

The Arendt Controversy 2000: An Israeli Perspective

I. Hannah Arendt's book *Eichmann in Jerusalem* was not published in Hebrew for thirty six years after its original publication. It was finally translated and published in Hebrew in the year 2000 by Babel publishing house, and immediately raised a controversy that lasted a few weeks in the Israeli daily newspaper *Ha'aretz*. When the book was first published in English in 1963 it sparked a furor and an intense debate that was waged primarily in the American press. No such dialectic ensued in Israel. This might be due to the fact that Arendt's book was not rendered into Hebrew at the time, while the book that was intended to refute it was immediately translated into Hebrew and published by the prestigious Mossad Bialik publishing house.¹ A typical response to Arendt's book in Israel at the time was the one written by Israeli chief prosecutor in the Eichmann trial, attorney Gideon Hausner, who wrote in his memoir of the trial *Justice in Jerusalem* that Arendt's book was refuted by the criticism and, thus, was not worthy of his consideration.²

But as Arendt herself wrote, annoying critiques and books excluded from the public consciousness, are apt to resurface and disturb just when it seems that the affair has been forgotten and closed. Collective amnesia of unpleasant facts does not truly help to lay the repressed problem to rest, with the problem ultimately coming back to haunt the public in pathological ways. This prophecy appears to be materializing these days in connection with Arendt's own book, for, as I would like to show, the tough questions she posed – particularly – in regard to the structure of Israeli collective memory, collective identity, and political culture, all shaped in great measure by the Eichmann trial – have remained as open wounds that refuse to heal. The belated

publication of Arendt's book in Hebrew offers a unique opportunity to examine the book from an historical perspective.

The Arendt controversy 2000 was characterized by a more balanced approach than its predecessor. But even this dispute veered in no time from a perusal of the book itself to a discussion of Arendt's personality, and later on to mutual recriminations concerning the personal politics of the participants in the debate. Instead of contending with the complexity of Arendt's argument, with its errors and insights, from the perspective of time, many of the participants attempted to pigeonhole the views articulated by Arendt in her book according to the camp divisions in the »post- Zionist« debate that has been waged in Israel for the last several years.³ How and why was the discussion shifted from Arendt's book to the politics of the post-Zionist debate? What does this say about the Holocaust's place in Israeli political discourse today?

During the sixties, Arendt's book touched off a stormy and emotion-fraught debate in the Jewish world and among intellectuals in general. The debate, waged mainly in the United States, centered on two themes raised in the book: the banality of the criminal and the cooperation of the Jewish leaders – the Judenrat. Arendt's words pointing up the banality of Eichmann were seen by many as an attempt to extenuate the criminal's guilt, notwithstanding Arendt's later clarifications and her support of the death sentence decreed upon Eichmann (albeit based on different arguments from those set forth by the court). Her position that the very banality of the criminal justified harsher legal responsibility and a fundamental overhaul of the traditional, criminal law rules, to deal

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successfully with future bureaucratic crimes, never received serious critical consideration during the debate. Most critics sidestepped a discussion of these proposals owing to the fact that Arendt was not a jurist. By contrast, Arendt's words regarding the Jewish leadership's cooperation immediately drew fire for being what seemed a classic step in blaming the victim. Overall, the willingness to recognize the banality of the criminal on the one hand, and the responsibility of the victims' leaders on the other, was viewed as a dangerous blurring of borderlines that could lead to moral nihilism. Few were prepared to regard the book as a call to cope with the Holocaust from a historical rather than mythological approach. Even fewer understood the author's intention of sharpening the moral judgment of her readers by dwelling on the gray area of collaboration of the civilian population and the victims, elicited and encouraged as it was by the totalitarian regime.

What was entirely ignored at the time by critics and supporters alike was that part of the book dealing with the politics of the Eichmann trial and the trial's impact on the democratic culture of Israel. It is precisely this part that commands the most attention in the Arendt controversy 2000, subordinating all the other subjects to it. Although the writers on both sides rehearse some of the old arguments, the debate concentrates on issues of internal Israeli politics. Interestingly, the writers in the new debate are divided according to generation lines – old historians (critical of Arendt) and new historians (supportive of her book). Thus, the debate is presented as part of the larger debate that has been taking place on the

pages of Ha'aretz since the mid-nineties and which deals with questions of Israeli historiography, better known as the post-Zionist debate. This shift, I will show, had made the Arendt controversy relevant in new ways to Israeli public debate. However, it has also done injustice to the complexity of Arendt's views by trying to adapt them to the parameters of the new debate. The most interesting point however that links the old Arendt debate to the post-Zionist debate, has not been taken up by any of the participants so far: the responsibility of the social critic to the criticized community to which she or he belongs. In other words, part of the angry response to their writing comes from them being part of the collective they try to criticize. Both Arendt in the sixties and post-Zionist writers in the nineties were accused of hanging out the dirty laundry for the entire world to see. Both answered that what justified their position was a kind of universalism that overcame tribal affinities. Comparing the two debates could help us begin to untangle this complicated issue of the ethics of social criticism. Is there a necessary connection between distance and objectivity? What are the duties of the social critic vis-à-vis the community under scrutiny? Is the community justified in raising certain demands from the critic that is identified with it, and what are the legitimate limits to such demands? Where lies the line between involved criticism and apologetics? These are crucial questions that stand at the center of both debates. I will not attempt to give an exhaustive answer to these questions, but try to delineate a trend of thought by dwelling briefly on the characteristics of the Israeli debate.

II. Before I venture into the new debate let me set out the historical background necessary to understand it. Since the publication of the book, Israeli society has witnessed many changes. At the time Arendt wrote about the inherent dangers in applying ethnic legal categories (such

as »a crime against the Jewish people«), the phenomenon of Kahanism had not yet sprung into existence and the word combination of »Jewish racism« was still widely regarded in many circles as an inconceivable oxymoron.⁴ Arendt's book preceded the Six Day War, Lebanon War and the Intifada. Though the Kfar Kassem Affair⁵ had been cited in both the trial and the book, this was still before the time of the Givati I and Givati II trials, which drummed the issue of blind obedience to a patently unlawful command squarely into the center of Israel's public discourse.⁶ Even »the banality of evil« had meanwhile become current coinage, in the wake of, among other things, the experiments carried out by Stanley Milgram on a group of American students, who »obeyed« the order to electrocute persons across a glass partition.⁷ One therefore could have expected that publication of the book in Hebrew in 2000 would not stir up any special public interest, and certainly not develop into a debate with shrill emotional overtones. How to explain, then, the renewed interest generated by the book, and the strong passions accompanying any writings on it?

Israeli writer and publicist **Batya Gur** in her article titled »Giving Philosophy a Bad Name« (Gur, *Ha'aretz*, July 28, 2000) fires the first shot in the local debate. In it she refers back to Gershom Scholem's open letter to Arendt from the 1960's. Scholem, a longtime acquaintance of Arendt, charged her with »having no love of Israel«. Gur writes: »Reading Arendt's book with all its so rational phrasings, one wonders how Scholem could accuse her of »a lack of ahavat Israel [love of Israel]«, when she should rather be charged with a lack of love of mankind in general.« Though merely rhetorical, Gur's words have the effect of deflecting the readers from the key point made by Scholem in his critique of Arendt. His words were aimed at pointing out the obligation of the social critic to her community

when coming to censure it while it is grappling with a horrific calamity. It should be remembered that Arendt's stances on the Judenrat were nothing new, with similar views held by many in Israel already prior to Eichmann's trial. Her words evoked such great fury in large part because she was a Jewess of world stature who publicly lambasted the Jewish leaders in a prestigious American journal (*The New Yorker*) of wide circulation. This act was seen as a betrayal of the community, choosing as she did to hang out the dirty laundry for the entire world to see. Scholem took issue with Arendt's position that a true critical view requires a severance from emotions and the application of the same judicial criteria to the criminal and victims alike. Responding to these points in a public letter, Arendt maintained that the feeling of »love« should be confined to the private domain, between individuals, having no place in the public domain between the critic and community, where such an emotion can only thwart objectivity and spoil justice. Furthermore, Arendt rebuffed the view that only love devoid of all censure on her part necessarily constitutes an indication of her patriotism, contending that it is precisely the adoption of a critical universal outlook that is apt to stem from a deep commitment to the community and a concern for its future. Gur's article, which shifts the discussion away from these points to the question of whether Arendt possessed a love of humanity, does not invite a consideration of these issues, turning the discussion instead to the personal realm – to Arendt's emotional and mental makeup.

Gur's criticism is leveled primarily against Arendt's attitude toward the Holocaust victims, and particularly her failure to understand the important contribution of the trial, which allowed these survivors for the first time to address an Israeli audience from a public platform. Asks Gur: »Didn't she know that the Eichmann

trial had given people living here clandestinely and in shame as victims, their first chance ever to say their word? Was it at all possible to speak during those years of the involvement of Jews in the »action and selection«, while blue numbers were still being concealed under long sleeves?» She states that 1961 was »the first year people were permitted – or rather forced – to talk openly about the Holocaust.« Gur touches upon an important point – the central role the Eichmann trial played in providing a voice for the victims who had gone unheard till then, yet, at the same time, she is inaccurate in her treatment of two issues. First, Gur overlooks the fact that in the 1950s there was much public discourse in Israel over the Holocaust, albeit from a stance excoriating the involvement of Jews in the »selection« process. The reticence presented in Gur's article as stemming wholly from the Holocaust victims' difficulty in discussing the subject, in fact resulted largely from the accusatory approach prevailing in Israeli society during the fifties. Under the Zionist ethos of heroism and »negation of the Diaspora«, it was easy to condemn the victims as having gone »like sheep to the slaughter« and their leaders as having preferred to follow the course of collaboration rather than that of resistance and active fighting.

Boaz Evron in his article of October 6, 2000 in the newspaper *Ha'aretz*, points to Gur's disregard of the political context of the Holocaust discussion in Israel. Evron queries incredulously: »Only then were »people permitted« or »forced«?! Where has she been living? From the very start the Holocaust was presented as a categorical vindication of Zionism. In fact, preoccupation with the Holocaust began already with the birth of the state.« In saying this, Evron put the focus on Holocaust politics in Israel, which no serious and sincere discussion of Arendt's book can disregard. However, even if such politics are taken into consideration, one

must still note the significant attempt made in the Eichmann trial to alter the parameters of this discussion. Public discourse on the Holocaust up to the Eichmann trial was typified by the categorization of survivors into three distinct groups: members of underground movements and partisans (treated with admiration and respect); the survivors (perceived as »sheep led to the slaughter«); and the Jewish functionaries consisting of the Judenrat and Kapos (condemned for their collaboration). Only the first group was embraced by the Israeli public as a true representative of the Israeli ethos of heroism, whereas the Judenrat were denounced for their conduct, seen as the epitome of the Diaspora Jew's ways. This, in a nutshell, was the »two paths« approach that prevailed at the time.⁸ The prosecution in the Eichmann trial attempted to bring about a change in this attitude by directing the blame away from the victims and their leaders to Eichmann and the other Nazi criminals.

The »two paths« approach became the subject of trenchant public debate during the Greunwald-Kastner trial in 1954.⁹ The poet, **Nathan Alterman**, publicly came out in his personal column »Seventh Rubric« in the newspaper *Davar* against this stance that sweepingly censured the Judenrat, calling for a less judgmental and more historical approach to the question of Jewish collaboration. His words evoked harsh reactions, with key public figures assailing his view for being lenient and parlous to Israeli society. Scholem's castigation of Arendt's willingness to judge the Judenrat is indicative of the ensuing radical change in the public consensus in the wake of the Eichmann trial. Though there is no reference to the »two paths« debate either in Gur's commentary or in the words of any of the other participants in the Eichmann controversy of Jerusalem 2000, it is highly relevant to understanding the views set out by Arendt in her book. Paradoxically, it is precisely Gur's

failure to present the historical-political background behind the Holocaust survivors' silence that makes it difficult to comprehend the Eichmann trial's unique contribution to the Israeli public discourse about the Holocaust, in providing a voice for the survivors. The innovation at this trial was that the survivors were placed for the first time alongside the Israeli prosecution as accusers, instead of in the defendants' dock. This change is what gave them their first chance ever to tell their story in public.

Gur also does not elaborate the fact that the platform given the survivors during the Eichmann trial was not free of political considerations. Hausner's request to the witnesses from Hungary not to raise the issue of the Kastner affair at the trial, was a belated attempt to rehabilitate the image of the Yishuv leadership in Israel, seriously tarnished in the course of the Kastner trial. Ignoring the prosecution's politics in the trial, Gur is filled with indignation at the questions posed by Arendt concerning the leadership's collaboration and the masses being led like so many sheep to the slaughter. Here again Gur is inaccurate, since it was actually Hausner who put the question of going off like sheep to the slaughter to his witnesses – a question branded by Arendt as both foolish and painful. The real controversy swirled around another question. Arendt contended that the question Hausner directed at his witnesses – »Why didn't you revolt?« – in fact, served as a smokescreen for another question that went unasked during the trial, regarding the Jewish leaders' collaboration with the Nazi regime.

This subject is revisited by the historian **Yisrael Gutman**, in his article »The Jewish People Murdered Themselves: Hannah Arendt's Version of the Holocaust« (*Ha'aretz*, Sept. 15, 2000). Gutman joins Gur's criticism and pits Arendt's generalized denunciation against the rich historical research that has been done

since the trial, which shows that the Judenrat reacted in many different ways and therefore cannot be condemned en masse. Yet, Gutman does not mention that he himself in an article from 1966 concurred with the stance condemning the Judenrat's course of action of surrendering Jews to their death as a »sin for which there is no pardon and atonement.«

This fact is cited in an article penned by the historian **Idith Zertal** (*Ha'aretz*, Oct. 6, 2000) in response to Gutman's article. Zertal enumerates the reasons that led Arendt to bring up the subject of the Jewish leaders' collaboration with the Nazis. First, »Arendt wrote these things because they had come up during the trial, despite the prosecutor's attempt to prevent them from being introduced, and also because in writing a report on the trial she had to mention them.« This claim can be supported by Arendt's letter to her mentor and friend, the German philosopher Carl Jaspers: »I fear that Eichmann will succeed in proving ... to what an immense extent the Jews helped in organizing their own annihilation. This, of course, is the naked truth, but such truth, if not properly explained, is liable to arouse greater anti-Semitism than ten abductions.« (Letter to Jaspers, Dec. 23, 1960). This explanation, however, cannot be taken at face value, as we have already seen that Hausner deliberately refrained from bringing up the subject of the Judenrate at the trial. When Eichmann's defense counsel decided not to bring up the subject as well, Arendt nevertheless persisted and went on to broach the topic in her book. In doing so, she widened the scope of the trial contrary to her own contention that the trial should focus solely on Eichmann's deeds.

The second reason given by Zertal for broaching the topic is a more cogent one. Her contention is that Arendt believed that »only a candid and profound discus-

sion of the issue of Jewish collaboration – however wrenching it might be, could ultimately provide a cure for this crisis.« This reason gets to the core of the dispute between Hausner and Arendt regarding the proper way for a society to deal with an »unresolved« past. Hausner was of the opinion that the subject should not be raised at Eichmann's trial, to enable the survivors to make their voices heard from a clear position of accusers. Arendt, on the other hand, felt that the correct way for the nation to grapple with its past is through an incisive discussion on Totalitarianism, including the painful subject of collaboration.¹⁰

All this suggests that the controversy between Hausner and Arendt was not an issue of »justice« versus »politics« as presented by Arendt at the time, or as adduced sometimes by the disputants of today, but rather a clash between two diametrically opposed conceptions regarding the role of the trial in molding Israel's collective memory and identity. Both Hausner and Arendt knew that no investigation of Eichmann's guilt could be divorced from the historical narrative promoted by the trial. Both sides to the dispute were ready to extend the scope of the trial to present a complete historical narrative, though two totally different narratives – the one being a story of ancient anti-Semitism reaching its climax in Eichmann's deeds, vis-à-vis a story of the rise of a totalitarian state that masterminds an unprecedented crime – a crime against humanity. Most significant is the fact that Hausner as well as Arendt understood that the historical story advanced by the trial would be of immense importance in shaping Israel's political culture. Today, aided by historical perspective, one can try to appraise the different approaches regarding the Eichmann trial's role in forging the collective memory and identity of Israel. However, a first condition for such an assessment is the willingness to acknowledge the politics of both sides – a stance

that neither side to the 2000 controversy has adopted.

Arendt's detractors tend to paint the trial as politically impartial and as being concerned solely with proving Eichmann's guilt, out of identification with the victims and out of a moral obligation to allow them to tell their stories (Gur, Gutman and others). On the other hand, Arendt's advocates expose the politicality of the prosecution case, but without being prepared to concede Arendt's own politics (Evron, Zertal and others). Thus the controversy in its latter-day form sidesteps the intriguing question regarding the relationship between law, politics and collective memory.

There are no simple answers to these questions. Moreover, it is impossible to tackle them when discussion is shifted from the issues raised in the book to Arendt's personal biography. Thus, for instance, different writers have cited Arendt's love affair in her youth with her teacher, the philosopher Martin Heidegger, as »incriminating« proof of her intentions. Zertal's scorching reaction to this is: »Indeed, this too has become an accepted, tried and tested method of debate – the labeling of a person, especially a woman, as someone who loves and sleeps with the enemy.« In much the same way, the Israeli controversy has taken an interesting turn as writers stop dealing with the text of the book itself and focus their attention on the personal politics of the debate's participants. Thus, Gutman draws a sharp distinction between the »serious« historians, whose studies refute Arendt's contentions, and the post-Zionist historians, whose endorsement of Arendt is for political and faddish reasons. Essentially, this is a de-legitimatization of all those who have written in favor of Arendt's views as having done so out of extraneous considerations. Aside from the problem with such a line of attack, there is also the question as to whether judgment of the book is indeed a matter for historians

alone? My contention is that one of the key points raised by Arendt in her criticism of the trial has to do with Israel's political culture, a point that must not be allowed to remain the exclusive domain of historians.

The reaction to Gutman's attack on the »new historians« was not late in coming. In his article »Effective Methods for Withholding Information«, Evron unveils the politics responsible for preventing the publication of Arendt's book in Hebrew up to the year 2000. Such politics, in his opinion, prove that it was not objective historical judgment that prevented the translation and publication of Arendt's book until now. Writes Evron: »If all is proper and straightforward, and a normal trial was held, devoid of a political agenda and intentions, then how is it that Arendt's book has not appeared in Hebrew until this year, despite its worldwide publication and the attendant political furor?« He maintains that it was not a coincidence or the lack of public interest that stymied publication, as he himself translated the book shortly after its publication at the request of the publishing house editor, Amikam Gorevitz. Evron relates the chain of events that led to non-publication of the book at the time by the Shoken publishing house and Amikam, claiming that Gorevitz had told him that the then prime minister, David Ben-Gurion was directly involved in the matter. This point deserves investigation, for if this was truly the case, then one is left with the inescapable conclusion that there is something amiss about the structure of political discourse in Israel.

The same line of »public amnesia« pursued by Hausner regarding the matter of the Judenrat in the Eichmann trial, a line so harshly criticized by Arendt, is evident in the treatment of Arendt's own book as well. Rather than deal directly with one of the most important critical books written on the trial, the »invisible hand« of Israeli politics silences the

criticism by preventing its publication.¹¹ In this same context, it is interesting to note that also the decision handed down Judge Halevi in the Kastner case was not published shortly after being recorded, as is customary, but only ten years later. It is just a pity that the Babel publishing house, which took the step of rectifying the situation and issued the book in the year 2000, did not add a foreword or epilogue giving an account of the history of its non-publication in Israel.

Towards the end, the debate over the book »Eichmann in Jerusalem« evolved into a sub-chapter of the post-Zionism dialectic. Historian **Moshe Zimmerman**, in his article, depicts Hannah Arendt as the mother of post-Zionism (Zimmerman, *Ha'aretz*, Oct. 20, 2000). However, since the discussion on post-Zionism has focused on the Israeli-Palestinian dispute, Zimmerman goes on to deal with Arendt's general views concerning the Palestinian problem and the Zionist state. The problem is that this simple identification of Arendt with the post-Zionists is rather anachronistic. The only reference in the book to this subject comes up in connection with Arendt's criticism of the trial's preoccupation with the contacts maintained by the Jerusalem mufti, Haj Amin al Husseini, with Eichmann. Arendt believed that the intense attention this subject received in the trial stemmed primarily from political, ideological reasons (highlighting the connection between the Nazi and Palestinian enemies). Otherwise, the topic is not covered in-depth by her book nor forms a central part thereof. Furthermore, the attempt to turn Arendt retroactively into a post-Zionist overlooks the complicated relationship between Arendt's views and the positions held by the Israeli right wing party Herut.¹² Zimmerman states that Arendt signed a letter asserting that, »The Herut party is very close to the fascist Nazi parties.« Although this is important, he avoids any discussion of the fact that Arendt's critical stance regarding Kastner's actions was

very close to the Herut party's position in the 1950s.¹³ Gurney, in a counter-article, raises similar criticism, maintaining that Zimmerman does not tell the entire truth about Arendt's attitude to Zionism and ignores those facts that hinder him from positioning her as a post-Zionist. To my mind, the attempt to classify Arendt's stance as post-Zionism deflects the discussion from the far more interesting question that links the Arendt controversy with the post-Zionism debate. Both issues raise the question of the social critic's status vis-à-vis the community: Can and should a critical stance be assumed only through the acceptance of a detached universal position, or is criticism at all possible from a stance of identification with and empathy for the scrutinized community? Does it behoove the critic to hide under the cap of the objective observer, or is it incumbent on her to acknowledge her responsibility also as a participant in the community? Such a perspective could have enabled the Israeli reader to approach the book as a vital text, that touches upon one of the most burning issues in Israeli society today.

1 Jacob Robinson, *And The Crooked Shall Be Made Straight: The Eichmann Trial, the Jewish Catastrophe, and Hannah Arendt's Narrative* (The Jewish Publication Society of America, Philadelphia, 1965)

2 Gideon Hausner, *Justice in Jerusalem* (New York: Harper and Row 1966) 465.

3 This debate started as a New Historians debate concerning the Zionist historiography of the 1948 war, but turned into debate about the current character of Israel as an ethnocratic state or a state of all its citizens. Israeli Sociologist Uri Ram maps the post-zionist controversy and identifies three loci: a) the national Israeli-Arab struggle, especially the 1948 war and Israel's policy regarding the Palestinian refugees (writers include Benny Moris, and Ilan Pape); b) the nature of Israeli

socialism and the argument that the labor party's commitment to socialism was always subordinated to the national project. (Zeev Sternhell and others); c) the relation of Israel to the Holocaust survivors, and in particular the political use of the memory of the Holocaust within Israel. Ram argues that we should not see the controversy as academic only, but as reflecting a much larger process of a renewed struggle over the Israeli collective identity. He believes that it is part of a process in which marginalized groups criticize the hegemonic narrative from which they were previously excluded. Thus, we can attribute the three foci of controversy to three social groups (Israeli-Arabs, Mizrahi Jews, and Holocaust survivors respectively). See Uri Ram »Sociology of Historians' Debate« *Theory and Criticism* vol. 8 (1996), pp. 8-32 (Hebrew)

For a revision of the history of the 1948 war see, Benny Morris, *The Birth of the Palestinians Refugees Problem 1947-1949* (Cambridge University Press, 1987) [for a revised and extended version in Hebrew see, the 1991 edition.] Ilan Pape, *Britain and the Arab-Israeli Conflict, 1948-1951* (London, 1988); For a review of the post-Zionist debate in its many facades see, Laurence J. Silberstein, *The Postzionism Debates: Knowledge and Power in Israeli Culture* (New York, Routledge, 1999); Special volume of *History and Memory* vol. 7(1), 1995

4 »Kahanism« is a movement named after its leader, Rabbi Meir Kahane, who preached violence against the Arabs and to their deportation from Israel during the 80's. For elaboration, see Ehud Sprinzak *Brother against Brother: Violence and Extremism in Israeli Politics from Altalena to the Rabin Assassination* (New York: Free Press, 1999), pp. 180-216.

5 The Kfar Kassem massacre took place in 1956, during the Sinai war, when Israeli soldiers shot to death 47 Arab villagers who returned home from their work during a curfew, of which they were apparently unaware. The Israeli soldiers were sentenced to prison time for obeying an illegal order. See Tom Segev, *The Seventh Million: The Israelis and*

the Holocaust (Haim Watzman trans. New York: Hill and Wang, 1993), pp. 298-302; Hannah Arendt, *Eichmann in Jerusalem* (Penguin, 1964) pp. 292-94. For the verdict itself see Military Court 3/57 Chief Military Prosecutor v. Malinki, 17 P.M. (1958), 90.

6 On the trials of soldiers belonging to the Israeli army unit »Givati« who obeyed a manifestly illegal order to physically hurt Palestinian demonstrators during the first Intifada (1987), see Amnon Straschnov, *Justice Under Fire* (Yedioth Ahronot, 1994), pp. 201-227, 235-260 (Hebrew)

7 Stanley Milgram, *Obedience to Authority: An Experimental View* (London: Tavistock, 1974).

8 The »two paths«, namely the path of heroism against the path of cowardice were attributed in the Zionist ethos to the Israelis and the Diaspora Jews, respectively. see Dan Laor »More on the Two Roads«, in Nathan Alterman, *Between Two Roads* (Dan Laor ed. Tel Aviv: Hakibbutz Hameuchad 1989), 114 (Hebrew).

9 Malchiel Gruenwald published a pamphlet accusing Dr. Rudolph (Israel) Kastner in collaboration with Eichmann, which was the basis for a libel suit filed against Gruenwald by the State of Israel. During the trial, it was revealed that Kastner and his colleagues negotiated with Adolf Eichmann on his proposal to »exchange« a Million Jews (of Hungary) for trucks and food for the German army, also known as the »Blood for Trucks« negotiations. At the end of the trial, Judge Benjamin Halevi, who acquitted Gruenwald, declared that »Kastner sold his soul to the devil«. The Judgment was finally reversed in the appellate court, but Kastner himself was assassinated before the verdict was given.

For a discussion of the trial see Leora Bilsky »Judging Evil in the Trial of Kastner«, *Law and History Review*, spring 2001, vol. 19(1), 117; »In a Different Voice: Nathan Alterman and Hannah Arendt on the Kastner and Eichmann Trials«, *Theoretical Inquiries in Law*, July 2000 vol 1(2), 507.

10 For elaboration of this point see my article, Leora Bilsky, »Between Justice and Politics: The Competition of Storytellers in the Eichmann Trial« in: Arendt in Jerusalem, ed. Steven E. Aschheim, (California University Press, 2001)

11 However, a first critical book on the Eichmann trial was published in Hebrew in 2001, and it exposes many of the trial's political sides. See Hannah Yablonka *The State of Israel v. Adolf Eichmann* (Yedioth Ahronot, 2001)

12 »Herut« had been the main right-wing party in Israel since its foundation in 1948, and had been the major opponent to Mapai (Labor) party during the 1950s and the 1960s. Among the most heated disputes of the 1950's was initiated by Herut condemnation of the Government's willingness to accept compensation from Germany for its crimes against the Jews. Attorney Shmuel Tamir who represented Gruenwald in the famous libel trial of Kastner, was a senior member in Herut.

13 As previously mentioned, a sub-category of the New Historians debate in Israel regards the Holocaust. Specifically, The criticism raised in the 1950s against the behavior of the leaders of Mapai during the Holocaust, for not doing enough to save the remainders of European Jewry came both from left and right wings critics, as well as from secular and religious circles. Thus, the critical views of the New Historians of the 1990s echo, in part, the right-wing and religious criticism that was initially raised during the 1950s. For elaboration of these issues see, Jennifer Ring, *The Political Consequences of Thinking* (SUNY press, 1998) 43-89; Tom Segev, *The Seventh Million*, supra note 3; Idith Zertal, *From Catastrophe to Power: Jewish Illegal Immigration to Palestine 1945-1948* (Tel Aviv, 1996) [Hebrew]; Laurence J. Silberstein, *The Postzionism Debates*, supra note 3, pp.75-78, 118-120, 181-182.