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FOREIGN SERVICE DESPATCH

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DESP. NO.

November 1, 1960

FROM: AmEmbassy TEL AVIV

TO: THE DEPARTMENT OF STATE, WASHINGTON.

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SUBJECT: Eichmann Trial: Ben-Gurion's Views.

The Embassy is forwarding a portion of an article on the trial of Eichmann which was written by E. A. Bayne and will soon be published by the American Universities field staff. The article is of interest primarily for the illumination, imperfect as it may be, of the basic motivations of Prime Minister Ben-Gurion, whom the author interviewed at Sde Boker. Mr. Bayne's account throws into relief Ben-Gurion's identification with Jewish nationalism. The Eichmann trial is for Ben-Gurion another link in the chain to prove Jewish nationhood and to build a defense against ubiquitous antisemitism.

Ben-Gurion apparently did not speak with the author on the link between Nazism and Hasserism, but an Israeli official whom the author interviewed stated: "... There are other points but perhaps not so important even if they are useful ... He (Ben-Gurion) wants to tell the world that the Arab nationalist movement was always in league with the Nazis. (Eichmann once went on a mission to the Grand Mufti, you know). And along with this, that the British and the Americans could have eased the European disaster by admitting Jews in the 1930's. In today's circumstances, they would be repeating the crime to leave Israel defenseless against the Arabs!"

In Despatch 824 of June 21, 1960 the Embassy quoted from a letter written by Ben-Gurion to Israel Galili in which the Prime Minister stated: "No doubt exists that there is in the service of dictators in neighboring countries dozens and hundreds of Nazis, German and Arab, who took part in the murder of Jews in that period and are now plotting against the people of Israel in their own land. We must remind public opinion in the world who these people plotting the destruction of Israel are the pupils of and who is helping them intentionally and unintentionally." Thus not only does there appear to have been a simple transfer of the seat of hatred from Berlin to Cairo, but there appears to be an obsessive desire to prove a link between the two. The struggle against Arab nationalism is of secondary importance only because it is in the stream of antisemitic history an evanescent problem to be followed by others as long as Jews live abroad or in their own homeland.

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Another interesting aspect of the article is the author's claim that there is less than national unanimity over the question whether Israel should try Eichmann. He bases this assertion on discussions with ordinary people as well as with jurists, who, however, have been overridden by Ben-Gurion's overwhelming determination to try Eichmann in Israel.

The article was given to the Embassy in manuscript form by the author with the understanding that it would be kept within Embassy confines until actual publication. Therefore the Embassy is placing an Official Use Only classification on the enclosure, which may be changed to Unclassified after the article has appeared.

FOR THE AMBASSADOR:

William Bruce Lockling
First Secretary of Embassy

Enclosure:

Portion of an article entitled:
HISTORY (A.D. 70-1948) ON TRIAL:
The Case of Adolf Eichmann, Executive
for the Nazi's "Final Solution" of the
Jews of Europe - Seen from Israel, By
E. A. Bayne (Official Use Only)

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Portion of an article entitled HISTORY (A.D. 70-1946) ON TRIAL:
The Case of Adolf Eichmann, Executive for the Nazis "Final
Solution" of the Jews of Europe—Seen from Israel, By E. A. Bayne

When we had settled down to talk, Ben Gurion demanded: "You think that we should not try Eichmann? You are a Jew? An American Jew?"

"No . . ."

"I thought only an American Jew would question our right to try Eichmann. They confuse citizenship with nationality where a Gentile should not. You are being, unwittingly or not, an antisemite! You want to deny the Jews the rights of nationality. Hitler was killing a nation. That nation has the right to try the man who carried out Hitler's orders!"

"But there are others involved. . ."

"Don't you see," he went on, "the world must be told this very fact. We are a nation. In Russia and Eastern Europe, we Jews never thought of ourselves as Russians, or Poles—always we were Jews with a deep sense of nationality."

And in this separateness, I thought, lay much of the root of Slavic anti-semitism, just as the unwillingness of Israel to accept the divinity of Roman emperors had driven Titus to destroy the Temple and sack Jerusalem. In a secular world, the theological basis of Jewish cohesion, its non-conformism and seemingly eternal protestantism can be viewed as the narrowest nationalism, and not an ethical system based upon an individual's personal covenant with God. The fact that the Jew, religiously, built a "fence around the Torah" of legalisms representing the moral guides to daily life, a fence that was sometimes too high for others to climb, and too forbidding gave rise to suspicion and ultimately, oppression. Actually, the Christian concept of being a "chosen people" was no less profound than the Jewish, although it is shorn of its tribalism, based less upon family ties than upon the individual's own striving for salvation. The social expression of these differences between Jewish and Gentile religious roots, resulting in the minority urban concentrations of Jewish colonies, enclosed within by rabbinical leadership, and without by suspicion and oppression in a never-ending cycle, understandably emphasized that sense of nationality—of tribalism—among Jews. To this must also be added the rural-urban tensions that marked the last two centuries in the Eastern countries of Europe, where the Jew was at the heart of the city.

It has been argued that the extraordinary contributions to art and other forms of civilization, and the great energy put forth in less noble aspects of life by Jews was a result of a compensating drive for the insecurity this kind of living produced. It might also be argued that it came from the confidence of living in a spiritual whole, living the law in a theocracy.

But this was Eastern Europe, where the industrial revolution came late and attempts at an open society still later. Germany was the border state,

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modern and modernizing, but here antisemitism became the savage poison Hitler found necessary to use to give unity to Nazism. The Jew had assumed that in a modern society the age-old suspicion could be allayed, and he could safely—as Ben Gurion said—exchange citizenship for nationality. The grisly task of Eichmann was to drive home the lesson that for that time, in that country, the separateness of the Jew could not be forgotten. But what of America, a different kind of society, pluralistic and founded on principles of religious freedom and tolerance? Does not the assimilationist's argument hold?

"You think that America is different?" said the Prime Minister of Israel. "Let me tell you a story. During the war—in 1940, I think it was—but before the United States entered the war, I went to New York to try to obtain help for Britain and for ourselves because we were fighting the Nazis also. I talked with a prominent leader of American Jewry, and most highly respected man. 'Aren't you in favor of defeating the Nazis,' I asked him. 'Of course,' he said, 'Then why aren't you campaigning for American participation?' 'We shouldn't,' he said, 'we Jews could not cry for a war against Hitler here, the rest of America would then call it a Jewish war!'"

Ben Gurion's hand gently tapped the desk at which he was sitting. "Yet you believe that the defeat of Hitler is essential for America? And you are an American?" I asked. 'Yes, of course,' he replied. 'Then,' I said, 'you are putting your Jewishness before your Americanism.' You are a Jew first.' The man denied it, but he could not. It is the same for any of us. What do I have in common with the Yecnite—we are Jews, part of the same nation."

An American Gentile may have difficulty admitting the logic of the story, or he may take refuge in sociology and point out that civilization is always in transition and always in Hope.

"Look at it this way," the Prime Minister continued. "If some power—the Chinese perhaps—were to kill a third of the people in America, wouldn't you, as an American, want to try the man who did it?"

"That seems very hypothetical. . . ." I began. Actually, the ethical basis of war crimes trials has not been entirely clear to me, as it has not to many. I could not answer briefly, and said no more.

"Well, wouldn't you?" he persisted.

"I suppose that there are sufficient evidences of nationalism in America to expect that we would," I finally answered.

"Well then, why would you deny to the Jewish nation the same right of choice? Is it because you do not think of Jews as having the same rights as other people?"

With another man, this could be ugly ground, but here it was not. This was the arch-fighter for Jewish dignity, in the right or wrong of the Herzl tradition, operating within a frame of legality not all the world would recognize, and which not all of the nation for whom he spoke would accept. To a Gentile of the

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majority, Ben Gurion might seem to be talking resurgent tribalism; to the political Zionist, nationalism. It was an ancient controversy, not only a Jewish affair, beginning as Jews often measure, in 70 A.D. and reaching until 1948 and the founding of the de facto state of Israel.

The trial of Adolf Eichmann may thus be seen as a trial of history to prove the point of Jewish nationhood--to make the distinction between the Israeli and the Jew--to build an accepted defense against the virulent anti-semitism German Nazism was, and might be again elsewhere under other names. In such an epic exercise, Eichmann became a human symbol.

"It does not matter to me what happens to Eichmann," the Prime Minister said. "I don't care whether he lives or dies. It is unimportant when measured against our right to try him, and judge him as a nation."

Vengeance then, is not involved. Eichmann might live, un martyred, and free enough to expiate his own guilt privately before his own gods. The justice involved in the trial, for Ben Gurion, is a justice that the Jews of Diaspora had not been able to establish in 1,900 years.

The range of response to this nationalistic position of the Prime Minister may be wide: from distaste for an arrogant tribalism to sympathy for a brave minority. I was fortunate. Neither extreme would occur to me as I left the country to return to Rome. I had rather the conviction that the trial of Adolf Eichmann was an intensely human and complex affair. What it represented was neither a private Jewish affair, nor symbolic vengeance, nor totally a symbol of guilt for the Western majority of Gentiles.

As I was leaving Sde Boker, after a visit to its various outbuildings, I returned to Ben Gurion to say goodbye.

"You know," he said, "I reveal my own subjective bias. All human affairs--even science--are subjective. . ."

The remark was in his image.

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