

HUNTING GERMAR RUDOLF

Germar Rudolf

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Essays on a Modern-Day Witch Hunt



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Table of Contents

	Page
Introduction	7
1. What Makes Revisionists?	17
2. The Naiveté of a Young Revisionist.....	35
3. Fleeing from England.....	49
4. Asking for Asylum	87
5. Scientists Don't Get Political Asylum.....	103
6. The Trap Snaps Shut	111
7. Resistance Is Obligatory.....	121
8. A Revisionist in Prison.....	137
9. Fighting My Way Back Home	141
10. Failings of a State under the Rule of Law	147
11. Rudolf's "Thought Crimes"	163
12. The Media and the Case of Germar Rudolf.....	197
13. Outlawed in Germany.....	219
14. Discovering Absurdistan	235
15. Biographical Notes on the Author.....	281
16. Appendices	283
Abbreviations.....	283
Bibliography.....	284
Index.....	291

*“The term ‘taboo’ is probably best observed
by not talking about it.”*

Stephan Rudas 1994, p. 17

Introduction

When growing up in Germany, I was conditioned to feel guilty about being German; to apologize to anyone noting anything wrong with my country, its people, culture and history. I was a compulsive apologizer, as almost all Germans are when it comes to their ethnic and national identity.

When you’re confined to a box, as most people are, you can’t think outside of it. Hence, most Germans don’t realize how incorrect their attitude is, and neither did I. But eventually I moved abroad, lived in a number of non-German, even non-European societies, and learned how to walk upright without feeling guilty about it, without having to justify myself for it constantly.

However, when I started to walk upright, I was still in Germany. I was just a student, actually, and step by step I found out why Germans don’t – and can’t – walk upright. Because if they do, they get marginalized, ostracized, persecuted, prosecuted, abused, mistreated, beaten up, and when push came to shove, even arrested and jailed – for years. I’ve been through all this, and the following book tells about it.

Unfortunately, the immediate impositors of that ostracism and persecution are usually and mostly fellow Germans, amongst whom an attitude prevails toward their own identity that must be utterly puzzling to outsiders. They exhibit what I would call the “happy slave” syndrome. There is no greater enemy to freedom than happy slaves. They watch with zeal over their fellow slaves to make sure that no slaves ever dare try breaking free of their shackles.

What has gone wrong in Germany? One can, of course, argue that Germany is a democracy where people have a choice. Admittedly, Germans, like voters in any other democracy, are allowed to make a cross next the any party that has been admitted to the voting process. Uhhh, there’s the rub! The party must have been *admitted*. That’s not just a matter of form, like an alternative political party getting a license by those in power to

have its name printed on the ballot in the first place. Many an obstacle can be put in a party's way to make that impossibly difficult, up to the point where parties are simply being banned for not adhering to some purpose-made rule. Yet even that kind of governmental suppression of opposition parties is not the most troubling thing, because it is plain for everyone to see.

I am more worried about the admission process that takes place in voters' heads. If a party or politician appears on the scene presenting a real, attractive alternative to the status quo, thus posing a threat to the establishment, the spin doctors of the mass media, controlled by the same interests that control big politics, get into gear to pre-condition our minds, inculcating us with their twisted "truths" and outright lies in order to manipulate them into accepting their standards of which parties and candidates are "votable" and which are not. The vast majority of people succumb to that kind of incessant and partisan propaganda to some degree, if not completely. Hence, I will not give in to the illusion that "democracy" as we see it has anything to do with educated, responsible, enlightened voters making informed decisions. Some have called it plutocracy, where big money rules by controlling big media and the funding of their favorite candidates and parties. No matter what label you stick on it, it's not what the original idea was.

Considering therefore that the political establishment, in concert with the mass media, sees to it that the same political caste remains in power no matter what, it is only fair to blame exactly that establishment for the flaws of Germany's society as they are exposed in the present book. As the so-called "people of perpetrators," the Germans have been beaten up enough already ever since World War One. I won't add to that.

I have no illusions either about the mainstream politicians in Germany or elsewhere being deaf-and-dumb when it comes to the issues addressed here. The foremost reason for this is, of course, that the present book was not authored by a prominent, renowned personality of public life, but rather by an outsider and maverick, to say it objectively. As this book shows, mainstream politicians together with the mass media and the legal authorities call me far worse names. I leave it up to the reader to understand the reasons for that.

Distilling this book's message to a succinct, perhaps provocative statement would produce something like this:

Today's Germany is a dictatorship where some ten to twenty thousand criminal investigations are launched every year for mere expressions of opinions, and where hundreds of political prisoners are locked up for the

sole reason of having expressed in a peaceful way their peaceful views which those in power don't like.

Of course that's nonsense, the average person will say, because everyone knows that Germany grants civil rights to its citizens and has a well-maintained legal system that is highly regarded.

I have written the present book exactly in order to burst that delusory bubble with a heavy load of evidence.

In order to understand the discrepancy between self-image and reality of today's German society, one has to deal with Germany's taboos which prevent Germans from perceiving that which our wishful thinking does not want to be true. In order to deal with a taboo, one has first to violate it. Hence, please permit me to violate right in this introduction Germany's most-strictly enforced taboo, which is at once also the strongest taboo of all the other societies of the cultural western hemisphere. By doing this, we put ourselves in a position where we can then analyze the effects of that taboo.

What is a taboo? Read the motto again that I've put at the very top of the first page of this introduction. A truly effective taboo prohibits that one dare call it a taboo in the first place, because taboos are something archaic, something that an enlightened, tolerant society shouldn't have. Hence, to call a taboo just that amounts to an indictment of that very regime that enforces it, accusing it of being primitive, unenlightened, oppressive. In the end, calling a taboo by its name amounts already to violating it, an act which the regime imposing this taboo will punish.

So, what exactly is this taboo of western societies in general and Germany in particular? As an enlightened citizen, about which topic don't *you* dare talk publicly in a manner not conforming with the expectations of your society? There may be some topics that come to your mind. But I'm not talking about just any topic.

Well, it is actually quite easy to find the answer to this question, and by this I don't even mean reading the present book, which deals almost exclusively with that taboo and the impact its violation had for me. Actually, the answer is in plain sight for all who are willing to see it. Just ask yourself what events in your society have turned once-prominent personalities into social lepers overnight, making them lose jobs and positions and in some countries getting them even prosecuted and jailed?

One instance of Germany's taboo was that of the German member of parliament Martin Hohmann, who in 2003 mused during a presentation whether Jews were not merely victims but also perpetrators at some points

in modern European history.¹ And there's the snag: The topic JEW and all that is connected to it is the taboo.

Already when writing this sentence, when violating this taboo, my hackles still get up, even after years of dealing with this taboo, and I am sure the average reader will feel mightily uncomfortable when reading these lines. Had I used any other word than JEW, nobody would mind.

Have you ever asked yourself what kind of subliminal conditioning you were subjected to in order to develop such strong emotions which are aroused, just because I have written this unspeakable word?

Or do you think this is no taboo at all? Well, on December 1, 2016, the U.S. Senate unanimously passed a bill in a related matter. Even though that bill lapsed in the House due to the end of the session – it probably will be reintroduced in 2017 in some form – this bill still reveals the sentiments of evidently all leading politicians of the U.S. The intention behind that bill was to amend the flawed Civil Rights Act of 1964. That act merely prohibits discrimination on the basis of race, color, or national origin, but not of religion. The above bill wanted to change that. Unfortunately, however, it did not do this for all religions, but only for Jews, as it merely aimed at banning discrimination by anti-Semitism.² The way anti-Semitism was defined in it is revealing. In the “Fact Sheet” on this, it says, for instance, and I quote only some of what I find troubling:³

- *Making [...] stereotypical allegations about Jews as such or the power of Jews as a collective—especially but not exclusively, the myth about [...] Jews controlling the media, economy, government or other societal institutions. [...]*
- *Accusing [...] Israel as a state, of [...] exaggerating the Holocaust.*
- *Accusing Jewish citizens of being more loyal to Israel [...] than to the interest of their own nations. [...]*
- *Using the symbols and images associated with classic anti-Semitism to characterize Israel or Israelis*
- *Drawing comparisons of contemporary Israeli policy to that of the Nazis [...]*
- *Denying the Jewish people their right to self-determination, and denying Israel the right to exist.”*

Of course, everyone should be against judging by stereotype, and for most people, all the other statements sound nice, too, but here are some tough questions:

¹ For readers who read German, Hohmann's speech and a description of the scandal arising from it can be found in Hohmann 2003.

² www.congress.gov/114/bills/s10/BILLS-114s10rfh.pdf

³ www.state.gov/documents/organization/156684.pdf



The Holocaust and the United Nations Outreach Programme

Remembrance and Beyond

Home
Background
Newsroom
International Day
Multimedia
Educational Materials
Discussion Papers
Roundtable Discussions
Professional Development
Film Series
Annual Exhibits
Other Events
Electronic Notes for Speakers
International Holocaust Remembrance Alliance
United Nations Information Centres

Resolution adopted by the General Assembly on the Holocaust Remembrance (A/RES/60/7, 1 November 2005)

The General Assembly,

Reaffirming the [Universal Declaration of Human Rights](#), which proclaims that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, such as race, religion or other status,

Recalling article 3 of the Universal Declaration of Human Rights, which states that everyone has the right to life, liberty and security of person,

Recalling also article 18 of the Universal Declaration of Human Rights and article 18 of the [International Covenant on Civil and Political Rights](#), which state that everyone has the right to freedom of thought, conscience and religion,

Bearing in mind that the founding principle of the [Charter of the United Nations](#), "to save succeeding generations from the scourge of war", is testimony to the indelible link between the United Nations and the unique tragedy of the Second World War,

Recalling the [Convention on the Prevention and Punishment of the Crime of Genocide](#), which was adopted in order to avoid repetition of genocides such as those committed by the Nazi regime,

Recalling also the preamble of the Universal Declaration of Human Rights, which states that disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind,

The United Nations's resolution designating "27 January as an annual International Day of Commemoration in memory of the victims of the Holocaust" and rejecting "any denial of the Holocaust as an historical event, either in full or part" – the only (claimed) historical event declared a taboo and commemorated by the entire globe. (www.un.org/en/holocaustremembrance/docs/res607.shtml)

- Who defines what is an unjustified stereotype and what is actually true?
- How can we inquire whether the State of Israel has contributed to exaggerating claims of the Holocaust, if the (negative) answer has been prescribed by law?
- If Jews are members of a people rather than a religion, as the last sentence of the above quote clearly suggests, then they inevitably must have a conflict of interest when living amongst the people of other nations. If so, then why is questioning their primary loyalty outlawed?
- And why is the use of the symbols and images in cartoons associated with classic anti-Islamism to characterize Muslims or Muslim countries, or classic anti-Germanism to characterize Germans or Germany fine (you can add many more examples here), but banned when the shoe is on a Chosen foot?
- Moreover, comparing something does not mean equating it. Historical comparisons can be a very powerful revelatory tool, so why ban them?

- Finally, Israel is not any other country. It came into existence by brutally denying the original inhabitants of its land their right to self-determination, and by ethnically cleansing many of them from that land. That policy of denial and ethnic cleansing has been maintained ever since Israel was incepted. So, either you deny the Palestinians their right to self-determination, and deny their country the right to exist, or you do this for the Jews and Israel. Either way, unless an all-encompassing solution can be found where both Jews and non-Jews can live with equal rights peacefully side by side, you are a denier one way or the other. But only one form of denial is outlawed. Again: why?
- Who has the power over the minds of the members of Congress, and in extension to all who applaud this act, to make them so blind to this unwarranted “special treatment” of Jews and Israel?
- Once this act will have become the law of the land, how is one to criticize Jews and Israel, if any such criticism can be construed as unlawful discriminatory anti-Semitism?

If you want to know who rules a country, find out whom you are not allowed to criticize. Under a law like this, of course, that statement alone would already be called discriminatory anti-Semitism, because it is a “stereotypical allegations about [...] the power of Jews as a collective.”

Welcome to the New World Order!

(Swap the N with a J, if you want to get in trouble)

Having said all this, would you dare talk publicly in a critical way about the political influence that Jews have in the U.S., in Germany and many other countries, and why you dislike it – if you dislike it? The topic is a taboo, for it leads to certain social death for everyone touching this “third rail.” If you violate that taboo anyway, you might find yourself in trouble faster than you think, or even get prosecuted and jailed in many western countries. It’s as simple as that.

Well, the United States of America and its offspring the Federal Republic of Germany guarantee basic civil rights, right?

Of course, there is a reasoning behind all that, I know. After all that has happened, Jews may not be attacked, be it physically or verbally. But you may of course criticize the influence of any other group, correct? So, for a change, it’s not Jews that are being persecuted by the State, but “only” those who criticize Jews. Serves them right... And it immunizes Jews from any effective criticism. Serves them well, I’m sure.

But don’t worry; I will not elaborate any further on this topic in the present book. It is present merely between the lines, for this book deals with

an issue which is one of the most important reasons why the topic JEW has become such a strong taboo to begin with: The dogma that Jews are the victims per se; that they are the personification of good; that anyone attacking or criticizing them must automatically be evil. What is this dogma?

To understand this, let's delve deeper into this taboo, into a deeper, more "wicked" layer of the "Jew taboo." What we are dealing with here may be explained by way of an exemplary victim of this taboo. It concerns a former official of the former German protest party *Die Piraten* (The Pirates), Bodo Thiesen. In May 2008 he wrote the following momentous sentences in an email to the party's mailing list:⁴

"Well, until a few months ago, I believed as well that those 'denying Auschwitz' are mere adolescent cranks. Back then, however, I had not yet read GERMAR RUDOLF. Sorry, but the book leaves a mark – at least if one approaches it objectively."

That was the end of Thiesen's political career. During the aftershocks of this "scandal", which was rehashed by the German media in early 2012, the Pirate Party adopted a resolution during its membership convention with 1499 Yeas and only one abstention which reads as follows:⁵

"The Holocaust is an undeniable part of history. It is against the party's principles to deny or relativize it under the cover of freedom of expression."

If the members of any other German party left of the radical right had been asked to vote on a similar resolution, the results would have been the same, and that's probably true for almost all political parties in all western countries, some radical right parties on the fringe excepted. This is so in spite of the fact that many of these western countries have no legal enforcement of such policies. Such almost universal compliance with this taboo is nowadays achieved with much more refined methods than Hitler or any other dictator in history could ever have dreamed of: by way of 70+ years of brainwashing an entire cultural hemisphere.

How else could it be explained that almost everyone is outraged as soon as someone merely hints at disregarding this übertaboo, the HOLOCAUST? Anyone can express any kind of controversial opinion about any other subject of history without causing excessive reactions.

The Holocaust is that event by which the Jews became *the* victims *par excellence*. As the victims of evil incarnate, of the ultimate evil, they were

⁴ www.spiegel.de/politik/deutschland/urteil-bodo-thiesen-darf-mitglied-der-piratenpartei-bleiben-a-827991.html

⁵ www.spiegel.de/politik/deutschland/piratenpartei-setzt-auf-parteitag-zeichen-gegen-rechts-a-830388.html

themselves promoted to the epitome of the morally Good. Hence, the Jew taboo is a derivative taboo of the Holocaust taboo.

To this you may respond that the Holocaust is no taboo at all, because there is no other historical topic which is as omnipresent as this one. Even though it is true that no other historical event gains more attention than this one, that does not prove it's not a taboo. Jews as such aren't a taboo either, merely criticizing them in a manner that is considered unfair or anti-Semitic, which seems synonymous. The same is true for the Holocaust. While it is still possible to criticize Jews to some degree without getting in deep trouble, try even mildly criticizing the orthodox Holocaust narrative. You can doubt whether all is always kosher with *the* Jews or at least *certain* Jews, but try the same with *the* Holocaust or merely certain aspects of it: Get up in a public place and give a speech expressing any doubt of the accuracy of the orthodox Holocaust narrative. I'm sure you'd find out fast where the limits are of what is accepted in your community. In some countries, if you still insist on your human right to doubt and to express those doubts publicly, you sooner or later breathe filtered air (within a prison cell), as they say in Germany. There is no compromise and no mercy in this regard.

However, isn't the foremost lesson to learn from the horrors of the Holocaust that everything needs to be done to prevent a repetition, for which eternal commemoration is the most important prerequisite, and denying it is the first step toward a repetition?

I know how difficult it is to free yourself from the psychological fetters with which we all were raised in our respective societies – or put differently: we were brainwashed. I want to offer some assistance here to achieve this act of liberation.

Imagine you are an alien arriving in a spaceship from a different planet. You study the various human societies. You determine that western societies have high ideals about civil rights, but realize that there is one exception with regards to one minority and one historical event involving this minority.

The earthlings justify this to the aliens as follows: In order to prevent that books are again burned, dissidents are again imprisoned, and minorities are again persecuted, this time some other books have to be burned, some other dissidents have to be imprisoned, and some other minority persecuted.

How would you justify this evidently paradoxical situation to the alien?

The objective answer lies in research done by individuals who can detach themselves from their society, think outside the box. I quote here the

German professor of sociology Dr. Robert Hepp, who has done some research and experiments on the issue of the taboos of “primitive” as well as “progressive” societies in order to be able to compare the two. Here is the summary of what he has found out:⁶

“Occasional experiments that I have conducted in my seminars convince me that ‘Auschwitz’ [the most well-known site of the Holocaust] is strictly ethnologically speaking one of the few taboo topics that our ‘taboo-free society’ still preserves [...]. While they did not react at all to other stimulants, ‘enlightened’ central European students who refused to accept any taboos at all, would react to a confrontation with ‘revisionist’ [denialist] texts’ about the gas chambers at Auschwitz in just as ‘elemental’ a way (including the comparable physiological symptoms) as members of primitive Polynesian tribes would react to an infringement of one of their taboos. The students were literally beside themselves and were neither prepared nor capable of soberly discussing the presented theses. For the sociologist, this is a very important point because a society’s taboos reveal what it holds sacred. Taboos also reveal what the community fears [...]. Basically, a ‘modern’ society does not react differently to violations of taboos than does a ‘primitive’ society. Violating a taboo is generally perceived as ‘outrageous’ and ‘atrocious’ and produces spontaneous ‘revulsion’ and ‘horror.’ In the end the perpetrator is isolated, excluded from society, and himself ‘tabooed.’”

That’s the explanation you should to give to your alien visitor: minorities have to be persecuted and their books burned because they have violated a taboo. This does not require any further justification. As a result, the alien would probably consider human societies to be primitive, and rightly so, as Prof. Hepp’s research results have clearly revealed.

How exactly does one taboo a minority in a “modern” society to such a degree that merely mentioning them triggers revulsion, horror and disgust? How do you get to the point in a “modern” country like Germany where almost everybody agrees that such a minority has to be persecuted, censored and thrown into the dungeons?

Very easily. During medieval times, you called such persons witches, and all the rest followed automatically. That persons so stigmatized were no witches at all was not revealed, because the topic was taboo, the victims tabooed.

Today we call persons “Nazis”, and exactly the same psychological mechanisms of automatic and generally accepted ostracism and persecution kick in.

⁶ Robert Hepp in: Eibicht 1994, Note 46, p. 140 (vho.org/D/diwald/hepp.html).

Now you may ask, am I against punishing Nazis?

In turn, I ask you: Are you against punishing witches?

What I am trying to point out with this question is the fact that you are asking the wrong question. Nobody deserves being persecuted or punished because some stereotype has been attached to them.

The issue is not whether I am opposed to punishing people who have committed crimes. Whether the ideological background of that crime, if there is any, was witchcraft, black magic, devil worship or National Socialism does not matter at all. The issue is whether someone called a “witch” or a “Nazi” has committed any crime to begin with.

Today’s western societies, and the German society leading among them, have reached a point where curtailing civil rights is justified for the sole reason that this infringement is directed against “Nazis” (or anti-Semites, for that matter). If that is the justification, the public at large is quick to accept that infringement. No one asks anymore whether the individuals who have been slandered, ostracized and cast to the wolves in this way, have done anything to deserve such a punishment.

That’s what my book is about. It shows the many facets of the mechanism which turns innocent people into social pariahs, muzzles them, defames them, drags them into courts of law, sentences them in show trials, punishes them, incarcerates them, ruins their professional existence and turns them into social lepers, with the mass media standing by applauding, and the society at large gawking with satisfaction that once more a dangerous sorcerer (or “Nazi”) has been hunted down successfully.

I wonder whether even a single politician will ever grasp upon which dangerous, monstrous path their society is moving.

In the name of the more than a quarter million Germans who had to suffer criminal investigations for peaceful expressions of their opinions since 1994 – evidence for this can be found in this book – I will not give up hope that one of these days light will shine once more in a country that has, with many other countries, slipped back into the dark Middle Ages.

Germar Rudolf
Red Lion, December 2016

Only dead fish always go with the flow.

1. What Makes Revisionists?

Bavarian Nostalgia

During the early 1980s, in my last three years in high school, I developed a passion for everything Bavarian: the soccer team *Bayern München*, Lederhosen, the dialect, and, of course, the Bavarian Party, the *CSU*,⁷ which exists in Bavaria only. I also became a fan of Franz-Josef Strauß, who for many decades was chairman of this party and became kind of a symbol for everything Bavarian. I surely would have joined the *CSU*, also because of its strong conservative views, but unfortunately this party was open only to those residing in Bavaria, where I never lived.

At that time, I also joined the youth organization of Germany's semi-conservative party *CDU*,⁸ but was active only a short time, because when my university studies took me to Bonn in 1983, I suspended all political commitments for the time being.

When I started to study chemistry at the University of Bonn in the fall of 1983, Bonn, at that time the capital of West Germany, was a hotbed of anti-government demonstrations mainly by leftist students. The German federal government, led by the *CDU* and *CSU*, had agreed to the stationing of Pershing middle-range nuclear missiles in Germany by the U.S. armed forces, and also planned a census of the German population. Both infuriated German leftists, who were strongly opposed to any foreign military presence in Germany and to any governmental intrusion into the privacy of German citizens.⁹ I, on the other hand, took the position held by the Ger-

⁷ *Christlich Soziale Union*, Christian Social Union.

⁸ *Christlich Demokratische Union*, Christian Democratic Union. They actually refused to be called conservative, and rightly so, since only a minority of their members has conservative views, the majority having quite liberal views. The *CDU* has no section in Bavaria, where the *CSU* stands in for it, though the Bavarian *CSU* is more conservative than the "Prussian" *CDU*.

⁹ Today the German government consists of those who protested against such politics in the 70s and 80s, and as was to be expected, they now do even worse than what they protested against: They wage war in Serbia and Afghanistan, and they are increasingly dismantling the Germans' civil rights.

man federal government led by the *CDU/CSU*, arguing *for* the census and *for* the stationing of U.S. nuclear weapons to deter the Soviets.

However, my involvement was abruptly curbed when *CSU* Chairman Strauß engineered a one-billion-deutschmark loan to communist East Germany, a deal that contradicted everything Strauß heretofore had stood for, in particular the principle that one should never do business with the totalitarian powers of the East, unless some reciprocal benefit was forthcoming. The reciprocal benefit here, however, was largely symbolic in that East Germany's communist government promised to remove the "robot" machine guns on the intra-German border that automatically killed or maimed every German trying to pass from totalitarian East Germany to "golden" West Germany. These atrocious weapons were indeed removed subsequently, but this was accompanied by the construction of a second border fence farther inward. As a result, the inner-German border became even more impenetrable. Hence, Strauß's deal did not lead to any humane relief for the East Germans, but instead stabilized East Germany's economy, thus delaying its – as we know today – unavoidable final collapse for a few more years. From today's perspective, my criticism at the time was entirely justified. But at that time, it was merely the opinion of a small minority that was the subject of ridicule – it was a "peculiar view."

First Jail Experience

In October 1983, I had joined a Catholic student fraternity, founded in Königsberg (East Prussia) in the late 1800s, but relocated to Bonn after WWII. At the end of WWII, almost the entire German population of East Prussia either fled, was murdered, or was expelled by the invading Soviets, who divided this old German province in two parts, annexing the northern part and giving the southern part to Poland. In 1984, a "brother" of this fraternity persuaded me to accompany him on a trip to Czechoslovakia in February of that same year. This fraternity brother was a student of Catholic theology and had adopted the cause of the suppressed Catholic Church in then-still-Stalinist Czechoslovakia. Also, he had acquaintances there, and his parents were from the Sudetenland, a once purely German border region of Czechia, from where most Sudeten-Germans had been expelled or murdered after WWII by the Czechs. This fraternity brother of mine believed in and fought for the rights both of the small Sudeten-German minority still living in Czechoslovakia and for the expelled Sudeten Germans, most of whom had resettled to Bavaria and Austria after WWII.

With the knowledge and support of the Catholic Church, we attempted to smuggle theological and political books as well as a photocopier to a Catholic congregation in Prague. Our political literature included, for example, a Czech edition of George Orwell's *1984*, which was forbidden in the then Czechoslovakian Socialist Soviet Republic. Although the books arrived at their destination, the photocopier was discovered at the border, and my fraternity brother, another person traveling with us and I were arrested and transferred to a jail in Pilsen in the west of Czechoslovakia. After two weeks of nervous waiting, without any contact with the outside world, during which I was interrogated twice, I was told I could leave. My fraternity brother, however, was later sentenced to a year's imprisonment. He was kept in prison for ten months until Christmas time 1984, when German Foreign Minister Hans-Dietrich Genscher intervened and managed to get him released early.

Justice, Not Brute Force

For many others, this experience might possibly have convinced them to leave controversial topics well enough alone. For me, it was the opposite. When I find that I have been the victim of injustice, my reaction is to fight until amends are made.

It was at this time that I became familiar with the dark side of the Communist dictatorship. I swore to myself in prison, once I was set free, I would combat the evil of Communism.

During the following year and a half, I became more involved with those who had been the victims of expulsions: first, because my father had been expelled from the east German province of Silesia, together with millions of German compatriots (after WWII, Silesia was annexed by Poland and is now its southwestern part); second, probably as a result of memories of the fraternity brother mentioned above; and third, from the conviction that the expulsion and persecution of Eastern Germans by the communist dictatorships of Czechoslovakia, Yugoslavia, Poland, and the USSR was one of the greatest crimes in history, a crime which ought never be forgotten, trivialized or minimized, approved or justified. Parallels with the arguments incessantly made in regards to the persecution of the Jews inevitably come to mind.

First Political Thoughts

The year 1985 was marked by two events:

First, the so-called Engelhard¹⁰ Law was discussed and finally enacted, according to which the act of disputing, diminishing, or justifying the subsequently defined “crimes” of the National Socialist regime, or any other tyrannical regime, will be prosecuted automatically, without anybody needing to file a complaint. The original intention of those who started this discussion – the leftist Social-Democrats – was to make it easier for the legal system to prosecute “Holocaust deniers,” without the necessity of a complaint by some Jewish individual or organization. Certain segments of Germany’s semi-conservative party – especially those lobbying for the German expellees – demanded that this law should also apply to anyone minimizing or justifying the crimes of other dictatorships, for example, those who minimized or justified the criminal postwar expulsion of Germans from eastern Germany and eastern and central Europe.

In this discussion, I vigorously took sides on the wing of the conservatives often disparagingly referred to as the “steel-helmet faction.” By then, I had frequently experienced that those working and arguing on behalf of the German expellees are confronted with the argument that the Germans in general and the German expellees in particular have no right to insist on their claims, even where they are supported by international law.

After all, since Germany under Hitler had wanted war and started war, and since so much guilt had accumulated as a result of the “extermination” or “intended extermination” of the Jews and Slavs, any subsequent crimes committed against Germans by the peoples of Eastern Europe must be viewed as mere recompense. One had to take this view for the sake of a peaceful life. But by so doing, crimes committed against Germans by non-Germans are considered to constitute a counterbalance to German crimes against other nationals, and are thus accepted as “fair punishment.” This is common practice; it is a matter of good conduct in Germany to see it this way. But you will be sorry, should it ever enter your mind to turn this argument around and compare and counterbalance German crimes, actual or alleged, with those of other nationalities. This is, of course, *verboten!* In fact, continual reminders of German crimes, whether true or not, were and are still used to suppress any memory of crimes committed against my own people, the Germans, or to discuss justified claims resulting from Allied wartime and postwar crimes.

¹⁰ Named after the then German Secretary of Justice.

No Doubts about the Indisputable

Certainly, it would have been possible to try and dispute these German crimes, actual or alleged, as a means of overcoming the obstacles of discussing the crimes committed against Germans. But this course of action was not open to me, since I could neither argue nor act against my strongly held convictions. I was a firm believer in the standard historical account of the extermination of the Jews. This approach was therefore closed to me – it did not even occur to me as a theoretical possibility. The only available way was to take the position that two wrongs don't make a right, and no good could ever come of a wrong. This applies to the National Socialist persecution of the Jews as well as to the expulsions of the Germans.

Tackling the *Zeitgeist*

The second significant event of 1985 was my joining a political party called *Republikaner* (not to be confused with the U.S. Republicans). I made contact with this party through my involvement with the youth branch of an organization of Silesian Germans. At that time, these *Republikaner*s were relatively unknown, and their members were thought of as conservative patriots, but not as right-wing radicals. I discovered that this party had originated from a split with Bavaria's conservative party *CSU*. The reason for some members of the *CSU* to leave this party and form their own was dissatisfaction with the mediation of the billion Deutschmark loan to communist East Germany by *CSU* chairman Franz-Josef Strauß, as already mentioned. The party appeared to me as a kind of nation-wide *CSU* – minus the fear and trembling in the face of the Eastern bloc, and minus the marked patronage of offices and blatant corruption which was noticeable already then.

At first, I thought that this was just the party I had long been looking for, at least with respect to German national politics. However, their handling of the subject of immigrants repelled me, because as a Catholic I was very sensitive to programs or ideas that appeared to be motivated by hostility to foreigners.

An Anti-fascist Climb-down

The year 1986 was marked by two events as well:

First, I came to realize that the *Republikaner*s, at least in the Bonn-Siegburg districts where I was a member, were mostly a collection of hard-core right-wingers who had been expelled from East Germany after WWII.

At the only membership meeting that I attended, it was obvious to me that they could not find anything more important to talk about than the question of whether and to what extent West Prussia¹¹ was German, and whether territorial claims to it could be asserted. This complete detachment from political reality, accompanied by a failure to recognize that which was politically necessary at the time the world was debating the reunion of West and East Germany, contributed to my decision to leave the party.

The most compelling reason for my decision was a recognition that the party included more than a few former members of the right-wing radical party NPD,¹² with whom I wanted no contact. After a membership of half a year, I left the party in early or mid-1986.

The second event that I want to mention took place in January 1986, at a convention to celebrate the 115th anniversary of the founding of the German Reich in 1871, organized by the student fraternity *Verein Deutscher Studenten* (VDS_t, Association of German Students), and held in Frankfurt. It was at this convention that I first learned that the VDS_t Frankfurt was a nationalistically oriented student organization. And it was after this event, while sitting at the fraternity's bar, that I had a long argument with a student member of this organization who claimed to be a member of the nationalist party NPD. The subject of our argument was the extermination of the Jews. He maintained that the established description did not fit the facts, and that there were not, in reality, six million victims, but three million at most. I was appalled by this manner of argument, and will explain why.

Repugnant Numbers-Juggling

First, there was the natural repugnance aroused by a line of argument which tended merely to diminish a few numbers, although the issue is not really the actual numbers, but the intention behind the deed. My belief at that time was that Hitler had planned to exterminate the Jews, and had done whatever he had been able to to accomplish this goal. The actual "how" and "how many" were of secondary importance.

From the student's way of arguing, it was clear that he had strong political motives for his way of thinking. He spoke of the use of the "Auschwitz bludgeon" against the political right, and in particular, against his party. His mixture of political objectives and scientific argumentation made me skeptical. I could not take his arguments at face value, because I was una-

¹¹ An area given over to Poland after World War I.

¹² *Nationaldemokratische Partei Deutschlands*, National Democratic Party of Germany.

ble to trust him. I silently reproached him for his political motivations, believing that he was no longer willing or able to distinguish between truth and falsehood, between the justified and the unjustified.

I have forgotten his exact arguments and conclusions. Perhaps I do him an injustice, but I still retain a distaste for his unbending, politically-motivated way of thinking. It is possible that this is merely an impression I had because at the time I thought of all *NPD* members as extremists with ill intentions. It is therefore possible that it wasn't the *NPD* member who had a distorted view of things, but rather that I saw him distortedly by my own prejudices. That question will never be answered.

Politics Prevents Doubt

What can we conclude today from that incident? Although I had dealt with this Holocaust “denier” and was well aware of the reality of the political misuse of the “Auschwitz bludgeon” against the political right or right-wing-oriented people, this did not lead to my doubting the veracity of the usual historical narrative of the National Socialist persecution of the Jews. The reason was that I could not, and cannot, take seriously any position maintained for obviously or merely imputed political reasons.

In the years that followed, I devoted myself chiefly to my University studies; in 1986, I had entered the demanding graduate phase of my studies with subsequent preparation for the *Diplom* examination.¹³ During this period, I abandoned all political activity and withdrew from my work with German-refugee organizations and with my student fraternity. This was due not only to my academic work load, but also because I had had my fill of nonsense and no longer cared about activities which were partially unrealistic and mostly useless.

Turks into the “Gas Chamber”?

The pressure let up in the year 1989, as I had just completed my *Diplom* examinations and therefore enjoyed some free time for different intellectual pursuits. The same year was also marked by two significant events.

The first event was the elections to the Berlin Chamber of Deputies, during which the *Republikaners* gained their famous (or infamous) entry into the city's parliament. Like most people, I was completely surprised by this outcome, since I had lost almost all contact with this party. But in con-

¹³ Regarding its difficulty, the German *Diplom* used to be almost an equivalent to an Anglo-Saxon PhD.

trast to most other people, I had some idea of what the *Republikaners* were and were not. The horrifying media witch hunt against this party immediately following the electoral success infuriated me. Characteristic of this witch hunt was the question posed by a journalist on election eve to Bernhard Andres, then party chairman in Berlin, as to whether the *Republikaners* wished to do to the Turkish immigrants what Hitler had done to the Jews. That was when things turned sour. It was clear to me in the flash of a moment's insight that I would rejoin the *Republikaner* out of pure defiance and democratic solidarity, even if I was displeased by some things about this party. One could take or leave a few isolated party positions as one wished. As long as the party was in compliance with the German constitution, it was entitled to treatment on the basis of equality.

Of course, nothing that has happened since then bears any resemblance to democracy. Party meetings were regularly harassed or prohibited, although Germany's constitution guarantees the freedom of assembly as a "basic right." The print and electronic news media were instructed to report nothing but negative information about this party, a fact not in conformity with the standards of ethics of the news media to report the news with objectivity, not to mention that such truthful reporting is even the legal duty of the publicly funded media.

The establishment parties placed the *Republikaners* beyond the pale of democracy and constitutional politics. It was therefore those establishment parties that had violated the constitutional right of the *Republikaners* to equal treatment, as well as to the freedoms of expression and assembly.

Fired for Being Loyal to the Constitution

One of my close friends, a long-time member of Germany's semi-conservative party *CDU*, had recently completed his studies in civil administration and was assigned to the city government of a large city in Saxony for his internship. He then received orders from his supervisor, a *CDU* member, to prohibit the planned regional party convention of the *Republikaners*. Since it was his specific duty as a civil servant to respect the provisions of the German constitution, he refused to obey these orders on the grounds that the *Republikaners* were a legally constituted party, the unconstitutionality or undemocratic nature of which remained unproven. Therefore, in accordance with the principle of equal treatment for political parties, as well as with the rights of free assembly and with respect to the duty of democratic parties to hold regular member meetings, their party convention could not lawfully be prohibited.

The consequence of this disobedience was that my friend was told that he would not be able to complete his internship. To avoid forced termination during this period, my friend agreed to a termination agreement to become effective subsequent to his internship. His concomitant attempt to fight the agreement in the Labor Court naturally failed. In Germany, those who defend the constitution are dumped on the street, while those who continually violate the constitution enjoy offices and power, and the mass media cheer them on.

“Reprehensible” German Unity

I need to discuss another reason for my rejoining the *Republikaners* in 1989. My belief that one should hold fast to the unity of the German Fatherland has never changed. The left-wing German party *SPD*¹⁴ had abandoned the goal of reunification in the mid-1970s, while the left-wing radical *GRÜNE* (Greens) had always supported the division of Germany into two independent states. The small liberal party *FDP*¹⁵ followed in the mid-1980s with their support for two independent German states, and towards the end of the 1980s, even within the semi-conservative *CDU* calls to put off the German reunification continually became louder and louder. In this connection (I believe it was in 1987), I remember the commentary of Dr. Helmut Kohl, then leader of the *CDU* and German chancellor, on a position paper of a certain *CDU* member of Parliament, Bernhard Friedmann. Friedmann had suggested taking a number of steps in order to prepare for a soon-to-come German reunification. Dr. Kohl described this as “blooming nonsense.” After 1983, when the semi-conservative/liberal *CDU/FDP* coalition replaced that of the socialist/liberal *SPD/FDP* government of the decade before, the new government led by Dr. Kohl actually *dissolved* all governmental departments in charge of administrative preparations for a German reunification. The left wing of the *CDU*, spearheaded by personalities like Rita Süßmuth, Heiner Geißler and Norbert Blüm, campaigned openly for dual statehood. In the summer of 1989, the Federal Council of the *CDU* youth organization *Junge Union* (Young Union) took the initiative to recommend the deletion of the political goal of German reunification from the party program of the *CDU* – just a few months before the Berlin Wall fell and Germany actually was reunified!

Now that Germany is reunited, a devastating judgment must be passed upon all German established political parties with regards to their political

¹⁴ *Sozialdemokratische Partei Deutschlands*, Social-democratic Party of Germany.

¹⁵ *Freie Demokratische Partei*, Free Democratic Party.

competence. From the standpoint of the present, the *Republikaners* were the only party – of those involved at the time – with a correct estimation of the historical and political forces, even if they were subsequently booted out by the turncoats against reunification. I was in the party because all the other parties had abandoned, or were about to abandon in an absolutely unconstitutional manner, the principle of reunification, a principle laid down in the preamble to the German constitution as the main *raison d'être* for West Germany.

It is significant also that my membership in the *Republikaners*, which ended in the summer of 1991, was later used by the District Court of Stuttgart as an indicator of my political mania – in full knowledge of what I have just described. Nowadays, support for the maintenance of constitutional political principles is deemed reprehensible, if not outright illegal. Further comments are superfluous.

Ready to Go into a New Era...

The young people who streamed into the *Republikaner* party at that time wanted to do something for German reunification, since this was impossible in almost any other political party. Former members of the *CDU*, the *SPD* and the *FDP* joined, as well as people from right-wing splinter parties and many people who had never been in any party at all. It was a motley group resulting in an unholy chaos. But among us students in Frankfurt, where I completed work for my diploma thesis and later performed my compulsory military service,¹⁶ this plate of mixed greens was intellectually very fruitful. In the newly founded *Republikaner* university organization, we had one former member of the liberal party *FDP*, one from the socialist party *SPD*, one from the conservative ecologist party *ÖDP*,¹⁷ three from the semi-conservative *CDU*, and many who were active for the first time. During this time, we were flooded with new ideas and discussed controversial issues as never before.

In this Frankfurt period, which ended in late 1990, I read nearly 200 books, mostly during my “Sad Sack service” in the *Bundeswehr*: I read right-wing and left-wing books, books from the middle of the road, and books without any political viewpoint. It was one of the best times I have ever experienced. It was like preparing for an intellectual break-out.

¹⁶ In Germany at that time, military service was compulsory for all men physically fit to do so.

¹⁷ *Ökologisch Demokratische Partei*, Ecological Democratic Party.

...but Instead to the Sidelines

Our interest in involvement with the *Republikaner* party disappeared due to the fact that it was extremely anti-intellectual, both in its ranks and leadership. We had to let ourselves be mocked and called greenhorns and academic egg-heads by other members, and the work of our high-school organization was torpedoed by the *Republikaner* leadership, which led to our resignation. From 1990 onwards, the *Republikaner* party has concerned itself mostly with internal conflicts; since every initiative for constructive work was received with malicious criticism, I resigned in the summer of 1991, about nine months after my relocation to Stuttgart in order to start my PhD studies.

A Concentration-Camp Inmate...

Now back to the question of how I became a revisionist. Certainly in the beginning of my second involvement with the *Republikaners*, I was repeatedly confronted with the the so-called “Auschwitz bludgeon” used against both “my” party and myself. I mentioned above the scandalous question of the journalist after the Berlin election, a question which was used continually to suggest that the *Republikaners* – after they had seized power – intended to “gas” the Turkish immigrants residing in Germany. Wouldn’t it have been easy to have introduced the idea of disputing the Holocaust at such a time?

I had an opportunity to do just that in the spring of 1989, when one of my friends, who had left the “liberal” *FDP* shortly before to join the *Republikaners*, addressed the Holocaust issue in one of our discussions. He recommended that I read the book *Was ist Wahrheit* (“What Is Truth”), by the socialist Frenchman Paul Rassinier. This may be regarded as the first fully revisionist book ever published. It deals with the supposed extermination of the Jews from the point of view of a former member of the French Resistance who had been incarcerated by the Germans in several concentration camps during WWII.

The remarkable thing about the book is its author. Since he was incarcerated in several concentration camps as a member of the Resistance and was a pronounced left-winger – after WWII, he was a short-time member of the French parliament for the leftist socialists – he could not be accused of wanting to whitewash anything or of having any kind of political agenda. Written in a factual and balanced style, the book was easy to read; we discussed it, and that was all. I felt no need to devote myself further to the subject, either through the examination of further revisionist or establish-

ment literature or through undertaking my own investigations. If there had ever been a political reason for an involvement with Holocaust revisionism, it would have been when I was throwing myself intensively into debates on behalf of the *Republikaners*.

...a Neutral Swiss...

The cause of my interest in the Holocaust problem, beginning in the fall of 1989, came from quite another source, one that was only indirectly political and which had nothing to do with the *Republikaners*. In the fall of 1989, I bought the book *Der Nasenring: Im Dickicht der Vergangenheitsbewältigung* (“The Nose Ring – In the Thicket of Coming to Terms with the Past”) by the Swiss political scientist Dr. Armin Mohler. I had already received an earlier edition of this book as a gift from my mother in the mid-1980s. This earlier edition was the result of an assignment given to Mohler by a semi-official institute of West Germany. Mohler had been asked to study how and when German attempts to come to terms with their National Socialist past – originally for purely moral reasons – became a weapon in day-to-day political discussion and intrigues.

That the German “coming to terms with the past” could lend itself to misuse for dirty schemes is obvious. From my own experience, I can think of three notable cases where prominent German personalities were driven out of office and their reputations destroyed by political and media smear campaigns. In such cases, the media and/or competing colleagues either uses (allegedly) “blots” in the résumé of the attacked individuals’ WWII history, or they distort and/or instrumentalize “politically incorrect” statements certain individuals made in public or private about Germany’s WWII past.¹⁸ Whatever the résumé or the statements about the past of the victims of these campaigns were, the treatment which they receive by colleagues and the media must arouse the suspicion that the German past is being used today as a weapon of political intrigue against competitors in one’s own political party, in other parties, or in general against any unwelcome professional competitor.

In the early edition of Mohler’s book, the question of how accurate the historical narrative is that hides behind the “coming to terms with the past” is discussed only peripherally. In the new edition, however, which I read in the fall of 1989, Mohler goes into this question very thoroughly and thereby naturally brings up the question of the validity of historical revisionism – something which became clear to me only while reading the book.

¹⁸ The names of those persons are: Hans Filbinger, Philipp Jenninger, and Werner Höfer.

That I got hold of this book was due not so much to its contents, which I previously knew nothing about, but more due to my interest in the analyses of a Swiss political scientist, someone writing from what I considered to be a neutral position.

...and an Apolitical American...

This Swiss author also reported about an American study on the alleged “gas chambers” at the Auschwitz Concentration Camp. This study, said Mohler, had been prepared by a U.S. expert in execution technologies, who had come to the conclusion that there had never been any gassings with poison gas in Auschwitz. One of his main arguments was the absence of traces of the supposedly used poison gas in the walls of those locations identified as homicidal gas chambers. Since this was quite an intriguing argument, I decided to order a copy of this study, for which Dr. Mohler even provided an address in his book.

The factors necessary to compel me to get to the bottom of the problem were therefore:

- the reporting of an author I considered to be politically neutral
- about a study by an apolitical non-partisan U.S.-American
- on an investigation in a discipline in which I was just about to complete my diploma examination: Chemistry.

...Enabled Me to Doubt

At that point, I was ready to put to the test my hitherto-held opinion on the correctness of the established Holocaust dogma, because I had been presented with arguments from politically neutral persons that I could examine by means of my technical skill.

In late summer 1989, I received an English-language copy of the so-called *Leuchter Report*, which was the study mentioned by Dr. Mohler, and I read and translated it into German immediately. But the report did not convince me entirely, because it was inexact at points and contained sloppy errors, as I described in a letter to the editor published in the small right-wing monthly newspaper *Junge Freiheit* in 1990. But the *Leuchter Report* had embedded the thorn of doubt in my side. I must now explain what that meant, since therein lies the real reason for my involvement.

Do Only Morons Doubt?

It is generally known that none of the world's religions reproaches its adherents for doubting the faith. Religion teaches us that to doubt is human and therefore acceptable. One who doubts is not guilty as a result.

After reading the *Leuchter Report*, I began to doubt whether the historically accepted view of the events of the Holocaust was correct. I nevertheless felt guilty, because in western societies we are indoctrinated from early childhood on that the orthodox Holocaust narrative is the purest truth, and that those who doubt or deny this are evil or insane: extremists, Nazis, Jew-haters, racists, weak-minded, morons, idiots, fruitcakes, cranks, crooks, anti-Semites, and so forth.

Yet, through a purely chemical argument, the thorn of doubt had been deeply embedded in me, and I could only get rid of it only by facing it squarely. I doubted, and felt guilty for doubting; yet I knew that it is not right to feel guilty for doubting.

From Pole Star to Shooting Star

Religions expect their adherents to believe in certain dogmas, but they do not demand doubters to feel guilty. At least the same must apply to science, where doubters should not be expected to feel guilty either. Here I was confronted with chemical-historical questions, and ideally speaking, science should know no dogmas, no compulsion to obedience, and no punishments for those who contradict the prevalent paradigm.

I therefore asked myself, why do western societies guard the Holocaust dogma closer than any religion does its own dogmas? The reason is certainly that western societies, and in particular German society, regards the Holocaust as one of their moral foundations. This I have explained elsewhere, in the book *Dissecting the Holocaust*. The German elites almost uniformly maintain that the health and wealth of the German Republic depend on the observance of the current orthodox Holocaust narrative. In the German Federal Republic, we are raised with the conviction that the Holocaust is the moral pole star of our world-view, with respect to which everything else must be oriented.

That was my own unconscious belief until I began to question the standard historical version of the Holocaust. When these doubts surfaced, I was confronted with the possibility that the pole star might turn out to be only a meteor, that everything which I had considered fundamentally true may in reality be false.

Motivations

Here then are the reasons I have dedicated myself to revisionism:

1. Because of my upbringing, I felt bad merely for doubting. I knew something was wrong with a society that instills guilt feelings in its members simply because they dissent. The Holocaust is the one area, and almost the only area, where one is admonished to accept facts blindly; not to think critically. But we are taught to question practically everything else, even that which is kept in high regard, such as the reality of God, or sexual intimacy. In contrast to that, we are primed to be docile subjects and kept fearful of any transgressions with respect to the Holocaust. That angered me back then, and still it angers me now.
2. Because of my doubts, my entire outlook on life became shaky. I was no longer certain what was correct or incorrect, who lied and who told the truth. The eternal conflict of good and evil was revived in me. The question where the truth could be found concerning the Holocaust was so important that I knew I could only recover my peace of mind by finding out for myself, personally, where the truth lay. I wanted to rid myself of uncertainty one way or the other.
3. There is no scientific area in which those who hold dissident opinions are persecuted more mercilessly by the “ruling order” than that of revisionism. That is probably why most people don’t want to touch it, and most avoid it by convincing themselves that the subject is not relevant to current problems. But for me, this draconian persecution is the best proof there is that this is a crucial subject, because the powers that be regard it as absolutely pivotal that nobody challenges this taboo. Comprehensive and critical research in this area is therefore very important for scientific, political and social reasons.¹⁹
4. The treatment of revisionism and its proponents in areas of science, journalism, politics and law is a scandal worldwide – it demands redress.

Almost Stopped...

Up to the beginning of my PhD studies in the fall of 1990, I had read only two books on the subject: Wilhelm Stäglich’s *The Auschwitz Myth* and the book by Kogon and others entitled *Nazi Mass Murder*.

¹⁹ See also my paper “Wissenschaft und ethische Verantwortung,” in Molau 1995, pp. 260-288.

After reading these books, I collected information on the so-called Zündel trial in order to find out what arguments had been made there. I had discovered in winter 1989/1990 that Zündel, who had commissioned the *Leuchter Report*, was an admirer of Adolf Hitler. This revelation had the equivalent effect of a kick in the stomach, because now I had to deal with the possibility that the *Leuchter Report* was not the independent report of an apolitical U.S. technician, but merely the instrument of a German-Canadian Neo-Nazi. But such considerations could not remove the points made by Leuchter, and therefore could not remove my doubts about the historical picture.

In other words, I fully realized that a fact-oriented argument remains a fact-oriented argument – and needs to be treated as such by the examining scientist – even if it came from somebody who stated the facts for political reasons.

...but Then Getting into Gear

I began my own research into this area at the beginning of 1991, at first out of pure personal curiosity regarding the pigment Iron Blue. This pigment could develop in walls of buildings exposed to hydrogen cyanide, which in turn is the active ingredient in the infamous Zyklon B. If that pigment had formed in such walls, the question was whether it was sufficiently stable to still be there today for a chemical analysis. After I managed to substantiate this pigment's astounding long-term stability, I next focused on the question if, when, how, and under what circumstances this pigment could develop in walls of different compositions.

A revisionist had read my letter to the editor of *Junge Freiheit* in 1990, mentioned above, and after a phone conversation, he sent me a list of addresses of persons and organizations – almost all of them unknown to me.

After I had sent out my first research results in spring 1991 to this list, I was contacted by one person on that list, a friend of ret. Major General Otto Ernst Remer, a retired Wehrmacht officer. At that time, Remer was engaged in publishing political pamphlets, some of which made quite blunt revisionist statements, which had led to several criminal prosecutions against him. Because of this, his friend who had contacted me and the Düsseldorf lawyer Hajo Herrmann, a well-known former *Luftwaffe* fighter pilot who was now Remer's defense attorney, were looking for an expert to support Remer's revisionist claims.

At that time, it even appeared to be possible for me to work jointly with the *Institut für Zeitgeschichte* (Institute for Contemporary History), an

official German left-wing historical institute, whose address was on that list as well. However, they never responded to my letters, apparently because they were not interested in the technical-scientific aspects of the issues.

In summer 1991, I decided to leave the *Republikaner* party. I have already given the reasons for my decision. An additional and decisive motivation was that I did not want my involvement with revisionism to be interpreted politically because of my membership in a party, or that my scientific activity in this controversial area would lead to a conflict with the political goals or principles of any party.

Sheer Horror...

I should mention another reason that may be helpful toward understanding my involvement. Until my first trip to Auschwitz-Birkenau, I had had no exact idea of the condition of the camp's former crematoria, in which some of the homicidal gas chambers are said to have been located. I had no idea, therefore, whether it would actually be useful to undertake technical or chemical research. Before my first trip, I had thoroughly prepared myself as to what I might expect with respect to the material remains of the claimed gas chambers, if the generally accepted reports of mass gassings at the Auschwitz-Birkenau Camp are correct. For example, it was clear to me – if one was to believe the witnesses – that the roofs of the morgues of Crematoria II and III should show three or four holes through which Zyklon B is said to have been thrown into the room.

On August 16, 1991, I stood on the roof of Morgue #1 of Crematorium II at Birkenau. This location is commonly regarded as the homicidal gas chamber with the highest death toll of any murder weapon of the Third Reich. The roof of this room was in various stages of collapse, yet large sections were still held together, and they partially rested on supporting columns. Yet in that roof I could not find any traces of these holes. SO how do you pour Zyklon B through non-existing holes?

At that moment, it struck me like a lightning bolt out of the blue Polish sky. What I had merely doubted so far became sudden certainty. No holes, no murder. It was that easy. But why couldn't anyone else see that? Why has the entire world been blind to the obvious? Did I live in a world of madmen? In turn, I suddenly felt certain that I had been horribly duped by a judiciary which had never thought it necessary to make any special technical examinations of the alleged crime scene. I had been lied to by all the politicians of the world, who to date had failed to assemble even the most

minuscule investigation commission. I had been deceived by the innumerable “Holocaust historians” who to date had not deemed it necessary to make any investigation of the camps of Auschwitz or elsewhere, examinations which paleontologists and historians of antiquity have undertaken on the sites of ruins and other remains of ancient settlements. And I felt betrayed by the natural scientists and engineers of the world, who swallowed any and every story whatsoever from the “witnesses” without so much as a murmur that the material remains, the supposed crime scenes, and the witness testimony itself should be subjected to some rudimentary scrutiny.

...Leads to the Collapse of a World View

On this 16th of August, 1991, my world view collapsed, and I swore to do whatever I could to advance clarification to this complex of questions. I will only abandon my position when my doubts are either confirmed or refuted through convincing scientific arguments in a fair scientific discourse. Use of force will never change this position. On the contrary: it fortifies my conviction that I am right, because only he who lacks arguments must use force. And since I have been chased all over the world ever since by all sorts of governments with brute force, I now know that I must be right.

The Eros of Cognition

In time, a further motivation was added to those mentioned above, namely what I call the “Eros of Cognition.” Whoever calls himself a scientist and has not experienced this, is not, in my opinion, a real scientist. The excitement of taking part in decisive scientific research and discoveries, to push things forward which one knows are new and even revolutionary, the consciousness of standing at the forefront of exploration and discovery, and helping direct “whither the ship of discovery goest”— those are things that one must experience first-hand in order to understand what the “Eros of cognition” is.

“Every era has its taboo. Even we reeseachers have to observe the taboo of our era. We Germans may not address this topic [the mass extermination of the Jews], others have to do this. We have to accept that we Germans have less rights than the others.”

Prof. Dr. Arndt Simon, managing Director
at the Max Planck Institute for Solid State Research,
Stuttgart, to Germar Rudolf, May 3, 1993

2. The Naiveté of a Young Revisionist

A Fleeting Acquaintance

In February 1991, I attended a seminar in Bad Kissingen which had been organized by a Sudeten-German youth organization – I was not a member, but had been invited for some unknown reason anyway. Toward the end of the seminar, I got to know another participant of about my age. He suggested that, before we depart, we pay a visit to retired *Wehrmacht* Major General Otto Ernst Remer, who lived in that town.

Remer, I was told, was the person who had suppressed the *Putsch* of July 20, 1944 against Hitler, and I was told he held fast to his views of that time. Our intended visit would be a little bit like a visit to a museum containing a living political fossil. I was curious, so I agreed, and off we went.

To a young man from a bourgeois home who had been fed a steady diet of anti-fascism, the living room of General and Frau Remer was eerie – Hitler busts, military decorations and all kinds of propaganda hand-outs caused a shiver to run down my spine. We were given a tour of the house by Frau Remer, and then treated to a showing of a video film that portrayed the events of July 20, 1944 from Remer’s point of view. Thus “enlightened,” we left for home after an hour or so.²⁰

²⁰ The Remer couple, by the way, could remember as little of this chance meeting as of the two subsequent occasions on which I met them, when I appeared as an unknown, unimportant person among a crowd. (Summer 1991: On the return from my first Auschwitz trip, I accompanied Karl Philipp on a brief visit during a reception on Remer’s 80th birthday. Philipp, who was a friend of Remer’s, was the person who had initially contacted me for an expert report. He then drove me to Auschwitz and ad helped me there. Later he also assisted me with all kinds of technical and infrastructural/logistical support.

Freedom to Witness

In summer 1991, when I was requested by Remer's attorney to prepare an expert opinion on the claimed homicidal gas chambers of Auschwitz for a criminal trial against his client, I was aware of the controversial background of the client for whom I would be acting. It was clear to me that there was a danger that imputations of Remer's political opinions and activities could sully the reputation of his expert witness, if the witness came to a "politically incorrect" conclusion. Yet I nevertheless decided to proceed for the following reasons:

- a. In a state under the rule of law, a witness, including an expert witness, cannot be punished for what he says before the court or for what he presents in writing to the court, if he does so in good faith and to his best understanding.
- b. The worst that can happen to an expert testifying to the best of his knowledge can occur in civil law, where an expert witness can be held liable only if it can be proven that he violated the rules and accepted practices of his profession in producing his report and in so doing caused someone bodily or mental harm.
- c. Therefore, when an expert witness through painstaking effort evaluates all available sources and interprets them in a technically sound manner, in good conscience and to his best understanding, then even if the conclusions of the expert report were wrong he could not be made liable for any effects thereof.
- d. Consequently, he could defend himself at law against any disadvantages that could result from the presentation of a controversial expert report, because a witness – here an expert witness – may not be made to suffer for having testified in good faith and to his best understanding.

Though I could see there were storm clouds threatening to come my way, I looked on them placidly since I believed that having the law on my side gave me the upper hand.

Autumn 1992: Dinner of the defense team during the trial against Remer, after the court had refused to accept me as an expert witness.) The Remers came to know me personally only in January 1995, when the Stuttgart District Court went to Spain to interrogate the Remer couple as part of the trial against me on account of the commentary that Remer had added to my expert report without informing me about it. Even then in Spain they needed to ask who I was. They got to know me fairly well only after I had fled to Spain in early 1996, where I resided for three months some 50 miles west of Remer's residence in exile.

May One Publish (One's Own) Expert Opinions?

It was intended from the beginning that the expert report arising from this request of Remer's attorney would be published. We even had a contract to that effect. Even though it is somewhat unusual to publish expert reports from judicial proceedings, it does happen on occasion when the subject is of public interest. Expert reports prepared for several trials against supposed perpetrators of violent crimes during the National Socialist era, for example, were later made available to the general public for educational purposes. The Frankfurt Auschwitz Trial is a prime example of this. The expert reports produced during this trial by scientists at the *Institut für Zeitgeschichte* were later published as a collection (Buchheim *et al.* 1964). Another prominent, more-recent example concerns the expert reports prepared by the defense in the 2000 London defamation trial of David Irving against Deborah Lipstadt and her publisher. All these expert reports are available online,²¹ and four of them have been turned into books (Evans 2001, van Pelt 2002, Longerich 2003, Browning/Matthäus 2004).

My report was ready for publication in spring 1992. The original document prepared for the court was enlarged by numerous substantial additions, and the layout was improved. In summer 1992, the German publishing houses Ullstein-Langen Müller and von Hase & Köhler showed active interest in the project. Dr. Fleißner, at that time head of the Ullstein-Langen Müller publishers, quickly got cold feet due to the controversial nature of the theme, despite initial agreement, but von Hase & Köhler wasted no time presenting me with a signed contract. The problem with this contract was that it did not contain any specification as to when the book should appear. This meant publication could have been put off indefinitely while my hands would be tied by this contract. When I pressed them to change this, they lost interest.

Waiting for the Doctor

Social and legal repression was a hint that the subject was a hot one, even when it was handled in a dry, scientific manner. On the advice of various people, I decided to postpone the publication of the document by a politically right-leaning publisher until after I had received my PhD degree.

Throughout 1992, the appearance of my report was awaited with increasing impatience among members of the European right-wing scene. It

²¹ www.hdot.org/trial-materials/witness-statements-and-documents

was expected that my report would contribute decisively to a breakthrough of historical revisionism.

Various people began to prepare openly for the coming publication. I regarded these activities with mixed feelings, and often needed to point out that my final exam to obtain my PhD degree was many months away.

In early 1992, I reckoned that I could receive the much-desired degree by the fall of that year. Because of the workload of my doctoral supervisor Prof. von Schnering, however, my final exam was postponed several times. Even though my PhD thesis was finished in late summer 1992, my supervisor Prof. von Schnering began reading it only in February 1993.

Various Distribution Activities

In the summer of 1992, I came into conflict with German-Canadian revisionist Ernst Zündel, because without my knowledge he gave out copies of the February 1992 version of my expert report which had been prepared for court use only. In November 1992, again without my knowledge, he went so far as to translate this outdated version of my report into English. He then sent me a copy of this translation and indicated that he would like to be reimbursed for his translation expenses of \$10,000.

I had a more pleasant experience with an attorney in Austria, Dr. Herbert Schaller. In February 1993, he asked me if he could have 100 copies of the report to distribute discreetly in Austria's high society. Up to that point, I had hand-made a total of 50 copies of the report by photocopier and by gluing in every single photo by hand. It goes without saying that this was rather laborious and time-consuming. I told the attorney that, since my doctoral supervisor had begun to work on my dissertation, I had no time to make 100 copies for him. However, I agreed that he could make photocopies from the one copy he had obtained from me, and that he could distribute those – on the condition that he do so as discreetly as I myself had done already without accompanying commentary and without publicity propaganda.

As far as I know, Dr. Schaller did make and distribute 100 copies in February or March 1993. To this day, there has been no public report of his action.

Remer Acts

As fate would have it, the Austrian attorney Dr. Schaller was also one of Otto Ernst Remer's defense attorneys. Remer must have heard about the

distribution of my report in Austria. Shortly thereafter, I was informed by one of Remer's friends, and without Remer's knowledge, as I found out later, concerning Remer's intention to do in Germany what his Austrian lawyer had done in Austria. According to what I was told, Remer intended to do exactly as the Austrian had done. But because Germany is more than ten times larger than Austria, Remer and his friends intended to do their distribution activity more professionally by having my expert report printed instead of photocopied. Though I knew this could put my PhD degree in jeopardy, I saw no reason to intervene. Naively I thought that Remer would stick to the rules the Austrian had followed, which were perhaps too natural to me to be pointed out specifically: the report must remain unaltered, no additional text, no publicity propaganda is to be made. As we shall see, these rules were not considered natural by Remer and his friends.

The Bull in the China Shop

In March 1993, and as a measure of self-defense, Remer's circle of friends announced with a furious publicity campaign that they were going to publish and distribute my expert report. This, so they proclaimed, was the piece of exculpatory evidence which they had not been permitted to present in court, because the German judiciary considers the Holocaust to be self-evident, requiring no supportive proof and permitting no contrary evidence.²² By so doing, Remer and his friends broke the first unconditional rule for the protection of my doctoral title, namely that there be no accompanying publicity propaganda. Thinking that this writing would only circulate in Remer's circle of supporters, I paid little attention. When I received a phone call from a journalist of a West German radio station informing me that some of those advertising sheets had surfaced at the University of Cologne, the situation changed. Soon the management of the Fresenius Institute was on the telephone asking me what was in the report – the Fresenius Institute had analyzed the masonry samples from Auschwitz-Birkenau for me. They hinted that they might consider joining me in taking legal action against Remer. An hour later, the Fresenius Institute's attorney

²² Chapter 244 of the German Criminal Code provides that the court may reject evidence on the grounds of "common knowledge" or complete unsuitability. This happens mostly in "Holocaust" cases, and, indeed, without examination of the submitted evidence in order to determine whether it is actually unsuitable or whether it may be able to defeat "common knowledge," which it might do if it were superior to evidence previously submitted. In the mid-1990s, in trials against revisionists and also against supposed "National Socialist criminals," filing a motion to submit exonerating evidence of historical nature was declared a crime in Germany leading to prosecutions even of defense attorneys, a classic hallmark of a show trial.

was threatening me with legal action. Remer had become a bull in the china shop.

Between a Rock and a Hard Place

My situation was precarious. At the request of an attorney, I had prepared an expert opinion to be used in the defense of his client. The conclusion of the report was potentially capable of reducing the culpability of said client with respect to the criminality of some of his factual assertions. I intended to publish the report a few months after completing my doctoral work anyway. Now the client had taken the step of publishing the report at a time that was uncomfortably early and, what was worse and unexpected, with an unsavory press campaign. Should I now take him to court after having helped him in court? Should I take him to court for doing what I intended to do myself in a few months, though with a smaller or different press campaign?²³ After all, I had been informed in advance and had not intervened then. The only thing that had changed was Remer's marketing activity.

The Industrious Additions

As if Remer's vigorous publicity campaign had not been enough, in April 1993, as my expert report was handed out for the first time, I learned that a one-page foreword and a five-page appendix had been added to my report, the latter consisting of a description of Remer's own criminal trial.²⁴ I was not the least bit interested in whether or not the added commentary was criminally relevant. I only glanced at the foreword and took no notice of the trial description added after the end of my report. I was annoyed by the mere fact that Remer had expanded and thus altered the text without authorization. Never mind what was in the commentary – it did not have my approval and that was aggravating enough. But now that this report of mine had been printed, what could I do about it? I thought that it was obvious that I could not be held responsible for something of which I had no prior knowledge, let alone could have agreed to. So why should I care whether the content of Remer's commentary was criminal? As a matter of fact, I basically ignored Remer's comments. So it happened that I perused Remer's commentary for the first time at the end of 1994, fully one and

²³ My hesitation in taking legal measures against Remer was later used by the court as an indication of my complicity with him.

²⁴ See Chapter 11.1. for the text Remer added.

three quarters of a year afterward, after I had received my own criminal indictment because of that commentary.

The Hot Potato

In any case, in early 1993, I was concerned only about my doctoral work. This also was due to a passage in Remer's appendix, which my doctoral supervisor held under my nose shortly after he – like every professor of chemistry in Germany – had received his copy. In the above-mentioned report on Remer's criminal trial, I had been mentioned in connection with the Max Planck Institute for Solid State Research in Stuttgart. Though I was preparing my PhD thesis in theoretical crystallography at that institute, my research about the “gas chambers” of Auschwitz and my subsequent activities as an expert witness had nothing to do with this governmental research institute. It was my private activity. However, the fact that I was referred to in Remer's appendix as an “expert from the Max Planck Institute” had the consequence that the German news media and scientific, legal, and political circles unleashed a storm over the Max Planck Institute and demanded to have my head. At the insistence of the institute, I consulted an attorney specializing in copyright law. He, however, made it clear to me that no “prudent” attorney would touch such a hot potato, both from conviction and for the sake of his reputation. Also, it was not clear whether I had any ground of action against Remer, since the copyright had probably gone to him because he had ordered and paid for the report as I had admitted, although I was only paid expenses.

The question of the copyright to the report has never been cleared up. The Remers always held the position that they held the copyright to the report because they paid for it, and that they could do with it as they pleased. There was a contractual agreement set to paper, but unfortunately I lost my copy as a result of house searches and changes of abode, and the Remers could not find their copy after their flight to Spain either, so that the actual contents of the document cannot be determined. I remember only that I was promised to be reimbursed for expenses that I incurred through the production of the report, and that in turn I was supposed to publish my expert report, but no time limit was given for that. The copyright was not discussed.

Also, the Remers have tacitly accepted that since June 1993, without consulting them, I have on my own determined where, when, and how my report is to appear in each of several languages – German, English, French and Dutch.

Thousands of Dollars – for Nothing

Twisting in the wind, as it were, in mid-April 1993, I tried to divert Herr Remer. In early May of that year, I succeeded in persuading him to curtail his distribution activities because of the reprisals I was experiencing.

Aside from any legal aspect of Remer's commentary, I would like to make a few observations. First, Remer's remarks were composed in a style that would insult any average anti-fascist citizen – and that would be about 95% of the population. One could well assume for that reason alone that most recipients of this version of the report would toss it into the wastebasket unread.

Not only that, but Remer had done something that would cause nearly all his recipients who possessed a spark of pride to consign the piece to the fire: In his foreword on the inside front cover, he attacked our leading politicians, media people, and jurists with the words, "These liars need to be driven from their sinecure fortresses."

At the same time, Remer sent this very version of my expert report to exactly these leading politicians, media people, and jurists, and apparently believed he could achieve some success thereby. It is certain that to send a piece of writing to someone in which he is criticized and threatened is a useless exercise. Remer's offensive action must have cost him thousands of dollars – all for nothing.

In the Talons of Justice

After I had stopped Remer's defense action, the legal process ran its course. It was my thinking that no one could touch me for something I had not done. But the State's Attorney had to investigate, since many of those to whom Remer had sent his copies had filed criminal complaints against him and against me: the German Society of Chemists, many state attorneys and chief state attorneys, judges and presidents of district courts and federal courts, left-wing party representatives from various parliaments, professors of various disciplines from universities throughout Germany, and on and on and on. Not to mention that there were continual inquiries from Tel Aviv that were to persist for years.

Strangely, the state attorneys were active only against me. They made inquiries about Remer, but saw no need to search his house. With respect to Remer, they were satisfied to push papers around. With respect to me, over the following years they searched my house three times and took away everything that was not nailed down. Apparently, German justice did not consider Remer to be dangerous. The Remer problem, they probably

thought, would solve itself biologically. My case, however, they decided, needed extra effort.

The End of Illusions

The trial against me for allegedly having agreed to the production and distribution of the commented version of my expert report, which lasted from the end of 1994 to the middle of 1995, destroyed what remained of my illusions about the rule of law in Germany. I have described this in Chapter 10 of the present book: “Failings of a State under the Rule of Law.” On January 19, 1996, the Federal General Attorney determined that I was to spend 14 months behind bars, not for my report but for Remer’s commentary. The Federal Supreme Court concurred with this sentence in a decision on March 7, 1996 (Ref. 1 StR 18/96). On Remer’s commentary, the District Court of Stuttgart stated in its written verdict (Ref. 17 KLS 83/94, p. 115):

“Although the preface and epilogue did not explicitly accuse the Jews of fabricating the descriptions of the Holocaust for political and material benefits, in the view of the court the Remer version of the report had the purpose of suggesting this and thereby arousing hostility toward the Jews. This follows from the fact that the reader, believing the claims of the report to be correct and influenced by the tendentious comments and rhetoric, would come to the conclusion that the surviving Jews as the most important witnesses of events, surviving relatives as directly affected and Jewish researchers must have intentionally concocted false reports on the Holocaust.”

According to the court, then, Remer’s remarks were not punishable by themselves; only together with my report a reader so inclined could “read between the lines” and would supposedly be led to hostility toward the Jews, and that is morally indefensible because it must be clear that everyone ought to be “a friend of the Jews.”

Therefore, not only was I punished for a crime I had not committed, but for one which no one had committed.

This would have made some sense, at least, if Remer had foregone his commentary and I had been sentenced for my report and not for somebody else’s commentary, but that was not the case.

In Exile

On May 7, 1996, the criminal trial against me and others for the 1994 publication of the revisionist anthology *Grundlagen zur Zeitgeschichte* – the original German edition of *Dissecting the Holocaust*²⁵ – began before the County Court of Tübingen – in my absence, because I had decided to opt out of this rigged game. The punishment that such a low-level court can impose is up to four years' imprisonment. Since I had already been sentenced to 14 months of imprisonment without probation, the sentence for me this time would probably not be less than two years – also without probation. Also, the public prosecutor of Tübingen was answerable to the General Prosecutor's Office in Stuttgart, and who knows to whom they are answerable. From the beginning, the following paradigms overshadowed the trial:

*"The moral foundation of this republic is at stake."*²⁶

*"All democracies have a basis, a cornerstone. For France, it is 1789, for Germany, it is Auschwitz."*²⁷

In its sentence, the Tübingen County Court decided that the offending book must be withdrawn from circulation, all copies and data carriers destroyed, and that the responsible editor, many of the contributing authors and the publisher must be punished. This, even though prominent German historians had submitted to the court expert opinions to the effect that the book meets scientific standards and that the editor, authors, publisher, sellers, printer and purchasers should enjoy the right of freedom of science and the right of freedom of expression.²⁸ It did not help:

"The Non-Jew Must Burn!"

Since I was the editor of that book, yet had not shown up during the trial, a warrant for my arrest was issued. At that time, however, I was already abroad with no intention of telling the German authorities about my whereabouts. Considering all this persecution by prosecution, I hope one may forgive and understand my reasons that I took my family and went into exile: After a brief stay in southern Spain in spring 1996, we moved to England a few months later. A busy young father had better things to do than rot in jail.²⁹

²⁵ Rudolf 2003a; see Chapter 11.2. for details.

²⁶ *Die Zeit*, Dec. 31, 1993, p. 51.

²⁷ German Federal Foreign Minister Joschka Fischer in *Süddeutschen Zeitung*, acc. to *Rheinischer Merkur*, April 16, 1999.

²⁸ Ref. 4 Ls 15 Js 1535/95.

²⁹ Unfortunately, my then-wife took our two children and left me in January 1999, initiating divorce proceedings in early 2000. I got remarried to a U.S. citizen in 2004, though.

Hindsight is Insight

Today, many years after these events, I know that it is precisely the serious, scientific revisionist work that the establishment considers threatening, since one cannot fight a professionally written work with cat-calls and jeers. Unlike shallow pamphlets, it must be taken seriously. Patrick Bahners summarized the establishment view in the highly respected German daily *Frankfurter Allgemeine Zeitung* on August 15, 1994 as follows:

“The state protects freedom of science. It recognizes the scientist not by the result, but by correct form. [...] But it can be seen that the intention to agitate can be recognized not only by errors of form that separate beer hall talk from scientific undertaking. On the contrary, agitation that is perfect in form is the most perfidious. [...] But for those who survived Auschwitz, there can hardly be a nastier insult than when an expert using phony reasoning tells them that they were never in any mortal danger.

The state is mocked here as well. If Deckert’s [a German revisionist] ‘views about the Holocaust’ were correct, the Federal Republic would have been founded on a lie. Every presidential address, every minute of silence, every history book would be a lie. By denying the murder of Jews, he repudiates the legitimacy of the Federal Republic.”

However, Bahners proceeds from false premises.

First, Bahners does not explain how an intention to agitate can be recognized other than by errors of form. It is stated in the German constitution that science and research are free without restriction. Decisions of the German Federal Constitutional Court have stated that science is defined by formal rules alone and not by content. These decisions are in agreement with fundamental theoretical works on the nature of science. If Bahners thinks differently, he is anti-constitutional, anti-scientific, and against civil rights.

Second, there are no experts who assert that the survivors of Auschwitz were “never in any mortal danger.” Bahners warms over the calculated lie that revisionists present Auschwitz as a vacation resort without danger to life or limb, and that they characterize the National Socialist persecution of the Jews as harmless to the Jews. Either Bahners doesn’t know what he’s talking about – in which case he should stay away from the keyboard – or he himself is agitating against others with different opinions, in which case the *Frankfurter Allgemeine Zeitung* should not allow Bahners to defile its pages.

Third, Bahners’s conception that the legitimacy of the Federal Republic of Germany is based on the unconditional recognition of the orthodox narrative of the National Socialist persecution and extermination of the Jews is

absurd and utterly false. If the Federal Republic of Germany were actually founded on this historical detail, it would be a dire weakness, because every state that bases its existence on a version of history enforced under pains and penalties must sooner or later collapse.

Certainly, the formal foundations of the legitimacy of the German Republic are very different – human rights, civil rights, acceptance by the people, international recognition, political, historical and cultural identity and continuity with preceding German polities: There we must not accept the bogus contentions of Bahners and some of his colleagues.

Pseudo-Legal Contortions

However, it was made clear in 1996 by the Ministry of Justice of Baden-Württemberg that in all future proceedings, Germany's judicial system will adopt Bahners's viewpoint, namely that revisionist works of a scientific nature constitute incitement to hatred and must therefore be burned. In its answer to a question relating to the seizure of scientific revisionist books published by the Tübingen Grabert Verlag, it stated:³⁰

“Legal intervention is not constitutionally excluded even when it is clear that the case involves a work of science or research. Although Article 5, Para. 3, Cl. 1 of the Basic Law [the section of Germany's constitution guaranteeing freedom of science and research] does not contain any limiting conditions, constitutional case law recognizes that even freedoms that are granted without expressed conditions have limits. Such limits might come from the civil rights of third parties or from other constitutionally protected goods. In these cases, there must be a comparison of the competing claims of the equally constitutionally protected interests with the purpose of optimizing these claims. There must be a particular examination of the case making use of the method of proportionality. (Decisions of the Federal Constitutional Court (BVerfGE) 67, 213, 228; 77, 240, 253; 81, 278, 292ff.; 83, 130, 143) When these constitutional requirements are met, the use of appropriate measures is consistent with freedom of science or of research in special cases.”

The assertion of the minister of justice that even a scientific work can be seized when the civil rights of others are involved is completely false, and the decisions of the German Federal Constitutional Court cited here are misleading. It is true that no civil right can be guaranteed unconditionally, and, when there is a conflict with other civil rights, that an optimal compromise of interests must be found by means of the principle of propor-

³⁰ Dr. Ulrich Goll, ref. 4104 – III/185, Sept. 23, 1996; cf. IDN 1996; VHO 1997.

tionality. However, limiting the civil right to the freedom of science can never extend to restrictions as to what hypothesis is posited at the beginning, and what the final research results are.

Only the means by which research is conducted is subject to limitations, since research may not employ methods that compromise the rights of others – such as experiments on humans or endangering the environment. If science is prevented by law from formulating new theories or attempting to refute existing theories, however controversial these attempts and their conclusions might be, or if it is forbidden to science to use certain arguments or to come to certain conclusions, or to publish scientific conclusions in order to subject them to indispensable public scrutiny and scientific criticism, then one throws entirely out the window the civil right to freedom of scientific research, which is explicitly guaranteed by Germany's constitution. The critical examination of standing theories and paradigms through serious attempts to refute them, and the publication thereof, is the heart of science, or even of human knowledge in general.³¹

The Consequences

The declaration of the Ministry of Justice given above is clearly unconstitutional, and initially I hoped that the German Federal Constitutional Court would so rule at some point in the case of *Grundlagen zur Zeitgeschichte*. But it never came to this, because the book's publisher, the obstinate Grabert Verlag of Tübingen, was threatened by the police with incessant house searches and book confiscations should they not drop their appeal, hence Grabert withdrew it.³² Of course, it was never likely that Germany's highest court would protect civil rights for revisionists under present conditions, since in a similar case of West German book-burning in the early 1980s, the German Federal Constitutional Court itself made a statement in accord with the Ministry of Justice's statement above.³³

Therefore, one cannot avoid the conclusion that the present situation in Germany is as follows:

1. With respect to the core of the Holocaust claim – gas chambers, the National Socialists' intention to annihilate the Jews, and the carrying out of such a program – there can be only one predetermined conclusion, under penalty of law.

³¹ Cf. Popper 1979, pp. 24f.

³² Personal communication by Grabert's editor-in-chief, Dr. Rolf Kosiek.

³³ On Stäglich 1979: German Federal Constitutional Court, ref. 1 BvR 408f./83, reprinted in Grabert 1984, starting on p. 287.

2. The essential conditions to the free pursuit of science would then be suspended, which is: every thesis must be subjected to the strictest attempts at refutation and must thus be open to attempts at refutation in theory and in practice. Neither may any conclusion of scientific research be prescribed nor proscribed (cf. Article 3(3) of German Basic Law).
3. The fundamental dignity of humans that sets us apart from animals lies in the fact that we do not have to take our sensory impressions as being identical to objective reality, but that we can doubt and can resolve our doubts through intellectual activity – research. This factor of human dignity is completely abrogated in Germany in this particular field. (cf. Article 1, of German Basic Law).

It remains an open question what one is to do with Article 20(4) of the German Basic Law which states:

“All Germans have the right of resistance to anyone who attempts to overthrow this [constitutional] order if no other means avail.”

“Especially Germany ought to handle civil rights much more carefully. Today, freedom of the press and civil rights are trampled underfoot; these are merely empty shells which serve only to talk peoples’ ears off.”

Klaus Löwitsch, German actor³⁴

3. Fleeing from England

The names of some individuals have been changed for privacy reasons.

A World Collapses

October 29 is my birthday. Due to the permanent threat of further persecution and extradition from Britain to Germany, my (first) wife left me in January 1999 with our two kids and returned to Germany, where I couldn’t follow her. She couldn’t cope with this lifestyle anymore. She had permanent nightmares and was very nervous, even had panic attacks. Later in 1999, she even started divorce proceedings, which was totally unexpected, because we originally had agreed to try to get together again in a few years, if Britain failed to act against me. So, my 35th birthday, the first for seven years without my beloved wife and without the most gorgeous kids in the world, would at the same time be the most depressing one I have ever had in my life. But, hey, there was light at the end of tunnel: my still-wife promised that she and the kids would visit me on this occasion. And my two siblings had announced a few days before that they would drop in the weekend after my birthday. So things weren’t all that bad after all.

It is October 15th, 1999, and I follow my normal routines. I had several book orders collected over the last week that needed to be sent off, so I decided to drive to Tony Hancock’s printing company in Uckfield, which does a nice mailing service for me, and get rid of the packages. While preparing my departure, I get a phone call from Mrs. Corrine Hancock, Tony’s wife, urging me to call the guys in Uckfield. For security reasons, they neither know where I live nor have my phone number. They always have to contact a third person outside any political or police focus, or Corrine, who is the only one of these people who is not and has never been into

³⁴ *Süddeutsche Zeitung*, June 12, 2001, p. 16.

politics, but who is interested in me on a mere personal level, and therefore I consider her to be reliable. Safe is safe.

So I call the guys. I get Howard on the line, my best friend who helps me whenever he can. He collects my mail from the PO Box in Hastings, and I use his residential address for my services: bank, insurance, tax, to keep up the system's illusion that I am really there. Howard forgets to greet me. That isn't his style:

"Someone from the media is after you. The guy left a message at my place. He must have found out where you are officially registered," he tells me. I am shocked.

"What? What did he say?"

"First, he left a message on the answering machine, asking you to call him. But then he must have decided to pop in. He left a handwritten note under my door saying that he wanted to contact you."

"Damn. Do you have his name?"

"Yeap. A certain Hastings."

"Hastings? In Hastings? Or is that his name?"

"That's his name"

"That's strange. He *claims* that this is his name. And for which station or paper is he researching?"

"The Sunday *Telegraph*, he claims. I got his number. You better get up here, so that we can discuss this."

"Yes, alright, I am already on my way. Wanted to come anyway. See you."

"See you."

Damn. Now they have tracked me down. Must be a repercussion of the Cincinnati Real History Conference from the end of September. That was my first public appearance since 1994 or so, and David Irving was so reckless as to mention that I currently reside in England when he introduced me to the audience. And that was probably enough for the media to get going. Anyway, pack your stuff together, boy, and get to Uckfield as quickly as you can!

So I collect my bits and pieces, jump into my car, and drive up the bridle path leading from the Crowlink settlement where I live up to the main road in Friston, over the cattle grids and the speed bumps at 30 miles per hour. The shock absorbers at the front are already gone, so don't worry now, this is urgent. Let's hope that the cows and sheep to the left don't jump on my car, and that none are hiding behind the shrubs along the road, getting scared to death when I roar by.

No casualties this time. Down it goes from Friston to Jevington. This road drives like a runaway train. My kids always liked the feeling in the stomach when the car almost lifted up on a sudden downturn. My wife hated it. Through the chestnut alley I drive, rushing through Jevington and further on through Filching right into Wannock, a road so narrow and curvy that any truck or bus on the other side is a guaranteed death certificate with the speed I'm currently going at (40-50 mph). Why am I doing that? Alright, I know and love this road as no other, but I had a couple of "almost" cases before, so why risk it? Slow down, man! You are still a father, and your kids will miss you! So I cool it a bit.

As soon as I am out on the A22 towards Uckfield, I lose patience again. Did I ever have any? They forgot to build that into my genes, I guess. Anyway, I break a couple more English traffic rules, but I am not caught, as usual. They are very lax with speed control here. I really like it.

Half an hour later at the printers in Uckfield, Howard gives me the phone number of that Mr. Hastings and repeats what that guy told him.

"He called again this morning, and I talked to him," Howard explains.

"How long did you talk to him? And what did you tell him?"

"Well, we had a nice chat for some 20 minutes. I told him that you don't live here and that I am just collecting..."

"What did you do?"

"I told him that you don't..."

"How dare you? I mean, I don't want you to lie, but why the hell did you tell him anything in the first place?"

"Well I thought that is no big deal..."

"Listen, these guys aren't stupid. They can think that if I am not there, I must be somewhere else, and then they start sniffing around again!"

"Hey, I am doing all this because I like you. I don't have to do it and I don't need that sort of tone."

"Sorry. I am just excited and scared."

"That's alright. Well, I told him that you live in Tunbridge Wells"

"In Tunbridge Wells?"

"Yes."

"Why?"

"It just came to my mind."

"I used to have fine lunches in Tunbridge once a month with my friend Robert. That's now ruined, too. Oh well. And he bought that?"

"Apparently."

"Uhh. At least something. And the other 18 minutes of your conversation?"

“That’s about it.”

“Jesus Christ. Please, Howard, the next time, please don’t say anything to anybody. Just take messages for me, would you?”

“Alright. How did he find out about my address and your being registered there in the first place?”

“Well, I guess it is on the Internet. I entered the street address as the registrant’s address of my website with InterNic. Pretty stupid. I guess I’ll change that now.”

“That would be nice indeed. I am not eager to get more of these guys, either.”

Tony joins us in the office and warns me:

“Hi Germar. The *Sunday Telegraph* is just the weekend edition of the *Daily Telegraph*. I think you know that, don’t you?”

“Hi. No, but now I do. So that is the famous German-hating newspaper renowned for their atrocity propaganda during both wars, yes?”

“Exactly. Don’t expect fairness. You better not get involved with them.”

“Well, what am I supposed to do? He is on my trail, right.”

“Yes.”

“He is going to publish something, right?”

“Yes, but don’t think you can influence what he actually writes!”

“Well, one thing’s for sure: If I don’t try, I won’t. Let me talk to him and see what he is up to. Can I use your phone?” I didn’t want to use mine.

“Yes, go ahead.”

I quickly get through to this Chris Hastings. He wants to meet me as soon as possible, since he is going to publish something on Sunday anyway. I hate this rush. I tell him that I would call him back in ten minutes, and hang up.

“And now what?” I ask Tony.

“Well, if you go, make sure he doesn’t get you in trouble.”

“How long does it take to get to Victoria Station from here by train?”

“It depends on when the train leaves.”

“Can we figure that out?”

“Sure, call Southern Railways. Their number is here in the Yellow Pages.”

So I do, and it turns out that I will need roughly an hour.

“I shall give him, let’s say, three hours from now, that is 3 o’clock in the afternoon, claiming that I will need that long to get there: That’ll make him assume I’m farther away. And I’ll meet him on a wrong platform. And no photos!”

So it is arranged. I tell him that I will see him at Platform Ten, where I claim to arrive. In fact, the train I come in arrives more than an hour earlier at Platform 17 or such. I nervously kill more than an hour by restlessly walking from one end of Victoria Station to the other, during which time I notice that I am unshaven and am wearing my sweat pants. Fine setup for a star photo session, I think. I hope that he respects my wish to not be photographed, though I don't trust him. Finally, at 3 o'clock, I go to the exit of Platform 10, and to my amazement I realize that trains from Tunbridge Wells arrive there. What a lucky strike! Someone else is waiting there, too. I approach him, but he rebuffs my approach. That wasn't the one. Some five minutes later he stands in front of me, extending his hand to greet me. A short guy, a bit stocky, perhaps my age. Well, admittedly, I take myself as a norm, and I shouldn't do it. So, he is normal, and I am tall and slender.

We agree to sit down in this uncomfortable cafeteria in Victoria Station, and we get ourselves something to drink. He turns out to be a year younger than I am. He says he just got the job at the *Telegraph*, and that this is his first big story. Oh dear, I think to myself, and I am going to be the fair game for it. He needs success. He needs to impress his employer. That promises to get weird.

We spend three and a half hours talking about god and the world. I tell him my entire story. He lets my words flow, only here and there asking a few simple questions. I tell him the story of my persecution, and about the deterioration of human rights in Germany in general. He allows me to go into details. I am somehow happy to have somebody from the media who listens. What can happen, really? By experiencing me the way I am and the way I argue, he must notice that I am not the evil neo-Nazi as which I am usually portrayed by the mainstream media. I hope he does. He does not even try to make any notes, strange enough. However, he appears to be a nice guy. But that is perhaps what all journalists need to be to have success. Nobody talks openly to assholes. I get some questions answered, too. He found out via the Internet that I was a registered citizen for a year in Pevensy Bay. The voters' data are publicly accessible, he explains. The current owner of the house where I used to live gave him the name of the estate agent who sold it to him, and this agent gave him the name of my former landlady. But none of them knew where I had moved. I tell Hastings repeatedly that I wouldn't tell him anything about where I live now. He understands and gives up.

No traces lead to my new residence. Well done, Gernmar! At least that works!

At the end, he calls his girlfriend to pick him up. We say good bye, and I pretend to go back to Platform 10. But I make sure that he really leaves before going back to my train to Uckfield.

On Sunday evening, I get another phone call from Corrine. The *Telegraph* article was out. She urges me to come to her place. So I jump into my car and drive the 40 miles westward to Hove. I am welcomed at the Hancocks' residence, and Corrine gives me the newspaper article.

"Tony tried to hide that from me," she says.

"No, I didn't" he protests.

"Yes, you did! You took the newspaper away and hid it!"

"Would you do me a favor and let me read it first, before we start an argument?" I interject.

The article's main purpose is to slander me as a neo-Nazi and to collect public voices to press for my extradition.

"At least he swallowed Howard's story about my living in Tunbridge," I notice. "And this picture of mine is so bad that nobody can identify me. That is good, too. Somebody must have taken it from a distant place at the very moment when Hastings and I shook hands."

Corrine is in a really bad mood. She is suspicious that her husband is trying to hide that trouble is ahead. He had done that frequently in the past, as she had told me before.

"What sort of links did you forge with right-wing extremists?" she asks me.

"Well, I guess I was too honest to Hastings," I respond. "He asked me if I had been in contact with any persons on the political right."

"And, what did you tell him?"

"The truth. I mean, that I met David Irving, this was not part of it, since I don't consider David to be part of any political movement. Irving was simply a part of my coming to the UK, and I told Hastings how and why I came here, and how David was involved in it."

In late May 1996, roughly two months after I had fled Germany to Spain, I learned that the Spaniards were about to introduce an anti-revisionist law as well. Hence, I told my wife that I would prefer to settle with the entire family in England instead of Spain, where no such laws seemed to be planned. She was glad to hear that, as neither of us spoke Spanish, and Spain was culturally a bit too distant for her. So I started seeking a way out of Spain into England. David Irving, the world-renowned British historian, was the only person in the UK I knew even remotely. I had met him in Germany in 1991 during a convention where he spoke, and on this occasion I had given him an early version of my expert

report, so he knew my name. I called him from Estepona at the Costa del Sol, where I lived with friends during that time, and he agreed to see me. He gave me a description of how to get to his place from Heathrow.

When I got to London in early June 1996, he didn't have any time for me, though, so all I did was actually baby-sit his daughter while he left that evening to see somebody. I had to stay at a cheap hotel behind Victoria Station during the three days I stayed in London, trying to figure out if I could finish my PhD in England, which I still intended then. Later, in fall 1996, while residing in Pevensey Bay, I accompanied David as a co-driver in a lorry on one of his book-distribution tours through Southeast England. We had a big fight about my map-reading skills, since I led him in the wrong direction at one point, but when he took over control, he screwed up even worse, so I had to help him to get back on track. When we made it just in the nick of time to the shipping company he had an appointment with, he apologized for his bad behavior. During this tour Irving also asked me if I would agree to appear as a witness during his pending trial against Deborah Lipstadt, proving that revisionists are the victims of severe societal persecution and prosecution. He didn't want to have me as an expert witness, though, as he intended to discuss only persecution in court, but not history. I told him that I would be happy to be of service, but I never heard back from him about this matter.

"And what is this about the National Front and the British National Party?" Corrine doesn't like all this right-wing stuff. She despises it.

"I told Hastings that in 1998 I learned about a British censorship case against a guy named Nick Griffin. You know the Griffin case, don't you?"

"No, I don't know anything about these guys, and I am not even sure if I want to," Corrine rushes to declare.

"Well, Griffin had published an article in his *Rune* magazine in which he somehow denied the Holocaust, and furthermore he was accused of inciting racial hatred against blacks. Since I was very interested in British legislation and jurisdiction about Holocaust revisionism, and what sort of 'incitement of racial hatred' is considered to be a crime, I wanted to learn more about it. My own fate could depend on it. And last but not least, my historical journal is devoted to fighting censorship. Since I wanted to write about that case, I needed to get more information. I got in touch with Griffin via email. I didn't know anything about his involvement in politics. All I knew was that he was associated with the BNP. He said he had heard about my case, and he invited me to his place in Wales. That was in February 1999. My family had just left me the month before, and in this period, I had terrible nightmares about losing my kids and wife. I was a bit desper-

ate to get in touch with other human beings and to get distracted from my misery, so I took that opportunity to get out of my loneliness. I actually had a nice stay at Griffin's house. We spoke a lot about his family and personal fate, the ethnic and language situation in Wales, and of course about Holocaust revisionism and censorship in England. It was there that I learned about his leading role in the BNP and that he was about to challenge the leader of the party. That is what I told Hastings."

"And the National Front?"³⁵ Corrine presses.

"Well, I cannot remember anything about that. As a matter of fact, I do not even know if I ever have been in touch with anybody from the NF. Hastings must have just added it. Or I dropped the name Martin Webster in some context."

I first met big, fat, nice and gay Martin Webster (pardon me, Martin) incidentally at Tony's printing company while he was doing some printing business there, and later again as a visitor at Tony's place. I don't know anything about his background. All I have is a faint memory that he might be or have been involved in some right-wing stuff, as many people are or were who turn up at Tony's place. I had a nice bicycle tour with Martin down to Oxford one Saturday, during which we talked about anything but politics and his alternate sexual orientation, which is no secret to anyone.

"I can't believe that you were that naïve! You shouldn't have told him anything about that. What does a bicycle tour have to do with politics?" Corrine asks. She somehow likes Martin Webster.

"I am just telling the truth! And I am not going to start lying just because of assholes like Hastings."

"It is not about lying," Tony says, "it is about being careful and staying silent where it is better to do so."

"Anyway, this is over now. I cannot undo it. I talked to Hastings for three and a half hours about human rights, censorship, persecution, and the only thing he has to say about it is 'NAZI', and how I forged links to right-wingers."

Corrine, Tony, and I agree to simply wait and see what would happen. In the meanwhile, my email box is overflowing with messages coming in from friends all over the world who received the *Telegraph* article by email. David Irving goes ballistic. He threatens that something serious will happen if the authorities touch me. I don't know what he means by that. He doesn't have any means to threaten anybody. But at least it is a nice sign of solidarity, and I appreciate that. He was not always that supportive. Apparently he fears that, if they go after me, he is going to be next.

³⁵ A British radical right-wing group about which I know next to nothing.

David Botsford from the Libertarian Alliance says I should take care of myself. He offers me his house as a refuge, should things get dangerous. I never met the guy, but we had a nice time working together to update and translate one of his works about historiography and censorship. We noticed during this year of co-operation that we think quite similarly. Nice to see all these guys offering their help.

In the meantime, the media in Germany jump on the bandwagon and publish the *Telegraph* story: “Neo-Nazi,” “Racist,” “Fascist,” “anti-Semite.” I start hating myself for being such a devil incarnate as they portray me. How can humans be so mean as to denigrate others totally without even knowing them?

My wife gets worried whether they might come and stay in the first place. She fears that I have to pull up stakes again. I tell her:

“Don’t worry. It is business as usual here. Nothing happens. This is just the overinflated story by a young journalist with profile neurosis. He needed a story to impress his employer, and it is always easy success to drive a ‘Nazi goat’ through town. So, this time I am the goat, but I think things will calm down quickly.”

Though it is the end of October, the weather is still pretty nice. This summer was extremely warm and dry, and it seems as if it doesn’t want to end. Sunshine still dominates. I have my daily 15-mile bicycle ride through verdant pastures full of cows and sheep, enjoying the most beautiful views over England’s most scenic coastal area in the South Downs, the Seven Sisters. Each time I try to improve my personal record, and I am proud to have reduced the time I need from an initial 65 minutes down to 45 minutes. Each time I do this ride, I feel great. Unfortunately, on Thursday before my family arrives, I get a flat tire, and so I cannot ride until this is repaired. Since I don’t want to lose time while my family is there, I postpone it until afterwards. Little did I know then that this would be the last chance I would have to take this absolutely fantastic bicycle ride, and that I would miss this experience of nature, landscape, and my own physical strength most of all.³⁶

Anyway, on Friday I pick up my family from Heathrow airport. We have a wonderful time together. On Saturday, my birthday, we visit Hastings Castle and the Smugglers’ Cave. The kids are in heaven, and so is Daddy. We all spend the night together in my gigantic imperial bed, and no night can be more relaxing than those where I can hold my daughter’s and

³⁶ Until I got the chance to return to the same place in summer 2009, doing the same, well, similar tour almost every day for another year.

son's hands while they fall asleep. Or is it the other way around? Who cares...

On Sunday morning, I get another distress call from Corrine:

"They have another story about you in the *Telegraph*. You need to see this. It's getting serious now. Get here as quickly as you can. Rush, rush!" she urges me. She scares me.

I tell my wife, and her jaw drops. Now it is about reacting quickly. She says that I can drop her and the kids off at Schumacher's, a German family and friends of ours living a few miles away in Stone Cross. No need for me to visit them with my family. I agree. So we pack our stuff, I drop them off at Schumacher's and I drive down to Hancock's place. The atmosphere in Hancock's house is tense. No nice welcome, no smiles, no hugs as I usually get. They show me the article, and I start to read:³⁷

"Germany pursues Rudolf extradition"

I cannot swallow anymore.

"A FUGITIVE from justice and traced to Britain by The Telegraph is now facing the threat of extradition.

Senior officials at the German embassy in London have confirmed that moves are underway to have Germar Rudolf returned to Germany..."

And so it goes on. I knew since 1997 that things were critical, since I had been sentenced for something that – strictly formally speaking – does exist as an offense in Britain, too. A lawyer told me as early as 1997 that things didn't look too good for me. I simply hoped that Britain, with its tradition of free speech and anti-German politics, wouldn't bend to German orders. I was wrong.

"So, what?" I ask Tony.

"We should plan ahead," he replies.

"I figure that they are searching for me, if not now, then tomorrow or in a week or so."

"It doesn't look good. First of all, you need to get out of your place immediately. You need an apartment in a place where nobody knows you," Tony suggests.

"I don't think that they will react that quickly. I live there under a different identity. It will take them months to figure that out, if they succeed at all. After all, I haven't committed a single crime in this country. They have more important things to do than hunting ghosts."

"And what if the estate agent remembers you, or if they start showing pictures of you in the media and asking the population to help searching for

³⁷ This article and other documents connected to my persecution are posted at www.germarrudolf.com/persecution/germars-persecution/documents/

you? Or if they tap phone lines and your Internet server? If they really want to find you, they will find you,” Tony objects.

“This is only a worst-case scenario. I don’t think I am that important to them,” I try to calm him down.

“Germar, we can help you out of this. But, Germar, look me in the eyes,” Corrine says. There she goes again, I think.

“You know that I like you as a person,” she continues. “I am going to offer you my help, but I need to be sure that you don’t lie to me. Look into my eyes! – Alright. I asked you that before, and I ask you again: Have you ever been involved in any neo-Nazi stuff?”

“I told you that before. No, I haven’t,” I reply.

“Can you swear that you didn’t?” she insists.

“Yes I can,” I confirm, “and I do it herewith again. You know the story. You know why I am in trouble. It is about the comments that Wolfgang added to my report about which he didn’t inform me. And even these comments weren’t Nazi. They were just emotional, uncontrolled and stupid. All the stuff that I published was strictly scientific.”

“I can’t read German, so I have to trust you,” Corrine responds. “I hate this Nazi pig Wolfgang. He destroyed your life, and he got us in trouble before.”³⁸

“It isn’t that simple,” I object.

“Yes, it is. Everybody makes mistakes, but in contrast to you he never apologized. He just blames it on others and gets mad if you confront him about his misbehaviors, bad manners, and mistakes.”

“What does this have to do with our problem?” Tony interferes.

“A lot, because Wolfgang is our problem here. Listen, Germar! Should I ever find out that you lied to me, that you were indeed involved in any Nazi stuff, I shall not hesitate to give all the information I have about you to the police. Do you hear me? – Now, if you are right, and I hope and believe you are, then you deserve our help. You know that I like you. You are not one of these Nazi bastards with whom Tony associates. So I’ll help you. I’ll risk all I have to get you out of this mess. I’ll lie for you the dirtiest lies you’ve ever heard. Look into my eyes! If *you* lied to me, you are going to be in trouble, I promise you!”

That is Corrine, live. It took me two years to figure out that this sort of behavior is her way of expressing positive sentiments for other people.

³⁸ I quote Corrine using the words she actually spoke, and at the same time I distance myself from her in this regard. Wolfgang did not deserve such words. It is apparently a result of bad behavior on Corrine’s part. I apologize to Wolfgang that I did not defend his reputation during this exchange by starting a fight with Corrine. The only thing that was on my mind at that time was to save my own skin.

Tony is a very indulgent guy. Even though his wife is frequently swearing at him, he just stands there and smiles. I wonder what he thinks during such moments.

“You can sleep here tonight.” Corrine offers.

“Alright. Thank you. But I need to get back to my place, spend the rest of the day with my kids, make an arrangement with my wife for tomorrow to take her and the kids to the airport, and get some important documents and my computer. So, I’ll be back in the evening, or so. Is that alright?”

“Ok. We’ll be here waiting for you.”

“Alright. Thanks. Bye.”

“Bye.”

I get into my car and sit there silently for a moment, trying to recover from Corrine’s sermon. Then I drive back home in order to get my toilet bag, pajamas, sleeping bag, my computer and several other important things. When approaching the parking lot at the top of the hill on my way down home, however, I see a blue BMW parked there randomly with two middle-aged gentlemen sitting in it, looking around. As soon as I pass, they start their car and follow. I panic and drive down the roadway riddled with speed-bumps at 40 miles per hour. My poor Renault Clio. They don’t follow that quickly. I quickly get to my place, collect the most-important stuff, and drive back. I cannot see their car anywhere. Perhaps I am only paranoid.

I pick up my family at Schumachers’, and we spend the rest of the afternoon at Fort Fun in Eastbourne, which is an indoor playground. I tell my wife about the BMW, and she asks if it wouldn’t be better if she and the kids rode back in a taxi, but I insist in being their chauffeur. I try to forget the circumstances of my current existence. At Fort Fun, we meet former neighbors from our time together in East Dean, including a former girlfriend of my daughter Tamara. The kids have fun together. Tamara drops back into her now-broken English. Just one year ago she was perfectly bilingual. Merely ten months in Germany, and most of it is gone. Kay, my son, has forgotten almost everything. He was not even three years old when his mother took him back to Germany. He doesn’t understand a word of English. But Tamara remembers quickly, including the nice East Sussex accent. “Noi” they say for no, exactly the same as the Swabians do, the south-western German region where my kids are growing up now. How quickly they learn, forget, and remember languages! And while the children are playing, the parents pretend that nothing had happened...

Around dinnertime I drive the family back to Crowlink, telling the kids that I cannot stay with them tonight. This time my wife has to get them

their dinner and put them to bed. She is used to it from Germany, but nevertheless she is a bit disappointed, but worries about me predominately. I hope the kids don't ask where Daddy is this night. Didn't they come all these hundreds of miles to listen to his bedtime stories and to fall asleep with him? It hurts to even think about disappointing the kids – and me, admittedly.

As soon as the kids have closed the car door, I drive back to Uckfield. I realize only after my arrival that I forgot my wallet. Damn, the most important thing. So back I drive. The weather has adjusted to the situation. A strong wind blows from the west. Even though it is dark, I don't dare to drive down the normal way to my place. Who knows who is waiting there for me? So I drive down a different road, park my car at the end of a bridle way at Birling Gap, and walk over pastures, approaching my place from the rear. The wind is so strong that on top of the three hills of the famous Seven Sisters which I have to pass on my way, I have to bend all the way over in order to keep my balance. White balls of sea spume the size of a fist are blown up the cliffs and all over the Downs. What a perfect adaptation of weather to mood!

In the little valley into which Crowlink is nestled everything is peaceful, though. I knock on the patio door, and after a while my wife opens. I ask her about the kids, and she says that everything is fine. They are asleep already. They weren't too happy that I wasn't there, but they didn't seem to be upset about it. I tell her about the wallet. She laughs.

“If your head weren't attached to your neck, you would forget that one, too, wouldn't you?”

I smile and give her a kiss on her cheek. We agree upon a time when I would pick up her and the kids the next morning, as her flight leaves around lunchtime. I tell her that she should have everything ready to be thrown into the trunk so that we can make a blitz start. My instructions, through which a lot of nervousness and anxiety shines through, make her feel uneasy, too.

“Shouldn't I rather take a taxi bringing us to a meeting point where no one expects us?”

“I don't think that there is any real danger,” I try to explain. “I just want to do everything to minimize risks. That's all. So don't worry. It'll work out.”

We give each other a long hug.

“Take good care of yourself.”

My wife's voice is filled with sorrow.

I leave again through the patio, and while climbing over the fence, get stuck with my black jeans on a rusty nail. Rrrrutssshhhh. That was it! No blood at least, just fabric. Now that I have to watch my pennies, I start wrecking my clothes. Great!

Back I walk over the pastures to my car, and swiftly I drive to Uckfield. Somehow, I am not too happy to sleep at Tony's place. Wouldn't the police find out that his printing company plays a major role in my business affairs? And wouldn't they look around his place first to find information about my whereabouts? I cannot but think that I am jumping out of the frying pan into the fire.

I park my car around seven corners. I am sure they know my car's number plate and will look for it. It shouldn't be close to Tony's house. So I have to walk quite a ways to get there, carrying my important papers, the overnight bag, and my pajamas, but I leave my computer in the car (which makes me nervous). Corrine welcomes me and leads me into the attic where they have a sofa that can be transformed into a kind of bed. I hate these pieces of furniture. In most cases I have some back pain the next morning after having slept on such devices. And the blanket and pillows I get look crappy, too. But I am in no position to complain about such unimportant things. The first thing I do is find out where I could possibly hide or escape unnoticed, should police come: Out of the roof window opening to the back yard one can easily climb onto the roof and from there down into the yard. I really am paranoid. But only the paranoid survive...

The night passes by without any particular events, except that I don't sleep very well. I get up very early, still before dawn. Tony is just about to leave for work. He says he is going to listen around if somebody can hide me for a while until I can leave. He opines that from now on I ought to live in apartments rented out to me by reliable friends, not by some unknown third party. These friends could then help me to build up a new identity. This alone would guarantee that no one else would really know who I am and where I come from. Well, isn't this a comforting perspective, I think to myself. So I will dig myself in even deeper into English soil...

I have my breakfast an hour later with Corrine. We sit in what is perhaps the dirtiest kitchen in the world. I still haven't lost my German attitude towards cleanliness and tidiness...

Half an hour later I am on my way back to Crowlink to pick up my family. When approaching the cattle grids that I have to cross to get to this remote settlement, I wonder what has become of that strange BMW. Just as I turn into the cul-de-sac leading to my place, I see it parked in a neighbor's parking lot. Whew, they are just visitors who didn't know the way!

So they followed me yesterday not because they wanted to handcuff me, but because I led the way into the lost world of Crowlink. A big sign on the fence at the cattle grid reminds people that no cars are allowed beyond this point, and who wants to drive into a cow pasture anyway? So most people cannot even imagine that there are houses hiding in the valley behind a dense wall of trees. This place is indeed great for all people who want to be totally cut off from the world. There is no mobile phone signal in this valley, and only very few radio and TV stations can be received in poor quality. When I got an ISDN line installed at my place, British Telecom did not even know where it was. They had a hard time finding their own equipment...

I get out of the car and meet my neighbor Andrew who is working on his car.

“Hello Michael, how are you doing” he asks me.

“Thank you, fine. And you.”

“Fine, thanks.”

So he hasn't read the *Telegraph* article, or at least he wasn't able to identify me with their help. My pseudonym is still safe.

I tell my wife about the BMW, and she sighs in relief. We take all the time we need to get the stuff into the car. Then we drive to the local train station and take the train to London. The kids are all excited. Riding a train is something special for them, even more so than flying. Times change! In London we make our way through the underground system and by bus to the zoo. The zoo, however, turns out to be rather disappointing, which may also be a result of the advanced season. Many animals are no longer outside. But also in other regards this zoo seems to be inappropriately tiny for a city of ten million people. My wife claims that the Wilhelma zoo in Stuttgart is much nicer. But the kids like it here anyway. Around 3 pm we have to leave for the airport. We wait in vain for half an hour at the bus stop. In order to avoid arriving late at the airport, I decide to get a taxi to the next underground station. I take Kay onto my shoulders, a rucksack onto my back, and two suitcases into my hands and rush ahead. My wife and Tamara have problems keeping my pace. I swiftly find my way through the confusing London underground system from one line to another, stairs up, stairs down, left tunnel, right tube, onto the Northern Line southbound, change at Leicester Square, stairs up, left turn, stairs down, onto the Piccadilly Line, westbound. Everything has to go fast, and I drag my totally confused family behind me, who have lost their orientation. While changing to the Piccadilly Line out west toward Heathrow, my wife says in desperation:

“How do you know we are right? Where are we in the first place? I would be completely lost here if I didn’t have you.”

“Well, I simply have learned my way around the system. Just trust me. We don’t have time for long explanations.”

Only after we have sat down in the underground train to Heathrow can we settle down, and I find time to explain to her how the London underground system is organized and why I know my way around it. It is simply experience. On this 45-minute train ride out to Heathrow I explain to my wife that for security reasons I am not going to go with her to the check-in counter. I shall stay in the background, observing what is going on while she checks in.

“I understand,” she replies.

“I don’t think there is any real danger,” I continue, “but there is a theoretical possibility that they know you are here and when you leave. They could know, if they have access to the airline data. I don’t have to remind you that in 1995 they handcuffed Günter Deckert right at the gateway when he returned to Germany from his two weeks’ vacation on the Canary Islands. So they definitely can do such things.”

Günter Deckert was prosecuted in Germany because in 1991 he had translated a “Holocaust-denying” speech given by the U.S. citizen Fred Leuchter, an execution technology expert who, in 1989, prepared an expert report about the alleged gas chambers of Auschwitz and Majdanek. Leuchter had concluded in his report, and summarized in his speech, that there were no such gas chambers. Deckert was eventually sentenced to two years for his translation. His leaving the country during his ongoing legal proceedings was interpreted by the German court as an attempt by Deckert to flee the country – stupidly enough. If he really intended so, he would not have returned.

I have a talent for scaring my own wife to death. I always tell her about the odds of what I am doing and the probability that something might go wrong, as well as about the implications. It is simply in my genes. I hardly ever lie. I am bad at it. My wife quickly figured that out only a few months after we first met. She can recognize it by the length of my nose when I try to hide something – Pinocchio. Everybody can do that after a short while. I am perhaps the worst liar in the world. In most cases, I do not even try to hide things, but instead openly reveal them. That has always gotten me into big, big trouble, even as an infant when dealing with my sometimes quite violent father, as my mother used to tell me.

At Heathrow Airport I indeed stay in the background while my wife checks in. I see the irritation in the faces of my kids, who have lost sight of

me and are now looking around for me. I try to prevent them from spotting me, as it might have bad consequences if they call my name and run over to me. It pains me to see the kids so confused.

And indeed, there is trouble ahead. The lady at the counter takes my wife's tickets and leaves for more than 5, 10 minutes. I get nervous. But it turns out that it was just a reservation problem. They get it sorted out, and as soon as my wife, who has lost sight of me, has checked in her luggage, she takes her carry-on luggage and the kids by her hands and walks over toward the security gates. When my wife is back in the crowd of people, I join her and help her carry her baggage. We spend some 30 minutes together in a restaurant before going to the departure door.

"Would you do me the favor and try not to cry when we say good bye?" my wife begs. "Otherwise we are all going to cry in the departure hall, and the kids will be in a terrible mood during the flight."

"I'll try my best." I really will. But then, when we give each other hugs, my eyes get wet. I manage to suppress more tears.

"Bye Daddy." I fail to suppress, but regain control. And I lose it right now while I am typing this.

"Hurry on, I'm losing control," I urge my wife. She understands and passes the X-ray check without looking back. I turn around, not looking back either, going straight back to my car.

Preparing the Flight

On my way back to Uckfield, I try to focus on the tasks ahead. As early as June 1999, during a journey across the United States, I researched possibilities to emigrate to the U.S. By that time, I had learned that revisionism can have success only if presented in the world language, English. I therefore decided that I would try to make this success happen by working from within the U.S. Since my family has left me for good, there is nothing left that forces me to stay in England. Every corner, every road, even every store and supermarket there evokes painful memories of my family. Apart from that, the United States has this divine invention called freedom of speech, that is: the First Amendment. Is it therefore not logical to try to make my way to the country of infinite possibilities?

During my second visit to the U.S. at the end of September 1999 I managed to get an offer from a small publishing company called Theses & Dissertations Press, owned by Dr. Robert Countess, to work as their editor. I decided back then to emigrate to the U.S. It all depended only on immigration formalities, which could last for many months or even years, to be

sure. But now, after the witch hunt against me has started in England, things look different. I can no longer wait until I receive a working visa or a green card. Tony and I decide instead that I should simply travel to the U.S. with a visitor visa waiver. Everything else must evolve later.

Back at Tony's place, Corrine informs me that Tony wants me to come to Uckfield to discuss things further. So I don't hesitate a second, turn on my heel and drive up to Uckfield. I won't drive to Tony's printing company directly, though. Perhaps they are watching out for me. So I leave the car at the Tesco parking lot and walk down the main street instead of the side road leading to Tony's factory. I try to get into the factory lot from the back. I never went that way, did not even know that one could get access from the back side. But I am lucky: all doors and gates in fences are open. Safe is safe...

"Hi, Germar. How were things at Heathrow?" Tony greets me.

"Not too bad. We did it fast and painlessly, almost."

"Graham offered his help. You can stay with him in his house in Henfield for a couple of weeks if you like."

"Oh, is he in?" I ask Tony.

"Yes, doing his work. It's too noisy right now in there, but I'll tell him to finish that job and come here to discuss things with you."

"Thanks. Is Howard in, too?"

"No, he'll be around tomorrow."

Graham Jones is Tony's only professional printer, the crown jewel of his staff, and the only one not involved in any politics. So I wonder what makes him offer his help. We make it short. He gives me his address and phone number, and a description of how to get to his place. He says he'll be in at about six in the evening, so I shouldn't be there any earlier, since he lives alone. I can stay in one of the empty rooms of his sons who are at university, he suggests. I tell him that I would need to bring my complete computer equipment to his place in order to keep my business going for the next couple of days.

"Is that alright with you?" I ask him

"How much stuff is it?" he asks in return.

"You never saw a PC, huh?" I tease him. "It all fits on a medium size desk. So it's not a big deal. I just need to have a telephone jack close to it or an extension leading to the next jack."

He agrees to this, though I see a worry in his face that I might screw up his household.

“Don’t worry,” I try to comfort him. “I work silently in an orderly manner all day, and you will not even notice that I am there. And thank you very much for your help!”

I promise to be at his place early that night. I leave shortly afterwards, drive down to my rental apartment in order to pack all the stuff together that I would need for the next couple of days: clothes, food, paperwork needed to continue my work, and of course the computer equipment. It takes longer than I thought. At dusk, I leave for Graham’s residence. After getting lost once in the dark, I make it to his place at around 7 pm. He is already expecting me and helps me to unload my car and carry the stuff into his son’s bedroom.

After having sorted my stuff, I join Graham in his living room. He is very polite and even switches off his TV when I enter. That is not normally the case when you visit English households!

“May I ask you why you offered your help? I mean, you don’t know me, do you?”

“Well, I have seen you frequently at Tony’s factory, and you don’t seem to be a bad guy deserving that sort of trouble,” Graham explains.

“Are you somehow politically involved in anything?” I am curious to find out.

“No, I have no political agenda whatsoever.”

“How then did you get involved in Tony’s printing business?”

Graham then tells me his story of how he was searching for a new job after he left a position where he had been absolutely unhappy as a professional printer. So he applied for several jobs, and one of them happened to be Tony’s company.

“But that is a third-world printer with totally outdated machinery, swamped in dirt and rubbish, and entangled in total organizational chaos. How could you choose to work there?”

As harsh as this judgment sounds, it stems from Tony himself. He himself stated once that he needs a fire or a flood every once in a while in order to have a good reason to muck out his factory.

“That’s true,” replies Graham, “but I am the only professional there, I can realize my own ideas, I am almost in a position of being my own boss. And I can get my favorite fish prints printed and marketed. Fish and fishing is my real hobby, you know, so it came in quite handy.”

Now I feel that it is up to me to tell him my story.

“Do you know at all why I am in this mess?” I ask Graham.

“Not really. I heard bits and pieces. Tony explained to me once that Wolfgang added something to your report without informing you.”

“That’s right. Now that you offered your help, are you curious to hear more about it? You should at least know the reason why even you might get in trouble now,” I tell him with a smile on my face.

He is curious, and so I spend the next couple of hours telling him my story.

“But why didn’t you tell the court the entire truth about who actually did all of this, if not you?” Graham asks me toward the end.

“You mean I should have betrayed the ‘real culprit’? It was certainly stupid what he did. But if you look at it objectively, it is nothing that anyone would deserve to be put in prison for.”

“But you were sentenced for it.”

“Yes, but I was so naïve as to think that a German court wouldn’t sentence someone for something he obviously didn’t do. I assume that the court which sentenced me had a strong inkling who the real ‘culprit’ was. But they had no conclusive evidence against Wolfgang. What they found during the first house raid against me in September 1993 was a lot of circumstantial evidence pointing at the ‘real culprit’, who at that time was the central figure in German revisionist publishing activities acting behind the scenes. It was also obvious that Wolfgang was a good friend of mine.

They launched a huge house search campaign against Wolfgang in August 1994. They searched eight places all over Germany where they thought he was hiding stuff. But for some strange reason, we were warned by someone inside the *Bundeskriminalamt*, which is Germany’s equivalent of the FBI. So you see, we can count on having supporters hiding somewhere inside the system. Consequently, this gigantic house search action was a total failure.

I figured that the trial against me was their last attempt to get at Wolfgang by forcing me to betray him, or by forcing him to confess in order to avoid that I, as an innocent father of two infants, would be sent to prison. That failed, too.

Make no mistake: Wolfgang would have gotten the maximum sentence, for sure, that is: five years in prison, because distributing my expert report was only one point on the long list of thought crimes he would have been indicted for. If anyone was obliged to tell the truth about what had happened with my Expert Report, then it was Wolfgang himself. But by so doing he would have incriminated himself massively, so you really cannot expect him to make such a sacrifice. Be that as it may, at the end of it all, none of us went to jail, and everybody else involved in these matters got away as well. We all keep publishing for revisionism. So what’s the point?

Even though I certainly do not agree with everything my friend wrote and published – and I really was mad at him for his additions to my report – I would never betray anyone in free-speech matters that would lead to his imprisonment. It is that simple. I don't want anyone to denounce me for what I said or wrote, so I may not denounce others either.

Graham is much more comfortable with my being in his house after I tell him my story. People get excited and intrigued by such stories that almost sound like a spy or conspiracy novel. Being a small, not too endangered part in these adventures is something they really appreciate, provided they don't get into hot water...

During the next two weeks, I organize all the things that need to be done: Doing my correspondence, filling orders, getting the book *Giant with Feet of Clay* and Issue 4/1999 of my German magazine to the printer, and last but not least shutting down my second identity at the settlement I call my home. Howard is a big help there. He rents a van, and we drive all my possessions up to Uckfield and store them temporarily in a shipping container on the lot of Tony's factory, waiting to be shipped to wherever I might go. Howard agrees to be my officially employed packing and mailing clerk and to get co-signer status for my British bank accounts in order to do all the business that needs to be done. This way I can keep up the illusion to everyone – authorities as well as customers – that I am still in Britain. The only problem will be that correspondence has to be forwarded in a time-consuming way.

While filing the co-signer form, the clerk at my bank's branch is friendly as usual:

"Hi, Mr. Scheerer! How can we help you today?"

It makes me feel at home when people know me by name and don't call me a Nazi. I will miss that. My small storage room I rented for my books and journals needs to be cleaned out, too. I hope the guy there hasn't heard about the *Sunday Telegraph* affair either.

"How are you doing today, Germar?" I am greeted. That is like pouring balm on my wounds. At least I don't appear as a monster to him – or he simply hasn't heard about the *Telegraph* smear campaign. So I introduce Howard to the owner of the storage company as the guy who will deal with him from now on.

In the meanwhile, my siblings cancel their visit for the following weekend, which they had planned on the occasion of my 35th birthday. They had been informed by my wife about the mess I am in. I am sorry about that. I would have needed some distraction, but they are probably absolutely right about it. So my siblings won't need the bed & breakfast place I had

reserved for them with my dear old friend John Ryder-Smith in Jevington. John is a nice fellow of more than 70 years of age who had become a close friend of ours, especially of my wife. I do not want to upset him with my own problems, so I wonder how I should explain that to him. It was already hard on him to see that my wife had left me and gone back to Germany with my kids.

Graham tells me the next day that his mother will visit him on the very same weekend my siblings had originally planned to come: Hence I could not stay at Graham's place during these days, because he would not want his mother asking any questions. So I drive over to John's place and tell him that my siblings will spend the upcoming weekend nights at my place, since they prefer a double bed (what might John think about that one?), and that I will use his room for that weekend instead. This way I get out of Graham's house for the weekend, and John doesn't get worried about my collapsing world and won't ask any questions...

That reminds me that I have another appointment for that weekend which I totally forgot. Marc Dufour, a French revisionist writer, wants to visit me to discuss his upcoming book *Die Lüge spricht zwanzig Sprachen* (*The Lie Speaks Twenty Languages*), which he had offered me for publication. He has already bought the Channel Tunnel ticket. He is going to be pissed. I call him from a public phone and tell him that I cannot see him. He is upset indeed. I cannot explain to him exactly why I cannot see him, so I have no way of placating him. Anyway, it had to be done.

Tony and Howard promise to get the shipping of my property going as soon as I inform them where to send it. I give Tony a check for over £3,000 which I ask him to deposit *after* I left the country. In return, we agree that he will give me £3,000 in cash the evening before I leave, about which I will inform him two days in advance. This way I get enough money for the journey without triggering any alarm bells in the bank. You never know...

Next I have to figure out which way to leave this country. England, I really love you, I don't want to leave you. But you apparently don't love me. You hate me. I have understood, though I know that you wouldn't do so if only you would listen. It makes me already homesick to just think about leaving.

Leaving the country by plane is too dangerous. When I left Britain in June 1999 for a two-week lecture tour to the States, the officer at Heathrow Airport checking the passports took mine and hesitated.

"You are a German citizen, right?" he asked me.

"Yes. Why?"

“Why do you start your journey here in London?”

“Because I live here in England.”

“Where do you live?” he persisted.

“In Eastbourne.”

“Do you have any British identity?”

“Mpf – I only have my Social Security Card.”

“Alright, give me that.”

I handed it to him, and off he went, vanishing for some two minutes behind a door. My heart beat faster and faster, I started sweating. That was the first time since I had fled Germany that I was subject to passport control. What would happen? And idiot me told him that I live in Eastbourne. Don't you know that your Social Security Card is registered with Howard's address in Hastings? Oh, boy! There was trouble ahead!

The guy returned, gave me back my passport and social security card, and said everything was alright.

Phew.

Remembering these frightening minutes, I figure that a single entry in some sort of database that those security guys use to check identities might be enough to cause a different outcome the next time. It also would not be wise to leave an obvious trail by having my name on the passenger list of a flight from London to the U.S. So I better not leave from a British airport. Crossing the Channel isn't an option either, because passport controls are pretty strict there, too. The only option is Ireland, indeed. Independent southern Ireland. Crossing the Irish Sea on a ferry shouldn't be a big deal, and since southern Ireland has no security problem as Northern Ireland has, I think that passport controls for passengers of a ferry should be quite lax.

Graham tells me that there are tickets available at railway stations that include the ferry fare. So while doing some business in Eastbourne I go to the local train station in order to get information about this. Most important, however, is the question: Do I have to give them my real identity when buying a ticket? I don't want to appear in any database as having left Britain towards Ireland. So that would be crucial. Since I don't want to risk anything, I leave all identification papers at Graham's place. It turns out that I indeed have to give my name and address, but I don't have to prove my identity with any kind of ID. What a relief. So I purchase a one-way ticket to Dublin in the name of my false second identity: Michael Martin. Everything is fine.

Next I clear and clean my rental apartment, so that Howard has only little work to do once my rental agreement runs out in January 2001. After this work is done, I leave my domicile for good. The sun is about to set and

pours its golden beams over the pastures. Even the sheep look golden. I really do not want to leave. Isn't this just a bad nightmare? Can't someone wake me up?

I get out of the car, and sit down on a bench right at the fence near the cattle grid to watch the sun set a last time over my home. I will be terribly homesick. Look at this! Burn this colorful view into your memory. This is the last time you will ever see this.³⁹ It will be rare soul food for many years to come in foreign countries...

It is Thursday evening. My train leaves on Saturday, the 13th of November. I decide to have a last dinner at the Tiger Inn of East Dean, my favorite place to go. While standing at the bar ordering my food, I notice a young couple and a middle-aged woman talking with heavy German accent, the two women talking entirely in German together. I decided to join them, just for the sake of not sitting around alone. I speak to them in English. The young guy is obviously English, but the young lady is German, and the older lady, her mother, too. Both Germans don't notice that I am German. The English guy notices my accent, but can't get it sorted out, though he is engaged to a German. I let them guess what my native language is, and when I reveal it, the girls are stunned that I was able to follow their secret conversation all the time. I like these games. I was pretty bad at English in school. I finished with a Fail. And now, not even all English people would recognize my accent anymore. Anyway, this evening was successfully filled with something other than sorrow and pain.

The next day I finish the last bits and pieces and try to get things ready to go. In the evening, when getting all things ready, I notice that my passport isn't where I thought I put it last. I am totally upset and scared: Where is my passport?

I reopen and search every box that I packed (at least that is what I think I do). I turn every piece of paper upside down. Nothing. It is gone.

When Graham returns from work, I tell him the bad news. He calls Tony to cancel the meeting we had agreed upon to hand over the £3,000. Together we try to remember all the steps I took.

The next morning, I go to Tony's place, telling him about my lost passport. We all search his house. Maybe I lost it there. Nothing.

I drive to my empty rental apartment to see if it is there. Nothing.

Did I lose it on the pastures the night I walked through the storm? No, that cannot be, as I definitely had it at Graham's place.

³⁹ Well, it turns out that I did return – 9 years later, to live in Eastbourne right next to these wonderful Downs for an entire year. But I never went to that particular spot in the Downs. I feared the emotions this would evoke.

Did I lose it in the inn when carelessly throwing my windbreaker on the bench with the heap of all the other jackets? Or did I lose it at the Beachy Head restaurant the other day? All inquiries at these places lead to nothing. Where is that damn thing!

Tom Acton, the fourth guy of Tony's printing company, cheers me up that weekend by inviting me for a long walk around Devil's Dyke north of Brighton, and for a badminton game. He beats me. I have been out of practice for over ten years now, so no wonder I couldn't cope with him. He tells me that he is practicing secretly because Tony has been inviting him for several months to join his badminton group, and he wants to surprise him with a gigantic performance when he eventually joins this group as a greenhorn. You will do it, Tom! I had no problems beating Tony and his friends even in the bad shape I am in now, so you will certainly beat them all!

Not giving up on searching for my passport, I decide to simultaneously try to get a new, replacement passport from the German embassy in London. I gather all the information I need. It turns out that I can get a provisional passport in a few days. However, a proper passport requires some six weeks to be done, but it can be sent registered mail to a street address. So on Monday I have some passport photos made. I haven't shaved for almost two weeks now, so the portraits look pretty terrible. I still have a German plug on my shaver, and Graham doesn't have an adapter for it, so I cannot do anything about it. Anyway, it'll do. The photos just resemble me the way I look now!

I get on a train to London Victoria Station and then make my way by the Tube to the German embassy. I enter the building with a sick feeling in my stomach. I quickly get the forms I need and fill them out. Then I hand them over to one of the clerks at the counter. She enters my details into her computer.

Let's see what happens.

She hesitates, looks closely at her screen. She puts my application down and comes back to the counter:

"Would you please sit down for awhile, Mr. Scheerer?"

"Why? What is wrong?"

"There is a problem. I have to check this first with my boss. Please sit down over there and wait awhile, would you?"

I smell a trap. I pretend to sit down. She looks at me, sees me sitting down, then goes out the door. I jump up from my seat, and out the door I go. You better not go back to German territory anymore, not even to an embassy! They have you in their system!

I cross the street and head for the next underground entrance. A big black limousine stops in front of me, blocking my way. I almost start to run. It turns out that the guy is just looking for an address. I cannot help him, though. I probably wouldn't, even if I could. I quickly get into the underground and vanish. Get me out of here!

As soon as I am back in Brighton, I look for the first public telephone and call the embassy. I manage to get through and get hold of the lady that dealt with me. I apologize to her that I couldn't wait and ask if she had found out what was wrong.

"There is a passport refusal ground in your record" she explains.

"What does that mean?" I ask.

"That means that there is some reason why the German authorities would not issue a new passport for you."

"What sort of reason is it? Can you tell me that?"

"No, I am afraid not. Our records don't say anything about that."

She is probably right. It isn't her fault. She might really be ignorant. Well, I am not, but I certainly wouldn't tell her. So I hang up and get back to Graham's house. What else can be done? Perhaps I do not even have to leave Britain? Perhaps they cannot extradite me at all for legal reasons? How about getting some legal advice for a change? Already in 1997 I had been in touch with a lawyer who was experienced in similar cases. He is familiar with my case and might even have learned from the media what is going on. So I call him from a public phone. It turns out that he is already aware of my situation, as he had seen the *Telegraph* articles.

"So what do you think is most likely going to happen if they find me?" I ask him.

"European extradition law has massively changed during the last years. As I understand it, you were sentenced for a crime in Germany that formally is a crime in Britain, too, with similar punishment. Under such circumstances, citizens of the EU are subject to immediate extradition without any further legal ado."

"But the crime I allegedly committed would never lead to any prosecution in Britain, not to mention to a verdict," I retort.

"That is certainly true, but you won't get a single British judge to listen to you. Your case is to be handled on a mere executive level. The justice system does not even get involved. At least I consider it 99.9% likely that nobody will listen to what you have to say. You have no right to be heard legally."

"So there is no hope whatsoever?"

"No, I am afraid not."

“Thank you for your advice.”

Was that the end of the story?

In the meantime, everybody is searching feverishly for my passport, but nothing turns up anywhere. Graham even makes an inquiry at local police stations, asking in general for lost German IDs handed in, but not a single one has been found. It would have scared me if they had one. It could be the perfect trap. I ask Howard that he may eventually try to get my unused ticket to Dublin reimbursed, which he promises to do. Due to the delay of my departure, I at least manage to correct some more errors in the forthcoming book. The proofs I get on Wednesday for *Giant with Feet of Clay* have a totally screwed up table of contents. Good that I could fix that...

Now a new plan is given out: I shall leave for Ireland, hiding there under a new fake identity, hoping that they won't search for me there for years to come. Even if I cannot reach the U.S. for lack of a passport, Ireland certainly is a safer place to be than England, not only because they are not looking for me there, but also because Ireland refuses to extradite individuals accused of having committed “thought crimes” – Sinn Fein and the IRA being the reason for that. I already got in touch with a friend there who is willing to give me shelter for a few weeks until I find a place to stay, and who wants to help me build up a new identity by guaranteeing for tenancy agreement and bank account.

On Thursday night, I finish my last correspondence and figure that on Friday I might get things sorted for a departure to Ireland on a different ferry, this time with my car. So I open a box in which I am collecting recent correspondence that I dealt with at Graham's place, in order to add the new correspondence to it.

I don't believe my eyes: My passport is patiently sitting in there, grinning at me!

When Graham comes home, I tell him the good news, but urge him not to tell anyone. If there is a leak in the system, this disinformation would serve wonderfully on my behalf.

“This is ingenious! Did you plan this right from the start? Was it all a big show?” he asks, totally overwhelmed.

“No, it was unfortunately real. I really was at my wits' end. I stupidly packed the passport and stamps and all other stuff into that last box that I kept open for the last documents that I wanted to collect. It never occurred to me that I could have been so stupid as to include the passport in there. After all, I would need to have it with me all the time, not hidden in a box in Tony's container waiting to be shipped. At any rate, it comes in quite handy that everybody thinks I lost my passport. I even told David Irving

about it. I am sure this bad news already has gone around the globe. And even the German authorities believe that I sit in a trap. Let them think this is true.”

“That is perfect!” Graham said.

In the Land of Infinite Impossibilities

The next day, Friday the 19th Nov, 1999, Graham informs Tony that I would leave on Saturday. This is the signal for him to get the £3,000 and to meet me that night. I go to the Eastbourne train station to get a new ticket for Dublin, and this time nothing will stop me! (Hopefully)

I meet Tony at 8 pm at an Italian restaurant in Hove. He gives me the money and invites me to my last dinner in England. We spend some nice hours together talking about all sorts of things.

Where would I be without these friends?

My train leaves Saturday early in the morning from Eastbourne. I get out of Graham’s house well before he gets up. I take a different route through Alfriston, Litlington and East Dean in order to see at least a part of my beloved home for a final good bye. I park my car near the train station. Howard will eventually use a second key to try to sell it to the local Renault dealer.

The journey to the ferry harbor of Pembroke via London on the train is absolutely relaxing compared to the last three weeks. I hum a Carpenters song that I love while the train is leaving Eastbourne:

“I beg your pardon.

I never promised you a rose garden.

Along with the sunshine, there’s gonna be a little rain sometimes.”

Well, such is life!

In the ferry port, I have to hand over my luggage – just one bag – to a guy, and enter a coach. Being separated from almost everything I now possess makes me nervous. Don’t screw it up, guys! I need my clothes! That’s all I have! The bus drives right into the belly of the ferry – the right one, I hope. We don’t need to get hold of our baggage. They do it all for us. Why is it that I don’t trust them?

Of course, nobody controls our IDs when leaving Britain’s coast, but it makes me relax to actually see that it really doesn’t happen. The journey is quiet, boring. What would you expect? I try to flirt a bit with one of the girls at the delicatessen counter. That is about all the excitement you can find here, I guess. The movies they show don’t interest me. I cannot sleep

either, so I just sit around and stare into the Irish Sea and let my thoughts wander: First the coast of England disappears in the distance, a coast that had become home, and then, after some two hours, the Irish coast approaches.

Regarding ID control, it is of course different when arriving in Ireland, but it is nothing more than a guy taking a glance at my passport. No scanners or computers anywhere in sight. That is the difference between airports and ferry ports! I like it!

“Where do you come from?” the guy asks me. What sort of question is that?

“From England, of course. I mean, the entire ferry came from England, didn’t it?”

Perhaps he wanted to know where I live, but the answer to that wouldn’t have been any different. Anyway, he doesn’t care and lets me pass. It takes a few minutes before I receive my bag, and a few more to find a bus driving to downtown Dublin. It turns out that the ferry port is at the far south of the city, whereas the airport is in the north. I get on a bus to downtown Dublin, and from there on a bus to the airport. It is already after 6 pm when I arrive there, and none of the airline counters offering direct flights to the States is open. I have to come again tomorrow, some lady tells me. They would open at 8 am. What a disappointment. I wanted to get out of here as quickly as I could. But since nobody knows that I am here, it doesn’t really matter.

I ask a taxi driver where I can best spend the night. He is a nice guy and tells me that prices are lowest in a certain area close to downtown and that he’ll drop me off there. So I enter his van, and while driving to what turns out to be a youth hostel, we have a nice chat about the English, the Irish, and the Germans and their relations to one another.

At the youth hostel, I have to deposit my ID card, which I don’t like to see, and my details are being entered into a computer, which I hate to see. But I am quite sure that no hotline leads from this cheap youth hostel to London or Berlin. It is just that I hate to leave traces.

After eating some of my food supply, I decide to have a walk through downtown Dublin. We are approaching Christmas, and so the town has its usual Christmas decorations everywhere. However, I am a bit disappointed about this city. But I don’t have to stay here, so why bother...

I spend the night together with some ten guys in a large dormitory, and I get up at around 5:30 in the morning, take a shower, have my breakfast, get my ID back from the clerk, and head for the airport in a taxi. I am too early and have to wait until the ticket counters open. It turns out to be not

all that easy to get a ticket for today, Sunday, the 21st, but I manage to get one for roughly 1,000 Irish pounds. Destination: Huntsville, Alabama. Right into Robert Countess's place. He wants to have me as an employee for his publishing business, so he will have to cope with my sudden arrival, even though I haven't said a word to anyone that I am coming.

As a matter of fact, my flight first goes from Dublin to Shannon, where we all have to leave the plane in order to pass through U.S. immigration and come back aboard afterwards. That is strange. I didn't know that they even did this abroad. So be it. Perhaps it is a huge advantage, because if anything goes wrong with the U.S. Immigration Services, then they don't have to deport me. They just dump me in Ireland, and that would be my second choice anyway. Getting caught in New York or Atlanta would be much worse. Any deportation to Europe, with the authorities there being informed about it, would certainly end with my incarceration. So, thank you Jesus!

I have to fill in the usual I-94W visa waiver form. I know that this is not the way to enter the States when getting employment. I had some fights with Bob Countess about it. Already in October he got in touch with an immigration lawyer, and she claimed that I could come with a visa waiver and that it can be adjusted. I didn't believe it, because I remember from my first two times I filled in this I-94W form that it stated that one cannot be employed in the U.S. when entering the States with such a waiver, and that any adjustment is expressly excluded. But Dr. Countess insisted that he asked that lady twice, and she allegedly confirmed twice that it can be done. Anyway, I don't have much of a choice right now, and if it turns out that it cannot be adjusted, we would have to find other solutions.

The immigration officer looks at me in my sweat pants and at my ticket.

"You have only a one-way ticket. We cannot permit your entry with just a one-way ticket. You need a return flight."

Sh... What do I reply to that?

"Yes, but I do not yet know when I am going to return. That is why I didn't book a return flight." I tell him.

"What is the purpose of your journey?" he asks.

"I am about to expand into the U.S. market and want to open a kind of business branch of my publishing company there. It'll take some time, and I will have to travel a lot."

He looks at me in my casual clothes and my unshaven face, and doesn't seem to really believe me. I certainly don't look like a businessman who is expanding his company on a world-wide scale. However, that is what I really want to do and what my business with Bob Countess is all about.

And finally, I really want to return to England's sunshine coast, once they let me...

The border official murmurs, stamps my passport, and says something like:

"You'd better get a return ticket next time you fly to the U.S."

Well, I like return tickets that work, but any return ticket to Europe is not going to work for me, I am afraid...

And off we go! Hallelujah! I made it!

The flight to New York is as boring as all flights are, and I need to wait several hours for my connecting flight to Huntsville. I arrive there at 9 pm local time. Bob Countess is already in bed at that time, so it doesn't make sense to call him. I call Craig Cox instead, a friend of Bob with whom I stayed already in June and September 1999 during my two lecture trips. He and his wife Suzan are certainly up at that time. But... they don't answer the phone. I try it again, and after a while I get through.

"Hello?"

"Hi Craig, it's me, Germar"

"Oh, how are you doing?"

"Fine, thanks. Listen, I am here at Huntsville airport."

"Oh, really? So you made it, huh? I didn't know that you were coming!"

"Well, that was the purpose of the whole exercise, wasn't it? Anyway, yes, I made it. May I ask you if I can stay the night at your place, and if you could pick me up here, please?"

"Sure. My home shall be your home. I'll be at the airport in half an hour. Does Bob know you are here?"

"No. Nobody knows. You are the first I've told. You know, I didn't want to bother Bob, as he is certainly already sleeping."

"That's fine with me. You are really welcome here. You can even stay longer, if you wish."

"Thanks. And don't tell anyone yet!"

"Sure. See you."

"Bye."

Craig comes some 30 minutes later, and we drive to his place. Suzan welcomes me in her friendly way that really makes you feel welcome. I have seen these guys only twice for not too long, but that sufficed to make it a real friendship. I know I can count on them.

Craig calls Bob the next morning and tells him about a big surprise that is waiting at his place for Bob to be picked up. He doesn't tell Bob what it is, though Bob urges him to explain.

A few hours later, Bob drops by with his VW New Beetle and is really surprised to see me waiting for him. We have a nice drive back to his place, during which I tell him about how I again eluded the European Thought Police. I ask him if he would allow me to get in touch with Linda Faith, a lady I met in Cincinnati at Irving's Real History Conference in September this year. "Certainly," he agrees. I shouldn't even ask.

I have been in email contact with Linda for several months while still in Britain, and I hope to find more than just a friend in her. Since I don't know where to stay, I decide to call her and ask her if I can visit her. She is surprised to hear my voice and is happy to meet me, but urges me to wait until the coming weekend when her kids are at her father's place, so that she has time for me. So it is arranged. I get a plane ticket for the next Saturday, returning Sunday.

Bob informs me that he has dumped that lady lawyer, who appeared to be not very competent, and has found another immigration lawyer in Birmingham, Alabama, a guy from Bangladesh who made a good impression on him. We shall visit him next week.

On Saturday, I fly to Cincinnati, where Linda picks me up at the airport. She invites me for lunch at LaRosa's Pizzeria. I take the opportunity to ask her if she would be interested in being employed by Theses & Dissertations Press, Bob's publishing firm that I am supposed to become the director of, once my working visa is granted. She is really enthusiastic about it and more than happy to say yes. After lunch, Linda decides to show me her house, which she is currently trying to sell. So we get back into her car and drive a few miles. While approaching the house, she slows down and gets nervous.

"Oh my gosh, police everywhere"

"Some four or five cars," I quickly count.

"You must know that I have trouble with my son Paul. He is on medication for schizophrenia and has escaped from the hospital where he was supposed to stay by police order," Linda explains.

"So the police are here because of him?" I ask.

"Almost for certain. Look, that is my house. They are all around that house!"

Linda drives by very slowly. Suddenly one of the police officers gets suspicious about the slowly passing car and goes after us. In a second we are surrounded by some ten cops, some of them pointing their guns at us.

"Oh my gosh, they are aiming at you!" Linda says.

"Get your hands up," one of the police officers shouts, but somehow I do not believe that they mean me. They cannot. Why should they? So I

open the door in order to ask them what this was all about, which really is a big mistake. These cops are extremely nervous and excited. They interpret my move as a threat. One officer points a gun right in my face, another drags me out of the car and pushes me face down into the grass. A third one handcuffs me. That's it...

Everybody is totally excited, especially Linda who desperately tries to convince the police officers that this is not the guy they are looking for.

"This is not my son. You got the wrong guy. Please let him go!" Linda is extremely upset.

"Who are you?" they ask her. They pull me up from the lawn, and Linda identifies herself, explaining that the one they are most likely looking for, Paul, is her son.

"But this is not my son. This is a visitor, a friend of mine who just arrived in the U.S.!"

"Ma'am, don't get excited, stay back and wait until we have checked his identity. If you are right with what you are saying, then there is no reason to be upset."

I am shivering. The entire neighborhood is now gaping. I tell the cops that my passport is in the jacket on the backseat of Linda's car. They get it, and one officer gets in his car to check my passport. Another officer talks via a phone to someone, getting information about the guy they are looking for. They are informed that Paul has tattoos on his arms. So they quickly lift my sleeves, just to see that there is nothing.

"That's not the guy. We got the wrong guy. That's not him."

The officer checking my passport gets out and just says "Nothing. He's clean."

The officers take off my handcuffs and apologize for this.

"Well, having the usual prejudices about this country, this is pretty much what one expects to experience, isn't it? It was a nice adventure, at least," I tell them with a broad smile on my face.

Back in the car, Linda apologizes:

"Oh my gosh. You made it out of inquisitional Europe into the States to avoid being arrested, and I almost screwed it all up. I am so sorry for that."

Welcome to America!

At least now I know that there is nothing on U.S. records. You always have to see the positive side of things.

The Chase Has Begun

My move abroad, using several diversions and distractions like an animal that has to deceive its predator, took some time. A few days only after I left England, two gentlemen appear at my official Hastings address, where I have claimed to live since 1997. They tell my friend Howard that they are looking for me. Howard, however, can tell them only that he does not know where I am (which is fortunately true) and that he only takes care of my incoming mail. It is strange that these two gentlemen are quite satisfied with this explanation. But perhaps they already know that they cannot expect any more details from Howard. After all, I have not committed any crime according to British law, so they cannot do anything against my operating my legal business from underground with the help of friends.

Things are quite complicated initially, however. Our new mail forwarding system is rather intricate for security reasons, and it takes many weeks before the mail finally reaches me. It thus happens that some requests of my customers are not being taken care of in due time, which upsets some of them. If only I could tell them about the circumstances under which I am forced to work!

During all this upheaval, David tries to contact me. He wants me to assess an expert report that his opponents filed for his upcoming libel suit against Deborah Lipstadt. For security reasons, I had to cancel all my British internet accounts, and it took a while for me to find a way to get access to the Internet again without risking that the British or German authorities could track down the location of my telephone jack. It so happens that Irving receives my comments only shortly before he cross-examines the most important expert witness, Prof. van Pelt. Irving's libel suit probably suffers tremendously due to that. Some friends suggest that this was perhaps the reason why they started that witch hunt against me at exactly this time. They want to cripple David Irving's means to conduct his case properly. Perhaps there is some truth to it. In an article in the *Los Angeles Times* of Jan. 7, 2000, Kim Murphy states in a rather fair article about revisionism that I could very well appear as an expert witness on behalf of David Irving. Maybe the thought of that made certain groups panic. But who of them knows that Irving never even intended to present me as an expert witness...

On Jan. 16, 2000, right at the start of the Irving trial, Chris Hastings from the *Sunday Telegraph* brags about his alleged triumph of having successfully slain the evil dragon – even if it is only an innocent, powerless young man:

“Neo-Nazi accused of ‘racial hatred’ goes on the run

[...] *Germany has issued an international arrest warrant for Germar Rudolf, who fled to England to escape a prison sentence for inciting racial hatred.*”

Not quite yet, Mr. Hastings, because the arrest warrant issued, which makes him so happy, is not the same as the actual execution of it! But the language is rather clear: a manhunt for a dissident in the “free” western world.

The manhunt turned completely into hysteria with a BBC report about me on March 28, 2000, which was repeated the day after by the south English regional TV station ITV at 23:20. Six or seven photographs of me were shown during the report which had been taken from my website www.vho.org. The public was warned to beware of this “Nazi sympathizer.” Mr. Michael Whine of the British Jewish Board of Deputies was pleased to appear before the cameras and announce that regarding me, England was dealing with a “new breed of dangerous Nazis.”

To understand the full extent of this witch hunt, one must realize what the British audience most likely considers to be a “new breed of dangerous Nazis”: In 1999 two severe bomb explosions in London killed many people. Most of the victims were members of colored ethnic minorities and homosexuals. The media claimed – prematurely, as usual – that “dangerous Neo-Nazis” were responsible for these bombs. Not even a year later, the BBC called me a “new breed of dangerous Nazis” hiding in the area of Hastings. What would the average Englishman have thought when watching this? A mass-murdering criminal running around with lethal weapons?

The local press chimed in once more with “Escaped Neo-Nazi still hiding in Hastings [...] he [...] was still being hunted.” (*The Hastings and St. Leonards Observer*, March 31, 2000). Obviously, the powers that be are striving to familiarize the local populace with my likeness and condition them to be afraid of me. It wants them to complain to the police about the desperado in their midst.

But did anyone really care? Well, on May 22, 1999, the British House of Commons felt obliged to briefly mention my case. The busy Labour member Andrew Dismore had asked the Secretary of State for the British Home Office during a session on prevention of crimes [sic!] to make a statement about my case. Although the home secretary’s response was not long, it was very clear nevertheless:⁴⁰

⁴⁰ Once at www.parliament.the-stationery-office.co.uk/pa/cm199900/cmhansrd/cm000522/text/00522w13.htm#00522w13.html_sbhd1; now (re)moved.

“The Government are aware of the reports in some quarters that Mr. Rudolf may be in the United Kingdom. The police have also been informed of the allegations against Mr. Rudolf.”

This indicates clearly that my case has found attention in the highest circles, which assume that the police will solve that issue – with handcuffs, with what else...

Each year the Stephen Roth Institute of the University of Tel Aviv compiles a report on alleged anti-Semitism around the world. Following typical Jewish persecutorial paranoia, historical revisionism is listed in that report as well. Since the year 1999/2000, the section about German revisionism of this report is about one individual only: Germar Rudolf. For decades now, the reports of the German Agency for the Protection of the Constitution list historical revisionism as an act directed at undermining the German state, an outrageous claim indeed. The report of 2003 states that I am the only revisionist left over in the entire world that does any work worth mentioning: “Only [...] Germar Rudolf continued his activities as before.”

Change of Scene

End of July 2000. All attempts to get a work visa in the U.S. have failed. I have left the U.S. to avoid trouble with the immigration services and have temporarily settled in Rosarito, Baja California, Mexico. I have rented a little house next to the home of Bradley Smith, head of the Committee for Open Debate on the Holocaust. From here I am planning my next move: to apply for political asylum in the U.S. It will be a desperate last attempt to get in.

During my 10 weeks' stay in Mexico, Bradley and I become close friends. In August, I book a flight to Iceland via New York. Although Iceland is only associated to the European Union, it makes me nervous to have to show my passport when leaving the airport, but nothing happens.

The wind blows cold in Iceland's capital, chasing the clouds across the sky, and the sun struggles to keep temperatures within an acceptable range, even though it is August, just a few days after my mother's 59th birthday. She has come to see me, together with my ex-wife and my two small children. We meet in the middle between Europe and Mexico, where the continents divide and the earth's inside is turned outside. By that time, I have gone through an ordeal of persecution and prosecution because the powers that be could not let me get away with my knowledge and skills. And as lies in my nature, I have not caved in, but resistance and pressure have



The last photo of my first family, a few days before our divorce, on the black lava beach of Iceland in August 2000.

made me even more resilient. The young student of days past has turned into a scientist of the most upsetting sort: I do my research where many powerful people do not want me to, and I publish the results of other peoples' and my own research that many authorities want to suppress. I decided a long time ago to jettison my splendid career chances of becoming a professor for crystallography, and to pursue what I see as the greatest of all adventures instead: to boldly go intellectually where no one has gone before, just because no one wants to allow me to go there. Ostracized, slandered, prosecuted, sentenced, deprived of my academic title, kicked out of home, job, clubs, avoided by "friends" and even parts of my family, and finally also abandoned by my own wife, I now live abroad, on a different continent, all bridges burnt behind me. Looking back at the path of destruction my activities caused in my life, but also the havoc I have wreaked and still wreak as a one-man show on a national as well as international level, my mother finally agrees:

"Yes, you are right, it is of tremendous relevance, but still, I cannot accept as a mother that one of my children puts himself in harm's way."

I am stunned by this late confession that my mother has been dishonest or misjudging:

“Now, after eight years, I have the first honest statement out of your mouth that I can accept. Was it so hard? I understand that it is the duty of a mother to keep her children out of danger, but mom, I am well over thirty now. I am responsible for myself, don’t you think? You know very well how I react when someone wants to force me to act against my will. You know me better. Whether it is my father who wanted to break my will or the German authorities that threaten me with incarceration for doubting the indubitable, it is the same thing. So why did you oppose me with these stupid dogmatic paradoxical statements? It drove me even deeper into it!”

We walk along Reykjavik’s beach promenade, and she goes on:

“I accuse myself for having raised you with this extremely moral outlook. Do you always have to be so honest and do you always have to tell the entire truth? Can’t you lie once in a while, or at least tell only part of the truth, if you know that your environment doesn’t want to hear the truth? As a boy, you were always looking for a reason to understand why your father treated you so harshly and often unjustly. I told you about how he and his family were treated unjustly after the war, and I think that this is what caught your attention, looking out for injustice done to your family, to your tribe, to your nation ever after. You are an extremist when it comes to justice, and you won’t stop until justice is done. I think I put you on the wrong track when blaming the unjust treatment you received from your father on him and his family having been ethnically cleansed from eastern Germany.”

I feel that I have to intervene; though there might be something to it, it surely isn’t all her fault.

“Until I turned 19, I had no interest in any historical studies, not to mention research. I actually hated history at school. So I think you are basically off the hook here. This impulse came from elsewhere. It came from the eastern-German student fraternity I was a member of, from being held in a Czech prison, from the insights into the power games in German society using falsified German history as a weapon. And I also think that my extreme sense of justice and my sincerity and honesty, combined with my strong will, are something that lies within my nature. I do not believe that things would have turned out differently even if I had not had your Catholic morals around for most of my life.”

A few days later we part, not knowing that the next time I will see my son will be in summer 2004, and my daughter a year later, when she will be almost 11 years old.

“Political persecution does exist in Germany indeed, and even serious violations against the principles of freedom of science. In my view, Mr. Rudolf’s application for political asylum seems to be well founded.”

Prof. Dr. Ernst Nolte, Nov. 16, 2000⁴¹

4. Asking for Asylum

Back in Rosarito, Mexico, it takes only a few days for me to drop into a hefty depression. Nothing seems to function anymore: my family has been destroyed, except for the 75-year-old Bradley I have no social contacts at all, my company slowly but surely goes down the drain because nothing works properly due to the lack of infrastructure in Mexico, and there does not seem to be a silver lining at the horizon giving me any hope that I will get out of this dirt hole again. On August 29, 2000, I send an appeal for help to several friends by email, because I feel like I am drowning in the dust and grime of Rosarito.

But I have to add one thing here: I am so grateful to have Bradley near me at this hour. He lifts me up, occupies my time, keeps me alive. Without him as a neighbor, I would have felt utterly lost.

And then, out of nothing, the pertinacious Andrew Allen pops up again: “Let’s try it with an application for political asylum now. You really have good chances,” he writes in an email.

“Oh well. I guess I am in a situation now where I have to resort to this last-ditch effort,” I reply, and so we get down to finding out what we have to do in order to prevent that we botch it right at the beginning for procedural reasons. After all, Andrew is no expert on immigration law either.

During the following weeks I keep myself busy doing mainly three things: The desperate attempt to build up hope for a life after Rosarito – or at least the illusion of it – by way of internet dating websites; improving my fitness by jogging along the beach of Rosarito; and with research and all sorts of odd jobs in preparation of my asylum application: gather documents proving my persecution, finding evidence for political persecution in Germany in general, and then translating it all into English. I also “squan-

⁴¹ <http://germarrudolf.com/persecution/germars-persecution/documents/>, list #32.

der” some time working for Bradley and his website www.codoh.com as well as for my own website www.vho.org. In addition, I prepare a new German edition of my expert report for publication and send it to the printer in England in early October 2000. Working for Issue No. 3 of 2000 of my German magazine, however, feels like a punishment at the moment, so I skip it.

One question bothers me most, which has worried me each time when filling out a visa waiver form while entering the U.S.: what exactly is a “crime of moral turpitude”? Because if one has committed such a crime, one is neither entitled to a visa waiver nor is it likely that one can obtain political asylum. Hence, I try to find a definition for such crimes over the Internet.

I quickly find a collection of several hundred U.S. court cases dealing exclusively with defining what constitutes a “crime of moral turpitude.” After skimming through a few hundred cases it is safe to say that a free-speech offense similar to that for which I was sentenced in Germany does not even exist in the U.S. I thus have not committed a crime of moral turpitude according to U.S. law. What a huge relief: my answers when filling out those visa waiver forms have always been correct, and there is no legal obstacle excluding me from political asylum.

Early in October I start packing up my things. My visa waiver from my trip to Iceland expires on November 8, which means that everything will have to have happened by then, because I don’t feel like asking for political asylum at some border station in the Mexican desert, as a result of which I may be held there for many weeks. I prefer filing my application from a temporary residence within the U.S.

I cannot resist, though, trying to get a new visa waiver. Bradley and I therefore drive to the border at Tijuana one day in order to go shopping on the other side. At the border I don’t show my still-valid visa waiver on purpose but ask the border official for a new one instead. She looks critically at my passport, leafing through it to the last page. Then she grabs her walkie-talkie:

“We have a guy here with a lot of immigration stamps and a note of a denied visa application. Should I send him over to you?” she talks into it.

“Oh dear, that sounds like trouble,” Bradley whispers to me.

“What will we do if it doesn’t work out?” he asks me.

“Then I walk to the pedestrian section over there and pass through with my old visa waiver. You simply drive through and pick me up on the other side,” I suggest to him.

“OK”

The border official asks Bradley to pull over to a special parking lot, where another official is awaiting us already.

“Please give me your passport and stay inside the car.”

The official leaves for his office with my passport in hand. Bradley and I look at each other in surprise. So far, we never had to remain in the car.

“I hope that nothing worse will happen,” I say slightly nervously.

“But what could happen? They can’t do more than turning you down.”

“Of course they can. For example, they could arrest and extradite me based on a German arrest warrant.”

After a few minutes the official comes back:

“According to the stamp at the end of your passport a visa application was denied to you by the U.S. consulate in Tijuana in February. This means that we are not allowed to issue you a visa waiver,” he explains.

“Wait a minute! The lady at the U.S. consulate had explained to me explicitly that this is not a denial. She even explained that I ought to come to the border here in order to obtain a visa waiver.”

“That may well be. But the stamp in your passport only mentions that a visa was denied. No reason is given, and according to the law we cannot issue visa waivers to individuals who have ever been denied a visa.”

“I don’t believe this. How can that lady at the consulate refuse to accept my visa application and at the same time tell me to get a visa waiver here at the border?” I ask the official.

“I am inclined to believe you, sir. We frequently have cases here where the guys at the consulate have botched it. They are employees of the State Department who have no idea about the rules of the immigration authorities, which are part of the Department of Justice.

We have now added an entry on the first visa page of your passport pointing to the entry on the last page. I now have to ask you to come with me. I will now escort you back to Mexico.”

That was it, then. All doors to the U.S. are now closed, except for political asylum, maybe.

“That’s really great. May I at least give my friend here some instructions about our planned shopping spree?” I ask the border official.

“Yes, of course.”

Then I brief Bradley on my new plan:

“Listen, Bradley, you drive all by yourself to Chula Vista and run your errands, while I ride a bus back to Rosarito.”

I explain my changed intentions a couple times to Bradley to make sure he understands that I am not saying this in order to dupe the official stand-

ing next to me, but that I really mean it, because there really is no reason to risk anything for a simple shopping spree.

During my bus ride back to Rosarito I realize that I really have only until November 8 in order to reenter the U.S. with my old visa waiver and in order to grab the last chance for a permanent residence in the U.S. by applying for political asylum. These are really nice prospects.

On October 16, everything is prepared. I have once more packed up all my things. But before we can send my belongings on their merry way, I have to manage getting across the border first – with the help of my old visa waiver. Of course, I could apply for asylum right at the border without any immigration papers, but that would probably lead to my temporary confinement (not to say arrest) and to a tentative interrogation right at that location, a stressful scenario I really can do without.

Andrew Allen has decided that I should come to him to San Francisco after having crossed the border successfully. Then we would simply send my application to the authorities by mail. Only after I will have returned from San Francisco will Bradley's Mexican friend bring my belongings across the border in his truck.

This time we do it all differently at the border. Bradley drives across the border in his car by himself. We assume that it will be much easier if I arrive at the border as a pedestrian with a backpack, like a German tourist. But I also have a briefcase with me with all my asylum documents, which doesn't quite fit into the image of a back-packing tourist. But you never know whether I will need those documents already here at the border. Bradley's wife crossed the border as a pedestrian as well. She carries my suitcase with my clothes, pretending that she doesn't know me. Because as a back-packing tourist I am not supposed to have a heavy traveling bag.

It is Monday evening. The border station in Tijuana is almost empty. I walk toward a Mexican-looking border official who looks rather relaxed. He has nothing to do. I pull my passport and my old visa waiver out of my



Audre Pinque in Mexico. Together with Bradley Smith she helped me to keep up my spirits while staying in Mexico. As a thank-you I helped her move back to the U.S. in late 2001, where she unfortunately died in a car accident in March 2002.

backpack and shove them right under his nose, with the passport neatly opened at the page with my photo. He glances at it with obvious disinterest and simply waves me through. Next I have to put both my briefcase and my backpack through an X-ray detector.

“What do you have in that briefcase? Please open it,” one of the officials asks me.

I open my suitcase nervously and leaf through the collection of asylum documents.

“These are documents,” I explain.

“I see. On the monitor it looked like money,” the official states in return. I crack up laughing with relief:

“Ha-ha, that would be nice!”

That was probably a little bit too shrill. I wonder whether they have noticed that. But no, they all laugh too. And so I walk on, into the darkness of San Ysidro in the “promised land.”

I made it!

And I’m hungry. As much as I detest American fast food, I now enjoy eating a cheeseburger. Better a cheeseburger than Mexican cuisine... [Update 2012: After having lived in Latin America for three quarters of a year during 2010/2011, I now love Mexican cuisine, but still detest fast food...]

A short while later Bradley drives me to a hotel near the San Diego airport, from where I fly to San Francisco the next day in order to surrender myself to the U.S. authorities. In San Francisco, Andrew Allen checks me into an expensive hotel on the other side of the bay in Tiburon. He pays the bill and promptly gets into a marital spat with his wife over it, because she cannot forgive me for being on good terms with Willis Carto, who she considers an enemy of her husband.

“I will survive that one too,” states Andrew. “What is important is that we get you political asylum.”

On October 19, 2000, the asylum application finally goes into the mail, together with a number of documents about my political persecution. As my temporary residential address, I give the immigration authorities that of Dr. Countess in Alabama. In order to get there, I first fly back to San Diego the next day, where I arrange with Bradley to have my possessions – bicycle, furniture, computer, books and all – hauled in a truck from Rosarito across the border at San Ysidro. I rent a U-Haul truck there and meet Bradley and his Mexican friend and truck driver at the border. We transfer my possessions into the U-Haul truck, and off I drive across the country, back to my new sweet home Alabama, back to the Countesses.

Now it all depends on how the government will react. Will the FBI stop by with handcuffs, or will I finally be left in peace? Some may consider me paranoid, but I have my reasons. Hardly have I settled into the home of Dr. Countess, who is so generous as to let me sleep in a small room of his house, than I receive an email sent by a support committee for a certain Hendrik Möbus. It describes with shrill words how Möbus, a German national obviously harboring right-wing views, had asked for political asylum in the U.S. for allegedly being politically persecuted in Germany. Yet he was arrested by the FBI with such brute force that he lost a tooth and had one of his arms broken in the process. He furthermore has been kept behind bars ever since. Needless to say, this email scares me a lot. I search the internet in order find out what this Möbus case is all about. It turns out that this committee has its own website, but there are also several media articles about him. I read all those articles dealing with the background of his case, and after half an hour I sigh with relief.

Hendrik Möbus was a young member of a “right-wing” organization (whatever that means), and as such he had been involved in the murder of another youngster. After having served his sentence, he was released on probation under the condition that he was not allowed to become politically active or make any public statements in a “right-wing extremist way” during his probation period. No sooner had he been released than he violated that condition, as a result of which the German authorities tried to re-arrest him to make him serve the rest of his term. Möbus preferred to leave the country, though, and traveled to the U.S. There he got in touch with, and found refuge among, well-known political circles of the National Alliance. He overstayed his visa waiver, hence was illegally present in the U.S. An extradition request by Germany referred to his murder case and the violation of his probation conditions, but not to any other activities or statements as such, be they political or of any other nature. Since restrictions of civil rights by probation conditions are normal and no proof for political persecution, the case was evidently not political in nature at all. And because Möbus committed a violent crime, he is excluded from applying for political asylum right from the start anyway. [As had to be expected, he was extradited to Germany on July 29, 2001.]

After discussing this with Andrew Allen, he agreed that my case was absolutely not comparable with that, because I had not committed any crime according to U.S. law and always acted legally when traveling from and to the U.S. Hence my excitement subsided rather quickly.

Toward the end of October 2000 I receive a note from the U.S. immigration services informing me that my asylum application has been formal-

ly accepted and that I will have to show up for an interview with an official of this department at the end of November 2000. Andrew Allen is delighted, for we have successfully taken the first hurdle: our application has not been rejected for some procedural mistake. The case will be adjudicated ...

Now it is clear that we have until the end of November in order to put my case together as well as possible: documents about political persecution in Germany in general and with respect to my person in particular are collected and translated into English with the help of James Damon, a very loyal and generous friend. Without this translator, who relieves me of a major workload and does all his work for free (he even gets angry when I offer him money!), I would be financially (and also mentally) unable to prepare my case somewhat satisfactorily by the end of November. I moreover have to also prepare the double issue of my German magazine. Hence, I cannot complain about a lack of work. Since I hardly ever get away from my computer in my small room, my “foster parents,” the Countesses, call this room “the dungeon.”

Then, on November 29, all is set. I fly back to San Francisco for my initial asylum hearing in front of some clerk. Andrew Allen and I sit with a queasy feeling in our stomachs in the waiting room of the asylum department, surrounded by all kinds of exotic-looking people who apparently have similar pleas to make.

An hour later we are asked to enter an office. A gentleman – probably in his late fifties – instructs us that the asylum seeker may be seated to the left, while the attorney sits on the chair at the right. Since Andrew Allen is wearing a scuffed-up leather jacket, somewhat worn grey trousers and has a two-day beard, while I have shown up freshly shaven, with a white pair of slacks and a green silk jacket, the official doesn’t want us to sit down the way he has instructed us, though. It requires some explanation to enlighten him that – contrary to his assumptions – I am the asylum seeker and Andrew is the lawyer. This is not the only confusion we will cause this poor official, as it turns out.

“Do you have a visa for the U.S.?” the official asks me.

“No” I respond correctly, as I only have a visa waiver, which is not a visa.

“Well, have your papers not been checked at the border?” he asks in perplexedly.

“You cannot call that checking.”

“How then did you manage to get past the border official at the border?” he asked with an irritated voice.

“I held my passport and my visa waiver in front of the official’s face, and he waved me through without looking closer at my papers.”

Now he is somewhat upset, but he who asks ill-defined questions should not be surprised to get unexpected answers.

“Give me this visa waiver,” he demands. He looks at it and says gruffly, “But this visa waiver is from August, not from October.”

“Of course. I received a visa waiver in August, and since U.S. border officials have told me that I should hand back a visa waiver only if it has expired or if I am leaving the U.S. permanently, I wanted to keep this one up to its expiration date.”

Now the official, with my visa waiver in hand, jumps up from his chair, runs out of his office and lets us sit there all by ourselves for some five to ten minutes. Meanwhile Andrew Allen writes down this official’s name, who does not make a good impression with his gruff attitude.

He finally returns, hands the visa waiver back to me and says that everything was fine. But then comes a real bummer:

“In preparation of today’s interview, I have looked around the Internet and have found out that the revisionists are all Nazis, aren’t they?” he asks me.

What a great start! I contradict and start the usual sermon about the political convictions of the most important revisionists, starting with the communist/socialist and former concentration camp inmate Paul Rassinier, then mentioning Faurisson, Butz, Ginsburg, and all the others.

“But there are Nazis among them,” he insists.

“Yes, they are there, too,” I reply.

“Now explain to me why you ask for political asylum,” is his next question. When I launch on a longwinded lecture, he interrupts me and simply states:

“Well, you obviously do that because you don’t want to go to prison, right?”

“Right,” I concur. That sounds better already, I think to myself. Subsequently he wants to know, to which conclusions I have come with my research on the Holocaust, to what conclusions my expert report has come, and upon which kind of evidence I base myself. I in turn ask myself, what the results of my research, the contents of my expert report and the multitude of evidence has to do with my asylum application. Only reluctantly do I start to explain to him the point of departure and the course of my research as well as the most important results, by so doing I get lost in details, so that after a while he loses patience. Only later on I realize that he

apparently expected some kind of political statement, but not a scientific lecture on chemical, architectural and technical details.

This “aha!” experience must have turned him around. The interview runs smoothly from there on. He asks one question after the other, and when my answer is too complicated, he interrupts me and summarizes it in a way which sounds most conducive for a granting of asylum.

While discussing the other criminal investigations pending against me, the book *Grundlagen zur Zeitgeschichte* (the original 1994 German edition of *Dissecting the Holocaust*) is mentioned as well, and I can proudly show him a copy of the English edition. He is surprised about the size of the book, that it has now also been published in the U.S., and it requires some effort to explain to him what a scientific anthology is. Andrew and I look at each other in astonishment, not only because we notice that the official is increasingly friendly, but also because it becomes evident that his educational level is rather low (once in a while I have to explain to him English words I am using) and that he has apparently never dealt with an intellectual asylum seeker before.

“You arrived in the U.S. for the first time in November 1999. What took you so long to apply for asylum?” he asked toward the end of the interview.

“To be honest, my lawyer had a hard time convincing me to file this application in the first place. After all the experiences I have had with the authorities in Germany, I don’t trust any authorities anymore.”

He seems to be satisfied with that and then raises the last topic:

“What is it you and your fellows want to achieve? What is your goal? What are you talking about when you meet at these conferences or whatever?”

At first I am not sure what he means. But then it turns out that he assumes that the revisionists would discuss some kind of political long-term goals during their meetings and would work out plans in this regard. I therefore explain to him that the revisionist conferences in general are no different than any other scholarly conference. Research results are being presented and discussed, but apart from civil rights issues like censorship, political correctness and political persecution, politics aren’t being discussed, except maybe in private circles and depending on the predilections of the individuals. It takes some effort to convince the official that the revisionists aren’t a group of political conspirators against some ethnic or religious group or against certain nations, but that their interest focuses on the most accurate approach possible to the historical truth. But after giving some explanations and examples about the way revisionist meetings and

conferences unfold, he seems to see the light, and toward the end of the interview he jots down a list of questions and answers, which indicates clearly that the penny has dropped:

Revisionists aren't Nazis, but persecuted dissident scholars.

Well done! Who would have thought that at the beginning of the interview! The 20 minutes usually allotted to such an interview have turned into 3½ hours in my case, and I hope that this time was well invested.

At the end, I am allowed to confirm with my signature that an immediate decision is not to be expected in my case and that the decision will be sent to me by mail.

After getting back to the Countesses, I work feverishly to get the double issue 3&4/2000 of my quarterly magazine out. This is encumbered by considerable obstacles, since I have not even unpacked my moving boxes, save a few exceptions, which are stored in some storage room. It is, after all, impossible to stay for a longer period of time in a friend's small, dark room, which is to say that I expect to move again soon. But how am I supposed to publish a magazine issue, if I don't have my papers accessible? Improvisation is the motto of the day!

Toward the end of December Andrew Allen calls me on the phone:

"I just had a strange phone call from the official who interviewed you. He was very polite. He said that he is unfortunately not allowed to adjudicate your case, as this is outside of his jurisdiction. But he said that he has determined that you are probably really persecuted."

This news is more than confusing, and since Andrew Allen isn't an expert at asylum law, we have no choice but to wait for the written decision of the immigration authorities. It gets to me in early February 2001, and the decision is both encouraging and discouraging. On the one hand, the text next to the boxes ticked on the form say:

You have not established that you are a refugee:

1. *Past persecution*

You have not established that any harm you experienced in the past, considering incidents both individually and cumulatively, amounts to persecution.

2. *Future Persecution*

You have not established that there is a reasonable possibility that you would suffer persecution in the future.

But then the official added a typewritten text underneath which completely contradicts the above:

“However, it has been determined that you have been found to have a credible fear of persecution in that there is a significant possibility that the harm you suffered in the past and the harm you fear in the future may be found to be persecution on account of one of the five grounds set forth in the statute.

*Based on the above reasons, your case has been referred to an immigration judge. **This is not a denial of your asylum application.** You may request asylum again before an immigration judge and your request will be considered (with-*



G. Rudolf in the waiting room of the offices of the U.S. Immigration Services in Atlanta, Georgia, on September 24, 2001 (not even two weeks after 9/11!).

out additional refiling) when you appear before an immigration judge at the date and time listed on the attached charging document.”

Another inquiry with the official cleared up our confusion: Since Germany is recognized by the U.S. State Department as a non-persecuting nation, a simple case worker of the U.S. immigration authorities cannot decide otherwise. He simply lacks the jurisdiction to recognize a German citizen as a political refugee but has to refer the case to an administrative court within the U.S. immigration services. This court will then assess the case anew.

In other words: If that case worker had been inclined to reject my application, he probably would have done it, and if I were not a German but rather a Chinese or Cuban citizen, this official could have granted my application. But because he was not allowed to do that, he added the best possible text underneath the form text and referred the case to an immigration court.

On April 4, 2001, I have my first hearing in front of an immigration judge, where my new lawyer Scott Oswald and I resubmit my application for asylum. The prosecution, that is, the U.S. government, in turn files his motion for “involuntary departure,” which is legalese for having me de-

ported in handcuffs back to Germany, for overstaying my visa waiver. The judge sets the date for the hearing to September 24, 2001.

This extended period of time I will use in order to prepare my case professionally for the immigration court: experts on the deterioration of civil rights in Germany have to be found who dared to testify in a U.S. immigration court, and a large number of documents are waiting to be reviewed, arranged, translated and explained to my lawyer.

In the spring of 2001, after more than one year of wandering aimlessly about, my private life finally starts getting back to normal. First I try getting myself a rented home. Due to a lack of U.S. photo documents, this works only with the help of friends and by turning a blind eye to this deficiency. At the end of May, I finally move into a house in Gurley, Ala., a rural area east of Huntsville. There I have plenty of room to unfold my publishing activities. Dr. Countess sells me one of his almost-20-year-old Peugeots, because out there in the sticks I really depend on a car to get around. But it turns out that without a Social Security card I can neither get a U.S. driver's license nor any car insurance. This obstacle is soon removed, though, when, 150 days after filing my asylum application, I file for a temporary employment permission, which is granted in June 2001. With this document in hand I swiftly manage to get a Social Security card, which in turn allows me to get an Alabama driver's license. As the proud owner of such a U.S. photo ID, I am finally treated like a human being by banks, insurance companies, and anywhere else in the business world. One could assume that everything is perfectly fine, if only that sword of Damocles called "deportation on rejection of the asylum application" would not be dangling over me ...

In May 2001 I also resume treating my body decently. Since October 1999, when I had to leave England abruptly, I have more or less neglected my road bike. Except for jogging frequently at the Mexican beach and a few short spins around the Countess residence in late 2000 and early 2001, I have basically not exercised at all. Hence and as expected, my physical shape is dismal when, early in the morning of May 5, 2001, I try to run straight up the 880-foot-high Keel Mountain, which starts kind of at my doorstep. After only two thirds of a mile I have to hoist the white flag of surrender. Thusly humiliated I initiate an ambitious fitness program: Each morning I make a 20 miles' bike ride around said mountain, up to its summit, all across its ridge, and back down to my home. The 105 minutes it takes me initially to do it shrink down to some 70 minutes by the end of September 2001, and I notice with pride that I can keep an average speed of some 26 mph on flat roads. I've never been that fit in my entire life!



Germar Rudolf with two visitors on September 4, 2001, on the summit of Keel Mountain near Huntsville, Alabama: The Australian revisionists Olga Scully and Dr. Fredrick Töben.

Thusly toughened up, I approach the hearing of my asylum case toward the end of September. 111 documents plus translations with a total of more than 1,500 pages have been filed by me with the court.⁴² As an expert witness for the violation of human rights in Germany in general I manage to hire the German national Dr. Claus Nordbruch of South Africa,⁴³ and the German lawyer Dr. Günther Herzogenrath-Amelung,⁴⁴ a legal expert with particular emphasis on my case, agree to submit an expert report. Both expert witnesses travel to the U.S. shortly before the hearing in order to supplement and underscore their written reports.

And then the great day has come – with obstacles. The 9/11 attacks on the Pentagon and the World Trade Center result in increased security measures to such a degree that the immigration judge says it has been impossible for him to arrive in court on time. Hence the hearing starts two hours late with the judge reading a summary of the case which my lawyer has submitted.

The first scary thing that happens is that the prosecution (i.e. the U.S. government) files a motion to “pretermite” the case, that is to say, to throw

⁴² A thousand thanks to my friend and assistant James Damon, without whose translation skills this all would have been impossible.

⁴³ <http://germarrudolf.com/persecution/germars-persecution/documents/>, list #79.

⁴⁴ *Ibid.*, list #93.

out the case right there and then, to have me arrested in the courtroom and deported back to Germany. Fortunately, the judge, who says he has never heard of such a motion, doesn't accept this, and so the hearing can go its normal course. Then the two experts from Germany are allowed to testify, over the government's objection. The court decides that their knowledge of the English language is sufficient to make do without an interpreter, which turns out to be a disadvantage at times, because neither of the experts possesses the required fluency in the English language to present the entire scope of their knowledge with the linguistic elegance and power of persuasion as would have been possible for them using their native language.

During the cross examination of the witnesses it turns out that the U.S. government and apparently also the court opine that it is perfectly alright if German courts of law deny defendants permission to present evidence for factual claims for which they are being tried and which are indisputably wrong in the eyes of the court. There is also nothing objectionable about existing laws and legal procedures in Germany, since Germany is a democracy and because the people can vote for parties which could change those laws and procedures, and because these laws and procedures have been approved by the highest German courts, which are held in high regard by the entire world. O, Sancta Simplicitas!

When I take the witness stand, it is already four o'clock in the afternoon. After a few questions and answers, and after a brief discussion, the immigration judge decides to adjourn the hearing to a second date on March 18, 2002. Since no new documents have to be prepared nor new evidence has to be submitted for this new hearing, I am much more relaxed in expectation of this second hearing as compared to the first.

I'm less relaxed when receiving my lawyer's invoices for September and October 2001, though, which amount to several ten thousand dollars. I'm not going into more detail, but I want to take this opportunity to thank all my loyal and generous supporters who have helped me pay those bills. Without their support, it would have been impossible to sustain this case.

The second hearing of my asylum case on March 18, 2002 is defined by a much more relaxed atmosphere. Both my cross examination as well as the final speeches of prosecution and defense are undramatic. Except maybe for the fact that the prosecution states that I am not a political persecutee but rather a simple criminal on the run trying to avoid justice. He also seriously claims that disseminating (allegedly) false claims about the Holocaust amounts to mentally torturing Jews(!) and thus has to be assessed as a racial persecution of the Jews, which is why "Holocaust deniers" are not persecutees but rather persecutors, and are thus to be excluded from politi-

cal asylum. He equates my writings with propaganda articles published during the Third Reich era in Axis countries which promoted the persecution of the Jews. So much for the U.S. government's official position. Oh Lord, please throw down some brains! The one positive thing about this is that the immigration judge is noticeably irritated by this, so that one may assume that this line of argument is not conducive to the prosecution's case.

Next my lawyer argues expertly against the prosecution's claims, and then the judge decides not to terminate my case early. After some procedural issues have been dealt with, the judge announces that he will render a decision toward the end of June 2002, but it turns out that the prosecutor handling the case is also a reserve officer and was called to duty in Afghanistan. As a result of this, the court's decision is postponed until a year later.

“It is therefore imperative that those few scholars and writers who really stand up against all this repression and persecution are given proper help when they turn to the outside world to seek aid in their commendable fight for freedom, truth, and genuinely democratic values. Young GERMAR RUDOLF is one of them, and one of the most accomplished. He has now turned to the United States, with their famous First Amendment law, in order to be able to continue his peaceful life of research, scholarship and publishing on urgent historical matters without being harassed by censorship and intolerant governments.”

Prof. Dr. Göran Englund, Nov. 21, 2000⁴⁵

5. Scientists Don't Get Political Asylum

The Decision

In June 2003, the immigration judge decided the following in my case:

1. My application for political asylum is rejected.
2. My application is considered to be utterly unfounded and fraudulent (“frivolous”).
3. I am subjected to involuntary departure from the U.S., that is to say, deported in handcuffs.
4. I am banned for the rest of my life from returning to the U.S.
5. I have no option to remedy this, so there is no legal way for me to ever return.

The claim of having filed a fraudulent application is the most severe accusation possible against an immigrant, and the punishment meted out for it is accordingly also the most severe possible: a lifetime ban.

In its written verdict, the U.S. authorities stated basically that I was lawfully prosecuted in Germany, and that I am therefore not a political persecutee but simply a prosecutee, which is why I am simply a criminal trying to escape justice. Although the court admitted that I did not write anything in my publications that is illegal under U.S. law, and although it also recognized that I did also neither call in any way for the persecution of a minority (the Jews) nor even engage in such persecution (so much for the

⁴⁵ <http://germarrudolf.com/persecution/germars-persecution/documents/>, list #33.

prosecution's nonsense), what counts for the immigration judge is that the German censorship laws, which go far beyond U.S. censorship laws, are a political necessity to prevent Jews being again exposed to denigration in Germany, thus making them the target of persecution. Not even the German rule of self-evidence ("judicial notice") is a violation of civil rights, since such a rule exists in the U.S. as well, for instance when a defendant on trial for a DUI offense, who was shown to have abused alcohol by a blood test, asks to introduce witnesses testifying that he did not drink any alcohol.

Our appeal filed with the Board of Immigration Appeals was denied in early November 2004 "without opinion."

All this might sound rather bad. Fact is, however, that both the prosecutor handling the case and the immigration judge are employees of the U.S. government (since 2003 the Department of Homeland Security). They ultimately receive their orders from Washington, and can therefore not make any independent decisions running contrary to official U.S. foreign policies. Only a nominally independent U.S. Federal Court can render such a decision.

A really relevant decision could therefore only be expected from the Federal Court of the 11th Circuit in Atlanta, where we filed an appeal at the end of November 2004. The government's representative announced already during the hearing that he will litigate this case all the way, as long as it takes to get me deported. Hence, I imagined that my case might be decided only by the U.S. Supreme Court sometime down the road.

Fundamentally Flawed: The Definition of Persecution

The United States grants political asylum to those who can prove that they have suffered "past persecution" or have "a well-founded fear of future persecution" "on account of race, religion, nationality, membership in a particular social group, or political opinion."⁴⁶ So where does a scientist fit in who is persecuted for his scientific views? The answer is: nowhere. That had simply been forgotten when compiling the list of reasons for which one can be persecuted. Tough luck, scientists, you are fair game!

Hence, right from the start of my asylum application, I faced the uphill battle of having to prove somehow that I had been prosecuted for political views incorrectly imputed to me, or that the law I had been prosecuted

⁴⁶ Page 6 of the decision in my case; all subsequent page numbers from there. The documents and decisions mentioned can be found at <http://germarrudolf.com/persecution/germars-persecution/documents/>.

under in the past and was fearing prosecution under in the future has as its primary goal the suppression of certain political or politically interpreted views.

Frivolity Isn't What You Think It Is

At the beginning, every asylum case in the U.S. is assessed on a mere administrative level. These administrative “courts” are not independent, but receive their orders from the government. Because the U.S. State Department does not classify Germany as a persecuting country, and because the U.S. Immigration and Naturalization Services (INS) cannot overrule State Department policies, it had to turn down my application. Even though this negative decision was expected, when turning down my application for political asylum, the INS also decided – and the INS Board of Appeals agreed – that my application for political asylum was “frivolous,” which is legalese for utterly unfounded, fraudulent or deceitful. As a result of this, if this ruling had been fully confirmed by a Federal Court, the INS could have banned me from the USA for my lifetime, meaning that I would never have been able to return to the U.S.; and that there would be no remedy to change this, meaning that not even my marriage to a U.S. citizen and having a child with her could have overcome that lifelong ban.

This decision was brought to a Federal Court for appeal. The reasons for this appeal were, among other things, focused on the charges of “frivolity”:

1. The harshest accusation the INS can make against an asylum seeker is that he filed a frivolous application. The harshest penalty the INS can impose on an immigrant is involuntary departure (that is: deportation in handcuffs), banning for a lifetime, and no remedy. In other words: under immigration law I was accused of the most severe crime I could possibly commit, and I was punished with the hardest penalty possible. The problems with this decision are the following:
 - a. A frivolous application is defined by case law as an application either not backed up with any evidence for persecution or by committing treacherous acts against the INS during the asylum proceedings, like lying to the INS judge, forging evidence, manipulating witnesses, and the like.
 - b. Because of the severity of the consequences of filing a frivolous application, the immigration judge must notify the defendant (=immigrant) during the hearing that he considers categorizing his application as frivolous, and the judge also has to inform the defendant

what the evidence is upon which he bases his assumption, so that the defendant can defend himself against this most severe accusation.

2. This decision of “frivolousness” was made without any notice, warning, or opportunity to clear up any discrepancies. This was in violation of Immigration Service regulations and rulings by various federal courts, which require that there be sufficient opportunity for the applicant to account for all discrepancies. This decision also openly contradicts the comments of the immigration judge during the hearing. He confirmed not only the seriousness of my application (Transcript of Hearing, p. 209), but also that the record of evidence was extensive both in scope and scale (Transcript, pp. 18, 22, 25, 29, 149, 163, 208, 222, 312). As a reason for calling my application “frivolous”, the judge mentioned two items to support his claim:
 - a. A letter I wrote back in 1994 to my godmother in which I had denied having used the pen name “Ernst Gauss”. Of course, this proves only that I had lied to a relative some ten years ago, but not to the immigration judge. To the contrary: both during my German trial back in 1995 and in my application form for political asylum, I admitted to having used this pen name. If the fact that a person once in his life has lied to a relative is sufficient reason to deny political asylum, then the institution of political asylum would cease to exist, as it can be safely assumed that every human being at some point in his/her life has lied to a relative. It may also be pointed out that the immigration judge’s claim, this lie would shed a bad light onto me, is false as well. After all, I had a good reason to deny the use of this pen name back in 1994, because at that time my scientific revisionist anthology *Dissecting the Holocaust* (German edition) was yet to appear, so I needed the concealment of my pen name to protect myself from political persecution.
 - b. The immigration judge argued that I tried to hide the truth from him about my close relationship to the German right-wing extremist Otto Ernst Remer in a similar way as I had tried to hide it from the German court back in 1995. As proof the judge indicated that I had not mentioned in my application form for political asylum that I had temporarily resided with Remer after I had fled to Spain. In his application form, I only mentioned “with various friends and in holiday apartments.” That I indeed resided at Remer’s place, the judge argued, can supposedly be seen from a newspaper article that I myself had submitted to the court as evidence for my persecution. However, the article referred to by the judge only mentions that I

“stayed with Remer.”⁴⁷ This is already a distortion by a journalist whose only interest was to link me to alleged Nazis. The article does not mention how long and for what purpose I stayed at Remer’s residence. As a matter of fact, Remer’s apartment served only as a meeting point with other individuals upon my arrival in Spain. This location was chosen because I knew where Remer lived, since during my trial in Germany back in 1995, the entire German court had traveled to Spain to interrogate Remer as a witness. When I left Germany in March 1996, I was neither told whom I would meet in Spain nor where I would be lodged temporarily. This was a security measure to prevent the German authorities from finding me. I was actually lodged some 50 miles west of Remer’s residence in a holiday apartment of a Spaniard whose name I cannot recall (which is why I did not give names), and later in the residence of an old German war veteran. Both locations were in the Spanish town of Estepona, which I indicated on my application form. (I do not remember the exact street addresses, though). Remer, however, lived in Marbella. So even the immigration judge could have concluded from these facts that my temporary dwelling in Spain was not linked to Remer. Apart from that: the application form for asylum asks for “residences”, which are permanent dwellings. Neither of the locations where I resided during my short stay in Spain fulfills that criterion, since I never had any of my property with me in Spain, but merely such luggage as one carries during a journey or vacation. I had no residence in Spain, only temporary lodgings comparable to hotels. And having stayed at Remer’s residence for several hours while passing through certainly does not fulfill the criterion of a residence either. During the hearing of his asylum case, my short presence in Spain was not mentioned by anyone. I therefore had no chance to refute this false claim that suddenly appeared in the written verdict. These underhanded methods are comparable to the German court that back in 1995 tried to prove in a similarly mendacious way that I had tried to hide my close relationship to Remer (see Chapter 10).

What the immigration judge did in my case was to charge, convict and sentence me for an offense (attempt to commit fraud on the immigration authorities) which I was never accused of during the entire procedure and for which there is no evidence.

⁴⁷ Berry/Hastings 1999; <http://germarrudolf.com/persecution/germars-persecution/documents/,list#100>.

This course of action is comparable to a case where a thief being tried for theft is sentenced for murder in the verdict without this having been mentioned even once during the trial, and without the verdict claiming that there is any evidence that a murder had taken place to begin with.

Madness with a Method

The immigration judge's reasoning in the asylum case itself, succinctly condensed, goes something like this:

- a. Because Germany persecuted minorities, jailed dissidents and burned books in the past, it is today obligated to persecute minorities, jail dissidents and burn books!
- b. The example of the DUI case turns the situation of my case upside down. The shoe is actually on the other foot, to stick with this example: A hundred witnesses claim that a defendant on trial for a DUI offense did drink lots of alcohol during the time of the claimed crime. An expert witness who has analyzed the defendant's blood concludes that the defendant was not inebriated at the time in question. Because this assessment would insult the 100 witnesses and expose them to contempt by the public at large, the expert witness is prevented from introducing his expert report. In addition, the expert witness is himself indicted for inciting the masses to hatred against those 100 witnesses. The court denies him permission to introduce his own expert report as proof for the accuracy of his claims, because the falseness of the expert's claims is self-evident due to the claims made by the 100 witnesses, hence no further proof is needed. The expert witness is sentenced to a prison term. In addition, his defense lawyer is also prosecuted and sentenced for incitement to hatred against the 100 witnesses, because he had dared to file a motion to have the defendant's expert report introduced as evidence.

The U.S. immigration authorities decided that all this is perfectly alright, because the rule of self-evidence exists in the U.S. as well, for instance when a defendant on trial for a DUI offense, who was shown to have abused alcohol by a blood test, asks to introduce witnesses testifying that he did not drink any alcohol. These 100 witnesses will be rejected due to the fact that the opposite of what the defendant claims has been determined beyond doubt and is therefore self-evident.

For some inscrutable reason, the officials of the U.S. immigration authorities think that the German way of doing things is the same as the American way. Actually, they are exactly opposite.

Madness has been turned into a method!

If that decision would be confirmed by the highest legal authorities in the U.S., it would have some severe consequences for the U.S: legal system:

1. The verdict undermines a very important principle of every state under the rule of law, namely that no one can be sentenced for a crime for which he wasn't indicted and against which he had no opportunity to defend himself.
2. Another very important principle of every state under the rule of law is violated as well, namely that no one may be sentenced for a crime for which there is no evidence.
3. If that verdict were to be confirmed by a U.S. Federal Court, this would not only destroy the principles of immigration law, but would create case law which in the future could allow the arbitrary limitation of free speech in the U.S. Every oppressive measure by any nation could be justified by the particular historical or other circumstances of that country, which would turn U.S. immigration law legally and factually into a farce. Although that would be limited initially only to immigration law, a decision by the U.S: Supreme Court rubber-stamping such nonsense would probably have repercussions on case law in other areas of law as well, if it involves censorship against scientific dissidents whose findings are a thorn in the side of some lobby group. For if it is possible to legally "justify" foreign censorship measures, then that can surely be done domestically as well.

After having filed this appeal with the Federal Court in Atlanta, all we can do now is to wait for the court to schedule a hearing for my appeal, but...



*“ICE Deports ‘Holocaust Revisionist’ to Germany
November 15, 2005*

“A well-known revisionist and holocaust denier, wanted in Germany for inciting racial hatred by denying that thousands of Jews were gassed to death at Auschwitz, was deported last night by the Department of Homeland Security’s U.S. Immigration and Customs Enforcement (ICE). [...] Yesterday’s deportation of Germar Rudolf [...] ended a decade spent on the lam as he traversed the globe, living in Spain, Great Britain, Mexico and finally, the United States. Rudolf is wanted in Germany for his 1995 conviction [...] in violation of Germany’s Holocaust denial legislation [...].”

6. The Trap Snaps Shut

Brief Marital Bliss

Internet dating does work! Sometimes. I’ve been trying it since late 2000, and over the subsequent three years I’ve had a number of girlfriends, almost all of whose first names start with a J: Jane, Julia, Jody,.... I wonder what the reason for that is. At any rate, in early 2004 I finally find a lady who is self-confident, emotionally stable, financially self-reliant, smart, curious, educated, tolerant, physically very fit, you name it. It takes a few months before we are sure that we are, if not a perfect, but at least a very good match.

And on September 11, 2004, we actually get married – with all the bells and whistles, and the entire family taking part!

As is common in such cases, we file an application of “adjustment of status” with the U.S. immigration services to have my status as an asylum seeker changed into that of a permanent legal resident based on the marriage to a U.S. citizen. A few months later the U.S. Immigration Services make their final decision on my asylum application: rejected.⁴⁸ Shortly thereafter they moreover state that I do not even have a right to file a motion for permanent residence due to my marriage. This denial is based on a 1999 government regulation that is in obvious violation of a 1960 law ex-

⁴⁸ For the legal documents mentioned hereafter see <http://germarrudolf.com/persecution/germars-persecution/documents/>

pressly allowing such motions. We therefore file an appeal to the pertinent Federal Court against both decisions.

In spite of all this, our application for adjustment of status due to our marriage seems to continue trickling through the system, and thus, as is prescribed by the law, roughly a year after having filed that application we are summoned to the local office of the U.S. Immigration Services, where they want to determine in a hearing whether our marriage is “*bona fide*,” which is to say: whether it is genuine, indeed. So we figure they don’t have their guns drawn quite yet.

In preparation of this hearing I compile a huge collection of documents as evidence for our courting time (including some embarrassingly intimate emails...), our wedding and our life together since we moved in together in the spring of 2004. When we finally go to that scheduled meeting on October 19, 2005, together with our lawyer, we bring along our invincible secret weapon in a baby stroller: our seven-month-old daughter. Hence the interview is a breeze. We take this obstacle to getting our liaison officially recognized with grace.

At around 11 am, after our marriage interview has been over for a while and we are waiting for the result to be announced, the door opens, the lady who has conducted the marriage interview comes out, and she gives us our certificate and congratulates us, telling us we can now go one floor down to apply for permanent legal residence for me.

The Game Is Up

Then all of a sudden two other guys come up from behind her, push her to the side and tell me that I am under arrest (no handcuffs at that point yet). I have no clue what their names are. Maybe they tell me who they are, but I go into tunnel vision mode that very second (flight or fight). Only one of them “processes” me, that is, he interrogates me in the presence of my lawyer. I am asked whether I have ever received a request to attend an interview at the INS office in May of this year (2005). I say I could not remember any such request at all, and my lawyer insists that we most certainly have never received any such request. The guy states that my not having shown up for this interview appointment is the reason for my arrest. He next asks me to hand over my wallet and all my valuables to my lawyer, and then he confiscates my (expired) German passport.

My lawyer manages to talk him into checking with his superiors whether this arrest is really correct. But before checking, that guy leads me to some other room to take a passport photo of me and my fingerprints. When

I ask him what the alleged interview appointment back in May was about, he answers that it was about making a passport photo and getting my fingerprints. I respond that this would hardly justify my arrest and deportation, since I gave my fingerprints already at the very beginning of my asylum proceedings in 2001 and because I have to send in an updated passport photo every year, the last one just about the time of that alleged interview. He then claims that this was for a different office and that they need a set here in Chicago as well. Then the guy leads me back to my lawyer, and together we go back into the waiting room, where my wife is waiting for me with our daughter in her arms. My wife gazes at me with a distraught look on her face.

“They want to pull an Ernst Zündel on me,” I explain succinctly. She knows instantly what I mean by that, because I had told her several times the story of Ernst Zündel’s arrest and deportation by the U.S. authorities in early 2003. Next I write down my computer’s login password for her, just in case.

The official then withdraws and leaves us alone. For an hour, he talks (or tries to) with somebody in Washington. During that hour, I pace restlessly with my daughter on my arm up and down the waiting room and the hallway next to it. I toy with the thought of just walking out of the building and leaving for good, but that would be the end of my being able to ever get back into the States, I fear, so I decide, with my seven-month-old daughter on my arm, to stay and confront whatever was coming my way (if she weren’t in my life, I would flee right now).

After that hour the guy comes back and basically says that he has received orders from Washington to arrest me and hold me in custody. So I am led into one of their holding cells (6 by 6 ft. perhaps, with a window). I am then given one of their jumpsuits and asked to wear that instead of my private clothes, which I have to hand in. Shortly thereafter I can talk briefly with my lawyer on the other side of that window – over a phone – re. the next steps (for instance, getting a general power of attorney for my wife). It is now about noon or 1 pm or so. I remain in that cell until around 3 or 4 pm or so, when I am led to some other part of the building where they have assembled a bunch of people, illegal immigrants, I figure, mostly Hispanics. I am handcuffed and leg-shackled onto a chain with the other guys and led to a van which drives us to Kenosha County jail across the state line in Wisconsin. (We actually have a stopover at some other holding facility in Western Chicago to pick up some more guys.)

On arrival in Kenosha we get out – chained together as we are – and have to line up at a wall inside the building, where some guards check our

identities. Some of the prisoners must be regular customers there, as the prison guards know them well and are joking with them about this renewed encounter. Although I am not exactly in the mood to laugh, I still have to smile. Shortly thereafter we are unchained and locked into a holding cell awaiting our “reception.” The registration process takes hours. Around 8 pm it is finally my turn. I have to get out of the INS jumpsuit, don their prison clothes instead, and put on a wristband with a tiny photo of mine, my registration ID and the reason for my being there. The reason given on my wristband simply stated “non-criminal,” and it turns out that I am the only inmate in the entire facility that is incarcerated for no apparent reason, which raises the eyebrows of both prisoners and guards. Then I am finally dispatched into one of their large prison halls (44 beds), together with 50% Blacks, the rest divided half and half between Hispanic and non-Hispanic non-Blacks. I stay there – the only non-criminal inmate – until Nov. 14. (Actually, the last week I get transferred to a different, less overcrowded part of the prison.)

Due Process Aborted

During my time at the Kenosha County Jail, my lawyer tried frantically to prevent my deportation. Ironically, on the day after my arrest by the U.S. Immigration Services, the Federal Court in Atlanta scheduled an oral hearing in my case for Jan. 24, 2006. Since the whole case would have been moot in case of my premature deportation, my lawyer filed an emergency motion to suspend the deportation until after my asylum case has been assessed by a Federal Court. The main arguments were as follows:

1. [...] a petitioner must show “by clear and convincing evidence that the entry and execution of [a removal] order is prohibited as a matter of law.” [...] Rudolf does this by showing that his removal will moot his case. It is beyond peradventure that if all petitioners like Rudolf (even ones with cases of first impression) seeking judicial review of agency decisions to issue orders of removal could simply be taken into custody and removed, the Government could avoid judicial review of agency decisions altogether. (p. 7 of the motion)
2. But even if the [strictest] standard is applied to Rudolf, he shows that it would be a violation of law (Constitutional due process and the mootness doctrine) for the Government to avoid hearing and review by summarily removing Rudolf to Germany, such that his right to review is vitiated entirely.

While the Eleventh Circuit has found that a foreign national’s removal

from the United States does not moot a petition for review when the “injury would be redressed by a favorable ruling from this Court” after removal, Rudolf’s injury cannot be redressed after removal because he will be in prison in Germany. (p. 9 of the motion)

3. Rudolf’s removal will result in his imprisonment by the German government for a period of years. For the publication of his study, the German government has already sentenced Rudolf to a 14-month prison term, and the record shows he will face additional jail time for his publications on the internet since leaving Germany. [...]

Upon removal, Rudolf will be separated from his U.S. citizen spouse and infant child and he will face continued persecution by the German government. [...] After removal, these injuries could not then be redressed by any favorable ruling from this Court.

Thus, Rudolf’s removal will violate his right to due process under the Fifth Amendment to the United States Constitution, and will enable DHS [Department of Homeland Security] to avoid a challenge to a regulation now found to be unlawful by the First, Third and Ninth Circuits simply by removing the challenger from the United States. (p. 9 of the motion)

4. The Fifth Amendment to the United States Constitution provides in part that no “person may be deprived of life, liberty, or property without due process of law.” U.S. Const., Amend. 5. As a general rule, aliens who are physically present in the United States are within the protection of the Fifth Amendment and are accorded the full panoply of traditional due process rights. (p. 10 of the motion)
5. Unlike other similar cases, Rudolf also demonstrates convincingly that the balance of equities tips sharply in his favor and that he enjoys a likelihood of success on the merits. The harm to Rudolf of being deported and removed to Germany where he faces a prison sentence is total. He loses his case, he loses his freedom, he loses his marriage and child, he loses his right to review of an illegal ruling by the IJ [Immigration Judge], he loses his right to review of the regulation on which his motion to reopen proceedings was denied. If Rudolf is removed, he loses everything. The harm to the United States Government by issuance of a temporary stay, by sharp contrast, is nothing. Whether the Government deports Rudolf now or after all judicial review is exhausted costs the Government nothing. Indeed, the only cost associated with waiting is if the Government holds Rudolf for that time and has to pay for his incarceration. Such a cost could be avoided entirely by any appearance bond or other assurances of self-surrender. (pp. 10f. of the motion)

So what does the inclined reader think the response of both the Federal Court and the U.S. Supreme Court was to this? Read it yourself: The answers were brief and without any justification attached to them: **Motion denied**. (<http://germarrudolf.com/wp-content/uploads/2012/04/Denial.pdf>)

By so doing, they hand me over to the very persecutors I have asked them to enable me to escape. Hence, they rendered a de facto decision in my asylum case long before the case is to be heard in court. The outcome of my asylum case has therefore been a foregone conclusion right from the start, the entire proceedings nothing but a pseudo-legal mockery.

Deportation

Kenosha County Jail. Early in the morning of Nov. 14, 2005, it all goes in reverse: They drive me to some INS processing center, hand me my private clothes back, and keep me waiting in a holding cell for several hours. Finally, two officers in civilian clothes get me out of that cell and shove a piece of paper under my nose which I am to sign and with which I am notified that I will be banned from returning to the U.S for ten years for having overstayed my tourist parole time (90 days). [This is later corrected to five years, as the notifying officer had simply ticked the wrong box by mistake.] Then they handcuff me and drive me in a police car to the rear entry of Chicago's O'Hare International Airport. The two officers lead me up the stairs of the jetway, and before entering the plane have the mercy to take off the handcuffs. Then we enter the plane, while one officer leads the way, the other covers my back. They make the journey to Germany with me and make sure that I get handed over to two police officers waiting for me at the end of the jetway at the airport in Frankfurt, Germany. They bring me to a waiting cell of the airport police station where I try to take a nap. After a few hours, two officials of the state police of Baden-Württemberg pick me up and give me a ride to the Rottenburg prison.

Inner Resistance

During the ride, we get stuck a number of times in traffic jams, and so the gentlemen take the time to disclose to me that there is not only an arrest warrant out to serve the time of my sentence of 1995, but that a new arrest warrant has been issued against me for the various publishing activities during my years in exile. They hand me a copy of the arrest warrant and start their spiel about my rights, for instance that I can submit evidence for

my exoneration. I am seething inside with rage, and finally it burst out of me:

“Spare me that bull crap. You know just as I do that in Germany it is forbidden under the threat of further prosecution to merely file a motion to introduce evidence for the accuracy of revisionist views.”

Both officials stare at me thunderstruck and are quiet for the rest of the ride.

When we arrive at Rottenburg, I find myself again in a holding cell, together with some other new arrivals. I leaf through my arrest warrant, which list 22 distinct books recently distributed by me as crimes. I show the arrest warrant to another inmate who reads it with keen interest and loses all faith in the process:

“For such books they put you in jail? Are they crazy?”

Bull’s eye!

In Rottenburg, they consider me so dangerous that I don’t have to share a cell with anyone else and have my courtyard time all to myself. Solitary confinement, Isolation.

A few days later, though, I am transferred to the jail at Stuttgart-Stammheim, after they realized that another criminal investigation is pending against me for my publishing activities during my nine years of presence in England and the U.S. Why they sent me to Rottenburg in the first place, where they have no section for investigative custody, is beyond me.

In Stuttgart, I am again separated from all other inmates, except for the hour of courtyard time, which I can spend together with the other criminals. The reason given is that I am allegedly a threat to the other inmates or else that they are a threat to me, or both. Since I am categorized as a “Nazi,” and because most inmates are non-German nationals, the prison officials thought that I would either beat up those foreigners or, vice versa, they me. Fact is, though, that many foreigners in German prisons are Muslims. As soon as they find out what I am in for, they declare their solidarity with me and change into an eager audience for my stories. One of them, an Iranian who is grateful to me for having shown him the proper political-historical way, offers to set up a protection squad for me in Rottenburg prison in 2008. But I have no need for this. As an athlete of 6ft 5, I can take care of myself.

A short while after my admission to the Stuttgart jail, the prosecution asks me to sign a paper waiving my constitutional rights to privacy of correspondence. I refuse. Hence, the judge handling my case must first issue a decree to suspend my rights in this regard. As a consequence of this, the prosecution loses the privilege to read my incoming and outgoing mail.

“My” judge has to read my mail instead, but he has neither the time nor the staff to read all my mail. The sheer volume of fan mail is simply too much for him. I discover step by step that he doesn’t even read my foreign-language mail. These letters, therefore, go in and out without censorship. Hence, I become increasingly daring with what I write in my English letters.

For instance, on December 30, 2005, a mere six weeks after my arrival in Germany, I write a letter to Fredrick Töben in which I mentioned several revisionist issues and wrote even about a number of publication projects.⁴⁹

Shortly thereafter, I realize that all the instructions I gave to my various supporters from within the Kenosha jail in order to keep my revisionist publishing efforts up and running, are being either ignored or implemented amateurishly. Hence, I mail out a number of letters in which I angrily write in a clear language about all the things I was expecting them to do. All these letters arrive without impediment, but the persons contacted are evidently so anxious to harm me that everything is for naught, as I find out after my release.

Thank God it is possible to buy a typewriter in prison. I decide to once more use this ultimate weapon of crime for its intended purpose. Several of my lawyers agree to help me (I won’t mention names.) One of them gets me copies of those books for which I was arrested. After all, in order to defend myself effectively, I need a copy of them ...

Another lawyer prints out all the pages of my book *Lectures on the Holocaust*, both the German and the English edition. He also agrees to smuggle publication projects out of the prison for me. Hence, I start translating revisionist books from English to German: first *The Leuchter Report: Critical Edition*, and then *Auschwitz: The First Gassing*. Other projects follow, like a revised new edition of the German edition of my *Lectures*, based on corrections and additions in the English edition. The typescripts are sent to England, where my friends are supposed to publish them. I have no idea, however, that these people are either too disorganized or incapable of finalizing these projects, or else they are afraid to hurt me with this (or they give that only as an excuse for their inactivity). In any case, during all these activities, I have numerous cell inspections by the prison guards, but they never get suspicious, because they are only looking for drugs, weapons, cell phones and similar items. Paper is of no interest to them. My stacks of papers in my locker, on my desk and in my binders are therefore duly ignored ...

⁴⁹ <http://germarrudolf.com/persecution/germars-persecution/letters-from-the-dungeon/december-30-2005/>

Meanwhile my binder with a printout of the *Lectures* is circulating among inmates. Initially I ask inmates to help me prepare my defense by reading the book (that is, of course, merely a pretext). But then it catches on and gets a life of its own. In Stuttgart and later in Mannheim prison I even have a small waiting list of inmates who want to read the book next...

Reading becomes one of my main occupations during the following years of my “captivity of honor.” One of the first books I get from the prison library is Solzhenitsyn’s three-volume work *The Gulag Archipelago*. The similarities between what Solzhenitsyn describes and what I am experiencing right now are striking. Hence, I start making notes. From that time on I do this with every book I can lay my hands on: I write down what seems relevant to my own case. Eventually I ask my friends to send me certain literature on the nature of science and on civil disobedience. The background of this is the fact that in late April of 2006, I receive my indictment for my upcoming new trial. It lists “only” nine of the original 22 books that were part of the arrest warrant, so the case has shrunk considerably, and I am thankful that it is limited to publications which I have either written myself or which I have edited and published. That makes it easier for me to come up with an efficient defense strategy. Since May 2006, therefore, I am preparing my defense speech.

In August of 2006, a supporter of mine forwards to me in a letter a question by the Israeli dissident Israel Shamir. He asks me why I am so interested in WWII history, and what compelled me to voice my opinions in spite of the government persecution it triggered. My answer reflects my mood at that time. It sounds like a battle cry, and because it was written in English, it passed the enemy lines of censorship with ease. Here an excerpt:⁵⁰

“Now that they have destroyed my life, I’ll have no other way but to prove that I’m right, and the fact that more and more historians change sides – for now behind the scenes only, but that’ll change – and that these powers that be get increasingly frantic is proof enough for me that it’s working.

The postwar and the New World Order were erected on the Holocaust, and together with it, they’ll come down. But that’s not important, because it’ll come down anyway, if only because they ruin the planet and drive world economics against the wall.

For me it’s simple: I am sure I’m right, and unless one convinces me with rational, scientific arguments that I am wrong, I am not going to give in. If you like the comparison, I am kind of a human intellectual pit-bull terrier,

⁵⁰ <http://germarrudolf.com/persecution/germars-persecution/letters-from-the-dungeon/august-27-2006/>

and they made the mistake to provoke the blood out of me by persecuting me.

That's it. No negotiations any more. It's me or them now.

My father didn't manage to break me with stick, whip, fists or by using me as a missile, and so they won't break my will with violence either. It only gets stronger with every beating.

That's my personality: a contrarian with enormous will power, stubbornness, if need be, when not reason is used to talk to me but brute force. Pressure causes counter pressure. In this way, I am a simple physical principle. Here is my human right to doubt, research, scrutinize, disagree, dispute, refute, challenge, question. The only way to take this away from me is by killing me. Period.

And that is the strongest motivation: Anybody who punishes me for merely exercising my human right of being a human = a creature able to doubt and explore, will meet my utmost unbreakable resistance. I won't allow anybody to reduce me to a submissive slave. Nobody."

As I found out later, Israel Shamir commented on my letter as follows:

"In my view, Holocaust approval is an approval of Jewish superiority and exclusivity, while Holocaust denial is a rejection of this exclusivity claim, and thus a duty of non-racist and/or a Christian. Germar Rudolf is a scientist dissident who was recently torn from his young wife and baby in the United States and extradited to his native Germany to stand trial for a scientific investigation of Auschwitz, the best-selling Rudolf Report. Born in 1964, he is one of the youngest high-profile Revisionists who came out of the postwar generation – young folks as a rule brutally brain-washed with conventional Holocaust lore. Germar, as we know, is different."

In October I am notified that my trial is scheduled to start in mid-November. In order to attend the hearings at the Mannheim District Court, I am transferred to Heidelberg jail in early November.

Since in Germany a court cannot curtail a defendant's right to speak about his person and about the facts of the case as long as he wishes, I plan to make copious use of this right, and to underscore my elaborations with overhead transparencies which I prepare during the weeks prior to the trial's commencement. On the first day of the trial, I ask the judge informally to allow me to use an overhead projector. He rejects this with the remark that we won't allow me to turn "his" court room into a lecture hall. As if a good lecturer needs any technical equipment for his lecture...

What followed during the trial will be outlined in the next chapter.

He who argues that peaceful dissidents on historical issues should be deprived of their civil rights for their diverging views, that is: incarcerated, is – if given the power to implement his intentions – nothing else but a tyrant (if enacting laws to support his oppressive deeds) or a terrorist (if acting outside the law).

7. Resistance Is Obligatory

A Peaceful Dissident's Ordeal

Imagine that you are a scientist who has summarized the results of fifteen years of research in a book – and that shortly after publishing this book you are arrested and thrown into prison exactly for this. Imagine further that you are aware with incontrovertible certainty that in the scheduled trial you and your defense attorneys will be forbidden, under threat of prosecution, to prove any factual claims made in that book; that all other motions to introduce supporting evidence will be rejected as well; that all the courts up to the highest appellate will support such conduct; that only a very few of your research colleagues would dare to confirm the legitimacy and quality of your book because they (rightly) fear similar persecution; but that the efforts of these few colleagues would be in vain as well; and finally that the news media, the so-called “guardians of freedom of speech,” will join the prosecution in demanding your merciless punishment. In such a situation as this, how would you “defend” yourself in court?

This is precisely the Kafkaesque situation in which I found myself at the end of 2005 after having been violently separated without notice from my wife and child by U.S. Immigration authorities in Chicago, deported to Germany and immediately thrown into jail to await trial, on account of my book *Lectures on the Holocaust*, which I had published in the summer of 2005, and for Web pages promoting this and other similar books. This was no plot against me personally, though, because this is the same situation everyone faces who clashes with Germany's law penalizing the “denial of the Holocaust.” The situation is similar in many other nations, most of them in Europe.

Various defense attorneys unanimously assured me that all defense was doomed in principle and that I would have to reckon with a prison sentence

close to the maximum term (five years). Other attorneys advised me to recant my political views and feign remorse and contrition, which might gain me the clemency of the court.

Renouncing my scientific convictions was not an acceptable option for me, though. A defense based on the facts of the case was impossible, and if attempted anyway, it merely would have exacerbated my situation, because in trying to prove that my views are correct I would have repeated once more the very crime of violating state dogma for which I was on trial in the first place.

But even if such an approach had been possible, I still would have rejected it, because I am firmly convinced that no penal court has the right to pass binding judgment on matters of scientific controversy. It is therefore an impermissible concession to allow a court of law to pass judgment on the correctness of scientific theses – here about history – in the first place. Every such motion to introduce evidence is already an offense to science, because it undermines its independence from the judiciary.

Thus, I decided quite early to treat the upcoming trial as an opportunity to document the Kafkaesque legal conditions now prevailing in the Federal Republic of Germany in order to write a book about it after the trial was over. For this reason, I wanted to make a thorough statement about the governing legal situation at the beginning of the main proceedings. After a biographical introduction, I explained the actual nature of science as such and its significance for human society. This was followed by a depiction of the Kafkaesque situation prevailing in German court trials today, whose mission is to suppress opinions that displease the power elite. After analyzing today's practice, which violates all our human and constitutional rights, I posed the explosive question of the extent to which I as a citizen of this State have the right and even the duty to resist such injustice.

Subsequently my seven-day presentation in court turned itself into a *Lecture*, this time on the principles of science and on the destruction of freedom of opinion in Germany.

At the end, I did receive a prison sentence of 30 months, which is only half of what had been augured by the lawyers, and that in spite of my publicly re-affirming my right to express my revisionist views and in spite of calling for resistance against the German authorities.

Here I present a condensed excerpt of my courtroom lectures, a complete version of which with ample documentation is available as a book (Rudolf 2012). In Chapter 8, I will add a few observations on my experiences in prison, which are not included in said book.

Defense Strategy

I began my courtroom lectures with a few general remarks about my defense strategy, which, in a way, were a declaration of war to the German authorities. I stated:

1. During my defense, statements about historical subjects will be made by me only:
 - a. to explain and illustrate my personal development;
 - b. to illustrate by examples the criteria of true science;
 - c. to place the district attorney's charges regarding my statements in a larger context.
2. These statements are not made in order to buttress my historical opinions with facts.
3. I will not file motions asking the Court to consider my historical theses – for the following reasons:
 - a. Political: German courts are forbidden by orders from higher up to accept such motions to introduce evidence, as is stated in Article 97 of the German Basic Law:⁵¹ “Judges are independent and subject only to the Law.” Please pardon my sarcasm.
 - b. Opportunistic: Item a) above does not prohibit me from submitting motions to introduce evidence. However, since they would all be rejected, it would all be an exercise in futility. We should all spare ourselves this waste of time and energy.
 - c. Reciprocal: Since present law denies me the right to defend myself historically and factually, I in turn am denying my accusers the right to charge me historically and factually on the basis of the maxim of equality and reciprocity. Thus, I consider the prosecution's historical allegations to be void and of no effect.
 - d. Juridical: In 1543, Nicolaus Copernicus wrote:⁵²

“If perchance there should be foolish speakers who, together with those ignorant of all mathematics, will take it upon themselves to decide concerning these things, and because of some place in the Scriptures wickedly distorted to their purpose, should dare to assail this my work, they

⁵¹ Germany's Basic Law, which was negotiated between German politicians and primarily the U.S. occupational forces right after WWII, is considered to be its constitution, although it has never been approved by a referendum of the German people, hence lacks democratic legitimacy.

⁵² Kopernikus 1879, p. 7; English: Copernicus 1995; here quoted from Stimson 1917, p. 115; original: *De revolutionibus orbium coelestium*, 1543; from 1616 to 1822 this book was “suspended” by the Catholic Church, which means that, when quoting the book, it had to be emphasized that the heliocentric system is merely a mathematical model.

are of no importance to me, to such an extent do I despise their judgment as rash.”

No court in the world has the right or the competence to authoritatively decide scientific questions. No parliament in the world has the right to use penal law to dogmatically prescribe answers to scientific questions. Thus, it would be absurd for me as a science publisher to permit a court of law to determine the validity of the works I have published. Only the scientific community is competent and entitled to do this.

Dignity

One hideous feature of German case law is that, when it comes to “the Holocaust,” it pits human dignity against the right to search for the truth. According to this “logic,” the human dignity of all Jews – those who suffered back then and those who live today – depends on everyone accepting the orthodox Holocaust narrative. And since the protection of human dignity is the first and most important article in the German constitution, this has priority over everything else.

What I pointed out first in court was the fact that denying us the search for the truth is an even more serious violation of human dignity than denying the Jews a certain narrative of a detail of their history. After all: what sets us humans apart from bacteria and insects? Isn’t it the capacity to doubt our senses and to systematically search for the reality behind the mere semblance? To bolster my case, I quoted several famous personalities of western culture, such as Socrates, who observed:⁵³

“The unexamined life is not worth living.”

Aristotle was expressing the same thought when he observed:⁵⁴

“All men by nature desire to know.”

“[...] for men, therefore, the life according to reason is best and pleasantest, since reason more than anything else is men.”⁵⁵

Konrad Lorenz described human curiosity, that is, the drive to learn the truth, with these words:⁵⁶

“There exist inborn behavioral systems that are equivalent to human rights whose suppression can lead to serious mental disturbances.”

The philosopher Karl R. Popper described the difference between us humans and the animals as follows:⁵⁷

⁵³ Socrates, *Apologia*, Sec. 38.

⁵⁴ Aristotle, *Metaphysics*, book 1, chapter 1, first sentence; Keon 1941, p. 689.

⁵⁵ Aristotle, *Nicomachean Ethics* book X, chapter 7; *ibid.*, p. 1105.

⁵⁶ Lorenz 1983, p. 1; 1987, p. 186.

“the main difference between Einstein and an amoeba [...] is that Einstein consciously seeks for error elimination. He tries to kill his theories: he is consciously critical of his theories which, for this reason, he tries to formulate sharply rather than vaguely. But the amoeba cannot be critical because it cannot face its hypotheses: they are part of it. (Only objective knowledge is criticizable. Subjective knowledge becomes criticizable when we say what we think; and even more so when we write it down, or print it.)”

Skepticism and curiosity, doubting one’s senses and theories and looking deeper in search for the truth, is therefore what brought us down from the trees and out of the caves. They are what made us what we are and what sets us apart from animals. Hence the rights to doubt and to search for the truth are not negotiable. It is therefore perfidious when the State pits freedom of science against human dignity, when in fact they are inseparable. We all are entitled by nature to seek the truth and announce what we think we have found. We do not need any official permission for this.

Enlightenment

When it comes to the Holocaust, the most important values of western civilization are turned upside down. To prove this, I quoted philosopher Immanuel Kant’s classic definition of enlightenment:⁵⁸

“Enlightenment is man’s leaving his self-caused immaturity. Immaturity is the incapacity to use one’s intelligence without the guidance of another. Such immaturity is self-caused, if it is not caused by lack of intelligence, but by lack of determination and courage to use one’s intelligence without being guided by another. Sapere Aude! [dare to know] Have the courage to use your own intelligence! is therefore the motto of the enlightenment.”

Yet when it comes to the “Holocaust,” most governments discourage us from using our own intelligence. Some of them even threaten us with prosecution, and they insist that we follow the guidance of others. Karl Popper characterized a society where the authorities enforce a “state belief” and impose taboos as a closed, dogmatic, archaic society.⁵⁹ The modern, open society, in contrast, encourages criticism of traditional dogmas. In fact, this is its foremost hallmark.⁶⁰

⁵⁷ Popper 1979, pp. 24f.

⁵⁸ Kant 1784; see http://en.wikiquote.org/wiki/Immanuel_Kant.

⁵⁹ Popper 1962, Vol. 1, p. 202.

⁶⁰ Popper 1979, pp. 347f.

Hence, dogma and criticism stand opposed to each other as antipodes. In our case, this is the State opposed to revisionism; or in other words the Enemies of Science on one hand versus Science on the other:

- Dogma vs. Critique
- State vs. Revisionism
- Enemies of Science vs. Science

For the scientist, however, dogmas and taboos are strictly unacceptable.

Science

The two non-negotiable main pillars of any scientific endeavor are:

- 1. Freedom of Hypothesis:** At the beginning of the quest for creating knowledge *any* question may be asked. Doubt as the intellectual basis of all humans can be expressed as a simple question: “Is this really true?” Thus, curiosity is nothing other than reason posing questions in search of answers.
- 2. Undetermined Outcome:** The answers to research questions can be determined exclusively by verifiable evidence. They cannot be determined by taboos or official guidelines laid down by scientific, societal, religious, political, judicial or other authorities.

If answers to scientific questions are prescribed, then posing questions is degraded to a mere rhetorical farce, and science becomes impossible. This is therefore not just an undermining of the essential nature of science, but its complete abolition.

I therefore told the German court:

“As a scientist and science publisher, it is my duty to actively combat the gutting of the pillars of science by promoting such doubt, skepticism, and critiques, and by providing them a venue.”

Next I presented a thorough discussion about the nature of science and how to determine whether a paper or book is scholarly/scientific in nature, relying mainly on the works by my favorite philosopher and epistemologist Karl. R. Popper.⁶¹ I will spare the reader the details of this discussion and will merely reproduce the summary here:

What Is Science?

- There are no (final) judgments, but rather always only more or less reliable (preliminary) pre-judgments.

⁶¹ Based mainly on Popper 1968 and 1979.

- The reasons, that is to say the evidence, for our pre-judgments must be testable/verifiable as well as possible.
- We must both actively and passively test and criticize:
 - Test and criticize pre-judgments and reasons of others.
 - Invite others to test and criticize our pre-judgments and welcome this activity. This includes the *duty* to publish one's findings in order to enable others to critique them.
 - We must address the tests and critiques of others and test and criticize them in turn. This also means that one should not back down too fast in the face of criticism.
- We have to avoid immunizing our pre-judgments:
 - Avoid creating auxiliary theories designed to prop up an untenable or awkward main hypothesis.
 - Select data only according to objective criteria, using the technique of source criticism.
 - Use exact, consistent and constant definitions of terms.
 - Abjure attacks on persons as substitute for factual arguments.

The motivation of my lengthy elaborations to define the nature of science is that the mainstream disparages revisionist works as merely “pseudo-scientific,” *i.e.*, false science. After having defined the formal characteristics of scientific works, I then juxtaposed several cases of orthodox scholarship clearly bearing the hallmarks of “pseudo-science” with revisionist works which meet the definition of scientific works much better.

I limit myself here to summarizing only one case presented to the court, which deals with the arbitrary selection and elimination of data. It concerns a Polish attempt⁶² at refuting revisionist claims based on the results of chemical analyses of wall samples taken at Auschwitz by Fred Leuchter⁶³ and by myself.⁶⁴ The problem the Poles had to overcome was that the analytical results as such were undeniably true and reproducible. What they subsequently did amounted to a scientific fraud: They chose a different analytical method which simply eliminated all the unwanted data – with the “reason” given that they didn't understand the issues at hand. If that was really the case, however, then they should not have gotten involved in the first place and should have left the field to those who do understand what they are doing.⁶⁵

⁶² Markiewicz *et al.* 1994.

⁶³ Leuchter *et al.* 2015, pp. 44-46, 59.

⁶⁴ Originally presented in Gauss 1993; English see Rudolf 2003b.

⁶⁵ For details see Rudolf/Mattogno 2016, pp. 47-69.

The Law

It was Frederick the Great, King of Prussia, who once stated – and I quoted him in court as well for a good reason:⁶⁶

“A legal council which exercises injustices is more dangerous and worse than a gang of thieves; one can protect oneself against those, but nobody can protect himself against rogues who use the robes of justice to carry out their vicious passions; they are worse than the biggest scoundrels in the world and deserve double punishment.”

I will not stretch the Anglo-Saxon reader’s patience by reiterating my elaborations on the German justice system’s perversions in persecuting peaceful dissidents. I will merely limit myself to a summary of a comparison with which I introduced my legal observations in court. It is a juxtaposition of the conditions of the current German judicial system in general, and when dealing with revisionists in particular, with that of another country, whose identity I revealed only at the very end of this comparison: The Soviet Union under Joseph Stalin. This comparison is based on the one hand on Alexandr Solzhenitsyn’s trilogy *The Gulag Archipelago*, in which he describes his own experiences and those of others as political prisoners in Stalin’s Soviet Union. It is based on the other hand on my experiences with, and insights into, the German judicial system.

The first parallel concerns the existence of special government units serving the prosecution of politically motivated “crimes,” which mostly refer to unwelcome expressions of opinion. Stalin had his *NKVD*. In today’s Germany, this role is fulfilled by the Police Department for State Protection (*Dezernat Staatsschutz*), whose main focus is, statistically seen, on the prosecution of usually peaceful “thought crimes” committed by persons harboring right-wing views.

Another astonishing parallel between Stalin’s judiciary and the current German system was described by Solzhenitsyn as follows:

“Another very important thing about the courts today: there is no tape recorder, no stenographer, just a thick-fingered secretary with the leisurely penmanship of an eighteenth-century schoolgirl, laboriously recording some part of the proceedings in the transcript. This record is not read out during the session, and no one is allowed to see it until the judge has looked it over and approved it. Only what the judge confirms will remain on record, will have happened in court. While things that we have heard with our own ears vanish like smoke – they never happened at all!” (vol. 3, p. 521)

⁶⁶ Frank 1926, p. 99.

In today's Germany, the situation is even worse, since in proceedings before District Courts, which handle "serious" offenses, *no* protocol is kept at all about who says what and when. Needless to say, this opens the floodgates to error and arbitrariness. And here is the perverted reason given by the German authorities why protocols are allegedly obsolete: Since one cannot appeal the decisions handed down by a District Court on matters of fact anyway, a protocol laying out the facts of the case is unnecessary. So here you have the core of the German judiciary: no appeal possible, hence no protocol. It has its internal logic and consistency, but doesn't that sound more like a totalitarian banana republic?

Another parallel is that defending yourself in front of such a court by trying to argue that you are right will merely exacerbate your situation, as Solzhenitsyn wrote:

"Even if you were to speak in your own defense with the eloquence of Demosthenes [⁶⁷...] it would not help you in the slightest. All you could do would be to increase your sentence [...]." (Vol. 1, p. 294)

That's what happened to Ernst Zündel in Germany, whose lawyers ferociously defended his right to speak his mind, as a result of which Zündel got the maximum sentence for being recalcitrant. Plus his lawyers got indicted too, which is another parallel to Uncle Joe's Soviet paradise, as Solzhenitsyn reported:

"The tribunal roared out a threat to arrest [...] the principal defense lawyer [...]" (Vol. 1, p. 350)

As if prosecuting defense lawyers for their perfectly legitimate defense activities weren't bad enough, here is how to top it: threaten witnesses with prosecution, too, who dare to speak out for defendants on trial for "thought crimes," or as Solzhenitsyn put it (*ibid.*):

"And right then and there the tribunal actually ordered the imprisonment of a witness, Professor Yegorov, [...]"

That happened to me in 1994, when I was summoned by a defense lawyer in order to testify as an expert witness. When the presiding judge heard to what effect the defense wanted me to testify, he warned me succinctly that I would be liable to prosecution if testifying along the lines of the lawyer's motion. Of course, it never came to this, because, as Solzhenitsyn correctly observed:

"Defense witnesses were not permitted to testify." (Vol. 1, p. 351)

In Germany, they are never allowed to testify, when it comes to revisionists on trial. And worse still: not only witnesses supporting the views of a

⁶⁷ Leading Greek orator and leading statesman of Athens (384-322 B.C.).

revisionist defendant are rejected, but all kinds of evidence: witnesses, documents, experts. Germany's judiciary claims that everything about the Holocaust is "self-evident," thus requiring no proof at all. In fact, they go so far as to indict anyone who merely dares to file a motion to introduce such evidence, be he a defendant or a defense lawyer. Yes, Germany has made it *illegal* to move for the introduction of exonerating evidence! Not even Stalin had such a preemptive tool in his repertoire of repression! This way the German judiciary manages to eliminate all unwanted data from the record – not that there is much of a record to begin with...

Although there are more parallels I quoted during my courtroom lectures, I will leave it at that here, as the message I want to convey is probably clear.

It goes without saying that there are also important differences between the Soviet and the current German systems of justice: torture does not exist in German prisons, and I am very grateful for that – although it is quite ironic to read in Solzhenitsyn's work that a Soviet prosecutor once stated:

"For us [Soviets...] the concept of torture inheres in the very fact of holding political prisoners in prison..." (Vol. 1, p. 331)

With that he referred to the methods of the Tsarist regime, not to his own system's abuses, just as Germany criticizes the offenses against justice of others (like Iran or China), yet ignores the trampling of justice in its own courts.

When I revealed at the end of this comparison with which system I had compared the German system, the judges were visibly shaken. Maybe they realized that something about the system they are a part of is indeed fishy?

I continued my presentation with a definition of a political prisoner and the subsequent proof that we revisionists are a perfect match. Here are the ten criteria I listed, and I explained and proffered evidence that all these points are seen in the cases of prominent revisionists:

1. We are dealing with peaceful dissent, peacefully presented; by "peaceful" I mean that no justification or advocating of violations of the civil rights of others occurs.
2. The prosecuted offense is not punishable in the vast majority of nations.
3. The dissident is supported by civil rights organizations.
4. The dissident receives statements of solidarity from strangers (correspondence, visits, interventions at authorities, demonstrations).
5. The government attempts to suppress such statements of solidarity.
6. Prominent individuals make statements of solidarity.
7. Statements of solidarity or criticism against prosecution are published by media & politicians, especially abroad.

8. The dissident's rights to a defense are restricted.
9. The persecuting nation refuses to recognize political prisoners as such despite the above features.
10. Dissidents receive worse treatment than regular inmates.

The last point results from the fact that the prison authorities demand that we revisionists recant and cease all contacts with like-minded persons. Since most of us refuse to do this, the consequences are harsh: no early release on parole, no reliefs in our prison regimen. Needless to say that the same authorities do not expect a drug dealer, for example, to recant his views on drugs and to cease any contact with his pals and clients. Views, opinions and social contacts are simply not of any interest when it comes to "normal" criminals. Hence dissidents in Germany are subjected to a special treatment. This is not only meant to mentally "cure" the thought criminal, but also to deter others from dissenting. In legalese, deterring the general populace from committing a crime is called "general prevention." According to Solzhenitsyn, imprisoning dissidents in the late Soviet Union was a measure of "social prophylaxis" (vol. 1, p. 42), which probably amounts to the same thing.

Ironically, I had committed the "thought crimes" for which I was imprisoned in Germany in countries where these acts had been and still are perfectly legal: the U.S. and the UK. Germany simply claims the right to prosecute dissidents anywhere in the world, if their dissenting voices violate German law and could be heard or read in Germany. In the Internet era, this basically amounts to prosecuting everybody, everywhere, at any time, if only the German authorities can get their hands on the dissident.

For anyone not residing in Germany or any other persecuting nation, the question is: what law should one abide by to stay out of trouble? I don't think there is a satisfactory answer to this question. I've therefore decided to abide by a higher, uncodified law, which was summarized succinctly by Immanuel Kant in his categorical imperative:⁶⁸

"Act only according to that maxim whereby you can at the same time will that it should become a universal law."

If we apply this to the present case, we will see immediately that the legal concepts of "stirring up the people" and "endangering the public peace," as listed in the German law used to prosecute revisionists, are untenable, as they do not describe acts of a perpetrator but rather the effects it notionally might have on others.

If an act justifies or advocates the violation of the civil rights of others, then this itself is the act that one might consider prosecutable. Whether this

⁶⁸ Kant 1788, p. 54; 2003, p. 41; English: 1981, p. 30.

act has any other consequences, like disturbance of the public peace, should be an aggravating circumstance at worst. In fact, many scenarios can be imagined where a perfectly peaceful opinion could wreak havoc in a society which considers such an opinion to be heretical or blasphemous. The history of mankind is full of innocent, peaceful individuals who were persecuted because they upset certain, usually powerful, parts of the populace: Socrates, Jesus Christ, Martin Luther, Galileo Galilei, Mahatma Gandhi. Or take the founding fathers of the U.S. constitution: Did they not disturb the public peace, stir up the populace, and commit sedition?

In all these cases, it was *not* the dissident causing havoc, but it was the mindset of the people in their environment and the way they reacted to the dissent. Luther neither advocated the Church to be split in two nor did he ask for the Peasants' War or the Thirty Years War, yet they all ensued as a repercussion. Was Luther responsible for all this? No, he was not. The social, political and economic injustices of the time were the cause.

So, where and how do we draw the line when it comes to punishing disturbers of the "public peace"?

Let me give one more example to make even the most hardcore anti-fascist agree that concepts like "disturbing the public peace" belong in the dustbin of history: During the Third Reich the German Catholic priest Rupert Mayer was publicly indicted because with his sermons he had "repeatedly made public, inciting statements" and because he had discussed matters of the state "in a way capable of endangering public peace."⁶⁹ He was subsequently imprisoned at Sachsenhausen concentration camp for seven months. Compare this with the multi-year prison terms revisionists get nowadays in "democratic" Germany!

Although I argued during my defense lecture that the German law I was prosecuted under was unconstitutional, this is of little relevance for people acting within other legal frameworks. What is more important is a universal, holistic approach to the issue of how to react to authorities persecuting peaceful dissidents, no matter what legal trappings they wrap around it.

Resistance

Karl R. Popper wrote in his classic work *The Open Society and Its Enemies*:⁷⁰

"those who are not prepared to fight for their freedom will lose it."

⁶⁹ Gritschneider 1987, p. 89.

⁷⁰ Popper 1962, Vol. 2, p. 287.

The tragedy is that the enemy threatening our freedom is the very entity – the State – whose “fundamental purpose [is...] the protection of that freedom which does not harm other citizens.”⁷¹

So, what are we to do as generally law-abiding citizens, when the law itself has become fundamentally unjust? The answer was given some 160 years ago by Henry David Thoreau in his classic essay “Civil Disobedience” (Thoreau 1981, pp. 92, 94):

“Unjust laws exist: shall we be content to obey them, or shall we endeavor to amend them, and obey them until we have succeeded, or shall we transgress them at once? Men generally, under such a [democratic] government as this, think that they ought to wait until they have persuaded the majority to alter them. They think that, if they should resist, the remedy would be worse than the evil. But it is the fault of the government itself that the remedy is worse than the evil. It makes it worse. Why is it not more apt to anticipate and provide for reform? [...] Why does it always crucify Christ, and excommunicate Copernicus and Luther, and pronounce Washington and Franklin rebels? [...]

A minority is powerless while it conforms to the majority; [...] but it is irresistible when it clogs by its whole weight. If the alternative is to keep all just men in prison, or give up war and slavery, the State will not hesitate which to choose. [...]

Under a government which imprisons any unjustly, the true place for a just man is also in prison.”

So, if you are a true fighter for freedom of speech and haven’t been in prison yet, you’ve done something wrong! Or you were just plain lucky.

This essay by Thoreau inspired Mahatma Gandhi, from whose writings I quote some pivotal sentences which, in turn, were an inspiration for me during my time in prison:⁷²

“So long as the superstition that men should obey unjust laws exists, so long will their slavery exist.”

“Democracy is not a state in which people act like sheep. Under democracy individual liberty of opinion and action is jealously guarded.”⁷³

“In other words, the true democrat is he who with purely non-violent means defends his liberty and therefore his country’s and ultimately that of the whole of mankind.”⁷⁴

“I wish I could persuade everybody that civil disobedience is the inherent right of a citizen. He dare not give it up without ceasing to be a man. [...]

⁷¹ *Ibid.*, Vol. 1, p. 110.

⁷² Narayan 1969, Vol. 4, p. 174.

⁷³ *Young India*, 2 March 1922; *CWMG*, Vol. 26, p. 246.

⁷⁴ *Harijan*, 15 April 1939, *CWMG*, Vol. 75, p. 249.

But to put down civil disobedience is to attempt to imprison conscience. [...] Civil disobedience, therefore, becomes a sacred duty when the State has become lawless, or which is the same thing, corrupt. [...] It is a birth-right that cannot be surrendered without surrender of one's self-respect."⁷⁵

But when exactly and how is a minority in a constitutional democracy under the (claimed) rule of law allowed to resist its government? In my defense speech, I elaborated on this by quoting numerous experts, most German, on the topic. In summary, most experts agree that civil disobedience against a government, that is to say peaceful disregard of the law, is permissible only if the government's violation against which the protest is directed affects valid constitutional principles or general principles of human rights. This also means that the protesters may ignore or violate only those laws against which the protest is directed. In other words, the protesters may not set their private views as absolute, and they are not allowed to violate other laws, which are generally accepted even by them. Hence violent protests are unacceptable.

This is what we revisionists should insist upon: The right to doubt and to peacefully dissent on any topic is an integral, inalienable part of our human condition, and thus of our human rights, whether they are enshrined in our country's constitution or not. Any government enacting laws or regulations infringing on that right must be resisted with peaceful means by consciously and deliberately violating the law which impairs our human dignity. And that is exactly what I told the German court in 2007.

Curiously enough, the German constitution even grants all German citizens the right to resist their government. In Article 20, Paragraph 4, of the German Basic Law it says:

"All Germans have the right to resist against everyone who endeavors to remove this [constitutional democratic] order, if no other remedy is possible."

The question is, of course, at what point it is permitted to invoke this right. Do we have to wait until the government has turned into an outright tyranny, or should we be allowed to put our foot down at the onset of government excesses? Since it is always easier to resist the onset of governmental abuse rather than to wait until resistance has become mortally dangerous for the resister, the wise answer to that question ought to be obvious.

Let me quote Germany's highest authority on this question: Prof. Dr. Roman Herzog, former president of the German Federal Constitutional Court and later president of the Federal Republic of Germany. He stated repeatedly that "from time immemorial there has been a right to resist by

⁷⁵ *Young India*, 5 Jan. 1922; *CWMG*, Vol. 25, pp. 391f.

those violated and a right to emergency relief for all citizens” in case of encroachments on human dignity and on the human rights.⁷⁶ According to Herzog, each article in Germany’s constitution – the statutory civil rights also among them – is,

*“viewed by daylight, ... nothing else but the specific elaboration on a fundamental principle of the constitutional nature of the state, so that assaults on almost any individual article at once touch upon the principles of Art. 20 of the Basic Law [the right to resist].”*⁷⁷

Since it is the primary obligation of the state to protect the dignity of its subjects, it is in turn also the primary right of all human beings to resist encroachments of the state on human dignity.⁷⁸

This closes the circle of my argumentation, at the beginning of which I demonstrated that the right to doubt, to search for the truth, and to communicate the results of this activity is simply constitutional for being human, hence for human dignity as such.

Hence, resistance is obligatory!

⁷⁶ Herzog 1970, p. 102; quoted acc. to Peters 2005, p. 184.

⁷⁷ Herzog 1970, p. 100; Peters 2005, p. 188.

⁷⁸ Herzog, in: Maunz/Dürig 2002, Art. 20, para. 4, Rn. 17-19; acc. to Peters, *ibid.*

“Freedom’s just another word for nothing left to lose”

Janice Joplin

8. A Revisionist in Prison

Between the years 1993 and 2011 I had, in a certain way, a Jewish experience: I was persecuted by my own government, saw my career chances destroyed, fled from one country to another in an attempt to avoid incarceration, but eventually I was caught and deported. I subsequently spent many years in a number of detention facilities: Rottenburg, Stuttgart, Heidelberg, Mannheim, and again Rottenburg. In those prisons, I had to do work in order to pay for the costs I was causing the German prison system (forced labor, anyone?). After being released, I eventually, after an agonizingly long legal struggle, managed to emigrate for good from the country of my birth.

However, I am also very fortunate that in many ways my experience was much more benign than what many Jews had to experience during World War II: my detention conditions were rather favorable, my family was left unharmed, my health uncompromised, my spirit unbroken, and my property untouched (except maybe for a quarter million dollars in lawyer bills that accumulated over those 18 years).

“So, what is it like in prison?” people ask me once in a while. On the one hand, I recommend that you better not find out. But then again, maybe you should. Although not a nice one, it still is a part of the human condition.

Being arrested and thrown into jail is traumatic. The first weeks and months are the worst. But humans are adaptive creatures, and so you adjust to your life’s circumstances even in such a dismal environment. You find a way to organize your day, to focus on some activities which you enjoy and which make time pass: you write letters, draw pictures, sing songs (a capella, for the most part...), and you join many of the recreational activities offered: volleyball, working out, Bible studies, discussion groups, church choir, prison band (yes, we had jailhouse rock, and it rocked!). And, needless to say, you play games with fellow inmates and also work out in your cell: push-ups, sit-ups, pull-ups at the toilet curtain rail, and other exercises

with self-made “weights” (I had ten one-liter milk cartons placed in an undershirt knotted shut at the bottom; worked nicely).

You even make friends, sort of. Not the kind you keep once you are out, but every prison is a tiny world with all the social dynamics you have outside as well. So, even though you initially thought you could never adjust to it, eventually you settle in. You have your time well organized and even feel kind of comfy in your little nook that you’ve carved out for yourself.

It comes to the point where, after having been out of your cell for a number of hours partaking in some activities, you mumble to yourself: “I’m tired, I want to go home” – by which you mean your cell... Makes you worry, doesn’t it? Yet making yourself feel at home even in such a gloomy place is the art of living, is the (only) way to limit emotional damage.

And then, for whatever reason, you are transferred to another jail. That’s bad news. You can read it frequently in survivor testimonies: You get ripped out of your routine. You lose all the informal privileges you’ve won, all the friends you’ve made. You get to a place where you know nobody. You need to start from scratch organizing yourself and your daily routine: how to get the food you prefer, how to join the recreational groups you like, and so on. Hence every transfer is a new traumatic experience – a fresh “deportation.”

I therefore understand today why prisoners who had been at Auschwitz for a while and had managed to carve out a little niche for themselves feared being transferred to another camp – provided of course there was no extermination going on at Auschwitz.

But all the adjusting notwithstanding, make no mistake: I stood for many hours behind those iron bars in my various prison cells longing to be able to finally go home, and during our courtyard time my eyes followed many an airplane in the sky flying west yearning for Scotty to beam me up there...

Which brings up another astounding fact of life: In Germany, every prisoner has the right to spend one hour a day in the courtyard, and I assume that the law is similar in most countries. Since that’s the only time the inmates can get out of their cells (apart from going to work and recreational activities), most of them make the best of it. The result is that during summertime most inmates get quite a tan, which led my mother to ask me one day whether we have a tanning studio in prison. Well, no, but count the hours which you, as a free person, spend outside each day, and you will realize that a free person on average spends considerably less than an hour outside. So, statistically speaking, prison inmates are more often “out and

about” than free people. Amazing, isn’t it? Well, I admit, maybe they are out, but not about...

Nothing is worse than the feeling of losing a sizeable part of your lifetime being locked up. So, you look for something which helps you feel that you’ve used your time for something constructive and of use in your later life. Hence, I obtained a Cambridge Certificate in Advanced English, learned Spanish, and extended my English vocabulary by learning the words in *Roget’s Thesaurus* (one hour of word learning every day, religiously). I read as I’ve ever read in my entire life. I subscribed to the weekly *Science* magazine and read it for three years from cover to cover, thus broadening my scientific knowledge in numerous fields considerably. I also read the works of classic and philosophical literature which I had never managed to look into while free: the ones I like (Aristotle, Kant, Popper, Tolstoy, Dickens, Schopenhauer, to name the most impressive) and the ones I learned to dislike (Dostoyevsky, Hegel, Hemingway).

Now my wife calls me a walking thesaurus. Speaking of whom... she is a psychologist specializing in helping people who have been traumatized by their life’s experiences. So, she announced toward the end of my incarceration that she would take good care of me and help me to efface my emotional scars. But after my release she quickly realized that these 45 months of incarceration had passed by me without leaving any apparent trace. I was still the same man she had lost back then, and so she fell in love with me all over again...

Even though the authorities treated me worse than other inmates because I did not recant my views and showed no signs of remorse – they rebuked me repeatedly for spreading my views among the inmates – my lot was far better than that of the other inmates from a psychological point of view: being incarcerated did not tarnish my reputation, quite to the contrary. I wear it like a badge of honor, or as the German historian Prof. Dr. Ernst Nolte wrote to me in a letter after my release, I can now count myself among the men of honor who have gone to prison for conscientious reasons. Whereas most inmates lose most of their friends and often even the support of their families, my friends and family have stood firmly by me. Whereas most prisoners struggle financially and get in deep debt during their incarceration, as they lose their jobs and subsequently often also their home and property, I was very fortunate to find so many generous supporters that not only my legal expenses were covered, but also the support of my children. There were even some funds left over which I could use after my release to restart my life.

Most important and in contrast to most inmates, political prisoners don't lose their feeling of meaning; they feel neither guilty nor ashamed of what they have done. Or as David Cole expressed it once: We are loud, we are proud, and the best of all: we are right!

This attitude, more than anything else, makes you wing even the toughest of times, and it keeps you going afterwards as well, as the *New York Times* correctly observed in an article entitled "Why Freed Dissidents Pick Path of Most Resistance." This article, which was fittingly published five weeks prior to my release from prison, describes how Arab dissidents who were incarcerated for their peaceful political views went right back to their acts of civil disobedience once released from prison.⁷⁹ As one of them expressed it:

"It is a matter not only of dignity, it is the sense of your life. It's your choice of life, and if you give up, you will lose your sense of your life."

He said he had no choice but to go right back to where he had left off.

Just like we revisionists!

⁷⁹ Published online at www.nytimes.com/2009/05/27/world/middleeast/27egypt.html on 26 May 2009. A version of this article appeared in print on 27 May 2009, on page A6 of the New York edition under the headline "Once Freed from Prison, Dissidents Often Continue to Resist."

“You are now among the ‘convicts among the honorable men,’ a phenomenon which was unknown in Germany before 1933 and which should be food for thought about the paradoxical ways of history.

I hope in any case that you will be able to report in a new circular letter in the not-too-distant future about the positive turn of your fortunes.”

Prof. Dr. Ernst Nolte, letter to the author, Jan 17, 2010⁸⁰

9. Fighting My Way Back Home

Justice, American Style

While in prison in Germany, I obtain the decision in my case as rendered by the U.S. Federal Court, 11th Circuit, in April 2006: That court agreed fully with the INS regarding the merits of my application for asylum.⁸¹

1. Germany has a “highly developed and sophisticated legal system,” where I “received due process” (p. 7). Hence, I am not fleeing persecution, but lawful prosecution.
2. I “failed to produce sufficient evidence” of “persecution, on account of an imputed political opinion” (p. 7f.). In addition, the court opined that they “need not address whether” my “prosecution was politically motivated,” because my punishment of 14 months was neither “extreme” nor “disproportionate,” if considering the possible maximum term of five years which the German courts could have meted out (p. 8).

On 1: So, does that mean that it is acceptable if persecution is done by a “highly developed and sophisticated legal system”? What has the sophistication of a persecutor to do with the legitimacy of his persecution? The court’s claim that I received “due process” is a simple lie. Not being allowed under the threat of further punishment to introduce any exonerating evidence is pretty much the exact opposite of “due process.” It should be mentioned in passing that even the German Federal Constitutional Court admitted in a roundabout way in late 2009 that the law under which I was

⁸⁰ <http://germarrudolf.com/2016/03/deutsch-ernst-nolte-an-germar-rudolf/>

⁸¹ <http://germarrudolf.com/wp-content/uploads/2012/04/11CircuitDecision.pdf>

prosecuted twice is unconstitutional. In a media release on Nov. 4, 2009, they stated:⁸²

“[R]estrictions to the freedom of opinion are permissible only on the basis of general laws according to Art. 5, Para. 2, Subpara. 1, [German] Basic Law. A law restricting opinions is an inadmissible special law, if it is not formulated in a sufficiently open way and is directed right from the start only against certain convictions, attitudes, or ideologies.”

The court also confirmed that the law under which I was prosecuted was “not a general law,” but then came a sudden 180-degree turn in an attempt to justify a blatant violation of the constitutionally guaranteed human right of freedom of expression:

“[...] even as a non-general law it is still compatible with Art. 5, Paras. 1 and 2, Basic Law, as an exception. In view of the injustice and the terror caused by the National Socialist regime, an exception to the prohibition of special laws [...] is immanent.”

Or in other words: because the Nazis persecuted minorities, jailed dissidents and burned books, Germany must now persecute minorities, jail dissidents and burn books...

On 2: What more proof is needed than the above statement by the German Constitutional High Court that the unconstitutional persecution of peaceful historical dissidents has purely political motives? As soon as Germany’s Nazi past is concerned, all normal rules of a civilized society are lifted – for none *but* political reasons. It is considered to be legitimate to contest *any* historical claim, except for this one – for nothing but political reasons. The entire world – by way of a resolution of the United Nations⁸³ – condemns peaceful historical dissent on the Holocaust for nothing else but purely political reasons. Are the U.S. judges too blind to see the obvious *political* motivations for this kind of special treatment for only one kind of historical dissent? This is hard to believe. It is more likely that these judges are part of the problem, are part of the persecutorial system engulfing almost the entire world (with the exception of a few Muslim countries).

Moreover, what is the meaning of “extreme” or “disproportionate” punishment? Extreme or disproportionate in comparison to what? To the possible maximum sentence? So, if the death penalty were the maximum, getting 20 years for speaking one’s peaceful mind wouldn’t be “extreme”? Shouldn’t the standard be in comparison to normal societal attitudes? If scientists aren’t thrown in jail for any other iconoclastic research, isn’t it

⁸² www.bundesverfassungsgericht.de/pressemitteilungen/bvg09-129.html

⁸³ www.un.org/en/holocaustremembrance/

automatically “extreme” and “disproportionate” to suddenly do exactly this, be it for up to one year, as is possible in France, or for up to twenty years, as is possible in Austria?⁸⁴

As a justification why the Court did not stay my deportation until after their decision, they mentioned only in a footnote (p. 5) that the government has the right, in principle, to deport asylum seekers during the proceedings. That simply ignored my argument, though. My argument was that my premature deportation was a gross violation of the right to due process as guaranteed by the Fifth Amendment to the U.S. Constitution. This issue was simply hushed up and ignored in the Court’s decision. They dodged the issue, as addressing it would have forced them to either rule in my favor or create untenable case law. However, when considering the court’s lackey services to the U.S. government with their complaisant verdict five months after my deportation, it might actually have been a blessing in disguise that they permitted my premature deportation, so I could get it over and done with asap.

Now, I am not surprised that the U.S. government has a hackneyed, specious view like that, but that allegedly independent judges regurgitate this nonsense is disappointing.

For years, the U.S. State Department has been claiming in its worldwide review of human rights that there are no reports of political prisoners in Germany.⁸⁵ Well, off the top of my head here are a few individuals I know personally, all of them political prisoners of Germany at some point since the early 1990s, sentenced to prison terms for their peacefully expressed political or historical views: Fredrick Töben, Udo Walendy, Hans Schmidt, Fred Leuchter, Günter Deckert, Hans-Jürgen Witzsch, Ernst-Günther Kögel, Erhard Kemper and last but not least Ernst Zündel. Just google those names and learn about their fates. Many more have since joined their ranks.

With the decision in my case, the U.S. court system has basically rubber-stamped its government’s ostrich-like attitude: they all stick their heads in the sand and pretend to notice nothing.

What is wrong with the U.S. government and its judicial system that they don’t see the obvious? Well, my own case suggests that the U.S.’s governmental system has become a part of the persecutorial system which I oppose, hence is a part of the problem rather than the solution. Or maybe it has always been a part of it.

⁸⁴ See the persecutorial laws in various dictatorial nations around the globe: http://en.wikipedia.org/wiki/Laws_against_Holocaust_denial

⁸⁵ See www.state.gov/j/drl/rls/hrrpt/

Not Frivolous after All...

BUT(!) the U.S. Federal Court in Atlanta fortunately at least disagreed regarding the claim that my application had been frivolous. This was inevitable, as upholding the immigration judge's ruling would have meant that due process for immigrants and maybe even for U.S. citizens would have been a matter of the past, because then defendants could have been sentenced for crimes they were never accused of and for which there is no evidence.

In addition, the court declared as illegal the regulation which the U.S. Immigration and Naturalization Services had used to justify their refusal to adjudicate my application for adjustment of status due to my marriage to a U.S. citizen, in other words: to change my status from asylum seeker to married spouse eligible for the so-called "green card." Had that decision happened before my deportation, it would have foiled the U.S. government's attempt to get me deported. That's probably the real reason why the courts allowed my deportation to occur: they didn't want me to take advantage of them striking down that illegal government regulation...

As a result of this decision, the U.S. government was forced to change that regulation, which they did in the summer of 2006 by allowing future applications for permanent residency filed by tourists to be adjudicated. But the new version specifically excludes from an adjudication all old applications filed by persons who have already been deported – or else the government would have faced a multi-million-dollar law suit from me. All attempts to get legal redress against this regulation failed, because, according to the courts, I don't need my old application adjudicated, because I could just as well file a new one after my release from prison.

Regarding their refusal to recognize the persecution of Holocaust revisionists as politically motivated persecution, the 11th Circuit in Atlanta and the U.S. Supreme Court are in good company, by the way. The human rights "experts" from Amnesty International made up their minds already a decade earlier: Since "Holocaust denial" indirectly amounts to accusing Jewish eyewitnesses of having lied, it is a form of incitement to hatred. Therefore, in the minds of Amnesty International, forensic experts coming to different conclusions than eyewitnesses do indeed belong in jail.

Welcome to the New World Order!

Putting Their Feet in the Fire

On July 5, 2009, I walked out of the last German prison I ever plan on setting my foot in. Now it was all about how I could get back together with my U.S. wife and daughter.

As a spouse of a U.S. citizen, I had a statutory right to return to the U.S. and obtain permanent legal residence – the so-called “green card.” The only possibility for the U.S. authorities to deny me this right would have been to prove that I had been sentenced for a “crime of moral turpitude,” defined according to U.S. case law for prosecutable offenses according to U.S.(!) law. Since I have never committed any act that would be a crime under U.S. law, I should have been able to return to my family for good...

Things weren't that easy, though. When I was deported from the U.S. in November 2005, I was prohibited from returning to the U.S. for five years. On July 15, 2009, ten days after my release from prison, my wife and I filed an application for a so-called “green card” as well as an application to have the five-year ban lifted early. Now it was all about being patient...

While our applications were pending, I spent a year in England, where my U.S. wife and daughter joined me for five months and where I could give my oldest daughter from my first marriage an opportunity to spend one school year abroad, to become fluent in English, and to get to know her own father.

In April 2010, the U.S. Consulate in Frankfurt indicated that the only thing barring them from issuing an immigrant visa to me was the still-pending five-year ban to return to the U.S., since the U.S. Department of Homeland Security was sitting on my application to get that ban lifted without doing anything about it. In fact, they adjudicated that application only on March 10, 2011, almost 20 months later! They denied the motion, because they reasoned that at that point the whole issue had become moot, because the ban had already expired in November 2010. Now we at least had it in writing that the ban had expired. But we did not wait for that confirmation. We assumed already in November 2010 that this was so, hence we asked the U.S. Consulate about the state of my case. The clerk dealing with my “green card” application promised to finalize it within five working days. But since no news had been heard after eight working days had passed, an inquiry with the U.S. Consulate resulted in a new deadline:

“We apologize for the delay, and we promise to wrap up the case within 14 days at the latest.”

Yet after 14 more days, there was still no news from the consulate. Four weeks of trying to get any information about the status of the pending case

finally yielded the following statement from the consulate at the end of 2010:

“We apologize once more for this heavy delay, but the case is so complicated that we cannot even give you an estimate as to how long it will take to come to a decision.”

In the meantime, my wife was getting desperate, as having a career, running a household, raising a child and being emotionally yanked about by the U.S. government’s tyrannical arbitrariness was taking a toll on her morale. I myself was living from day to day in a permanent limbo with no way of planning a future or having any kind of life...

Against this ongoing procrastination by the U.S. authorities, my wife filed a so-called Writ of Mandamus on January 31, 2011, with the Federal Court in Chicago, where my wife lived at that time, in order to force the U.S. government to adjudicate our pending application.

It turned out to be a blessing that the redneck court in Atlanta was not in charge of this case. The federal judge assigned to our new case, Samuel Der-Yeghiayan, happened to be an immigrant himself who came to the U.S. from Armenia as a little child. I figure he was not pleased to see how the immigration services under Michael Chertoff had been treating us. So, the first thing he did was to deny a government motion to have our case dismissed. Only then did the U.S. government finally start moving. At the end of May 2011, I was informally informed that my criminal convictions in Germany do not constitute crimes of moral turpitude in the U.S., which means that the government conceded that I was eligible for – and indeed entitled to – a green card without restrictions. An immigrant visa was finally issued in early July, and not quite a month later I finally managed to return home to my wife and child. I obtained the coveted permanent legal residence – the green card – a few weeks later.

And they lived happily ever after.

THE END
(or so we hope)

“Woe to those who make unjust laws, to those who issue oppressive decrees, to deprive the poor of their rights and withhold justice from the oppressed of my people, making widows their prey and robbing the fatherless. What will you do on the day of reckoning, when disaster comes from afar? To whom will you run for help? Where will you leave your riches? Nothing will remain but to cringe among the captives or fall among the slain. Yet for all this, his anger is not turned away, his hand is still upraised.”

Isaiah, 10, 1-4

10. Failings of a State under the Rule of Law

Introduction

Where politics and *zeitgeist* exert heavy pressure on the judiciary, deliberately unjust judgments have to be expected. For this to happen, it does not require a constitution openly violating the rule of law, or some internal turmoil such as a civil war. With respect to normal prosecutions of criminals, the legal procedures of nations observing the rule of law and those not observing the rule of law should be rather similar. Only during trial, where political taboos are the bone of contention, will it show whether or not judges follow the rule of law, or whether they can even be forced by procedural law not to deviate from it. For some time, there has been a discussion as to whether or not the rule of law is endangered in the Federal Republic of Germany by certain phenomena of the *zeitgeist*.

One case in particular caused severe accusations from many sides of German society, so that the political distortions within the German legal system have indeed reached such a degree that even legal experts are seriously troubled: In 1991, Günter Deckert, then leader of the German nationalistic party *NPD* (*Nationaldemokratische Partei Deutschlands*), organized a convention where Fred. A. Leuchter, a U.S. expert for execution technologies, lectured on his technical and chemical research regarding the alleged “gas chambers” of Auschwitz. Deckert translated his speech for the audience into German. He was subsequently prosecuted for this and eventually sentenced to 12 months on probation. Following a huge media-outcry and massive intervention of national as well as international politicians, who

considered that verdict to be way too lenient, Deckert was put on trial again – at a different court with different judges – and sentenced to two years without probation.

The judge who wrote the verdict of the first trial, Dr. Rainer Orlet, was threatened with prosecution for violating the law, because when justifying the suspension of the prison term, he had claimed among other things that Deckert's patriotic motives had been honorable. Dr. Orlet was eventually only forced to retire early, though.⁸⁶ Deckert's publication about this affair,⁸⁷ together with other "thought crimes" like writing naughty letters to Jewish representatives and distributing prohibited revisionist literature – led to further criminal trials against him which, together with his first conviction, led to an aggregate prison term of more than five years. Eventually, even his defense lawyer Ludwig Bock was prosecuted and sentenced for defending Deckert too vigorously by asking for permission to introduce revisionist evidence. This was considered criminal behavior because Bock allegedly indicated with this that he identifies with revisionist thoughts.⁸⁸

In a similar case, the late German right-wing defense lawyer Jürgen Rieger was put on trial in 2000, because during the proceedings against one of his clients in summer 1996, he had filed a motion to introduce me as an expert witness as evidence for the fact that his client's revisionist claims were well-founded. Though Rieger was initially acquitted by the Hamburg District Court,⁸⁹ the German Federal Supreme Court subsequently overturned this verdict, demanding the sentencing and punishment of every lawyer who dares to ask for, or tries to introduce, evidence challenging the "common knowledge" about the Holocaust.⁹⁰ Thus, it is clear that every judge who dares to hand down lenient sentences to revisionists at least risks an abrupt end to his career, and defense lawyers trying to defend their clients effectively may themselves be prosecuted for doing so.

Hence, instead of protecting the independence of judges from political and media witch hunts, and instead of guarding the legal safety of defense lawyers acting on behalf of their clients, politicians and even the judiciary

⁸⁶ See Herzogenrath-Amelung 2001.

⁸⁷ Roques/Annthohn 1995; District Court Mannheim, ref. (13) 5 Ns 67/96.

⁸⁸ Zornig 1999. As a consequence of his prosecution, Bock subsequently changed his defense strategy, and when assigned to defend the Australian revisionist Dr. Fredrick Töben in November 1999, he remained completely silent in order to avoid further prosecutions, hence rendering any defense of Dr. Töben impossible. This was the reason for the German Federal Supreme Court to reverse the decision, ref. 1 StR 184/00, Dec. 12, 2000; see Hörnle 2001.

⁸⁹ *Hamburger Morgenpost*, Nov. 14, 2000; see "Verteidiger Rieger..."

⁹⁰ German Federal Supreme Court, BGH, ref. 5 StR 485/01; see German daily press from April 11, 2002 (*taz*, *Bild*, *Frankfurter Rundschau*, *Stuttgarter Zeitung*, *Frankfurter Allgemeine Zeitung*, all on page 2!).

itself stab German judges and lawyers in the back. Such terrorizing persecutorial acts by the government against judges and lawyers – not to mention those committed against defendants – need to be compared seriously with the methods used during medieval witch trials⁹¹ in order to recognize the degree of decay which the German judicial system has reached.

In what follows, I shall show by my own experience that the rule of law in Germany has many flaws that make it irresistible for the judicial system in general and the judges in particular to give way to the extraordinary political pressure exerted upon them and to render arbitrary, deliberately wrongful convictions which are legally unassailable, because on the surface they appear to have been made in accordance the to the rule of law.

Among the most diverse audiences, I have repeatedly encountered the same kind of surprised disbelief about the state of the German criminal justice system as I experienced it at the beginning of the prosecution avalanche against me. Despite my lack of formal qualification, I believe I have been called upon to raise my voice on this subject, since the numerous systemic defects of the German legal system have apparently not been dealt with by those with the professional competence to do so.

Since I am no legal expert but only one who has been self-educated on the subject through painful experience, I hope readers will excuse my ineptitude of expression. If I make frequent reference here to my trial before the District Court of Stuttgart (ref. 17 KLS 83/94), it is because these examples serve to indicate major problems in the German system of government and its judicial system.

No Verbatim Record

Until the end of the 1970s, a record of the proceedings was kept during German criminal trials in which the statements of witnesses and responses of the defendants were set down. The contents of this record were never relevant for an appeal or revision. For example, if in the record it said “The witness said A,” but in the decision, the court stated “The witness said B,” the assertion in the decision would be taken as the fact and that in the record would be considered of no effect.

In the course of a change in the German criminal law at the end of the 1970s, the duty to make entries in the record of the proceedings was removed for reasons of economy for all courts higher than the county courts.

⁹¹ See Bauer *et al.* 1912, esp. pp. 311ff.; even a rule of self-evidence to reject evidence was known, as it is now: Behringer 1988, p. 182; see my summary of this under pen name: Kretschmer 1993.

What appears now in German trial records is something like “The witness made statements on the subject” or “The defendant made a declaration.” The substance of what was said cannot be found there. It can no longer be proven by documentation when the court makes false claims about statements made during the proceedings.⁹²

In other nations observing the rule of law, such as the United States, Canada, Australia, or Austria, word-for-word transcripts of the proceedings are prepared.

The consequences of the present German system can easily be imagined, and I will briefly illustrate them with three examples from my own trial.

1. The issue in this trial was whether or not I had participated in the distribution of a version of my expert report with added commentary by Major General O.E. Remer in April 1993. The court was interested in, among other things, how Remer had come into possession of that particular version of my report that he used for producing his printed version. In the trial, I had stated that Remer had probably received it from his attorney Hajo Herrmann. The court was more than eager to nail me as a liar, so they were trying to make Hajo Herrmann concede that he never sent a copy of this particular version to his client. Remer had reproduced the “second version of the 3rd edition” of my report, which the court called version “F2.”⁹³ In the trial report made by an observer, the questioning of Herrmann on December 6, 1994, ran somewhat as follows:

“Then the witness Hajo Herrmann, year-of-birth 1913, was questioned. He confirmed that in the summer of 1991 he had assigned the preparation of the expert report to the defendant (Germar Rudolf). The witness states that he had received every version of the expert report from the defendant and

⁹² There is always the possibility that the defense can hire its own stenographer to record the proceedings and type them up later. Then there would have to be a motion to insert this record into the record of the proceedings. Motions of this sort are always denied because the German Code of Criminal Procedures does not provide any rules for such records. In order to defeat the usual refusal of the court to accept such a motion on the grounds that the transcript is factually incorrect, the motion would have to be made either before the dismissal of the witness or immediately after the response of the defendant or the defense attorney. Thereby the doubts of the court could be allayed through questioning of the witnesses or the defendant. Although the record of the statements can be entered into the record of the proceedings with the (denied) motion in this way, they will still be irrelevant in appeals and revision procedures. Considering the expense to the defendant in time and money of such an effort over the course of, say, a thirty-day trial with twenty witnesses, it should be clear how impractical this scenario is.

⁹³ The first edition was mailed out in some 15 copies in January 1992, the second in February 1992, the first version of the third edition in November 1992, and a slightly revised version of this edition (second version) in December 1992, each numbering some 20-50 copies only.

had sent a copy of each to his client Remer. Later the witness stated that he did not know whether he had received another expert report in November or December 1992. When the judge inquired about it further he said that he could almost rule this out. He also did not believe that he had provided Remer with a new version of the expert report during the appeal to the Federal Supreme Court. Later, Herrmann said that the first version of the 3rd edition sent in November 1992 was the last that he had received. When the defendant (Germar Rudolf) interrogated Herrmann (which the judge at first objected to) whether the witness thought that the arrangement of the chapters of the first version of the 3rd edition was correct, the witness remembered that he had requested a change by telephone. At that point the witness decided that he must have received the second version of the 3rd edition that had been changed due to his request [this was the version called "F2" by the court, which Remer used to produce his published version]. Herrmann could also not rule out that Remer might have obtained documentation with new versions of the expert report during the appeal to the Federal Supreme Court. He said he had submitted the expert report both during the appeal to the District Court and during the appeal to the Federal Supreme Court. At this moment, the presiding judge interjected that the expert report was not to be found in the records of either of these proceedings. Made aware of the error of his statement, the witness said that due to the voluminous material in the numerous trials in which he was involved he was not able to pay such particular attention to any one document, hence he could not remember every single one. In the course of time he had been involved in 12 to 15 trials in which he used Rudolf's expert report, in addition to all his other trials. For him, the witness, the expert report of the defendant was just one document among many others and so he was not able to remember details."

What can be seen from this is that the witness Herrmann was basically confused and could not remember details about which version he had sent to whom and when. But at least Herrmann remembered clearly that he had requested changes to the expert report, so he concluded logically that I must have sent him copies of this rearranged version; after all, I had prepared this version on his request. The court, however, described the statements of the witness on page 199 as follows:

"The taking of evidence has shown on the other hand that attorney Herrmann never, and in any case not during 1992 nor in the first quarter of 1993, had come into possession of draft 'F2' and that he did not send it to Remer. The witness Herrmann affirmed that the draft 'F1' was the last version of the 'expert report' that had come to him, and in addition he could not say when he came into possession of this version. In the rest, he

believably reported that he had had no further contact with Remer after the trial in Schweinfurt on Oct. 22, 1992, relating to the 'expert report.' He could not remember having sent a copy of the 'expert report' to Remer in December 1992."

The difference between the two texts is obvious: The independent observer reported that Herrmann did revise his initial statement after I made him remember that it was Herrmann himself who made me prepare this particular version "F2," which leads to the logical conclusion that he did, of course, receive at least one copy of this version he had specifically demanded. But the court simply "forgot" about this detail. From its own faulty reasoning, the court concluded on page 202f.:

"The fact that the defendant knowingly spread an untrue account of how the Remer operation came about is a particularly clear indication that he was involved in the Remer operation."

2. The court was also eager to try to prove that I told my sister about Remer's commentary before Remer had even started to distribute my report, which would have been possible only if I had been involved in the production of said commentary. The first copies of my report mailed out by Remer arrived at their destinations shortly after Easter 1993. If I had told my sister already before Easter about these comments, then this would put a "nail into my coffin." According to the above-mentioned independent observer, the sister of the defendant made the following statement on January 24, 1995:

"The sister of the defendant states that she learned from her brother during a visit shortly before Easter 1993 (April 10-12, 1993), that Remer had joined a racist and anti-Semitic commentary to the expert report, which he had obtained from his attorney, and distributed it against his will. In this connection, there was talk [between my sister and me] of an action against Remer at one point. The inquiry, whether her brother described the Remer operation as a threatening event or as an accomplished fact, she could not answer because she could not remember. It was possible that the operation had already happened. Actually, she had spoken with her brother on this subject numerous times since there had been telephone communications between them once a fortnight. Under intensive questioning by the court about details of the content and chronology of the events at that time, the witness appeared stressed and appreciably flustered. On inquiry of her brother she said she could no longer remember exactly when she had heard what news from her brother on this subject. She could only describe her overall impression."

The court described this witness statement as follows (p. 210):

“Moreover, the sister of the defendant said he had expressed to her already in Easter 1993 (April 11/12, 1993) the intention to follow the Remer version with an ‘authorized’ version. The reason he had given was that Remer had scattered racist expressions through the ‘expert report.’ But in his testimony, the defendant says he saw the Remer version first from his doctoral supervisor on 16th April 1993 and first knew of the Remer additions at that time. The fact that he referred to Remer’s ‘racist expressions’ previous to this is a further indication that the defendant had knowledge of the Remer operation beforehand.”

However, according to the independent observer, my sister thought “it was possible” that Remer’s mail-out had already taken place before Easter 1993, which is clearly incorrect – all copies of Remer’s version were mailed to their recipients only after April 15, 1993. This proves that my sister’s memory was wrong regarding the chronology, which is also supported by her own statements under intensive cross-examination both by the judges and by me that she simply could not remember when she had heard what from me. The fact that the witness could no longer remember the exact chronology was duly omitted by the court for obvious reasons. Who of us can remember, down to the exact day, when and what we heard from our siblings two years ago? But for the court, this was a major stepping stone to its verdict.

3. Another way to prove me a liar was the court’s attempt to prove that my statements regarding contacts with the Remers were a lie. By showing that I was denying my contacts with the Remers, they sought to prove that I was in fact involved in their plot to hide the truth from the court. On my contacts with O.E. Remer, the independent observer wrote the following on the trial day November 11, 1994:

“At that point he [the defendant] mentioned among other things his four meetings with O. E. Remer, of which the last took place at the beginning of May 1993. At this time, he had negotiated a cease-and-desist agreement with Remer through an intermediary. The intermediary had rephrased it and given it to him, the defendant. Shortly thereafter, Remer had signed it in the presence of the intermediary and himself. When asked why he had not handled the declaration of injunction himself, the defendant explained he had not had any contact with Remer and did not desire to have any.”

For January 24, 1995, one reads there:

“Next was introduced an application form to participate at a revisionist gathering in Roding in summer 1991, organized by O. E. Remer, which had been filled out by the defendant but not sent in. The defendant said he had been interested in the proceedings because of the announced participants

Prof. R. Faurisson and Dr. W. Stiglich. In any case, he was not there, which is also proved by the fact that he had not sent in the application form. He had not noticed at the time that Remer was directing the proceedings.

The defense attorney said that he had himself participated in this gathering but could not remember that he had seen his present client there.”

But the court portrayed both happenings, which it interpreted as evidence of my lack of credibility, as follows (p. 148ff.):

“For one thing he [the defendant] took part in the closed revisionist proceedings called by Remer on 29 June 1991 [in Roding], in which Remer gave the welcoming address (p. 49). The copy of the filled-out application form that was found at his house shows that. The defendant has not contested this. [...]

In addition, he finally admitted to have stopped by Remer’s place in Bad Kissingen on May 2, 1993, together with Philipp in connection with the completion of the cease-and-desist agreement (p. 124). The defendant at first attempted to conceal this contact. In his first response during the trial, when talking about how this agreement evolved, he said he had communicated with Remer ‘through an intermediary’ after the latter had not responded to his written warnings. This intermediary had worked out the text of the agreement with Remer and had given it to him. As reason for having made use of an intermediary he said he did not want to have direct contact with Remer.

The defendant attempted to deliberately misrepresent his attitude to Remer in other cases as well. The above-mentioned letter of the defendant to attorney Herrmann on Dec. 20, 1993, shows this. [...] At the same time the defendant described [in this letter] the supposedly only three meetings with Remer. [...]

*It is noteworthy that his letter to attorney Herrmann deliberately describes his relation to Remer incompletely by leaving out both of these events [revisionist gathering in Roding and arranging publication of the brochure *Die Zeit lügt!*,⁹⁴]. The chamber is convinced from this that it does not reflect the true relations and the actual opinion of the defendant on Remer, but was written expressly for the purpose of misleading the investigation process.”*

Since the original of the application form to the revisionist gathering in Roding had been introduced as evidence during the trial and not a copy, as the court falsely claims in its written verdict, it is easy to see that I was not present at the gathering in Roding. In a later publication, my defense lawyer reiterated the report of the independent observer and criticized the court

⁹⁴ “*Die Zeit* (German weekly) Lies!” (Remer 1992; revised in Rudolf 2016a, pp. 73-118).

harshly for this rather odd mistake.⁹⁵ One can see even further that the report of the independent observer is correct with respect to my responses. If one considers that Remer was absolutely not involved in arranging the publication of the brochure *Die Zeit lügt!*, i.e., that it did not lead to any correspondence or meetings between Remer and me (not even the court claimed that), that it was not me who decided to put Remer's name and publishing house on the imprint of the brochure,⁹⁶ and that in the letters

⁹⁵ Herzogenrath-Amelung 2001, pp. 36f.

⁹⁶ This brochure was mainly written by me (under four pen names), but made fit for publication by Karl Philipp, who made some changes to it and chose Remer as editor and publisher to protect me legally (which worked). As far as I know, Remer was not involved in the actual production of the brochure, and I was never involved in its distribution. Therefore, no link ever existed between my writing the brochure – without any intention to do it *for* Remer – and the fact that Philipp put Remer's name on it (probably even without Remer knowing it) *after* I had finished my writings. True, I never complained about it, but there was, realistically seen, no other way than Philipp's way to have this brochure published swiftly – which was necessary since it was a reaction to a series of articles in a weekly newspaper – and I did not intend to reveal my pen names to anybody anyway, so why bother?

It should be mentioned in this context that this brochure still causes me some trouble in that my use of four pen names for it (Dipl.-Ing. Hans Karl Westphal, engineer; Dr. Werner Kretschmer, barrister, Dr. Christian Konrad, historian, Dr. Dr. Rainer Scholz, chemist and pharmacologist), all of them pretending to have a different academic degree, led to the accusation of dishonesty and attempted falsification of credentials (see, e.g., www.phdn.org/archives/holocaust-history.org/auschwitz/chemistry/not-the-science/). The background of these pen names was not an attempt to impress people with phony doctorates, though I must admit that it could have this effect. I therefore wish to set the record straight by repeating what I stated already elsewhere (www.vho.org/GB/c/GR/CharacterAssassins.html):

The brochure *Die Zeit lügt!* was the first revisionist publication I was involved in. It was a reply to two lengthy articles of a certain Till Bastian published in summer 1991 in the German weekly *Die Zeit* (no. 39, Sept. 18, 1992, p. 104, and no. 40, Sept. 25, 1992, p. 90). This brochure is the fairest writing about the Holocaust controversy that ever appeared, simply for the reason that both articles of Bastian were reprinted *in their entirety*, and discussed afterwards. The reader always has the means to check both points of view. Nobody else has ever done that before or since – on either side of this discussion.

Nowhere in that brochure is reference made to the special expertise and qualifications of the authors listed – simply because these names were added after the brochure was written – nor would the claims and arguments brought forth in this brochure require the qualifications of these experts. Though it was certainly incorrect to do this, I would like to explain why it was done, as it was certainly not done in order to claim qualifications that are actually not present. Let me therefore be a bit more detailed.

In spring and summer 1992, I was called by several defense lawyers as an expert witness in several trials imposed on revisionists in Germany (Udo Walendy, District Court Bielefeld, February 1992; Gerd Honsik, Upper District Court Munich, March 1992; David Irving, County Court Munich, May 1992; Detscher, County Court Munich, July 1992; Max Wahl, District Court Munich, July 1992). In these trials – as in all trials against revisionists – the judges rejected any evidence presented by the defense, including all expert witnesses. In one case, I had to learn that a chemist (me) was rejected because he was neither a toxicologist nor a historian, an engineer (Leuchter) was rejected because he

and statements quoted by the court I was always writing and speaking about actual dealings with Remer – there was none in connection with the brochure *Die Zeit lügt!* – it must be asked: who lacks credibility here?

A large number of similar cases could be shown in which the court made observations on the statements of mine or of witnesses that differ from the trial report. Since the differing interpretations of the court were always disadvantageous for me, the question must be raised whether we are supposed to believe that these errors were made unintentionally.

Hiding the Purpose of Evidence

It appears possible that in German courts, the written judgment will suddenly present evidence as the main proof of guilt which had remained in the background during the proceedings of the trial, in that the court reinterprets it in a way that had not been mentioned during the proceedings. In this way, it is impossible for the defense to bring in evidence to refute evidence which at first appears to be harmless since no one can tell what evidence the court will use as proof of what fact.

When the defense attorney wants to introduce a piece of evidence, he must always provide a reason for it so that the court can decide on the request. On the other hand, this rule does not seem to apply to the court itself.

Here is one example of that. The court interpreted certain publication details of the original version of the Rudolf expert report used by Remer in his version as well as of the version without comments published by me a few months later as proof that Remer's distribution activities of his version and the subsequent publication of my authorized version were one single operation planned in advance. As one of the main proofs for this the court pointed to the fact that in the draft of my expert report produced in November 1992 (version F2), Prof. R. Faurisson had not been mentioned in the acknowledgements at the end of the report. He had first been expressly thanked in the authorized version of my expert report published in July

was neither a chemist nor a historian, and a historian (Prof. Haverbeck) was rejected because he was neither a chemist nor an engineer. My conclusions were that one obviously had to be at the same time an engineer, a chemist, a toxicologist, a historian and perhaps even a barrister to be accepted as an expert witness at a German court of law. The legal process being so perverted in Germany, I decided to mock it with a parody by inventing a person with all these features, but then Karl Philipp and I realized that this would be a bit unrealistic, so we split that person into many. That is the background. I think it is both tragic – for the victims of those German kangaroo trials – as well as funny – for the neutral observer to see the desperate attempts of German judges to keep any evidence out – but the reader does not, of course, have to agree with me on that.

1993 on the inner cover. According to the court, this allegedly proves that the authorized version was planned already in November 1992 (decision, pp. 93, 208ff. Don't try to find logic in it. There is none.). It did not enter the judges' minds that I had deleted the acknowledgement to Faurisson from the November 1992 version simply because I feared to be rejected as an expert witness, should any court recognize that I had been in contact and on good terms with the world's leading revisionist, and not because I already planned to thank Faurisson later in a prominent place in the authorized version. The whole argument spun around this point about the acknowledgement, which first surfaced in the decision and was based on different versions of the expert report that had been introduced as evidence, had never been mentioned even tangentially in the 29 days of the trial proceedings, so that the defense was unable to bring in any evidence to counter this supposed evidence proving the guilt of the defendant.

Introduction of Evidence after the Verbal Decision

It is doubtful whether the introduction of evidence following the trial is admissible. Nevertheless, the District Court of Stuttgart used exactly this method in order to portray me as untrustworthy. As supposed proof that I had manipulated witnesses, on page 170f. of its decision the court stated:

“Further, during a search of his living quarters on March 27, 1995, which took place in the context of an investigation conducted by the state attorney of Tübingen on the book Grundlagen zur Zeitgeschichte, another computer belonging to the defendant was found on which there was an answer list that concerned the interrogation of the witness Dill by the court, as the defendant himself declared in the trial.”

First, the description of the court is misleading, since I had only declared that my computer had been seized, but not that an answer list had been found on it. This document had been mentioned by the court in the trial but it had not been introduced as evidence in the trial. For this reason, the defense attorney did not think it necessary to produce evidence to oppose this imputation, which might have explained that the item was not an answer list intended for use in an upcoming questioning of a witness. In fact, it was a detailed record I had prepared about what Dill was asked and what he answered when he appeared for the first time in front of the court, and this list was prepared *after* this interrogation, hence could not be used to manipulate this witness at all.

Refusal of Foreign Witnesses without Reason

In the middle of the 1980s, the German criminal justice system was altered so that motions could effectively be denied to hear the testimony of foreign witnesses in their own country. In the course of the trial concerning Remer's distribution of my report, it became obvious that several foreign revisionists had participated in the operation indirectly or directly. Since these revisionists faced the possibility of arrest if they traveled to Germany, due to their revisionist activity, they would have had to give their testimony outside the country. Because of the reformulation of the German law, however, it was possible for the court in the final phase of the trial to deny numerous motions of the defense that were intended to introduce the testimony of foreign witnesses outside Germany on key questions. The effect this can have on the judgment is obvious.

Prevention of Appeal

In criminal proceedings concerning charges that are considered by the German authorities to have caused major violations of law and order, the trial is held initially at the district court level, *i.e.*, on what normally is supposed to be the appeal level (the first level is the county court). In such cases, the defendant has only one trial during which evidence can be presented, that is, there is no appeal possible to the verdict of this court! Only a so-called application for a revision of the verdict with the German Federal Supreme Court is possible, but such an application can only criticize errors of form (matters of law). The factual assertions of the deciding court, *i.e.*, description and evaluation of evidence (matters of fact), will not be discussed anymore. Furthermore, it is usually the case that applications for a review will be denied by the German Federal Supreme Court if the defense is the only party to request it.

Whoever determines, and on whatever basis, whether or not law and order have been seriously violated by an offender, must remain open. But such a serious violation seems to be always given if the offense involves massive attacks on political taboos. In such cases – where the defendant's entire existence is at stake – he has no possibility of reopening the taking of evidence in an appeal.

The fact that recent attempts were made in Germany to deny appeals even for trials of minor misdemeanors held before county courts for the sake of relieving the workload of the courts shows how little room for maneuver is left to those who get caught up in the gears of the German judiciary.

The Arbitrary Evaluation of Evidence

Even if a court has introduced evidence in the course of a trial that made its delicately constructed bridge of circumstantial evidence collapse by refuting it, this is no reason to abstain from imposing a guilty verdict. Here is an example.

In my case, the court had come up with the idea that, already in October 1992, I had planned Remer's distribution activities of his version and the subsequent publication of my authorized version as one single plan made in advance (decision pp. 207ff.).

At the same time, on Feb. 16, 1995, the court introduced a letter of mine to the then director of the Institute for Historical Review dated May 22, 1993, from which it was clear that up to the end of May 1993, a month after the end of Remer's distribution operation, I still did not know where I could publish my authorized version of the expert report, which indisputably contradicted the court's thesis that I already had plans to publish the authorized version at the same time as I was allegedly helping to plan the Remer operation.

Here is a second example of the court's logic-free evaluation of the evidence. In its written verdict, the court conceded that I intended to get the attention of the lay public for my expert report (decision pp. 23f., 108f., 210), so that I had paid attention that there was no reason for the general public to suspect any lack of technical merit and reputation by such extraneousities as including political comments (decision pp. 17ff., 196f., 218). This was supported by the evidence as a whole and in particular by the documents introduced on June 13, 1995, which were a series of letters that I had written to various persons between 1991 and 1993, all clearly stating that I did not want any political or polemic comments included in or associated with my expert report. Following this logic, one has to assume that I would have sent out – or agreed to the distribution of – only such a version of my expert report as confined itself to technical discussion, and that I would *never* have sent out – or agreed to sending out – a version similar to Remer's version with its polemical/political commentary. In the decision, the court can escape this logical contradiction only by claiming that I had miscalculated the effect of Remer's commentary (p. 228).

Turning Exonerating Evidence Upside Down

Having arrived at a verdict in this way, the tens of pieces of exonerating evidence – documents and witnesses – that my lawyer had introduced served the court as evidence of my “criminal energy,” since, according to

the court, this exonerating evidence was mostly made up (decision pp. 13, 22, 65, 118-126, 131, 175, 192) and served only to deceive the court:

“The culpability of the defendant is even greater when one takes note of the high criminal energy with which the crime was committed. The defendant acted on the basis of a calculated and highly refined strategy carried out in a covert manner that was chosen beforehand with great deliberation, involved numerous deceptions and manipulations and was therefore very difficult to penetrate.” (decision p. 237)

Which leads to the court’s conclusion:

“The sentence of imprisonment is not subject to probation, by Sec. 56 of the Criminal Law (StGB).” (decision p. 238)

since:

“On the contrary, [the crime of the defendant] as described, because of the calculated and refined and clandestine manner in which it was carried out, should be seen as particularly grave.” (decision p. 240)

Conclusions

Given the present circumstances of the criminal-justice system in the Federal Republic of Germany, when a judge or a panel of judges intends to render an unjust verdict, they will have no difficulty in doing so as long as they are assured there is no organized public resistance.

The statements of witnesses and defendants may be manipulated at will. Evidence may be interpreted any which way in the decision or may even be brought in after the trial is over. Submitted evidence may be passed over without mention and use of foreign witnesses may be denied categorically.

Exonerating evidence may be discredited as a deceptive maneuver of the defendant and serve as evidence that the defendant is particularly deserving of punishment. A second trial to try to correct these measures can be denied in case of public necessity. The evaluation of evidence is bound neither by the evidence introduced nor by logic.

The question of how these conditions can be remedied so that further abuse can be reduced as much as possible needs to be answered by honest jurists and politicians.

Closing Remarks

The court based its refusal to suspend the prison term on probation not only on my supposedly high “criminal energy,” but also on the fact that I did not seem to have a favorable social prognosis, since I had not only not repudi-

ated my revisionist views, but defended them even more vehemently and kept propagandizing them. As proof for this the court pointed to the book *Grundlagen zur Zeitgeschichte*,⁹⁷ edited by me under a pen name, which had come onto the market just at the beginning of this trial, as well as to the almost-complete book *Auschwitz: Nackte Fakten*⁹⁸ found on my computer during a house search conducted in March 1995, *i.e.*, right in the middle of the ongoing proceedings.

With this, a fact was used to stiffen my punishment that had not even been determined to be a criminal offense in a legally binding decision by a German court in the first place, as was a work which had not yet been published and which therefore could not even theoretically have been a crime. German law allows a court to take account of the opinions and attitudes of the defendant when deciding upon a punishment. When dealing with normal crimes, this is done in order to weigh in the defendant's motivations and likelihood of committing more crimes. When a court punishes politically unwelcome opinions, however – here my historical revisionist opinions – dissident views on history can only be interpreted as aggravating circumstances. Through this back door, the trial against me was turned into a political trial.⁹⁹

⁹⁷ Gauss 1994; English see Rudolf 2003a.

⁹⁸ Verbeke 1995; English see Rudolf 2016b.

⁹⁹ This article was completed after the search of the premises of the small Berlin publishing house *Verlag der Freunde* at the end of November 1995 (triggered by a revisionist article of mine they had published), due to which it had become clear that this publisher could not publish the documentation of my 1995 trial as originally planned; taken from *Staatsbriefe* 1/1996, pp. 4-8.

“You need to know that the least of peasants, and what is even more, the beggar is just as much a human being as is his majesty, and he has to find justice by the fact that all humans are equal before the law; it may be a prince suing the peasant or vice versa, then the prince will be equal to the peasant before the law: and in such affairs it has to be tried purely by justice with no regard to the person. The justice councils in all provinces have to only comply with this. And wherever they do not go straight forward with justice without regard to person or class and put aside natural justness, they shall get in trouble with his royal majesty. A legal council which exercises injustices is more dangerous and worse than a gang of thieves; one can protect oneself against those, but nobody can protect himself against rogues who use the robes of justice to carry out their vicious passions; they are worse than the biggest scoundrels in the world and deserve double punishment.”

Frederick the Great (Frank 1926, p. 99)

11. Rudolf’s “Thought Crimes”

11.1. The First Crime: Remer’s Commentary

Reprinted further below (pp. 170ff.) is the commentary of retired Major General Otto Ernst Remer, which he included in his version of the Rudolf expert report, as it was printed on pages 109a to 114 of the court decision against me.¹⁰⁰ After reading this, readers should be in a position to judge whether this commentary was sufficient cause to sentence me to 14 months of incarceration, had I agreed to the inclusion of these commentaries, which I had not, though the Great State Security Chamber of the District Court of Stuttgart disregarded my evidence and said he did.

On Jan. 19, 1996, the German attorney general ordered that I should spend 14 months behind bars for nothing other than this commentary. The German Federal Supreme Court affirmed this decision on March 7, 1996 (ref.: 1 StR 18/96).

¹⁰⁰ For this version, the text of Remer’s comments was retyped, trying to keep the layout as close to the original as possible. The original German version of this is available online at www.vho.org/D/Kardinal/Remer.html; or in print: Rudolf 2015, pp. 215-230.

In addition to these judicial issues, there were other problems with Remer's commentary. In his preface printed on the inside front cover, under the caption "To all friends, countrymen ..." he attacked our leading politicians, journalists and jurists harshly with the words, "These liars need to be driven from their lofty retreats." At the same time, Remer mailed this version to exactly these leading politicians, media people and jurists. It is certain that to send such a piece of writing to these leading politicians, media people and jurists was entirely useless – though it must have cost many thousands of DM.

Remer attached a comprehensive five-page article on his October 1992 trial, in which Remer himself had been sentenced to a 22-months' prison term for denying the Holocaust and other things. This article was written by a close friend of Remer who had attended Remer's trial. It basically summarizes the major events of this trial, like a description of various pieces of evidence presented by the two defense lawyers, their rejection by the court, and the closing statements of the public prosecutor and Remer's defense attorneys. The Rudolf Report had been prepared for this and for other trials.

In the trial against me, the District Court of Stuttgart took exception with this article, which was entitled "Justice in Germany 1992." For example, they criticized that the quotation from the Foreign Office saying that it was known that there were no gas chambers in Auschwitz (p. I) was out of context, as the ellipses showed. The quoted German official Dr. Scheel had stated later in his letter that the gas chambers had been located in the Birkenau camp, which was 3 km to the west. Thus, he had not denied the existence of gas chambers in the complex Auschwitz-Birkenau, as the quotation suggested, but only with respect the Auschwitz Main Camp. This determination of the court is correct and demonstrates that Remer's friend misrepresented documents to mislead the public. However, it should be pointed out that the statement of the Foreign Office that there had been no gas chambers in Auschwitz contradicts many witnesses, such as Pery S. Broad or Rudolf Höss. If these witnesses were wrong with their statements about the Auschwitz Main Camp, how can we be certain that other witnesses to other camps were not just as wrong? How can it be that under such circumstances to doubt the existence of gas chambers in other camps, or even to dispute their existence, is a criminal offense?

The District Court of Stuttgart also commented that the "Comparison of official figures on the number of those killed in the gas chambers in Auschwitz" (p. II) was insulting and constituted incitement to racial hatred. But in the meantime, quite-official and well reputed sources have added

even lower figures to this list of massively differing numbers: in 1993 and 1994, the French pharmacist Jean-Claude Pressac claims between 630,000 and 470,000 “gas chamber” victims, and in 2002, a German mainstream journalist reduced the death toll of the Auschwitz “gas chambers” down to as little as 356,000 (see Meyer 2002). One could certainly agree with the view that any number of victims which is too high or too low can have an insulting effect on some people or can incite to hatred against others, as can the correct number, whatever it may be. However, it was not Remer who had put these widely differing figures into the world, among which only one can be correct at best.

Also, Remer’s statement that the Frankfurt Auschwitz trial had determined that there were only 45,510 deaths in the gas chambers was not strictly true. In 1965, the Frankfurt Jury Court had sentenced some of the former camp staff on grounds of murder of a certain number of people by poison gas, and for other reasons. In all, it enumerated 45,510 gas chamber murders in that it found some defendants guilty of having killed or contributed to the murder of a certain number of inmates. As to the question of how many prisoners had been killed by poison gas in Auschwitz in all, the court had given no answer and did not have the duty to do so. The determination of the total count of victims is properly a historico-scientific question. That having been said, this would also mean that the Stuttgart Court did not have the duty nor the competence either to make a judgment about the total death toll of Auschwitz, that is, it should not have criticized others for asking questions and having different views in this regard.

It remains true that German justice has judicially determined a figure of 45,510 gas chamber deaths, no more, no less, and that anything more is a historico-scientific question and not a question of criminal justice. It must be asked, then, why one should proceed against people with threats of criminal penalties and recourse to the magic formula “common knowledge,” who do nothing else but to assert that counts of victims as high as several hundred thousand or even several millions are greatly exaggerated, particularly since several well-known mainstream authors do make similar statements. Only that can be judicially claimed to be “common knowledge” which has been determined to be so in court on examination of evidence. With respect to the number of victims of the gas chambers of Auschwitz, that has not been done.

In the written basis for the decision, as proof of their assertion that the epilogue of the Remer version had deliberately created the impression that the Holocaust was used by Jews to exploit Germany, the court gave this one example (decision, p. 235):

“This applies especially to the reprinting of a letter claimed to have been written by a Jew on May 2, 1991 (p. IV of the epilogue, p. 113 above). Together with the assertion that the Holocaust was an invention of the Jews, this deliberately inflames hatred against the Jews.”

In the epilogue in a display box one sees that Remer has quoted a letter with a sender’s address in Israel, in which the writer inquires about financial reparations based on the claim that his uncle was allegedly gassed in the concentration camp at Dachau. That this letter was written by a Jew is not mentioned anywhere, nor is there any reference to the religious affiliation of this person in this article. There is also no assertion in Remer’s (or his friend’s) comments “that the Holocaust was an invention of the Jews,” quite contrary to what the court claims. All that Remer’s friend did was to juxtapose the letter from Israel with a letter from the City of Dachau, in which the latter clarifies that there had never been any homicidal gassings in the concentration camp at Dachau.

The court had not examined whether or not this letter existed, therefore, on the principle “*In dubio pro reo*,” it had to assume that it did exist. In fact, not just Remer but also many other activists had photocopies of the letter which Remer’s friend had reproduced in the appendix to Remer’s version. It is a fact that there is a large number of statements from witnesses attesting to homicidal gassing in Dachau, but it is also well known that both the official Dachau Concentration Camp Museum as well as the City of Dachau clearly state that there were never any homicidal gassings in this concentration camp.¹⁰¹

These well-recognized facts were given with the documents published or quoted by Remer (or his friend), which cannot be a crime. In his commentary on this letter, Remer points out that false witness statements like the one quoted here, attesting to his uncle’s death in a Dachau gas chamber, serve as a basis for “common knowledge” in Germany. Nowhere did he make the claim that anybody had lied for purposes of material enrichment. It is the court that is to blame for the charge that the reader would get the impression from these two reproduced documents, implying that Jews had invented a lie for the purpose of exploiting Germany.

That even Jews sometimes make false statements about the period between 1945 and 1993 cannot be disputed. This was particularly clear in the criminal trial of John Demjanjuk in Jerusalem. The trial ended with an acquittal for the defendant, since even the Israeli court could not shut its

¹⁰¹ There are, of course, other sources contradicting this, see Leuchter/Faurisson/Rudolf 2015, pp. 149-159, 173-191; Mattogno 2016c, pp. 223-228.

eyes to the flood of false documents and false witness testimony.¹⁰² Fortunately, in this case, even Jewish personalities turned against the flood of untruths that appeared in this trial.¹⁰³

That the same untrustworthy witnesses who appeared in this Jerusalem trial had made similar (incredible) statements in trials in Germany and elsewhere, did not affect their credibility in the eyes of the German court, of course.

In addition, an advertising blitz of the German Jew Aze Brauner and his friends on May 6, 1995, in the German daily newspapers *Frankfurter Allgemeine Zeitung* and *Süddeutsche Zeitung*, rehashed the old lies about soap made from the fat of murdered Jews and lampshades made of human skin. These claims have been repudiated even by the Holocaust Institute Yad-Vashem of Jerusalem.¹⁰⁴ But this did not serve to make our jurists consider that not everything a Jew says about the years 1933 to 1945 is necessarily true.

Even the recently reconfirmed information that the Jew Ilya Ehrenburg, who was Stalin's chief propagandist, was one of the worst deceivers and liars in questions of the supposed National Socialist annihilation of the Jews (Hoffmann 1995) does not appear to impress anyone in Germany. On the contrary, the Federal German justice system seems to opine that a Jew always tells the truth and that a non-Jew who accuses a Jew of reporting falsehoods or even lies belongs in jail.¹⁰⁵

In the decision of the 17th Criminal Chamber of the District Court Stuttgart, there is this discussion on Remer's preface and epilogue (p. 115):

“Although preface and epilogue do not expressly accuse the Jews of having invented the accounts on the Holocaust particularly to gain political and material advantages,”

– read: although the crime of which I was accused of had not been committed...

“in the eyes of this court the purpose of the Remer version of the ‘Expert Report’ is nevertheless to suggest this”

– read: the judges can read the mind and intentions of the defendant...

¹⁰² Cf. the summarizing article by the late Arnulf Neumaier, “The Treblinka-Holocaust,” in Rudolf 2003a, pp. 489-492.

¹⁰³ Aside from the previous note, compare the book of Demjanjuk's defense lawyer: Sheftel 1994.

¹⁰⁴ Shmuel Krakowski, archives director of Yad Vashem, and Professor Yehuda Bauer finally admitted in 1990 that “the Nazis never made soap from human fat,” *The Jerusalem Post International Edition*, May 5, 1990; see M. Weber 1991.

¹⁰⁵ As such Grabitz 1986, pp. 64-90.

“and hence to stir up hostile emotions against the Jews. Provided that the claims of the ‘Expert Report’ are correct,”

– the court did nothing to find out whether or not my Expert Report is correct, so it had to assume that it indeed is correct...

“this arises already from the fact that the reader, among others due to the tendentious statements and attitude, had to come to the conclusion that the [...] Jews must have consciously forged the accounts on the Holocaust.”

– read: even if the Expert Report is correct, the publisher has to make sure that his readers don’t think wrongly, or he will be punished for that, and the judges know the effect of this publication on the reader even without having any evidence for it.

This meant the expert witness was not only punished for a crime that he had not committed, but also for one that no one had committed in the first place. The crime was invented by the court – they ignored the facts and fantasized about what may be written between the lines!

Even though this was my first conviction, this sentence could not, according to the court, be suspended (p. 239):

*“if only because no positive social prognosis can be made for the defendant (§56 Para. 1. Penal Law), who is to be categorized as a **fanatical, politically motivated criminal**. During and in spite of the current trial, the defendant published more ‘revisionist’ works or prepared them, **which once again proves his views**. These, too, use the same strategy of apparent **objectivity** to deny the Holocaust. For example, in fall 1994 the book ‘Grundlagen zur Zeitgeschichte’ [=Dissecting the Holocaust, August 2000] appeared, and the book against Pressac was prepared. The court has therefore no doubt that, in regard of the laws mentioned, the defendant is not willing to be a law-abiding citizen.”* (emphasis added)

Here the court openly admits that it sentenced me to a prison term because of my scholarly convictions which allegedly render me an incorrigible criminal. No more proof is needed to show that I am politically persecuted in Germany.

Furthermore, the court uses publications, which it had called “scholarly” at the beginning of the verdict and which at that time had not yet finally been declared illegal by any court decision, to justify a prison term without probation.

By the time the judges handed down their verdict in June 1995, I had published three books. About the first, my expert report on chemical and technical details of the alleged gas chambers of Auschwitz, the verdict states on page 23:

“This work, the basis of his publishing activities, is essentially written in a scholarly style. It addresses a chemical detail (the problem of hydrocyanic acid) and does not make any general political conclusions.”

In general, the verdict says about my three main works (*Expert Report, Vorlesungen zur Zeitgeschichte, Grundlagen zur Zeitgeschichte*):

“They are characterized by a scholarly attitude with reference to his expertise as a scientifically trained chemist. Tone and form are generally held in a way, as if they were interested only in that matter. Additionally, intensive discussions of details, tables and graphs as well as voluminous references to literature are meant to give the impression of an unbiased and open-minded scholarship. This is primarily true for the three large publications of the defendant.” (p. 23 of verdict)

About *Grundlagen zur Zeitgeschichte* – later published in English with the title *Dissecting the Holocaust* – the verdict says that it includes “a maximum appearance of objectivity” (p. 26), which later was confirmed by two German mainstream historians in expert reports they wrote in support of my scholarly work. Of course, the court had to insert the word “appearance,” to cast doubt on the quality of these works, because otherwise it could not possibly have sentenced me.

Considering the contempt and hate this verdict shows against me, such words of open endorsement cannot be overlooked. Since the court had to admit that my main works are formally scientific and scholarly (form, *i.e.*, appearance, not content, is the only criterion for scholarly works!), the defendant could not possibly have committed any crime by publishing them, since the German unofficial constitution guarantees the freedom of science without restriction in Article 5.3 of the German Basic Law. So, Remer’s additions were used instead to tie the rope around my neck.

With this finding, the court turned the historical dissident (revisionist) Germar Rudolf into a “thought criminal.”

It should be pointed out here that in May 2002, Fritjof Meyer, an editor of Germany’s largest, left-wing weekly magazine *Der Spiegel*, stated in a scholarly article addressing the alleged death toll of Auschwitz that the evidence indicates only some failed test gassings for the Birkenau crematoria, but no mass murder on a genocidal scale. This sensational statement is close to the claim I have been making since 1992, *i.e.*, that “the mass gassings [...] did not take place [as] claimed by witnesses.” Hence, Meyer’s article is nothing short of a partial but timely rehabilitation of me, and it might take only one or two more revisions of the official historiography of Auschwitz to reach the point where it agrees totally with the implications of my expert report.

Here are Remer's additions to his April 1993 printing of my expert report. Although I do not agree with everything stated in it, and much less with the style, I think he had a perfect right to say what he had to say, and it was really a scandal how the German legal system persecuted him.

Otto Ernst Remer, Major General, retired

[Remer's Preface]

To all friends, countrymen and people who love the truth: I am in distress!

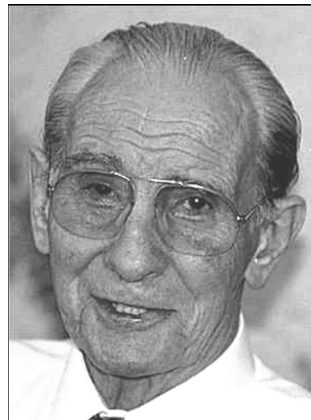
On October 22, 1992, the District Court of Schweinfurt, Judge Siebenbürger presiding, sentenced me to 22 months of imprisonment without probation. This is the equivalent of a death sentence for me.

The trial against me was not a real trial. The main session of the trial ended in a deadlock. The sentence was equivalent to the destruction of an 80-year-old man. I was not permitted to defend myself against charges consisting of lies, harassment, and attacks on my honor. The court denied me the possibility of defense by means of Sec. 186 of the German Penal Law. It refused to put my assertions to the test of examination.

My defense attorney had asked the expert witness Rudolf to appear. This expert witness was in the courtroom; his expert report had already been submitted along with other official records. However, the expert witness was not allowed to speak and the expert report was not allowed to be read. The expert report and irrefutable scientific facts were denied by presiding judge Siebenbürger.

Earlier, Diplom-Chemist Rudolf had been hired by my defense attorney, retired Colonel Hajo Herrmann, as expert witness to investigate testimony concerning alleged homicidal gassings at Auschwitz. Rudolf used modern scientific, precise measurement techniques to establish the presence of cyanic residue.

No physical evidence has ever been presented in court to support claims of homicidal gassings: no document, no photo, and no orders from military or civil authorities. Can you imagine that a group of people as large as the population of Munich could be annihilated



*ret. Major General Otto
Ernst Remer in 1992*

without leaving any traces of the crime? The only proofs of mass homicidal gassings are absurd witness statements. In the great Frankfurt Auschwitz trial (50/4 Ks 2/63) the court “proved” the existence of homicidal gas chambers with the testimony of a single witness, named Böck, who reported



The masonry samples taken by Rudolf were analyzed by the renowned Institut Fresenius.

ed having seen thousands of Jews killed with Zyklon B. He testified that he “saw with my own eyes” how the prisoners’ commando worked without any protective garment in the midst of this Zyklon B gas, still hovering in blue clouds over the corpses, without suffering ill effects. What is the difference between Böck’s testimony and that of witnesses who confirmed under oath that they saw witches riding brooms on their way to the Blocksberg?

In a powerful and irrefutable scientific work, my expert witness made a shattering discovery: The buildings in Auschwitz which are pointed out to tourists as homicidal gas chambers in which millions of Jews were allegedly killed, never came in contact with Zyklon B. The analyses were carried out by no less an organization than the renowned Fresenius Institute. Notable historians agree that this research will revise world history.

This expert report has been in the hands of the federal chancellor, the *Zentralrat der Juden in Deutschland* (Central Council of Jews in Germany), the federal attorney general, the Ministry of Justice, and notable scientists and personalities for more than a year. Every one of them has remained as quiet as a mouse.

The condition under which my expert witness agreed to testify was that his report should be presented only to the court. He specifically forbade me to make his report available to the public. However, since the Auschwitz Lie has become an instrument which threatens the existence of all Germans, I can no longer allow myself to be bound by this condition.

I myself shall die in prison for publishing scientific facts. By means of an unbelievably satanic twisting of history our people will be held defenseless and “subject to extortion,” as the Association of German Veterans wrote in its journal *Soldat im Volk* no. 7/8 in 1992. In this condition of eternal abject surrender, we shall be destroyed by means of a horrifying “multiculturalism.” This has forced me to a desperate defensive measure, which takes the form of unauthorized publication of Rudolf’s Expert Report on the alleged gas chambers of Auschwitz.

Since 1945, generations of German politicians have not only acquiesced in these ghastly lies against the German nation, they have participated in manufacturing them. The same applies to the mass media. These elements are doing everything they can to propagate the most vicious lies in the history of mankind through the German criminal justice system. When the truth comes to light, these corrupt and venal politicians know that they will be scorned by the public. The media brotherhood knows they will be reviled as liars and driven from their posh editorial offices.

This whole pack of liars should be scorned and despised, deprived of position and driven from their lofty retreats for what they have done to our people. I would like to contribute to this.

You too can help distribute this Expert Report. In the first phase of this operation, I myself will send copies to 1,000 leading Germans. Among them will be leaders of the military, business, scientific, and university communities, in particular members of chemistry and history faculties. I shall send a copy to every representative in parliament as well as media personalities.

In the second and third phases, I shall send another 1,000 copies of this scientific report. No person of prominence will be able to say that he did not know the truth.

These operations will be very expensive since postage alone costs 4 Marks per copy. Therefore, I need your support. By ordering a copy of the Expert Report, you will be helping help me to distribute this irrefutable scientific document. Additional contributions will enable additional distribution. I am counting on your help.

Faithfully yours, Otto Ernst Remer

25th October 1992

I have added Sections I-V of the report of my trial in Schweinfurt. After reading this report, you will understand the desperation of my defense effort.

[Appendix]

Justice in Germany 1992: “Death Sentence for General Remer“

This trial report by E. Haller is taken from REMER DEPESCHE no. 6/1992



Kahlenbergerdorf

(Austria), June 2, 1988

Source: Honsik, *Acquittal for Hitler?*

As a Roman Catholic priest, I say to you ... question the existence of gas chambers in the Third Reich. It is the right of those who seek the truth to be allowed to doubt, investigate and evaluate. Wherever this doubting and evaluating is forbidden, wherever someone demands that he must be believed, an arrogance arises that is a blasphemy to God. This is why. If those whom you doubt have the truth on their side, they will accept any questions gracefully and answer them patiently. They will no longer hide their proofs and their records. If these are lying, they will cry for the judge. That is how you will recognize them. The truth is always graceful, while lies cry out for earthly judges.

Respectfully,

with best regards,

/s/ Pastor Viktor Robert
Knirsch

Schweinfurt (EH) – On October 22, 1992, the First Great Criminal Chamber of the District Court of Schweinfurt, Judge Siebenbürger presiding, sentenced General Remer for publication of a scientific expert report. The main point of the expert report Remer had published was: there were no mass killings in Auschwitz with Zyklon B. The court called this publication “incitement to racial hatred,” and Siebenbürger imposed on General Remer a sentence of 22 months of imprisonment without probation. State Attorney Baumann demanded a 30-months’ prison term and moved for the immediate arrest of the 80-year old defendant in the courtroom. Observers of the trial began to suspect that the sentence had been decided before the trial began. At 9:00 hours on October 20, 1992, the day the trial opened, radio BAYERN 1 had announced: “*This time it will cost Remer. [...] this time the punishment will be harder.*” How did the announcer from B1 know that General Remer would be punished more severely than in previous trials? Why was an acquittal not conceivable?

This document is one of many that were presented to the court as evidence. Answer: “Denied on grounds of common knowledge.”

GERMAN FOREIGN OFFICE

214-E-Stuparek
Bonn, 8th Jan. 1979

Dear Mr. Stuparek!

Federal Minister Genscher has asked me to respond to your letter of December 21, 1978.

As far as I know, there were no gas chambers in the camp of Auschwitz ...

Best regards,

For the Federal Minister,

/s/ Dr. Scheel

What had Remer done? As editor of the periodical *Remer Depesche* (*Remer Dispatches*), the highly-decorated front-line officer had published the results of a number of scientific expert reports. One of them was the Leuchter Report, which former Minister of Justice Engelhard described as “scientific research.” Fred Leuchter is a constructor of execution gas chambers that use hydrogen cyanide in the USA. Later, the director of the Auschwitz Museum, Dr. F. Piper, assigned the Jan Sehn Institute in Krakow to make a similar expert report. A technical expert report in German in conjunction with the renowned Institute Fresenius followed in February 1992. The discussion that the general had opened up with his publications was desired even by the federal president. A letter from the Presidential Office on October 23, 1989, states that von Weizsäcker “will follow the discussion [on the Leuchter Report] closely.” Had the federal president lured General Remer into a trap with this letter? Remer naturally felt that ex-Minister of Justice Engelhard and the federal president had encouraged him to publish his facts.

Homicidal gas chambers that never came in contact with gas

All three expert reports came to the same conclusion: The gas chambers of Auschwitz and Birkenau testified to by witnesses never came in contact with Zyklon B. In legal terms: the weapon was not loaded. For better understanding: When hydrogen cyanide (Zyklon B) comes into contact with concrete or stones, it forms permanent compounds with traces of iron in such building material. The compound that develops is blue (hence the German name Blue Acid (*Blausäure*) for hydrogen cyanide, although the gas itself is colorless) and occurs on the surface and within the walls exposed to gas. Today, one can easily see a massive blue dyeing on both inner and outer walls in the delousing buildings. There is no such dyeing in the alleged homicidal gas chambers. Chemical analyses of samples from the delousing buildings show very high concentrations of cyanide, while no traces can be found in samples from the alleged gas chambers. Scientific expert reports were never produced for any of the numerous National Socialist trials. No physical proof was ever offered.

In Nuremberg, the propaganda lies of the victors were given reference numbers. Since then they have become “facts.”

All courts have continually prevented all gas chamber skeptics from use of any evidence in the trials they face for publishing the findings of their scientific investigations. The courts have taken the point of view that the homicidal gas chambers should be regarded as commonly known “facts.” “Commonly known” means that the existence of homicidal gas chambers

is as certain a fact as that the day has 24 hours. The Nuremberg Military Tribunal introduced the use of “common knowledge” into judicial practice. Pure war horror propaganda items from the Second World War were turned into “facts” (IMT-Statutes 19 and 21) which had to be accepted without question by the defendant. Defense attorneys who attempted to prove the opposite were threatened with the death penalty. The Stalinist massacre at Katyn was one of the charges, as well as homicidal gassings in the former concentration camp Dachau (IMT Document 2430-PS). In Document 3311-PS, the Polish government “put the victors’ tribunal on notice” that hundreds of thousands of Jews had been “steamed” at Treblinka. Note: “steamed,” not “gassed.” Today, the Holocausters look down shamefully when they are confronted with this nonsense. In the great National Socialist trial before the District and Chamber Court of Berlin (ref. PKs 3-50) it was determined: “There were no gas-chamber structures in the concentration camp Majdanek.” But in Schweinfurt, General Remer was sentenced to imprisonment because he had published in his *Dispatches* the court’s determination of the absence of gas chambers in Majdanek.

To destroy the German people, only these words are necessary: “common knowledge.”

Concerning the alleged gas chambers, no one can speak of the kind of common knowledge such as that which underlies the fact that the day has 24 hours. Only such assertions, as that the day has 24 hours, require no proof. In all other cases, there must be proof.

Remer’s proofs are new and far superior

The defense attorneys, Hajo Herrmann and Dr. Herbert Schaller, had prepared comprehensive evidence. They prepared their evidence to conform with a decision of the Upper District Court of Düsseldorf. In a “gas-chamber-denial” case, this court held that evidence must be admitted when it was superior to the “proofs” in the former National Socialist trials. New, superior evidence trumps “common knowledge,” according to the Düsseldorf court. The evidence submitted by the defense is new and far superior to that from the National Socialist trials, since there was no physical evidence presented there.

Auschwitz: “Annihilation camp” with a brothel, legal advisory, sauna and soccer ...

Before the examination of the evidence that had been submitted, attorney Herrmann addressed the state attorney and judge: “It must be proven,

Herr Judge Siebenbürger, Herr State Attorney Baumann, please tell me which of the following figures is “common knowledge.” Why have you not told the General during the trial which number he should believe in? For which number should Remer now die in prison?	
Comparison of official figures on the number of those killed in the gas chambers of Auschwitz:	
Jul. 26, 1990: <i>Allgemeine Jüdische Wochenzeitung</i> 4,000,000	June 11, 1992: <i>Allgemeine Jüdische Wochenzeitung</i> 1,500,000
Apr. 20, 1978: French newspaper <i>Le Monde</i> 5,000,000	Sept. 1, 1989: French newspaper <i>Le Monde</i> 1,472,000
1945: International Military Tribunal in Nuremberg 4,000,000	1985: Raul Hilberg: <i>Die Vernichtung der europäischen Juden</i> 1,250,000
1979: The Pope during his visit to Auschwitz 4,000,000	July 1990: The left-wing <i>TAZ</i> and other newspapers 960,000
April 1990: Chief State Attorney Majorowsky/Wuppertal 4,000,000	1974: G. Reitlinger: <i>Die Endlösung</i> 850,000
1945: French War Crimes Investigations Office 8,000,000	1989: USSR releases death-books. Total deaths 66,000
1989: Eugen Kogon: <i>Der SS-Staat</i> 4,500,000	1965: Auschwitz decision 50/4 Ks 2/63. including claimed gassing deaths 45,510
1989: Lie-memorial tablet in Birkenau removed, with number 4,000,000	1965: Auschwitz decision 50/4 Ks 2/63, without claimed gassing deaths 619

whether there were gas chambers or not, before there can be a decision on common knowledge. The court must determine facts.” Attorney Herrmann then presented evidence taken from anti-fascist literature and from court documents that showed that Auschwitz was no annihilation camp. The attorney read how there had been a brothel for prisoners in the Auschwitz camp, that there had been weekly soccer games between SS staff and camp inmates, that there was a central sauna, that legal advice was available to the inmates, that in case of non-natural death the camp administration had to notify the appropriate state attorney with over 30 signatures, that prisoners could be released, that SS-men were not allowed to hit prisoners, that 4,800 sick persons were under medical care (although in the usual version, they landed in the “gas chambers” right away), and that, when the camp was abandoned, the prisoners preferred evacuation by the SS over Soviet “liberation”...

The State Attorney roars

This piece of evidence made the state attorney roar. “This piece of evidence is an insult to the victims,” he yelled into the courtroom with a red face. Herrmann replied, “Then your victims were insulted by the decision in the Auschwitz trial in Frankfurt, Herr State Attorney. Most of what I have just read are observations of the court in the great Auschwitz trial in Frankfurt. You can read them in the decision.” At this the state attorney was speechless. It is peculiar, how a state attorney can free himself from almost any evidentiary difficulty with only two magical words: “common knowledge.” He knew nothing about the decision in the National Socialist trials and he knew next to nothing about historical connections or physical facts. All a state attorney needs in such a case is to be able to pronounce the words, “denied on account of common knowledge.”

The court refused to accept this evidence. That is, it refused to accept whole passages from the decision in the Auschwitz trial in Frankfurt as well as passages from the writings of “survivors” such as Langbein. Naturally, on account of “common knowledge.”

The English crown: no gassings

As part of the evidence he submitted, Dr. Schaller presented the book of Jewish Princeton Professor Arno J. Mayer. In his book, Mayer concludes that the majority of Auschwitz prisoners died of natural causes and that there was no “Hitler order” for the “gassing” of the Jews. Mayer confirms that “proofs” for the gas chambers are “rare and unreliable.” As evidence against the “common knowledge of gas chambers,” the attorney submitted a book by British history professor F. H. Hinsley. Hinsley is the official historian of the English crown. His book *British Intelligence in the Second World War* can be obtained from the Royal Stationer’s Office. There was a new edition in 1989. On page 673, Hinsley states that from 1942 the English were able to break the coded messages from the German concentration camps. The English found that the main cause of death in the camps was illness. Hinsley reports that there were also shootings and hangings. The official historical scientist of the English royal house states: “There was no mention of gassings in the decoded messages.”

The state attorney moved that this evidence, too, be refused on account of “common knowledge.” One more time, the court agreed with the state attorney. At this point, the trial was suspended. It resumed on October 22, 1992. Every time General Remer reentered the courtroom after a pause in

the proceedings, the public stood respectfully. Many remained sitting when the court entered, however.

An expert witness is kept out

The defense surprised the court with an evidence physically present in the courtroom, the technical expert Diplom-Chemist G. Rudolf. By the court's rules of procedure, evidence that is physically present cannot be refused, even on account of "common knowledge." The technical expert sat in the courtroom. He had researched the alleged gas chambers in Auschwitz from a physico-chemical point of view. He had taken samples of mortar and had them analyzed by the Fresenius Institute. He had also conducted his own laboratory experiments in which he had gassed masonry with hydrogen cyanide. The expert witness could present scientific proof that the alleged gas chambers never came in contact with Zyklon B. The expert report prepared by the expert witness was submitted to the court with the rest of the evidence. The expert witness could also prove that prisoner commandos could not have "gone into blue clouds of Zyklon B still hovering over the corpses," without having been killed themselves. This nonsensical testimony on work in the midst of clouds of Zyklon B had been given by Richard Böck, the principal witness in the Auschwitz trial in Frankfurt. Thus, Böck was asserting that the commando had been immune to Zyklon B. Yet the judge in the Auschwitz trial in Frankfurt believed that he had proved the existence of gas chambers in Auschwitz with Böck's statement. Böck had witnessed the gassings in two farm-houses which never existed, according to a technical report of HANSA LUFTBILD, which analyzed Allied air-reconnaissance photos. The expert witness could also prove that hydrogen cyanide is a colorless poison. The expert witness was sitting in the courtroom. He could provide clarification. What did the state attorney have to say about that?

"I move that the expert witness be refused, since the gas chambers are common knowledge fact," was state attorney's monotonous refrain. He demanded that the expert witness be refused without his technical qualifications having been examined. The court agreed with the motion of the state attorney and refused the expert witness without having heard a word he had to say, as "completely unsuitable evidence." In addition, the court refused to read the expert report, because of "common knowledge."

No one can see the Auschwitz death-books

Attorney Herrmann next submitted a large selection from the official death books of Auschwitz. In 1989, these death books had been released by the Soviet Union. These official papers documented 66,000 cases of death in minute detail. All of them are under seal at the Special Office of Vital Statistics in Arolsen. No one is allowed to look at them. A ten-country commission, including Israel, prevents any inspection of these documents. Recently, the journalist W. Kempkens succeeded in photocopying these documents in the Moscow archive. Herrmann submitted a representative



*Defense Attorney ret. Colonel
Hajo Herrmann*

sample to the court. The defense attorney moved that Kempkens be allowed to testify. The Holocausters keep talking about how the old and unfit-for-work Jews were sorted out on the “ramp” and “gassed” immediately, so they could not have been entered in the camp register. The death books prove the opposite. Most of the entries were elderly men and most were Jews. The state attorney moved that the documents should not be admitted as evidence, since the gas chambers are “common knowledge” fact. The court granted the motion of the state attorney.

The State Attorney’s pleading

At that point, the taking of evidence was ended and the state attorney began his pleading. He did not need any evidence, since for him the “gas chambers” are “common knowledge.” He described Remer as Mephisto (the devil) for “denying” what is “common knowledge.” For such a “devil,” he argued, the absolute minimum sentence should be imprisonment for two years and six months. He moved that the imprisonment begin immediately.

Defense Attorney Herrmann’s pleading

The attorney protested, “We have submitted evidence in many areas, but the court has never undertaken to examine whether the defendant had a valid claim.” Once more Herrmann discussed the denial of evidence in connection with the “confession” of the former camp commander of

Auschwitz, Rudolf Höss. “The court had refused to allow the reading of Höss’s torture with the comment that it had not been proven that Höss had made a false confession because of torture. But Höss’s confession is false,” thundered the retired colonel, a former inspector of Germany’s WWII night fighters, in the courtroom. “Höss confessed 3 million murdered Jews. Today Holocaust historians say the number killed is 1.5 million,” he flung at the state attorney and judge. Then Herrmann read the record of the capture of Höss. It is described there how the former commandant was thrown on a butcher bench and how his face was smashed for hours. The Jewish sergeant shoved a guide-lamp staff deep in his throat and dumped a whole bottle of whiskey into his victim. His handcuffs were left on for three weeks. “That’s what you don’t want to hear, Herr State Attorney,” the defense attorney’s words rang out. Then Herrmann read relevant paragraphs from the transfer treaty of the occupying powers. In these paragraphs, Germany was forced to recognize forever the historical “facts” that were the basis of the Nuremberg trials. And so, German courts still say “common knowledge” to the four-million Auschwitz lie, to the lie about gasings in Dachau and the lie about “mass steamings” in Treblinka. Nonsense and oppression know no limit.

“I note,” said the attorney, “that the defendant was denied his right. Not only the state attorney is bound politically. This is about an obligation imposed on the state by the transfer treaty of the victorious powers. But this treaty has no place in this court of law.”

Then he continued, “I have never before seen the public stand when a defendant enters the courtroom. Yes, the general is no turncoat, and that is basically what you are accusing him of.” Herrmann pinpointed the state attorney’s error: “The state attorney refuses to accept as evidence the decision of the Auschwitz trial in Frankfurt, which counted 45,510 dead.” Herrmann hammered on the conscience of the state attorney, which unfortunately does not exist. Then he continued, “But, according to the state attorney, the defendant must know that 6 million Jews were gassed.” Herrmann turned to the judge’s bench and shouted: “The court intends to prove that the defendant acted with criminal intent, that ‘he knows it.’”

The public realized that this great man had lived through times where just dealing, dignity, honor, and decency were still common. A trial like the present was very difficult for him. Once again, Herrmann counted the denied pieces of evidence and asked, “Who in this courtroom was not well served by the defense?” Then he confronted the state attorney and said, “The state attorney will try to convince the defendant that he knew that

what he said was not true. Herr State Attorney, you don't have control of the defendant's mind."

Then the attorney said what he thought was behind the court's – in many people's opinion – scandalous handling of the trial: "I believe that there is another power that hangs over our legal system that gives you your orders. I know that if you were to acquit, there would be a great howling – not just here, but mostly in other countries. If you fear this, you should decline to conduct the trial. How can you designate even one piece of evidence as superfluous when the issue is life or death, as it is here? You

Judge Siebenbürger and state attorney Baumann justified themselves with this kind of witness when they yell, "Evidence denied on account of common knowledge."

<p>Moritz Rotberg Rosz-Pinestr. 1, 58400 Holon Israel Eingang: 9.9.1991 Liebe Frau Kibler, Helen Dank für Ihren Brief vom 28.8.</p>	<p style="text-align: right;"><i>Holon, Israel 2.5-1991</i></p> <p><i>I once had an uncle in Karlsruhe B/Baden that was gast in Dachau. I can get some damajes from this?? Much thank in advans!</i></p> <p>[misspellings in original]</p>
<p><i>mit Hinblick an Sie eine Bitte: Ob Sie könnten in der jüdischen Gemeinde helfend nachsehen, ob ich ich hab in Karlsruhe B/Baden einen Onkel gehabt der jüdisch gewesen ist in Dachau. ob ich welche Unterstützung bekommen kann?? Helen Dank! forward! Für heute herzliche Grüsse von Moritz</i></p>	

This text is taken from a letter that was mailed on May 2, 1991, from Holon/Israel to a German acquaintance with the request for help with an application for compensation. The writer's uncle was "gast" in Dachau and he wanted "damajes." For Judge Siebenbürger and state attorney Baumann, this served to prove that the gas chambers are "common knowledge."

Response of the City of Dachau:

City of DACHAU	District capital (coat of arms)	
Our Ref.: 4.2/Ra/Sa	Artists' town for 1200 years	Date: 14.11.88
Dear Herr Geller!		
With reference to your question, I must inform you that there were no gassings in the former concentration camp Dachau ...		
Best regards - Rahm; Director of Administration		

should recollect that the chief prosecutor at Nuremberg described the victorious powers' tribunal as a continuation of the war against Germany. One cannot so totally destroy and plunder a civilized people such as the Germans without an ostensible reason or pretext. Auschwitz was that pretext.

If 'common knowledge' does not endure forever, at what limit of common knowledge do we find ourselves now? Yes, this 'common knowledge' will collapse, but will the defendant die in his prison cell beforehand?" With that, Attorney Herrmann ended his pleading.



*Defense attorney Dr. Herbert
Schaller*

Dr. Schaller's pleading

"This is a political trial of a very peculiar nature," the courageous Viennese attorney threw at the judge and state attorney. "For the reason that it deals with a crime of opinion, where there was no violence. The defenders of democracy sit on the accuser's bench. When a democratic state takes upon itself the power to determine what the truth is, it is no longer a democracy," the attorney admonished the state attorney and court.

Dr. Schaller told of a case in Frankfurt of an African drug dealer with a criminal history who stuck a 17-centimeter-long knife into the abdomen of a young German because the latter did not want to buy drugs. The attorney quoted the *Frankfurter Allgemeine Zeitung* newspaper, as to how the judge in this case would not regard the assault as attempted murder or even as attempted manslaughter. She regarded it as a case of the African merely wanting to "teach the German a lesson." This example of justice in modern-day Germany that Dr. Schaller so graphically portrayed is reminiscent of the case of two Turks who stabbed an 18-year old German in Berlin because the latter had blond hair. Both Turks had already been convicted of manslaughter, yet they received probation. For the 80-year-old General Remer who published scientific papers, the state attorney wants the "death sentence." In the waiting room, people passed around articles from large German newspapers relating how foreign murderers, robbers and mankillers are set free because indictments cannot be prepared in time due to "shortage of staff." Every spectator was outraged that there was no shortage of judges to handle the prosecution and indictment of an acknowledged

national hero because of his publication of the truth. Dr. Schaller said further:

“To prosecute assertions of fact in the same way that murderers should be prosecuted – but today no longer are – will lead to social collapse. The state should take care that arguments are expressed in words. The truth does not need criminal justice. The truth will prevail of its own power,”

the attorney scolded the state attorney. The attorney further said:

“Doesn’t the state attorney’s demand for a two-and-a-half-year sentence for the publication of scientific knowledge smell of [communist east German] GDR justice? And such a thing for an 80-year-old man? Is this Bautzen?”^[106] demanded Dr. Schaller.

“This defense team has introduced a plethora of evidence that supports the claims of the defendant. A plethora of proofs and expert reports that has never been presented to any court of the victorious wartime Allies. And yet, the Allies’ magic words from Nuremberg, ‘common knowledge’ should still apply here?”

Facing the state attorney, Schaller asked:

“Suppose that we had a new government in Germany and this government were to examine the manner in which you servants of the state are proceeding, keeping in mind Paragraphs 56 and 62 through 65 of the Basic Law. Do you think you would escape harm from the hands of the German people?”

Then, facing the public:

“Suppose the state attorney had to justify his charges against the General. Suppose a judge should ask him, what proof do you have of the existence of homicidal gas chambers? He would have nothing to show. But as of today, no state attorney needs to produce evidence. We have not arrived at that point yet.”

Next he quoted the Jewish revisionist Rabbi Immanuel Jakobovits, who says:

“Today, there is a whole spectrum of business relating to the Holocaust Industry, with authors, researchers, museum curators and politicians.”

To the judges’ bench, Dr. Schaller thundered:

“The real threat to public order begins when one demands of the German people that they should assume guilt for gas-chamber murders. These are dangerous perversions which construe publication of scientific investigation of alleged gas chambers as defamation and incitement to ra-

¹⁰⁶ An infamous prison for political prisoners in former communist East Germany.

cial hatred. How does the state attorney dispute this scientific evidence which the defendant has published? He merely tells us that we Germans should and must remain guilty as charged at the Nuremberg trials following World War II. That is all.

On the other hand, the defense counsels have an expert witness here in the courtroom who has produced an expert report that leaves no question unanswered. The expert witness has come to the indisputable scientific conclusion that the so-called gas chambers never came in contact with Zyklon B gas. Never!"

Schaller continued:

"There sits the technical expert, who is not allowed to say a word. A scientist from the world-renowned Max Planck Institute is not allowed to testify in a German court! And you want to send General Remer to prison? Are you willing to accept responsibility for that?"

Then, raising his voice:

"The defendant has the right to expect that the court will fulfill its duty, that is, to inquire into the innocence of the defendant. This kowtowing to the victorious Allies of World War II cannot go on forever!"

With the following words tears came to his eyes:

"Why should a man be put to the sword to keep alive this mythology of wartime propaganda? Mr. state attorney, you should not continue believing novels that become ever more lurid with the passage of time. It cannot go on like this, to leave one's own people standing out in the cold. Please allow the introduction of evidence once more."

Thus, the defense attorney closed his pleading.

The General's closing words

"To this kangaroo court that has denied me the introduction of scientific evidence I have only one thing to say."

General Remer pointed at the state attorney and the judge:

"Germany will one day hold you responsible for what you have done in this courtroom."

Résumé

General Remer seems to be dangerous to the former victorious powers because he has brought about a discussion of Auschwitz with his scientific publications. If Remer can prove his case, the Allies will lose their justification for having butchered and looted the German people. The Jews will lose, as Prof. Wolffsohn says, "their only remaining identity-forming

myth.” For these reasons, General Remer is condemned to die in jail. This death sentence is reminiscent of other cases of unsolved deaths such as those of Franz Josef Strauß and his wife Marianne. First Marianne died of unexplained causes in a traffic accident, then the fit, healthy former minister president of Bavaria passed away under unusual circumstances which are not medically explicable.

The *Allgemeine Jüdische Wochenzeitung* (German Jewish weekly newspaper) of October 29, 1992, recalled Strauß’ goals: “The declaration of Franz J. Strauß on February 1, 1987, that the federal republic should come out from under the shadow of the Nazi past and begin a new chapter in the book of history...”

The transfer treaty of the victorious powers forbids Germany to “come out from under the shadow of the Nazi past and begin a new chapter in the book of history.” The Allies would lose forever their justification for the horrendous crimes and ethnic cleansing which they committed against Germany, and the Jews would lose their identity-forming principle. This might endanger the existence of the state of Israel. Are there parallels between Remer’s “death sentence” and the deaths of Marianne and F. J. Strauß?

11.2. The Second Crime: A Scientific Anthology

Beginning on 7th of May 1995, Judge Burkhardt Stein of the County Court of Tübingen, southwest Germany, sat in judgment on the fates of the publisher, editor, and some of the authors of the fundamental revisionist work *Grundlagen zur Zeitgeschichte* (ref. 4 Gs 173/95).⁹⁷ First, the proceedings against the authors were separated on various grounds. Next, the trial against the editor Ernst Gauss alias Germar Rudolf was separated, because the defendant was not present at the proceedings. For that reason, Judge Stein issued an arrest warrant against Rudolf.

During the trial, the public attorney and the judge accused the publisher Wigbert Grabert that the incriminated book would meet the test for the crime of inciting to racial hatred, in that it used a number of Holocaust-denying adjectives such as “alleged,” “claimed,” “supposed,” “presumed” and “so-called.” In order to show that the book had scientific merit, the defense attorney insisted that, while reading certain passages from the book, one needed to consult the comprehensive and detailed footnotes that it contained, which made reference mostly to books of establishment sources. The judge merely turned toward Susanne Teschner, the public

attorney, and answered that the court would not announce its considerations during the trial. The court denied numerous motions of the defense for recourse to relevant expert reports or for access to court records that might show that the words “supposed,” and so forth, did not *per se* constitute an intentional denying.

The court also denied two motions of the defense to suspend the trial on grounds that in this trial there was theoretically no possibility that the judge would acquit the defendant, because in such a case the judge himself might encounter social harassment or even criminal reprisal from the judicial system, as the case of Judge Orlet in the trial against the revisionist Günter Deckert had shown (see p. 147).

Several days after the beginning of the trial, the expert witness Dr. Joachim Hoffmann was interrogated as to whether the book *Grundlagen zur Zeitgeschichte* was scientific. Dr. Hoffmann, for decades a historian in the *Militärgeschichtliche Forschungsamt* (Research Department for Military History) of the German Armed Forces (*Bundeswehr*) in Freiburg, wrote an expert report on request of the defendant Germar Rudolf, in which he confirmed that the book at issue was scientific in nature and should therefore be protected by Germany’s Basic Law. The text of his expert report has been published in English elsewhere.¹⁰⁷

During his interrogation, the expert witness stated that terms such as “presumed” or “supposed” did not please him, yet he did not consider that they put the scientific merit of the book in question.

The public attorney’s pleading was next. The phrases in the book that offended her most – “supposed annihilation camp,” “Auschwitz bludgeon,” “Holocaust religion,” “identity-forming group fantasies,” “supposed genocide,” “established Holocaust scene,” “*reductio ad absurdum*” – although taken partly from established publications, deny the National Socialist murder of Jews and therefore qualify as incitement to racial hatred. According to the public attorney, the expert witness Dr. Hoffmann was no more competent to judge whether the book was scientific than a judge or a state attorney is, and his expert report should therefore be disregarded. The publisher Grabert should be sentenced to 9 months of imprisonment on probation.

On the last day of the trial, held on a Saturday(!),¹⁰⁸ June 15, 1996, in his pleading the defense attorney referred to the denunciations of the public attorney, whereby the book was allegedly a pseudo-scientific hack-job of the vilest sort, saying that this sort of speech was “pseudo-legal browbeat-

¹⁰⁷ Rudolf 2003a, pp. 563-566.

¹⁰⁸ In Germany, courts of law do not hold sessions on Saturdays – with this exception.

ing” without content or definition. The defense pointed to the high degree of scientific expertise that had been necessary to produce the book and also to the fact that the expert witness had unreservedly confirmed the book’s scientific quality. He also pointed out that Section 130, Paragraph 3, of the German Penal Law (incitement to racial hatred) was unconstitutional when it served to deliver proven scientific publications up to book-burning.

The judge sentenced the publisher Grabert to pay a fine of DM 30,000 (\$15,000) and ordered the seizure – in effect, the burning – of all copies of *Grundlagen zur Zeitgeschichte* as well as all materials needed to produce it. In the written verdict, he stated that, although parts of the book had scientific merit, phrases such as “supposed,” “presumed,” “burnt sacrifice of the Jews,” “imputed systematic nature,” “furious fantasies,” although partly drawn from citations of established personages, denied the Holocaust and therefore qualified as the crime of incitement to racial hatred.

11.3. More Thought Crimes...

Since I fled my home country in early 1996, many more criminal prosecutions were initiated for publications I had authored, edited, published, or distributed, and which I kept authoring, editing, publishing, and distributing. The following list contains cases where such proceedings came to my knowledge. Since distributing literature banned by the German Federal Review Office for Youth-Endangering Media (*Bundesprüfstelle für jugendgefährdende Medien*) is a criminal offense in Germany, and each confiscation of literature by a German court is accompanied automatically by criminal prosecution against those who authored, edited, published, distributed, printed, imported, exported, stored or otherwise made available the confiscated literature, each of the following cases is considered to be a crime under the tough German thought-crime legislation. One must therefore assume that each of the following cases may result in at least one criminal proceeding against me. Finally, I have added a list of works published by me for which I do not know whether any criminal proceedings were started. Since the content of these publications is comparable to the other publications listed here, it must be expected that in any of these cases criminal investigations have been or will be started.¹⁰⁹

1. In 1994, the State Prosecution Office of Böblingen confiscated the following books written by Germar Rudolf. It is likely that Rudolf’s

¹⁰⁹ Some of the confiscation decrees referred to here are posted online at <http://germarrudolf.com/persecution/germars-persecution/documents/>

ongoing distribution of these publications since 1994 – both in printed form as well as online – have led to further criminal proceedings against him (County Court Böblingen, 9 Gs 521/94):

- Rüdiger Kammerer, Armin Solms (eds.), *Wissenschaftlicher Erd-rutsch durch das Rudolf Gutachten*, Cromwell Press, London 1993.¹¹⁰
 - Manfred Köhler, *Prof. Dr. Ernst Nolte: Auch Holocaust-Lügen haben kurze Beine*, Cromwell Press, London 1994.¹¹¹
 - Wilhelm Schlesiger, *Der Fall Rudolf*, Cromwell Press, Brighton 1994.¹¹²
2. In 1996, the County Court Munich ordered the confiscation and destruction of the issue 6/1995 of the periodical *Staatsbriefe* (Castel del Monte, Munich), because of an article authored by Germar Rudolf (County Court Munich, 8440 Ds 112 Js 10161/96)¹¹³
 3. In 1996, the County Court Berlin Tiergarten ordered the confiscation and destruction of the issues 2 and 3/1995 of the periodical *Sleipnir* (Castel del Monte, Munich), because of an article authored by Germar Rudolf (County Court Berlin-Tiergarten, 271 Ds 155/96)¹¹⁴
 4. During a search of my property in March 1997, the Judge Dr. Payer of County Court Böblingen orders the search of a German PO Box used by Germar Rudolf, and its formal owner, because of a prosecution launched against Rudolf for disseminating revisionist literature via the Internet address www.codoh.com, where this PO Box is given as a contact address (County Court Böblingen, ref. 9(8) Gs 228/97).
 5. In 1997, the County Court Weinheim ordered the confiscation and destruction of the book formally edited by Herbert Verbeke, but in fact written and published by Germar Rudolf, *Kardinalfragen zur Zeitgeschichte* (*Cardinal Questions of Contemporary History*), Vrij Histor-

¹¹⁰ An (outdated) translation of it was published without my knowledge: Kammerer/Solms 2002.

¹¹¹ Online: www.vho.org/D/Nolte; updated in G. Rudolf, “Im Streit mit Professor Nolte,” in: G. Rudolf 2016a, pp. 133-185; no English version available.

¹¹² English: www.vho.org/GB/Books/trc

¹¹³ Rudolf 1995b, online German only: www.vho.org/D/Staatsbriefe/Rudolf6_6.html.

¹¹⁴ Rudolf *et al.* 1995; English: Rudolf/Mattogno 2016, pp. 59-67; Rudolf 1995a, not online. The criminal investigation against me in that case, Public Attorney’s Office 1 in the Berlin District Court, ref. 81 Js 1385/95, was dropped on March 21, 1996, under sec. 154 German Penal Procedure Rules (StPO), because the expected punishment “would not carry much weight” in comparison to the one expected from the District Court of Stuttgart in my first “thought crime” trial.

- isch Onderzoek, Berchem 1996 (County Court Weinheim, ref. 2 Ds 11 Js 5428/97).¹¹⁵
6. In 1997, the County Court Böblingen ordered the confiscation and destruction of the book edited by Rüdiger Kammerer, Armin Solms, and authored by Germar Rudolf, *Das Rudolf Gutachten*, Cromwell Press, London 1993 (County Court Böblingen, ref. 9(8) Gs 228/97).
 7. In 1997, the County Court Böblingen ordered the confiscation and destruction of the book formally edited by Herbert Verbeke, but factually edited and co-authored by Germar Rudolf under the pen names Ernst Gauss and Manfred Köhler, *Auschwitz: Nackte Fakten*, Vrij Historisch Onderzoek, Berchem 1996 (County Court Böblingen, ref. 9(8) Gs 228/97).¹¹⁶ On April 8, 1999, the German Federal Review Office for Youth-Endangering Media put this book on its list of prohibited literature (*Bundesanzeiger* No. 81, April 30, 1999)
 8. On December 2, 1997, the German Federal Review Office for Youth-Endangering Media informs the publisher of the journal *Vierteljahreshefte für freie Geschichtsforschung* (*Quarterly for Free Historical Research*),¹¹⁷ formally Herbert Verbeke, but factually Germar Rudolf, that it is going to put Issues One and Two of the Year 1997 on its list of prohibited literature.
 9. On May 12, 1998, the German Federal Review Office for Youth-Endangering Publications informs the formally responsible person of the website www.vho.org, Herbert Verbeke, but factually and since summer 1998 even formally Germar Rudolf, that it is going to put the entire content of this website on its list of prohibited literature (Ref. No. BPjS, Pr. 273/98 UK/Schm).¹¹⁸
 10. On August 25, 1998, the Office of State Prosecution in Munich I informs the publisher of the journal *Vierteljahreshefte für freie Geschichtsforschung*, formally Herbert Verbeke, but in fact Germar Rudolf, that criminal proceedings have been started against them for an article published in the issue 1/1998 of this journal, dealing with the groundwater level in the region of the former concentration camp Auschwitz-Birkenau (Public Prosecution Munich I, ref. 112 Js 11282/98).
 11. On January 12, 1999, the German Federal Review Office for Youth-Endangering Media informs the publisher of the journal *Viertel-*

¹¹⁵ English: www.vho.org/GB/Books/cq; much of the text is actually identical with this very book.

¹¹⁶ English: www.vho.org/dl/ENG/apf.pdf; updated Rudolf 2016b.

¹¹⁷ English equivalent: <http://codoh.com/library/categories/1178/>.

¹¹⁸ See the transcript of this document at www.vho.org/censor/BPjS_vho.html (German).

jahreshefte für freie Geschichtsforschung, formally Herbert Verbeke, but factually Germar Rudolf, that it put Issues Three and Four of the Year 1997 on its list of prohibited literature (Ref. No. 5490 (V)).

12. On March 30, 1999, the County Court Munich ordered the confiscation and destruction of the issue 2/1998 of the journal *Vierteljahreshefte für freie Geschichtsforschung* (Quarterly for Free Historical Research), published by Germar Rudolf, and informs him that criminal proceedings were initiated against him. Reasons for this were mainly two articles dealing with the concentration camp Majdanek¹¹⁹ and with microwave delousing facilities in the concentration camp Auschwitz¹²⁰ (County Court Munich, ref. 812 Gs 16/98).
13. On January 5, 2000, the German Federal Review Office for Youth-Endangering Media informs the publisher of the book *KL Majdanek. Eine historische und technische Studie (Concentration Camp Majdanek: A Historical and Technical Study)*, Germar Rudolf, that it put this book on its list of prohibited literature (Ref. 5715(V), *Bundesanzeiger* No. 20, Jan. 29, 2000).¹²¹
14. On April 19, 2000, the police of Baden-Württemberg confiscated and destroyed all copies available of the book *Vorlesungen über Zeitgeschichte (Lectures on Contemporary History)*, authored by Germar Rudolf under the pen name Ernst Gauss, as ordered by the County Court Tübingen (County Court Tübingen, ref. 4 Gs 312/2000).¹²²

The dissemination of the following writings offered by me for sale or free download is illegal in Germany, so that criminal investigations against me are likely:¹²³

1. Günther Anntohn, Henri Roques, *Der Fall Günter Deckert*, DAGD/Germania Verlag, Weinheim 1995 (District Court Mannheim, (13) 5 Ns 67/96).
2. Carl-Friedrich Berg, *In Sachen Deutschland*, Hohenrain, Tübingen 1994 (County Court Tübingen, 4 Gs 852/95).
3. Carl-Friedrich Berg, *Wolfsgesellschaft. Die demokratische Gemeinschaft und ihre Feinde. Der kommende Kulturkampf*, Hohenrain, Tübingen 1995 (County Court Tübingen, confiscation order of April 16, 1996, 4 Gs 248/96).
4. Josef G. Burg, *Das Tagebuch*, 2nd ed., Ederer, Munich 1978, reprint: Lühe Verlag, Süderbrarup (County Court Munich, 115 Js 4412/87)...

¹¹⁹ A review of the book on the same topic, later also confiscated, see next entry.

¹²⁰ Nowak 1998; Nowak/Rademacher 2003, pp. 312-324.

¹²¹ English: www.vho.org/dl/ENG/ccm.pdf; Graf/Mattogno 2004a.

¹²² English: www.vho.org/dl/ENG/loth.pdf; Rudolf 2011.

¹²³ To read them, see the listing at <http://vho.org/censor/Censor.html>

5. Josef G. Burg, *Verschwörung des Verschweigens*, Ederer, Munich 1979, reprint: Lühe Verlag, Süderbrarup (County Court Munich, 421 Ds 115 Js 4011/89).
6. Josef G. Burg, *Der jüdische Eichmann und der bundesdeutsche Amalek*, Ederer, Munich 1983, reprint: Lühe Verlag, Süderbrarup (County Court Munich, 421 Ds 115 Js 4011/89).
7. Josef G. Burg, *Terror und Terror*, 2nd ed., Ederer, Munich 1983, reprint: Lühe Verlag, Süderbrarup (County Court Munich, 421 Ds 115 Js 4011/89).
8. Josef G. Burg, *Majdanek in alle Ewigkeit?*, Ederer, Munich 1979 (County Court Munich, 115 Js 4938/79).
9. Josef G. Burg, *Sündenböcke*, 3rd ed., Ederer, Munich 1980 (County Court Munich, 115 Js 3457/83).
10. Josef G. Burg, *Zionazi-Zensur in der BRD*, Ederer, Munich 1980, reprint: Lühe-Verlag, Süderbrarup (County Court Munich, 421 Ds 115 Js 4011/89).
11. Gregory Douglas, *Geheimakte Gestapo Müller*, Druffel-Verlag, Berg a. Starnberger See 1994 (County Court Starnberg, confiscation order of Aug. 30, 1996, Az. 11 Js 24942/96).
12. Gregory Douglas, *Geheimakte Gestapo Müller II*, Druffel-Verlag, Berg 1996 (County Court Starnberg, confiscation decree of Jan. 14, 1999, 2 Ls11 Js 30929/97).
13. Rolf-Josef Eibicht, *Hellmut Diwald*, Grabert, Tübingen 1994 (County Court Tübingen, 4 Gs 1085/97).
14. Jürgen Graf, *Auschwitz: Tätergeständnisse und Augenzeugen des Holocaust*, Neue Visionen, Switzerland, Würenlos/CH, (BANz. No. 100, May 31, 1996; confiscation order: County Court Mannheim, Nov. 28, 1994, 41 Gs 2626/94).
15. Jürgen Graf, *Todesursache Zeitgeschichtsforschung*, Neue Visionen GmbH, Würenlos/CH 1995 (County Court Mannheim, confiscation order of Jan. 29, 1996, 41 Gs 94/96).
16. Josef Halow, *Siegerjustiz in Dachau*, Druffel, Berg am Starnberger See 1994 (County Court Starnberg, 11 Js 24944/96).
17. Jan van Helsing, *Geheim Gesellschaften und ihre Macht im 20. Jahrhundert*, Ewertverlag, Rhede/Lathen/Playa del Ingles, Gran Canaria 1994 (County Court Mannheim, confiscation order of March 18, 1996, 41 Gs 241/96).
18. Jan van Helsing, *Geheim Gesellschaften II*, Ewertverlag, Rhede/Lathen/Playa del Ingles, Gran Canaria 1995 (County Court Mannheim, confiscation order of March 18, 1996, 41 Gs 240/96).
19. Gerd Honsik, *Freispruch für Hitler?*, Burgenländische Verlagsgesellschaft, 1992 (ref. unknown, but both the German and the Austrian au-

- thorities go after Honsik for that book like the devil goes after the poor soul).
20. Marcel H. Huber, *Uns trifft keine Schuld*, Biograph Verlag GmbH, 1997 (County Court Starnberg, confiscation decree of Jan. 14, 1999, 2 Ls11Js 30929/97).
 21. Joachim Nolywaika, *Die Sieger im Schatten ihrer Schuld*, Deutsche Verlagsgesellschaft (dvg), Rosenheim 1994 (County Court Rosenheim, confiscation order of Oct. 22, 1996, 130 Js 531/96).
 22. Carlos W. Porter, *Nicht Schuldig in Nürnberg*, Nineteen Eighty Four Press, Brighton/GB (BANz. No. 41 of Feb. 28, 1998).
 23. Germar Rudolf, *Das Rudolf Gutachten*, 2nd ed., Castle Hill Publishers, Hastings 2001. In August 2002 a customer of mine informed me that a criminal investigation had been initiated against him for purchasing ten copies of this book. The 2002 Report of the German Federal Office for the Protection of the Constitution states on p. 98 that this book was listed as banned by the German Federal Review Office for Youth-Endangering Media on Feb. 12, 2002. This means it's illegal to disseminate this item in Germany.
 24. Franz Scheidl, *Geschichte der Verfemung Deutschlands*, Vols. 2-5, self-published, Vienna 1968 (ref. in Germany unknown; Austria: Public Prosecution Vienna, 30 Vr 5048/68; Ur 6/68).
 25. Franz Scheidl, *Deutschland und die Juden*, self-published, Vienna undated. (In Germany unknown; Austria: Public Prosecution Vienna, 30 Vr 5048/68; Ur 6/68).
 26. Herbert Schweiger, *Evolution und Wissen. Neuordnung der Politik*, (County Court Tübingen, Jan., 1998, ref. unknown).
 27. Erwin Soratroi, *Attilas Enkel auf Davids Thron*, Grabert, Tübingen 1992 (County Court Tübingen, 4 Gs 445/95).
 28. Heinz Splittgerber, *Zeitgeschichtliche Anmerkungen*, Kleine Heftreihe für Geschichtswissen, Vol. 2, Verlag Der Schlesier, Recklinghausen 1996 (County Court Bonn, 64 Gs 1160/98).
 29. Wilhelm Stäglich, *Der Auschwitz-Mythos. Legende oder Wirklichkeit*, Grabert Verlag, Tübingen 1978 (District Court Stuttgart, confiscation decree of May 07, 1982, KLS315/80; confirmed: Federal Supreme Court of Jan. 26, 1983, 3StR414/82).
 30. Serge Thion, *Politische Wahrheit oder Historische Wahrheit?*, Verlag der Freunde, Berlin 1995 (County Court Berlin, 81 Js 1683/95 KLS).
 31. B. Uschkujnik, *Paradoxie der Geschichte – Ursprung des Holocaust*, Lühe-Verlag, Süderbrarup 1986 (District Court Flensburg, 2 Qs 50/96).
 32. Arthur Vogt, *Der Holocaust – Legende oder Realität?*, Arbeitsgemeinschaft zur Erforschung der Zeitgeschichte, Regensdorf (District Court Nuremberg Az.: 6 Ns 341 Js 31951/92).

33. Ingrid Weckert, *Feuerzeichen. Die Reichskristallnacht Druckschrift*, Grabert Verlag, Tübingen 1981 (County Court Tübingen, confiscation decree of Jan. 5, 1998; 4 Ds 15 Js 16642/94).
34. Hans Werner Woltersdorf, *Die Ideologie der neuen Weltordnung*, Selbstverlag, Bad Neuenahr 1992 (Public Prosecution Koblenz, 2101 Js 35821/93 - 22 Ls).
35. Steffen Werner, *2. babylonische Gefangenschaft. Zum Schicksal der Juden im Osten seit 1941/ Das Schicksal der Juden im europäischen Osten*, Selbstverlag, Pfullingen, 1990 (County Court Tübingen, confiscation decree of April 24, 1995, 12 Ds 15 Js 1608/93).

For the following items, I have not been informed about any criminal investigation, but considering their iconoclastic nature similar to those listed above, such investigations are very likely:¹²⁴

36. J. Graf, C. Mattogno, *Das Konzentrationslager Stutthof und seine Funktion in der nationalsozialistischen Judenpolitik*, Castle Hill Publishers, Hastings 1999.
37. J. Graf, *Riese auf tönernen Füßen. Raul Hilberg und sein Standardwerk über den "Holocaust,"* Castle Hill Publishers, Hastings 1999.
38. *Vierteljahreshefte für freie Geschichtsforschung*, all issues since 3/1998 (26 issues; vho.org/VffG).
39. C. Mattogno, J. Graf, *Treblinka. Durchgangslager oder Vernichtungslager?*, Castle Hill Publishers, Hastings 2002.
40. C. Mattogno, *Sonderbehandlung in Auschwitz. Entstehung und Bedeutung eines Begriffs?*, Castle Hill Publishers, Hastings 2003.
41. D. Heddeshimer, *Der Erste Holocaust*, Castle Hill Publishers, Hastings 2004.
42. C. Mattogno, *Belzec*, Castle Hill Publishers, Hastings 2005.
43. G. Rudolf, *Vorlesungen über den Holocaust*, Castle Hill Publishers, Hastings 2005.
44. G. Rudolf, *Auschwitz-Lügen*, Castle Hill Publishers, Hastings 2005.
45. The German edition of the present book, *Kardinalfragen an Deutschlands Politiker*, Castle Hill Publishers, Uckfield 2004 (2nd ed. 2012).¹²⁵
46. The following English-language items, either written, edited and/or published by me, could potentially cause criminal investigations against me as well, although I have no knowledge about this:¹²⁶ E. Gauss (ed.), *Dissecting the Holocaust. The Growing Critique of 'Truth' and 'Memory'*, Theses & Dissertations Press (T&DP), 1st ed., Cap-

¹²⁴ To read or purchase currently available editions, see www.HolocaustHandbuecher.com for German editions, or www.HolocaustHandbooks.com for English editions.

¹²⁵ I was notified in writing in 2013, I think, that the German authorities had listed this book as banned and confiscated, but truth told, I didn't keep that letter.

¹²⁶ See www.HolocaustHandbooks.com

shaw 2000/ 2nd ed., G. Rudolf (ed.), Chicago 2004, J. Graf, *Giant with Feet of Clay*, T&DP, Capshaw 2001; G. Rudolf, *The Rudolf Report*, T&DP, Chicago 2003; C. Mattogno, J. Graf, *Concentration Camp Majdanek*, T&DP, Chicago 2003; C. Mattogno, J. Graf, *Concentration Camp Stutthof*, T&DP, Chicago 2003; A.R. Butz, *The Hoax of the Twentieth Century*, T&DP, Chicago 2003; D. Heddesheimer, *The First Holocaust*, T&DP, Chicago 2003; R.H. Countess et al. (ed.), *Exactitude*, T&DP, Chicago 2004; C. Mattogno, J. Graf, *Treblinka*, T&DP, Chicago 2004; C. Mattogno, *Belzec*, T&DP, Chicago 2004; C. Mattogno, *Special Treatment*, T&DP, Chicago 2004; C. Mattogno, *The Bunkers of Auschwitz*, T&DP, Chicago 2004; C. Mattogno, *Auschwitz: Crematory I*, T&DP, Chicago 2005; C. Mattogno, *Auschwitz: Open Air Incinerations*, T&DP, Chicago 2005; C. Mattogno, *The Central Construction Office*, T&DP, Chicago 2005; C. Mattogno, *Auschwitz: The First Gassing*, T&DP, Chicago 2005; G. Rudolf, *Auschwitz: Plain Facts*, T&DP, Chicago 2005; G. Rudolf, *Lectures on the Holocaust*, T&DP, Chicago 2005; F. Leuchter, R. Faurisson, G. Rudolf, *The Leuchter Reports*, T&DP, Chicago 2005; G. Rudolf, C. Mattogno, *Auschwitz-Lies*, T&DP, Chicago 2005; all issues of the magazine *The Revisionist* (10).¹²⁷

Alright, I'll stop it here. After I got out of prison, I have written, edited and published many more books, but that's an ongoing process happening from the safety of the U.S., hence this will hopefully – knocking on wood and fingers crossed – not have any negative legal repercussions for me. For an update on what's available, simply go to <https://shop.codoh.com>.

Anyway, all the items published before my arrest in the U.S. in late 2005, which are perfectly legal in the U.S. with its glorious First Amendment, could have gotten me up to five years in prison in Germany. So let's say 45 times 5 years, minus as 50% bulk discount (yes, they do that) equals how many years? $45 \times 5 \times 0.5 = 112.5$ years...

Götterdämmerung

When I was deported to Germany in November 2005, I was given an arrest warrant listing 22 of the above 45 cases. That would still have amounted to a potential maximum sentence of $22 \times 5 \times 0.5 = 55$ years...

At the end, the prosecution limited themselves to indicting me only for nine of these items (theoretical maximum term: $9 \times 5 = 45$, minus discount ≈ 22.5 years). Yet due to the way the defense handled the case, the prosecution managed to introduce only two of these items as evidence during the

¹²⁷ <http://codoh.com/library/categories/1178/>

proceedings. The trial thus ended with a sentence of merely 30 months (2½ years).

For details on how that mild verdict came about, see Chapter 7 (or more detailed in Rudolf 2012a).

*“Currently, it is the moral terror of political correctness,
which turns free speech into a neck-breaking risk.”*

Martin Walser (1994, p. 134)

12. The Media and the Case of Germar Rudolf

The Object of Zeal¹²⁸

When I sent out the first draft of my “Expert Report on the Formation and Detectability of Cyanide Compounds in the ‘Gas Chambers’ of Auschwitz” in spring 1992 to a narrow circle of recipients in science and politics, several historians responded with interest. The media, however, received no notice of the existence of the report. Only in spring 1993, when retired Major General Otto Ernst Remer took a later draft of the expert report, provided it with a fiery political preface, and then sent some 1,000 to 2,000 copies to the media, public attorneys, politicians, and scientists, did a certain circle of the establishment learn about the existence of this report.

The press was quiet, except for two short articles that appeared on May 8/9 and 13, 1993, in the *Wiesbadener Kurier* reporting on the embarrassment the expert report had caused to the Institute Fresenius located in Taunusstein near Wiesbaden, which had been hired by me to perform several chemical analyses, and except for an announcement in the *Märkische Allgemeine Zeitung* of May 14, 1993, that a certain Prof. L. Bisky had filed a criminal complaint against me. Finally, in spring 1994, when the Labor Court heard the case between me and my former employer, the Max Planck Institute for Solid State Research at Stuttgart, which ended with a compromise, the *DPA* (German Press Agency) issued a press release that appeared in many newspapers and even on the radio. That prompted the *ARD* (German Public Broadcasting) television program *Report* to make a witch-hunt broadcast.

In the regional press of the Stuttgart area, where I resided at that time, a mostly factual police notice appeared reporting that the Department for

¹²⁸ First published in German in *Staatsbriefe* 2-3/1996, pp. 23-30.

State Protection¹²⁹ of the Baden-Württemberg Criminal Police for various reasons had ordered that my apartments be searched (September 30, 1993,¹³⁰ August 18, 1994,¹³¹ and March 27, 1995¹³²). The headlines, however, were occasionally ridiculous. For example, the headline “Nazi book depot in Steinenbronn” appeared in the *Böblinger Bote* of March 29, 1995. In fact, there were neither Nazis, Nazi material nor a book depot in my home.

The authorized version of my expert report was published in summer 1993 in Great Britain with the title *Das Rudolf Gutachten* (Kammerer/Solms 1993a), and has since appeared in a second German edition in 2001 (Rudolf 2001a), and in English editions in 2003 and 2011. There has been not the faintest peep about any of these versions in the media.

The media showed an increased interest when the 17th State Security Chamber of the Stuttgart District Court began the criminal investigation against me on account of suspicion of participation in the preparation and distribution of Remer’s commented version of my expert report. However, they were not interested in the Expert Report nor in me, but merely in the question whether there should be made a warning example of me “against the political right” in order to teach the common people a lesson.

The trial was convenient for such a purpose, because it did not center around the actual contents of my expert report, but focused on Remer’s political commentary and my (alleged) political views. Such politically motivated trials around someone’s opinions, although they are expressly forbidden by the German constitution (cf. Article 3.3. of the German Basic law), have of course a strong tendency to turn into show trials, and this is exactly what happened in this case.

¹²⁹ The uninitiated reader may be unaware that in Germany there is a division of the Criminal Police called the State Security Department which prosecutes politically motivated crimes. This department, by far the largest of the criminal offices, has separate areas for right-wing extremist, left-wing extremist, and foreign-influenced political crimes, respectively. Those employed in one department tend to have a political opinion hostile to their target group. For example, those in the right-wing extremist department tend to have left-wing, anti-fascist orientations. In addition, the German Federal court system includes State Security Chambers whose only work is to punish politically motivated crimes. The prosecutors who work in these courts were politically trained to deal with such crimes.

¹³⁰ This house search concerned the commented version of my expert report distributed by Remer.

¹³¹ This house search was due to suspicion of participation in the production and distribution of the newsletters *Remer Depesche* and *Deutschland Report* (later renamed to *National Journal*, see www.globalfire.tv).

¹³² This house search concerned the revisionist anthology edited by me under the pseudonym Ernst Gauss (1994); English: Gauss 2000/Rudolf 2003a.

Subsequently some of the media reports published in the course of the public attention which my expert report and I attracted will be critically analyzed regarding their veracity, or rather their lack of it.

The Fictitious Expert Opinion of the *DPA*

On March 28, 1994, the Max-Planck-Gesellschaft (MPG, M. P. Society), an umbrella organization of some 200 Max Planck Institutes all over Germany and Austria – I had been a PhD student at one of them – issued a press release on my expert report. They reported on internal measures taken against me by my former employer, the Max Planck Institute for Solid State Research in Stuttgart. The MPG made it clear that they would not involve themselves in the discussion of the issues raised by my expert report, since they agreed with the German Federal Constitutional Court and the Federal Supreme Court that the Holocaust is self-evident.

The news release of the *DPA* Press Bureau Stuttgart which appeared the following day in almost all German newspapers and also on the radio contained the following passage:¹³³

“According to their spokesman, the Max Planck Society has no proof that the samples are really from Auschwitz. Even if they are from there, according to expert opinion, it is certainly no wonder that no traces of hydrogen cyanide were found, because cyanide compounds disintegrate quickly. In earth this takes six to eight weeks and in stone they can only be preserved by “absolute conservation conditions, including complete exclusion of air and bacteria.”

Of course, the Max Planck Society had no evidence about the origin of the samples, since they did not ask me for any and I had no reason to give them any without having been asked. This is nothing else but a clumsy diversion from the main question. And by the way: if this topic is important to anyone, no one is prevented from verifying the results of my expert report and the results of others as discussed in Chapter 8 of my expert report.

On inquiry about the supposed expert opinion about the instability of cyanide compounds, Albert Meinecke, the person at *DPA* apparently responsible for the notice, referred first to MPG’s press release.¹³⁴ After it was pointed out to Meinecke that the press release contained no comment on the factual content of the expert report, nor any comment on the stabil-

¹³³ Daily newspapers, such as *Süddeutsche Zeitung*, *Stuttgarter Zeitung*, *Südwestpresse-Verbund* (March 29, 1994), *taz*, *Frankfurter Rundschau* (March 30, 1994).

¹³⁴ Telephone conversation of K. Philipp, Frankfurt/Main, March 30, 1994.

ity or presence of cyanide compounds, Meinecke made various claims, depending on the caller and the time of the call:

- a. He did not have the source for the expert opinion at hand.^{134,135}
- b. He did not know who was responsible for the press notice.¹³⁴
- c. The person responsible for the notice was out of the office.¹³⁴
- d. The person responsible for the notice was possibly on vacation.¹³⁴
- e. Since Meinecke had said both b) and c) in the same conversation, he was confronted with the fact that he had contradicted himself and that he must know very well who the responsible party was if he could say the person was not in the office. When I asked him point blank whether he can't see that he has bungled it badly with his news release, he opined that no one is without fault.¹³⁴
- f. He would call me when he learned more about who was responsible and what the source was.¹³⁴ Of course that never happened.

The connection between the MPG and the unnamed expert opinion created by the phraseology of the *DPA* news release would suggest to the reader that the expert opinion was that of the MPG. The latter declared by fax on April 12, 1994 that this was not the case and that the claim in the *DPA* news release was mistaken.

After two weeks of silence, on April 13, 1994, *DPA* editor-in-chief Dieter Ebeling of Hamburg, speaking for the agency, announced in a fax message to me that the unnamed expert would remain unnamed to protect his privacy. Two days later, in an unsigned faxed notice, Meinecke denied my accusation of falsehood¹³⁶ and referred me to the Editor-in-Chief in Hamburg.

The Technical Issues

Among others, the *DPA* notice contained the following assertion:

“Even if they [the samples] are from there [Auschwitz], according to expert opinion, it is certainly no wonder that no traces of hydrogen cyanide were found, because cyanide compounds disintegrate quickly.”

Evidently the writer of these lines does not know the difference between hydrogen cyanide and cyanide compounds. If he should wish to subsume cyanide compounds under hydrogen cyanide, which might make it easier for the layman to understand, then it is clear: This sentence and the following one discuss the stability of cyanide compounds, the only thing that makes sense with respect to the Rudolf Report. The question as to the sta-

¹³⁵ Telephone conversation of G. Rudolf, Jettingen, March 30, 1994.

¹³⁶ Press release, G. Rudolf on April 8, 1994.

bility of hydrogen cyanide itself, as raised by Ebeling in his fax to me, is of no concern to anyone¹³⁷ – the question is a crafty diversion from the subject.

The supposed statement of the unknown expert asserts that cyanide compounds disintegrate quickly. This blanket claim is and will always be untenable and shameful for any expert to make. As proof for this, the reader may simply read Chapter 6.6. of my expert report, and there in particular to Chapter 6.6.5.

Ebeling's assertions that stable compounds may form but do not necessarily form¹³⁶ needs no confirmation from competent authority, since the fact that every acid in the world forms stable as well as unstable compounds is as trivial as an "Amen" in church.

In the *DPA* notice it was stated that cyanide compounds will last in stone only under "absolute conservation conditions," but in contrast to that, in the masonry of the cases of interest here and investigated in detail in my expert report – the cases of the disinfestation chambers of Auschwitz – hydrogen cyanide formed extremely long-lasting iron-cyanide compounds of the Iron Blue type.

Therefore, not only is the claim of the *DPA* news release wrong that this statement originated from an expert, but the actual content of this release is egregiously disinformative. No expert would have endorsed such an embarrassingly absurd statement. It is not hard to see why the person responsible for having released this article did not want to be named, as Herr Ebeling said.

Report Portrait: Incitement to Hatred

One of the main incidents of the witch hunt against me was the left-wing *Report* broadcast of the German public TV station *ARD* on April 11, 1994. In the footage by Stefan Rucker, everyone, from Conservative to neo-Nazi personalities, me included, was thrown into one big brown "Nazi" pot. By this sort of undifferentiated reporting, one can produce in certain sectors of the German population a pogrom mood against everything which is suspected to be right-wing. *Report* showed pictures of a synagogue in Lübeck which had been fire-bombed just a few months before, using the words that, as soon as Auschwitz denial booms again, synagogues are burning. The next section of this footage showed me on my way to the Labor Court in Stuttgart. Thereby, I was turned into a sort of paper accomplice of the

¹³⁷ D. Ebeling's response to numerous queries to the Stuttgarter *DPA* bureau, April 13, 1994.

Lübeck arson. This was strengthened by the commentator's choice of words, when he mentioned the title of the well-known play *Biedermann und die Brandstifter* (*Everyman and the Arsonists*).¹³⁸

If that does not constitute criminal incitement of the German TV audience against me, what does? It goes without saying that reports of this kind are loaded with pictures of concentration camps, deported Jews, and a sea of corpses in order to ridicule the supposed denial claim of a GERMAR RUDOLF. This is the way the left-wing *Report* works.

But which viewer knew that I had not only not denied, but had actually denounced the frequent injustices that *did* occur at that time?¹³⁹ And who would notice that the pictures proved nothing except that thousands in the concentration camps died from sickness and malnutrition? Who noticed that no TV program ever showed a film or a picture of a homicidal gas chamber either in operation or capable of being put into operation – the only point in which I hold a different viewpoint from media outfits such as *Report*?

Report spewed falsehoods and lies into the world. One of them was seized upon by Franziska Hundseder in her book *Rechte machen Kasse* (*Right-Wingers Cash In*) and will be dealt with in the next section. Here I will discuss another:¹⁴⁰

In the appendix of my expert report under the heading *Danksagung* (Acknowledgements), I had thanked a number of persons and institutions who had helped me in many ways when collecting data or sources, recovering and analyzing samples, or for any assistance in the production of the report. Among these were the firms DEGUSSA AG and Fresenius Institute, since the first had supplied important technical data on the stability of Iron Blue, and the second had analyzed most of my samples in my presence and initially even with my help. Such acknowledgements are usual in scientific publications – also they are professionally courteous.

In their commentary, *Report* reproached me that I had used the names of well-known institutes and firms to give my report the appearance of competence. In view of the facts just given, this reproach is both malevolent and ridiculous. *Report's* additional assertion that a criminal complaint for fraud had been filed against me due to this misuse of well-known

¹³⁸ In the referenced novel by Max Frisch, Herr Biedermann played just the opposite role of a desk criminal, as he was the victim of a criminal (and his own gullibility). But this fact was not made clear to the viewer.

¹³⁹ Rudolf 2003a, pp. 31-34.

¹⁴⁰ There is a detailed discussion of this broadcast in Schlesiger 1994; there I still disputed that I hid behind the pseudonym Ernst Gauss. I admitted that during the trial at the District Court of Stuttgart, ref. 17 KLs 83/94, after the book *Grundlagen zur Zeitgeschichte* had been published using the same pen name.

names was pure invention. Up to this day, December 2016, there have been no criminal complaints or civil law suits from any of the persons or institutions directly or indirectly involved in the production of my report. *Report's* false accusation was a direct smear.

Stefan Rocker also participated in an *ARD Tagesthemen* news broadcast on June 6, 1996, covering the book-burning trial of the book *Grundlagen zur Zeitgeschichte*,¹⁴¹ edited by me, then before the County Court of Tübingen. A written version of this piece appeared in the *Frankfurter Allgemeine Zeitung* of June 10, 1996, p. 14. It began with the following sentence:

“Everyman and the Arsonists: diploma chemist German^[142] Rudolf, 31, was sentenced to 14 months of imprisonment by the Stuttgart District Court a year ago for incitement to racial hatred and denial of the holocaust.”

I was also accused of having published a “pseudo-scientific” “hack-job” titled *Grundlagen zur Zeitgeschichte*, whereby I had proven myself a repeated right-wing extremist offender. It was stated that I had left the country and was sought by the police.

The fact that 100 academics had placed an advertisement in the *Frankfurter Allgemeine Zeitung* during the book-burning trial¹⁴³ who criticized the use of censorship and the violation of civil rights by German courts was termed a “frontal assault on the Federal German justice system” in this commentary. Throughout that piece, the authors threw everyone who was politically right-of-center into one big brown bucket.

Ripple Effects

In mid-May 1995, the left-wing political TV show *Panorama* (again from the German public station *ARD*) reported on several medium-size businesses that had become known as supporters of right-wing circles.¹⁴⁴ This broadcast was a cinematic presentation of the book *Rechte machen Kasse*, (*Right-Wingers Cash In*) written by the journalist who produced the broadcast, Franziska Hundseher. In the book, the author discusses me or my expert report twice. Both times her discussion is full of errors and falsehoods.

¹⁴¹ Cf. Chapter 11.2. in this volume.

¹⁴² Should be: Germar. Error in Original.

¹⁴³ Cf. “About true and false perceptions” (www.vho.org/GB/Books/cq/percept.html).

¹⁴⁴ Cf. *Die Welt*, May 15, 1995: “Unterstützen Unternehmer die rechtsextremen Szene?” (Do Businesses Support the Right-wing Extremist Scene?). As a result of this broadcast, my employer was placed under such pressure by his customers, suppliers, competitors, and employees that he terminated my employment contract.

For example, in referring to the invented *DPA* press release about the alleged instability of cyanide compounds, Frau Hundseder concludes:

“Therefore, this so-called expert report of Herr Rudolf – like the expert report of Fred A. Leuchter, which similarly found no traces of cyanide in the walls of Auschwitz-Birkenau Crematoria 1 and 2 – contains no proof of anything other than the methods by which right-wing extremists conduct historical research.”

Though notified in writing about the falsity of the *DPA* press release she was relying upon, Frau Hundseder never changed her position on this. The same is true for a passage on page 212 of her book, where she claims I had tried to collect several tens of thousands of deutschmarks in order to buy copies of the death books of the Auschwitz camp. She gives the impression that I was trying to get the money. But this is not true. The letter quoted by her had already been distortedly quoted by the above-mentioned *Report* journalists who must have illegally received a complete copy of this letter from the trial record. However, if read completely, the letter reveals that I did not want any money, but was asking several personalities to donate money to a third person I had no personal connection with.

The Verdict a Foregone Conclusion

As the trial against me for my expert report began at the end of November 1994 in before the State Security Chamber of the District Court of Stuttgart, there were several media individuals who distinguished themselves by their painful ignorance of the subject matter of the trial. The cause for this seemed to be that no journalist deemed it necessary to ask for information from anyone involved in the trial. So it happened that repeatedly items were misunderstood or misreported. One might not attribute purposeful distortion to the journalists if it were not for the fact that these misunderstandings were always decidedly unfavorable to me.

The partisan orientation of the *Süddeutscher Rundfunk*, *SDR*, another public broadcasting station (almost all German public broadcasting stations are left-wing oriented) was exposed when it decided to report only one side of the story, namely that of the investigating police officer. Since his statements were apparently not critical enough for the *SDR*, soon items were invented. The *SDR* took the only two statements from the several hundred pages of correspondence in which I had mentioned two Jewish personalities in a disapproving way, which were cited by the police officer. *SDR* then asserted falsely, the officer had characterized the rest of my correspondence “as the vilest incitement and defamation.” The *SDR* also at-

tributed to the police officer the claim that I wanted to “rewrite the history of Germany from 1871 onward, without the Holocaust or World War II,” which in view of the absurdity of this statement may cause doubt about the sanity of the journalists involved. And of course, the *SDR* was silent on the substantial mitigating evidence presented by the defense in the following months.¹⁴⁵

With a few exceptions, the entire media was silent until the end of the trial. It could be seen from the behavior of the journalists present that they were not looking for the real story, but were intent on bringing in a sacrifice on the altar of political correctness: all but one of them – a new person from *Südwestfunk* radio – looked only to the prosecuting attorneys and judges in their search for information.

The *Stuttgarter Zeitung* (*StZ*) provides a clear example of the tendentious method of reporting used by the media. Since not enough incriminating material turned up in the several thousand pages of my correspondence that were found in the first house search in September 1993, on January 27, 1995, the *StZ* conjured up “writing in the hand of the defendant with indisputable [...] xenophobic content.” However, during the whole trial there was never any talk of xenophobia or racism, because there was never any basis for it. At the end of a piece of the *Landesschau* of *Südwest 3* TV station on December 27, 1994, the Christian-Conservative Rudolf mutated into a neo-Nazi: the trial against me was characterized as another case of a neo-Nazi in the Stuttgart District Court, following a real trial against several National Socialists that had taken place in the same court a short time before.¹⁴⁶

That the verdict was assumed to have been decided before the fact became more and more noticeable as the question was raised whether there would be difficulties in convicting me of the crime I was accused of, as if it were not the task of the court to determine the truth without respect to party, but rather that it should find guilt whether or not the crime had been committed.

The *Böblinger Kreiszeitung* reported in this vein on May 10, 1995, as the trial was nearing its end. There, on page 13 under the headline “Sentence before Pentecost,” we read:

“He [the presiding judge] believes that the prosecuting attorney will conclude her case at the next session on May 18 of this year, and that the sen-

¹⁴⁵ *Süddeutscher Rundfunk*, in all four afternoon radio programs on Nov. 25, 1994.

¹⁴⁶ The video of this program distributed by the *Süddeutscher Rundfunk* was correspondingly labeled with the caption “Neo-Nazi.”

tence against the chemist will be handed down before Pentecost unless something unforeseen happens.”

How can it be that, according to this press report, the presiding judge can announce before the end of the trial (it ended on June 23, 1995) that the expected judgment will be *against* the defendant, that it will be decided to his disadvantage? It would have made sense to state that the judgment will be given *in* a case or *about* the defendant. If the journalist here reported the presiding judge’s words correctly, the choice of words shows the partisanship of the judge; otherwise it shows that of the journalist.

It is worthwhile to note the relative emphasis the media gave to the pleadings of the prosecution as opposed to that of the defense. On June 13, 1995, the *StZ* reported the arguments of the public attorney in a detailed 3-column story on page 2, while the defense’s appearance was covered the following day in a small single-column story which merely recapitulated the events of the trial and did not report any of the arguments of the defendant.

To be fair, it should be mentioned that, after the sentence came down on June 24, 1995, Sonnhild Maier, the journalist for the *StZ*, mentioned some of the defense’s arguments:

“The court ruled that the expert report and the preface were a single work and were to be seen as a ‘common production’ of Rudolf and Remer.

This is what the accused chemist vehemently disputed. He is a practicing Catholic, believes in the political order of the Federal Republic and would never have entered into an association with Remer, whom he took to be a ‘living political fossil.’ In the chemist’s words: ‘I would not have been so stupid – this would have undermined me in the final phase of my doctoral program.’^[147] At the time he was preparing his doctoral thesis at the Max Planck Institute in Stuttgart. When his expert report became publicly known, he lost his job.”

In a 3-column story on June 14, 1995, the *Stuttgarter Nachrichten* summarized the prosecution’s case. The story gave the defense’s claims in response to the prosecution’s case, but not a single argument supporting these claims. Instead of this, the defense arguments were superficially refuted by the journalist Frank Schwaibold using somewhat erroneous counterarguments.

Against the assertion of the prosecution that I had revealed myself as a politically motivated criminal by my work under the pen name Ernst Gauss and therefore deserved no probation, the defense objected that the Gauss

¹⁴⁷ Because of Remer’s commented version, the University of Stuttgart refused to schedule my *rigorosum*, the final examination for my PhD title.

case could not be applied. It was hidden from the reader that in a state under the rule of law a defendant cannot be disadvantaged through a court case that had not even started. In response to the defense's counterargument to the prosecution's charge that I had cooperated with Remer, journalist Frank Schwaibold asserted falsely that I had met and talked with Remer three times. The truth is that Remer and I met only by chance in the course of my work as an expert witness for Remer's defense team. During these accidental encounters, there was no conversation between us, which even the court acknowledged.¹⁴⁸

Against the defense's assertion that the defendant was no neo-Nazi, the journalist cited a letter absurdly out of context in which I "referred to the 'Jew Republic Germany' in the context of the person Ignatz Bubis." In that letter,¹⁴⁹ I criticized a proposal made in spring 1993 that Ignatz Bubis be elected Federal German President. Taking into consideration that Bubis had almost no political experience at that time but had a criminal past, I commented that the proposal reflected the immense importance that was given to him as the leader of a diminishing minority in the German state (the late Ignatz Bubis was head of the *Zentralrat der Juden in Deutschland*, Central Council of Jews in Germany, at that time). For that reason, I stated that it was appropriate to rename the name of the German nation, using this minority as a prefix: *Judenrepublik Deutschland* (Jew Republic of Germany).¹⁵⁰ The Jewish witness Horst Lummert, who testified on behalf of me, confirmed before the court on January 9, 1995 that this reasoning was justified.¹⁵¹

Given these facts, it remains for Frank Schwaibold to explain to us where neo-Nazism is hidden in my remarks.

¹⁴⁸ Confidential letter of mine to H. Herrmann, Dec. 20, 1992, Computer Data File 2, sheet 222, in records of the District Court Stuttgart, ref. 17 KLs 83/94, introduced Dec. 6, 1994.

¹⁴⁹ Letter to K. Philipp on March 1, 1993, Investigation File 1, sheet 351, in records of the District Court Stuttgart, ref. 17 KLs 83/94, introduced on Dec. 17, 1994.

¹⁵⁰ My statement, introduced during the trial before District Court Stuttgart, ref. 17 KLs 83/94, on March 17, 1995, in records.

¹⁵¹ H. Lummert thinks that one should stay with the abbreviation for *BRD*: "*Bubisrepublik Deutschland*" (Bubis Republic Germany). Approximately 30 witnesses testified that they had never heard me make anti-Semitic remarks and that I had even protested against their use. There was no contrary testimony. The media likewise ignored a speech at an academic fraternity by me to students which was clearly pro-Jewish. On May 9, 1995, the court confirmed that the speech had taken place.

Execution by Media

Naturally, after the announcement of the sentence of the District Court of Stuttgart, according to which I was to be punished with 14 months of imprisonment without probation, the media found it easy to drag me through the mud. The first was the *Süddeutscher Rundfunk*. Following the imperative of the *Zeitgeist*, without making use of the decision of the court or any other evidence, it labeled me a “neo-Nazi.” It also attempted to make my expert report ridiculous by resurrecting the *DPA* notice from a year before. *SDR 3* simply claimed that it was known to competent chemists that cyanide compounds disintegrate within a few weeks in rocks.¹⁵²

The program *Landesschau* of the regional television station *Südwest 3* made comments similar to those of *SDR 3*, but piled even further on the defamation by misrepresenting an article that appeared in the *Stuttgarter Nachrichten* the week before. This article of June 14, 1995, was entitled “Only a Victim of the ‘Father-figure of Neo-Nazism’?” Under the Word “Neo-Nazism,” a picture of the defendant was shown. The question raised by this newspaper headline was whether I had been a victim of O. E. Remer, who was identified as the “Father-figure of Neo-Nazism.”

In showing a copy of this article, the *Südwestfunk* bent the paper so that the viewer would see only the words “Father-figure of Neo-Nazism” over my portrait. The viewer would unavoidably receive the impression that the harsh sentence was a judicial determination that I was a father-figure of Neo-Nazism. It is difficult to imagine how media distortion could get any worse.

Many media sources considered the sentence handed down by the court as insufficient, as can be seen from several examples. On June 24, 1995, the *Böblinger Bote* wrote that I could be linked to National Socialist racial doctrine. This complete fabrication is so absurd and so far from any reality that it was never an issue during the course of the trial, nor was it mentioned in the court’s spoken opinion giving the basis for the written verdict. Unfortunately, this did not hinder the court from inserting this unfounded assertion into the written verdict for the sentence.¹⁵³

On the same day, and despite my personal appeal, Frank Schwaibold of the *Stuttgarter Nachrichten* could not help but once again misconstrue the contacts between me and Remer by writing that I had been “provably in

¹⁵² *SDR 3*, June 23, 1995, 13:30 hours.

¹⁵³ Verdict of the District Court Stuttgart, ref. 17 KLs 83/94, pp. 15, 156ff. As evidence the court used an unpublished writing of the defendant. In it, I commented how the confirmation of revisionist theses might cause many to disdain Jews. Records of the District Court Stuttgart, ref. 17 KLs 83/94, Computer Data File 3, introduced on Jan. 26, 1995. Where there is racism in these speculative remarks is unclear.

personal contact with Remer three times,” where the word “personal” imputed a relationship between the two that had never existed.

On June 24, 1995, the *Süddeutsche Zeitung* outdid itself in manipulating the news. It wrote that I had occasionally been a member of the right-wing extremist Republican Party. But, in fact, I had been a member of the party at a time when it was not considered “right-wing extremist” and even important members of the semi-conservative Christian Democrats (*CDU/CSU*) maintained contacts with members of the party. Whatever opinion the media and the German internal secret service, the Agency for the Protection of the Constitution (*Verfassungsschutz*) had after I left the party in summer 1991¹⁵⁴ cannot be taken as a criterion for the evaluation of my political views. Also, I was not on trial for my political beliefs, which, according to Article 3, Para. 3 of the German Basic Law can never be cause for deprivation of rights. Finally, it is absurd to try to associate the patriotic-conservative views of the Republicans with the National Socialist views of Remer, which was clearly the intention of the *Süddeutsche Zeitung*.

The *Süddeutsche Zeitung* also was the only one among Germany’s bigger daily newspapers that again trotted out the fable that my expert report had been refuted a long time ago, based on the *DPA* notice:

“According to information from competent chemists, hydrogen cyanide compounds disintegrate within a few months from the effects of weather and are no longer detectable.”

With this perpetuated falsehood, the point was made to every uninitiated reader that my expert report was the technically worthless hack-job of an incompetent chemist. At the beginning of the trial on November 23, 1994, the *Böblinger Bote* had spread the same nonsense:

“According to expert opinion, no traces of cyanide can be found after 50 years since they disintegrate quickly.”

In their report for 1997, p. 64, even the Bavarian Agency for the Protection of the Constitution (*Bayerisches Amt für Verfassungsschutz*) had the nerve to repeat that nonsense.

In view of the allegedly proven pseudo-scientific nature of my expert report, the newspapers avoided the words “expert report” or printed them in quotation marks and also characterized it as a “hack-job” (*StZ*, November 23, 1994). However, on that date, November 23, 1994, the court de-

¹⁵⁴ The German government listed the *Republikaner* temporarily as an “enemy of the constitution,” but when the *Republikaner* sued the government, they eventually won, and so they had to be delisted and accepted as being fully constitutional, but by that time the party had been utterly decimated and destroyed.

clared that it did not consider itself competent to decide to what extent the expert report satisfied scientific criteria. It avoided the issue of scientific evidence by attributing to me the preface and epilogue written by Remer's friend in Remer's version, and sentenced me on that basis.

In a wider context, Hans Westra, Director of the Anne Frank Foundation in the Netherlands, has commented on the technical correctness of my expert report. The Anne Frank Foundation is one of the most well-known of the institutions world-wide that occupy themselves with uncovering and documenting proofs of the Holocaust. In response to the question of a journalist as to whether the scientific conclusions of my expert report were correct, Hans Westra replied:¹⁵⁵

"These scientific analyses are perfect. What one cannot determine is how this Rudolf got them, how he obtained the samples."

Certainly Mr. Westra could not restrain himself from casting doubt on the authenticity of the samples, since established researchers seem to be able to find no other loophole in the arguments contained in my work.

News for Public Instruction

The day of the announcement of the sentence in my case may be the only one in which the media outside the local region reported on it. As mentioned above, the *Süddeutsche Zeitung* devoted an extensive story to the sentence.

Also, on June 23, 1995, the nationwide TV news show *heute* of the ZDF (Germany's second public TV channel) felt obligated to air a short story reporting that the accredited chemist Germar Rudolf had been sentenced to 14 months of imprisonment without probation on account of an expert report on the gas chambers of Auschwitz. Since the media outside the local region had reported almost nothing on the case previous to this, the normal television viewer would hardly know what to make of this very brief piece of information. Therefore, the report can have had only one purpose: It should be made clear to every potential technical witness in all of Germany that those who voice views about the Holocaust that deviate from those officially allowed – however factually correct, reputable, scientific and perhaps even professionally correct they may be – will be thrown in prison without probation.

The news reports of the local press on May 6, 1996, ran in the same vein after my application for a review of the verdict had been turned down by the German Federal Supreme Court. They hinted to the reader that the

¹⁵⁵ BRT 1 (Belgian Television), *Panorama*, April 27, 1995.

scientist Rudolf had been sentenced because of his expert report, which had come to an incorrect conclusion and thereby denied the Holocaust. This in spite of the fact that the expert report as such had not been an issue during the trial. Naturally, the *Böblinger Bote* could not restrain itself from digging up the *DPA* lie again:¹⁵⁶

“In opposition to competent scientific authorities, the Jettingen chemist asserted that mass-killing of humans with hydrogen cyanide would leave traces of cyanide in the masonry of the remaining buildings in the camp, but no such traces can be found.”

That the extremely harsh sentence against me was due to reasons of “public instruction,” and thus for the purpose of frightening any scientist who might play with the thought of publishing a deviating opinion – that is called “general prevention” by deterring the general populace – was also the opinion of the *Böblinger Bote* on June 27, 1996:

“No probation was granted for the sentence of 14 months of imprisonment handed down in June last year on grounds of general prevention.”

Hunted Abroad

In late March of 1996, I went into exile. The press initially lost track of me, and for the time being, they lost interest as well. This changed in the fall of 1999, when British journalist Chris Hastings (34) set about tracking me down in England. Since I had registered my residence with the local authorities, as is required by British law, and residency records are open to the public, it was not difficult to establish that I was residing in England. In addition, I had listed my post office address on my website. Chris Hastings succeeded in locating the apartment in which I was registered. He left a note requesting an interview. I granted his request by allowing him a two-hour interview at Victoria station in London. The content of this interview concerned primarily the present state of human rights in Germany as well as my official persecution. But as I suspected, Hastings was not interested in the present state of human rights in Germany. In Hastings’s article in the *Sunday Telegraph* of Oct. 17, 1999, the subject was not even mentioned. Instead, under a subtitle sensationally slandering me as a “neo-Nazi,” Hastings wrote (Berry/Hastings 1999):

“He [Rudolf] confirms that, during his stay in Britain, he has forged links with far-right extremists including members of the National Front and the British National Party.[...]”

¹⁵⁶ *Kreiszeitung Böblinger Bote* and *Gäubote/Südwestpresse-Verbund*, May 6, 1996.

‘In Britain I work as a Holocaust revisionist 24 hours a day. My work has brought me into contact with people on the far Right. I have met leading members of the National Front and the British National Party while I have been in England.’”

In the worst tradition of yellow journalism, Hastings took individual words and phrases totally out of context and rearranged them to suit his sensationalistic purposes. I never uttered such sentences, with the exception of the sentence about working 24 hours a day for revisionism. It is a fact that, in the spring of 1999, I had met with Nick Griffin and discussed Griffin’s experiences with the British justice system. The year before, Griffin had been, among other things, accused of having published an article with revisionist statements in a small right-wing periodical edited by himself, but he had been acquitted. Because of my own vulnerable situation, and because I had extensively reported on official censorship in my periodical *Vierteljahreshefte für freie Geschichtsforschung (VffG)* before, I was naturally very interested in Griffin’s story, but not in Griffin’s organizational memberships or functions. Before this meeting, I was not even aware that Griffin held a leading position in the nationalist British National Party. However, during the meeting, Griffin informed me that he aspired to chairmanship of the party, to which position he was subsequently elected. When asked by Hastings whether I was in contact with members of the political right, I straightforwardly told him of the conversation with Griffin. Hastings used this to suggest to his readers that I had forged relationships with the organizational leadership of the leading rightwing extremist parties of England. But to the best of my knowledge, I have never made contact with any member of the National Front.

Hastings went so far as to interview my former landlady, whom he absurdly quoted as follows:

“Sheila Evans, Rudolf’s former landlady, said: ‘I remember he said he was a writer working for journals in Germany. I was struck by how clean he left the house when he left. He stripped it bare. I think he was trying to cover his tracks.’”

In fact, when I negotiated the tenancy contract in July 1996, I had told my landlady that I will write for a German periodical. (*VffG* first appeared in spring of 1997, published by the Flemish organization Vrij Historisch Onderzoek). Mrs. Evans was the most ferocious house-dragon I have ever met. When we moved out, we had to repair and repaint every little scratch on the baseboards, every bit of chipped enamel on door frames and heaters, every tiny dent in the walls before she would return our deposit. Surely it was normal behavior for us to take our belongings with us when we moved

out. It seems that, when people read about their neighbors in the newspapers, they see ghosts and goblins everywhere.

Chris Hastings continued to make my presence and activities known to a very large number of nosy and peculiar people. He prompted them to agree that England needs a law to protect Holocaust lore against scientific scrutiny. And he prompted them to agree that I should be extradited to Germany immediately.

The results were not long in coming. The established media in Germany ground out another sensationalistic story. “Indicted Neo-Nazi in Great Britain,” blared the *DPA* (German Press Agency) on October 18, 1999 (it was printed on the 19th in *Die Rheinpfalz* and other newspapers.) “Holocaust denier hiding out in England” announced the leftwing *Stuttgarter Nachrichten* on October 21, page 4. On October 31, Chris Hastings jubilantly announced in the *Sunday Telegraph* that Germany would now seriously pursue my extradition. He predicted that England would comply because I had not been convicted for Holocaust denial, but for incitement to racial hatred, which is a violation of English law, too.¹⁵⁷ On October 22, the local press in Hastings, where my official residence was at that time, chimed in with “Fleeing neo-Nazi uses base in Hastings” (*The Hastings and St. Leonards Observer*). The monthly English manhunter tabloid *Searchlight* joined the hunt in December with “Auschwitz liar hides out in Britain” on page 13.¹⁵⁸ Chris Hastings added more fuel to the flames in his update of January 16, 2000:

“Neo-Nazi accused of ‘racial hatred’ goes on the run. [...] Germany has issued an international arrest warrant for Germar Rudolf, who fled to England to escape a prison sentence for inciting racial hatred.”

The manhunt turned completely into hysteria with a BBC report about me on March 28, 2000, which was repeated the day after by the south English regional TV station ITV. Six or seven photographs of me were shown during the report which had been taken from my website www.vho.org. The public was warned to beware of this “Nazi sympathizer.” The audience must have gained the impression that I was so dangerous that I must be running around murdering people. Mr. Michael Whine of the British Jewish Board of Deputies was pleased to appear before the cameras and announce that regarding me, England was dealing with a “new breed of dangerous Nazis.” The local press chimed in once more with “Escaped Neo-Nazi still hiding in Hastings [...] he [...] was still being hunted.” (*The Has-*

¹⁵⁷ This was echoed, e.g., by the *Australian Jewish News*, Nov. 5, 1999.

¹⁵⁸ The German matching piece to this periodical, *Blick nach Rechts*, started its campaign as late as June 2000 with a contribution by Thomas Pfeiffer in the same style, of course.

tings and St. Leonards Observer, March 31, 2000). Obviously, the powers that be are striving to familiarize the local populace with my likeness and condition them to be afraid of me. It wants them to complain to the police about the desperado in their midst.

On May 27, 2000, Günther Hoerbst of the *Hamburger Abendblatt* reported on a report of the Israeli university of Tel Aviv entitled *Anti-Semitism Worldwide 1998/99*:

“Twelve pages of the report are dedicated to Germany. The report complains about the growing acceptance of the holocaust lie, primarily by means of the internet and rightwing extremist groups. The report acknowledges that present German legislation provides the most ‘advanced and effective attempts at combating the holocaust lie,’ but ‘it nevertheless is a growing phenomenon.’ For instance, the leading German holocaust liar Rudolf continues to disseminate his writings over the internet from foreign countries, even though he has been convicted and sentenced in Germany.”

Pity!

So far, the only more or less impartial article about me appeared on January 7, 2000, in the *Los Angeles Times*, in connection with the Irving v. Lipstadt trial. It was written by Kim Murphy.¹⁵⁹

The German left-wing-extremist periodical *Blick nach Rechts* (*View to the Right*) turned out to be especially malicious, because in 2000 it spread the lie that I had called for violence against or even for the assassination of the Mannheim prosecutor Hans-Heiko Klein, one of the most zealous German persecutors of dissidents.¹⁶⁰

The truth is that I had written the exact opposite in the aforesaid article of my magazine, namely of the necessity to abstain from violence even in the face of the most severe persecution, which back then had led to the death of a German professor. Here some excerpts (Rudolf 2000a, p. 124):

“Mark Weber has truthfully stated that, if the oft-described ‘danger from the political right’ in Germany were indeed as big as media and politicians claim it to be, then for instance the hunter of revisionists Hans-Heiko Klein would have been dead a long time ago.

[...] Excesses [...] are not only rejected unanimously, but they are even vehemently condemned, because exactly these kinds of excesses serve as a pretense to mercilessly and with the most brutal measures of oppression crack down on everything that is labeled as revisionist or right-wing. Furthermore, violence against minorities is rejected by all fellow humans,

¹⁵⁹ <http://germarrudolf.com/persecution/germars-persecution/documents/>, list #111.pdf.

¹⁶⁰ *Blick nach Rechts*, 19/2000, Sept. 21, 2000, p. 16.

hence with such acts one turns even the least sympathizers into enemies. [...]

But violence against exponents of the persecutor system 'Federal' 'Republic' of 'Germany,' which acts increasingly totalitarian? [...] In fact, that Heiko Klein is still alive borders on a miracle and proves merely how harmless the entire German 'scene' really is. You truly couldn't win a war of liberation with such freedom fighters.

For a long time, I have been asked to publish the full names of all those involved in government actions against dissidents. One never knows when one has a use for that kind of information. For the same reasons, I hesitate to do exactly this. After all the political trials and persecution, Germany really needs only one thing in the future: A great amnesty, a reconciliation with itself, an end to this self-destruction and self-deprecation. I therefore strongly disapprove of any threats that the other side will get what they have coming, once the tide turns. Then what distinguishes us from them? Don't count on me!

[...] Professor Pfeifenberger is not the first victim, but his prominence resulted in pencils being sharpened by some who start making check lists. I am watching this with horror and hope to be able to bring all sides to their senses with this warning."

This shows with what kind of egregious lies the opponents of revisionism are working. They stop at nothing to turn the facts upside down, to declare the truth a lie, and lies the truth. But what can you expect from the representatives and defenders of a system which has turned the biggest lie in the history of mankind into the basis of its existence?

Inciting the Masses to Hatred

Needless to say, when I was deported back to Germany in late 2005 and when the second trial against me started in late 2006, the German mass media had another field day with me. This time, though, I was in no position to collect any newspaper clippings, but even if I had, I was in no particular mood to pay too much attention to this, because frankly said, I had other problems. I was sitting in prison awaiting and then attending his own trial, so I had bigger fish to fry, if you will.

Among the many media items that were printed during those dark times of my life, three stick out:

1. On January 1, 2006, the Sunday issue *Sonntag Aktuell* of the German daily *Stuttgarter Zeitung* wrote:

“Germar Rudolf for instance, who thanks to Klein currently sits in Stammheim [=Stuttgart jail], wrote in his Holocaust-denying ‘Quarterly for free Historical Research’: ‘It borders in fact on a miracle that Heiko Klein is still alive.’ Blatant threats do not deter the intrepid state attorney.”

The old lie of *Blick nach Rechts* lives on unabated! Journalists, it seems, never check their sources, or else they don’t care, as long as they can incite the masses to hatred against those they hate. Anyway, with such lies spread about me, the stage was set for my show trial to come.

2. On November 13, 2006, my very first day in court, the Rhine-Neckar edition of Germany’s biggest tabloid newspaper *Bild* published an article about me on its page 6 with a large portrait of me. The headline read “Rabble lawyer [Sylvia Stolz] defends neo-Nazi.” While I and my associates have become used to that mendacious invective over the years, my co-inmates in the Heidelberg jail were not familiar with it. Hence, on the morning after this first trial day I got to feel the effect of this media incitement to hatred against me. While I was sitting at my workbench doing my mind-numbing slave-labor assignment inmates are asked to do in German prisons, I was accosted by a German-Russian co-inmate with a threatening voice, asking me whether I was a neo-Nazi. After I simply denied it, the Russian retorted why then would the *Bild* newspaper claim the opposite? Upon my remark that the *Bild* newspaper is lying, the Russian snarled at me in an ever more aggressive voice why the *Bild* should lie. “Because they hate me,” I answered. The Russian’s reaction to this was to threaten me ambiguously that he would have it out with me “outside,” which was probably a threat that he intended to beat me up during courtyard time.

Well, I have never gotten involved in a fistfight in my entire adult life, probably for the simple reason that nobody seems to have dared to attack an athletic man of 6’5.” If I was accosted by someone in the past, then this happened always while I sat or squatted. In these cases, it always proved enough to just stand up in order to swiftly resolve the situation peacefully. And so it was in this case, for I was by a fair margin the tallest inmate in the Heidelberg prison. When I got up during morning break, my Russian detractor had apparently forgotten that he had wanted to have it out with me. That was the end of the story.

3. The mass media do not just lie by themselves, though. They are also slavishly of service when it comes to uncritically spreading the lies of others, especially when it is about historical dissidents. To prove this, let’s take the press release which the prosecutor handling my case issued on April 18, 2006, after he had just filed his indictment against me. This press release was then passed on by the German news agency *DPA* in a slightly

edited version to all media outlets, which published them duly.¹⁶¹ The following sentence in that press release deserves our attention:

“The ‘revisionists’ Germar Rudolf and Siegfried Verbeke are accused of having systematically denied and trivialized the genocide committed by National Socialism against the Jews by means of the Internet and of the dissemination of literature, as well as of having incited to hatred against the Jewish population with anti-Semitic agitation.”

As a reaction to this, *DPA* issued these lines, among others:

“According to the investigators they also are said to have incited to hatred against Jews with anti-Semitic agitation.”

The problem with this sentence is that the words “anti-Semitic” or “anti-Semitism” or anything similar are nowhere to be found in the indictment, because no writing fitting those terms has ever been written or published by me. The prosecutor knew this, so he never accused me of being anti-Semitic or of having written or published any such thing. Yet no sooner than the ink on the indictment had dried, than the prosecutor sat down to write a mendacious press release telling lies about the very document he had just filed. That’s anti-Rudolf agitation, and also incitement of the masses to hatred against me.

¹⁶¹ E.g. in the German daily *Stuttgarter Zeitung*, April 19, 2006, p. 8.

*“Thank heaven, we live under the rule of law.
But unfortunately, that does not apply to the territory
of the Federal Republic of Germany.”*

Johannes Gross, *Capital*, Germany, Nov. 1994, p. 3

13. Outlawed in Germany

The Disfranchisement of Unwelcome Citizens

In antiquity and in the Middle Ages, many European nations possessed the legal power to disfranchise citizens for gross misdeeds. With the rise of secularized constitutional nations, the use of this power disappeared until it resurfaced in the Third Reich as thought-crime laws. In the Federal Republic of Germany, the possibility of far-reaching revocations of civil rights was built right into the constitution in Article 18 of the Basic Law, but until recently no use was made of it. Jochen Lober has shown that the equivalent curtailment of the civil rights of citizens has been achieved by extra-constitutional regulation (Lober 1995). We will examine here Lober’s question whether a form of *de facto* outlawry was introduced with the revision of Section 130 of the German Penal Law, which made any kind of Holocaust denial – or revisionism – and opposition to multi-culturalism a potential criminal offense punishable by up to five years in prison. This will be done by studying the fate of Auschwitz researcher Diplom-Chemist Gernar Rudolf, the author of these lines. What happened to me will be examined phenomenologically, not chronologically, in order to focus on the effects of German criminal law on the civil rights of German citizens.

First Step: Denunciation

From September 20 to 22, 1991, a seminar took place in Nuremberg (Bavaria) on Holocaust revisionism, sponsored by the libertarian Bavarian Thomas Dehler Foundation.

Among the participants, besides myself, there was a certain Diplom-Physicist Hermann Körber from Bünde, in northern Germany. His behavior during the seminar was highly unpleasant. During a discussion period, for example, he stated that the German people should not only be considered as murderers, but as plunderers as well. He also suggested that the Germans themselves were to blame for the many deaths among old people, women and children that were caused by the Allied aerial bombardment,

because they had started the bombing (which is not true) and had knowingly failed to evacuate the civil population (which was also not true, since many children were sent to the country). During the Sunday dinner, Körber threatened a fellow participant sitting at his table with a dinner knife because the person did not share his opinion on the Holocaust, and at the close on Sunday afternoon, he loudly called two other participants, Winfried Zwerenz and myself, pigs because we had disagreed with him on scientific grounds.

On November 5, 1992, this Hermann Körber filed a criminal complaint with state attorney Baumann in Schweinfurt against me for instigating Otto Ernst Remer to incitement to racial hatred.¹⁶² He claimed that my expert report and I had caused Remer to begin publishing material on the Holocaust in his *Remer Depesche*.¹⁶³ Subsequently, the state attorney of Schweinfurt initiated a criminal investigation for suspicions of incitement to racial hatred against me and others, O. E. Remer included.¹⁶⁴ Both Remer and I denied the accusations.

Then, on April, 19, 1993, at the state attorney's office in Bielefeld, Körber filed a witness affidavit in which he stated:¹⁶⁵

"As a Diplom Chemist, Rudolf knows and must know that his theses are scientifically untenable.

It can be proven that that which Rudolf convinced Remer of is trickery."

On April 27, 1993, as proof of his assertion that I was knowingly deceitful, Körber filed another affidavit in which he interpreted my technical arguments made in an exchange of correspondence with Werner Wegner, as incitement to racial hatred, and characterized my assertion that unambiguous technical evidence was superior to ambiguous documentary evidence as an "unscientific and unprofessional procedure."¹⁶⁶

In another affidavit made on April 30, 1993, Körber asserted falsely that I supported

"the Leuchter thesis that there was a danger of explosion throughout the Auschwitz compound, at least for structures, whenever gassing operations with Zyklon B were going on."

¹⁶² Investigation File 1 in the trial against me, District Court of Stuttgart, ref. 17 KLS 83/94, sheet 15.

¹⁶³ The *Remer Depesche* had already appeared in Spring 1991, before I had begun my research as expert witness.

¹⁶⁴ Ref. 8 Js 13182/92, Investigation File 1 (District Court Stuttgart, ref. 17 KLS 83/94), sheet 17ff.

¹⁶⁵ *Ibid.*, sheet 58.

¹⁶⁶ *Ibid.*, sheet 63

I had in fact stated that the use of high concentrations of Zyklon B to reduce execution periods to minutes or seconds, as the witnesses had reported, would mean that there would be safety problems due to explosive concentrations of hydrogen cyanide (see Chapter 6.3. of my expert report). I had never spoken nor written of a general danger of explosion.

The busy witness Körber was at it again on May 26, 1993, this time to assert that the references to the Rudolf Report in various editions of the *Remer Depesche* proved that I, the author of that report, was the cause. Körber also claimed that my attempt to testify as an expert witness, which was rejected by the court, constituted conspiracy to commit perjury.¹⁶⁷ On June 7, 1993, he repeated his accusations that I had incited Remer to his misdeeds in the *Remer Depesche*, and offered evidence that would defer the possible termination of the investigation.¹⁶⁸

It should be pointed out that there is no mention among Körber's statements of the fact that I had written him a lengthy letter in January 1993 in which I presented detailed arguments supporting the conclusions of my report.¹⁶⁹ Körber never answered the letter. His only response had been to make false accusations about me to the police.

In mid-April 1993, the state attorney of Stuttgart set in motion another prosecution against me in addition to the ongoing prosecution concerning incitement. This one was initiated by retired Major General O. E. Remer's distribution of a commented version of my expert report.

The first copies of Remer's version were sent to various notable personalities in politics, law enforcement, and the science community on April 16, 1993.¹⁷⁰ On the same day, Prof. Dr. Hanns F. Zacher, president of the Max Planck Society (Max-Planck-Gesellschaft, MPG), received a call from the Chairman of the Directorate of the *Zentralrat der Juden in Deutschland* (Central Council of Jews in Germany), Ignatz Bubis, in which Herr Bubis told Prof. Zacher of his concern about the effect of the expert report authored by me, At that time I was an MPG employee.¹⁷¹ It is not known what Prof. Zacher did in response to the call. In any case, there was

¹⁶⁷ Investigation File 1 (District Court Stuttgart, ref. 17 KLs 83/94), sheet 84f.

¹⁶⁸ *Ibid.*, sheet 86.

¹⁶⁹ In the exhibits of the trial against me (District Court Stuttgart, ref. 17 KLs 83/94), Correspondence File K. I had added thanks for Körber's Christmas present – his criminal complaint.

¹⁷⁰ My PhD supervisor, Prof. Dr. Dr. h. c. H. G. von Schnering, as well as several other professors at the Max Planck Institute for Solid State Research received Remer's version on this day: decision, District Court Stuttgart, ref. 17 KLs 83/94, p. 126.

¹⁷¹ A later letter of the Central Council of Jews to the President of the MPG on June 22, 1993, refers to this telephone call. Facsimile published in Schlesiger 1994; from the records of the Labor Court Stuttgart in the case Rudolf v. Max Planck Institute for Solid State Research, ref. 14 Ca 6663/93.

no attempt by the MPG administration to terminate my employment at that time.

In mid-May 1993, I received at my office two calls from journalists (the German weekly magazine *stern* and the private TV station *SAT 1*) dealing with the distribution of the Remer version. During one of these calls, a colleague of mine was in the room. The colleague later told another colleague, Jörg Sassmannshausen, who immediately reported the event to the managing Director at the Max Planck Institute, Prof. Arndt Simon.¹⁷² Subsequently, I was asked not to appear at the Institute anymore unless at the explicit invitation of my doctoral supervisor, Prof. Dr. H. G. von Schnering, in order to make sure that there might be no further contact with journalists during working hours. My employment contract was not mentioned.

This request was subsequently repeated in writing. Nine days afterwards, I entered the Max Planck Institute in order to copy some documents and to discuss the reproduction of my doctoral thesis with my doctoral supervisor. I deliberately avoided my office in order to avoid being confronted with questions from the media. I was seen by employees at the institute, however, and they reported my presence to the managing director.

Second Step: Professional Ruin

Since I had neglected to ask my doctoral supervisor for permission prior to entering the institute, I was asked the following day to accept the termination of my employment contract without notice.¹⁷³ The justification for this was primarily that I had sent letters on stationery with the Max Planck Institute letterhead while working on my private expert report. Even though I had contracted the Fresenius Institute as a private person in order that they will analyze my wall samples from Auschwitz-Birkenau for traces of cyanide, when the employees of the Fresenius Institute were already working on my samples in my presence, I handed them a letter typed on the letterhead of my employer with a detailed specification of the work to be conducted by the Fresenius Institute and a detailed description of the samples. Though the unauthorized use of official letterheads for private

¹⁷² According to information from his secretary, Prof. Simon knew what role he was being forced to play, but for opportunistic reasons he put his career and the reputation of the Max Planck Institute ahead of upholding the principles of scientific research; information received from my former wife who at that time still worked at this institute. On this affair, cf. also Prof. Simon's revealing statements and the discussion on the social taboo that must be observed by German scientists, see the motto at the beginning of Chapter 2.

¹⁷³ This description is based on the transcript of my testimony from memory from this time, Computer Data File 2, (District Court Stuttgart, ref. 17 KLs 83/94), 175-220.

purposes was widespread at the Max Planck Institute at the time, in my case it became a big no-no. It was this use of the Institute's letterhead, about which the management of the Institute first became aware through news reports at that time,¹⁷⁴ which established an unwanted public connection between the Institute and my expert report.

Apparently because of the failure of the MPG to respond to the intercession of I. Bubis (see above), on June 22, 1993, the *Zentralrat der Juden in Deutschland* (Central Council of Jews in Germany) felt it necessary to notify the President of the MPG that he was expected to take appropriate measures to restrict my activities as an expert witness. On July 14, 1993, the President of the MPG informed the Central Council in a letter that the MPG had no further responsibility for my activities, since I had been fired.

The subsequent labor-court proceeding instituted by me against the Max Planck Institute with respect to my termination without notice centered around the question whether the generally-practiced and, in my case, already known infraction "private use of official letterhead" could be used as grounds for dismissal without notice when the Auschwitz issue was mixed in. Labor-court judge Stolz made it clear that an employer could dismiss an employee anytime who held such views as the plaintiff Rudolf does. This amounts to saying that anyone who shares opinions similar to mine is an outlaw with respect to labor law. For reasons of social concern, the Max Planck Institute still offered me an out-of-court settlement, by which the termination without notice would be revoked and replaced by a mutual agreement that the employment contract would be terminated, barring further recourse.¹⁷⁵

Despite this dispute between me and my now-former employer, my doctoral supervisor Prof. H. G. von Schnering continued to support his doctoral candidate, and in July 1993 certified that I possess the necessary professional and ethical qualification to take the next step, the final examination called the *rigorosum*. In that month, I submitted to the University of Stuttgart my doctoral thesis with all necessary supporting documents and applied for admission to the *rigorosum*. By fall 1993, however, permission for the final PhD exam had still not been granted. On inquiry at the University, I was told that my application had been put on hold because of the criminal investigation initiated against me for incitement to racial hatred as well as that against O. E. Remer for distribution of Remer's version of my

¹⁷⁴ *Wiesbadener Kurier* on May 8/9 and 13, 1993.

¹⁷⁵ Labor Court of Stuttgart, ref. 14 Ca 6663/93. A detailed description of the events in the Max Planck Institute and elsewhere about my expert report during the year 1993, with a series of reproduced documents, can be found in Schlesinger 1994.

exert report. The University of Stuttgart maintained that it was questionable whether I possessed the necessary ethical qualification.

The grounds for this decision was Section 4 of the German Law on Academic Degrees, enacted in 1939 by Adolf Hitler and still in force in Germany today. By this provision, an academic degree can be revoked or withheld, if a candidate does not possess the “necessary ethical qualifications.” According to a decision of the Administrative Court of Baden-Württemberg, an academic title can only be withheld when there has been a valid conviction for a serious crime that has been entered on the candidate’s police record.¹⁷⁶

Since at the time of my application for admission to the *rigorosum* 1) I had not been convicted of anything and 2) such a decision was not expected by me at that time, I sued the University of Stuttgart in the County Court of Stuttgart for failure to act. At the behest of the University of Stuttgart, the County Court Stuttgart suspended the case on grounds that the ongoing criminal proceeding against me would have to be concluded before it could be decided whether I possess the necessary qualifications for a final PhD exam.¹⁷⁷

After my conviction and sentencing to 14 months’ imprisonment for distributing a version of my expert report was confirmed by the German Federal Supreme Court in March 1996, the University of Stuttgart advised me that it was in my own best interest to withdraw my application for the final exam, since otherwise the university most likely would refuse my application due to my conviction for a severe crime. I complied, because I might otherwise have to reckon with the problem that my PhD thesis might be unacceptable everywhere else in the world.¹⁷⁸

By good fortune, in the fall of 1994 I obtained a position as a field representative with a company dealing in corrosion-inhibiting products. However, during her research into “right-wing businesses,” left-wing journalist Franziska Hundsender stumbled onto the fact that I was employed at one of them. In the *ARD* broadcast *Panorama* in mid-May 1995, this discovery

¹⁷⁶ Ref. IX 1496/79, decision on March 18, 1981. At that time, a person who had been sentenced to five years’ imprisonment for a drug offense, which was entered in his police record, was certified as *having* the necessary ethical qualification, and the University was ordered to admit him to the final PhD exam. In this decision, it was held that this Hitler law is still in effect because it does not contain National Socialist thinking and should be considered as having been legally enacted.

¹⁷⁷ Ref. 13 K 1329/94. After the prison sentence against me was announced, my doctoral supervisor commented that now I would have to sit out my punishment before I could complete my doctoral program. Hence, Prof. von Schnering was at that time apparently still ready to stand behind me.

¹⁷⁸ See the letter of the University as well as my reaction (in German only online: vho.org/Authors/UniStgt.html and vho.org/Authors/RudolfUniStgt.html).

was described as a scandal, and both the owner of that company and I were described as heinous neo-Nazis. The company came immediately under such heavy pressure from customers, suppliers, employees and competitors that by mutual agreement we terminated my employment contract in order to prevent further loss and damage to the company. Due to this denunciation by the media, I lost my job within a few days.

In the current state of German labor law, if in future applications for employment I were not to mention my revisionist activities, and this were to become known to my employer, it would be considered grounds for instant dismissal. If I duly mention these activities, however, I could hardly expect to ever find any ordinary employment anywhere in Germany again.¹⁷⁹

Third Step: Persecution through Prosecution

A more complete analysis of the prosecution against me will be left to other works. I was accused not only because of Remer's political commentary, which was falsely attributed to me, but also because of the purely matter-of-factual conclusions in my expert report.¹⁸⁰ During the trial, Presiding Judge Dr. Dietmar Mayer stated that the competence of the court did not extend to the evaluation of the scientific validity of my expert report. Because of this, the contents of the expert report were not addressed in the proceeding, but only the question whether I was responsible for Remer's commentary.

In its decision, the court made no secret of the fact that it considered revisionist thinking itself to be reprehensible and punishable by increasing the severity of the sentence.¹⁸¹ However, the sentence against me to 14 months in prison without probation was based on the false contention that I had at least knowingly contributed to the political commentary contained in Remer's version of my expert report. The court justified its sentence with a tiresomely assembled chain of proofs amounting to 240 pages which on decisive points departed from the actual evidence and which completely ignored the contradictory evidence on the main point of the defense.

The chemical, architectural and engineering issues of the buildings at Auschwitz dealt with in my expert report were characterized by the court

¹⁷⁹ There remained the unconventional way that I have followed successfully since 1996: make myself independent and self-employed.

¹⁸⁰ Criminal indictment by the States Attorney of Stuttgart on 19. April 1994, ref. 4 Js 34417/93.

¹⁸¹ Trial District Court Stuttgart, ref. 17 KLS 83/94, decision p. 239.

as “hardly clarifiable details of the National Socialist mass-crimes,” thus, under no circumstance as a matter of “common knowledge.”¹⁸²

My trial on account of the business with Remer’s version ended in summer 1995. Under which star this trial was held was made absolutely clear by a document from the trial records: The judges at the District Court of Stuttgart dealing with my case wanted to avoid themselves becoming the victims of denunciation and inquisition, as had happened to the judges of the District Court of Mannheim in the case of historical and political dissident Günter Deckert. Those judges had been massively criticized by media and politicians. The judge who had authored the verdict against Deckert was even threatened with prosecution, and eventually sent to early retirement because he had dared to call a leading revisionist a man of good character and sentence him only to one year imprisonment *with* probation. Before the opening of the trial against me, the judges therefore carefully inquired with the German Federal Supreme Court with respect to its decision against Günter Deckert, and they received an immediate reply.¹⁸³ Since the German Federal Supreme Court revised the Deckert decision as often as it took to make sure that Deckert was sentenced to a considerable prison term without probation, it is obvious that in my case a similar sentence of imprisonment without probation was the only option, if the judges wanted to stay out of trouble.

At the same time as the above-mentioned prosecution for Remer’s version of my expert report, there were three other prosecutions underway against me. In the first case, I was accused of being mainly or at least partially responsible for the publication of the right-wing tabloids *Remer Depesche* and *Deutschland Report*.¹⁸⁴ The second involved my involvement in the publication of the work *Grundlagen zur Zeitgeschichte* (see Chapter 11.2.), of which I was the lead editor. The third was directed against an exchange of correspondence between me and the Krakow Institute for Forensic Research on chemical questions concerning the gas chambers of Auschwitz. That exchange had been published in the now-defunct tiny right-wing periodical *Sleipnir*, Issue No. 3, 1995.¹¹⁴

It was clear already then that these would not be the last prosecutorial measures taken against me, especially since I intended to defend myself in

¹⁸² *Ibid.*, decision p. 15.

¹⁸³ *Ibid.*, Letter of the 17th Criminal Justice Chamber of the District Court of Stuttgart to the Federal Supreme Court (BGH) on April 21, 1994. Investigation File 2, sheet 768. Answer of the Federal Supreme Court on April 26, 1994 with enclosure: decision on March 15, 1994 re: G. A. Deckert, ref. 1 StR 179/93.

¹⁸⁴ Böblingen County Court, ref. 9 Gs 521/94. This case was later dropped due to lack of evidence.

print. In view of the fact that the District Court of Stuttgart was able to find me guilty contrary to the evidence and the facts of the matter, I justifiably had to fear that in each outstanding trial, my objective innocence and my insistence on it would end just as much with a guilty verdict, and that I would find myself incarcerated under the terms of several sentences of increasing severity.

In the meantime, my home had been searched three times, and each time books, archives, correspondence, technical data and my computer equipment were seized. The principal loss was not that of physical items, but the intellectual loss of data and archive material. The result was that I could no longer work as a scientist and also could not defend myself unrestrictedly in court, since my resources to do so were continually taken away. Even the standard literature on the Holocaust was confiscated.

Only those who have suffered a similar fate can judge the psychological stress caused to an innocent person by suffering criminal prosecutions lasting many years. In addition to these emotional burdens, there are the legal expenses to consider. At the end of the entire ordeal, these costs can be estimated only with difficulty, but loosely estimated they must run into a few hundred thousand dollars. It is clear that at the close of the first trial against me, I was financially ruined for the foreseeable future – quite apart from the fact that for the foreseeable future I would be given no chance to meet these financial demands through employment in my profession, at least not within Germany.

Fourth Step: Defamation

At the close of the labor-court hearing of the case against the Max Planck Institute, the *Deutsche Presse-Agentur (DPA)* published its already-mentioned false announcement on my expert report.

I have not only demonstrated that the expert opinion cited in this *DPA* news release was absolutely fictitious – even the MPG distanced itself from the release – but also that the news release based on this invented opinion is so wrong that no expert in the world would ever endorse it. This has not stopped the media, however, from spreading this lie far and wide for many years, and from using it as evidence – phony as it is – for the claimed falseness of my expert report (see Chapter 12). This false news release was echoed even in the media of foreign countries.¹⁸⁵ Since then, I

¹⁸⁵ For example, in the South African newspaper *The Citizen*, June 24, 1995, p. 8.

have been defamed as a right-wing radical,¹⁸⁶ a right-wing extremist,¹⁸⁷ a neo-Nazi¹⁸⁸ and a brownshirt doctoral candidate.¹⁸⁹ My expert report is always named in quotation-marks, and characterized as hack-work¹⁹⁰ or merely as a “false report.”¹⁹¹ Unfounded accusations of xenophobia¹⁹² are accompanied by the false assertion of Judge Dr. Mayer that I was deeply marked by anti-Semitism, which, since it is wrong, is all the more ferociously maintained.

Initially, my attempts to defend myself against these defamations had no success primarily due to my financial situation not permitting any extended civil litigation.¹⁹³ But once I had been sentenced for my supposed crime, the media declared open season on me.

Fifth Step: Destruction of the Personal World

When the *ARD* smeared me in the most vicious way in its spring 1994 broadcast *Report*,¹⁹⁴ my parents distanced themselves from me and refused to come to my wedding, scheduled for several weeks later. All my relatives joined them in this, except for my siblings.¹⁹⁵ My godmother Hannelore Dörschler distanced herself expressly from the views of the people with whom I surrounded myself, without knowing with which persons I actually surrounded myself or what views they held.¹⁹⁶

Since November 2, 1983, I had belonged to the Catholic German Student Fraternity AV Tuisconia Königsberg in Bonn. Back in the 1980s, this fraternity was a member of an umbrella organization that back then claimed to be the largest academic organization of Europe, and to which a number of German personalities belong(ed): Josef Cardinal Höffner, Joseph Cardinal Ratzinger, Friedrich Cardinal Wetter, Archbishop Johannes Dyba, Franz-Josef Strauß (former minister president of Bavaria, German

¹⁸⁶ *DPA* news release on March 28, 1994, published in the German daily newspapers on March 29, 30, 31, 1994.

¹⁸⁷ *Die Welt*, April 5, 1995.

¹⁸⁸ *Landesschau*, Südwest 3, Dec. 27, 1994; *Kreiszeitung – Böblinger Bote*, March 29, 1995.

¹⁸⁹ *Die Zeit*, April 15, 1993, p. 44.

¹⁹⁰ *Stuttgarter Zeitung*, Nov. 23, 1994

¹⁹¹ *Die Welt*, March 29, 1994.

¹⁹² *Stuttgarter Zeitung*, Jan. 27, 1995

¹⁹³ A complaint against the *Süddeutsche Zeitung* in 1994 was denied on account of errors of form, but the fee of ca. DM 5,000 (ca. \$2,500) had to be paid anyway.

¹⁹⁴ A detailed critique of this broadcast can be found in Schlesiger 1994.

¹⁹⁵ Statement of witness Ursula Rudolf on March 24, 1995, District Court Stuttgart, ref. 17 KLS 83/94.

¹⁹⁶ My letter to my godmother of April 30, 1994, introduced in the main trial proceeding on Feb. 23, 1995 in Trial District Court Stuttgart, ref. 17 KLS 83/94.

Defense Minister), Philipp Jenninger (former President of the German Parliament), Matthias Wissmann (former German Minister for Science and Technology), Alexander von Stahl (former German attorney general), German members of parliament Herbert Hupka and Rainer Barzel, Otto von Habsburg, Friedrich Wilhelm Prince von Hohenzollern, Prof. Peter Berglar, Prof. Josef Stingl, Thomas Gottschalk and others.¹⁹⁷

When my revisionist activity became known in spring 1994, the umbrella organization exerted pressure on my fraternity to expel me. Because of this, the members of my fraternity convened without my knowledge or participation where they discussed my revisionist activity. An expulsion procedure followed that included a hearing on August 20, 1994, which I attended, and ended with my expulsion in that same fall.

This expulsion was by reason that:¹⁹⁸

“The Holocaust and the acknowledgement thereof is the normative foundation of our [German] Constitution. The legitimacy – in the sense of worthiness of acceptance – of the Basic Law is based on the recognition of the fact of National Socialist criminal measures by which Jews were subject to a systematic technical mass murder. Inasmuch as Fraternity Brother Rudolf raises doubts about the deliberate annihilation of the Jews, he also raises doubts about the normative consensus on which the Basic Law is based.

Content (normative consensus) and form (institutional order) of the Basic Law are inextricably interwoven, and their substance cannot be altered.

Thereby, Fraternity Brother Rudolf violates our Patria Principle.”

The Patria Principle is one of the four principles of the semi-conservative umbrella organization.¹⁹⁹ Today, the principle is primarily understood as meaning constitutional patriotism. It is left to the reader to judge the mental health of the lawyers who composed these pronouncements. The fact is that the decision to expel me was inescapable because of the pressure exerted by the umbrella organization, and it was even admitted off the record that the decision would have been otherwise, had there been no outside pressure.²⁰⁰

¹⁹⁷ Cartell-Verband der katholischen deutschen Studentenverbindungen (Cartel-Union of Catholic German Student Fraternities) (CV), with approximately 35,000 members in the late 1980s/early 1990s.

¹⁹⁸ Written decision of the Conduct Court, e.V. AV Tuisconia Königsberg zu Bonn on Aug. 20, 1995, written by attorney Herbert Stomper. My appeal was rejected.

¹⁹⁹ The other three are: religio, scientia, amicitia.

²⁰⁰ Testimony of union brother Dr. Markus Kiefer during the trial in the Conduct Court.

Sixth Step: Homelessness

When the police searched my home a second time on August 18, 1994, the local media described me as a well-known right-wing extremist personality. In the small village of Jettingen, where I lived at the time, it was thought necessary to do something in order to rid the town of this unwelcome citizen. Hence, as my landlord told me confidentially, the village's mayor made it clear to him that the community did not wish him to lease a dwelling to me. It was also made clear to my landlord that he should have an interest in getting rid of his lessee, too, since otherwise he would have to deal with inconveniences such as his son no longer being able to bring home his friends, because their parents would not allow them to enter a house where neo-Nazis lived.²⁰¹ Therefore, my tenancy agreement was terminated as soon as the lease allowed, at a time when my wife expected the birth of our first child within four weeks.²⁰²

When the landlords of the dwelling that we rented subsequently, the Sedlatschek couple of Steinenbronn, learned from the news on June 23, 1995, about the fact that I had been sentenced to 14 months of imprisonment, they had their lawyers communicate the following to me:²⁰³

“In the name of and on behalf of our clients we hereby terminate immediately the lease under the lease contract executed October 26, 1994, between you and them.

Our clients became aware through the press, by radio, and television that you, Herr Rudolf, have been sentenced to 14 months in prison by the District Court of Stuttgart for the crime of incitement to racial hatred. Our clients therefore no longer desire to continue the lease.

I am required to demand of you to depart from the dwelling no later than

July 31, 1995

and to surrender the premises to our clients in the agreed-upon condition.

If you fail to comply with this demand, we are authorized to file a complaint without delay.”

When I asked my landlord to withdraw this termination, otherwise indicating that I might go to court, the landlord threatened us with an eviction. For private reasons, among them that my wife was expecting our second child,

²⁰¹ Per the statement of the landlord at the time, Karlheinz Bühler, to me in later Summer 1994.

²⁰² It was not necessary to give a reason, because by the German Civil Code (BGB) no reason for termination is necessary with respect to a two-family house in which the landlord himself lives.

²⁰³ Facsimile reproduction of this document in *Sleipnir* 4/95, inside back cover.

we gave in, found ourselves a new residence, and settled with our landlord out of court.

Seventh Step: Special Treatment

On May 5, 1995, the German left-wing radical party GRÜNE/Alternative Liste of the parliament of Hamburg demanded access to court records in my old court case. Though denied at first, a subsequent request for records access on July 3, 1995, apparently succeeded,²⁰⁴ although it is not legal to grant access to the court records to outside persons who have no direct legal interest in a case. It is reasonable to fear that the records may have come into the hands of radical anti-fascist groups, where data on witnesses could be collected and compared.

The icing on the cake was the request on October 16, 1994, of the Project for Study of Anti-Semitism, Faculty of Humanities of the University of Tel Aviv, in which a certain Sarah Rembiszewski requested information on the state of my prosecution, asking for access to the files,²⁰⁵ which my lawyer hopefully managed to prevent.²⁰⁶

Eighth Step: Destruction of My First Family

After my 14-months' prison sentence was affirmed in March 1996 by the German Federal Supreme Court, and considering the prospect of perhaps even more severe convictions in several other pending criminal investigations, probably ending with a summary sentence of up to four years in prison, I decided to leave Germany with my family, and we eventually agreed on settling in England, where I thought freedom of speech was more than mere lip service. After I had built up a revisionist publishing company abroad in subsequent years, my wife decided at the end of 1998 that she could not bear the life in exile, permanently fearing the extradition of her husband, being separated from all her old friends and relatives, having difficulties finding new friends and acquaintances, and thus heavily suffering from homesickness. Hence, in early 1999, she returned to Ger-

²⁰⁴ Sheet 1411 of the Records in Trial District Court Stuttgart, ref. 17 KLs 83/94, with the hand-written note by Dr. Mayer that access to the records should be granted after records had been returned by the defense.

²⁰⁵ Investigation File 2, Sheet 876, in trial of District Court Stuttgart, ref. 17 KLs 83/94.

²⁰⁶ Letter by defense attorney Dr. G. Herzogenrath-Amelung to the District Court of Stuttgart on this subject, Nov. 16, 1995, regarding District Court Stuttgart, ref. 17 KLs 83/94.

many with our two children, and later she started the divorce proceedings against me, leaving me alone in exile.

In the fall of 1999, when the British media started a smear campaign against me, my wife's nightmare came true: I became the prey of British politics, media and the justice system (see Chapter 3). Before this witch hunt began, it had been possible for my wife and my children to visit me on occasion. But ever since it has been extremely difficult, since I left Europe in late 1999 and entered the USA, where I applied for political asylum in October 2000. Especially the deserted father and his two children suffered terribly under this situation of being almost totally isolated from each other.

In February 2000, my father urged me to get sterilized, since it would be irresponsible both for my first family as well as in general – considering the conditions I had to live in – to father any more children.²⁰⁷ Fortunately I did not heed my father...

Formerly, the persecution of the Jews by some Germans led to measures to get certain Jews sterilized. Today, the persecution of Germans, mainly promoted by some Jewish lobbies, leads to considerations to get Germans sterilized.

In August 2000, a week before I was legally divorced from my first wife, my mother told me that my parents had disinherited me and entered my children in their wills instead.

Ninth Step: Assault on Freedom, and My New Family

My asylum case in the U.S. dragged on for many years and was finally decided – rejected – in early 2006. In the meantime, I had married a U.S. citizen, and at the beginning of 2005 I had become the proud father of an American daughter. Due to our marriage, we applied for an adjustment of my immigrant status with the U.S. authorities in late 2004, so that my status as a visitor who had applied for political asylum would be changed to that of a permanent legal resident, married to a U.S. citizen to whom, as of 2016, I am proud and happy still to be married, as I hope and believe she is as well.

The switcheroo in which our marriage was certified and I was ambushed with a bogus deportation order in the next instant was described above. My wife and I have since been unable despite long conversations to decide whose consternation—and outright despair—was worse.

²⁰⁷ Email by Georg Hermann Rudolf from February 19, 2000.

I was subsequently shackled by my hands and feet onto a long chain together with numerous criminals – like dangerous wild animals – and brought to the Kenosha County Jail in Wisconsin to await my deportation. According to the wrist ID band I obtained in that prison, I was the only “non-criminal” inmate in the entire facility, which raised the eyebrows of both prisoners and guards.

The U.S. Federal Court in Atlanta dealing with my asylum case – which was still pending then! – turned down my request to have the deportation stayed until the court had reached a decision. The U.S. Supreme Court did not even bother to look at the case.²⁰⁸

So the question is: what is an application for political asylum good for, if a government deports the asylum seeker *before* the court dealing with the case has decided whether the case has any merits?

And what is the value of the guarantee of due process – given to every person on U.S. soil by the Fifth Amendment to the U.S. Constitution – if the government can simply abort a pending legal review by deporting a defendant to a foreign dungeon? Or as my lawyer put it:²⁰⁹

“If all petitioners like Rudolf [...] seeking judicial review of agency decisions to issue orders of removal could simply be taken into custody and removed, the Government could avoid judicial review of agency decisions altogether. [...] Upon removal, Rudolf [was] separated from his U.S. citizen spouse and infant child and he [faced] continued persecution by the German government. [...] After removal, these injuries could not then be redressed by any favorable ruling from this Court. Rudolf’s removal [...] violate[ed] his right to due process under the Fifth Amendment to the United States Constitution.”

On November 14, 2005, I was notified that I would be banned from returning to the U.S for five years for having overstayed my tourist parole time (90 days). Then I was deported to Germany, where German officials immediately arrested me at the airport and ferried me to the Rottenburg prison in southwest Germany, so that I may serve the outstanding 14-months prison sentence. A few days later, I was transferred to the Stuttgart jail, as the German authorities realized that there are more cases pending against me for my publishing activities during the previous nine years while residing in England and the U.S. Although my publishing activities there were completely legal in those countries, the German authorities opine that they

²⁰⁸ For both court’s rejections see <http://germarrudolf.com/persecution/germars-persecution/documents/>

²⁰⁹ Motions to the U.S. Federal Court, 11th Circuit, and subsequently to the U.S. Supreme Court to stay my deportation, <http://germarrudolf.com/persecution/germars-persecution/documents/>

have to apply German Penal Law on legal activities in foreign countries as soon as the “effects” of that crime are noticeable in Germany – that is: if the publication deemed illegal can be accessed in Germany via the Internet or if a hardcopy of it is imported to Germany.

Let’s hope that no additional chapters, paragraphs or even sentences will ever again have to be added to this chapter...

*“This was a prelude only. Where they burn books,
so too will they in the end burn human beings.”*

Heinrich Heine, in his 1821 play *Almansor*

14. Discovering Absurdistan

The Deterioration of Civil Rights under the Influence of Wartime Propaganda

- What kind of a country is it where a considerable part of the people think that singing their national anthem could be illegal?
- What country is it where folksingers might be put in jail for singing peaceful songs?
- What kind of a country is it where a mother of five gets a prison term for having sold one CD with peaceful music on it?
- What country is it where a pastor raising his national flag in his church would get kicked out of his parish for being an extremist?
- What country is it where somebody raising his country’s flag would be harassed by his neighbors for being an extremist?
- What country is it where a teacher suggesting that all students should sing the national anthem first thing every morning would lose his job for being an extremist?
- What country is it where showing uncompromised flags of its past is considered a threat to “public peace”?
- What country is it where people can get fined for raising an arm to wave their hands at a person?
- What country is it where people can be fined for collecting and displaying full-scale models of historical weapons?
- What country is it where one can be fined or sent to jail for showing symbols and insignia that have been, and still are, used in many cultures for centuries and millennia?
- What country is it where a professor who writes his disbelief about certain historical events in a footnote, written in Latin, in a scholarly anthology can be prosecuted and threatened with jail?
- What country is it where a judge, writing a well-founded, but highly controversial book on historical topics, sees his book confiscated and burned, his pension cut, and his PhD title withdrawn as a result of this?
- What country is it where a highly renowned historian writing a well-founded book of his country’s history can be threatened with prosecution because what he found out is not liked by the authorities?

- What country is it where a history teacher is sent to jail for uttering historical dissent in a private letter to a high-profile personality?
- What country is it where a professor criticizing internationalism can be kicked out of his job, harassed, prosecuted and driven into suicide?
- What country is it that sends a historical dissenter to prison for more than two years just because he published peaceful, scholarly historical material?
- What country is it that denigrates, defames and humiliates its war veterans to such a degree that finally one of them burns himself publicly in protest against what he calls a “Niagara flood of lies” against his generation?
- What country is it that outlaws the commemoration of such a self-sacrifice and punishes everybody who dares to publish this man’s last appeal?
- What country is it where well-founded, heavily footnoted books on political and historical topics, authored by academics with solid credentials, can be confiscated and burned by the authorities?
- What country is it where authors, editors, publishers, printers, wholesalers, retailers, importers and exporters, warehouses, and customers buying more than two copies of a certain medium can be prosecuted for producing, stocking, importing/exporting, distributing dissenting political and historical literature?
- What country is it that hides from its citizens which media are outlawed, so that one cannot possibly know whether or not one commits a crime when distributing such media?
- What country is it where judges are threatened with prosecution because they did not punish political and historical dissenters harshly enough?
- What country is it that outlaws the introduction of exonerating evidence?
- What country is it that prosecutes defense lawyers if they try to introduce exonerating evidence on behalf of their clients?
- What country is it that does not keep records of what is said and is happening during trial proceedings?
- What country is it that has institutions designed to conduct political trials?
- What country is it that has a huge spy agency designed to snoop on opposition groups?
- What country is it where members of certain political opposition groups considered constitutional can nevertheless be deprived of some of their civil rights?
- What country is it that, according to experts, will be a totalitarian state very soon, if things keep developing as they have so far?
- What country is it where even the mainstream media admit that this

- country is in a state of hysteria while persecuting political dissidents?
- What country is it where the head of state asks for children to spy on their parents and parents to spy on their children to make sure they do not harbor unwanted political views?
 - What country is it where authorities and the public declare publicly to fight everything that is deemed to be politically on the right?
 - What country is it where the authorities declare that half of their population deserves to be ostracized for harboring political views?
 - What country is it that is proud of conducting more than 10,000 criminal prosecutions every year against persons for having committed peaceful “thought crimes”?
 - What is the country in the world with the second harshest censorship after China?

What country would that be???

The correct answer is:

Germany

Surprised? If so, read on.

Singing Forbidden!

Germany’s national anthem was written in 1848 by Ludwig von Fallersleben, and it is sung to a melody by Joseph Haydn. In contrast to many other national anthems, it has no military, imperialistic or violent content, but restricts itself to a description of Germany, Germans, and their ideals. By a misrepresentation of a section of its first verse, however, certain anti-German forces managed to give it a bad reputation. The first verse reads in translation:

*Germany, Germany before everything else in the world,
When it stands together for protection and defense,
From the Maas until the Memel,
From the Etsch until the Belt.*

*Germany, Germany before everything else in the world,
When it stands together for protection and defense,*

This verse is obviously totally defensive, but by omitting the second line, it can be misrepresented as a claim of German superiority, which would, of course, be contrary to the actual content. The third and fourth lines describe characteristic borderline rivers (Maas, Memel, Etsch) or parts of the Baltic Sea (Belt), which in 1848, when this song was written, were actual geographic, political and/or ethnic borders of Germany. That

they are no longer today, is a result of two lost world wars, after which the victorious powers conquered and annexed huge parts of German territory and partly expelled and killed millions of Germans. Today, singing this verse is often viewed as territorial claims are being made against Germany's neighbors, though strictly seen it isn't Germany that has territorial claims, but its neighbors, who simply managed to realize their claims with brute force since 1918, killing millions of Germans along the way. Hence, singing this verse should not be seen as an aggressive territorial claim, but as an eternal reminder of the huge illegal losses in territory and human life Germany suffered since the early 20th century.

The two other verses of the German national anthem are pretty harmless, the second describing what the Germans are proud of (German loyalty, German wine, German singing, and German women), and the third is an appeal to unity, justice and liberty, three ideals that were not much realized in the politically splintered and often despotic Germany of 1848.

As a result of these historical and territorial problems, the first two verses of this anthem are never sung at official occasions, since the first verse is considered to cause diplomatic trouble with Germany's conquering neighbors and public relation problems with the media, and the second verse simply has a style considered by many to be embarrassing. But even singing the third verse or merely playing the melody of Germany's national anthem is anything but common practice in Germany. It is basically restricted to international events in sports and politics, for example when the German national soccer team plays against another team, or when some high foreign official is greeted with his country's anthem, followed by the melody of the German anthem.

Otherwise, singing the German national anthem is considered to be something for either morons or 'neo-Nazis' in Germany, as a British newspaper observed correctly in 2001.²¹⁰ In the 1980s, there were still a few public radio stations in Germany that would play the melody of the German anthem at midnight, and once in a while I used to crank up the volume of my radio to maximum, and put it right at my opened window to let all the neighbors and all the students in my dormitory hear it. This was and still is quite a provocation, as most people really think that somebody who does that must be either insane or a National Socialist. Consequently, this was one of the reasons why a lecture announcement (about abortion) that I posted on one of those days was defaced with a swastika after just one day.

To understand the degree to which German self-denigration has led, I had to come to the United States and experience myself – with great sur-

²¹⁰ *The Independent*, March 21, 2001, p. 5.

prise and a bit of discomfort if not distaste – that the first thing the entire school did in the morning was to sing the national anthem as it was broadcast over the loud speakers. If any teacher or headmaster would even dare to suggest such a practice in Germany, they would probably lose their job on the spot for being a right-wing extremist. Not even I, who considers himself to be a patriot, would have thought of having all students sing the anthem each and every morning. This seems extreme to me, that is to say, right-wing radical. But here in the U.S., it is considered to be just perfectly normal.

Because of the artificial controversy about the first verse of the German national anthem, domestic as well as foreign media are spreading rumors or false news that it is actually illegal in Germany to sing this first verse. This is not true at all. But today, many Germans believe it.²¹¹

What should one think of a country where a considerable percentage of the population believes that it is illegal to sing its national anthem? What should one think of a people, who considers it to be alright that its national anthem is (allegedly) illegal? And what is one to think of a country where considerable parts of the population find it not irritating that songs could possibly be outlawed in the first place?

Unfortunately, things are just as bad in Germany, and even worse. As a matter of fact, many songs are actually outlawed in Germany, most of them because they have a military connotation, others only because they were sung during the Third Reich, and others again because they allegedly or actually incited unfavorable feelings against identifiable groups. As an example, I would like to refer to the case of Frank Rennie, a German folksinger who composes and sings patriotic and nationalistic songs. Rennie is as old as I am. He lives in a small town in southern Germany, only a few miles away from where I once lived. Eventually, I had the chance to meet him, and though his music is not always to my taste and I also do not agree with all of his political views, we became friends.

In 1986, Frank composed a song in which he describes the terrible experience of Germans who lost their homes, their goods, and many of them even their lives during the last war. In a second part of this song, Frank

²¹¹ Most prominently the Student edition of Germany's biggest political magazine, *Der Spiegel*, once at www.spiegel.de/unispiegel/studium/0,1518,125322,00.html#v, now (re)moved; when searching the internet on this, German websites discussing the anthem expressly state that it is not outlawed, and emphasis which is necessary to give to visitors, see, e.g., www.deutschlandlied.de/; www.frankfurter-verbindungen.de/studentenlieder/liedderdeutschen.html; www.deutsche-schutzgebiete.de/deutschlandlied.htm; English media frequently wrongly report that it is outlawed, see, e.g., the British *Searchlight* (www.searchlightmagazine.com/stories/DefendingWehrmacht.htm).

draws parallels with today's Germany, where Germans are supposedly again expelled from their home by a massive immigration of foreigners, in his view forced upon Germany by the then occupying forces (Americans and Russians). The song ends with the following two lines:

*“Americans, Russians, alien people leave –
finally again masters in our own house.”*

Mainly because of these two lines, the song was banned from distribution in Germany in 1996. As a consequence, Frank rewrote the song and simply omitted these two lines. I won't translate the entire song here, but these two lines are really the only ones that could possibly be interpreted as causing some irritation for “alien people” (foreigners). The rest of the song is much milder. Though still expressing discomfort with the presence and activities of aliens, it doesn't call for their removal.

Because Frank kept distributing this truncated song, he was sentenced to 17 months in prison on probation in early 2003. Frank is a father of five children and has no criminal record. His wife, who was found guilty of having taken ONE order over the phone for one copy of this song, was sentenced to five months on probation. And this is just one case out of many, one that touched me personally.

So, what kind of a country is it where folksingers are threatened with prison terms for their (unpopular) songs, and where mothers are threatened with jail for taking just one(!) order for a music CD?²¹²

Forbidden Flags and Symbols

For centuries, Germany had no flag, or at least not a single flag accepted to represent the entire nation, since Germany was split into many principalities for most of her history. The first flag that was seen by many Germans to represent the nation was the one adopted from the colors of one of the student fraternities whose members volunteered to fight against Napoleon in 1813: Black, Red, Gold. However, because of the lack of an all-encompassing German national state based upon the will of the people, it was not to be accepted officially by any German monarchy. Only after the demise of the German Kaiserreich after WWI was it introduced in Germany, but it was not accepted by a considerable part of the nation. For many, the so-called *Reichskriegsflagge* (Imperial War Flag, see picture) represented a more glorious Germany. This flag was introduced by the Second

²¹² On F. Renniecke's case, see court case from Sept. 18 to Oct. 15, 2002, District Court Stuttgart, ref. Ns 6 Js 88181/98; see the description by Heyne 2003a; compare also Renniecke's website at <http://rennicke.de/>.



German Reich, the Kaiser, as a symbol of its navy, the only part of Germany's armed forces that was subject to the Kaiser's direct authority. Since the Kaiserreich was a confederation, where all member states, kingdoms and smaller monarchies, had their own heraldry, flags, rulers, independent police forces and armies, the Imperial War Flag was a symbol representing the whole (since 1892 even officially), which was accepted by many people. Hence, still today, this flag is a strong symbol of German glory.

The first official flag to be accepted by the huge majority of all Germans was – unfortunately – the swastika flag used between 1933 and 1945. After WWII, the Black-Red-Gold flag was introduced again, this time to be accepted by all, except for the Austrians who, forced by the victorious powers, had to say goodbye to their German motherland and resume being independent.

As with singing their national anthem, the Germans have similar problems with showing their flag, though the present one is not historically compromised at all. The first time I realized that there was something different with Germany as compared to other countries was during a summer vacation in Switzerland when my mother and we kids visited a Swiss Catholic church. The ceiling of that church showed a scene from the New Testament where Jesus rises from his tomb in glory, holding the Swiss flag in his hand. It is incomprehensible to me why Jesus would hold any flag in his hand, not to mention a Swiss flag, a country that did not even exist 2000 years ago. I considered this a kind of inappropriate patriotism.

However, having lived in the U.S. for a while, I have realized that in this country, too, having the national flag somewhere hanging in the church doesn't seem to be anything unusual. However, if any pastor or priest in Germany would suggest having the German flag displayed anywhere in his

church, I assume he would be ousted as a right-wing extremist and, if persisting, would be kicked out of his parish.

Similarly, if the mayor of any German city would suggest having German flags decorate the city throughout, as it is quite common in the U.S., particularly after 9/11, he would need to have an extreme patriotism which, if detected while running for office, would prevent him from coming into office in the first place, and if exposed only while in office, the media would make such a huge right-wing radical scandal out of this, that this mayor certainly would be forced to resign.

It can be a similarly unpleasant experience to try to hoist the German flag in one's front yard, if there is no particular reason to do so. This would be taken as evidence of right-wing extremism by the neighborhood and would lead to a social ostracizing, which could become quite unpleasant. As *The Independent* recently noted correctly, raising the German national flag, like singing her national anthem, is considered to be something for "morons and neo-Nazis".²¹⁰

In the early 1990s, when a wave of patriotism was going through Germany after its reunification, many people dared showing the *Reichskriegsflagge* again, that is, the imperial war flag of the Kaiser's time. As a reaction to this, the authorities declared it a misdemeanor to show this flag in public.²¹³ It is that simple in Germany to ban the showing of uncompromised symbols, just because some media and politicians didn't like it.

Needless to say, showing any flags of the Third Reich is outright illegal in Germany and can be punished with heavy prison terms. Similarly, all kinds of symbols used during the Third Reich are illegal to show in Germany today. This includes not only the swastika and the SS runes, but also many other rune symbols and insignia that are identical or merely similar to symbols and insignia used during the Third Reich period. Some of these symbols were in use in various cultures of the world for many centuries or even millennia. Showing them in Germany today, however, leads to prison terms.²¹⁴ This is a legal practice that was totally unheard of during the Third Reich, where any flag or symbol of any period of German history could be displayed.

Let us assume somebody collects models of warplanes and tanks, as so many people do. What to do with the German weapons of WWII, which all had certain insignia on them? Displaying such models with the historically correct, but politically incorrect insignia in Germany is a crime. Even if

²¹³ Regulations about this vary from state to state, see <https://en.wikipedia.org/wiki/Reichskriegsflagge>.

²¹⁴ For this, see, e.g., the free brochure *Recht gegen Rechts*, distributed by all German authorities, www.recht-gegen-rechts.de/fileadmin/kjr-daten/rgr_pdf/rgr_2013_web.pdf

you have such items only in your private collection, if you are so unfortunate as to tell your neighbor about this, he might be so mean as to denounce you to the authorities, which can lead to a house search, confiscation of the items in question, and a prosecution for displaying illegal symbols. This, too, is an extreme overreaction, which was not heard of even during the Third Reich.

Another topic is the so-called “Hitler salute” (stiff arm salute, originally a Roman tradition, as were so many things used by Hitler’s Germany). It is illegal in Germany and can be punished with fines or imprisonment. However, consider this:

Two friends of mine, who are certainly not National Socialists and would never consider using this salute, once visited an ongoing trial against a historical dissident. The local Jewish community sent one of their representatives to this trial, as is usually the case during such trials. As my friends approached the courtroom, they saw an acquaintance in the hallway waiting to be admitted as a visitor. My friends greeted their acquaintance by briefly lifting an arm and waving at him. The representative of the Jewish community filed a criminal complaint against both for having used the “Hitler salute”. They were both indicted. The older of my two friends could prove that a) he had no National Socialist views because he had resisted becoming a member of the National Socialist party during the war, and b) his right arm was disabled, which proved that he could not possibly have made a stiff right-arm salute. So he was acquitted. My other friend could not prove in the same way that he had no National Socialist views, simply because he was born after the war and thus had no chance to resist becoming a member of the National Socialist party during the war, and he also could not prove that he cannot lift his right arm, since he was healthy. So he was convicted and had to pay a hefty fine. Hence, any German encountering anybody lifting his arm to a greeting, and if only for a wave, will experience what I do: a Pavlovian reflex like somebody had given me a high-voltage shock. Seeing somebody raising one arm, for whatever reason, is frightening to Germans. Yes, we Germans are paranoid; we were made paranoid by our society. But this is only the start. Just read on.

This Book Must Burn...

In 1978, German historian Prof. Dr. Hellmut Diwald published a book simply entitled “German History”. It covered 2000 years of history, of which an appropriate number of pages dealt with the Third Reich. When dealing with the concentration camps and the Holocaust, Diwald ended his

section about this topic by stating that what really happened during this time is still not really clear, that many questions are still open, and that much more research needs to be done. This sufficed to trigger a storm of outrage both in the media as well as in academia. Eventually, Diwald's publisher changed this statement in a second edition – without asking the author – to the effect that it then expressed horror and outrage about the unimaginable atrocities committed during the Holocaust, an emotional statement that is quite common, but is neither scholarly nor does it solve any of the scientific problems surrounding the regnant accounts of this period in history.²¹⁵

After Prof. Diwald had died in 1993, several prominent German scholars compiled a commemorative anthology honoring him. One of the contributing authors was Dr. Robert Hepp, professor of sociology in Osnabrück. In his contribution, he retold the story of this “Diwald scandal.” While so doing, he mentioned in one footnote:²¹⁶

“Sunt apud nos cogitationes liberae in foro interno, constrictae tamen in foro publico. Quoniam in re publica nostra per regem non licet historicum quoddam factum ex officio approbatum ad incertum revocare, in dubio ponere, quin etiam negare, et cum omnis dissensio aperte declarata iudicii severe puniatur, haeticam opinionem coram publico diligenter dissimulare oportet. Si quis nihilominus pervestigationibus omni studio peractis factum approbatum maxime dubium esse videt et veritatis gratia incorruptam rerum fidem collegas eruditos celare non vult, opinionem suam publicare non potest nisi abscondito modo. Itaque lingua doctorum antiquorum abutens statuo interclericos (quos quod sequitur obsecro, ut vulgus celent): Ego quidem illud iudaeorum gentis excidium, ratione institutum et in ‘castris extinctionis’ gaso pernicioso methodice peractum, veram fabulam esse nego. Sed documentorum et argumentorum scholae revisionisticae ratione habita haud scio, ad hoc verum sit. Dixi quod sentio. Unica cura veritas; neminem in dubitationem inducere, neminem laedere cogito. Sol lucet omnibus, attamen non cuivis laico contingit adire Corinthum. Quandoquidem vulgus vult decipi decipiatur!”

In brief: Prof. Hepp declared here that in Germany everybody is punished who publicly expresses certain dissenting views. If one nevertheless does speak out because truth demands it, one has to use certain methods. For this reason, this footnote is in Latin. Next, Prof. Hepp denies that the story about gas chambers used in the genocide of Jews in so-called extermina-

²¹⁵ Diwald 1978, 2nd edition (actually printed in 1979).

²¹⁶ Eibicht 1994, endnote 74, p. 147. This article is available online at www.vho.org/D/diwald/hepp.html.

tion camps is a true story. He says he has been convinced by scholarly revisionist arguments.

Because of this footnote in Latin, Prof. Hepp was prosecuted for “Instigating to hatred” and “Incitement of the masses”. Since the statute of limitations had already passed, he could not be convicted, but the commemorative anthology was subsequently confiscated²¹⁷ and burned in waste incinerators under the supervision of the German police.²¹⁸ How a Latin footnote can incite anybody to hatred, not to mention “the masses”, remains a riddle. And what kind of a system is it that burns scientific, commemorative anthologies written on behalf of one of the nation’s great postwar historians?

A single case? Far is this from being true. In these matters, this is actually the rule in “democratic” Germany. The first and most spectacular burning of a scholarly, heavily footnoted historical book by the German authorities occurred in the early 1980s. Victim was a book written by a retired judge, Dr. Wilhelm Stäglich, who analyzed the historical and legal foundations of several trials held against defendants who were accused of having committed crimes in the former concentration camp Auschwitz.²¹⁹ Since the author openly showed his disagreement with the “official” version of history and came to “wrong”, *i.e.*, unwelcome conclusions, the book was confiscated and destroyed. Not enough with this, Stäglich saw his pension reduced, and the University of Göttingen, where Stäglich had made his PhD in 1951, withdraw his PhD title.²²⁰ This was done with reference to a law introduced in 1939 by Adolf Hitler.²²¹ The law says that an academic degree can be withheld or revoked if the owner of a title proves to be “academically unworthy.” Today’s legal understanding in Germany assumes such unworthiness if the academic credentials have been used to commit a crime leading to a prison term of more than one year.¹⁷⁶ Though Dr. Stäglich was not sentenced to anything – he could not be prosecuted because the statute of limitations had expired – the German Federal Consti-

²¹⁷ County Court Tübingen, Ref. 4 Gs 1085/97.

²¹⁸ *Abendzeitung* (Munich), March 7/8, 1998: “The remaining copies are occasionally being burnt in a waste incinerator”; *Zur Zeit* (Vienna), no. 9/1998 (Feb. 27): “65 years ago, this still happened publicly, today this is being achieved on the QT in waste incinerators.” See <http://germarrudolf.com/persecution/germars-persecution/documents/>, items #58f.

²¹⁹ Stäglich 1979; in English: 2015.

²²⁰ Grabert 1984; see also DGG 1981, 1983, 1988a&b.

²²¹ *Reichsgesetz über die Führung akademischer Grade*, June 7, 1939 (*Reichsgesetzblatt I*, p. 985) (Reich Law for the Granting of Academic Degrees) as well as *Durchführungsverordnung*, July 21, 1939 (*Reichsgesetzblatt I*, p. 1326).

tutional Court nevertheless decided that the University of Göttingen acted perfectly legally.²²²

The most rabid reaction of the German authorities so far was doubtlessly caused by an anthology authored by some 15 scholars from various countries. The book critically analyzed various aspects of the Holocaust and came to several quite controversial conclusions.²²³ Though two well-renowned German mainstream historians testified publicly and in court on behalf of this book, endorsing it as a scholarly book which ought to be protected by the constitutionally guaranteed freedom of science,²²⁴ the book was nevertheless confiscated and burned,²²⁵ criminal proceedings started against authors, the editor, the publisher, the printer, wholesalers, and retailers.²²⁶ After the authorities confiscated the customer list for this book, over 100 house searches were conducted all over Germany at the premises of customers who had bought more than two copies of said work, indicating that they had an “illegal” intention to distribute the work.²²⁷ All copies found were confiscated and burned. In protest against this rampage, some 1,000 German academics published an “Appeal: Freedom of Expression Is Endangered” in various German newspapers²²⁸ – to no avail.²²⁹

²²² German Federal Constitutional Court, ref. 1 BvR 408f./83. A similar case occurred in 1996, when a PhD title was withheld from a candidate at Stuttgart University because he had used his academic credentials to prepare a chemical and engineering expert report coming to “wrong” conclusions on the same taboo topic. The victim was the author of this article. In France, similar cases have occurred against the historians Henry Roques (PhD title revoked by the Ministry of Education; Chelain 1988) and Jean Plantin (Bachelors and Masters degrees revoked by the University of Lyon III in 2000/2001).

²²³ Gauss 1994; Engl.: Gauss 2000; Rudolf 2003a.

²²⁴ Dr. Joachim Hoffmann and Prof. Dr. Ernst Nolte. Dr. Hoffmann’s expert opinion was published in Rudolf 2003a, pp. 563-566. Prof. Nolte’s expert was published in Rudolf 2012a, pp. 262-285.

²²⁵ So the statement of Wigbert Grabert, publisher of said book, in private communications. According to Grabert, one of the police officers involved in this confiscation told him that those books will be burned in waste incinerators under police supervision. Cf. note 218.

²²⁶ County Court Tübingen, ref. 4 Gs 173/95; and private communication by publisher W. Grabert, who told me that the criminal investigation against the printer of the book was eventually dropped because he declared publicly that he did not know about the content of the book and that he was horrified when he heard about it – which was a plain lie, because he very well knew what this book was all about.

²²⁷ Private communication by W. Grabert, whose customer list was confiscated and who subsequently had well over one hundred of calls and letters by his customers bitterly complaining about this massive house search campaign.

²²⁸ *Frankfurter Allgemeine Zeitung*, May 17, 1996, p. 12 (100 signatories); *Stuttgarter Nachrichten*, July 19, 1996, p. 6, *Stuttgarter Zeitung*, July 19, 1996, p. 7 (both 500 signatories); *Westfalen-Blatt*, Sept. 13, 1996 (1,000 signatories); though not expressively mentioned, this appeal was triggered by said book burning, see private communications of the initiator of these ads, Dr. R. Kosiek, to me, Nov. 17, 2000, and May 2, 2001; see <http://germarrudolf.com/persecution/germars-persecution/documents/>, items #19.

In a further example, another famous German historian barely escaped criminal prosecution for his historically accurate, but politically “incorrect” findings. For decades, Dr. Joachim Hoffmann was a leading scientist at the German-government-owned Research Institute for Military History. His field of expertise was Russia, and the German-Russian war 1941-1945 in particular. Just prior to his retirement, he published a thoroughly researched and well-documented book on the way Stalin planned and conducted this war. Hoffmann showed how Stalin planned as early as 1939 to overrun and conquer all of continental Europe, what extremely cruel method he used to force his soldiers to fight an unwanted war, how he unleashed a reign of terror over not only his own people, but all people that he (re-)conquered during the years 1943-1945. But what enraged many left-wing politicians and media personalities most was the fact that Hoffmann exposed some of the Soviet atrocity propaganda unleashed against Germany exactly for what it was: untrue or exaggerated war-time propaganda. Since Hoffmann also touched upon certain aspects of the “Holocaust” in this context, proving the propaganda origin and untruthfulness of certain aspects, this led to voices calling for Hoffmann’s prosecution and the confiscation of his book. Only because the judge responsible for deciding whether or not a trial should be held was a personal friend of Dr. Hoffmann, was he left unharmed.²³⁰ He was also told that a prosecution could not be avoided anymore, should he change only one word in his book, because this would renew the statute of limitations.²³¹

The sad story of this attempt at censorship is described in the book itself, which I published in English in 2001. A longer, clearer, and more courageous preface attacking the restriction of freedom of speech in Germany was initially written by Prof. Topitsch, an Austrian historian who had published on the German-Russian war himself. But facing an escalating wave of prosecution of historians (see next section), Prof. Topitsch got so scared that he only approved a very brief preface.²³²

²²⁹On German public TV, this appeal was simply dismissed as a right-wing extremist propaganda campaign, see *ARD-Tagesthemen* June 5, 1996; similar the reaction of the Baden-Württemberg parliament, when this affair was brought to its attention, cf. Landtag (state parliament) of Baden-Württemberg, 12th session, Paper 12/334, Parliamentary question by Rep. Michael Herbricht (REP), re. the appeal of 500 academics protesting against book burning by the authorities (“Appell der 500”, *Stuttgarter Zeitung*, Aug. 27, 1996, see note 228). Position of the Baden-Württemberg Ministry of Justice, Stuttgart, Sept. 23, 1996, Ref. 4104 - III/185, Dr. Ulrich Goll.

²³⁰ See Hoffmann’s updated preface on this in Hoffmann 2001.

²³¹ Personal communications from Dr. J. Hoffmann.

²³² Personal communications from Prof. Dr. E. Topitsch; see <http://germarrudolf.com/persecution/germars-persecution/documents/>, items #40.

...and So Must This Man!

Prof. Werner Pfeifenberger once taught political science at a fine German university. Then he committed the crime of quoting the German communist Kurt Tucholsky out of context. Tucholsky once wrote with regard to the German bourgeoisie:²³³

“May the gas sneak into the playrooms of your children. May they slowly succumb, the little dolls. I wish upon the wife of the church councilor, and of the editor-in-chief, and upon the mother of the sculptor, and the sister of the banker that they meet a bitter, painful death, all of them.”

As dramatic as this sounds, in this article Tucholsky had in fact criticized the war as such and all who supported it. What he wished was that the German middle class would experience firsthand the war, at home and in their cities (in the form of gas attacks), in order to come to their senses and to no longer heed the call of the fatherland to wage war:

“Yet he who abandons his country in this hour is blessed.”

Prof. Pfeifenberger had used this and other quotations in an article he wrote juxtaposing nationalism and internationalism.

First, Prof. Pfeifenberger temporarily lost his job at the state university where he worked. He fought against this dismissal and won. But in a later case, he lost and was thence removed from his chair and “promoted” to a small university in nowhere-land. Next, certain political and media lobbies demanded that he ought to lose this job as well and that he be prosecuted for his writings. After many years of harassment by his colleagues and students, and after having lost his job, he finally was indeed indicted for allegedly having committed a crime by writing critical comments about internationalistically inclined Communists. On May 13, 2000, when Prof. Pfeifenberger received notice of the initiation of criminal prosecution with the threat of up to five years in prison, he committed suicide.²³⁴

One might consider this suicide excessive, but it was also tragic and went like a shockwave through Germany’s conservative and patriotic academia. Prof. Pfeifenberger was considered an Austrian patriot and conservative who had many friends in academia and politics, most of them conservatives and patriots themselves. I myself know quite a few of those academics, and the fear I heard and read expressed in communications, panic-stricken fear of facing possible persecution against anything right-wing, conservative, patriotic in Germany and Austria, stunned and frightened me.

²³³ Tucholsky 1975, p. 266.

²³⁴ For this, see Scrinzi 2000; Zornig 2000.

Since the mid-1990s, an exhibition organized by communist propagandists is shown all over Germany, with public approval and support, depicting the activities of the German armed forces during World War II in a one-sided, derogatory way, as a formation of mass-murderers and criminals.²³⁵ Most German WWII veterans, of course, feel deeply offended by this, but they are not listened to anymore. The propaganda warfare against the *Wehrmacht* in particular and the German nation in general has become so bad that some elderly people are getting massively upset. A defense against these lies is almost impossible, since any dissent from the official line can lead to ostracizing and in extreme cases even criminal prosecutions. In 1995, after years of suffering under what he perceived as a “Niagara flood” of lies and distortions poured out about and over him and his generation, Reinhold Elstner, one of the many surviving German war veterans, wrote a flaring appeal to the German people to stop these lies and distortions. He went to the Munich Feldherrnhalle, poured gasoline over himself and set himself ablaze. He died shortly thereafter.²³⁶

Again, one might consider such self-sacrifice foolish, but even more foolish was the reaction of the authorities to this: they confiscated Elstner’s final appeal and outlawed its publication. They also outlawed any commemorative gathering at the Feldherrnhalle on his behalf, and they seized and destroyed any wreaths and flowers that were laid down on Elstner’s behalf.

Compare this with the reaction of the communist authorities in Czechoslovakia in 1968 when the Prague student Jan Palach burned himself in protest against the Russian suppression of the “Prague Spring”. As Germany suppresses any commemoration of Reinhold Elstner, so did the communist authorities in Czechoslovakia until 1989, when their system finally collapsed.

Censorship as Far as the Eye Can See

In 1994, I was invited by a small historical society to lecture on some historical research I had done in 1991 and which had been published in 1993. The president of this society is the Fürth high school history teacher Hans-Jürgen Witzsch. After my lecture, this society gave me an award for my

²³⁵ Hamburger Institut... 1996; English: Hamburg Institute... 1999. For criticism of this exhibition, see, e.g., Proske; 1996, 1997 J.F. Weber 1997; Post 1999; Sojka 1998; Seidler 1998; Musial 1999a&b; Ungváry 1999a&b; Schmidt-Neuhaus 1999; Klaus Hildebrandt, Hans-Peter Schwarz, Lothar Gall, quote in “Kritiker fordern...” 1999; Reuth 1999; Focus, No. 16 & 17/1997, 6/1998;

²³⁶ His appeal has been published on the internet, see, e.g., Elstner 2000, M. Weber 1995.

research accompanied by a small honorarium. During later years, I stayed in touch with Mr. Witzsch and learned more about his activities and ongoing research projects, which focus on the postwar Nuremberg trials and other postwar trials. Having analyzed a massive number of original documents as they are stored in several Nuremberg archives, he had come to well-founded conclusions regarding some of those trials which did not conform to the “officially” held view. Of course, in a democracy, there is no “officially” held view on history, since science is a field where no authority can prescribe any research results or opinions on any topic.

But in Germany, things are a bit different when topics are touched upon which could undermine the reputation or self-proclaimed moral superiority and the justification of the existence of certain pressure groups who define themselves primarily by being opposed to the illumination of anything that did actually or only allegedly happen during the years 1933 through 1945. Hence, anybody daring to revise the black-and-white all-negative historical image of this period of German history, no matter how well founded such revisions may be, will feel the heat of those pressure groups, which mainly consists of anything liberal and left-wing as well as anything Zionist, Jewish, or philo-Semitic. And since almost all relevant social groups in Germany are at once leftist, Zionist, and philo-Semitic, anybody daring to approach Third Reich history from a “politically incorrect” angle will unavoidably unleash a hurricane of slander, insinuations, ostracizing, persecution, and possibly even prosecution.

Mr. Witzsch experienced exactly this. As an honest researcher and scholar, he felt obligated to publish his research results despite the fact that the authorities would not like his results. For example, he proved in detail that most foreigners who worked in Germany during the war were not, as widespread media propaganda would have us believe, forced laborers or even slave laborers, but that they were paid, received social benefits, vacations, decent living quarters, and even enjoyed their own social activities and access to media in their own languages. Hence, in most cases, the working and living conditions for those foreigners were probably by far better than the conditions they could ever have enjoyed in their countries of origin which in most cases neither granted social benefits nor decent working and living conditions (Witzsch 1999).

In another work, Witzsch was analyzing the conditions of one of the postwar trials against Oswald Pohl, head of the economic branch of the Third Reich concentration-camp system. Witzsch proved the illegality of the court procedures used by the Allied victorious powers and that the ver-

dict handed down against Pohl was legally and historically untenable when considering the evidentiary situation.

As a result of these works, Witzsch first got suspended as a high school teacher, and the State of Bavaria tried to kick him out of this position forever and to reduce his pension.

In the late 1990s, Mr. Witzsch wrote a private letter to a Jewish Professor of history at the University of the German Army at Munich, asking him to intervene and put a stop to the ongoing false historical atrocity propaganda against Germany. In Witzsch's mind, this propaganda would not only harm the German people, but since the inaccuracies of the historical picture spread by media and pressure groups would sooner or later be revealed as distorted, this will, in the long run, also do tremendous harm to the German Jewish community as one of the pressure groups which pushed this propaganda most intensively. In reaction to this private letter, said Jewish professor filed a criminal complaint against Mr. Witzsch for inciting the masses to hatred. In early 2003, Mr. Witzsch was sentenced to three months' imprisonment for having written this private letter. After his conviction, Witzsch also lost his position as a teacher, and his pension was considerably cut down (see Heyne 2003). When Witzsch was released from prison, he was a sick man and died shortly afterwards

Another representative example is Udo Walendy, a political scientist who edited a historical series called "Historical Facts" which focused on the history of the two World Wars. Walendy is best described as an old Prussian: stiff, stubborn, sometimes arrogant, and not very diplomatic. He also is a dedicated German nationalist, which made him the target of social and criminal persecution. Many of Walendy's historical writings, most of them featuring right-wing views on Third Reich history, were put on the "Index", a list of publications deemed dangerous for the mental development of young people. Publications listed on this Index may no longer be offered and sold in public; hence they exist only as underground literature.

A particularly tragicomic case was the attempt of the German authorities to ban Walendy's book *Truth for Germany* (Walendy 1964/2014), in which Walendy tries to dispel the claim that Germany is solely or even mainly responsible for the outbreak of World War II. Walendy sued the German government repeatedly for their censoring his book. Walendy won each case, but after the German government was forced to release the book, they simply put it back on the index the next day, with only a slightly different reason given. Walendy sued again, won again, and this case was developing into a comedy of errors. In one of their proclamations, the German authorities were stupid enough to state that Walendy's book was

well-founded, and that his thesis about Germany's lack of guilt for the outbreak of WWII could not be refuted, which, in their eyes, was even more reason to ban the book, since young people, when exposed to such a thesis, must necessarily become mentally disoriented after hearing the opposite claim of Germany's sole responsibility in all media and at the schools for decades. In other words: The German government admitted that Walendy's book was scientifically correct, that all government school books were a bunch of lies, and that the fact that kids who are learning about the fraudulent nature of their government might get upset, which would be reason enough – not to change the school books, but to censor Walendy! Eventually, the ban of Walendy's book, which had been imposed for almost 30 years, was lifted by the decision of Germany's Constitutional High Court. In essence, this verdict said that the German government lies to all students (in Germany, almost the entire school system is public), and that it is highly active in illegal censorship.²³⁷

Of course, such a victory for Walendy could not be left unpunished. As a consequence, the German authorities indicted Walendy for several issues of his historical periodical, where he had critically analyzed certain aspects of National Socialist anti-Jewish politics, in particular regarding the so-called Holocaust. Since Walendy had dissenting views to those prescribed in Germany by its harsh penal law, he was eventually found guilty of inciting the masses etc., and sentenced to 29 months' imprisonment.²³⁸

The Legal Foundations of German Censorship

In German history, censorship unfortunately is more the rule than the exception. It was introduced by the Catholic church in the form of the Inquisition. However, it was left to the well-known Austrian statesman Metternich to perfect the system of suppressing freedom of speech by means of a comprehensive spy and surveillance apparatus introduced in the early

²³⁷ Probably the best description by Nordbruch 2002; for the court decisions, see Federal Constitutional Court, ref. 1 BvR 434/87; Re-indexing by BPjM; *JMS-Report*, February 1/1995, pp. 52-54; new verdict of Upper Administrative Court, ref. 17 K 9534/94.

²³⁸ The following issues of the series *Historische Tatsachen* (Verlag für Volkstum und Zeitgeschichtsforschung, Vlotho) were confiscated and led to Walendy's prison term: Nr. 1 (LG Dortmund, KLS 31 Js 270/78), 15 (BVG, 2 BvR 1645/84), 23 & 24 (ref. Currently unknown), 36 (BVG, BvR 824/90), 38 (OLG Hamm, 3 Ws 82/91), 44 (LG Bielefeld 4 KLS W 3/96), 52 & 53 (LG Bielefeld, Qs 563/94), 59 & 60 (BGH 4 StR 518/96), 1new & 64 (BGH 4 StR 524/96), 66 (AG Bielefeld, 9 Gs 1279/96), 67 (AG Bielefeld, 9 Gs 1325/96), 68 (LG Bielefeld, 4 KLS W 5/96 IV); cf.

www.vho.org/News/D/News4_97.html#u;

http://www.vho.org/News/D/News3_99.html#16;

http://www.vho.org/News/D/News1_00.html#22

1800s. Neither the German Empire nor the Weimar Republic was particularly soft in their dealings with unwelcome literature,²³⁹ but the worst reputation was doubtless acquired by the Third Reich, which managed, within the twelve years of its existence, to black-list some 10,000 books.²⁴⁰ While these books were not burned, they did disappear from the shelves of bookstores, to be exiled to library archives.

What is not nearly as well known is the fact that it was the Allied “liberators” of Germany who staged the greatest campaign of book destruction that mankind had ever seen. Among the victims of Allied displeasure were 34,645 titles as well as, comprehensively, all school textbooks published between 1933 and 1945; not only were these no longer permitted to be printed and sold after the war – they also had to vanish from the archives of many libraries. In the years from 1946 to 1952, the Soviet Occupation Power published four such lists (“Liste der auszusondernden Literatur”, or list of literature to be destroyed) of titles earmarked for destruction. In accordance with the instructions in the censors’ introduction to the second and third volumes, the first three of these lists also went into force in the western Occupation Zones.²⁴¹

In modern Germany, things are not quite as arbitrary and rigorous, but censorship is still an intrinsic part of German society.²⁴² Though the German Basic Law (similar to a constitution) expressively prohibits general censorship, it allows censorship by “general laws.” The German Constitutional High Court rule that such “general laws” may not be sweeping in nature and may not prohibit a specific opinion, and may be used only to protect other fundamental human rights, like human dignity. However, the same court ruled that media can be banned from public distribution already if they are “a constant threat” to the mental development of young people.²⁴³

The German Criminal Law has at its disposal several laws facilitating censorship. One is used to prevent or punish libel (§185), another to prevent the defamation of the memory of dead persons (§189). Both activities are considered to be an attack on the fundamental right of human dignity. Two other German penal laws are used to prevent or punish the “stirring up of the people” (§130) and the “incitement to hatred” (§131), offenses

²³⁹ For more see Nordbruch 1998.

²⁴⁰ The opinions about this differ slightly: acc. to Strothmann 1985, some 12,500 books, acc. to Aigner 1971, the number was less than 10,000.

²⁴¹ Deutsche Verwaltung... 1946-1948, 1953; reprint: Berg 1983f.; cf. Lüders 1997.

²⁴² Two studies of censorship in Germany, highly recommended: Schwab 1997; Nordbruch 1998.

²⁴³ The Federal Constitutional Court’s decisions were quoted from Seifert/Hömig 1985.

which are considered to be an attack on human dignity and/or on public peace.²⁴⁴ Though German courts originally ruled that an attack on human dignity (libel, defamation of the dead, incitement to hatred) is committed only by the use of insulting/denigrating words, legal practice has shifted the border line from which onward a crime is committed more and more from insult to fact-based criticism.

Also, the question of when “public peace” might be threatened is handled more and more arbitrarily. There has never been a need that “public peace” was actually disturbed (for example by demonstrations and riots caused by a certain publication). It suffices that some authorities think that if a certain dissenting view were to be widespread in Germany and were accepted by a certain portion of society as true, then a scenario could be thought of where certain unpeaceful activities could occur. This construction, of course, can be applied to almost all views dissenting with the views held by the current authorities, and is thus the perfect tool to suppress any real and fundamental opposition.²⁴⁵

Following this changing practice, the German penal law was revised in autumn 1994 to reflect these changes. The revised law now includes regulations that expressly criminalize dissenting historical views of certain aspects of German history (primarily about National Socialist persecution of minorities), and additionally in a certain sense anything that could be considered a “politically incorrect”, yet perhaps justified criticism of population subgroups of potentially any definition – though only those subgroups will find protection from insult and criticism under this law which are considered “politically correct” (foreigners, Jews, homosexuals, but *not* Germans, German veterans, patriots, right-wingers, etc.).

In this regard the foremost German criminal law commentary observes that this amendment means that practically any kind of criticism of population subgroups – however defined – can become a criminal offense, since the legal right that is supposed to be protected (the anti-discrimination rule) and the feature it is supposed to protect (public peace) are rendered too general and vague in this law.

Also, the outlawing of dissenting historical views about a narrowly defined historical period is precisely the scenario which the German Federal Constitutional Court ruled out years ago (but is ignoring today): this law

²⁴⁴ §130 expressively says: “Whoever, in a way suitable [sic] to disturb public peace, attacks the human dignity of others by stirring up to hatred against parts of the population, calling for acts of violence or despotism against them or insults them, exposes them to contempt, or slanders them, will be punished with a prison term from three months to five years.”

²⁴⁵ Cf. for this the expert report of defense lawyer Herzogenrath-Amelung (2001).

criminalizes a specific opinion about one thematic detail of the history of only one single, past regime. From this perspective alone, this “hastily passed and not well thought-through”,²⁴⁶ “special law against freedom of speech”²⁴⁷ would seem to be unconstitutional, and it has been criticized commensurately in German legal subject literature, where it is described as being, in effect, “an attack on the intellectual freedom of dissidents”²⁴⁸ and “virtually the classic example of a norm [...] directed against a specific opinion.”²⁴⁷

*“The legitimacy of this regulation is dubious at the very least. One can already question whether a[n opinion considered by the authorities to be a] lie is a criminal wrong at all; one must question whether the mere denial [, correction, or refutation] of [what the authorities consider to be] a historical fact, in the absence of any characteristics of agitation, may be described and dealt with as incitement of the people, of all things.”*²⁴⁹

The concept of “denying” something the authorities deem true is a novel element in German criminal law and poses problems, which are apparently quite impossible to solve except by means of political show trials, where nothing else is accused than one’s “wrong” historical views. In order for denial to objectively constitute a criminal offense, it must be done deliberately; that is, the “denier” must know that he is not telling the truth and the prosecution must prove this knowledge, which in and of itself is already virtually impossible. But in order to be able to also punish (especially) the so-called “criminals of belief” who are convinced that they are telling the truth, in particular when the accused are academic experts who dare trying to prove in public and in the courts in a scholarly way that they are right, the German judiciary has concocted an entirely new definition of “intent”:²⁵⁰

“In this case, intent can only be the knowledge that one’s conviction puts one into conflict with that which ‘general opinion’ indisputably regards as a historical fact. Admittedly, in a state under the rule of law this places a system of criminal law based on guilt squarely at the crossroads [between a state under the rule of law and a tyranny].”

However, the revised Article 130 of the German Penal Law includes regulations which go considerably further still. It criminalizes not only dissident views on certain aspects of National Socialist persecution of minori-

²⁴⁶ Tröndle/Dreher 1995, update 18 re. §130.

²⁴⁷ Huster 1995, p. 489.

²⁴⁸ Beisel 1995, p. 1000.

²⁴⁹ Lackner 1995, update 8a re. §130; the criticisms of this article are legion; cf.: Stöcker 1995; Brunner 1994; Nolte 1994; Dworkin 1995; Meier 1995, 1996.

²⁵⁰ Theodor Leckner, in: Schönke/Schröder 1997, p. 1111.

ties, but in a sense, anything which could be considered incitement to hatred against subgroups of the population of potentially any definition. In that context, it is irrelevant whether the criticism is justified. Truth is no defense. This law only protects those parts of the population from slander and criticism who are considered to be “politically correct” (the government, the mainstream media, foreigners, immigrants, Jews, homosexuals, but not Germans, former German soldiers, patriots, right-wingers etc.). In this regard the foremost German criminal-law commentary observes that this amendment means that practically any kind of criticism of population subgroups – however they are defined – can become a criminal offense, since the legal right that is supposed to be protected (the anti-discrimination rule) is rendered too general and vague in this section.²⁵¹

The new law also permits preventive censorship by providing for the confiscation of publications or other data carriers considered to be inciting or posing a potential threat to “public peace”, which are allegedly “intended for” distribution. The judiciary holds that the intent to distribute prohibited publications exists if a person has in his or her possession more than one single copy of a data carrier.

That this revised German law cannot be reconciled with international human-rights standards – this was also thoroughly demonstrated by a PhD thesis analyzing this problem²⁵² – is a fact openly acknowledged by Germany’s leading politicians, but it is excused by virtue of the country’s particular history.²⁵³ The flawed logic goes something like this:

In order to prevent the reoccurrence of book-burning and the persecution of minorities, we must burn certain books and persecute certain minorities.

But it was to get even worse: In 2005 Germany tightened the thumbscrews even more by adding a special offense to Article 130 of the German Penal Code:

“(4) Disturbing public peace, publicly or during an assembly, in a way injurious to the dignity of the victims [of National Socialism], by approving, glorifying or justifying the violent and tyrannical rule of National Socialism is punishable with up to three years’ imprisonment or with a fine.”

The debate about this new restriction of freedom of speech in the German parliament clearly indicates that this was a measure permitting the specific and exclusive prosecution of revisionist historical dissidents and politicians

²⁵¹ *Ibid.*, p. 1103.

²⁵² Wandres 2000; see review: Rudolf 2001b.

²⁵³ Federal Minister of Justice Edzard Schmidt-Jorzig, Ruge. NeunzehnZehn: “Ehrenschutz für Soldaten – Gesetz gegen die Meinungsfreiheit?”, 3-SAT, March 10, 1996, 19:10; see Schmidt-Jorzig 1996; Schäuble 1996.

of the right-wing opposition. The German government's reasons for this change of law explain basically that statements on the Third Reich can already be prosecutable if it can be inferred from the context of the deed or from the perpetrator that he intended to glorify or belittle the human rights violations committed by the Third Reich, even if those violations were not even a topic of the objected statements.²⁵⁴ The respective German government's justification has since been quoted almost verbatim by German courts of law, which proves them to be mere government puppets, so for instance the Bavarian Administrative Court:²⁵⁵

“For an approval of the violent and tyrannical rule of National Socialism it suffices, if the perpetrator implicitly gives a positive assessment of the human rights violations committed under the rule of National Socialism – for instance by way of value judgments about responsible personalities.”

Let me translate this legalese into plain language: if you say anything positive about any character of the Third Reich – or about the Third Reich in general – you are liable to prosecution if it can be assumed that by so doing you meant to deny or belittle the crimes committed by the Third Reich (which would be assumed only if you have right-wing leanings). This means two things in plain English:

1. This offense can be committed only by (alleged) right-wingers, because in Germany it is automatically insinuated that they intend to glorify the Third Reich. Hence Article 130 has been converted into an article for the illegal suppression of the legal right-wing political opposition.
2. The separation of power, that is, the independence of the court system from the executive branch of the government is an illusion.

Germany's highest court, The Federal Constitutional High Court, confirmed the latter point in a landmark decision in 2009 in a case that challenged the constitutionality of this new provision of Article 130. Being fully aware that this law is not a general one but one aimed at certain opinions on highly limited topics and designed to suppress certain political views, the German Constitutional High Court tried to square the circle when it obeisantly rubber-stamped the German government's gutting of civil rights by deciding:²⁵⁶

²⁵⁴ Bundestags-Drucksache 15/5051, p. 5;

<http://dip21.bundestag.de/dip21/btd/15/050/1505051.pdf>.

²⁵⁵ Bayerischer Verwaltungsgeschichtshof, verdict of 10 Aug. 2005, ref. 24 CS 05.2053; confirmed and more thoroughly justified by the German Federal Administrative Court (Bundesverwaltungsgericht), verdict of 25 June 2008, ref. 6 C 21.07.

²⁵⁶ Press release of 4 Nov. 2009 (based on case # 1 BvR 2150/08); cf. www.bundesverfassungsgericht.de/pressemitteilungen/bvg09-129.html

“In general, restrictions to the freedom of opinion are permissible only on the basis of general laws according to Art. 5, Para. 2, Subpara. 1, Basic Law. A law restricting opinions is an inadmissible special law if it is not formulated in a sufficiently open way and is directed right from the start only against certain convictions, attitudes, or ideologies. [...] Although the regulation of Art. 130, Para. 4, German Penal Code is not a general law [...] even as a non-general law it is still compatible with Art. 5, Paras. 1 and 2, Basic Law, as an exception. In view of the injustice and the terror caused by the National Socialist regime, an exception to the prohibition of special laws [...] is immanent.”

Or put differently: Exceptional laws are prohibited, except in exceptional cases. It goes without saying that this is nonsense, plain and simple, and amounts to an open admission by Germany’s highest court that they don’t give a damn about civil rights.

This decision sounded the final death knell for freedom of speech in Germany. As of that day it was clear that only those opinions can be voiced publicly with impunity which are tacitly endorsed by the authorities. The results of that new law can be gleaned from the statistics (see table below), as the number of prosecutions of right-wing “propaganda offenses” jumped from some 10,000 per year before 2005 to 15,000 cases and more after that.

Banning Books

The first step in the process of German censorship is the black-listing or “indexing” of, for example, a book or pamphlet. This indexing is done by the Federal Review Office for Youth-Endangering Media (*Bundesprüfstelle für jugendgefährdende Medien, BPjM*),²⁵⁷ which can decide without any court or government order which media is to be indexed. Until 2002, this authority could only become active after a complaint by, e.g., a public youth-welfare department. However, a more-restrictive law introduced in 2002 now allows this authority to index media without the need of a complaint.²⁵⁸

This indexing means that the blacklisted work may no longer be advertised and that it may not be sold or otherwise made available to persons under 18 years of age. In practical terms this means that the work ceases to exist for the public, as one can then legally learn of its existence only by private means – or, alternately, via the list of indexed works which the

²⁵⁷ Until 2002, this authority carried the name *Bundesprüfstelle für jugendgefährdende Schriften, BPjS*.

²⁵⁸ See <http://www.gesetze-im-internet.de/bundesrecht/juschg/gesamt.pdf>

BPjM regularly publishes in its *Report*. As of Dec 21, 2016, this list includes 1,993 movies, 593 games, 422 printed publications, 1,651 sound media, and 4,437 websites.²⁵⁹

Once readily accessible to everybody, this *Report* is now sold only to libraries, wholesalers, and retailers, and even libraries have stopped giving free access to it, which renders the censorship activities of this authority more and more obscure. This tendency to hide its censorship activities was even more enhanced in 2002, when the law was changed so that media regarded to be an especially severe threat to the mental development of young people are now listed in secret lists.

Ever since then, the public has had no way of finding out, which media are declared illegal and which are not. This is a violation of the fundamental legal principle that both statutory and case law must be publicly accessible so that every citizen can gain knowledge of them and act accordingly. The German federal government, however, keeps its decisions secret, and those citizens who disseminate banned literature are in violation of the law without ever having had an opportunity of avoiding this. This is a first-class example of a totalitarian law.

The victims of this *sub rosa* are primarily media whose content, according to German courts of law, violates German criminal law (pornography, insult, defamation, blasphemy, denigration of the dead, incitement to hatred, stirring up the people, incitement to crimes, denigrating the state and its symbols),²⁶⁰ which, apart from pornography, includes basically the entire gamut of media by political and historical dissidents. The main targets of censorship vary by the type of media, though. For instance, the vast majority of websites is indexed due to sexual contents (84%; similar for movies). Some 6% concerns websites with dissenting views on the Third Reich. If a website is listed on this index, search engines operating in Germany are not allowed to list search results from them. Print media are mainly banned for their historical or political contents. The reasons given in those cases range from glorification of the Third Reich (27%) to Holocaust denial (25%), discrimination (12%) and racial hatred (11%). The situation is similar in the case of sound media (Hajok 2015).

While the *BPjM* was initially created primarily to protect German youth from pornography and the glorification of violence, which is clearly reflected by its early censoring practices, since 1974 it has increasingly also engaged in the battle against politically or historically disapproved litera-

²⁵⁹ www.bundespruefstelle.de/bpjm/Service/statistik.html

²⁶⁰ Articles 86, 86a, 90a, 111, 130, 130a, 131, 166, 184, 184a-c, 185, 187 of the German penal law.

ture (*ibid.*, pp. 11-13), starkly displaying the insidious “mission creep” that leads “free-speech fundamentalists” to oppose all censorship. As early as 1990 Eckhard Jesse, who is today a professor of Sociology in Chemnitz, criticized that the *BPjM* had in many ways turned out to be a sword in a one-sided fight against everything, which is deemed to be on the right of the political spectrum.²⁶¹ According to Jesse, the censorship measures of the *BPjM* are “difficult to reconcile with the principles of a liberal society [...], because, on principle, in an open society the printed and spoken word may not be stifled.”²⁶²

Although Jesse regrets that free speech is stifled in Germany, he considered one fact consoling:²⁶³

“By abstaining from keeping its [indexing] decisions secret, a screening by the public and by academia is possible.”

With the changed law of 2002, this is now unfortunately a matter of the past.

Book Burning by the Government

The second stage of German censorship is the so-called confiscation (or seize-and-destroy) stage. This stage is hardly known to the public, and even Professor E. Jesse, whom we quoted earlier, seems either not to be aware of it or to ignore it. The confiscation of a publication takes place on the order of a court. What happens to the confiscated copies of such a publication is not quite clear, but it probably varies with the police station of jurisdiction. One publisher who is quite frequently the target of such book confiscations reported that he had been told that the books are burned under police supervision, and this was also confirmed by various mainstream media reports.²⁶⁴ This seems logical, since dangerous books are, in the eyes of the German authorities, to be treated like drugs: they poison our minds and turn us into defunct members of the society. Hence the weapon of the crime – drug or book – must be destroyed by fire (or for the book, the shredder as an alternative).

According to information from the German Federal Government, and unlike for indexed works, there is no office or authority which publishes

²⁶¹ Jesse 1990, p. 304, cf. p. 289.

²⁶² *Ibid.*, p. 287; cf. also p. 303: “Liberal society may not stifle or suppress the free exchange of ideas and points of view.”

²⁶³ www.gesetze-im-internet.de/juschg/BJNR273000002.html

²⁶⁴ Wigbert Grabert, of Grabert Verlag in Tübingen, to the author; see note 218.

an even remotely complete list of confiscated books;²⁶⁵ similarly, the confiscation orders issued by the courts are not published anywhere. According to a hardly known administrative rule of the German police, every court that orders or revokes the confiscation of a medium is required to communicate its decision to the German Federal Bureau of Investigation (*Bundeskriminalamt, BKA*), which therefore ought to have a complete and current list, particularly as it serves the courts as information center regarding confiscation orders already issued.²⁶⁶ However, inquiries to receive a copy of this list are never answered by this German FBI, a behavior in concordance with the secrecy of the above-mentioned list of “dangerous” banned media.

So here as well, the public is kept completely in the dark about which media are confiscated and which are not. Should a person dare to import, export, stock, reprint, distribute, or sell such confiscated media, he will find himself in front of a judge charged with thought crimes.

Although pornographic or pro-violent publications are also affected by confiscations, which might find approval by most people, these media are not a particular focus here, since the destruction of political or historical publications is a much more-explosive issue from a human-rights point of view.

When a wave of book confiscations against revisionist books and books expressing “right-wing” contents sentiments swept through Germany in the 1990s, I tried to keep track of it by collecting and publishing the details of each case.²⁶⁷ I eventually became discouraged from continuing this, however, because I could not obtain the cooperation of many of the victims of that censorship. Publishers affected by a book confiscation not only face criminal prosecution, they are also ostracized and shunned within their trade (dominated by members of a group hostile to their point of view) and their communities. As Alexandr Solzhenitsyn correctly observed in his trilogy *The Gulag Archipelago*, the general populace does not perceive the targets of illegitimate government persecution as victims, but rather as ordinary criminals. Hence publishers confronted by a united front of governmental, media and societal persecution are usually unwilling to see their case documented and published.

The *BPjM* has its own secret list of confiscated media, but they admit that they discover the targets of confiscations only by chance. As of No-

²⁶⁵ Admission of the German Federal Government, *Bundestagsdrucksache* 13/4222, March 26, 1996, p. 6.

²⁶⁶ *Richtlinien für das Strafverfahren und das Bußgeldverfahren* (Guidelines for penal procedure and fining procedure), No. 208, II + IV; according to: Pfeiffer 1993, p. 2174.

²⁶⁷ See at www.vho.org/censor/Censor.html

vember 30, 2016, their list consisted of 822 media items, of which 169 were confiscated for their pornographic contents, while 5 were confiscated for insulting, defaming, blaspheming or denigrating some individual, group or the state as such. The rest concerns either incitement to crimes or some right-wing political offense (incitement of the masses, incitement to hatred, use of unconstitutional [=Nazi] symbols).²⁵⁹ Judging by my experience in the 1990s, most of the print media affected by this are either revisionist in nature or oppose the mass-immigration politics implemented in Germany in the late 1980s, which recently escalated.

Whereas no author, printer, wholesaler, retailer or multi-copy purchaser can be punished for having distributed a banned book *prior* to its banning, it's different with confiscations. In those cases, all of these individuals can be, and usually are, prosecuted for such activities even if these activities occurred *prior* to the actual court decision which ordered the confiscation of such media. According to German law, a medium that will eventually be confiscated is illegal not by its declaration of illegality by a court, but by the nature of its contents. Subsequently, the act of bringing into existence such a medium is a crime, even if the authorities did not yet know of this medium at the time when it was produced. Hence, authors, translators, editors, publishers, printers, warehouse owners, wholesalers, retailers, and customers who bought more than one copy of such media – indicating an intention of distribution – are all subject to criminal prosecution even if their activities took place prior to any court decision.

I will not discuss here in depth past confiscations, but will highlight only one case.²⁶⁸ In reply to an inquiry the Ministry of Justice of the Federal State of Baden-Württemberg has stated that in the period between the end of 1994 and mid-1996, in the German state of Baden-Württemberg alone, there were 32 cases of preliminary proceedings being instituted against private individuals for their multiple purchases of confiscated books of a political and/or historical nature.²⁶⁹ Extrapolated to cover all of Germany, this figure indicates some 250 to 300 such criminal cases. Exactly how many persons have been punished in recent years for their intention to produce and/or disseminate media which were confiscated afterwards is not known; the aforementioned figure of several hundred preliminary proceedings, however, would indicate that the number is substantial.

Most people prosecuted under these censorship laws adhere to more or less right-wing views, starting from simply conservatives and patriots via

²⁶⁸ See my detailed paper on German censorship here:

<http://germarrudolf.com/persecution/on-civil-rights-or-the-lack-thereof/censorship-in-germany-never-unless>

²⁶⁹ Landtag of Baden-Württemberg, 12th session, Paper 12/334, see note 229.

nationalists to fascists and National Socialists. However, it does not really matter what one thinks of the views advocated by these groups and individuals. The fact is that the human right to freedom of speech must be indivisible, as Professor R. Dworkin stated in an issue of the British periodical *Index on Censorship* that addressed the German wave of censorship.²⁷⁰ Not a single one of the cases described here involved any calls to violence, instructions for violent acts, or trivializations of violence – at most, violence is disputed for certain historical events, or portrayed as less-than-generally usual in other accounts. Hence, the harshness with which the German judiciary proceeds against these dissidents is incomprehensible and unjustified.

If the victims of this censorship were other persons or groups, such as Jews, homosexuals, women, left-wingers, there would be a worldwide outcry in the press denouncing such human-rights violations. But since the victims are after all only the “right” ones, the matter is ignored and hushed up. But from an objective perspective there is no difference between, for example, Communists and Jehovah’s Witnesses being imprisoned in the Third Reich for their beliefs, and right-wingers and historians skeptical about certain aspects of Holocaust history being thrown behind bars in the Federal Republic of Germany today for the sake of their publications. Human rights remain human rights. They go for leftist radicals just as much as for right-wing radicals.

It seems that Germany’s tradition of free speech is rather underdeveloped. In light of her history, the only correct position for Germany to take would doubtlessly be to strictly and impartially grant human rights for everyone – and **not** to simply deny those human rights to the other end of the political spectrum, as happens right now. Obviously, where human rights are concerned, Germany is caught in a historical vicious circle, or, to use a different metaphor: the pendulum is swinging wildly from one extreme to the other. It is high time that it come to rest in the middle.

Denunciation, Wire-Tapping, Mind-Control

One of the Allied conditions for establishing the Federal Republic of Germany was the creation of a “Federal Agency for Protection of the Constitution” (*Bundesamt für Verfassungsschutz*). This Orwellian device’s name was chosen in order not to give German citizens the impression that they were exposed to governmental snooping, which was of course the mission of the Bureau, and as such it was just a kind of successor of the infamous

²⁷⁰ Dworkin 1994, 1997.

Gestapo, the Secret State Police of the Third Reich. From this bureau subsequently evolved, within the Interior Ministry, the Department for Protection of the Constitution.

Recently, Claus Nordbruch exhaustively documented the scandalous jurisdictional expansion of this domestic spy agency (1999). Although this department possesses no police or legal resources, it nevertheless wields tremendous power. If an individual or organization is mentioned in one of its "Constitutional Protection" reports, it is the social equivalent of a death sentence. The person or institution targeted is ostracized and shunned like a leper, often fired from his job and denied right of appeal before the employment courts.

The role of the victorious Allies is evident also in the first disfranchisement of a political party, which occurred early in the 1950s. In those days, the newly organized German Reich Party (*Deutsche Reichspartei*), which was very popular among former soldiers and the patriotically inclined, was enjoying rapid growth and electoral successes. The leading personality and draft horse of the new party was Major General Otto Ernst Remer. Because of his success, he was visited by an Allied delegation. They issued him an alternative: either quit the Reich Party or else the Allies would ban it. Remer refused to knuckle under and the party was banned. For the sake of appearances, the *KPD* (Communist Party of Germany) was also banned, but it promptly re-emerged as the *DKP* (German Communist Party.)

The introduction of the Emergency Decrees (*Notstandsgesetze*), which occurred toward the end of the Sixties, was a decisive step toward gutting constitutional rights. These laws were intended to enable the government to restrict civil rights in case of a severe conflict with the Soviet Union. Before the Emergency Decrees were introduced, it was legally impossible for the government to restrict individual rights. It has now become commonplace.

Controversy over the Emergency Decrees also gave impetus to the student revolts of the late 1960s. With good reason, the students feared that the decrees would open the door to despotism, which they mistakenly believed would be "fascistic" in nature.

When the Emergency Decrees were finally accepted under the Grand Coalition of Christian Liberals and socialists at the end of the 1960s, the "extra-parliamentary opposition" (*Außerparlamentarische Opposition*, *APO*) was organized, which challenged the accumulation of power within the established parties through struggles in the street. Out of this *APO* developed the terrorist movement of the 1970s, which gave the government a

pretext for restricting human rights still further. It became permissible to search domiciles, tap telephones and open mail, even without official court permission, provided the intent was to ward off any “clear and present danger.” (“*Gefahr im Verzug*”)

With the expansion of organized criminality in the 1980s, basic human rights (inviolability of the home, and privacy of mail and telephone) were weakened still further. Now came another striking innovation: such measures could be applied without judicial permission, under the simple pretext of “Suspicion [sic] of potential danger.” This is commonly called “Salami tactics.”

No one seems interested in the fact that combating organized crime is not caused by inadequate legislation, but rather by lack of support for the police and lack of will on the part of politicians, who are frequently involved in organized crime (see Lindlau 1998).

The period around 1980 also saw the first flowering of Holocaust revisionism.²⁷¹ The government responded to this challenge with another streamlining of its procedure for prosecuting thought crime. It raised such violations to the level of crimes that are to be prosecuted automatically, i.e., they do no longer be initiated by complaints from anybody.

Since Germany’s reunification in 1989/90, a flood of patriotism and patriotic organizations has been sweeping across Germany. International powerbrokers were then exerting tremendous pressure upon Germany to repress the patriotic movement. During this time, several xenophobic attacks against foreigners occurred, some of which may well have been false-flag events. The German government has certainly exploited all these attacks in order to create the specter of a “brown threat,” a resurgence of fascism. As a result of this, on December 1, 1994, Article 130 of Germany’s Penal Law was changed on an unprecedented scale, as described earlier. Freedom of opinion regarding German social taboos such as foreigners, multi-culture, Jews, the Holocaust and the Third Reich has been banned altogether.

Since German patriotic opposition parties had once more some electoral success some ten years later and despite these censorship measures, the law was tightened again in 2005 to declare illegal anything positive about the Third Reich or its personalities exclusively when uttered by right-wingers (see earlier in this chapter, pp. 256f.).

²⁷¹ With Butz’s *The Hoax of the Twentieth Century* (1976), Faurisson’s *Mémoire en Défense* (1980), Stäglich’s, *Der Auschwitz-Mythos* (1979), Sanning’s, *The Dissolution of Eastern European Jewry* (1980/1983).

The German government's latest recent step toward total surveillance occurred at the end of the 1990s. This was the so-called "Great Spying Wave" ("*Großer Lauschangriff*"), which legalizes constant residential surveillance with microphones and cameras under certain circumstances. Simultaneously, the German judiciary launched prosecutions of foreigners as well as German nationals for disseminating "contraband" documents over the Internet. The precedent here was the case of Australian revisionist Fredrick Töben with his Australian website. In his case, The German Federal Supreme Court decided that it is illegal to make material illegal under German law accessible in Germany by any means, including posting it online where people in Germany can see it, no matter on what server in which country the material is hosted.²⁷²

In Germany at present, all the following are treated as illegal items or activities:

- Anything that might be construed as a threat to "public peace" can be prohibited at the discretion of a prosecutor or judge.
- All symbols, gestures, songs, speeches, and poems that directly or indirectly suggest anything associated with the Third Reich, are prohibited.
- Criticism of "multicultural" society and immigration policy can be construed as an illegal act.
- It is unlawful to publicly voice dissenting research results about the circumstances surrounding National Socialist crimes, whether actual or alleged. Every critical researcher who investigates the Third Reich works under the threat of persecution and suppression.
- The punishment meted out for "inciting to hatred" can be up to five years in prison.
- Even criticism of established parties, government and its representatives can be prosecuted as an offense (denigration of symbols and representatives of the state).
- As a result, thousands of books have been burned, tens of thousands of German citizens punished for thought crimes, hundreds of citizens and non-citizens thrown into prison, and numerous opposition parties and other organizations outlawed. Other parties and political groupings are severely restricted in their constitutionally guaranteed rights. They are subjected to social and criminal punishment if they openly oppose or expose the conditions mentioned above. The formation of a parliamentary or extra-parliamentary opposition to these conditions has thus been made legally impossible.
- If one criticizes despotic measures, one makes oneself liable for prosecution on grounds of maligning the government, its representatives and

²⁷² BGH, ref. 1 StR 184/00 of Dec. 12, 2000; see Hörnle 2001.

symbols. The government has hermetically sealed itself off from all criticism and possibility of reform.

In view of such conditions it is not surprising that political scientists, sociologists, and historians no longer dare to call things by their real names. They are afraid of being raided by the German “State Protection Police” and hauled before the courts’ “State Protection Chambers” and sentenced to severe punishment over mere expressions of political opinion.

In all the years, I have been associated with representatives of German intellectual life I have been hearing formulaic expressions such as “Freedom is in peril” and “Are our opinions really free?” It has now become clear that freedom is not “endangered” – it no longer exists. Likewise, there is no longer any question about whether one’s thoughts are still free. Given the present climate of anxiety in Germany’s society, media and government, many citizens are actually afraid to express their opinions. More and more often one hears it said: “You can’t even think that!” People are afraid to openly discuss issues in Germany because they could suffer serious consequences if they did.

Prof. Gottfried Dietze, Emeritus of Johns Hopkins University, responded to my request to comment from the unassailable position of retired emeritus in a foreign country. His response was discouraging: the world has already dragged Germany through the mud so badly that he chooses not to make the situation even worse with negative comments about present day conditions in his beloved fatherland. What a heartbreaking observation! (see Dietze 1998)

There is a little German witticism going around that illustrates the difference between the former *DDR* and the present government. Today’s Germany does the opposite of what the *DDR* used to do: it keeps its citizens fat and politically impotent and takes away their hope of escape by incorporating all German territory and pressing its neighbors to act as she wishes, and so she has no further need of walls and self-firing robot guns at the borders.

In 1994, Germany had a president named Richard von Weizsäcker who publicly called upon children to spy upon their parents and vice-versa in order to denounce them should they harbor right-wing views. In the meantime, Germany even has a toll-free number where German citizens can denounce their co-citizens in case they harbor unwanted right-wing views: 011-49-1805-234566. Only totalitarian states can sink this low.

On January 19, 1993, Mr. E. Mußmann, Professor of Police Law at the Ludwigsburg Academy for Public Administration, delivered a lecture to the German Catholic Student Organization *Nordgau Prag* in Stuttgart,

entitled “How the Police Change with the Times.” In this lecture, he criticized the relentless undermining of constitutional rights and the expanding power of the police apparatus. Prof. Mußmann remarked that, if these trends were not reversed, he would not want to live in Germany in forty years, because it would have become a police state with pronounced Orwellian tendencies. Prof. Mußmann was mistaken. It took only ten years.

Today, the leaders of the 1968 student revolt have become Germany’s political leaders – almost all of them radical socialists, Communists, Marxists, Spartacists, or even supporters of Red Army Faction terrorists, like Trittin (Minister for Ecology), Schröder (Federal Chancellor), Fischer (Minister for Foreign Affairs), Schilly (Minister for Internal Affairs) –, and the persecution they unleash against the German people has no parallel in German postwar history. Factually, Germany has turned into a left-wing extremist state, closer to the former communist East Germany than to the U.S.

In such an atmosphere, everybody visiting Germany should be aware that telling the wrong kind of jokes with the wrong kind of audience – and if it is only the guy at the table next to you in the restaurant who doesn’t like your joke – might be a free ticket to a German jail, because making jokes about certain minorities (Jews, Turks, homosexuals, gypsies...) might be interpreted as “Incitement to hatred.” So you better watch your back when visiting Germany!

A Legal System Bound to Go Berserk

One certain law of the German Penal Code allows German judges to deny motions to introduce evidence or testimony if the point to be proven is considered by the legal system to be common knowledge. The purpose of this law is to create obstacles to a possible defense tactic of prolonging the trial, or making it more expensive for the authorities.²⁷³

There is, however, one topic where the German legal system misinterprets this rule, and that is in connection with historical events of the Third Reich period, with criticism of the Jewish religion, or with criticism against multiculturalism or mass-immigration. If anybody publicly utters beliefs that are not in accordance with the officially decreed truth, he might find himself in front of a judge, not able to present any evidence that would possibly substantiate his views. The reason is that according to present-day German legal practice, certain aspects of Third Reich history are considered to be proven facts, and criticizing purported victims of the Third

²⁷³ §244 Section 3 Clause 2, German Code of Criminal Procedure.

Reich – Jews, foreigners, any minority in general – is considered a crime, whether the criticism is justified or not. Regarding criticism of such groups, truth is no defense. What matters is the impact a dissenting view could possibly have if a majority in Germany agreed with it. Therefore, defendants holding such dissenting views have no right to prove their point. The public prosecutor does not have to prove he is right, since the judges decree “common knowledge” of the fact that the public prosecutor is always right, and the defendant has no right to introduce evidence, since the judges decree “common knowledge” of the fact that the defendant is always wrong.²⁷⁴ Trying to prove his point despite the prohibition only results in more severe punishment, since it proves that the defendant is willing to repeat his crime of dissent in front of the court and is not willing to submit.

It has been ruled that “common knowledge” can be overcome if there is evidence which is new and/or superior to any other evidence ever produced in a German court of law, or if there is noticeable public dissent.²⁷⁵ However, all attempts of lawyers to introduce new, superior evidence or evidence proving that there is noticeable public dissent have been dismissed due to – guess what – “common knowledge” that the defendant is wrong. In perversion of every proper legal system, historical and forensic experts who have prepared evidence far superior to any other evidence ever produced have always been rejected – due to “common knowledge that they are wrong” – and also been subjected to prosecution and sentenced, without having a chance to even introduce their own evidence – due to “common knowledge that they are wrong,”²⁷⁶ and because their views allegedly disparage historical witnesses who claim things otherwise.

Public personalities who dare to start creating “noticeable public dissent” are also prosecuted without having a chance to present their own public activity as “noticeable public dissent”, because it is “common knowledge that they are wrong”.

The German Federal Supreme Court has even decided that any defense lawyer who dares to present or ask for the introduction of evidence challenging the officially decreed historical truth of the Third Reich, has to be prosecuted and sentenced for collaborating with the defendant in harboring

²⁷⁴ Federal Supreme Court, verdict of March 15, 1994, Ref. 1 StR 179/93.

²⁷⁵ Cf. *Oberlandesgericht* [Provincial High Court and Court of Appeal] at Düsseldorf, Ref. 2 Ss 155/91 – 52/91 III; Federal Constitutional Court, Ref. 2 BrR 367/92.

²⁷⁶ BGH, Ref. 1 StR 193/93 (motion to prove whether evidence offered is superior to any other evidence rejected due to “common knowledge”); BGH; ref. 1 StR 18/96 (sentencing of an expert witness – me – to 14 months in jail for daring to ask to appear as a witness for the defense).

and spreading his dissenting views, hence “incitement of the masses” and “stirring up the people.”²⁷⁷ That is exactly equivalent to the medieval witch trials where lawyers trying to prove that there is no devil or no witchcraft were prosecuted themselves for collaborating with the devil and the witches.

To top all this, and as already mentioned (see p. 147), in 1994, German Judge Rainer Orlet who, in the opinion of the media and many politicians, did not punish the head of a nationalistic opposition group harshly enough for his peaceful historical dissent, was threatened with prosecution and finally had to resign. This case made it clear to all judges in Germany that they had better punish all dissenters on certain historical topics without mercy, or they might find themselves persecuted.

The organizational framework of the German legal system is somewhat awkward as well. For example, as I experienced myself while active as an expert in several court cases, German prosecutors as well as judges in conference with defense lawyers openly admit that trials against political and historical dissenters are political trials whose outcomes are predetermined from the beginning by orders from higher up. Thus, it happened that a prosecutor of the Bielefeld District Court let slip the following *lapsus linguae* in a conference with Attorney H. Herrmann during court recess:²⁷⁸

“Counsel, it is obvious that you have prepared yourself extremely well for this case, and I obviously cannot compete with your expertise. In this trial, I am merely substituting for my colleague who normally handles political cases.”

This was by no means an exceptional case. To Munich Attorney Klaus Göbel, who frequently represented revisionist defendants during the early 1990s, a judge in the evidentiary phase of a trial expressed himself quite candidly, as follows:

“Surely you do not think your expert witness will be admitted. Surely you know that this court has a political mission. Our mission demands that without exception those who express doubt about certain aspects of Third Reich history must be brought to trial and convicted. You will never be allowed to present your evidence.”

Attorney Göbel shared this with me on July 22, 1992 during the preliminary proceedings of the trial for which I was to be summoned as an expert witness. He did this in order to make it clear to me that our tactic of “con-

²⁷⁷ German Federal Supreme Court, BGH, ref. 5 StR 485/01; cf. Martin 2002; *Neue Juristische Wochenschrift* 2002, p. 2115, *Neue Strafrechts-Zeitung* 2002, p. 539; cf. Also BGH, 1 StR 502/99 in the case against Ludwig Bock, see Zornig 1999

²⁷⁸ During a penal trial against Udo Walendy, February 1992, to which I was subpoenaed as an expert witness, accidentally witnessing this exchange.

sidered, innovative, up-to-date evidence” in order to break the “common knowledge” could not prevail. German courts are charged with suppressing all exculpatory evidence in such trials, and to disqualify expert witnesses without a hearing.

Toward the end of 1992, I accidentally learned about the existence of a certain “Department for State Protection” (*Dezernat Staatsschutz*) at the Baden-Württemberg State Office of Criminal Investigations (*Landeskriminalamt*). I was so flabbergasted to see a title with such an obvious political program that I investigated. It turned out that there really exist such State Protection Departments in Germany’s police headquarters, whose mission consists of prosecuting acts that could threaten the existence of the Federal Republic and/or the “basic principles of freedom and democracy.” Evidently, in the eyes of the criminal police, harboring certain dissenting political and historical views represents just such a threat. The State Protection Department is divided into three units: Right-wing Extremism, Left-wing Extremism, and Political Extremism by Foreigners.

One would assume that the bureaucrats in their respective units have been instructed in these respective ideologies so that they will be able to recognize their particular brand of “extremism”, be able to combat it, and avoid falling victim to it. A conversation with one of these bureaucrats showed me just how thorough his instruction had been. One certainly cannot accuse these people of ignorance, and most particularly not of ideological insensitivity!

In the fall of 1994, I learned that even the German courts of laws have their political section, doing nothing else but prosecuting crimes with a political background, or crimes consisting of nothing else but expressing “illegal,” dissident political or historical views. They are internally referred to as “Chambers of State Protection.”

Nothing of this is actually kept secret in Germany, yet the average citizen has no idea of how deeply the principle of politicized judiciary has taken root in the German criminal justice system, penetrating even into its organizational structure. As far as the public is concerned, there has been a complete news blackout on the subject. Nobody asks if there could or should possibly be such things as State Protection Departments in a state under the rule of law, specialized Courts of State Protection and political trials in a system that, after all, pretends to be a liberal democracy.

To make matters worse, the German criminal rules of procedure are awkward as well, to say the least. Every TV viewer is familiar with court procedures as they are common in most countries. While a trial is under way, the court secretaries are sitting at a stenographic table and are indus-

triously typing away creating an official court record. Today, much of this work is done by automatic voice recognition. That is the way it is done in the USA, England, Austria, and even in German civil trials.

But not in German criminal trials! Here, *no* court record is kept, neither verbatim nor paraphrased or even in summary! This is extremely ominous, since afterwards it cannot be pointed out just what the judge, prosecutor, defendant, defense attorney, or witness has said. This opens the door very wide for lies and errors on the part of the judge. As a matter of fact, there is absolutely no excuse for German criminal courts' not keeping a court record, considering the state of modern stenographic technology. The absence of such a record invites all kinds of judicial misconduct, which, as I may add, occurs especially frequently in the political trials discussed here. Not even the best judge remembers everything that was said during his trial, but even if discrepancies resulting from such errors could be remedied, there would still remain the worst evil of all: That is the very existence of a political judiciary, which is bound to find a way to convict whomever it targets.

Germany today: A Quarter Million criminal prosecutions due to "thought crimes" since 1994:

Year	Right	Left	Foreign	Sum
1994	5,562	185	235	5,982
1995	6,555	256	276	7,087
1996	7,585	557	818	8,960
1997	10,257	1,063	1,249	12,569
1998	9,549	1,141	2,098	12,788
1999	8,651	1,025	1,525	11,201
2000	13,863	979	525	15,367
2001	8,874	429	353	9,656
2002	9,807	331	467	10,605
2003	9,692	431	1,340	11,463
2004	10,915	410	341	11,666
2005	13,838	654	554	15,046
2006	15,995	709	310	17,014
2007	15,211	738	507	16,456
2008	17,479	898	967	19,344
2009	16,236	1,472	402	18,110
2010	13,663	1,101	531	15,295
2011	13,865	1,416	414	15,695
2012	[10,000]	[1,000]	[400]	[15,000]
2013	[10,000]	[1,000]	[400]	[15,000]
2014	[10,000]	[1,000]	[400]	[15,000]
2015	[10,000]	[1,000]	[400]	[15,000]
2016	[10,000]	[1,000]	[400]	[15,000]
Total:	257,597	18,795	14,912	309,304

Note: The German government stopped publishing these numbers in 2012, hence the numbers for subsequent years are low estimates.

- **Right:** "Offenses with right-wing extremist background", that is: "Propaganda Offenses" and "Stirring up the People"
- **Left:** Offenses with left-wing extremist background", generally referred to as "other offenses," which may or may not be "thought crimes."
- **Foreign:** offenses committed by foreign extremists, initially mainly against the German law of organizations ("Vereinsgesetz") by Kurds in the prohibited Kurdish Liberation Army PKK, after 9/11 also affecting other Muslim organizations.

Source: Bundesministerium des Inneren (ed.), Bundesverfassungsschutzbericht (Report of the German Office for the Protection of the Constitution), Bundesdruckerei, Bonn 1995-2012, acc. to the German FBI (BKA)

How It All Began

The avalanche of persecution described here is mainly directed against anything on the right side of the political spectrum. To understand this, one must look back into the early history of postwar Germany. After their conquest of Germany, the allied powers instituted a rigorous policy to uproot and destroy any German nationalism, militarism and historical pride.²⁷⁹ To achieve this, they introduced several measures:

- a. A system of media licensing guaranteed that only left-wing oriented media could be established during the first ten years after the war. These media do still dominate the German media market. Basically, no noticeable patriotic, right-wing media do exist.
- b. All German academics who were deemed right-wing lost their positions and were replaced with left-wingers. The most-important positions in the humanities at the most-important German universities were occupied by dedicated anti-German, left-wing radical (Marxist) individuals.
- c. No right-wing political party was allowed to establish itself. The only one that had initial success (*Deutsche Reichspartei*) was outlawed by the Allies.
- d. A program of re-education was introduced which turned German history into a horror cabinet, with the intention to break German pride and self-confidence.

After more than 70 years, the Allied postwar re-education program shows full success. Today, German society is led by personalities who are filled with contempt for anything patriotic, right-wing, conservative, and who view German history mainly under the context of the (often exaggerated and distorted) events of the Third Reich. To quote *The Independent* once more: German individuals who dare to declare that they are proud to be a citizen of their country are called neo-Nazis and Skinheads in Germany, even if they are mainstream politicians. For comparison: An American individual who would declare that he is *not* proud of his country would never be elected to any U.S. office. In Germany, the opposite is true: A person who would declare that he *is* proud of his country would never be elected to any office.

In the meantime, the word “*Rechts*” – right-wing – has become synonymous with evil in Germany. Virtually everybody – political parties, religious groups, commercial associations, social entities, the media and corporations... – is joining in the fight against “right.” Note: this is not a fight

²⁷⁹ Cf. von Schrenck-Notzing 1993; Franz-Willing 1991.

against radicalism, extremisms, fascism, or ‘neo-Nazism,’ but against everything deemed to be “right”. Government agencies distribute brochures entitled “Laws against right”,²⁸⁰ showing how everybody can help to fight anything deemed to be politically right. The situation has become so hysterical that in late 2000, Germany’s leading, left-wing political magazine *Der Spiegel* justly headlined that Germany would be in a hysteria against right, caused mainly by a media paranoia that falsely (!) suspected a right-wing conspiracy behind almost each and every crime that had shattered Germany during that year.²⁸¹ This hysteria did not even stop short of politicians, labor unions and trade associations demanding a general employment ban for “right-wingers,” hence to plunge all those into unemployment and poverty who harbor “right-wing”, “right-wing-radical” or “right-wing-extremist” views.²⁸²

The climax was reached in 2001, when a German public prosecutor rejected the criminal complaint of a conservative activist who had been slandered as a “Nazi” by certain media. As a reason not to allow this complaint, this prosecutor stated that the German public would consider everybody on the political right to be a “Nazi,” whether they are conservatives, patriots, right-wingers, radicals, extremists, fascists, or National Socialists. Since “Nazi” had become a collective term for everything on the right, nobody could be insulted by such a designation as long as he indeed belonged to any group considered to be right-wing in any regard. That means that everybody who is politically on the right is a “Nazi” by definition of the German authorities. (See the reproduction of this document at the end of this essay.)

As a result of this climate of hatred against German patriotic self-esteem, anybody who happens to end up on the right side of the spectrum quickly moves a little to the left to avoid being called “right,” *i.e.*, evil. Of course, this then leaves somebody else on the right margin of the spectrum, who is next to move to the left. As a result of this, the entire political spectrum in Germany has been shifting to the left over the last four decades. German society today can be compared with an airplane that has no right wing to balance errors and misconceptions of the left. Such a society is bound to crash in the long run.

²⁸⁰ See note 214. Though most of the outlawed insignia, songs, etc. can rightfully be called “Nazi”, the fact that “right” and “Nazi” have become synonymous in Germany is again underlined by the title and general choice of words in this brochure, as is common in the media and by the authorities.

²⁸¹ *Der Spiegel*, Dec. 4, 2000, Title; <http://germarrudolf.com/persecution/germars-persecution/documents/>, list #57

²⁸² See “Rechtsradikale...”, 2000; Rudolf 2000b.

Nowadays, most people are tempted to support the repression of ‘neo-Nazis,’ who are depicted in the media as intolerant, racist, anti-Semitic, brutal, and disgusting. However, one should consider this: whoever blithely agrees that “Nazis” ought to be prosecuted solely on account of their dissenting political views, should not complain if tomorrow he finds himself slandered as a “Nazi” and persecuted only because a neighbor denounces him for flying a national flag or singing the national anthem. Because that is exactly what is happening in Germany: Those who express plain normal patriotic feelings, as is quite common and considered normal in the U.S., are considered to be “Nazis” in Germany – so far to the left has the political spectrum drifted there.

Everybody has the duty to protest the persecution of unconventional thinkers. This is true not only if persecution comes from a dictatorship, but also if it emanates from a state that claims to be a constitutional democracy!

To give another example of the mental conditions of Germans, I want to tell a story of my own making, using true data I had learned about in 1989. During a business management course in 1994, I once had to hold a spontaneous lecture about anything. I walked to the overhead projector and began:

“I want to present to you the result of a remarkable poll that was conducted a few years ago. In this poll, 1000 representatively chosen Germans should answer the question, who was guilty for the German-Hungarian war of 1880? The results of this poll are as follows:”

With color markers, I drew the columns for each answer:

*“83% of all Germans answered that Germany was responsible for this war.
7% of all Germans answered that Hungary was responsible for this war.
10% had other answers.”*

The classroom listened in silence as I continued:

“Now comes the catch: There was never a German-Hungarian war. Actually, most of the Germans of these 10% ‘other answers’ knew that. Now, what does that tell us, apart from the fact that the historical knowledge of Germans isn’t that good? Well, it tells us that the Germans in their vast majority tend to blame themselves for crimes even if these crimes were never committed.”

Now, one could hear a needle drop on the floor. I carried on:

“This becomes really interesting when compared with polls in other nations. When the guilt question about any similarly invented war is asked in Great Britain or the U.S., for example, the results usually look the inverse: Most

people there blame the other nation, but not their own, for such a war they cannot remember.

I think that this should make all of us wonder about the psychological state of the German people.

I thank you for your attention."

This shocking revelation even flabbergasted the most left-wing radical students in that course.

Persecution by Prosecution

Just recently, the Canadian media referred to Germany as a country with some of the toughest "hate-crime" legislation in the world.²⁸³ This choice of words is unfortunate, since what we are dealing with in Germany has nothing to do with what is called a "hate crime" in Canada or the U.S. In North America, a hate crime is a normal criminal offense (theft, robbery, rape, murder, assault, etc.) driven by hatred against a group which is considered to be worthy of protection against such hatred. Feelings themselves, be they hate or love, are not a crime in either America and Canada. In the U.S., Expressing feelings or opinions is never a crime. But it is different in Germany: If one expresses hatred, contempt, disgust or any other negative feeling for somebody or a certain group, this by itself can be a crime. There is, of course, one big exception: Everybody is allowed to spread unlimited hatred, contempt, and disgust against Germany, the German people, and its culture. This is not an offense. But doing the same against any other group may very well constitute a crime. And even worse: Expressing views out of love, affection, and altruism can be a crime as well, that is, if somebody expresses opinions driven by his love for the German people, the German nation, or the German culture, this can be regarded as a denigration of other nations, peoples, and cultures and can get one into legal trouble.

And even worse, in cases where no feelings are expressed, but simple, unemotional facts and opinions are claimed, a "hate crime" can be committed in Germany if any identifiable, influential group might hate that such facts or opinions are voiced publicly. For example, if one has dissenting views on certain historical topics, this does not, of course, include any emotional statement about any identifiable group. But such dissenting views are very often hated by certain leftist and/or Jewish groups, hence

²⁸³ Toronto *Globe and Mail*, Feb. 14, 2003; Boston *Globe*, 2/21/2003: The media call Germany's laws "strict" or "tough" anti-hate laws, though they do not, of course, simply address hate as such.

they are classified as “hate crimes” – allegedly because they incite to hatred against those groups, but actually because those groups hate such opinions.

It would therefore be helpful if the German prosecution of such “crimes” would not be referred to as “hate crimes”, since they do not consist of crimes in a legal sense, but as Orwellian “thought crimes” or, as the German authorities call them, as “propaganda offenses”.

To summarize the situation: Germany and its leaders have fallen from one extreme to another, from extreme nationalism to extreme self-hatred and self-destruction, from the brutal suppression of dissenting expression to the brutal suppression of patriotic expression. The pendulum swings to the other extreme, but hopefully it will not get stuck there, which would ultimately lead to the destruction of Germany, its people, and its culture, to a geno-suicide.

Total Silence of Media and Human-Rights Organizations

But why do we not hear about this in our media? Must one not expect that at least some human-rights organization would speak out about it?

The reason for this total silence is simple: Would you dare to defend individuals who are called “neo-Nazis” by the German authorities and media?

The president of one human-rights organization, the German *Internationale Gesellschaft für Menschenrechte* (IGFM, International Society for Human Rights), clearly spelled it out when approached to assist the victims of modern-day German persecution. Though they know about the injustice done to many scholars and publishers, they decided not to assist:²⁸⁴

“I believe that the IGFM does not have the strength to get through such a proceeding without harming the entire society.”

The background of this is that this society has already come under massive attack by the German media and left-wing organizations for its firm stance against communism and for assisting ethnic Germans who experienced persecution due to their ethnic background in eastern European countries during the Cold War (mainly Poland and Czechoslovakia). Assisting individuals who are accused of being “politically incorrect” due to their (alleged) right-wing views would most likely unleash a wave of persecution against the society itself, which it thinks it could not deal with.

²⁸⁴ Letter of Karl Hafen, president of *Internationale Gesellschaft für Menschenrechte*, to GERMAR RUDOLF, Oct. 30, 1996; <http://germarrudolf.com/persecution/germars-persecution/documents/, list #21>.

Four hundred years ago, nobody would dare to defend those made out as witches by the authorities. In the Soviet Union, it could prove fatal to defend someone depicted as a capitalist. In National Socialist Germany, you would better not dare to defend a Jew or a Communist. The labels that dictatorial systems place on people to ostracize them change. But neither the methods of persecution change, nor the indifference or even active approval of the public.

What will you say if they call you a ‘neo-Nazi’ tomorrow because you dared to sing your national anthem in public? So think twice, if somebody is called a ‘neo-Nazi’ by the media. It is perhaps only a patriot.



Staatsanwaltschaft Chemnitz

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Herrn
Alexander Kleber

[REDACTED]

[REDACTED]

Chemnitz, den 27. Oktober 2000

Telefon: 0371/453-4414

Bearbeiter: Herr StA a.GL Zöllner / leu

Aktenzeichen: [REDACTED]

(Bitte bei Antwort angeben)

Ermittlungsverfahren gegen [REDACTED]
wegen Beleidigung

Strafanzeige vom 30.05.2000

Sehr geehrter Herr Kleber,

das Ermittlungsverfahren habe ich mit Verfügung vom 25.10.2000 gemäß § 170 Abs. 2 Strafprozeßordnung eingestellt.

Gründe:

Dem Beschuldigten wurde vorgeworfen, den Anzeigenerstatter in einem Artikel der Zeitung "Freibärger", Ausgabe Mai 2000 als Neonazi bezeichnet und so beleidigt zu haben. Desweiteren sei ohne Erlaubnis ein Bild des Anzeigenerstatters veröffentlicht worden.

Eine strafbare Beleidigung im Sinne von § 185 StGB liegt nicht vor, der Beschuldigte hat die Grenzen der Pressefreiheit nicht überschritten. Maßgebend bei der Beurteilung der Frage, ob die Bezeichnung als Neonazi eine Beleidigung darstellt, ist, wie ein unbefangener verständiger Durchschnittsleser die Äußerung versteht. Entscheidend ist damit der objektive Sinngehalt (Erklärungsinhalt), nicht also, was der Beschuldigte zum Ausdruck bringen wollte oder was der Anzeigenerstatter als Betroffener darunter versteht, sondern was mit dem Begriff Neonazi zum Ausdruck gebracht wurde. Gerade vor dem Hintergrund der aktuell häufig in der Öffentlichkeit diskutierten "rechten Gewalt" wird der Begriff Neonazi als Sammelbegriff für sämtliche Personen, die in irgendeiner Art und Weise dem politisch rechten Spektrum zuzurechnen sind, verwendet, ohne dass dabei hinsichtlich einer Gruppenzugehörigkeit innerhalb des rechten Spektrums differenziert wird. Die hier verwendete Bezeichnung stellt also keine Beleidigung dar, sondern ordnet den Anzeigenerstatter lediglich

- 2 -

einer Gruppe zu, der er tatsächlich angehört. Er ist als Landesvorsitzender der Jungen Landsmannschaft von Sachsen und Niederschlesien zweifelsohne als rechtsorientiert einzustufen. Hinsichtlich des veröffentlichten Bildes des Anzeigenerstatters war seine Erlaubnis wegen § 23 Abs. 1 Nr. 3 KunstUrkG entbehrlich.

Hochachtungsvoll

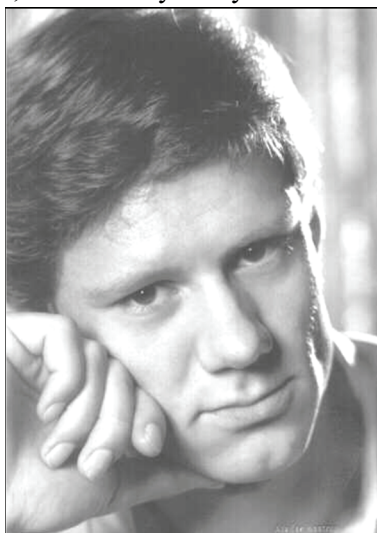
gez. Zöllner
Staatsanwalt als Gruppenleiter

Diese Mitteilung wurde elektronisch erstellt und enthält deshalb keine Unterschrift, wofür um Verständnis gebeten wird.

15. Biographical Notes on the Author

Germar Rudolf, a certified chemist, was born on October 29, 1964, in Limburg/Lahn, Germany. He received an Elite High School Diploma (*Gymnasium Abitur*) in 1983 in Remscheid, followed by study for a certified chemist's degree (*Diplom-Chemiker*) at the University of Bonn, graduation *summa cum laude* in September 1989. Completion of compulsory military service with the *Luftwaffe* (German Air Force). Between October 1990 and June 1993, Rudolf worked on the preparation of a PhD thesis at the Max Planck Institute for Solid State Research in Stuttgart. Despite the highest recommendations, he was forced to withdraw his dissertation, because the University of Stuttgart threatened to reject it on political grounds (due to the legal repercussions of his involvement in revisionism).

Since early 1993, he has been the defendant in several criminal prosecutions resulting from the publication of scientific texts. One of the cases resulted in a 14 months' prison sentence. Shortly after the appeal for this case had been rejected in March 1996, but before an arrest warrant had been issued for him, he left his native Germany and went into exile, first very briefly to Spain, then to England, and in late 1999 the United States, where he applied for political asylum in late 2000.



*The Author in summer 1991,
while doing the main work
for this expert report*



The author in summer 2003

In late 1996, Rudolf established the publishing house Castle Hill Publishers in the UK and, simultaneously, a quarterly historical periodical in the German language, with the aim of addressing critical aspects of contemporary history currently suppressed in all German-speaking countries. In 2000, he started publishing English-language books on revisionist topics under the imprint of Theses & Dissertations Press, an imprint originally established by Robert H. Countess and purchased by Rudolf in the summer of 2002. Between 2003 and 2005, he also published a quarterly historical journal in English, which focused on the same topics as his German periodical.



The author in April 2010

In late summer 2004 Rudolf married a U.S. citizen. Due to this, he applied for permanent residence in the U.S. while his asylum case was still pending. As a result, he and his wife were asked to appear to an interview with the U.S. Immigration Services on October 19, 2005. Their marriage was subsequently certified as valid and genuine, but right after the couple had obtained their certificate, Rudolf was arrested and four weeks later deported to Germany, with the reason given that Rudolf, as a rejected asylum seeker, has no right to apply for permanent residence.

In Germany, he was arrested at the airport and incarcerated. In the years 2006/2007 he was tried for numerous items he had published while residing in the USA. Although perfectly legal there, Germany nevertheless applies German law to those cases, if such publications are accessible in Germany via the internet or are being imported to Germany. Rudolf was sentenced to an additional 30 months of imprisonment. Together with his old verdict of 14 months, he subsequently spent 44 months in various German prisons.

After his release from prison on July 5, 2009, he left Germany again, first to England, and later, after his application for legal permanent residence in the U.S. was finally granted in July 2011, to the U.S., where he rejoined his wife and daughter.

Gernar has five children: two from his first marriage, one from his second, and two adopted children.

He can be reached via his web site: www.GernarRudolf.com.

16. Appendices

Abbreviations

ARD	Arbeitsgemeinschaft der öffentlich-rechtlichen Rundfunkanstalten der Bundesrepublik Deutschland
BGH	Bundesgerichtshof, German Federal Supreme Court
BKA	Bundeskriminalamt, the German FBI equivalent
CDU	Christlich-Demokratische Union
CSU	Christlich-Soziale Union
CWMG	The Collected Works of Mahatma Gandhi
DKP	Deutsche Kommunistische Partei
DPA	Deutsche Presse-Agentur
FBI	U.S. Federal Bureau of Investigations
FDP	Freie Demokratische Partei
IMT	International Military Tribunal
INS	U.S. Immigration and Naturalization Services
IRA	Irish Republican Army
KPD	Kommunistische Partei Deutschlands
NKVD	Narodnyi Komissariat Vnutrennikh Del (The People's Commissariat for Internal Affairs)
NPD	Nationaldemokratische Partei Deutschlands
ÖDP	Ökologisch-Demokratische Partei
SPD	Sozialdemokratische Partei Deutschlands
ZDF	Zweites Deutsches Fernsehen

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Index

Entries in footnotes are rendered in italics.

- 9 —
 9/11 attacks: 97, 99, 242, 272
- A —
 Acton, Tom: 73
 Administrative Court
 Baden-Württemberg: 224
 Bavaria: 257
 Federal German: 257
 Afghanistan: 17
 Aigner, Dietrich: 253
 Alabama: 91
 Allen, Andrew: 87, 90-96
 Allgemeine Jüdische
 Wochenzeitung: 176, 185
 Amnesty International: 144
 Andres, Bernhard: 24
 Anntohn, Günther: siehe
 Günter Deckert
 ARD
 Panorama: 203, 224
 Report: 197, 201-204, 228
 Tagesthemen: 203
 Aristotle: 124, 139
 Arosen: 179
 Atlanta: 78, 144, 233
 Auschwitz
 as symbol: 15
 Birkenau: 33, 39, 164, 189,
 222
 bludgeon: 22, 23, 27, 186
 Camp: 29, 34, 45, 111,
 127, 138, 169, 175, 176,
 180, 182, 184, 190, 220,
 245
 cornerstone: 44
 death toll: 165, 169, 176,
 177, 179, 204
 denial: 13, 201
 gas chambers: 15, 36, 41,
 64, 147, 164, 165, 168,
 171, 173, 174, 178, 201
 gassings: 29
 investigation: 120, 170,
 171, 178, 199, 210, 225,
 226
 Lie: 171, 180
 Main Camp: 164
 survivor: 45
 Auschwitz State Museum:
 174
 Auschwitz Trial
 Frankfurt: 37, 165, 171,
 176-178, 180
 Australia: 150
 Austria: 18, 38, 39, 143, 150,
 173, 192, 199, 241, 247,
 248, 252, 272
- B —
 Bad Kissingen, Germany: 35,
 154
 Baden-Württemberg: 116,
 190, 198, 262, 271
 parliament: 247, 262
 Bahners, Patrick: 45, 46
 Bangladesh: 80
 Barzel, Rainer: 229
 Bastian, Till: 155
 Bauer, Yehuda: 167
 Baumann, prosecutor: 173,
 176, 181, 220
 Bautzen: 183
 Bayern 1 radio: 173
 Beachy Head: 73
 Beisel, Daniel: 255
 Belt: 237
 Berg, Carl-Friedrich: 190
 Berglar, Peter: 229
 Berlin: 23, 24, 27, 77, 182
 Wall: 25
 Berry, Jessica: 211
 Bielefeld: 220
 Bild-Zeitung: 148, 216
 Birling Gap: 61
 Birmingham, Alabama: 80
 BKA: 68, 261, 272
 Blick nach Rechts: 213, 214,
 216
 Blüm, Norbert: 25
 Board of Immigration
 Appeals: 104, 105
 Böblinger Kreiszeitung: 205
 Bock, Ludwig: 148, 270
 Böck, Richard: 171, 178
 Bote, Böblinger: 198, 208,
 209, 211
 Botsford, David: 57
 Brauner, Aze: 167
 Brighton: 73, 74, 188
 British National Party: 55,
 56, 211, 212
 British Telecom: 63
 Broad, Pery S.: 164
 Brunner, Manfred: 255
 Bubis, Ignatz: 207, 221, 223
 Buchheim, Hans: 37
 Bühler, Karlheinz: 230
 Bünde, north Germany: 219
 Bundesprüfstelle für
 jugendgefährdende Medien:
 187, 189, 190, 258, 259,
 260, 261
 Bundeswehr: 26, 186
 Burg, Josef G.: 190, 191
 Butz, Arthur R.: 94, 194, 265
- C —
 Cambridge: 139
 Canada: 150, 276
 Canary Islands: 64
 Capital: 219
 Carpenter, Karen: 76
 Cartell-Verband der
 katholischen deutschen
 Studentenverbindungen:
 229
 Carto, Willis: 91
 CDU: 17, 18, 24-26, 209
 censorship: 55, 56, 57, 85,
 203, 212, see Chapter 14
 Chelain, André: 246

- Chertoff, Michael: 146
 Chicago: 113, 116, 121, 146, 194
 Chula Vista: 89
 Cincinnati: 50, 80
 civil disobedience: 119, 133, 134, 140
 civil rights: 45, 46, 53, 56, 203, 211, 219
 Cole, David: 140
 Committee for Open Debate on the Holocaust: 84
 common knowledge: 148, 165, 166, 173, 175-183, 226
 Copernicus, Nicolaus: 123, 133
 Costa del Sol: 55
 Countess, Robert H.: 65, 78-80, 91-93, 96, 98, 194, 282
 County Court
 Berlin: 192
 Berlin Tiergarten: 188
 Böblingen: 188, 189
 Bonn: 192
 Mannheim: 191
 Munich: 155, 188, 190, 191
 Rosenheim: 192
 Starnberg: 191, 192
 Stuttgart: 224
 Tübingen: 44, 185, 190, 191, 192, 193, 203, 246
 Weinheim: 188
 Cox, Craig: 79
 Coyne, Julia: 111
 crime of moral turpitude: 88, 145
 Crowlink: 50, 60-63
 CSU: 17, 18, 21, 209
 Czechoslovakia: 18, 19, 86, 277
- D —
 Dachau: 166, 175, 180, 181
 Damon, James: 93, 99
 Deckert, Günter: 45, 64, 143, 147, 148, 186, 190, 226
 Degussa AG: 202
 Demjanjuk, John: 166
 democracy: 7, 8, 24, 100, 133, 134, 182, 250, 271, 275
 Demosthenes: 129
- Department of Homeland Security: 104, 111, 115, 145
 Der Spiegel: 169, 274
 Der-Yeghiayan, Samuel: 146
 Detscher: 155
 Deutsche Presseagentur: 197, 199-201, 204, 208, 209, 211, 213, 216, 217, 227
 Deutsche Reichspartei: 264, 273
 Deutschland Report: 198, 226
 Devil's Dyke: 73
 Dezernat Staatsschutz: 128, 198, 267, 271
 Dickens, Charles: 139
 dictatorship: 8, 19, 20, 275
 Die Piraten: 13
 Die Rheinpfalz: 213
 Dieter Hömig: 253
 Dietze, Gottfried: 267
 Dismore, Andrew: 83
 District and Chamber Court of Berlin: 175
 District Court
 Bielefeld: 155, 270
 Flensburg: 192
 Hamburg: 148
 Mannheim: 120, 190, 226
 Munich: 155
 Nuremberg: 192
 Schweinfurt: 151, 152, 170, 173
 Stuttgart: 26, 36, 43, 149, 157, 163, 164, 167, 192, 198, 203-205, 208, 226, 227, 230
 Diwald, Hellmut: 243, 244
 DKP: 264
 Dörschler, Hannelore: 228
 Dostoyevsky, Fyodor: 139
 Douglas, Gregory: 191
 Dublin: 71, 75-78
 Dufour, Marc: 70
 DUI offense: 104, 108
 Dworkin, Ronald: 255, 263
 Dyba, Archbishop Johannes: 228
- E —
 East Dean: 60, 72, 76
 East Sussex: 60
 Eastbourne: 60, 71, 76
 Ebeling, Dieter: 200, 201
- Eduard Dreher: 255
 Ehrenburg, Ilya: 167
 Eibicht, Rolf-Josef: 15, 191
 Elstner, Reinhold: 249
 Embassy, German: 58, 73, 74
 Engelhard, Hans. A.: 20, 174
 England: 44, 49, 50, 54-57, 65, 66, 70, 71, 75-77, 79, 82, 83, 88, 98, 117, 118, 145, 211-213, 231, 233, 272, 281, 282
 Englund, Göran: 103
 Estepona: 55, 107
 Etsch: 237
 European Union: 74, 84
 Evans, Sheila: 212
 extradition: 49, 54, 58, 74, 75, 213, 231
- F —
 Faith, Linda M.: 80, 81
 Faith, Paul: 80, 81
 fat, human
 for soap: 167
 Faurisson, Robert: 94, 154, 156, 157, 166, 194, 265
 FBI: 68, 92, 261, 272
 FDP: 25, 26, 27
 Federal Constitutional Court, German: 45-47, 134, 141, 142, 199, 246, 252-254, 257, 269
 Federal Review Office for Youth-Endangering Media: see Bundesprüfstelle für jugendgefährdende Medien
 Federal Supreme Court, German: 43, 148, 151, 158, 163, 192, 199, 210, 224, 226, 231, 266, 269
 Fifth Amendment: 115, 143, 233
 Filbinger, Hans: 28
 Filching: 51
 First Amendment: 65, 103, 194
 Fischer, Josef: 44, 268
 Fleißner, Herbert: 37
 Franciszek Piper: 174
 Frank, Bruno: 128
 Frankfurt, Germany: 22, 26, 116, 145, 182, 199

- Frankfurter Allgemeine Zeitung: 45, *148*, 167, 182, 203
 Frankfurter Rundschau: *148*
 Franklin, Benjamin: 133
 Franz-Willing, Georg: *273*
 freedom
 of assembly: 24
 of expression: 44, 58, 65, 69, 231
 of science: 44-47, 169
 Freiburg: 186
 Friedmann, Bernhard: 25
 Frisch, Max: *202*
 Friston: 50, 51
 — G —
 Galilei, Galileo: 132
 Gall, Lothar: *249*
 Gauss, Ernst: 106, *127, 161, 185, 189, 190, 193, 198, 202, 206, 246*
 Geißler, Heiner: 25
 Genscher, Hans-Dietrich: 19, 173
 German Democratic Republic: 183
 Gestapo: 264
 Ginsburg, Josef: 94
 Göbel, Klaus: 270
 Goll, Ulrich: *46*
 Gottschalk, Thomas: 229
 Grabert Verlag: 46, 47
 Grabert, Wigbert: *47, 185-187, 245, 246, 260*
 Grabitz, Helge: *167*
 Graf, Jürgen: 191, 193, 194
 Great Britain: 54, 111, 131, 198, 213, 275
 Griffin, Nick: 55, 56, 212
 Gritschner, Otto: *132*
 Gross, Johannes: 219
 GRÜNE: 25, 231
 Gulag: 128
 Günter Dürig: *135*
 Gurley, Alabama: 98
 — H —
 Hafen, Karl: *277*
 Haller, E.: 173
 Halow, Josef: 191
 Hamburg: 200, 231
 Hamburger Abendblatt: 214
 Hancock, Corrine: 49, 54-56, 58-60, 62, 66
 Hancock, Tony: 49, 52, 54, 56, 58-60, 62, 66, 67, 69, 70, 72, 73, 75, 76
 Hansa Luftbild: 178
 Hastings, Chris: 50-56, 82, 83, 211, 212, 213
 Hastings, East Sussex: 50, 57, 71, 82, 83, 213
 Haverbeck, Werner Georg: *156*
 Haydn, Joseph: 237
 Heathrow: 55, 57, 63, 64, 66, 70
 Heddesheimer, Don: 193, 194
 Hegel, Georg W.F.: 139
 Heidelberg: 120, 137, 216
 Helsing, Jan van: 191
 Hemingway, Ernest: 139
 Hepp, Robert: 15, 244, 245
 Herbricht, Michael: *247*
 Herrmann, Hajo: 32, 150-152, 154, 170, 175-177, 179, 180, 182, *207, 270*
 Herzog, Roman: 134, 135
 Herzogenrath-Amelung, Günther: 99, *148, 155, 231, 254*
 Heyne, Johannes: *240, 251*
 Hilberg, Raul: 176, 193
 Hildebrandt, Klaus: *249*
 Hinsley, Francis H.: 177
 Hitler, Adolf: 20, 22, 24, 32, 35, 177, 191, 224
 Hoerbst, Günther: 214
 Höfer, Werner: 28
 Hoffmann, Joachim: 167, 186, *246, 247*
 Höffner, Josef Cardinal: 228
 Hohmann, Martin: 9
 Holley, Jane: 111
 Holon, Israel: 181
 Honsik, Gerd: *155, 173, 191*
 Horst Schröder: *255*
 Höss, Rudolf: 164, 180
 Hove: 54, 76
 Huber, Marcel H.: 192
 Hundseder, Franziska: 202-204, 224
 Huntsville, Alabama: 78, 79, 98, 99
 Hupka, Herbert: 229
 Huster, Stefan: 255
 — I —
 Iceland: 84
 Immigration and Customs Enforcement: 111
 Inquisition: 252
 Institut Fresenius: 39, 171, 174, 178, 197, 202, 222
 Institut für Zeitgeschichte: 32, 37
 Institute for Historical Review: 159
 Internationale Gesellschaft für Menschenrechte: 277
 InterNic: 52
 IRA: 75
 Ireland: 71, 75, 77, 78
 Ireland, Northern: 71
 Irving, David: 50, 54-56, 75, 80, 82, *155, 214*
 Isaiah: 147
 Israel: 10-12, 166, 179, 181, 185
 — J —
 Jakobovits, Immanuel: 183
 Jan Sehn Institute, Krakow: 174, 226
 Jehovah's Witnesses: 263
 Jenninger, Philipp: 28, 229
 Jerusalem: 166, 167
 Jesse, Eckhard: 260
 Jesus Christ: 52, 78, 132, 241
 Jettingen: 211, 230
 Jevington: 51, 70
 Jewish Board of Deputies: 83, 213
 Jones, Graham: 66-76
 Joplin, Janice: 137
 Junge Freiheit: 29, 32
 Junge Union: 25
 Jury Court, Frankfurt: see
 — K —
 Kahlenbergerdorf, Austria: 173
 Kammerer, Rüdiger: *188, 189, 198*
 Kant, Immanuel: 125, 131, 139
 Katyn: 175

- Keating, Jody: 111
 Keel Mountain: 99
 Kemper, Erhard: 143
 Kenosha: 113, 114, 116, 118, 233
 Kiefer, Markus: 229
 Klein, Hans Heiko: 214, 215
 Knirsch, Viktor Robert: 173
 Kögel, Ernst-Günther: 143
 Kogon, Eugen: 31, 176
 Kohl, Helmut: 25
 Köhler, Manfred: 189
 Königsberg, East Prussia: 18
 Konrad, Christian: 155
 Körber, Hermann: 219-221
 Kosiek, Rolf: 47, 246
 KPD: 264
 Krakowski, Shmuel: 167
 Kretschmer, Werner: 155
- L —
 Labor Court Stuttgart: 201
 Lackner, Karl: 255
 lampshades made of human skin: 167
 Langbein, Hermann: 177
 Le Monde: 176
 Leckner, Theodor: 255
 Leuchter Report: 29, 30, 32, 118, 174
 Leuchter, Fred A.: 32, 64, 127, 143, 147, 155, 166, 174, 194, 204, 220
 Libertarian Alliance: 57
 Limburg, Germany: 281
 Lindlau, Dagobert: 265
 Lipstadt, Deborah E.: 55, 82, 214
 Lober, Jochen: 219
 London: 55, 58, 63, 64, 71, 73, 76, 77, 83, 188, 189, 211
 London Victoria: 52, 53, 55, 73, 211
 London zoo: 63
 Lorenz, Konrad: 124
 Los Angeles Times: 82, 214
 Löwitsch, Klaus: 49
 Lübeck, Germany: 201, 202
 Ludwigsburg: 267
 Luftwaffe: 32, 281
 Lummert, Horst: 207
 Luther, Martin: 132, 133
- M —
 Maas: 237
 Mahatma Gandhi: 132, 133
 Maier, Sonnhild: 206
 Majdanek: 64, 175, 190
 Mannheim: 119, 137, 214
 Marbella: 107
 Markiewicz, Jan: 127
 Märkische Allgemeine Zeitung: 197
 Martin, Michael: 63, 71
 Martin, Sigmund P.: 270
 Mattogno, Carlo: 127, 166, 188, 190, 193, 194
 Maunz, Theodor: 135
 Max Planck Institute for Solid State Research, Stuttgart: 35, 41, 184, 197, 199, 206, 222, 223, 227, 281
 Max Planck Society, Munich: 199-223, 227
 Mayer, Arno J.: 177
 Mayer, Dietmar: 225, 228, 231
 Mayer, Rupert: 132
 Meier, Horst: 255
 Meinecke, Albert: 199, 200
 Memel: 237
 Mexico: 84, 87, 89, 90, 111
 Meyer, Fritjof: 165, 169
 Militärgeschichtliches Forschungsamt: 186
 Ministry of Justice, Baden-Württemberg: 46
 Möbus, Hendrik: 92
 Mohler, Armin: 28, 29
 Molau, Andreas: 31
 Moscow: 179
 Munich: 170, 189, 249, 251, 270
 Murphy, Kim: 82, 214
 Musial, Bogdan: 249
 Muslims: 11, 117, 142, 272
 Mußmann, E.: 267
- N —
 Napoleon: 240
 National Alliance: 92
 National Front: 55, 56, 211, 212
 Neumaier, Arnulf: 167
 New York: 78, 79, 84
 New York Times: 140
 NKVD: 128
 Nolte, Ernst: 87, 139, 141, 246, 255
 Nolywaika, Joachim: 192
 Nordbruch, Claus: 99, 252, 253, 264
 Nordgau Prag: 267
 Nowak, Hans Jürgen: 190
 NPD: 22, 23, 147
 Nuremberg: 219
 Nuremberg Tribunal: 174-176, 180, 182-184
- O —
 ÖDP: 26
 Orlet, Rainer: 148, 186
 Oswald, Scott: 97
 Oxford: 56
- P —
 Palestinians: 12
 Payer, judge Dr.: 188
 Pembroke: 76
 Pentagon: 99
 persecution
 communist: 19
 Jewish paranoia: 84
 of dissidents: 31, 49, 53, 55, 56, 84, 168, 170, 211, 225, 232, passim
 of Jews: 19, 21, 23, 30, 45, 232
 Pevensey Bay: 53, 55
 Pfeifenberger, Werner: 215, 248
 Pfeiffer, Gerd: 261
 Pfeiffer, Thomas: 213
 Philipp, Karl: 35, 154, 155, 156, 199, 207
 Pilsen: 19
 Pinque, Audre: 90
 Platin, Jean: 246
 plutocracy: 8
 Poland: 18, 19, 277
 political asylum: 84, 232, 233, 281, 282
 Popper, Karl R.: 47, 124, 125, 126, 132, 139
 pornography: 259, 261, 262
 Porter, Carlos W.: 192
 Post, Walter: 249

- Pressac, Jean-Claude: 165, 168
 Proske, Rüdiger: 249
 Prussia: 128
 East: 18
 West: 22
 pseudo-legal: 116, 186
 pseudo-science: 127, 186, 203
 — R —
 Rahm, Director: 181
 Rassinier, Paul: 27, 94
 Ratzinger, Joseph Cardinal: 228
 Red Lion: 16
 Reitlinger, Gerald: 176
 Rembiszewski, Sarah: 231
 Remer Depesche: 173-175, 198, 220, 221, 226
 Remer, Anneliese: 35, 41
 Remer, Otto Ernst: 32, 35-43, 106, 107, 150-156, 158, 159, 163-167, 169, 170, 172-177, 179, 182, 184, 185, 197, 198, 206-210, 220-223, 225, 226, 264
 Rennie, Frank: 239, 240
 Republikaner: 21, 23-28, 33
 resistance: 48, 120, 122, 132-135, 160
 Resistance, French: 27
 Reuth, Ralf Georg: 249
 Reykjavik: 86
 Rieger, Jürgen: 148
 Rocker, Stefan: 201, 203
 Roding, Germany: 153, 154
 Roques, Henri: 148, 190, 246
 Rosarito, Baja California: 84, 87, 89, 90, 91
 Rottenburg: 116, 117, 137, 233
 Rudas, Stephan: 7
 Rudolf, Georg Hermann: 232
 Rudolf, Ursula: 228
 Ryder-Smith, John: 70
 — S —
 Sachsenhausen: 132
 San Diego: 91
 San Francisco: 90, 91, 93
 San Ysidro: 91
 Sanning, Walter N.: 265
 Sassmannshausen, Jörg: 222
 SAT 1 TV: 222
 sauna: 175
 Saxony: 24
 Schaller, Herbert: 38, 175, 177, 182-184
 Schäuble, Wolfgang: 256
 Scheel, Dr.: 164, 173
 Scheidl, Franz: 192
 Schilly, Otto: 268
 Schlesiger, Wilhelm: 202, 221, 223, 228
 Schmidt, Hans: 143
 Schmidt-Jorzig, Edzard: 256
 Schmidt-Neuhaus, Dieter: 249
 Scholz, Rainer: 155
 Schönke, Adolf: 255
 Schopenhauer, Arthur: 139
 Schrenck-Notzing, Caspar von: 273
 Schröder, Gerhard: 268
 Schwab, Jürgen: 253
 Schwaibold, Frank: 206-208
 Schwarz, Hans-Peter: 249
 Schweiger, Herbert: 192
 Schweinfurt, Germany: 175, 220
 Scrinzi, Otto: 248
 Scully, Olga: 99
 Searchlight: 213
 Sedlatschek: 230
 Seidler, Franz W.: 249
 Seifert, Karl-Heinz: 253
 Serbia: 17
 Seven Sisters: 57, 61
 Shamir, Israel: 119, 120
 Shannon: 78
 Sheftel, Yoram: 167
 Siebenbürger, judge: 170, 173, 176, 181
 Silesia: 19
 Simon, Arndt: 35, 222
 Sin Fein: 75
 slavery: 133
 Sleipnir: 188, 226
 Smith, Bradley R.: 84, 87-91
 soap
 from Jewish fat: 167
 Socrates: 124, 132
 Sojka, Klaus: 249
 Soldat im Volk: 171
 Solms, Armin: 188, 189, 198
 Solzhenitsyn, Alexandr: 119, 128-131, 261
 Sonntag Aktuell: 215
 Soratroi, Erwin: 192
 Southern Railways: 52
 Soviet Union: 128, 131, 264, 278
 Spain: 36, 41, 44, 54, 106, 107, 111
 SPD: 25, 26
 Special Treatment: 231
 Splittgerber, Heinz: 192
 Staatsanwaltschaft Koblenz: 193
 Staatsanwaltschaft Wien: 192
 Stäglich, Wilhelm: 31, 47, 154, 192, 245, 265
 Stalin, Joseph: 18, 119, 128-130, 167, 175, 247
 State Security Department, German: 198
 Stein, Burkhardt: 185
 Steinenbronn, Germany: 198, 230
 Stephen Roth Institute: 84
 stern magazine: 222
 Stingl, Josef: 229
 Stöcker, Hans A.: 255
 Stolz, Sylvia: 216
 Stomper, Herbert: 229
 Stone Cross: 58
 Strauß, Franz-Josef: 17, 18, 21, 185, 228
 Strauß, Marianne: 185
 Strothmann, Dietrich: 253
 Stuparek: 173
 Stuttgart: 27, 36, 41, 44, 63, 117, 119, 137, 149, 157, 163-165, 188, 197-199, 202, 203-208, 216, 220, 221-227, 228, 230, 231, 233, 240, 246, 247, 267, 281
 Stuttgarter Nachrichten: 206, 208, 213
 Stuttgarter Zeitung: 148, 205, 206, 209, 215
 Süddeutsche Zeitung: 167, 209, 210
 Süddeutscher Rundfunk: 204, 205, 208
 Sudeten: 18, 35
 Südwestfunk: 205, 208

- Süssmuth, Rita: 25
 Switzerland: 241
 synagogue: 201
- T —
- taboo: 7-15, 31, 35, 125, 126, 158, 265
 tageszeitung: 148, 176
 Taunusstein: 197
 Tel Aviv: 42
 Telegraph, Daily: 52
 Telegraph, Sunday: 50, 52-54, 56, 57, 58, 63, 69, 74, 82, 211, 213
 Teschner, Susanne: 185
 The Hastings and St. Leonards Observer: 83, 213, 214
 The Independent: 242, 273
 Theses & Dissertations Press: 65, 80, 282
 Thiesen, Bodo: 13
 Thion, Serge: 192
 Thomas Dehler Stiftung: 219
 Thoreau, Henry David: 133
 thought criminal: 169
 Tiburon: 91
 Tijuana: 88, 89, 90
 Töben, Fredrick: 99, 118, 143, 148, 266
 Tolstoy, Leo: 139
 Topitsch, Ernst: 247
 Treblinka: 175, 180
 Trittin, Jürgen: 268
 Tröndle, Herbert: 255
 Tübingen, Germany: 44, 47, 157
 Tucholsky, Kurt: 248
 Tuisconia Königsberg, fraternity: 228, 229
 Tunbridge Wells: 51, 53, 54
- U —
- U.S. Federal Court
 Atlanta: 104, 109, 112, 114, 116, 141, 144, 233
 Chicago: 146
 U.S. State Department: 89, 97, 105, 143
- U.S. Supreme Court: 104, 109, 116, 144, 233
 Uckfield: 49-51, 54, 61, 62, 65, 66, 69
 Ullstein-Langen Müller: 37
 Ungváry, Krisztián: 249
 United Nations: 11, 142
 University
 Bonn: 17, 281
 Chemnitz: 260
 Cologne: 39
 Göttingen: 245, 246
 Johns Hopkins: 267
 Lyon III: 246
 Osnabrück: 244
 Stuttgart: 206, 223, 224, 281
 Tel Aviv: 84, 214, 231
 Upper District Court
 Düsseldorf: 175
 Munich: 155
 Uschkujnik, B.: 192
 USSR: 19, 176, 179
- V —
- van Pelt, Robert J.: 82
 Verbeke, Herbert: 161, 188-190
 Verbeke, Siegfried: 217
 Verein Deutscher Studenten: 22
 Verfassungsschutz: 84, 209, 263
 Verlag der Freunde: 161
 Vogt, Arthur: 192
 von Habsburg, Otto: 229
 von Hase & Köhler: 37
 von Hohenzollern, Frederick II: 128, 163
 von Hohenzollern, Friedrich Wilhelm, Prince: 229
 von Metternich, Klemens: 252
 von Schnering, Hans Georg: 38, 221, 222, 223, 224
 von Stahl, Alexander: 229
 von Weizsäcker, Richard: 174, 267
 Vrij Historisch Onderzoek: 212
- W —
- Wahl, Max: 155
 Walendy, Udo: 143, 155, 251, 252, 270
 Wales: 55, 56
 Walser, Martin: 197
 Wandres, Thomas: 256
 Wannock: 51
 Washington, D.C.: 104, 113
 Washington, George: 133
 Weber, Joachim F.: 249
 Weber, Mark: 214
 Webster, Martin: 56
 Weckert, Ingrid: 193
 Wegner, Werner: 220
 Weimar Republic: 253
 Werner, Steffen: 193
 Westphal, Hans Karl: 155
 Wetter, Friedrich Cardinal: 228
 Whine, Michael: 83, 213
 Wiesbaden, Germany: 197
 Wiesbadener Kurier: 197
 Wisconsin: 113
 Wissmann, Matthias: 229
 Witzsch, Hans-Jürgen: 143, 249, 250, 251
 Wolffsohn, Michael: 184
 Woltersdorf, Hans Werner: 193
 World Trade Center: 99
 World War One: 8, 22, 238, 251
 World War Two: 137, 175, 177, 184, 205, 238, 249, 251
- Y —
- Yugoslavia: 19
- Z —
- Zacher, Hanns F.: 221
 ZDF, heute: 210
 Zentralrat der Juden in Deutschland: 171, 207, 221, 223
 Zornig, Rudi: 148, 248, 270
 Zündel, Ernst: 32, 38, 113, 129, 143
 Zwerenz, Winfried: 220

HOLOCAUST HANDBOOKS

This ambitious, growing series addresses various aspects of the “Holocaust” of the WWII era. Most of them are based on decades of research from archives all over the world. They are heavily referenced. In contrast to most other works on this issue, the tomes of this series approach its topic with profound academic scrutiny and a critical attitude. Any Holocaust researcher ignoring this series will remain oblivious to some of the most important research in the field. These books are designed to both convince the common reader as well as academics. The following books have appeared so far, or are about to be released. Compare hardcopy and eBook prices at www.BOOKFINDER.COM.

SECTION ONE: General Overviews of the Holocaust

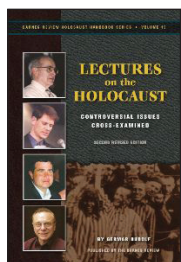
The First Holocaust. The Surprising Origin of the Six-Million Figure. By Don Heddesheimer. This compact but substantive study documents



propaganda spread prior to, during and after the FIRST World War that claimed East European Jewry was on the brink of annihilation. The magic number of suffering and dying Jews was 6 million back then as well. The book details how these Jewish fundraising operations in America raised vast sums in the name of feeding

suffering Polish and Russian Jews but actually funneled much of the money to Zionist and Communist groups. 3rd edition, 188 pages, b&w illustrations, bibliography, index. (#6)

Lectures on the Holocaust. Controversial Issues Cross Examined. By Germar Rudolf. Between 1992 and 2005 German scholar Germar



Rudolf lectured to various audiences about the Holocaust in the light of new findings. Rudolf’s sometimes astounding facts and arguments fell on fertile soil among his listeners, as they were presented in a very sensitive and scholarly way. This book is the literary version of Rudolf’s lectures, enriched with the most recent

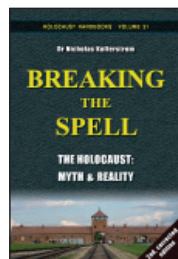
findings of historiography. Rudolf introduces the most important arguments for his findings, and his audience reacts with supportive, skeptical and also hostile questions. We believe this book is the best introduction into this taboo topic. Second edition, 500 pages, b&w illustrations, bibliography, index. (#15)

Breaking the Spell. The Holocaust, Myth & Reality. By Nicholas Kollerstrom. In 1941, British Intelligence analysts cracked the German “Enigma” code. Hence, in 1942 and 1943, encrypted radio communications between German concentration camps and the Berlin headquarters were decrypted. The intercepted data refutes, the orthodox “Holocaust” narrative.

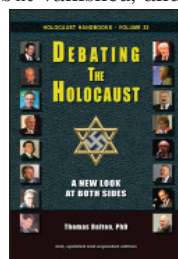


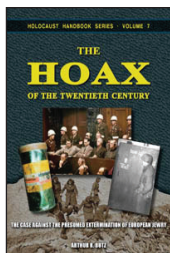
Pictured above are all of the scientific studies that comprise the series *Holocaust Handbooks* published thus far. More volumes and new editions are constantly in the works.

It reveals that the Germans were desperate to reduce the death rate in their labor camps, which was caused by catastrophic typhus epidemics. Dr. Kollerstrom, a science historian, has taken these intercepts and a wide array of mostly unchallenged corroborating evidence to show that “witness statements” supporting the human gas chamber narrative clearly clash with the available scientific data. Kollerstrom concludes that the history of the Nazi “Holocaust” has been written by the victors with ulterior motives. It is distorted, exaggerated and largely wrong. With a foreword by Prof. Dr. James Fetzer. 2nd edition, 257 pages, b&w illustrations, bibliography, index. (#31)



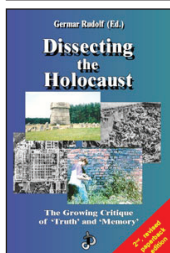
Debating the Holocaust. A New Look at Both Sides. By Thomas Dalton. Mainstream historians insist that there cannot be, may not be a debate about the Holocaust. But ignoring it does not make this controversy go away. Traditional scholars admit that there was neither a budget, a plan, nor an order for the Holocaust; that the key camps have all but vanished, and so have any human remains; that material and unequivocal documentary evidence is absent; and that there are serious problems with survivor testimonies. Dalton juxtaposes the traditional Holocaust narrative with revisionist challenges and then analyzes the mainstream’s responses to them.



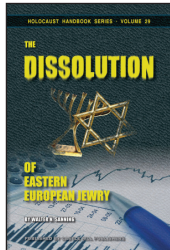


He reveals the weaknesses of both sides, while declaring revisionism the winner of the current state of the debate. 2nd, revised and expanded edition, 332 pages, b&w illustrations, bibliography, index. (#32)

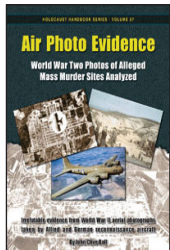
The Hoax of the Twentieth Century. The Case against the Presumed Extermination of European Jewry. By Arthur R. Butz. The first writer to analyze the entire Holocaust complex in a precise scientific manner. This book exhibits the overwhelming force of arguments accumulated by the mid-1970s. It continues to be a major historical reference work, frequently cited by prominent personalities. This edition has numerous supplements with new information gathered over the last 35 years. Fourth edition, 524 pages, b&w illustrations, bibliography, index. (#7)



Dissecting the Holocaust. The Growing Critique of 'Truth' and 'Memory.' Edited by Germar Rudolf. *Dissecting the Holocaust* applies state-of-the-art scientific technique and classic methods of detection to investigate the alleged murder of millions of Jews by Germans during World War II. In 22 contributions—each of some 30 pages—the 17 authors dissect generally accepted paradigms of the “Holocaust.” It reads as exciting as a crime novel: so many lies, forgeries and deceptions by politicians, historians and scientists are proven. This is the intellectual adventure of the 21st century. Be part of it! Second revised edition. 620 pages, b&w illustrations, bibliography, index. (#1)



The Dissolution of Eastern European Jewry. By Walter N. Sanning. Six Million Jews died in the Holocaust. Sanning did not take that number at face value, but thoroughly explored European population developments and shifts mainly caused by emigration as well as deportations and evacuations conducted by both Nazis and the Soviets, among other things. The book is based mainly on Jewish, Zionist and mainstream sources. It concludes that a sizeable share of the Jews found missing during local censuses after the Second World War, which were so far counted as “Holocaust victims,” had either emigrated (mainly to Israel or the U.S.) or had been deported by Stalin to Siberian labor camps. 2nd, corrected edition, foreword by A.R. Butz, epilogue by Germar Rudolf containing important updates; 224 pages, b&w illustrations, bibliography (#29).

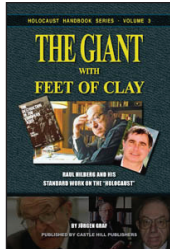
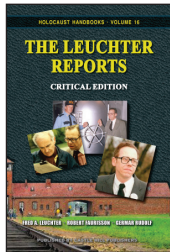


Air Photo Evidence: World War Two Photos of Alleged Mass Murder Sites Analyzed. By John C. Ball. During World War Two both German and Allied reconnaissance aircraft took countless air photos of places of tactical and strategic interest in Europe. These photos are prime evidence for the investigation of the Holocaust. Air photos of locations like Auschwitz, Majdanek, Treblinka, Babi Yar etc. permit an insight into what did or did not happen there. John Ball has unearthed many pertinent photos and has thoroughly analyzed them. This book is full of air photo reproductions and schematic drawings explaining them. According to the author, these images refute many of the atrocity claims made by witnesses in connection with events in the German sphere of influence. 3rd revised and expanded edition. Edited by Germar Rudolf; with a contribution by Carlo Mattogno. 168 pages, 8.5”x11”, b&w illustrations, bibliography, index (#27).

The Leuchter Reports: Critical Edition. By Fred Leuchter, Robert Faurisson and Germar Rudolf. Between 1988 and 1991, U.S. expert on execution technologies Fred Leuchter wrote four detailed reports addressing whether the Third Reich operated homicidal gas chambers. The first report on Auschwitz and Majdanek became world famous. Based on chemical analyses and various technical arguments, Leuchter concluded that the locations investigated “could not have then been, or now be, utilized or seriously considered to function as execution gas chambers.” 4th edition, 252 pages, b&w illustrations. (#16)

The Giant with Feet of Clay: Raul Hilberg and His Standard Work on the 'Holocaust.' By Jürgen Graf. Raul Hilberg’s major work *The Destruction of European Jewry* is an orthodox standard work on the Holocaust. But what evidence does Hilberg provide to back his thesis that there was a German plan to exterminate Jews, carried out mainly in gas chambers? Jürgen Graf applies the methods of critical analysis to Hilberg’s evidence and examines the results in light of modern historiography. The results of Graf’s critical analysis are devastating for Hilberg. 2nd, corrected edition, 139 pages, b&w illustrations, bibliography, index. (#3)

Jewish Emigration from the Third Reich. By Ingrid Weckert. Current historical writings about the Third Reich claim state it was difficult for Jews to flee from Nazi persecution. The truth is that Jewish emigration was welcomed by the German authori-



ties. Emigration was not some kind of wild flight, but rather a lawfully determined and regulated matter. Weckert's booklet elucidates the emigration process in law and policy. She shows that German and Jewish authorities worked closely together. Jews interested in emigrating received detailed advice and offers of help from both sides. 2nd ed., 130 pages, index. (#12)

Inside the Gas Chambers: The Extermination of Mainstream Holocaust Historiography. By Carlo Mattogno. Neither increased media propaganda or political pressure nor judicial persecution can stifle revisionism. Hence, in early 2011, the Holocaust Orthodoxy published a 400 pp. book (in German) claiming to refute "revisionist propaganda," trying again to prove "once and for all" that there were homicidal gas chambers at the camps of Dachau, Natzweiler, Sachsenhausen, Mauthausen, Ravensbrück, Neuengamme, Stutthof... you name them. Mattogno shows with his detailed analysis of this work of propaganda that mainstream Holocaust hagiography is beating around the bush rather than addressing revisionist research results. He exposes their myths, distortions and lies. 2nd edition, 280 pages, b&w illustrations, bibliography, index. (#25)

SECTION TWO: Books on Specific Camps

Treblinka: Extermination Camp or Transit Camp? By Carlo Mattogno and Jürgen Graf. It is alleged that at Treblinka in East Poland between 700,000 and 3,000,000 persons were murdered in 1942 and 1943. The weapons used were said to have been stationary and/or mobile gas chambers, fast-acting or slow-acting poison gas, unslaked lime, superheated steam, electricity, diesel exhaust fumes etc. Holocaust historians alleged that bodies were piled as high as multi-storied buildings and burned without a trace, using little or no fuel at all. Graf and Mattogno have now analyzed the origins, logic and technical feasibility of the official version of Treblinka. On the basis of numerous documents they reveal Treblinka's true identity as a mere transit camp. 2nd edition, 372 pages, b&w illustrations, bibliography, index. (#8)

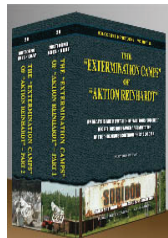
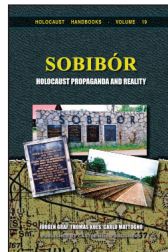
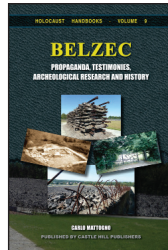
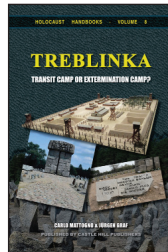
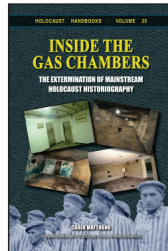
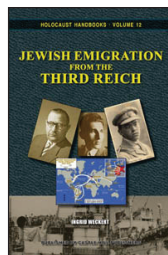
Belzec in Propaganda, Testimonies, Archeological Research and History. By Carlo Mattogno. Witnesses report that between 600,000 and 3 million Jews were murdered in the Belzec camp, located in Poland. Various murder weapons are claimed to have been used: diesel gas; unslaked lime in

trains; high voltage; vacuum chambers; etc. The corpses were incinerated on huge pyres without leaving a trace. For those who know the stories about Treblinka this sounds familiar. Thus the author has restricted this study to the aspects which are new compared to Treblinka. In contrast to Treblinka, forensic drillings and excavations were performed at Belzec, the results of which are critically reviewed. 142 pages, b&w illustrations, bibliography, index. (#9)

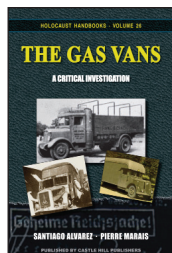
Sobibor: Holocaust Propaganda and Reality. By Jürgen Graf, Thomas Kues and Carlo Mattogno. Between 25,000 and 2 million Jews are said to have been killed in gas chambers in the Sobibór camp in Poland. The corpses were allegedly buried in mass graves and later incinerated on pyres. This book investigates these claims and shows that they are based on the selective use of contradictory eyewitness testimony. Archeological surveys of the camp in 2000-2001 are analyzed, with fatal results for the extermination camp hypothesis. The book also documents the general National Socialist policy toward Jews, which never included a genocidal "final solution." 442 pages, b&w illustrations, bibliography, index. (#19)

The "Extermination Camps" of "Aktion Reinhardt". By Jürgen Graf, Thomas Kues and Carlo Mattogno. In late 2011, several members of the exterminationist *Holocaust Controversies* blog published a study which claims to refute three of our authors' monographs on the camps Belzec, Sobibor and Treblinka (see previous three entries). This tome is their point-by-point response, which makes "mince-meat" out of the bloggers' attempt at refutation. It requires familiarity with the above-mentioned books and constitutes a comprehensive update and expansion of their themes. 2nd edition, two volumes, total of 1396 pages, illustrations, bibliography. (#28)

Chelmo: A Camp in History & Propaganda. By Carlo Mattogno. The world's premier holocaust scholar focuses his microscope on the death camp located in Poland. It was at Chelmo that huge masses of prisoners—as many as 1.3 million—were allegedly rounded up and killed. His book challenges the conventional wisdom of what went on inside Chelmo. Eyewitness statements, forensics reports, coroners' reports, excavations, crematoria, building plans, U.S. reports, German documents, evacuation efforts, mobile gas vans for homicidal purposes—all are discussed. 191 pages, indexed, illustrated, bibliography. (#23)



The Gas Vans: A Critical Investigation. (A perfect companion to the Chelmo book.) By Santiago Alvarez and Pierre Marais. It is alleged that the Nazis used mobile gas chambers to exterminate 700,000 people. Up until 2011, no thorough monograph had appeared on the topic. Santiago Alvarez has remedied the situation. Are witness statements reliable? Are documents genuine? Where are the murder weapons? Could they have operated as claimed? Where are the corpses? Alvarez has scrutinized all known wartime documents, photos and witness statements on this topic, and has examined the claims made by the mainstream. 398 pages, b&w illustrations, bibliography, index. (#26)



Concentration Camp Majdanek. A Historical and Technical Study. By Carlo Mattogno and Jürgen Graf. Little research had been directed toward Concentration Camp Majdanek in central Poland, even though it is claimed that up to a million Jews were murdered there. The only information available is discredited Polish Communist propaganda. This glaring research gap has finally been filled. After exhaustive research of primary sources, Mattogno and Graf created a monumental study which expertly dissects and repudiates the myth of homicidal gas chambers at Majdanek. They also critically investigated the legend of mass executions of Jews in tank trenches (“Operation Harvest Festival”) and prove them groundless. The authors’ investigations lead to unambiguous conclusions about the camp which are radically different from the official theses. Again they have produced a standard and methodical investigative work, which authentic historiography cannot ignore. Third edition, 358 pages, b&w illustrations, bibliography, index. (#5)

Concentration Camp Stutthof and Its Function in National Socialist Jewish Policy. By Carlo Mattogno and Jürgen Graf. The Stutthof camp in Prussia has never before been scientifically investigated by traditional historians, who claim nonetheless that Stutthof served as a ‘makeshift’ extermination camp in 1944. Based mainly on archival resources, this study thoroughly debunks this view and shows that Stutthof was in fact a center for the organization of German forced labor to-

ward the end of World War II. Fourth edition, 170 pages, b&w illustrations, bibliography, index. (#4)

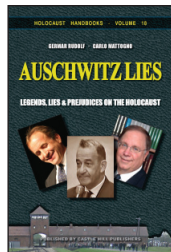
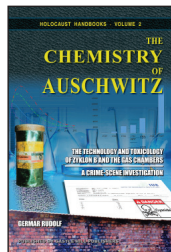
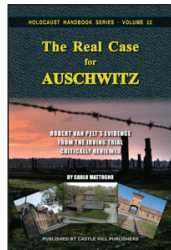
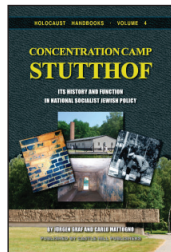
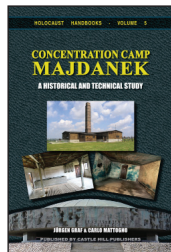
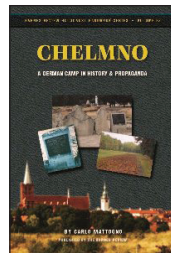
SECTION THREE: Auschwitz Studies

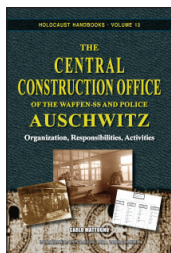
The Real Case of Auschwitz: Robert van Pelt’s Evidence from the Irving Trial Critically Reviewed. By Carlo Mattogno. Prof. Robert van Pelt is considered one of the best mainstream experts on Auschwitz and has been called upon several times in holocaust court cases. His work is cited by many to prove the holocaust happened as mainstream scholars insist. This book is a scholarly response to Prof. van Pelt—and Jean-Claude Pressac. It shows that their studies are heavily flawed. This is a book of prime political and scholarly importance to those looking for the truth about Auschwitz. 2nd edition, 758 pages, b&w illustrations, glossary, bibliography, index. (#22)

Auschwitz: Plain Facts—A Response to Jean-Claude Pressac. Edited by Germar Rudolf. French pharmacist Jean-Claude Pressac tried to refute revisionist findings with the “technical” method. For this he was praised by the mainstream, and they proclaimed victory over the “revisionists.” In *Auschwitz: Plain Facts*, Pressac’s works and claims are debunked. 2nd ed., 226 pages, b&w illustrations, glossary bibliography, index. (#14)

The Chemistry of Auschwitz. The Technology and Toxicology of Zyklon B and the Gas Chambers – A Crime Scene Investigation. By Germar Rudolf. First, this study subjects the claimed chemical slaughterhouses of Auschwitz to a thorough forensic examination. Next, it analyzes the murder weapon, the poison gas Zyklon B, to determine how this substance operated, and what traces, if any, it might have left where it was employed. The results are convincing to the open-minded, but scandalous to the dogmatic reader. To which side do you belong? Third edition, ca. 430 pages, many color illustrations, bibliography, index. (#2)

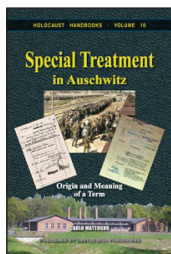
Auschwitz Lies: Legends, Lies and Prejudices on the Holocaust. By Carlo Mattogno and Germar Rudolf. The fallacious research and alleged “refutation” of Revisionist scholars by French biochemist G. Wellers, Polish Prof. J. Markiewicz, chemist Dr. Richard Green, Profs. Zimmerman, M. Shermer and A. Grobman, as well as researchers Keren, McCarthy and Mazal, are exposed for what they are:



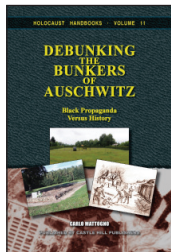


blatant and easily exposed political lies created to ostracize dissident historians. In this book, facts beat propaganda once again. Third edition, 398 pages, b&w illustrations, index. (#18)

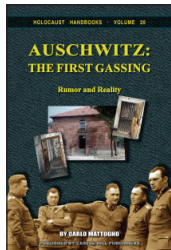
Auschwitz: The Central Construction Office. By Carlo Mattogno. Based upon mostly unpublished German wartime documents, this study describes the history, organization, tasks and procedures of the Central Construction Office of the Waffen-SS and Auschwitz Police. Despite a huge public interest in the camp, next to nothing was really known about this office, which was responsible for the planning and construction of the Auschwitz camp complex, including the crematories which are said to have contained the “gas chambers.” 2nd ed., 188 pages, b&w illustrations, glossary, index. (#13)



Garrison and Headquarters Orders of the Auschwitz Camp. By C. Mattogno. A large number of all the orders ever issued by the various commanders of the infamous Auschwitz camp have been preserved. They reveal the true nature of the camp with all its daily events. There is not a trace in these orders pointing at anything sinister going on in this camp. Quite to the contrary, many orders are in clear and insurmountable contradiction to claims that prisoners were mass murdered. This is a selection of the most pertinent of these orders together with comments putting them into their proper historical context. (Scheduled for early 2018; #34)



Special Treatment in Auschwitz: Origin and Meaning of a Term. By Carlo Mattogno. When appearing in German wartime documents, terms like “special treatment,” “special action,” and others have been interpreted as code words for mass murder. But that is not always true. This study focuses on documents about Auschwitz, showing that, while “special” had many different meanings, not a single one meant “execution.” Hence the practice of deciphering an alleged “code language” by assigning homicidal meaning to harmless documents – a key component of mainstream historiography – is untenable. Second edition, 166 pages, b&w illustrations, bibliography, index. (#10)



Healthcare at Auschwitz. By Carlo Mattogno. In extension of the above study on *Special Treatment in Auschwitz*, this study proves the extent to which the German authorities at Auschwitz tried to provide appropriate health care for the inmates. This is frequently described as special mea-

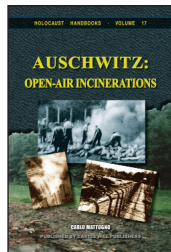
asures to improve the inmates’ health and thus ability to work in Germany’s armaments industry. This, after all, was the only thing the Auschwitz authorities were really interested in due to orders from the highest levels of the German government. 398 pages, b&w illustrations, bibliography, index. (2016; #33)

Debunking the Bunkers of Auschwitz: Black Propaganda vs. History. By Carlo Mattogno. The bunkers at Auschwitz are claimed to have been the first homicidal gas chambers at Auschwitz specifically equipped for this purpose. With the help of original German wartime files as well as revealing air photos taken by Allied reconnaissance aircraft in 1944, this study shows that these homicidal “bunkers” never existed, how the rumors about them evolved as black propaganda created by resistance groups in the camp, and how this propaganda was transformed into a false reality. Second edition, 292 pages, b&w illustrations, bibliography, index. (#11)

Auschwitz: The First Gassing—Rumor and Reality. By Carlo Mattogno. The first gassing in Auschwitz is claimed to have occurred on Sept. 3, 1941, in a basement room. The accounts reporting it are the archetypes for all later gassing accounts. This study analyzes all available sources about this alleged event. It shows that these sources contradict each other in location, date, preparations, victims etc, rendering it impossible to extract a consistent story. Original wartime documents inflict a final blow to this legend and prove without a shadow of a doubt that this legendary event never happened. Third edition, 190 pages, b&w illustrations, bibliography, index. (#20)



Auschwitz: Crematorium I and the Alleged Homicidal Gassings. By Carlo Mattogno. The morgue of Crematorium I in Auschwitz is said to be the first homicidal gas chamber there. This study investigates all statements by witnesses and analyzes hundreds of wartime documents to accurately write a history of that building. Mattogno proves that its morgue was never a homicidal gas chamber, nor could it have worked as such. Second edition, 152 pages, b&w illustrations, bibliography, index. (#21)



Auschwitz: Open Air Incinerations. By Carlo Mattogno. Hundreds of thousands of corpses of murder victims are claimed to have been incinerated in deep ditches in the Auschwitz concentration camp. This book examines

the many testimonies regarding these incinerations and establishes whether these claims were even possible. Using aerial photographs, physical evidence and wartime documents, the author shows that these claims are fiction. A new Appendix contains 3 papers on groundwater at Auschwitz and cattle mass burnings. A must read. 2nd ed., 202 pages, b&w illustrations, bibliography, index. (#17)

The Cremation Furnaces of Auschwitz. By Carlo Mattogno & Franco Deana. An exhaustive study of the history and technology of cremation in general and of the cremation furnaces of Auschwitz in particular. On a vast base of technical literature, extant wartime documents and material traces, the authors can establish the true nature and capacity of the Auschwitz cremation furnaces. They show that these devices were cheaper versions than what was usually produced, and that their capacity to cremate corpses was lower than normal, too. They reveal that the Auschwitz cremation furnaces were not monstrous super ovens but rather inferior make-shift devices. 3 vols., 1198 pages, b&w and color illustrations (vols 2 & 3), bibliography, index, glossary. (#24)

Curated Lies: The Auschwitz Museum's Misrepresentations, Distortions and Deceptions. By Carlo Mattogno. Revisionist research results have put the Polish Auschwitz Museum under enormous pressure to answer this challenge. They've answered. This book analyzes their answer and reveals the appallingly mendacious attitude of the Auschwitz Museum authorities when presenting documents from their archives. With a contribution by Eric Hunt on the Auschwitz Museum's misrepresentations of its most valued asset, the "gas chamber" in the Main Camp. 248 pages, b&w illustrations, bibliography, index. (#38)

SECTION FOUR Witness Critique

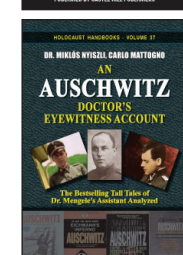
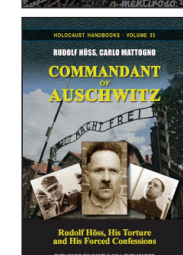
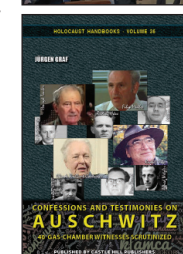
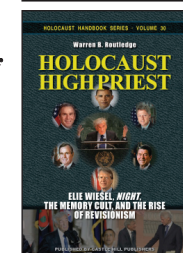
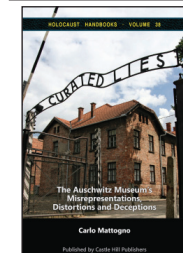
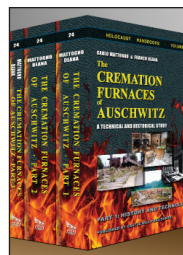
Holocaust High Priest: Elie Wiesel, Night, the Memory Cult, and the Rise of Revisionism. By Warren B. Rutledge. The first unauthorized biography of Wiesel exposes both his personal deceptions and the whole myth of "the six million." It shows how Zionist control has allowed Wiesel and his fellow extremists to force leaders of many

nations, the U.N. and even popes to genuflect before Wiesel as symbolic acts of subordination to World Jewry, while at the same time forcing school children to submit to Holocaust brainwashing. 468 pages, b&w illust., bibliography, index. (#30)

Auschwitz: Confessions and Testimonies. By Jürgen Graf. The traditional narrative of what transpired at the infamous Auschwitz camp during WWII rests almost exclusively on witness testimony from former inmates as well as erstwhile camp officials. This study critically scrutinizes the 40 most important of these witness statements by checking them for internal coherence, and by comparing them with one another as well as with other evidence such as wartime documents, air photos, forensic research results, and material traces. The result is devastating for the traditional narrative. (Scheduled for late 2017; #36)

Commandant of Auschwitz: Rudolf Höss, His Torture and His Forced Confessions. By Rudolf Höss & Carlo Mattogno. When Rudolf Höss was in charge at Auschwitz, the mass extermination of Jews in gas chambers is said to have been launched and carried out. He confessed this in numerous postwar depositions. Hence Höss's testimony is the most convincing of all. But what traditional sources usually do not reveal is that Höss was severely tortured to coerce him to "confess," and that his various statements are not only contradictory but also full of historically and physically impossible, even absurd claims. This study expertly analyzes Höss's various confessions and lays them all open for everyone to see the ugly truth. (Scheduled for summer 2017; #35)

An Auschwitz Doctor's Eyewitness Account: The Tall Tales of Dr. Mengele's Assistant Analyzed. By Miklos Nyiszli & Carlo Mattogno. Nyiszli, a Hungarian Jew who studied medicine in Germany before the war, ended up at Auschwitz in 1944 as Dr. Mengele's assistant. After the war he wrote an account of what he claimed to have experienced. To this day some traditional historians take his accounts seriously, while others accept that it is a grotesque collection of lies and exaggerations. This study analyzes Nyiszli's novel and skillfully separates truth from fabulous fabrication. (Scheduled for spring 2017; #37)



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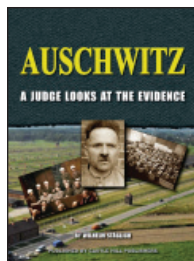
Below please find some of the books published or distributed by Castle Hill Publishers in the United Kingdom. For our current and complete range of products visit our web store at shop.codoh.com.

Wilhelm Stäglich, *Auschwitz: A Judge Looks at the Evidence*

Auschwitz is the epicenter of the Holocaust, where more people are said to have been murdered than anywhere else. At this detention camp the industrialized Nazi mass murder is said to have reached its demonic pinnacle. This narrative is based on a wide range of evidence, the most important of which was presented during two trials: the International Military Tribunal of 1945/46, and the German Auschwitz Trial of 1963-1965 in Frankfurt.

The late Wilhelm Stäglich, until the mid-1970s a German judge, has so far been the only *legal* expert to critically analyze this evidence. His research reveals the incredibly scandalous way in which the Allied victors and later the German judicial authorities bent and broke the law in order to come to politically foregone conclusions. Stäglich also exposes the shockingly superficial way in which historians are dealing with the many incongruities and discrepancies of the historical record. Second, corrected and slightly revised edition with a new preface and epilogue.

3rd edition 2015, 422 pp., 6"×9", pb, ill.

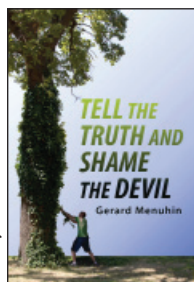


Gerard Menuhin: *Tell the Truth & Shame the Devil*

A prominent Jew from a famous family says the "Holocaust" is a wartime propaganda myth which has turned into an extortion racket. Far from bearing the sole guilt for starting WWII as alleged at Nuremberg (for which many of the surviving German leaders were hanged) Germany is mostly innocent in this respect and made numerous attempts to avoid and later to end the confrontation. During the 1930s Germany was confronted by a powerful Jewish-dominated world plutocracy out to destroy it... Yes, a prominent Jew says all this. Accept it or reject it, but be sure to read it and judge for yourself!

The author is the son of the great American-born violinist Yehudi Menuhin, who, though from a long line of rabbinical ancestors, fiercely criticized the foreign policy of the state of Israel and its repression of the Palestinians in the Holy Land.

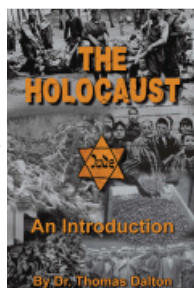
2nd edition 2016, ca. 410 pp. pb, 6"×9"



Thomas Dalton, *The Holocaust: An Introduction*

The Holocaust was perhaps the greatest crime of the 20th century. Six million Jews, we are told, died by gassing, shooting, and deprivation. But: Where did the six million figure come from? How, exactly, did the gas chambers work? Why do we have so little physical evidence from major death camps? Why haven't we found even a fraction of the six million bodies, or their ashes? Why has there been so much media suppression and governmental censorship on this topic? In a sense, the Holocaust is the greatest murder mystery in history. It is a topic of greatest importance for the present day. Let's explore the evidence, and see where it leads.

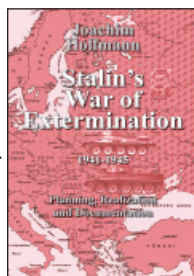
128 pp. pb, 6"×9", ill., bibl., index



Joachim Hoffmann, *Stalin's War of Extermination 1941-1945*

Breakthrough bestseller by a German government historian documenting Stalin's murderous war against the German army and the German people. Based on the author's lifelong study of German and Russian military records, this book reveals the Red Army's grisly record of atrocities against soldiers and civilians, as ordered by Stalin. Since the 1920s, Stalin planned to invade Western Europe to initiate the "World Revolution." He prepared an attack which was unparalleled in history not only in terms of the amount of troops amassed. The Germans noticed Stalin's aggressive intentions, but they underestimated the strength of the Red Army. What unfolded was the most-cruel war in history. This book shows how Stalin and his Bolshevik henchman used unimaginable violence and atrocities to break any resistance in the Red Army and to force their unwilling soldiers to fight against the Germans. The book explains how Soviet propagandists incited their soldiers to unlimited hatred against everything German, and he gives the reader a short but extremely unpleasant glimpse into what happened when these Soviet soldiers finally reached German soil in 1945: A gigantic wave of looting, arson, rape, torture, and mass murder...

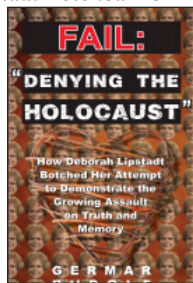
428 pp. pb, 6"×9", ill, bibl., index



Germar Rudolf, **Fail: “Denying the Holocaust”** *How Deborah Lipstadt Botched Her Attempt to Demonstrate the Growing Assault on Truth and Memory*

With her book *Denying the Holocaust*, Deborah Lipstadt tried to show the flawed methods and extremist motives of “Holocaust deniers.” This book demonstrates that Dr. Lipstadt clearly has neither understood the principles of science and scholarship, nor has she any clue about the historical topics she is writing about. She misquotes, mistranslates, misrepresents, misinterprets, and makes a plethora of wild claims without backing them up with anything. Rather than dealing thoroughly with factual arguments, Lipstadt’s book is full of *ad hominem* attacks on her opponents. It is an exercise in anti-intellectual pseudo-scientific arguments, an exhibition of ideological radicalism that rejects anything which contradicts its preset conclusions. **F for FAIL**

224 pp., 5“×8“, pb, bibl., index



Carlo Mattogno, **Fail: “Denying History”**. *How Michael Shermer and Alex Grobman Botched Their Attempt to Refute Those Who Say the Holocaust Never Happened*

Skeptic Magazine editor Michael Shermer and Alex Grobman from the Simon Wiesenthal Center wrote a book in 2000 which they claim is “a thorough and thoughtful answer to all the claims of the Holocaust deniers.” In 2009, a new “updated” edition appeared with the same ambitious goal. In the meantime, revisionists had published some 10,000 pages of archival and forensic research results. Would their updated edition indeed answer all the revisionist claims?

Unfortunately, it’s yet another grand feint. In fact, Shermer and Grobman completely ignored the vast amount of recent scholarly studies published by revisionists. They primarily piled up an enormous heap of falsifications, contortions, omissions, and fallacious interpretations of the evidence.

Finally, what the authors claim to have demolished is not historical revisionism but a ridiculous parody of it. They ignored the known unreliability of their cherry-picked selection of evidence, utilizing unverified and incestuous sources, and obscuring the massive body of research and all the evidence that dooms their project to failure. **F for FAIL**

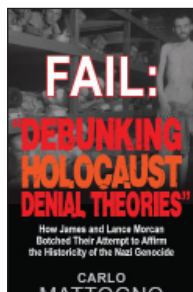
166 pp., 5“×8“, pb, bibl., index



Carlo Mattogno, **Fail: “Debunking Holocaust Denial Theories”**. *How James and Lance Morcan Botched Their Attempt to Affirm the Historicity of the Nazi Genocide*

The novelists and movie-makers James and Lance Morcan have produced a book “to end [Holocaust] denial once and for all” To do this, “no stone was left unturned” to verify historical assertions by presenting “a wide array of sources” meant “to shut down the debate deniers wish to create. One by one, the various arguments Holocaust deniers use to try to discredit wartime records are carefully scrutinized and then systematically disproven.” Unfortunately, it’s a grand feint. First, the Morcans completely ignored the vast amount of recent scholarly studies published by revisionists; they didn’t even identify them. Instead, they engaged in shadowboxing, creating some imaginary, bogus “revisionist” scarecrow – a mélange of distorted or completely invented alleged “denier” arguments – which they then tore to pieces. In addition, their knowledge even of their own side’s source material was dismal, and the way they backed up their misleading or false claims was pitifully inadequate. **F for FAIL**.

144 pp., 5“×8“, pb, bibl., index



Germar Rudolf: **Resistance is Obligatory!**

In 2005 Rudolf, a peaceful dissident and publisher of revisionist literature, was kidnapped by the U.S. government and deported to Germany. There the local lackey regime staged a show trial against him for his historical writings. Rudolf was not permitted to defend his historical opinions, as the German penal law prohibits this. Yet he defended himself anyway: 7 days long Rudolf held a speech in the court room, during which he proved systematically that only the revisionists are scholarly in their attitude, whereas the Holocaust orthodoxy is merely pseudo-scientific. He then explained in detail why it is everyone’s obligation to resist, without violence, a government which throws peaceful dissident into dungeons. When Rudolf tried to publish his public defence speech as a book from his prison cell, the public prosecutor initiated a new criminal investigation against him. After his probation time ended in 2011, he dared publish this speech anyway...

2nd ed. 2016, 378 pp., 6“×9“, pb, b/w ill.

