

EICHMANN VERDICT TO BE "SOLOMON'S JUDGMENT"

— N.Z. PAPER

A recent editorial in the "Auckland Star" referred to the Eichmann trial in the following terms:

"If the only way to overcome the evil past is to see that it is remembered and acknowledged, the trial of Adolf Eichmann has already served its purpose. From the beginning it has hardly been in doubt that the only formal verdict possible is "guilty." Eichmann was head of the Gestapo's Jewish department, which was responsible for the mass murder of European Jews. He faced 15 charges of complicity in this monstrous crime. His defence, broadly, has been that where that complicity was proved he had merely carried out orders, and that had he not done so the crime would still have been committed.

REQUIREMENTS

"This is one respect in which the Court may well require a Solomon's judgment in rendering its verdict. But it is only one. Israel did not exist at the time the crimes charged were committed. By what right, then, can its judicial machinery now pronounce upon them in retrospect? Israel's answer is that the penalty to be imposed on the criminal is not the main thing, "but the full exposure of the Nazi regime's atrocious crimes against

the exposure of the Nazi regime's atrocious crimes against our people" and "to make the details of his case known to the generations of Israelis who have grown up since the holocaust." However foreign such purposes may be to some Western concepts of justice, it is hard to deny that one section of an outraged people may have the rough sanctions of natural law for acting that way.

"Eichmann could not and did not deny one charge—that his complicity, where admitted or proved, continued because of cowardice. He represented himself as a cog in a bureau-

cratic machine with no concern for the ends of State policy, but merely with the duty to implement the orders of others on the means to be taken to achieve the ends. Here he is one of a vast company. Not without point did his counsel say that none of the parties engaged in the war refrained from violations of The Hague convention.

"For every violation there had to be hundreds, perhaps thousands, of willing, or at least non-protesting, agents. The Israeli Court may be able to say something that will guide men in defining more exactly the limits of personal responsibility in the execution of State policy. To do so will surely require the judgment of Solomon. For in the wide perspective of history has not the human race been in the dock with Adolf Eichmann?"