

The man who got justice for the girl in the red coat

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(CNN) Fifty-seven years later, Gabriel Bach still pauses to compose himself when he tells the story of the girl in the red coat. Bach took time to speak with me last week about his experience as one of three Israeli prosecutors [who tried](#) the notorious Nazi logistics director Adolf Eichmann for war crimes in Jerusalem in 1961.

Bach, now 91, still remembers the testimony of one particular Holocaust survivor. Responding to Bach's questioning, the survivor, Dr. Martin Foldi, [described](#) how he was transported in a cattle car from Hungary to Auschwitz in 1944 with his wife, son and daughter. Upon arrival, two lines formed. A Nazi guard signaled for Foldi to go right and Foldi's wife, son and daughter to go left.

Foldi had recently bought a red coat for his daughter, who was 2½ years old. When Foldi looked up a few moments after being separated from his family, he could no longer see his wife or son in the distance. But, Bach recalls, Foldi testified he could see "that little red dot getting smaller and smaller -- this is how my family disappeared from my life."



CNN legal analyst Elie Honig interviews retired Israeli Supreme Court Justice Gabriel Bach in Jerusalem.

Like any good prosecutor, Bach tried to maintain an unflappable demeanor. However, even in a trial recounting countless colossal horrors, Bach said the testimony about the red coat was the "only minute of the trial ... I suddenly couldn't utter a sound." Aware that the judges were waiting for him to continue and that television cameras were rolling, Bach pretended to shuffle papers on his desk to allow himself a moment to recover.

Bach's life story is particularly relevant today given the rising tide of ethnic and racial intolerance -- and extremist attacks borne of such hatred -- in the United States and across the globe. More than five decades ago, as the whole world watched, Bach faced down Eichmann, an infamous Nazi officer who perpetrated genocide on a nearly unthinkable scale, in a courtroom in Israel. The lessons from the Eichmann trial -- about the rule of law, the quest for justice and the dangers posed by ethnic hatred -- still resonate today.

Eichmann was known as the "architect" of the Holocaust because he was responsible for identifying, gathering and transporting millions of Jews and others to concentration camps across Europe. Bach refers to Eichmann as the "director of the Holocaust" because of his central role in planning and carrying out the execution of millions of innocents.

Prosecuting the architect of the Holocaust

American forces captured Eichmann at the end of World War II, but he escaped from a prison camp in 1946. He remained in hiding while an international manhunt ensued. Fourteen years after Eichmann's escape, Israeli intelligence agents captured him in Argentina in 1960 (as depicted in several books and movies, including 2018's "Operation Finale") and then transported him to Jerusalem for trial.

The trial began in April 1961. Bach led the prosecution team's investigation, gathering

witnesses, documents, film and other evidence from around the globe. He presented testimony from numerous witnesses, including survivors with remarkable stories; one had been a young child who was let out of a locked gas chamber just before execution to help unload a delivery of potatoes that had arrived at the camp. Bach felt it was important that the court hear from at least one survivor from every Nazi-occupied country.



Adolf Eichmann, the Holocaust's "architect," goes on trial in Jerusalem in 1961 after Israel captured him.

Over four months, the world watched as Bach and his colleagues methodically laid out the proof of Eichmann's crimes. During the trial, Eichmann sat inside a bulletproof glass box. Bach sat just feet away at counsel's table. Bach recalls that, throughout the trial, Eichmann was stoic and unemotional.

Eichmann and his court-appointed attorney maintained during the trial that he merely followed orders from his Nazi superiors. Hannah Arendt, who covered the trial for The New Yorker, later contended in her controversial book "Eichmann in Jerusalem" that Eichmann embodied the "banality of evil." Arendt wrote, "Eichmann was not Iago and not Macbeth. ... Except for an extraordinary diligence in looking out for his personal advancement, he had no motives at all. ... He merely, to put the matter colloquially, never realized what he was doing."

Bach responds to Arendt's conclusion first with visceral disgust -- he calls her view "rubbish" -- and then with the methodical precision of a skilled prosecutor. Bach notes that Eichmann declared after the Holocaust (but before the 1961 trial) that he regretted not having done more to kill Jews. Bach then reels off examples where Eichmann took pains to prevent any person from being spared or shown mercy.

In one instance, a German general requested that a French Jewish man who was an expert in radar technology be spared so his knowledge could be utilized; Eichmann rejected the request and ordered the man deported to a concentration camp. Bach also notes that Eichmann believed it was imperative to kill children, to prevent the maturation of future generations of

Jews. Arendt can have her theorizing; Bach is secure resting on the hard facts.



Eichmann stands in a protective glass booth flanked by Israeli police during his 1961 war crimes trial.

At the end of the trial, a three-judge panel convicted Eichmann of war crimes, crimes against humanity and other offenses, and sentenced him to death. Eichmann appealed to the Israeli Supreme Court, where Bach successfully defended the verdict and sentence. Eichmann was executed by hanging on June 1, 1962. Bach was offered the opportunity to witness the execution but declined.

Bach does not seek to cast himself in an angelic glow, candidly acknowledging that "I was so much full of hatred for this man (Eichmann)." Bach takes pride, however, that despite the intense emotion surrounding the case, Eichmann was tried in accordance with established rule of law and principles of fairness. Bach, who tried many cases as prosecutor and defense attorney before the Eichmann trial, notes that "we wanted to handle this case like we handled any other case."

Indeed, Eichmann, the most notorious of all criminals, was afforded the same rights as other defendants in Israel at the time (which also are familiar to the American criminal justice system): the right to competent defense counsel, paid for by the state; the right to see the evidence against him in advance; the right to evidence that might be helpful to the defense; the right to cross-examine the prosecution's witnesses and to call his own witnesses; and the right to appeal. Bach understood that "it was important for history's sake that every point of legal decency had to be followed."

'Always sort of just one step ahead'

At 91, Bach sees that he has lived an almost impossibly charmed life. Bach grew up in Berlin, where he attended the 1936 Olympics and sat so close to Adolf Hitler that he says he saw

Hitler leave his private box in anger after Jesse Owens sprinted to a gold medal. Bach's Jewish family fled from Germany for the Netherlands just weeks before Kristallnacht -- when the rising Nazi party destroyed Jewish homes and properties and killed dozens of German Jews -- in November 1938.

His family then left the Netherlands one month before the Nazis invaded in 1940 and moved to the territory that would later become Israel. Bach was bar mitzvahed while in transit, on board the ship Patria -- which, on its next journey, was sunk by a bomb placed on board by Zionists -- claiming the lives of more than 250 people. Bach reflects that he and his family were "always sort of just one step ahead."



Bach holds a photo as he tours the 2011 exhibit "Facing Justice -- Adolf Eichmann on Trial" in Berlin.

After the Eichmann trial, Bach went on to a distinguished legal career, including 15 years as a justice on the Israeli Supreme Court. He now lives a quiet, happy life with his wife in Jerusalem. They have three grown children (one of whom has passed) and eight grandchildren. In his advanced age, Bach still has a sparkle in his eye, an easy laugh and a natural warmth. He has a steel trap memory for the details of the Eichmann trial and a deep faith in and respect for the rule of law.

Bach has spoken about his life and the Eichmann trial countless times on five continents, in countries as disparate as Brazil, Japan, South Africa and the Philippines. He has spoken many times in Germany, including in Berlin at the Parliament, where he was moved by the warm reception he received. In Israel, he is a national hero and was greeted at a recent speaking appearance with a thunderous standing ovation from a sellout crowd.

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While many people look to Bach for inspiration, he does not purport to have an easy answer to the growing hate in the United States, Europe and elsewhere. Nor can he fathom why so many people know little or nothing about the Holocaust or doubt that it ever happened.

He does, however, hold out hope that the Eichmann trial will stand through history as an unambiguous condemnation of ethnic hatred and violence. "The fact that this terrible thing happened should never be forgotten," Bach says. "And everything should be done to teach young people and older people to prevent something like that from happening in the future. That is my hope."