might have happened between points X and Y on a route. Sivan also chooses to include the judge's talk of *Zivilcourage* (the courage of one's convictions) and how one would need to have that in order to resist conforming. Eichmann counters that for such resistance to have had any effect, *Zivilcourage* would have had to have permeated the whole hierarchy of which he was a part. Otherwise, he adds, it would have been like a drop of water on a hot rock. This is such an important exchange which underlines the filmmaker's philosophy. Viewers are made aware that *Zivilcourage* needs to start with the individual, yet he includes Eichmann saying that what happened was part of the turbulent time—a time of war, when education, worldview and authoritarian rule had conditioned people. We are being invited to see how easy it could be for us to accept that exterminating another people is necessary to protect the group to which we belong. Sivan is drawing parallels between the treatment of Jews in Germany at the time Eichmann wielded such power and the treatment of Arabs in Israel when the film was made in 1999 after the 1967 war, the Israeli occupation of territories, and the 1982 invasion of southern Lebanon. Eyal Sivan's *The Specialist: A Modern Criminal Mind* offers viewers the chance to slow down and consider what the original trial of Adolf Eichmann revealed about responsibility, power, and justice.

#### **4.6 Controversial Reception: Sivan's Use of Editing, Sound, and Visual Effects**

*The Specialist* touched a nerve with Jewish viewers just as Hannah Arendt's book did because both were critical of the Jewish Councils (*Judenrat*) and disagreed with the focus of the trial. Despite its glowing reception by film critics by whom it was variously described as "Exceptional" (Humanite), "Extraordinary" (Express), and being the official selection of the Berlin Film Festival of 1999, some claimed it presented a falsehood. Historian Deborah Lipstadt said it

was a ‘putative documentary’ (Lipstadt 2011, 177) and that reviewers, many of whom she admitted had praised the film, were” ...unaware of the film’s creative approach to the facts, [they] took what they saw on the screen as a legitimate portrayal of the trial” (Lipstadt 2011, 178). Sivan has never said his work was a documentary, and in his lectures, he has defended it with “‘We made a film,’ with everything that implies-editing and adding effects.... All the materials we used underwent treatment. We added lighting. We touched up the picture. (Pinto 2005). However, Tryster Hillel, the former director of the archives of the Steven Spielberg Jewish Film Archive, strove to dismiss both the film and the Arendt’s book at the same time: “No Less a Holocaust authority than Professor Yahuda Bauer has suggested to me that a film based on her book cannot be worthy of analysis” (Hillel 2004, 1). He said the film was a forgery, a misrepresentation of a historical event. He considered the use of the archived material to have created such a lie that he tried to have Sivan brought to trial for his supposed twisting of history. He failed, but in his paper, he attacked not only the work. He accused Sivan of being an Israeli with anti-Zionist leanings (Hillel 2004, 3). He was especially incensed by the portrayal of Gideon Hausner that emerged from the use of shots taken over the course of the trial. They follow one upon the other to show the prosecutor’s flair for the dramatic. Sivan does not disagree that to create his work he had to edit the footage, but even to a neutral observer watching different sessions of the trial it seems as though Hausner did address Eichmann curtly, did not look at him when he answered, at times cut him off and at other times brusquely asked for a straightforward answer or a simple “Yes” or “No.” The prosecutor was also generous with his gestures and rhetoric. Presenting him in such a way thus emphasizes the idea that the trial was more of a performance than a judicial trial.

Dr. Gal Raz of the Steve Tisch School of Film and Television at Tel-Aviv University

deconstructs Sivan's film very thoroughly to show how it works to subvert the message he believes the government constructed. There are two aspects of Raz's examination of the film that stood out for me: the dislocation of time and the use of sound effects. It is clear from the opening shots that Sivan did not follow the narrative arc of the trial. The Hurwitz footage shows the chronological movement from the indictment through to the conviction and sentencing. That linear progression is disrupted in *The Specialist* which starts with Session 7 and ends with Session 95 when Eichmann is being cross-examined (Raz 2005, 10). Raz suggests that the way in which Sivan chose to order the data, notably the cluster of scenes chosen from the end of the proceedings serves the purpose of denying the logic of the trial (Raz 2005, 10). I suggest the structure could also be an example of an "unreliable narrator." The viewer is intentionally confused as to who is telling the truth and what that truth is. By choosing to disrupt the original narrative Sivan might be presenting Eichmann, Hausner, or the trial itself as an unreliable narrator. He is asking the viewer to consider who should be believed. Not only is the re-ordering of scenes disorienting, but the director intentionally shows three session numbers and dates one after the other, and in the case of Mr. Wellers the session date does not correspond to the actual date at which the session was recorded (Raz 2005, 10). Given the confusing chronology, the rapid succession of shots of Prosecutor Gideon Hausner, and the fact that *The Specialist* was created nearly forty years after the trial took place, it is hard to imagine why a viewer would consider it a documentary in the sense of presenting *the* reality of the trial. It presents a reality of what took place in the courtroom just as Leo Hurwitz presented *a* reality in the original footage.

The different use of sounds in a film forces the viewer to pay close attention to what is being shown and listen closely to what is being said. Sivan used the soundtrack, silence, and music

to underline the message of his film. He chose the recording made by the Israeli radio station as on those tapes the voices can be heard more clearly and the laughter, a genuine response from the audience can be heard too; there was no external laughter added (Pinto 2005). This laughter can be heard quite clearly on the video recording during the opening session when Gideon Hausner's repeated and varied mispronunciations of 'Idaho' caused the judge to correct him. The use of silence gives viewers the time to interpretate what is being omitted or suggested. Sivan uses silence as a response to the oft repeated question of why those shipped to camps on the transport did not resist. Over the months of witness testimony, the question was asked repeatedly (Pinto 2005). When watching the trial sessions, one might wonder at the reason behind this question addressed to someone who has survived the ordeals they are describing. It seems to echo the thinking of young Israeli Jews that those who let themselves be rounded up could have tried to escape or fight back. There was an intention behind the question just as much as there was an intention behind Sivan's leaving that question unanswered. It is perhaps that there is no reply that could satisfy someone who did not experience what the survivors did. Silence makes us consider what answer could be missing. The music distances us from what we see and the disconcerting sonic feedback makes us think, as Dr. Raz suggests, about the purpose of the trial. "One may indicate an analogy between the trial and the sonic feedback. The trial serves as an amplifier to the voices of the accusers-the Zionist authorities. It is designed to receive and amplify their accusations, but in doingso the Zionist show-trial exceeds its aim to the extent of dissonance" (Raz 2005, 14-15).

Sivan's use of editing has already been introduced by Rebecka Katz Thor in her dissertation (Katz Thor 2018). She describes how Sivan makes use of reflections on the panes of the glass booth. They are used to show Eichmann and at the same time

the witness. Sivan's emphasis on the reflections on the glass booth, she suggests, mark two spaces.

There is Eichmann inside his booth and the rest of the courtroom outside, so the viewer can see two worlds at once.

The looking glass effect can be read as a mirror reflecting back the testimonies at the witnesses and the words of Attorney General Hausner on himself, as a way of illuminating that the trial really first and foremost concerns them and not Eichmann, with Eichmann functioning as a necessary reference...He [Eichmann] is posed as the mirror allowing the witnesses to talk about the Holocaust, in which the Jewish people and the state of Israel comprise the main protagonists (Katz Thor 2018, 91).

In *The Specialist* Eyal Sivan wanted to foreground the accused, and to present him as a bureaucrat carrying out orders. The film in no way condones Eichmann's actions and clearly throws into doubt his assertion that he was only a little piece in the machinery. In the final scene, the only one in which Sivan uses color, the booth and the guards fade out, and the small desk, behind which Eichmann has been sitting throughout the proceedings, morphs into the kind of desk one might find in a corporate head's office. The size Sivan allots him suggests he was a bureaucrat with a great deal of power. Ultimately, Sivan's film leaves viewers asking questions about whether

Eichmann alone was guilty and of what, as well as about the purpose of the trial, and the use to which its recording was put. As a schoolboy in Israel, he had watched excerpts from the *recordings and* learned by heart the opening speech of Gideon Hausner. As an adult, having read Hannah Arendt's book, he chose to reconsider both the trial and the function Hurwitz's recordings served. He spent approximately five years going through the archival footage, restoring it, and ordering it to select the footage he used. In doing his research he found that

the sessions pertaining to Eichmann's testimony and cross examination had remained untouched; whereas survivor testimony had material missing and even some parts cut out of the original tape (Sivan 2009). The staged survivor testimonies were of most interest, and just as Hannah Arendt had criticized the focus of the trial, so Sivan's film was asking viewers to look at the individual charged and to ask to what end his trial had been constructed.



## 5 The Eichmann Show

In *The Specialist* Sivan suggested that more people than just Eichmann were guilty of causing the awful deaths of so many Jews, and he showed how the accused presented himself as he wanted to be seen. Sivan's biggest spotlight was therefore on Eichmann with smaller ones on witnesses and Gideon Hausner. In *The Eichmann Show* the main spotlight moves back and forth from the producer to the director and indirectly lights on Eichmann and the effects of the actions he undertook. It shows Hurwitz hoping to present Eichmann in his glass cage as the personification of fascism. Fruchtman is shown happy to create a historical record of the trial of the Nazi responsible for organizing the murder of millions of Jews. What drives the narrative in this historical drama are two types of conflict. The inner conflict shows Hurwitz struggling with his need to find some vestige of humanity in Eichmann, and the outer conflict shows Hurwitz fighting with Fruchtman over the message that the recording should convey. As the plot moves forward, we see the transformation Hurwitz sought in someone else taking place within himself. Eichmann remains unchanged. His statements support that he was doing what he had to do in his position as director of section IV B4 of the *Reichssicherheitshauptamt* (Reich Security Main Office). Although I focus on the work of screenwriter, Simon Block, both the producer, Laurence Bowen and director Paul Andrew Williams clearly had their own intentions. They wanted to make this event come alive again. Archival footage is blended in with the drama, so viewers are pulled in by the characters and at the same time distanced by the black and white images. The part of the film that epitomizes this approach presents the morning the trial opens. The screen is filled with hands adjusting a collar. Then the camera pulls back to reveal Milton Fruchtman's wife helping her husband as he is getting dressed. Intercut with this are scenes of other hands pulling on a shirt and fingers buttoning it. They are

Eichmann's. These shots are followed by a sequence of scenes from Hurwitz's original recording woven into the same scenes acted out in color: Eichmann/actor enters his booth, then the real Eichmann. The judges/actors enter the courtroom and then the real ones do. Interspersed are shots of Hurwitz in the control room as he tells his cameramen which camera should be recording. This serves to remind us that this person really lived, and the crimes he committed really happened; he was *a* real person not a fictional character.

### **5.1 Characters and Dialogue in The Eichmann Show**

In any film the characters and story line depend on well-written dialogue. Screenwriter Simon Block wanted to portray the characters he was constructing as accurately as possible in their historical context. He watched documentaries about Eichmann, spoke with Milton Fruchtman, investigated the Leo Hurwitz archives in New York and talked with his son to create the interactions that reveal Fruchtman's and Hurwitz's personalities and philosophies. This is done within minutes of the opening. Sitting alone in the back of a car on the way to Prime Minister Ben- Gurion's office, Fruchtman is shown optimistically performing his pitch to sell the idea of recording the trial. Only television, he says can show the world what the Nazis did and showing the trial taking place in Israel means "that event will become the most important event of the past, present, and why not-the future" (*The Eichmann Show* 2015). This is followed by images of a television guide with the date and time of the Eichmann trial sandwiched between the news and cartoons. Then, an original black and white ad for "Coco Wheats" follows. What these shots tell viewers is how important the medium of television had become, but also that the trial information was presented in a commercial context. This introduction to Fruchtman is contrasted with the next shot. We are introduced to Hurwitz and to his thinking about Eichmann as he tells his son that

describing Eichmann as a monster works to sell newspapers. Then, very quickly, the negative treatment of Holocaust survivors in Israel and one aim of the trial are neatly introduced in a café conversation between Fruchtman, Hurwitz, and the Israeli press secretary. The Israeli sums up the treatment of survivors, “Survivors of the Holocaust are often held in low regard in Israel, as if they were complicit in the crimes they endured, and the world needs to hear what happened to them from the mouths of survivors. It is essential the world will see in their homes on their television sets” (*The Eichmann Show* 2015). The viewers have already had the background to the trial laid out for them.

Having Hurwitz give the following statement makes *very* clear that the screenwriter wants to show the director’s desire to reveal the real Eichmann. He “may try to mask emotionally [feelings that] may manifest themselves in a way that he cannot physically suppress” (*The Eichmann Show* 2015). A little later on when Hurwitz is shown talking to the camera crew, the theme of Eichmann as man or monster is brought up again. As he re-states that he does not believe Eichmann to be a monster, a black and white image of Frankenstein briefly appears, so we are shaken awake from the world the film has constructed. Then while he goes on to say, “But I do believe men are responsible for monstrous deeds”. Camp footage of women and children in striped clothing walking between barbed wire fences appears on screen. These scenes are followed by a photo of Eichmann’s wife, Vera, as a young woman, which in turn is followed by a photo of Eichmann as a young man with his son on his knee. All the images follow one upon the other, and meanwhile Hurwitz asks the question to which he sought the answer: “What transformed this ordinary man into someone who was capable of sending hundreds of thousands of children to their deaths while going home every evening and kissing his own children good night?” By this point we as viewers we can no longer see Eichmann as a monster, and we too are forced to ponder the

question that Hurwitz has posed.

Survivor stories that were so central to the original trial are then nudged into the film. The character of Yaakov Jonilowicz, a cameraman, is shown refusing to accept Hurwitz' statement that Eichmann is a human being like any other, and that anyone can end up doing what he did. Yaakov reiterates variations on 'not everyone' until the fourth time he says it, his whole face fills the screen, his eyes look up and into the camera which now stands in place of Hurwitz, as he says firmly: "Not I" (*The Eichmann Show* 2015). As viewers we do not know yet that Yaakov is a survivor, but the indication of some traumatic memory is clear. Later, Yaakov serves to make clear how survivors are suffering from PTSD (post-traumatic stress disorder). While recording others as they share their experiences, he becomes faint behind his camera. Then as he tells his own story of suffering, he is finally given the comfort that has been denied many survivors in Israel for so long. In another scene survivor testimony is used to underline the ongoing disagreement about the focus of the recording. Fruchtman, ever conscious of holding the attention of television viewers, asks Hurwitz if he had caught the fainting of witness 'Ka-Tsetnik.'" This witness was a writer Judge Landau had instructed to answer the questions Hausner was asking him rather than talking of what he wanted to. The judge also asked him to confirm his real name as Yehiel De-Nur, a name which he had kept secret. Hurwitz was so focused on catching any sign of change in Eichmann that the camera was not on the witness as he fell. The ensuing argument about which of the four cameras ought to have been recording emphasizes the differences between the producer and the director regarding the representation of the trial.

Two other interesting points screenwriter Simon Block includes are the decision by the judges to allow the trial to be recorded and the brevity of viewers' attention span. The first is sketched in very lightly. Hurwitz and Fruchtman are standing at the open door to Hurwitz's room as Fruchtman reads a document given him by the Israeli press secretary. The judges have decided

that “If there is not publicity, there is no justice, (It) keeps the judge himself while trying, under trial” (*The Eichmann Show* 2015). Thus, came about the first international television broadcast of a trial. The judges believed having it recorded would keep the proceeding honest; Prime Minister Ben-Gurion wanted the world to see that the trial was fair. However, by the time *The Eichmann Show* was shown news coverage on television was no longer perceived as ‘truthful’ and the need to entertain audiences rather than inform was already understood. The fleeting the interest of consumers of media and entertainment is later foregrounded at a dinner. The wife of an American asks Hurwitz at a dinner party how the trial can compete for people’s attention when there is a man in space and the crisis of the failed invasion of Cuban is unabated.

As *The Eichmann Show* moves to its conclusion, screenwriter Simon Block creates scenes that leave viewers much to think about. As Hurwitz, despondent at failing to catch Eichmann demonstrating regret or remorse, sits at the dining table in his hotel, Mrs. Landau, the owner takes the chair across from him. She points to the number on her arm and says: “Because of you...we are being heard... because of you” (*The Eichmann Show* 2015). The Holocaust has been recorded for Jews by Jews, and Fruchtman’s joy at the completion of the recording, tells us how important it was for him to polish the window giving a glimpse onto this time in history. By the end of the film, Eichmann has been portrayed as Hurwitz described him: not a monster but a man who succumbed to the lure of power and was distorted by it.

## **6 Background to *Eine Epoche vor Gericht*: The Television Program That Aired the Trial in West Germany**

West Germany viewers' understanding of what Adolf Eichmann had done was shaped by *Eine Epoche vor Gericht*. Yet, in this television program, he was like a pebble thrown into the pond of public awareness; the ripples spreading out from his appearance in court had more importance and received more coverage than he did. Like television stations broadcasting the trial in the United States and other countries, West Germany had its own agenda in how they packaged him for their public. Some information about the political and social situation in the country that gave birth to the National Socialist German Worker's Party and The Final Solution can help explain why the show included so much more than just the man himself.

Many West German citizens claimed they had not known about the camps and the killings, but after the war they were not allowed to remain ignorant of the atrocities that had been perpetrated against Jews during that time. Civilians living in proximity to camps were compelled to visit them, view the corpses, and even move them to mass graves. Photos taken by American soldiers show that in Schwarzenfeld local people had to dig graves for Jews who had died on an evacuation transport from Flossenburg concentration camp (United States Holocaust Memorial Museum). Allies made harrowing films that included scenes of the dead and the starving survivors at the liberation of concentration camps, such as Dachau and Bergen-Belsen. Many Germans were required to watch the American film of the Nuremberg trial titled '*Nuremberg: Its Lesson for Today*'. "Captured Nazi newsreels-recording the working of the gas chambers in the concentration camps, massacres of civilians and ill-treatment of prisoners- were shown during the trial (Bowcott 2012). Included too was footage taken from the film of camps by the British producer Sydney Bernstein's *German Concentration Camps Factual Survey*. Not only films but other visuals such

as photos of camps and victims were posted on billboards by the occupying forces.

However, Germans' knowledge of Nazi atrocities was not limited to films and photographs exhibited in the post war years. During the war German news/propaganda newsreels showed the Wehrmacht advancing and taking Bolshevik prisoners. Nazi cinematographers and photographers kept a record of the removal of Jews and others from their homes and confined in ghettos; Hitler's personal photographer Hugo Jaeger's work attests to that (Gurel 2012). Cameras were also used by ordinary soldiers at the front. The historians Mary Fulbrook (2018), Catherine Merridale (2006), and Omer Bartov (1992) all discuss the importance of photographs as trophies taken by soldiers to remember a victory over Jews/Bolsheviks. There are photographs, some carried by soldiers in their pockets, in which Wehrmacht soldiers can be seen looking at the hangings of partisans (Merridale 2006, 130). Another "souvenir" photo found in a captured soldier's pocket, shows the heaped bodies of Jews massacred at Kovno (Merridale 2006, 131). German Omer Bartov refers to photos taken of the execution of Jews or partisans as *Exekutions-Tourismus* (Bartov 1992). Before Himmler made filming executions illegal German soldiers such as Reinhard Wiener documented mass killings to send home and keep to remember events they witnesses during the war (Ebbrecht-Hartmann 2016). Not only members of the SS and the Gestapo had seen scenes of torture, killing, or suffering. Wehrmacht members, their family, and friends in occupied territories were able to visit ghettos where Jews had been herded together without adequate food or shelter (Keilbach 2009). Germans themselves. Later some German civilians surreptitiously documented the people on death marches in the last months of the war. Dachau concentration camp inmates were photographed from a balcony by Benno Gantner on April 28, 1945, as they made their way along the road ("Oral history interview with Benno Gantner, 2010).

## **6.1 Political Situation in West Germany Prior to the Trial: Chancellor Adenauer**

Thus, West Germans of a certain age knew about the suffering of Jews through their own lived experiences, films, or images that they had seen, but sixteen years after the end of the war such images were no longer on public display. Younger Germans did not have an intimate understanding of the extermination of Jews in which their fathers might have participated. Dr. Gotz Aly, a German historian and journalist born in 1947 explained how during his childhood in talks with his father and uncles there was no discussion of Jews. “At that time there was no mention of Jews. Jews never existed when I was a young boy. We didn’t know anything about the existence of Jews. We knew something about war crimes; for instance, the bombardment of Dresden, but nothing else” (Tal and Berman, “Interview with Dr. Gotz Aly, German Historian and Journalist”). The young grew up and the older people grew old in a society in which West Germans were rebuilding their country as a democracy and the evils of the past were forgiven. Konrad Adenauer, a Catholic who had been active in politics before the war, but who, with the rise to power of Adolph Hitler, was removed from his office and later incarcerated, founded the Christian Democratic Union. He became chancellor of West Germany in September of 1949. That same year as Germany regained sovereignty and control over its own courts, former Nazis would no longer be tried for what had happened between 1933 and 1945. The crimes against peace, crimes against humanity, and war crimes which had been key charges brought against those tried at Nuremberg did not apply under German law. German courts did not uphold post ex facto law as there was no basis for it in the German legal code. Trials, after West Germany became autonomous, they were conducted under ordinary statutory and not international law (Pendas 2006, 1). Under ordinary statutory law it was difficult to convict someone of murder as it was necessary to prove both intent and that the accused had been personally responsible for the killing. Furthermore, at the time that Nazi officials



were carrying out their orders to deport, enslave and murder Jews, they had been responsible only to the Fuhrer, who was the embodiment of all laws. This meant that not only ordinary soldiers who had been in the armed forces, but also those who had served as prominent players in the previous Nazi government such as military leaders, judges, lawyers, and businessmen, as well as ordinary citizens, were not compelled to confront, in court, the atrocities committed in the construction of the state from which they had benefitted. They could re-build their lives and many former Nazis found work in the new government.

Chancellor Adenauer was determined to pull Germany forward. He supported integrating former Nazis into society rather than risk having right wing political parties supported by former Nazis undermine attempts to develop West Germany as a democracy. Many former Nazi members were thus granted amnesty from de-nazification punishment. By 1953 “Specifically 40% of the Foreign Ministry, 42% of the Interior (i.e. Justice) Ministry, and 75% of the ministry dealing with Germans who had fled from Eastern Europe during or after the war were former officials of the Nazi government” (Herf 2003). The same year, Hans Josef Maria Globke became Under-Secretary of State and Chief of Staff of the German Chancellery. This was the man who during WWII, had worked to define more clearly the antisemitic laws of the Nuremberg Race Laws which reduced the status of Jews, socially and politically, and ultimately helped lead to their annihilation (Lipstadt 2011). Other former Nazis were embedded in various departments of the Federal Republic. One example is the BKD, *Bundeskriminalamt*, (Federal Criminal Police Office), which was established in 1951. It employed forty- seven men who had previously been members of the *SS Totenkopfverbände* (Death’s Headunits). A former SS was working as the permanent representative of then-president, Heinrich Lübke (Stangneth 2015) and Franz Rademacher, the man who notoriously applied for travel expenses for his trip to arrange for the execution of Serbian

Jews in 1941, was also in the pay of the West German government. He was employed by for the BKD as a spy in Syria (Frohn und Wiegrefe 2011).

There was a great deal then, that the chancellor did not want revealed during the trial. Under his leadership, in the years after the war's end, West Germany had become a member of the European Coal and Steel Community, a forerunner of the economic cooperation that evolved under the European Union, and a member of NATO. Adenauer had also worked to establish friendly relations with the United States and Israel. He had met with Ben-Gurion (Keilbach 2019). "Ben Gurion, eager to forge ties between the two countries wanted to convince Israelis that there was 'one Germany before Nazis' and 'another after Nazis'" (Lipstadt 2011, 27). This was especially important as Adenauer had agreed to demands for monetary reparations made by David Ben-Gurion and Israeli President Chaim Weizmann. By 1956, almost 90% of Israel's state revenue came from West Germany. In this way Israel was able to develop, among other things, its industry, irrigation system, and transportation network (Reiter 2019). West Germany had also officially apologized for what it had done to Jews. Both David Ben-Gurion and Adenauer wanted West Germany to be seen as having changed. The trial of Adolf Eichmann endangered this new image of West Germany and the nascent relations between the two countries-one struggling still to be born and the other to be re-born.

Adenauer maneuvered to control any damage that might be done to the prestige post-war West Germany had been building in the eyes of the world (Wiegrefe 2011). When Israel announced that Adolf Eichmann had been captured and that he would stand trial there, West Germany did not request his extradition to put him on trial in his native country. Furthermore, although as a German, Eichmann had the right to ask his defense costs be paid by the government, West Germany refused. Lipstadt suggests that paying for his defense might have made it look as if the German government

supported him (Lipstadt 2011, 38). Not only reporters were sent to cover the trial in Jerusalem; Rolf Vogel, an agent with Germany's Federal Intelligence Service (BND), he was accredited to the *Deutsche Zeitung*, but his task was to influence the management of the trial so that Globke's name did not come up. "Vogel was part of one of the most sensitive diplomatic and intelligence operations in the history of West Germany. From the government's standpoint, there was nothing less at stake than the standing of Germany throughout the world, and along with it, possibly even the survival of the country" (Wiegrefe 2011). Given that Israel was still a very poor country, it depended on the assistance West Germany was providing. In earlier discussions Chancellor Adenauer had committed to helping Israel with money and war materiel. With the kidnapping and charging of Adolf Eichmann however, those discussions came to a halt. Indirectly Adenauer's voice was heard through Franz Joseph Strauss, Federal Minister for Defense, who let it be known that the German government was in no way at all to be held responsible for what had been done under the wartime government (Wiegrefe 2011). Adolf Eichmann was not questioned by Gideon Hausner about his contacts or about others he had worked with who were still living freely as respectable members of society in West Germany.

## **6.2 Television and Influence of Media on West German Society**

The Norddeutscher Rundfunk (NDR), was the station that created and broadcast the Eichmann trial under the name *Eine Epoche vor Gericht*. Established in an earlier form-the Nordwestdeutscher Rundfunk-under the British occupying forces, it modeled itself on the BBC (Imperial War Museum). NDR was a public broadcasting station and hence committed to serving and educating the German people. In 1961, television was a relatively new medium. During the 1950's it had become a tool that was shaping the Germans sense of self, and round table discussions featuring open debate were not uncommon. Watching television was not always something done in the privacy of one's home. It was often done in "Fernsehstuben", coffee shops or bars that had a

television set that clients could gather round. Those situations allowed for debate about what was being shown. Television programs also often featured shows which dealt with the Nazi era. Such programs aired in the 1950s' had used black and white photographs of people and documents. One example of such a program was called "Das Dritte Reich (Keilbach 2019). It revealed what had happened during the Nazi era, but atrocities were kept at a distance. Also, starting in the mid-1950's there were programs such as *Bilder aus der Neuen Welt* (Pictures from the new world) and *Auf der Suche nach Frieden und Sicherheit* (Searching for peace and security) as well as programs that introduced the West German audiences to political systems in other parts of the world. (Keilbach 2019).

By the time Eichmann appeared in court, Germans were well informed of the story behind his capture in Argentina and arrival in Jerusalem. Ever since his name was given in testimony at the Nuremberg Trial, it had appeared in newspapers and magazines. Books had even been written about him (Keilbach, 2019). After his capture, and until his trial, articles about him were even more frequent in Germany. Willem Sassen, a writer and former member of the Dutch Nazi Party had interviewed him in Argentina where he was living under the name Ricardo Klement. Eichmann talked freely of what he had done to collect and ship Jews to death camps, and he even stated that he would have had more killed if he could have (Stangneth 2015). After July 25, 1960, excerpts of those interviews were released in the weekly magazine *Stern* and books based on those interviews describing Eichmann's life and his role in the organized annihilation of Jews came out (Keilbach 2019). Despite Adenauer's desire to let the past fade into obscurity, it was not happening; he knew his country would receive intense international scrutiny as a result of footage of the trial being distributed to television stations around the world. The presenters too were acutely aware of how the new Germany would be seen. Within Germany the Eichmann trial brought about changes in the classrooms and in courthouses. Trials taking place in Germany and teachers had to

bring the subject of the trials into the classroom. “At the critical age of fourteen, fifteen and sixteen, we had to see these movies about the Warsaw Ghetto, and about Auschwitz. These were the first movies. It was like shock therapy (Tal and Berman, “Interview with Dr. Gotz Aly, German Historian and Journalist”). Teenagers were shown films like the ones their parents had had to watch but never talked about.

### **6.3 The Intent Behind the Norddeutscher Rundfunk’s *Eine Epoche vor Gericht***

The trial of Adolf Eichmann became a means to shape Germans’ perceptions of themselves and the world’s perception of West Germany. Every country’s representative at the trial received three minutes of footage to broadcast in their home countries; West Germany bought one hour of film footage daily. This was used to create broadcasts which were aired for 20-30 minutes directly after the news, twice a week (Keilbach 2014). There were 32 bi-weekly broadcasts promoted as “Sonder Sendungen” (extra-ordinary broadcasts) media events which disrupted everyday broadcasts (Dayan and Katz 1992). Even though the trial was not shown as it happened, the events during each day’s recording could not be controlled so in that sense the coverage was ‘live’, and their importance made them stand out from the normal news coverage (Keilbach 2019). *Eine Epoche vor Gericht* was tailored to show, both at home and abroad that West Germany was no longer antisemitic as it had been during the Nazi era. Rather than trying to examine Eichmann himself, the suffering of Jews was shared through survivor testimonies. Evidence that West Germany could face its horrific past was presented. The new Germany was introduced, and it was also made clear that when Nazi officials like Eichmann had been working to eradicate Jews across Europe there had been ‘good’ Germans.

Nevertheless, the West German program was forced to deal with how the trial was being shown in the German Democratic Republic as well as respond to talk shows and films about Nazi Germany that had been shown there. *Du und Mancher Kamerad*, used film footage that had been shot in the Warsaw ghetto by an unknown German camera crew to show the squalid conditions Jews were living in. That material was intended to serve as propaganda by portraying Jews as less than human. However, filmmakers, Andrew and Annelie Thorndike, manipulated the footage to highlight the militaristic character of West Germany to show that East Germany was a better Germany (Ebbrecht-Hartmann 2015). In addition to films, there were competing television programs such as *Die Rote Optik* in West Germany; in East Germany there was *Der Schwarze Kanal*. Both used excerpts from each other's programs to criticize the ideology of the other (Keilbach 2014). When moderators on the West German show debated whether Chancellor Adenauer should seek to bring Eichmann to Germany to stand trial, the host, Werner Hoefler, suggested that was a good idea. *Der Schwarze Kanal* exploited this discussion to show that West Germany was accepting of Nazis in their midst and added that it had one thousand judges who were former Nazis (Keilbach 2014). Since both East and West Germany were transmitting over their borders, West Germany had to take into account the comments broadcast by the GDR about what had been done and what was still going on regarding former Nazis in their midst.

The following analysis of the West German program is based on my viewing of the first eight of these broadcasts-the only ones I could access-and the work of Judith Keilbach. I will show how the two presenters, Joachim Besser and Peter Schier-Gribowsky structured the program by using diverse material to soften the revelations of the trial, their choice of witnesses, and their dismissive presentation of Eichmann himself.

#### 6.4 Material in Which the Trial Excerpts Were Cushioned

Joachim Besser and Peter Schier-Gribowsky first and foremost wanted to appease viewers by showing that the people of Israel, notably Jews there, did not despise the new West Germany and West Germans. To this end they brought different individuals into their little makeshift studio that they had set up in the basement of the King Hotel in Jerusalem (Keilbach 2019). There, for example, they interviewed four men who had been sent from Germany to cover the trial, variously a man from the *Bild-Zeitung*, from the *Frankfurter Rundschau*, the *Stuttgarter Zeitung*, and a political commentator from the Westdeutschen Rundfunk. Each one of them carefully and calmly enunciated their opinions: they had found little resentment towards them, people were kind and welcoming, but the moral position that Germany had been working on shoring up since the end of the war might be in need of a little repair. The fourth commentator said something that was repeated further on in the program, that perhaps because of all they had suffered due to the hatred of them, Jews were no longer capable of such an emotion themselves. In a later episode a young woman, Ms. Schief, and an older man, Mr. Mendelsohn, were interviewed. Ms. Schief, who had survived life in a ghetto and a concentration camp echoed that perhaps Jews might have unlearned hatred. Mr. Mendelsohn, originally from Berlin, suggested that perhaps Eichmann was a ‘sickness’ that the trial was curing Germany, so it would be healed. All of these interviewees served to comfort Germans with assurance that they were not abhorred because of what was being brought to light at the trial. In another broadcast Joachim Besser looks into the camera, as if talking to each viewer personally, and shares that he had been asked by a German Jew living in Israel “Can a Jew to return to Germany?” Before the screen fades to black Besser tells us, as he did the man: “One can”. That is the reassuring thought Germans and world-wide viewers were left with. West Germany was a changed country.

It was however not enough to show that Jews in Israel did not hate Germans. The presenters wanted opinions harvested from other places and people around the world. How was Germany perceived in light of the horrors being disclosed through witness testimony? Different reports came in from various stations. In Warsaw, people were very fearful that what happened before could happen again; in Paris, the French wanted to forget; in Cairo, the opinion was that Israel did not have the right to judge Eichmann. In New Delhi, newspapers carried photographs from East German papers and spoke against the racial superiority fundamental to Nazi ideology, and in Tokyo, a distinction was made between wartime Germany and post-war Germany. By airing these responses and many more, the program showed that West Germany was open to criticism but was generally perceived as having changed from the Germany presented in the grisly witness testimonies. In addition, the two hosts wanted to mitigate the sting of the accusation made by East Germans that West Germany was still harboring Nazis, even though they did not explicitly deny that. They inserted a brief clip in which a prominent East German political commentator, Dr. Kaul, is heard laughing with an audience and saying: “I have much to tell you about Adenauer that you would not laugh about”. Immediately following that is an interview with the well-known Nazi hunter Simon Wiesenthal. After being introduced, incorrectly, as the man instrumental in catching Eichmann, he was asked his opinion about Dr. Kaul’s activities. He replied that the trial should not be used for political propaganda, and so the sting was removed from Dr. Kaul’s comment even though what he suggested was left unexamined.

*Eine Epoche vor Gericht* also worked hard to show how Jews in Israel were thriving and how Jews had previously contributed to Germany culturally, scientifically, and economically. There was a visit to a university in Jerusalem and to Yad Vashem, the memorial to those lost in



the Holocaust. At the university German exchange students were interviewed about how they as Germans were received. At the Yad Vashem library the director was interviewed, and viewers were informed that 500 documents from the collection were used for the trial. In addition, the celebrations of the 13<sup>th</sup> anniversary of Israel's foundation were aired. Attention was drawn to the tanks, flags, and soldiers. Apart from showing that Jews were doing well in their homeland, and Israel was strong, the hosts also wanted to show how Jews had contributed to Black and white photos fill the screen to introduce people such as Herzl, Marx, and Lassalle. Mention was made of Jewish inventions that helped Germany in World War I and of Jews who fought patriotically, and then helped to rebuild Germany after the war.

In addition to showing how well Israel was doing as a new nation, the program wanted to show that West Germany too was becoming equal to other nations again and to rebuke the United States. This was done by stressing that only an American station, Capital Cities broadcasting, had been given the monopoly to record the events in the courtroom. German stations were especially concerned that an American company might only choose sensationalist and superficial excerpts to share so that there would be little of interest to the German public (Keilbach 2019). Presenter Gert von Paczensky spoke of the delay in getting the material because of the need to ship the tapes first to London where they were transferred to two-inch video tapes before they were then forwarded to NDR in Hamburg. He talked of the loss of quality and the limited trial scenes that could be shared due to having to use the material provided by the American company, which had as he stressed had been granted a monopoly (Keilbach 2019).

Through the witness testimonies viewers learned of the ways Jews suffered under Nazi rule, but they learned too of the brave things done to try and save Jews. Besser and Schier-Gribowsky told of the Dutch holding a general strike to prevent the deportation of Dutch Jews,

and the attempts of King Boris of Bulgaria to stop Jews from being taken to their death. Information about the German soldier Anton Schmitt who lost his life helping resistance fighters in Vilnius is brought out. The screen is filled with black and white photographs of Georg Ferdinand Duckwitz, the German diplomat who alerted Danish Jews to the coming round up, which resulted in their safe escape. We listen to two Jewish resistance fighters of Warsaw describe their intense determination to die fighting the Germans. Finally, in the last of the first eight broadcasts Besser reassures viewers that many people have been following the program; they have been writing to say that they understand and that are willing to carry the burden of what was done. In this way he says perhaps the process of opening-up old wounds that had started to heal, can be made worthwhile.

### **6.5 Choice of Witness in the First Quarter of the Broadcasts**

Since much of the trial showed the utter cruelty and suffering inflicted on Jews, the presenters could not avoid sharing some of those testimonies with viewers. They did it little by little with the padding of their own expressions of sadness at what they were forced to learn and reveal about human nature. Sometimes viewers can see witnesses deliver their testimony, at other times Eichmann is shown listening in his booth, or else T.V. hosts Besser or Schier-Gribowsky tell the stories to soften the blow. Some graphic and horrific stories are told. Viewers learn of how, when a mother refused to let go of her child, a German soldier ripped it from her arms to smash its head against the ground, and then as he returned the bloody body to her, said: "Now you can hold it." Viewers learn of some of the tortures that were routine to Auschwitz: people having water poured into ears, people having their fingernails pulled out and people being starved to death. Viewers learn of a man being beaten on the head with a lead tipped whip and then with the metal leg of the chair he had broken while trying to free himself. Viewers learn from another witness how SS officers would aim at prisoners from a window and bet with each other to see who could shoot the nose or a

finger off a Jew below him. In the evening, those officers would hunt for the maimed ones to kill them as they were no longer useful. One witness from Galicia, describes and shows with his hands spread out flat either of his head how he and others were forced to lie face down, but some were told to get up and run around the courtyard. He could not see them, but he could hear them being beaten the night through. In the morning, he said, when he sat up all around him others were sitting up too, but some had their brains coming out of their smashed skulls. They looked like people sitting up, but they were dead.

Survivor Rivka Yoselevska herself is allowed to tell almost all her of her dreadful story of what happened to her and her family members. All were taken to a pit and told to undress, but her father refused. He was beaten, his clothes were ripped off and he was shot. Then, one by one her grandmother, mother, sister, and her sister's friend were shot and fell into the pit. She herself had her daughter pulled from her arms and shot, then her head grabbed by the hair and turned by the SS officer who told her "I want you to see" as he shot her. She survived. The presenters include her affirmative reply to the judge when he says you are married now and have two children; otherwise, her testimony might have been too heavy for a German audience to bear. Still the hosts included what could not be left out. The killing of a million Jewish children was emphasized during the trial and Eichmann was noted to have said that it was necessary to eradicate them, or they would grow up and seek revenge. So, the presenters of *Eine Epoche vor Gericht* incorporated this information and explained that little children held the hands of even smaller ones and were given a sweet at the threshold of the gas chamber and told to breathe deeply once they got inside. The program includes the witness who carried with him a small pair of children's shoes. He was shown carefully unwrapping them and holding them up after describing his discovery of a vast field strewn with bones, skulls, and children's shoes. The clips of testimonies were *kept* relatively short. On average witnesses received 2-3 minutes coverage on the program (Keilbach 2019), but some

received more, and I will discuss two in greater detail.

## **6.6 Two Testimonies Analyzed in More Detail**

I was able to view two native German-speaking, witnesses, Pastor Heinrich Gruber (“Eichmann Trial No. 42” 1961) and Alfred Oppenheimer (Eichmann Trial No. 68-69” 1961) in their entirety and analyze them closely to see how their inclusion suited the aims of the West German program. I selected them from the witness list Judith Keilbach compiled in her article *Eine Epoche vor Gericht Der Eichmann-Prozess und das bundesdeutsche Fernsehen* (Keilbach 2019).

The testimony of Pastor Gruber, the ‘good’ German, served several purposes. He came across as a strongly principled and upright man who knew what he believed in and was willing to put his faith into practice. He had opposed Nazism and worked to help rescue Jews before he himself was sent to Dachau concentration camp. He was living proof there had been Germans who had risked their lives to help Jews. However, the program also included the judges’ disbelieving reaction when the pastor talked of not revealing to the judges the name of a friend who had also helped. He explained that he refused to do so to protect his friend from harm in Germany. He further revealed that he himself had received threatening letters once it became known he would give testimony at the trial. The program thus acknowledged that there was still antisemitism in West Germany, but this was softened by the further questions asked by the defense counsel. Dr. Servatius read from Dr. Gruner’s own church’s publications, widely circulated newspapers, and scholars’ articles supporting the Nazi party’s treatment of Jews. If such people did that, he asked, then how could a small person like Eichmann stand against the tide? The inclusion of this defense of the accused can be seen as a defense of all ordinary Germans. Many might not have been able to withstand the pressure of propaganda. This must have assuaged the guilt of some viewers as must have Pastor Gruber’s understanding why some could not abandon their families to help Jews. Such a decision, he said, was not an easy one. Yet, he stressed the willingness of simple working

people to open their doors to Jews who came looking for refuge when the Kristallnacht pogroms took place across Germany in November of 1938. He was a forgiving man who could not bring himself to say a bad word about anyone and even asked for forgiveness to be extended to Eichmann. His testimony was given a ten-minute slot, the most extensive coverage of anyone, and he was also invited to come to the studio for the next broadcast of May 23, 1961 (Keilbach, 2019). In fact, Dr. Gruber's prominent position in the West German coverage of the trial fit well with the focus of the current affairs department of the NDR on a critical examination of the Nazi past (Keilbach 2019). His talks helped Germans to understand themselves better and outsiders to see them in a better light.

It was perhaps because the very civilized, soft spoken, and gentle way in which Alfred Oppenheimer recounted his horrific experiences was so at odds with his manner, that made his testimony one that could move German viewers. A Jewish businessman in Luxemburg, and later "Eldest of the Jews", Oppenheimer survived both Theresienstadt and Auschwitz-Birkenau ("Eichmann Trial Session No.68-69, 1961). He spoke clearly and carefully to describe three events that clearly still traumatized him to talk of. First, he described sitting in front of two men on the train deporting him from Luxemburg. One of the two, an older man, made the mistake of opening a window. He was shot through the head by an SS officer and died instantly. The man seated beside the elderly man had his throat pierced by the same bullet; it took him between 12-15 hours to die. Neither M. Oppenheimer nor anyone else could help the dying man. Recalling this man's suffering very clearly caused Mr. Oppenheimer considerable anguish. Next, Mr. Oppenheimer talked of being hanged, for stealing one potato. He was lifted from the ground by his hands which were tied behind his back. He told of his excruciating pain, and what he called his 'blessed black out' which afforded a brief respite from that pain. He told of the dislocation of both his shoulders and his having to resume his physical labors the next day. He did not talk only of his suffering but shared

how he had been hoisted into the air only after having had to watch the man in front of him be raised off the ground by a rope tied around his neck. These two experiences were not the only two he shared. The last was perhaps the one that caused him the most anguish which was evident from his body language as he talked. As the camp was being emptied, Mr. Oppenheimer described hiding in the latrine with two companions. He saw three barracks from between the cracks in the plank walls and watched as they were set alight. When prisoners ran out, they were machine gunned; those that were trapped inside burned alive. He described again visibly suffering that to save himself, he along with two companions, had to jump into the latrine. He had no idea how deep the waste was, and feared drowning in it. Almost as if he were sinking again, he showed with his hand how high up on his chest the excrement reached. He needed to pause for breath several times as he spoke, and at one point during his testimony, he gently held his face between his hands as if to comfort himself. Because he spoke so carefully almost delicately it is hard not to see him as a fellow human being and empathize with him as he shared the physical pain he had endured and the anguish he felt in recalling what happened to him and those around him.

Besser and Schier-Gribowsky used the recording of the Eichmann trial as an opportunity to create something positive, meaningful, and instructive, but Eichmann himself whenever he appeared was presented in a negative light. He was shown to be a weak subservient man lacking in moral fiber. Shots of his expressionless face served as a counterpoint to survivors' expressions as they gave their testimony. His use of bureaucratese was criticized, and his defense strategy mocked by both hosts. They selected portions to reveal him to be evasive when cross-examined by Gideon Hausner and boring when answering questions posed to him by his defense counsel Servatius. On those occasions when Eichmann was speaking at length, what he said was intercut with critical comments by Besser and Schier-Gribowsky (Keilbach 2019).

## **7 Israel-Zionism, the Trial of Eichmann, and Holocaust Education in Israel**

For the Israeli Prime Minister, Adolf Eichmann, the individual, and his punishment were of far less concern than what his trial could be used for (Segev 1991). When he was brought to Israel, Eichmann was brought to a state struggling to establish itself and not yet recognized by several countries including West Germany. Israel had been created less than fifteen years earlier when Resolution 181 adopted by the U. N. divided Great Britain's former Palestinian mandate into Jewish and Arab states. This Jewish homeland that Zionists had struggled to establish, had already fought for its survival. In May of 1948, Jews living there knew they would be attacked by Arabs who refused to accept this partition (Office of the Historian, "Milestones: 1945-1952"). Egypt, Syria, Lebanon, Iraq, and Transjordan attacked, but were beaten back by Jewish groups that had previously fought the British ("Why the Arabs Were Defeated" 2009). At that time Jews constituted one-fifth of the population, but once victory had assured Jews of a homeland, more came to settle there. Those who had been born there, those who had fought the British to create their fledgling state, those who had fought to clear the partitioned land of Arabs, and those who had come as refugees, displaced from their homes in Europe, remained a disparate people even when Eichmann was brought there. In fact, until Eichmann was put on display in Jerusalem, the Israeli government did not actively pursue Nazi perpetrators. It was a country focused on survival in the present. Even the law under which Eichmann would be tried, the Nazi and Nazi Collaborators (Punishment) Law of August 1, 1950, was initially intended to try Jews who had collaborated with Nazis, to keep peace withing Israel amongst survivors with different backgrounds safe (Porat 2019). Because Mossad, the Israeli secret intelligence service, was tasked with keeping the state safe, persuading the Israeli government to send Mossad agents to verify Eichmann's identity and bring him to justice in Israel had not been an easy undertaking. It came

about because of the persistence of a German Jew, Fritz Bauer, district attorney in the West German state of Hessen. He passed on the information that Eichmann was living under the name Ricardo Klement in Buenos Aires. Nevertheless, it took the agency several years to confirm Eichmann's identity and track him down (Lindeperg and Wieviorka 2016). Once he was captured, the publicity value of a public trial became the focus for David Ben-Gurion (Segev 1991).

Fifty years after the trial was held, historian Hanna Yablonka explained how in the Nuremberg trials in post-war Germany Jews had not been able to present themselves. Their experiences were presented and defined by others. Their own voices were not heard; their suffering was not recognized. Dr. Yablonka quotes Justice Robert H. Jackson at that trial saying “The Jews tend to exaggerate what happened to them’ and ‘that he does not believe witnesses.” She argued, “Only once the Jews had a state, they could judge someone who has harmed them. (sic) Suddenly the existence of the Jewish state was understood by the large public” (Yablonka, 2011). The trial allowed them to speak, to be heard, and to be accepted, but sharing the horrors they survived also transformed the unimaginable into a reality that could be imagined by those who had not experienced it. It could be envisioned as happening again. The memories borrowed from those who had endured the Holocaust and spoken of it at the trial seeded the fear that such things could reoccur. Eichmann personified the enemies Jews had faced during the second world war in Europe, but the trial also linked Nazis to enemies much closer to home. What had been done to Jews by one race could be done to them by another.

David Ben-Gurion wanted the process to bring out connections between Germans and other Arab rulers such as the Grand Mufti (Segev 1991). In fact, almost fifty-five years after the trial, Israeli Prime Minister Benjamin Netanyahu claimed that the Grand Mufti had given Hitler the idea to destroy the European Jews as he did not want the expelled emigrants pouring into



Palestine. Chancellor Merkel's spokesperson denied this. "All Germans know the history of the murderous race mania that led to the break with civilization that was the Holocaust. This is taught in German schools for good reason, it must never be forgotten" (Chandler 2015). Long after the end of the trial, at which the accused had stood for every evil committed by the Nazis, the horrors were remembered and talked about, but they had become more than words and images on paper. The live recording of the Adolf Eichmann trial in Jerusalem had become moving images of people transferred to film. Those records were stored and accessible. They could be used by research institutions, educational institutions, or the entertainment industry in Israel and abroad.

### **7.1 Israel Radio, Television, the Eichmann Trial, and Education**

Ben-Gurion understood that the most effective way of presenting the trial world-wide was television, and through the work of producer Fruchtman and director Hurwitz this was done. However, Israel did not have an active television network; the trial was broadcast from speakers in public places and radios in workplaces, schools, and private homes across the country. In addition, it was covered in the Israeli press. Eichmann's likeness appeared in books, newspapers, and magazines, and many Israelis were able to see Eichmann both in person and on film. Of the five hundred seats reserved for reporters in the front rows of the courtroom, most became available after the first week of the excitement of the trial had been replaced by the excitement of Yuri Gagarin, the first man in space, and the failed Bay of Pigs invasion of Cuba by Cuban exiles living in Florida. Once reporters had vacated those seats, they were filled by ordinary Israelis. Over a period of only four months, thousands of Israelis were able to see Eichmann in person. Another 50,000 Israelis would have been able to watch the trial on closed-circuit television in the Ratisbon Monastery that housed the control room for Fruchtman, Hurwitz, and the crew. In addition, although television only came to Israel in 1966, there were movie theatres where every two weeks after a recording of the trial had been transferred to film, that film it was shown. Jews in Israel

knew about Eichmann and learned what the Holocaust was, but the trial was designed to do more than bring Eichmann to justice for his crimes.

Israeli Prime Minister Ben-Gurion wanted several outcomes for the trial. One goal was for those born in Israel to understand the history of European Jews. Survivors made up most of the presentations, but historians were also invited to speak. Professor Salo Baron came from Chicago and recounted to the courtroom the story of the Jewish people from their beginnings through the Holocaust to its aftermath. The text he prepared to make his presentation from at the trial covered 130 pages, and it explained, among other things, the contributions made by Jews to countries where they were allowed to establish themselves, the rise of Zionism in the interwar years, the establishment of schools, the enumeration of Jewish 'greats' in the economy, science and the art. It concluded with the suffering under the Nazis and the huge Jewish population losses suffered throughout Europe:

According to the survey prepared by the Central Jewish Committee in Poland on August 15, 1945, there were altogether 73,955 Jews left in that country ... This tiny remnant of more than 3,300,000 (in the somewhat larger area of prewar Poland) was distributed over 224 Polish localities, leaving the large majority of the former 2,000 communities devoid of any Jewish population... The tragedy was greatest where the Jewish communal and cultural life had flourished most-in Poland, Germany, and the bordering countries (American Jewish Yearbook, 46-47).

By 1961, when Eichmann was brought to trial, one out of every four Israelis was a survivor of the Holocaust (Yablonka, 2011). Yet those survivors did not discuss what they had experienced in ghettos or camps. They did not find a receptive audience in their new homeland. What they said sounded unbelievable and would not be generally believed until the survivors spoke at the trial (Shavit 2018). The Israeli Prime Minister wanted young Israelis to gain some understanding of what had happened to Jews in Europe and to learn about the history of European Jews living in

their midst. It was almost as if the refugees who had survived so many hardships after losing their families, friends, and homes, and then journeyed to Israel hoping to find a refuge there, nevertheless remained homeless. Amos Oz in describing his mother's life in Israel reveals not only her depression as a cause for her suicide but also her sense of dislocation. Like so many coming from a culturally different world, she could not relate to the place to which she had been transplanted. The Palestine-born generation, brought up with Zionist ideology, had no sympathy with the ideas and ways of the older Eastern European Jews and little empathy for, or understanding of, those who had, seemingly willingly, allowed themselves to be taken to work in concentration camps or be killed in death camps (Gouri 2004). In his book *A Tale of Love and Darkness* Amos Oz proposed a hierarchy at the top of which the pioneers proudly stood. Way down at the bottom and "apart from all these, were the refugees, the survivors, whom we generally treated with compassion and a certain revulsion: miserable wretches, was it our fault that they chose to sit and wait for Hitler instead of coming here while there was still time?" (Oz 2003, 13-14). During the trial, the prosecutor asked witnesses repeatedly why they had not resisted the Nazis. This was the question left unanswered in Sivan's film. Perhaps these were the thoughts that were harbored by Israeli Jews who had not experienced the terror? Allowing those who had suffered the opportunity to share what they had been thinking was well explained by Israeli writer Haim Gouri in his chapter "The Disciples of the Angel of Death" in *Facing the Glass Booth*. He cites the testimony of Dr. Bejsky, who, when he was asked why he had not resisted, tried to articulate what it was like then:

I don't think it can be explained. A person who wasn't there wouldn't understand. It was the third year of the war. We had been through a lot, but we still had some hope. We were working. They needed us. It was clear that with the slightest pretext they could easily finish us off. There were so many of them. Eighteen years later one cannot describe the fear. It was a kind of terror, after all. Facing a machine gun. Watching a boy being hung. Losing the capacity to react. The belief that the war would end. There was a camp housing a thousand Poles in a similar situation. Their

homes were just a hundred meters away, but they never tried to escape. Where could the Jews have gone? We were wearing concentration camp uniforms. Our heads were shaved. In 1943, we still didn't know what was in store for the deportees. Later we did. What happened then cannot be described today (Gouri 2004, 37).

Amongst the survivors who told their stories was Yehuda Bacon, who, when interviewed many years, later explained that he had shared his memories in public to help educate younger people. He had described how he and his family had been transported to Auschwitz where his father, mother, and sister were murdered. His testimony is well known because at the trial he revealed how a *Kapo* (inmate-guard) in charge of the group of young boys to which he belonged, had told them that they could warm themselves in a gas chamber. Many years later Bacon when interviewed for the BBC ON THIS DAY for April 11, 1961 spoke about why he chose to talk. He said, "I hoped that by telling this story some good things would happen. My question is, 'What can you do? How can you avoid this tremendous evil?' And my answer is through education, through personal relationships and through hoping it will not occur again" ([news.bbc.co.uk/on this day/hi/witness/April/11](http://news.bbc.co.uk/on_this_day/hi/witness/April/11)). The trial did indeed educate Israelis about what had been done to Jews and at the same time revealed the indifference of other nations to their plight. The voicing of memories of so many survivors from different countries, intended to shame those nations that had not helped Jews during that terrible time, were instrumental in bringing the reality of what they had lived through to life. That testimony was also intended to send a message to Jews everywhere that only in the state of Israel could they be safe from persecution (Segev 1991).

In Israel in 1961, in his lidless, glass container, Eichmann served a symbol: his was the mindset of those to be feared, those who wanted to scorch Jews from the earth. Gideon Hausner when confronting him, charged him with the responsibility for the deaths of all the Jews killed by the Nazis, especially the one million children whose murders were too gruesome to be described

(Gouri 2004). That trial, the survivors bearing witness, and Eichmann himself were fused together for Israelis to create the picture of the Holocaust. The ordinary looking man charged with horrific crimes against Jews became part of the mythology built around the imperative for the existence of Israel. Yet, although the recording was available for classroom use, education about the Holocaust did not change after the trial ended. From 1948 until 1967 there was silence in schools when it came to the Holocaust. After the trial, teachers did not want to risk teaching about the possible complicity of the *Judenrat* (Jewish councils) and worried about the effects the horrors of the concentration and killing camps might have on children, so although it seemed that the trial would bring about a restructuring of the curriculum, nothing happened inside the system (Keren 2000). It took time and changes to the very fabric of the nation to shift the way the Holocaust was taught (Blutinger 2015) and for young Israelis to move from celebrating National Commemoration Day in honor of the memory of murdered Jews without a real understanding of what they were remembering (Keren 2000).

Although the curriculum did not change immediately, the trial of Eichmann brought about a change in awareness of young people. “Recent studies show the memory of the Holocaust is one of the most significant components in the collective identity of the Israelis. These studies show that the Holocaust has an impact on cultural life, on the political agenda and above all-on the decision-making in education” (Keren 2000). By the end of the 1960 students no longer learned primarily about the heroism of the resistance fighters. The curriculum emphasized that Jews who were unable to stand up to the organized killing of the Nazi regime were heroes too (Blutinger 2015). The curriculum reminded Jewish students of the hatred against them in Europe; they were not reminded of the reasons why they themselves might have been hated. Over 700,000 Palestinians were evicted or fled their homes when the state of Israel was created, yet Zionist settlers felt they were entitled to a homeland (Shavit 2018). Even now the education offered to

those Palestinians who chose to remain within Israel as citizens, offers little insight into their culture and heritage while it educates Jewish children about theirs. “Unlike Jewish students who read the literature and poetry of the Zionist movement celebrating the establishment of Israel in 1948, Palestinian students do not read the Palestinian literary classics taught throughout the Arab World. Nor do they learn about [their expulsion] the Nakba (the catastrophe) or Palestinian history. They are required to learn about Jewish values and culture” (Awyed-Bishara 2021). Yet Israeli students cannot help but be aware of the harm caused Palestinians by their government and the dangers that such treatment might incur for them. Since the trial there have been numerous attacks against Israelis from within Israel itself- suicide bombers.

Roughly two decades after Eichmann was hanged, Israel was embroiled in several wars and as a result Israelis began to re-evaluate themselves and the way in which the Holocaust was taught. In 1967, after being attacked by Egypt, Syria, Jordan, and Iraq, the Israeli Defense Forces captured the Gaza Strip, the West Bank, and East Jerusalem, the Golan Heights, and the Sinai Peninsula. That “Six Day War” made Israelis feel confident, but it also turned them into occupiers. Six years after that war Egypt and Syria created a coalition to reclaim the occupied lands. The belief the Jewish state was surrounded by enemies grew stronger. Some Israeli Defense Forces personnel were captured, some surrendered, and of those taken, some were tortured to death. Despite pushing the invaders back, Israel’s self-confidence was shattered. Four years later, the Israelis voted in a right-wing government for the first time since its creation. In 1982, Israel invaded Lebanon to remove Palestinian Liberation Organization fighters who were attacking Israelis by coming over the border between their two countries. The term Holocaust came up again, but this time it was Israelis who were compared to Nazis. After the murder by Lebanese forces of hundreds, possibly thousands, of Palestinian refugees in two camps: ‘Sabra’ and ‘Shatilla’, when

the Israeli army was supposedly guarding that area, Israelis began to ask about the reasons for and ways to study the Holocaust. “By that time Holocaust teaching encompassed the whole high-school system and teachers could not prevent their students from asking very tough questions concerning human behavior. Teachers, however, could not find answers to those questions in books, programs, or even in seminars which were organized by the memorials” (Keren 2000). Why were schoolchildren studying the Holocaust if no lessons could be gleaned and Jews oppressed others as they had been oppressed? Since then, the work by Hurwitz has been put to use. Yad Vashem, which has 237 videos of the trial, began to create teaching materials for Kindergarten pupils (Keren 2000), and since 2011 the recordings of the trial have been a part of the high school curriculum in Israel. At the Yad Vashem site one can find “The Eichmann Trial: Introduction and Suggestions for Classroom use” with videos listed under ‘court sessions’ and ‘testimonies’ as well as black and white photos from the trial. Those recordings have proved invaluable as educational tools in the country where they were made.

## Conclusion

The moving pictures that show how Eichmann presented himself and was presented by Leo Hurwitz, Eyal Sivan, Mathew Orton, Simon Block, and the program presenters of *Eine Epoche vor Gericht* have all contributed to the ongoing interpretation of a time when a supposedly socially and culturally developed people used the pretense of law to behave with bestiality towards other people. Now thanks to those filmmakers the image of Adolf Eichmann is well known, and the recording of his trial has given people the opportunity to study and learn from that event. As John Berger made clear in *Ways of Seeing*, context controls how viewers understand images. The work by Hurwitz has been taken by others to craft different messages, and Hurwitz himself did not succeed in unmasking Eichmann. Nevertheless, he created a masterful documentary, and after all the sessions had been filmed, American newscaster McGee delivered a short speech to the camera from the empty courtroom. With no judges at the bench above him, no one in the glass booth, and the rows of seats empty of an audience, he delivered his warning: if a person thinks that they are better than another person or judges them for their looks or the color of their skin then they too are just like Eichmann. The message of Eyal Sivan is perhaps the most provocative. It asks viewers to engage actively in the process of watching a film of a trial. It asks viewers to question what they see. The West German program used snippets of the trial embedded in the other material to offer its own suggestion. One can be good and stand up to injustice like Dr. Gruber, or one can be weak-willed and obey orders that lead to terrible consequences without questioning one's own conscience. Adolf Eichmann himself is remembered and reproduced through the trial recordings, though perhaps not as he would have been wanted. His image at the trial and before as *Obersturmbannfuhrer* can both be seen; the one contrasting with the other and raising questions about where power lies. Finally, *The Eichmann Show* with actors and footage taken from the Hurwitz recording offers entertainment and education at the same time. It is less demanding than



the film of Sivan, but it teaches viewers as the West German program did that energy can be devoted to doing good -as the director and producer by recording the trial- or to doing harm- as Adolf Eichmann did. The perseverance and talent of Milton Fruchtman and Leo Hurwitz have created a work that has not only contributed to the understanding of human nature but has also served as a springboard for other artists and a tool for educators.

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