

A U S C H W I T Z : P L A I N F A C T S



Germar Rudolf (ed.)

# Auschwitz

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Plain Facts

A Response  

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to Jean-Claude Pressac



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# Table of Contents

	Page
<b>Who the Heck is Jean-Claude Pressac? .....</b>	<b>9</b>
<i>Preface to the New Edition of 2016</i>	
<b>Preface .....</b>	<b>11</b>
<i>By Germar Rudolf</i>	
1. The End of Jean-Claude Pressac.....	11
2. Should there Be Freedom for Revisionism? .....	12
3. Unrestricted Research and Revision: Basis of Science .....	13
4. On Freedom of Expression .....	18
5. Battle Zone “Common Knowledge” .....	19
6. On the Defense of Human Rights .....	21
<b>Pressac and the German Public .....</b>	<b>25</b>
<i>By Germar Rudolf</i>	
1. The Claim .....	25
1.1. The Media .....	25
1.2. The Judicial System .....	28
1.3. The Historians .....	30
2. The Reality .....	31
2.1. The Scientific Basis.....	31
2.2. Technology and Physical Science .....	33
2.3. Historiography.....	33
3. The Evaluation.....	34
3.1. The Press .....	34
3.2. Justice.....	37
3.3. Historians .....	38
4. The Freedom of Science .....	39
<b>History by Night or in Fog? .....</b>	<b>41</b>
<i>By Serge Thion</i>	
The Reception of Pressac .....	54
<b>Reply to Jean-Claude Pressac on the Problem of the Gas Chambers .....</b>	<b>67</b>
<i>By Robert Faurisson</i>	
Note to the Reader.....	67
Foreword .....	68
1. Introduction .....	71
1.1. Neither a Photograph nor a Drawing.....	71
1.2. Nothing of a Novelty .....	72
1.3. Auschwitz: 800,000 Dead Instead of Nine Million.....	72
1.4. Pressac no Longer Believes in “Wannsee,” but he still Believes in Hitler .....	73
1.5. The Theory of “Casual Gassings” .....	74

1.6.	Pressac's Promises and Reality .....	75
2.	The Obvious Facts that Pressac Could not Ignore .....	76
2.1.	“Wannsee” is no Longer “Wannsee” .....	76
2.2.	Not much Could be Secret about Auschwitz .....	77
2.3.	The Archives Have Survived in Very Great Number .....	78
2.4.	1972, the two Chief Architects Had to Be Acquitted.....	78
2.5.	Typhus Epidemics Combated through the Use of Zyklon B.....	79
2.6.	Cremation: a Hygienic Measure .....	81
2.7.	Crematories Planned without Homicidal Gas Chambers .....	82
2.8.	Other Obvious Facts that he Could not Fail to Mention .....	82
3.	Realities that Pressac Never Mentions.....	83
3.1.	Neither a Photograph nor a Plan of Crematory I.....	83
3.2.	No Photograph of the “Gas Chamber” of Crematory II.....	84
3.3.	Not a Word about the Forensic Studies.....	84
3.4.	Not one Complete Photograph from <i>The Auschwitz Album</i> .....	85
3.5.	Not a Word about the Aerial Reconnaissance Photos.....	85
3.6.	Not a Word about the Morgue Corpse Register ( <i>Leichenhallenbuch</i> ) .....	86
3.7.	Other Documents Passed over in Silence.....	86
3.8.	Other Silences .....	87
4.	Expedients that Pressac Borrows from other Historians.....	87
4.1.	Unsubstantiated Assertion .....	88
4.2.	Recourse to Unverified Testimonies .....	89
4.3.	Deciphering the Code .....	92
4.4.	The “Slips” and “Bungles” of the SS .....	93
5.	Deceits that are Pressac's own.....	96
5.1.	Improper Insertions .....	97
5.2.	Marrying a Big Lie to a Small Truth.....	97
5.3.	Tampering with Plans and Maps.....	98
5.4.	Deceptive Wording even in the Titles.....	99
5.5.	Substitution of “(Homicidal) Gas Chamber” for “Morgue” .....	100
5.6.	Substitution of “(Homicidal) Gas Chamber” for “Disinfection Chamber” .....	100
5.7.	Documents with no Bearing on the Elements to Be Proved .....	101
5.8.	Use of Fictitious References .....	102
5.9.	A Deliberately Maintained Confusion .....	103
5.10.	The Tightrope Walker and the Hoaxer.....	104
5.11.	A Concentrate of Deceptions: the Two Accounts of Homicidal Gassings.....	104
5.12.	A Hail Storm of Deceptions.....	105
6.	The Ramblings of the Novelist .....	107
7.	Conclusion .....	111
8.	Appendix: Document NI-9912 .....	115
9.	Three Further Notes to my Reply to Jean-Claude Pressac.....	125
9.1.	Jean-Claude Pressac and Robert Jan van Pelt .....	125
9.2.	Fundamental Questions about Auschwitz.....	127
9.3.	Ten Years Ago, Jean-Claude Pressac's Capitulation .....	128

<b>Auschwitz: The End of a Legend .....</b>	<b>131</b>
<i>By Carlo Mattogno</i>	
1. Introduction to this New Edition .....	131
2. Introduction .....	132
3. The Cremation Furnaces of Auschwitz-Birkenau According to Jean-Claude Pressac .....	136
3.1. Capacity: The Facts .....	138
3.2. The Coke .....	144
3.3. The Furnaces .....	144
3.4. The Flames .....	147
3.5. The Cremation Pits .....	148
4. The Cremation Furnaces of Auschwitz-Birkenau According to Cremation Technology .....	148
4.1. Coke Consumption .....	148
4.2. Capacity .....	149
4.3. The Reason For Constructing Large Crematories .....	150
4.4. Number of Cremations in 1943: Estimate of the SS. ....	150
4.5. Number Cremated in 1943: Coke Consumption .....	151
4.6. Cremation Capacity of the Crematories in 1943 .....	152
4.7. The Duration of the Fireproof Brick of the Cremation Furnaces ....	153
4.8. The Deportation and “Extermination” of the Hungarian Jews .....	155
5. Genesis and Development of the “Final Solution” .....	156
5.1. Choosing Auschwitz as Extermination Center .....	156
5.2. Auschwitz: The First Gassing .....	159
6. Crematories II and III .....	162
6.1. The Originally Intended Use of the Crematories .....	162
6.2. The Term “Special” .....	164
6.3. The Purpose of Zyklon B Deliveries .....	166
6.4. Structural Changes of the Crematories .....	168
6.5. Ventilation System .....	173
6.6. “Gassing Cellar” and other “Glitches” .....	176
6.7. The “Normal Gas Chamber” .....	179
6.8. “10 Gas Testers:” The Definite Proof? .....	180
7. Bunkers 1 and 2 .....	182
8. Crematories IV and V .....	186
9. Conclusion .....	191
10. Appendix .....	193
10.1. Preface to the Documents .....	193
10.2. Documents .....	195
10.3. Glossary .....	209
<b>Bibliography .....</b>	<b>213</b>
<b>Index of Names .....</b>	<b>217</b>





## Who the Heck is Jean-Clause Pressac?

### *Preface to the New Edition of 2016*

Pressac was a French pharmacist and hobby historian, an admirer of Hitler who was bothered by the Holocaust, because it sullied Hitler's reputation. He therefore became interested in arguments suggesting that the orthodox version of the Holocaust narrative is somewhat fishy. He realized quickly, though, that contesting, revising, or denying the Holocaust is very dangerous. Hence, he changed his tactics. During the 1980s, he managed to ingratiate himself with Serge and Beate Klarsfeld as well as the Auschwitz Museum, and to make them believe that one has to defeat the evil revisionists or rather Holocaust deniers with their own weapons. The revisionists want to see solid evidence for the correctness of the orthodox narrative? Let them have it! Pressac promised to put a stop to the deniers' games, at least regarding Auschwitz, by means of documents and technical arguments. He gained the support of the Klarsfelds and of the Auschwitz Museum, and got down to business forcefully: in 1989 the Klarsfelds published his first *überwork*: *Auschwitz: Technique and Operation of the Gas Chambers*, a book of 564 pages in oversize landscape format full of document and photo reproductions from the archives of the Auschwitz Museums.

Four years later, Pressac upped the ante after having found further documents on Auschwitz in an archive in Moscow. While his first work became known only to connoisseurs of the subject, his second, a much more handy work in paperback format of just some 200 pages, became a bestseller: *Les Crématoires d'Auschwitz: La Machinerie du meurtre de masse*<sup>1</sup> – in plain English: *The Crematories of Auschwitz: The Machinery of Mass Murder*. Pressac himself mutated overnight to a darling of the mass media – a knight in shining armor who had slain the revisionist

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<sup>1</sup> J.-C. Pressac, *Les Crématoires d'Auschwitz: La Machinerie du meurtre de masse*, CNRS éditions, 1993, viii-156 Seiten plus 48-seitiger Bildteil.

dragon! His book subsequently also appeared in a German,<sup>2</sup> Italian,<sup>3</sup> Norwegian,<sup>4</sup> Portuguese<sup>5</sup> and an English edition which, however, was heavily abridged and edited to conform to politically correct expectations.<sup>6</sup>

Well, Pressac is dead, but the revisionists are alive and kicking. Pressac died in 2002 at the young age of 59, utterly forgotten by the media whose favors he had lost when it turned out that Pressac was a dubious figure who kept revising his views on Auschwitz over the years in a rather suspicious way.

Yet in spite of it, Pressac's second book is today still hailed as a milestone of Auschwitz research, and quite a few readers are misled by Pressac's pseudo-science to believe that this closes the issue, that revisionism has been refuted.

The present book, however, proves that the exact opposite is true, and it will remain relevant, as long as Pressac's unscholarly novel is praised as historical research.<sup>7</sup> We have therefore decided to issue this book in a new edition.

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<sup>2</sup> J.-C. Pressac, *Die Krematorien von Auschwitz: Die Technik des Massenmordes*, München/Zürich, Piper Verlag, 1994, xviii-211 Seiten.

<sup>3</sup> J.-C. Pressac, *Le macchine dello sterminio: Auschwitz 1941-1945*. Feltrinelli, Milano, 1994.

<sup>4</sup> Jean-Claude Pressac, *Krematoriene i Auschwitz: Massedrapets maskineri*, Aventura, Oslo 1994.

<sup>5</sup> Jean-Claude Pressac, *Os crematórios de Auschwitz: A maquinaria do assassinio em massa*, Ed. Notícias, Lissabon 1999.

<sup>6</sup> J.-C. Pressac mit Robert-Jan Van Pelt, "The Machinery of Mass Murder at Auschwitz," Kapitel 8 (S. 183-245) des von Israel Gutman und Michael Berenbaum herausgegeben Sammelbandes *Anatomy of the Auschwitz Death Camp*, veröffentlicht in Verbindung mit dem United States Holocaust Memorial Museum, Indianapolis, Indiana University Press, 1994, xvi-638 Seiten.

<sup>7</sup> The French National Center for Scientific Research (Centre National de la Recherche Scientifique) issued a new edition of Pressac's second book in 2007.

# Preface

*By Germar Rudolf*

## 1. The End of Jean-Claude Pressac

Between the late 1980s and the mid 1990s, French pharmacist Jean-Claude Pressac was the darling of Western media with respect to research into the history of the Auschwitz concentration camp. The media hoped to have found in him the technically qualified expert who could counter the arguments and the methods of those who wish to revise the history of the Auschwitz concentration camp complex in particular and the Holocaust in general. The contributions of Serge Thion and myself give an overview of this exaggerated praise from the judicial system, the media, and scientists. My own article makes it clear that these hymns of praise have been premature and that Pressac's book does not meet the standards of scientific work.

Even in terms of technical competence, the work Pressac has delivered is unsatisfactory in many respects, as Prof. Faurisson and Carlo Mattogno will show in this book. His friends of the same cast of opinion also seem to be skeptical of his technical qualifications, since the English version of Pressac's last<sup>1</sup> work was somewhat censored by being subsumed in a collection supported by other pieces, as Prof. Faurisson will show in his short addendum.

The present book was written to demonstrate to the world that the works of the one who has been advertised as *the* Auschwitz specialist were better considered to be novels than studies that should be taken seriously as works of historical science. The present book constitutes a corrective review, with the consequence that the historical account on the subject of the Auschwitz concentration camp complex will be fundamentally revised. The revision of the historical account on Auschwitz concentration camp, begun by revisionists and brought before a broader public by Pressac, now returns to its origins.

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<sup>1</sup> Pressac died in summer 2003, see Jürgen Graf, "Jean-Claude Pressac and revisionism," *The Revisionist* 1(4) (2003), pp. 426-432; Carlo Mattogno, "My Memories of Jean-Claude Pressac," *ibid.*, pp. 432-435.

## 2. Should there Be Freedom for Revisionism?

This book, which challenges the traditional historical version on the annihilation of the Jews in the Auschwitz concentration camp complex through an analysis of Pressac's latest and last book, claims to be in conformance with the standards of science and scholarship. After reading it, the reader will certainly agree with that. But that did not stop the German authorities from ordering the confiscation and destruction of all copies of this book and all data and data carriers used for its writing.<sup>2</sup> As editor of this book, I avoided prosecution only because by that time I had fled Germany.

If this book is scholarly indeed, then it should be protected by Germany's surrogate constitution, the so-called Basic Law, which in Article 5, Section 3, protects science without restriction, on the condition that the book does not itself harm similarly protected fundamental rights of others.

The German authorities – and many other Western countries<sup>3</sup> – justify the burning of this book<sup>4</sup> by claiming that works that end in completely or partly denying or refuting the intentional, industrially organized annihilation of European Jews by the National Socialists – in other words, the Holocaust – are fundamentally incapable of being scientific, since anyone who operated according to scientific methods must automatically come to the conclusion that the generally accepted description of the Holocaust corresponds to historical reality.

Others object that revisionist works should not be afforded the protection of civil rights even if they fulfill formal criteria of being scholarly and scientific. The reason given for this is that it is a clearly established fact that the Holocaust happened and that any assertion to the contrary represents an offense to the human dignity of Holocaust victims, their descendants and relatives, and to the Jewish people generally. By denying the Hol-

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<sup>2</sup> The German edition can be found online at [vho.org/D/anf](http://vho.org/D/anf). It was ordered seized and destroyed in 1997 by County Court Böblingen, ref. 9(8) Gs 228/97). On April 8, 1999, the German Agency for the Protection of the Youth put it on its index of literature endangering the youth: *Bundesanzeiger*, no. 81, April 30, 1999.

<sup>3</sup> For the current list of countries outlawing Holocaust revisionism see [https://en.wikipedia.org/wiki/Laws\\_against\\_Holocaust\\_denial](https://en.wikipedia.org/wiki/Laws_against_Holocaust_denial). Cum grano salis, the following argument is valid for these countries as well.

<sup>4</sup> That confiscated books are indeed burned by the German authorities was confirmed by two newspaper reports: *Abendzeitung* (Munich), March 7/8, 1998: “*The remaining copies will eventually be destroyed in a waste incineration facility.*” ([www.germarrudolf.com/persecute/docs/ListPos58\\_d.pdf](http://www.germarrudolf.com/persecute/docs/ListPos58_d.pdf)); *Zur Zeit* (Vienna), No. 9/1998 (Febr. 27): “*65 years ago this happened publicly, but today it is accomplished secretly in waste incineration facilities.*” ([www.germarrudolf.com/persecute/docs/ListPos59\\_d.pdf](http://www.germarrudolf.com/persecute/docs/ListPos59_d.pdf))

ocaust, fundamental rights of others are massively harmed. Since human dignity must be valued more highly than freedom of science, therefore science should be forbidden to adopt such theories, because the mere proposition that the Holocaust – the purposeful, planned destruction of the Jews by the Third Reich – did not happen is an implicit claim that Holocaust history was knowingly fabricated for the purpose of deception and possibly in order to obtain material or political advantages. This would be an affront to the dignity of anyone who might be implicated thereby, and that cannot be tolerated.

In what follows I would like to analyze this matter more thoroughly.

### 3. Unrestricted Research and Revision: Basis of Science

The basis of the reasoning just stated is that freedom of science should be thought a lesser good than human dignity. This idea is questionable. Science is not merely a plaything of unworldly researchers. On the contrary, it is not only the highest manifestation of our capacity to perceive and understand, but in the most general sense of the word science, it is the basis of *every* human capacity to perceive and to understand that exceeds that of animals. It is the basis of *every* human mode of living and doing that is distinguishable from the modes of living and doings of animals. One could say that science, in the word's most comprehensive sense, first made man human and gave him that dignity that lifts him above the animals. The freedom of science is thus inextricably involved with human dignity.

Scientific understanding serves human decisionmaking both on the individual and on the political level; the natural drive to seek knowledge was implanted in man by nature. In order to make valid decisions, that is, decisions which conform to reality, it is an essential precondition that scientific knowledge be true. Truth as the only test for scientific validity means: every other influence on the process of discovering scientific truth, whether economic or political, must be excluded. It also must be made certain that all scientific findings can be published and distributed without hindrance, because it is only through the unhindered confrontation of scientific opinions in open forums that it can be ensured that the most convincing opinion, being most in conformity with reality, will prevail. In our case that means that there can be no reason to suppress an opinion in accord with scientific norms in any way.

In recent years, freedom of science in the area of contemporary history has been increasingly constrained, in that scientists who offend against the ruling *zeitgeist* through expression of their scientific views have their social reputations destroyed by political or media inquisitions or are threatened with loss of their professional standing. Sometimes the judicial system is called upon in order to add criminal prosecution to professional ruin. The criminal prosecution of revisionist opinion in Germany was repeatedly intensified through modifications of Sec. 130 of the German Penal Code (inciting the masses, introduced in 1960, tightened in 1994 and 2005). It now punishes not only the denial of genocide committed by the Third Reich, but also anything positive uttered about that period of German history.<sup>5</sup> This increasing prosecution is a striking example of the growing inquisitorial drive in Germany's society.

The late German professor of history Dr. Hellmut Diwald has characterized this shielding of discussion on the Holocaust with the penal law as follows:<sup>6</sup>

*“In the history of the Third Reich there is no complex of questions that is more hopelessly kept from close examination by German historians than the horrible fate of the Jews during the war. The Basic Law of Bonn [capital city of West Germany] does guarantee the freedom of research and science. But a series of related decisions and verdicts has shown that one would be well advised neither to expose oneself to the risk of being a test case for the freedom to invoke this fundamental right by choosing this subject matter nor to expose oneself to the lesser risk of even peripherally violating the 21st Law modifying the Penal Code of June 15, 1985, and provoking an indictment due to such an offense. This means that the very complex of questions of contemporary historical research has been made taboo, which, together with the continually upheld theme of collective guilt, burdens the German people like no other event.”*

There is a general understanding that the intensified punishment of revisionist viewpoints primarily serves to combat uneducated, unteachable right-wing extremists. The German philologist Dr. Arno Plack thinks otherwise. In his view, the<sup>7</sup>

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<sup>5</sup> Eva Schmierer, “Erweiterte Strafvorschriften im Kampf gegen Rechtsextremismus”, Pressemitteilung des Bundesministeriums der Justiz, March 11, 2005, 11:54 [http://presseservice.pressrelations.de/standard/result\\_main.cfm?aktion=jour\\_pm&r=183229](http://presseservice.pressrelations.de/standard/result_main.cfm?aktion=jour_pm&r=183229)

<sup>6</sup> *Deutschland einig Vaterland*, Ullstein, Berlin 1990, p. 71.

<sup>7</sup> *Hitlers langer Schatten*, Langen Müller, Munich 1993, pp. 308ff.

*“‘actual intended groups’ with respect to the punishment of the ‘Auschwitz lie’ [are ...] the office-holding German historians, who, because of forced confession (one time!) and threat of punishment impose upon themselves a judicious form of restraint with respect to certain decisive questions. [...] A judicial system that clamps down on [possibly] erroneous opinions that are not due to any intention to injure is not without effect. It fortifies the widespread tendency to be silent in the face of burning questions; it demands readiness to give the expected lip service and it stirs up doubt as to [apparently] irrefutable facts even among all those who have learnt, ‘The truth always prevails.’ [...] Finally, such a judicial system stimulates denunciation. [...]*

*By the principles of a liberal community, the best weapon in the battle of opinions is not prohibition or punishment, but argument, the ‘weapon word,’ as Lev Kopelev has said. If we are not to lose our belief that democracy is a viable form of society, we cannot accept that it should defend against [presumably] making Hitler inoffensive with the same compulsory methods which the dictator himself quite naturally used to suppress contrary opinion. [...] I believe his [Hitler’s] ghost, his repression of mere doubt, his tendency simply to prohibit what was not acceptable in the ruling system, yet needs to be overcome in those who overcame him.”*

As part of the intensified persecution of Holocaust revisionism, Germany’s legislators and judges have decided to put revisionist research on the “Index of Forbidden Knowledge.” Indicators for this are the numerous confiscations of revisionist books published by the publisher of the present book. Almost all German editions of the series Holocaust Handbooks, of which the present book is volume no. 14, have become victims of German government book burning. This means that, in effect, a moratorium on research *has* been declared. In Germany, the research goal to clarify the technical and historical background of the supposed mass murder of Jews has been put into the “Catalog of Forbidden Research Goals.” The only opinions and conclusions that will be accepted are those that fit the predetermined picture.

This official behavior is incompatible with the thousands of years old principles of Occidental epistemology, which German professor of biology and plant physiology Dr. Hans Mohr has concisely expressed as follows:<sup>8</sup>

*“‘Freedom of research’ also implies that the purpose of research may be anything whatever. An ‘Index of Forbidden Knowledge’ or a ‘Catalog of Taboo Research Objects’ are irreconcilable with self-understanding and*

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<sup>8</sup> *Natur und Moral*, Wissenschaftliche Buchgesellschaft, Darmstadt 1987, p. 41.

*the worth of science, because we must unflinchingly and in all circumstances maintain that understanding is better than ignorance.”*

It is equally irreconcilable with self-understanding and the worth of science when the protectors of the *zeitgeist* may require this or that conclusion or forbid some other. Every scientist must insist that before all else science needs to be unbiased and open-ended. No science that is worthy of the name can exclude any conclusion beforehand.

The late professor of biology Dr. Walter Nagl once said it very concisely:<sup>9</sup>

*“The exact sciences [like other scholarly disciplines] are extremely conservative and dogmatic. Any corroboration of a paradigm is welcome, whereas any innovation or revision will long meet with resistance; the instinct for preservation (including self-preservation!) is stronger than the search for truth. Therefore, new findings usually gain acceptance only when sufficient numbers of researchers vouch for them: then the dogmatic status quo topples, a ‘scientific revolution’ occurs, a new paradigm replaces the old. [...] The bottom line is that no student, no researcher and no layman should believe any facts to be ‘conclusively proven,’ even if the textbooks present them as such.”*

Usually it takes a number of researchers attacking the same point in order for newer theories to prevail over older, no longer adequate theories. In accordance with thousands of years of scientific experiences it is also true that no scientific paradigm – whether in the exact or in the social sciences – can claim to have eternal validity. Rather it is the duty of scientists and also lay people not simply to accept the obvious, supposedly finally proven facts, even when they are there in the textbooks, but always to look critically on them.<sup>10</sup> This applies also to research into the Holocaust complex. I agree with German left-wing historian Prof. Dr. Peter Steinbach, who once stated:<sup>11</sup>

*“The Basic Law [German constitutional law] protects scientific research and basically wants the impartiality of this research. This is especially true for history, which is, after all, not about defining a central thread and making it binding, but about making offers for the discussion. In a pluralistic society, this must be manifold and controversial.”*

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<sup>9</sup> *Gentechnologie und Grenzen der Biologie*, Wissenschaftliche Buchgesellschaft, Darmstadt 1987, pp. 126f.

<sup>10</sup> *Ibid.*, p. 127.

<sup>11</sup> P. Steinbach, ARD Tagesthemen (First German Public TV news), June 10, 1994



In particular, in historiography and in the publication of the findings thereof there is now the phenomenon that German journalist Eckhard Fuhr, speaking of the treatment of irksome scientists, has characterized as “systematic mendacity”.<sup>12</sup> It is not the scientifically determinable veracity of a scientist’s assertion that is the criterion for media and politicians, but rather the question of its political expediency.

Under pressure to conform to the *zeitgeist* and in fear of the inquisition conducted by the media and the political and judicial authorities, many scientists feel forced to compromise and to adjust their research findings to the political expectations. This suppression of the full truth or even the promotion of a half-truth or even a complete lie due to public pressure is the most baneful thing that can happen to science. Such conduct not only destroys respect for science but also inflicts immeasurable harm on our people and on all mankind.

I agree furthermore with German professor of history Dr. Christian Meier’s assertion:<sup>13</sup>

*“But otherwise one can in my view say that what we historians work out in accordance with the rules is not dangerous. I do not think that truth, if it is the truth, is dangerous.”*

In the writing of history especially, it is half-truths and lies that are dangerous for the future peaceful coexistence of peoples.

With respect to our thesis this much is clear: No matter which theories revisionists start out from and no matter which results they may come up with, they are free to do their work and must not be restricted in any way as long as they adhere to scholarly standards. To penalize a certain result of scientific work would be to kill the freedom to do science and with it science itself, which without question violates Article 19, Sec. 2 of Germany’s Basic Law, which lays down that no fundamental right may be infringed on in an essential way.

Restriction of the freedom of science can therefore never apply to what hypothesis a scientific work starts out from or what results it comes up with. Freedom of science can only be restricted with respect to the methods used to acquire knowledge. For example, research which endangers the mental or physical health of persons is not covered by human rights.

Since in science there are no final or self-evident truths, then also there can be no such truths in respect to scientific investigation of the events of

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<sup>12</sup> *Frankfurter Allgemeine Zeitung*, Dec. 23, 1994, p. 1.

<sup>13</sup> In: *Berichte und Mitteilungen der Max-Planck-Gesellschaft*, Heft 3/1994, p. 231.

the Third Reich. Even in this subject area it is a fundamental duty of science to criticize old results and revise them when necessary.

*Revisionism is an essential component of science.*

## 4. On Freedom of Expression

It is not difficult to protect the freedom to express an opinion that corresponds with that of the ruling class. The most horrible dictatorships fulfill that criteria. A nation that honors human rights distinguishes itself in that it allows the freedom of expression to those whose ideas are not welcome to the ruling class. The right to freedom of expression is the citizen's defense against state interference:<sup>14</sup>

*“In its historical development down to the present the function of fundamental rights consists in providing the citizen defensive rights against the use of state power (Decision of the German Federal Constitutional Court, BVerfGE 1, 104.). Standing judicial opinion is that this is its primary and central effect even today (BVerfGE 50, 337).”*

Taken on its own merits, an opinion that contradicts the current historical description of the Holocaust endangers neither the formal foundations of any nation, such as human rights, national sovereignty, the division of power, or the independence of justice, nor the formal legitimacy of those who hold power, so such an opinion must be tolerated. However, there is hardly any other area in which many Western nations proceed more repressively against undesired opinions than with respect to the Holocaust.<sup>15</sup>

The right to free expression can only be restricted when its exercise infringes the human rights of others. In the present case, when someone says the Holocaust did not happen the way we have always heard it did, or says it did not happen at all, his right to free expression will be *de facto* denied. The reason given for this is often that such assertions harm the dignity of those Jews once persecuted and killed, their descendants today, and the entire racial group of Jews.

Such argument follows the principles of protecting the direct victims of a crime in order to protect them from slander thereafter. For example, most would accept that it cannot be allowed for people to slander a woman who

<sup>14</sup> K.-H. Seifert, D. Hömig (eds.), *Grundgesetz für die Bundesrepublik Deutschland*, Nomos, Baden Baden 1985, pp. 28f.

<sup>15</sup> On the reasons for this behavior, cf. G. Rudolf, “Revisionism: An Ideology of Liberation,” *The Revisionist*, 3(1) (2005), pp. 3-8.

has been raped, saying she invented the story of the rape only to sneakily get retribution from, or take revenge on, the tried and convicted rapist for some other reason. This applies even when there may be doubt as to the truth of the woman's representations in light of her statements and the court records. The same protection must be allowed to every Jewish fellow German citizen whose former (possibly only claimed) torturer was duly convicted. Nevertheless, it is not clear to me why all the relatives of the victim and all the members of the same religious group should enjoy the same protection.

In every case, however, he who maintains that the supposed crime did not take place must be given the opportunity to produce the proof of his assertion. Anything else would be contrary to the order of a nation under the rule of law. To determine whether the proof is correct, there must be scientific examination of the evidence.

For example, a scientific work that comes to the conclusion that there never was a Holocaust would not improperly diminish anyone's dignity, since the results of scientific work may not be forbidden without coming into conflict with the fundamental right to freedom of science (Art. 19, Sec. 2, German Basic Law). In a state under the rule of law, such a work must be permitted to be used as evidence in order that an accused might provide evidence in defense of his opinion.

The only things that could possibly be outlawed are accusations that certain persons have lied with sinister motives, provided such accusations are not backed up with convincing evidence. But even such potential libels against alleged victims of crimes should be a matter of civil law suits, not of criminal law.

## 5. Battle Zone "Common Knowledge"

Section 244 of Germany's criminal procedural rules permits judges to refuse evidence on the grounds of "common knowledge." Other countries have similar provisions. This provision allows judges not to have to prove over and over again things that have been proven in court many times before and which are commonly accepted as true. There is nothing objectionable about this paragraph, which seeks to restrict delaying tactics in judicial procedure. To return to our previous example, a woman who has already proven several times and in the opinion of the court could still prove that she actually was raped should not be required to prove it anew before

the whole world each time someone comes forward who disputes the event. Of course, this “common knowledge” principle does not exclude that there are circumstances under which the evidence should be reexamined. It is a judicial rule even in Germany that common knowledge does not endure forever and that there are times when the principle should be suspended.

For one, common knowledge is undermined when a significant dispute about the commonly accepted fact occurs in public. For another, every court is duty-bound to suspend this principle if it receives evidence that is superior in evidentiary value to evidence formerly submitted. A third principle is laid down in Section 245 of the German rules, which determine that judges must not reject evidence that is already present in the court room, since in such cases obviously no delaying tactics are being used.<sup>16</sup>

However, it is media inquisitions organized by mostly left-leaning governing elites as well as draconian prosecution of any dissenter, even of any academic historian, which make it impossible to hold a significant public debate on Holocaust matters. This would not be so bad if one were at least permitted to introduce evidence during a penal trial which is either already present in the court room, or which is superior in evidentiary value to what had been presented to German courts before.

Unfortunately, every court in Germany rejects any motion to introduce evidence already present in the court room or to determine merely the fact as to whether or not new evidence is superior to previously introduced evidence. This happens by arguing that on the grounds of “common knowledge” it is inadmissible to even ask for the introduction of *any* evidence intended to refute the officially prescribed version of this particular historical event.

Of course, common knowledge must never be a reason to reject evidence already present in the court room, and the evidentiary value of evidence offered but yet unknown to the court is something that can certainly never be common knowledge. However, the German Federal Supreme Court has approved this practice in open violation of German law, because – let me paraphrase the court’s decision here: “We always did it that way.”<sup>17</sup> In the meantime, the same court has even ruled that defense lawyers who dare to offer or ask for evidence supporting revisionist claims

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<sup>16</sup> Cf. Detlef Burhoff, *Handbuch für die strafrechtliche Hauptverhandlung*, 7th ed., Verlag für die Rechts- und Anwaltspraxis, Recklinghausen 2012, no. 676 ([www.burhoff.de/haupt/inhalt/praesentes.htm](http://www.burhoff.de/haupt/inhalt/praesentes.htm)).

<sup>17</sup> German Federal Supreme Court (Bundesgerichtshof), ref. 1 StR 193/93.

commit a crime themselves and have to be prosecuted for incitement to hatred.<sup>18</sup>

## 6. On the Defense of Human Rights

The most radical position of the opponents of Holocaust revisionism is that which denies all freedom to revisionism whatever, on the grounds that revisionism and its theories harm the dignity of Jews. I have some questions about this:

- Whose human dignity is more diminished, that of the alleged victim whose claimed suffering is disputed, or that of the convicted defendant who may have been erroneously convicted?
- Whose human dignity is more harmed, that of the alleged victim of whom some people think his suffering is a lie, or that of the scientist who is accused of lying and whose career is destroyed, his family ruined, and who is finally put into jail?

German courts protect the dignity of every Jew who, in connection with the Holocaust, has been accused of lying, directly or (supposedly) indirectly, from any conceivable attack. In the sense of the extended protection for victims many are prepared to accept this.

When the same courts fend off any mitigating evidence by using this absolute concept of “common knowledge,” however, they dismiss or prohibit everything that could protect the dignity of the scientist who is accused of constructing a pseudoscientific structure of lies. Does not the scientist have the same right to the protection of his dignity as any Jewish citizen? Is he not entitled to have his arguments heard and considered in court?

German courts protect at law the dignity of the actual or supposed victims of the Holocaust from any conceivable attack. When these courts use the absolute concept of “common knowledge” to refuse to hear any mitigating evidence, however, they dismiss or prohibit everything that could restore the dignity of the convicted SS man. But does the convicted SS man have any dignity in the first place that needs to be protected? Many of our contemporaries ask themselves this question, and the fact that many

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<sup>18</sup> German Federal Supreme Court, ref. 5 StR 485/01; Sigmund P. Martin, *Juristische Schulung*, 11/2002, pp. 1127f.; *Neue Juristische Wochenschrift* 2002, p. 2115, *Neue Strafrechts-Zeitung* 2002, p. 539; see also the German daily newspaper of April 11, 2002.

would probably answer this question spontaneously with a stark “No” shows that the principle of equal treatment before the law has long disappeared from the understanding of many citizens. But, in fact, the dignity of the SS man and the dignity of the Jew are equally deserving of protection.

German courts protect the dignity of the supposed Jewish victims from any conceivable attack. At the same time they dismiss or prohibit anything that could restore the dignity of those of who are said to have been members of a criminal organization, like the SS. They dismiss or prohibit anything that could restore the dignity of the ordinary Wehrmacht soldier, who is said to have enabled and prolonged the slaughter with his service.

German courts protect the dignity of the members of the entire Jewish race from any conceivable attack. They dismiss or prohibit anything that could restore the dignity of the entire German people, who bear the mark of Cain as the “pepetrator people.”

The German state and its component German judicial system accept every injury to the dignity of the German people and of each German individual, or injure it themselves, and forbid anything that might defend this dignity. Does not this nation and its judicial system commit a massive breach of Article 1, Section 1, of its constitutional Basic Law, in which human dignity is stipulated as inviolable, and the government is expected to use every power it possesses to defend the dignity of *every* person?

Does not that country and its component judicial system violate the equal treatment principle laid down in Article 3, Sections 1 and 3 of the German Basic Law by defending the dignity of the Jews but neglecting or even forbidding the defense of the dignity of Germans generally, and of SS members, Waffen SS members, and Wehrmacht soldiers in particular?

Does not that country and its component judicial system deny to all who hold an exact scientific worldview the freedom to profess that worldview, a freedom specified in Article 4, Section 1, of the German Basic Law? We are compelled to believe in bodies that burn by themselves, in the disappearance of millions of people without any trace, in geysers of blood spurting from mass graves, in boiling human fat collecting in incineration pits, in flames meters high spurting from crematory chimneys, in Zyklon B insertion hatches that are not there, in gassing with diesel motors, which is unsuited for murder, and so on and so forth. The next thing we will be asked to believe in are witches riding on broomsticks.

Does not that country and its component judicial system deny someone the opportunity to communicate his opinion of things connected with the

Holocaust from the standpoint of his worldview derived from the exact sciences, contrary to Article 5, Section, 1 of its Basic Law?

Finally, does not that country and its component judicial system deny to every researcher, scientist and teacher his right to conduct an non-predetermined, unrestricted search for the truth and to publish his scientific opinion, contrary to Article 5, Section 3, of its Basic Law?

That country and its component judicial system are inflicting an ongoing injury to the majority of its people, in that it refuses the presentation of possible mitigating evidence, contrary to Articles 1, 3, 4 and 5 of its Basic Law.

It would seem to be high time to change this practice so that we can stop asserting that Germany – together with many others western nations – is grossly violating human rights. A first step should be to stop banning scientific books and throwing their authors into prison.

Germar Rudolf, Steinenbronn, May 5, 1995

revised in Chicago, March 20, 2005

and again in Red Lion, March 8, 2016