

Nazi on Trial

An Analysis of Hannah Arendt's
Eichmann in Jerusalem
and the Relationship of
Eichmann and Kant

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The Holocaust of Nazi Germany was without a doubt the most gruesome event in the twentieth century. It was a horribly unique form of genocide because it was systematic. Millions of people, deemed “undesirable”—Catholics, Communists, Gypsies, and of course, en masse, Jews—murdered by the order of the *Führer* Adolf Hitler and his totalitarian government. While Hitler himself is the ultimate author of these policies, he certainly did not act alone. There were many others alongside him in his mission, who bear a profound responsibility for pursuing his project known as the *Endlösung*, or Final Solution. In her journalistic report-turned-book, *Eichmann in Jerusalem: A Report on the Banality of Evil*, the Jewish and German philosopher Hannah Arendt paints a portrait of one of these officials—Adolf Eichmann. Through this work, she seeks to understand the mind of this evil bureaucrat, who presented himself as one who understood and embodied Kant’s ideal of dutiful action.

Born in 1906, Otto Adolf Eichmann was a German citizen, who in 1932 joined the *Nationalsozialistische Deutsche Arbeiterpartei* (Nazi Party) and *Schutzstaffel* (SS). Shortly after joining the party, he was put in charge of a department whose main concern was the so-called “Jewish problem”. He served as the expert of sorts on all things Jewish during the Third Reich. His work, and the solution of the Jewish problem initially took the form of isolation in “ghettos” and deportation to other countries, but soon evolved into slave labor and mass extermination.

After the war, Eichmann, with the help of many individuals (including an unnamed Franciscan Catholic priest) made his way to Argentina, where he went into hiding and lived (albeit not very discreetly) under the assumed name Ricardo Klement.

He presented himself as a stateless, Catholic bachelor.¹ It was here that he was captured by the Israeli government and brought to Jerusalem to stand trial. Unlike others who were prosecuted in court, he did not stand trial, at least in theory, for the sufferings that the Jewish people endured, or even the actions of the German state. Instead, he was tried for his specific role in carrying out the Reich's program.²

The period of time in which Adolf Eichmann stood trial is one in which much was happening historically. First of all, the trial itself began in 1960. This is fifteen years removed from the end of the Second World War, as well as the famous Nuremberg Trials, in which the most prominent individuals in Nazi Germany were put on trial. However, this was an interesting time for another reason: the increasing political awareness of Germany's young people. Journalist and Historian Michael Sontheimer speaks to this in his article, *Germany's Nazi Past: Why Germans Can Never Escape Hitler's Shadow*, when he states that it was during this time that German teenagers, who were children during the war, began to question their parents and grandparents, especially in regards to their involvement in the massacre of millions of Jewish people.³ This sense of guilt among German youth was something of which Eichmann was aware. He even claimed that it is among the reasons why he did not resist being arrested.⁴

The Eichmann trial in Jerusalem was also surrounded by controversies regarding its legality. As mentioned before, Eichmann had fled to Argentina after the war. He was kidnapped there by Israeli agents, an action whose legality seemed highly questionable.

¹ Arendt, Hannah. *Eichmann in Jerusalem: A Report on the Banality of Evil*, New York, N.Y.: Penguin Books. 2006. 236.

² Ibid, 5

³ Sontheimer, Michael. "Germany's Nazi Past: Why Germans Can Never Escape Hitler's Shadow-SPIEGEL ONLINE." SPIEGEL ONLINE. March 10, 2005. Accessed October 16, 2014.

⁴ Arendt, 242

However, Arendt claims that this matter was quickly resolved. Because Eichmann was living in Argentina under an assumed name, and because he was not a citizen of that country, he lost any privilege of governmental protection. Moreover, while living in Argentina, he claimed he was a German national, and he also never sought asylum. Behaving in this way did not necessarily cost him his German citizenship, but it “gave the West German republic a welcome pretext for withholding the customary protection due its citizens abroad.”⁵ Due to his lack of governmental protection, Eichmann was technically a stateless individual, thereby allowing Israel to call him to trial, and, since kidnapping was a common mode of arrest, it was deemed acceptable. It almost seems to fit into the Machiavellian notion that the ends justify the means—Eichmann needed to stand trial, so kidnapping was justifiable.

For his own protection, Eichmann sat in a booth made of bulletproof glass during the trial. It was from behind this unbreakable shield that this odd character responded to the prosecution’s questions. Before the trial, Eichmann was screened by several psychologists, who certified him as normal, and fit to stand trial.⁶ Nevertheless, from making incomprehensible claims to being obsessed with his own career, Eichmann seemed far from normal.

The first of many striking claims made by Eichmann was that he was *not* an anti-Semite, even though he was on trial for the murder of millions of Jews. According to Arendt, Eichmann never personally had anything against the Jews, and in fact had many reasons *not* to hate them.⁷ Among these “private” reasons for not hating the Jews is that some of his own family members were Jewish, although the relation is distant and

⁵ Ibid, 240

⁶ Ibid, 25

⁷ Ibid, 26

through marriage.⁸ He also cited instances of helping Jews emigrate. He even claimed to have had an affair with a Jewish mistress (believed by Arendt to be the highest crime a member of the S.S. could commit), as evidence that he did not hate the Jewish people.⁹

Although Eichmann claimed that he was not an anti-Semite, he contradicted himself, especially at the end of the war, when he was quoted as saying, “I will jump into my grave laughing, because the fact that I have the death of five million Jews on my conscience gives me extraordinary satisfaction.”¹⁰ This is an example of what Arendt referred to as “talking big”—the compulsion that Eichmann had to brag about himself to anyone who would listen. He did this even while he was in Argentina. The truth is, Eichmann did not want to remain anonymous for the rest of his days—he *wanted* people to know what he did.

The manner in which Eichmann spoke also proved to be intriguing—the judges referred to it as “empty talk”. They referred to it as such because Eichmann seemed to only be capable of speaking in clichés. Although he claimed to have a bad memory, he would never answer questions without the same phrases, word for word, every single time. However, he was only able to do this when the question referred to something that was of importance to him.¹¹ This reveals another layer of the character of Eichmann: he was narcissistic.

In addition to bragging, Arendt points out that Eichmann was only able to look at things from his perspective, and thorough the lens of how they would have a direct impact on his career. For example, Arendt shows that in remembering only the details of

⁸ Ibid, 30

⁹ Ibid, 30

¹⁰ Ibid, 46

¹¹ Ibid, 49

his own career, Eichmann could also only remember the Jews over whom he had complete control—he could not, on the other hand, recall those Jews who had been only acquaintances of his.¹² Outside of situations and people that directly impacted his climbing the ladder of German governmental power under the Nazi regime, Eichmann's memory failed him, supporting the idea that he was an extremely arrogant, narcissistic man.

It is clear that Adolf Eichmann was an individual with an odd mind and many personality quirks. He was on trial for, and admitted to, being responsible for the death of millions of Jews, yet claimed that he was not an anti-Semite. He was obsessed with himself, and could not recall anything or anyone who did not have a direct impact on his mission of climbing the ladder of government rank. He also seemed to want people to know what he did, and after a few years did not even try to hide his identity. In a way, Eichmann was proud of what he did, because he believed at the time that what he was doing was the right thing—because it was his duty.

Eichmann was not alone in this. Many Nazi officials believed that they were doing the right thing, in part because everything they did was legal during the time in which they did it. Orchestrating the systematic destruction and extermination of the Jewish people was his job—it was his duty. From his perspective, he was simply obeying orders.

It can be argued that this overwhelming sense of duty by which Eichmann and his colleagues claimed to act stems from the work of the eighteenth century German philosopher Immanuel Kant. Kant, a native of Prussia, was seen as a brilliant man, entering a university at the age of sixteen. Along with several other Germans, Kant is

¹² Ibid, 64

widely regarded as one of the central figures of modern philosophy. One of Kant's major works, which seemed to play an important role in the situation of Adolf Eichmann, was *Kritik der praktischen Vernunft*, or *Critique of Practical Reason*. Eichmann claimed not only to have read this work of Kant, but that it contained the principle by which he lived his life, the Kantian sense of duty.¹³

During his reading of *Critique of Practical Reason*, Eichmann would have learned about the idea of an imperative. He seemed to refer to this when he spoke of living by a Kantian sense of duty. Kant expressed that when one acts out of good will, which Eichmann claimed to be doing, and when those actions are in response to a principle, it is called an imperative.

When speaking of imperatives, Kant expresses two different types. First, there are hypothetical imperatives, which Kant believes to encompass most imperatives. These are imperatives in which commands exist only if certain conditions are met. They basically exist within the formula "if *y* is desired, then *x* should be done". In other words, if one has a certain desire that needs to be fulfilled, one's duty is to do what fulfills that desire. However, "since hypothetical imperatives are conditioned on desires and the intended consequences of actions, they cannot serve as the principles that determine the intentions and volitions of an unconditionally good will."¹⁴

Yet, the hypothetical imperative is not what motivated Eichmann's actions. It was instead the second of Kant's imperatives, the famous "categorical imperative". The categorical imperative is strictly formal, and is not based on a sense of desire, as the hypothetical imperative is. Therefore, instead of the hypothetical's formula of "if *y* is

¹³ Ibid 135

¹⁴ "Kant, Immanuel." Internet Encyclopedia of Philosophy. Accessed October 23, 2014.

desired, then x should be done”, the categorical imperative has the formula, “do x ”. This imperative is also seen as unconditional, meaning that it applies universally. The categorical imperative is an ideal which states that acting morally involves basing one’s intentions and actions to the idea of a universal principle.¹⁵

This ideal of the categorical imperative is one that Eichmann held on to without question. He was “doing x ”, where “ x ” is any order given by a higher-ranking official. Eichmann was so committed to the idea of the categorical imperative—so stuck on the idea of acting out of duty and duty alone, that he even claimed that he would kill his own father without hesitation if he were ordered to do so.¹⁶ This explains why, even though the outcome of his trial was essentially known from the time of his capture, Eichmann claimed that he could only be accused of aiding and abetting the Final Solution.¹⁷ This is particularly curious, considering that he was apparently proud of his actions and even bragged about them, going back to his complex mind and odd personality. What he was doing at the time was both legal and ordered, so, following Kantian principles, even though he claimed to have disagreed with his orders, he obeyed them.¹⁸

All of this explains why Hannah Arendt included the phrase “banality of evil” in the subtitle of her book. Although it goes without question the Eichmann was an evil individual, Arendt believes that his evil is not radical, but banal. She believed it was so because it was clear that the evils Eichmann had done were not coming from a will to do

¹⁵ Ibid.

¹⁶ Arendt, 22

¹⁷ Ibid, 22

¹⁸ Concluding this discussion of Eichmann’s familiarity with Kant, it is important to at least mention his level of education. Eichmann never finished school, and, in Arendt’s view, was not very intelligent. It is highly unlikely that he actually read *Critique of Practical Reason*, but rather heard of it, and incorrectly interpreted it, as shown above.

evil, but rather from a lack of thinking on his own part.¹⁹ The evil that Eichmann did was part of his job. The process of exterminating the Jews, for him, involved paperwork, making sure there were enough train cars, and dispersing them among the camps. It showed that pure evil could be done through purely bureaucratic actions. However, this brings up a problem with Eichmann's view of Kantian deontology.

Adolf Eichmann used Kant to justify his acts during the *Nazizeit*. However, his understanding of Kant was distorted.²⁰ While it was distorted, it was not totally incorrect. Eichmann even gave a proper definition of Kant's categorical imperative in court. He also acted out of a sense of duty, as Kant says one must always do. However, as Arendt claims, in his moral philosophy, Immanuel Kant sees one's own judgment as essential, effectively, ruling out the possibility of acting out of blind, unquestioning obedience.²¹ Basically, if one judges that an act would be fundamentally *wrong*, as Eichmann admitted his actions to be at the time, within the scope of Kantianism, they are not obligated to act. Blind obedience was in fact the basis of Eichmann's actions, which is why his view of Kantianism was so distorted. While he was following the orders and obeying the law, he was doing it blindly, without any sort of ethical reflection.²²

This distortion stemmed from Eichmann's own misunderstanding of Kant, as well as his relationship to the *Führer*. According to Kant, moral law is obeyed only because it is a law.²³ In Nazi Germany, the words of Hitler were law. Therefore, his orders were law, meaning, in a sense, that the actions he commanded were moral.²⁴

¹⁹ Laustsen, Carsten, and Rasmus Ugilt. "Eichmann's Kant" *The Journal of Speculative Philosophy* 21, no. 3, 166. Accessed September 3, 2014. <http://www.jstor.org/stable/25670660>.

²⁰ Ibid, 166

²¹ Arendt, 136

²² Laustsen, Ugilt 166

²³ Ibid 167

²⁴ Ibid 169

Eichmann's duty was to obey the orders of Hitler, and because he saw this duty through the lens of the categorical imperative, he felt justified in avoiding thinking²⁵, proving Arendt's point that Eichmann's evil was in fact a banality of evil. It is clear that Eichmann's view was distorted, because Kantianism demands that in the categorical imperative, one abandons and disregards selfish considerations, and one's own motives. In the same way, Hitler demanded that everyone unselfishly work for his own agenda, to "work for the Fatherland."²⁶

The categorical imperative that Eichmann did live by is the "categorical imperative of the Third Reich", and idea of Hans Frank, which Arendt includes in her reports. This categorical imperative of the Third Reich was, "act in such a way that the Führer, if he knew your action, would approve of it."²⁷ This point that Arendt makes refutes another claim of Eichmann's—one in which he says that he eventually abandoned Kantianism.

Eichmann claimed to have abandoned trying to live according to Kant's notion of duty after he was given the responsibility of carrying out the Final Solution. Yet, he consoled himself by convincing himself that he did not have the ability to change anything.²⁸ However, this is the precise moment, as Arendt claims, that Eichmann's view of the categorical imperative became distorted into the categorical imperative of the Third Reich, as she said, "What he failed to point out in court was that in this 'period of crimes legalized by the state,' as he himself now called it, he had not simply dismissed the

²⁵ Ibid 167

²⁶ Ibid 169

²⁷ Arendt 136

²⁸ Ibid 136

Kantian formula as no longer applicable, he had distorted it...’’²⁹ Since Eichmann was no longer in control of what was happening, and was acting so that Hitler would approve of his actions, he was still within the bounds of his own distorted Kantianism.

At this point in the unfolding saga of the person and actions of Adolf Eichmann enters a rather intriguing twist. During his time in charge, Adolf Hitler had a certain way with people—they did what he said. He was a charismatic leader. People did what he said because of his charisma, as well as out of fear. This is something that Eichmann fell into. He simply did what Hitler—or, his superiors standing in the place of Hitler—said to do. Even though he claimed again and again that what he did was horrible, he still did it, because he had to. He did it because he was afraid that if he did not obey, he would be sentenced to a punishment as bad as, if not worse, than that of his victims. The plot twist? None of this was true.

Because of this sense of duty out of which Eichmann operated, a series of legal questions arose in his case. Precisely because he was acting out of duty, maybe even more so if he was acting out of fear: Did Eichmann really know what he was doing? Was he in any position to adequately judge the enormity of his deeds? Was he legally responsible? Could he be released from criminal responsibility? Was there a possibility that he could plead extenuating circumstances?³⁰

Now, these questions were able to be answered because of the facts of how the Nazi system worked for those in positions of authority. The fact is, if Eichmann had sincerely not wanted to take part in the murdering that he did, then he didn’t have to. In the documents from Nuremburg, there was no evidence of anyone who was killed

²⁹ Ibid 136

³⁰ Ibid 90

because they did not want to take part in the executions. In Eichmann's own trial, there was a testimony in which it was claimed that if one was commissioned to kill, and did not want to do it, they simply needed to request for a transfer. There may have been some sort of disciplinary action for standing in the way of the Final Solution, but death was not one of those actions.³¹ It is highly unlikely that Eichmann was unaware of this procedure, and, in fact, he admitted to being fully aware of it. As Arendt states, "Eichmann admitted that he could have backed out on one pretext or another, and that others had done so. He had always thought such a step was 'inadmissible', and even now did not think it was 'admirable'."³² Because of this admission, it became clear that Eichmann had been in no immediate danger of death, and was fully aware of the fact. He was not under any sort of extenuating circumstances.³³ Therefore, the aforementioned legal questions that did arise were quickly laid to rest, with no benefit to Eichmann.

Yet, an issue still remained. Although it had seemed that the death sentence was immanent, according to the law, there was a slim chance that Eichmann could escape the noose, because his actions stemmed from superior orders. Up to this point in the case, the defense had been insisting that the acts he had participated in were in reality acts of state. However, that did not hold, because if his actions were truly acts of state, then not one of his superiors, all the way up to the *Führer* himself, could be brought to trial.³⁴

With the focus returning to superior orders, Eichmann reiterated that he never acted outside of orders. He did so because acting only by order "covered" him. This is why he would never even make suggestions, because he knew that if he did, he would not

³¹ Ibid 91

³² Ibid 92

³³ Ibid 92

³⁴ Ibid 93

be covered. In fact, the only time he claimed to have acted outside of orders was in an attempt to save a number of Jews. While that was true, with Eichmann even getting into trouble because of it, the defense make a mistake. They used this to once again try to show that Eichmann had tried to save Jews whenever it was possible, which, when looking at the picture as a whole, is clearly seen to be false.³⁵ Although Eichmann did seem to have somewhat of a conscience, when opportunities for furthering his career were presented, that conscience quickly faded. He felt that the Final Solution could not be blocked, what all it entailed, yet freely chose to remain in his position.³⁶

On December 11, 1961, after both the prosecution and the defense had rested their cases, with Eichmann's defense going on to for total of one hundred and fourteen sessions, it was time for the court to pronounce its judgment. To no surprise, Eichmann, with the exception of some particulars, was convicted on all fifteen counts. He was convicted of committing crimes against the Jewish people, with the intent of destroying them, particularly by organizing the massacre of millions, placing them under conditions which would lead to their inevitable demise, including harm, both physically and mentally, and banning births among Jewish women and terminating their pregnancies.³⁷ A few days later, Otto Adolf Eichmann was sentenced to death for these crimes. However, it was still possible to take this case to Israel's Supreme Court for an appeal, and the defense did exactly that.

However, the appeals process did not end in Eichmann's favor. The higher court affirmed all the points in the judgment of the lower. However, the court claimed something remarkable—something which relates back to Kant. The higher court claimed

³⁵ Ibid 94

³⁶ Ibid 95

³⁷ Ibid 244

that, because Eichmann was considered to be the “expert of all things Jewish” in Nazi Germany, something which he himself admitted to, he did not have any superiors, and was therefore his own superior. Thus, Eichmann had never received superior orders. The court also claimed that because of his position and the work that he did to ensure the success of the Nazi agenda, Eichmann was *more important* than the individuals who were technically his superiors. As the high court put it, “the idea of the Final Solution would never have assumed the infernal forms of the flayed skin and tortured flesh of millions of Jews without the fanatical zeal and the unquenchable blood thirst of the appellant (Eichmann) and his accomplices.”³⁸ Therefore, in the view of the court, Eichmann’s claim to Kantianism never stood the possibility of being defended, precisely because, as his own superior, the only duty he was acting out of was the duty which he had brought upon himself.

The Israeli government received pleas for mercy from Eichmann, his wife, and his family. However, they were rejected. Two days after the pronouncement of judgment in the Court of Appeals, on May 31, 1962, Eichmann was executed by hanging, his body was cremated, and his ashes were scattered in the Mediterranean sea—specifically outside of the zone considered to be Israeli waters.³⁹

It may surprise the modern reader of Arendt’s account to learn that Eichmann’s execution sparked a considerable amount of controversy. For example, he was executed just two hours after he discovered his plea for mercy had been rejected. He was not even afforded the opportunity to partake of a final meal. Interestingly, Eichmann’s attorney was not present when the plea for mercy was rejected, and therefore could not ask for a

³⁸ Ibid 249

³⁹ Ibid 250

delay in the execution. The trial of Adolf Eichmann had been in process for two years, and the Israeli government wanted it to be closed, and for Eichmann to be dead, a sentence that was expected from the beginning. However, the issues brought forth during the short-lived controversy were still intriguing. According to Arendt, the most common argument against Eichmann's execution was that because of the magnitude of what he had done, there was no human punishment that could ever make up for it.⁴⁰ She also points out that the philosopher Martin Heidegger saw this execution as "a mistake of historical dimensions," for reasons that it could add to the guilt already felt by young Germans, due to the role their own parents and grandparents played in the war.⁴¹

After completing her report on the trial and execution of the Nazi Adolf Eichmann, Hannah Arendt also wrote an Epilogue. In this epilogue, she offers her own perspective and opinion on what took place throughout the trial and the process of appeal. She concludes her work of *Eichmann in Jerusalem* by offering how she would have addressed Eichmann herself, had she been in the position of one of the judges, rather than a spectator and member of the press. In a rather bold manner, Arendt writes,

Let us assume, for the sake of argument, that it was nothing more than misfortune that made you a willing instrument in the organization of mass murder; there still remains the fact that you have carried out, and therefore actively supported, a policy of mass murder. For politics is not like the nursery; in politics obedience and support are the same. And just as you supported and carried out a policy of not wanting to

⁴⁰ Ibid 250

⁴¹ Ibid 251

share the earth with the Jewish people and the people of a number of other nations—as though you and your superiors had any right to determine who should and who should not inhabit the world—we find that no one, that is, no member of the human race, can be expected to want to share the earth with you. That is the reason, and the only reason, you must hang.⁴²

Her words are undeniably haunting, especially when one considers her own state in life. She is a Jewish woman. She sat in the court-room, and then spent hours writing—all about a man who is responsible for the death of so many of her people. Although Eichmann's execution stirred up conversation in regards to an appropriate punishment for the magnitude of his crimes, those conversations were short-lived, and words such as these penned by Arendt show why they were. Eichmann was evil—there is no denying it, and in the opinion of Arendt and many others, the world needed to be ridded of evil, and therefore, ridded of Adolf Eichmann.

Nazi Germany, and particularly the Holocaust, are two topics that will probably never cease to be discussed. It was a period during which the world experienced, saw, and was confronted with the very nature of evil. Adolf Hitler continues to go down in history as a figure of evil incarnate. However, it is important to remember that he did not act alone. In many ways, he was the figurehead of a large, complex totalitarian government in which many individuals, in their own way, participated in his project of the Final Solution. Among these individuals was Adolf Eichmann. Through her work, *Eichmann in Jerusalem: A Report on the Banality of Evil*, Hannah Arendt gives the world

⁴² Ibid 279

a glimpse into the mind of a mass-murderer. She shows that he indeed was an odd character with a complex mind and insane personality, and intellectually, not very impressive. From his narcissism to not even being able to construct a coherent sentence, to making the absurd claim that he, the murderer of millions of Jews, was not an anti-Semite, Eichmann only proved himself to be a liar. Although he claimed to live his life according to Kantian principles, Arendt shows that his view of Kant was distorted, and that Eichmann's claim to acting in response to duty was false. While her work may have been controversial, Arendt showed the world that evil is real, what it looks like, and that it could look as incongruous as Adolf Eichmann, and the rest of the members of the Nazi regime, who carried out senseless acts of violence against innocent members of society.

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