

Auschwitz Never Again Lecture

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Deborah E. Lipstadt

Holocaust Denial: Flat Earth Theory or Classic Antisemitism? by Professor dr. Deborah E. Lipstadt

Excellencies, honored guests, students, colleagues, friends, ladies and gentlemen:

Holocaust denial is often treated as a matter of history – history degraded and history distorted – but history nonetheless. In this presentation I shall argue that, while it presents itself as that, it is really something quite different. It is classic antisemitism.

This presentation addresses three areas:

- it highlights and examines the basic premises, tactics, and strategic objectives of Holocaust deniers;
- it demonstrates how deniers have encased their arguments in a veneer of seemingly rational discourse to camouflage their antisemitism and distortions of history;
- it argues that ultimately denial is not a result of cognitive lacunae but of antisemitism.

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Before turning to the heart of this presentation, I wish to contextualize the significance of Holocaust denial. When I first heard about Holocaust denial, I laughed. Dismissing deniers as crazed outliers, I turned to other matters. Then two leading Holocaust scholars urged me look more closely at the topic. Why, they wondered, were deniers gaining any traction? When colleagues learned that I was writing about denial, they echoed my initial reaction. “These people are dolts,” they insisted. “Forget about them.” These colleagues dismissed, as I had, Holocaust denial as the contemporary equivalent of flat-earth theory. They considered it so beyond the parameters of logical thought, that any attention to it was superfluous. Some of these skeptics went further and contended that attention to denial, even within the context of academic research, was, more than useless. It was counter-productive in that it gave free publicity to this hateful premise. Deniers, these critics argued, benefitted from the efforts to study them.

Once I began working on this topic, my views changed. I began to take them more seriously. I have come to believe -- and continue to believe -- that there was and is good reason not to ignore deniers. First of all, they engage in an assault on history and memory and it is dangerous to ignore such attacks. They have the means to work their way into the broader public’s understanding of events. The second reason that they are worthy of our attention is that deniers rely on a *modus operandi* that can easily camouflage their true intentions. They present themselves as neutral investigators whose only objective is to correct mistakes in history. Because of their skills at hiding their actual goals, many laypeople may well find it hard to identify their arguments as Holocaust denial and, *ipso facto*, false. The third reason why deniers are worthy of our attention is because they have become particularly adept at the use of social media. It has given them a new “lease on life” and allowed them to spread seemingly rational arguments about the Holocaust to a vast audience.

Having shared with you the reasons for taking them seriously, let me unequivocally say, that my goal is *not* to arouse fear and foreboding. I do not believe that deniers currently have the ability to materially distort the history of the Holocaust. In fact, if there is a contemporary threat to the history of the Holocaust it is, not denial, but ignorance about the event. There are far more people alive have but the haziest notion of what the Holocaust was, than those who believe it did not happen. My observations about Holocaust denial should, therefore, be heard, *not* as a cry of alarm or impending assault, but rather as a call for sustained and serious caution and attention, but not alarm.

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The Basic Premises of Traditional Hard-Core Denial

Though not all Holocaust deniers propound the same arguments, certain claims are common to most of them.

1. There was no attempt by the Third Reich to wipe out the Jews of Europe. Any notion of an organized effort to annihilate the Jews is false.
2. Some Jews may have suffered and even been killed, but they were not singled out for mass annihilation. They, together with millions of other people, were the victims of war-related privations. Efforts to single out Jewish victims is a malicious distortion of history.
3. Hitler's Germany was not the instigator of World War II. Responsibility for the war must be shared with the Allies and, even more so, with the Jews.
4. Those Jews who were incarcerated in concentration camps were placed there by the Germans for their own protection, to save them from the righteous anger and hostility of German "Aryans."
5. The number 6,000,000 is an exaggeration which was fabricated by Jews in the postwar period. The number of Jews actually killed by the Nazis and their allies is at most equal to, but probably smaller than, the number of Germans civilians who were killed in Allied bombing raids.
6. Gas chambers are a scientific impossibility. Therefore, the claims that they existed are false. This calumny is used to blacken the Third Reich's and even contemporary Germany's reputation.
7. The Allies' primary foe in the 1930s and 1940s was the Soviet Union. Their focus should have been on defeating Stalin's regime, not Hitler's Germany. The Jews helped to maneuver the Allies into fighting Germany, rather than the true Allies' true enemy, the USSR.
8. The reason Jews created this myth was to convince the world to give them a state and to win tremendous sums of money from the Germans in the form of reparations.
9. The true victims of the war were the German people, who suffered during the war at the hands of the Allies and were forced to bear the terrible burden of the Holocaust after the war.¹

Explaining Away the Evidence

Because the Holocaust has the dubious distinction of being the best documented genocide in the world, deniers must find a means of explaining away evidence that leaves no doubt about the existence of a genocide. In face of "indisputable" evidence they offer an array of non-sinister explanations. These include, among many others:

1. The supposed gas chambers at Auschwitz-Birkenau, for example, were, in fact, air raid shelters. This claim, of course, makes no sense. They were not large enough to accommodate even a fraction of the inmates and they were practically a kilometer from where they SS lived so they could not be for them.²
2. The cans of Zyklon B gas found in places such as Auschwitz-Birkenau after the war were used for fumigation only and not for genocidal purposes. This claim by deniers illustrates how they take a fact -- Zyklon B was used for fumigation -- and twist it so that it supports their argument. The fact that Zyklon B was used for fumigation, does not preclude its being used for other purposes, in this case the poisoning of people. It is striking that there was a tremendous spike in orders for the gas exactly at the precise time when the killings were at their height. The increase in orders for the gas can be dovetailed with the rate of killings.³
3. Terms, such as "ausrotten," which have been given sinister explanations by the Jews, are really benign and mean uprooting a community, not physically destroying it.⁴ In his testimony at *Irving v. Penguin UK and Deborah Lipstadt* (2000), Christopher Browning discussed this extensively.* He demonstrated for the court how Jews from Vitebsk are cited in one German document as being given 'special treatment.' Another

* In 1996, I was sued for libel by Holocaust denier David Irving for having described him as a denier, a falsifier of history, and a right-wing polemicist. The case was heard by the High Court in London in 2000. The witnesses for the defense including the historians Richard Evans, Christopher Browning, Peter Longerich, and Robert Jan van Pelt. The expert reports they submitted to the court, the transcripts of the court sessions, and a compendium of materials which demonstrated the falsehoods embedded in the claims of Holocaust deniers can be found at the HDOT (Holocaust Denial on Trial) website established by my university, Emory University. www.hdot.org Because this trial is considered the definitive courtroom exposition of Irving's and many other deniers' lies and distortions and because this material is readily available to the public, I rely on it heavily in this presentation. For a full discussion of the trial see my *History on Trial* (2005), recently reissued as *Denial* (2016).

German document later states baldly that 4,900 of the Jews of Vitebsk were “shot.” He points out how these words were used interchangeably and mixed with execution, shooting, liquidation, and extermination.⁵ The 1941-42 *Einsatzgruppen* reports document the precise number of Jews – divided into men, women, children – shot in the eastern territories.⁶ Deniers contend that those Jews who are listed as having been murdered during these operations were killed because they were partisans, criminals, spies, or subversives, *not* because they were Jews. Germany was, therefore, justified in killing them.⁷ Deniers cannot, however, contest the fact that the Jager report, one of these *Einsatzgruppen* reports, provides precise dates and places where Jews were murdered, dividing the victims into Jews, Jewesses, and Jewish children. There would have been no political or strategic rationale for murdering Jews.⁸

Deniers’ Tactics

In addition to trying to explain away the evidence by offering benign - but invalid - explanations, deniers rely on other tactics. The demand that they be shown one particular document, particularly an order directly from Hitler authorizing the Holocaust. Ignoring the reams of other evidence attesting to the Holocaust, deniers insist that the “truth” of the Holocaust is totally dependent on this one document. Unless such a document is produced, deniers argue, there is no proof of the Holocaust. An article on the web site for the Committee on Open Debate on the Holocaust (CODOH), a Holocaust denial organization, maintains that, if such an order was issued, “it would have been located... Since none has been found, the conclusion is inescapable: There was no policy to exterminate Jews by the Nazi government.”⁹ On one occasion, David Irving interrupted a lecture I was giving on denial to challenge me to produce this one document. He then turned to the audience of students and, waving, what he said was, a \$1000, offered to give it to them if they could produce this order.

There are a variety of ways to demonstrate the illogical and ahistorical nature of such an argument. This is a document which, virtually all historians in the relevant fields agree, probably does not exist. In all likelihood, Hitler did not want to affix his signature to such an order especially after the German public was so critical of the T4 program, the killing of those whom the Nazis considered to be “unworthy of life,” i.e. handicapped or those afflicted with a genetic disease.¹⁰ Furthermore, as historian Peter Longerich noted in the report he prepared for the court in *David Irving v. Penguin UK and Deborah Lipstadt*, while Hitler avoided giving a clear written order to exterminate Jewish civilians and also avoided speaking openly about the killings, there is abundant evidence that he was “deeply involved in the anti-Jewish policy during the war, particularly when it reached a murderous stage.” Hitler’s various oral and written comments on the topic of the “Jewish question” reveal, in Longerich’s words “his essential commitment to radicalize persecution to the extreme.” Additionally, in the Reichsführer SS Heinrich Himmler’s letters and speeches one finds a number of references to the mass killing of the Jews as an effort he had to fulfill “on behalf of the highest authority in the Third Reich—Hitler.”¹¹

But one not be familiar with the historical data to recognize that reputable historians rarely, if ever, base their conclusions about an event on one document alone, particularly when the event is of this magnitude and when a cache of evidence — from perpetrators, bystanders, and survivors — attest to the event’s reality. Deniers also ignore the fact that, given the Nazis intent on maintaining secrecy regarding the “final solution,” no incompatibility exists between the actuality of the genocide of European Jewry and the absence of any written orders from Hitler calling for that destruction. Finally, there is, of course, a logical fallacy in this contention by the deniers. Deniers insist that Jews forged the various documents that document the Holocaust. Why then did “the Jews” not simply forge this one document and make sure it was planted in a place where it would be “discovered” as proof of the existence of a killing program? Doing so would have deprived deniers of their pivotal argument.

Another tactic on which deniers rely is what I call “immoral equivalencies.” The “myth” of the Holocaust, deniers contend, is a means of camouflaging Allied wrongs. Deniers argue that, not only did the Third Reich not commit this genocide, but the Allies were guilty of crimes of the same, if not more severe, magnitude, than those which Germans are accused of committing. For example, deniers equate the Third Reich’s concentration camps with the camps Americans had for American citizens of Japanese descent. As wrong, immoral, and illegal as the latter were, they do not compare in any manner, shape, or form with a Dachau, Buchenwald, Treblinka or Auschwitz-Birkenau. A number of years ago I had the dubious pleasure of spending a day interviewing French Holocaust denier Robert Faurisson at his home in Vichy. Faurisson, one of the movement’s elders, began by stating: “War is terrible. People

do awful things in wars. All sides are guilty.” He proceeded to spend the next few hours arguing that both the Nazis and the Allies committed equal wrongs.†

Going a step further than immoral equivalencies, deniers invert the perpetrator and the victims. The Allies, who were the pawns of the Jews, were, they argue, worse than Germans. Germans may, deniers concede, have allowed 100,000 people to *die* at Auschwitz-Birkenau Birkenau over 4 years. But the Allies *killed* many more than that in the bombing of German cities in one night. (Note: the 100,000 number is a number that bears no relationship to any evidence.) In yet another example of accusing the Allies of worse crimes than the Nazis, Holocaust denier David Irving told an audience of his followers:

Ladies and gentlemen, fifty thousand people were killed in Auschwitz... from 1942 to 1944. That is a crime, as I said. Fifty thousand innocent people. It's about as many people who died in Auschwitz in those three years as we British killed in Hamburg in one night.

His comments were met with applause.¹² He relied on a similar tactic in a 1991 television interview. After contending that 100,000 people died at Auschwitz-Birkenau, he proceeded to argue:

“So even if we're generous and say about one quarter of them [the 100,000] were killed by hanging or shooting. 25,000 is a crime, that's true. 25,000 innocent people executed by one means or another. But we [the Allies] killed that many people burning them alive in one night, not in three years, in a city like Pforzheim. We killed five times that number in Dresden in one night.”¹³

In a similar vein, deniers, led by Irving, have made a particular point of focusing on the bombing of Dresden. They do so because many people consider it to be an Allied war crime. Building on this pre-existing sentiment, deniers declare the bombing of that city to be a far greater crime against the German people than anything committed by the Germans against the Allies. In order to make this argument, deniers inflate the Dresden death toll, often raising it to as high as 250,000.¹⁴ (The number given by the official historian of Dresden in the immediate aftermath of the war was approximately 20,000. Subsequent analysis by German historians reached the approximately same result, between 22-25,000.¹⁵)

Deniers often use neutral “evenhanded” language. They will subtly choose language which in and of itself reinforces their claims. For example, deniers will use the word “died,” rather than were “murdered,” at Auschwitz-Birkenau. Consider Irving's comments in a television documentary that was screened on November 28, 1991. “Look at Auschwitz. About 100,000 people *died* in Auschwitz. Most of them *died* of epidemics, as we now know...”¹⁶ This choice of a verb – died instead of murdered – suggests, of course, that the victims' demise was benign and not part of a genocidal effort. Ultimately, according to deniers, the Germans were the victims. They endured wartime starvation, invasions, victors' vengeance at Nuremberg, and brutal occupation by both Soviet and Allied occupiers. Then, in the ultimate miscarriage of justice, it was the Germans who were forced to bear, not just the historical shame, but the financial burden of having committed an act that has become emblematic of the concept of genocide.

Another tactic employed by deniers is to attack sources including those that, in the context of the global history of this genocide, seem relatively insignificant. For example, they argue that the *Diary of Anne Frank* is a bogus document written in ballpoint pen (and therefore written after the war). All their arguments about the *Diary* have been extensively and conclusively answered by Netherlands State Institute for War Documentation and published in *The Diary of Anne Frank: The Critical Edition*.¹⁷ The question remains: why do they place such emphasis on a young girl's diary? Because the *Diary* is, not only the entry point for so many young people into the history of this genocide, but has become as emblematic of the Holocaust as the gas chambers at Auschwitz-Birkenau. Deniers are convinced that, if they can somehow create doubts about the authenticity of the *Diary*, they can then create doubts about the entire historical event.¹⁸ Similarly, they try to sow seeds of doubt around the experiences endured by Elie Wiesel during the Holocaust. Wiesel, who became the quintessential Holocaust victim, was a commanding presence in many countries. He could reach audiences well outside the fold of the Jewish community. He regularly consulted with world leaders. Deniers, anxious to shed doubt upon his credibility, attack the authenticity of his book *Night* and argue that he makes an array of false claims about what he endured and where he endured it. As the is the case

† The same argument is often made regarding the Rwandan genocide. Despite overwhelming evidence of Hutu sponsored attempts to massacre Tutsis, some people contend that this was not a genocide but a civil war with wrongs on “both” sides. See for example: [James Wizeye](https://www.theguardian.com/commentisfree/2011/jul/25/tutsi-rwanda-genocide-hutu), “The Claim Tutsis Caused Rwanda's Genocide Is Pure Revisionism,” *The Guardian*, July 25, 2011, <https://www.theguardian.com/commentisfree/2011/jul/25/tutsi-rwanda-genocide-hutu>

with the *Diary of Anne Frank*, they believe that if they create doubts about Wiesel, they can instill doubts about all else connected with the Holocaust. David Irving has often taken particular pleasure in poking fun at Wiesel, who he delights in calling “Weasel.” Claiming, falsely, that there is an index card entry for every Jew who was at Auschwitz-Birkenau, Irving told an audience to great laughter:

“Suddenly a lot of people aren’t claiming to be Auschwitz survivors any more. Elie Wiesel, for one, for example, he has always been uncertain whether it was Auschwitz he had been in, or Dachau, or Buchenwald. [Laughter] Well, I say that, because there’s a photograph, a photograph, in which he identifies himself as being a prisoner in a photograph of various prisoners in a bunk-house in a barracks in the concentration camp in Buchenwald, and he said, “Yes, that’s me”. But it turns out that photograph was in Auschwitz and he says, “Ohh, yes, I meant Auschwitz.” I mean, what can we do about these people? And poor Mr. Wiesel, I mean, it’s terribly bad luck to be called ‘Weasel’ but that’s no excuse [Laughter]¹⁹

Irving is not alone in attacking Wiesel, though his attacks are among the most prominent.²⁰

EXTREMISM POSING AS RATIONAL DISCOURSE:

At the outset of this presentation, I noted that, though I initially laughed when I learned that there was such a thing as “Holocaust denial,” I changed my opinion after delving into a study of deniers. The reason for this change was not due to the arguments they make. I knew those were false. Nor, did I fear deniers because they were making tremendous inroads on public opinion and were convincing broad numbers of people that the Holocaust was a myth. It was their tactics, that convinced me to consider a serious threat. I noted how their tactics had evolved from the period immediately following World War II until the late 1970s. Holocaust denial has been extant since the immediate aftermath of the war. In the initial years after the war most deniers were overt neo-Nazis – or just plain Nazis -- who celebrated Hitler’s birthday with cake and ice cream and openly sought his rehabilitation. Their denial was linked to their adulation of Hitler and the Third Reich. These deniers were so far on the fringe of the political spectrum as to appear to most people to be complete outliers.²¹ In the 1970s deniers began to adopt a different approach, one that enhanced their potential impact. This new approach allowed deniers to camouflage their true intentions. Gone were the SS-like uniforms, the *Siege Heil* salutes, and meeting halls bedecked with swastikas in the halls where they meet. In their stead were institutions, publications, and individuals, all of which projected a balanced academic veneer. Their preferred name, “revisionists,” was designed to suggest that they simply wish to revise “mistakes” in history. The institute they established had a name that suggested it was a dull scholarly enterprise, the Institute for Historical Review. The name of their journal did the same, the *Journal for Historical Review*. The programs for their gatherings and conferences suggested that these were mundane academic confabs. But when one looked beneath the surface, one found there the same extremism, antisemitism, and racism. Nothing in the names or their external demeanor suggested their real agenda.

COUNTERING DENIERS’ CLAIMS

There are a number of approaches to countering deniers’ claims. The most obvious one is to rely on the myriad of documents that prove their claims to be utterly false. One can also use basic logic to demonstrate the basic fallacy in Holocaust denial. For deniers to be correct in their contention that the Holocaust was a myth, who must be wrong? The victims, those who say, “*This is my story; this is what happened to me.*” But it is not only the victims who must be wrong in order for deniers to be right. The bystanders, including the Poles in villages near the camps, watched the trains enter the camps day after day filled with people and leave empty. There were also those such as the train engineer whom Claude Lanzmann interviewed in his epic documentary, *Shoah*. He repeatedly drove the trains into the camp day and left with them empty. They knew that there was not enough room in those camps to absorb all those being brought to the camps. Those who lived nearby could smell the burning flesh. There were Poles such as Jan Karski who, after sneaking into both a ghetto and an extermination camp, brought his eyewitness report to both London and Washington.²² There were Germans such as the industrialist Eduard Schulte, the head of a mining company that had a branch near Auschwitz-Birkenau and who learned from SS officers what was taking place in the camp. He gave the information on the gassing to the representative of the World Jewish Congress in Switzerland, Gerhard Riegner.²³ Another “bystander” was the renegade SS officer, Kurt Gerstein, who witnessed a gassing in Belzec and then told a Swedish diplomat about it.²⁴ But these were not the only eyewitnesses. Scores of eyewitnesses on the eastern front, where the German *Einsatzgruppen* together with local militia murdered

approximately 1,000,000 Jews, have given precise and detailed testimony about the genocide.²⁵ Who also would have to be wrong? The thousands of historians who work on this topic, including North American, European, Israeli, South American, Australian, and Asian, among others. They would all have had to either been duped or they would have to be part of the very conspiracy itself. It beggars the imagination to think that these historians and other scholars have all been fooled by this charade.

And yet, there is one additional source that must be wrong in order for the deniers' assertions to be right. I speak, of course, of the perpetrators. In fact, from a deductive or forensic perspective, this last source may be the most critically important. The perpetrators are, of course, those best situated to challenge or to buttress the deniers' claims. In fact, their testimony is more powerful than that of the victims because, as in all legal systems, the perpetrator's admission of guilt has more clout than the victim's accusation. Not only have the perpetrators not denied the killings, but they have affirmed that they happened. How, then, can deniers explain that in not one war crimes trial since the end of World War II has a perpetrator of any nationality denied that these events occurred? They may have said "I was forced to kill," but not one asserted that it did not happen. In fact, not only have perpetrators not denied that it happened, but they have provided some of the most critical historical detail about the killing process. This was the case at the Eichmann trial (1961), the Auschwitz Frankfurt Trial (1963) and a series of other war crimes trials.²⁶ Deniers attempt to shed doubt on these German admissions of guilt by arguing that these perpetrators were in Allied hands as prisoners of war when they admitted to the crime of genocide. According to deniers, the Allies, acting at the behest of the Jews, forced the German POWs to make these admissions. But what precisely could the Allies have threatened them with that was worse than the punishment they would have faced as a result of their admissions of guilt? (Did their captors say, "I will kill you unless you admit to having committed mass murder"?) Had the perpetrators confessed to such wrongdoings it would have guaranteed that they would be severely punished. In short, there was nothing their captors could do to them. Conspiracy theorists are, of course, not interested in being bound by such logic.

Why, if Germany was innocent of this massive crime, did it accept this financial and moral burden after the war? Deniers contend that Jews were so successful in spreading the myth of the Holocaust and in planting evidence, that Germany had no choice but to accept the burden of guilt despite being innocent. The Jews, deniers will argue, made it clear to Germany that acknowledging guilt for this horrific crime was the only way it could be readmitted to the family of civilized nations. Here too there is a logical fallacy in deniers' claims. German leaders surely must have recognized that, admitting responsibility for an unprecedented genocidal attempt to wipe out an entire people from one end of a continent to the other and beyond, would impose upon their country a hideous legacy. They would be admitting, falsely according to deniers, to having committed an unprecedented criminal act. And this is precisely what happened. In order to be accepted into the family of nation, the Germans accepted responsibility for a horrific and unprecedented crime, one, that deniers argue, they did not do. The problem with deniers' claim about this is that, today, even after more than seven decades, Germany bears the burden of the genocide. Its political policies and behavior are viewed by the world through the prism of this genocide.

Deniers claim that many of the myriad of documents that attest to the mass killing of Jews were forged. But forging and planting those documents would have been an exceptionally difficult, if not impossible, task. Official German documents from the period bear identification numbers, file designations, and a series of other extensive markings. A forged document would have had to bear a number that corresponded to those that preceded it and followed it in the file. The forged document would have had to be in the same typeface and have the same strength typewriter ribbon. (Most people under the age of 40 have no conception of what that is.) Moreover, copies of the same document would have had to have been planted in other files. For example, a letter would have had to have been placed in the recipient's file and a copy of the letter in the sender's file. In short, documents of this nature cannot be created out of thin air and produced *en masse*.

The list of illogical arguments goes on. Deniers contend that had the Third Reich, a regime they consider to be the epitome of efficiency and power, wished to murder all the Jews it would have ensured that no witnesses remained alive to attest to the existence of death camps and the genocide. Therefore, deniers conclude, the very fact that there were "survivors" alive at the end of the war, constitutes proof that there was no genocide. Had there been a genocide, the Nazis would never have allowed witnesses to survive. One need not be familiar with any of the documentary evidence to identify this argument's inherent fallacy. The deniers' argument is premised on the notion that the Third Reich succeeded at all it attempted to do and it would never have been so slipshod as to leave witnesses alive. The problem with this claim is Germany was also intent on winning the war. Yet, it lost. Therefore,

the assumption that the Third Reich succeeded at all it set out to do is an entirely false premise. Anything that follows from that premise is equally false.

Responding to Holocaust Deniers: Forensic Strategies

In defending the libel charges against me brought by David Irving, my legal team had the option of two different forensic strategies. Here too, we had to choose the most efficacious way of countering deniers' spurious arguments. We could have set before the court the massive documentary, material, and testimonial evidence of the Holocaust in order to conclusively prove what happened. I call this the affirmative approach, i.e. one is affirming the facts of the Holocaust. This is a constructive approach to teaching about the Holocaust and demonstrating the absurdity of deniers' claims. However, that strategy would have created a level playing field, a debate about the Holocaust. The historical documentation we submitted to the court would have been poised against Irving and other deniers' lies and distortions. We did not doubt that we could demonstrate that these documents were genuine. However, that effort would have turned the courtroom into a venue for a debate about the existence of the Holocaust. This is what happened in the Toronto trials of Ernst Zündel in 1988.‡ Each day newspapers reported on the debates in the courtroom, e.g. were there swimming pools at Auschwitz-Birkenau?

I told my lawyers and they agreed, that, while there is much to debate *about* the Holocaust, there is no room to debate whether it happened or not. The Holocaust itself should be a matter of extensive research. That research should be and is the subject of debate among scholars. But the existence of the Holocaust itself is not a matter of debate. We do not debate whether World War II happened or whether the earth is flat. Unwilling to allow the court to become the venue for such a debate, we chose another route. Since the UK legal system placed the burden of proof was on the defendant, we had to prove that what I said about him was true, i.e. that he was a denier and a falsifier of history. We did this by following his footnotes back to the sources and demonstrating that virtually every claim he made about the non-existence of the Holocaust was predicated on some sort of invention, distortion, or outright lie. We found that he changed dates, altered the sequence of events, quoted incorrectly, and engaged in all sorts of other evidentiary distortions.²⁷ In sum, rather than prove to the court *what* happened, we conclusively proved that what David Irving said happened *did not* happen. Richard Evans, our lead historical witness, observed that:

“the overall purpose of the (expert) reports was not to show what had actually happened The purpose rather was to put before the court the evidence which any fair-minded, objective commentator would have to take into account in writing about these issues. This evidence in turn provided the basis for the defense's argument that Irving was neither objective nor fair minded in his treatment of the issues.”²⁸

We pulled the ground out from his and, by extension, other deniers' major claims by showing that their so-called proofs were based on lies, inventions, and distortions.²⁹

We won a decisive victory. The judge found David Irving to be a liar, who promulgated a tendentious view of history. In his massive decision, the judge wrote that “it appears to me to be incontrovertible that Irving qualifies as a Holocaust denier.” Most importantly the judge was convinced that Irving's account of history “flies in the face of the available evidence.” It was so “perverse” and “egregious” that his claims could not be “inadvertent” mistakes on his part.³⁰ In other words, these were not the type of errors that all authors make when writing books. They were deliberate falsifications designed to cast the Holocaust as a myth.³¹

Irving's attempt to present himself as an impartial historian, who was only interested in correcting mistakes in history, was challenged by the evidence we presented to the court. We demonstrated to the court that he was also a neo-Nazi, racist, and antisemite. We did so for two reasons. Firstly, to demonstrate to the judge the kind of bigoted and racist people with whom he keeps company and to whom he speaks. More importantly, we wished to demonstrate to the court that his denial was not *ex nihilo*, that it was rooted in his bigoted and racist *Weltanschauung*. That we were successful in doing so was evident from what the judge wrote in his judgment. Irving “holds views which are

‡ Ernst Zündel, a German-Canadian Holocaust denier, was prosecuted in Canada for publishing pro-Nazi and Holocaust denial materials. The first trial, at which the judge declined to take judicial notice of the Holocaust, became a well-publicized debate about the authenticity of the Holocaust. At the second trial, David Irving, appearing for the defense, openly proclaimed his conviction that Jews were not murdered as part of a Nazi plan of annihilation and that the gas chambers were not venues for the gassing of humans.

pro-Nazi and antisemitic and ... he is an active protagonist and supporter of extreme right-wing policies, that would support the inference that he perverts the historical evidence so as to make it conform with his ideological beliefs."³² Regarding Irving's racism, he declared: "I have concluded that the allegation that Irving is a racist is also established.... The manner in which Irving speaks of the AIDS epidemic wiping out blacks, homosexuals, drug addicts and others has in my view a distinctly racist flavour."³³ The judge was no less decisive regarding Irving's antisemitism: "Irving is anti-Semitic. His words are directed against Jews, either individually or collectively, in the sense that they are by turns hostile, critical, offensive and derisory in their references to Semitic people, their characteristics and appearances."³⁴ His association with right wing extremists was also evident to the judge. "I am satisfied that Irving has associated to a significant extent with.... right-wing extremists. I have no doubt that most, if not all of them, are neo-Nazis who deny the Holocaust and who are racist and anti-Semitic. I also have no doubt that Irving was aware of their political views. His association with such individuals indicates in my judgement that Irving shares many of their political beliefs."³⁵

This trial demonstrated, not only the close tie between denial and racism and antisemitism, but that when it concerns deniers, we cannot speak of just facts and opinions. We must speak of facts, opinions, and lies. Deniers contend that their arguments constitute "opinions" and they should be part of the discussion about the Holocaust. But, as we conclusively showed the court, these opinions are lies, lies that deniers hope will encroach upon the true facts.

HOLOCAUST DENIAL: AGE-OLD ANTI-SEMITISM IN NEW CLOTHING

Having demonstrated deniers' *modus operandi* and discussed how their distortions might be exposed, let us turn to the rationale offered by deniers as to why the Jews created this "myth" of a genocide. According to them, Jews fabricated this story in order to obtain a state and to win vast amounts of reparations, i.e. money. They were unconcerned about how their actions would impact millions of people. They had only their own political and financial benefit in mind. They, not only sinned against Germany by making it bear an unfair moral and fiscal burden, but displaced another people from their land and gained sovereignty for themselves. This "explanation" relies on classic antisemitic tropes. They are tropes that are rooted in the *New Testament's* deicide story. Just as the Jews persuaded the far more powerful Romans to succumb to their bidding and crucify the innocent Jesus, so too the Jews persuaded the far more powerful Allies and the world media to assist them in creating evidence of a mass killing. Deniers' accusations – the Jews planted evidence, got POWs to admit to crimes they did not commit, and forced Germany to shoulder a tremendous financial and moral burden – are predicated on the notion of Jewish power, power extensive enough to realize this vast conspiracy. Just as the Jews wreaked havoc (and death) on Jesus, so too did they wreak havoc on post-war Germany by forcing it to bear the terrible moral, political, and financial burden of the "Holocaust." Just as millennia of people were deprived of Jesus' divine goodness, so too an entire people was deprived of its land. The deicide story and the way it has been taught by church fathers became the template for millennia of antisemitic charges. A small number of Jews harm a large number of Christians (or any other ethnic or religious group) for their own material and financial gain.³⁶

At the heart of this assertion is the notion that Jews are not victims but the victimizers. Holocaust denial is part of this antisemitic continuum, for it suggests that, even though the Jews were not murdered by the Germans, the Jews' evil ways made them deserving of being killed. At the crux of the matter is the need to recognize that Holocaust denial and, by extension, antisemitism in general, are not the result of cognitive omissions or errors. In other words, it's not that antisemites do not understand that Jews do not control the banks, run the media, wish to harm others, or shape foreign policy. Similarly, in the case of deniers, their denial is not founded in the fact that they are missing one crucial piece of information or that they have not seen just one document that will convince them of the fact that there was a Holocaust. It is not as if they were given the wrong information about the genocide and all that is necessary to return them to the path of truth is to correct that misinformation. The antisemites' view of Jews and the deniers' view of the genocide are refracted through a prism of the nefarious and malicious qualities of the Jew. That is why these irrationally absurd charges regarding this well documented genocide "make sense" to deniers. They *Weltanschauung* is shaped by prejudice. And, consider for a moment, the etymology of the word prejudice: to pre-judge, to make up one's mind without relying on the facts. So, it is with deniers. They know from the outset that these terrible charges against Jews must be true.

OUTLAWING HOLOCAUST DENIAL

Some countries have responded to genocide denial, including Holocaust denial, by relying on the law. Approximately half the countries in Europe, have passed laws outlawing genocide denial and, in certain cases, specifically Holocaust denial. § Supporters of these laws argue that they cause pain to the victims, inculcate hatred, and constitute an attempt to revive a totally discredited, nefarious, and dangerous political system. They also argue that Hitler and his minions also began with speech. It is, therefore, necessary to telegraph a message that such statements will not be tolerated by civilized nations. They argue – in response to those who raise the issue of freedom of speech – that many forms of speech are regulated, among them treason, slander, and transmission of government secrets.

Given the over six-year legal battle to which David Irving subjected me for calling him a Holocaust denier, many people assume I would be a strong proponent of such laws. But I am not. First of all, the guarantees of free speech give people the right to make total fools of themselves. Moreover, free speech privileges the value of that speech over the fear that individuals might take umbrage by its content.

My argument is not based on free speech considerations alone. I do not believe laws forbidding Holocaust denial are either efficacious or strategically wise. They tend to make martyrs of and arouse sympathy for the accused, even among those who consider the ideas being propagated to be repugnant. They also have the tendency to give the item which has been outlawed the aura of “forbidden fruit,” thereby making it more enticing and appealing to certain segments of society. Among them are disaffected youth.

Most importantly, however, genocide denial laws suggest that we do not have the facts and the documentation to prove that that Holocaust denial is an utterly false supposition. My legal team and I defeated David Irving’s attempt to brand my work as libelous, not by relying on a law outlawing denial, but with historical facts. We followed his footnotes back to the sources and demonstrated that his claims were based on obfuscations, inventions, and falsifications. Our defeat of David Irving is a far more powerful commentary on his work because it is rooted in the facts and did not occur under the cover of a general law outlawing Holocaust denial. The effort was long and quite costly. Irving’s reputation as a person with something of value to say about the Holocaust was left in tatters. Ironically none of this would have happened had the UK had laws outlawing Holocaust denial. But my opposition to laws against Holocaust denial is rooted in something far more than my self-interest. I wonder about the efficacy of granting to politicians the power to legislate history and to authorize what versions of history are acceptable. Let me add two caveats to my opposition to outlawing denial. I believe quite strongly that those who engage in incitement and prompt others to engage in violence should not be granted a shield of protection by the law. Some people throw stones. Others use words to encourage people to throw stones. Both are equally guilty. Secondly, I fully understand why countries such as Germany and Austria, the countries which spawned the Holocaust, would have laws against Holocaust denial. The geographic context in which something is said is of crucial importance. The public display of the swastika or denial of the Holocaust has a different resonance in Atlanta than it does in Berlin or Vienna. I know this may be inconsistent but I am reminded of what Ralph Waldo Emerson wrote many years ago, “A foolish consistency is the hobgoblin of little minds, adored by little statesmen and philosophers and divines.” Some inconsistencies are legitimate. I believe that to be so in this case.

When I visited Sarajevo, a professor, who happens to be a Serb, told me that she believes such laws are necessary in her region. “Denying the horrors that took place here in the mid-1990s should not be legal, at least for the near future.” She argued that she lives in a country where the “rule of law” has never been imposed justly, fairly, and democratically. A law outlawing denial of the crimes against humanity that occurred in the region would give people faith in their legal system and prevent them from trying to find other ways of seeking justice.

Conclusion

While Holocaust denial has not, on the whole, been persuasive in public discourse, many people wonder whether it will have greater success when the last of the survivors has passed away. Some fear that it will lead to a “softer”

§ Among them are Austria, Belgium, Czech Republic, France, Germany, Poland, Lithuania, Luxemburg, Spain, Switzerland, and Romania.

form, one characterized by a “yes-but” syndrome in which it is said: yes, there were gas chambers, but probably not as many as is claimed; yes, there were Jews who died, but probably not as many as they claim; yes, the Germans did wrong, but so did the Allies; or, yes, the Jews may have been mistreated, but they deserved much of what they received. The use of the Internet and various social media platforms make the spread of these ideas far easier. They are designed to reach and influence young people, many of whom are more skeptical about truth and less willing to place their faith in “experts.” In years to come this “yes-but” revision of history —“soft” denial—is likely to be more prominent than outright denial of the Holocaust. Ultimately, whether soft or hard denial, both forms rely on traditional antisemitic tropes. To fight denial as a cognitive issue is to tilt at windmills and to enter a maze with no exit. To place denial within in the context of antisemitism is to expose it for what it truly is.

My appreciation to Maureen McLaughlin for her work on www.hdot.org, which was an important resource for this paper, and for her editorial comments and assistance.

¹ For a fuller exposition of deniers’ claims see: Deborah Lipstadt, *Denying the Holocaust: The Growing Assault on Truth and Memory* (New York: Free Press, 1993); Michael Shermer and Alex Grobman, *Denying History: Who Says the Holocaust Never Happened? And Why do they Say it?* (Berkeley, Calif.: University of California Press, 2000); “Debunking Deniers,” *Holocaust Denial on Trial*(website), www.hdot.org. (Hereafter HDOT).

² “Auschwitz-Birkenau Gas Chambers: Air Raid Shelters,” in Debunking Holocaust Deniers, <https://www.hdot.org/debunking-denial/ab11-air-raid-shelters/>; *Irving v. Penguin UK and Lipstadt*, Transcript, Day 8, January 11, 2000, p. 101, <https://www.hdot.org/day08/#>; Transcript Day 32, March 15, 2000, p. 178, https://www.hdot.org/day32/#d_32p_3s_4; Robert Jan van Pelt, *The Case for Auschwitz: Evidence from the Irving Trial* (Bloomington: Indiana University Press, 2002), pp. 314, 316, 319. See floor plan dated September 1944, p. 319.

³ Van Pelt, *The Case for Auschwitz*, pp. 88, 426-28.

⁴ *Irving v. Penguin UK and Deborah Lipstadt*, February 24, 2000, Day 25, pp. 89,91,93,122,166, <https://www.hdot.org/day25/#>.

⁵ *Irving v. Penguin UK and Deborah Lipstadt*, February 7, 2000, Day 16, Section 45.10-58.7, pp. 51ff, <https://www.hdot.org/day16/#>

⁶ As Christopher Browning noted in his report for the court:

On two occasions in the *Einsatzgruppen* reports, however, the reasons for executions are spelled out systematically. Among the reasons listed by *Einsatzgruppe C* was quite simply: ‘Jews in general.’⁶¹ (Juden allgemein) *Einsatzgruppe A* also listed reasons for shooting: alongside participation in the communist party, sedition, partisan activity, and espionage, was quite simply: ‘Belonging to the Jewish race.’ (Zugehörigkeit zur jüdischen Rasse) In short, Jews were to be killed for being Jewish, whether a pretext was listed or not. And in fact, many executions were reported without any alleged justification whatsoever. Jews were killed for whom they were, not for what they had done.

The term ‘special treatment’ (Sonderbehandlung) appears in the Events Reports for the first time in No. 21 of July 13, 1941. The report notes that by July 8 the *Einsatzkommando* in Vilna had ‘liquidated’ 321 Jews. Furthermore, the report explained how this was done, namely that 150 Lithuanians were recruited ‘to take part in the liquidation of the Jews. ...They arrested the Jews and put them into concentration camps where they were subjected the same day to *special treatment*. (italics mine) This work has now begun, and thus about 500 Jews, saboteurs among them, are liquidated daily.’ *Einsatzgruppe B* reported in one paragraph that 640 Jews from the Nevel ghetto had been ‘liquidated.’ In the very next paragraph it reported that in Janovichi 1,025 Jews ‘were subjected to special treatment.’ (wurden...sonderbehandelt)

One month later *Einsatzgruppe B* reported a long list of actions, in which various terms were used interchangeably to indicate killing. In Belowchstchina 272 Jews were ‘liquidated.’ (liquidiert) In Mogilev *Einsatzkommando 8* and the Order Police ‘led 113 Jews to liquidation.’ (brachte 113 Juden zur Liquidierung) In Schidow, 627 Jews were ‘liquidated. In a further action, another 812 male and female persons were subjected to special treatment. Without

exception, they were racially and mentally inferior elements.’ (liquidiert. In einer weiteren Aktion wurden noch 812 männliche und weibliche Personen der Sonderbehandlung unterzogen. Es handelte sich durchweg um rassistisch und geistig minderwertige Elemente.) In Minsk, *Einsatzkommando* 8 ‘executed’ (exekutierte) 41 persons, ‘primarily’ (vorwiegend) Jews. In Talka, ‘222 Jews were led to liquidation.’ (222 Juden zur Liquidierung gebracht wurden) Then in Marina-Gorka, ‘996 male and female Jews were subjected to special treatment.’ (wurden 996 männliche und weibliche Juden der Sonderbehandlung unterzogen) In Borisov 83 Jews were ‘shot.’ (erschossen) In Krupka and Sholpenitsche 912 and 833 Jews respectively were ‘liquidated.’ (liquidiert) ‘The Rayon Krupka can now be considered free of Jews.’ (Die Rayon Krupka kann damit als judenfrei angesehen werden.) In Bobruisk *Einsatzkommando* 8 ‘executed’ (exekutierte) 418 persons, including ‘rebellious Jews.’ (widersetzlichen Juden) Then on October 8, 1941, the ‘total liquidation of the Jews in the ghetto of Vitebsk began. The number of Jews handed over to special treatment came to some 3,000.’ (der restlosen Liquidierung der im Ghetto in Witebsk befindlichen Juden begonnen. Die Zahl der zur Sonderbehandlung gelangenden Juden beläuft sich auf etwa 3000.) In Ostrovno 169 Jews were ‘shot’ (erschossen), and finally 52 Jews who had fled from Gorodok were ‘specially treated.’ (sonderbehandelt) A subsequent report stated: ‘In Vitebsk, the ghetto was evacuated. During this process a total of 4,090 Jews of both sexes were shot.’ (In Witebsk wurde das Ghetto geräumt, wobei insgesamt 4090 Juden beiderlei Geschlechts erschossen wurden.) In short, the term ‘special treatment’ (and in this case also ‘evacuation’) was often used interchangeably with ‘liquidated,’ ‘executed,’ and ‘shot’ in the reports, without any serious pretense that it was supposed to camouflage what was happening.’

Christopher Browning, “Evidence for the Implementation of the Final Solution,” IV.C/4.3.4, <https://www.hdot.org/browning/#>

⁷ “Einsatzgruppen: Jews and Partisans,” in Debunking Holocaust Denial, <https://www.hdot.org/debunking-denial/ezg7-partisans/>

⁸ *The Jager Report*, <https://fcit.usf.edu/holocaust/resource/document/Doc.Jager.htm> . For a compilation of documents and proof on the authenticity of the *Einsatzgruppen* reports see HDOT, “Einsatzgruppen: The Authenticity of the Einsatzgruppen Reports,” <https://www.hdot.org/debunking-denial/ezg3-authenticity-reports/> . For background on the number of victims cited in these reports and the authenticity of those numbers see “Einsatzgruppen: Reliability of Figures in Reports,” <https://www.hdot.org/debunking-denial/ezg4-reliability-reports/> .

⁹ John Weir, "The Plum Cake," *The Revisionist*, www.codoh.com/revisionist/comment/tr08plumcake.htm

¹⁰ For background on this claim by deniers and the trial-based evidence to demonstrate its shortcoming as an historical claim see “Adolf Hitler: Hitler’s Order,” <https://www.hdot.org/debunking-denial/ah1-hitlers-orders/>

¹¹ Heinz Peter Longerich, “Hitler’s Role in the Persecution of the Jews by the Nazi Regime,” part 20.6- 20.10, HDOT, *Irving v. Penguin UK and Deborah Lipstadt*, <https://www.hdot.org/longrole/#>

¹² “Holocaust “myth” as Jewish extortion,” *David Irving: A Political Self-Portrait*, (Hereafter HDOT, *Political Self-Portrait*), Section 1.2/C, 1.2/J, <https://www.hdot.org/david-irving-a-political-self-portrait/>

¹³ Evans, *Lying*, p,181ff.

¹⁴ “Holocaust “myth” as Jewish extortion,” *Political Self-Portrait*, Section 1.2/J, <https://www.hdot.org/david-irving-a-political-self-portrait/>

¹⁵ For a summary of deniers’ distortion of the history of the bombing of Dresden, see Richard Evans, “The Bombing of Dresden in 1945,” *Evans Report for Irving v. Penguin and Lipstadt*, 5.2 (C), https://www.hdot.org/evans/#evans_5-2

¹⁶ Evans, *Lying*, p. 181.

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- ¹⁷ H.J.J. Hardy, David Barnouw; Gerrold van der Stroom, A. H. Paape, *The Diary of Anne Frank: The Critical Edition* (New York: Netherlands State Institute for War Documentation 1989).
- ¹⁸ Irving v. Penguin UK and Deborah Lipstadt, February 15, 2000, Day 20, Part I: Initial Proceedings (1.1 to 1.26), https://www.hdot.org/day20_toc/. For an analysis of deniers' charges about the *Diary* see "How Do We Know the Diary of Anne Frank is Authentic?", <https://www.hdot.org/debunking-denial/af2-diary-authentic/>. For the evidence to counter deniers' charge that the *Diary* is written in ballpoint pen, which was not in general circulation until after the war and whose use would mean the *Diary* is a postwar creation see "Anne Frank's Diary: Written in Ballpoint Pen?" <https://www.hdot.org/debunking-denial/af3-ballpoint-pen/>
- ¹⁹ "Mockery of Holocaust Survivors," *Political Self-Portrait*, 1.4F <https://www.hdot.org/david-irving-a-political-self-portrait/>
- ²⁰ A relatively unknown professor of French literature at Georgia State University wrote a mistake-laden and distorted attack on Wiesel as a "con man." David O'Connell, "Georgia State Prof Calls Elie Wiesel 'A Con Man': Elie Wiesel and The Catholics," *Rense.com*, (This article was originally published in *Culture Wars*, November 2004.) <http://rense.com/general70/conf.htm>
- ²¹ Gideon Resnick, "David Duke: Trump Makes Hitler Great Again," *The Daily Beast*, March 17, 2016 <http://www.thedailybeast.com/david-duke-trump-makes-hitler-great-again>. For background on the Institute for Historical Review and revisionism see Richard Evan's report, which was submitted by the defense in Irving v. Penguin UK and Deborah Lipstadt. Richard Evans, "David Irving, Hitler and Holocaust Denial," https://www.hdot.org/evans/#evans_3-5.
- ²² Jan Karski, *Story of a Secret State* (Boston: Houghton Mifflin Co., 1944).
- ²³ Walter Laqueur & Richard Breitman, *Breaking the Silence* (New York: Simon and Schuster, 1986).
- ²⁴ Saul Friedländer, Kurt Gerstein: *The Ambiguity of Good* (New York: Alfred A Knopf, 1969). For additional background on Gerstein see: "Introduction: *Who Was Kurt Gerstein? What is the Gerstein Report?*" <https://www.hdot.org/debunking-denial/gr1-intro/>
- ²⁵ Patrick Debois, *Holocaust by Bullets* (Boston: St. Martin's Griffiths, 2009).
- ²⁶ For personal testimonies of perpetrators see Ernst Klee and Willi Dressen, and Volker Riess, *Those Were the Days: The Holocaust through the Eyes of the Perpetrators and Bystanders* (London: Hamish Hamilton, 1991).
- ²⁷ "I also consider that there is force in the Defendants' contention that Irving's retraction of some of his concessions, made when he was confronted with the evidence relied on by the Defendants, manifests a determination to adhere to his preferred version of history, even if the evidence does not support it." "Judgment," *Irving v. Penguin UK and Deborah Lipstadt*, (hereafter "Judgment,") Section 13.159 https://www.hdot.org/judge/#judge_13-5
- ²⁸ Evans, *Lying*, p. 30.
- ²⁹ Mishcon de Reya, the law firm which represented me in *David Irving v. Penguin and Lipstadt*, prepared a video of interviews with the principals. At 1:09- 2:54 Anthony Julius explains the strategy employed by the defense. <https://www.mishcon.com/denial>
- ³⁰ Judgment," Section 13.143 https://www.hdot.org/judge/#judge_13-10-4
- ³¹ "Judgment," Section 13.163, https://www.hdot.org/judge/#judge_13-10-9
- ³² "Judgment," Section 13.160, https://www.hdot.org/judge/#judge_13-10-8

³³ “Judgment,” Section 13.106, https://www.hdot.org/judge/#judge_13-6

³⁴ “Judgment,” Section 13.101, https://www.hdot.org/judge/#judge_13-6

³⁵ “Judgement,” Section 13.115 https://www.hdot.org/judge/#judge_13-7-2

³⁶ The fact that everyone in the deicide story was Jewish, with the exception of the Romans, who did the actual crucifixion, is immaterial to popular perceptions. Franklin H. Littell, *The Crucifixion of the Jews: The Failure of Christians to Understand the Jewish Experience* (Macon, Ga.: Mercer University, 2000)