

## **Representing the Eichmann Trial**

10 years of controversy around *The Specialist*



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A special thanks to Eyal Sivan.

## 1. Disruptive Narratives

“Butcher, butcher!”

The words are heard before we see the man shouting. The film cuts to the audience; two guards drag their struggling charge out of the courtroom by his arms. A buzz spreads through the audience, all are turned towards him, one of the judges calls for order, and cut – the moment is over and a new scene begins. These few seconds in the very beginning of film *The Specialist: Portrait of a Modern Criminal*, directed by Eyal Sivan and released in 1999, exemplify the controversy that has followed the trial of Adolf Eichmann in Jerusalem 1961. The trial itself has become emblematic for various reasons: it was the only time Israel convicted a somewhat high-ranking Nazi; it was the first time survivors publicly testified; the entire trial was videotaped and broadcast on both television and radio around the world. The aftermath, too, has been marked by much contentiousness. Two years after the trial, Hannah Arendt published an account of it in her book *Eichmann in Jerusalem: a Report on the Banality of Evil*, and in so doing forever damaged her relationship to the international community of Jews in exile and posed her as the controversial thinker she would be known as.

The historical backdrop of Arendt’s book is necessary for understanding the issues at the core of the discussions of *The Specialist*. The film’s main critic, Hillel Tryster, the former director of the Steven Spielberg Jewish Film Archive – the archive responsible for the filmed trial material – refers to the historian and scholar of Shoah, Yehuda Bauer, and claims that Bauer suggested that a film based upon Arendt’s book “cannot be worthy of analysis.”<sup>1</sup> Such harsh judgment upon both the film and the book, suggests just how complicated these discussions are. Hillel Tryster believes,

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<sup>1</sup> Tryster wrote several articles and given numerous speeches on the subject of *The Specialist*, and continued to do so after he resigned from his post as director of the archive. The level of engagement is very high, but Tryster’s stakes in the debate remain unclear. Tryster, “We Have Ways of Making You Believe: The Eichmann Trial as seen in *The Specialist*”

however, that the film merits attention for two reasons: first, since it has gained such public recognition and second, since it provides a rare type of case study since most of the material comes from the same archival source.<sup>2</sup> However, as we will see, there seems to be more than this at stake in his criticism.

Over a quarter of a century later, an Israeli filmmaker would consider Arendt's work and contribute his own perspective to the Eichmann trial. Filmmaker Eyal Sivan came to the subject in a roundabout way. In 1990, Sivan was doing research for a film at the Spielberg Archive in Jerusalem, when he discovered a shelf filled with tapes marked, in English, "The Eichmann Trial." After some research he found out that the reels held actual footage from the trial. He contacted Rony Brauman, at that time the director of Doctors Without Borders, and told him about his discovery. Brauman gave Sivan Hannah Arendt's book and thereafter they decided to make a film of the material, based upon book.<sup>3</sup> They wrote the script together and Sivan directed it.<sup>4</sup>

Sivan and Brauman worked with the material from a clearly defined perspective: they wanted to tell the story of the perpetrator, in accordance with the account given by Arendt. They chose to structure the film into 13 chapters, divided by black frames, which creates visual ruptures.<sup>5</sup> Each chapter, or sequence, has a particular focus, signaled in its title, and the different nature of the titles is apparent in the first two; "The trial opens," which is rather neutral, and the second, "A Specialist in compulsory emigration who enjoys his work."

One of the film's most striking features involves its point-of-view – a great number of shots are focused on Eichmann: listening to translations, scribbling down

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<sup>2</sup> Tryster, "We Have Ways of Making You Believe: The Eichmann Trial as seen in *The Specialist*"

<sup>3</sup> Brauman & Sivan, *The Specialist*, Interview.

<sup>4</sup> They also wrote a book together on the topic of disobedience and dedicated two chapters to the Eichmann trial. Since the book is not available in English, I have conducted an interview with Sivan instead, see Appendix. Brauman & Sivan, *Eloge de la Désobéissance*, published by Le pommier/Fayard 1998.

<sup>5</sup> Sivan, "Thinking Truth, Memory, and Film Editing following the Eichmann Trial Filmed Archive"

notes, organizing his papers, or trying to answer questions posed to him. Besides Eichmann, the prosecutor, attorney general Gideon Hausner plays a leading role and the image often returns to him, reacting to Eichmann's statements. The judges are frequently shown reprimanding witnesses and spectators; they provide a notion of a proper conduct and they appear to be the reason that the trial does not decline to total chaos. For most part, the film moves rapidly, cutting quickly between perspectives and incidents, but unbroken shots lasting several minutes serve to give a few episodes special emphasis: filmed material from the camps flicker in the darkened courtroom during one long, uncomfortable sequence, and a few survivors give testimony in a series of short shots; the viewer is shown witnesses after witness.

Sivan did not edit the material with the sole aim of constructing a narrative; instead, he broke up the chronology. Besides making a new storyline, he manipulated the material heavily, both by traditional means of editing and by reinforcing shadows, adding reflections and sometimes by impairing the quality of the original images. His reworking doesn't stop there – since the sound of the video was inferior, the filmmakers chose to work with the audio recorded for radio instead, and then synchronized it with the filmed material. The audio is not only synchronized with the images, but the voices are repeated at times, sometimes blurred, and sounds are added at times other than when they originally appeared.

This editing of the archival material is crucial to the controversy that *The Specialist* caused. The film received generally positive reviews when it was released and screened in cinemas around the world, but since then has continued to cause heated discussions. The film's topic is in itself a minefield; representations of Shoah,

or its aftermath, are still sensitive matters.<sup>6</sup> What is at stake is the collective memory of an event that still affects global politics. Still, many consider Shoah unrepresentable.<sup>7</sup>

The politics of representations in the film cannot be separated from the historical background of the political agenda of the trial in Israel. The trial did not aim to simply convict Eichmann – it provided a means for the Israeli state to claim agency over the aftermath of Shoah. The Israeli Prime minister at the time, David Ben Gurion, even stated after the trial that he wanted it to achieve three things: to inform the world's opinion about Shoah, to educate the unknowing Israeli youth, and to gain support for the Israeli nation state.<sup>8</sup> Whether or not this all this was achieved remains to be investigated, but the trial created a foundation for Shoah commemoration through survivors' testimonies that has been a conventional narrative since. The film *The Specialist* offers another stance in the discussions of Shoah commemoration, as it follows in Hannah Arendt's footsteps.

*The Specialist* poses a wide range of questions, and I would like to advocate for the film's representational politics in the face of its many critics. I will do this though several means, first on the level of representation in the film's understanding of the archive and the documentary. I will argue that the film exposes its construction and use of the material that makes explicit the question of responsibility towards the archive and relating a documentary truth claim. Secondly, I will examine the film in relation to Hannah Arendt's book on the Eichmann trial, with respect to the media

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<sup>6</sup> For lack of a better term, I will use the term Shoah instead of the Holocaust, a choice based on Giorgio Agamben's discussion of the term; he finds it insufficient by its bound to a Biblical punishment. He has a similar dismissal of the historic Christian anti-Semitic use of the Holocaust. His choice seems to be to use neither, to call places by their names and avoid overarching concepts. However, for me such concept is necessary and thus I prefer Shoah. Agamben, *Remnants of Auschwitz: the Witness and the Archive*, p. 28-31

<sup>7</sup> One prominent example of such debate would be Claude Lanzmann's *Shoah: an Oral History of the Holocaust*, released as book in New York, Pantheon Books, 1985 and as the film with the same title, also in 1985.

<sup>8</sup> Kadri, p. 239

difference film-literature and how the film does not only double what has been said in the book. Thirdly, I will analyze the political implications of the film and examine how the film intervenes in an existing field of different narratives of that trial and constructs something like a political counter-narrative of the trial.



## 2. The Trial of Adolf Eichmann

On his way home from his factory work one evening in May 1960, Adolf Eichmann, or Ricardo Klement, as he called himself in Argentina, was kidnapped by the Israeli secret services; nine days later was he brought to Israel to stand trial for war crimes committed during WWII. SS-Obersturmbannführer Adolf Eichmann was head of the Department for Jewish Affairs in the Gestapo from 1941 to 1945. He was in charge of organizing the practical aspects of the deportation of European Jews from their homes to extermination camps, attending to such details as scheduling the trains that delivered people to the camps. As early as 1935, Eichmann was investigating possible solutions to the so-called “Jewish question,” and he advocated for Jewish migration. He pursued this work until 1939, when he became the director of Section IV B4 (Jewish affairs and evacuation) and began planning deportations.

Over two decades later, his trial began. On April 11, 1961, after a long series of interrogations, Eichmann was indicted on 15 criminal charges, including crimes against humanity, crimes against the Jewish people and war crimes. He pleaded “not guilty in the sense of the indictment” to each charge.<sup>9</sup> The trial lasted until August 14, and on December 15<sup>th</sup> the judges delivered their verdict. Eichmann was sentenced to death, and on May 31, 1962, he was executed in Ramleh Prison.

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<sup>9</sup> Arendt, *Eichmann in Jerusalem*, p. 21

Three judges presided over the trial, and the prosecution was overseen by Israeli Attorney General Gideon Hausner. It was held at Beit Ha'am, House of the People, a community house in downtown Jerusalem that was remodeled for the trial. The judges were seated in the front of the room on an elevated podium; the witness stand was to their left, and to their right was the glass booth that was made to protect Eichmann. A thicket of journalists and a balcony open to the public spread out in front of them.<sup>10</sup> The public interest and media coverage were huge and the trial was highly symbolic for the Israeli state, since it was the first time Israel tried a Nazi criminal.

The choice to locate the trial in Israel was not only symbolic but crucial to both the defense and the prosecution. In his first statement, Eichmann's defense attorney, Doctor Servatius, objected that the court could not be unbiased, on the grounds of the judges' identity as Jewish, since it is likely that "one of the judges himself or a near relative of his was harmed by the acts brought forward in the charges. An assumption such as this is quite possible. It arises from the fact that the entire Jewish people were drawn into the Holocaust of extermination."<sup>11</sup> Servatius thus tries to invalidate the court by claiming the impossibility of remaining objective; his claim is disregarded and the trial proceeds. The importance of the trial being conducted by Jews in Israel does, however, return when the judges raise some of the questions seen as at the core of the trial: "could the Nazis have carried out their evil designs without the help given them by other peoples in whose midst the Jews dwelt?" and "would it have been possible to avert the Holocaust, at least in part, if the

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<sup>10</sup> A special cage with bulletproof glass was built to protect Eichmann from murder attempts by victims' families. The booth has become emblematic in the depictions of Eichmann in the trial, like the famous play titles "The Man in the Glass booth," by Robert Shaw, from 1975.

<sup>11</sup> State of Israel, Ministry of Justice, *The Trial of Adolf Eichmann: Session 1: Reading of the Indictment, Preliminary Objections by Counsel for the Defense, Reply by Attorney General to the Preliminary Objections*.

Allies had displayed a greater will to assist the persecuted Jews?”<sup>12</sup> As Hannah Arendt has rightly pointed out, the “case was built on what the Jews had suffered, not on what Eichmann had done.”<sup>13</sup> The issues at stake here primarily concern the Jewish people as separated from the rest of the world, or worse, as possibly abandoned by the rest of the world, and from a broader perspective the question of the trial is, as the judges put it: “[what] causes of the group-hatred which is known as anti-Semitism? Can this ancient disease be cured, and by what means?”<sup>14</sup> Finally, the trial not only convicted Eichmann, it also provided a platform for witnessing Shoah and a framework to understand how and why such event could take place. This is not to suggest that Eichmann was free from responsibility, or make him less guilty. But it should be pointed out that there are many layers of the trial and its purpose.

A main reason for the wide knowledge of the trial is by the pieces Hannah Arendt wrote for *The New Yorker* in 1961; the following year she released her revised and expanded articles as the book *Eichmann in Jerusalem: A Report on the Banality of Evil*. Her depiction of Eichmann as a mere bureaucrat eager to obey orders angered many readers. This, as well as her view on Eichmann as thoughtless rather than profoundly evil, raised objections. The impact of this debate stopped the publishing of her book in Hebrew in the sixties, and it was not released until in two thousand, after Eyal Sivan bought the translation rights and handed them over to an Israeli publisher.<sup>15</sup> Arendt’s book is still highly controversial, since, as Amos Elon writes in the introduction, “the controversy has never really been settled.”<sup>16</sup>

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<sup>12</sup> State of Israel, Ministry of Justice , *The Trial of Adolf Eichmann: Judgment*

<sup>13</sup> Arendt, *Eichmann in Jerusalem*, p. 6

<sup>14</sup> State of Israel, Ministry of Justice , *The Trial of Adolf Eichmann: Judgment*

<sup>15</sup> Elhanan, p. 32

<sup>16</sup> Elon, p. vii – Arendt herself states in an interview that she hopes that in the future the reaction to her report will be quite different. Arendt, *The Jewish Writings*, p. 483

Her account caused great controversy. Indeed, Attorney General Gideon Hausner, “refrain[ed] from dealing with her book at all” in his account of the trial, *Justice in Jerusalem*.<sup>17</sup>

Still, Arendt describes the book as “a report *about the trial*, not a presentation of that history” [her italics].<sup>18</sup> Arendt argued that her book does not have a thesis, that instead she crafted a report “that gives voice to all the facts that were dealt with at the trial in Jerusalem.”<sup>19</sup> She argued the controversy around her book did not really concern assertions but facts of the trial and that these facts were not recognized as facts. She did not attend the entire proceedings and can obviously not claim to provide *all* the facts; however she is of course not unaware of this. Therefore, in her view, the criticism she met should have been aimed at the trial; she described it as a robbery of the factual character of her account and emphasised that “the book and the trial share the same focal point; the defendant”.<sup>20</sup>

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<sup>17</sup> Hausner., p. 465

<sup>18</sup> Arendt, *The Jewish Writings*, p. 486

<sup>19</sup> Arendt, *The Jewish Writings*, p. 485 – In the introduction to *Life of Mind* Arendt states that when she wrote her report, she was “dimly aware of the fact that it went counter to our tradition of thought – literary, theological, or philosophic – about the phenomenon of evil.” Arendt, *Life of Mind*, p.3

<sup>20</sup> Arendt, *The Jewish Writings*, p. 485



### **3. The Making and Archiving of the Material**

In 1961 Capital Cities Broadcasting Corporation hired American filmmaker Leo Hurwitz to film the trial against Adolf Eichmann in Jerusalem. The American company had signed a contract with the Israeli state that allowed them to document the trial as a whole. It was one of the first trials in history to be videotaped. The trial was broadcast on American television and in 37 other countries, but not in Israel, since they did not have television yet.<sup>21</sup> The fact that Israel could not broadcast the trial has been used as an argument that the state of Israel could not have had any propagandistic interests in the trial being filmed. Still, it can as well function the other way around; Ben Gurion explicitly wanted to remind the world of Shoah.<sup>22</sup> The

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<sup>21</sup> For an extensive, and excellent, discussion of the televising of the Eichmann trial and its effects in America see Shandler, *While America Watches: Televising the Holocaust*.

<sup>22</sup> Lindeperg & Wieworka

reasoning behind the decision to film the trial is uncertain; but it is clear that the initiative came from the US. However, in the court decision on the matter, the judges quoted the British lawyer and philosopher Jeremy Bentham: “where there is no publicity, there is no justice.” They went on to quote another British lawyer, Lord Halsbury, as well, saying that the court should make its proceedings public in order to “communicate to all that which all have the right to know.”<sup>23</sup>

The judges did, however, demand that the recording of the trial not interfere with the proceedings. Hurwitz therefore placed four concealed cameras in the courtroom and connected them to a control booth across the street, from which he could instruct the camera operators and edit the footage in real time. He had four monitors screening the camera images and in accordance with his instructions one camera was recorded on videotape, while the other three were not recorded at all. Hurwitz had to make instant decisions and, since he could only understand what was said when the trial was conducted in English since he spoke neither German nor Hebrew, his editing was dependent not on what was said, but on his understanding of the situation based on visual information. He shot up to 600 hours in this manner.<sup>24</sup> Later the same year Hurwitz made a television documentary, *Verdict for Tomorrow*, based on his material, which was also aired on American television

Hurwitz chose one out of four possible images and angles and by that he created an account of the trial. Even though all the proceedings are represented, they are also dramatized by image making, such as capturing reflections on Eichmann’s glass booth, close ups and sweeping camera movements. Hurwitz, as any director, made choices and questions of representations need to be posed already by his work.

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<sup>23</sup> State of Israel, Ministry of Justice, *The Trial of Adolf Eichmann: Decision: Recording of the Proceedings*

<sup>24</sup> Klawans

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Almost immediately after the trial ended, the whereabouts and condition of the original material fell into dispute. Milton Fruchtman, the man in charge of the contract between the production company and the Israeli state, and also the producer of *Verdict for Tomorrow*, says the film was brought to the US after the trial, and later donated to the Anti-Defamation League of B'nai B'rith (an American organization fighting anti-Semitism).<sup>25</sup> However, some tapes seem to have been lost, probably in loans that never were returned, and in 1972 all material left was given to the Rad Archive, later renamed to the Steven Spielberg Jewish Film Archive at The Hebrew University of Jerusalem.<sup>26</sup> Another copy clocking in at around 200 hours is kept at the Jewish Museum in New York City, and since copies of the videotapes were flown out of Jerusalem daily to television broadcast stations, it is reasonable to believe that some have kept the material. The Spielberg Archive has 350 hours of material, out of an original total of around 600 hours of visual material and 160 hours with sound.<sup>27</sup> Several works have utilized the footage, including *Witnesses to the Holocaust: The Trial of Adolf Eichmann*, produced by Lori Perlow, from 1987, and in 1997 *The Trial of Adolf Eichmann* by Daniel Brinkley. Both included archival footage of the trial, but it remains unclear whether the sources came from American copies or the Spielberg Archive. Likewise, excerpts from the material have appeared in different accounts, each of which could have come from any copy of the original videotapes. In 2002, Alan Rosentahl and Nissim Mossek released the film *Adolph Eichmann: The Secret Memoirs*, using the Spielberg Archive material.

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<sup>25</sup> Pinto

<sup>26</sup> Ibid

<sup>27</sup> Sivan, "Thinking Truth, Memory, and Film Editing following the Eichmann Trial Filmed Archive"

What happened to the material after 1972 is the subject of conflicting accounts. Hillel Tryster, the former director of the Spielberg Archive, gives one account, and Sivan and Brauman, give another that directly conflicts. According to Tryster, the material was organized, well cared for, and updated and available, but in Sivan's and Brauman's account they could, in the early nineties, only access copies of around 78 hours of the material, and only after two years did they find 300 hours of the original tapes stacked in an unused washroom in the archive's premises. The material was in bad condition and in an old media format, so eventually they digitalized at their own expense.<sup>28</sup> However, they only gained the right to copy the material after there had been a court hearing, since the copyright ownership was in conflict.<sup>29</sup> After contacting several other archives, both in Israel and around Europe, Sivan and Brauman had collected 360 hours of material, most of which was filmed by Hurwitz, but some came from different television broadcasters. They researched the material and catalogued it according to the trial chronology, and out of the 350 hours that they had access to, they made a 128-minute film. Including the struggle with the archive over the material it took them about eight years to finish the project, and in February 1999 the film premiered at the Berlin International Film Festival.

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<sup>28</sup> Pinto

<sup>29</sup> The material was not freed from copy right restrictions until 2006, when an Israeli court, in accordance with the contract from 1961, stated that the material should belong to the Israeli National Archive. However, the court ruled that access right can be charged for.



#### **4. Responsibilities towards the Archive and Representations of Documentary Images**

Obviously, *The Specialist* only uses a fraction of Hurwitz's filmed material, and the filmmaker also distorted it through the use of montage, manipulation and reworking of the images. The narrative is constructed in a non-chronological order – scenes do not follow an apparent sequence. *The Specialist* is a suggestive account and the filmmaker does nothing to hide it, rather biases are reinforced by strong sounds and abrupt cuts.

The first moments of the film show an empty auditorium – the courtroom, in fact – and the voices of the trial interpreters are heard speaking in Hebrew, French, German and English. This is not a newsreel; this is not a representation that claims conventional truth. By opening with a cacophony of voices that cancel each other out, Sivan gestures towards uncertainty the field of interpretation. Since all the voices we hear are different translations, there might also be something that is lost or

misunderstood in each account. In other words, the film explicitly presents itself as *one* interpretation, one translation. Sivan acknowledges that his voice is only one among many.

“Originally, all the images in the film (or that compose the film) were found in the original archival material, not a single image of those that compose the film, is actually possible to find in the archive. This is due to the fact that all the images in the film as well as the ‘chronography’, i.e. the time invented in the film, were ‘manipulated,’” according to director Sivan.<sup>30</sup> The film does not only react upon the archive or the images, but in fact creates something new. Taking this into consideration, one has to view the film as an independent work of art. Still, one cannot completely remove the material from the archival context, since both imagery and the content is crucial for a discussion of the film.

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Hillel Tryster, the former director of the Spielberg Archive and the harshest critic of *The Specialist*, voiced his objections in 2005, six years after the film was released. He was concerned by how Sivan handled the archival material. *The Specialist* is not truthful in his meaning and it is due to that the filmmakers rely on “those trends in post-modern philosophy that deny the existence of objective truth and reality.”<sup>31</sup> Tryster’s criticism did not take into account that the material filmed by Hurwitz also was directed and edited.<sup>32</sup> He calls the work by Sivan “forgery” without accounting

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<sup>30</sup> *Interview* – An interview I conducted with Sivan, via email and MP3, April 10<sup>th</sup> 2009. From here on referred to as *Interview*. For the entire interview see attached Appendix.

<sup>31</sup> Tryster, “We Have Ways of Making You Believe: The Eichmann Trial as seen in *The Specialist*”

<sup>32</sup> Even though the entire trial was filmed, only one out of four cameras were recorded on tape and even worse, the director did not speak the main languages of the trial and, thus, edited without knowing what was said.

for the fact that the “original” also is a representation.<sup>33</sup> By evoking the notion of the film as somehow counterfeit he implied that the filmmaker had a hidden agenda to deceive the audience by posing something false as true. Such a view seems absurd while looking at the film, since the structure of it is an obvious deconstruction. But one cannot simply dismiss his claims. Hence, his critique of *The Specialist* not only understands the film as forging the archival material but also that the truth-value which existed in the archive is lost.

Tryster’s critique, however, possesses several problems: first, he implies that the archive is a neutral entity and not a construction; second, he presumes that the documentary imagery offers a “true” presentation and fails to acknowledge that it’s actually footage directed by Hurwitz, and lastly, that he posits the archive as a building block in a greater construction of a Shoah narrative, rather than offering it as a source that contains an endless amount of possible interpretations. For an archive is necessarily a construction, both as a collection and as an excerpt.

In the film, the archive’s imperfection is visible when three black frames with white text providing the viewer with a date and indicator of the court session and production and director credits are inserted after each other. Since one frame follows the other and it flickers between them, none of them can be trusted as correctly referring to what follows. What the audience does gain is a notion that we do not see everything; the film can be read as an excerpt of the archive that is an excerpt of the event.

Tryster went through Hurwitz’s material and located the sequences that Sivan used in the film, and then claimed to have revealed a forgery done by the filmmakers. In articles and lectures he listed examples of instances where sequences that follow

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<sup>33</sup> Tryster, “We Have Ways of Making You Believe: The Eichmann Trial as seen in *The Specialist*”

upon each other in *The Specialist* did not do so in the original recording and moments when sounds are added and the image manipulated. However, his claim that his findings exposed something is somewhat baffling – Sivan’s film in no way hides the fact that it manipulates the original footage; rather the alterations lie at the core of the film’s grammar. Sounds are constantly distorted and black frames intersect every scene. Still, Sivan does more to the archival footage than construct its pieces into a new narrative. He not only rearranged images and made a selection but also manipulated the footage by adding scratches, reflections and sounds. Indeed, these practices lie at the heart of his project.

One of the scenes Tryster criticize involves a map of the Third Reich. During the trial, Eichmann is asked to point out the areas annexed to the Reich as they were invaded on a map attached to the wall next to his booth. He asks if he can step out of the booth in order to see it better. Attorney General Hausner and Judge Halevi exchange a nervous gaze before he is granted permission, and Sivan reinforces the look with sonic effects. Once more both the image and the sound quality devolve; Eichmann is shown from behind, explaining in which order areas were incorporated. Hausner steps up next to him and their words are buried in sounds. This scene shows both Eichmann’s way of naming the events of the war, in which areas were “incorporated,” and the specificity of the circumstances of the trial. Tryster however reacted to that the fact that the image depicts Eichmann and Hausner standing side by side: both bald and dressed in black and looking very much alike. Sivan did not make this image, but Tryster argues that it sets up a correlation between the accused and the prosecutor. He misunderstands the effect of the striking shot – it is one of the instances where the filmmaker has chosen to bring forth the material as archival and

old; by reinforcing a bad quality on the image it places it in the historic context of the trial.

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Critic and curator Okwui Enwezor perfectly articulated *The Specialist's* method of using the archival footage by stating that its methods “offend the categorical power of the archive as the principal insight into a truth.”<sup>34</sup> The use of archival imagery in the film serves to destabilize any claim on truth rather than upholding or revealing one. By bringing forth the editing and displaying it as fragmentary excerpts, the filmmaker leaves the viewer wondering what really happened and at the same time suggests an answer: an archive cannot provide an account of the real event as a totality. An archive cannot bear truth.

In the context of the Eichmann trial, we know that only one out of four cameras were recorded, that the director was incapable of understanding what was said and thus edited based primarily on sensory instinct and facial expressions. We also know that part of the filmed material still is missing. *The Specialist* is one account of the trial, one that evokes the notion that no totally holistic account can exist. Enwezor describes it as if Sivan’s refuting of the authority of the archive also diminishes the trauma that it represents. Whereas Tryster rejects the film due to this, Enwezor sees the film as an attempt to raise questions about archival truth and the relationship between documentary images as related to memory. Thus, the film’s controversial use of the archival footage has earned it both debate and praise.

Derrida provides another way to understand the purpose of the archive and through another way of understanding *The Specialist*. He suggests that the archive

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<sup>34</sup> Enwezor, p. 34

should not be regarded as “a question of the past” but as a question of the future: “the question of a response, of a promise and of a responsibility for tomorrow.”<sup>35</sup> Derrida implies that the archive contains fragments of the past, but that the material is at our disposal not as evidence of the past, but rather as a raw material for constructing a future. This offers a more interesting way to think about how Sivan handles the archival footage. The collection that makes up the archive comprises of thousands of hours of particular moments, but by reshaping the material, Sivan forces a re-evaluation of the collection. By means of editing and manipulating the archival images, he rewrites the historical narrative constructed around the material, i.e. the commemoration of the trial.

What the film does is to create an alternative narrative both for the present and for a further historicising. Neither a mere window into the past nor solely a tool to rewrite history, the film provides but another reading of the past in the present, for the future. In other words, the film interferes with how the trial has been remembered and in so doing it creates a space that allows us to remember it differently in the future. Sivan’s view posits historic truth as fundamentally unstable, and likewise acknowledges that the constructed nature of Shoah and other narratives.

The possibility for a Derridian future seems to lay in the possibility to create anew out of the past. The film looks to reveal what had not been in focus and revise that history to create a new one. It offers a profound deconstruction of the archive and its tokens of truth; Sivan constructed a new narration of the trial by picking the old one to pieces and reassembling it with the remnants. More precisely, *The Specialist* turns the gaze and shifts the perspective from the survivors to the perpetrator. Still, the film is not only related to history, but also to the history of the archival material it

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<sup>35</sup> Derrida, p. 36

uses, since the material was probably to some extent made for a propagandistic purposes and has since then been used in numerous representations of the trial and films about Shoah.

How the archival material is used explicitly determines the reading of the trial; *The Specialist* gives a specific account which is posed as an alternative to the conventional understanding of the proceedings. This is evident if one compares *The Specialist* with two other films made with the archival material from the trial, namely *Witnesses to the Holocaust: The Trial of Adolf Eichmann* from 1987 and *The Trial of Adolf Eichmann* from 1997, since the latter two focus on the witnesses and the trial as an important moment in the history of the Israeli state – which, as argued earlier, contributes to the construction of a narrative about Shoah. These films are based on the same imagery but have added other archival sources as well; both use footage shot at the liberation of the camps and thus construct a coherent narrative truth out of the different archives (or it could be seen as constructing an archive that holds the authoritarian knowledge of the event of Shoah). They situate the trial in the direct context of Shoah, and therefore remove the trial from a strict juridical context and place it within the realm of politics and subsequently engage in a wider discussion of representations of Shoah.

However, *The Specialist* cannot be understood solely as a self-referential film assembled from archival material. The archive may suffer from a loss of authority, but there is more at stake than an archive as such. The critique entails a specificity that reaches beyond the archive, as merely an archive, and instead explicitly engages with its identity as an archive that contains Shoah related material. One cannot separate the form from the content.

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The discussion of the possibility or impossibility to show or represent Shoah has been conducted by, among others, filmmaker Claude Lanzmann, director of the famous film *Shoah* from 1985, which does not include any archival images; art historian Georges Didi-Huberman, who in *Images in Spite of All* argues that we must be able to look at and interpret archival images without expecting them to tell us the whole truth; philosopher Jacques Rancière, whose *The Future of the Image* explores the thorny issues of what a representation can mean. Additionally several anthologies have been written on the subject.<sup>36</sup> In the context of *The Specialist* this is important, since the film relates to these cinematic and theoretical discussions and possibly reacts upon them. An example from the film could be a scene showing a session of the trial where the prosecutor screens films from the camps in the courtroom but the audience of the film can only get a hint of what is shown, since we only see the images from the side and at the same time do not have to see such images to know what is shown. *The Specialist* seems to refute that kind of archival images, which have been distributed so widely that they have become superfluous.

In the way the scene is represented visually, the viewer does not get an impression of seeing the actual screening in the court room. One sees different films projected over each other, interchangeably, on a black background that does not appear to be the simple film screening in the courtroom. Included in the scene is also an apology by prosecutor, Attorney General Gideon Hausner: “I regret that it was necessary to subject the Court to such a harrowing experience,” suggesting clearly

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<sup>36</sup>Examples of anthologies that specifically deal with this are *Impossible Images* and *Image and Remembrance*.

what kinds of images have been shown.<sup>37</sup> The sequence of the film joins the discussion of imagery of the camps, but also communicates on another level by not solely repeating such highly charged images. Still, the documentary images that the film consists of have also themselves become signified and symbolic through repeated exposure on television and in documentaries. The images that were screened in the courtroom were the same images projected in the Nuremberg trials, but Sivan points out that in the Eichmann trial they also showed Alan Resnais' film *Night and Fog* from 1955.<sup>38</sup> It is remarkable that a documentary, even if it was one of the first cinematic accounts of Shoah, was used as evidence in a juridical proceeding and even more so in the light of the controversy over representation stirred by *The Specialist*.

Sivan's film does not include any other images than footage from the trial and therefore cannot be read as a representation of Shoah as such, but is unavoidably affected by such discussions due to its topic and, as discussed earlier, Sivan's handling of the archival material. *The Specialist* is also related to the discussions and controversy that rose from tradition of documentaries that represent Shoah, like the above-mentioned *Night and Fog*. A prominent example of such unavoidable relation can be that any film made after Lanzmann's *Shoah* dealing with the events is bound to be read in a comparative manner with it. Both by the strong claims made in *Shoah* and of the following discussion of the unrepresentability of Shoah. The whole film is constructed of testimonies and the nine hour long behemoth film has reached an emblematic status. Whether valid or not, it is hard not to interpret the minor focus on survivor testimonies in *The Specialist* as a reaction in some sense to the extensiveness of the testimonies in *Shoah*.

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<sup>37</sup> In the transcripts of the trial one can read that the public were not allowed in the courtroom during the screening of the film, something that further can imply the sensitive content of the images. State of Israel, Ministry of Justice, *The Trial of Adolf Eichmann: Session 70*.

<sup>38</sup> *Interview*

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Tryster's line of argument implies that the video footage from the trial should not be used in the manner Sivan employed. According to Tryster and his sympathizers, it seems like the material should only be used to represent Shoah as it has popularly been presented since the sixties. He further claims that the scenes are forged to fit in to the anti-Zionistic politics of the director but also, in several texts, that his "attack is not political and Sivan cannot claim artistic immunity from it."<sup>39</sup> For Tryster, the critique comes down to a question of choices related to ethics, as when he concludes an essay by asking Sivan: "Have you left no sense of decency?"<sup>40</sup>

To the sort of criticism voiced by Tryster, Sivan has publicly responded with only four words: "We made a film."<sup>41</sup> Sivan argues that his work is a representation, not the trial as it happened and neither as it was filmed by Hurwitz and in the interview I conducted with him he develops: "It is a work of re-articulation, of an existing material. I made a film; I did not just put together extracts of archive."<sup>42</sup> Such a basic claim of creation seems necessary, since what seems to be forgotten in the criticism of the film is an awareness of an artistic practice. What has been addressed as the image of the Eichmann trial obstacles other possible readings and representations of the trial – the image should be more complex since it ought to be the completion of all visual representations of the trial.

The material used in making *The Specialist* is documentary, and in the hands of Sivan it is, as described above, reworked and manipulated. Sivan prefers the label

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<sup>39</sup> Tryster, "Un Honest Filmmaker & We Have Ways of Making You Believe: The Eichmann Trial as seen in *The Specialist*"

<sup>40</sup> Tryster, "Un Honest Filmmaker & We Have Ways of Making You Believe: The Eichmann Trial as seen in *The Specialist*" – He is quoting Senator Joseph R. McCarthy by Joseph N Welch in 1954.

<sup>41</sup> Pinto

<sup>42</sup> *Interview*

“fictionalized documentary,” where “fiction would be the idea of a construction, which does not exist or preexist prior to the new work.”<sup>43</sup> Whereas this labeling of *The Specialist* as fiction very well might relativize its political, cinematic and historiographical operation, the view of documentary as inherently bound to fiction is far from the dominant view.<sup>44</sup> The genre of documentary in cinematic traditions of montage and concepts of mise-en-scène does more than turn the real into fiction. In *Representing Reality*, film scholar Bill Nichols creates the notion of “intellectual montage” and argues that it can *constitute* the visual representation of the world.<sup>45</sup> The act of making *The Specialist* was then to produce such representation of the trial as inhabiting a world separated from the event. Nichols states: “since there is no fictional world to be intruded upon, intellectual montage in documentary emphasizes the overt or constructed quality of an argument, based on representations from the historical world, rather than the constructed quality of an imaginary world.”<sup>46</sup> Nichols acknowledges that the structure itself is a crucial part of constructing an argument, and this without being transformed to fiction.

Still, to account for the intricate web of definitions, one can also regard Sivan’s view that a documentary is the staging and the preexistence of a material. He argues that one has to account for the three notions of temporality in relation to the film; the time of the war, the trial and the film. He calls this the chronography: “If we have on one hand the stereography and the chronology, the film *The Specialist* has a genuine chronography; a time that is not time of the historical event and not the time of the trial or the juridical process, but a fictionalized time.”<sup>47</sup> The juxtaposing of

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<sup>43</sup> Ibid.

<sup>44</sup> Even the very term documentary is highly debated and constantly reevaluated. In this sense, film scholar Bill Nichols gives six different definitions of the documentary. Nichols, p. 12-31

<sup>45</sup> Nichols, p. 131-133

<sup>46</sup> Ibid. p. 131

<sup>47</sup> *Interview*

temporalities would then be one of explicitly fictionalizing acts that separates *The Specialist* from the material made by Hurwitz. When he filmed the trial he aimed at capturing the trial in the order it was conducted and included everything that happened in the courtroom. Even though Hurwitz's material is directed in the sense of several cameras the trial was to be represented as closely as possible to the real event; it does not have any elements of re-creation.

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To not get caught up in solely trying to categorize the film according to genre one needs both to further understand the imagery of *The Specialist* and interpret the way it is being used. Already in Hurwitz's film there were reflections of people on the glass of Eichmann's booth, caught when shot from the camera behind him on the right-hand side, but in the film these are not only reinforced but reflections are actually added, in shots from straight ahead (an impossible reflection).

Hurwitz was probably aware of the effect and chose to keep the camera in a position that would catch the reflections of the defense attorney Doctor Servatius and of some of the journalists present in the court. What Sivan is adding is not only a cinematic effect, but both concretely a possibility to see more at once, both Eichmann and a witness, for example, creating the effect of a looking glass in several senses.

First, Eichmann seems to be caged not only for his own safety but as an animal who cannot be amongst others and who is fundamentally separated from the events in the courtroom. The reflections make the glass wall visible and mark the two spaces of the courtroom, the inside and the outside of the booth, almost separating the prosecute from his own trial. Secondly, 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 to illuminate that the trial really foremost concerns them and not Eichmann, but where Eichmann functions as a necessary reference. He is posed as the mirror allowing them to talk about the event, in which the Jewish people and the state of Israel comprise the main protagonists. The reflection creates two different realms within the scenes, an inside and an outside and a perspective that is always looking at Eichmann from outside, peering into his booth.

The question for Sivan is when a fiction becomes a document; by this he means “to know when a document is done as such and how it is defined from its very beginning” and therefore a historicizing of the images is important not only in relation to the archive but the image as such. The difference would be the notion of the archive as a collection and the image as such as the actual moment of making it.

In Georges Didi-Huberman’s discussion of four photographs shot in Auschwitz, he emphasizes not only what is in the picture, but why the picture looks like it does. The practical conditions that surrounds the shooting of it and also the visual effects of those conditions (two of the images he discusses are framed by a field of black since they are shot from the inside of a gas chamber).<sup>48</sup>

The act of perceiving the material used in *The Specialist* in a similar matter is both difficult and maybe necessary; the images are manipulated and the conditions must therefore be disregarded, but the visual framing of each image must be looked at and understood as bearing meaning. Brutally, like the black framing puts forward the handling of the pile of bodies in one of the photos from Auschwitz, the reflections on the booth brings forth the duality of the trial as two separate events. First, the visual impression of the room, with a glass booth in it and then secondly, another invisible part of the room reflecting upon glass. This allows Eichmann to be in focus and

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<sup>48</sup> Didi-Huberman, p. 11-13

simultaneously removed from it. The framing is important and also how the film originally was shot since the cameras had to be hidden, and therefore only could film from certain fixed positions. The image could be zoomed and the cameras could move a little to the sides, but in general the images were determined by the camera position when Hurwitz filmed it. When Sivan further worked with the material he had to proceed from those images and could not change the framing, but he did have control over the import and connotations of the images, and therefore the narrative content of the story. To understand this relation between framing and content one needs to both remember the condition of the material's coming into being and the many possible visual effects when the content of the material was reworked. Whether or not, or how, this affects the documentary status of the images remains a question. For example, in some cases the reflections were not there before Sivan reworked the material, but the image that is that he "reflected" on the glass is from the same documentary source. Another concrete example of the relation between framing and content could be the play with facial expressions of Eichmann and Attorney General Hausner: several sequences are edited as if they react upon what the other said, but Sivan has acknowledged that they do not always correspond to the 'real moment.'<sup>49</sup> These images are not altered per se, but set in a new context as a part of the narrative construction.

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To further discuss aspects of *The Specialist's* imagery one can turn to Rancière's account of different kind of images. He distinguishes three types of images; the naked

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<sup>49</sup> *Interview*: He further accounts for that when it comes to Eichmann there is any way no notion of 'real reactions' as he doesn't understand Hebrew and he reacts not to what we as spectators hear but to the translation.

image, the ostensive image and the metamorphic image. The first one does not constitute art “because what it shows us excludes the prestige of dissemblance and rhetoric exegeses”; the naked image is a kind of image that gives testimony to what cannot be said in another manner. The images of the camps fall into this category.<sup>50</sup> The second type of image does something similar, but in “the name of art.”<sup>51</sup> The last metamorphic image might be the most relevant for the images of *The Specialist*, since it is contrasted to the second, ostensive image, which is based on a presence in the artistic operation. The metamorphic image is understood by the impossibility to separate the moment of its making to the later interpretations of the imagery. The notion seems to imply that the image is under a constant negotiation. Rancière states, in regard to the third type of image, that: “The labour of art thus involves playing with the ambiguity of resemblances and the instability of dissemblances, bringing about a local reorganization, a singular rearrangement of circulating images.”<sup>52</sup>

Sivan’s artistic practice can then be understood as a resituating of the imagery, beyond divisions of forgery and fiction. The film does something else by positioning the material as art instead of documentary material and in so doing also points to the instabilities of a supposed meaning of an image. The filmed image itself is questioned by this play, and possible dimensions of understanding and looking at images are brought forth and yet, it remains specific and closely tied to the trial it is depicting. Through this notion of metamorphic images one can then separate the kind of image used in *The Specialist* from other accounts of Shoah, such as the naked images of the camps, and of the ostensive images that speak for themselves as art and move further into a realm of art practice where the image does not serve itself. In other words, in

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<sup>50</sup> Rancière, p. 22

<sup>51</sup> Rancière p. 23

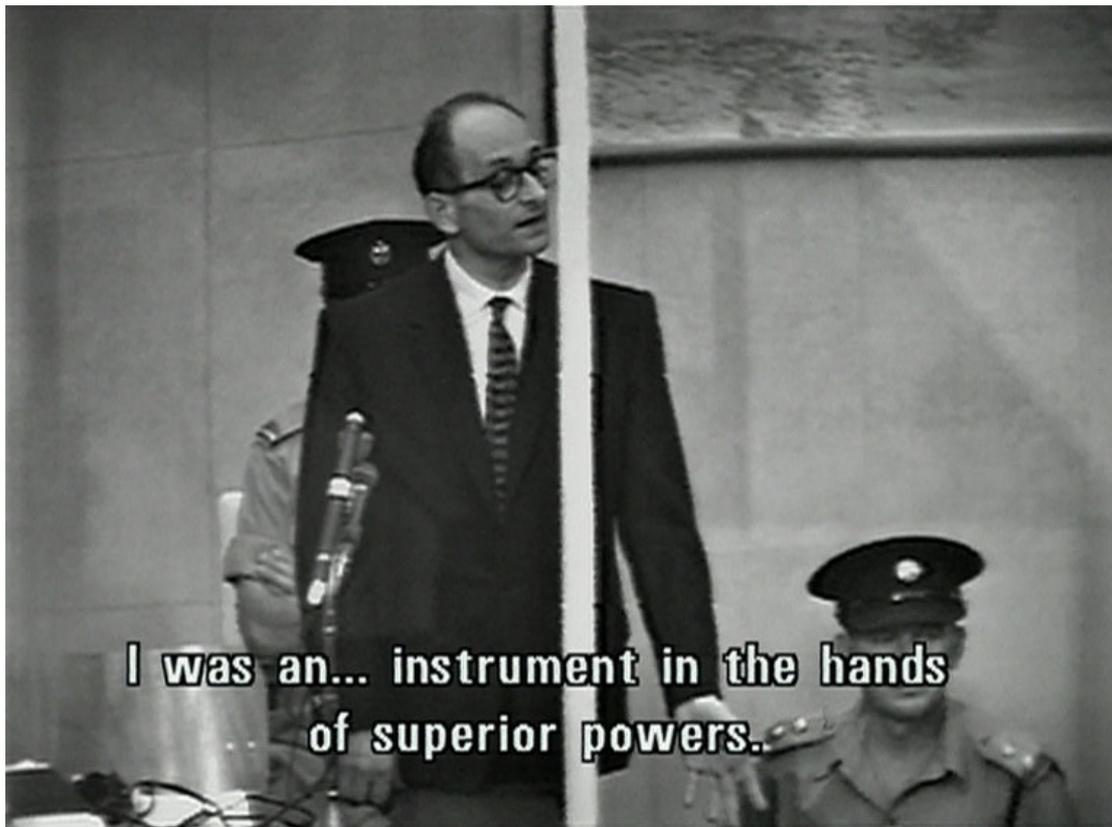
<sup>52</sup> Ibid. p. 24

*The Specialist*, the images are used as inevitably bound to their context; to interpretations and social and political uses of them.

The images of the film seem to function almost as evidence, proof that the trial took place. Rancière argues that “the images of art possess no particular nature of their own that separates them in stable fashion from the negotiation of resemblances and the discursiveness symptoms.”<sup>53</sup> The images as such cannot be dismissed into a closed realm of art, but must be considered as bearing discursive elements in a manner, at the same time similar and different from a text.

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<sup>53</sup> Rancière, p. 24



### 5. To Show Instead of Telling

The DVD case and the credits of *The Specialist* state that film is “inspired” by and “based” upon Arendt’s book. While watching the film one gets the sensation that it is more her book than the trial itself that inspired the film. The focus on Eichmann seems to be the greatest influence from Arendt’s book. Sivan describes their purpose as “to take one of the aspects that Arendt is speaking about, which is the expertise, the specialist or the expert, which is one of the chapters of Arendt and to make it the full idea.”<sup>54</sup> Sivan’s portrait of Eichmann follows Arendt’s closely; both in particular images and in the overall account. Her chapter, “An Expert on the Jewish Question,”

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<sup>54</sup> *Interview* – Sivan refers to the chapter “An expert on the Jewish question” in Arendt, *Eichmann in Jerusalem*.

could almost be read as a storyline for the film. Sivan manages to show what Arendt tells.

In her book, Arendt describes how Eichmann became such “expert,” including his slowly developing career and his own views of his work; beside the story of a striving bureaucrat, a picture of a thoughtless man emerges. In Arendt’s account Eichmann seems utterly incompetent to understand anything of what he has done or the present situation he is in. The portrait of him is filled with contradictions, generated not by Arendt, but by Eichmann’s own personality. On the one hand, he reveals himself as a dedicated Zionist; he sees emigration as in the mutual interest of the Germans and the Jews and asserts that he was opposed any “solution” other than expulsion. On the other hand, he is said to have bragged, after the war, about being satisfied since he bore responsibility for the death of 5 million Jews, and to have made other similarly awkward exaggerated claims.<sup>55</sup> Arendt tries to piece this man together, making sense of him and how he presents himself. She illuminates how he speaks only in empty clichés, how he claims to be an idealist and how, even in examinations with the Israeli police, he seems to be craving sympathy for his bad luck in his career (that he did not advance further in the military hierarchy). Arendt rhetorically asks whether “this is a textbook example of bad faith, of lying and self-deception combined with outrageous stupidity” or if it is instead “simply the case of the eternally unrepentant criminal”?<sup>56</sup>

In the first instance of Eichmann as dedicated to Zionism, seems most plausible in her account and once more he must be understood through the concept of thoughtlessness, based on a profound self-deception. A concrete example is that he would have been better off lying than willingly admitting that he played a part in the

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<sup>55</sup> Arendt, *Eichmann in Jerusalem*, p. 40 & 46

<sup>56</sup> *Ibid.* p. 56

extermination of the Jews. In his own words, if he “had not transported them, they would not have been delivered to the butcher.”<sup>57</sup> Arendt concludes that Eichmann’s extreme opportunism makes it difficult to take him seriously, positing that he was a clown rather than a monster and that the inconsistencies of his arguments resulted from changing moods. She goes so far to assert that Eichmann did not find it a contradiction to state, at the end of the war, that he would “jump into his grave laughing” (since he killed so many enemies of the Third Reich) and during the trial, that he would “gladly hang himself in public as a warning example to all anti-Semites on this earth.”<sup>58</sup>

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Arendt describes Eichmann as he appears to her in the courtroom, in his glass booth, as a man that is: “medium-sized, slender, middle-aged, with receding hair, ill-fitting teeth, and nearsighted eyes, who throughout the trial keeps craning his scraggy neck toward the bench (not once does he face the audience), and who desperately and for the most part successfully maintains his self-control despite the nervous tic to which his mouth must have become subject to long before this trial started.”<sup>59</sup> Arendt saw a small man accused of such big crimes and found him petty. This is of course linked to Arendt’s view that Eichmann was thoughtless; he did not profoundly understand what he was doing.

There is an ambiguity in Arendt’s depiction of Eichmann which is present in the film as well, one in which Eichmann is not only an opportunist but also potentially a liar. In the film a few striking images that are inserted in the closing credits, where Eichmann looks straight into the camera and straight at the spectator.

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<sup>57</sup> Arendt, *Eichmann in Jerusalem*, p. 52

<sup>58</sup> *Ibid.* p. 53

<sup>59</sup> *Ibid.*, p. 5

Sivan explains that they were all images in which Eichmann happened to look at the camera, since he could not see it. These images differ from Arendt's description of Eichmann, since she makes an explicit point that he never faces the audience. By giving us a moment of illusory contact with Eichmann, Sivan forces us to face a more intimate view on Eichmann than what Arendt gives us.

The intimacy is created by a few striking images inserted in the closing credits. In one of them Eichmann smiles and it is the first visual expression of feelings the audience encounter in *The Specialist*. Until then, he has seemed restrained, maybe sometimes absent-minded or slightly irritated, but never with a strong facial expression. They were included to illustrate the terrifying ordinariness of Eichmann, since "he is human in that moment."<sup>60</sup> At the same time Sivan says that the affect of the image is twofold; it provides the spectator with a feeling of being deceived; Eichmann was lying all along.<sup>61</sup> Viewers are confronted with this person, looking at us, and that it has an uncanny mirror function. Hence, the image of Eichmann's humanness and inconsistency also provides a possibility of identification, even if an unpleasant one.

The placement of the images in the closing credits, outside the unity of the film, when the spectator expects it to be over, shifts the perception of Eichmann. When the image of Eichmann smiling appears, it takes the viewer by surprise and alters the impression of him as profoundly thoughtless. The placement of the images is destabilizing and reminds the spectator that everything in the trial can be perceived as an act.

Still, it can also be perceived that the filmmaker has deceived the audience, rather than Eichmann. Since the spectator has been presented with a view of

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<sup>60</sup> *Interview*  
<sup>61</sup> *Ibid*

Eichmann as scapegoat, and presumably agreed with that outlook throughout the film, the images of him smiling are disturbing since it alters the previous conception.

The reader of Arendt's book, and even more the spectator of Sivan's film, needs to doubt Eichmann. The prosecution seems to try to establish him as a liar from the beginning, but the depiction of the trial in *The Specialist* does not allow such a one-sided reading. Sivan states that Eichmann was "telling his own truth," and it might be understood as a further implication that Eichmann is unable to understand what the trial aims at, in terms of establishing some form of objective truth regarding his role.<sup>62</sup> In a shot towards the end of the film he repeats time after time that he did not find the actions against Jews justified even at the time, but that he was obliged to obey, every time he convulsively repeats it seems more and more like a lie. In his thoughtless manner, it seems that he somehow believes that it is enough to tell what he remembers, according to Arendt mostly events in his own career, and how he perceived the situation now and then.<sup>63</sup>

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The case of Eichmann's thoughtlessness is made visually in *The Specialist* when Eichmann is waiting for a translation of something said in Hebrew, or listening to it, he is tilting his head, looking at the ceiling and playing with a pen in his hand. In that moment he seems thoughtless and unable to really grasp what is going on; he looks as if he is not thinking and as the camera lingers on his face while his gaze drifts and the viewer is left with an impression that he is daydreaming.

The first encounter with Eichmann is perhaps even more striking; a few minutes into the film we see him polishing a pair of glasses. He does it almost as if he

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<sup>62</sup> Interview

<sup>63</sup> Arendt, *Eichmann in Jerusalem*, p. 53

is unaware of the courtroom setting, and then he tries to put them on without realizing he already is wearing a pair. Eichmann's confusion about his vision provides a correlation for his lacking of ability to "see" any thing at all. The attempt to put on a second pair of glasses might suggest a total obliviousness to his situation. The film seems to playfully acknowledge the idea of thoughtlessness by the use of visual media – to visually represent a visualisation of Arendt's argument.

Even though the small and slightly embarrassing gesture captures Arendt's portrayal of Eichmann and despite Arendt's detailed description, Eichmann is present in another way when introduced in *The Specialist*, only because he is visible. Still, the first visual image of Eichmann seems to correspond with Arendt's written description, almost as the scene illustrates her portrayal.

Eyal Sivan also stresses the importance of portraying Eichmann with images instead of words, since the film can show the body. It is Eichmann's bodily aspect of that is brought forth in the scene with the glasses and further when considering him as a body with a history of experiences; the image conveys a sort of extended reality by visually pointing out that it was him who committed those deeds. Sivan describes it as a "proximity between Eichmann working in the glass booth and Eichmann working in Berlin; there is continuity. There are internal relations that image and sound can give in terms of body, performance and space which the book could not and vice versa."<sup>64</sup> The book seems to act at a distance and to set up a triangular relation between the trial, the text and the reader. The reader is aware that he or she is encountering words and not the accused himself, while the viewer of the film is much more directly confronted with Eichmann and the situation of the trial. We are confronted with Eichmann as body and as fellow human, who sits behind a desk in the trial and who

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<sup>64</sup> Interview

sat in the same manner in Berlin constructing timetables for deportations. By seeing him, one can more easily imagine him.

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Despite this, the images of Eichmann in the courtroom convey a sense of ordinariness; sometimes he looks attentive and other times distracted and always with a tick, he is constantly blinking his eyes. He does not display any strong reactions or lose his temper; he is mostly well-behaved and if he seems irritated it is still in very controlled manner. *The Specialist* shows what Arendt described as Eichmann's normality, for example in the many images when, eager to act properly, he stands up when addressed by the judges. She refers to one of the psychologists that examined Eichmann, who supposedly exclaimed that Eichmann is "more normal, at any rate, than I am after having examined him."<sup>65</sup> This is the major line of argument for Arendt, partly founded on Eichmann's claim that he lacked motives and knowledge about the consequences of his actions. It is also made in the film; Sivan describes the choice to focus on Eichmann not as a question of pathology, even if one can refer to one kind of "pathology that we can call it the normopathy, Eichmann is a normopath, he is not a psychopath, a kind of a highly exaggerated mainstream figure."<sup>66</sup>

This view seems to be Arendt's and Sivan's; Eichmann could be almost anyone and almost anyone could be him. Neither of the works absolves Eichmann of responsibility or states that he did not commit a crime; rather the nature of such crime is terrifying because it reveals that it does not take a monster to create an act of monstrosity. Arendt's phrase of "the banality of evil," which has been widely

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<sup>65</sup> Arendt, *Eichmann in Jerusalem*, p. 25

<sup>66</sup> *Interview*

misunderstood, aims not at a diminishing the nature of crime, but at describing the individual acts that form a system of evil-doing, where Eichmann would be one such cog in the system.

The view of Eichmann as a bureaucrat becomes apparent in the repetitious shots of him eagerly taking notes and following the proceedings in the pile of documents that lies before him in the glass booth. This is stressed by sound effects where the noise of his scribbling is increased and sometimes even seems to block out the proceedings in the courtroom. In these images Eichmann does not act as the defendant, but as the defense attorney, making sure nothing is bypassed or misunderstood. The bureaucracy of the trial links up with Eichmann's own career as a bureaucrat. Documents are at the center both of the trial and of Eichmann's own duties. Hannah Arendt notes on the first page, that the number of documents on the judges' desks is "more than fifteen hundred" and in *The Specialist* time is given to a scene where the judges ask the general attorney Hausner about the exact name of a document, and the audience follows how they decide to divide the document in two and rename the first part to include the same combination of numbers and letters as before, but now also an "a." These seemingly small details show bureaucracy as something common to the judges, Attorney General Hausner and his staff, and the defense attorney and the defendant himself. Bureaucracy then is not only a symbol of continuation, but also a shared space or discipline.

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Throughout the film, Sivan returns to the image of Attorney General Hausner while Eichmann is answering questions. In contrast to the stiff-faced Eichmann, he openly displays his frustration. Arendt describes how Hausner frequently glances at the

audience and how he exclaims that he is “sick of cross-examining Eichmann, who answers all questions with lies” to reporters in the court building.<sup>67</sup> The emphasis on this behaviour in the film not only make the prosecutor look foolish, it also arouses a concern that Arendt expresses – that “justice does not permit anything of the sort; it demands seclusion, it permits sorrow rather than anger, and it prescribes the most careful abstention from all the nice pleasures of putting oneself in the limelight.”<sup>68</sup>

In Arendt’s view, Hausner’s stepping into the limelight is only counterbalanced by the judges’ constant efforts to prevent it from becoming a show trial. The three judges avoid all theatricality, and she acknowledges them, especially the presiding judge Moshe Landau, for being remarkably independent of Israeli public opinion in how they conduct the trial. They try to keep the trial within a juridical realm and shy away from the political claims made upon it. They never pretend to have to wait for the Hebrew translation; they were all born and educated in Germany, and they even use their mother tongue in dialogues with Eichmann.<sup>69</sup> *The Specialist* conveys these points too; we see one of the judges shifting into German and continuing his questioning of Eichmann in their shared language. We also see the judges demanding that the prosecutor should keep his focus and avoid too much “picture painting,” a line quoted by Arendt.<sup>70</sup>

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Many of Arendt’s most striking passages seem to be represented in *The Specialist*. In the opening scenes of the film the first pages of Arendt’s book seem to echo especially clearly. Arendt begins by describing the courtroom and the circumstances

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<sup>67</sup> Arendt, *Eichmann in Jerusalem* p. 5

<sup>68</sup> Ibid. p. 6

<sup>69</sup> Ibid. p. 4

<sup>70</sup> Ibid. p. 225

of the trial; who sits where, how the language issues are dealt with and how the court is ordered to rise before the judges enter. As described in the previous chapter, *The Specialist* opens with a shot of the empty courtroom, making the audience aware of the theatre-like setting, and then the room fills up while the viewer hears several languages spoken simultaneously, probably understanding only a few key words such as the names of concentrations camps, until everyone is in place and a voice calls out: “all rise” and the judges enter.

To the attentive viewer and reader of Arendt, this opening seems to indicate that the accounts share perspective. What these minutes and sentences do is to provide a foundation for the reader and viewer to stand on as they experience the rest of the work. It sets the scene spatiality both for the trial as depicted in the book and especially for the film, since all images are from that very room. To see the room empty reinforces Arendt’s point that the house, *Beth Ha’am, the House of the People*, was remodelled for the trial by someone with “a theater in mind, complete with orchestra and gallery, with proscenium and stage, and with side doors for the actors’ entrances.”<sup>71</sup> Arendt argues that the Israeli Prime Minister Ben Gurion wanted a show trial and that this was evident even in the choice of space.<sup>72</sup> The first shot of *The Specialist*, of the empty room, illuminating the features described by Arendt, displays the anonymity of the space and it appears as much like a theater as a courtroom. The courtroom, and thus the opening images of the film, can be understood as *mise-en-scène* in a literal meaning. The room is the stage for the event and it is through a staging we understand the trial; it is provided with features, like the stage, that gave an impression of the situation as not only a juridical but also a political event. The prominent placement of the descriptions of the courtroom in the very beginning of

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<sup>71</sup> Arendt, *Eichmann in Jerusalem*, p. 4

<sup>72</sup> *Ibid.* p. 4

both the works suggests that the staged setting is necessary to read the forthcoming proceedings. Without any other articulation of the political claims of the trial, the framework is communicated by the *mise-en-scène*. In the film this concept is even more important since it visually provides the framing for the film; the courtroom is the sole stage. The opening scene shows the physical setting and décor, the staging of the action and the manner in which these elements are framed. Arendt's argument of the similarity of the courtroom to a theater is visualized and also relates to her view on the trial as a staged trial rather than a show trial. As discussed above, she sees the Judges as preventing it from happening but that the trial had all external conditions for such decline.

Additionally, in the film, sounds made by the audience – mostly reactions to Eichmann's statements – are added, increased in volume or re-placed. Among these are the pleas by Judge Landau that the audience in the courtroom must remain silent. This draws attention both to the fact the trial has an audience, like a theatre, and to the fact that the judges are striving for a properly conducted trial. The reinforcing of the theatrical aspect seems to be juxtaposed to the earnestness of the Judges. One can understand Sivan as capturing this opposition within the trial as Arendt captured it. But he adds another layer with the sonic effects; he does not allow the audience of the film to forget the other possible audiences of the trial – regardless if in the courtroom or by the radio or television. Even the readers of Arendt and other written accounts of the trial can be included in such notion. By inserting, or amplifying, reaction sounds after statements by Eichmann the viewer is anticipated and cannot react in the same manner as the audience in the film. Sounds of surprise and disagreement leave the audience of the film reacting to them almost before reacting to Eichmann's statements.

This might even be understood as suggesting the overall exaggeration in the trial: perhaps the role of Eichmann in Shoah was exaggerated and thus the desire to blame him. In the film when the audience reacts to almost everything Eichmann says, they appear a bit foolish and a bit too eager to find a scapegoat. His calm mildness can be infuriating but it also highlights the banality of his statements – what he says is never particularly shocking and it seems even less so when it is followed by an irate murmur.

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Another point for a comparative reading of the two representations of the trial is how they dealt with testimonies. Arendt chose not to repeat the survivors' testimonies but still recount for what happened during the war. Since many of the witnesses were called upon to provide a background, to testify about Auschwitz and Treblinka, for example, where Eichmann was never involved, they represented all the affected countries in Europe (except Bulgaria and Belgium).<sup>73</sup> Arendt's chapters are organized in a similar manner, country by country, covering the deportations from each one. Still, she accounts for general facts about the treatment of Jews, while the testimonies in the trial gave a personal experience that had not been heard before.

*The Specialist* does include a few testimonies, where the viewer can follow a story related by the witness; one testimony, for example, is given by a man from a Jewish council that actually met and interacted with Eichmann, and another describes how children were deported and brutally treated in a French camp. Sivan refrained from ridiculing the trial both by including "background witnesses" and by leaving out some of the most well known and spectacular testimonies, like, that of the poet K-

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<sup>73</sup> Arendt, *Eichmann in Jerusalem*, p. 225

*Zetnik* who was hopelessly abstract and then fainted while on the stand. This seems to be very much in line with Arendt's view on the testimonies. She dedicates a chapter to the question of evidence and witnesses and she does account for testimonies, like that of *K-Zetnik* and Zindel Grynszpan, the father of Herschel Grynszpan, who, by assassinating a German diplomat, was said to have triggered the *Kristallnacht*. Still, she concludes Grynszpan's story by stating that after listening to it "one foolishly thought: everyone should have their day in court (...) only to find out, in the endless sessions that followed, how difficult it is to tell a story – at least outside the transforming realm of poetry – it needed a purity of soul, an unmirrored, unreflected innocence of heart and mind that only the righteous possess."<sup>74</sup>

The statement, coupled with her view that only Grynszpan really told a story worth hearing, indicates her overall perspective on the amount of time and space given to the survivor testimonies in the trial as "endless." She says that thirty-three and a half sessions were dedicated to Eichmann on the stand, and almost twice as many, sixty-two, to the prosecution witnesses, out of a total of a hundred and twenty-one sessions – undeniably a great part of the trial proceedings.<sup>75</sup> Both the film and the book have redistributed the time in representing the trial proceedings, shifting the focus back to the defendant.

Arendt acknowledges this through her comment on the sessions and Sivan has created a filmic device for conveying a similar point of view in a sequence of testimonies. They are presented in very short fragmentary scenes, edited into a single fast, choppy, almost cartoon-like sequence. When the sequence starts, the format of the image changes, it is smaller and has a black frame, and the image itself is different, slightly more yellow and worse in quality, suggesting that this is an excerpt

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<sup>74</sup> Arendt, *Eichmann in Jerusalem* p. 229

<sup>75</sup> *Ibid.* p. 223

and an exception, something not to be read as just any part of the film, or even of the trial perhaps. Each witness takes off where the previous one left off, giving their names, taking the oath, etcetera, and then the clip moves on. Some witnesses are almost only present as images and others get to speak. Before this, we have seen a witness telling the court about Auschwitz, and the following sequence seems to continue what he set up. The bits and pieces one can get out of the sequence recounts horrible events in the camps, like an infant being banged to death against a wall by an SS-officer, and the viewer sees the suffering of the witnesses when trying to retell such events.

One purpose of the sequence seems to be a sincere desire to show how many were affected and their hardships. However, the sequences do more; firstly, they situate the testimonies in the past, more apparently than the rest of the trial, by the yellowing and distortion of the image that makes it look older than the rest of the material. Secondly, they provide a view of the witnesses as superfluous and interchangeable; they almost cancel each other out by being presented one after the other. Lastly, they show Arendt's argument of the difficulty about telling a story in a truthful way; they depict the slippage towards poetics and drama. Sivan created moments of dramatic absurdity; the witnesses tell their stories in different dramatic voices, gesturing, making faces and, in one instance, by adding laughter from the audience. In that moment we are in a theater, looking at someone performing.

This view can be supported by the scene that follows the episode; a witness is finished and Judge Halevi turns to Attorney General Hausner and says: "We have just heard profoundly distressing matters related in the words of a poet. But... with this testimony, we are getting away from the object of this trial." One can see how the

realm of fiction, of poetry, is brought into the trial, and Sivan reinforces that aspect to imply the trial's loss of focus.

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Beside crucial similarities in content, the two accounts of course also differ. Of the fifteen chapters of *Eichmann in Jerusalem*, six are directly concerned with the trial or Eichmann and the others provide context and historical background for the trial. When Arendt wrote her book, this context was of course not as well known as it was at the time of the making of *The Specialist*.

Arendt dedicates a chapter each to the three different “solutions” to the so-called Jewish question, first expulsion, secondly concentration and finally killing. One chapter is about the Wannsee conference, which Eichmann attended – four chapters describe deportations from the different regions of Europe, and one deals with concentration camps in the east.

One example of a concrete theme treated differently involves the discussion of the role of the Jewish councils during the war. Arendt includes them in her background chapters, pointing of their acts and knowledge about what was going on during the time of deportations. She does not discuss their function or role in the trial. In the film the first of the few testimonies included is the one by Dr. Melkman; a part of the Jewish council in Holland and director of Shoah memorial Vad Yashem 1957-1960. His testimony goes on for several minutes, as he explains how the councils came about and what their mission was. He tells the court how people were chosen for deportations, which time the trains left and the preventive measure of sending one thousand twenty people, if thousand should arrive alive in Auschwitz. His recounting is posed as very similar to the account given by Eichmann and he, like Eichmann,

only did what he was told. Sivan says that enlarging the debate concerning the Jewish councils was one of the things “that [was] not done by Arendt, but [was] done by the choices and the articulations within *The Specialist*.”<sup>76</sup>

The film does not, of course, relate to all aspects of Arendt’s text, and Sivan omitted the context of the Nazi system and the events of the Second World War. Now, maybe Sivan can afford not to account for such aspects, since the audience is largely aware of what happened during the war, but when Arendt wrote her book these facts were not as well known and the reasons for including them were more compelling.

Still, the crucial difference between the film and the book is that the film never leaves the courtroom. We are almost claustrophobically enclosed by it. The archival material determines the courtroom as the sole setting of the film and also the direct focus on Eichmann. Hannah Arendt can follow him historically and in theoretical discussions regardless of spatiality and temporality; a text can move easily between time and places, while a film made of archival material is limited by that material. Arendt does not have to account for what is visible, while the film cannot move beyond the gaze; it is bound to work with what can be shown or told through images. The greatest difference between the film and the book thus lays both in what is told but foremost by how it is told; in which medium.

One can return to Rancière’s interpretation of images, as discussed in the previous chapter, and the understanding of the dual nature of the aesthetic image: “the image as cipher of history and the image as interruption.”<sup>77</sup> The images in *The Specialist* function differently from the words of *Eichmann in Jerusalem*; not only by the deconstructive nature of the film but also by the images themselves. The

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<sup>76</sup> Interview

<sup>77</sup> Rancière, p. 25

metamorphic image, through which we can understand the film, “simply set out to displace the representation of the imagery, by changing their medium, by locating them in a different mechanism of vision, by punctuating or recounting them differently.”<sup>78</sup> Thus, one cannot only juxtapose the film and the text; we also need to account for what the images do in the film.

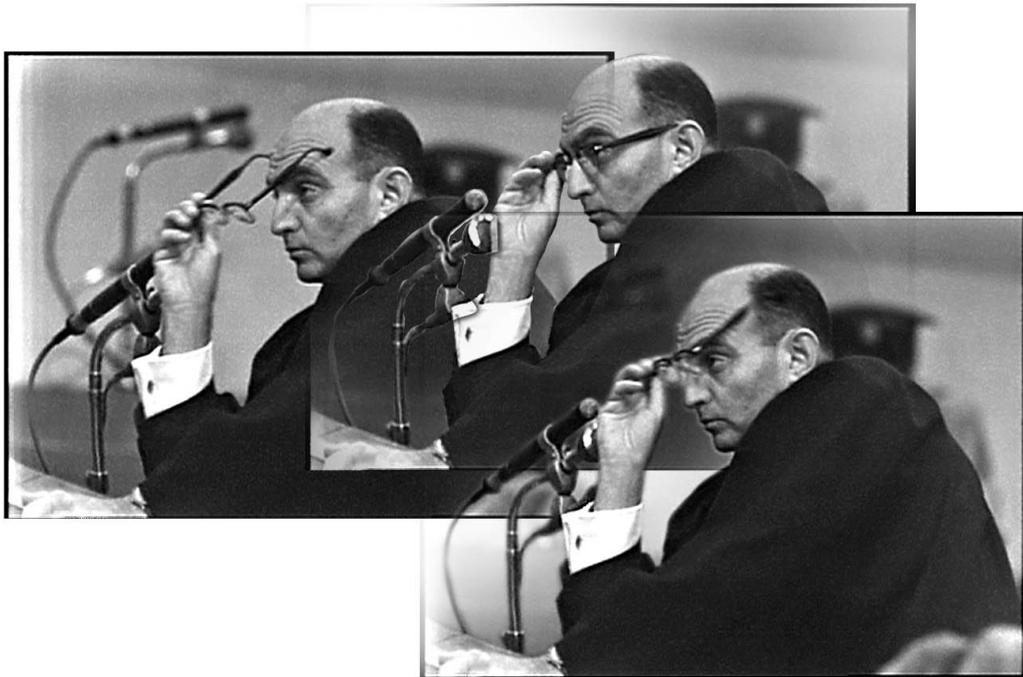
The film brings the spectator closer to the event and seems in this sense more transparent than a layer of text. We might experience documentary images as closer to reality than a written account, since the audience recognizes what Sivan calls, “the magical of the mysterious truth of the documentary image.”<sup>79</sup> Concretely, as mentioned earlier, the audience is confronted with that, the figure we see in the screen is Eichmann. We hear his voice and his words, which one can see as a great difference from the Eichmann described in third person in Arendt’s text.

By the same movement as Hannah Arendt, Sivan turn the viewer’s gaze from the victims toward the perpetrator Eichmann, but whereas Arendt is invested in giving a rich context of the historic events, the filmmaker seems to want to free the film from a strict historical context. Arendt does speak about the trial and about the mechanisms of evil in a manner that allows further interpretations and applications, but never leaves the specificity of the event. Yet, as I will develop in the next chapter, Sivan seems to want to open up the account for a broader reading concerned with genocide rather than the specificity of Shoah.

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<sup>78</sup> Ibid. p. 27

<sup>79</sup> *Interview*



## 6. Consequences of Representation

The film is best understood if read in context, and thus something like a symptomatic reading might be helpful. According to Louis Althusser, texts are governed by an inherent problematic that determines not only the questions posed and the answers given, but also the problems omitted.<sup>80</sup> *The Specialist* would then be read both in relation to the circa 358 hours of material the director chose not to include, and more importantly to the aspects of a constructed narrative around Shoah that the film left out. A symptomatic reading can (re)construct what Althusser poses as the theoretical unconscious; something that is present in any text, even if in an absent form. Such a reading of *The Specialist* implies that it is difficult not to account for what has been left out – every scene is there on the expense of something else. However, I believe

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<sup>80</sup> Althusser, p.28

that this is conscious play on the behalf of the filmmaker and one of the means of how he goes about actively disrupting the storytelling of Shoah as it sprang out of the trial.

There is no doubt that the portrayal of Eichmann as a modern criminal is at the core of the film. But before returning to that I will reiterate other important aspects of the film that both expand the context of the trial and illuminate it from a new perspective. Examples could be, as shown throughout the text, the reworking of the archival material, the sonic effects, the depiction of Attorney General Gideon Hausner and the judges, the insertion of sequences of the witnesses and time spent on non-crucial moments. I have earlier accounted for the methods of reworking both the visual and audio material, and the similarity between the three experts is discussed below, but the last point might need to be developed further. For example, when we follow a discussion of a misunderstanding around the name of Kolm/Chelmno, seemingly for several minutes, one has to ask why it is there. An answer could be to show the trial as a juridical process, deeply invested in details for the sake of rendering justice. Another more cynical reading could be that such scenes juxtapose the otherwise well known dramatic events of the trial, like the witness I mentioned earlier, the poet *K-Zetnik*, who fainted while he was on stand.

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Since 1961 the trial has become a significant symbol of the immediate causes of Shoah. The trial was the first instance for survivors to give their testimonies. Of a hundred witnesses, ninety were survivors from the camps; Eichmann's trial can be understood as the beginning of the testimonial narration of Shoah. Since then such diverse institutions as Yad Vashem in Israel, the American Steven Spielberg Film and Video Archive, films like Lanzmann's *Shoah* and almost every museum dedicated to

Shoah, have relied on collections of oral history as the major mean to communicate the events.

The trial functioned as a setting for such construction of a narrative of Shoah based on survivors' testimonies, and it can be read as a part of the formation of Israeli identity and collective memory, since Shoah hardly was discussed in Israel before the trial.<sup>81</sup> Yad Vashem, Shoah Martyrs' and Heroes' Remembrance Authority, was established in 1953 by an act of the Israeli Parliament, and its first exhibit opened in the administration building in 1958. However, a permanent exhibit was not established until 1965 in a museum building.<sup>82</sup> The early sixties was an important period for the Israeli state in positioning itself as having the agency to determine how Shoah should be judged and remembered.

The testimonies by survivors in the trial accounts for a trauma, and the imagery of them have become important for the commemoration of the trial. What Hillel Tryster objects to is Sivan's will to construct a narrative, not only about the trial, but about memory. Sivan explains that the "idea to do *The Specialist* was not really to do a film about Eichmann or adapting Arendt's book but in fact, the basic idea was to continue my work on the instrumentalization of memory and the state of Israel."<sup>83</sup> A question of usage of the archival material thus seems secondary to the content of the material to Tryster and crucial to Sivan. It seems like Tryster's critique is founded on a misfire, where questions about the archive have to take the bullet, but where the real target of commemorating Shoah remains unspoken.

One need to account for that the Israeli nation state had only existed for thirteen years and was still in formation in 1961. Survivors of Shoah and pioneers were organizing the first Jewish nation state, which amongst others things meant a re-

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<sup>81</sup> Hausner, p. 452-453

<sup>82</sup> Yad Vashem, website

<sup>83</sup> *Interview*

evaluation of Jewish identity; both in the sense that a mostly urban class had to learn how to cultivate the earth, and that a position opposite to victimhood needed to be created after the war. Attorney General Gideon Hausner stated, when looking back on the trial three years later; “the trial was thus, in itself, an overwhelming manifestation of the revolution in the position of the Jewish people that has taken place in that generation [that survived Shoah].<sup>84</sup> Even the cover of the English edition of Hausner’s book on the issue, from 1968, seems to make such argument: it depicts a yellow star being removed, revealing the underlying blue star of the Israeli flag – as if saying that the Jewry of the yellow star, understood as the European Jews, transforms into Israelis.

*The Specialist* can be understood as reacting upon the symbolism created around the trial, and thus arguing that the film provides an alternative to such act of nation building. In relation to aim of the trial Arendt states: “the purpose of a trial is to render justice, and nothing else; even the noblest ulterior purposes...can only detract from the law’s main business: to weigh the charges brought against the accused, to render judgment, and to mete out due punishment.”<sup>85</sup> This can be understood as the main claim made by both Arendt and Sivan, the ultimate criticism of the trial.

Tryster constructs his criticism of the film by creating a hypothesis that he believes that the film to proves: “If one were a filmmaker with a political agenda that could benefit from a re-evaluation of the Eichmann trial, one that made Eichmann seem a harmless pawn used by the Zionist establishment to consolidate the myth of

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<sup>84</sup> Hausner, p. 453

<sup>85</sup> Arendt, *Eichmann in Jerusalem*, p. 253

Jewish victimhood that provides moral authority for the existence of the State of Israel, how might one proceed?”<sup>86</sup>

What Tryster rightly points out is that Sivan has a political agenda, but Sivan’s agenda is not necessarily in a negative sense. Sivan seems to want to re-evaluate the Eichmann trial to question its role in a Zionist nation building. What seems to be absurd is the implication Sivan somehow through this questions the existence of Israel. Such claim cannot be found in the film, and rather seem to be an effect of Tryster’s attempt to undermine the film and its makers’ authority. A subsidiary effect is that Tryster has a preposition of the political view the filmmaker that he uses to interpret the film, without acknowledging that the film is a work of art.

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Despite this, I understand the trial as founding moment for the Israeli state as legitimized by Shoah and the act of *The Specialist* is a questioning of that very legitimization. The use of Shoah as legitimating Israel in the trial is apparent if considering the following lines from Attorney General Hausner’s opening speech: “When I stand before you here, Judges of Israel, to lead the Prosecution of Adolf Eichmann, I am not standing alone. With me are six million accusers. But they cannot rise to their feet and point an accusing finger towards him who sits in the dock and cry: ‘I accuse.’ For their ashes are piled up on the hills of Auschwitz and the fields of Treblinka, and are strewn in the forests of Poland. Their graves are scattered throughout the length and breadth of Europe. Their blood cries out, but their voice is not heard. Therefore I will be their spokesman and in their name I will unfold the

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<sup>86</sup> Tryster, “We Have Ways of Making You Believe: The Eichmann Trial as seen in *The Specialist*”

awesome indictment.”<sup>87</sup> Hausner, as a representative for the Israeli state, speaks in their name, and by that claims the agency as a voice of all Jews affected by Shoah. Besides this, the tone is remarkable and also the emotional sentiment it provokes; suitable for the aim of Ben Gurion to create a history lesson rather than the setting of a trial. The rhetorical figures depicting the victims of Shoah lays the groundwork for the testimonies later in the trial – by those who are still able to stand and point an accusing finger.

To reflect upon the choice of how to represent survivor testimonies one can view the notion of a symptomatic reading concretely: considering the huge amount of time spent on them in the actual trial and the very little time representing them in *The Specialist*. To not highlight the survivor testimonies is one of the aspects of the film that conflicts with what has been considered important about the trial since it took place.

The inclusion of almost a hundred survivor testimonies seems more urgent for the future than for the justice of the trial itself; the trial cannot only be understood as an act aimed towards the past: on the one hand it sees that justice is done by convicting a perpetrator and on the other hand it creates a moment for the future. As described in the previous chapter, the major representation of the testimonies is edited into a sequence that is posed almost outside the cinematic narrative. It is inserted in a black frame that makes the image smaller as if implying that it belongs to the greater narrative of the trial but not really to one of the film. I understand the editing as functioning similarly to a footnote, acknowledged and referenced, but not important enough to be a part of the main text. Still, there are survivor testimonies that are given both time and narrative space in the film and some of them follow the sentimental

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<sup>87</sup> State of Israel, Ministry of Justice, *The Trial of Adolf Eichmann: Session 6-8: The Attorney General's Opening Speech*

grain as organized by Hausner. They give eye-witness accounts of the horrors of the camps but one of the reasons for their presence in *The Specialist* is seemingly to portray the conflict between the judges and the Attorney General's will to "paint pictures" as mentioned earlier. They are not in the film to provide sentiment or search for empathy, as seems to have been one of the functions they served in the trial.

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An overarching aspect of the film is how images and sounds are conveyed almost clinically, creating a sense of coldness and remoteness even in suggestively emotional sequences. The narration throughout the film has such inherent clinical language; perhaps as a means to question representations relying on affect or to illustrate the bureaucratic aspect of the trial. The suggestion can be understood as a reaction to the testimonial narration of Shoah events as utterly dependent on subjective and affective accounts. Sivan says the one thing they wanted to address in the film was the question of the victims as witnesses. I understand it both as a juridical issue, to question if they are accountable, and as an ethical issue of how one can testify about an event.

Another important factor in discussing the film is the external relations to other discussion and media, ranging from Shoah representations to the film genre of courtroom drama. The latter is evoked in *The Specialist* by emphasizing the dramatic relation between the accused, the prosecutor and the judges where they become not only similar, but also actors. Sadakat Kadri argues in his tome *The Trial: Four Thousand Years of Courtroom Drama* that by the televising of trials, they become "battles between champions" since the lawyers become celebrities' outside court and then gladiators inside it.<sup>88</sup> This can be understood as true also for *The Specialist*, both

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<sup>88</sup> Kadri, p. 344

in the sense that it is playing on such notions of the trial that rose when it was televised in 1961 and offering a specific depiction of Attorney General Hausner. He seem to fight a battle and aggressively trying to convince the judges, rather than relying on a juridical justice. His counterpart in the film is however not the defense lawyer, Dr. Servatius, but Eichmann himself. Dr Servatius does not play a role in the drama of the film and it is Eichmann and Hausner that are the contestants.

Other aspects of the film that can be understood as related to the courtroom drama are closely connected to the trial itself, hence the view on it as a show trial. An example is the notion that Eichmann is already convicted before the trial begins. The audience in the courtroom, in front of the television, the radio or the film by Sivan are all part in judging Eichmann, since one knows that he is guilty in some sense otherwise he would not have been kidnapped in Argentina. In accounts of the Eichmann trial seems to be a recurrent undertone that it could not have gone another way – the trial was important because Israel would judge a Nazi, not because they would try. The implication is not solely that one knew that he was guilty, but that the very act of putting him on trial was part of the goal. The show trial is thus constituted by the importance of the proceeding as such, in opposition to a mere rendering of justice. In the context of the political aims of the trial, the event in the court room was maybe even more important than the act of judging and executing Eichmann.

As in the courtroom drama the audience follows the actions, take sides and deliver judgments, both on Eichmann but also on the proceedings. The emphasized reactions of the courtroom audience in *The Specialist* can be seen as Sivan's way to reinforce such view. Also, as described in relation to the image of Eichmann smiling, the viewer of the film doubts Eichmann and presumably also the proceedings. Now, at the same time the doubt is put aside since the viewer knows that he will be convicted

anyway, not only since we know the historical event and the set up for the trial but also because that is a part of the genre of courtroom drama. Regardless of our doubts, Eichmann is the bad guy, and the bad guy always gets caught. The certainty of the trial's ending seems to have been absolute and even more by the outspoken purpose of it: to remind the world of Shoah, educate the Israeli youth and create support for the Israeli state. This was of course also one of the reasons behind the numerous survivors' testimonies.

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The film does not make Eichmann more humane; he is still a figure, even if not as a symbol of evil, but of ordinariness and thoughtlessness. Sivan addresses the issue when describing Eichmann as “the bureau criminal” as one possible way of being a perpetrator; “the pen of the bureaucrat or the mouse of the computer, can be the ultimate weapon of killing.”<sup>89</sup> There is a distance between the order and the act.

The last image of *The Specialist* depicts Eichmann in his booth, the image zooms in and item after item around him disappears, the guards, the glass cage, his papers and his desk becomes wider, taking the proportions of a business desk. The noise is turned into music. The black and white image turns into a coloured, and Eichmann appears in an office setting, wearing a dark blue suit. The office consists of a dark wooden table; beige wallpaper behind him and a small note pad in front of him. The image removes Eichmann from the setting of the trial and back into the realm of bureaucracy. He is neither the accused nor mere bureaucrat; he seems to be in charge, slightly reclined and a bit sceptical. His facial expression that in the trial setting seemed doubtful now seems only suspicious.

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<sup>89</sup> *Interview*

The image frees Eichmann not only from the spatial but also the temporal setting, and illuminates the possibility of a crime and an understanding of criminality as far removed from the crime scene. In this view, he is a manager that gives orders. This implies notions of a faceless bureaucrat whose power executes its control like an invisible hand who manages the modern society – it could be anyone and anyone could be him.

In another scene, Eichmann holds up a diagram, seemingly drawn by him, to show the court the line of hierarchy and organizational proceedings within the departments of Nazi Germany. In this even his explanation seems to be in the realm of bureaucracy, where nothing can be understood except as a part of a greater system. These factors are, according to Sivan, the elements that compose administrative, managerial modernity and I would argue also what is indicated in Arendt's use of the concept of banality.<sup>90</sup> Sivan elaborates Arendt's understanding of systematized evil and obedience by critically engaging with notions such as management, efficiency and loyalty. And also by expanding the temporal situation of the trial in such way so one can regard Eichmann as a figure of modernity, since the nature of his crime is inherently bound to administrative societal formations. Hence, the film's subtitle: "Portrait of a Modern Criminal."

This view of Eichmann as a bureaucrat also brings forth the uncanny parallel between Eichmann and Hausner and the judges. They are also posed as experts in the film and as bureaucrats doing their jobs and they can be understood almost as equals. In film the courtroom represent a space presided over by experts, lawyers and judges, presented as clinically as Eichmann himself. They are experts in their fields skillfully maneuvering their tasks with the only, if crucial, difference being the consequences of

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<sup>90</sup> *Interview*

their actions. In another setting they could also have been in a situation similar to Eichmann's, since it seems inherent in the position of the bureaucrat to have what Sivan calls, a "potentiality of criminality."<sup>91</sup> Or even worse, one can understand the potentiality as not only connected to the act, but also the possibility of a change in the political system that would condemn actions before considered righteous. Hence, the defense claimed that Eichmann did not do anything unlawful within the frames of the Third Reich.

It is the image and understanding of the perpetrator that is at stake, since the idea of a crime can imply not only an illegal act, but to have blood on one's hands in a literal meaning. This of course addresses a great issue of Shoah in a more general sense, since the perpetrators foremost gave orders and victims had to carry them out. Hence, the murderous act was further away for Eichmann; he did not order anyone's murder, solely their deportation to the camps. This seems to shed light upon an aspect of the trial, recognized by both Arendt and Sivan, indicating that the Nazi politics were what were really on trial.

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Eichmann is neither freed from responsibility by Sivan nor by Arendt, but rather their works suggest that the concept needs to be redefined and removed from a realm of a physical act, to a direct ordering or indirect allowing of an act. In one sense, he is being tried for what followed his actions, not for a bureaucratic act of signing documents or the concrete act of giving orders. Sivan suggests that "the cleanliness, the emptiness, the fact that there is no direct body involved does not mean that there is

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<sup>91</sup> *Interview*

not responsibility.”<sup>92</sup> A redefinition would then have to account for a responsibility not only in terms of lawfulness but also in an Arendtian sense of a criminal who has “take upon himself the responsibility of an act whose consequences now determine his fate.”<sup>93</sup> In both accounts he is depicted to lack judgment. A notion of judgment as an inter-human responsibility, in the same degree as it concerns trespassing of legislated boundaries. After attending the Eichmann trial, Arendt became interested in the notion of “thinking,” and her understanding of Eichmann as thoughtless is crucial in her understanding of his inability to judge.<sup>94</sup> She describes thinking, willing and judging as the three basic mental activities and even though they are different they cannot be separated from one another – since Eichmann neither can think nor assume responsibility for his actions.<sup>95</sup>

In the cleanliness and distance of the crime, the body rather acts on such level of humaneness and this type of judgment seems, for the viewer, to be what is missing in the expressionless face of Eichmann. The question becomes more complex in the lack of visually obvious remorse, even though emotions should not be a part of a court proceeding. In opposition to this, Eichmann’s lack of visible remorse can be understood as what evokes the frustration of Hausner, as depicted in *The Specialist*; widely gesturing, rolling his eyes and in his opening speech he even refers to Eichmann as having left the realm of humanity (he was like a beast).<sup>96</sup>

The question of judgment and responsibility is of course also related to the concept of law. Arendt describes Eichmann as seeing himself as a law-abiding citizen, he did not only obey orders but also the law, and thus, he acts like if he was the

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<sup>92</sup> Interview

<sup>93</sup> Arendt, “The Perplexities of the Right of Man,” from *The Portable Hannah Arendt*, p. 43

<sup>94</sup> Arendt, *Life of Mind*, p. 6

<sup>95</sup> Ibid. p. 69

<sup>96</sup> State of Israel, Ministry of Justice, *The Trial of Adolf Eichmann: Session 6-8: The Attorney General's Opening Speech*

legislator of the law he obeys.<sup>97</sup> She draws a parallel to the Kantian figure of a law as law without exception and this can be understood as what she has accounted for in her writings on totalitarianism, the erasing of difference between law and ethics in the Nazi system.<sup>98</sup> Further, she describes Nazi law as treating the whole world as under its jurisdiction and thus “a law which already supposedly existed before everyone.”<sup>99</sup> The portrayal of Eichmann in *The Specialist* conveys this as a fundamental issue on Eichmann’s part, since he obeyed that law as an absolute law. Like a Kafkaesque figure, he stands before the law with no other choice than to obey – however, he seems to have lacked Josef K’s determination to take control over his own life.

As Eichmann is presented, he seems to perceive himself more as a witness than an actor. The distance that surrounds Eichmann is then not only related to the act of perpetration, but also on a deeper level of not taking part – to look from a distance. In Arendt’s view action is the basic feature for human life, and she points out how both the Greek and Latin word for action is divided in two parts, one with the meaning “to begin,” “to lead” or “to set into motion” and the other “to achieve,” “to finish” or “to bear.”<sup>100</sup> This separation is not only concerned the different stages of the action itself but also the subject that executes it. The depiction separates Eichmann from both: not claiming any initiative, he relied on the law, and took no responsibility for anything achieved, or for the consequences of his acts.

Eichmann claims, in the film, that he asked to be transferred to other duties after a field trip, but was declined. He goes on to recount a trip to Minsk, where he was sent to write a report on the executions that took place there. Eichmann is in this moment transformed from a perpetrator to a witness. He describes how a child was

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<sup>97</sup> Arendt, *Eichmann in Jerusalem*, p. 137

<sup>98</sup> Arendt, *Origins of Totalitarianism*, p. 394

<sup>99</sup> *Ibid.* p. 416

<sup>100</sup> Arendt, *Human Condition*, p. 189 – The Greek verbs are *archein* and *prattein* and the equivalent in Latin would be *agere* and *gerere*.

shot in its mother's arms, and on how he on another trip in Lemberg he saw something he never saw before; a fountain of blood. He paints a highly disturbing image of a blood shooting up from the ground due to the all the gas in bodies buried below. These accounts can be added to the horrifying act of the Nazi's and Eichmann thus adds to the knowledge about Shoah. If one further considers that the story of Shoah is not only a story of suffering but also what made it possible; the political system and the bureaucratic execution any former Nazi is to be acknowledged a witness.<sup>101</sup>

Still, *The Specialist* does not pose Eichmann as a mere spectator, but by seeing him as witness to Shoah he opens up the narrative structure created around it, to include the testimonies of the perpetrators, as mentioned earlier. What is made visible in the film by this is that Eichmann also has a story to tell about the event, which should be of general interest.<sup>102</sup> Still, I would argue that his story, as it is presented in the film, is brought forth on the expense of him as an actor and that the image of him, as he seems to be trying to communicate places him only on the side of witnessing. The gesture of expanding the concept of witnessing to more literal meaning allows a possibility to view events from more than one side and at the same time it can deconstruct locations of agency. Even if Eichmann functioned as scapegoat, he was nevertheless an agent in Shoah. The film suggests such reading on the one hand and on the other it lets Eichmann give voice to what he witnessed both in within the administration of the Nazi system and the horrors he encountered.

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<sup>101</sup> Lanzmann included several testimonies of former Nazis, often filmed with a hidden camera and often not only presenting their story but almost vengefully ridiculing them.

<sup>102</sup> Arendt claimed that Eichmann's testimony "turned out to be the most important evidence in the case". Arendt, *Eichmann in Jerusalem*, p. 222

The reevaluation of the trial in *The Specialist* is something like an allegory in Paul de Man's sense, since the trial has become such significant part of a narrative of Shoah, and when that is disrupted it also affects the narrative. To understand this in the concepts of de Man would mean to read the film as an allegory of unreadability: an allegory of a figure which relapses into the figure it deconstructs.<sup>103</sup> It would mean to see *The Specialist* as an allegory of the figure of the trial and that the making of the film, or even the act of watching it, as a kind of undoing of that figure. What is undone is a premise of the narrative and by that also an implied promise of the purpose of the trial. One can understand it as a form of rhetorical structure: the trial implies something that is not spoken, i.e. a founding moment for a narration of Shoah. But that the film deals only with what is said, with the idea that the trial should judge Eichmann, and by consciously disregarding the implication, the outspoken also has to be reevaluated.

The film's allegorical undoing of the Eichmann trial breaks the implied promise of the trial as a founding moment. Both the promise and the founding moment provide a setting for the future, similar to the earlier mentioned Derridian archive. While one might argue that the film creates a narrative for the future, now it disrupts what Ben Gurion wanted the trial to create for the future at its time. The dual temporalities allows for both instances to gesture towards a future, however the future as seen from the perspective of the trial is the history that *The Specialist* reacts to. Hence, in both the moment of the trial and the moment of the film's making involved, for at least some of the agents involved, the urge to create something anew, by questioning what was before – of course by very different scales.

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<sup>103</sup> de Man, p. 275

To further understand what is at stake in this discussion one can turn to Arendt's view on political moments of change: "the experience of foundation combined with the conviction that a new story is about to unfold in history make men "conservative" rather than "revolutionary," eager to preserve what has been done and to assure its stability rather than open for new things, new developments, new ideas."<sup>104</sup> The government led by Ben Gurion aimed, and succeeded, to make the trial a site to establish knowledge about Shoah for coming generations – and when *The Specialist* questions that narrative the reaction is defensive. Arendt describes it as almost as a circular movement, where the new story repeats what was before the new came into being.<sup>105</sup> The new story becomes closed for any forms of critical accounts or questions, until a new rupture arises and attempts to change that story. In this sense, Shoah as a foundation of Israel as the unfolding story is thus an innately conservative view.

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To explicitly return to the symptomatic reading as Althusser described it, one can argue that *The Specialist* is bound to the juxtaposition of a visible problematic of the archival image and an invisible problematic of contextual issues of representation and commemoration. The crucial invisible can, in Althusser's words, be contained in the paradox of "an answer which does not correspond to any question posed."<sup>106</sup> Thus, the structure of the film and what it does seem to function in a manner as an answer to an unasked question. This also in a similar gesture as de Man's allegory – an unavoidable recoiling of the very figure it attempts to deconstruct.

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<sup>104</sup> Arendt, *On Revolution*, p. 31

<sup>105</sup> Ibid. p. 146-147

<sup>106</sup> Althusser, p.29

Turning the archival material of the Eichmann trial into a courtroom drama of a modern criminal is the aim of the film's very conscious (representational) politics. Thereby the notion of a symptomatic reading does not imply an unconscious act but rather the contrary; Sivan consciously edited out the testimonies that have been at the centre of the trial's public attention and instead presents the "portrait of a modern criminal." By this he implies a certain theory of modernity and a claim to universality.

One can then understand the lack of survivors' testimonies in the film as a crucial means to create a representation of Shoah as more general and connected to the present and the future. Without the particularity of the testimonies, the trial could be any trial concerned with crimes against humanity. *The Specialist* seems to reveal the events' universality and pose them as an exemplary of a recurrent crime, i.e. modern genocides. By claiming the crime to be more general, the film also positions the case of Eichmann as a part of ongoing structures of oppression, racial or other, which leads to horrible events such as Shoah.

The exclusively testimonial character of the Shoah narrative distinguishes the event from other historical genocides, perhaps even to such extent that it can be dismissed as having little to do with the world today. The trial exposed survivor testimonies as a privileged means to inform about Shoah, as specific historic trauma and event. By questioning this construction, *The Specialist* removes the specificity of Shoah and opens up for a perspective on it as genocide.

A similar consequence of such a symptomatic reading arises in relation to the accused. He, like the event, can be removed from the particular to the universal. In my understanding, the film first defines Eichmann as the accused and as the man in the glass booth, and then when those tokens are gone he seems to be become like anyone and no one. Anyone in the sense that he is a figure of modern society doing his job

and no one in a similar sense that anyone could have replaced him. He is a token of a type. Once more Derrida's notion of the archive seems relevant, since what is being constructed by a move from the particular to the universal is an archive for the future.

In *The Specialist* Eichmann becomes something like a genocidal possibility of modernity, and the crime becomes a modern crime. The generality allows for the exemplary which can function as a token for such crimes. By that the film creates a new urgency to consider the trial not as solely a historic moment but also as a possible future and it is Nietzsche's view of modernity as a cold monster, inherently violent, that seems to be what is really illuminated. *The Specialist* explores not only specific modern crimes but indeed the very possibility of such crimes and thus the potential for someone – perhaps anyone – to enter the realm of criminality without any undergoing any obvious signs of change. In this universalizing of the capacity for banal evil, Sivan exposes the even more fearsome notion that evil need not be profound.



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## 9. Appendix 1: Interview with Eyal Sivan, conducted via email and MP3, April 10<sup>th</sup> 2009<sup>107</sup>

### 1. What made you want to do *The Specialist*? Why is it important?

Our idea to do *The Specialist* was not really to do a film about Eichmann, or adapting Arendt's book. The basic idea was to continue my work on the instrumentalization of memory and the state of Israel. It started in the 90's with my film, *Slaves of Memory*, and to continue the work that I did in *Itgaber, He Will Overcome*; which is concerned with the question of obedience and disobedience to law. It was while looking for some cover material for this film, which is series of interviews with Professor Yeshayahou Leibowitz, I realized that the material of the Eichmann trial exists.

I did know at that time that the entire material existed but some of it and in fact the idea to do *The Specialist* was the beginning of an articulation of a work around perpetrators, to discuss perpetrators and justification. The idea finally came with the encounter with Rony Brauman, at the time he was the president of Doctors without Borders (Medicines Sans Frontieres), and he was the one that introduced me to Arendt's book. The combination of the material on one hand and on the other hand the book, kind of pushed us to work together on the film.

We tried to concentrate it around the figure of Eichmann, "the specialist." It would maybe have been a better title to call it "The Expert" but "The Expert" was already taken as a title by a film by, I think it was John Travolta? Anyway, to make a long story short, *The Specialist* was called "In the Glass Box" or "In the Glass Booth" in the very beginning. This was the first script, and it was supposed to be told from Arendt's point of view. I even think that we were thinking of voice over or some kind of a fictional device. Watching the material, and even working on the script, reading the minutes of the trial, re-reading and re-working Arendt's book, convinced us that in fact we should concentrate on the figure of "the expert" and this brings me to the second part of the question of why it is important.

While Adolf Eichmann is a figure of the past, he is a figure of his period, the modalities of action, the justification and even the performative attitude is a contemporary. More than contemporary, it is not just a figure of the modernity; it is a figure that in fact we can find in other situations which are not just criminal. It means it is a figure that has a potentiality of criminality.

### 2. In reply to the critique by Tryster, you stated that "you made a film" – what do you mean; does it foremost concern questions of artistic freedom in general, towards the archive or history as such? Or does it rather concern issues of hegemonic narratives and the freedom to give another account?

The idea behind the notion "I made a film" is first of all to consider that it is a work; a creation. It is a work of re-articulation, of an existing material. I made a film; I did not just put together extracts of archive. It is a work which has its history, cinema, and its place in – if you want the documents of knowledge – a documentary film. So, it is not just a question of artistic freedom or freedom of speech. It is linked to the idea that to make a film, mainly a documentary film, means not just to present preexisting material if it is reality or if it is an archive, but to represent. It means to project through the existing material. I will add to that that of course behind this notion of making a film, especially if we are talking about a film made with archive material,

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<sup>107</sup> I sent my questions via email and Sivan recorded his answers. I transcribed them and he have approved this version.

there is the idea that the archive material, which was done for a certain purpose, in fact was used in order to give it another signification, or for another purpose, which is in this case of course a counter-hegemonic narrative but it could also be just another angle. In fact, the image of the Eichmann trial, because that is what we are talking about, would be the completion of all the different cinematographic works televised and visual works that were done around the Eichmann trial; the amount that the entire corpus that composed all those works together, this would be the image.

**3. If *The Specialist* is to be labelled fiction instead of documentary, is there not a risk that the film would lose some of its political relevance, or dismiss the politics of the film?**

First of all we have to ask what we understand by the notion of fiction and documentary, I am not sure that *The Specialist* is fiction. I am neither sure that *The Specialist* is a documentary. We can try to define the documentary as a staging with reality and fiction as a staging of reality; what is important in documentary is the staging, and the preexistence of the material. Still, I think that *The Specialist* would be a documentary if we accept this definition, but of course it is fictionalized as every cinema work; if we take in account that we have three notions of temporal structures. There is the history of Second World War and especially the genocide, the Holocaust, which I prefer to call the genocide. This temporality is the period 1939-1945, and another temporality is the temporality of the Eichmann trial in Jerusalem, April 1961 until December 1962 and the third temporality, which is the temporality of the film. We can call it the chronography. If we have on one hand the stereography and the chronology, the film *The Specialist* has a genuine chronography; a time that is not time of the historical event and not the time of the trial or the juridical process, but a fictionalized time.

The political relevance of a fiction essay is as relevant as a non-fiction one and the fact that there was a choice, there was a conscious choice to make a documentary and not to re-stage the trial. And it comes out of the idea that there is recognition among the spectators of something which, I will call, the magical of the mysterious truth of the documentary image. We are conscious, or maybe unconscious, but it is a fact that the figure we see in the screen is Eichmann. This means when Eichmann is saying "I", it is the "I" of Adolf Eichmann himself – it is not an "I" of an actor and this maybe gives it another political dimension.

**4. Can it be called fiction, when made up by documentary footage? Where does the document, in that case, cease to be a document? If one calls it fiction, there is also an implication that the material filmed by Hurwitz is non-fiction – what is the difference?**

I am not sure that the definition of *The Specialist* as a fiction, fictionalized documentary maybe is a more accurate definition. It is done with documentary footage, but I think that by insisting on the fact that there is an element of fiction in every documentary. Fiction would be the idea of a construction, which does not exist or preexist prior to the new work. It helps to define in a more precise way what we understand by documentary. Of course the document exists first of all because of its direct link to the archive. By saying that the film is done with the material of Leo Hurwitz, that it is done with archive material and saying where the archive is and where it is coming from, it is already giving it a relation to what you might have been called a document in this case. I do not think the document cease to be a document. The question is when a fiction becomes a document.

The material of Leo Hurwitz is non-fiction. It is not edited; it is not trying to articulate or discuss as a kind of critique, opposition, different from what the trial or the event that was what the filming was supposed to be. By the fact that it is trying to be as close as possible to the event that it is capturing it is of course non-fiction. But even a work that is only capturing an event, there is a creative thing. But, for example, there is no creation of a new temporality which is a basic element and notion in my approach of what a fictionalized documentary is. The other thing is the freedom of chronology and the freedom of articulation of internal relations in the event, which exists only on the cinema screen –this was also lacking in the work of Hurwitz. Hurwitz tried to follow the chronology of the trial; he tried to follow the chronology of the history. We would not find a re-creation or different representation of Eichmann's trial in Leo Hurwitz work.

**5. You have stated that you wanted to follow the account of Arendt – do you think you succeeded? What are the main differences between the two accounts according to you – is there something that could not be shown, or vice versa, something that is made visible that is not possible to communicate within the text?**

I actually think that we did not follow the account of Arendt's so much. We should not forget that there are a lot of comments and commentaries in Arendt's book of some topics and issues that we did follow, and others that we did not relate at all to. For example, we followed the criticism about the trial itself, and I think that this maybe the success: to extract a point of view from the book, while of course this point of view also is a fiction.

Arendt did not attend Eichmann trial; she was there some weeks in the beginning of the trial. It means that she never really saw Eichmann speaking, heard him talking. She followed the proceedings the protocols of the trial while she was in New York. Her point of view, especially what I am calling the cinematographic act of Arendt; is to choose, to watch, or to concentrate; to put the figure of the perpetrator, of Eichmann, in the center of the discussion, or in my case, in the center of the screen. I think that this is the real thing about following Eichmann.

I think that the two big differences in the accounts; first of all the fact that we can show Eichmann, we can show the body. There is proximity between Eichmann working in the glass booth and Eichmann working in Berlin; there is continuity. There are internal relations that image and sound can give, in terms of body, performance and space, which the book could not and vice versa, especially in the book's commentaries. *The Specialist* shows a very important issue that Arendt addresses, which is the Jewish question. We were thinking for a long time about how to exactly represent this Jewish question or the Jewish problem that Eichmann was trying to solve and we did not succeed to give an answer to that. The other thing is that we only relate to one aspect of Arendt; the competition between departments, the general structure of Nazis in the context was not our purpose. Our purpose was to take one of the aspects that Arendt is speaking about, the expertise, the specialist or the expert, which is one of her chapters and to make it the full idea. And the other element which I think that is really important is that Arendt, was a political figure and was writing about the modernity and the relevancy of the Eichmann case to our present time, in the physical presence of Eichmann – she made the decision to put aside the question of the victims as such as witnesses, and, for example, she did not enlarge the debate concerning the Jewish counsels. Those are things that were not

done by Arendt but were done by the choices and the articulations within *The Specialist*.

**6. How does the film, according to you, relate to the genre of courtroom drama?**

I think that *The Specialist* does respond to the genre of the courtroom drama, first of all as a closed space. Secondly, we know what the crime is, like in the courtroom dramas we have an introduction that says; “What is the crime?” or we have seen the crime before, right? In the Eichmann we have a cultural conscience of the crime. This is what especially allowed us to stay within the film – within the courtroom, in the ‘huis close’ behind close doors.

By the way that the film was constructed, we know what the end result of the trial is, and we know history. In fact, the permanent question about the guilt of Eichmann is coming back to the spectator; it is projected on the spectator himself as a question of if he is guilty, and by what he is guilty. This is one of the primary elements of the courtroom drama. In fact those kind of films works in a triangle; there is the spectator, which is in a kind of situation of judgment. He is both the judge between the victim and the perpetrator, but he is also the judge of the judgment act in the drama, and I think that this is also true in the case of *The Specialist*.

**7. What is the intent with the focus on Eichmann and what did you want to convey by it? You said, at the UCLA conference *Filming the Eichmann Trial*, that this film is not about an historic event, or the trial as a historically important moment, but about the perpetrator as such – could you develop your thoughts around this?**

The focus of Eichmann is not the focus on a psychology of one individual. It is an attempt to focus on a case, the Eichmann case; it is not the individual pathology of Eichmann. Even if we can say that it is kind of pathology that we can call it the normopathy, Eichmann is a normopath, he is not a psychopath, a kind of a highly exaggerated mainstream figure. This kind of figure does not totally belong to a geography, a culture, to gender, or to a historical moment; to focus on this kind of figure, through its functioning and not through its psychology, is to focus on one of the elements that are composing, if you want, modernity – administrative, managerial modernity.

What we try to convey by Eichmann is kind of a critical reading of notions coming from our environment, whether they will be management, efficiency, loyalty or obedience. Eichmann could have found himself in another situation – we can find Eichmanns or Eichmann’s attitude in many situation.

When I said that this is not a film about an historical event, I was trying to say that it is not a film that tries to speak about the Second World War or the genocide. It is not a Holocaust film. It is not historic event and it is not a historical event. The event, the appearance of the figure of Eichmann is the appearance of, if you want, modernity and I would add, even secular modernity. Of course, it is not the question of the trial as a historical moment. The trial is one of the spaces that are redeeming perpetrators narration. We do not have many occasions to hear perpetrators speaking; history of documentary cinema, or the tradition of filming, is the poor, the weak, the victims.

The only situation where we can hear perpetrators speaking, are situations like international courts, or truth committees, like the Truth Reconciliation Committees. In this, the trial is a historical moment, because it is a moment that allowed us, gave us the opportunity to listen to the perpetrator. To listen carefully to his regime of

justification, to listen to his dynamics, to listen to his logic, to listen to his rational, and also to have his narration of history and to point out that he never contradicts the witnesses. Eichmann never contradicts the witnesses and this is something which is important in this as a historical event. He considered that he was not guilty, but in fact he approves all that the witnesses are saying.

When I say that it is a film about the perpetrator, I am both trying to say, first of all, that it is a film that is trying to break, or to shift a documentary tradition – to not just of looking at the victims and listening to the victims, but watching and listening to the perpetrator. One of the things the film is trying to insist on, is that the perpetrator has a function as a witness in an event. I mean, he can become a witness, and this is a continuation of an idea developed already by Primo Levi when he is distinguishing between the fact that he is a survivor, and that Rudolph is the commander of Auschwitz; he is a witness. Or, in the attitude of how Raul Hilberg, who wrote the *Destruction of European Jewry*, when he is saying; “I am not interested in victims. I am interested in the documents of the perpetrator.” It proved that he gives a status of document and witnessing to the perpetrator. So, when I say that the film is about a perpetrator, the fact that we can recognize Eichmann in *The Specialist*, implies a distance that goes beyond that specific historical event, which, of course, is the Second World War and the Holocaust.

**8. Following the previous question – does the focus on Eichmann as a perpetrator and as a bureaucrat implies that he was a mere bureaucrat, for example the last image in the film, the coloured image of Eichmann behind a desk, that could be working anywhere? And is he thus freed from responsibility, or do you agree with Arendt’s view?**

Eichmann is the mere bureaucrat. He is the bureau criminal, and he is the bureau perpetrator, which is just one of the ways of being a perpetrator. It really also redefines the idea of responsibility towards a crime. The huge responsibility of Eichmann means a redefined notion of responsibility; when a crime like the slaughter of the Jews during Second World War could be done by distance and not physically by Eichmann. I also think that the pen of the bureaucrat or the mouse of the computer can be the ultimate weapon of killing, the idea that the office can be the place of the crime; the distant place of perpetration is important and justifies the focus on Eichmann.

The last image, colored image, it is not just Eichmann as a bureaucrat. He is not among his papers; even his papers disappear. First of all the color brings in the present, until now we were in the black and white which is a visual aesthetical recognition of past, with the color we are in the present. The film could have been in color and we even thought to color all the images for a moment, and if we had the money I think that we would have done it. The color image shows Eichmann, as not accused anymore; there is no anymore glass booth. He is not in a situation of an obvious criminal, but in a situation of normality and emphasizes the potentiality of crime, but he is also a manager in this situation. He is not just a bureaucrat, he is a manager, he is a politician, and he is somebody that is behind a desk. Of course Eichmann is not free of responsibility, on the contrary: as we see Eichmann free of the decorum of the trial, being just somebody, just a person, this image in fact calls to the redefinition of responsibility, the cleanliness, the emptiness, the fact that there is no direct body involved does not mean that there is not responsibility, and in that I agree totally with Arendt’s view with the question of responsibility.

The film is an interactive situation, where we have the filming on the one hand and the spectator on the other. The fact that those are the last images of the film and the film does not say anything about the original indictment but leaves it open, in fact throws this question, or it transferred the question, of responsibility and guilt to the spectator. It does not, like Arendt, give an indictment, like the one she is proposing in the end of her book; a real indictment that will come to the same conclusion of the judges in terms of the punishment. We are neither proposing any indictment nor a punishment. We are proposing exactly this active thinking amongst spectators, which was the thing that was lacking in Eichmann. We can say that Eichmann's crime was then, that he was in a permanent situation of non-thinking of what was in front of him, and this is what the discuss all along in the film, while the spectator of *The Specialist* is called to think when facing the images of Eichmann.

The closing images in the closing credits are not just images of Eichmann smiling; those are images of Eichmann looking straight to the camera. In fact we made a collection and those are the only six or seven, I do not remember how many images among all the 360 hours where Eichmann is looking directly to the camera – of course he did not see that there is a camera but it happened. It happened that the camera and his eyes were in the same angle, and the camera is the spectator. Eichmann, the figure, is in one of the last images of the film looking straight at the spectator with a smile. He is human in that moment. This is exactly those images that are concluding with Arendt, which this is the terrifying and the ordinary figure. There is an ordinary figure in this kind of a smile, but there is also, off course, the doubt and that is a part of the thinking and this was also the intent of those images. The intent was to put the spectator again in a destabilization of Eichmann was lying; he was playing, or reminding that everything is kind of a play. There is kind of a play of who will be able to lie better?

All along the film we try to establish that Eichmann tells the truth. He is of course not telling the truth, but he is telling his own truth. We do not expect from an accused in court to say all the truth, right? But we accept that he is trying to give us the truth, but at the same time, we have to remember that there is a game. There is a game and as part of the expertise; as part of the fact of being a responsible human being is the possibility to make decisions about when he is telling the truth, which means that he is responsible. So, the function of those images is to destabilize the spectator, who is posed with the question of: who is this person that I am looking at? By the fact that this person is looking at me, staring at me, it has a kind of mirror function.

**9. The reaction shots, for example when Eichmann speaks and Hausner looks bored, are those the real reactions to that particular moment or could they be edited?**

In several moments of the film the reactions are edited and do not always correspond to the 'real moment.' When it comes to Eichmann's reactions, any way the notion 'real reactions' does not exist as he doesn't understand Hebrew and he reacts not to what we as spectators hear but to the translation.

**10. When the prosecution screen films from the camps in the courtroom and we see images of the films from the side, projected above each other on a black background, seemingly not the court room - are that from the archival material? If not, is it the same films? Could you say something more about those images?**

The films except in the sequence that I've call the screening scene where all shown to the court during the original screening session that actually took place in Jerusalem. Originally, all the images in the film (or that compose the film) where found in the original archival material, not a single image of those that compose the film, is actually possible to find in the archive. This is due to the fact that all the images in the film as well as the 'chronography,' i.e. the time invented in the film, were 'manipulated.'

As for the images in the screening scene they are the same images projected in the Nuremberg trails, but in the Eichmann Trail they also showed Alain Resnais' film *Night and fog*. Basically the idea of the screening scene was not to show the images but to evoke or provoke these images that are usually shown as illustrations and in fact become invisible.