



## The Kastner Affair

### The trial – the accuser became accused

**Israel (Rudolf) Kastner**, a leader of the Jewish community in Hungary during the Holocaust served in the beginning of the 50s as the spokesman of the Ministry of Commerce and Industry after immigrating to Israel.

In the summer of 1952, **Malchiel Gruenwald**, a Hungarian elderly from Jerusalem, published pamphlets accusing **Kastner** for being a Nazi collaborator in the extermination of Hungarian Jews, a plunderer of Jewish property, and a supporter of a Nazi war criminal after the war. The pamphlets called for **Kastner's** assassination.

**Kastner** was a civil servant; therefore, the Attorney General at that time **Haim Cohen**, decided to blame **Gruenwald** for libel. **Shmuel Tamir**, **Gruenwald's** lawyer, a prominent political figure and a minister in the Israeli government defended **Gruenwald** and was able to side track the trial – from a libel case to an arraignment campaign – against **Kastner** who turned from an accuser to an accused.

In June 1955, **Gruenwald** was acquitted of most charges and **Kastner** was given a bad name. District Court Judge of Jerusalem, Dr. **Benjamin Halevi** wrote a sentence that was engraved in the public's memory: "**Kastner** sold his soul to the devil". **Kastner** filed an appeal and in the beginning of 1958 after his death, he was acquitted of most charges.

### The murder case solution

On March 3-4 1957, minutes after midnight, upon his arrival to his home in Tel Aviv, **Kastner** was shot and critically injured. Two weeks after the incident he died of his injuries. The shooter jumped off a Jeep that parked near the house. He approached **Kastner** who was locking his car, asked him if he is **Kastner**, and when the latter answered positively, he pulled out a handgun and shot him.



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The first bullet was a spent bullet, the second hit the car's door, and the third hit the upper part of **Kastner's** body; **Kastner** tried to escape but was critically injured. The shooter returned to his Jeep and quickly drove away from the scene.

About an hour after the shooting, ISA began concentrating its efforts in order to reveal details of the assassination. The efforts focused on a grouping led by two of LEHI veterans: **Yosef Menkes** and **Yaacov Heruti** whose people were linked to various murder incidents and different lines of action against **Kastner**. They assumed that **Menkes** was personally involved in the assassination.

That night alone, **Menkes** and six young men, affiliated with the grouping, were arrested; as their description matched that delivered by **Kastner** at the hospital. After a short investigation, five of the detainees were released; but **Menkes** and **Zeev Eckstein** remained imprisoned since their alibi was not airtight enough. Assuming the shooter did not act alone, another examination of the information was conducted and **Dan Shemer** was among the potential suspects. **Shemer** was arrested; he confirmed his acquaintanceship with **Eckstein** since both were IDF paratroopers and met several times close to the incident.

The assistance of eye witnesses enabled the police to track down the Jeep which parked near **Kastner's** home the night of the shooting. In it was found the handgun used by the shooter, and fingerprints which matched those of **Dan Shemer**.

On March 7, **Shemer** disclosed his involvement in the assassination. He was the driver of the Jeep and **Zeev Eckstein** was the shooter. He even reenacted his and **Eckstein's** driving course on the night of the assassination.

The investigator took **Eckstein** for a ride in Tel Aviv promising not to present a single question while driving in order to convince **Eckstein** to confess as well. The investigator drove according to **Eckstein's** and **Shemer's** driving course on the night of the assassination, pointed at places and described **Eckstein's** actions as was noted in **Shemer's** confession. Towards the end of the ride, the investigator lingered near **Shemer's** home and told **Eckstein**: "Here lives your friend whom you've turned into a criminal".

**Eckstein** said nothing but later on he asked to meet again with the investigator and told him: "I was guilt-ridden when you made your remark near **Dan Shemer's** house". **Eckstein** said he wanted to confess and told that **Menkes** was the one to give him the handgun and ammunition, and solicited him. Over the next few days he



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reenacted the assassination near **Kastner's** house and wrote a detailed confession. In the confession, he revealed step by step that **Menkes** led him to execute the assassination.

### Summary

Following **Eckstein's** confession, it was decided to arrest more of **Menkes-Heruti** group members, including **Heruti** himself. The number of detainees reached more than twenty. As a result of their investigations, two weapons magazines were exposed which belonged to the grouping.

On March 15, 1957, **Kastner** died of his injuries. **Eckstein**, **Shemer**, and **Menkes** were charged with murder and violations of the Prevention of **Terrorism** Ordinance. **Menkes** was charged for directing a terrorist organization, and **Eckstein** and **Shemer** were charged for membership in a terrorist organization. In court **Shemer** and **Eckstein** repeated their confessions but **Menkes** did not cooperate with his investigators and pleaded not guilty; he blamed the ISA in committing the murder and conducting a show trial against him.

**Eckstein** was convicted as the main executer of the murder, and **Shemer** as his facilitator. The court determined **Menkes** solicited **Eckstein** to murder **Kastner** and provided the weapons and ammunition. Therefore, he was convicted as a copartner, a solicitor, and a facilitator of the murder. The three were sentenced for life but were granted pardon and in 1963 they were released early from prison.

**Kastner's** murder and the trial which followed it generated a public interest of the ISA and proclaimed its existence which until then was kept secret and even denied. For the first time, the exposure led to a parliamentary supervision of ISA. The quick capture of the perpetrators, the legal handling of the case, and the sentences imposed sent an unequivocal message: the existence of a violent underground group in Israel is unbearable. This message permeated all social classes and led to a long period which lacked radical and intensive activity both from right and left wing elements as well as lack of underground groups.