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Holocaust Denial: Anti-Semitism as a Refusal to Accept Reality

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To belittle the significance of or deny that the Nazi state committed genocide against European Jews is a punishable offence in Germany and Austria, in Switzerland, France, Belgium, the Czech Republic, Slovakia, Lithuania and Poland. With this, legislators sought to protect Holocaust victims and their descendants from affront and insult. Further, this criminal sanction is the constitutional state's response to anti-Semitism, and so is more than acknowledging and honouring the presence of a Jewish minority in society or the official result of lessons drawn from history. Due to Germany's historical responsibility for the Holocaust, how the genocide of the Jews is approached and handled is first and foremost a problem confronting German political culture.

Interpreting the statutory provisions formulated to cover the elements of the offence of incitement to hatred has occupied the courts time and again (art. 130 of the German Criminal Code, paragraph 1, punishes the "qualified" Auschwitz lie, paragraph 3 the "simple" Auschwitz lie). In turn, this triggers at regular intervals a discussion in the media as to the purpose of punishment: for one faction the law is concerned with defending the dignity of the victims, while for the other consideration must be given to a cornerstone of democracy, namely freedom of opinion. To mention one case: the Central Council of Jews in Germany took legal action against the animal rights organisation PETA, which had canvassed support for its goals with the tasteless slogan "Holocaust on your plate". The attorney representing the council ar-

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gued that “the campaign violates the victims’ right to dignity and belittles the persecution of the Jews”. The case went through a number of instances.¹

Intellectuals fight for the freedom to express views and opinions, moved by concerns that the state is striving to prescribe a particular concept and interpretation of history. An initiative launched by French historians opposed to efforts to establish uniform legislation in the European Union (and extending criminal liability to other historical events like the genocide of the Armenians) has formulated its standpoint in the “Appel de Blois”: “In a free state, no political authority has the right to define historical truth and to restrain the freedom of the historian with the threat of penal sanctions.”² Prominent lawyers such as Wolfgang Hoffmann-Riem, a former judge at the German Constitutional Court, are also skeptical. In his view, forbidding Holocaust denial does not contribute to protecting human dignity, to which the general secretary of the Central Council of Jews replied: “I would not even want to imagine how bad things would be in Germany if denying the Holocaust was not a punishable offence.”³

As much as the constitutional judge is right to say that human dignity cannot be protected by prohibitions, so is the historians’ concern of the inaccurate concepts of history that the state imposes via the decisions made by political and administrative authorities, and misplaced is their fear that state patronage hinders historical research. At issue is neither a threat to the freedom of research nor to freedom of expression. There is not one single historian who could promote Holocaust denial without disregarding elementary rules and scholarly methods of their discipline, and indeed in the history of Holocaust denial there is yet to be a historian among its proponents, only charlatans who act like historians, represent massive interest lobbies, and mislead their public to believe that they possess a competence they simply do not have. This is in stark contrast to protagonists of the rightwing scene like the Briton David Irving, who has mutated from journalist to Holocaust denier, and Horst Mahler, who has gone from lawyer to an obsessive neo-Nazi. Listening to them, and many others, one has the impression that they – fuelled by an egoistical craving for recognition – do not believe what they claim. Neither have anything to do with threatening the freedom of expressing opinions whatsoever, but with extremist rightwing propaganda dressed up as historical research, or with the neo-Nazi agitation of egomaniacs seeking public attention and their epigones. Attacks against historical truth, put forward as facts, constitute the criminal offence of incitement, however, and so undermine social peace.

Viewing neo-Nazi and anti-Semitic campaigns as criminal activity began in the Federal Republic with the revision of paragraph 130 of the Criminal Code, enacted by the 6th criminal law amendment act of 30 June 1960. The revision was prompted by a wave of anti-Jewish graffiti at the start of the same year. Decisive was the verdict passed in 1994 against the then National Democratic Party (NPD) chairman Günter Deckert, who was given a suspended sentence of a year in jail for incitement. The Federal Court of Justice annulled the judgment on 15 March 1994, triggering a public debate,⁴ by stating that “merely disputing the gas chamber murders does not constitute an act of incitement.” Shortly after, on 13 April 1994, the Federal Constitutional Court made it clear that the right to freely express opinions is restricted by, on the one hand, the consideration of personal rights and, on the other, the necessity to furnish objective verification when alleging a claim is a fact.

As early as 1980 the Federal Court of Justice had stated that acknowledging the Holocaust is part of the dignity of at least those Jews living in Germany, and consequently any denial of the geno-

cide represents a form of discrimination against them. In its decision on the persecution of Jews and the “Auschwitz lie”, the Federal Constitutional Court took the view that denying or doubting the persecution of Jews under the Nazi dictatorship violates the honour of the persons concerned. The highest court set the framework in unequivocal terms. Formally, assertions of fact are, in the strict sense, “not statements of opinion”: “in contrast to such statements, the objective relationship between the statement and reality predominates”. As far as the statement “that there was no persecution of Jews in the Third Reich” is concerned, this is “an assertion of fact which is proved to be untrue according to innumerable eyewitness reports and documents, the verdicts of courts in numerous criminal proceedings, and the findings of history. Taken by itself, an assertion of this content does not, therefore, enjoy the protection of freedom of opinion.” On this basis, the court concluded: “The historical fact that human beings were separated in accordance with the descent criteria of the so-called Nuremberg laws and were robbed of their individuality with the objective to exterminate them gives to the Jews living in the Federal Republic a special personal relationship to their fellow citizens; in this relationship the past is still present today.”⁵

Legislators directly drew the consequences, deliberated on and passed a law amending the criminal code, determining the denial of the Nazi genocide as incitement (paragraph 130 of the criminal code) and placing it under severe punishment. Members of the German Bundestag followed the tenor of the Federal Constitutional Court. Gregor Gysi of the Party of Democratic Socialism (PDS) was applauded even by the ranks of the Christian Democratic Union/Christian Social Union (CDU/CSU) and Free Democratic Party (FDP) for his clear contribution to the parliamentary debate:

By the way, all this has nothing to do with opinions. It isn’t even an opinion. What is being really expressed is nothing other than a mockery of Holocaust victims. And that is the intention of those who say such things. There is not one of them who in reality does not know better, perhaps except for an utterly naïve adolescent who believes whatever someone whispers in his ear. You don’t seriously believe that any one of them actually believes the nonsense they circulate. Each and every one of them knows very well that these crimes took place. Their goal is something else. To rehabilitate Nazism and make rightist extremism socially acceptable, they believe it is necessary to deny these crimes. This and no other intention is what we can accuse them of amid all this posturing.⁶

The malicious “Auschwitz lie” – an outrageous term insinuating that the reality of the Nazi genocide of Jews does not exist – stems from a brochure by the German neo-Nazi Thies Christophersen, a man well known to the courts. He was transferred to Auschwitz in 1944, where he was stationed at a pest control and plant protection facility. Claiming the competence of the eyewitness, Christophersen intermingles his own experiences (he was not involved in the extermination; the facility where he worked was located on the periphery of the camp complex) with arguments typical of rightwing extremism. This *mélange* serves the purpose of proving that life in Auschwitz, for everyone, including the prisoners, was actually quite pleasant. People danced and sang as they worked, and it took some time before the prisoners admitted to Auschwitz in an undernourished condition had “padded out” again.⁷

Holocaust denial or marginalising the genocide of six million Jews manifests a form of anti-Semitism which for decades now has articulated itself in a variety of ways. Holocaust denial is

the pivotal concern of a “revisionism” which, as an auxiliary ideology, serves rightwing extremist propaganda.

Those rightwing extremists describe themselves as “revisionists” on the rampage against a historical view of National Socialism and its crimes which is founded on research and facts. Originally they were stubborn Nazis who worked on defending National Socialism in the 1950s. At first they sought to mitigate German guilt for the outbreak of the Second World War. The chief witness at the beginning of the 1960s was the American David L. Hoggan and his book *Der erzwungene Krieg (The Forced War)*, published in the far-right Grabert Verlag. Donning the guise of a scholarly study, the book has a wealth of source quotes and cross-references, footnotes and bibliographical references. Giving it the appearance of integrity and comprehensive knowledge of source documents, the real purpose of this guise was to present a view of history anchored in serious scholarship which shows Hitler to be an outstanding statesman and his opponents nothing other than belligerent monsters.

Upon closer inspection, the source quotations proved to be fallaciously employed or outright forgeries, the bibliographical references largely incorrect and the argumentation nonsensical. But the book was extremely useful as a revisionist propaganda weapon, for which purpose it sufficed to take the title as a programmatic concern and refer to the purportedly key documentation.⁸

“Revisionism” established itself as auxiliary ideology serving rightwing extremist goals, its aim being to “decriminalise” history and furnish a whitewashed interpretation – achieved by way of falsification and manipulation – of the past. In the revisionist conception, the “Auschwitz lie” had a pivotal function as the ideology negating the crimes committed by the Nazi state, an ideology that Hitler apologists, old diehards and neo-Nazis sought to gloss over in order to retouch the historical image of National Socialism.⁹

Revisionism draws on and employs pseudoscholarly arguments and presents its concerns in common language. Imitating scholarship by adopting its forms – disquisition and footnote, lecture and seminar, conference and journal – does not, however, constitute academic soundness and seriousness but merely serves the purpose of creating confusion and negating historical truth.

“Scientific material evidence” is supposed to invalidate and replace historical documents (doubting their authenticity has a long tradition among revisionists), so as to wipe out historical realities. The methods of revisionism include speculation on the effect of the poisonous Zyklon B gas used in Auschwitz as well as “calculations” on the amount of coal used and the capacity of the crematoria in the extermination camps, or the time needed to burn corpses. The goal is to “prove” that the mass murder of Jews was not even possible. One interested person (who in a letter introduced himself to the present author as a natural science graduate) delved into the problem of the impact and disposal of Zyklon B, because he suspected that “even at high temperatures a room gassed with Zyklon B would still be full of gas two hours later”. This acts as a foil to the reports on the killing process in Auschwitz where the gas chambers were opened immediately after the death of the victims, seeking to disclose them as being falsified. To support his thesis – the sole purpose of which is to prove that the murdering in Auschwitz could not have been in the same dimension as actually took place – he follows a line of argumentation pursued by other revisionists, namely

that it was impossible to produce the temperature needed for the poison gas to develop. According to his own portrayal, he did not let the matter rest with theoretical deliberations, but he tested his ideas in a practical experiment, which he describes as follows: "A small – certainly dilettantish – pilot experiment with two digital thermometers in a tolerably sealed crate, occupied by a single person, generated after a quarter of an hour an absolutely negligible rise of temperature along the timber flooring." Presumably he employed his wife as test person and carried out the experiment in the laundry of the family home, all done to take a stand against historical truth.

As the reasoning behind his line of questioning, he notes that there is a "venerated law" among natural scientists "that a prevailing view, theory or the like leads to false conclusions should only one of the starting assumptions be false – here in a figurative sense the impossibility of disposing Zyklon B after its use in mass gassings". And as a motive for his research, he alleges that he "experienced in the Weimar Republic the increasing estrangement between Germans and Jews – to a large part provoked by Jewish immigration from the East"; it is his wish, he continues, to "once again have an unprejudiced relationship between Germans and Jews that had been so natural in Wilhelmian Germany".¹⁰

The verdict of professional natural scientists on such lines of inquiry pursued by revisionists is devastating: they are nothing but a "blend of hypocrisy, small-minded smugness and crudely put-on naivety with ostensible scientific objectivity" is the quintessence of one report.¹¹

The American Fred Leuchter, a self-proclaimed engineer and expert on execution technology, is the author of the *Leuchter Report*, in circulation since 1988. This report has allowed deniers of the genocide and apologists of Nazism to adopt a new tactic when challenging historical reality, namely to attempt to prove with scientific and technological arguments that the mass murders in Auschwitz, Treblinka, Majdanek and all the other sites of extermination were not possible for technological reasons.

In a further concoction,¹² Leuchter examined the concentration camps of Dachau and Mauthausen as well as the euthanasia murder site at Hartheim. Thanks to plenty of publicity in the rightwing camp (where the outcome of his dilettantish zeal was celebrated as a "scientific sensation"), epigones have propagated this political fanaticism born out of apologist motives, presenting it as an urge to gain knowledge which served their understanding of historical truth.

As in 1992 when the former Nazi Otto-Ernst Remer (a retired major general and, after 1945, a protagonist in the neo-Nazi scene for decades) had to answer charges of denying the genocide in court, he commissioned a chemistry graduate with the task of writing an "expert assessment on the formation and verifiability of cyanide compounds in the 'gas chambers' of Auschwitz". Featuring tables and graphics, figures and "chemical analysis", the attempt was once again undertaken to prove that, from the perspective of hard science, the murders in Auschwitz were not even possible. The report is named after its author, Germar Rudolf (b. 1964), who began his career as a rightwing extremist with this "expertise". He was active under a host of pseudonyms abroad, including the role as editor-in-chief of the journal *Vierteljahreshefte für freie Geschichtsforschung* (Quarterly Journal for Independent Historical Research), a forum devoted to Holocaust denial. At Remer's trial the court refused to accept the report. Nonetheless, for the revisionist movement it became a key document, and its author a martyr for the unteachable. In March 2007, after ex-

tradition from the US where he had lived for years, he was sentenced in Mannheim to two-and-a-half years in prison. In the view of the Federal Office for the Protection of the Constitution, his extradition from the US to Germany alone was a great setback for the revisionist camp. The aforementioned journal for "independent historical research" changed tack, renouncing Rudolf's efforts to furnish a "scientific" argumentation and favouring instead open Holocaust denial.¹³

In the obscure internet presence Metapedia, a platform operating from Sweden for rightwing extremists which characterises itself as an "alternative encyclopedia about culture, philosophy, science and politics", a "Holocaust formula" has been explicated. It imitates the scientific-technological quest for knowledge, but is in truth is nothing other than a confused string of numbers and data on the "gas chamber temperature", which is of "great significance for understanding the Holocaust". This nonsense aims to create confusion on a new front, namely that of the "gas chamber temperature". Exploiting such methods, Holocaust deniers play on the public's uncertainty in historical and moral problems, tap into widespread reservations against and stereotypes of Jews, and skillfully ferment conspiracy theories and nationalist feelings.

The grotesque arbitrariness of extremist notions and theses is probably most clearly shown in the fanaticism with which Horst Mahler denies the Holocaust. The former lawyer (b. 1936) was a co-founder of the Red Army Faction in the 1970s and spent almost ten years in jail for aiding and abetting attempted murder and the escape of prisoners, before he turned from a leftwing into a rightwing extremist. At the end of the 1990s he emerged as an ideologue of revisionism. From 2000 to 2003, Mahler was member of the NPD and organised its defence case in banning proceedings pursued by the federal government. He justified his leaving of the party with its lack of radicalism. Supported by a few supporters who had joined his circle to form a "German Seminar" in 1994, Mahler discovered the continued existence of the German Reich, installed himself as the leading protagonist of a "seizure of the word" and launched a "campaign against the apparentness of the Holocaust". Driven by a pathological need for recognition, he cast himself – far beneath his intellectual abilities – as "Reich administrator" and announced: "The German Reich is alive! Judeo-American despotism and its global *kapos* will perish."¹⁴ He based his argumentation on the thesis that the Holocaust had never taken place; it was merely alleged so as to suppress the German nation.

Charged with incitement to hatred, from February 2004 until January 2005 Mahler stood in the dock of the main criminal chamber of Tiergarten district court in Berlin. He was given a nine-month suspended sentence. Mahler exploited the trial proceedings, using them as a stage to present himself as an anti-Semite and champion revisionist positions in endless tirades, juristically declared part of the "defence plea" with quotes, which were nothing other than wild speculation and assertions. In its verdict the court acknowledged that his by no means original interpretations were characterised by the indulgence of provocation, that his rants were driven by intellectual egomania and a craving for recognition.

The small horde of supporters were in the main bored by Mahler and his monologues, if they had not already opted to flee when faced with his obsessions. As one of the masterminds behind revisionism, Mahler had established a reputation through eloquence and dramaturgical skill with phrases and quotes which had found resonance on the internet. He had condensed the ideology

of revisionism in an infamous sentence, which perhaps most tellingly reflects the emotions of Holocaust deniers: "Billions of people would be willing to forgive Hitler and the German people for the genocide of the Jews if he had committed it, simply because they could not imagine any other solution to the Jewish question than the murder of the Jews."¹⁵

The self-proclaimed right to the interpretational high ground over German history – nationalist and exculpatory in its lineaments – is the real driving force behind revisionist undertakings. The denial, or at least the belittling, of historical facts in the context of Nazi rule has a tradition which goes back to the period immediately after the collapse of Hitler's Germany. The unteachable (and at the same time disappointed) Nazis had an existential interest in minimising German war guilt, in justifying the invasions of Poland and the Soviet Union (interpreted as preventive wars), in enslaving and robbing entire peoples (seen as a national or military necessity), and in denying the murder of the Jews (for which though there was no feasible justification). And those who were not directly involved in the crimes wanted to withdraw behind a pretension of innocence, claiming that they had not known, that they had not been involved or else by inwardly resisting what they had seen or known.

Denying the reality of the Holocaust, the entrenched "refusing to believe" that six million Jews were murdered, and the argumentation whitewashing Nazi crimes was and is reserved for a small circle of ideologically fixed apologists of the Nazi regime, whose importance in the right-wing extremist scene seems to be diminishing, but for that their arguments are finding approval or serving to bolster hopes in the very centre of society as the distance to the historical events increases. Efforts to correct history contrary to the facts and establish a neo-Nazi view of history had for a long time isolated the revisionist cartel of Holocaust deniers, not only from the majority but also rightwing extremists who did not wish to be defined as neo-Nazis. This began to change in the 1980s. Not one serious historian is part of the revisionist circles. In the 1980s, however, there were attempts to provide the "revisionists" with the entry ticket to serious scholarship. Through vague formulations Ernst Nolte had seemed to indicate that it would be worthwhile to consider the arguments put forward by the revisionists, and he even went as far as to characterise the ideology producers of "radical revisionism" active in the USA and France, in other words those denying Auschwitz, as superior to "the established historians in Germany" in terms of their "command of the source materials and the verification of sources".¹⁶

Although the "revisionists" never attained serious status, as the *Historikerstreit* (historians' quarrel) showed, which in essence revolved around the question whether Auschwitz was merely a reactive response to Stalin's crimes and thus not singular and less grave, the debate left behind its mark, generating among the general public a certain perplexity and helplessness which then manifested itself in a growing aversion towards further critical questioning and controversy.

In January 2005 the NPD faction in the state parliament of Saxony launched a very deliberate and planned revisionist attack. In the parliamentary session of 21 January 2005, which was dedicated to commemorating the bombing of Dresden in 1945, the NPD deputy Holger Apfel spoke of "cold-blooded, planned industrial mass murder of the civilian population" of the city, and demanded that a "state foundation" be set up "as central memorial site for the civilian victims of the bombing". Then, his party colleague Jürgen Gansel declared: "the bombing Holocaust of Dresden has no causal

connection to either 1 September 1939 or 30 January 1933. The plans to annihilate the German Reich existed namely for a long time, before the first National Socialist was born in Versailles.”¹⁷

Provocation directed against the consensus achieved on Germany’s commemorative culture was the method with which the NPD in Saxony, endeavoring to show off at an intellectual level, gained some public attention. Proudly the provocateurs pointed out the approval they allegedly received “from the very middle of society” for their mocking attacks against the Memorial to the Murdered Jews of Europe, labeling it the “Reich victim field” or the “Federal shame facility”. Furthermore, they invoked the results of opinion polls, according to which – as they presented it – “national attitudes” of resentment of foreigners were on the rise. Under the title “Revisionism for the political centre”, in March 2005 the NPD paper *Deutsche Stimme* boasted that the “breaking of the Dresden taboo” was a signal that the “anti-German preachers of repentance” were coming “under pressure”. The intention and goal were disclosed in the announcement of success, which – in a typical, integral part of the provocation – is sent out in advance and employs menacing imagery:

in the ‘Super Commemoration Year’ of 2005, which is to once again lubricate the re-education machinery sixty years after the end of the war, what particularly hurts the politicians of atonement is that the national opposition has managed to establish position lights for a revision of history right in the centre of society. With its spirited manner and the taboo-breaking phrase of “bombing Holocaust”, which is historically completely permissible, the NPD faction in the state parliament of Saxony has blasted enormous holes in the tower of guilt in which the Germans have been held captive for exactly the last sixty years.¹⁸

The loudmouthed NPD deputy had used the metaphor of “bombing Holocaust” in the state parliament to give the destruction of Dresden the dimensions of a genocide, while simultaneously relativising the murder of the Jews. In the March edition of the *Deutsche Stimme*, he once again crowed with an article on “Why the NPD’s choice of words in the state parliament of Saxony was correct”. His remarks on semantics and the usage of the term “Holocaust”, intermingled with quotes from the most diverse sources, in which the (highest possible) numbers of victims of the air attack on Dresden are stated, are to underpin the equation of the murder of the Jews with the air war over Germany. The argumentation, which deliberately evades explicating its ideological intentions or mentioning historical context, follows the pattern of “demonstrating proof” pursued by the revisionists, who, in order to marginalise the Holocaust, referred to irrelevant sources and mobilised a citation cartel made up of likeminded authors. The intention is easily recognisable: namely to create a semblance of serious and scholarly proof, enabling them to cause disorientation, a perfect scenario to then anchor their own reading of history in public discourse.¹⁹

More essential than rightwing extremist provocation and attempts to relativise the Holocaust – which always feature the argument of the increasing distance to the historical event – are other manifestations, for instance, how the consensus on historical truth is being eroded by disinterest and ignorance, or those attempts to construct a secondary interpretation of history which goes hand in hand with the deconstruction of a historical culture nurtured by the experience of the Nazi past (with differing accentuation in the Federal Republic of Germany and German Democratic Republic). Here, we will examine a representative example.

The most prominent and effective medium of revisionist journalism is the *National-Zeitung*, an organ published by the Frey media empire of Munich, and closely affiliated to the German People's Union (DVU), of which Gerhard Frey was chairman and main backer, and which has meanwhile merged with the NPD. Monotonous but heralded with the revelatory pathos of accusation, the themes dealt with for decades include the Second World War, Allied war crimes, the genocide of the Jews, all rehashed with the aim of asserting an apologist view of history over historical facts. Typical is an article boasting the heading: "Was Germany alone guilty? How the Second World War really came about". There we can read:

Anyone who today dares to contradict the thesis of German sole responsibility for the outbreak of the Second World War and points out the respective portion of blame of the victorious powers has to muster great courage. Even 70 years after the outbreak of the horrific struggle between nations, no sovereignty in dealing with the truth is recognisable in the Federal Republic of Germany, but rather what US President Truman already knew continues to be valid: "History is written by the victors."²⁰

If any proof was needed as to how necessary it is to explain historical issues rather than just look away, then the staff of the *National-Zeitung* provides it week in, week out, regurgitating the same stereotypes year after year. What is essential, however, is that which is located between the lines and in the advertising section, where books are hawked with titles like *Concentration Camp Lies* or *The Who's Who of Jewry*. The most successful, most widely circulated and long-lasting weekly in Germany's far-right scene is characterised by its repetitious appeals to a stuffy patriotism, to feelings of self-pity and the threat posed by foreigners. Evoking traditional nationalist values and ideals is crystallised thematically around the Second World War, the expulsion of Germans from eastern-central Europe after 1945, the Allied occupation and Germany's alleged ongoing lack of power and playing on the fear of being "swamped" by foreigners. The leitmotif of the agitation is an aggressive revisionism which extends from the "question of war guilt" through to doubting the dimensions of the Holocaust, which relativises the genocide and articulates anti-Semitism. Embellished with stereotyped regret at the shortcomings of a small minority of perpetrators, anti-Jewish resentments are deployed and related to current debates such as the Memorial for the Murdered Jews of Europe, compensation for Holocaust victims or the purported Jewish influence in Germany and the world.

The image of the hostile, vengeful and powerful Jew is propagated as a means to keep alive traditional prejudices; it is part of a political staging which manipulates the historical genocide of the Jews and its repercussions in the collective memory and mind. As part of this staging, prominent Jewish figures are regularly the target of base attacks by the *National-Zeitung*.

The important link in transporting ahistorical constructs – the worst of which is the "Auschwitz lie" – from the rightwing extremist spectrum via the conservative camp into the heart of mainstream society is obvious. Besides revisionists and rightwing radicals, right-conservative circles also have a part in anchoring resentments in public discourse. Claiming to pursue purely progressive and educational intentions, they challenge the alleged threat to the freedom of expression presented by the "prohibition of independent thinking", prescribed terminology and the supposed superiority of the leftist media, while seeking to erect anti-Enlightenment bastions to overcome "neototalitarian methods and strategies".

The main goal of this crusade against the purported pressure to conform to certain views is “political correctness”, which has succeeded older constructs (“collective guilt”, “reeducation”). With all the ambition of a conspiracy theorist, this term is understood as an omnipotent and omnipresent machinery, churning out convictions and views which are exploited by enemy forces (above all “the left”), and against which resistance needs to be urgently organised so as to avert danger for the nation, fatherland and other values.

A trivial but essential reason for relativising the Holocaust in general consciousness lies in the transformation of information media, which now presents the deniers with new and effective opportunities. Not only does the gigantic assortment of information available on the internet on all manner of topics marginalise the information itself, but the medium itself is eminently suited to spreading disinformation and camouflaging its creators. Within a decade the internet has become the globe’s most important instrument of propaganda. Criminal activities like asserting the “Auschwitz lie” are placed in the internet anonymously (for example, through US providers), thus evading the German criminal justice.²¹ In the communications media the denial of the Holocaust is accompanied by manifestations of traditional anti-Semitism. On its homepage, a “Bürgerreform Europa” presents a text called “Unmasked Talmud” and the claim that since 1900 every single prophecy in the *Elders of Zion* has come about “unerringly accurately and with devastating certainty”.²²

What possibilities exist to combat Holocaust denial? The means of the criminal justice system are limited because, despite being a criminal offence in Germany (“Auschwitz law”), revisionists claim the freedom of expression and, when guided by tactical nous, the incitement of contradicting facts can be conducted in such a way that it is untouchable juristically. This is proven again and again by the press of the extreme right when it set its assertions in the form of a quotation or a question, embellished with duplicitous outrage at Nazi crimes. The criminal justice system can therefore only clamp down on those who are careless, or on propagandists who actually seek out the martyr’s role for the impact it ensures.

What remains indispensable is to teach schoolchildren about the Nazi persecution of Jews. Appropriate to the material and objectively – i.e., oriented on the cognitive dimension and not appealing to feelings of guilt and moral emotions – school lessons must lay down the foundation of convincing knowledge, one that cannot easily be jolted. However, schools need the support of professional scholarship and the media, on the one hand, and parents, on the other. If the subject matter taught in school is relativised in the family context by being flippantly doubted, through ignorance or disinterest, then anti-Semitic deniers of the truth have already captured terrain. The most important prerequisite for repelling these forces, therefore, remains the democratic consensus of citizens, namely that the historical truth is not to be surrendered to the sensation mongering of sections of the media nor turned over to the political interests of a minority of aggressive nationalists, neo-Nazis and rightwing extremists.

In the pro and contra as to whether the “Auschwitz lie” is a criminal offence, there is, besides juristic definitions and political arguments, the laws of reason and the imperatives of humanity, quite apart from the postulates of ethics. For civil society and a state based on the rule of law, it follows that denying the genocide of the Jews needs to be combated with the instruments of the justice system.

NOTES

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- 2 Arno Widmann, "Der Kampf um die Erinnerung: Historiker wenden sich gegen ein staatlich verordnetes Geschichtsbild", *Frankfurter Rundschau*, 23 Nov 2008.
- 3 Frank Jansen, "Holocaust-Leugner nicht bestrafen", *Der Tagesspiegel*, 10 Jul 2008.
- 4 Hanna Borgwardt, "Die Strafbarkeit der 'Auschwitzlüge'", in Heribert Ostendorf (ed.), *Rechtsextremismus: Eine Herausforderung für Strafrecht und Justiz*, Baden-Baden: Nomos, 2009, 233–266; c.f. Thomas Wandres, *Die Strafbarkeit des Auschwitzleugnens*, Berlin: Duncker & Humblot, 2000.
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- 6 Deutscher Bundestag, 12. Wahlperiode, *Stenographische Berichte*, 18 May 1994, 19670. Bonn, 1994.
- 7 Thies Christophersen, *Die Auschwitz-Lüge*, Mohrkirch: Kritik, 1973 (numerous further editions).
- 8 David L. Hoggan, *Der erzwungene Krieg: Ursachen und Urheber des 2. Weltkriegs*, Tübingen: Grabert, 1961; Hermann Graml, "David L. Hoggan und die Dokumente", *Geschichte in Wissenschaft und Unterricht* 14 (1963), 492–514.
- 9 Jürgen Zarusky, "Die Leugnung des Völkermords: "Revisionismus" als ideologische Strategie", in Wolfgang Benz (ed.), *Auf dem Weg zum Bürgerkrieg: Rechtsextremismus und Gewalt gegen Fremde in Deutschland*, Frankfurt a. Main, 2001, 63–86.
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