

The Escape and Capture of Adolf Eichmann (1960)

Abstract

This article from the West German news magazine *Der Spiegel* presents the decision that the Israeli government was confronted with in the case of Eichmann: apply for his extradition, which would have rested on shaky legal ground given that he did not commit his crimes in Israel and could give Eichmann the chance to escape (given that the extradition request process was a lengthy one), or take Eichmann by force, which was a violation of international law. In an interview with the *New York Times*, David Ben-Gurion justified his decision to have Eichmann picked up and tried in Israel, arguing that Israel was the only country with the moral authority to prosecute Eichmann, since his aim had been to exterminate the Jewish people. He also insisted that the trial must take place in Israel to remind Israel's younger generation of the crimes that had been committed against the Jewish people. Finally, he maintained that since Eichmann had been residing in Argentina illegally and acknowledged that though a breach of international law had taken place, the people who had picked him up were bound by a higher moral obligation and were thus justified in the way they had conducted Eichmann's capture.

Source

Eichmann, Mr. Final Solution

The heat of a Palestinian summer day shimmering over the asphalt outside could be felt even in the air-conditioned plenum hall. A routine budget debate was on the agenda of the parliament in Jerusalem. The mood was listless. Only a few gentlemen of military bearing in the spectators' gallery, who communicated more with glances than words, appeared to be possessed by a covert tension.

It was precisely 3 pm when Israel's grand old man David Ben-Gurion rose to make a statement. Twice he threw back his head with its wild white mane to begin speaking. When the words did come, they were halting: "I must inform the Knesset that one of the greatest Nazi war criminals, Adolf Eichmann, who together with the Nazi leaders was responsible for the final solution to the Jewish problem, that is, for the extermination of six million European Jews, is in Israeli custody and facing his trial in Israel."

The prime minister seemed to be listening to his own sentences. With a creak that was audible in the absolute silence even to the doorkeepers, a member of parliament, the elderly Rabbi Nurock, collapsed in a faint. The gentlemen on the rostrum, officers of army counter-intelligence, cautiously turned to leave.

That was the end of the silence: The plenum hall resembled a bubbling cauldron. Parliamentarians shouted, others ran through the halls in a state of high agitation, many stared murmuring at the tops of their lecterns.

[...]

Immediately following the founding of Israel in 1948, the individual search by individual survivors from Eichmann's murder mills was transformed into a systematic, worldwide hunt for the fugitive hunter, now conducted by one of the best intelligence services, whose strength rests not on equipment and funding, but on the vast number of unofficial but willing helpers in the five corners of the earth. Every Jew felt duty-bound to do his best to ensure that Yahweh's law would be fulfilled at least by Israel's executioners.

The search had to begin where the trail of SS-Obersturmbannführer Eichmann went cold on May 3, 1945:

in the Salzburg countryside. On that day, the Reich Security Main Office section head Eichmann stopped at Altaussee with his retinue in order to report to his boss Kaltenbrunner, who had set up his final headquarters in the idyllic spa town.

Kaltenbrunner showed the murderer the cold shoulder: “This fellow is compromising us with the Americans.”

Obersturmbannführer Eichmann disappeared, and reemerged only on the morning of May 23, 1960, when this gaunt man with a receding hairline, prominent ears and a worn, nondescript face, affirmed before District Judge Yadid-Halevi, in an old building in the Israeli port city of Jaffa, “Yes, I am Adolf Eichmann.”

On May 8, 1945, the only person the Americans captured in the environs of Salzburg was Airman Hirtl. Hirtl told them that he had destroyed his papers, following orders. Later, in the prisoner-of-war camp, Eichmann posed as a lieutenant of the Waffen-SS so as not to be exposed by his blood group tattoo and made his way to northern Germany where the brother of an SS comrade, unaware of his identity, gave him work as a woodcutter.

The professional manhunter Eichmann was clever enough to avoid any contact with his family in Linz. In 1950 he managed to acquire a Red Cross refugee ID card and traveled to Argentina, where Evita and her Perón were only too happy to grant asylum to old Nazi Party members.

The emigrant soon brought his wife Vera and their three sons Klaus, Adolf and Dieter to live with him. In Tucuman he obtained an identity card in the name of Ricardo Clement. Mrs. Eichmann, née Liebl, rented a modest apartment in Buenos Aires under the name Catalina Clement. In the spring of 1960, the family moved into a more or less self-built cottage in the suburb San Fernando.

At first, Ricardo Clement worked for the German-Argentinian firm of Capri, preparing reports for industrial subsidiaries until it went bankrupt. According to the motto “Our honor is loyalty,” the company, which was run by a former SS officer named Fuldner, had been established purely to give work to former SS comrades.

Eichmann scraped along. Finally, he managed to find a job at “Mercedes-Benz-Argentina,” where Israeli agents rooted him out in February 1960.

[...]

After they succeeded in identifying Eichmann in Buenos Aires, the Israelis faced two alternatives:

- to apply for the extradition of the Nazi murderer, demonstrating the identity of Ricardo Clement as Adolf Eichmann and invoking the offense of war crimes as established (under international law) in Nuremberg
- or to seize Adolf Eichmann by force, in a grave violation of international law.

Israel chose the second option. First, because it would not have been easy to justify the application for extradition in formal legal terms—Eichmann had not committed his crimes on Israeli soil, and indeed not even against the state of Israel as such.

Second, even if Israel had succeeded resoundingly in justifying its request for extradition, the procedure could be expected to be protracted. During this time, Eichmann could have gone underground again—an option that was at least possible.

Moreover, the Israelis knew that the authorities in Buenos Aires tended to take their time with the

extradition of German war criminals, even when the legal situation was absolutely unambiguous. For example, on June 5, 1959 the administrative court of Freiburg im Breisgau issued a warrant for the arrest of the German citizen Dr. Josef Mengele, born on March 16, 1911 in Günzburg (Bavaria), “previously resident in Freiburg im Breisgau, Sonnenhalde number 87, now resident in Virrey Ortiz 970 Vicente Lopez - FCNGBM Pcia de Buenos Aires ... under urgent suspicion of murder and attempted murder.” The Freiburg prosecutor accused Doctor Mengele of having killed countless people by medical experiments performed while he was an SS-Hauptsturmführer in Auschwitz.

The accusations were substantiated in every respect. Nevertheless, to this day the Argentine government has not responded to the Federal Republic’s requests for his extradition. The unofficial justification is that he is accused of a political offense.

Ben-Gurion decided to have Eichmann picked up.

[...]

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