Expert Report by Professor Richard Evans

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IRVING VS. (1) LIPSTADT AND (2) PENGUIN BOOKS

EXPERT WITNESS REPORT BY RICHARD J. EVANS FBA

Professor of Modern History, University of Cambridge

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1. Introduction

1.1 Purpose of this Report

1.1.1 This Report is prepared pursuant to the Order of Master Trench dated 15 December 1998 directing that each party may adduce expert evidence from historians and political scientists to address relevant issues in the proceedings. It has been written to assist the Court by providing an expert opinion on allegations made in Professor Deborah Lipstadt's book *Denying the Holocaust: The Growing Assault on Truth and Memory*, published in 1994 by Penguin Books, about Mr. David Irving.

1.1.2 The book makes a variety of claims about Irving and his work, to which Irving has objected in his libel writ; only those which fall within the scope of my expertise as a professional historian will be considered. These claims can be summarised under four headings. They are as follows (references are to the page of the book on which they occur):

1. Irving is 'a discredited figure' as a historian (p. 180)1. Irving has become a Holocaust denier (p. 111). He had 'long equated the actions of Hitler and Allied leaders, an equivalence that was made easier by his claims that the Final Solution took place without Hitler's knowledge' (p. 162). In 1988, Irving, 'who had long hovered at the edge of Holocaust denial' (p. 162), was converted to the idea that the gas chambers were a myth (p. 179). 'Irving is one of the most dangerous spokespersons for Holocaust denial' (p. 181). He has connections with Holocaust deniers (p. 181).
2. Irving skews documents and misrepresents data in order to exonerate Hitler. He is 'an ardent admirer of the Nazi leader' (p. 161).
3. Holocaust deniers 'misstate, misquote, falsify statistics, and falsely attribute conclusions to reliable sources. They rely on books that directly contradict their arguments, quoting in a manner that completely distorts the authors' objectives' (p. 111). Since this statement comes immediately after the allegation that Irving has become a Holocaust denier, the implication that he does all these things too is unmistakable. Indeed, Lipstadt also claims that scholars 'have accused him of distorting evidence and manipulating documents to serve his own purposes' and of 'skewing documents and misrepresenting data in order to reach historically untenable conclusions' (p. 161). 'Familiar with historical evidence, he bends it until it conforms with his ideological leanings and political agenda...he is most facile at taking accurate information and shaping it to confirm his conclusions' (p. 181).

The sources and methods used in this report to assess these claims will be outlined later in this Introduction.

1.2 Material instructions

1.2.1 This report has been prepared on the instructions of Davenport Lyons and Mishcon de Reya, the solicitors respectively to the First and Second Defandants. I received both written and oral instructions to provide expert opinion on the historical writings and speeches of David Irving with reference to the allegations made about them by Deborah Lipstadt. I have been given access to the Statement of Claim served on 5 September 1996; the Defences of the First and Second Defendants served on 12 February 1997 and 18 April 1997 respectively; the Reply to both Defences served on 19 April 1997; documents disclosed by the Plaintiff pursuant to his discovery obligatoons, and various documents from the Plaintiff's various Lists of Documents as referred to in the footnotes to this report.

1.3 Author of the Report

1.3.1 I am a recognized authority on modern German history and have been teaching and researching it for the last thirty years. Since I began researching for my Oxford D.Phil. dissertation in 1969, I have acquired an excellent knowledge of German: I wrote my book *Kneipengespräche im Kaiserreich: Die Stimmungsberichte der Hamburger Politischen Polizei 1892-1914* (Rowohlt Verlag, Reinbek bei Hamburg, 1989) in German myself, and I have lectured in German at numerous German universities and on various public venues. As a result of my book on the Hamburg cholera epidemic of 1892 (*Death in Hamburg: Society and Politics in the Cholera Years 1830-1910* (Oxford University Press, 1987; German edition 1990) I was invited to deliver the principal address in German at the centenary commemoration in Hamburg City Hall in 1992. I have made numerous radio and television broadcasts in German, for North German Radio and other stations as well as for the BBC World Service, and my work on Hamburg was the subject of a 45-minute television programme, featuring interviews with me in German, in 1989 (*Mr. Evans geht durch Hamburg*, NDR 3).

1.3.2 Because my research has necessitated lengthy periods of research in German archives and libraries, I have spent a great deal of time in Germany over the last thirty years, including eighteen months as a Hanseatic Scholar in Hamburg and Berlin in 1970-72, eighteen months as a Research Fellow of the Alexander von Humboldt Foundation at the Free University of Berlin in 1981, 1985 and 1989, and various periods as a Research Scholar or Senior Scholar of the German Academic Exchange Service. I have also twice been a resident member of the Institute for European History in Mainz. My work has taken me to virtually all major German towns and cities, including Bamberg, Bochum, Bremen, Coburg, Cologne, Düsseldorf, Erfurt, Essen, Frankfurt, Karlsruhe, Leipzig, Magdeburg, Munich, Potsdam, Schwerin, Stuttgart, and so on. I am familiar with Germany and the Germans as well as with the German language.

1.3.3 My research has ranged widely over German history in the last three centuries. It has become well known for the thoroughness and comprehensiveness of its use of unpublished manuscript material. Much of it has concentrated on the nineteenth century. Some of my most important work, however, has also dealt with the Second World War. In particular my book *Rituals of Retribution: Capital Punishment in Germany 1600-1987* (Oxford University Press, 1996), based on unpublished manuscripts and typescripts in 26 archives, contains three Chapters (pp. 613-737) on the 'Third Reich', of which Chapter 16 (pp. 689-737) deals exclusively on the war years 1939-45, using particularly files of the Reich Ministry of Justice in the German Federal Archive (Bundesarchiv) in Koblenz. More recently, my current work on the history of German criminology has led me to use material in the Institut für Zeitgeschichte (Institute for Contemporary History) in Munich.

1.3.4 I am also familiar with the printed and published documentation of the 'Third Reich', which is extremely voluminous. I have used some of it in my published work, but I have also made use of it in my teaching: since 1972 I have been teaching a document-based Special Subject on the 'Third Reich', first at the University of East Anglia, then at Birkbeck College, University of London, and from the year 2000 in the History Faculty at Cambridge University.

1.3.5 I am internationally recognized as an authority on modern German history, including the history of Germany during the Second World War: six of my books have been published in German, and my work has also been translated into French, Hebrew, Italian, Japanese, Korean, Spanish, Swedish, and other languages. I have given over

two hundred lectures and conference or seminar papers at universities and other venues in many countries, including Australia, Austria, Canada, France, Germany, Iceland, Ireland, Italy, New Zealand, Spain, Sweden, and the USA.

1.3.6 I am also recognized as an authority on historiography, that is, on historical theory and method. In particular, my book *In Defence of History*, published by Granta Books in 1997, has attracted widespread praise. It has been described by Bernard Crick as 'a rare intellectual achievement, speaking lucidly to both historians and to the general reader', and according to Sir Keith Thomas (President of the British Academy) 'deserves to be essential reading for coming generations'. It was praised in the *Daily Telegraph*, the *Guardian*, the *Financial Times* and other newspapers as a strong defence of the idea of objectivity in history. It was published in a revised edition by W. W. Norton & Co., New York, in 1999, has been translated into German (*Fakten und Fiktionen: Über die Grundlagen historischer Erkenntnis*, Campus Verlag, 1998) and Korean, and is contracted to appear in translated editions in Japanese, Portuguese, Swedish and Turkish.

1.3.7 My books have not only been widely translated, they are also widely read in comparison to most academic texts. *Death in Hamburg* in particular has sold an estimated 13,000 copies in the German edition and 8,000 in English. *In Defence of History* went through three editions in hardback before its publication in paperback and has sold over 10,000 copies. *Rituals of Retribution* has been published in a paperback edition by Penguin Books. Three of my books in German have been produced by a commercial publishing house (Rowohlt Verlag) and published as trade paperbacks. I have always made a point of trying to appeal to a wide readership.

1.3.8 My work has won a number of prizes and awards in Britain, Germany and the USA, including the Fraenkel Prize for Contemporary History, the Hamburger Medaille für Kunst und Wissenschaft, the William H. Welch Medal of the American Association for the History of Medicine, and the Wolfson Literary Award for History. I am a Fellow of the Royal Historical Society and was elected a Fellow of the British Academy in 1993.

1.3.9 My reputation as a recognized authority on Germany, German history and the theory and practice of history has led to frequent invitations to broadcast on the BBC, in particular Radio 3 and Radio 4, on programmes including *Kaleidoscope*, *Front Row, Start the Week, In Our Time, Nightwaves,* and *Today*.

1.4 Curriculum vitae

Richard John Evans: Born 29 September 1947 in Woodford, Essex: British Citizen

(I) EDUCATION AND DEGREES

1955-59 St. Aubyn's School, Woodford, London E.17
1959-66 Forest School, Walthamstow, London E.17
1965-66 'A' level Grade 'A' in History, English, Latin, Ancient History
1966-69 Open Scholar in Modern History, Jesus College, Oxford
1969 First Class Honours in Modern History, Oxford University
1969-72 Student of St. Antony's College, Oxford
1970-72 Hanseatic Scholar, F.V.S. Foundation, Hamburg and Berlin
1970-71 Studies at Europa-Kolleg, Hamburg University
1973 M.A. in Modern History, University of Oxford
1973 D.Phil., University of Oxford
1990 Litt.D., University of East Anglia

(II) EMPLOYMENT RECORD

1972-76 Lecturer in History, University of Stirling, Scotland
1976-83 Lecturer in European History, University of East Anglia
1980 Visiting Associate Professor of European History, Columbia University, New York City
1981 Visiting Lecturer in History, Umeå University, Sweden
1983-89 Professor of European History, University of East Anglia, Norwich
1989-98 Professor of History, Birkbeck College, University of London
1993-7 Vice-Master, Birkbeck College, University of London
1997 Acting Master, Birkbeck College, University of London
1998- Professor of Modern History, University of Cambridge
1998- Fellow of Gonville and Caius College, Cambridge

(III) PRIZES, AWARDS AND DISTINCTIONS

1969 Stanhope Historical Essay Prize, University of Oxford
1988 Wolfson Literary Award for History
1 William H. Welch Medal of the American Association for the History of Medicine
1 Medaille für Kunst und Wissenschaft des Senats der Freien- und Hansestadt Hamburg (civic medal for cultural services)
1994 Fraenkel Prize in Contemporary History
1998 Honorary Fellow, Jesus College, Oxford

(IV) PROFESSIONAL ACTIVITIES

1978- Fellow of the Royal Historical Society
1989-92 Chair of the German History Society
1993- Fellow of the British Academy
1995- Member, Panel of Judges, Wolfson Literary Awards in History
1996- Member, Panel of Judges, Fraenkel Prize in Contemporary History

(V) RESEARCH FELLOWSHIPS

1975 DAAD Research Scholar, Institute for European History, Mainz

1980 DAAD Research Scholar, Free University of Berlin
1981 Research Fellow, Alexander von Humboldt Foundation, Free University of Berlin (renewed 1985, 1989)
1986 Visiting Fellow, Humanities Research Centre, Australian National University, Canberra
1987 British Council Visiting Fellow, Karl-Marx-University, Leipzig
1 DAAD Senior Research Scholar, University of Karlsruhe

(VI) EDITORIAL ACTIVITIES

1983-86 Founder editor of German History
1986-98 Editorial Board, German History.
1987- General Editor, A Social History of Europe (Routledge) (2 volumes published to date, 8 more commissioned)
1989 Editorial Board, Fischer Europäische Geschichte (60 volumes projected, first twelve published 1996)
1993 Editorial Board, Historical Social Research/Historische Sozialforschung
1994 Advisory Editor, A Dictionary of Nineteenth-Century World History, ed. John Belchem and Richard Price (Blackwell, Oxford, 1994; reprinted as The Penguin Dictionary of Nineteenth-Century World History, 1996). This followed on a report I was commissioned to submit to Penguin Books on their old Dictionary of Modern History in the late 1980s.
1- Editorial Board, Crime, History and Societies
2- Editor, Journal of Contemporary History
1998- Editorial Advisory Board, History Review

(VII) CONSULTANCIES

Referee and consultant for Oxford University Press (Oxford and New York), Cambridge University Press, Weidenfeld, Harvard University Press, Macmillan, Yale University Press, Berg, Harper-Collins, I.B. Tauris, Penguin, Boxtree Books, Unwin Hyman, Blackwell, Polity Press, Fischer Taschenbuch Verlag, Rowohlt Verlag. Referee for research project proposals for SSRC/ESRC, Wellcome Trust, National Endowment for the Humanities (USA), British Academy, Humanities Research Board, Israel Science Foundation, Leverhulme Trust, and University of Manchester research fund.

(VII) BOOKS PUBLISHED

(1) THE FEMINIST MOVEMENT IN GERMANY 1894-1933
(ISBN 0-8039-9951-8 hardback, 0-8039-9996-8 paper; London and Beverly Hills, SAGE publications, October 1976, pp.xiv+310). Reprinted 1978.

(2) THE FEMINISTS. Women's Emancipation Movements in Europe, America and Australasia 1840-1920
(lSBN 0-85664-212-6, London, Croom Helm; New York, Barnes & Noble, October 1977,pp. 266) Revised paperback edition July 1979.(ISBN 0-85664-977-5; Reprinted 1984.
Swedish edition: Kvinnorörelsens historia i Europa, USA, Australien och Nya Zeeland 1840-1920 (ISBN 91-38-04920-1, Liber Forlag, Stockholm, Dec. 1979, pp. 348).
Norwegian edition: Kvinnebevaegelsens historie i Europa, USA och Nya Zeeland 1840-1920 (lSBN 82 00-02447-4 Universitetsforlaget Oslo, 1980, pp. 348)
Spanish edition: Las feministas. Los movimentos de emancipación de la mujer en

Europa, America y Australasia 1840-1920 (lSBN 84-323-0392-5 Siglo veintiuno de España Editores, Madrid, Nov. 1980, pp. 314).
Korean edition (ISBN 89-364-1152-7, Seoul, 1997, revised and updated, pp. 373; awarded 'Good Book' Prize by Korean Ministry for Culture and Communications, 1997).

(3) SOCIETY AND POLITICS IN WILHELMINE GERMANY (Editor)
(lSBN 0-85664-347-5 London, Croom Helm; New York, Barnes & Noble, February 1978. pp. 306)
Paperback edition March 1980 (lSBN 0-7099-0429-10).
Japanese edition: Biruherumu Jidai no Doitsu - 'Shita Kara' no Shakaishi (lSBN 4-7710-0393-9, trans. Yukio Mochida, Koyo Shobo, Kyoto, December 1987, pp. 296).

(4) SOZIALDEMOKRATIE UND FRAUENEMANZIPATION IM DEUTSCHEN KAISERREICH
(translated by W. G. Sebald; ISBN 3-8021-119-3 Berlin-Bonn, Verlag J.H.W Dietz Nachfolger, Internationale Bibliothek, Vol. 119, October 1979, pp. 368; revised versions of selected chapters and sections in Comrades and Sisters, June 1987, and Proletarians and Politics, November 1990).

(5) THE GERMAN FAMILY: Essays in the social history of the family in Germany in the 19th and 20th centuries (Editor, with W.R. Lee)
(lSBN 0-7099-0067-5 London, Croom Helm; Totowa, NJ, Barnes & Noble, March 1981, pp. 302).

(6) THE GERMAN WORKING CLASS 1888-1933: The Politics of Everyday Life (Editor)
(ISBN 0-7099-0431-2, London, Croom Helm; Totowa, NJ, Barnes & Noble, January 1982, pp. 256).

(7) THE GERMAN PEASANTRY. Conflict and Community in Rural Society from the Eighteenth to the Twentieth Century (Editor, with W.R. Lee)
(lSBN 0-7099-0932-2 London and Sydney, Croom Helm, January 1986, pp. xiii + 305).

(8) THE GERMAN UNEMPLOYED: Experiences and Consequences of Mass Unemployment from the Weimar Republic to the 'Third Reich' (Editor, with Dick Geary)
(lSBN 0-709-0941-1, London and Sydney, Croom Helm, January 1987, pp. xviii + 314).

(9) COMRADES AND SISTERS: Feminism, Socialism and Pacifism in Europe 1870-1945
(lSBN 0-312-00963-1, London, Wheatsheaf Books; New York, St. Martin's Press, June 1987, pp.xii + 203).

(10) DEATH IN HAMBURG: Society and Politics in the Cholera Years 1830-1910
(lSBN 0-19-822864-3, Oxford and New York, Clarendon Press, October 1987, pp. xxvi + 676).
Paperback edition September 1990 (lSBN 0-14-012473-X, Penguin Books, pp. xxiv + 673), Reprinted August 1994.
German edition: Tod in Hamburg: Stadt, Gesellschaft und Politik in den Cholera-Jahren 1830-1910 (lSBN 3-498-01648-2, Rowohlt Verlag, Reinbek bei Hamburg, September 1990, pp. 848); Reprinted February 1991, April 1991, June 1991
Paperback reprint of German edition with new Afterword (ISBN 3-499-60249-0, Rowohlt Verlag, Reinbek bei Hamburg, August 1996).

(11) RETHINKING GERMAN HISTORY: Nineteenth-century Germany and the Origins of the 'Third Reich'
(lSBN 0-04-943051-3, London, Unwin Hyman, October 1987, pp. 314)
Paperback reprint: ISBN 0-04-445720-0, October 1989.
Japanese edition of three chapters: David Blackbourn, Geoff Eley and Richard J.Evans, Igirisu Shakai Shiha no Doitsu Shiron (Discourses on German Social History by the British Social History Faction, trans. Yukio Mochida et al., ISBN 4-7710-0593-1, Koyo Shobo, Kyoto, 1992, pp. 242).

(12) KNEIPENGESPRÄCHE IM KAISERREICH. Die Stimmungsberichte der Hamburger Politschen Polizei 1892-1914
(ISBN 3-499-18529-6, rororo Sachbuch 8529, Rowohlt Verlag, Reinbek bei Hamburg, June 1989, pp. 428, paperback). This is a collection of 350 out of some 20,000 manuscript police reports on surveillance of conversations in working-class bars in Hamburg before the First World War. There is a digest in the final Chapter of Proletarians and Politics

(13) THE GERMAN UNDERWORLD: Deviants and Outcasts in German History (Editor)
(ISBN 0-415-00367-9, Routledge, London and New York, July 1988, pp. xiv + 273).

(14) IN HITLER'S SHADOW. West German Historians and the Attempt to Escape from the Nazi Past
(lSBN 0-394-57686-1, Pantheon Books, New York, August 1989, pp. x + 196, hardback and paperback editions).
British edition: I .B.Tauris Ltd., November 1989 (hardback ISBN 1-85043-146-9, and paperback ISBN 1-85043-158-2)
German edition (revised with a new Afterword) : Im Schatten Hitlers? Historikerstreit und Vergangenheitsbewältigung in der Bundesrepublik (lSBN 3-518-11637-1, Edition Suhrkamp, Neue Folge, Vol. 637, Suhrkamp Verlag, Frankfurt am Main, April 1991, pp. 285, paperback)
Hebrew Edition (revised, with a new Afterword): Bizlo shel Hitler: Historinim ma-ariv-Germanim venasyonam lehimlat min haever hanazi (ISBN 965-131-0745-5, Oded Publishers, Tel Aviv, October 1991, pp. 250, paperback)

(15) PROLETARIANS AND POLITICS. Socialism, Protest and the Working Class in Germany before the First World War
(lSBN 0-7450-0467-9, Wheatsheaf Books, Hemel Hempstead, November 1990, pp. xii + 196).

(16) THE GERMAN BOURGEOISIE. Essays on the social history of the German middle class from the late eighteenth to the early twentieth century (Editor, with David Blackbourn)
(London and New York, Routledge, February 1991, pp. xx + 348, lSBN 0-415-03597-X) Paperback reprint June 1993 ISBN 0-415-09358-9.

(17) RITUALS OF RETRIBUTION. Capital Punishment in Germany 1600-1987.
(ISBN 0-19-821968-7, Oxford University Press, Oxford, March 1996, pp. xxxii + 1,014)
Paperback reprint ISBN 0-14-025927-9, London, Penguin UK, March 1997

(18) REREADING GERMAN HISTORY. From Unification to Reunification 1800-1996.

(ISBN 0-415-15899-0 hardback, 0-415-15900-8 paperback, Routledge, London, September 1997, pp. xvi + 256). German edition forthcoming 2000 with Rowohlt Verlag, Reinbek bei Hamburg

(19) IN DEFENCE OF HISTORY.
(ISBN 1-86207-068-7, Granta Books, London, September 1997, pp. viii + 307, hardback) Reprinted November 1997, December 1997. Paperback edition October 1998
Book club edition January 1998 (softback preview book club)
German edition: Fakten und Fiktionen. Über die Grundlagen historischer Erkenntnis (Campus Verlag, September 1998).
US edition: In Defense of History (W. W. Norton, January 1999).
Korean edition 1999; Japanese, Portuguese, Swedish and Turkish editions forthcoming.

(20) TALES FROM THE GERMAN UNDERWORLD. Crime and Punishment in the Nineteenth Century.
(ISBN 0-300-07224-4, Yale University Press, New Haven and London, March 1998, pp. x + 278)
German edition: Szenen aus der deutschen Unterwelt. Verbrechen und Strafe, 1800-1914 (ISBN 3-499-60522-8, rororo Sachbuch 60522, Rowohlt Taschenbuch Verlag, Reinbek bei Hamburg, December 1997, pp. 416, paperback.

1.5 Methods used to draw up this Report

1.5.1 I have never met, spoken to, or corresponded with David Irving. I have not previously concerned myself with his work in any way. The only references to him in any of my books come on pages 38 and 76 of *In Hitler's Shadow: West German Historians and the Attempt to Escape from the Nazi Past* (New York, 1989), in the context, not of a detailed examination of Irving's work itself, but of a discussion of the work of other historians, namely Ernst Nolte and Hans Mommsen. Irving is mentioned on these two pages briefly, and in passing.

1.5.2 I had leafed through the 1977 edition of *Hitler's War* and because of its style and content considered it a work of journalism rather than of professional history. Like the overwhelming majority of professional historians, I rejected its argument that Hitler did not order the extermination of the Jews. However, I was also aware of the widespread assumption amongst professional historians that Irving's work (like that of a number of other journalists who have written historical work) reached generally acceptable standards of historical scholarship. I also knew of Irving's reputation as someone who had a good knowledge of the archival and other sources for the history of the 'Third Reich' and had discovered previously unknown material on this subject.

1.5.3 I had never met, corresponded or had any dealings with Deborah Lipstadt, but I had read Lipstadt's *Denying the Holocaust* and quoted it on pages 239-41 of my book *In Defence of History* in the context of a discussion of the implications of postmodernist theories of knowledge for historical scholarship, especially on the history of the Nazi extermination of the Jews. Lipstadt's treatment of Irving in the book was a matter of completely marginal interest to me. In general, my view of the book was that it was a solidly researched and strongly but rationally argued work of scholarship. However, *Denying the Holocaust* does not deal in any detail with Irving's historical arguments, so that on being asked to write this Report, I had no difficulty in approaching Lipstadt's account of Irving's writings in an open and critical spirit, the same spirit, in fact, as that in which I approach Irving's work, the vast majority of which was completely unfamiliar to me.

1.5.4 The material on which this Report is based consists in the first place of Irving's published books. These have gone through numerous editions, and many of them are available both in English and in German in different versions. They are available in libraries in Britain and Germany, though some are rather hard to track down, and I was startled to find that the 1991 edition of *Hitler's War* can only be read at the desk in the Rare Books Room of the British Library that is reserved for literature deemed by the Library to be pornographic. Secondly, Irving has published a number of articles, mainly in *The Journal of Historical Review,* which are also available for public inspection in institutions such as the Wiener Library. Thirdly, Irving maintains a very extensive website on the Internet (http://fpp.co.uk) on which the text of various speeches by Irving is posted, together with a large quantity of other material revealing of his views on the history of the 'Third Reich'.[1]

1.5.5 Fourthly, the legal process of Discovery has provided a large amount of further material of relevance to the issues at the centre of the case. As Irving remarked in 1991,

> The first thing that happens in a libel action is this: only a few weeks after you've served a writ on a gentleman there comes a very expensive stage for both parties known as Discovery. The word 'Discovery' written with a capital 'D', just like the word 'Holocaust' written with a capital 'H'. Only this time the word is on my side. Because Discovery is an ugly phase, for plaintiff and

> defendant, when you face each other across a lawyer's table, at the choosing of the Plaintiff, and you say, "I want to see your documents and you can see mine". And at that stage usually all the defendants crack up and cop out.[2]

1.5.6 In the present case, however, no-one has wanted to 'cop out', and Irving has been obliged to disclose an enormous mass of material in addition to the list of documents he initially agreed to supply. I have had access to many videotapes and audiocassettes of Irving's speeches, tens of thousands of pages of documents, his complete private diaries, thousands of letters and a great deal of other material, much of it from the huge private archive in which he records his various activities and in which he stores the materials for his historical work

1.5.7 It soon became apparent that the amount of material available was too vast for me to master in the relatively short space of time I had to compile this Report, especially given my other commitments such as my regular academic work. I was fortunate therefore to obtain the research assistance of two of my PhD students, Nikolaus Wachsmann, who is now Junior Research Fellow of Downing College, Cambridge, and Thomas Skelton-Robinson, who is now researching for a PhD at Churchill College, Cambridge. Both had first-class honours degrees in History (from the London School of Economics and from Glasgow University respectively), both had a first-rate knowledge of German (Wachsmann is a native speaker, Skelton-Robinson lived in Germany for five years after graduating), and both had a good knowledge of twentieth-century German history.

1.5.8 The two researchers compiled transcripts of the salient parts of the audiocassettes and videotapes and went through the material supplied by Irving during the process of Discovery, taking extensive notes. It was of course impossible to cover the whole of Irving's *oeuvre* with complete thoroughness, and some principle of selectivity had to be applied. We decided that I would cover Irving's general reputation as a historian, Irving's attitude to Hitler, and the central issue of whether or not Irving was a Holocaust denier. On the equally important matter of whether or not Irving distorted and falsified history, we decided to concentrate on the 'chain of documents' which Irving on various occasions had claimed proved Hitler's ignorance and disapproval of the Nazi persecution and extermination of the Jews. Each document was assigned to one or other of the research assistants for preliminary analysis. In this way we covered the entire documentary basis for Irving's controversial claim.

1.5.9 In addition, we decided to sample a number of other important issues on which Lipstadt's allegations of manipulation and falsification could be tested. These were the bombing of Dresden by the Allies early in 1945, a subject on which Irving had written the book which established his reputation; Irving's use of the evidence of Hitler's adjutants; and the explanations offered by Irving for such antisemitic actions by the Nazis as he was prepared to concede were actually carried out. Here again preliminary analysis was carried out by my research assistants. During the period January 1998 to April 1999, we met frequently, exchanged drafts, and carried out numerous revisions to what we had written. In addition, my research assistants undertook research in German archives and libraries. The compilation, structure and writing of this Report as a whole was undertaken by myself, and I alone bear the final responsibility for what it contains. I am satisfied that the amount of material we have examined, and the number of issues in Irving's writings which we have addressed, constitute a thoroughly representative sample of his work, and that any further investigation on our part would simply have replicated the conclusions we reached on the basis of the sample we looked at.

1.5.10 On all the issues concerned, this Report examines carefully and in detail Irving's writings and speeches over the whole of his career, from the 1960s to the present. Its method has been to identify what Irving wrote or said, and to note whether he changed his views over time, and if so, how and in what respects. The Report is written from the point of view, and with the expertise, of a professional historian. That is, it is not concerned with the issue of whether or not 'Holocaust denial' is morally wrong, or whether what Irving has written and said is politically or morally objectionable. Throughout, it bears in mind the pleaded issues in the case, but its method is not to subject them to any kind of forensic criteria or legal scrutiny, but rather to treat them as matters of historical and historiographical investigation.

1.5.11 Thus in examining each of the key 'chain of documents' which Irving claims prove Hitler neither knew or nor approved the antisemitic policies of the 'Third Reich', this Report is not concerned to demonstrate conclusively that Hitler *did* know or *did* approve of these policies: that is not the issue at hand. The issue is whether or not Irving distorts and manipulates the historical record in trying to prove that Hitler did *not* know and approve of these policies. In dealing with this issue, the Report takes each document in turn, examines Irving's translation of it (all the documents in question were originally written in German), scrutinises his interpretation of it, and brings as many other relevant documents to bear on this interpretation as it has been possible to research in the time available, in accordance with the standard method of historical research, in which every original document used has to be set in a wider documentary context in order to elucidate its historical significance.

1.5.12 Many of these documents are well known to historians, some less so; many of them would appear at first sight to support the view that Hitler *did* know about antisemitic policies and actions in the 'Third Reich', and it has been necessary in the course of this Report to point this out. Historians who are advancing a particular argument have to take *all* relevant documentary evidence into account, and where documents appear to go against their argument, they have to explain them; failing to mention them at all constitutes suppression of relevant evidence and is not acceptable in a reputable historian. Citing these documents, as is done extensively in this Report, should not be seen as an attempt to prove conclusively that Hitler knew about the extermination of the Jews and other antisemitic actions during the 'Third Reich', only as evidence which has to be taken into account by anyone who, such as Irving, wishes to prove the contrary.

1.5.13 Very few historians have actually gone to the trouble of subjecting any of Irving's work to a detailed analysis by taking his historical statements and claims and tracing them back to the original and other sources on which Irving says they rest. This is because doing so is an extremely time-consuming exercise, and most historians have better things to do with their time than undertaking a minute analysis of other people's historical writings. It is also because historians generally assume that the work of fellow-historians, or those who purport to be fellow-historians, is generally reliable in its footnoting, in its translations and summaries of documents, and in its treatment of the evidence at a basic level. That is, historians may make mistakes and errors of fact, but they do not generally deliberately manipulate and distort documents, suppress evidence that runs counter to their interpretations, wilfully mistranslate documents in a foreign language, consciously use unreliable or discredited testimony when it suits their purpose, falsify historical statistics, or apply one standard of criticism to sources which undermine their views and another to those which support them.

1.6 Argument and structure of the Report

1.6.1 Very soon after we had begun our examination of Irving's work along the lines sketched out above, it became clear that Irving did all of these things. Penetrating beneath the confident surface of his prose quickly revealed a mass of distortion and manipulation in every issue we tackled that was so tangled that detailing it sometimes took up many more words than had been devoted to it in Irving's original account. Unpicking the eleven-page narrative of the anti-Jewish pogrom of the so-called *Reichskristallnacht* in Irving's book *Goebbels: Mastermind of the 'Third Reich'* and tracing back every part of it to the documentation on which it purports to rest takes up over seventy pages of the present Report. A similar knotted web of distortions, suppressions and manipulations became evident in every single instance which we examined. We have not suppressed any occasion on which Irving has used accepted and legitimate methods of historical research, exposition and interpretation: there were none.

1.6.2 The discovery of the extent of Irving's disregard for the proper methods of historical scholarship was not only surprising but also deeply shocking. As this Report will show, it goes well beyond what Lipstadt alleges. I was not prepared for the sheer depths of duplicity which I encountered in Irving's treatment of the historical sources, nor for the way in which this dishonesty permeated his entire written and spoken output. It is as all-pervasive in his early work as it is in his later publications. In this respect the change of view which, as this Report will note, he underwent in 1988 with respect to the Nazi extermination of the Jews, has done no more than emphasise an already existing pattern. It is clear from all the investigations which I and my research assistants have undertaken that Irving's claim to have a very good and thorough knowledge of the evidence on the basis of which the history of Nazi Germany has to be written is completely justified. His numerous mistakes and egregious errors are not, therefore, due to mere ignorance or sloppiness; on the contrary, it is obvious that they are calculated and deliberate. That is precisely why they are so shocking. Irving has relied in the past, and continues to rely in the present, on the fact that his readers and listeners, reviewers and interviewers lack either the time, or the expertise, to probe deeply enough into the sources he uses for his work to uncover the distortions, suppressions and manipulations to which he has subjected them. The late Martin Broszat and the American historian Charles W. Sydnor, Jr., whose work is referred to below, are virtually the only previous historians to have gone some way down this road; this Report, however, is the first full-length investigation of Irving's work on a large scale.

1.6.3 Because of the scope of what we have uncovered, this Report cannot confine itself simply to the allegations made by Lipstadt, though it does deal fully with each one. The detailed analyses in this Report are all illustrative of the points made at the beginning of this Introduction, but inevitably in some cases they also go beyond them. It should be noted that this Report deals both with Irving's writings and speeches before the publication of Lipstadt's book in Britain in 1994, and in the years since then, up to 1998. As will become apparent, Irving's methods have not changed substantially since Lipstadt completed her book; indeed, however much his views have changed over the years, his methods have remained substantially the same. It is these methods which form the main object of scrutiny in this Report. The fundamental question to which Irving's historical writings and speeches will be subjected is this: do they conform to generally accepted standards of historical scholarship?

1.6.4 That is, in other words, does Irving give a reasonably accurate account of the documents he uses; does he translate them in a reasonably accurate and unbiased manner; does he take into account as many other relevant documents as any professional historian could reasonably be expected to read and cite when he is using one par-

ticular source to substantiate an argument; does he apply consistent criteria of source-criticism to all the original material he uses, examining it for its internal consistency, its consistency with other documents, its provenance, the motives of those who were responsible for it, and the audience for which it was intended; are his arguments, his statistics and his accounts of historical events consistent across time and based on reliable historical evidence; does he take account of the arguments and interpretations of other historians who have examined the same documents; does he, in other words, advance his arguments and interpretations in a reasonably objective and unbiased manner?

1.6.5 Historians, of course, notoriously disagree on many aspects of the interpretation of the past. It is seldom, if ever, the case that one particular interpretation of a past event or a process is irrefutably right and all the others wrong. The records left to us by the past are fragmentary and incomplete and susceptible of a variety of interpretations. Historians have to take all kinds of evidence into account: immediate sources written at the time, eyewitness accounts written down shortly after the event in question, interviews and testimony from long afterwards – all these have their problems, and although historians generally give a greater weight to a source the nearer it is to the event with which it deals, this means neither that such proximate sources are entirely unproblematical, nor that more distant sources are to be dismissed out of hand. That is why gathering as many sources as possible relating to an event, whatever their nature, and comparing them with one another, is the basis of the historian's reconstruction of the past.

1.6.6 Historians may disagree with one another for a variety of reasons, and such disagreements are the stock-in-trade of historical controversy. However, such differences of opinion are generally confined within the limits set by the evidence: the number of possible interpretations of an event is not limitless, and historical controversy usually reveals some to fit more closely with the historical evidence than others. Thus for example there has long been a considerable difference of opinion amongst historians as to when the Nazis reached a decision to undertake a systematic extermination of all the Jews in Europe; some, though not many, have put the decision early in 1941; rather more have argued for a date in late July or early August 1941; some have favoured October 1941; more recently one younger German scholar has argued for December 1941 and another for late March or early April 1942. All these estimations have their merits and demerits, and the argument continues, based on a detailed examination and comparison of the documentary record. However, the position can broadly be summed up by saying that there is a general consensus that a decision was taken at the highest level some time between the beginning of 1941 and the Spring of 1942, and most probably between June 1941 and April 1942. The limits set by the available evidence do not allow of a date, say, in January 1933, or January 1943. The view that, for example, no decision was ever taken, or that the Nazis did not undertake the systematic extermination of the Jews at all, or that very few Jews were in fact killed, lies wholly outside the limits of what it is reasonable for a professional historian to argue in the light of the available evidence.[3] Scholarly disagreements often involve accusations of misreading or neglecting sources, or stretching interpretations beyond what the evidence seems to allow; but although there is sometimes room for a certain amount of disagreement at the margins, reasonable historians do not find it difficult to distinguish between interpretation and fantasy, argument and tendentiousness, imaginative readings of the sources and outright manipulations of them, minor errors of fact and deliberate distortions of the documents, or the accidental omission of relevant material and the deliberate suppression of inconvenient evidence. In this Report, these differences will be spelled out repeatedly and in very considerable detail in the course of subjecting Irving's historical

work to critical scrutiny.

1.6.7 This task is, in a sense, made easier by Irving's repeated insistence that he is not putting forward an argument for debate, but simply telling the truth. His philosophy of history, such as it is, was revealed in a press conference held in Brisbane, Australia, on 20 March 1986:

> *Journalist:* It could be argued, couldn't it, that history is always subjective, and your view of history too.
>
> *Irving:* Oh yes. Look at the life of Rommel here, the life of Rommel, *The Trail of the Fox*. In writing that, I used two thousand letters that he wrote to his wife over his entire life....Well, two thousand letters, that manuscript was probably six hundred pages long when it was finally (completed), you're doing a lot of condensing, you're condensing an entire man's life into six hundred pages of typescript, and that process of condensing it is the nice way of saying, "but of course you're selecting, you're selecting how to present this man." And that is undoubtedly a subjective operation. And this is why I hope that the readers look at the overall image presented of David Irving by the media and they think to themselves: "Well, on balance we can probably trust him better than we can trust Professor Hillgruber, or Professor Jacobsen, or any of the other historians who write on the same kind of period."[4]
>
> *Journalist:* Surely the same argument that you're putting up against the bulk of historians could be levelled at you.
>
> *Irving:* Ah, but then, you see, but this is the difference: they can't prove their points, they can't prove their points. I can prove all my points because I've got all the documents and the evidence on my side, but they can't find even one page of evidence to attack me, and that is why they're beginning to rant and rave instead.[5]

1.6.8 In other words, Irving admits a degree of aesthetic subjectivity in condensing and organizing his material, but concedes none at all in formulating his arguments (or, as he would put it, proving his points). This Report takes him at his word and asks whether there is indeed any evidence available to disprove his points, or in other words, to demonstrate that his arguments are specious and arrived at not through an accumulation of documents and evidence but by manipulation, falsification, suppression, distortion, mistranslation, misinterpretation and other wilful violations of the basic methods of the professional historian in dealing with the sources on which historical reconstruction and interpretation are based.

1.6.9 The first part of the Report following this Introduction examines Irving's output as a historian, his reputation amongst professional historians, and his relations with the historical profession in general. In the course of the discussion, this section deals on a general level with Irving's use of historical evidence and the criteria to which he subjects it. The second part of the Report then turns to the question of whether Irving is, or is not, a Holocaust denier. This requires an outline of what is the generally accepted definition of the Holocaust and what Irving's attitude is to that definition. This part of the Report goes on via a survey of the literature on Holocaust denial to establish four criteria by which, it is argued, it is reasonable to judge whether or not someone denies the Holocaust, and then applies each of these criteria to Irving's work as a whole.

1.6.10 A third and longest part of the Report takes the 'chain of documents' on the basis of which Irving has sought to dissociate Hitler from the antisemitic policies of the 'Third Reich', and subjects each of them to an extremely detailed and rigorous examination in terms of Irving's treatment of the document or documents in question and in the light of the other documentation which is relevant to the issue under discussion. The purpose of this third part is to demonstrate at length, and as exhaustively as possible, Irving's admiration for Hitler and his determination to manipulate the available historical evidence in the service of this admiration. In case it might be thought that Irving's manipulations of the historical record in this respect are an exceptional aspect of an otherwise reliable historical *oeuvre*, the product of a peculiar bee in the bonnet of a generally honest and competent professional historian, the fourth part of the book turns to three other aspects of Irving's work and uncovers a similar story of lies and deceptions in Irving's presentation of past history. It begins by comparing all the available versions of Irving's account of the Allied bombing of Dresden early in 1945 with the evidence on which they rest and the researches carried out by competent and reasonably objective British and German historians of this event. It moves on to illustrate Irving's method by studying a sample of the members of Hitler's entourage on whose testimony, often elicited in personal interviews with Irving himself, he so frequently relies. And it concludes by taking some examples of Irving's explanation of those aspects of Nazi antisemitism which he is prepared to admit actually existed.

1.6.11 Once again, it should be emphasised that these topics, numerous though they are, were not chosen as particularly egregious examples of Irving's disregard of proper historical method. On the contrary, his account of the bombing of Dresden was selected for scrutiny because his book on the subject has been reprinted many times and did much to establish his reputation. His use of the evidence of Hitler's adjutants was chosen for examination because his access to their private papers, and his use of exclusive interview material generated in his meetings with them, have been presented as strengths of Irving's research not just by himself but by others as well. And finally, his analysis of the reasons for Nazi antisemitism was singled out for investigation because it seemed on the face of it that this might cast light on, or in some way modify or relativise, his insistence that Hitler was not involved in it. In every case, however, as this Report will demonstrate, Irving has fallen so far short of the standards of scholarship customary amongst historians that he does not deserve to be called a historian at all.

2. Irving the historian

2.1 Publishing career

2.1.1 Over the past thirty years or so, David Irving has published a substantial number of works on historical subjects, Some of them have gone through many reprints and a number of different editions. The great majority of them are about the Second World War, and in particular about Nazi Germany and its leaders.

2.1.2 By the time he was thirty, he had already begun researching and writing on twentieth-century history, publishing his first book, *The Destruction of Dresden*, in 1963. There followed *The Mare's Nest*, a study of German secret weapons in the Second World War, published in 1964, and a book about the German atomic bomb, *The Virus House*, in 1967. In the same year, Irving published two more books, *The Destruction of Convoy PQ17*, and *Accident - The Death of General Sikorski*. Despite their somewhat specialized titles, these books in many cases aroused widespread controversy and made Irving into a well-known figure. *The Destruction of Dresden* created a storm by alleging that the bombing of Dresden by Allied airplanes early in 1945 caused many more deaths than had previously been thought. *The Destruction of Convoy PQ 17* aroused serious objections on the part of a British naval officer criticized by Irving in his book. *Accident* generated considerable outrage by its suggestion that the Polish exile leader in the Second World War, General Sikorski, had been assassinated on the orders of Winston Churchill. By the end of the 1960s Irving had already made a name for himself as an extremely controversial writer about the Second World War.

2.1.3 With the publication of his massive study of *Hitler's War* in 1977, Irving stirred up fresh debate. In this book, he argued that far from ordering it himself, Hitler had not known about the extermination of the Jews until late in 1943, and both before and after that had done his best to mitigate the worst antisemitic excesses of his subordinates. Irving heightened the controversy by publicly offering a financial reward to anyone who could come up with a document proving him wrong.

2.1.4 The furor completely overshadowed his publication of a biography of the German general Manfred Rommel in the same year, under the title *The Trail of the Fox*. The following year, Irving brought out a 'prequel' to his book on Hitler and the Second World War, entitled *The War Path*. In 1981 he published two more books, one, *The War Between the Generals*, devoted to exposing differences of opinion between the commanders of Hitler's army during the Second World War, the other, *Uprising!*, arguing, to quote Irving himself, 'that the Uprising of 1956 in Hungary was primarily an anti-Jewish uprising', because the Communist regime was run by Jews.[6]

2.1.5 The stream of books by Irving continued with *Churchill's War* in 1987, *Rudolf Hess; The Missing Years* published in the same year, a biography of Hermann Göring (in 1989), and most recently a book on *Goebbels: Mastermind of the 'Third Reich'* (1996). The same year, Irving also produced a book to mark the fiftieth anniversary of the Nuremberg War Crimes Trials, *Nuremberg: The Last Battle* (1996, based on an earlier work).

2.1.6 And while he has been producing new work, he has also been publishing revised and amended editions of some of his earlier books, most notably, 1991, *Hitler's War*, which also incorporated a new version of *The War Path* . In addition he has published a

number of books in German which have not appeared in English, including a study of Allied bombing raids on German cities (*Und Deutschlands Städte starben nicht*, 1963) and a broader study of strategic bombing in the twentieth century (*Von Guernica bis Vietnam*, published in 1982). Finally, he has edited and translated several documents of the Second World War, including the diaries of Göring's deputy, Erhard Milch, under the title *The Rise and Fall of the Luftwaffe* (1973) and *Adolf Hitler; The Medical Diaries* (1983).

2.1.7 Irving is also a frequent writer of letters to newspapers and periodicals on historical subjects, mostly replying to criticisms of his own work. He has given many hundreds of speeches and lectures in many different countries; the overwhelming majority of them have been on aspects of the Second World War and Nazi Germany; a very large number of these have been recorded on videotape or audiocassette. He has also made his views clear in a variety of periodical publications he himself has put out or contributed to, and in recent years he has built up a substantial website on the Internet to disseminate his views, again principally on aspects of the area of history with which he has always concerned himself. This is constantly changing, but it includes lengthy documents and analyses produced or reproduced by Irving himself as well as by others whose views are congenial to him.

2.1.8 There is no difficulty, in other words, documenting Irving's views on Hitler and the Holocaust, and no problem in finding abundant source material on which to test Deborah Lipstadt's allegations about his methods, his standing in the profession, and the other points at issue in this case.

2.2 Qualifications

2.2.1 'I am an untrained historian', Irving confessed in 1986: 'History was the only subject I flunked when I was at school.'[7] Several decades on from his self-confessedly disastrous schoolboy encounter with the subject, however, Irving now lays great stress on the fact that he is a 'reputable historian'.[8] The term historian, he says, is not reserved for those with academic qualifications. Elsewhere he has declared:

> As an independent historian, I am proud that I cannot be threatened with the loss of my job, or my pension, or my future. Other historians around the world sneer and write letters to the newspapers about 'David Irving, the so-called historian', and they demand, Why does he call himself a Historian anyway? Where did he study History? Where did he get his Degree? What, No Degree in History, then why does he call himself a Historian?" My answer to them, Was Pliny a historian or not? Was Tacitus? Did he get a degree in some university? Thucydides? Did he get a degree? And yet we unashamedly call them historians - we call them historians because they wrote history which has done (*recte* : gone) down the ages as accepted true history.[9]

There is a good deal to say for this argument.

2.2.2 Irving was born in 1938 and started, but never finished, a science degree at London University. As he suggests in the above passage, he has no academic qualifications as a historian and has never held a university or other academic post in a history department or institute or indeed in any other subject area. However, although these are serious initial disadvantages for becoming a professional historian, there are plenty

of examples of reputable and successful historians whose lack of formal academic qualifications is as striking as Irving's. It is possible to learn the trade over a number of years, and there are many journalists and freelance writers who have clearly done so. It would be quite wrong to argue, as a general principle, that writers on historical subjects who have no academic qualifications in history, or who do not have, and have never had, a university of other academic post in history, do not deserve to be called historians. Any assessment of Irving's status as a writer on historical subjects has to be based squarely on an assessment of what he has written; he cannot be dismissed simply and solely because he is unqualified in a formal sense.

2.3 Professional historians and archival research

2.3.1 Historians reconstruct and interpret past events on the basis of a variety of sources. These include interviews with survivors, where the subject is very recent history; published collections of documents and texts of various kinds; memoirs and reminiscences of contemporaries; photographs, drawings, maps and plans, particularly where contemporaneous with the subject under investigation; and many other kinds of material. Most important of all are archival sources, that is, unpublished official and private, manuscript or typescript material stored in repositories designed for the purpose and administered by the state or by non-governmental institutions and organizations or in some cases by private individuals.

2.3.2 Irving tells anyone willing to listen that he is 'an expert historian on the 'Third Reich'; I have spent thirty years now working in the archives in London, in Washington, in Moscow - in short, around the world. (If I) express an opinion it's probably a reasonable (*sic*) accurate opinion which I have arrived at, over a period of years...'[10] In researching Hitler, he claims to have

> adopted strict criteria in selecting my source material. I have burrowed deep into the contemporary writings of his closest personal staff, seeking clues to the real truth in diaries and private letters written to wives and friends. For the few autobiographical works I have used I have preferred to rely on their original manuscripts rather than the printed texts, as in the early postwar years apprehensive publishers (especially the "licensed" ones in Germany) made drastic changes in them...But historians are quite incorrigible, and will quote any apparently primary source no matter how convincingly its pedigree is exposed.[11]

Irving argued in the Introduction to the 1991 edition of *Hitler's War* that other historians had been almost uniformly 'lazy' in their attitude to the sources and that therefore everyone else's work on Hitler was unreliable.[12]

2.3.3 He listed a whole variety of diaries and other sources on which he claimed - without any references to back his assertion up, however, - previous historians had relied, and which he himself had exposed as falsifications. All these falsifications, he argued, were to the disadvantage of Hitler. Yet his 'idle predecessors' in writing about Hitler had failed to detect them.[13] 'Each successive biographer' of Hitler, he declared in 1977, 'has repeated or engrossed the legends created by his predecessors, or at best consulted only the most readily available works of reference themselves.'[14] They had never bothered to visit the surviving relatives of leading Nazis to search for additional material. And they never troubled to consult the most basic documenta-

tion. In a debate held in 1978 in the German town of Aschaffenburg, Irving attacked establishment historians for allegedly simply copying out of each other's books, while he was the only Hitler specialist who actually consulted the original sources.[15]

2.3.4 In June, 1989 Irving declared - without naming any examples or providing any evidence at all for his statement - that 'the German historians themselves are now beginning, rather shamefacedly, to admit that they have all just been quoting each other for the last forty five years...They have all just been quoting what each other historian has written.'[16] His critics, he charged, had 'relied on weak and unprofessional evidence.'[17] He himself had spent 'twenty years toiling in the archives'.[18] 'Who', asked Irving rhetorically in 1991, 'are those overemotional historians of the Jewish holocaust who have never troubled themselves even to open a readily available file of the SS Chief Heinrich Himmler's own handwritten telephone notes, or to read his memoranda for his secret meetings with Adolf Hitler?'[19] Historians were inveterately lazy. 'A lot of us, when we see something in handwriting, well, we hurriedly flip to another folder where it's all neatly typed out...But I've trained myself to take the line of most resistance and I go for the handwriting.'[20] Most historians, he averred, only quoted each other when it came to Hitler's alleged part in the extermination of the Jews. 'For thirty years our knowledge of Hitler's part in the atrocity had rested on inter-historian incest.'[21] Thus Irving contemptuously almost never cites, discusses or uses the work of other historians in his own books, though he is happy enough to quote them, as this Report will show, when they write something favourable about his own researches in their reviews of his work.

2.3.5 Irving is particularly proud of his personal collection of thousands of documents and index cards on the history of the "Third Reich". He points out that he is 'well known for providing every assistance to and answering the queries of his colleagues, regardless of their attitude to his works', and that he has made his research materials generally available for historical study at the German Federal Archives and at the Institute of Contemporary History in Munich. He has published some of his documentary discoveries, including the diaries of Hitler's personal physician, Dr. Morell, in 1983. All this adds up, in Irving's self-presentation to the court, as he says, referring to himself in the third person, 'to the scrupulous diligence for which he had already earned a justifiable reputation'.[22]

2.3.6 Yet Irving is misleading his readers when he gives the impression that he is the only historian of this subject with a thorough knowledge of the archives. He is certainly right to criticise those who have written biographies of Hitler. From the early (and for its time very creditable) biography by Alan Bullock through the stylish, but overblown and overpraised study by Joachim Fest, to the hopelessly inaccurate life by John Toland, biographies of Hitler have been more notable for their number than for their quality.[23] Only with the new biography by Ian Kershaw do we have a study of Hitler's life that is both based on a thorough knowledge of the archival material and scrupulously careful and balanced in its judgments.[24] But simply to concentrate on biographies of Hitler is to deliver a completely misleading account of the state of research on the field in which Irving works. There are hundreds of historians - German, British, American, Israeli, Swiss, French, Dutch, Canadian and so on - and thousands of books and learned articles which have treated in detail, and on the basis of the most painstaking archival investigations, the subjects with which Irving concerns himself.[25]

2.3.7 The major documentary collections have been generally available to historians for

decades. Already in the immediate aftermath of the war, Allied war crimes prosecutors sifted through tons of captured German documents to prepare their indictments in the Nuremberg Trials. Many of these were printed in the published record of the trials. The eventual return of the original documents, many times more voluminous than the printed selection, to the German Federal Archives provided the stimulus for a massive new research effort, spearheaded by the *Institut für Zeitgeschichte* (Institute for Contemporary History), described in the Acknowledgements to the 1977 edition of Irving's *Hitler's War* as 'exemplary'. Since then vast new masses of documents, both official and private in provenance, have become available. They are widely available to scholars in a variety of public state archives in Germany and other countries. This is not an area of history like, say, the fifth century, when historians have to make do with sparse and obscure source material to reconstruct what happened. Historians of the 'Third Reich' and the Second World War are more in danger of drowning in a sea of sources. There is no reason for historians of Nazi Germany to copy from each other, nor in fact does Irving anywhere present any solid evidence that they do so. This is in many ways one of the easiest areas of history to research. The British Government, for example, still keeps many documents of the 1930s and 1940s classified and bars access to them by researchers. This is not the case with German government records of the time, nor has it been for many years.

2.3.8 The training of a professional historian in Germany, Britain, the USA and elsewhere has for long been based on the Ph.D., which requires proof of mastery of all the necessary techniques of archival research and historical investigation based on original documents, and from the 1960s onwards, generations of PhD students from these countries and others have descended upon the German archives and the microfilmed editions of captured German documents available in the National Archives in Washington D.C., the Imperial War Museum and elsewhere, and produced a mass of published research into the history of Germany under Nazism and during the Second World War that is almost overwhelming. The techniques of documentary investigation in which Irving presents himself as the master are in fact a normal part of the stock-in-trade of every trainee professional historian. Of course, Irving has discovered new documents and obtained new evidence, for example, by interviewing surviving eyewitnesses of the time. But this is true of a vast number of other historians too. The difference is that normal professional historians do not make such a fetish of it. Moreover, new discoveries in this field are quite normal. Such is the vastness of the documentary legacy left by Nazi Germany - twelve years in the life of a major, modern industrial state - that much of the archival record still remains to be worked through, though the main outlines have long been known.

2.3.9 Nor is what Irving portrays as his own critical attitude to the documents in any way unusual. All historians are trained to adopt such an attitude. Of course, like everyone else, historians make mistakes. But it is quite misleading to give the impression that historians *in general* are incapable of properly evaluating historical documents, gullible about forgeries and falsifications, or content to accept each other's opinions on these matters. Irving is quite correct to say that it is necessary to inquire of every historical document whether it is authentic, why it came into being, and what was the vantage point of its author. To put it another way, historians need to know what were the motives behind a particular document coming into existence, so that they can control it for possible bias, tendentiousness, or downright intention to mislead. Obviously, however, *every* historical document must be subjected to the *same* critical scrutiny in this way. This is where it begins to become clear that Irving is no ordinary professional historian in this sense. Instead of observing them as scrupulously as he claims, Irving in fact abuses the professional conventions to which he pretends to subscribe. For, as this Report will demonstrate in detail, he does not apply the

normal criteria of source-criticism in a consistent or professional way. **1. Documents and sources**

1. Historians customarily distinguish between primary sources, which were produced at the time of the events to which they relate, and secondary sources, which were produced afterwards and rely on memory or on the work of other historians. Clearly, primary sources are prima facie regarded as more reliable, although they must of course be assessed critically as to their authenticity, their authorship and their purpose. As far as secondary sources are concerned, the greater the distance in time from the events to which they relate, the more critically they must be examined. On the other hand, evidence given after the event in the form of testimony in a public trial is relatively sound because it has been given in public, participants in the trial have had the opportunity to challenge it, and their challenges are available as a matter of public record. This testimony too must of course be assessed by the historian as to the purpose or purposes with which it was given. Memoirs and reminiscences have also generally been subject to a process of verification in public through the means of publication and review, though the same principles of source-criticism apply to them too. Finally, there are interviews conducted with participants after the event by the historian. This is perhaps the most problematical kind of evidence. Historians must avoid leading questions; they must not suggest the answers they are looking for; they must try to probe the motives and purposes of those whom they are interviewing; and they must not take everything they are told at face value. Above all, they must interview at length, and in depth. A brief questioning conducted with the obvious aim of eliciting answers favourable to the historian's own arguments will convince no-one.

2.4.2 Historians also have to rely on each other's work. There is nothing wrong with this, where the work relied on conforms to the accepted canons of scholarly research and rests on thorough, transparent and unbiased investigation of the primary sources. So vast is the material with which historians deal, so numerous are the subjects they cover, so consuming of time, energy and financial resources is the whole process of historical research, that it would be completely impossible for new historical discoveries and insights to be generated if every historian had to go back to the original sources for everything he or she wanted to say. This need to rely on each other's work has nothing to do with copying or plagiarism: on the contrary, the conventions of scholarship ensure that footnote and other references are used in scholarly historical work to pinpoint precisely where the historian has obtained information, and to allow the reader to check up on this if so desired. Thus for example the documentation on which this Report rests is extremely voluminous; frequent reference has to be made to works by other scholars on the historical matters with which it deals; the central concern of this Report is in the end with historiographical issues, that is, with the methods used by Irving in writing about the past, and its use of historical subjects is only intended to provide illustrations of these historiographical points.[26]

2.4.3 In describing his critical approach to the sources for the history of Nazi Germany, Irving has stated that he rejects all 'post-war oral trial evidence', because those who gave it had an axe of some sort to grind. If they were defendants in a war crimes trial, then they would distort the truth in order to save themselves. If they were witnesses, they may have exaggerated their sufferings as an act of revenge. These are reasonable enough points; but they do not completely invalidate the testimony in question, otherwise *all* testimony given to a court after an offence had been committed would have to be ruled completely useless as a guide to the truth, an extreme point of view which no reasonable person would surely uphold. If Irving is claiming that war crimes trials evidence is inadmissible because it is oral testimony based on memory,

he is incorrect. The Nuremberg War Crimes Trials amassed and used a huge quantity of contemporary written evidence on the basis of which the defendants and witnesses were questioned and which served in a variety of ways to underpin their testimony. Irving himself relies extensively on this documentation in his work.

2.4.4 Moreover, as this Report will show, when it suits his argument, Irving makes an exception and actually does use oral testimony from war crimes trials. In any case, Irving does not automatically disqualify oral testimony based on memory. On the contrary, he makes massive use of oral testimony: in particular, over the years he has interviewed a large number of Hitler's former aides and other leading former Nazis, and he places, as this Report will demonstrate repeatedly and in detail a faith in the reliability of their testimony that is almost entirely uncritical. If they were talking to him, after all, they must have been telling the truth! No need therefore to probe too deeply, or to interview for too long. But here too a genuine professional historian has to bring a critical attitude to bear. Former Nazis of all kinds had to construct a version of their own history that would allow them to live in relative peace in the postwar world. In particular, it was in their interest to deny all knowledge of, let alone participation in, the crimes of Nazism, including the extermination of the Jews. If they were part of Hitler's entourage, then it was in their interest to deny Hitler's knowledge or involvement as well, since admitting it would have been to incriminate themselves.

2.4.5 There is no reason to suppose that the story they told to Irving in this respect would have been any different from the story they told to everybody else. If they had an incentive to avoid implicating themselves before a court, they had a motive for persuading Irving to be their mouthpiece in continuing their personal quest for public exculpation at a later date. Their motives for denying their or Hitler's involvement in the extermination of the Jews were the same when they were talking to Irving as they were when they were being interrogated by Allied officers preparing for the Nuremberg trials. Their testimony has to be subjected to particularly searching critical scrutiny. The need for a critical attitude is borne out by the evidence of the memoirs that many of them published - self-serving, mendacious, dishonest, and designed to minimise their own involvement in the crimes of Nazism. This Report will examine many examples of this kind of evidence, much of it relied on by Irving in an entirely uncritical way.

2.4.6 Irving makes great play with his claim that he was the historian who first revealed the 'Hitler Diaries' as fake.[27] In 1983 - the fiftieth anniversary of Hitler's appointment as Reich Chancellor - the respected German weekly *Stern* serialized extracts from what its reporters claimed were diaries written by Hitler and recently made available from East German sources. Hugh Trevor-Roper (Lord Dacre), acting for Times Newspapers, declared them to be authentic. As a result, serialization of an English translation began in *The Sunday Times*. Confronted with doubts about the diaries' authenticity from a number of historians, *Stern* organized a press conference on 25 April. Irving had come into contact with the diaries through August Priesack, an old Nazi who had been one of the first to be approached by the forger in his quest for authentication. Priesack's collection of Nazi memorabilia consisted, as Irving immediately recognized, of obvious forgeries. This made it overwhelmingly likely that the 'diaries' were forgeries too. Funded by rival newspapers who wished to preserve their circulation in the face of a threatened scoop, Irving appeared at the *Stern* press conference and denounced them as a forgery. 'I know the collection from which these diaries come', he shouted from the floor. 'It is an old collection, full of forgeries. I

have some here'. Within a short time he was proved right. The diaries were quickly shown by tests carried out on the ink and paper by the German Federal Archives in Cologne to be postwar products. Their author, Konrad Kujau, was eventually sent to prison for his offence.[28]

2.4.7 Irving is accustomed to portray his role in this affair as evidence of his unrivalled expertise on of the original source material for Hitler and the "Third Reich". Thus while eminent academics had authenticated them, he proved his superior knowledge of the original documents by recognising them for what they were - a crude fake. In fact, however, one of the reasons why the forgery got as far as being printed as authentic in the national press was the fact that eminent academics had not been allowed near them. Those who had, like the American historian Gerhard Weinberg and the Stuttgart expert on Hitler, Eberhard Jäckel, expressed grave suspicions almost from the very start. Even Hugh Trevor-Roper had changed his mind about them immediately after he had sent off his article to the *Sunday Times* authenticating them, and had used the *Stern* press conference, much to the discomfiture of the organizers, to give voice to his new-found scepticism.[29]

2.4.8 Moreover, what Irving fails to mention is that a couple of days after the press conference, he changed his mind. According to Robert Harris, he did this because he was uncomfortable at being aligned with majority, respectable historical opinion, because he was impressed by the sheer size of the diaries - sixty volumes - which seemed almost beyond the capacity of any one individual to forge, and because having finally seen the diaries for himself, they looked more convincing than he had expected. 'Finally', adds Harris, 'there was the fact that the diaries did not contain any evidence to suggest that Hitler was aware of the Holocaust.' Indeed, all the way through, they seemed to give a favourable impression of Hitler. Whereas most historians held Hitler responsible for the antisemitic pogrom of the 'Reichkristallnacht' in November 1938, the diaries showed him ordering a stop to it as soon as he found out about it. Whereas most historians thought the flight of Rudolf Hess to Scotland in 1941 the act of a madman, the diaries revealed him to have been acting on Hitler's orders in pursuit of a genuine peace mission. On point after point, the diaries seemed to endorse Irving's rose-coloured view of the 'Führer'.[30] Soon he was on the front page of *The Times* declaring his belief in their authenticity. When forensic tests shortly afterwards revealed them definitively as fakes, Irving issued a statement accepting the finding but drawing attention to the fact that he had been the first person to unmask them as forged. 'Yes', said a reporter from *The Times* when this was read out to him, 'and the last person to declare them authentic.'[31]

2.4.9 What the affair of the 'Hitler diaries' actually suggests, therefore, is not Irving's skill in unmasking forged Nazi documents, his unrivalled knowledge of the source materials for the history of the "Third Reich", or his mastery of the most rigorous techniques of historical source-criticism, but his complete lack of any scruple when it comes to evaluating and making use of historical documents for the arguments he wants to put forward. If an obvious forgery like the 'Hitler diaries' gives credence to his views, he will use it. This Report will detail other, less spectacular but no less telling examples of this unscrupulousness below. Irving will use any argument, no matter how flimsy, to try and discredit genuine source material if it runs counter to his arguments. And if he cannot dismiss it, then he will manipulate it to the point of falsification, or suppress or ignore it altogether. Often he will attempt to disguise what he is doing by rendering his footnote references opaque rather than transparent, flouting one of the most basic requirements of historical scholarship in the proc-

ess. These arguments will be substantiated at length in the course of this Report.

2.5 Reputation

2.5.1 'You may not like my judgments', Irving told an interviewer in 1977; 'My judgments may sometimes be wrong. But, by jove, I've got my facts right.' But on occasion he has at least seemed to take a different line. In 1983 he said: 'They aren't lies, what I publish: they are true, at any rate the truth as I perceive it...Even the most erudite and hard-working historian is never going to obtain one hundred percent truth; he is only going to approximate it....'[32] During the 1990s, Irving has described himself as waging an 'International Campaign for Real History'. 'My version of Real History', he conceded in 1992, '...may be *wrong* History!' - and he continued:

> I am not so arrogant as to say "thou shalt have no other version of history but mine."...Nobody has the right to stand up and say, only my version of history is right: all other versions are wrong: and nobody has the right to propagate alternative versions....And that's what I say about my book *Hitler's War;* it may be right, it may be wrong! But is certainly a magisterial work...a book which makes my rivals livid with envy and rage...(It) is not what you would call revisionist history at all, it is a staid, stable, traditional look at history with magnificent photographs...[33]

2.5.2 Irving is not portraying himself as one professional historian amongst many; he is saying that he is actually better than the professionals, because his research is more thorough than theirs. He does not really believe that he is wrong, because he does not really think that other historians can come up with evidence that will make him change his mind. 'I like seeing the other historians with egg on their face', he has said.[34]

2.5.3 Irving has said on so many occasions that his aim to discover the objective truth in history, he has discovered it, and the professional historians have not done so, that his concession that he may be wrong cannot be taken seriously, unless it is taken to apply only to matters of detail. Asked in 1993 whether he was a partisan historian, he replied:

> Every historian has to be selective; If I write a biography about Adolf Hitler, then the archives have got about ten tons of documents on Adolf Hitler, and you have to select which documents you present. And if you're a Jewish historian, you present the facts one way, because they have an agenda to present. I don't have any kind of political agenda, and really, it's rather defamatory for people to suggest that I do have an agenda. The agenda I have, I suppose, is, all right, I admit it, I like seeing the other historians with egg on their face. And they're getting a lot of egg on their face now, because I'm challenging them to produce the evidence for what they've been saying for fifty years.[35]

2.5.4 Irving does not appear to believe that other historians can rise to this challenge. Rather, he believes that there is an international campaign orchestrated by the 'Jewish community' ('our traditional enemies') in many countries to stop him from speaking and selling his books because he writes and talks about 'Real History' based on the sources, while they purvey lies and falsehoods about the 'Holocaust', about Hitler, and about other topics in the history of the Second World War. These lies can only be defended against Real History by underhand methods, suppression and censorship, because they cannot be defended by normal historical procedures such as refer-

ence to the original sources; because, in other words, they are not 'Real History' but false history.

2.5.5 Irving's main emphasis, despite the occasional concession that he might get some things wrong, has repeatedly and consistently been on his factual accuracy. He presents himself as almost obsessive in his pursuit of the real facts. 'My duty as an historian', he told the Munich court which rejected his appeal against conviction for denying the Holocaust on 5 May 1992, 'is to establish the truth.'[36] 'Our traditional enemies refuse to debate me', he told an audience in Canada on 1 November 1992; 'they can't debate me.' 'Around the world my traditional enemies have decided to use every means of terror, vandalism and vilification to smear my name and to prevent my books from being published and above all, to prevent me from getting television or radio or newspaper space.' Describing his continuing 'International Campaign for Real History', he went on:

> It is the word real that frightens my opponents, because they have got away with it now for the last fifty years, with their Madison-avenue, their Hollywood versions of history, their television versions of history. Real history is what we find in the archives, and it frightens my opponents because it takes the planks out from beneath their feet.[37]

Irving actually is saying that in crucial respects all other versions of the history of the Second World War apart from his own *are* wrong, because they are not based on 'what we find in the archives'. Only 'Real History' is correct.

2.5.6 The status of a reputable historian, Irving argues, is earned as much by acclaim or accolade as by academic degree. He claims that he himself has earned the right to be recognized as a reputable historian by the many plaudits he has received from eminent academic practitioners of the trade such as the late Professor Sir Harry Hinsley, of Cambridge University, author of the official history of British Intelligence in the Second World War, from Professor Gordon A. Craig, of Stanford University, California, author of the Oxford History of Modern Germany, and many others. The headed notepaper of Irving's publishing house ('History in the Making: Focal Point') indeed has in recent times carried a standard quotation from Professor Craig to illustrate this point ('Such people as David Irving have an indispensable part in the historical enterprise, and we dare not disregard their views', Professor Gordon A. Craig, *The New York Review of Books*, September 19, 1996). A similar quotation from Professor Hans Mommsen, an eminent German historian, heads Irving's website. Irving underlines his claim to reputable status by citing a 'secret report' on him by the Board of Deputies of British Jews in 1991, acknowledging 'Irving's reputation as one of the world's most thorough researchers and an exciting and readable historian'. He cites 'scores of newspaper articles by British and international experts which treat both him and his writings with distinction'.[38]

2.5.7 Yet the case he makes for his high reputation amongst academic reviewers begins to crumble when subjected to close scrutiny. To get a really accurate perception of the way Irving's work has been received over the years, it is necessary to distinguish between different kinds of reviewers in the historical profession. In particular, there have been those with a *general* knowledge of modern German and European history, but no *direct* experience of researching in the subjects on which Irving has written, and no first-hand knowledge of the sources in the field in which Irving has worked; and those with a *specific* knowledge of the precise area of whichever of Irving's books

they have been considering, or at least part of that area, or a very closely related one.

2.5.8 Those with a *general* knowledge have mostly been quite generous to Irving, even where they have found reason to criticise him or disagree with his views; but they have also seldom been entirely uncritical of Irving's work and his methods. Paul Addison, an expert on British history in the Second World War, heavily criticized what he saw in 1977 as Irving's tendency to approach the view 'that Churchill was as wicked as Hitler', and concluded that while Irving was 'usually a Colossus of research, he is often a schoolboy in judgment'.[39] Reviewing *The War Path* in 1978, R. Hinton Thomas, Professor of German at Birmingham University, whose knowledge of the social and political context of twentieth-century German literature was both deep and broad, dismissed the book as 'unoriginal' and its 'claims to novelty' as 'ill-based', but could do no more than speculate about other possible meanings cited by Irving in his attempt to show that Hitler urged restraint in the pogrom of the *Reichskristallnacht* in 1938, commenting that 'it would be more pertinent to stress Hitler's many venomous statements about Jews over many years'.[40]

2.5.9 Martin Gilbert, at that time in the middle of writing his official biography of Churchill, noted that 'Irving fails, and fails lamentably', to provide convincing evidence in *Hitler's War* to back up his assertion that Hitler was unaware of the extermination of the Jews. 'Much of Irving's argument', he wrote, 'is based on speculation.' At the same time, he played down Hitler's antisemitic utterances and omitted key passages of this kind from his discussion of documents such as Hitler's Political Testament. Nevertheless, Gilbert concluded by describing Irving's treatment of this issue as 'a grave blemish on an otherwise scholarly work, the fruit of a decade of wide researches.'[41] Similarly, the military historian Michael Howard, subsequently Regius Professor of Modern History at Oxford, praised the 'very considerable merits' of *The War Path*, and declared that Irving was 'at his best as a professional historian demanding documentary proof for popularly-held beliefs'. Howard pointed out that Irving's account of an episode such as the enforced resignation of Generals Blomberg and Fritsch before the outbreak of the Second World War was not as original as he claimed and added nothing to the story already told by other historians. 'It would be nice', he wrote, 'if Mr. Irving occasionally recognised that other men had been there before him and done a competent job of work.'[42]

2.5.10 Gordon A. Craig reviewed Irving's *Goebbels* in the *New York Review of Books*. He seemed at first glance full of praise for Irving's work:

> Silencing Mr Irving would be a high price to pay for freedom from the annoyance that he causes us. The fact is that he knows more about National Socialism than most professional scholars in his field, and students of the years 1933-1945 owe more than they are always willing to admit to his energy as a researcher...*Hitler's War*...remains the best study we have of the German side of the Second World War, and, as such, indispensable for all students of that conflict...It is always difficult for the non-historian to remember that there is nothing absolute about historical truth. What we consider as such is only an estimation, based upon what the best available evidence tells us. It must constantly be tested against new information and new interpretations that appear, however implausible they may be, or it will lose its vitality and degenerate into dogma or shibboleth. Such people as David Irving, then, have a indispensable part in the historical enterprise, and we dare not disregard their views.

2.5.11 What Craig meant by this, however, was that Irving's views, which he described as 'obtuse' and 'discredited' in relation to Auschwitz, should be taken as a useful irritant, not as in any way plausible or persuasive, and he went on to quote a statement by Raul Hilberg that Holocaust deniers should not be silenced because they led people who did serious research on the subject 'to re-examine what we might have considered as obvious'.[43] Craig found Irving's attempt to exonerate Hitler from responsibility for the extermination of the Jews 'unpersuasive'.[44]

2.5.12 Craig, however, has carried out little first-hand archival research on the history of Nazi Germany himself; and he is well known as a generous reviewer. Recently for example he was taken to task for his favourable review of a controversial book by the young political scientist Daniel Jonah Goldhagen, *Hitler's Willing Executioners*, a book which argued in a crude and dogmatic fashion that virtually all Germans had been murderous antisemites since the middle ages, had been longing to exterminate the Jews for decades before Hitler came to power, and actively enjoyed participating in the extermination when it began. The book has since been exposed as a tissue of misrepresentation and misinterpretation, written in shocking ignorance of the huge historical literature on the topic and making numerous elementary mistakes in its interpretation of the documents. Faced with mounting evidence of its unscholarly nature, Craig was forced to publish what amounted to a withdrawal of his first, positive reaction.[45] His critical faculties were evidently equally in abeyance when he reviewed Irving's *Goebbels*, as this Report will demonstrate through repeated and detailed examination of the techniques Irving uses in his book.

2.5.13 Even reviewers who have praised 'the depth of Mr. Irving's research and his intelligence' have found 'too many avoidable mistakes...passages quoted without attribution and important statements not tagged to the listed sources.'[46] John Charmley, a right-wing historian at the University of East Anglia, noted on page 675, note 51, of his controversial book *Churchill: The End of Glory* (London, 1993): 'The current author admires Mr. Irving's assiduity, energy, and courage', and says that 'Mr. Irving's sources, unlike the conclusions which he draws from them, are usually sound', but also notes: 'Mr. Irving is cited only when his sources have been checked and found reliable.' The journalist Patrick Cosgrave, reviewing *The War Path*, was typical of the more intelligent commentators in this respect. While praising Irving's hard work, and acknowledging a 'considerable debt' owed to him 'for the hidden, lost, and missing records of Nazi Germany that he has unearthed by his patient and eager courtship of many of the surviving servants of the Reich or their descendants', Cosgrave considered that he had an 'uncritical attitude to his own documentation' and went on:

> Mr. Irving is ready and willing to change the rules governing his use of evidence any time it suits him; and when one of his characters (and Hitler in particular) does something which even Mr Irving finds reprehensible his whole position in the story is adjusted to shift responsibility. When, on the other hand, he is doing something Mr Irving is prepared openly to approve of, his central responsibility is fully, and even extravagantly, stated.

2.5.14 Thus as A. J. P. Taylor had pointed out, Irving considered that Churchill could be proven guilty of murdering General Sikorski even though there was no direct documentary evidence of an order from him to do so, but he simultaneously insisted that Hitler was not guilty of murdering the Jews because no single document in which he signed an order to do so could be found.[47]

2.5.15 Historians with first-hand research experience and expertise in Irving's field have been more critical still, even where they have agreed with some of what he has been trying to argue. An early, prominent instance of criticism from such a quarter came with Hugh Trevor-Roper's review of *Hitler's War* in 1977. Trevor-Roper, originally a specialist in seventeenth-century English history, had worked in British Intelligence during the war and had been charged with heading an official mission to find out the true facts about the death of Hitler. The result of his researches, published in 1947 as *The Last Days of Hitler*, immediately established him as a leading authority on Nazi Germany. Over the coming years, despite his limited speaking knowledge of German and his relative lack of familiarity with manuscript sources, Trevor-Roper, appointed Regius Professor of Modern History at Oxford in 1956, continued to write on Hitler and Nazism, and his view that the German dictator was not, as was often supposed, merely interested in power for its own sake, but was driven by strong ideological convictions, has stood the test of time.

2.5.16 Reviewing *Hitler's War*, Trevor-Roper paid the by now customary tribute to Irving's ingenuity and persistence as a researcher. 'No praise', he wrote, 'can be too high for his indefatigable scholarly industry.' But this was immediately followed by devastating criticism of Irving's method. Trevor-Roper continued:

> When a historian relies mainly on primary sources, which we cannot easily check, he challenges our confidence and forces us to ask critical questions. How reliable is his historical method? How sound is his judgment? We ask these questions particularly of any man who, like Mr. Irving, makes a virtue - almost a profession - of using arcane sources to affront established opinions.

Trevor-Roper made it clear he found Irving's method and judgment unsound.

2.5.17 To begin with, he took exception to Irving's claim that Hitler never attempted or condoned the assassination of foreign opponents while the democracies did. What, Trevor-Roper asked, of the Austrian Chancellor Dollfuss, who many argued had been murdered by Hitler's personal bodyguard unit, the SS, in 1934, or 'the Danish pastor Kaj Munk, whose "assassination" is directly ascribed to Hitler later in this book?' Moreover, Irving's claim that the democracies had no hesitation about killing their foreign opponents rested, it seemed to Trevor-Roper, on the killing of Admiral Darlan by a young Frenchman with no known connections to foreign governments, the poisoning by persons unknown of King Boris of Bulgaria, and the supposed murder of General Sikorski on the orders of Winston Churchill. As Trevor-Roper pointed out:

> Not a shred of evidence or probability has ever been produced for this theory, and when it was tested in the courts, Mr. Irving's only "evidence" (which was very indirect at best) was shown to be a clumsy misreading of a manuscript diary (I have myself seen the diary and feel justified in using the word "clumsy"). And yet here is this stale and exploded libel trotted out again, as if it were an accepted truth, in order to support a questionable generalisation. I have dwelt on this trivial detail because at once it puts us on our guard. In all the rest of his book Mr. Irving may be an exact and scrupulous historian. He may read his manuscript diaries correctly. But we can never be quite sure, and when he is most original, we are likely to be least sure.

2.5.18 After casting doubt on the quality of Irving's scholarship, Trevor-Roper declared that Irving's portrait of Hitler was in most respects far less original than he seemed to think, and in the area where it really was original, namely its denial of Hitler's knowledge of or responsibility for the extermination of the Jews, it was extremely implausible.

2.5.19 He pointed out that Irving omitted key passages from extracts he quoted from the Goebbels diary, and that the Himmler phone log for 30 November 1941, which Irving mentioned four times in the book, clearly referred not, as Irving claimed, to the 'liquidation' of the Jews in general, but only to a particular trainload of Jews from Berlin. 'Generally speaking', Trevor-Roper remarked, 'one does not veto an action unless one thinks that it is otherwise likely to occur.' He went on:

> Mr. Irving's argument about the Jews typifies his greatest weakness as a historian. Here, as in the Sikorski affair, he seizes on a small and dubious particle of "evidence"; builds upon it, by private interpretation, a large general conclusion; and then overlooks or re-interprets the more substantial evidence and probability against it. Since this defective method is invariably used to excuse Hitler or the Nazis and to damage their opponents, we may reasonably speak of a consistent bias, unconsciously distorting the evidence.

Thus Irving's claim to be a scrupulous and objective historian was, in Trevor-Roper's view, entirely false.[48]

2.5.20 The same view was taken by Martin Broszat, Director of the *Institut für Zeitgeschichte* (Institute for Contemporary History) in Munich and one of the world's leading historians of Nazi Germany. Broszat began his critique of *Hitler's War* by criticizing Irving's much-vaunted list of archival discoveries. The evidence Irving had gathered from Hitler's entourage might provide more exact detail of what went on at Hitler's wartime headquarters, he wrote, and it might convey something of the atmosphere of the place, but it did little to enlarge our knowledge of the important military and political decisions which Hitler took, and so did not live up to the claims Irving made for it.[49] Broszat went into considerable detail about the documentary evidence presented by Irving in his book. He pointed out, like Trevor-Roper, that Irving misrepresented a specific ban ordered by Himmler on the execution of a particular trainload of Jewish deportees on 30 November 1941 as a general ban on all such executions, and that Irving's idea that he had done this after talking to Hitler was thoroughly questionable.[50] He went on to show how Irving failed to quote a passage in the Goebbels Diary referring to Hitler's championing of a radical 'solution' in the 'life-and-death struggle between the Aryan race and the Jewish bacillus', and indeed in the manner of quoting and commenting on the rest of the passage turned it into the opposite of what it said.[51] He pointed out that there was plenty of evidence that people in Hitler's circle knew of the extermination of the Jews, and he described Irving's claim to the contrary as 'fantastic'.[52] Irving's double standards in dealing with evidence were particularly clear in his extensive use of the postwar statements of Hitler's entourage while at the same time failing to use, or dismissing as worthless, the postwar statements of the people who actually participated in the killing of the Jews.[53] Indeed, Broszat continued, 'Irving does not shrink from manipulating documents' in the service of making his thesis seem plausible.[54] Thus for example he relegated to a footnote statements made by Hitler to the Hungarian leader Admiral Horthy, set them in a misleading context, and reversed their chronology, in order to draw away attention from the fact that Hitler here was personally and openly stating

that large numbers of Jews would be shot.[55] All these detailed points of criticism will be taken up and expanded below. The point here is that already in 1977, Irving's work was clearly recognized by a leading authority on Nazi Germany as biased, factually incorrect and based on the manipulation and falsification of the documentary evidence.

2.5.21 In 1978, Irving's work was reviewed by the diplomatic historian D. C. Watt, subsequently Professor of International History at the London School of Economics, and later author of an exhaustively documented study of the outbreak of World War II in Europe, *How War Came*. Watt praised Irving's 'uncanny gift for ferreting out new sources of evidence, and the assiduity with which he has mined the vast collection of captured documents before which lesser mortals quailed'. A real specialist on the history of German foreign policy in the 1930s, who had himself brought out and added a commentary to an English translation of Hitler's *Mein Kampf*, Watt also criticised Irving because, he wrote, 'by avoiding the work of other historians, he has missed any indication that there are questions that need answering'. He went on to list the most important of these in the following three paragraphs of his review before criticising Irving for concentrating on 'inconsequentials' and concluding that *The War Path* gave no more than 'a readable rehash of what is generally known'. [56]

2.5.22 Reviewing the same book in 1978, another historian with a good knowledge of the diplomatic sources for the 1930s, the Oxford don A. J. P. Taylor, praised Irving's 'unrivalled industry' in research and his 'good scholarship', but dismissed his documentary discoveries as adding little to what was already known. Moreover, Taylor noted severely, 'A scholar who condemns the inaccuracies of others should be accurate himself', and Irving wasn't: Taylor had space to note three errors of fact in *The War Path* and also criticized the vagueness of one of his footnote references and the misleading impression given of Germany in the last days of the war in a passage in which, he commented caustically, Irving 'abandons his researches and goes in for fine writing'.[57] Historians with a first-hand knowledge of the sources for the diplomatic history of the 1930s therefore found much to criticise in *The War Path*.

1. When specialists with a first-hand knowledge of the sources for the history of the Second World War came to consider the 1977 edition of *Hitler's War*, they found far more to criticise. Most critical of all was the American Charles W. Sydnor, Jr. who at the time of writing his review had just completed a lengthy study of *Soldiers of Destruction: The SS Death's Head Division, 1933-1945*, published by Princeton University Press. Sydnor's thirty-page demolition of Irving's book deserves lengthy consideration because it is one of the few reviews of any of Irving's books for which the reviewer has manifestly undertaken a substantial amount of original research.[58] Sydnor described Irving's dismissal of other historians' work and his claims to originality, mastery of the sources and exposure of forgeries and frauds accepted by his predecessors as nonsense:

> To assume, as Mr. Irving does, that the most important books of Hitler scholarship consist only of the biographies, and that the best works of historical literature related to Hitler, which he anonymously dismisses, were not worth consulting, is - to put it generously - naively amateurish. By seeking to discredit the literature, Mr. Irving evidently excused himself from a good deal of reading, and thus from any confrontation with inconvenient facts contradictory to his thesis. This appears to make the revisionist task easier, but at the

same time has led Mr. Irving into a series of egregious errors and has demonstrated either his ignorance or his disregard of basic aspects of Hitler's role in German history. [59]

2.5.24 Starting with his own field of expertise, Sydnor noted that Irving 'seriously misrepresents the origin, nature, and scope of the SS role in Poland in the autumn of 1939' on pages 12-14 of *Hitler's War*. To give an indication of the seriousness of Sydnor's criticisms it is worth quoting them at some length:

> Hitler, not Himmler and Heydrich, initiated the campaign of terror and mass murder in Poland, as is clear from the records of Hitler's Berghof speech to his assembled generals on August 22, 1939. The *Einsatzgruppen* used in Poland did not later run the extermination camps in the east (p.12), but conducted mobile killing operations in Russia. There were in fact two separate categories of *Einsatzgruppen* in Poland in 1939, neither of which was subordinated directly to the Army generals, and neither of which was commanded by SS General Udo von Woyrsch, who directed only a single *Einsatzgruppe* (p.13). One group, consisting of three SD *Einsatzgruppen* and two SS Death's Head Regiments, was subordinated to Heydrich as Chief of the Security Police and the SD, while the other, composed of the SS Death's Head Regiment "Brandenburg" and SD *Einsatzgruppe* III, operated under the command of Theodor Eicke, the prewar head of the SS concentration camp system. Significantly, Eicke issued orders to his units via SS General Günther Pancke from aboard Hitler's headquarters train "Amerika" throughout the Polish campaign. In addition, there were at least six thousand SS soldiers and SD and police personnel active in Poland instead of Mr. Irving's "hundred officials in Waffen SS uniform" attached to each corps (There was no "Waffen SS uniform" during the Polish campaign, since there was no Waffen SS.) Their primary functions were not intelligence gathering, seizure of documents, and counterinsurgency operations (p. 13), but the liquidation of Polish poitical leaders, intellectuals, professionals, priests, and Jews; and their major killing operations did *not* begin in October as a result of the British rejection of Hitler's peace offer (pp. 14, 37-38, 70), but were well advanced by the end of September, as the records of one such *Einsatzgruppe* clearly indicate.[60]

2.5.25 Sydnor went on to identify numerous other 'gaffes' in Irving's book. These ranged from Irving's misidentification of the early nineteenth-century Tyrolean peasant leader Andreas Hofer as a German nationalist shot by the French in the Ruhr in 1923 (p. 315) and his misdescription of the Nazi film *Kolberg* as dealing with the Seven Years' War (p. 764: in fact, it dealt with the Napoleonic War) to his mistaken assumption that the death camp at Treblinka was already operating in March, 1942 (p. 392) and his 'undocumented assertion' that the surviving Jews in the Warsaw ghetto prepared their uprising in 1943 with weapons sold to them by Hitler's allies as they fled westward through the city (p.509: in fact, Sydnor pointed out, there was no evidence that anyone was fleeing through Warsaw at this time, nor that the resistance movement in the Ghetto ever obtained arms directly from any of Hitler's allies).[61]

2.5.26 Sydnor identified many other minor errors in Irving's work. But, he went on: 'Inaccuracy becomes distortion in Mr. Irving's handling of Hitler's basic racial and ideological objectives.' Thus, wrote Sydnor, Irving's narrative presentation of Hitler's invasion of the Soviet Union in June, 1941 as a 'preventive' war launched as a response to Stalin's aggressive plans against the West, involved a 'twisting of the facts'

only possible on the basis of ignorance of the exhaustively documented scholarly literature on the subject. Irving's account of the Wannsee Conference, wrote Sydnor, was 'brief, incomplete and wholly misleading', omitting key passages from the relevant documentation and drastically underplaying its importance.[62]

2.5.27 Sydnor went on: 'The most disturbing technique Mr. Irving employs in the effort to exculpate Hitler is the mistranslation of the German language to misrepresent the meaning of Nazi terminology for the destruction of the European Jews.' For example, Alfred Rosenberg, Reich Minister for the Eastern Occupied Territories, noted that in a conversation with Hitler on 14 December, 1941, that 'I would stand on the standpoint, not to speak of the extermination of Jewry'. Hitler, he reported, agreed with this, adding that the Jews had caused the war and so it was not surprising that they would suffer the consequences. Irving leaves out the later part of the report, relegates the first part to a footnote, and translates the key phrase as 'I took the view that I shouldn't mention the stamping out of Judaism.' This is not an accurate translation of the original German, as Sydnor pointed out. In the sentence *Ich stände auf dem Standpunkt von der Ausrottung des Judentums nicht zu sprechen*, the word *Ausrottung* means extermination, and *Judentum* means the Jewish race. Sydnor noted that when the terms *Ausrottung* and *ausrotten* were used by people other than Hitler, such as Himmler's adjutant Rudolf Brandt and indeed Himmler himself (on pages 867 and 575-6 of the book), Irving translates them without equivocation as 'extermination' and 'exterminate'.[63]

2.5.28 Sydnor went on to make some devastating criticisms of Irving's use of contemporary witnesses. He pointed out that (for example) Karl Wolff, chief of Himmler's personal staff and liaison officer at Hitler's headquarters, who Irving said had told him that Himmler conducted the "Final Solution" without Hitler's knowledge and that he himself had been ignorant of the killings, had been exposed as a liar when evidence emerged of visits he paid to Auschwitz and Lublin in Summer 1942 and of a letter he had received in April 1942 describing the killing of Serbian Jews in mobile gas vans.[64] Similar evidence from Heydrich's successor as head of the Security Service, Ernst Kaltenbrunner, was equally tainted and equally implausible. As for Heydrich himself, Sydnor demonstrated in a lengthy demolition of Irving's account of the circumstances surrounding his assassination that almost everything that Irving wrote on the subject was demonstrably wrong as well as being completely undocumented. Moreover, Irving omitted to mention in his account that Hitler himself had ordered first ten thousand Czechs to be executed as a reprisal for the assassination, then the obliteration of the village of Lidice, which Irving presented without any evidence as having harboured the assassins.[65]

2.5.29 When Irving reached the conspiracy to kill Hitler which culminated in the Bomb Plot of 20 July 1944, Sydnor remarks that 'the further one perseveres into the account, the more difficult it becomes to disentangle what Hitler said about the conspirators from how Mr. Irving feels about them.' Irving relied uncritically on Gestapo descriptions of the conspirators and invents incidents which demonstrably never happened, notably the champagne party at the conspirator General Olbricht's house after the conspirators thought their plot had succeeded, when the General was known to have been elsewhere.[66] In his efforts to present Hitler in a humane light, Irving, wrote Sydnor, manipulated sources, invented incidents (such as Hitler's supposed rebuke of the judge at the conspirators' trial, Roland Freisler) and once more, as so often, failed to give proper documentary references. 'The technique of excising damning statements and relying uncritically on dubious sources and witnesses', concluded

Sydnor, 'deepens the impression that an inflexible bias is the shaky foundation of Mr. Irving's revisionist edifice.'[67] This extended in particular to his presentation of Hitler's Political Testament, whose virulent antisemitism he delberately minimized. And Irving's description of Hitler's final days followed the first edition of H. R. Trevor-Roper's *The Last Days of Hitler* so closely, paragraph for paragraph, that he even repeated minor mistakes which Trevor-Roper corrected in later editions of his book, although he never cited Trevor-Roper in his notes, only the sources which Trevor-Roper had used, thus giving the unwary reader the impression he had done the research himself.[68] In this respect, as in others, Sydnor considered Irving's boast to have outdone all other Hitler scholars in the depth and thoroughness of his research to be 'pretentious twaddle'.[69]

2.5.30 Peter Hoffmann, the world's leading authority on the conservative resistance to Hitler and the individuals and groups behind the bomb plot of 20 July, 1944, and a profound student of the German archival record of the wartime years, was strongly critical of Irving's biography of Hermann Göring:

> Mr. Irving's constant references to archives, diaries and letters, and the overwhelming amount of detail in his work, suggest objectivity. In fact they put up a screen behind which a very different agenda is transacted….Mr. Irving is a great obfuscator....Distortions affect every important aspect of this book to the point of obfuscation...It is unfortunate that Mr. Irving wastes his extraordinary talents as a researcher and writer on trivializing the greatest crimes in German history, on manipulating historical sources and on highlighting the theatrics of the Nazi era.

2.5.31 Hoffmann commented that while the 1977 edition of *Hitler's War* had 'usefully provoked historians by raising the question of the smoking gun: whether an order could be found from Hitler to perpetrate a holocaust against the Jews', twenty-two years on, so much research had been carried out in this area by historians that although he repeated it in *Göring*, 'it is no longer possible to regard Mr. Irving's thesis as a useful provocation'. Irving, he charged, misrepresented the course of events and misinterpreted key documents.[70]

2.5.32 Similarly, John Lukács, an American historian who has written extensively on the Second World War, declared in 1981 with respect to *The War Between the Generals*:

> Mr Irving's factual errors are beyond belief. He says that "forty percent of the prisoners in southern France turned out to be Russians who had volunteered to fight for Germany against Stalin." Mr Irving writes of the ""famous tank country of Lower Saxony" (there is no such thing), and that in April 1945 "the German resistance was becoming increasingly determined" (at a time when the Germans had begun to surrender in droves). He writes that the Battle of Verdun "annihilated hundreds of thousands of both British, French and German youth. An eighteen-year-old Austrian corporal named Adolf Hitler was wounded there." There were no British troops at Verdun. Adolf Hitler never fought at Verdun. In 1916 he was 27, not 18...Mr Irving's methods are not merely bad; they are abominable.[71]

1. Lukács has recently renewed his criticisms of Irving in a general survey of historical writings on Hitler. Here he noted that Irving had gathered a 'daunting quantity of papers' and met 'many survivors of the 'Third Reich"s hierarchy, especially men and

women of Hitler's close circle, particularly those who were sympathetic to Irving's views.'[72] 'Few reviewers and critics of Irving's books', Lukacs complained, not without some justification, 'have bothered to examine them carefully enough. Had they done so, they would have found that many of Irving's references and quotations are not verifiable.'

2. Thus *Hitler's War* contained 'many errors in names and dates; more important, unverifiable and unconvincing assertions abound'. There are references to archives 'without dates, places, or file or page numbers'. 'Many of the archival references in Irving's footnotes…were inaccurate and did *not* prove or even refer to the pertinent statements in Irving's text.' Lukács found many instances of Irving's 'manipulations, attributing at least false meanings to some documents or, in other instances, printing references to irrelevant ones'. Often 'a single document, or fragment of a document, was enough for Irving to build a very questionable thesis on its contents or on the lack of such'. 'While some of Irving's "finds" cannot be disregarded,' Lukács went on, 'their interpretation…is, more often than not, compromised and even badly flawed.' He convicted Irving of 'frequent "twisting" of documentary sources' and urged 'considerable caution' in their use by other historians.[73]

2.5.35 Similar conclusions were reached by Professor David Cannadine, currently Director of the Institute of Historical Research at London University, when he came to consider the first (and so far, the only) volume of Irving's book on Churchill. In putting what Cannadine describes as the case for the prosecution, Irving, he notes, consistently applies 'an evidential double standard, demanding absolute documentary proof to convict the Germans (as when he sought to show that Hitler was not responsible for the Holocaust), while relying on circumstantial evidence to condemn the British (as in his account of the Allied bombing of Dresden)…Every Churchillian fault and failure…is magnified one thousand fold, while every virtue and victory is disregarded, disparaged or only grudgingly admitted.'[74] As a result of Irving's extremely antagonistic account of Churchill, Cannadine notes, the publishers to whom the book was contracted (Michael Joseph in London and Doubelday in New York) turned the manuscript down and it had to be published by an unknown Australian company. 'It has received almost no attention from historians or reviewers', and, Cannadine adds, 'It is easy to see why'.

2.5.36 According to Cannadine, Irving portrays Churchill in this book as drunken, embittered, spiteful, excessively belligerent, bent on personal advancement, and the tool of a corrupt syndicate of mainly Jewish financiers. He deliberately provoked Hitler into bombing London and willfully rejected Hitler's peace overtures. All of this, and much more, Cannadine charges, is 'based on ignorance, overstatement and quite inadequate evidence'. Irving's method is full of 'excesses, inconsistencies and omissions'. Even Irving admits that the sources he relies on are 'sparse', 'scurrilous' and 'should be treated with the reserve that all clandestine writings merit'. Many of them are drawn from the archives of 'Churchill's defeatist and disappointed critics'. Irving, says Cannadine, 'seems completely unaware of recent work done on the subject', which is not surprising in view of the fact that, as we have seen, he refuses to read the work of other historians, dismissing them as worthless. However, Cannadine goes on,

> It is not merely that the arguments in this book are so perversely tendentious and irresponsibly sensationalist. It is also that it is written in a tone which is at best casually journalistic and at worst quite exceptionally offensive. The text is littered with errors from beginning to end. Churchill is given the wrong government office in 1922, Lord Willingdon's title as Viceroy of India is in-

correct, and names like Montgomery-Massingberd, Lord Cranborne and Lord Cork and Orrery are consistently misspelt. De Gaulle is described as "power hungry" and "amoral", Roosevelt as "sly" and "cynical", Sinclair as "weak and loathsome", Dalton as "distasteful", and Brendan Bracken as Winston's "carrot-topped retainer". Churchill himself is depicted as a "pudgy politician", with a "swelling paunch" and "soft rolls of flesh", who "leers", "gobbles", "loafs" and "sponges". And when we are told that an official followed Churchill after he had visited Paris, "like a street cleaner after a cavalry parade", with "bucket and shovel in hand, cleaning up", we have reached the language of the gutter, not just metaphorically, but literally as well.'[75]

In Cannadine's judgment too, therefore, Irving is far from being the accurate and impartial historian he claims to be.

2.5.37 Another indication of the factual inaccuracy and unreliability of Irving's writings is provided by the extent to which they have landed him in trouble with the law. He was sued for libel by a retired naval officer who considered remarks about him in *The Destruction of Convoy PQ 17* to be defamatory, and was forced to pay damages of £40,000, confirmed on the rejection of Irving's appeal. His allegation in the introduction to the German edition of *Hitler's War* that the Diary of Ann Frank was a forgery led to his publisher being forced to pay damages. In 1968 he was sued for libel by Jillian Page, author of a newspaper article about him, as a result of his allegation that the article was the result of her 'fertile brain'; Irving apologised in the High Court and paid costs as a condition of Page agreeing that the action should be withdrawn. Similarly he was also obliged to pay costs in an unsuccessful libel action against Colin Smythe, publisher of a book (*The Assassination of Winston Churchill*) attacking Irving's views on the death of General Sikorski.[76]

2.5.38 Moreover, during the 1960s, 1970s and 1980s, Irving's books were published by a variety of mainstream publishing houses, including Penguin Books, who published the paperback edition of the early version of *Hitler's War* and its companion volume on the years 1933-39, *The War Path*, Macmillan, under whose imprint later editions of *Hitler's War* appeared up to about 1992; Hodder and Stoughton, who published the original hardback; HarperCollins, whose paperback imprint Grafton Books published an edition of Irving's Göring biography in 1991; and Corgi paperbacks, who produced more than one of the various editions of *The Destruction of Dresden*. Since the late 1980s, however, he has no longer been published by major houses, but instead has brought out all his books under his own imprint, Focal Point. 'If I write a bad book,' he said in 1986, 'or if I write two or three bad books, with boobs in it which the newspapers pick out, which I'm ashamed to admit are probably right, then of course the time comes when publishers turn their back on me.'[77] This was not the reason he gave when the publishers actually did turn their backs on him a few years later. Moreover, while he had brushes with the law at various points in his career, most notably in his arrest and deportation from Austria in 1983, his difficulties in this respect have noticeably increased during the 1990s, with his conviction for Holocaust denial in Germany in 1992 and his banning from entry into that country, into Canada, and into Australia, all in 1992-93. None of this would be expected of a reputable historian, and indeed it is impossible to think of any historian of any standing at all who has been subjected to so many adverse legal judgments, or who has initiated so many libel actions himself.

2.5.39 Recently Irving has posted on his website a letter by Hans Mommsen asking him to

withdraw the endorsement displayed there, an endorsement about which Mommsen evidently was not consulted and about which he knew nothing until very recently. Like other historians who have championed the 'functionalist' view of the 'Third Reich', according to which Hitler provided the ideological context and ratified, implicitly or explicitly, decisions emerging from below, but did not personally direct or individually order policies, including the extermination of the Jews, Mommsen felt a certain sympathy for Irving's views in the 1970s. Broszat too, for all his criticisms, thought that Irving had at least got away from the previous all-consuming concentration on Hitler as the begetter of everything that happened in the 'Third Reich'. On the right, a handful of German historians such as Ernst Nolte and Rainer Zitelmann, and English historians such as John Charmley, have urged that Irving's views be taken seriously, while distancing themselves from the way in which he arrived at them.[78] But these are only a tiny minority, and as we have seen, even a historian like Charmley has harsh words to say about the quality of Irving's scholarship. This reflects Irving's generally low reputation amongst professional historians since the end of the 1980s, and at all times amongst those who have direct experience of researching in the areas with which he concerns himself. In an interview with the American journalist Ron Rosenbaum in the mid-1990s, indeed, Irving himself confessed that his reputation amongst historians was 'down to its uppers', though it 'hasn't yet worn through to the street.'[79]

2.6 Conclusion

2.6.1 In the light of the above, it seems reasonable to conclude the following:

1. Irving's claim that other historians copy from each other and only he goes to the original sources is false.

2. Contrary to what he falsely claims are his rigorous methods of assessing the reliability of historical evidence, Irving arbitrarily declares sources such as the Hitler diaries or the oral evidence of Second World War survivors to be reliable or unreliable according to whether he thinks he can use them to support his own arguments.

3. Irving has long been notorious for his factual inaccuracy amongst historians with a real expertise in the subjects on which he writes.

4. The fact that he has had legal judgments and government exclusion orders made against him in a number of countries, and that he no longer finds reputable publishers for his work, also indicates that he is not a reputable historian.

5. He himself admits his reputation amongst professional historians is extremely low.

2.6.2 The following pages will document in considerable detail the reasons for Irving's poor reputation as a researcher and interpreter of the history of Nazism and the Second World War and a biographer of Hitler.**3** **Irving and Holocaust denial**

(i) A central allegation made by Lipstadt against Irving in her book is that he has become a Holocaust denier (*Denying the Holocaust,* p. 111). He had, according to Lipstadt, 'long equated the actions of Hitler and Allied leaders, an equivalence that was made easier by his claims that the Final Solution took place without Hitler's knowledge' (p. 162). In 1988, she continues, Irving, 'who had long hovered at the edge of Holocaust

denial' (p. 162), was converted to the idea that the gas chambers were a myth (p. 179). He has connections with Holocaust deniers (p. 181). 'Irving', she concludes, 'is one of the most dangerous spokespersons for Holocaust denial' (p. 181).

(ii) This section of the Report will examine these charges in detail. It will begin by outlining what is the generally accepted definition of 'the Holocaust', then go on to establish in the light of this definition what it would be reasonable to argue were the main criteria for determining whether someone was a Holocaust denier or not. A second part of this section goes on to evaluate Irving's arguments, put forward principally in his submissions to the court, in support of his claim that he is not a Holocaust denier. This will involve a detailed examination of a number of the documents and publications which Irving has cited in support of his case, as well as a consideration of the reasonableness, or otherwise, of the various definitions he puts forward of the term 'Holocaust' himself. The central part of this section subjects Irving's writings and speeches, especially since the late 1980s, to a detailed scrutiny in the light of the criteria established earlier in the paper, to determine whether or not it is reasonable to call him a Holocaust denier. Finally, the last part of this section turns to Lipstadt's allegation that Irving has connections with known Holocaust deniers (in effect, that he is part of a wider network of Holocaust denial). It will be necessary to examine in some detail the extent and nature of those connections, and to discuss the question of whether or not the people with whom Irving clearly does have connections can reasonably be described as Holocaust deniers. A conclusion summarises the findings and asks whether others besides Lipstadt have concluded that Irving is a Holocaust denier.

3.1 Definition of 'The Holocaust'

3.1.1 Most historians, indeed most people who know anything at all about the Second World War, accept that an important part of it was the attempt by Nazi Germany, led by its 'Führer' or 'Leader', Adolf Hitler, to exterminate the Jewish population of Europe. Since the Nazi seizure of power in 1933, Hitler's government had passed numerous laws restricting Jewish rights in the professions, the economy, education and other walks of life. The notorious 'Nuremberg Laws' passed in 1935 banned intermarriage and sexual relations between Jewish and non-Jewish Germans. In November 1938, the Nazis instigated and carried out widespread acts of destruction of Jewish property all over Germany, arrested over twenty thousand Jewish men, and imprisoned them under brutally harsh conditions for several weeks in concentration camps. Over ninety Jews were killed on the night of 9-10 November 1938 in the course of this action, which the Nazis cynically termed the 'Night of Broken Glass' (*Reichskristallnacht*), and there were many further deaths of Jews imprisoned in the concentration camps in the weeks following. After these events, Jews were fined an enormous sum of money by the Nazi government, effectively deprived of their citizenship, and almost completely removed from employment and other gainful economic activities. About half of Germany's Jewish community had emigrated by 1939 as a result of these policies.

3.1.2 In September 1939, when Nazi Germany invaded Poland, the invading forces encountered a society in which the Jewish minority was far larger than it was in Germany. Numbering nearly two million, the Jews of Nazi-occupied Poland were subjected to widespread violence, including mass shootings by special task forces (*Einsatzgruppen*), and large-scale deportations. The idea was already mooted in leading Nazi circles of deporting all German as well as Polish Jews to a reservation in the General Government, a large part of Nazi-occupied Poland which had not been incorporated directly into the Reich.

3.1.3 The nature of the proposed transportations was made clear by Hans Frank, the Governor of the General Government, on 25 November 1939: 'It's great to get to grips with the Jewish race at last', he said: 'The more that die the better...Get the Jews out of the Reich, Vienna, everywhere. We have no use for Jews in the Reich.'[80] This plan was not immediately put into effect, however. The Jews of Nazi-occupied Poland were set to work in brutally run labour camps, and crowded into specially created ghettos in major towns such as Lodz and Warsaw. After the defeat of France in June 1940, Hitler and leading German officials for some time considered deporting all European Jews under German control to the French colony of Madagascar, which could in no way have supported millions of totally unprepared and unsupported European immigrants. Meanwhile, deportations of Jews to the General Government continued intermittently, while British control over the seas rendered the Madagascar Plan impractical and eventually forced its abandonment.

3.1.4 The German army was followed into Soviet territory by four Security Police and Security Service task forces (*Einsatzgruppen*), with orders to carry out mass executions of Communist officials, 'extremists', 'partisans' and Jews. 'The cleansing operation of the Security Police', wrote the Commander of Task Force A on 15 October 1941, 'had the goal of the most comprehensive elimination possible of the Jews'. Local antisemites were also encouraged to carry out massacres of Jews. Other German units, from the military and the police (the *Ordnungspolizei*, the *Gendarmerie* and the *Schutzmannschaften*), also took part in the killings. Numerous reports from the task forces indicate that shootings took place on a considerable scale, and by April 1942, about 750,000 Jews had been murdered. By late 1943 the numbers shot by the task forces had reached over 2 million.

3.1.5 By this time, the shooting had been extended to German, Austrian and Czech Jews deported to Nazi-occupied territory in Eastern Europe, and mobile gassing vans were also being used; they had already been employed on the inmates of Polish mental asylums before the invasion of the Soviet Union. In the October 1941 Jews were finally banned from emigrating independently from Germany, and began to be deported to the East once more, both to the ghettos and also to specially built camps. In both these places of confinement they were kept on starvation rations and deliberately forced by the Nazis to live in overcrowded and unhygienic conditions which bred disease and led to very high death rates.

3.1.6 The complex legal and logistical issues raised by these actions were discussed at a conference in the Berlin suburb of Wannsee on 20 January 1942 to discuss 'the final solution of the European Jewish question'. The minutes indicated that 11 million Jews in 32 different countries, many not yet under German control, were being considered. The minutes, as Adolf Eichmann, who wrote them, reported under interrogation in 1960, had to use 'circumlocution', but at the meeting itself 'the talk was of killing, elimination, and annihilation'.

3.1.7 In November 1941, construction work began on a camp at Belzec, in the General Government, built specifically in order to kill Jews. Specially constructed gas chambers began operating in March 1942 and by December 1942, when Belzec ceased operations, between 500,000 and 600,000 Jews had been killed there, including people transported from France, Holland, Germany and Greece for that purpose. A camp established at Chelmno, near Lodz, towards the end of 1941 also began killing large numbers of Jews in mobile gassing vans. By May, another extermination camp had been opened, at Sobibor, where between 150,000 and 250,000 Jews from a variety of European countries were killed, and in July 1942 a third camp in the General Government began killing Jews, at Treblinka, where 268,000 Jews, mostly

from the Warsaw ghetto, which like the other ghettos was regarded by the Nazis as a stopping-place for Jews on their way to the camps, were gassed between 23 July and 28 August. By 19 August 1943 the total killed in Treblinka numbered at least 750,000 and probably exceeded one million, including many from Bulgaria, Yugoslavia, Greece and Germany. Another camp, at Majdanek, in the Lublin district, although primarily a labour camp, also used gas chambers, where about 50,000 people were killed; another 150,000 were shot, or died from illness, malnutrition and overwork; 60,000 of this total were Jews.[81]

3.1.8 The most notorious of the camps in Nazi-occupied Poland was situated at Auschwitz. This was a vast complex, established by the SS early in 1940, and covering nearly eighteen square miles. It included a large synthetic rubber factory run by IG Farben, the German chemical company, with slave labourers drawn from a variety of European countries under German control. In the autumn of 1941, gassing facilities were built in the camp, and used on Soviet prisoners of war. Shortly afterwards, gassing operations were transferred to a second camp, Auschwitz-Birkenau, built in October 1941, some three kilometres from the main camp: both camps are customarily referred to by historians under the general heading of 'Auschwitz'. Transports of Jews began to arrive there early in 1942. From the Summer of 1942, those deemed fit to work were taken to the main camp and enrolled as slave labourers, while the rest were gassed in Auschwit-Birkenau immediately on arrival without being registered. Periodic 'selections' in the main camp would weed out those whom the SS considered poor workers and consign them also to the gas chambers at Auschwitz-Birkenau. The bodies were disposed of in crematoria and burnt in open pits when the crematoria were unable to cope with the numbers.

3.1.9 Unlike the pure extermination camps at Belzec, Sobibor and Treblinka, therefore, where virtually no inmates survived the war, there were many survivors of Auschwitz, including the Birkenau camp (where there were also numerous accomodation barracks, including living quarters for Gypsies, another racial group subjected to extermination by the Nazis), the main camp (where most of the slave-labourer inmates were not Jewish) and some forty subsidiary camps, mostly associated with factories working for the German war effort. Altogether, the camp records list 400,000 prisoners who were registered in the Auschwitz system, of whom perhaps around half were Jews; half of these died in the camp; the others were mostly transferred to other camps, where many of them died, but some at least managed to survive. Some 8,000 inmates were also liberated by the Rad Army. More than twice as many Jews, however – some 865,000 – were not registered in the camp, but were killed immediately on arrival. These included many thousands of Jews transported by the Nazis from countries as far away as France, Holland, Italy, Belgium, Norway and Greece.[82]

3.1.10 It is the fact that Auschwitz formed the killing centre for Jews from many countries, added to the fact that many more survived than in the other extermination centres, that accounts for the subsequent notoriety gained by Auschwitz in contrast to Belzec, Chelmno, Majdanek, Sobibor, Treblinka or indeed the shooting campaigns carried out by the task forces and military and police units. Many more Jews and other prisoners died on the brutal 'death marches' carried out after the evacuation of the camps in the face of the advancing Allied armies in 1944-45. Altogether between five and six million Jews had been killed, by gassing, shooting, or deliberate starvation and neglect, by the Nazis, by the time the war came to an end in the Spring of 1945.[83]

3.1.11 A large volume of scholarly writings by historians in America, Britain, Israel, Switzerland, Germany and other countries has documented this massive act of geno-

cide.[84] Amongst those who have studied the history of these events, there is widespread disagreement about the motivation of the Nazis, the reasons why the genocide took place, the precise dating and timing of its inception, and many other issues; but on the central fact of the systematic killing of millions of Jews from a variety of European countries, by shooting and gassing, organized and supervised by Nazi Germany, there is no dispute.

3.1.12 This central fact has been known variously as the 'Final Solution of the Jewish Question in Europe' (*Endlösung*, the Nazis' own term), the 'Holocaust' or 'Shoah' (the term preferred by many Jewish writers and historians), the 'Judeocide' (a term coined by the Princeton historian Arno Mayer but not widely used by others)[85] , the Nazi genocide of the Jews, or, most simply and neutrally, the Nazi extermination of the Jews. The term 'Holocaust' derives from an Ancient Greek version of the old Testament and originally meant 'a burnt sacrificed offering dedicated exclusively to God.' This meaning has given rise to a number of reservations about its application to the Nazi extermination of the Jews, who were not being sacrificed or offered to God, but were brutally murdered in the name of ethnic purity. Used in German, some have argued, the word also has a distancing and almost euphemistic effect. Others have expressed doubts on the grounds that it distracts attention from Nazism's many other victims, such as the disabled, the mentally ill, tuberculosis sufferers, Soviet prisoners of war, homosexuals, gypsies, 'asocial' prison inmates and 'habitual criminals', all of whom were also deliberately murdered by the Nazis in large numbers. However, despite these reservations, the word has gained currency over the past twenty years or so and its use is now widespread among non-Jewish as well as Jewish historians, not just in English but also in German.[86]

3.1.13 The meaning of the term 'Holocaust' is thus metaphorical rather than literal; common usage has made what it refers to, however, abundantly clear. Thus for example the standard work by the distinguished Canadian historian Michael Marrus, *The Holocaust in History* (London, 1987) focuses on, to use his own words, 'the Holocaust, the systematic mass murder of European Jewry by the Nazis'.[87] Similarly, Sir Martin Gilbert, in his documentary compilation *The Holocaust: The Jewish Tragedy* (London, 1986), notes:

> The systematic attempt to destroy all European Jewry - an attempt now known as the Holocaust - began in the last week of June 1941, within hours of the German invasion of the Soviet Union. This onslaught upon Jewish life in Europe continued without respite for nearly four years. At its most intense moments, during the autumn of 1941, and again during the summer and autumn of 1942, many thousands of Jews were killed every day. By the time Nazi Germany had been defeated, as many as six million of Europe's eight million Jews had been slaughtered; if the killing had run its course, the horrific figure would have been even higher. Jews perished in extermination camps, execution sites, ghettos, slave labour camps, and on the death marches.[88]

Another author, Ronnie S. Landau, put forward a similar definition on page 3 of his book *The Nazi Holocaust* (London, 1982): 'The Holocaust involved the deliberate, systematic murder of approximately 6 million Jews in Nazi-dominated Europe between 1941 and 1945.'

3.1.14 The use of the term 'Holocaust' is ultimately a secondary issue. The essential point is that there is wide agreement that there was a systematic attempt undertaken by the Nazi regime in Germany between 1941 and 1945 to kill all the Jews of Europe, and that it succeeded to the extent of murdering between five and six million of them in

a variety of ways, including mass gassings in camps specially constructed for the purpose. These events are known about from a variety of sources. There is a massive quantity of testimony from Jewish survivors of the camps (principally, Auschwitz) and the ghettos. The Nazi authorities also left an enormous quantity of documentation providing details of the policy of extermination and its implementation; this is now preserved in a variety of archives, particularly in the German Federal Archives in Koblenz and in Berlin. Many further documents were captured by the Red Army in the final stages of the war and taken to Moscow, where they have become available to historians after the collapse of the Soviet Union at the beginning of the 1990s, giving a new impulse to research.

3.1.15 After the war, the International Military Tribunal at Nuremberg presented a mass of testimony and documentation in a series of trials both of leading Nazis and of lesser but still important figures; this evidence was subsequently published in a large, multi-volume compilation of documents. The trial, in Jerusalem, of Adolf Eichmann, one of the principal organizers of the extermination, in 1961 furnished yet more evidence, including Eichmann's own confessions. In 1964 there was a major trial, in Frankfurt, of former officials and guards at the Auschwitz concentration and extermination camp, which brought before the public a large quantity of further evidence. Many important institutions have devoted their efforts to gathering and analysing material on the Nazi extermination of the Jews, including the Munich-based *Institut für Zeitgeschichte* (Institute for Contemporary History), the Israeli Yad Vashem Institute, the *Zentralstell der Landesjustiz* and the research branch of the Holocaust Memorial Museum in Washington, D.C.. The quantity of research by individual scholars on aspects of the topic has been enormous. A bibliography published in 1985 listed nearly two thousand books on the subject and over ten thousand publications on Auschwitz alone.[89] Since then the pace of research has if anything quickened rather than slackening off. There are specialized journals on Holocaust research, such as *Holocaust and Genocide Studies*; conferences, seminars and scholarly meetings, studies of particular aspects or countries, documentary editions, general surveys, museums and exhibitions and much more. This is, in short, one of the most extensively documented and intensively studied episodes in human history

3.2 Holocaust denial

3.2.1 Standing apart from this very substantial scholarly literature is the phenomenon of 'Holocaust denial'. This is the attempt by a very small number of writers to deny that there was any systematic or organized extermination of Europe's Jews by the Nazis; to suggest that the number of Jews killed was far smaller than five or six million; and to claim that there were no gas chambers or other specially built extermination facilities.[90] In her book *Denying the Holocaust*, Deborah Lipstadt summarizes the deniers' arguments as follows:

> The Holocaust - the attempt to annihilate the Jewish people - never happened. Typical of the deniers' attempt to obfuscate is their claim that they do not deny that there was a Holocaust, only that there was a plan or an attempt to annihilate the Jewish people...The real crimes against civilization were committed by the Americans, Russians, Britons, and French against the Germans...The Germans suffered the bombing of Dresden, wartime starvation, invasions,...victors' vengeance at Nuremberg, and brutal mistreatment by Soviet and Allied occupiers...The postwar venom toward Germany has been so extreme that Germans found it impossible to defend themselves. Consequently, rather than fight this ignominious accusation, they decided to acknowledge their complicity....The central assertion for the deniers is that Jews are not victims but victimizers. They "stole" billions in reparations, destroyed Germany's good name by spreading the "myth" of the Holocaust,

and...used the world's sympathy to "displace" another people so that the state of Israel could be established.[91]

The motives of 'Holocaust deniers', Lipstadt argues, are varied, but many of them are extremists of the far right who wish to resurrect fascism and know that this historical blot on the reputation of fascism must first be removed if it is to stand any chance of political rehabilitation.

3.2.2 Lipstadt's book is only one of a number of studies of the phenomenon of 'Holocaust denial'. The British political scientist Roger Eatwell(also an expert witness in the present case), a specialist in the study of fascism and neo-fascism, has argued for example along similar, if more differentiated lines. He notes that Holocaust denial takes a number of different forms and its exponents embark upon it for a number of different motives. Some are mainly antisemitic, some seek to deligitimise the state of Israel, some are overtly neo-fascist. It should not be a cause for surprise, therefore, that there are disagreements among them. Some are crude and overtly antisemitic in the presentation of their ideas, others - usually referring to themselves as 'Historical Revisionists' - are more academic in style. Both work in tandem, however. As Eatwell comments, 'there seems to be a dual strategy of using more reasoned arguments to appeal to the educated, and cruder arguments to appeal to the more stereotypical neo-Fascist activist.'[92] Eatwell distinguishes four specific arguments common amongst Holocaust deniers, with variations of emphasis and accentuation.

3.2.3 • First, they point to the absence of any document signed by Hitler and ordering the extermination of the Jews, and the absence of references to gassing in documents like the minutes of the Wannsee Conference. Pursuing this point further, they tend to argue that the language of supposedly incriminating documents is open to a variety of interpretations, some of them not at all sinister. Thus Arthur Butz, for instance, notes that the terms *Endlösung* (Final Solution) and *Sonderbehandlung* (special treatment) can be found in contexts where it referred to matters other than killing.[93] As far as Holocaust deniers are concerned, Nazi antisemitism was largely a matter of rhetoric. Practice was very different. Postwar evidence from the Nuremberg trials is dismissed as the product of 'victors' justice', of poor court procedures, bias (it is alleged for example that there were a lot of Jews working for the prosecutors) and testimony extracted under torture and threats. A recent Holocaust denial work, for example, has asserted that the former commandant ofAuschwitz, Rudolf Höss, was 'beaten almost to death' and his wife and children threatened before he gave his testimony. Minor errors in Höss's evidence are taken as discrediting the whole.[94]

3.2.4 • Secondly, Holocaust deniers discount or attempt to discredit the postwar testimony of survivors of the camps, again pointing out minor errors and contrasting this evidence with eyewitness accounts of Germans who were alive at the time.

3.2.5 • Thirdly, they argue that the alleged evidence of the Holocaust, including photographs, and documents such as Anne Frank's diary, is a postwar fabrication, and use population statistics to show that the figure of Jews who died must have been much less than six million.

3.2.6 • Fourthly and finally they deploy a range of 'scientific' arguments to disprove the Holocaust. The French writer Robert Faurisson has been particularly active here, using parallel evidence from the gassings of individual capital of-

fenders in the USA and from the commercial use of Zyklon-B. This line of argument, says Eatwell, was strongly reinforced by the 'Leuchter Report' in 1988.

These details will be discussed further below. The point to note here is that Eatwell, while broadly agreeing with Lipstadt, places particular emphasis on the argument that the evidence for the Holocaust was fabricated, or produced under duress or under psychological stress, after the war, as a central element of denial.

3.2.7 The distinguished French historian Pierre Vidal-Naquet, writing in 1980, outlined six major principles of Holocaust 'revisionism', along broadly similar lines. These were:

- There was no genocide, and the gas chambers never existed.
- The 'final solution' was merely the expulsion of the Jews to eastern Europe.
- The number of Jewish victims of Nazism is far smaller than has been claimed.
- Hitler's Germany shares the responsibility for the Second World War with the Jews
- The principal enemy of the human race was the Soviet Union, not Nazi Germany.
- The genocide was an invention of Allied propaganda, which was largely Jewish.

3.2.8 Vidal-Naquet also went beyond this list of core beliefs to elaborate an outline of 'revisionist' methods. Those who argued in this manner, he wrote, declared that 'any direct testimony contributed by a Jew is either a lie or a fantasy', and that documents describing the gassings and mass killings were either forgeries or falsifications, or were simply ignored. 'Any Nazi document bearing direct testimony is taken at face value if it is written in coded language, but unacknowledged (or underinterpreted) if it is written plainly.' Nazi testimony obtained after the end of the war is usually considered as having been obtained under torture, or by intimidation. The falsification and suppression of evidence are key methods. 'A vast pseudotechnical arsenal is mobilized to demonstrate the material impossibility of mass gassings.'[95]

3.2.9 Yisrael Gutman, author of *Denying the Holocaust* (Jerusalem, 1985), defined what is known in German as the 'Auschwitz-Lie' as

> the slogan under which the murder of the European Jews by the National Socialists is denied, the losses amongst the Jews are portrayed as enormously exaggerated, the murder of the Jews as the result of a purposeful policy is disputed, and the tendentious and trivialising claim is advanced that this process was not unique but had precedents which even served as models...The most extreme are those who claim that the authorities of the "'Third Reich'" never planned to murder the Jews of Europe, that no extermination camps were constructed or operated, and that the claim that the National Socialists systematically murdered five to six million Jews is an invention.

3.2.10 Gutman distinguished between 'partial' and 'extreme' deniers, but noted that even extreme deniers conceded that between 200,000 and 400,000 Jews were killed (estimates varied) and that all deniers dismissed the testimony of Jewish survivors as worthless.[96] Gutman's argument that the mention of parallels and precedents is an integral part of Holocaust denial reflects the time when he was writing, as a number

of German historians were arguing along these lines, and is not typical of the broader literature on this subject.[97] However, other writers on the subject concur that the denial of the uniqueness of the Nazi mass murder of the Jews certainly does belong among the central tenets of Holocaust denial.

3.2.11 The German political scientist Armin Pfahl-Traughber, writing in 1996, also using the German term 'Auschwitz-Lie', argued that it was going too far to include in it, as Gutman did, the argument that there was no concerted policy in National Socialism to exterminate the Jews, or that the extermination had parallels and precedents elsewhere, and preferred a more restricted definition, tied more closely to the political aim of the moral rehabilitation of Nazism. He pointed out that since the 1970s Holocaust deniers had tended to give themselves the label 'Revisionists' in order to suggest that what they were engaged in was a legitimate exercise in revising historical interpretations rather than (as was really the case) a pseudo-scholarly falsification of the historical record. Pfahl-Traughber suggested that there was a broad and a narrow way of understanding the phenomenon. In its broadest sense, 'Revisionism' was a general term under which all attempts to make National Socialism seem harmless could be grouped, from the denial of its responsibility for the outbreak of the Second World War to relativising comparisons (Auschwitz and Dresden). The narrow and in his view the more correct definition, was the denial of the mass extermination of Jews in the gas chambers of the extermination camps, or in other words the 'Auschwitz-Lie'. But while Pfahl-Traughber was correct to argue for a precise and quite restricted definition, he in turn went too far in narrowing it down. The reason for his extremely narrow definition lay partly in the common German usage ('Auschwitz-Lie' rather than 'Holocaust denial'), and partly in his wish to tie it exclusively to far-right and neo-Nazi politics, but mainly he was arguing for a narrow understanding of the concept because for a variety of reasons he wished to tie it to the legal definition in Paragraphs 130, 131, 185 and 189 of the German Criminal Code, which make it an offence to deny the Holocaust in the sense of denying the mass murder of Jews in the gas chambers. In view of the fact that the real centre of Holocaust denial by any definition is in the United States, it would be wrong for a general, internationally applicable definition of the term to be tied too closely to the understanding accorded it in German law. Moreover, what we are dealing with in the actual terms of the libel suit brought by Irving against Lipstadt and Penguin Books is of course the concept 'Holocaust denial', not the concept 'Auschwitz-Lie'.[98]

3.2.12 At the other extreme, perhaps the most elaborate of all check-lists of Holocaust denial beliefs has been drawn up by Limor Yagil, a researcher working for the Project for the Study of Anti-Semitism at the Faculty of Humanities, Tel Aviv University. He has argued, again with a somewhat differing emphasis, that 'since the 1970s there has been general consensus among Holocaust deniers on the following positions and principles':

(1) There never was any genocide, and the gas chambers that symbolized it never existed.

(2) Jewish victims of the Nazis number far fewer than 6 million.

(3) Hitler's Germany does not bear primary responsibility for the Second World War, but shares this responsibility with the Jews, and perhaps should not be held responsible at all.

(4) The main enemy of mankind in the 30s and 40s was not Nazi Germany, but Stalin's Soviet Union.

(5) The "Final Solution" never called for more than expelling the Jews to Eastern Europe.

(6) Most of the Jews who perished in pogroms or disappeared, had been in territories under Soviet, not German, control.

(7) The claim of genocide was invented by the Allies - primarily by Jews, and in particular by Zionists - to serve propaganda purposes.

(8) The Jews killed by the Germans were mostly subversive elements, spies, and criminals.[99]

3.2.13 Not all of these views, of course, relate directly to the Nazi extermination of the Jews; for the purposes of the present discussion, for example, number (4) in the above list can be discounted, and numbers (3) and (8) are less than central. However, a number of the views listed by Yagil do correspond closely to those cited by other writers on Holocaust denial in their surveys of the literature.

3.2.14 In most works on Holocaust denial, the issues are put more simply than they are by Yagil. Thus a relatively early writer on this phenomenon, Gill Seidel, in her book *The Holocaust Denial: Antisemitism, Racism and the New Right*, published in 1986, noted:

> In various parts of the world, a small but increasingly vocal minority is claiming that the mass extermination of Jews in Nazi Germany never took place; that the gas chambers never existed; that Anne Frank's diary is a fraud; that the war atrocity photographs showing the heaps of bodies of camp inmates are also fakes. The Holocaust is presented as "a gigantic hoax" and "the myth of the twentieth century".[100]

3.2.15 Like other writers on this topic, Seidel observed that 'there is not one single version of the neo-Nazi myth denying the Holocaust and the gas chamber, but several', although she ascribed them all, as Eatwell, writing a decade or more later, no longer did, to the resurgence of international neo-Nazism.[101] Seidel listed four central beliefs of Holocaust denial literature:

1. The Nuremberg trial conducted by the Allies at the end of the war to judge Nazi war crimes was a "kangaroo court" because prisoners were tortured to obtain confessions; and the judiciary were Jews or communists, or under their influence. It was therefore a case of "victors' justice".

2. The Holocaust is a "hoax", a "swindle", "a multi-million dollar racket" to make Jews rich (at the expense of Germany through war reparations) and to justify the Jewish state at the expense of Palestinians.

3. Allied bombings and atrocities, particularly crimes against the civilian population, like the bombing of Dresden, were on the same scale as, or even exceeded, alleged German atrocities.

4. Zyklon-B gas was used in the camps, but only as an insecticide, principally to contain the typhus epidemic. "Extermination" is a mistranslation: Jews died, but they were merely victims of war.[102]

These beliefs, she argued, were common to a variety of Holocaust deniers in Britain, France,

the United States and elsewhere.

3.2.16 How accurate and reasonable are these various characterizations of 'Holocaust denial'? Clearly there are some differences between them, and equally clearly, not all 'Holocaust deniers' subscribe to all the views mentioned by Eatwell, Gutman, Lipstadt, Pfahl-Traughber, Seidel, Vidal-Naquet or Yagil in their various definitions of the concept. However, an examination of the principal writings to which they refer, by people such as Arthur Butz, Robert Faurisson, Wilhelm Staeglich and others, which will be discussed below, makes it clear that a Holocaust denier would hold the following beliefs:

(a) The number of Jews killed by the Nazis was far less than six million; it amounted to only a few hundred thousand, and was thus similar to, or less than, the number of German civilians killed in Allied bombing raids.

(b) Gas chambers were not used to kill large numbers of Jews at any time.

(c) Neither Hitler nor the Nazi leadership in general had a programme of exterminating Europe's Jews; all they wished to do was to deport them to Eastern Europe.

(d) 'The Holocaust' is a myth invented by Allied propaganda during the war and sustained since then by Jews who wish to use it to gain political and financial support for the state of Israel. The supposed evidence for the Nazis' wartime mass murder of millions of Jews by gassing and other means was fabricated after the war.[103]

3.2.17 It should be possible to ascertain whether or not any particular individual can reasonably be called a 'Holocaust denier' by examining his or her publications to see if these four basic principles of Holocaust denial are present. **3.3 The arguments before the court**

(a) Lipstadt's allegations and Irving's replies

1. In her book *Denying the Holocaust*, Deborah Lipstadt unhesitatingly identifies David Irving as a Holocaust denier. He 'declared himself converted to Holocaust denial' in 1988, she writes, and since then, she alleges, he has been untiring in his efforts 'to promulgate Holocaust denial notions in various countries'. 'Irving is', says Lipstadt, 'one of the most dangerous spokespersons for Holocaust denial.'[104] Irving has objected strongly to this description in his libel action against Lipstadt. 'It is a particularly mischievous and damaging libel to call the Plaintiff "a Holocaust denier",' he wrote in his reply to Lipstadt's defence, 'a lie worthy of the Nazi propaganda minister Dr Goebbels himself.'[105]

2. In his reply to Lipstadt's defence against his charge of libelling him in this way, Irving asserts 'that the whole of World War Two can be defined as a Holocaust'. He 'considers it invidious to single out one single act of mass murder of innocents and to label it "The Holocaust", as though there was none other. But he goes on to add:

> If however the Defendants seek to define the Holocaust as the mass murder of Jews by the Nazis and their cohorts during World War II, then the Plaintiff maintains that he has at no time denied it; on the contrary, he has rendered it more plausible by investigating documents, questioning witnesses, and uncovering fresh sources and making no secret

> of for example the alleged liquidation of 152,000 Jews at Chelmno on December 8, 1941, about which he wrote in *Hitler's War*, 1991 edition, at page 426. At page 7 of his book on aerial warfare against civilians *Von Guernica bis Vietnam* (From Guernica to Vietnam), the very first page of text, the Plaintiff emphasised: "The massacre of minorities by the National Socialists in Germany...probably cost more lives than all the air raids carried out to the present date." [106]

3. Similarly, Irving maintains that he 'has at no time denied that the Nazis established concentration camps throughout their territories'. He says he 'has at no time denied that the murder of the Jews began in about June 1941 when the Germans invaded the Soviet Union, or that hundreds of thousands of Jews were shot to death'. In this context he refers to pages 270-1 of the 1977 edition of *Hitler's War*, pages 380-1 of the revised edition of the same book, and unnumbered pages of his recent biography of Goebbels.[107]

4. These points, however, do not really relate to the Holocaust as defined above, in Section (a) or Holocaust denial as defined above, in Section (b). Irving writes only of an 'alleged liquidation' at Chelmno; he does not accept, therefore, that 152,000 Jews were actually killed there (and this Report will examine later on what precisely he has written and said about this matter). He refers to 'concentration camps', but the existence of such camps is not at issue, for nobody has denied that concentration camps were built to imprison those whom the Nazis regarded as their enemies, above all within the borders of the Reich, at Dachau, Buchenwald, Bergen-Belsen, Flossenbürg and elsewhere. What is at issue is a different category of camp, namely those constructed in occupied Eastern Europe, such as Belzec, Sobibor, Treblinka and Chelmno, and built specifically and exclusively to exterminate Jews, or, in the case of Auschwitz-Birkenau, with extermination as one of its principal aims: in other words, the extermination camps. The distinction between the two is crucial.

5. The murder by shooting of thousands of Jews is not the same as the extermination by shooting, gassing, starvation and deliberate neglect of millions of Jews which forms an essential part of the Holocaust as conventionally understood. Moreover, the book on aerial warfare to which Irving refers was published in 1982; but Irving's views on these issues have not stood still over time. Indeed, in order to establish the accuracy or otherwise of Lipstadt's characterization of Irving as a Holocaust denier, it is particularly important to bear this point in mind. A comparison of the two editions of his major work, *Hitler's War*, published respectively in 1977 and 1991, will make this clear, and will also shed light on the first counter-argument put by Irving, namely that an examination of this book demonstrates that he is not a Holocaust denier.

(b) <u>The 1977 edition of *Hitler's War*</u>

1. In his Introduction to the first edition of *Hitler's War*, published in 1977, Irving devoted several paragraphs to 'the Führer's involvement in the extermination of the Jews' arguing that 'the burden of guilt for the bloody and mindless massacre of the Jews rests on a large number of Germans...and not just on one "mad dictator"':

> If this book were simply a history of the rise and fall of Hitler's Reich, it would be legitimate to conclude: "Hitler killed the Jews." He after all created the atmosphere of hatred with his antisemitic speeches in the

> 1930s; he and Himmler created the SS; he built the concentration camps; his speeches, though never explicit, left the clear impression that "liquidate" was what he meant.[108]

2. But, he continued, historians had largely copied each other's views on this subject, especially in Germany and Austria, where ascribing the extermination of the Jews to the madness of a single individual provided a useful excuse for all the others who had been implicated. Irving concluded that the documentary record showed Hitler was not directly involved:

> The killing was partly of an *ad hoc* nature...the way out of an awkward dilemma, chosen by the middle-level authorities in the eastern territories overrun by the Nazis - and partly a cynical extrapolation by the central SS authorities of Hitler's antisemitic decrees. Hitler had unquestionably decreed that Europe's Jews were to be "swept back" to the East....The Jews were brought by the trainload to ghettos already overcrowded and underprovisioned. Partly in collusion with each other, partly independently, the Nazi agencies there simply liquidated the deportees as their trains arrived, on a scale increasingly more methodical and more regimented as the months passed.[109]

3. Even so, Hitler expressed no reservations about 'the methodical liquidation of Russian Jews during the "Barbarossa" invasion of 1941', which 'came under a different Nazi heading - preemptive guerilla warfare.' And Hitler's 'failure or inability to act' to stop the wider killings 'kept the extermination machinery going until the end of the war.'[110]

4. Leaving aside for the moment Irving's view of Hitler's role in all this, it is clear that in 1977 Irving accepted that the Nazis had systematically killed the Jews of Europe in very large numbers. In the Index to the 1977 edition of *Hitler's War*, for example, there are 17 entries under the heading 'Jews, extermination of, documenting responsibility for and knowledge of', referring to 31 pages of text. Another entry in the Index is for 'Auschwitz, extermination camp at'. Turning to the pages in question, we find that while they are devoted principally to arguing that Hitler did not know about the 'liquidation' of the Jews (to use Irving's preferred term), or in the cases where he did, tried to prevent or halt it, they make no attempt to deny the fact of the extermination itself. When the Jews were deported to the East on Hitler's orders, Irving writes on page 391, their fate was determined by lower-level officials. 'Arriving at Auschwitz and Treblinka, four in every ten were pronounced fit for work; the rest were exterminated with a maximum of concealment.' On page 660 he cites the evidence of the 'ghastly secret' of Auschwitz revealed in the 'horrifying revelations' of 'two Slovak Jews' who escaped in 1944. On page 718, he quotes the wartime report of a lawyer, Dr. Konrad Morgen, on irregularites in the management of the camp system, during which he was given detailed information about four 'extermination camps' including Auschwitz and Majdanek. Neither in the text, nor in the footnote to it describing his postwar interview with Morgen, does Irving betray any doubts about the reliability of his testimony on this point. Nor does he question the testimony of Heinz Lorenz, Hitler's press officer, on a report that one and a half million people had been killed at Majdanek. Similarly, there are Index references to 'Chelmno, extermination camp at' and 'Treblinka, extermination camp at', while on page 332 of the 1977 edition of *Hitler's War*, Irving refers to 'the extermination program' which, he writes, 'had gained a momentum of its own.'

5. There can be no doubt, therefore, that in 1977 Irving did not question the existence of a programme to exterminate Europe's Jews, nor did he openly cast doubt on the existence of extermination camps in the East where this programme was carried out. Even at this point, however, there are some notable reservations in his account. He did not, for example, refer to gas chambers or gassings: he preferred to use vague terms such as 'liquidation'. The passages in which he dealt with the extermination were few and short, probably because the programme and its implementation were peripheral to the military policies and campaigns of the Nazis which are the main subject of Irving's work. Far more important in his mind was evidently the question of Hitler's own involvement in the extermination, or rather, his non-involvement. His Index entry for 'Hitler, Adolf, anti-Jewish policy of' in the 1977 edition of *Hitler's War* is far longer than that even for 'Jews', let alone 'Jews, extermination of' - 55 lines as against 40 lines. Still, his belief in the fact of mass extermination, however it was carried out, is quite clear. He retained this belief for much of the 1980s. Writing about the phenomenon of Holocaust denial or 'revisionism' in 1980, for example, Pierre Vidal-Naquet described Irving as a 'semi-revisionist'.[111] Similarly, Gill Seidel, the author of a highly critical account of Holocaust denial, concluded firmly in 1986 that 'David Irving makes a very decisive contribution to the "soft revisionist" literature on the Second World War. His sober writing contains nothing of the vulgar racism which permeates the pamphlets of McLaughlin and Harwood. He does not deny the Holocaust.'[112] Within a short space of time, however, all this was to change, and Irving was to move from 'soft-core' to 'hard-core' Holocaust denial, to quote the words of another observer of the self-styled 'revisionist' scene.[113]

(c) <u>The 1991 Edition of *Hitler's War*</u>

1. In the 1991 edition of *Hitler's War*, published under the same cover as a revised version of *The War Path* (dealing with the years 1933-1939), the picture painted by Irving is very different from what it had looked like in the first edition, published in 1977. In the Introduction, the references made in 1977 to 'the extermination of the Jews', 'the methodical liquidation of Russian Jews' and 'the extermination machinery', have all been deleted. Indeed, the word 'extermination' no longer appears at all. Instead, Irving refers vaguely to 'the Jewish tragedy', 'the Nazi maltreatment of the Jews', or 'the entire tragedy'. The only exception to this is where Irving points to his argument that Hitler made statements in 1942 and 1943 'which are incompatible with the notion that he knew that a liquidation program had begun' and that 'Europe's Jews had been systematically murdered' on Himmler's orders. On the face of it, this looks like an admission that the Holocaust, as conventionally understood, actually happened. But in fact this is not the case. The reference is to *alleged* facts which Hitler is often supposed to have been aware of, but, in Irving's view, was not; the 'liquidation program' and the systematic murder are 'notions' as much as Hitler's knowledge of them is; there is no implication here that they really took place.

2. In his reply to Lipstadt's defence, Irving points to the following Index entries to the 1991 edition of *Hitler's War* as evidence that he is not a Holocaust denier:

> Hitler and the Jews: role in Final Solution, 17-21; analysis of his antisemitism, 126-17 (*sic*); threats to Jews, 150-1; Berlin deportations, 407; deportations to east, 425-6; concentration camps, 466, 754; demands restraint, 536; extermination programmes, 426, 427, 463-7, 814; Himmler's call for extermination, 590; massacres in Russia, 44, 809.

3. The first reference, in the Introduction, on pages 17-21, is a defence of Irving's views on Hitler. It has already been pointed out above how it differs from the corresponding Introduction to the 1977 edition of the book in removing all mention of the extermination of the Jews. There is no allusion to Hitler's antisemitism on page 126, but there is on pages 24-26, which is presumably what Irving meant to refer to. Here he characterizes Hitler's antisemitic views as a 'demagogic element' in his speeches, which was without real significance. 'Stripped of this demagogic element', the speeches are in Irving's view significant only 'for Hitler's ceaseless reiteration that a Germany disarmed was prey to the lawless demands of her predatory neighbours' (p. 24). Thus for example in calling for the hanging of Jewish war profiteers, he was merely speaking 'the language that the mobs wanted to hear' (p. 26); he did not really mean to say that he would actually do this if he came to power.

4. Pages 150-1 quote Hitler's January 1939 speech threatening 'the destruction of the Jewish race in Europe' if 'international finance Jewry' started another world war; Irving frames this speech within two paragraphs about Jewish emigration, thus robbing the comment of its murderous implication by putting it into another context altogether, namely emigration. Page 407 contains a paragraph claiming that Nazi Propaganda Minister Joseph Goebbels, not Hitler, was 'the mainspring behind the "Jewish question"', which Irving again puts as one of deportation and intimidation, not extermination (in August 1941). Pages 425-6 describe 'the deportation of Europe's Jews'. Irving comments here: 'The evidence is that Hitler's intention was twofold - to establish a Jewish labor force for his grandiose plans in the east, and to hold them hostage.' On the ground, however, this intention was frustrated by the actions of 'the Gauleiters' in the east, who 'had no intention of preserving the unemployable Jews'.[114] A proposal to kill the Jews in Riga using mobile gas trucks was approved, though Irving does not say whether or not he thinks it was carried out. 'Soon the Jews from the Lodz ghetto and Greiser's territories were being deported farther east - to the camp at Chelmno. There were 152,000 Jews involved in all, and Chelmno began liquidating them on December 8.'[115] He does not say, however, whether or not all 152,000 were killed. In 1988 he made his views on this point a little clearer. 'I think it has to be pointed out', he said, 'we're not talking about 152,000 Jews being exterminated. I'm just saying this is one figure which is contained in the document and that Chelmno was certainly involved in killing Jews. I don't think it's proper to read anymore into the sentence than that.'[116]

5. Irving adds, in the 1991 edition of *Hitler's War*, that 'trainloads of Jews' from Vienna, Brünn (Brno), Bremen and Berlin' were 'shot' on arrival in the east; he mentions the figure of 10,000 killed in Minsk, and more, unnumbered, killed in Kovno and Riga (including one trainload of 5,000). There follows, on page 427, a reprise of Irving's argument that Hitler was unaware of all this. On page 463, Irving summarises the Wannsee Conference and claims it dealt only with deportations. Over the next few pages he develops further his argument that this was all that Hitler intended, quoting him for example threatening the 'total elimination' of the Jews (*absolute Ausrottung*) only if they should refuse to leave their homes in other part of Europe. On page 809 there is mention of another 7,000 Jews killed in the East by mass shooting. Finally, on page 814 Irving dismisses evidence that Eichmann had 'liquidated' 33,000 Slovak Jews on Hitler's orders.

6. None of this exactly provides evidence that Irving is confirming rather than denying the Holocaust as conventionally understood and as outlined earlier in

this Report. Yet these passages are not the only entries in the 1991 edition of *Hitler's War* that are relevant in this context. An examination of Index entries not mentioned by Irving points up the issue much more sharply, and brings to light a number of additional, sometimes quite dramatic alterations from the corresponding passages in the 1977 edition. The entry is still there in 1991, as in 1977, for 'Auschwitz, extermination camp at', as it is for 'Treblinka, extermination camp at'. But when we turn to the pages in question (463-47 in 1991, 390-93 in 1977) the account has undergone some highly significant alterations. In 1991, the 1977 references to the 'murder machinery' and 'the extermination center at Treblinka', have gone. In their place is new material describing Himmler's visit to Auschwitz on 18 July 1942 and citing the postwar interrogation of Albert Hoffmann, an SS man who accompanied Himmler on the visit, noting that 'maltreatment did occur' but adding that he 'totally disbelieves the accounts of atrocities as published in the press' after the war. Irving explicitly denies there is any documentary sanction for the story that Himmler witnessed the liquidation of a trainload of Jews on this occasion, and adds: 'By late 1945 the world's newspapers were full of unsubstantiated, lurid rumors about "factories of death" complete with lethal "gas chambers"'.

7. Even more strikingly, the testimony of Morgen and Lorenz and the Slovak Jews cited on pages 718-19 of the 1977 edition, along with the account of the extermination camps at Majdanek and elsewhere, has entirely vanished from the equivalent place, page 699, in the 1991 edition. Morgen and Lorenz have also disappeared from the Index.[117] All that Irving now tells us about Nazi policy towards the Jews in 1944 and in particular about the Hungarian Jews, is what he already told us in the first paragraph of the chapter in question in 1977, namely that Hitler 'evidently made some promise about the Hungarian Jews' at a meeting with a leading member of the Horthy regime there which had resulted in the cessation of deportations of Hungarian Jews to Poland. In 1991, as in 1977, this is pure speculation on Irving's part. What he does in 1991 is to cut out entirely the following three paragraphs on the extermination camps and go straight on to another paragraph on Hungary which begins two pages later in the 1977 edition. The mention on page 660 of the Slovak Jews who escaped from the 'Auschwitz extermination camp' to spread news of it abroad, has been entirely excised from the equivalent place, page 654, of the 1991 edition of *Hitler's War*.

8. Perhaps most noteworthy of all is the difference between the two versions of Irving's account of Hitler's address to a group of generals about Hungary's Jews on 26 May 1944. Hitler's remarks are quoted at length, and it is made clear in both editions that he criticized Hungary for failing to deal with its Jews and claimed that 'this problem is now going to be solved too'. Irving's comment on these remarks differs as follows between the two editions:

   1977: 'In Auschwitz, the defunct paraphenalia of death - idle since 1943 - began to clank again as the first trainloads from Hungary arrived.'

   1991: 'Four hundred thousand Jews were being rounded up in Hungary; the first trainloads arrived in Asuchwitz as slave labor for the now completed I.G.Farben plant.'

9. In 1977, Irving makes it clear that the Hungarian Jews were killed. In 1991 he makes no mention of this fact but claims instead that they were being used merely as workers in a chemical factory.

10. The 1991 edition of *Hitler's War*, therefore, fails to support Irving's contention that he has not denied the Holocaust. Indeed, its account of these events accords well with the four central features of Holocaust denial described above. It minimises the number of Jews killed; it mentions the gas chambers only in the context of 'unsubstantiated, lurid rumours'; it insists that all that Hitler and the Nazi leadership in general wanted to do was to deport the Jews, not to kill them; and it dates accounts of the gas chambers to the postwar period, dismissing or ignoring contemporary accounts from the war years.

11. Thus Irving's views had altered substantially between the two editions. The turning-point in Irving's changing views was the 1988 trial of Ernst Zündel, a German-Canadian antisemite, Holocaust denier and self—confessed admirer of Hitler,[118] Zündel was first tried in Canada in 1985 for spreading false information and disturbing social peace between ethnic groups, but his conviction was overturned on technical grounds and he was retried in 1988. In this second trial, Zündel's defence called a number of Holocaust deniers as expert witnesses in an attempt to demonstrate that the information Zündel had been spreading about the Holocaust was not false. These included for example the French Holocaust denier Robert Faurisson, whose views will be outlined in more detail later in this Report.

12. Irving himself also appeared as an expert witness in this second trial. His testimony in the trial is published in full on Irving's website. Irving repeatedly admitted under questioning in the court that he had changed his mind since 1977 on the issues of the numbers of Jews killed and the use of the gas chambers. 'My mind has now changed', he said, '...because I understand that the whole of the Holocaust mythology is, after all, open to doubt.'[119] Interviewed on radio in 1989, he admitted in relation to the 'Holocaust story':

> Millions of people don't like to admit that they have been taken in and so in turn they have quite happily allowed the propaganda flywheel to spin on. I didn't like to admit that until quite recently I believed the story but I want to be the first one out there in front now saying I was tricked and its time to stop this particular piece of propaganda.[120]

13. Central to Irving's change of mind was his reading of the so-called Leuchter Report, a document commissioned by Faurisson for use in Zündel's defence in the 1988 trial. In this Report, the American Fred Leuchter, designer of gas chambers and lethal injection devices used in the administration of the death penalty in some states in the USA, declared that his examination of the gas chambers in Auschwitz proved that they had not been used for gassing at all. Leuchter's report contained a considerable amount of scientific, or, as it turned out, pseudo-scientific analysis of chemical residues on the gas chamber walls, and similar matters. It was quickly discredited, not least on the basis of Leuchter's failure adequately to defend his findings on the witness stand. However, Irving accepted it fully and published it in Britain, holding a special meeting to launch it. This was the source for his self-confessed change of mind in 1988 on central issues such as the number of Jews killed, the use of gassing, and the evidence commonly accepted by historians for these things.[121]

14. In examining the question of whether or not Irving is a Holocaust denier, it is important therefore to concentrate on his publications and statements at and after the Zündel trial in 1988, not before. For Irving himself said quite openly in 1991 that he had removed all references to 'extermination camps and death

factories' from the second edition of the book.[122] Work published by Irving before 1988 is thus irrelevant to the issue of whether Lipstadt was correct in 1994 to call him a Holocaust denier.

(d) Irving's biography of Hermann Göring

1. Irving claims in his reply to Lipstadt's defence that the Index to his biography of Hermann Göring, the head of the German Air Force and overlord of the German economy in the late 1930s and the early part of the war, also shows that he is not a Holocaust denier. The book was published in 1989 and therefore at a time when Irving's views could be expected to be broadly similar to those he expressed in the second edition of *Hitler's War*. It has an index entry on 'Jews, mass extermination of, 343-9, 469, 487, 489, 499, 502'. Let us look these pages up. The first, and longest passage referred to, on pages 343-9, begins by claiming that in the 'winter of 1941/42 Hermann Göring heard rumors of mass killings in the east'. A significant proportion of those transported to the east, particularly those unable to work, were being 'brutally disposed of' when they arrived. Irving continues: 'The surviving documents provide no proof that these killings were systematic; they yield no explicit orders from "above", and the massacres themselves were carried out by the local Nazis (by no means all of them German).'

2. The famous order signed by Göring on 31 July 1941 ordering the head of the SS Security Service Reinhard Heydrich to 'make all necessary preparations in an organizational logistical, and material context for an overall solution of the Jewish problem within Germany's sphere of influence in Europe' is dismissed by Irving as 'a routine administrative directive' extending Heydrich's powers to the East. 'Final Solution' was not yet the term for extermination, Irving asserts. Göring, in effect, was being duped by Heydrich and Himmler, who were the real architects of murder. Göring did not know and did not want to know. 'In the entire files of Göring's *Stabsamt*[123] and other bureaus there is no evidence that Göring knew of Heydrich's ultimate intentions.' He simply implemented official Nazi policy, which was to expel the Jews from Europe, if not to Madagascar, then to the East. 'The documentary record shows that the initiative for specific atrocities came from Nazi officials in the field.' Göring even noted in a speech to the Reich Research Council on 6 July, 1942, that Hitler had 'made exceptions' to the policy and kept valuable Jewish specialists in one area or another working 'all the way down to operetta level'.[124] If Jews were killed in considerable numbers, this was because, Irving goes on, the whole trend was towards illegal and brutal modes of war - towards 'innocenticide on a grand scale. Violent air raids had resumed. The partisan warfare developing in Russia was barbarous beyond belief. Millions were starving too.' Interrogated by the Allies after the end of the war, Göring protested that cruelty had always been abhorrent to him - a claim which Irving quotes without any comment or critical note. Göring knew, Irving claims, of Auschwitz only as a synthetic rubber plant (at least, this is how it appears in the economic planning minutes, which however is only to be expected and does not provide any concrete evidence of the limits of Göring's knowledge at all).

3. The first, and by far the longest reference to the Holocaust in the Göring book thus turns out to be a chapter arguing that there was no systematic extermination, that Göring, like Hitler, knew nothing about the killings of Jews in Eastern Europe, that official Nazi policy was only to deport the Jews, and that if many died, it was as a product of the general brutalization of the war, not

because of any deliberate plan to kill them. What of the other references? On page 469 we find Irving citing Göring under interrogation claiming that the extermination camps were 'merely propaganda'. 'I always thought they were places where people were put to useful work', he said. Irving offers no comment on this remarkable claim. He goes on to report that Göring reminded his questioners that atrocity stories in World War I had turned out to be untrue. On page 487 we are told that Göring did not enjoy the prosecution's depiction of atrocities in the concentration camps. On page 489 we find Göring saying he 'still can't grasp' the atrocities in the camps - what exactly these atrocities were, Irving does not say - and Göring getting angry that some other leading Nazis were deserting the united front he had hoped to put up against the Allied indictment. On page 499 Irving reports that Göring was accused of directing Heydrich to kill the Jews. On page 502 he records the appeal against Göring's sentence by the lawyer Otto Stahmer on the grounds, among other things, that his client could not have known about the extermination of the Jews. Taken together, these references hardly seem to amount to an admission of the Holocaust as normally understood. On the other hand, they are quite compatible with the core beliefs of Holocaust denial as outlined above in Section (b), in other words, with a miminization of the number of Jews killed, denial of the use of gas chambers, refusal to accept that the mass murder was co-ordinated or systematic, and belief that the evidence for it was fabricated.

(e) Conclusion

1. Irving's claim that the 1991 edition of *Hitler's War* and the 1989 biography of Göring indicate that he is not a Holocaust denier is not credible when the Index references he cites in support of this contention are actually consulted. Both books give an account of Nazi policies and actions towards the Jews during the Second World War that is perfectly compatible with the central tenets of Holocaust denial as this is normally understood by historians. In his reply to Lipstadt's defence, Irving refers to two further books authored by himself *Von Guernica bis Vietnam* and *The Trail of the Fox*, as evidence that he is not a Holocaust denier. *Von Guernica bis Vietnam*, however, was published in 1982, and is no evidence of Irving's recent views, which, as we have seen, differ markedly on these issues from the views which he expressed in the 1977 edition of *Hitler's War* and which (there is every reason to believe) he still held in the early 1980s. The same is true of his book on Rommel, *The Trail of the Fox*, which was also published in 1977. An examination of Irving's *recent* writings and speeches, since his self-confessed change of mind towards the end of the 1980s, demonstrates that his portrayal of equivalences between the Nazi extermination of the Jews and the Allied bombing raids on Germany is very different from what his reference to these two books would lead one to suspect. These equivalences as claimed by Irving will be examined in more detail below.

2. None of the writings and publications cited in Irving's defence against Lipstadt's charge that he is a Holocaust denier thus stands up to close examination. Lipstadt's book is quite clear that Irving had been 'converted' to Holocaust denial during the Zündel trial in 1988, and it is irrelevant to cite work published by, or statements made by, Irving on this subject before that point, since Lipstadt stated unequivocally that 'prior to participating in Zündel's trial, Irving...had never denied the annihilation of the Jews.'[125]

3. In August 1988 Irving confessed that his thesis that Hitler knew nothing about the extermination of the Jews 'was a kind of half-way house in my conversion'.[126] Already in

the mid-1980s, as this Report will show, Irving was refusing to be definite or explicit about the number of Jews killed by the Nazis. In 1983, the 'mole' Ray Hill, who had infiltrated the far-right scene in Britain with a view to exposing its beliefs and ramifications, had a private discussion with Irving in the latter's flat. Believing that Hill, who by that time had achieved a leading position in the extreme right-wing British National Party, was sympathetic to his view, Irving told him that the figure of six million Jews killed by the Nazis was 'ridiculous'. 'There may have been a million or so', he said. If it had been admitted that only about one million Jews had died in the Holocaust, then the whole affair would have begun to fade from the memory of the world just as the massacre of the Armenians by the Turks in 1915 had done. But the Holocaust issue had to be kept alive to ensure money and influence for the state of Israel. If this was so, Hill asked, why hadn't Irving exposed the six million figure as a lie? 'The time still isn't right', Irving said.[127] Five years later, at the Zündel trial in Canada, it clearly was.

3.4 Irving and the central tenets of Holocaust denial

In Section (b), above, this Report outlined four central tenets of Holocaust denial: minimization of numbers killed, denial of use of gassing, denial of the systematic nature of the genocide, and claims that the evidence was fabricated, above all after the war. Attention will now be focused on a detailed examination of Irving's writings and speeches to see if he subscribes to them, bearing in mind the change in his views which took place at the end of the 1980s.

(a) Numbers of Jews killed

1. Until the late 1980s, Irving paid little attention to the numbers of Jews killed during the Second World War. In 1986, for example, while confessing that he thought 'the six million figure is probably marginally exaggerated', Irving described the minimal figure of 100,000 as being put forward by a 'school of thought' that was 'right out at the fringe', and added that 'I have to admit that I haven't examined the Holocaust in any detail.'[128] Within a couple of years, however, he was declaring himself to be an expert on the subject. In his evidence to the second Zündel trial in Canada in 1988, Irving was asked to comment on the following statement (put to him by the defence lawyer): 'If the "Holocaust" is represented as the allegation of the extermination of 6 million Jews during the Second World War as a direct result of official German policy of extermination (*sic*), what would you say to that thesis?' Irving replied:

> I am not familiar with any documentary evidence of any such figure as 6 million...it must have been of the order of 100,000 or more, but to my mind it was certainly less than the figure which is quoted nowadays of 6 million. Because on the evidence of comparison with other similar tragedies which happened in the Second World War, it is unlikely that the Jewish community would have suffered any worse than these communities.[129]

2. Since making this statement in 1988, Irving has rarely deviated from his attempt to minimise the number of Jews killed by the Nazis in the Second World War in order to establish a moral and statistical equivalence with the numbers of Germans and others killed by the Allies. As he himself said in 1996, 'cutting the Holocaust down to its true size makes it comparable with the other crimes of World War II'.[130]

3. This applies not just to gassing and extermination camps, but also to the mass shootings carried out by the Security Service and Security Police task forces, the *Einsatzgruppen*. In his evidence to the second Zündel trial in 1988, Irving cast doubt, for example, on the reports filed by task force leaders giving numbers of Jews shot by their forces. 'I don't trust the statistics they contain', he said. 'Soldiers who are out in

the field doing a job or murderers who are out in the field doing a job, they don't have time to count.' Each leader, he suggested, submitted reports whose aim was to 'show he's doing a jolly good job', and by inference, therefore, seriously exaggerated or even invented the numbers killed. 'Statistics like this are meaningless', Irving said. 'I'm suggesting', he continued, 'it is possible that at the time some overzealous SS officer decided to put in a fictitious figure in order to do Heinrich Himmler a favour.' This of course is pure speculation, unsupported by any documentary evidence. This is characteristic of Irving's methods in disposing of inconvenient documents. If a document does appear which Irving is unable to suggest is not genuine, or in some way unreliable, such as a memorandum from Himmler to Hitler in which 300,000 Jews are referred to in 1942 as having been exterminated, Irving says he is 'unhappy about it because it is such an unusual, isolated document'.[131] But of course, it is only 'isolated' because Irving has dismissed or ignored all the other documentary evidence which points in the same direction: there is no genuine documentary warrant at all for this remark.

4. A particularly clear view of Irving's stance can be gained from the plate sections of two of his most recent books. Between pages 506 and 507 of the 1991 edition of *Hitler's War*, the following illustration captions occur in sequence:

> At the end of November 1941, on Hitler's orders, the railroading of the remaining Jews out of Germany to "the east" begins. In Riga, Latvia, SS officers plunder and liquidate the local Jewish population, machine-gunning them into pits. German army officers secure, too late, orders from Hitler's headquarters that the mass shootings are to stop. A trainload of five thousand Jews from Berlin arrives in the middle of the massacre; they too are shot to death although Himmler telephones (*right*) to Heydrich the Führer's ruling that they are *not* to be liquidated.[132]
>
> A rare original photograph shows the next trainload, of 1,200 Jews from Stuttgart, leaving their passenger train at Riga on December 4, 1941. Except for one uniformed SD officer near the third open carriage door, the escorts are all elderly German police officers, with two Latvian police in the right foreground.
>
> SLAVE LABOUR. On June 26, 1944, a high flying Allied reconnaisance plane photographs the entire Auschwitz complex - the gigantic I.G.Farben synthetic rubber and oil plant at Monowitz, the first concentration camp built at Auschwitz (Oswiecim) itself, and the huge subsequent slave labour camp ("Auschwitz II") erected at nearby Birkenau. In the spring of 1942, after the Wannsee Conference, the Reich Justice Ministry briefs officials including State Secretary Roland Freisler. "The Führer has repeatedly declared...that he wants the Solution of the Jewish Problem postponed until after the war is over."[133]
>
> FIRESTORM. In July 1943 British bombers devastate the German port of Hamburg. Forty-eight thousand people die in the devastating holocaust.

5. The last-named caption accompanies no fewer than three photographs spread over two entire pages; one of them shows a dead child clutching the body of an adult. By contrast, there are no pictures of concentration or extermination camp inmates or victims, nor of any of the shootings. The only picture of the Nazis' Jewish victims is of the train at Riga, an orderly scene of passenger carriages and people handing luggage out of the windows; no obvious brutality, no herding, no whips; Irving also neglects

to mention in any of his writings the well-known fact that most transports of Jews to the East were in cattle trucks, whose passengers were crowded together without food or water for several days in conditions so bad that many died; on reaching the camps, they were frequently brutally assaulted by the guards.[134]

6. While Irving's presentation of photographic evidence on the Jewish victims of Nazism is confined to the single illustration of the railway station at Riga, he reproduces between pages 666 and 667 no fewer than six photographs of the bombing of Dresden, covering four whole pages. The caption reads:

> Dresden, February 1945. Huge funeral pyres are erected behind police cordons in the city center, and the air raid victims are cremated, five hundred or a thousand at a time. Over one hundred thousand people have died. *Previous page*: Photographed after the horrific British and American air raid of February 13 and 14, 1945, Dresden is a roofless ghost city. There are no longer enough living to bury the dead. [135]

7. On the very next page there is a colour photograph of another bombing raid, captioned 'The British air offensive continues. Twenty-seven thousand die as Pforzheim is engulfed in a firestorm.' In this section too, as in all the others, there is not a single photograph of anyone killed by the Nazis, unless one includes high German officials such as Admiral Canaris who belonged to the resistance.

8. In *Nuremberg: The Last Battle*, published in 1996, the plate section, between pages 182 and 183, includes the following pictures and captions on facing pages: '*Punished*...Snapshots from a German soldier's photo album. The daily routine of a cruel warfare in the Balkans. A German soldier is found mutilated. The German troops take reprisals, stringing up the menfolk in the village, like washing on a line - one by one, a chair kicked away beneath each victim and then painful death by strangulation. For crimes like these, German generals are executed at Nuremberg.' '*...and Unpunished*. No Allied general is ever called to account for the appalling fire-raids on Japan (*above*) or Dresden (*Left* and *below*). In each of these 1945 raids about a hundred thousand innocent civilians are burned alive in what is only now universally recognized as a crime against international law.' It is worth adding that one of the photographs on the page covering the 'cruel warfare' in the Balkans shows two unmistakably Jewish men with long beards and dark coats and hats, suggesting that the atrocities were committed by Jews.

9. The illustration captions in Irving's recent books therefore clearly constitute an attempt to establish an equivalence between the Nazi extermination of the Jews, which is minimised, sanitised or in a number of its key features completely ignored, and the Allied bombing of German cities. Auschwitz-Birkenau is described as a slave labour camp; only a relatively small-scale massacre of Jews in Riga is admitted. A similar equivalence is asserted by the illustration captions between other war crimes for which German military officers were condemned at the Nuremberg Trial, and other actions of the Allies and resistance movements in German-occupied Europe. Indeed, the tendency in these illustrations is strongly to suggest that the Allies' actions were more criminal, and less defensible, than those of the Germans. While the bombing of Dresden is said (incorrectly) to be 'universally recognized as a crime against international law', there is no statement to the same or equivalent effect about the crimes of the Nazis, though the verdict of guilty on them passed at the various trials of the International Military Tribunal after the war are still valid in international law. Irving concedes some of these, such as the shootings, but denies Hitler was responsible for them, and minimises them in comparison to what he portrays as the far greater

crimes of the Allies.

1. Irving's description of the bombing raid on Hamburg as a 'holocaust' is repeated on page 440 of his book *Goebbels: Mastermind of the 'Third Reich'* (published in 1996). Not only does he rely in these descriptions on an explicit or implicit minimization of the number of Jews killed by the Nazis, he also postulates an equivalence by exaggerating the number of Germans killed by the Allies in bombing raids. Irving's work on Dresden deserves separate treatment on its own (see Part IV, Section (b), below); here two other examples will suffice to illustrate the point.
2. On page 441 of *Goebbels*, he describes the number of those killed in the bombing raid on Hamburg on 27-28 July 1943 as 'nearly fifty thousand'; in 1989, he put it far higher, claiming that while 74,000 people had died at Auschwitz, 'nearly twice as many died in the July 1943 RAF attack on Hamburg'.[136] In fact, all these estimates are inflated; the Hamburg air defence reported that 31,647 dead had been found, and other official German estimates of the time put the overall total at 34,000 or 35,000. The postwar estimate of 41,800 given by the Hamburg authorities is regarded by some experts as too high, while the amateur military historian Martin Middlebrook's figure of 44,600 has no basis in any identifiable source at all. The probable number, therefore, is between 35,000 and 40,000; Irving's wildly varying but invariably categorical statements that 48,000, nearly 50,000 or nearly twice 74,000, and deliberately inflated claims designed to establish an equivalence with his minimized statistics of Jewish deaths at the hands of the Nazis. They have no basis in documentary evidence or historical fact.[137]

12. There are even more explicit examples of Irving's attempts to show that Allied killings of German civilians were a greater crime than German killings of Jews. The same tactic of inflating the numbers involved in the former and minimising the numbers involved in the latter is particularly clearly visible in a speech delivered in Toronto on 8 November 1992, when Irving estimated the numbers who 'died' in Auschwitz ('most of them from epidemics', he said) as 100,000. 'Around one hundred thousand dead in that brutal slave labour camp.' Around 25,000 were killed by shooting or hanging, according to German radio reports from Auschwitz received and decrypted by the British, he added. He continued:

> Twenty-five thousand killed, if we take this grossly inflated figure to be on the safe side: That is a *crime*; there is no doubt. Killing twenty-five thousand in four years - 1941, 1942, 1943, and 1944 - that is a *crime*; there is no doubt. Let me show you a picture of twenty-five thousand people being killed in twenty-five *minutes*. Here it is, in my book, a vivid picture of twenty-five thousand people being killed in twenty-five minutes by the British (in February 1945) in Pforzheim, a little town where they make jewellery and watches in Baden, Germany. Twenty-five thousand people were being burned alive... That is what it looks like when twenty-five thousand civilians are being burned alive in twenty-five minutes. One person in four, in twenty-five minutes. One person in four in that town. As I said when I was speaking in Kitchener yesterday, it is as though somebody came to Kitchener, a town of about a hundred thousand people, and killed one person in four in twenty-five minutes. That too is a crime. Twenty-five minutes! In Auschwitz it was a crime committed over four years. You don't get it spelled out to you like that. Except by us, their opponents. When you put things into *perspective* like that, of course, it diminishes their Holocaust - that word with a capital letter.....

13. Yet, Irving went on, spelling out this equivalence had led to a massive campaign against him. 'Anybody who wants to analyse any part of the Holocaust story is dismissed and smeared as an anti-Semite or at the other end of the scale, a "pro-Hitler

apologist("), a "Nazi apologist"...'[138]

14. 'Analyse' here is a synonym for 'refute' or 'deny', words which Irving was careful to avoid in this particular context. Irving's almost incantatory repetition of the figures 'twenty-five thousand' and 'twenty-five minutes', mentioned in this passage respectively four times and five times, compared with his figure of twenty-five thousand for Auschwitz ('grossly inflated'), mentioned only twice, left no room for doubt about which crime he considered the greater. In fact, quite apart from the gross minimization of the Auschwitz figures, Irving's equivalence does not stand up to examination because of his wild exaggeration of the number of deaths caused by the Pforzheim raid, which was estimated in a report of the Statistical Office of the City of Pforzheim in 1954 not as 25,000 or 27,000, as Irving claims, but as 17,600.[139]

15. In recent years, Irving has deployed a range of arguments to buttress his minimal estimates for the numbers of Jews killed by the Nazis. In *Nuremberg: The Last Battle* (London, 1996), he claims that the Auschwitz death books give 46,000 names, dying mainly from disease.[140] Citing British decrypts of German code messages from Auschwitz to Berlin, Irving has suggested on a number of occasions that some 25,000 Jews may have died in Auschwitz by killing, the rest from disease, the cause given in most of the reports.[141] On occasion, he has gone so far as to claim that *all* the Jews who died in Auschwitz died from disease: 'Probably 100,000 Jews died in Auschwitz', he said in 1993, 'but not from gas chambers, they died from epidemics.'[142] Indeed, Irving actually claims that the official history of British Intelligence during the Second World War, by the late Professor Sir Harry Hinsley,

> states...that upon analysis of the daily returns of the Auschwitz concentration camp, it becomes completely plain that nearly all of the deaths, nearly all of the deaths, were due to disease. The others were by execution, by hanging, and by firing squad. There is no reference, and I'm quoting this page, there is no reference whatever to any gassings. So why hasn't this extraordinary revelation been headlined in the newspapers around the world? It's not just some cranky, self-appointed, British, neo-fascist, neo-Nazi pseudo-historian. And you journalists who are present can take those words down. It's not just some pseudo-historian from Britain saying this. This is the British official historian, Professor Hinsley, who had unlimited access to the archives of the SIS, the Secret Intelligence Service, and to the archives of the British code-breaking agency, who says that in Auschwitz nearly all the deaths were due to disease. There is no reference whatsoever to gassings. (Applause).[143]

16. In fact, Hinsley did not claim that nearly all the deaths were due to disease; all he wrote was that the British decrypts of encoded radio messages sent from Auschwitz did not mention gassings, which is hardly surprising, given the Nazis' policy of not mentioning the gas chambers explicitly in any of their communications with one another.

17. Moreover, although Irving claimed that the radio reports from Auschwitz to the central administration of the camps in Berlin were decrypted by British intelligence at Bletchley Park 'from 1942 to the end of 1943',[144] in fact the decrypts ended on 1 September 1942, when the authorities stopped reporting deaths by radio, and reported them only in writing. The returns to which Hinsley referred covered early-to-mid-1942, which was the only period during which the total number of prisoners in the camp corresponded to the total number of inmates mentioned in the decrypts. It was only subsequently that numbers increased (to 135,000 in March 1943) and mass gassing began on a really large scale with the completion of Crematorium II in

March 1943.[145] Crucially, too, the decrypts were decipherments of radio reports of the additions and subtractions to the *regular* camp population: these reports omitted all Jews (as well as gypsies) selected for gassing immediately on arrival. Thus they proved nothing, except that there were numerous deaths from executions and disease amongst the regular camp inmates.[146] Finally, as Hinsley himself pointed out in reply to a letter from Irving on 17 June 1991, he had not in any case seen the original intercepts himself at all: 'I saw only a summary of them, compiled afterwards, and they were probably not translated and circulated at the time.'[147] The originals certainly contained information not purveyed in the summaries, and it is anybody's guess as to what it might have been. The decrypts therefore completely fail to substantiate Irving's allegation that there were no deaths by gassing in Auschwitz.

18 This is far from being the only attempt Irving has made to twist the evidence in order to minimise the numbers of Jews deliberately murdered by the Nazis. 'Despite the most strenuous efforts' he has also claimed, 'the Yad Vashem Museum, Jerusalem, has compiled a list of no more than three million possible Holocaust victims. The same names appear in this list many times over.'[148] This does not mean, of course, that the same names refer to the same people; nor does the fact that the number of names compiled totals less than six million mean that six million were not killed.

19. In order to suggest that the figure of six million is mythical, Irving claims that as early as 1919 the governor of New York claimed that 'six million' Jews were being exterminated - a claim that implies the later statistics of Jews killed in the Second World War was not only invented but part of a long tradition of invention.[149] In fact, of course, even if this claim was actually made, it has no direct bearing on figures provided by historians and others of Jews killed in the Second World War, which must be assessed on their own merits. The later figure of six million, Irving says, originated in a guesstimate based on a comparison of European Jewish population figures in 1929 and 1946. It has no basis, he declares, in documented historical fact.[150] This depends of course on one's definition of 'documented', which in Irving's case, as this Report has already shown, changes according to what he wants to prove. The discrepancy in population is a documented historical fact, and a figure of between five and six million is what is arrived at when calculations are made which take into account everything else which is known about the fate of the European Jews in these years, including emigration and natural deaths.

20. When it comes to suggesting ways in which the missing Jews might in fact have survived the war, Irving suddenly and conveniently forgets his demand for 'documented historical fact'. Nobody, alleges Irving, has 'explained what became of the one million cadavers' which it is claimed 'were produced by killing operations at Auschwitz', nor for that matter what happened to the alleged corpses produced by supposed gassings in other camps.[151] There is no trace in Allied aerial photographs of mass graves at Auschwitz, so where have the bodies gone? he asks.[152] Irving himself has supplied more than one answer. He has for instance claimed that the Jews who disappeared did not die but were secretly transported to Palestine by the Haganah, the Zionist underground, and given new identities. Irving also suggests some of the missing Jews were killed in the February 1945 bombing raid on Dresden: 'Many other raids were like that. Nobody knows how many Jews died in them. Nobody knows how many Jews died on the road of hunger or cold, after the evacuation of concentration camps in late 1944 and early 1945. Nobody knows how many Jews survived in displaced persons' camps. None of the Holocaust historians have researched this.'[153]

21. Such allegations commonly occur in Irving's speeches. They derive ultimately from

the Holocaust denier Paul Rassinier's unsubstantiated assertion that four-fifths of the six million Jews most historians agree had been killed in fact 'were very much alive at the end of the war', repeated by Arthur Butz in his Holocaust denial tract *The Hoax of the Twentieth Century*.[154] In 1989, Irving told an audience who had come to hear him present the Leuchter Report in London, that he had

> Alternative explanations to the gas chamber. Obviously if the gas chamber now turns out to have been phony, then we have to try and explain what happened to the figures. Now, one possible reason is the large number that turned up in the state of Palestine, what's now the state of Israel. The Jews that were in Israel didn't come from nowhere. Another part of them, when Auschwitz was liberated, were sent out on the roads to be shipped westwards, where they ended up in cities like Dresden. I don't have to tell you what happened in Dresden three weeks after Auschwitz was evacuated by the Germans. There were one million refugees in the streets of Dresden at the time that we burned Dresden to the ground, killing anything between 100,000 and 250,000 of them. Large numbers of people on the streets in Europe that winter also suffered normal deaths of exposure and starvation and epidemic. I'm offering to you alternative solutions to where the people went.

22. All of this, of course, is pure speculation, unsupported by any of the documentary evidence which Irving usually claims is such an essential and characteristic feature of his historical work.[155]

23. By advancing such claims, Irving is seeking to minimise the number of Jews killed by the Nazis, and if there is anything consistent at all in the methods which he uses to do this, it is in the double standard of criticism he applies to evidence according to whether it is in his favour or tells against his argument. In a speech delivered on 11 October 1992, for example, Irving recounted how he has discovered hitherto unknown personal papers and memoirs by Adolf Eichmann, the principal bureaucrat in the implementation of the 'Final Solution'. He was obliged to point out that by the time he wrote this account of his life in the 1950s, 'Eichmann's mind is rather confused and muddled', because he used the Morgenthau Plan - an American plan, never accepted by the Allies, to reduce Germany to a pre-industrial condition after the war - as a justification for Auschwitz, whereas Auschwitz was on the point of being closed down at the time of the plan. This does not stop him, however, praising the accuracy of Eichmann's memory when it comes to casting doubt on the estimate given in the memoirs of Rudolf Höss, the commandant of Auschwitz, of the numbers of Jews killed in the camp and the abortive negotiations he claimed to have conducted with Zionists in 1944 about a possible 'rescue' of Hungarian and Slovakian Jews (on which 'he has almost total recall').[156] Nor does Irving question Eichmann's powers of recall when on 10 April 1961 Eichmann testified that he had not received any written order from Himmler which stated that Hitler had decided that the 'final solution' should begin at once.[157]

24. What Irving did concede in his 1992 speech was that there were some unauthorized mass shootings of Jews behind the Eastern Front, not least because he was concerned to present the Eichmann papers as authentic and important, and in them Eichmann himself described witnessing one such incident in considerable detail. On this point, Irving was explicitly supported by the leading Holocaust denier Robert Faurisson, speaking on this occasion from among his listeners, who confirmed: 'We assume that there were massacres and hostages and reprisals and so on...I don't know any Revisionist who says that there were no massacres, because there is no war without massacres, especially on the Russian front where you had Jews, and parti-

sans, women, and children all mixed together.' Irving agreed: 'It's important to say this because we are called Holocaust deniers, and the television screens show you the mass graves and all the rest of it, which we don't deny.'[158] Irving agreed once more, in 1995, conceding that 'there is no doubt in my mind that on the Eastern front large numbers of Jews were massacred, by criminals with guns - SS men, Ukrainians, Lithuanians, whatever - to get rid of them.'[159] Atrocities, as Irving has said or written on many occasions, always occur during wars.[160]

25. Does this amount to 'Holocaust denial'? Irving is quite explicit that it does, claiming without qualification that 'Eichmann's memoirs are an important element of the refutation of the Holocaust story'.[161] If engaging in a 'refutation of the Holocaust story' is not Holocaust denial, then what is? 'For me as a historian', Irving said in 1992, 'the Holocaust is a mere footnote to history. I write about world history; I write about Real History, and I am not going to talk at any great length about something which is of far more obsessive interest to other historians, revisionists, or whatever.'[162] Speaking in Toronto on 1 November 1992, Irving declared:

> The legend was that Adolf Hitler ordered the killing of six million Jews in gas chambers in Auschwitz. This is roughly how history has had its way for the last forty or fifty years. But when people come along, with no real axe to grind - because I don't think any of us on the right wing on this matter has axes to grind - when people come along and say, "I don't believe this version of it all;" or, "I am not going to accept all the ingredients of that statement," the methods used against us are becoming increasingly bizarre. But why should we accept all the ingredients of their statements? It's like any other marketing project. I don't like that capital "H" they use for the word Holocaust for example: when you see a capital letter on a work it makes you think it is some kind of brandname or trademark like Tylenol, and that we are being sold a package of something, and that we are not allowed to open it at either end to check it first. Well, I am not a Holocaust denier, and that word really offends me, but I am a Holocaust analyst, I think we are entitled to analyse the basic elements of the statement: Adolf Hitler ordered the killing of six million Jews in gas chambers at Auschwitz, and to ask, is any part of this statement open to doubt?[163]

26. Once again Irving, as in another speech already quoted from his Canadian lecture tour in 1992, was using the term 'analysis' as a euphemism for 'denial'; the difference between 'analysis' and denial' here is non-existent, when one takes Irving's own, highly idiosyncratic definition of the term 'Holocaust' into account. Irving will use almost any word rather than 'denial': 'I don't like this word "deny", he said in 1993 with reference to the figure of six million Jewish victims of Nazism: 'the word "deny" is only one step away from lying, really. I challenge it, I contest it.'[164] There is nothing about the word denial that implies telling a lie, however, any more than there is anything about the words challenge, contestation, or analysis that implies telling the truth.

27. At the beginning of his videotape *The Search for Truth in History*, Irving says once more: 'The Holocaust with a capital "H" is what's gone down in history in this one sentence form, so to speak: "Adolf Hitler ordered the killing of six million Jews in Auschwitz".[165] But nobody in fact has ever argued that six million Jews were killed by gassing in Auschwitz, and Irving nowhere cites any references to demonstrate that anybody has: his claim that this is what the term 'Holocaust' means is a figment of his own imagination. The standard works on the Holocaust make it clear both that a substantial proportion of those killed were shot or starved to death or deliberately

weakened and made susceptible to fatal diseases as a matter of policy, and that gassings took place at other centres besides Auschwitz, including notably Belzec, Sobibor and Treblinka.[166]

28. Only on one recorded occasion, namely during an interview with the Australian journalist Ron Casey on 27 July, 1995, in other words after the publication of Deborah Lipstadt's book, has Irving departed at all significantly from his extreme minimization of the numbers killed:

> Casey: What is your estimate of the number of Jews who died at the hands of Hitler's regime in the war years? What number – and I don't like using this word – what number would you concede were killed in concentration camps?
>
> Irving: I think, like any scientist, I'd have to give you a range of figures and I'd have to say a minimum of one million, which is a monstrous crime, and a maximum of about four million, depending on what you mean by killed. If putting people into a concentration camp where they die of barbarity and typhus and epidemics is killing, then I would say the four million figure, because, undoubtedly, huge numbers did die in the camps in the conditions that were very evident at the end of the war.[167]

29. Nowhere else in recent years has Irving even come close to putting the figure at more than a million. Far more usual has been his claim that the Nazis killed 'on the order of thousands at a time….not millions.'[168]

30. Even in giving, exceptionally, a figure of between one and four million however, it was noticeable that Irving strongly qualified his remarks by claiming that 'barbarity and typhus and epidemics' were the main causes of death. Irving had a long record of blaming the high mortality rate in the camps – insofar as he conceded it at all – on epidemics rather than on deliberate, systematic killing. Thus for example in 1986 he told an audience, again in Australia, that the piles of dead filmed in Buchenwald and Bergen-Belsen at the end of the war had been the result of epidemics which 'had only broken out in the last two or three weeks of the war.' And who in Irving's view was responsible for these epidemics?

> We have to admit probably that we, the British and the Americans, were partially responsible, at least partially responsible for their misfortune. Because we vowed deliberate bombing of the transportation networks, deliberate bombardation, bombarding the German communications, by deliberate destruction of the German pharmaceutical industry, medicine factories. We had deliberately created the conditions of chaos inside Germany. We had deliberately created the epidemics, and the outbreaks of typhus and other diseases, which led to those appalling scenes that were found at their most dramatic in the enclosed areas, the concentration camps, where of course epidemics can ravage and run wild.[169]

31. In fact, of course, conditions for epidemics were deliberately created by the Nazis, who ran the camps in a way that deprived the inmates of hygiene and medical attention as a matter of policy.[170] Irving has a repeated tendency to blame virtually *all* the deaths of the Second World War on the Allies in general, the British in particular, and above all on Winston Churchill. Thus he told an audience in South Africa in 1986:

> We went in and we bombed the Belgians, and the Poles, and the French, and the Dutch. We did appalling damage. We killed millions of people in Europe

in the most bestial way, in defiance of all conventions. In a way which eventually damned with infamy on the name of the British, and it all goes back on Winston Churchill's name.

31. Indeed, he said on another occasion, probably in the same year: 'We'd killed 20 million people.'[171] Winston Churchill, in Irving's view, 'bears at least a partial share of the blame for the tragedy that befell the Jews in Europe, because Churchill fought the war five years longer than was necessary and provided the smokescreen behind which the tragedy could occur.'[172]

32. In conclusion, therefore, it is clear that Irving has consistently and grossly underestimated the number of Jews deliberately killed by the Nazis, usually by quoting a total figure, or figures for individual killing centres such as Auschwitz, of a completely different, lower order of magnitude than those generally accepted by reputable professional historians, frequently by attributing such deaths as he does concede occurred to 'natural' causes such as epidemics and malnutrition, and occasionally even by blaming British bombing raids and the British persistence in prosecuting the war throughout the period 1940-1945. All of this puts him into the same camp as the well-known Holocaust deniers who regularly give a negative answer to the question 'did six million really die?'[173]

(b) Use of gas chambers

1. Denial of the existence of gas chambers at Auschwitz and elsewhere is a central element in denial of the Holocaust. Irving, as Plaintiff in the case, has responded to the defence's plea to the court in the following terms: 'It is denied that the Plaintiff has denied the Holocaust; it is denied that the Plaintiff has denied that gas chambers were used by the Nazis as the principal means of carrying out that extermination; they may have used them on occasion on an experimental scale, which fact he does not deny.'[174] This sentence is self-contradictory - is he saying that he accepts that the gas chambers were the principal means of killing, or that their use was only possible ('may have used') and if it did occur, is he merely saying that it was only experimental in scale?

2. It is also contradicted by another line of defence he takes against the accusation of being a Holocaust denier, namely to deny that there is any authentic wartime archival evidence for the existence of gassing facilities at Auschwitz-Birkenau, Chelmno, Belzec, Sobibor and Treblinka; a cautious statement stopping short of an outright denial but clearly designed to imply that those gassing facilities therefore did not exist.[175] Here it is necessary to point out that the term 'archival' is redundant: if there is authentic wartime evidence, it does not matter whether it is stored in an archive, a library, a private house or anywhere else: its authenticity is not affected by any of this. Moreover, if Irving is implying here that he will not accept any evidence about the Second World War unless it was written at the time, then how does he justify his own very extensive use of the postwar testimony of members of Hitler's entourage given in interviews with them conducted by himself? Here again, he is applying double standards in his approach to different types of evidence. The fact is, as this Report has already pointed out at some length, that historians have to take all kinds of evidence into account, and apply the same standards of criticism to all of them. Even if Irving is correct in implying that there is no authentic wartime evidence of gassing facilities at the camps he mentions (and as expert witness reports by Professor Van Pelt and Professor Browning will demonstrate, he is not), this does not mean that there is no authentic evidence of any kind to prove that they existed.

3. Nevertheless, Irving clearly means to imply that they did not. In his testimony to the Zündel trial in 1988, indeed, Irving explicitly rejected the use of the term 'extermination camps' apart from Chelmno, which 'was operating on a very small scale', and by shooting, not gassing.[176] This minor concession is characteristic of his technique in admitting small-scale, limited instances of what he devotes much of his attention to denying on the large scale, as a kind of alibi that enables him to deny that he is really doing the latter at all. Admitting the existence of experimental gassing facilities and mass shootings ('on a very small scale') at Chelmno does not, however, constitute an admission that the Holocaust happened as it is conventionally defined by those who have carried out *bona fide* research into it.

4. In 1992, he put forward the same kind of argument in describing the memoirs of Adolf Eichmann, Irving said:

> He also describes - and I have to say this being an honest historian - going to another location a few weeks later and being driven around in a bus; then being told by the bus driver to look through a peephole into the back of the bus where he saw a number of prisoners being gassed by the exhaust fumes. So I accept that this kind of experiment was made on a very limited scale, but that it was rapidly abandoned as being a totally inefficient way of killing people. But, I don't accept that the gas chambers existed, and this is well known. I've seen no evidence at all that gas chambers existed.[177]

5. In pursuit of the latter argument, Irving endorsed the so-called Leuchter Report, which sought to prove that there were no gassings at Auschwitz, and published the Report under his Focal Point imprint on 23 June, 1989.

6. Following the Leuchter Report, Irving alleges both that there has been a 'refusal of the authorities to call for site examinations, forensic tests and other investigations' at Auschwitz, and that 'forensic tests were carried out by Polish authorities on the Auschwitz site', but that the results ('of which the Plaintiff has a copy') were 'suppressed' because they confirmed Leuchter's findings.[178] He alleges that 'equal tonnages of Zyklon-B pesticide granules were delivered to Auschwitz and Oranienburg camps, at which latter camp nobody has ever suggested that gas chambers existed, and to camps in Norway.' Recently discovered documents in former Soviet archives show that Auschwitz prisoners, he says, were released to the outside world on completion of their sentence. This is 'incompatible with the character of a top-secret mass extermination centre'. The official history of *British Intelligence in the Second World War*, edited by F. H. Hinsley, claims that illness was the main cause of death in Auschwitz, and not gassing.[179] Moreover, he denies 'that diesel engines can be used for killing operations. These engines exhaust non-lethal carbon dioxide (CO2), and only minute quantities of toxic carbon monoxide (CO). These howlers', he says, 'typify the flawed historical research into "the Holocaust" even now, fifty years after the tragedy.'[180] In his videotaped speech *The Search for Truth in History*, made in 1993, Irving asked: 'How can you gas millions of people with hydrogen cyanide gas and leave not the slightest significant trace of chemical residue in the walls of the gas chambers?' Irving went on to claim that Dr. Franciszek Piper of the Auschwitz State Museum had had the tests secretly replicated and when the State Forensic Laboratory in Cracow had confirmed Leuchter's findings the museum suppressed the fact and filed the report away.[181] The engines used in the gas-vans at Chelmno and elsewhere were not diesel but petrol engines. The official history of British Intelligence in the Second World War by F. H. Hinsley does not, as this Report has already noted, suggest that nobody was gassed at Auschwitz.

7. These allegations are the subject of a separate expert witness report by Professor Robert Jan Van Pelt. Here it may be noted briefly that Irving's arguments are specious and derivative, and correspond to those put forward by well-known Holocaust deniers. The Leuchter Report is an incompetent and thoroughly unscientific document compiled by an unqualified person; it was completely discredited at the second Zündel trial in 1988. The Polish authorities have not suppressed findings of their own investigations of the former gas chambers, and these findings do not confirm Leuchter's claims. Prisoners sent to Auschwitz for extermination were not even enrolled on the camp's list of inmates, but were sent straight away to the gas chamber; there was no record of their release.[182]

8. These arguments are not for the most part based on original research by Irving, but are derived from previous work by well-known Holocaust deniers such as Robert Faurisson.[183] Irving himself is on record as ascribing his 'conversion' to the belief that there were no gas chambers to his reading of the Leuchter Report during the Zündel trial.[184] The fact that the Leuchter Report has been widely discredited since its appearance in 1989[185] has not prevented Irving from continuing to assert that there were no gas chambers at Auschwitz or elsewhere, and there was no mass murder of Jews by gassing during the Second World War.

9. In his book on the Nuremberg trials, published in 1996, Irving notes (p. 131) that evidence was presented at Nuremberg that there were lethal gas chambers at Dachau. 'The German government has certified that no lethal gas chamber was ever operated at Dachau'. But of course the Nuremberg evidence and the German government statement say two different things. Not even Irving claims that the evidence presented to Nuremberg said that the gas chamber at Dachau ever actually came into use. Irving's technique here is to present (sometimes real, sometimes invented) minor mistakes and propaganda legends at Nuremberg while ignoring the overwhelming mass of evidence on major matters of fact, using the former to discredit the latter.

10. The situation in Dachau has no bearing on the situation in Auschwitz; it is important here, as always, to bear in mind the crucial distinction between *concentration camps*, designed from 1933 onwards to imprison, abuse and humiliate Nazism's real and imagined opponents in Germany, and *extermination camps* set up only during the war and outside the German borders of 1937 with the express purpose of killing large numbers of Jews and other categories of undesired or unwanted people not just from Germany but from other countries as well. Towards the end of the war, to be sure, the distinctions between the two began to become less important and less clear-cut, but they remained none the less.[186]

11. Once more, the plates in Irving's recent books give a clear expression of his views. Thus an illustration on pp. 182-3 of *Nuremberg: The Last Battle,* carries the following caption: 'Pest control in the Auschwitz slave labour camp. Tons of Zyklon B pellets, containing poisonous hydrogen cyanide, are shipped by the Degesch factory to the Pest Control division of Auschwitz and other camps including Oranienburg in 1944.' The delivery note pictured opposite the caption, however, only concerned Auschwitz. It is addressed to Kurt Gerstein.[187] It makes no mention at all of pest control. Here again, Irving's intention to deny that gassings took place at Auschwitz could not be clearer.

12. In June 1989, he told a radio interviewer that 'the buildings identified hitherto as gas chambers in Auschwitz and Treblinka, were not. This is a myth, and it is time the myths were dispelled.'[188] 'There were no gas chambers in Auschwitz', he said on 5 March 1990. In his view, only '30,000 people at the most were murdered in

Auschwitz…that's about as many as we Englishmen killed in a single night in Hamburg.'[189] In 1995 he repeated this view: 'we revisionists', he declared, 'say that gas chambers didn't exist, and that the "factories of death" didn't exist.'[190] In his persistent and undeviating denial, since 1988, that gassing was used at Auschwitz and other camps in the German-occupied east for murdering large numbers of Jews, Irving stands squarely in the camp of the Holocaust deniers. 'I'm a gas chamber denier', he told a television interviewer in 1998, 'I'm a denier that they killed hundreds of thousands of people in gas chambers, yes'.[191]

13. Irving has repeatedly denied that there were *any* functioning gas chambers and that *any* Jews or other victims of Nazism were killed in them, with the sole exception of a small number who he concedes were gassed during experiments. In 1989, for instance, he confessed himself 'quite happy to nail my colours to the mast on that, and say that to the best of my knowledge, there is not one shower bath in any of the concentration or slave labour camps that turns out to have been some kind of gas chamber.'[192]

14. On 5 March 1990 he declared roundly to an audience in Germany once more that there were no gas chambers at all in Auschwitz during the war:

> There were no gas chambers in Auschwitz, there were only dummies which were built by the Poles in the postwar years, just as the Americans built the dummies in Dachau…these things in Auschwitz, and probably also in Majdanek, Treblinka, and in other so-called extermination camps in the East are all just dummies.

15. Repeating this claim later in the same speech, Irving added that 'I and, increasingly, other historians, …are saying, the Holocaust, the gas chamber establishments in Auschwitz did not exist.'[193] On 8 November 1990 he repeated the same claim to an audience in Toronto: 'The gas chambers that are shown to the tourists in Auschwitz are fakes.'[194] These statements are clear and unambiguous. They make it plain that Irving's statement to the court of his position on this issue - 'it is denied that the Plaintiff has denied that gas chambers were used by the Nazis as the principal means of carrying out that extermination' - is a falsehood.[195]

(c) <u>Systematic nature of the extermination</u>

1. A refusal to accept that the extermination of the Jews was systematic, organized or centrally directed, is a major element in the phenomenon of Holocaust denial. Where does Irving stand on this issue? Even before he changed his mind on the numbers killed and the use of gassing as a murder technique, Irving was denying that the Nazi extermination of the Jews had been carried out in a systematic manner. Thus for example in 1986, two years before his change of mind on these other issues, Irving told reporters in Brisbane, Australia:

> I'm not attacking the figure of six million, I'm not attacking the fact that the Jews were killed, but I am attacking or questioning whether in fact it was a tragedy ordered and organized on the very highest German state level, namely by Hitler himself. And I think this is what they find very repugnant. Because if my hypothesis is correct, then it means that all these Jews – and it may be any figure, I don't look at the figure concerned – if my hypothesis is correct, it indicates that the Jews were the victims of a large number of rather run-of-the-mill criminal elements which exist in Central Europe. Not just Germans, but Austrians, Latvians, Lithuanians, Estonians, feeding on the endemic

> antisemitism of the era and encouraged by the brutalization which war brought about anyway. These people had seen the bombing raids begin. They'd lost probably women, wives and children in the bombing raids. And they wanted to take revenge on someone. So when Hitler ordered the expulsion, as he did – there's no doubt that Hitler ordered the expulsion measures – these people took it out on the person that they could.[196]

1. Irving did not explain how Allied bombing raids on Germany, could have turned Latvians, Lithuanians and Estonians against the Jews. He did make it clear, however, that he thought the mass killings of Jews in the Second World War resulted from local initiatives in East-Central Europe, not from any overall co-ordination by the Nazi leadership or indeed by any part of it.
2. His view that these local initiatives were excusable comes through clearly as well. As he told an interviewer the same month in 1986,

> The millions of Jews, or the hundreds of thousands of Jews – I'm not going to name any figure – who were liquidated during the Second World War by the Germans, or the Latvians, or the Ukrainians, or all the rest who carried out liquidations – they were the victims of a large number of nameless criminals into whose hands they fell on the Eastern Front. Mostly around Eastern Europe, the liquidations occurred – and these men acted on their own impulse, their own initiative, within the general atmosphere of brutality created by the Second World War, in which, of course, the Allied bombings played a part.[197]

4. Other aspects of his 1986 statements were soon revised; this one was not. The extermination of Jews in Eastern Europe during the war, he repeated in 1988, in places like Minsk and Kiev and Riga, was 'conducted for the most ordinary and repugnant motives of greed and thievery', by 'individual gangsters and criminals', for whom the German state and people could not be held responsible.[198] In fact, of course, even those responsible on the ground for directing and carrying out the actual killing operations were not 'nameless' and most of them were not 'criminals' in the sense of having previous convictions; they were responsible officials acting on behalf of the Nazi state and Nazi agencies such as the SS and the police, and their names are very well known to posterity; later on in this Report, a number of them will be mentioned by name and their actions and activities discussed in detail. The signed reports they filed on killing operations are available to historians and have been widely used.[199]

5. As so often when he deals with these questions, Irving abandons the pretence of original research and resorts to speculation and innuendo. Testifying at the 1988 Zündel trial, for example, Irving said he was

> puzzled at the apparent lack of logic: that the Nazis are supposed to have had a government policy for the deliberate, ruthless, systematic extermination of the Jews in Auschwitz and other places of murder and yet tens if not hundreds of thousands of Jews passed through these camps and are, I am glad to say, alive and well amongst us now to testify to their survival. So either the Nazis had no such programme or they were an exceedingly sloppy race, which isn't the image we have of them today. It's another of the logical questions which is being asked in this history which the historians hitherto have not asked.

6. 'I don't think there was any overall Reich policy to kill the Jews', he repeated later on the same occasion.[200] Of course, his argument here was fallacious; as we have already seen, Auschwitz was both a labour camp and an extermination camp, so it is not surprising that many Jews interned there survived the experience. On the other hand, Treblinka, Chelmno, Belzec and Sobibor, which is presumably what Irving

means by 'other places of murder', were purely designed for extermination; Irving presents no evidence to show that any Jews at all survived, which is not surprising, for hardly any did.

7. Irving's view that the extermination was not systematic also leads him to dispute a number of specific instances which most historians have taken to show the concerted nature of the killings. Most historians accept, for example, that the extermination of the Jews who lived in, or had been transported to, the General Government area of Nazi-occupied Poland, in the camps at Sobibor, Belzec and Treblinka, was a concerted operation: Irving rejects this view.[201] Irving also disputes the view, commonly held among historians, that the Wannsee Conference, held on 20 January 1942, drew up statistics of Jews in many European countries who were to be taken to Eastern Europe for extermination, either in the near future or, later, when, as evidently expected, these countries fell into German hands. The transcript of the meeting preserved in the Political Archive of the German Foreign Ministry, he says, contains no reference to 'liquidation' or 'agreement with Hitler'. It was, he says, a low-level conference concerned with implementing a change of plan from deporting the Jews to Madagascar to evacuating them to the east, as the foreign ministry official Martin Luther reported afterwards, an impression confirmed by Hitler's Table Talk on 27 January and the Goebbels Diary entry on 7 March.[202]

8. Irving has repeatedly attempted to argue away the Wannssee conference. He told the 1988 Zündel trial that

> Several of the participants in the Wannsee Conference subsequently testified in later criminal proceedings that...none of them had an idea that at that conference there had been a discussion of liquidation of Jews...There is no explicit reference to extermination of the Jews of Europe in the Wannsee Conference, not in any of the other documents in that file. We cannot take documents out of context...In my opinion, it has been inflated to that importance by irresponsible historians who probably haven't read the document.

9. This is a classic instance of the technique described by Vidal-Naquet in Section 2 above, of taking the euphemistic language of Nazism at face value because it seeks to disguise the fact that mass murder was the subject it was referring to, but casting doubt on any source which speaks directly and in unvarnished terms about murder and extermination. Eichmann testified in 1961 that the talk at the Wannsee Conference had all been of killing and liquidation, disguised in the minutes (written by Eichmann himself but checked over and amended by Heydrich) by euphemisms. However, Eichmann, said Irving, forgetting how he had relied on the Nazi bureaucrat's 1961 testimony on other occasions, 'got confused about what he really recalled and what he had in the meantime been told.'[203] Moreover, the Wannsee Conference was in fact a high-level meeting with a wide range of senior officials from different administrative and executive bodies with an interest in the implementation of the 'Final Solution of the Jewish Question in Europe'.[204] Finally, Irving suggests without a shred of justification that historians have neglected to read the Wannsee Conference minutes even though this is one of the most frequently reprinted and widely available of all documents of the 'Third Reich'.[205]

10. Irving specifically denies on pages 343-9 of his book on Göring that there was anything systematic about killings of Jews by Nazis in Eastern Europe, and he also denies that there is any evidence that these killings were carried out in response to orders from above. As the same passage in the Göring biography also shows, Irving's view has been for many years now that Hitler only wished to deport Jews, not to kill

them. On pages 407 and 425-6 of the 1991 edition of *Hitler's War*, as we have already seen, Irving repeats his view that Hitler and the leading Nazis planned only to deport the Jews.

11. Presented with the orders issued to the task forces or *Einsatzgruppen* in advance of the invasion of the Soviet Union to kill Jews, Red Army commissars and others in areas which the German Army was to occupy after the invasion, Irving argues nevertheless that such orders, clear evidence of an overall German state policy of exterminating Jews, could not be 'part of an overall German state policy of exterminating Jews...because there is no documentary evidence to support the contention 'that there was such a policy. I don't now believe', Irving said in 1988, 'there was anything you could describe as "extermination machinery" other than the very disorganized *ad hoc* efforts of the criminals and murderers among the SS who were carrying out the liquidations that we described earlier.'[206]

12. Thus Irving denies a central element of the Holocaust as it is conventionally understood, by arguing that the Nazis had no concerted or systematic policy of exterminating the Jews of Europe during the Second World War. This is one of the most widely promoted aspects of Holocaust denial. One of the earliest Holocaust deniers, Paul Rassinier, described 'the systematic mass extermination of the Jews in the gas chambers' as an 'infamous accusation' invented by the Jews.[207] Another Holocaust denier, Austin J. App similarly asserted that there was no 'single document, order, blue-print' demonstrating the Nazis' intention of murdering the Jews, and went on to argue, as Irving later did, that the Nazis were so efficient that the fact that some Jews undoubtedly survived proves that they never had any intention of murdering them all: had they wanted to, 'they would have done so'.[208]

(d) Evidence for the Holocaust

1. Holocaust deniers argue that evidence for the Holocaust has all been fabricated. In a number of speeches and writings, Irving has claimed that the 'Holocaust legend' was invented by British wartime propaganda.[209] There were, he told the second Zündel trial in 1988,

> some very interesting documents in the British archives which show the British intelligence service suggesting a propaganda campaign against Germany on the basis of invented allegations of gas chambers and the subsequent belief that it would be wrong to press this kind of absurd story too far in order not to make the whole of British propaganda implausible.[210]

2. Nevertheless, apparently the idea was not abandoned, for Irving's foreword to the Leuchter Report contains the claim that the British Political Warfare Executive invented the lie that the Germans were using gas chambers to kill millions of Jews. In a radio interview in June, 1989, Irving repeated his view that with respect to

> the story that the Germans were using gas chambers for the mass extermination of Jews ...in August 1943 the Psychological Warfare Executive warned the Cabinet that this was a lie that we ourselves had invented and they persuaded the British cabinet not to attach the British Government's name to a declaration that they were being asked to purely because it was a lie, they said we can't recommend that His Majesty's Government should put its name behind this declaration because this is a lie that we ourselves have created.

3. Irving went on to claim he had copies in his possession of the documents in the Public

Record Office at Kew which proved his argument.[211] In 1988, indeed, he admitted that these documents 'showing quite clearly that British intelligence deliberately masterminded the gas chamber lie' were supplied to him by a researcher working for Ernst Zündel.[212] Repeated over the BBC, this myth, Irving claimed, was soon common currency amongst the Germans:

> There's hardly a German who hasn't been listening clandestinely to the BBC who hasn't heard about the gas chambers. And they begin mentioning it in rumours to each other. From one washerwoman to the next, the rumour goes around Germany, until finally they've actually seen about it and their son's working in a unit and he's heard about it, too. And that's how the legend gains credibility from the German side too.[213]

Thus to put it in a nutshell, 'the gas chambers are a very clever piece of propaganda that we British very cunningly connived at and contrived during World War II.'[214]

4. So where does Irving believe that the gas-chamber 'story' originated? In extracts from the forthcoming second volume of his Churchill biography Irving writes:

> There was no shortage of Intelligence about the continued 'cleaning-up' operations in the east. […] Despite this, the foreign office was inclined to treat the more lurid public reports with scepticism. They were regarded as part of the international Zionist campaign which was continuing regardless of the war effort. […] When such a telegram arrived from Geneva on August 10, 1942, composed by Gerhart Riegner, the youthful secretary of the World Jewish Congress, it ran into this wall of institutional disbelief: Riegner claimed that Hitler's headquarters was planning to deport up to four million Jews from Nazi-occupied countries to the east during the coming autumn, where they were to be exterminated 'in order to resolve, once and for all, the Jewish question in Europe.' Killing methods under discussion included, claimed Riegner, the use of hydrogen cyanide. [2. Tel. Norton to FO, No. 2831, 10 August 1942, with the text of a telegram from Riegner to Sydney Silverman MP (PRO file FO. 371/30917). The 30-year-old Riegner claimed to have the report from 'a German industrialist,' whom he has refused to identify. Dr Benjamin Sagalowitz, press officer to the Swiss Jewish community, claimed to have given the name to Leland Harrison, the American ambassador in Berne, to place in a sealed envelope; there is no archival evidence to support this. Walter Laqueur, writing in *Encounter*, Jul 1980, page 13, expressed doubts that the man was German or an industrialist. Harrison regarded Riegner's story as a 'wild rumour inspired by Jewish fears' (ibid.; NA: RG.226, Berne, folder 2, box 2, entry 4).]

> There was nothing new in such allegations […] they had cried wolf too often before. In internal papers, the F.O. remarked that there was no confirmation for Riegner's story from 'other sources' – a hint at ULTRA. [3. Minute by D Allen, Aug 14, 1942; Frank Roberts minuted, 'I do not see how we can hold up this message much longer' but he feared the 'embarrassing repercussions' it would provoke (ibid.) 'The facts are quite bad enough,' wrote Roberts, 'without the addition of such an old story as the use of bodies for the manufacture of soap.' Bernard Wasserstein, *Britain and the Jews of Europe 1939 – 1945* (London, 1979)]. There was a marked reluctance to exploit the stories for propaganda, and the files show that there was little public sympathy with the Jews in wartime Britain. A year before, the ministry of information had directed the horror stories were to be used only sparing and they must always

> deal with the maltreatment of 'indisputably innocent' people – 'not with violent political opponents,' they amplified. 'And not with Jews' [4. Ministry of Information minute, Jul 25, 1941 (PRO file INF.1/251)]. [...] While they [the Foreign Office] felt that they might profitably consult PWE (their own Political Warfare Executive) about Riegner's 'rather wild story,' that was the only further action they would take [6. Minute by D. Allen, Sep 10, 1942 (PRO file FO.371/30917)]. [215]

5. What is the real documentary evidence for this account? Gerhard Riegner was director of the Geneva Office of the World Jewish Congress from 1939 until 1945. On 8 August 1942 Riegner handed an identical telegram to Howard Etling, American Vice-Counsel in Geneva, and to H. B. Livingston, the British Consul. Riegner asked that the telegram be conveyed to the World Jewish Congress leaders in London (Sydney Silverman, M.P.) and New York (Rabbi Steven Wise). The telegram stated:

> Received alarming report stating that, in the Führer's Headquarters, a plan has been discussed, and is under consideration, according to which all Jews in countries occupied or controlled by Germany numbering 3_ to 4 millions, should, after deportation and concentration in the East, be at one blow exterminated, in order to resolve, once and for all the Jewish question.[216]

6. Although the message put the plan as 'under consideration' there was an additional detail: 'Ways of execution are still being discussed, including the use of prussic acid.' Riegner himself said 'We transmit this information with all the necessary reservation as exactitude cannot be confirmed by us.' But he added 'Our informant is reported to have close connections with the highest German authorities, and his reports are generally reliable.' [217]

7. It is important to note that contrary to Irving's claim it was the intermediary, and not the source, who was Jewish. Likewise, at no point did the report mention Auschwitz as the proposed scene of this plan. Any impact the report might have had, following eleven weeks after a first report on gassings in Chelmno (the Bund Report), was lost in bureaucratic disbelief. The British and American diplomats passed Riegner's message on to the Sate Department and the Foreign Office.

8. In America the report was tagged with a covering note by the vice-consul, reporting that when he had mentioned to Riegner 'that this report seemed fantastic to me', Riegner had replied that 'it had struck him in the same way', but that when one considered the recent deportations from Western European capitals and countries 'it was always conceivable that such a diabolical plan was actually being considered by Hitler.' He added that Riegner was 'a serious and balanced individual' who would not have approached him had he not had 'confidence in his informant's reliability' and if he had not considered 'that the report might well contain an element of truth.' In Washington however the message was held back. One official wrote on 13 August that it did not seem advisable to pass the message on to Wise because of 'the fantastic nature of the allegations and the impossibility of our being of any assistance if such action were taken'. The United States Minister in Bern, Leland Harrison, was informed that Riegner's message would not be passed on to Wise 'in view of the apparently unsubstantiated nature of the information'.[218] This message was repeated to Riegner, by the American Consul in Geneva, Paul C. Squire, but was informed that if he should receive 'corroboratory information' the matter would be considered further.[219]

9. At the Foreign Office in Britain several officials examined the message, to which the

British Consul had appended no commentary. Roger Allen, of the Central Department said: 'We have no confirmation of this report from other sources, although we have of course received numerous reports of large scale massacres of Jews, particularly in Poland.'[220] Checks were made with the Refugee and Eastern Departments as to who Riegner was, but to no avail. Frank Roberts of the Foreign Office noted on 15 August 'I do not see how we can hold up this message much longer, although I fear it may provoke embarrassing repercussions' and added 'Naturally we have no information bearing on the story.' Silverman was given Riegner's message on 17 August who repeated the text by telegraph to Stephen Wise. Silverman's request to meet Foreign Office officials was granted on 9 September, but they turned down his request to be allowed to telephone Wise as such calls were often intercepted by the Nazis and might betray sources of information. As regards Silverman's request that the report be given publicity, it was agreed in the Foreign Office 'that the most we could say to Mr Silverman was that, if Jewish organisations themselves wished to give publicity to the story, the F.O. could see no objection, although we could take no responsibility for the story.'[221]

10. In his note of 10 September, David Allen expressed the general scepticism of the Foreign Office:

> We have also received plenty of evidence that Jews deported from other parts of Europe have been concentrated in the Government-General and also that Jews once there are being so badly treated that very large numbers have perished: either as a result of lack of food or of evil conditions, i.e. in the Warsaw ghetto, or as a consequence of mass deportations and executions.
>
> Such stories do provide a basis for Mr Riegner's report but they do not of course amount to 'extermination at one blow'.
>
> The German policy seems rather to eliminate 'useless mouths' but to use able-bodied Jews as slave labour.

He was reluctant to make use of 'this story' in British propaganda against Germany 'without further confirmation'.[222]

11. The documents in the Public Record Office to which Irving refers appear to be well-known minutes by Foreign Office officials Roger Allen and Victor Cavendish-Bentinck which provide no support for the claim that it was the British who actually invented the propaganda claim of gas chambers being used. These minutes, on the contrary, refer only to the use of reports of gas chambers in British propaganda. They clearly imply that these stories emanated from Poland, but they do not refer to Auschwitz, and indeed Cavendish-Bentinck was talking about stories about Polish victims rather than about Jews.

12. Irving cites a letter by Cavendish-Bentinck written in 1943 during the formulation of a joint British-American 'Declaration on German Crimes in Poland' released at the request of the Polish government-in-exile. The relevant part of the original draft of 11 August 1943 read:

> Reliable information has reached H. M. Government regarding the crimes committed by the German invaders against the population of Poland. Since the autumn of 1942 a belt of territory extending from the province of Bialystok southwards along the line of the River Bug has been systematically emptied of its inhabitants. In July 1943 these measures were extended to practically the

whole of the province of Lublin, where hundreds of thousands of persons have been deported from their homes or exterminated.

These measures are being carried out with the utmost brutality. Many of the victims are killed on the spot. The rest are segregated. Men from fourteen to fifty are taken away to work for Germany. Some children are killed on the spot, others are separated from their parents and either sent to Germany to be brought up as Germans or sold to German settlers or dispatched with the women and old men to concentration camps, where they are now being systematically put to death in gas chambers. [223]

13. The draft was taken to Quebec where it was proposed to issue the declaration simultaneously in Britain and America.[224] In a minute of 27 August Roger Allen (not to be confused with David Allen) of the Foreign Office wrote:

> This [Polish] aide-mémoire [on which the declaration was based] is in line with a good deal of information which we have received from time to time. There can, I think, be little doubt that the general picture painted is pretty true to life. On the other hand it is of course extremely difficult, if not impossible, for us to check up on the specific instances or matters of detail. For this reason I feel a little unhappy about the statement to be issued on the authority of His Majesty's Government, that Poles "are now being systematically put to death in gas chambers."

14. Then outlined the only two references to gassings he had been able to find in the appendix to the Polish aide-mémoire: one dated 17 July 1943 from the Commander-in-Chief of armed forces in Lublin of murders in 'gas cells' at Majdanek and a telegram of the same date detailing the murder of two transports of old men, women, and children 'in gas cells.' Roger Allen wrote:

> It will be observed that the first of these reports gives no indication of the date of the occurrence, or the number of people concerned; the second is silent as to the place and the source.
>
> It is true that there have been references to the use of gas chambers in other reports; but these references have usually, if not always, been equally vague, and since they have concerned the extermination of Jews, have usually emanated from Jewish sources.
>
> Personally, I have never really understood the advantage of the gas chamber over the simpler machine gun, or the equally simple starvation method. These stories may or may not be true, but in any event I submit we are putting out a statement on evidence which is far fro[m] conclusive, and which we have no means of assessing. [225]

15. There was no suggestion here, therefore, that the stories had somehow been dreamed up out of nothing by the British propaganda machine. Cavendish-Bentinck added:

> In my opinion it is incorrect to describe Polish information regarding German atrocities as "trustworthy". The Poles, and to a far greater extent the Jews, tend to exaggerate German atrocities in order to stoke us up. They seem to have succeeded.
>
> Mr. Allen and myself have both followed German atrocities quite closely. I do not believe that there is any evidence which would be accepted in a Law

> Court that Polish children have been killed on the spot by Germans when their parents were being deported to work in Germany, nor that Polish children have been sold to German settlers. As regards putting Poles to death in gas chambers, I do not believe there is any evidence that this has been done. There may have been stories to this effect, and we have played them up in P.W.E. rumours without believing that they had any foundation. At any rate there is far less evidence than exists for the mass murder of Polish officers by the Russians at Katyn. On the other hand we do know that the Germans are out to destroy the Jews of any age unless they are fit for manual labour.
>
> I think that we weaken our case against the Germans by publicly giving credence to atrocity stories for which we have no evidence. These mass executions in gas chambers remind me of the story of employment of human corpses during the last war for the manufacture of fat, which was a grotesque lie and led to true stories of German enormities being brushed aside as being mere propaganda. [226]

16. From a hand-written note appended to Cavendish-Bentinck's minute by David Allen it would seem that it was too late 'to make substantial changes', but a draft was telegraphed to Washington and Moscow. Likewise the Polish 'P.M.' received an amended draft and 'readily accepted the change'.

17. The Foreign Office's doubts were telegraphed to Washington the same day.

> On further reflection we are not convinced that evidence regarding the use of gas chambers is substantial enough to justify inclusion in a public declaration of concluding phrase of paragraph 2 of draft and would prefer if United States agree, that sentence in question should end at "concentration camps". [227]

1. As requested, the original declaration issued on 30 August stood, save that it duly read that some children were 'despatched with the women and old men to concentration camps.'[228]
2. Thus the sources Irving cites do not support the thesis he is proposing. There is no evidence here that the British Political Warfare Executive invented the story of the gas chambers: only that two officials in the British Foreign Office were giving it as their personal view that reports coming from Poland were not necessarily to be trusted. This material has been known at least since its publication in Martin Gilbert's book *Auschwitz and the Allies* (London, 1981).

20. Irving has made it clear that he considers that following on this supposed propaganda lie, evidence for the Holocaust was fabricated after the end of the Second World War. On 21 April 1990, for example, he said in a speech in Germany that there were never any gas chambers at Auschwitz; they were erected after the war.[229] This led to his being fined by the Munich magistrate's court on 11 July 1991 *in absentia* for violating clauses of the Criminal Code of Germany which outlawed the denial of the Nazis' extermination of Jews by gassing at Auschwitz and elsewhere during the Second World War. In his reply to the defence in the present case, Irving repeats his view that the gas chambers at Dachau and Auschwitz were built after the war. He also claims that he is not aware of any authentic wartime archival evidence that camps were set up at Chelmno, Auschwitz-Birkenau, Belzec, Sobibor and Treblinka for the sole purpose of killing Jews by mass gassing.[230]

21. What, then, of the thousands of former camp inmates and survivors of the Nazi extermination programme who have testified in writing and in speeches, broadcasts and taped reminiscences to the existence and operation of the mass extermination of

Jews and others in gas chambers in Auschwitz and other camps? In his videotaped lecture *The Search for Truth in History*, Irving, says his supporter Nigel Jackson, speaks of the alleged eyewitnesses to the Auschwitz extermination machine 'with sympathy', suggesting they have fallen prey to distortions of memory and to pressure on the part of their listeners to have the legend justified. He says that 'eyewitness testimony' has to be submitted to psychiatric or psychological examination.[231] In an interview with the right-wing magazine *CODE* in 1990, Irving, answering a question about how he would judge the credibility of Holocaust survivors, responded in similar fashion: 'I say that the psychiatrists should concern themselves with this matter some time. There are many cases of mass hysteria.'[232] [233] 'I'm afraid I have to say I wouldn't consider what a survivor of Treblinka could tell me in 1988 to be credible evidence', he told the court at the second Zündel trial; one could not rely on 'the very human and fallible human memories after a tragic wartime experience forty years after the event.'[234] (Irving would have been lucky to have found such a survivor. Only *fifty-four* people are known to have survived of the million or so who entered the camp in 1942 and 1943; most of them escaped during an uprising of Jewish prisoners on 2 August 1943).[235]

22. Alleged extermination camp survivors would in Irving's view go to considerable lengths to prove their stories, 'even the ones who've got tattoo marks on their arms', he told an audience at Latvian Hall, Toronto, on 8 November 1990:

> Because the experts can look at a tattoo and say, "Oh yes, 181,219, that means you entered Auschwitz in March 1943." So if you want to go and have a tattoo put on your arm, as a lot of them do, I'm afraid to say, and claim subsequently that you were in Auschwitz, you've got to make sure (a) that it fits in with the month you said you went to Auschwitz, and (b) that it's not a number which anyone has used before (Laughter from the audience).[236]

23. 'The eyewitnesses in Auschwitz…who claim to have seen the gas chambers', he said in another lecture in 1991, 'are liars'. They were 'an interesting case for the psychiatrist. People over a period of years begin kidding themselves that they have seen something.' This was because they had been through a traumatic experience (Irving did not say what this was), and 'being in the centre of a traumatic experience is liable to induce strange thoughts in eyewitnesses.'[237]

24. On another occasion he was less sympathetic. People claimed to be eyewitnesses of the gas chambers and extermination camps, he told a Canadian audience in 1990, 'particularly when there's money involved and they can get a good compensation cash payment out of it':

> And the only way to overcome this appalling pseudo-religious atmosphere that surrounds the whole of this immense tragedy called World War II is to treat these little legends with the ridicule and bad taste that they deserve. Ridicule isn't enough, you've got to be tasteless about it. You've got to say things like: "More women died on the back seat of Senator Edward Kennedy's car at Chappaquiddick than died in the gas chamber at Auschwitz." (Laughter in audience). You think that's tasteless? What about this: (Laughter in audience) I'm forming an association especially dedicated to all these liars, the ones who try to kid people that they were in these concentration camps. It's called "The Auschwitz Survivors, Survivors of the Holocaust, and Other Liars" – "A.S.S.H.O.L.E.S."(Laughter in audience). Can't get more tasteless than that. But you've got to be tasteless because these people deserve all our contempt, and in fact they deserve the contempt of the real Jewish commu-

nity and the people, whatever their class and colour, who did suffer.[238]

25. In 1995, Irving repeated the allegation: confronted with an alleged Holocaust survivor, he said, he would ask her '"How much money have you made from that piece of ink on your arm, which may indeed be real tattooed ink?" And I'll say "Yes. Half-a-million dollars, three-quarters of a million dollars for you alone?"'[239] Far from being killed in extermination camps, Irving has argued repeatedly, the millions of Jews missing from Europe after the war had 'turned up in the state of Israel' with new identities, or 'ended up in cities like Dresden' and were bombed in their hundreds of thousands by the Allies, or just 'went all around the world' after the end of the war.[240] 'There are now hundreds, thousands, hundreds of thousands of survivors. There are now millions of survivors. And I'm glad. But of course every survivor is living proof that there was no Nazi extermination programme.'[241] In 1995 he repeated his claim that there were 'millions' of survivors – 'they defy all laws of natural disease and all laws of biology. The number of survivors is growing'.[242]

26. Irving never uses eyewitness testimony from victims of Nazism in any of his voluminous writings; he hardly ever discusses it or even mentions its existence, and when on occasion he is asked directly about it in circumstances where a direct expression of his views would be embarrassing or difficult, he evades the question by pointing to minor inaccuracies in the details with which he is presented, as in a radio interview in June 1989:

> *Interviewer:* I have to put it to you Mr Irving, I was in Israel not so long ago and I talked to a number of survivors of the camps like Treblinka and Auschwitz and they talked very clearly about people being divided at the railway station into those who were going to live and those who were going to die, they talked about the stench of burning flesh, they talked about smoke rising from those gas chambers.
>
> *Irving*: I think that what you are saying displays a certain amount of confusion if you don't mind my saying so. Smoke doesn't rise from gas chambers, smoke might possibly rise from crematorium premises...I think this is part of the wool-pulling that has gone on since the end of the Second World War, people talk about gas ovens and gas furnaces and gas chambers quite indiscriminately. It's time for a lot greater precision and that's what this laboratory finding has done.[243]

27. When confronted with actual survivors, he picks on little technical aspects of their testimony which he tries to use to discredit their memories. A discussion with a survivor in a programme broadcast on Australian television in 1997, for example, included the following exchange:

> Irving: You said you saw the smoke coming from the crematoria.
>
> Survivor: Absolutely.
>
> Irving: Is that correct?
>
> Survivor: Correct.
>
> Irving: But crematoria don't smoke, Mrs. Altman. Go and visit your local crematorium in Sydney.[244]

28. Thus in June, 1989, Irving's technical expertise led him to assert that smoke might

rise from crematoria but not from gas chambers; in March 1997 his technical expertise led him to assert that there was no question of crematoria smoking at all. Once again, he varied his story according to the circumstances. He was nearer the truth on the earlier occasion; on the latter, the thought that the crematoria of Auschwitz might have been designed differently, and with less regard to the susceptibilities of onlookers and neighbours, than the crematoria in Sydney, did not, apparently, enter his mind.

29. Irving's discussion on pages 239-44 of *Nuremberg: The Last Battle*, of the testimony of Marie-Claude Vaillant Couturier, an ex-member of the French National Assembly who had been sent to Auschwitz in January 1943 and claimed to have witnessed gassings, is a rare exception to his general refusal to discuss the evidence of survivors. Irving says some of her story 'was evidently based on hearsay'. Her testimony was distrusted by Judge Biddle and the implication is that it should be distrusted by everyone else too, for the same reason. However, Irving made sure that he did not cite the transcript of the testimony itself or subject it to a critical examination of his own. Indeed, it is not even clear that he has actually read it. Had he done so, it would have been clear that Biddle's notes did not give a very accurate account of what was said.[245] Thus Irving only mentions the eyewitness testimony of victims of Nazism when, as here, he can find some means of implying that it is unreliable; even here he suppresses the evidence itself.

30. Not quite in this category, but a frequent target for the hostility of Holocaust deniers, is the diary kept by Anne Frank, a young Jewish girl, in Holland, before her deportation by the Nazis to Auschwitz, and eventually to Bergen Belsen, where she died. According to Lipstadt, 'Anne Frank's diary has become one of the deniers' most popular targets. For more than thirty years they have tried to prove that it was written after the war.' The diary has sold more than twenty million copies across the world since its publication not long after the end of the war. Its popularity derives from the very human and moving account it gives of a young girl's everyday life in hiding from the Nazis. Those who have tried to discredit its claims to authenticity include Butz, Harwood and Faurisson. Allegations that it was written after the war were the subject of court proceedings, which found them unproven. An exhaustive scientific investigation by the Netherlands State Institute for War Documentation carried out after the death of Anne Frank's father Otto in 1980 proved that it was written by one person and that all the materials used were in use in the 1940s. It also found a limited number of minor stylistic emendations made later on, in ballpoint pen.[246]

31. Disregarding these findings entirely, Irving has followed other Holocaust deniers in describing the diary as a 'novel', alleging that the handwriting is not hers, suggesting that whole pages were written with a ballpoint pen, and asserting that a thirteen-year-old girl would not have the maturity to write such a document. All these allegations were made in 1993, long after the Netherlands State Institute for War Documentation had completed and published its work. On this occasion, Irving was confronted with the results of the forensic scientific investigation of the diaries summarized in the critical edition in 1989:

> Interviewer: Are you aware that the Dutch Centre for War Documentation has made a full report about this?
>
> Irving: Doesn't surprise me.
>
> Interviewer: And they say it's – they have made public all the diaries, and they examined the handwriting, and all there is to know about it.

> Irving: Doesn't surprise me. A lot of money is at stake. The Anne Frank Foundation is a very wealthy political organization in Amsterdam.
>
> Interviewer: We're talking about the Dutch State War Documentation Centre here. We're not talking about the Anne Frank Foundation. We're talking about a public institution.

Irving: But I'm talking about the financial interests which are at stake here.[247]

32. It was noticeable that while he suggested here that the official Dutch Institute for War Documentation somehow had a financial stake in proving the diaries authentic (which was not the case), Irving managed to avoid replying in detail to its comprehensive demolition of all the pseudo-scientific points he had made about the diary's authenticity.

33. Irving's attempts to discredit the Anne Frank diaries are entirely characteristic of his refusal to take seriously any testimony by victims of the Nazis. He places, by contrast, a good deal of faith in the testimony of Nazis themselves, and is quite happy to cite eyewitness evidence from former members of Hitler's staff interviewed long after the war by himself without any prior psychiatric or psychological examination; that is, provided that they are telling him what he wants to hear. Where a Nazi or SS functionary testifies to the existence of gas chambers and mass extermination facilities, Irving does his best to discredit him or to ignore the evidence as far as he is able.

33. The most obvious case in point is the testimony of Rudolf Höss, the commandant of Auschwitz, written in Polish captivity shortly before his execution for war crimes. These are detailed and circumstantial, and contain a great deal of first-hand observation of the mass gassing of Jews at Auschwitz-Birkenau, the retrieval and handling of the corpses, the mass burnings of the dead in pits or crematoria, and much else besides. 'I had to watch coldly', Höss wrote, 'while the mothers with laughing or crying children went into the gas-chambers.' He continued:

> I had to see everything. I had to watch hour after hour, by day and by night, the removal and burning of the bodies, the extraction of the teeth, the cutting of the hair, the whole grisly, interminable business. I had to stand for hours on end in the ghastly stench, while the mass graves were being opened and the bodies dragged out and burned. I had to look through the peephole of the gas-chambers and watch the process of death itself, because the doctors wanted me to see it.[248]

34. It is vital to Holocaust deniers that this book and the cofessions which preceed it be discredited. Irving fully shares this purpose. He alleges in his book on Nuremberg that Höss was 'manhandled' by those who arrested him and kept without sleep until he confessed. Irving terms this 'torture' and says that Höss's confessions contained many deliberate errors to make it clear they were untrue[249] . His memory was patchy about days and places, and about the events of four or five years earlier'. There were many inconsistencies in his account. He signed a confession in English although he had no reading knowledge of English. He frequently changed his testimony about numbers. Höss wrote his memoirs in Polish captivity 'as a means of postponing his fate'. His statements, Irving charges, contained 'egregious anachronisms, inconsistencies and other generally implausible passages'.[250]

35. In Irving's view, therefore, the Höss memoirs are worthless - a view he shares with leading Holocaust deniers such as Robert Faurisson. In a speech delivered in Los

Angeles about papers of Adolf Eichmann that had come into his possession, Irving said Eichmann had ridiculed Höss's claim that he had killed 2.5 million Jews in Auschwitz. 'In question time after Irving's address Professor Robert Faurisson reminded the audience of the proof that Höss was tortured into making his absurd "confessions" about Auschwitz, proof supplied by Moritz von Schirmeister.'[251] In fact, Höss was not tortured; he made his confessions freely, and noted in his memoirs only that he had been treated roughly and deprived of sleep early on in his interrogation. Moreover, the first confession which he signed, after this maltreatment, was not used in court. Höss knew he was going to die and that he would be unable to postpone his fate. The imminent prospect of death is likely to have made him honest. His memoirs reveal that he did in fact know English, having learned it during his imprisonment under the Weimar Republic.[252] There is no evidence that the memoirs or his signed confession were either spurious or full of deliberate mistakes; here as so often Irving uses small errors to try and discredit more important testimony. Höss repeatedly and voluntarily confirmed the accuracy of what he told the International Military Tribunal. Finally, what Höss actually said about the numbers killed in Auschwitz was not that they totalled 2.5 million, but that Eichmann himself had supplied the figure, which he, Höss, had used in his first interrogations; on reflection, however, Höss agreed that this total was 'far too high', and gave his own estimate of 1,130,000, arrived at by adding up the figures supplied to him by Eichmann or his deputies for the numbers killed at Auschwitz from the main European countries under German control.[253]

36. The reliability or otherwise of the memoirs and confessions of Rudolf Höss is discussed more fully in the expert witness report by Professor Robert Jan Van Pelt; here the point to stress is that Irving joins with Faurisson and other Holocaust deniers in the attempt to discredit them as a source. Indeed, Irving casts doubt on almost all testimony at the Nuremberg War Crimes Trials or during the prior interrogations if it does not fit his arguments, alleging it was obtained by torture and threats; by contrast, where he finds it useful, he admits it as evidence without comment. In his testimony to the second Zündel trial in Canada in 1988, he strongly suggested that the surviving copies of the notorious 1943 Posen speech by Heinrich Himmler, outlining in graphic detail the policies of systematically murdering Jewish men, women and children before an audience of high-ranking Nazi officials, were forgeries, although, as so often, when he wants to use a document for other purposes, he does not question the authenticityof the speech.[254] A casual conversation with 'one of Himmler's staff', for example, who said that he knew nothing about the concentration camps or the extermination of the Jews, is presented by Irving as a most reliable and authentic piece of evidence because it suits his purpose; there is no evidence of a critical approach towards this particular source on Irving's part, still less any tendency to dismiss it because it is not 'authentic wartime archival evidence'.[255]

37. In the conflict between Irving's pride in discovering previously unknown documents and his commitment to the principles of Holocaust denial, the latter have generally proved stronger. On 3 June 1992, for example, he confided to his diary: 'At PRO all day; finished reading file of interrogations and MS by one SS officer, Hans Aumeier, a high Auschwitz official….His reports grow more lurid as the months progress. I wonder why? Beaten like Höss, or was he finally telling the truth? A disturbing two hours, anyway.' Reporting his find in the recently released files of the Political Warfare Executive, he wrote on 4 June to Karl Philipp suggesting that Aumeier's confession was extracted from him.[256] 'Brutal force by interrogators, perhaps', was his explanation of Aumeier's admissions in a letter he wrote the same day to Tom Marcellus and Mark Weber of the Institute for Historical Review, the world's leading Holocaust denial organization, and an institution with which Irving has particularly close con-

nections.[257] Referring to the document in the German edition of his book on Nuremberg, Irving described Aumeier as a 'parallel case to Höss', who expressed himself 'confusedly' but with 'increasing certainty and exactitude' in confessions which were 'written in a style characteristic for the British army' and beaten out of him by his interrogators, who he had earlier supposed were led by the brutal Colonel Scotland at the 'London Cage'.[258]

38. What was in this embarrassing document and why did Irving try so hard to discredit it? As deputy commandant of Auschwitz during a relatively early period of the camp's functioning as a mass extermination centre, in 1942-43, Hans Aumeier witnessed and assisted in the gassing of Jews on a number of occasions and described the procedures employed in considerable detail. There is no evidence that he was tortured or badly treated; this is simply supposition, or wishful thinking, on Irving's part. The file shows that Aumeier's responses became more detailed as he was confronted with the testimony of other camp guards who rendered futile his attempt to cover up what had been going on at Auschwitz. The most detailed account of the operation of the gas chambers in Aumeier's report was written while he was in captivity in Norway, not in London. The file likewise shows that Aumeier was only told how to present his account, and what topics he should cover in it, not what he should actually write; the style, including the writing of personal names in capital letters, was British army interrogation style, not general British army style, and was used to make it easier for officers to note down the names of other suspects for search lists and the compiling of evidence about such people. Irving hints that it is suspicious that Aumeier was not called as a witness in Nuremberg, but the prosecution did not call Höss either (he appeared for the defence in the case of Ernst Kaltenbrunner); Auschwitz itself was not a subject of the court's proceedings, and it was unlikely that a relatively insignificant cog in the Nazi machine such as Aumeier would have been called in the trials of major policy-makers such as Göring or Ribbentrop.

39. Irving may have been right to claim (in private) that he was the first to read this important piece of testimony – one of a very small number of immediate postwar accounts from a camp officer of the functioning of the mass murder of Jews and others carried out by gassing at Auschwitz - after its release for scrutiny by researchers in the Public Record Office in 1992. But it does not fit into his preconceived opinion that there were no gassings carried out at Auschwitz. Therefore he suppressed its details and suggested that what little he did report in his subsequent published work had been invented by Aumeier's interrogators.[259] For reasons that are unclear, Irving has recently started posting extracts from the Aumeier interrogations on his website, accompanied by a brief comment from 'Samuel Crowell' suggesting that its details of gassing procedures were plagiarized from previous sources. This suggests that Irving is now confident that he has found a means of discrediting Aumeier's confessions, and that therefore he can trumpet them as yet another discovery of a significant document of the 'gas-chamber myth'.

40. This whole episode is characteristic of Irving's suppression and manipulation of the historical record in the service of the principles of Holocaust denial. Like the Höss memoirs, the Aumeier confession has to be explained away by claiming, without any evidence to prove it, that the details which it provides of gassings at Auschwitz were put into its author's mouth by inventive interrogators who had already agreed on the essential details of the gas chamber 'myth' which Irving has made it his mission to discredit.

41. Why, then, does Irving think all this evidence has been concocted? Who could possibly have gone to all the immense trouble necessary to fabricate such a vast quantity of

documentary material? Describing various versions of Holocaust denial in 1986, Gill Seidel remarked:

> They all purport to show that Jews are liars and tricksters holding the world to ransom and continuing to extract war reparations. This is a continuation and an extension of the anti-Jewish prejudices and practices. The implication is that after all this time Jews are still liars, parasites, extraordinar(il)y powerful, and fundamentally dishonest - and that maybe Hitler was right.[260]

42. Irving's recent writings and speeches have brought him increasingly into line with these views. Fundamentally, he seems to believe - against all the evidence of the massive amount of scholarly research carried out by non-Jewish historians in many countries - that the history of the Nazi extermination of the Jews has been written by Jewish historians. Thus he can refer, as he did in 1993, to 'we independent historians, shall we say, the non-Jewish historians, the ones with an entirely open mind', as if all non-Jewish historians agreed with him.[261] Such agreement exists only in Irving's fantasy.

43. In his preface to the English edition of Fred Leuchter's *Auschwitz: The End of the Line: The Leuchter Report - The First Forensic Examination of Auschwitz*, published by his Focal Point publishing house, Irving wrote:

> Nobody likes to be swindled, still less where considerable sums of money are involved (Since 1949 the State of Israel has received over 90 billion Deutschmarks in voluntary reparations from West Germany, essentially in atonement for the "gas chambers of Auschwitz"). And this myth will not die easily: Too many hundreds of millions of honest, intelligent people have been duped by the well-financed and brilliantly successful post-war publicity campaign which followed on from the original ingenious plan of the British Psychological Warfare Executive (PWE) in 1942 to spread to the world the propaganda story that the Germans were using "gas chambers" to kill millions of Jews and other "undesirables". As late as August 1943 the head of the PWE minuted the Cabinet secretly that despite the stories they were putting out, there was not the slightest evidence that such contraptions existed, and he continued with a warning that stories from Jewish sources in this connection were particularly suspect.

44. This is the typical Holocaust denier's argument that the 'myth' of the Holocaust has been kept going by a 'well-financed' campaign in order to legitimise the paying of German reparations to the state of Israel.

45. 'People', Irving remarked in a radio interview in June, 1989, '...have made a lot of money out of the Holocaust story until now.'[262] This evidently meant in particular Israel. 'The "big lie", he declared in 1991, referring to the Holocaust, 'allows Jewish fraudsters to escape unpunished and Israel to torture Arabs and ignore UN resolutions.' And who were these Jewish fraudsters? 'The big lie is designed to justify both in arrears and in advance the bigger crimes in the financial world elsewhere that are being committed by the survivors of the Holocaust.'[263] On 7 July 1992 *The Guardian* printed an interview with Irving in which, consistently with views he expressed elsewhere, Irving predicted that;

> one year from now the Holocaust will have been discredited. That prediction

> is lethal because of the vested interests involved in the Holocaust industry. As I said to the Jewish Chronicle, if a year from now the gas chamber legend collapses, what will that mean for Israel? Israel is drawing millions of dollars each year from the German taxpayer, provided by the German government as reparation for the gas chambers. It is also drawing millions from American taxpayers, who put up with it because of the way the Israelis or the Jews suffered. No one's going to like it when they find out that for 50 years they have been believing a legend based on baloney.[264]

46. The allegation that the Jews have used the Holocaust story to win reparations from the Germans can be found, for example, in the classic Holocaust denial texts of Paul Rassinier.[265] The well-known Holocaust denier Austin J. App similarly argued that the Jews had 'used the six million swindle to blackmail West Germany into "atoning" with the twenty billion dollars of indemnities to Israel.'[266] In fact, the true figure was 735 million dollars; and the money was paid for resettlement of survivors, not as compensation for the dead; had the state of Israel actually wanted to maximise the amount of reparations, then, as Lipstadt pointed out, the state of Israel would have tried to argue that – as Irving tried to argue – millions of Jews were not killed by the Nazis, but fled to Israel instead.[267]

47. Irving of course denies being 'anti-Jewish' or 'anti-Israel', just as he denies being a Holocaust denier. In a speech delivered to the Institute for Historical Review in 1983, Irving said: 'I'm always running into problems with my critics of a certain persuasion. It's not a battle of my choosing. I am not anti-Jewish, I am not antisemitic. I have employed Jewish staff: my lawyer, my attorney in London for the last 26 years has been the firm of Michael Rubinstein; they've lost every case they've fought for me but I've still stood loyal to them.'[268] Speaking in Canada in November 1992, he told his audience:

> I am not an antisemite, despite thirty years of harassment. It's a miracle, but I am not! In fact, when people say to me, what is your attitude towards Jews, I am rather inclined to compare them with the Americans: We English find the Americans very pleasant, agreeable individuals to be with, bright, brainy, beautiful people. So it is with the Jewish people that we know, and I am sure it is probably the same with most people in this hall. We all know individual Jews, who are perfectly ordinary and easy to get on with. But when they come together - those Americans - they form agencies, and government, and they become involved in international crime. Crimes on an extraordinary scale, like the Gulf War! (*Applause*). And so it is with people of probably every race or nationality. When they look around, and they find that they are not alone, and they form into clubs and cliques and gangs, they feel somehow that ordinary laws don't apply to them.[269]

48. Leaving aside Irving's description of the Gulf War - in which the Americans and their allies attacked the Iraqi regime of Saddam Hussein because it had illegally annexed Kuwait and was threatening to attack Israel - as a crime, this denial of antisemitism was carefully tailored to the circumstances, in which Irving was under threat of deportation from Canada, and needed to be cautious.

49. On other occasions, he was a good deal less restrained. He himself realises that his ideas open him up to the obvious accusation that he is an antisemite:

> Interviewer: When one reads your speeches, one had the impression that Churchill was paid by the Jews, that the Jews dragged Britain into the war,

> that many of the Communist regimes have been dominated by Jews subsequently, and that a great deal of control over the world is exercised by Jews.
>
> Irving: Right, these are four separate facts, to each of which I would be willing to put my signature. They are four separate and unrelated facts. When you string them together like that, you might be entitled then to say: "Question five, David Irving, are you therefore an antisemite?" This may well have been –
>
> Interviewer: No, this wasn't my question.
>
> Irving: But the answer is this, these are in fact four separate facts which happen to be true, in my considered opinion as a historian. And I think we can find the historical evidence for it.[270]

50. Since the end of the 1980s, Irving has taken to referring to Jews as 'our traditional enemies'.[271] Who these precisely were, he made clear in a speech given in 1992: 'our old traditional enemies...(are) the great international merchant banks are controlled by people who are no friends of yours and mine', who were 'annoyed' by sixty-foot posters advertising the *Sunday Times* serialization of the Goebbels Diaries 'in all the Jewish ghettos of Great Britain'.

51. Later on in the speech he attacked the 'odd and ugly and perverse and greasy and slimy community of "anti-Fascists" that run the very real risk of making the word fascist respectable by their own appearance!'[272] His particular venom seems to be reserved for the Board of Deputies of British Jews, to whom he referred in 1991 as 'cockroaches'.[273] 'I never used to believe in the existence of an international Jewish conspiracy', he said: 'I'm not even sure now if there's an international Jewish conspiracy. All I know is that people are conspiring internationally against me, and they do mostly turn out to be…(drowned out by laughter and applause).'[274] In April 1998 he spoke of American Jews 'moving into the same positions of predominance and influence (media, banking, business, entertainment, and the more lucrative professions like law, medical and dentistry) that they held in Weimar Germany, which gave rise to the hatreds and the resulting pogroms; and that this being so, twenty or thirty more years might see in the USA the same dire consequences as happened in Nazi Germany.'[275]

52. This is the classic language of antisemitism: 'ghettos', 'greasy and slimy', 'lucrative professions', 'cockroaches', 'international Jewish conspiracy'. The use of the term 'ghettos' for example suggested in standard racist manner that there were districts in Great Britain where Jews were in a majority and, by implication, not integrated into the wider society in which they lived. In fact, such ghettos exist nowhere in the United Kingdom. Irving's language expressed the classic ideology of antisemitism too, with its attempt to whip up jealousies and hatreds of Jews by portraying them - without a shred of evidence - as exerting 'predominance' over key professions and institutions (though why this should be a cause for 'pogroms', or indeed objections from anybody, Irving does not say). It is this alleged 'predominance' which in the view of Holocaust deniers is behind the continuing widespread public acceptance of what they call the 'Holocaust myth'.[276]

53. Indeed, some of Irving's own speeches contain a veiled threat of violence against Jews in the future as a result of his own 'exposure' of the Holocaust 'myth':

> And gradually the word is getting around in Germany (Irving said in 1991).

> Two years there from now too the German historians will accept that we're right. They will accept that for fifty years they have believed a lie. And then there will come about a result not only in Germany, but around the world, which I deeply regret and abhor. There will be an immense tidal wave of anti-Semitism. It's an inevitable result. And when people point an accusing finger at me and say, "David Irving, you are creating anti-Semitism", I have to say, "It is not the man who speaks the truth who creates the anti-Semitism, it's the man who invented the lie of the legend in the first place." (Applause).[277]

Irving's expression of regret should not be taken too seriously.

54. For in 1996, recounting the view of the head of the publisher who eventually refused to publish the American edition of his book on Goebbels, Irving said:

> Maybe…the chairman of St. Martin's Press was right when he said: "This book suggests they (the Jews) had it coming to them." But is he's right, let me say in advance in my self-defence, it isn't David Irving who says that, it's David Irving reporting Dr. Goebbels who says that. Maybe I didn't make it plain enough, or maybe I didn't put enough distance between myself and Dr. Goebbels, or maybe I didn't put in all the counter-arguments I should have done to be politically correct.[278]

Fundamentally, however, as Irving conceded, he was in basic agreement with Goebbels in his belief that 'they had it coming to them'.

55. For, Irving told an audience in Tampa, Florida, on 6 October 1995:

> What these people don't understand…is that they are generating antisemitism by their behaviour, and they can't understand it. They wonder where the antisemitism comed from and it comes from themselves, from their behaviour…I said to this man from Colindale, this leader of the Jewish community in Freeport, Louisiana, I said…"You are disliked, you people. You have been disliked for three thousand years. You have been disliked so much that you have been hounded from country to country, from pogrom to purge, from purge back to pogrom, and yet you never asked yourselves…what is it that the rest of humanity doesn't like about the Jewish people, to such an extent that they repeatedly put us through the grinder?". And he went beserk. He said: "Are you trying to say that we are responsible for Auschwitz? Ourselves?" And I said, "Well the short answer is yes. The short answer I have to say is yes…If you had behaved differently over the intervening three thousand years, the Germans would have gone about their business and not have found it necessary to go arounddoing whatever they did to you.[279]

Thus the Holocaust as Irving defines it was not exactly 'innocenticide': the Jews were guilty for it themselves.

56. After all, he said in 1991, 'they (meaning the Jews) dragged us into two world wars and now, for equally mysterious reasons, they're trying to drag us into the Balkans.'[280] Irving was confronted with his statements to this effect in 1996:

> Interviewer: At times in your speech to these groups you speak at, you ask if the Jews have ever looked at themselves to find a reason for the pogroms and the persecutions and the extermination. In other words, you're asking, "did they bring it on themselves?".

Irving: Yes.

Interviewer: Thereby excusing the Germans, the Nazis.

Irving: let us ask that simple question: why does it always happen to the Jews?…

Interviewer: But isn't that an ugly, racist sentiment?

> Irving: It is an ugly, of course it's an ugly, racist sentiment. Of course it is. You're absolutely right. But you can't just say, therefore let's not discuss it, therefore let's not open that can of worms in case we find something inside there that we don't like looking at.

Thus Irving followed other Holocaust deniers in implying, and on occasion, directly claiming that the Jews were responsible for provoking the Holocaust.

57. After all this, it is not surprising that he considered that 'the Madagascar solution would probably have been the most peaceful for the present world', because the Jews 'would have had no neighbours, nobody who they could feel intimidated by, and of course, nobody whom they in turn could intimidate', though it is clear that the Nazi regime, in drawing up its never realized plans to deport the Jews there, would have made no provision to supply them with food and clothing and the basic necessities of life, and that the climate and economy of the island were entirely unsuited to sustaining millions of European settlers.[281]

58. It is clear that Irving shares the common position of Holocaust deniers that evidence for the Holocaust has been fabricated, beginning with the propaganda operations of the British during the Second World War, and continuing since then through a mixture of intimidation of Nazi witnesses, mass hysteria on the part of Jewish survivors, and deliberate fabrications on the part of people such as the Polish authorities in whose territory Auschwitz lay after the war.

59. He has augmented these arguments with a wider range of assertions about the Jews' alleged influence in the postwar world, their supposed responsibility for provoking attacks on themselves, which in style and content can fairly be called antisemitic. All these views, detailed above, are characteristic of Holocaust denial as conventionally understood and as described by many writers and commentators on the phenomenon. They can be found in the writings and speeches of well known Holocaust deniers. 'The Holocaust story', Irving said in 1995, 'is an ill-fitting legend which has been under researched and there's no evidence for the Holocaust historians to bear them out'.[282]

(e) Conclusion

1. An examination of Irving's work since the late 1980s confirms beyond all reasonable doubt that he subscribes to the four central tenets of Holocaust denial as outlined above, namely that the number of Jews killed by the Nazis was far less than six million; that gas chambers were not used; that there was no systematic killing of Europe's Jews; and that 'the Holocaust' is a myth invented by Allied propaganda during the war and sustained since then with fabricated evidence by Jews who wish to use it to gain political and financial support for the state of Israel and for themselves.

3.5 Connections with Holocaust deniers

(a) The Institute for Historical Review

1. Irving's connections and relationships with well-known Holocaust deniers are numerous and often close. They indicate that he is part of a loosely-organized international network of Holocaust deniers, whose central institution is the so-called Institute for Historical Review. Many of Irving's contacts with Holocaust deniers are also part of his widespread connections in the world of extreme right-wing politics; these are detailed in the expert reports submitted by Professor Eatwell and Professor Funke. Here is it proposed to deal only with a limited number of contacts, sufficient to establish the fact that Irving does indeed have extensive contacts with Holocaust deniers, far more so, indeed, than with professional historians, whether or not the latter are based in universities. It is also clear that he make a great deal more use of the work of Holocaust deniers, whether acknowledged or not, in his own writings, than he does of the use of competent professional historians, which, as this Report has already shown, he openly admits he does not read. Irving, in short, is part of the world of Holocaust denial; he is not part of the world of competent, serious professional history.

2. The so-called Institute for Historical Review, based in California, is the subject of Chapter 8 of Lipstadt's book *Denying the Holocaust*. It holds regular conferences and issues a journal which is available for perusal in libraries. An examination of the journal and of reports of its conferences indicates that the Institute is dedicated to putting the case for Nazi Germany and against what it regards as the 'myth' of the Nazis' extermination of millions of Jews in the Second World War. At its first convention, held in Los Angeles in 1979, the Institute passed a resolution declaring *inter alia* that 'the facts surrounding the allegations that gas chambers existed in occupied Europe during World War II are demonstrably false', and stating its belief that 'the whole theory of "the holocaust" has been created by and promulgated by political Zionism for the attainment of political and economic ends, specifically the continued and perpetual support of the military aggression of Israel by the people of Germany and the US'. The resolution urged the US Congress to investigate, among other things, 'deceitful wartime propaganda masquerading as fact...and the truth of the alleged extermination of 6 million Jews in Europe during World War II.'[283]

3. The Institute for Historical Review purports to be a respectable academic body. In 1980, the Institute began publishing a quarterly magazine, the *Journal of Historical Review*, which cast itself in the form of a respectable academic journal. The Editorial Advisory Committee of the Journal includes all the most prominent Holocaust deniers, most notably Arthur R. Butz, Robert Faurisson and Wilhelm Staeglich. Butz's book *The Hoax of the Twentieth Century*, published in 1976, constituted the first attempt to present Holocaust denial in a pseudo-academic form: its eight chapters are adorned with 450 footnotes, 5 appendices and 32 plates and diagrams and it looks at first glance like an academic treatise. The book argues, *inter alia*, that the Allied bombing of Dresden produced more corpses than have ever been found from the camps, that Zyklon-B gas was used just as an insecticide, that Auschwitz was just an industrial plant, that deaths there were mainly due to typhus, and that there were no gassings there. In Butz's view, when the Nazis talked or wrote about *Judentum* they meant the destruction of Jewish power, not of Jewish human beings, and when they used the word *Vernichtung* or *Ausrottung* in this context they did not mean actual killing. He alleged that the failure of the Yad Vashem memorial to the Holocaust, in Jerusalem, to collect six million names of those who had died, proved that the number of dead was far fewer than six million. The Nuremberg trials were a 'frame-up' in Butz's view, and the 'myth' of the Holocaust was propagated after the war by the Jews for their own advantage. In order to find out the truth, Butz concludes, 'all one needs to do is consult the relevant German documents. What the German leaders were saying to each other about their policy is obviously the first authority that one

should consult.'[284] A number of these arguments and methods were taken up later by Irving and presented as if they were his own discoveries.[285]

4. Robert Faurisson, another leading figure at the Institute and member of the editorial board of *The Journal of Historical Review*, is a former teacher of French literature who has argued over many years that Anne Frank's diary is a forgery, and that 'the alleged massacres in the "gas chambers" and the alleged "genocide" are part of the same lie' which 'is essentially Zionist in origin' and 'has allowed a huge political and financial swindle of which the state of Israel is the principal beneficiary'. Faurisson has concentrated in particular on attempting to prove that the gas chambers at Auschwitz and in other camps never existed and never came into operation. Faurisson testified to this effect as an expert witness in the first Canadian trial of Ernst Zündel. By this time, however, Faurisson himself had been tried in his native France for slander, violation of Article 382 of the Civil Code by wilfully distorting history, and incitement to racial hatred, which had been outlawed under a law of 1972, and been found guilty on all three counts.[286] He has since been one of the most vocal and extreme of Holocaust deniers at the conferences of the Institute for Historical Review, and a frequent contributor to its journal. His arguments too have been adopted by Irving and presented without acknowledgment as his own original discoveries. Irving has praised Faurisson as 'a very distinguished intellectual in my mind, a very brave man indeed.'[287]

5. A third key figure on the Editorial Advisory Board of the *Journal* from its early days was Wilhelm Staeglich, an academically qualified German lawyer whose book *Der Auschwitz-Mythos: Legende oder Wirklichkeit* (The Auschwitz Myth: Legend or Reality), published in 1979 by the far-right Grabert-Verlag in Germany, followed Butz in presenting Holocaust denial in a pseudo-academic form. The book argued that there had been no mass extermination of Jews in Nazi extermination camps, and that guilty verdicts in postwar trials of the perpetrators were wrong. Staeglich used minor discrepancies in postwar documents and reports of the extermination to dismiss all such documents as forgeries and falsifications. At the same time, he made claims which could easily be falsified on the basis of contemporary documentation, for example, that before the outbreak of the Second World War, no Jew had ever been incarcerated in a German concentration camp on racial grounds. In this instance he simply passed over the imprisonment of more than twenty thousand Jewish men in concentration camps after the pogrom of 9-10 November, 1938, just as he ignored many other key documents relating to Nazi antisemitism. All the so-called evidence for the Holocaust, he maintained, had been fabricated after the war. As a result of this book Staeglich was dismissed from state employment and his doctoral title was withdrawn by his university, events about which he showed considerable bitterness when he subsequently came to address the Institute of Historical Review.[288] Although he had previously criticised Staeglich for not doing enough research,[289] Irving still appeared on the same platform as him at a meeting in Munich on 23 March 1991.[290]

6. With men such as Faurisson, Butz and Staeglich on the editorial board, it is hardly surprising that leading writers for *The Journal of Historical Review* have included other prominent Holocaust deniers such as Austin J. App, author of *The Six Million Swindle: Blackmailing the German People for Hard Marks with Fabricated Corpses* (Tacoma Park, Maryland, 1973) and a contributor to the first issue of *The Journal of Historical Review* with an article estimating the total number of Jewish casualties of the 'Third Reich' at around 300,000, and declaring the 'six million' to be 'an impudent lie'. Born in 1902, App was for a time President of the Federation of American Citizens of German Descent, and in 1942 he campaigned in the USA in support of

Nazi war aims. In the early years after the war, he defended the Nazi mass murder of the Jews and similar atrocities as legitimate acts of war, minimized the numbers of victims, and denied the existence of gas chambers. In his book, he argued, in terms familiar from other Holocaust deniers, that the 'fraudulent six million casualty' figure for Jewish deaths at the hands of the Nazis was used 'vindictively as an external club for pressuring indemnities out of West Germany and for wringing financial contributions out of American Jews'. He alleged that at least 500,000 of the Jews supposedly gassed in the camps had gone to Israel. The perpetuation of the 'swindle' was due to Jewish domination of the media. The Americans and the British and above all the Soviet Union colluded in the deception in order to distract attention from their own war crimes.[291]

7. Other articles in the *Journal of Historical Review* have revealed their Holocaust denial content in titles such as 'The Diesel Gas Chambers: Myth Within a Myth',[292] 'The Myth of the Extermination of the Jews',[293] 'How Many Jews Died in the German Concentration Camps?' (the author's answer was between 300,000 and 600,000), and so on.[294] Bolstered by contributions from Holocaust deniers such as App, Butz and Faurisson, the overall thrust of the journal's efforts is to present a wide variety of arguments in support of the thesis that, to quote one article among many, 'the Holocaust story is absurd'.[295] Thus for example it has devoted a special issue to an attempt to vindicate the Leuchter Report,[296] carried an article with the title 'Neither Trace Nor Proof: The Seven Auschwitz "Gassing" Sites',[297] and devoted several issues and numerous articles to attempting to demonstrate that nobody was ever gassed at Auschwitz.[298] Another article in the *Journal* underlined Holocaust deniers' tendency to inflate the influence of Jews in the postwar world by claiming that 'Judaism, through the "Holocaust" cult, has become the informal state religion of the West'.[299] The centrality of Holocaust denial to the Institute for Historical Review and its journal cannot be doubted.

8. Irving says in his reply to Lipstadt's defence that the Institute is a respectable and non-extremist institution whose Board members hold established academic qualifications; they are not antisemites or racists or ultra-right-wing. However, such academic qualifications as they have are not in history but in other fields. Butz is an engineer; Faurisson a specialist in French literature, Staeglich qualified as a lawyer, and so on. None of them is an established professional historian, academic or otherwise. The same is true of the *Journal of Historical Review*. The contributions to the journal are often, though not always, academic in format, with footnotes and references; but there is no other example of a learned journal which claims to print academic articles in a specialized field which include on its editorial board barely a single academically accredited specialist in the field with which it concerns itself.

9. Moreover, the *Journal* and its parent institute have a political rather than an academic background. They were founded and owned by the Noontide Press, whose proprietor, the Legion for the Survival of Freedom Inc., was owned by Willis Allison Carto, a leading proponent of Holocaust denial. He is a former organizer of the John Birch Society, an American neo-fascist political group dedicated to the revival of Nazism and the promotion of white supremacy. Carto's main publication was, and is, the extreme right-wing journal *Spotlight,* described by Irving in 1982 as an 'excellent' publication. Irving was already familiar with Carto and his 'efficient and dedicated staff' by the early 1980s and was well aware of what he publicly referred to as 'the ties that exist between the Liberty Lobby and the Institute of Historical Review'.[300]

10. The booking for the Institute's opening convention in September 1979 was made by

Noontide Press, under the name of Lewis Brandon, a pseudonym for David McCalden, formerly a leading light of the National Party, an extreme racist breakaway from the extreme right-wing political organization the British National Front, founded in 1975.[301] McCalden, who also wrote under the name David Berg, was director of the Institute for Historical Review from 1978 until 1981 and a self-confessed 'racialist'.[302] The antisemitic and neo-fascist politics of the leading Holocaust denier and *Journal* Board member Arthur Butz are also well known and have been thoroughly documented.[303]

11. The *Journal* regularly purveys the politics of right-wing extremism and carries articles attacking 'multiculturalism', criticising the launching of the Gulf War against Saddam Hussein, arguing that Soviet Communism was a Jewish creation and that Jews were responsible for its murderous career, and praising the Iranian Revolution which overthrew the Shah in 1978. A lengthy article by the long-lived wartime Belgian fascist leader Léon Degrelle who lost none of his Nazi convictions in the post-war decades, praised Hitler as a radical social reformer who achieved dictatorial power by non-violent means.[304] Its hostility to Israel is strongly echoed in Irving's speeches, as this Report has already documented.

12. In 1992-93 the *Journal* and the Institute came under pressure from Willis Carto, its principal financial backer, to abandon its scholarly pretensions and become a more openly political forum for the propagation of racism. In January 1993 the *Journal* dropped its academic format and since then has been published as a bi-monthly illustrated glossy magazine. Its contents and its basic thrust, however, have not changed.[305] Tom Marcellus, Mark Weber and other members of the staff quarrelled with Carto over this issue, and in September 1993 they broke off all contact with him. In February 1994 they secured and circulated endorsements of their line from six leading Holocaust deniers: Robert Faurisson, Ernst Zündel, Bradley R. Smith, James J. Martin, Arthur J. Butz, and David Irving. Irving's endorsement praised the *Journal* as 'sincere, balanced, objective, and devoid of polemics' and its editors and staff as 'staunch and unflinching soldiers in what our brave comrade Robert Faurisson has called "this great adventure", meaning of course the 'adventure' of Holocaust denial.[306]

13. Carto not only fired back in his magazine *Spotlight* the accusation that the Institute had been taken over by the Jewish Anti-Defamation League - a charge to which, not surprisingly, some of those who supported the existing line of the Institute and its journal strongly objected - but evidently also withdrew his financial backing, for in 1995 the Institute and the *Journal* were forced to admit that they were in financial difficulties because of what the *Journal* editors Mark Weber and Greg Raven called 'the massive theft of IHR money by former associates'.[307] However, the journal did not go under. It has continued since then to publish articles mainly devoted to advocating Holocaust denial.

14. Like many individual Holocaust deniers, the Institute as a body denies that it is involved in Holocaust denial, calling this a 'smear' which is 'completely at variance with the facts' because 'revisionst scholars' such as Faurisson, Butz 'and bestselling British historian David Irving acknowledge that hundreds of thousands of Jews were killed and otherwise perished during the Second World War as direct and indirect result of the harsh anti-Jewish policies of Germany and its allies'. But as we have seen, the concession that a relatively small number of Jews were killed is routinely used by Holocaust deniers to distract attention from the far more important fact of their refusal to admit that the figure ran into millions, and that a large proportion of these victims were systematically murdered by gassing as well as by shooting.

15. Irving has denied that he is affiliated to the Institute in any formal capacity, and this is strictly speaking true. He is a member neither of its Board nor of the Editorial Advisory Board of its *Journal*. However, as we have already seen, his informal connections with the Institute and the *Journal* are extremely close and have been maintained over a considerable period of time. Irving's website, for example, advertises the 1991 edition of his book *Hitler's War* as being obtainable through the Institute. He has been a frequent visitor to the annual conferences organized by the Institute for Historical Review, which are devoted to lectures purveying various aspects of Holocaust denial. To date he has spoken to audiences at the Institute five times; his speeches, like other contributions to the Institute's conferences, are printed in *The Journal of Historical Review*. He spoke at the ninth, tenth, eleventh and twelth conferences in succession. It was hardly surprising that in 1993 the editor of the *Journal* described him as 'a good friend of the Institute'.[308] There were articles about Irving in the fourth and sixth issues of Volume 13 of the *Journal*. Irving printed an advance copy of his introduction to the 1991 edition of *Hitler's War* in the *Journal*, alongside a reassessment of Rommel and a scurrilous attack on Sir Winston Churchill ('almost a pervert - a man who liked to expose himself to people'). The first issue of Volume 13 included one article by Irving and two others about him. The next issue had another article by Irving, and he also printed two more articles in the first issue of Volume 15. Before he established his website on the Internet, it would not be going too far to describe the *Journal* as the principal forum in which Irving disseminated any historical work of his that was shorter than book-length but longer than a newspaper letter or article. This was certainly the case at the time when Lipstadt completed her book in 1993.[309]

16. Irving has gladly continued to lend his support to the efforts of *The Journal of Historical Review* to win more subscribers. A leaflet advertising the journal carries a photograph of Irving and quotes him as follows: '*The Journal of Historical Review* has an astounding record of fearlessly shattering the icons of those vested interests who hate and fear truth. That is why I strongly endorse it…and suggest that every intelligent man and woman in America, Britain, and the dominions subscribe.'[310] In the January-February issue of Volume 13 of the Journal, a full-page spread is headed: 'David Irving: Institute for Historical Review: Your Source for David Irving's Masterworks'. After listing and describing five of his books and picturing the cover of each, the advertisement enjoins readers to 'Order these fine books from Institute for Historical Review', and gives the address.[311] Irving has close relations with leading figures at the Institute and includes correspondence with them in his Discovery.[312]

17. In his reply to the defence, Irving maintains that lecturing at the conferences of the Institute for Historical Review does not associate him with Holocaust denial. He points out that other lecturers have included not just Holocaust deniers but writers not concerned with this field at all, such as the Canadian journalist James Bacque, whom Irving described in 1991 as 'a very good friend of mine'.[313] This is true only if taken literally. James Bacque gained a brief notoriety in the late 1980s and early 1990s not for Holocaust denial, in which he had never been directl involved, but for his book, *Other Losses*: *An Investigation into the Mass Deaths of German Prisoners of War at the Hands of the French and Americans After World War II*, published in 1979. This publication alleged that the Americans under General Eisenhower deliberately starved to death over a million German prisoners at the end of the Second World War - a thesis which made its author an obvious person to invite to a conference of Holocaust deniers, given their need to establish that Allied war crimes were as bad as, or worse than, German war crimes. In fact, the book, which gained some credence on its publication through the appearance of careful archival research, has since been exposed as a tissue of errors and falsehoods and has as little historical credibility as

Holocaust denial itself.[314]

18. A more recent book by James Bacque has claimed that the American occupation authorities deliberately starved to death as many as nine million German civilians after the end of the Second World War. Bacque's work has been described as

> part of the trend toward a "paranoid style" in writing recent history. This style is characterized by five elements: the image of a huge conspiracy, a self-bestowed duty to save civilization from apocalypse, a manichean worldview of absolute good versus absolute evil, the conviction that traitors make history, and the amassing of evidence to prove a preconceived thesis.[315]

19. Bacque's work has been shown to rest on the manipulation of statistics, in which the population of Germany in 1946 is inflated through double-counting and projected to reach 74 million by 1950, when a census showed an actual figure some 6 million short of this (imaginary) number; Bacque's conclusion that these 'missing' six million were murdered by the Americans is pure fantasy. His work, in other words, bears a striking resemblance to the pseudo-history of the Holocaust deniers, which is no doubt why he has been welcome at their meetings.[316] Both Bacque and Irving spoke at a meeting organized by the right-wing Canadian group 'Alternative Forum' in the early 1990s, and Bacque acknowledged Irving's useful advice in his work.[317] Examined carefully, all the other speakers at the Institute's conferences turn out, like Bacque, to be putting forward arguments which, if not directly denying the Nazi extermination of the Jews, are of obvious usefulness to the broader purposes of those who do, for example through the relativization of the mass murder committed by the Nazis by claiming that the Western Allies were engaged in the same kind of thing, or worse.

20. Irving also points out that he has had disputes with well-known 'Revisionists' like Robert Faurisson, and so by implication is not one of them. It is certainly the case that Irving has had his disagreements with Faurisson in particular. In 1983, for instance, he devoted the final part of a rambling speech delivered to the Institute's annual conference to 'the so-called Holocaust'. He told the assembled 'revisionists':

> I am sure you realize that I take a slightly different line from several people here. I would specify as follows: I would say I am satisfied in my own mind that in various locations Nazi criminals, acting probably without direct orders from above, did carry out liquidations of groups of people including Jews, gypsies, homosexuals, mentally incurable people and the rest. I am quite plain about that in my own mind. I can't prove it, I haven't gone into that. I haven't investigated that particular aspect of history but from the documents I have seen, I've got the kind of gut feeling which suggests to me that that is probably accurate.[318]

21. Responding to Irving later, Robert Faurisson issued a 'challenge' on this point. What use, he asked, was a 'gut feeling' in the absence, as he maintained, of evidence for 'the alleged physical extermination of the Jews', a subject which Irving himself admitted he had not researched?[319] He had a point. Given Irving's insistence on the need to provide documentary evidence for everything, his affirmation of 'liquidations' which most of his audience undoubtedly denied, was far from convincing.

22. But the disagreement proves nothing. This was Irving's first speech to the Institute, and it was delivered at a time - 1983 - when, this Report has demonstrated, he had yet to become a fully-fledged Holocaust denier; that only happened five years later,

at the end of the 1980s. In 1983, Irving's speeches and writings showed a general if sometimes vague or qualified acceptance of all the central elements of the conventional definition of the Holocaust apart from the systematic nature of the mass murder. Thus his 1983 speech to the Institute for Historical Review is remarkable mainly for the manner in which it pandered to his audience by qualifying this acceptance with references to his lack of expert knowledge of the subject. The previous year, indeed, he had told the Institute's principal financial backer Willis Carto that the Holocaust was an issue 'of purely academic interest to historians, and of no relevance whatever to modern European, let alone British, problems'. It was, he had said, 'a red herring' with which the right had been 'tricked into poisoning their own operations'.[320] He did not explicitly reject Holocaust denial, but he clearly did think it was politically inexpedient at this time, and he still gave at least some credence in the books he wrote at this time, such as the 1977 edition of *Hitler's War*, to some aspects of the Holocaust as conventionally understood.

23. By the early 1990s, Irving's and Faurisson's positions had converged, they were agreeing on the essentials, and they were only disputing minor points of disagreement within the Holocaust denial theses.[321] Indeed, one authority on Holocaust denial, in the context of discussing Irving's connections with the Institute and the deniers, even went so far in the early 1990s as to claim that 'Irving... has placed himself at the head of the "Revisionists"'.[322] In 1995 Irving referred to himself as part of this wider movement, 'people like myself and the brave band of scientists, and writers, and journalists, and historians who have gradually fallen in. I won't say they've fallen in behind me because I'm not going to try and place myself at the head of this revisionist movement. They've fallen in shoulder-to-shoulder with us and are marching at our side in this extraordinarily interesting adventure'[323] . By the middle of the 1990s Irving was talking to members of the Institute for Historical Review in terms of 'we revisionists'.[324] In all of their work, those associated with the Institute have sought to avoid being labelled Holocaust deniers by describing themselves as 'revisionists', and Irving's appropriation of this label to himself, and his association of his work with theirs, clearly indicated that he regarded himself as one of their number. The close connection between Irving and the Institute can no more be reasonably denied than can the fact that the principal business of the Institute and its journal is, as it has been from the day of its foundation, the denial of the Holocaust as it is conventionally understood.

(b) Other Holocaust deniers

1. Irving has connections with other, individual Holocaust deniers, some of whom are associated in one way or another with the Institute for Historical Review, others of whom do not seem to have any connection with it, but are concerned more with direct participation in extreme right-wing politics, particularly in Germany.

2. In 1992, Irving referred to Ernst Zündel as one of 'my friends in Ontario', and described him as a 'martyr'.[325] Irving's diary records him as having breakfast with Zündel in Munich on 23 March 1992, on which occasion the German-Canadian forwarded Irving 1,500 Marks to cover the cost of his flight to Toronto to testify in a trial. This Report has already pointed out that Zündel is a Holocaust denier. He is the author of *The Hitler We Loved and Why*, and a white supremacist who advocates the return of fascism and openly admires the Nazis. Among other things, he was engaged in distributing Holocaust revision literature in Canada, such as Harwood's *Did Six Million Really Die?* These activities were at the centre of the two criminal trials which he underwent in the second half of the 1980s.

3. In September 1992, Zündel was a guest speaker at a meeting of Irving's Clarendon Club in London. Praising Irving for inviting him, the *League Sentinel*, organ of the neo-Nazi League of St. George, commented: 'Zündel's fight against those who would wish to censor history has been an example to us all.'[326] Irving has had his disagreements with Zündel, who refused to accept Irving's concession that there were some massacres of Jews behind the Eastern Front during the Second World War, but of the closeness of his contacts and the general friendliness of his relations with this outspoken Holocaust denier there can be no doubt.[327] Indeed, in a rare acknowledgment of a borrowing from someone else, Irving admitted in 1989, referring to a document in the Public Record Office, that it was 'one of Ernst Zündel's researchers who found this document and showed it to me'.[328]

4. Irving has posted on his website the text of the evidence he presented to the second Zündel trial in defence of the accused against spreading the falsehood, in effect, of Holocaust denial. As this Report has already shown, this evidence has some claim to be regarded as the first occasion on which Irving publicly espoused the full range of Holocaust denial beliefs. Also published on Irving's website in 1998 is a very lengthy tract by one 'Samuel Crowell' (apparently a pseudonym), dating from December 1997, which describes the belief that millions of Jews were gassed by the Nazis as a 'delusion', a 'rumor', a 'legend' and a 'hoax'. This item on Irvng's website is followed by a discussion by John Ball of photographic material which alleges that '"death camp" rumours and myths' were invented by the Soviet Union to distract attention from the crimes of Stalin. Ground photos of Auschwitz show 'healthy, happy, relaxed, well-fed inmates'.[329] Irving, in other words, is using his website to publicise Holocaust denial material by himself and other Holocaust deniers and indeed make it available to anyone in the world with access to the Internet.

5. In the past, since his conversion to Holocaust denial, Irving has also given his particular support to the work of one of the earliest and most prominent Holocaust deniers, the Frenchman Paul Rassinier. In 1989 he published an afterword to a German edition of Rassinier's book *Les Responsables de la Seconde Guerre Mondiale*, first published in French in 1967. The German edition was published by the Grabert Verlag, which was set up in 1952 by a former official in Alfred Rosenberg's Ministry for the Occupied Eastern Territories during the war and specialized in Holocaust denial and other right-wing extremist literature, publishing for example Wilhelm Staeglich's *Der Auschwitz-Mythos* in 1979.

6. In this afterword, Irving described Rassinier as 'a pacifist, a socialist, a member of the resistance against Hitler, a former inmate of a German concentration camp'. In fact, Rassinier (1908-1967) had already been expelled from the Communist Party as a young man before the war, and had been part of a socialist, antimilitarist resistance group in occupied France, which is why he had been arrested and sent to the German concentration camp at Buchenwald. Here, it seems, he had been beaten by a Communist fellow-prisoner for failing to recognise or pay his respects to the imprisoned German Communist leader Ernst Thälmann (subsequently murdered by the SS in 1944). Not only did his fellow-prisoners seem more dangerous than the SS guards to him, Rassinier also got a relatively easy job in the infirmary on his transfer to camp 'Dora' in the Harz mountains, where he was evidently well treated by his boss, a senior SS officer.

7. His Holocaust denial, which initially consisted in defending the SS against its critics and denying reports by survivors of atrocities in the camps, subsequently came to include a denial of the existence of the gas chambers and the assertion that it was the Jews who started the Second World War. Irving described Rassinier as a 'far-shining

star' whose book alone guided mariners across the seas of historical knowledge in a way that was unusual in a field where most readers needed to sail by the light of several different stars, several different opinions as it were. His own contribution to the book, in which Rassinier argued that the Jews were responsible for starting the Second World War, was to give credence to Rassinier's thesis by pinning the blame for Britain's declaration of war on the Jewish-dominated British press, Jewish emigrants in Britain, financiers and arms dealers (the unspoken assumption was that these were Jewish too) and suggesting that 'World Jewry - with French politicians like Léon Blum and Georges Mandel at their head - armed itself for a crusade of revenge against Hitler and his supporters, a pitiless crusade which was to be fought out with the armies of other peoples and the blood of other peoples.'[330]

8. Irving also has a long-term association with the DVU, the *Deutsche Volks-Union*, a far-right political party in Germany whose main organ, a newspaper called the *Deutsche National-Zeitung*, carries stories under headlines such as 'How Many Died in Auschwitz?'; 'Auschwitz - Millions of Dead Invented'; 'Jewish Demands for Billions - How Much Longer to Pay for Hitler?' The stories carried under these headings steer clear of direct denial sufficiently carefully to avoid calling down a prosecution under the German law banning denial of the Holocaust.[331] In 1982 Irving went on a speaking tour of Germany at the invitation of the DVU, denouncing the Nuremberg trials as 'victors' justice', and closely following instructions about what to say sent to him by the DVU's sponsor and organizer Dr Gerhard Frey; in 1983 the *Deutsche National-Zeitung*, the DVU's paper, awarded Irving a 'European Freedom Prize' for his activities.[332] On 17 December 1984 Irving confided to his diary that speaking engagements for the DVU were 'all that I have lived on this last year'. He had also been asked by the DVU 'to do lucrative research in Berlin Document Center' (diary, 19 May 1984).

9. Irving has also had close contacts with the Holocaust denier and active neo-Nazi Ewald Althans, who was condemned to three years and six months in prison in August 1995 for his statements in a film, *Beruf Neonazi* (Profession - Neo-Nazi) that there had been no mass murder of Jews by the Nazis in the Second World War.[333] Althans organized a meeting in Munich on 21 April 1990 at which Irving was guest of honour, and those filmed as present included Anthony Hancock.[334] He also played a prominent role in organizing Irving's tour of the then German Democratic Republic the same year.[335] Irving's diary records him having dinner with Anthans, as well as Wilhelm Stäglich and Anthony Hancock, in Munich on 20 April 1990,, and responding positively to a phone call from Althans inviting him to give a speech at a far-right *Nationale Liste* meeting in North Germany on 3 March 1990. Althans was again present with Irving at a Holocaust denial event organized by Thies Christophersen in Antwerp in 1992; Christophersen was a former SS man and author of *The Auschwitz Lie*, a key Holocaust denial text of the early 1970s.[336] And at a meeting of the 'Circle of Friends of Ernst Zündel' held in Munich on 14 January 1993, Irving spoke immediately after Althans.[337]

10. Another Holocaust denier with whom Irving has had a long-term association is Anthony Hancock, a member of the National Front and then from 1975 an even more extreme splinter-group known as the National Party. Hancock and his father Alan, a former member of Oswald Mosley's blackshirts, were active in promoting Holocaust denial and published *Did Six Million Really Die?* by 'Richard Harwood', the pseudonym for the National Front leader Richard Verrall. Hancock set up a business called The Print Factory and then became the British agent for the Institute of Historical Review. His Historical Review Press distributed *The Auschwitz Lie* by the German Holocaust denier Thies Christophersen, and published a number of

other Holocaust denial texts, including Arthur Butz's *The Hoax of the Twentieth Century*.[338] Irving has referred to Anthony Hancock as someone 'who sometimes does some printing for us', but in fact the relationship is much deeper. Hancock hired the venue and distributed tickets for a 'revisionist' seminar in London on 4 July 1992 at which Irving spoke; Hancock's Historical Review Press printed Irving's newsletter *Focal Point* in the early 1980s; the same press informed readers of the *Revisionist Newsletter* in 1996 that 'by arrangement with David Irving we will be sending his *Action Report* in lieu of the *Revisionist Newsletter* whenever the former appears'.[339] Hancock was also filmed at a Holocaust denial meeting in Munich on 21 April 1990 at which Irving was guest of honour.[340] Irving's diary records telephone calls from the elder Hancock in 1984-5 offering funds and facilities to publish his Churchill biography in the UK ('Hancock's would not make a profit, they'd leave that to me. I really would consider that', wrote Irving on 10 October 1985).

11. Perhaps the most sinister of the Holocaust deniers with whom Irving has had extensive and long-term contacts was General Otto Ernst Remer. Remer played a key role in suppressing the resistance movement against Hitler after the failed bomb attempt on Hitler's life on 20 July 1944, a role of which he boasted ever after. He was an unrepentant Nazi who belonged to the Socialist Reich Party and the *Aktionsfront Nationaler Sozialisten*, the 'Action Front of National Socialists', both neo-Nazi organizations which were banned by the West German government as unconstitutional.[341] Interviewed by a journalist in 1992, he said how much he had loved Hitler, and called the Jews ''our deadly enemies. They have no business being here. They all must be killed.' Remer had several convictions for defaming the dead, including the resisters of 1944, whom he called traitors, and also the Jews who had died at Auschwitz.[342] In 1993 Remer said that 'the Jews have expanded their religious love of legends to include the legend of the murder of six million Jews, the most part of which are supposed to have been murdered in German gas chambers during the Second World War'. He went on to condemn 'the purported gas chambers at Auschwitz' as 'one of the many propaganda lies used by the Jew-organizations against Germany.'[343] Remer repeated this assertion in a speech at the funeral of the Belgian Nazi leader Léon Degrelle in March, 1994.[344]

12. Remer was filmed at the April 1990 meeting in Munich referred to above, at which Irving was the star speaker. Remer had close connections to the Institute of Historical Review, and spoke at its Eighth International Revisionist Conference in 1987 on 'My Role in Berlin on July 20, 1944'. In 1990 *The Journal of Historical Review* carried an interview with him ascribing wartime atrocities against the Jews to Ukrainians and Russians.[345] He was active in the HIAG, an organisation for ex-members of the SS with which Irving also had contacts.[346] Irving knew Remer, therefore, and had a high opinion of him, which he expressed on Remer's death in October 1997 in an obituary praising him, among other things, for remaining 'loyal to the old cause'.[347] Irving's website posted a letter from Remer's widow expressing gratitude 'for what you sent' and complaining that the German government had cancelled her widow's pension.[348]

13. Remer was connected with another active Holocaust denier, Ahmed Rami, an Arab radical whose organ *Radio Islam* is a serious purveyor of Holocaust denial. Irving appeared on the same platform as Rami at the so-called 'Leuchter Congress' on 23 March 1991, a meeting at which Rami voiced strongly antisemitic views.[349] In 1993 Rami and Remer held a conversation which was posted on the Radio Islam website. Remer alleged that it was the Jewish organizations that had declared war against the German Reich, that the Soviet Union had been set up by Jews, that Jewish organizations planned to set up a new world order, and that they controlled

the media and 'most political parties' in the world. 'The war against the Jewish organizations', he concluded, 'is a total war.'[350]

15. If Remer was an old Nazi who purveyed Holocaust denial in public, then another of Irving's connections, Günter Deckert, can better be classified as a neo-Nazi. Born in 1940, Deckert has had a long career in extreme-right political organizations in Germany, most recently as Federal Chairman of the National Democratic Party (NPD), Germany's most openly neo-Nazi political party, from 1991 to 1995. He has a string of convictions for incitement to racial hatred, insulting the memory of the dead, slandering the Chairman of the Central Council of Jews in Germany, Ignatz Bubis, and other, similar offences. The activities which led to his imprisonment included translating a lecture given in 1991 by Fred Leuchter denying the existence of gas chambers in Auschwitz. Irving knows Deckert well, and wrote to him in 1991: 'Dear Günter, - I am shocked about what the police-state has done to you yet again'. Elsewhere he has described him as a 'freedom-fighter' and a defender of 'this great cause' who is 'just one of Germany's Political Prisoners'. Irving has consistently publicised Deckert's imprisonment over the past few years and presented him as something of a martyr for the cause of 'real history'.[351] The point in this context is not whether or not Deckert's imprisonment is morally justified: the point is that he has been imprisoned for Holocaust denial under German law, and Irving has associated himself with his cause.

16. In general, therefore, Irving's close association with virtually all the most prominent Holocaust deniers in several different countries demonstrates once more that he is to be counted amongst their number. **3.6 Conclusion**

3.6.1 Not everyone who has studied Irving's writings and speeches in the 1990s has reached the conclusion that he has become a consistent and undeviating Holocaust denier. The American journalist Ron Rosenbaum, interviewing Irving for his book *Explaining Hitler*, published in 1998, concluded that 'Irving's stance in relation to Holocaust denial has seemed to waver confusingly back and forth in the time since I encountered him'. On occasion, says Rosenbaum, Irving, for example in his Goebbels biography, 'seems to argue that the Holocaust, or at least mass killings of Jews, *did* happen...that there was *some* deliberate killing of Jews, perhaps a hundred thousand or so, but mainly wildcat, unauthorized actions in the blood heat of the fighting on the eastern front.'[352] Moreover, in the course of his conversation with Rosenbaum, Irving admitted of some Holocaust deniers 'that there are certain organizations that propagate these theories which are cracked anti-Semites', and that he only spoke at their meetings because 'I've been denied a platform worldwide...I know these people have done me a lot of damage, a lot of harm', he confessed, without actually saying who he meant by this or what kind of damage or harm he was referring to.[353] This was enough for Norman Stone, reviewing Rosenbaum's book, to conclude that 'Irving...puts some blue water between himself and the nutty "revisionists" who claimed the Holocaust never happened...even Irving is not blind to the facts.'

3.6.2 However, even Stone was clear about the fact that Rosenbaum, as he wrote, 'cannot follow' subjects about which he was writing because of his ignorance of history, and had 'misunderstood' another of the key books he was writing about; while Rosenbaum himself confessed in his book to bewilderment as to the line Irving was taking in his interview with him, and elsewhere in the same chapter stated that 'to an ever-increasing extent, Irving has...become a fiery rabble-rousing Führer of the Holocaust-denial movement, addressing adoring rallies in Germany and, not surprisingly, in Argentina.'[354] The fact that Irving had been banned from addressing rallies, whether adoring or not, in Germany, some years before the publication of Rosenbaum's book

seemed to have escaped the author. Rosenbaum is a careless and inattentive interviewer and author, who has clearly not taken the trouble to investigate the phenomenon of Holocaust denial or to arrive at a reasonable definition of it. If he had done so, it would be clear to him, as it should be to Stone, that Irving's admission that a hundred thousand Jews were killed in largely unco-ordinated acts of war on the eastern front did not constitute an admission of the reality of the Holocaust in any meaningful or generally accepted sense of the term.

3.6.3 A close examination of Irving's speeches and writings since the late 1980s indicates that there is no doubt at all that he has become a Holocaust denier. He clearly holds all four central beliefs of the deniers as defined above. He argues that the number of Jews deliberately killed by the Nazis was far less than six million; it amounted to only a few hundred thousand, and was thus similar to, or less than, the number of German civilians killed in Allied bombing raids, which he portrays as crimes of a similar or greater order. He argues that gas chambers were not used to kill large numbers of Jews at any time. If Jews did die in large numbers, it was as a result of epidemics for which the Allied bombing raids were in large measure responsible. If there has been any wavering by Irving on these points, it has been since the publication of Lipstadt's book; even here, however, insofar as it can be observed at all, it appears to be more a matter of presentation than of content.

3.6.4 Irving continues to assert, as he had already done prior to 1988, that the Nazi state had no concerted policy of exterminating Europe's Jews; all the Nazi leadership, Hitler at its head, wished to do was to deport them to Eastern Europe. He alleges that the Holocaust is a myth invented by Allied propaganda during the war and sustained since then by Jews who wish to use it to gain political and financial support for the state of Israel or even for themselves. The supposed evidence for the Nazis' wartime mass murder of millions of Jews by gassing and other means, he claims, was fabricated after the war. He has referred repeatedly to the 'Holocaust myth' and the 'Holocaust legend' and has described himself as engaged in a 'refutation of the Holocaust story'.

3.6.5 Irving is far from being a lone figure or an original, isolated researcher in this field. For some years now, Irving has had close contacts with virtually all the major Holocaust deniers, including Faurisson and Butz. In the years up to the publication of Lipstadt's book, he was a regular speaker at meetings of the Institute for Historical Review and continued to be through the mid-1990s. He has published extensively in its journal. An examination of the Institute's history, context and activities and of the contents of the *Journal of Historical Review* makes it clear beyond any reasonable doubt that its central business is Holocaust denial. Irving has contacts with many other Holocaust deniers and is using his website on the Internet to propagate their views. He has been prosecuted for Holocaust denial in Germany and found guilty under German law. Whether or not the law is just is in this context quite immaterial; the point is that he was convicted by a German court of Holocaust denial and that the conviction stands.

3.6.6 It is reasonable, therefore, to regard Irving as part of an international network of Holocaust denial. Irving links himself with others of similar views in rejecting the label 'Holocaust denier', as we have seen, either because they agree that *some* massacres of Jews took place (as Robert Faurisson, quoted above, argued, massacres always take place in wartime), or because they redefine the term 'Holocaust' so as to make it possible for them to say they believe in it without believing in the systematic Nazi extermination of millions of Jews, the Nazis' use of gas chambers, or any of the other aspects of the Holocaust or 'Final Solution' as conventionally defined.

3.6.7 Thus for example Irving tends to argue, when accused of Holocaust denial, that the *whole* of the Second World War was a Holocaust, in the sense that many innocent civilians were killed on all sides; or that the term 'Holocaust' means the gassing of six million Jews at Auschwitz (a proposition which nobody apart from Irving himself has ever advanced). But it is not the term *Holocaust* which is at issue here. One may reject the term 'Holocaust' as a label without in any way rejecting the fundamental proposition that the Nazis had a conscious and centrally directed policy of exterminating all the Jews in Europe, and carried it out during the Second World War to the extent that they killed between five and six million of them by shooting, deliberate starvation and neglect, and in specially built gassing facilities at Auschwitz and elsewhere. It is these fundamental propositions which are at issue here, not the term used to describe them. And it is these fundamental propositions which Irving denies, in common with others who have made it their business to do so as well.

3.6.8 These are the facts which justify any reasonable person in describing David Irving as a Holocaust denier. Indeed he himself has come close at times to agreeing with the application of this description to himself. 'Until 1988', he told an audience in Calgary in 1991, 'I believed that there had been something like a Holocaust.' But since then, he continued, it had been clear to him that 'that story was just a legend.' It was not so much the label he rejected as its negative connotations – 'Holocaust denier – as though there's something wrong in refusing to accept…the whole story.'[355]

4. Irving's writings on Hitler

4.1 Admiration

4.1.1 Irving presents himself in his writings and speeches as a man who has discovered the objective truth about Hitler and the Nazis, rescuing it from the myths and legends perpetrated by historians, politicians and others by refusing to believe what other historians wrote and by going back to the original sources instead. 'I saw myself as a stone-cleaner', he wrote in the Introduction to his book *Hitler's War* in 1977, 'less concerned with architectural appraisal than with scrubbing years of grime and discoloration from the façade of a silent and forbidding monument.' 'The biggest problem in dealing analytically with Hitler', he continued, 'is the aversion to him deliberately created by years of intense wartime propaganda and emotive postwar historiography.' Hitler, Irving argued, has been caricatured by posterity, beginning with the Nuremberg War Crimes Trials, where everybody tried to shift the blame to Hitler. 'These caricatures have bedevilled the writing of modern history ever since.' Irving cultivates the image of a man who has achieved the feat of demolishing these caricatures and restoring a true picture of Hitler and Nazism by massive, indefatigable research into primary sources, and by a scrupulously critical attitude to the documents.

4.1.2 In the Preface to the first edition of *Hitler's War*, Irving wrote that 'this book views the situation as far as possible through Hitler's eyes, from behind his desk', a strategy which undoubtedly speaks of a strong identification with the subject and the subject's point of view.[356] In a discussion on BBC1 television in 1977 he said that once Hitler had become Reich Chancellor, 'he became a statesman and then a soldier...and the Jewish problem was a nuisance to him, an embarrassment.'[357] 'Adolf Hitler', he wrote in 1984, 'was a man of a certain amount of intellectual honesty'.[358] In 1989, Irving praised Hitler at somewhat greater length in his afterword to the German translation of a book by the French Holocaust denier Paul Rassinier arguing that Germany had been 'driven' into the Second World War by her enemies:

> Adolf Hitler was a patriot - he tried from start to finish to restore the earlier

> unity, greatness and splendour of Germany. After he had come to power in 1933, he carried out the programme whose realisation he had promised since 1922: he restored faith in the central government; he rebuilt the German economy; he removed unemployment; he rebuilt the disarmed German armed forces, and then he used this newly-won strength to attain Germany's sovereignty once more, and he became involved in his adventure of winning living-space in the East. He had no kind of evil intentions against Britain and its Empire, quite the opposite...Hitler's foreign policy was led by the wish for secure boundaries and the necessity of an extension to the east...The forces which drove Germany into the war did not sit in Berlin.[359]

4.1.3 These claims, it should be noted in passing, are not substantiated by Irving. The evidence examined by specialists on these subjects indicates, rather, that Hitler did not restore the German economy in any normal sense, but rapidly distorted it through his extreme prioritization of rearmament; he did have evil intentions towards the British Empire; and his 'adventure of winning living-space in the East' was a war of genocidal extermination against the Poles and other peoples who lived there, justified by an ideology of racial supremacy: there is no evidence of any kind that Germany and the Germans actually needed 'living-space' in the East.[360]

4.1.4 As far as this report is concerned, however, Irving's writings quoted above would seem indeed to indicate that Irving is, as Lipstadt put it, 'an ardent admirer of Hitler'. Faced with this charge, Irving asserts in his reply to Lipstadt's defence that on pages 5 and 20 of the 1991 edition of *Hitler's War*, he 'makes explicit reference to the crimes committed by Hitler'.[361] On looking up the 1991 version of *Hitler's War*, however, we find that on page 5 Irving refers to Hitler's inconsistency in, on the one hand, using the argument of military necessity to justify orders to execute hostages, massacre Italian officers who had fought against German troops in 1943, kill Red Army commissars, Allied commandos and captured Allied aircrews, and exterminate the male populations of Stalingrad and Leningrad, and, on the other, opposing the use of poison gas, the assassination of enemy leaders and the ruse of having German tanks fly Soviet flags to confuse the enemy. Hitler's 'crimes' here are carefully selected to fit in with the argument that Hitler viewed mass killing as a military necessity; other, much larger crimes, such as the deliberate murder of more than three million Soviet prisoners of war, or the mass extermination of Europe's Jews, do not get a mention, because there is no sense in which they could be justified or excused as acts of military necessity.

4.1.5 The reference to Hitler's crimes on page 20 simply repeats this list, adding Hitler's 'order for the liquidation of tens of thousands of fellow Germans (the Euthanasia Order)'. This too, if we turn to pages 227-8, is presented by Irving as a matter of military necessity:

> About a quarter of a million hospital beds were required for Germany's disproportionately large insane population: of some seven or eight hundred thousand victims of insanity all told, about 10 percent were permanently institutionalized. They occupied bed space and the attention of skilled medical personnel which Hitler now urgently needed for the treatment of the casualties of his coming campaigns.

4.1.6 In a debate chaired by David Frost on BBC1 television in June, 1977, Irving, asked whether he thought Hitler was evil, replied: 'He was as evil as Churchill, as evil as Roosevelt, as evil as Truman.'[362]

4.1.7 Irving goes on in the 1977 edition of *Hitler's War* to explain how 'the National Socialists had instituted a program of racial hygiene' on coming to power in 1933, identifying 20 per cent of the German population as suffering from hereditary biological defects. 'The economic burden represented by these specimens was explained, and particularly repulsive samples were housed at the institutions as walking laboratory exhibits.' According to Irving, Hitler's initial involvement was in sanctioning 'mercy killing' of 'patients in intolerable pain' and 'deformed newborn babies'. This quickly led, he suggests, to 'the programmed elimination of the burdensome tens of thousands of insane' which Hitler saw as a necessary part of the war effort. Nowhere does Irving explain that the killing of such people was not in fact merciful; that Hitler had long intended to rid the country of the eugenically unfit and had deliberately waited until the circumstances of war allowed him, as he thought, to do so; that 'repulsive samples', or in other words handicapped human beings, only appeared so because of the way they were presented in Nazi propaganda films; or that humans and civilized societies do not regard those of their members who are disadvantaged in this way as economic burdens.[363]

4.1.8 Hitler, in Irving's eyes, was a 'dictator by consent', to quote the title of one of the early chapters of the 1991 edition of *Hitler's War*, a man who ended 'the cancerous symptoms of industrial unrest' and replaced unions with the 'German Labor Front, the DAF...the biggest trade union in the world, and one of the most successful.' The labour force according to Irving was his 'power base'.[364] He 'saw the random bickering of the newspapers of the democracies as an inexcusable frittering away of a vital national resource'.[365] Irving defended the 'night of the long knives' in June 1934, when Hitler personally ordered the murder of some 90 of his former associates, above all in the leadership of the SA (*Sturmabteilung*, the paramilitary wing of the Nazi Party).

4.1.9 Most historians have seen this as a shocking violation of moral and legal norms, in which Hitler not only brought retrospectively trumped-up charges against the SA leaders of plotting a coup, but also used the opportunity to bump off politicians, such as former Chancellor Kurt von Schleicher and retired Bavarian politician Gustav von Kahr, who he felt knew too much about his past, or whom he simply strongly disliked, and against whom no conceivable political suspicions could be directed in 1934.[366] According to Irving, however, 'the SA *was* planning to overthrow Hitler's government'.[367] 'In an act of rare magnanimity', he went on, neglecting to mention that in personally marking crosses against the names of scores of people in the night in question, Hitler had not shown much magnanimity at all, 'Hitler ordered state pensions provided for the next of kin of the people murdered in the Night of the Long Knives, as June 30, 1934 came to be known. Even so he began to suffer nightmares and could not sleep.'[368] Rather than a brutal murderer, Hitler, according to Irving, was a 'friend of the arts, benefactor of the impoverished, defender of the innocent, persecutor of the delinquent' (the arbitrariness and injustice with which the supposedly 'delinquent' were persecuted is another subject Irving neglects to discuss).[369]

4.1.10 Irving's position on all these issues is undoubtedy highly favourable to Hitler. Reviewers of his work have frequently commented on this. Gordon A. Craig – a customarily generous reviewer - pointed out that

> The Hitler who emerged from his version of the past was a far different one than was to be found in earlier works - less brutal and ruthless, more human, and deserving of sympathy, since he was always being let down by others. This result was achieved, however, not by the presentation of new evidence but

> rather by means of the technique employed by the author. In his introduction, Irving wrote that his book "view(ed) the situation as far as possible through Hitler's eyes, from behind his desk", and this method...meant that, when judgments were made, they were Hitler's own judgments and that they were uncontested. Thus, Mr. Irving, who did not hesitate to use formulations like "Hitler was cheated of the ultimate winter victory", accepted the Führer's attribution of all military setbacks to the incompetence or disloyalty of the General Staff and the commanding generals, without making any appraisal of Hitler's own deficiencies as a commander.[370]

Thus, Craig concluded, Irving's identification with Hitler led to a substantial distortion of the historical record by omitting other, more critical perspectives on the Nazi leader's conduct.

4.1.11 Reviewing *Hitler's War* in 1977, Hugh Trevor-Roper found a 'consistent bias' in favour of Hitler and against his opponents. This was, he thought, in part the consequence of Irving's decision to describe the war from the point of view of Hitler and his court. but it went further than this. Given the nature of the sources, which reflected the standards and assumptions of the court, it was inevitable that Hitler's view should prevail in Irving's book. By contrast, the case for Hitler's opponents went by default. But:

> Sometimes, by adjectival innuendo, Mr. Irving adds his own support to Hitler's verdict; sometimes it is not clear who is pronouncing judgment on these "undesirables", these "querulous generals", this "polyglot mixture of nobility and plebs. Some people always come out badly: Canaris is always a "slimy" or "slippery" defeatist, one of the "worms" who turn and are naturally destroyed. Winston Churchill is never mentioned except to be dismissed: either in Hitler's terms - "drunkard", "cretin", "paralytic", "nincompoop" - or, by Mr. Irving, with more refined distaste. On the other hand, Hitler's popularity and radiating charm is constantly stressed: no man, we are told, possessed "the affection of the German people" as completely as he did, in the summer of 1944, just before the attempt to assassinate him.

'Mr. Irving's sympathies', Trevor-Roper concluded, 'can hardly be doubted'; and in his view they were consistently in favour of Hitler and the Nazis.[371]

4.1.12 The journalist Robert Harris, in his meticulous account of the 'Hitler diaries' affair, concurred in this judgment. Harris's description of *Hitler's War* went further than Craig's or Trevor-Roper's in pointing to the identification of the author with his subject:

> Irving's aim was to rewrite the history of the war "as far as possible through Hitler's eyes, from behind his desk". This made for a gripping book, but one which was, by its nature, unbalanced. However "objectively" he might piece together the unpublished recollections of Hitler's subordinates, they were still the words of men and women who admired their ruler. And confined to Hitler's daily routine, the biography had a curiously unreal quality: the death camps, the atrocities, the sufferings of millions of people which were the result of Hitler's war were not to be found in *Hitler's War* as it was reconstructed by David Irving.

4.1.13 Interviewing Irving about the ''Hitler diaries', Harris noted, perhaps a little mischievously, some even more alarming aspects of the identification of author and subject

than were readily apparent from the book:

> Irving admitted that in writing *Hitler's War* he had "identified" with the Führer. Looking down upon him as he worked, from the wall above his desk, was a self-portrait of Hitler..."I don't drink", he would say, 'Adolf didn't drink you know."... He shared Hitler's view of women, believing that they were put on the earth in order to procreate and provide men with something to look at: "They haven't got the physical capacity for producing something creative,"...In 1981, at the age of forty-one, he had founded his own right-wing political group, built around his own belief in his "destiny" as a future British leader. With his black hair slanting across his forehead, and a dark cleft, shadowed like a moustache between the bottom of his nose and the top of his upper lip, there were times, in the right light, when Irving looked alarmingly like the subject of his notorious biography.

4.1.14 Harris was perhaps indulging in a little journalistic licence here. But the fundamental point that he was making about *Hitler's War* was a sound one, and shared by others too. Irving's book, he noted, aimed to humanise Hitler, to make him, as the book's Introduction claimed, 'an ordinary, walking, talking human.'[372]

4.1.15 Reviewing *Hitler's War* in 1979, Charles W. Sydnor Jr. found that Irving portrayed Hitler not as a monster but as 'a fair-minded statesman of considerable chivalry, who never resorted to the assassination of foreign opponents (p. xii), who never intended to harm the British Empire and genuinely wanted peace with Britain after June 1940 (pp. xv-xvi), and who attacked the Soviet Union in June 1941 only as a preventive measure.' Irving's Hitler, noted Sydnor, 'was a strategist and tactician of inspired genius, who was nearly always right', and if he became more hostile to the Jews during the war, this was only under the influence of his unsavoury associates such as Goebbels or Himmler. 'Hitler's most brutal policies, therefore, were either a response to perfidious Allied actions, or were conducted in his name, but without his knowledge, by his unscrupulous subordinates. Mr Irving's Hitler, moreover, was a man capable of genuine warmth and maudlin sentimentality.'[373]

4.1.16 The American historian John Lukács, reviewing Irving's work in the course of a general survey of historical writing on Hitler over the past few decades, commented in 1998 that

> *Hitler's War* was a 'partial rehabilitation of Hitler' and 'revealed for the first time (that is, to careful readers) his admiration of Hitler'.[374] During his career, Lukács wrote, Irving had progressed from a young sympathizer of Germany and things German to a "rehabilitator" of Hitler and then to his indubitable admirer and partisan.'[375] Similarly, the German historian Martin Broszat, writing about the 1977 edition of *Hitler's War*, noted that there was an obvious contradiction between Irving's self-confessed desire to look at events from behind Hitler's desk, and his claim to take an objective view of events. 'Irving', he continued, 'does not remain silent about individual actions of killing and annihilation which go back to Hitler, but portrays them in an exculpatory and often erroneous way.' He created an imaginary picture, allegedly painted by historians, of a mad Hitler, which in fact had long ceased to exist for serious researchers, as a kind of straw man against which to pit his arguments. The whole book, Broszat charged, was dominated by a perspective narrowed by partisanship in favour of Hitler.[376]

4.1.17 It has long been apparent to careful and knowledgeable reviewers, therefore, that Irving is an admirer of Hitler. The terms in which Irving portrays Hitler in his books,

writings and speeches, as we have seen, confirm this view. Irving himself has made no secret about how he sees his role. Irving explained his role as Hitler's 'ambassador' to Ron Rosenbaum:

> Every time I've written a biography, you find you become close to the character you're writing about because you're his ambassador then. You're his ambassador to the afterlife. Or to the next generation. And if you do your job conscientiously, then you bend over backward to do it ... I don't think it should lead you to adopt an unobjective position.[377]

4.1.18 Irving was more expansive to an audience of historians and fellow publicists in 1978, when he explained how fate had anointed him Hitler's historian:

> Basically Hitler himself determined who should be his biographer. I know that since I found Hitler's ear, nose, and throat doctor in Krefeld in early 1970, the man who treated Hitler after the assassination attempt of 20 July 1944, Dr. Erwin Giesing. I called on him in his practice. He had no time at that moment and I had to wait for half an hour for him. Already in the waiting room he gave me a file to read, about 500 typed pages. Can you imagine how one feels when one reads the diary of the doctor who treated Hitler after the assassination attempt? It begins on 23 July 1944. I ask him, why are you giving this to me, Herr Dr. Giesing? He answers me, read page 387. It's about a conversation between Hitler and Giesing. The doctor writes that he had to treat Hitler for the pain in his ears. He writes, I asked the Führer if he knew that the Kaiser also once suffered from a similar ear pain. He nodded. I asked him if he had read that very good book about the Kaiser written by an Englishman, 'A Mythical Creature of our Times'. The Führer answered in the affirmative to this too. I said, actually the Kaiser came off very well. After all he was an Englishman. The Englishman managed to utilise the Kaiser's handwritten papers. Hitler said, Herr Doctor Giesing, for two years now I too have also gone over to allowing protocols of my discussions to be taken down. Perhaps an Englishman will also come one day who wants to write an objective biography of me. It has to be an Englishman of the next generation. Because a representative of the present generation cannot write the truth about me and certainly won't want to either. It has to be an Englishman who knows the archives and who has mastered the German language. And that is why you are getting the diaries Mr Irving, the doctor said. [378]

Irving therefore sees himself in the end not as a neutral, objective historian but as Hitler's representative in the world after his death, as the historian chosen, as it were, by the Führer himself. 1. In a very real sense, indeed, he evidently conceives of himself as carrying on Hitler's legacy. Speaking to an audience in Calgary, Canada, in 1991, he revealed that he had once been described as a 'self-confessed moderate fascist', and added: 'I strongly object to that word "moderate".'[379] In an interview for the television programme *This Week*, in 1991, Irving said: 'I think Adolf Hitler made a lot of mistakes. He surrounded himself with people of very very poor quality. He was a rotten judge of character. These are the mistakes that you have to avoid replicating.'[380] 'You' in this context clearly referred to Irving himself.

1. And whatever mistakes he thought Hitler had made, there is no doubt that basically Irving's attitude towards him was one of admiration. At a press conference in Brisbane in 1986, a journalist asked him: 'Do you admire Hitler?' Irving replied:

> Erm, yeah, certain aspects. What a tricky question; you see now, I thought I

had you. You're asking a question which, really, however you answer it, you're going to be in deep water, because there are certain aspects of his life that everybody admires. The fact that he had risen from nobody. You see she's writing it down. He'd risen from nobody, and he'd risen from nobody and become the admired and respected leader of two great nations, Germany and Austria. That after a very, very hard (?) and difficult fight in 1933, just five years later he got 49 million Germans to vote for him, which was 99.8 per cent of the electorate….I think that from 1938 onwards he began to go off the rails, in the moral sense. He became too big for his boots, and assumed that he was the law. And that is a very common defect.

4.1.21 This criticism was not a very serious one however. Irving failed to mention that in the 1938 vote there was massive intimidation of the electorate. Democratic societies do not produce 'yes' votes of 99.8 per cent. Moreover, Irving's own writings about Hitler's conduct during the war do not suggest that he thinks Hitler went 'off the rails'. Finally, however much Irving might seek to relativise his own admiration for Hitler by arguing that others share it, there is in fact no truth in his claim that 'everybody admires' certain aspects of Hitler's life.

4.1.22 In the same interview, another journalist put to him the following question, and got a rather less guarded answer:

> Wouldn't it be fair to say that the historical perspective that we're given here in the West is that Churchill was the person to be looked up to and Hitler was the rogue. Are you saying that that situation is really quite the reverse?

Irving: Quite the reverse.[381]

4.1.23 Hitler, in other words, was according to Irving in 1986, a person to be looked up to, or in other words, a person to be admired. Both explicitly, in his speeches and interviews, and in a more roundabout way, in his books, Irving has consistently portrayed Hitler in positive terms which leave one in no doubt that he ardently admires him.

4.2 Exculpation

4.2.1 Irving has always been particularly sensitive to the charge that Hitler was antisemitic and used his power to bring about anti-Jewish laws and finally to order the extermination of all the Jews in Europe. He has consistently tried to exculpate Hitler from the charge that it was he who drove the antisemitic and exterminatory policies of the 'Third Reich' forward. 'Hitler', Irving has claimed, 'used his antisemitism as a political platform from which to seize power in 1933, but that after that he lost interest in it except for occasional flights of public oratory; while Dr Goebbels and other lesser Nazis continued to ride that horse to the hounds, to the mounting irritation of their Führer Adolf Hitler who no longer needed antisemitism.'[382] Even before 1933, Irving argues, Hitler's antisemitism was only tactical, and in practice he was not personally ill-disposed towards the Jews. Referring to the notorious 1935 Nuremberg laws, which deprived German Jews of their citizenship and outlawed marriage and sexual relations with non-Jewish Germans, Irving asserted in 1996: 'To Goebbels's ill-concealed irritation, Hitler leaned toward leniency in applying these new laws'. He quoted Hitler saying there must be 'no excesses'.[383]

4.2.2 In the 1977 edition of *Hitler's War*, Irving conceded (p. 576) that Hitler must have known about the extermination of the Jews from 7 October 1943, when he met the Gauleiters who had recently listened to Himmler's notorious speech in Posen where

he revealed to them that 'by the end of 1943 the last Jews in occupied Europe would have been physically *exterminated*.' However, Irving's Index entries even for the subsequent period contain items such as 'orders to work in factories in Hungary', 'favors transfer abroad', 'promises end to massacre', and 'says it's Himmler's affair.' Irving already argued in 1977 that it was significant that no written order had been found bearing Hitler's signature for the extermination of the Jews. There were for example comparable orders which he did sign, for instance the so-called Euthanasia Order, dated 1 September 1941, ordering the killing of the mentally and physically handicapped in German hospital institutions. He also claimed that no other high-ranking Nazi ever made any reference to a Hitler order for the liquidation of the Jews, and that there was no evidence that Hitler ever gave a verbal order to this effect either.[384]

4.2.3 What was Irving's position when he came to revise the book for its second edition in 1991? In the Introduction to the 1991 edition of *Hitler's War*, Irving removed the reference to Hitler having known about the 'extermination' of the Jews from October 1943 because, as we have already seen, Irving now disputed the factuality of the extermination altogether. 'When confronted with the facts he took no action to rebuke the guilty', Irving wrote of Hitler in this edition of his book: but he did not go into detail as to when this happened or what 'the facts' actually were. The argument about the extermination having been set in motion by local SS commanders in the East was also removed altogether. Instead, he inserted a new section arguing that

> Every document actually linking Hitler with the treatment of the Jews invariably takes the form of an embargo, from the 1923 beer-hall putsch (when he disciplined a Nazi squad for having looted a Jewish delicatessen) right through to 1943 and 1944. If he *was* an incorrigible anti-Semite, what are we to make of the urgent edict issued "to all Gau directorates for immediate action" by his deputy, Rudolf Hess, during the infamous Night of Broken Glass in November 1938, ordering an immediate stop to such outrage "on orders from the very highest level"? Every other historian has shut his eyes and hoped that this horrid, inconvenient document would somehow go away. But it has been joined by others, like the extraordinary note dictated by Staatssekretär Schlegelberger in the Reich Ministry of Justice in the Spring of 1942: "Reich Minister Lammers", this states, referring to Hitler's top civil servant, "informed me that the Führer has repeatedly pronounced that he wants the solution of the Jewish Question put off until after the war is over." Whatever way one looks at this document it is incompatible with the notion that Hitler had ordered an urgent liquidation program....And Hermann Göring himself is on record as stressing at a Berlin conference on July 6, 1942, how much the Führer and he deprecated the doctrinaire harassment of Jewish scientists...

4.2.4 At all times in the 1991 edition of *Hitler's War*, Irving exculpated Hitler from involvement or even knowledge of the few atrocities against Jews he is still prepared to admit actually happened. Thus for example when Irving described the shooting of 75,000 Jews in Kiev by the SS, he was careful to add that 'Hitler's responsibility - as distinct from Himmler's - was limited to the decision to deport all European Jews to the east.' Himmler, Irving argued, concealed their fate from him. He claimed that Hitler's surviving staff all said after the war that 'never once was any extermination of either the Russian or European Jews mentioned - even confidentially - at Hitler's Headquarters.' (pp. 422-4). Hitler's intention was to merely to hold Jews hostage in the East (p. 425). Irving summed up his views on Hitler and the Jews when he told the International Revisionist Conference in 1983: that 'probably the biggest friend the Jews had in the 'Third Reich', certainly when the war broke out, was Adolf Hitler. He was the one who was doing everything he could to prevent things nasty happening to

them.'[385]

4.3 Historical method: case-studies

(a) Irving's 'chain of documents'

1. Irving has claimed on numerous occasions, as he said on BBC1 television in June, 1977, that 'there is a chain of important documents, starting in about 1938 and going right through to 1943, indicating, firstly, that Adolf Hitler was issuing vetoes, saying this is not to be done to the Jews, they are not to be liquidated.'[386] In 1983, Irving told the International Revisionist Conference in almost identical terms: 'There is a *whole chain* of evidence from 1938 right through to October 1943, possibly even later, indicating that Hitler was completely in the dark about anything that may have been going on' with respect to mass killings of Jews.[387] 'So far', he boasted triumphantly, '*I haven't been disproved.*'[388] Similarly, in his submission to the court, Irving argues that when the documents are subjected to rigid historical criteria as to their authenticity, the reasons for their existence, and the vantage point of their author, 'a relatively slim dossier of evidence resulted which portrayed Hitler intervening in *every* instance to mitigate or lessen wrongdoing against the Jews...there were few, if any, documents of comparable quality - documents which met the same criteria - giving the opposite sense.' [389]

2. The following sections of this Report go through this chain of documents and examine in detail whether they stand up to close and critical scrutiny. It will demonstrate that in every case, without exception, Irving engages in the skewing of the sources and the misrepresentation of data. So egregious are his distortions of the historical record, indeed, that they go far beyond what Lipstadt has actually alleged in this context. These examples have not been chosen because they show how Irving has falsified the historical record. On the contrary, they have been chosen because it is these specific instances of historical evidence and its interpretation which Irving puts forward as the strongest, most unassailable supports for his contention that Hitler did not know about the persecution and extermination of the Jews, and on the occasions when he did discover that Jews were being maltreated or persecuted, did his best to stop it.

3. In dealing with Irving as a Holocaust denier, this Report has already noted a number of instances of Irving's misinterpretation and misconstrual of the sources, and subjected his inconsistent and unprofessional methods of dealing with historical evidence to critical scrutiny. However, the following case-studies, some of which are very extensive and extremely detailed, will show beyond all doubt that Lipstadt is correct in claiming that Irving misstates, misquotes, falsifies statistics, falsely attributes conclusions to reliable sources, relies on books and sources that directly contradict his arguments, quoting in a manner that completely distorts the authors' objectives, manipulates documents to serve his own purposes, skews documents and misrepresents data in order to reach historically untenable conclusions, bends historical evidence until it conforms with his ideological leanings and political agenda, takes accurate information and shapes it to confirm his conclusions, and – a vital point not mentioned by Lipstadt – constantly suppresses or deliberately overlooks sources with which he is familiar because they contradict the line of argument he wishes to advance.

(b) Evidence at Hitler's trial in 1924

(i) Historical background

1. The first link in Irving's self-proclaimed chain of key documents which dem-

onstrate that Hitler was the best friend the Jews ever had in the 'Third Reich' does not in fact relate to the 'Third Reich' itself but to a relatively early incident in Hitler's career. The revolution of November 1918, which had overthrown the Imperial structure and for the first time in Germany history set up a fully democratic state, soon led to a backlash from the right. This backlash was most extreme in Bavaria. Under a counter-revolutionary government, Munich quickly became the centre for a variety of nationalist or *völkisch* sects which had formed all over the country since the end of the First World War.

2. One of the *völkisch* groups was the DAP, the German Workers' Party. It would in all likelihood have remained an insignificant and obscure splinter sect, had not Adolf Hitler, at the time a political agent for the German army, the *Reichswehr*, decided to use it as the platform for the launch of his political career. Hitler soon became the leading figure of the party (he officially took over the leadership of the party in July 1921) which changed its name in February 1920 to NSDAP, National Socialist Workers' Party, or Nazis. While there was some local support for the Nazis, it was only with the crisis of the Weimar state in 1922 and 1923, that the Nazi Party started to expand beyond its Munich power base. In this time of instability, intensified by the perceived threat of an immenent Communist rising in central Germany, the Nazis became increasingly powerful on the right-wing fringe of the political spectrum.

3. In late 1923, Hitler tried to translate his perceived strength into action and attempted a 'March on Berlin' to seize power. On the evening of 8 November, Hitler and some armed supporters stormed a meeting in the *Bürgerbräukeller*, (a Munich beer-cellar). The meeting was addressed by Gustav Ritter von Kahr, who as General Commissioner possessed almost dictatorial powers and was the most powerful politician in Bavaria. Hitler fired a shot into the ceiling. Then, he led von Kahr and others senior figures, such as the police president Seisser, into a back room, where they were forced to declare their support of the putsch.

4. Once Hitler had secured the backing of these men, his supporters, who were assembled in another beer hall, the *Löwenbräukeller*, were informed via telephone that the 'national revolution' had broken out. Hitler's followers in the *Löwenbräukeller* were led by Ernst Röhm, an army officer who was actively engaged in arming right-wing paramilitary groups. With Röhm were members of his own paramilitary organisation as well as SA (Storm Division) troops – the brown-shirted paramilitary wing of the Nazi Party. From April 1924 the brownshirts too would be led by Röhm. Once Röhm got the message that Hitler had apparently been successful, he mobilised his troops and marched towards the District Military Headquarters to take them over. But Hitler had seriously miscalculated his influence over the Bavarian government and army. He failed to win the support of leading political figures like von Kahr, who started counter-measures against the coup once he had been set free by Hitler. A small group of determined Nazi marchers set off for the city centre at noon on 9 November 1923 and were dispersed by armed police who fired on them as they approached the Odeonsplatz.[390]

5. The trial against Hitler and some of his accomplices began on 26 February 1924 before a political court, the *Bayerisches Volksgericht*. The trial aroused great interest in both the domestic and the foreign press. The presiding judges allowed Hitler to turn the trial into a propaganda show for the Nazi party. Hitler was able to elaborate his ideology at great length, without interruption.

The sympathies of the Bavarian judge were openly manifested in the sentence meted out to Hitler on 1 April 1924 the minimum possible, namely five years' incarceration in a *Festung* (a much milder form of imprisonment than prison or penitentiary). Hitler was released in December 1924.

(ii) David Irving's argument

1. One of the main aims of Irving's historical writings, as we have already seen, is to distance Hitler from all forms of violence against the Jews. This Report has already noted his statement in the Preface to the 1991 edition of *Hitler's War*: 'Every document actually linking Hitler with the treatment of the Jews invariably takes the form of an embargo.' One such document, he goes on to argue, refers to 'the 1923 beer-hall putsch (when he disciplined a Nazi squad for having looted a Jewish delicatessen).'[391] Irving also recounted this alleged incident in his *Göring*::

> Meanwhile, Hitler acted to maintain order. Learning that one Nazi squad had ransacked a kosher grocery store during the night, he sent for the ex-army lieutenant who had led the raid. "We took off our Nazi insignia first!" expostulated the officer - to no avail, as Hitler dismissed him from the party on the spot. "I shall see that no other nationalist unit allows you to join either!". Göring goggled at this exchange, as did a police sergeant who testified to it at the Hitler trial a few weeks later'.[392]

2. Irving cites this incident again in his new edition of *Hitler's War*, and also in his Pleadings. Here he refers to his account in *Göring*, and concludes that to his knowledge 'no other historian has ever quoted this passage, finding it hard to reconcile with their (*sic*) obsessively held views'.[393] It is necessary therefore to turn now to an investigation of Irving's claims and to assess the accuracy of his presentation and interpretation of this portion of the trial record.

(iii) Inconsistencies and omission of references

1. The first inconsistency in Irving's account is obvious even without a deeper knowledge of the sources: while he claims in *Hitler's War* that Hitler disciplined an entire Nazi squad, in *Göring* Irving claims that Hitler only disciplined its leader. To clear up this inconsistency, we need to examine the testimony at the trial of Hitler in 1924 by the police officer whom Irving mentions . But Irving makes it difficult for his readers to investigate the matter further. Footnotes are properly used by responsible historians to guide the interested reader to the sources on which each claim or statement in the text is based. However, Irving frequently transgresses this basic convention of historical scholarship. Thus, in his *Göring*, he gives no clear reference for the incident involving Hitler at all, making it very difficult to find the original source. Irving fails to inform the reader what the name of the police officer was, and when he gave his testimony. He only tells the reader, that his narrative 'is knitted together from the eyewitness evidence at the trial'.[394]

2. Irving is not much more forthcoming about the exact details in his Pleadings to the court, either. He merely states that the 'source is the transcript of the police sergeant's evidence, on U.S. National Archives microfilm'.[395] This makes it impossible for most readers to verify Irving's claims. The only way to examine Irving's account is to read through the entire record of the Hitler trial, searching

for the original source of his depiction of the events in question. However, if one is willing to invest time and effort, the reference can eventually be located. The court record for the 4 March 1924 detail the testimony by a former police officer, *Oberwachtmeister* Hofmann:

> Apart from this, I want to mention a previous incident because acts of violence which individuals have committed, have always been ascribed to him. I once went along to Hitler when I was still in the force and said to him: this and that have happened again. Some elements had attacked the Israelite delicatessen "That gives a bad impression of the party, and it's rather embarrassing for us in the police that such a thing should have to happen." By chance the leader of the group, a young, wartime army lieutenant, was there. Called on to speak, this man said: "I took off the party badge". Hitler said: "By doing this you admitted that you did not belong to the party at the moment when you committed that act. You are expelled with immediate effect from the party with your whole team and I will take care that you don't get admitted to any nationalist fighting squad again." Hitler always condemned these acts of violence and the individual excesses which occurred.[396]

(i) Misrepresentation of documents; invention and falsification.

1. When comparing this account with the one Irving gives in his book *Göring*, several distortions, inventions and misrepresentations become obvious. Irving invents and falsifies in order to make Hitler appear more actively opposed to violence against Jews and their property than he appears in the original testimony. Thus for example:

- Irving simply invents the assertion that 'Göring goggled at this exchange' between Hitler and the Nazi activist. Göring is not mentioned in Hofmann's testimony.
- Irving is wrong to say that the police officer 'goggled' at the exchange. Irving invents this passage to give the impression that Hitler must have expressed his views in an exceptionally forceful way. There is no warrant in the document for such a description.
- It is clear from Hofmann's account that Hitler did not send for the Nazi activist, but that he was already present before Hitler had been told about the incident. Thus Irving portrays Hitler as much more active than he actually had been in Hofmann's version, thereby casting him in a much more favourable light than the document actually allows.
- Finally, the testimony by Hofmann is falsely used by Irving to claim that Hitler acted to maintain order during his putsch attempt in November 1923. Irving is wrong when he claims that the incident took place on the night of the failed putsch. It is clear from Hofmann's testimony that the incident had taken place at some earlier, unspecified time and had no connection with the failed putsch at all.

(v) Use of unreliable sources

1. Until now, we have only examined Irving's misrepresentation of Hofmann's testimony. But the basic question still has to be answered: is Irving right to use Hofmann's testimony as an example for Hitler intervening to protect Jewish property? To answer this question, we have to examine the reliability of Hofmann as a witness. Matthäus Hofmann was a low-ranking official working in the aliens registration office of the Munich police. He apparently left the force on 1 January 1924. Hofmann was an open supporter of the Nazi Party, and had joined the party in 1921. As a Nazi supporter in the police service, he organised a fast-track system for issuing visas to foreign Nazi sympathisers. Hofmann

was also active within the Nazi party organisation. Hitler made him head of the political section of the NSDAP's intelligence unit. It appears that in this capacity Hofmann actually participated in the putsch of 8 and 9 November. There are strong indications that it was he who received the telephone message in the *Löwenbräukeller* announcing that the revolution had broken out. According to his own testimony, he accompanied Hitler for the rest of that night.[397] Hofmann also seems to have visited Hitler in prison while he was awaiting trial.[398]

2. Hofmann's testimony at Hitler's trial thus has little, if any, credibility. He was a long-standing Nazi supporter and party official, who tried hard to present Hitler in a favourable light as a law-abiding citizen. This tactic was even recognised by the lenient court. After Hofmann's testimony on Hitler's supposed opposition to violence (including Hitler's alleged sacking of the Nazi activist), which Hofmann had volunteered without any prompting from the court, the presiding judge commented: 'It's a nice testimony to you that you are speaking out on behalf of your leader.'[399]

3. The reason that other historians have not relied on the testimony of Hofmann is not because of their 'obsessive' views, as Irving alleges, but because the source has no historical value. It is Irving's obsessive views which make him rely on a witness who could not be more biased in favour of Hitler, and it is Irving's dishonesty which leads him to conceal the salient facts about this witness from his readers. Irving obviously knows that the witness was a Nazi Party member, and he has clearly deliberately concealed this fact and made it more difficult for others to discover his deception by failing to provide a proper footnote reference to the document in which it is revealed.

(vi) Skewing reliable sources

1. Irving claims that Hitler acted to protect Jewish property during the putsch in November 1923. In reality, the exact opposite happened. On Hitler's orders, a squad of SA men forced their way into the printing and publishing house of the Jewish brothers Parcus on Promenadenstraße early on 9 November, and under the threat of violence stole a large sum of money, which was later distributed as 'payment' amongst the members of the SA.[400] Hitler openly admitted this at his trial. When asked whether he ordered this particular raid, he replied in the affirmative: 'I did it in memory of the Revolution, which confiscated hundreds of billions in gold from the German people. I felt I had the right to do it.'[401]

2. Irving mentions this incident in his book on *Göring*. His account of the raid on the Jewish printers is as follows: 'Hitler…sent armed men into the city to requisition funds; they took 14,605,000 billion Reichsmarks from the Jewish bank-note printers Parvus and Company, and gave a Nazi receipt in exchange, Meanwhile, Hitler acted to maintain order.'[402] There then follows the story of the attack on the Jewish delicatessen.

3. Irving's account of the robbery of the printing establishment gives the impression that it was not a robbery at all but a 'requisitioning' which happened in an orderly manner and was above-board. If Hitler acted to maintain order, it was not in respect of this action, but with regard to the attack on the delicatessen, which, as we have seen, did not in fact take place during the putsch, if indeed it actually happened in the way claimed by Hofmann at all.

4. Thus Irving's account of the robbery waters down its illegality and violence and is immediately relativised and undermined in its significance by the following description of Hitler's alleged action in the earlier case.

(vii) Conclusion

1. When examined in detail, Irving's claim that Hitler acted against antisemitic excesses by his followers during the putsch of 1923 dissolves into thin air. He misrepresents the document on which he relies, he embroiders it with outright inventions, and the document itself turns out to be evidence from a source so biased as to have no credibility at all. He completes this by skewing a genuine source so as to give a misleading impression of Hitler's attitude towards another attack on Jewish property which he himself ordered and justified in his testimony before a court of law.**(c)**

'Reichskristallnacht' November 1938.

(i) Background

1. The second link in Irving's 'chain' of proof that Hitler defended the Jews is Hitler's actions during the events of 9-10 November 1938, part-trivialized, part-celebrated by the Nazis as the *Reichskristallnacht* or 'night of broken glass'. This episode is well known to historians. There have been many important scholarly studies based on a painstaking examination of the original archival documentation. These include two accounts by staff members of the Institut für Zeitgeschichte in Munich[403] and other detailed studies by widely respected historians of Nazi Germany, also using the extensive original archival material available to historians in a wide variety of repositories in Germany, Britain and the USA. There have also been a number of local studies and exhibitions in German towns.[404] The pogrom was carried out in public and widely reported in the German and international press[405] , and the main events are not disputed by historians.

2. The course of events on 9-10 November 1938, and their immediate origins, can be briefly summarised as follows. On Monday, 7 November 1938, a young Polish Jew, Herschel Grynszpan, shot and badly wounded the German legation secretary vom Rath in the German Embassy in Paris. Grynszpan said his motive was as a protest against the expulsion of his parents from Germany. The expulsion was part of a dispute between the right-wing, antisemitic government of Poland, which was threatening to deprive Polish Jews living abroad of their Polish citizenship, and the Nazi government in Germany, which had reacted by trying to deport Polish Jews in Germany back to Poland *en masse*. On hearing of the shooting, Hitler expressed his concern for vom Rath by sending his personal physician to Paris.

3. On Tuesday 8 November, acting on the instructions of the official German Press Bureau, the *Völkischer Beobachter*, the Nazi daily paper, reported the shooting and threatened the Jews of Germany with retaliation, particularly against Jewish shops and landlords. These reports were repeated in the local and regional press. Nazi party members and local associations all over Germany were already preparing to celebrate the anniversary of Hitler's unsuccessful attempted *putsch* in Munich on 9 November 1923, and in Kassel and Dessau and some surrounding small towns they led attacks on Jewish community centres, synagogues and cafés, breaking windows and damaging interiors. On the evening of 8 November 1938, Hitler delivered his traditional speech, on the eve of the anniversary of the *putsch*, in the *Bürgerbräukeller* in Munich, without mentioning the assassination

attempt on vom Rath.

4. Wednesday 9 November 1938 was marked by the usual parades and marches commemorating the putsch in Munich. Hitler was told, probably some time in the late afternoon, that vom Rath had died at 5.30 p.m. that day. The news was on the wires, announced by the official German news agency, at 7 p.m.. Hitler then went for dinner to the Old Town Hall, where the Party leadership was gathering to celebrate an evening of comradeship from about 8 p.m. to 10.30 p.m.. After a discussion with Goebbels, Hitler left the dinner to go to his Munich home, although the usual custom was that he should address those present at the commemoration.

5. Shortly afterwards, at about 10 p.m., Goebbels spoke to the meeting in Hitler's place. According to a report submitted to Hermann Göring by the Supreme Nazi Party Tribunal on 13 February 1939, Goebbels told his audience that there had already been anti-Jewish demonstrations in Hesse and Magdeburg-Anhalt, in which synagogues and Jewish businesses had been destroyed. He added: 'On his briefing, the Führer had decided that such demonstrations were neither to be prepared nor organized by the party, but insofar as they were spontaneous in origin, they should likewise not be quelled.' The decision had probably been discussed by Hitler and Goebbels during the previous dinner conversation. The report added that all those local party chiefs present understood this to mean that the party organization should organize anti-Jewish actions without being seen to do so.[406]

6. After the end of the meeting at 10.30 p.m. the *Gauleiters* present at the meeting contacted their local staffs and told them to act against Jewish shops, businesses and synagogues. Later that night, SA leaders in Munich also called upon the SA's regional officials all over Germany to organize and participate in the pogrom. The police, meanwhile, were given orders to stay aloof, and police officers were instructed not to participate in the pogrom unless events took a turn which endangered German property or the lives of non-Jewish Germans and foreigners. They were, however, ordered at the same time 'to arrest as many Jews, especially well-off Jews, as can be accommodated in the available detention areas.'[407]

7. The terror lasted well into the morning of 10 November, 1938, and in some places even longer. One historian has aptly described it as a 'relapse into barbarism.'[408] During the night, according to a first official balance-sheet drawn up on 11 November 1938 by Reinhard Heydrich, head of the security police, 191 synagogues had been set on fire and a further 76 had been completely destroyed.[409] The real figures were of course much higher. A total of around 20,000 Jews had been arrested by the police. The majority of these Jews were released from concentration camps after a few days or weeks, but not before undergoing repeated beatings and humiliations by the SS camp guards. At a meeting chaired by Göring on 12 November 1938, it was disclosed that 7,500 shops and businesses had been destroyed and that there had been some 800 cases of looting, which –unlike the destruction of Jewish premises – appeared to the Nazi leaders as criminal acts.[410] The report of the Supreme Nazi Party court on 13 February 1938 on the pogrom referred to 91 killings, but the real number of deaths, including suicides, was certainly much higher.[411]

8. These events were the only major nationwide pogrom undertaken in public against the Jewish population during the 'Third Reich'. It is important to understand the nature of the violence unleashed not only against property but also against persons, which justifies referring to the night of 9-10 November 1938 as a pogrom. The US consul in Leipzig, David Buffum, reported on 21 November on the events in his town staring at 3 o'clock in the morning of 10 November:

> Jewish buildings were smashed and contents demolished or looted. In one of the Jewish sections an eighteen-year-old boy was hurled from a three-storey window to land with both legs broken on a street littered with burning beds and other household furniture and effects from his family's and other apartments. This information was supplied by an attending physician. ...Jewish shop windows by the hundreds were systematically and wantonly smashed throughout the entire city...According to reliable testimony, the debacle was executed by SS men and Stormtroopers not in uniform, each group having been povided with hammers, axes, crowbars and incendiary bombs. Three synagogues in Leipzig were fired simultaneously by incendiary bombs and all sacred objects and records desecrated or destroyed, in most cases hurled through the windows and burned in the streets. No attempts whatsoever were made to quench the fires, the activity of the fire brigade being confined to playing water on adjoining buildings....Having demolished dwellings and hurled most of the movable effects onto the streets, the insatiably sadistic perpetrators threw many of the trembling inmates into a small stream that flows through the Zoological Park, commanding horrified spectators to spit at them, defile them with mud and jeer at their plight. The latter incident has been repeatedly corroborated by German witnesses who were nauseated in telling the tale. There is much evidence of physical violence, including several deaths. At least half-a-dozen cases have been personally observed, victims with bloody, badly bruised faces having fled to this office, believing that as refugees their desire to emigrate could be expedited here.[412]

Numerous cases brought before German courts shortly after the war against the perpetrators indicated a similar pattern of violence and destruction all over Germany.

9. The maltreatment of the 20,000 or more Jewish men arrested and taken to concentration camps was similarly described in a large number of eyewitness reports filed both during and after the war by those who successfully reached exile. There is only space here for one such report to give an impression of the kind of hostility and brutality to which the arrested Jewish men – who had been neither formally tried nor found guilty of no crime or offence against the law of any kind - were exposed in the camps. One of the six thousand Hamburg Jews taken to Sachsenhausen concentration camp on 10 November described in an eyewitness report written only a short time after these events how he and his fellow-prisoners were

> met by a large contingent of SS men upon our arrival in Sachsenhausen. They immediately started to mistreat us so badly by kicking and beating us with rifle butts and truncheons that the police guard which had accompanied us stood aside aghast and then quickly departed...We were forced to stand in the camp for nineteen hours (in some cases, this period was even up to twenty-five hours). During this time, if someone collapsed, he was greeted by a hail of kicks and blows from the butts of rifles. The first thing we heard was a shout for the rabbi in the group, who was dragged by his beard and roughed up. He was then presented with a sign reading, 'I am a traitor and share responsibility for vom Rath's death'. He was forced to carry this sign at arm's length for a period of twelve hours...Then our beards and heads were shaven, and we were forced to stand out in the pouring rain for six hours without food, drink, or head covering...The work we were marched to at double-time pace was performed in the clinker factory (Hermann Göring Werke) and consisted of

> transporting sand and sacks of cement…Sacks of cement weighing a hundred kilos were lifted without distinction onto the backs of men sixty and sixty-five years old, and they were then forced to drag this heavy burden …During the return march from work, we trotted in rows of five. Those who collapsed along the way were beaten and then carried on stretchers inside the rows of five men…Whoever did not perform exercises in a sufficiently energetic manner was compelled to 'roll around', that is, he had to roll and spin in the sand until he fainted. These unfortunate souls frequently threw themselves onto the electric fence and were electrocuted or shot by a guard who saw them trying to get across the barrier.[413]

10. The Nazi press presented all this as 'a vivid demonstration of the degree to which the anger of the German people has reached, without Jews suffering any physical harm as a result.'[414]

(ii) Irving's Account of the Events of the Night of 9-10 November 1938

(A) Misquotation and Skewing of Documents: The Goebbels Diary

1. A number of historians have argued with some force that while the initiative for these events came from Goebbels, he wanted to have Hitler's approval from the very outset, and Hitler gave it. The fact that Hitler left the Old Town Hall after dinner on the evening of 9 November without giving his traditional speech is taken as evidence that he and Goebbels considered it important for Hitler, as Head of State, not to incur international opprobrium by being associated with the pogroms, which were presented by Goebbels's propaganda machine as spontaneous outbreaks of popular anger (contemporary reports in fact indicate that there was widespread disquiet among the German population, especially at the destruction of so much property).

2. However, in his various accounts of the events, David Irving argues that Hitler did not approve of the pogrom, did not know about it until it was well under way, and tried to stop it when he found out about it. In order to give this impression, he systematically distorts and manipulates the evidence in a way that is wholly unacceptable to serious historical scholarship.

3. The first example of such falsification of the historical record is on pages 273-274 of his book *Goebbels: Mastermind of the 'Third Reich'*, where Irving writes:

> Events that evening, November 9, are crucial to the history of what followed. As Goebbels and Hitler set out to attend the Nazi reception in the old city hall, they learned that the police were intervening against anti-Jewish demonstrators in Munich. Hitler remarked that the police should not crack down too harshly under the circumstances. 'Colossal activity', the Goebbels diary entry reports, then claims: 'I brief the Führer on the affair. He decides: Allow the demonstrations to continue. Hold back the police. The Jews must be given a taste of the public anger for a change.'

4. The original German of the entry in Goebbels's diary to which Irving refers in this passage reads as follows:

> In Kassel und Dessau große Demonstrationen gegen die Juden, Synagogen in Brand gesteckt und Geschäfte demoliert. Nachmittags wird der Tod des

deutschen Diplomaten vom Rath gemeldet. Nun aber ist es g.(ar). Ich gehe zum Parteiempfang im alten Rathaus. Riesenbetrieb. Ich trage dem Führer die Angelegenheit vor. Er bestimmt: Demonstrationen weiterlaufen lassen. Polizei zurückziehen. Die Juden sollen einmal den Volkszorn zu verspüren bekommen. Das ist richtig.

5. An accurate translation of this passage would be as follows:

> Big demonstrations against the Jews in Kassel and Dessau, synagogues set on fire and businesses demolished. The death of the German diplomat vom Rath is reported in the afternoon. But now the goose is cooked. I go to the Party reception in the Old Town Hall. Colossal activity. I brief the Führer about the matter. He orders: let the demonstrations go on. Withdraw the police. The Jews must for once feel the people's fury. That is right.[415]

Irving's account of this diary entry, given above, misquotes it and skews it so as to misrepresent its contents.

6. In this passage, Irving completely omits the reference to the demonstrations and widespread destruction of Jewish property in Kassel and Dessau which is the context of Goebbels's talk with Hitler as reported in the diary, and gives the entirely false impression that the context was provided by 'some anti-Jewish demonstrators' in Munich. This suggestion is nonsensical. No contemporary source, neither Goebbels's diary nor the Nazi Party's Supreme Tribunal, makes any reference to 'anti-Jewish demonstrators' making their presence felt in Munich before Hitler's arrival at the Town Hall. As Irving himself admits in his Pleading, such events did not take place in Munich until much later, on the evening of 9 November 1938.

7. Irving also fails to note that the phrase 'colossal activity' refers to the meeting in the Town Hall (basically it just means there were a lot of people there) and not to the alleged demonstrations in Munich. 'Hold back the police' is absolutely wrong as a translation of *Polizei zurückziehen*: its proper translation is: 'withdraw the police'. 'Hold back the police' would be 'Polizei zurückhalten'. 'The Jews must be given a taste of the public anger for a change' is also erroneous as a translation of the last sentence in the German quotation above. Nowhere do the words 'taste' or 'for a change' occur. The cumulative effect of these mistranslations and omissions is to give the impression that Hitler merely ordered the Munich police not to intervene against some unspecified 'anti-Jewish demonstrators in Munich'. But what Hitler really said to Goebbels, as is evident from the Goebbels diary entry, was that police forces should be withdrawn in the case of 'demonstrations' against Jews, so that the Jews would feel the 'people's fury', as expressed in the burning of synagogues and the destruction of property which had occurred in Kassel and Dessau.

(B) Suppression of relevant evidence: the Eberstein testimony and the Goebbels speech in the Old Town Hall

1. Irving' tries to suggest that Goebbels did not know about the pogroms in Kassel and Dessau until *after* he had spoken to Hitler at the dinner in the Old Town Hall. This would reinforce his claim that Hitler was not involved. In his pleading in the case, Irving suggests that the diary entry for the previous day, 8 November, in which Goebbels first mentions the demonstrations in Hesse, was written

up not the following morning (which would have proved Goebbels knew about them on 9 November) but at a later date.

2. But this is completely irrelevant. The diary entry for 9 November, quoted above, demonstrates that Goebbels knew about the pogroms in Kassel and Dessau before he had dinner with Hitler and that they were the subject of the two men's discussion before Hitler left the Old Town Hall. Indeed, the attacks were reported in the morning issue of the Nazi Party newspaper, the *Völkischer Beobachter*, of 9 November, which Goebbels would certainly have read and authorized.

3. Irving completely fails to mention the report of the Munich police chief Eberstein, whose testimony he uses in other instances, of Hitler's intense discussions with Goebbels at the dinner, after supposedly receiving the news of vom Rath's death.[416] These discussions between Hitler and Goebbels are also reported by several other witnesses used by Irving in his account.[417] By suppressing this well-known piece of testimony, Irving reinforces the impression given in his book that Hitler was not involved in Goebbels's encouragement to the local party leaders present in the Old Town Hall to repeat the excesses in Kassel and Dessau in the rest of Germany. Irving continues to suggest that Hitler left the dinner in total ignorance by claiming that only after Hitler had left the Old Town Hall in Munich did Goebbels decide, on an *ad-hoc* basis, to incite the Nazi leaders present to give orders to start the pogrom. After Hitler left, Irving claims, *Gauleiter* Rudolf Jordan

> now told Goebbels of widespread anti-Jewish violence in Magdeburg. According to Bormann's adjutant Heim, Goebbels seemed taken aback by this: things were getting out of hand and the carefully propagated image of German law and order was taking a battering. Deciding to make a virtue out of necessity...[Goebbels] announced the death of the German diplomat and the anti-Jewish incidents...The local British consulate learned that he also said that Jews were now fair game and that 'the SA could do anything to them short of looting and plundering'.[418]

4. This account is highly suspicious on three counts. First, there is no indication in the Goebbels diary that Goebbels was at all concerned about the sporadic anti-Jewish violence which had taken place over the preceding days, and of which he was well aware. For instance, in his diary entry on 9 November 1938 (describing the events of the previous day), Goebbels noted: 'Big antisemitic demonstrations in Hesse. The synagogues are burned down. If only one could now unleash the people's fury!'[419] Thus, not only did he have no worries about the local violence undermining the propaganda image of Germany, he was even hoping that the 'people's fury' could be unleashed on a wider scale. Goebbels certainly made no sudden decision to start a pogrom after Hitler had left the dinner.

5. Secondly, the reason why it was on the evening of 9 November 1938 that Goebbels held the speech aimed at unleashing the 'people's fury' was not because he had just received news about what happened in Magdeburg, but because he had evidently received Hitler's general permission to do so. As will be remembered, Goebbels noted in his diary that before Hitler had left the dinner in the Old Town Hall, he told Goebbels: 'Let the demonstrations go on. Withdraw the police. The Jews must for once feel the people's fury'.[420] Hitler's involvement in the decision-making process is confirmed by another contemporary source, the investigation of the Supreme Nazi Party Court into the pogrom already mentioned above. According to the court's report, Goebbels told the Nazi officials in the Old Town Hall about the anti-Jewish demonstrations in Hesse and Magdeburg-Anhalt, adding: 'On his briefing, the Führer

had decided' that such demonstrations should not be stopped. Goebbels is extremely unlikely to have lied to an audience of Nazi officials about an order from Hitler if that order had not actually been issued. Irving is familiar with this source.[421] Yet, this key part of Goebbels speech on 9 November 1938 is entirely omitted by Irving in *Goebbels: Mastermind of the 'Third Reich'*. This amounts to a serious suppression of relevant historical evidence. Only by suppressing this information can Irving later claim that the Supreme Court inquiry left little doubt about Goebbels's 'sole personal guilt'.[422]

6. Third, the account given by Gauleiter Jordan in his memoirs of his conversation with Goebbels is totally at odds with Irving's description of this conversation. According to Jordan, after Hitler had left the dinner on 9 November 1938,

> I went after a while to Goebbels and reported to him on the two Magdeburg occurrences. He looked at me mockingly and said: "Don't trouble your thoughts with these little miniature outrages. From other areas I have similar and more exciting reports…That is just the very first beginning. The German people still have enough sense of honour to hand out a very different answer to Jewry after the cowardly terror-murder. Just you wait five more minutes. Then I will take a position on the subject.."[423]

7. Thus, according to Jordan's own recollections, Goebbels was by no means taken aback. On the contrary, it had already been decided that Goebbels would give a speech and incite the Nazi officials present to unleash the 'people's fury' on a wider-scale.

8. In the light of all this evidence, therefore, it is clear that Irving's claim that Goebbels only decided to unleash the pogrom after Hitler had left the dinner at the Old Town Hall, a claim which Irving puts forward in order to absolve Hitler from responsibility for the pogrom, and can only be maintained on the basis of manipulation and suppression of the historical record.

(C) Manipulation of evidence: The involvement of the SA in the pogrom

1. Part of Irving's strategy in his account of the pogrom is to suggest that practically all leading Nazis were opposed to what was 'Goebbels's folly'.[424] Thus, Irving argues that, Hitler, Himmler, Heydrich and many others completely opposed the pogrom. As will be demonstrated later, these claims rely to a large extent on the blatant manipulation of the documentary evidence. Another person whom Irving presents as having been opposed to the pogrom is the SA leader Victor Lutze. In *Goebbels: Mastermind of the 'Third Reich'*, Irving writes that after Goebbels's speech on 9 November 1938, one witness, Max Jüttner, saw Lutze 'warn his old friend Goebbels that his S.A. men would keep well out of any pogrom'. Further on in the text, Irving refers to Lutze's 'misgivings' regarding the burning of synagogues by SA men. Also, he supports his claim that the SA leadership opposed the pogrom by stating that 'only three of the twenty-eight S.A. Gruppen received actual orders to stage demonstrations'.[425] These claims by Irving do not hold up when examined in the light of the historical evidence.

2. To begin with, Jüttner is anything but a reliable source, having been a very senior SA official in Nazi Germany. From 1934 onwards, Jüttner acted as head of the *Führungsamt der Obersten SA-Führung*. and in 1939 he was appointed as Lutze's deputy (*Stellvertreter des Stabschefs der SA*).[426] For this reason, Jüttner had a vested interest after the war in claiming that the SA had not been involved in any criminal

activities. During his testimony at the Nuremberg trial, and in subsequent written statements, he repeatedly lied about the SA's involvement in the violence and destruction in November 1938.[427] For this reason alone, his claim that Lutze banned the SA from taking part in the pogrom must be regarded with great suspicion. Jüttner's claim is further undermined by contemporary documents which demonstrate the massive involvement of the SA and its leaders in the pogrom.

3. The improbability of Jüttner's claim is clearly demonstrated by the NSDAP's own Supreme Party Court, which found that all party officials present (which included Lutze) at Goebbels's speech on 9 November 1938 apparently understood this speech to mean that 'the Party should not appear to the outside world as the originator of the demonstrations, but should in reality organize them and carry them out.'[428] That regional SA commanders received orders to start the pogrom from above is also borne out by several contemporary documents which clearly show the active role played by the SA group leaders (the top regional SA officials), most of whom were present in Munich. For instance, when the leader of the SA group *Nordmark*, Mayer-Quade, was informed in Munich at about 10 p.m. on 9 November 1938 of the impending pogrom, he contacted the *Gauleiter* of Schleswig-Holstein, Hinrich Lohse, to offer the 'voluntary' participation of his SA group. At around 23.20, Mayer-Quade instructed the *Stabsführer* of the SA group *Nordmark* in Kiel:

> A Jew has fired a shot. A German diplomat is dead. Completely superfluous assembly houses are standing in Freidrichstadt, Kiel, Lübeck and elsewhere. These people also still have shops with us. Both are superfluous. There must be no maltreatment of people. Foreign Jews must not be touched. Use weapons in case of resistance. The action must be carried out in civilian clothing and be finished at 5 a.m..

As a consequence of this order, the local SA in Schleswig, Lübeck, Heide and Pinneberg raided Jewish houses, synagogues and shops, and shot two Jews.[429]

4. Similarly, the leader of the SA Brigade 50 reported on 11 November 1938 that on the previous day he had received orders from his superior, the SA group leader in the Palatinate (*Kurpfalz*):

The following order reached me at 3 a.m. on 10. 11. 1938:

> On the orders of the Gruppenführer all Jewish synagogues in the area of Brigade 50 are immediately to be blown up or set on fire. Neighbouring houses which are inhabited by the Aryan population must not be damaged. The action is to be carried out in civilian clothing. Mutinies and acts of looting are to be forbidden.[430]

5. As a consequence of this order, SA Brigade 50 destroyed (or partially destroyed) a total of 35 synagogues.[431] Herbert Fust was the SA Gruppenführer *Kurpfalz* who had given the orders for this orgy of destruction to SA Brigade 50. Contradicting this documentary evidence of Fust's actions, Irving in his account claims that Fust explicitly ordered that no synagogues should be destroyed at all. This claim goes far beyond any mere manipulation of a source. Irving mistakenly refers to Fust as 'Lust'. He provides no evidence for his claims regarding Fust, which are nothing more than pure invention.[432]

6. The leader of SA group *Nordsee*, Böhmcker, in the evening of 9 November 1938 issued the following instructions from Munich to his subordinates: 'All Jewish shops

are immediately to be destroyed by SA-men in uniform…Jewish synagogues are to be immediately set on fire…The police are not permitted to interfere. The Führer wants the police not to interfere…All Jews are to be disarmed. In case of resistance immediately shoot them down.'[433] . There is no mention of this order in Irving's *Goebbels*.

7. These orders by the SA group leaders *Nordmark*, *Kurpfalz* and *Nordsee* make Jüttner's story highly improbable. It is extremely unlikely that the SA group leaders issued orders to organise the pogrom of their own accord, in flagrant disregard of the orders which Irving claims their superior officer Lutze issued to keep the SA out of the whole affair. It is extremely misleading by Irving to claim that only three SA groups 'received actual orders to stage demonstrations'. To be sure, only the three orders cited above have survived; but this does not mean that no other such orders were given to any other SA groups. In fact, it is clear that many other SA group leaders (*Gruppenführer*) gave similar orders which have not survived in the archives. This has been confirmed in numerous post-war testimonies by SA- and NSKK-*Obergruppenführer* und *Gruppenführer*, who stated that Lutze on 9 November 1938 instructed the Nazi officials very much in accordance with Goebbels's speech, and that after these instructions, the *SA-Gruppenführer* rang their district officials to give them the orders for carrying out the pogrom.[434] That such orders were issued seems also clear from the involvement of SA groups in violence and destruction against Jews and Jewish property all over Germany on 9 and 10 November 1938. Various contemporary documents and evidence collected in numerous post-war trials established the participation of the SA in a great number of cities and towns beyond any doubt.[435] Thus Irving's claim that Lutze had opposed the pogrom and ordered the SA not to get involved is contradicted by a great wealth of historical evidence. It is not even confirmed by Lutze's own diary, cited by Irving elsewhere.[436] There is no documentary evidence for Irving's assertion that only three SA groups received orders to participate in the pogrom. Irving has taken over this claim from the antisemitic Nazi-sympathiser Ingrid Weckert, whose writings (and Irving's use of them) will be discussed in detail later in this Report.

(D) Invention and manipulation of evidence: the Eberstein testimony

1. Having given the impression that Hitler knew nothing of the initial pogroms of 8-9 November, Irving now goes on to suggest that when he did discover what was going on, he was extremely angry and tried to stop it. At one point, Irving refers to Hitler's 'fury' about the pogrom.[437] In a speech delivered in 1983, Irving claimed that Hitler did 'everything he could to prevent things nasty happening' to the Jews.[438] Once more, his account relies on a tissue of inventions, manipulations, suppressions and omissions.

2. The first piece of evidence other than the Goebbels diaries which Irving handles in this way is the testimony of the Munich police chief and SS-*Obergruppenführer* Friedrich Karl von Eberstein to the Nuremberg trial. Irving claims that when the management of the Hotel Vier Jahreszeiten phoned Hitler's private apartment after 1 a.m. on 10 November to report that the synagogue had been set alight, Hitler sent for Eberstein, who found him 'livid with rage'.[439]

3. Irving's whole account of this incident lacks any kind of credibility when checked against the sources. The evidence offered by Irving for the encounter between Eberstein and Hitler is the 'testimony of Wilhelm Brückner', which Irving provides no further details about and which he has not disclosed to the court. Brückner was a close associate of Hitler, and as such, his testimony has to be treated with due

caution. Brückner boasted after the war that between 1930 and 1940, when was the Head of Hitler's *Adjutantur*, he saw Hitler almost every single day. Brückner was also an *Obergruppenführer* in the SA, in which he had already been a *Führer* (according to another of Hitler's loyal followers) before 1923.[440] Irving only provides an incomplete reference for Brückner's testimony, which could not be located in the Institute for Contemporary History in Munich. The only document which could be located was a summary of a statement of Brückner, written by a German historian. According to this summary, Brückner claimed that Hitler 'is said to have raged' when he was informed of the burning Munich synagogue. However, Brückner does not confirm Irving's statement that Hitler sent for Eberstein. The statement merely mentions that 'Brückner betook himself to Hitler, probably accompanied by the Munich Police President Baron von Eberstein.' Thus, even Irving's main witness is not sure whether Eberstein was with Hitler or not; he only thinks he 'probably' was.[441]

4. The claim that Hitler spoke in anger to Eberstein is advanced by another of Irving's sources, Hitler's adjutant Nicolaus von Below, in a transcribed interview with Irving.[442] As will be shown later in this report, however, this is a highly unreliable source. Little weight should be placed by serious historians on von Below's claims as reported by Irving. In fact, it is unlikely that the exchange between Hitler and Eberstein took place in the manner described by Irving. It seems unlikely that Hitler was 'livid with rage' after he had instructed Goebbels only a few hours previously that the Jews were to be given 'a taste of the public anger for a change', as Goebbels had noted in his diary. Also, in his testimony at the Nuremberg trial, Eberstein himself never mentioned such a meeting with Hitler, although there was no reason for him not to have mentioned it had the meeting actually taken place. Irving is of course familiar with the trial records, and must know that they cast grave doubt on his version of events, which is no doubt why he ignores them in this instance.[443]

5. Most importantly, if he really had found Hitler 'livid with rage' about the pogrom, they why did Eberstein send a telex later the same night to the Gestapo in Augsburg, Nuremberg, Würzburg and Neustadt, repeating the order that the police were not to interfere in the 'actions against the Jews' which were taking place all over Germany?[444] This would appear to have been a deliberate flouting of Hitler's wishes, which would have been inconceivable. In order to overcome this problem, Irving claims that the instruction to the Gestapo in Augsburg and the other towns was sent out before Eberstein's supposed 'bawling out' by Hitler.[445] But this would mean that Hitler was not informed about the nationwide pogrom until after 2 a.m. on the morning of 10 November, the time when Eberstein sent his order out. At one point, Irving does indeed suggest this, claiming in a lecture given in 1983 that von Below had told him during their interview: 'Mr. Irving, the first thing that Hitler knew about the night of broken glass throughout the pogrom that evening was when the phone rang at 2.00 in the morning in our adjutants' apartment.'[446] But we know that large numbers of Nazi officials of all ranks were informed about it hours before. It is inconceivable that Hitler was kept in the dark when everyone else knew what was going on. Moreover, Irving's 1983 claim is not borne out by the transcript of his interview with von Below, where no time at all is given for the phone call, so that it appears to be pure invention on Irving's part.[447]

6. According to a number of other testimonies, the leading officials in Munich received details of the pogrom well before midnight. Heydrich received first reports at around 11.15 p.m. on the night of 9 November, his close associate SS-

Gruppenführer Karl Wolff found out about the burning of the synagogues and other excesses about five minutes later, and Eberstein received reports of a burning synagogue in Munich before a quarter to midnight.[448] Two of these sources, which this Report will examine in greater detail below, also provide convincing evidence for the conclusion that Hitler himself was informed about the pogrom before midnight. Irving is familiar with these sources, but he suppresses them because they would seriously undermine his attempt to dissociate Hitler from the pogrom.

7. Reich Propaganda Minister Goebbels and *Gauleiter* Wagner were also informed of the first destructive actions against Jewish synagogues and shops well before midnight.[449] Most of these leading Nazi officials were present at midnight at the swearing in of SS troops at the *Feldherrnhalle*, where Hitler spoke to the new recruits. Irving himself has acknowledged in the past that Hitler was informed of the pogrom before midnight on 9 November 1938, a fact which completely discredits his own later claim that Hitler was informed only after Eberstein's telex was sent at 2.10 am on 10 November 1938.[450] And Hitler, as we have seen, had already ordered that 'The Jews must for once feel the people's fury', so why should he have any reason to be angry about what was going on.

(E) Use of unreliable evidence, suppression of reliable testimony, and invention: von Below and Schaub

1. Next, according to Irving, Hitler phoned Goebbels and 'tore the strips off him'. Irving continues his narrative:

> According to Luftwaffe adjutant Nicolaus von Below, Hitler phoned Goebbels. 'What's going on?' he snapped, and: 'Find out!'
>
> According to Julius Schaub, the most intimate of his aids, Hitler 'made a terrible scene with Goebbels's and left no doubt about the damage done abroad to Germany's name. He sent Schaub and his colleagues out into the streets to stop the looting (thus Schaub's postwar version).[451]

2. Irving had already given a similar description in his 1978 book on the prewar years of Nazi Germany, *The War Path*: 'He [Hitler] telephoned Goebbels and furiously demanded: "What's the game?" He sent out Schaub and other members of his staff to stop the looting and arson.'[452]

3. Julius Schaub was one of the longest-standing followers of Hitler, having first joined the Nazi party (NSDAP) in 1921 or 1922. Schaub took part in the failed putsch of November 1923, and served a prison sentence for his involvement with Hitler in Landsberg. From 1925 onwards, he served as Hitler's personal adjutant. By 1938, he had risen to the rank of SS-*Gruppenführer* in the SS. At this time, he was also in possession of various prestigious Nazi decorations, such as the *Blutorden* for his participation in the 1923 putsch. In his post-war testimony, Schaub exonerated Hitler from various crimes and portrayed Hitler as a peace-loving man. In his private circle, Schaub claimed, Hitler had cursed the war and 'was always for peace.'[453] Clearly, Schaub must be regarded as a highly unreliable witness.

4. The source which Irving gives for Schaub's claims is: 'Schaub's unpubl. memoirs, in the author's collection (IfZ:ED.100/202)'.[454] However, there is no reference to the pogrom on 9-10 November 1938 in this file in the Munich Insti-

tute of Contemporary History. Once more, Irving makes it difficult to verify his claims. Thus, the reference has to be located in another file.[455] Also, it is very misleading to describe the notes in this file as 'unpublished memoirs'.[456] In any case, Schaub's claims are completely undermined by other sources. Thus, the claim that Hitler was outraged at the pogrom and attempted 'to rescue what could still be rescued, and ordered that his people, his entourage, including Schaub, had to stop the looting immediately',[457] is clearly proven to be a self-serving lie by Schaub to protect himself. For according to Goebbels's diary, Schaub was not trying to stop the violence but was actively involved in it:

> The *Shock-troop Hitler* gets going immediately to clear things out in Munich. That then happens straight away. A synagogue is battered into a lump…The Shock-troop carries out frightful work…We go with Schaub to the Artists' Club, to await further reports. In Berlin 5, then 15 synagogues burn down. Now the people's anger is raging…Schaub is completely worked up. His old shock-troop past is waking up.[458]

5. This contemporary document - not mentioned by Irving - is clearly incompatible with Schaub's claims, which are also undermined by the evidence given after the war by von Below, another of Hitler's adjutants, which is used by Irving himself.

6. In his memoirs, von Below claims that he was in Hitler's apartment in the night of 9 November 1938. He reports that Hitler phoned Goebbels privately from his own living room, so that it would not have been possible for him or Schaub to have heard what was going on; certainly, von Below made no claim to have overheard Hitler's end of the conversation. Von Below states quite clearly that Hitler conducted his phone conversation with Goebbels 'on his own, from his living-room'.[459] Irving generally regards von Below as a reliable witness, but clearly it is not in the interest of his argument to cite him on this point, and so he does not.

7. Typically, Irving gives no reference for his claims regarding von Below in *Goebbels: Mastermind of the 'Third Reich'.*. But it appears clear in this instance that rather than relying on the published, written memoirs of von Below, which so crassly contradict Irving's account of events, Irving's book relies instead on the interview its author conducted with von Below in 1968. Even here, however, Irving misrepresents and misreads his own transcript of what he claims von Below told him. After receiving details of the pogrom, von Below allegedly told Irving, Schaub passed on the news to Hitler. The transcript (with questions put to von Below by Irving in brackets) continues:

> Then the police president of Munich, von Eberstein, was immediately summoned. Herr von Eberstein then appeared straight away in the Führer's apartment, he was also an SS-*Obergruppenführer*. He was now interrogated by Hitler. Then a telephone conversation took place between Hitler and Göbbels (*sic*) on the situation. (did he also stay in Munich?). I don't know. The people must all have been in Munich because of the 8/9 November. (What was Hitler's reaction to the first reports?) Well, "what's going on, please find out, I have to know what the game is." I had the impression that all of us, including Hitler himself, were all in the same basket, nobody knew anything.…Then Hitler became angry and spoke very loudly to Eberstein…I heard this because the conversation took place between the door and the jamb. But what the situation was with the or-

der to Göbbels (*sic*) or to Himmler for the rest of the Reich territory, I don't know.[460]

8. Regardless of whether this account by von Below is to be believed (and there are good reasons for disbelieving it), it is abundantly clear from it that Hitler's demand to be informed about what was going on was not made on the phone to Goebbels, as suggested by Irving, but as a reaction to being told initially of the pogrom by Schaub well before the phone conversation with Goebbels. Von Below also again makes clear that he did not listen in to or overhear the phone conversation between Goebbels and Hitler. Finally, there is no indication that Hitler 'snapped' any orders as Irving claims. What Irving says in his account of these events is not even borne out by his own interview transcript.

9. It is worth adding that in the Preface to his published memoirs, von Below took strong exception to Irving's claim that he had provided Irving with 'unpublished contemporary manuscripts and letters' and had checked through 'many pages' of Irving's manuscript. 'I remember, to be sure', von Below wrote, 'some visits by Irving, during which I answered his questions. But I must decidedly reject his more far-reaching claims as not corresponding to the truth.'[461] Irving's own claims of what von Below said to him during their interview must in the light of all this be regarded with a considerable measure of distrust. On no account is Irving's claim that von Below actually approved of his depiction of the events of 9-10 November 1938 to be accepted.

10. The claim that Hitler made a 'terrible scene with Goebbels's and told him that he utterly condemned the pogrom is further disproved by contemporary documentation. Throughout Goebbels diary entry describing the events of 9-10 November 1938, Goebbels clearly revels in the destruction and violence. There is no indication whatsoever for any disapproval by Hitler regarding what was going on, even in the early morning of 10 November 1938: 'In Berlin 5, the 15 synagogues burn down. Now the people's anger rages. Nothing more can be done against it for the night. And I don't want to do anything either. Should be given free rein...As I drive to the hotel, windows shatter. Bravo! Bravo! The synagogues burn in all big cities. German property is not endangered.' [462]

11. This euphoric state of mind is hard to reconcile with Goebbels having just been informed by Hitler personally of his strong disapproval of the pogrom. Goebbels attitude that night is confirmed by the Supreme NSDAP Party Tribunal report of 13 February 1939. When Goebbels was phoned at around 2 in the morning on 10 November with the news that the first Jew had been killed in the pogrom, 'Party Comrade Goebbels answered to the effect that the man reporting it should not get upset because of one dead Jew, thousands of Jews would have to believe in it the coming days.'[463]

12. Clearly, these documents show that Irving's claim that Goebbels was told by Hitler personally in no uncertain terms of his total opposition to the pogrom, and that Hitler then sent Schaub and others to stop the arson and the looting, is entirely ficticious. Irving relies in his book on Julius Schaub's testimony, despite the fact that Schaub is a highly unreliable witness, despite the fact that Schaub's version is not (as Irving claims) backed up by von Below, and despite the fact that it is discredited by contemporary documentation. That Irving persists in using Schaub's testimony amounts to a wilful manipulation of the historical record.

(F) False attribution of conclusions to reliable sources: the Heydrich telex

1. Other evidence, too, points to Irving's claim about Hitler ordering a stop to the destruction of synagogues and Jewish shops being completely false. This becomes obvious if one investigates the orders given to the German police in the night of 9-10 November 1938. In his book *Goebbels: Mastermind of the 'Third Reich'*, Irving claims that the *Reichsführer-SS* and Chief of the German Police, Heinrich Himmler, was 'totally unaware' of the pogrom until 1 a.m. on 10 November 1948. According to Irving, once his immediate subordinate Reinhard Heydrich, Head of the German Security Police (including the criminal and political police) heard that the Munich synagogue next to the Hotel Vier Jahreszeiten had been set ablaze, he 'hurried up to Himmler's room, then telexed instructions to all police authorities to restore law and order, protect Jews and Jewish property, and halt any ongoing incidents'.[464] The only historical truth in this account is the assertion that Heydrich sent a telex to the German police authorities. Everything else is a blatant manipulation of the historical record.

2. On 10 November 1938, at 1.20 a.m., Heydrich transmitted orders given to him by Himmler further down the chain of command to the leading police officials and members of the SD (*Sicherheitsdienst* or Security Service) all over Germany instructing them not to prevent the destruction of Jewish property or get in the way of violent acts committed against German Jews. The telex told officials that 'demonstrations against the Jews are to be expected in the course of this night – 9th to 10th November 1938 – in the entire Reich….the demonstrations which occur are not to be hindered by the police'.

3. On Himmler's instruction, there were, to be sure, some restrictions placed on the action:

> a) Only such measures may be taken as do not involve any endangering of German life or property (e.g. synagogue fires only if there is no danger of the fire spreading to the surrounding buildings),
>
> b) The shops and dwellings of Jews may only be destroyed, not looted. The police are instructed to supervise the implementation of this order and to arrest looters.
>
> c) Care is to be taken that non-Jewish shops in shopping streets are unconditionally secured against damage.
>
> d) Foreign nationals may not be assaulted, even if they are Jews.[465]

4. Thus the police were explicitly ordered not to intervene in the destruction except in these four very particular, exceptional circumstances. The telex, in other words, ordered the exact opposite to what Irving claimed it did. It would be hard to find a clearer example of the false attribution of a conclusion to a legitimate historical document in the interests of the manipulation of the historical truth.

5. But Irving's manipulations in this case go further than this falsification of the content of Heydrich's telex of 10 November 1938. Irving's account of the actions of Heydrich and Himmler on this particular night have to be seen in the overall context of his claim that Hitler was furiously angry about the pogrom and ordered it to be stopped as soon as he found out about it. There is strong evidence that Himmler and Hitler talked together about the pogrom well before midnight

on 9 November. This evidence suggests strongly that Hitler was not 'furious' about the pogrom and that he did not give any orders to bring it to a halt. For if Himmler had had contact with Hitler before Heydrich's telex relaying his (Himmler's) orders to the German police at 1.20 a.m. on 10 November 1938, and Hitler had indeed ordered a halt to the destruction of Jewish property, it is inconceivable that Himmler and Heydrich would have sent out instructions that the pogrom was 'not to be hindered by the police'.

6. This becomes clear in the light of the evidence of SS-*Hauptsturmführer* Luitpold Schallermeier to the Nuremberg war crimes trial and the witness statement of SS-Gruppenführer Karl Wolff now preserved in the files of the Munich Institute for Contemporary History. Of course, both these statements have to be examined critically in the light of the obvious interest in self-exculpation on the part of those who made them. For instance, in his desire to distance the SS from the pogrom and thus avoid possible prosecution by the German courts, Schallermeier untruthfully claimed that Himmler had ordered the SS in the early morning of 10 November to help protect Jewish persons from attack, a claim flatly disproved by Heydrich's telex of 1.20 a.m. quoted above.[466]

7. Schallermeier reported that when Heydrich received news of the pogrom, he sent Karl Wolff to Hitler's apartment. Wolff arrived there at about 11.30 p.m.. Himmler was already present in the apartment. After the swearing-in of SS troops on the Odeonsplatz at midnight by Hitler and Himmler, the latter returned to his hotel, where Heydrich was waiting for him. Himmler told Heydrich that Hitler had forbidden the SS and police to intervene in or stop the pogrom, and then gave Heydrich his orders to telex to police forces in the rest of Germany, which he did at 1.20 a.m.. Later on the same night, Himmler dictated a short note to Schallermeier in which he blamed Goebbels as the main instigator of the pogrom.[467]

8. Schallermeier's account of these events is supported by Wolff's testimony, given in 1948:

> Shortly before the swearing-in of the SS forces – roughly just before 23.20 hrs, - I heard about synagogue fires and excesses. I thereupon went straight away to Hitler's private apartment, where Himmler was present, and reported the events. Both had not yet been informed and were completely surprised. In my presence, Hitler gave Himmler the order that the SS itself must in all circumstances keep out of these events.[468]

9. These accounts can also help to interpret another key document which is completely ignored by Irving in his biography of Goebbels. On 9 November 1938, at five to midnight, almost an hour and a half before Heydrich's telex, SS-*Obersturmbannführer* Heinrich Müller had already sent a telex from Berlin to the German police officials with instructions about the pogrom. Müller was the head of Section II of the Security Police, dealing with internal political policing, and a direct subordinate of Heydrich.[469] In this telex, Müller warned German police officials that

> Actions against Jews, in particular against their synagogues, will very shortly take place across the whole of Germany. They are not to be interrupted. However, measures are to be taken in co-operation with the *Ordnungspolizei* for looting and other special excesses to be prevented…The arrest of about 20-30,000 Jews in the Reich is to be

> prepared. Propertied Jews above all are to be chosen. More detailed instructions will be issued in the course of the present night.[470]

10. It is unthinkable that Müller, a Bavarian career policeman who had been employed in the German police administration since 1919,[471] would have sent this telex without having been instructed to do so by his superior, either Heydrich or Himmler or both. Just as Hitler, according to Schallermeier and Wolff, had told Himmler to order the police not to intervene, so too did Müller. Thus it seems likely that the content of this telex was transmitted by Himmler or Heydrich to Müller in Berlin after the former's conversation with Hitler.

11. Müller's telex is the only document sent by a leading police official that states the number of Jews to be arrested, a number which tallies with the figure which Goebbels's diary notes was personally and directly ordered by Hitler himself. The coincidence of the two figures named by Müller and by Goebbels is another strong indication that Hitler and the police leadership had been in contact with one another before Müller sent out his telex. Irving, for his part, cites the Goebbels diary entry, only first to cast doubt on its validity as a source, then to falsify it by reporting on the basis of this reference, not that Hitler *ordered* the Jews arrested, but that he *failed to prevent* them being taken to concentration camps. In fact, Hitler's direct and personal responsibility for the mass arrest of Jews which formed such a central part of the pogrom seems quite beyond dispute.[472]

12. The suggestion that Hitler met with Himmler on the night of 9 November 1938 before any orders were issued to the police is further confirmed by another important contemporary document. On 11 November 1938, the British Consul in Munich reported to the Foreign Office that

> I learn from a reliable source that Dr. Goebbels at a meeting here of the "old Guard" on November 10th on hearing that vom Rath had died in Paris announced that Jews were now beyond the law and that the S.A. could do anything to them short of looting and plundering. The old Guard were prominent in attacks on Jewish shops which followed. Herr Hitler and Herr Himmler were in consultation on the same evening and the latter subsequently issued an order forbidding all Jews to carry arms under penalty of twenty years imprisonment.[473]

13. The information of the British diplomats in this case was remarkably accurate. Their summary of Goebbels's speech is broadly confirmed by other sources, such as the Nazis' own internal inquiry into the pogrom. Also, the circular sent out by Heinrich Müller on 9 November 1938 at 23.55 did indeed contain instructions for the police regarding armed Jews, just as the British diplomats had noted.[474] Irving is familiar with the report of the British Consul. He cites some parts of it in his account of '*Kristallnacht*' and even comments on the reliability of the document.[475] Yet, in his attempt to distance Hitler from the pogrom, he completely suppresses the information that Hitler and Himmler met on the evening of 9 November 1938.

14. So there is a very strong likelihood that Hitler met Himmler before midnight on 9 November 1938 and issued him with instructions for the police in connection with the pogrom. Hitler did not, as Irving claims, order a stop to the pogrom once he found out about it, otherwise such an order would have been passed on

in the telexes sent out by Heydrich and Müller. Indeed some SA leaders were already informed late on 9 November 1938 that Hitler wished the police not to intervene against the pogrom. This is obvious in the order given from Munich by the leader of the SA-group *Nordsee* in the evening of 9 November 1938. He instructed the local SA to destroy all Jewish shops and businesses, and to burn down all synagogues. The SA Group leader added the statement, quoted above, that Hitler himself did not wish the police to interfere.[476]

15. In *Goebbels: Mastermind of the 'Third Reich'*, Irving either ignores or dismisses the evidence contained in these various documents. As this Report has already noted, he suppresses the fact that the British diplomats reported that Himmler met with Hitler on 9 November 1938, before instructions were issued to the police.[477] Irving also simply dismisses Wolff's testimony, claiming on the basis of no evidence at all that Wolff was 'evidently wrong…in placing Himmler in Hitler's apartment at this time.'[478] Moreover, while Wolff states quite clearly that he had been in Hitler's apartment before midnight, Irving deliberately falsifies this testimony by implying that Wolff claimed to have been there at around 1 a.m.. Finally, Irving fails to mention that Wolff's testimony is supported by Schallermeier's; indeed he does not mention Schallermeier's evidence directly at all, he only uses the parts of it which fit into the story he is trying to construct, while actually disguising the fact that he is using Schallermeier as a source (because, obviously, the assiduous reader, in following up a footnote to Schallermeier's testimony, would immediately discover that it includes evidence which fatally undermines the account of these events given by Irving). Thus Irving fails to mention that Schallermeier reports Himmler as present in Hitler's apartment before midnight, but on the other hand he does cite the brief note which Himmler dictated to Schallermeier in the early hours of 10 November blaming Goebbels for having instigated the pogrom. Irving, of course, has extracted this note from Schallermeier's affidavit; but he disguises the fact by referring in the footnotes merely to a 'Himmler memorandum, cited by Raul Hilberg, *The Destruction of the European Jews* (New York, 1973). This mysterious 'Himmler memorandum', of course, when checked through Hilberg's source references (a lengthy business since Irving fails to provide a page reference, and Hilberg's book is very long indeed), turns out to be none other than Schallermeier's affidavit.[479]

16. Irving's persistently partial and manipulative use of such sources leads to increasing contradictions in his work. In *The War Path*, for instance, Irving writes that after the dinner at Munich's old Town Hall on 9 November, Hitler was in his private apartment with Himmler, where both were informed before midnight by Karl Wolff of the start of pogroms. This clearly contradicts Irving's later claim that Hitler never met Himmler and only found out about the pogroms after 1 in the morning.[480]

17. In 1995, Irving also admitted that Hitler was with Himmler on the night of the pogrom, though in an account that otherwise consists of nothing but fantasy and invention:

> Hitler was furious when he heard, during the night, about the anti-Jewish outbreaks. Throughout the night, telephone calls came in reporting synagogues blazing across Germany. Hitler sent for Himmler and asked: "What the hell is going on here, *Reichsführer*?" Himmler replied: "Send for Goebbels, he knows". Hitler summoned Goebbels and raked him over the coals.[481]

18. Irving nowhere supplies any evidence, not even tainted or manipulated evidence, to authenticate this alleged conversation between Hitler and Himmler and this supposed meeting between Hitler and Goebbels. In fact, of course, it never happened. The entire account is pure invention, plucked out of thin air to convey a completely distorted version of events. No new evidence has emerged by the time Irving changes his story in his Goebbels biography; all that has happened is that he has decided to suppress and manipulate evidence he earlier relied upon in order to skew his account of these events even further.

(G) Bending a reliable source to fit the argument: the Hess order

1. Continuing his distorted and falsified account of the night of 9-10 November on page 277 of his Goebbels book, Irving further claims: 'At 2.56 a.m. Rudolf Hess's staff also began cabling, telephoning, and radioing instructions to Gauleiters and police authorities around the nation to halt the madness'. Elsewhere, Irving has described this document as 'ordering an immediate stop to such outrage [refering to 'the infamous Night of Broken Glass']'.[482] In his Pleadings, Irving links this document to Hitler by using the words 'Rudolf Hess, the Deputy Führer, who was with Hitler, issued an order'.[483] What did this order consist of? According to Irving, speaking in 1983,

> It is a directive which goes out to all the party offices throughout Germany, to all the Gauleiters, for immediate communication. Directive No. 174/38. Repetition of telegram which had already gone out 10th November 1938. "On express orders issued at the very highest level, there are to be no kind of acts of arson or outrages against Jewish property or the like on any account and under any circumstances whatsoever"…Now if the Deputy Führer issues an order on express instructions from the very highest level, this can only mean that *Adolf Hitler himself has ordered that all this outrage has got to stop forthwith*.[484]

2. Hess's staff undoubtedly did send out a circular at 2.56 a.m.; it is mentioned in the party court report submitted to Göring on 13 February 1939, which is cited by Irving as his source. But according to the report, the circular only forbade any 'setting fire to Jewish shops', an order repeated in circular 174 on 10 November. This second circular was only sent to local party officials; it was not sent to the police, as Irving claims. The same is true for the original circular, a copy of which can be found in the Federal Archive in Berlin. Addressed to all *Gauleitungen*, it stated that 'on the express command of the highest instance, fire-raising in Jewish shops or similar must in no case and under no circumstances take place'. It was not signed by Hess, but by Opdenhoff, presumably an official in Hess' office.[485] Irving has clearly and deliberately mistranslated *Geschäften* as 'property', thus implying the inclusion of synagogues etc., instead of 'shops'.

3. What Hess's staff was doing was telling the local party officials who were organising the pogrom that they should not burn down Jewish shops. This fits in well with the instructions issued by Heydrich to the police that German property was not to be endangered; for many Jewish shops were in fact rented from German landlords, and in any case it would be difficult to stop fires spreading to neighbouring buildings once they had taken hold. This did not, of course, prevent the destruction of the contents of these shops, the smashing of their windows or the breaking of furniture and fittings.

4. As far as the extent of the destruction on the night of 9-10 November 1938 is concerned, it is hardly surprising that Nazi officials during the night tried to control the arson attacks to prevent serious damage to German property. In Vienna, for instance, the officials of the Security Service, the *Sicherheitsdienst,* noted on 10 November 1938 that all the firemen, including those on holiday, had been mobilised in order to control the fires: 'At various places there was a great threat to neighbouring houses, without the fire however actually spreading.'[486] This was confirmed by the British consul in Vienna, who reported that there was an 'orgy of destruction' and that all the 'fire brigades of Vienna were fully employed, for at one time there seemed to be a grave threat of a serious and widespread conflagration involving large sections of the city'.[487] These concerns had already had an influence on the orders given in the evening of 9 November 1938. For instance, the leader of the SA-group Nordsee, in a telephone call from Munich, ordered that:

> All Jewish shops are immediately to be destroyed by SA-men in uniform….Jewish synagogues are immediately to be set on fire…The fire brigade is not allowed to interfere. Only residential buildings of Aryan Germans are to be protected by the fire brigade. Adjacent Jewish residential buildings are also to be protected by the fire brigade; however the Jews in them must leave, since Aryans will move in there in the next few days…[488]

5. In his order to the German police on 10 November 1938 (1.20 am), Heydrich had also explicitly ordered that synagogues could only be burned down if this did not endanger German property, and that during the destruction of Jewish shops care had to be taken to secure all non-Jewish shops against any damage.[489]

6. In any case, there was no mention in the circular sent by Hess's staff of not arresting Jews or beating them up, no mention of not attacking and wrecking Jewish houses, apartments and shops, no mention of not destroying or burning down synagogues and Jewish welfare and community centres. But if this was not the 'madness and 'outrages' to which Irving refers, then what was? Once more, Irving deliberately misconstrues an order to set limits to a small part of the pogrom as an order completely to stop the whole. Moreover, Irving provides no evidence for his claim that Hess was with Hitler when issuing this order.

(H) Manipulation of evidence (Wiedemann testimony, Hederich testimony) and suppression of reliable documentation (Goebbels diary, Supreme Party Court Report)

1. On the same page of *Goebbels: Mastermind of the 'Third Reich',* Irving then attempts to reinforce his thesis that Hitler was totally opposed to the pogrom (for which Irving claims he blamed Goebbels), and to argue that Hitler ordered Goebbels to stop the attacks on Jewish property as soon as he heard about them:

> Philip Bouhler, head of the Führer's private chancellery, told one of Goebbels's senior officials that Hitler utterly condemned the pogrom and intended to dismiss Goebbels. Fritz Wiedemann, another of Hitler's adjutants, saw Goebbels spending much of that night of November 9-10 'telephoning...to halt the most violent excesses'.[490]

2. Irving had given a similar account in 1978, when he wrote: 'Goebbels, now in no doubt where Hitler's real favour lay, also spent the night on the telephone

trying to extinguish the conflagration that his mischievous tongue had ignited.[491]

3. In his footnotes to *Goebbels: Mastermind of the 'Third Reich'*, Irving states that the reference to Bouhler is based on 'Hederich interrogation', presumably a reference to the 'Interrogation of Hederich, Nuremberg, Apr 16, 1947', to which Irving had referred previously.[492] Hederich was an old Nazi, first having joined the party in October 1922 (according to his own testimony), in which he also held a senior rank (*Befehlsleiter*). In 1934, he was made manager of the *Parteiamtlichen Prüfungskommission zum Schutze des nationalsozialistischen Schrifttums*. This meant that he had the power to declare books and other publications to be official party material. Hederich carried out this work in the party agency run by Hess (not Goebbels, as claimed by Irving). Hederich was first interrogated in Nuremberg by Robert Kempner, who was irritated by Hederich's reluctant and evasive answers.[493]

4. Examining Hederich's testimony of 16 April 1946, it is easy to see why. Hederich stated that

> At that time, I took part in this meeting in Munich, at which Dr. Goebbels spoke, and I had the impression that all these events, which followed this, on 8th and 9th, that that was a provocation of Dr. Goebbels…for he had held a speech, and I had the impression, that it did not harmonise with what Hitler himself had said before, and I have been strengthened in this conviction by the investigation which Herr Schneider has carried out, a man who was well known to me personally. He was in the Supreme Party Court and through this investigation I came to the conviction that Dr. Goebbels and perhaps also Heydrich…must have borne the principal blame for these events and on the other hand, that emerged from the conversations at Buhle(r)'s, but substantial instances and above all it is also said to have been Hitler himself, condemned these things. It was said that Goebbels would be removed from office because of it.[494]

5. Hederich's testimony is highly unreliable. First, no other witness of the events on the evening of 9 November 1938 claimed that Hitler had made a speech before Goebbels. Hitler left the dinner in the Old town Hall without making a speech, breaking with his usual custom. Despite this obvious inconsistency, Irving has used this part of Hederich's testimony in another passage in *Goebbels: Mastermind of the 'Third Reich'*, claiming that Hederich felt that Goebbels's speech 'conflicted with the tenor of Hitler's speech'.[495] Secondly, there is no passage in the report of the Supreme Party Tribunal Report, signed by Schneider, which backs up Hederich's claims. There is also no mention in this document of a speech by Hitler.[496]

6. So Hederich falsely claimed that Goebbels's speech contradicted a previous speech made by Hitler, thus exonerating Hitler from any guilt for the pogrom. This conclusion seriously undermines Hederich's subsequent claims about the reaction in leading party circles against Goebbels. In any case, Hederich nowhere claims that Bouhler himself told him directly that Hitler 'utterly condemned the pogrom' and that he intended 'to dismiss Goebbels's. As is plain to see, Irving manipulates Hederich's testimony to reach this conclusion. All that Hederich said was that someone in discussions with Bouhler claimed that Hitler was supposed to have condemned the pogrom and that there was also speculation that Goebbels might be dismissed. A lot of this was just hearsay. Thus Irving uses a highly suspect source for his claims, and then manipulates it to say some-

thing which it does not.

7. Turning to Irving's claim about Fritz Wiedemann, it seems very peculiar indeed that Irving uses Wiedemann as a source at all, having dismissed his testimony in the 1991 edition of *Hitlers War* as untrustworthy.[497] Evidently the only reason for Irving's use of this supposedly discredited source in *Goebbels: Mastermind of the 'Third Reich'* is because in this particular instance, it apparently suits his twisted interpretation. The source which Irving gives for his claims in *Goebbels: Mastermind of the 'Third Reich'* is 'Fritz Wiedemann, handwritten MS, Feb 1939 (Libr. of Congress, Wiedemann papers, box 604).'[498]

8. Irving has disclosed some documents which appear to originate from this collection. These documents are presented in his Discovery List in no particular order, and include letters to Wiedemann and some hand-written notes, as well as some typed notes. Irving evidently draws on one passage where the author (presumably Wiedemann) refers to the pogrom in November 1938: 'There is absolutely no doubt that this action slipped out of the hands of those who instigated it. It is reliably reported that Göbbels (*sic*) as well repeatedly telephoned from Munich during the night to stop the worst outrages.'[499] Thus it is clear that Wiedemann did not see Goebbels make any phone calls on the night of 9-10 November 1938 at all, as Irving has claimed. He merely repeated what other people had told him. He also only said the Goebbels made a series of phone calls, and not, as Irving would have it, that Goebbels spent 'much of that night' making these phone calls.

9. In any case, Wiedemann's suggestions are incorrect. Goebbels was certainly not engaged in stopping excessive violence against Jews, as Irving well knows. What Goebbels was actually saying on the phone on the night in question is amply documented by other, reliable historical sources. The Supreme Party Tribunal report of 13 February 1939 states that when Goebbels was phoned at around 2 in the morning on 10 November 1938 with the news of the first death of a Jew in the pogrom,

> According to the statement of the deputy *Gauleiter* of Munich-Upper Bavaria, Party Comrade Dr Goebbels answered to the effect that the man reporting it should not get upset because of one dead Jew; thousands of Jews would have to believe in it in the coming days. At this moment in time, most of the killings could have been prevented by a supplementary order. If this did not happen, the conclusion has to be drawn from this fact, as from the comment in itself, that the end result was either intended, or at least taken into account as possible and desirable. Then the individual perpetrator had put ...the correctly recognized, if unclearly expressed will of the leadership into effect.[500]

10. Thus Goebbels was explicitly intervening to stop any attempt to save Jewish lives. In his diary entry for the night of 9-10 November, moreover, he noted the excesses with obvious approval, as this Report has already shown. And yet, according to Irving, Goebbels had spent the previous few hours desperately telephoning all over Germany to get this kind of thing to stop!

11. Goebbels's only concern was to stop looting and prevent damage to German property, which is what he was referring to when he wrote in the same diary entry for an earlier point in the evening: 'I now issue a precise circular in which is set out what may be done and what not.'[501] As the rest of the diary entry and the evidence of the Supreme Party Tribunal both conclusively demonstrate, he

continued to encourage all the continuing attacks on Jewish persons and property and to greet news of their occurrence not with alarm, but with enthusiasm. Irving's use of Wiedemann's testimony is intended to give a different impression from this proven reality and to advance his deliberate distortion of the events of 9/10 November 1938.

(I) Use of insignificant evidence and suppression of important evidence: the Groscurth and von Hassell diaries

1. Irving quotes from the diary of Helmuth Groscurth to illustrate some minor points about the events of 9-10 November 1938, but fails to mention that the diary reports the view of Hjalmar Schacht, President of the Reichsbank and one of Hitler's top economic advisers, that Hitler had himself approved the pogrom, a report confirmed by Schacht's own memoirs published after the war.[502] Similarly, Irving cites the diary of the diplomat Ulrich von Hassell, later a prominent member of the resistance movement which culminated in the attempt to kill Hitler on 20 July 1944, to the effect that 'Goebbels has seldom found less credibility than for his claim that a "spontaneous outburst of public rage" led to the violence.'[503] This statement is undeniably true. What Irving does not do, however, is to quote the following passage in von Hassell's diary, relating to a conversation he had on 17 December 1938 with the Prussian Finance Minister, Johannes Popitz, about the destruction and violence of 9-10 November. 'Popitz said to Göring, those responsible must be punished. Answer: "My dear Popitz, do you want to punish the Führer?"'[504] Göring, who was far closer to Hitler than the old-conservative Popitz, thus considered that Hitler himself was responsible for the pogrom.

(J) Conclusion

1. As we have seen, therefore, the available evidence points overwhelmingly to Hitler's having backed the pogrom. There are strong indications that he actually approved of this before he left the Old Town Hall in Munich. In any case, the evidence makes it clear beyond any reasonable doubt that Hitler did not attempt at any time to stop the pogrom, as Irving maintains he did. Irving knows the evidence. Yet he has deliberately chosen to suppress or distort it in his efforts to exculpate Hitler from responsibility. This is clear evidence of his skewing of sources as charged by Lipstadt. It is not a mere case of carelessness or sloppy research on Irving's part. He has decided to suppress information of which he is aware, deliberately misconstrue other information, and manipulate the material in order to serve his own purpose of absolving Hitler from blame for the anti-Jewish excesses of the night in question.

(iii) <u>Irving's Account of Events After the Night of 9-10 November 1938</u>

(A) Misquotation, manipulation, and discounting of reliable evidence to fit a preconceived argument: the Goebbels diary

1. The pogrom of 9-10 November, obviously, eventually came to a halt. Once again, in his account of the ending of the pogrom and its aftermath, Irving is determined to manipulate and falsify the historical evidence to make it appear as if Hitler was opposed to the whole pogrom from the outset. The first piece of evidence which he treats in this way is the inevitable Goebbels diary.

2. In his account of the events of 10 November 1938, Goebbels wrote: 'New re-

ports rain down the whole morning. I consider with the Führer what measures should be taken now. Let the beatings continue or stop them? That is now the question.[505] On page 277 of *Goebbels: Mastermind of the 'Third Reich'*, Irving paraphrases this entry as follows: 'As more ugly bulletins rained down on him the next morning, November 10, 1938, Goebbels went to see Hitler to discuss "what to do next" - there is surely an involuntary hint of apprehension in the phrase.'[506] The claim - and the use of the word 'surely' rather than, say, 'possibly' or 'perhaps' makes it a claim rather than a supposition or speculation - that Goebbels was apprehensive has no basis in the source whatsoever, but is Irving's own invention. The effect is to suggest to the uninformed reader that Goebbels was worried about Hitler's reaction. There is no evidence anywhere in the diary entry for any sense of worry or apprehension on Goebbels's part whatsoever.

3. When Hitler and Goebbels talked on the morning of 10 November as reported in this diary entry, therefore, no decision had yet been taken. It was already clear, however, that other Nazi leaders were unhappy about the pogrom. As the head of the Four-Year Economic Plan, Hermann Göring was particularly concerned about the damage it was causing to economically valuable property and assets.

4. Following this first conversation with Hitler on the morning of 10 November, Goebbels drafted an order to bring the pogrom to a halt. 'Yesterday', he wrote on 11 November in his diary, 'Berlin. There, all proceeded fantastically. One fire after another. It is good that way. I prepare an order to put an end to the actions. It is now just enough.....In the whole country the synagogues have burned down. I report to the Führer at the Osteria.'[507] The fact that Goebbels had not drafted any order or indeed come to any view about whether or not the actions should be ended before he met Hitler to consider 'what measures should be taken now', and that he *had* drafted an order before he met Hitler in the Osteria, a Munich restaurant, makes it clear that, contrary to what Irving claims, these were two separate meetings.

5. At the Osteria, Goebbels presented Hitler with his draft order to stop the pogrom. His diary entry continued:

> I report to the Führer in the Osteria. He agrees with everything. His views are totally radical and aggressive. The action itself has taken place without any problems. 17 dead. But no German property damaged. The Führer approves my decree concerning the ending of the actions, with small amendments. I announce it via the press and radio. The Führer wants to take very sharp measures against the Jews. They must themselves put their businesses in order again. The insurance companies will not pay them a thing. Then the Führer wants a gradual expropriation of Jewish businesses.[508]

6. This entry makes it clear, first, that Hitler approved the pogrom, and second, that it was Hitler who devised the economic measures taken against the Jews at the subsequent meeting chaired by Göring on 12 November 1938.

7. Other evidence supports the diary on these points. On the afternoon of 10 November, after he had reported to Hitler, Goebbels informed the Nazi Party chief of Munich-Upper Bavaria that the pogrom was to be terminated, and added: 'The Führer sanctions the measures taken so far and declares that he does not

disapprove of them.'[509] In another circular sent out the same day to Gau propaganda officials, quoted in Irving's own book on Goebbels, and quite clearly reporting Hitler's views at the meeting in the Osteria, Goebbels added: 'An order is to be expected according to which the (cost of the) damage resulting from the anti-Jewish actions is not to be met by insurance companies but by the Jews concerned themselves. Furthermore, a series of measures against the Jews will very shortly be implemented through the promulgation of laws or decrees.'[510] This point also echoes Goebbels's diary entry, cited above, in which the Propaganda Minister noted that Hitler wanted 'to take very sharp measures against the Jews'.

8. How does Irving deal with this particularly incriminating diary entry? In 1992, when Irving first read the Goebbels diary entries for the period 9-10 November 1938, he was convinced that it showed that Hitler approved of the pogrom:

> According to his diary [Goebbels], and I can't emphasise those words enough, according to his diaries, Hitler was closely implicated with those outrages. And that's a matter of some dismay to me because it means I have to revise my own opinion. But a historian should always be willing to revise his opinion.[511]

9. A year later, he was sounding a slightly more sceptical note. Goebbels's diary, Irving said,

> describes how Hitler thoroughly endorses what he, Goebbels, has done, namely starting that outrage that night. This was a deep shock for me and I immediately announced it to the world's newspapers that I had discovered this material, although it appeared to go against what I had written in my own book *Hitler's War*. But even there you have to add a rider and say, 'Wait a minute this is Dr. Goebbels writing this.' Dr. Goebbels who took all the blame for what was done. So did he have perhaps a motive for writing in his private diaries subsequently that Hitler endorsed what he had done? You can't entirely close that file.[512]

10. By the time of the publication in 1996 of *Goebbels: Mastermind of the 'Third Reich'* , this slightly sceptical note by Irving had been transformed into total conviction that Goebbels was lying. One should stress here that Irving's change of mind was not influenced by any further discoveries of new documentary material. As we have seen, in *Goebbels: Mastermind of the 'Third Reich'* Irving claimed (as he had done in *Hitler's War*) that Hitler did not know about the pogrom, was furious when he was informed about it, and sharply attacked Goebbels for his involvement. Thus, the essence of Irving's account of the pogrom in his written work has remained totally unchanged by the discovery of vital new evidence, the Goebbels diary, even though Irving himself at first accepted this evidence as destroying his previous theories.

11. Unable to manipulate the diary's clear statement that Hitler took an extreme antisemitic line, Irving tries to explain it away by suggesting that Goebbels was falsely claiming that Hitler approved of his action and was 'radical' and 'aggressive' in his attitude towards the Jews, in order to give anyone who read the diary the misleading impression that Goebbels had merely been carrying out the wishes of the 'Führer' when in fact he had been acting against them. But what grounds does Irving have for claiming that this entry is 'perhaps slanted'? The fact that it 'stands alone, and in direct contradicion to the evidence of Hitler's entire imme-

diate entourage'![513] But we have already seen that far from standing alone, it ties in well with a mass of other contemporary evidence. And we have also seen that the evidence of Hitler's entourage (von Below, Schallermeier, Schaub, Wiedemann, Wolff) is either manipulated by Irving to say something it does not in fact say, distorted, invented, suspect on any one of a number of grounds, or a combination of these things. The overwhelming likelihood in the light of the available archival evidence is that Goebbels's report of Hitler's radical views at the meeting in the Osteria restaurant was accurate and truthful. There is, on the other hand, no evidence at all to suggest that was not.

12. One further important point needs to be made here. It emerges from the Goebbels diary that on the morning of 10 November 1938 no decision had yet been taken by the Nazi leadership regarding the continuation of the pogrom. As Goebbels had noted: 'Let the beatings continue or stop them? That is now the question'. Only after his conversation with Hitler did Goebbels draft an order to end to pogrom which was then approved by Hitler at the meeting in the Osteria and then passed on the press and radio by Goebbels. Various contemporary documents support this course of events and show that this order by Goebbels went out in the afternoon of 10 November 1938, probably between 4 pm and 5 pm.[514] Irving accepts that this order went out on 10 November 1938, even though he falsely claims that it was broadcast at 10 a.m.[515]

13. This order by Goebbels demonstrates once more that Irving's version of events is simply untrue. As will be remembered, Irving claimed that after Hitler was informed of the pogrom (after 1 am on 10 November 1938), he was furious and condemned it, that Goebbels spent most of the night trying to stop 'the most violent excesses', that Heydrich ordered the police at 1.20 am to 'halt any ongoing incidents' and that Rudolf Hess's staff instructed the *Gauleiters* and the police at 2.56 am to 'halt the madness'.[516] So if all these attempts to stop the pogrom were going on in the early hours of 10 November 1938, why was the official directive that the pogrom was to be stopped only announced in the afternoon of 10 November 1938? Clearly, the factual evidence once more contradicts Irving's version of events.

(B) Suppression of important aspects and concentration on insignificant aspects of reliable evidence to divert attention from its significance

1. That Goebbels's version of events was an accurate one is strongly indicated by the fact that the economic measures which Hitler proposed in his meeting with the Reich Propaganda Minister were shortly afterwards put into effect. Goebbels did not have the power to intervene in economic matters in this way. The main responsibility lay with Göring, as head of the Four-Year Plan. Göring summoned a conference to put into effect Hitler's views on the economic and other measures to be taken in the aftermath of the pogrom. It was held on 12 November 1938. Those present included Göring and Goebbels, Heydrich as Chief of the Security Police, the Economics and Finance Ministers, the head of the uniformed police, and representatives of the Foreign Ministry and the insurance companies. Göring opened the meeting by declaring that he had 'received a letter written on the Führer's orders by Bormann, the chief of staff of the Führer's deputy, requesting that the Jewish question be now, once and for all, co-ordinated and solved one way or another. And yesterday once again the Führer requested me on the phone to take co-ordinated action in the matter.'[517]

2. The meeting proceeded to issue a decree ordering the Jews to bear the cost of the

damage and declaring any insurance payments made to them the property of the state. Another measure, the 'Decree Excluding Jews from German Economic Life', ordered the final 'Aryanization' of Jewish property. The running or management of shops and businesses was to be forbidden to Jews from 1 January 1939. In the Spring of 1938 there were still some thirty to forty thousand Jewish businesses in Germany; by 1 April 1939, nearly 15,000 of these had been 'liquidated', over 10,000 had been or were being 'Aryanized' and just over 7,000 were being investigated.[518] These were precisely the measures that had been proposed by Hitler when he met Goebbels in the Osteria restaurant. Yet Irving makes no mention at all of the connection between that meeting and the meeting of 12 November, nor of the way in which Hitler had obviously been pushing Göring on to implement his ideas in the intervening period. Nor does Irving mention that Hitler later publicly endorsed various measures which had been discussed at the meeting on 12 November 1938. For instance, Göring reported on 28 December 1938:

> On my report, the Führer has taken the following decisions in the Jew-question:…The Aryanization of businesses and shops, landed property, forests etc. is a matter of priority. The use of sleeping-cars and restaurant-cars is to be barred to Jews…Moreover the Jew-ban can be pronounced for bathing establishments, certain public places, seaside resorts etc..[519]

3. However, Irving's account of the conference in Berlin on 12 November focuses on differences of opinion between Göring and Goebbels, from which Irving concludes that Goebbels's diary entry for 12 November ('I am co-operating splendidly with Göring. He's going to crack down on them too. The radical line has won') was written with 'less than total honesty'. But in fact Göring did agree with Goebbels, and did follow a radical line, agreeing for example to Goebbels's suggestion that Jews should be banned from German baths, parks and other public spaces.

4. The kind of disagreement which arose between them is exemplified by Göring's remark on 12 November: 'I would have preferred it if you had beaten 200 Jews to death and hadn't destroyed such valuable property.'[520] Once the property was damaged, however, Göring ensured that the meeting took maximum financial advantage out of the events for the Nazi state. The tone of the meeting is vividly captured in the following exchange between the two men:

> *Goebbels*: For instance, it is still possible today for a Jew to share a compartment in a sleeping car with a German. Therefore we need a decree by the Reich Ministry of Transport stating that separate compartments shall be available to Jews; in cases where this compartment is full up, Jews cannot claim a seat. They will be given a separate compartment only after all Germans have secured seats. They are not to mix with Germans, and if there is no more room, they will have to stand in the corridor.

Göring: In that case, I think it would be more sensible to give them separate compartments.

Goebbels: Not if the train is overcrowded!

> *Göring*: Just a moment. There is only one Jewish coach. If that is full up, the other Jews will have to stay at home.

> *Goebbels*: Suppose, though, there aren't many Jews going on the express train to Munich, suppose there are two Jews in the train and the other compartments are overcrowded. These two Jews would now have a special compartment. Therefore, one has to say that Jews may claim a seat only after all Germans have secured one.
>
> *Göring*:… I'd give the Jews one coach or one compartment. And should such a case as you mention really ever arise and the train be overcrowded, believe me, we won't need a law. We'll kick him out even if he has to sit all alone in the lavatory all the way!
>
> *Goebbels*: I don't agree. I don't believe in that. There ought to be a law....[521]

5. Clearly, whatever the differences between them, both Göring and Goebbels were united on the need to impose radical new measures against the Jews. That is what the meeting of 12 November 1938 came up with; and that is what Hitler had been urging on the two men since November 10th.

(C) Suppression of evidence: Memoirs of Hans Kehrl and Correspondence of Carl Burckhardt

1. In *Goebbels; Mastermind of the 'Third Reich',* Irving writes that Göring told the *Gauleiter* on 11 November that he would not tolerate any repetition of the pogrom, and that he would insist that Hitler should sack Goebbels.[522] In support of this claim, Irving cites the memoirs of Hans Kehrl, a leading official in the office of the Four Year Plan, and a book published by Carl J. Burckhardt, a Swiss diplomat and member of the International Committee of the Red Cross. Irving quotes selectively from these sources and omits anything which puts Hitler in a bad light. Thus Irving makes no mention at all of the following passage in Kehrl's memoirs, which describes how Göring openly admitted that the ensuing

> argument between Hitler and Goebbels went in a completely different direction from that which he had hoped for. Apparently Hitler – he expressed himself cautiously – had not only forgiven Goebbels, who had previously (i.e. before 9 November 1938) fallen considerably into disfavour, but Goebbels had even succeeded, for reasons which were unclear, in using the action as an opportunity to demand further steps against Jewry. Thus Hitler had…commanded Göring to pursue the final expulsion of the Jews from the economic sphere more keenly and to impose on the Jews in their totality a kind of contribution towards covering the damage which had occurred.[523]

2. These measures were indeed discussed at the meeting on 12 November as described above. Irving considers this source reliable and trustworthy. He deliberately suppresses its description of Hitler's role in the legislative aftermath of the pogrom.

3. Irving is similarly selective in the case of Burckhardt. While he uses one part of a letter written by Burckhardt in December 1938, he omits another passage in the same letter in which Burckhardt notes that the emphasis placed on vom Rath's assassination in Nazi propaganda was ordered by Hitler himself ('I discovered from a reliable source that the command to employ this Fortissimo had been issued by the Reich Chancellor himself'). Burckhardt also reported a conversation with Himmler's adjutant Wolff, who had informed him that the SS leadership had felt the Goebbels was exercising a baleful influence on Hitler.

The SS leadership had expected Goebbels to be sacked after the pogrom. But, Wolff went on, 'the Führer rescued him this time as well'.[524]

(D) Misquotation and suppression of evidence: the von Hassell diaries

1. Irving blatantly misconstrues another reliable source, the diaries of Ulrich von Hassell, which he claims show that 'Hess confirmed that in his view Goebbels alone was to blame' for the pogrom.[525] In fact what Hassell wrote in the entry to which Irving refers was as follows:

> On 23. 12 Hess spent two hours at the Bruckmanns'. They said he had been more depressed than ever before. He had left them in no doubt that he completely disapproved of the action against the Jews; he had also reported his views in an energetic manner to the 'Führer' and begged him to drop the matter, but unfortunately completely in vain. Hess pointed to Goebbels as the actual originator.[526]

2. Thus Hassell never reported Hess as saying Goebbels *alone* was to blame, simply that he was the man who initiated the pogrom. Irving omits all mention of the crucial sentence which reports Hess as saying his attempt to get Hitler to stop the pogrom had been futile, or in other words, that Hitler had backed Goebbels.

(E) Misrepresentation of reliable documents: the Communication of the SA Leadership

1. Irving also misrepresents the role of Rudolf Hess in the pogrom and its aftermath. In order to emphasise his point that almost all of the Nazi leaders, except Goebbels, opposed the pogrom, Irving claims that Hess 'ordered the Gestapo and the party's courts to delve into the origins of the night's violence and turn the culprits over to the public prosecutors.'[527] However, this claim rests on a misrepresention of the original document cited in its support, and gives a completely misleading picture of the way the Nazi leadership dealt with the brutal crimes committed in the night 9-10 November 1938. The document in question, dated 19 December 1938, cites an order of the SA leadership stating that Hess had ordered that the pogrom be investigated by the Gestapo and the party courts:

> The aim of the investigation by the Party Courts is to establish which cases can and must be held responsible by the action itself and which cases arose out of personal and base motives. In the latter cases a refferal to the state prosecution service will be unavoidable, indeed it will be just.[528]

2. Thus, these investigations were never supposed to examine all incidents which occurred during the pogrom. Already on 10 November 1938, the Ministry of Justice had instructed its officials that 'material damage to synagogues, cemetary halls and graveyards through fire, blowing up etc.' as well as 'damage to Jewish shops' should not be prosecuted[529] . This directive excluded a great number of the criminal offences committed during the pogrom and left only cases of looting, killing, grievous bodily harm and the destruction of Jewish homes out of selfish motives.[530] And in these cases, the criminal courts left any investigations to the Gestapo and the party courts. In these cases investigated by the party courts, by no means all 'culprits', as Irving claimed, were later to be turned over to the criminal justice system. Only those offenders were to be transferred

in this way who were judged by the party courts to have acted out of base motives. In all other cases, the participants in the violence of 9-10 November 1938 were to be spared a criminal prosecution. What Hess's directive did, therefore, was the exact opposite to what Irving claims it did. It ensured that only a small number of offences committed during the pogrom ever reached the criminal courts. Had Hess wanted the criminal courts to deal with the offences, then he would have left the investigations to the public prosecutors, rather than the Gestapo and the party courts. However, this was precisely what leading Nazis like Hess wanted to avoid. As the Supreme Party court of the NSDAP noted in February 1939

> The Führer's Deputy shared the view of the Supreme Party Court that the excesses which had become known should in any case first be investigated by the party jurisdiction…The view of the Supreme Party Court is that it must be fundamentally impossible for political offences which primarily touch on the party's interests, offences which…are desired by the party as illegal measures, are confirmed and condemned by state jurisdiction, without the party previously having the possibility of creating clarity about the events and contexts through its own courts, in order if necessary to ask the Führer to quash the trial before the state courts at the right moment..[531]

3. Where the Party Courts drew the line between actions which could be justified, and those which were judged to have been committed out of vile motives, becomes clear in the various judgements of the Party Courts. For instance, in the report of 13 February 1939, Göring was informed of the outcome of the investigations in 16 cases which the Supreme Party Court had undertaken. In only two of the 16 cases, both involving the rape of Jewish women, had the Party Court transferred the perpetrators to ordinary criminal courts (and in these two cases the party judges were not motivated by concern for the victims, but simply by the fact that Nazi party members had committed 'racial defilement' or in other words compromised what the party regarded as their own racial purity). In all the other 14 cases, the Supreme Party Court asked Hitler to quash proceedings. These cases included the brutal murder of 21 Jews, who had been shot dead, stabbed to death or drowned by Nazi party members. The worst punishment meted out to these murderers was an official warning and barring from any Nazi party office for a period of three years. The great majority of offenders received even milder 'punishments', or none at all.[532]

4. In view of this evidence it is completely misleading by David Irving to claim that Hess ordered that the 'culprits' for the violence committed during the pogrom to be turned over to Public Prosecutors. On the contrary, Nazi leaders including Hess successfully prevented the vast majority of offenders from being prosecuted.

(F) Misconstrual of books that directly contradict Irving's arguments: the Goebbels diary

1. Irving suggests that Hitler distanced himself from Goebbels in the aftermath of the pogrom.[533] This is very far from an accurate picture of the two men's relationship after 9/10 November 1938. As Irving well knows, on the day after the pogrom, on 10 November 1938, Hitler made a semi-public appearance with Goebbels in front of members of the German press. Goebbels was standing next to Hitler while the latter delivered his speech. Indeed, Irving actually prints a photograph of this evening in his book *Goebbels: Mastermind of the 'Third Reich'*, with the caption: 'Hitler stands by Goebbels and delivers an impassioned speech

to editors on the importance of propaganda to the tasks that lie ahead'.[534] Hitler continued to give his personal support to Goebbels during the following days. He visited him on the afternoon of 15 November and according to Goebbels's diary was 'in a good mood. Sharply against the Jews. Approves my and our policy totally.'[535]

2. There is no reason to suppose, as Irving implies, that this entry was in some way an invention on Goebbels's part.[536] Indeed, as Irving notes, Hitler demonstrated his approval of Goebbels by visiting the theatre with him and staying overnight and all the following day at the Goebbels home, talking with the Propaganda Minister and playing with the Goebbels children.[537] All the while, Goebbels continued his antisemitic campaign in the newspapers, whose output he directed, with Hitler's explicit approval: 'The Führer', he noted in his diary entry for 24 November, 'is very satisfied with our anti-Jewish campaign in the press.'[538]

(G) Invention of evidence: the Ribbentrop memoirs

1. This openly supportive behaviour of Hitler towards Goebbels is extremely difficult for Irving to reconcile with his claim that Hitler was furious about the pogrom and extremely angry with Goebbels. The evidence presented above makes it clear that there is no indication of any kind in the historical record that Hitler disapproved of the pogrom. Instead, there is clear evidence for Hitler's support. This is clearly the reason why he stood by Goebbels in the aftermath of the events of 9/10 November 1938. Irving cannot admit this. He cannot explain why Hitler failed to dismiss or even discipline Goebbels despite what Irving describes (without any justification) as his 'fury' at the attacks on the Jews. Irving indeed has to concede that it is 'baffling why Hitler tolerated what Goebbels had done.'[539]

2. In *The War Path*, Irving suggests it was because he '*post facto* endorsed' his actions.[540] In 1996, however, Irving has a different explanation: 'Ribbentrop relates that when he tackled Hitler about the damage Goebbels had done, Hitler rejoined that this was true, but he could not let the Propaganda Minister go - not when he was just about to need him again.' Irving cites Ribbentrop's book *Zwischen London und Moskau* (*Between London and Moscow*) as evidence for this claim.

3. It is typical of Irving's slapdash scholarship that he fails to give a page reference to the relevant passage in the book, but an examination of Ribbentrop's text reveals that the only relevant passage in it dealing with the events of 9-10 November 1938 is the following:

> I explained to Hitler how serious the effect of such unlawful antisemitic measures must be on our own people, and drew his attention to the unavoidably serious consequences of the excesses. He said in response to this, with great earnestness, that one could not always regulate the course of things as one wanted to, and that everything would be once more brought into an orderly course.[541]

4. Whatever one makes of this passage, there is no reference at all here to Goebbels or to any discussion of demands for his dismissal: these appear to be the pure invention of David Irving.

(H) Misrepresentation and presentation of irrelevant evidence: the Wolff memoirs

1. Apart from the falsifications presented in his books and articles, chiefly in *Goebbels: Mastermind of the 'Third Reich'*, Irving also presents a number of additional documents in his Discovery, in which there is a similar tissue of falsehoods and distortions. This includes the memoirs of the journalist Ottokar Ernst Wolff, whose claims to have been at a (non-existent) press reception on 9 November and to have dined with Hitler until one in the morning on 10 November must be regarded as pure fabrication in the light of what we know from the other evidence examined above about Hitler's movements that night.[542]

(I) False attribution of a conclusion to a reliable source: the Goebbels diary

1. On page 611 of *Goebbels: Mastermind of the 'Third Reich'*, Irving claims that Goebbels later admitted he had been on the verge of a nervous breakdown during 9-10 November. In fact the diary entry cited by Irving, for 17 January 1939, makes no reference whatsoever to the events of 9-10 November. Rather, Goebbels was concerned with his mental state in January 1939. 'I am close to a nervous breakdown', he wrote, using the present tense.[543] Goebbels at this time was deeply concerned with a serious crisis in his marriage, which was also undermining his political standing.[544] This is clearly a deliberately false attribution of the conclusion that Goebbels was worried about the fact that (as Irving would have it) Hitler disapproved of his actions on 9-10 November to a source that refers to a different date and makes no mention of any disapproval by Hitler of anything Goebbels did at all.

(J) Misrepresentation of reliable sources: the reports to the British Foreign Office

1. Irving tries hard to twist the sources in such a way as to make it appear that Goebbels was virtually the only Nazi leader in favour of the pogrom. He manipulates the historical record to suggest that Himmler, Heydrich, Hitler, Lutze and others opposed the pogrom or even tried to stop it. As part of this strategy, He also suggests that Goebbels was completely isolated in the aftermath of the pogrom. Irving falsely suggests that Hitler distanced himself from Goebbels, and that Goebbels had been on the verge of a nervous breakdown. In another manipulation of the historical record, Irving also claims that 'Dr Goebbels found himself a pariah in official Berlin' and that 'Foreign diplomats reported that Goebbels now outranked both Ribbentrop and Himmler in unpopularity'.[545]

2. Irving's first claim is based, according to his footnotes, on a report by the British Ambassador in Berlin to the Foreign Office.[546] But, in a lapse typical of Irving's historical standards, when we turn to this document, there is no reference in it to Goebbels being a 'pariah' in Berlin.[547] In any case, we have already seen that Hitler visited the theatre with Goebbels on 15 November 1938 in Berlin. Three days previously, Goebbels had actively taken part in the conference chaired by Göring in Berlin, where many officials from various party and state offices were represented - hardly a sign of Goebbels 'pariah' status.

3. Irving's second claim is based, according to his footnotes, on the following documents in a file in the Public Record Office in Kew: 'Memos from W.W. Astor, Nov 9; British consulate in Vienna to Ogilvie-Forbes, Nov 25; memo by Capt. J. McLaren, Nov 29; minute by W. Ridsdale, Dec 6, 1938'.[548] However, these documents again fail to support Irving's claims. In his memorandum, Astor only states that Goebbels 'equals von Ribbentrop in unpopularity' and, in any

case, this document was written before '*Kristallnacht*'.[549] The British Consulate in Vienna makes no reference at all in its communication of 25 November 1938 to Goebbels's unpopularity.[550] The memorandum by Captain McLaren similarly does not contain the content attributed to it by Irving. Also, McLaren was not a diplomat, though Irving claims he was.[551] And the Ridsdale minutes also fail to support Irving's assertions. They refer to information received by a British Foreign official in London from the French Embassy (presumably in London), which in turn drew on information received from the French Embassy in Berlin, reviewing the German political situation. According to this (third-hand) information, which Ridsdale received from a M. Maillaud, 'Ribbentrop, Goebbels and Himmler, in that order, would apparently be at the head of any public Hate Ballot in Germany at the moment'.[552]

4. These particular inaccuracies and misrepresentations might appear trivial. However, if seen in the context of the great number of similar lapses and misrepesentations of documents, they further undermine any claim by Irving to be take serious as a dilligent historian. All too often, Irving provides inaccurate references or no source references at all. And if the documents referred to by Irving can be traced, it is often revealed that he manipulated, misrepresented or misread them.

(K) Use of a discredited and disreputable source: Ingrid Weckert

1. It has already been noted that Irving contemptuously almost never cites, discusses or makes use of the work of other historians or writers. It is all the more surprising, therefore, that in his *Goebbels: Mastermind of the 'Third Reich'*, he refers no less than six times in seven pages to an author by the name of Ingrid Weckert in his account of the events of 9-10 November 1938. Clearly he regards her as an eminent authority on the pogrom. Characteristically, however, the references he supplies are inadequate, the footnotes sloppy and in crass contravention to the normal practice of responsible historical scholarship. Footnotes are designed to enable the reader to check statements in the text against the sources cited to see if the statements rest on a reasonable interpretation of the sources in question. Checking Irving's statements and claims is often difficult, since he commonly provides vague or incomplete references, but in the case of Ingrid Weckert it is even more difficult than usual. In the footnotes to the seven pages under consideration here, Irving repeatedly refers merely to 'Ingrid Weckert' or 'the author Ingrid Weckert', without providing any details of who she is or even the name of the publication or publications for which she is responsible. The critical reader is entitled to ask, therefore, who this mysterious writer Ingrid Weckert is, and which of her works provide authority for the statements Irving is making in the text.

2. Ingrid Weckert has long been active on the far-right German and international 'revisionist' scene. Based in Munich, she had close connections with leading Holocaust deniers. In March 1991, for example, Ernst Zündel, the German-Canadian antisemite, admirer of Hitler and proven Holocaust denier, was apparently arrested at Weckert's Munich home.[553] Weckert has also corresponded with Zündel and Irving.[554] She has authored several articles in publications by Holocaust deniers and self-styled 'revisionists', such as the *Journal of Historical Review*, discussed above. Her work has consistently aimed to play down or deny the crimes of the 'Third Reich'. In an article published in 1994, for instance, she declared that 'the claim that Germans killed thousands of people in "gas vans" is to be categorized as rumour.'[555] In an article published in 1985, which Irving

has evidently read, Weckert openly acknowledged her sympathy for the Nazis, confessing that 'the youth of Adolf Hitler's Germany was the finest of all Europe and perhaps of the entire world. The same ethical standards', she continued, 'applied to the SS and SA…It was their faithfulness and gallantry which saved Germany from chaos and Communism.'[556]

3. In 1997, Weckert suggested in an article that conditions in the Dachau concentration camp were better when it was run by the SS than when it became a US internment camp after the end of the Second World War. The article in which she put forward this claim was first published in the magazine *Sleipnir*, published in Berlin by the *Verlag der Freunde* (VdF).[557] According to the annual report of the North-Rhine-Westphalian Government Office for the Protection of the Constitution, this magazine is

> Mainly a forum for extreme right-wing authors from home and abroad. Besides agitation against foreigners and antisemitic agitation, revisionist views are particularly represented…On the basis of suspicion of publishing contributions which are an incitement to antisemitism, the offices of the VdF and the private residences of those responsible for it have been searched several times in the past and relevant publications as well as parts of the publishing operation seized.[558]

4. According to information posted on various 'revisionist' websites, Weckert was sentenced in 1998 by the local court or *Amtsgericht* in Berlin-Tiergarten to a fine of over three thousand German Marks for her article in *Sleipnir*.[559]

5. Weckert is best known, however, for her manipulation of the historical record of the pogrom of 9-10 November 1938. She published a series of articles on the subject in the late 1970s, at least one of which was read at the time by Irving.[560] Her book *Feuerzeichen: Die 'Reichskristallnacht'*, was first published in German in 1981 and is also available in an English translation. The complete third German edition of the book published in 1989, is available on the Internet on the website of *Vrij Historisch Onderzoek*,, a 'revisionist' website offering a forum for the dissemination of the writings of prominent Holocaust deniers such as Arthur R. Butz, Robert Faurisson, Fred Leuchter, Wilhelm Stäglich and m any others. The same website also includes a substantial number of articles by David Irving.[561] Irving has also read at least parts of Weckert's book, as well as an article on the pogrom published by Weckert in 1985.[562]

6. Weckert's book is full of crude and offensive antisemitic remarks and praise for Hitler's 'Third Reich'. On Nazi antisemitism, for example, Weckert declares that a 'rational and sustainable solution' to 'the Jewish problem' between 1939 and 1942 was sought by the German government, the Nazi party and the SS. As far as the events of 9-10 November 1938 are concerned, Weckert absolves all the leading Nazis of any blame and suggests that it was master-minded by German 'traitors' and 'World Jewry' in the hope that such violence would reflect badly on the (blameless) Nazi regime and cause it to fall. The real victims of the pogrom were the Germans, not the Jews. Not surprisingly, the German authorities have blacklisted the book. It is illegal to sell or lend it to any person under the age of eighteen. The authorities not only described the book as likely to corrupt young minds by arousing antisemitic feelings in them but also declared that it showed no evidence even of minimal attempts at truthfulness and objectivity.[563]

7. Irving's source Ingrid Weckert thus turns out to be an antisemitic propagandist

who is a well known figure on the Holocaust denial scene, who has been sentenced for her antisemitic and pro-Nazi outpourings, and whose book is blacklisted in Germany. It is obvious that Irving has good reason to hide the true identity of his source from his readers and to withhold full references to her work in his footnotes. Nevertheless, he knowingly makes use of the book in his biography of Goebbels. His claim on page 276, for example, that only three of the twenty-eight SA *Gruppen* received actual orders to stage demonstrations is taken straight from Weckert's work.[564]

8. It is neither possible nor necessary here to pursue all the instances in *Goebbels: Mastermind of the 'Third Reich'*, in which Irving relies on Weckert's spurious historical work. One example must suffice. On page 280, Irving claimes that Werner Naumann, State Secretary in the Propaganda Ministry, reported that when Goebbels returned to Berlin early on 11 November 1938 he 'fulminated with suppressed anger against the extent of the pogrom and issued a public dressing down to his deputies Görlitzer…and Wächter when they met him on the railroad platform'. The source for this claim? If we turn to note 59 on page 614, we find simply: 'Cited by Weckert'. Exactly what is cited by Weckert can be found in her Chapter on the events following the pogrom of 9-10 November, where she refers to a 'personal communication of Dr. Naumann to the author on 24. 1. 79 and 27. 3. 79', in which Naumann supposedly described how he and Goebbels arrived in Berlin on 10 November 1938:

> When we arrived in Berlin in the morning, Görlitzer (the deputy Gauleiter of Berlin) welcomed us at the station and reported on the events of the previous night. The doctor (i.e. Goebbels) was extremely angry and made no secret of his displeasure, which was all the more unpleasant because in the meantime numerous fellow-travellers had recognised him and gathered around him. As the two gentlemen were debating with one another, I succeeded with difficulty in persuading them to continue their loud discussion in the car.[565]

9. Comparing this alleged letter with Irving's text, it is immediately clear that for whatever reason, Irving has simply invented the presence of Wächter on the station; there is no mention of him in this 'source' at all. Even if he had just relied on the letter instead of embellishing it with his own invention, Irving would not have been out of trouble. For Naumann is a demonstrably unreliable source for the events of 9/10 and 11 November 1938. Naumann's alleged letter to Weckert makes it clear that he is claiming to have boarded the train in Munich on the night of 9 November and arrived on the morning of 10 November, which is demonstrably untrue, since Goebbels stayed in Munich that night. In another passage, Naumann claims that Goebbels was upset when they passed the burning synagogue in Munich, a claim which Goebbels's own diaries show to be completely without foundation.

10. Since Irving is familiar with the diaries, he therefore unilaterally alters the date of arrival in Berlin clearly indicated by Naumann – 10 November – to 11 November, when Goebbels did indeed arrive in the capital. But if this was so, then what were 'the events of the previous night' to which Naumann referred? Not a lot happened on the night of 10/11 November, and certainly not the pogrom over which Naumann says Goebbels was upset: it had happened on the night of 9/10 November.

11. What we have here, therefore, is a whole chain of fabrications and inventions.

Irving here is deliberately using sources that are obviously unreliable; he is also copying from another author – a notorious antisemite and falsifier of history - in a manner that he has frequently criticized legitimate historians for doing. Moreover, he does not rest content with merely copying. Irving doctors and manipulates a claim made by Weckert, which rests on a dubious and demonstrably false report, by Naumann, in order to bolster his wholly misleading account of the pogrom of 9/10 November 1938. A more blatant disregard for the most elementary rules of historical scholarship would be hard to imagine.

(L) Invention of evidence: testimony of Schirmeister and Fritzsche

1. Another instance of Irving's poor scholarship is the footnote reference given on page 281 of *Goebbels: Mastermind of the 'Third Reich'* to back up his claim that 'Goebbels however would brag that he had proved that the Jews could be eliminated from the economy, whatever Funk said to the contrary.' When we turn to pages 190-1 and 235-7 of volume 17 of the Nuremberg Trials documents, cited by Irving as the location of the 'Testimony of Schirmeister and Fritzsche, June 28, 1946' in support of his statement, we find that the reference for pages 190-1 refers to June 27 not June 28, that Schirmeister is never mentioned on these pages, and that Fritzsche's testimony deals with a completely different subject.

(iv) Conclusion

1. Irving's egregious errors and lapses from normal scholarly standards go beyond mere carelessness. We have already seen numerous examples of how Irving distorts the documentary record in his futile attempt to claim that Hitler did not know about the pogrom of 9-10 November and tried to stop it when he found out about it. In places, he goes beyond this and gives credence to the Nazis' own public claims about the events, which, as we have seen, portrayed the assassination of vom Rath as a Jewish conspiracy and alleged that there had been little or no violence against Jewish persons. On page 272 of *Goebbels: Mastermind of the 'Third Reich'*, Irving suggests that there is 'some frail evidence that LICA, the Paris-based International League Against Antisemitism' had a hand in the assassination. But he provides no evidence for this insinuation at all, not even frail evidence. In the 1991 edition of *Hitler's War*, Irving has already made a similar suggestion. Once more failing to provide a source reference for his claims, Irving wrote:

> Revisionist historians now argue that the Nazis had fallen into a Zionist trap. The Haganah officials with whom Adolf Eichmann negotiated on his trip to Palestine in November 1937 had hinted that it would serve their interests if things were made hot for Germany's Jews, to accelerate Jewish emigration to Palestine. It deserves comment that Grynzspan, although a destitute youth, was able to reside in a hotel in 1938 and purchase a handgun for 250 francs, and that his defence counsel Moro Giafferi was the best that the money of the International League against Anti-Smitism (LICA) could buy: LICA's Paris office was around the corner from Grynszpan's hotel.[566]

2. Once more, therefore, Irving uncritically repeats the Nazi propaganda claim that Grynszpan had acted as the agent of 'world Jewry' as if it were fact.[567] Irving again has taken over the details from the discredited antisemitic writer Ingrid Weckert, this time however without acknowledging his debt to her in any way.[568] Yet again, his claims have no basis in fact. Grynszpan, whom Irving

describes in an illustration caption in *Goebbels* as a 'crazed Jew', had actually been living until the day before his assassination attempt with his uncle Abraham Berenbaum, and left after a quarrel, renting a room in the Hôtel Suez on the Boulevard de Strasbourg for 22 francs 50 centimes a night. With 320 francs in his pocket, he bought a gun and cartridges from the weapons dealer Carpe for a total cost of 245 francs on the morning of 7 November 1938. There is no indication at all that he received financial or any other kind of support from Jewish organizations. His defence lawyer was paid by a non-Jewish committee in the USA set up by the journalist Dorothy Thompson in November 1938 specifically to help the young Pole. A subsequent investigation by the Gestapo failed to come up with any links at all between Grynszpan and Jewish organizations, or between such organizations and other assassinations mentioned by Irving. When Grynzspan was finally arrested after the Nazi invasion of France in 1940, the official appointed by the Propaganda Ministry to represent the interests of the German Reich in the Grynszpan affair in France, Professor Friedrich Grimm, admitted on 10 July 1942 that 'one can not prove any direct relationship between the murderer and Jewish organizations'.[569] It was precisely because of this that plans to prosecute Grynszpan were dropped. One is entitled to ask, therefore: what does Irving know that the Gestapo and the Propaganda Ministry failed to discover? One searches his text and footnotes in vain for an answer to this question.

3. Irving's entire portrayal of the events of 9-10 November is designed to diminish the suffering of the Jews. Even though Irving is well acquainted with the figures detailing the terror of the pogrom drawn up by the Nazis themselves, he often provides much lower figures in his published work, both of the destruction caused and of the number of Jews killed. In *The War Path,* published in 1978, Irving gave the official figure of 91 killed, arrived at by the Nazis themselves. Of course, this figure is still far too low, and does not account for suicides, of which there were 680 by Jews during or shortly after the pogrom in Vienna alone. Others were killed after their transport to the concentration camps.[570] However, many other historians have quoted the figure of 91 deaths, and Irving's account in 1978 at least gives some insight into what happened during the pogrom. He comments that the night of 9-10 November saw 'the first anti-Jewish pogrom since the Middle Ages', in which there was 'an orgy of burning and destruction, of murder and rape' throughout Germany and Austria.[571] By the end of the 1980s, however, Irving had altered his portrayal of these events. In his book on Göing, published in 1989, and his book on Goebbels, published in 1996, he cites a figure of 35 or 36 dead, basing it on an early, incomplete report by Heydrich.[572] Irving's own earlier work shows that he knows as well as anybody that these figures are wrong. His overall presentation of the events, which he describes in the Goebbels book simply as the Night of Broken Glass, without any inverted commas, reaches a low point of tastelessness in the relevant Chapter heading of the Göring biography, which is entitled 'Sunshine Girl and Crystal Night', trivialising the murderous destruction of the pogrom by linking it in this way to a section on Göring's daughter Edda.

4. In his most recent writings on the pogrom, Irving's manipulation of the figures of destruction caused during the pogrom is even more openly designed to minimise the suffering of the Jews in Germany. In *Goebbels: Mastermind of the 'Third Reich'*, Irving only devotes one short paragraph to the statistics of the pogrom: 'By dawn on November 10, 191 of the country's fourteen hundred synagogues had been destroyed; about 7,500 of the one hundred thousand Jewish shops had had their windows smashed. Thirty-six of the country's half-million Jews had

been murdered, and hundreds more badly beaten.'[573]

5. Not one of these claims is accurate. The only source Irving supplies for his claims is the minutes of the conference on 12 November 1938, chaired by Göring.[574] What Irving fails to tell his readers is that, once more, he has lifted large parts of his information from the notorious Ingrid Weckert (the figure of 1,400 synagogues; the figure of 100,000 Jewish shops).[575] Let us deal with Irving's various claims in turn.

6. First, on 12 November 1938 Heydrich did give the figure of 7,500 shops. At least this figure is repeated correctly in *Goebbels: Mastermind of the 'Third Reich'*. In an article in 1995, Irving had merely stated that 'Hundreds if not thousands of Jewish shops were destroyed'.[576] However, while giving the correct figure in *Goebbels: Mastermind of the 'Third Reich'*, Irving utterly trivialises the damage done to these shops. Heydrich did not claim at the conference on 12 November 1938 that the 7,500 shops merely had their windows smashed, as Irving does. What Heydrich did say, in fact, was that these shops had been 'destroyed'.[577] During the pogrom, the internal fittings of many Jewish shops had been smashed, goods had been destroyed, thrown on the streets or stolen.[578] It was official Nazi propaganda which trivialised this destruction as the 'Night of Crystal', a lie simply taken over by Irving.

7. Secondly, it is totally misleading to claim, as Irving does, that only about one in every 13 Jewish shops were destroyed during the pogrom. As the historian Avraham Barkai, an expert on the economic life of Jews under the Nazis, has discovered, according to official figures there were only about 9,000 Jewish shops left in the *Altreich* in July 1938. Thus, during the pogrom the vast majority of Jewish shops in Germany were destroyed.[579]

8. Thirdly, regarding the destruction of synagogues, Heydrich himself had stated in a letter to Göring on 11 November 1938 that a total of 267 synagogues had been set alight or smashed during the pogrom.[580] It was clear even at the time that the real figure was considerably higher. The organisation of the Social Democrats in exile (SOPADE), which had informants all over Germany, estimated in November 1938 that 520 synagogues had been completely or partially destroyed.[581] More detailed investigations of the damage could only be carried out after the war. According to A. Diamant, some 1,200 of around 1,800 synagogues and prayer-halls standing in Germany in 1933 were destroyed during the pogrom five years later. S. Korn has arrived at slightly lower figures: of around 2,000 synagogues and prayer-halls, about half of which were destroyed during or just after the pogrom.[582] Whichever way one looks at these figures, it is clear that Irving's figure of only 191 destroyed synagogues is many times lower than the real figure.

9. Fourthly, as Irving himself has acknowledged in the late 1970s, at least 91 Jews (as noted previously, the real figure is significantly higher still), and not 36, had been murdered during the pogrom. Again, Irving uses implausibly low figures in order to diminish the suffering of Jews. He also fails to mention any cases of rape and sexual abuse.

10. The account David Irving gives in his recent work, and above all in his book *Goebbels: Mastermind of the 'Third Reich'*, of the pogrom of 9-10 November 1938, therefore, amply demonstrates the unscholarly and biased nature of his approach to the past. He falsely attributes conclusions to reliable sources, bending them

to fit his arguments. He relies on material that turns out directly to contradict his arguments when it is checked. He quotes from sources in a manner that completely distorts their authors' meaning and purposes. He misrepresents data and skews documents. He uses insignificant and sometimes implausible pieces of evidence to dismiss more substantial evidence that does not support his thesis. He ignores or deliberately suppresses material of which he is aware that it runs counter to his arguments. When he is unable to do this, he expresses wholly implausible doubts about its reliablility. He uses discredited sources when they appear to support his arguments, and tries to conceal his dependency on them from the reader. He has no scruples about stooping to sheer invention if this serves his purpose.

11. Irving does all this in order to minimise and trivialise the violence and destruction visited by the Nazis upon the Jewish community in Germany, to suggest that the Jews were themselves partly responsible for it by organising the assassination of vom Rath, and above all to dissociate Hitler completely from events which he approved of. Irving's conclusions are completely untenable. His scholarship is sloppy and unreliable and does not meet even the most basic requirements of honest and competent historical research. None of his work on the *Reichskristallnacht*, whether it was written before or after his conversion to full-scale Holocaust denial, merits being called a serious contribution to historical knowledge. **(d) <u>The expulsion of Jews from Berlin, 1941</u>**

(i) Historical Background

1. With the German invasion of Poland and the beginning of the Second World War on 1 September 1939, Nazi policy against the Jews became markedly more radical. Millions of Jews in Poland came under the rule of the 'Third Reich'. Probably around 7,000 of them were killed until the end of 1939. The freedom of movement of the Polish Jews was restricted, as more and more were forced into ghettos set up by the Nazis. The living conditions in the ghettos deteriorated rapidly. Cut off from the outside, the local Nazi officials in charge of the day-to-day running and supplying of the overcrowded ghettos failed to provide sufficient food, heating materials and other vital resources. In May 1941, more than 3,800 Jews died in the Warsaw ghetto alone. German Jews in the first years of the war were also deprived of most of the few rights they still had left: curfews were imposed, their food supplies were restricted and their radios were confiscated. However, the aim of Nazi policy at this time concerning the Jews remained emigration, or forced deportation. Thus, in early summer 1940, after the defeat of France, the Nazi leadership seriously discussed the transportation of all European Jews to French island of Madagascar.[583]
2. The invasion of the Soviet Union on 22 June 1941 marks a further watershed in Nazi policies towards the Jews. The mass murder of Soviet citizens in general, and Jews in particular, had been decided upon before the invasion. On 19 May 1941, the German army was given the order that the fight against the Soviet Union 'requires ruthless and energetic action against Bolshevik agitators, guerillas, saboteurs, and Jews, and the total elimination of all active and passive resistance'.[584] Also, four fully motorised task forces (*Einsatzgruppe A, B, C, D*) were set up and immediately after the invasion began killing Soviet Jews. Soon, these task-forces were committing mass murder without regard to age or sex. By 15 October 1941, *Einsatzgruppe A*, which operated in the Baltic states, reported to have executed a total of 118,430 Jews.[585] The leader of *Einsatzkommando* 2, one of the four units making up *Einsatzgruppe* A, wrote in January 1942: 'The aim which Einsatzkommando 2 held up to itself from the beginning onwards was a radical

solution of the Jewish problem by the execution of all Jews'.[586] Reports submitted by the task force leaders to Berlin detailed shootings of Jews on a huge scale.

3. As a consequence, the Nazi leaders began to rethink their policy towards German Jews. Emigration abroad was finally forbidden on 23 October 1941. On 1 October 1941, there were still about 164,000 Jews left living in Germany. From 15 September 1941 onwards, they had been forced to wear the yellow star of David on their clothes, to make them immediately identifiable, a measure which according to the Goebbels diaries had been endorsed by Hitler personally.[587] It is in this context that regional Nazi leaders stepped up their efforts to make their regions '*judenfrei*' (free of Jews) by deporting Jews to Nazi-controlled territories in the East. The initiative apparently came from Hitler himself.
4. On 18 September 1941, Heinrich Himmler informed Arthur Greiser, the *Gauleiter* of the Warthegau, that the 'Führer wishes that the Old Reich and the protectorate be emptied and freed of Jews from west to east as quickly as possible'. Himmler intended to transport Jews first to the incorporated territories (former parts of Poland), in particular to the Lodz ghetto in the Warthegau. But other destinations further to the east were also decided upon in this period. In particular, the Nazi leadership selected destinations in the so-called *Reichskommisariat Ostland*, the German-occupied territory which included the Baltic states and parts of 'White Russia', as destinations for Western Jews. On 10 October 1941, Himmler's deputy Reinhard Heydrich announced in Prague that Riga and Minsk were earmarked as destinations for deportations.
5. Similar information was passed on by other Nazi officials at this time. On 11 October 1941, Franz Stahlecker, the commander of *Einsatzgruppe* A, informed the General Commissioner of Latvia, Otto Drechsler, that a large concentration camp for Jews from the German Reich and the Protectorate of Bohemia and Moravia was to be set up near Riga 'at the Führer's wish'.[588] Soon the deportations of Jews from the West were under way. From 15 October 1941, about 20,000 Jews were transported from the German Reich to the Lodz ghetto in Nazi-occupied Poland. In November and December 1941, several tens of thousands of Jews were transported East, this time to Nazi-occupied parts of the USSR (e.g. Riga and Minsk).[589] While the Jews transported to Lodz and Minsk were initially allowed to live, some Jews on the other transports, for example to Kovno and Riga, were executed by the SS immediately on arrival.[590]
6. The propaganda minister Joseph Goebbels played an important role in 1941 in accelerating the deportation of Jews living in Berlin. Goebbels, since 1926 *Gauleiter* of Berlin (in charge of the regional party), pressed ahead with the aim to make his territory 'free of Jews', in particular because of the symbolic status of Berlin as the capital of Germany. As he stated in his diary on 20 August 1941: 'Berlin must become a city free of Jews. It is infuriating and a scandal that 76,000 Jews can still loiter around in the capital of the German Reich, mostly as parasites'.[591] The plan to deport Jews from Berlin had already been discussed at Hitler's lunch table in March 1941, if not earlier.[592] In October 1941, this plan became reality, when the first Berlin Jews were transported to the Lodz ghetto.
7. Between 18 October 1941 and 1 November 1941, a total of over 4,000 Berlin Jews were taken to Lodz. In November, the transports to the former Soviet territory began. On 17 November 1941, a transport consisting of 942 Berlin Jews departed for Kovno. On 25 November 1941 2,934 Jews deported from Berlin, as well as Munich and Frankfurt, were shot in Kovno by the *Einsatzkommando* 3 of the *Einsatzgruppe* A. On 27 November 1941, another transport left Berlin, this time for Riga, with 1,000 Jews on board the train.[593] They arrived on the night of 29-30 November 1941, a few hours before the execution of the Jews living in the Riga ghetto began. This massacre was supervised by Friedrich Jeckeln, who

had recently been appointed by Himmler as the Chief of the SS and police in the region (*Höhere SS- und Polizeiführer Russland-Nord und Ostland*). Before this appointment, Jeckeln had served as Chief of the SS and police in the southern areas of the occupied Soviet territory. In this capacity, he had already organized and participated in various large-scale massacres against Jews in the late summer and autumn of 1941. Jeckeln ordered the shooting of 23,600 Jews in Kamenets-Podolsk and sent two commandos of Police Regiment South to assist *Sonderkommando* 4a, part of *Einsatzgruppe* C, in the killing of 33,000 Jews in Kiev in late September 1941. Another of his units executed at least 10,000 Jews on 13 October 1941 in Dniepropetrovsk, and in early November 1941 Jeckeln ordered the murder of some 15,000 Jews in Rovno.[594] Himmler officially commended Jeckeln on 31 October 1941: 'I express to you my heartfelt thanks and my most particular recognition for your outstanding activity'.[595]

8. After his arrival in Riga, Jeckeln ordered the extermination of the inhabitants of the ghetto. The killing started on 30 November 1941, a few miles outside Riga. According to a report compiled by the Reich Security Head Office (RSHA), a total of 10,600 Jews were shot in Riga on 30 November 1941, including the Jews who had just arrived on the transport from Berlin. A similar massacre took place on 8 December 1941. In total, according to statistics provided by *Einsatzgruppe* A, around 27,800 Jews were killed in Riga in these acts of mass murder. According to another RSHA report, only 2,600 Jews survived these two massacres in Riga.[596]
9. The Jews transported to Riga from Berlin were the first to be killed on the morning of 30 November 1941.[597] A German court described in detail in 1973 how the Jews from Berlin and Riga were murdered. They had to strip to their underwear and walk in groups of ten towards ditches which had been prepared for their bodies.

> In the ditches, the Jews had to lie down next to one another with their faces downturned. They were killed at close range…by being shot in the back of the neck by Russian machine pistols which had been set to fire individual shots. The victims who came after them had to use the space available and…lie on top of those who had just been shot. The old, children,, and those who had difficulty in walking, were led to the ditches by the stronger Jews, placed by them on top of the corpses, and shot by the marksmen who were standing on the dead in the big ditch. In this way the ditches gradually filled up.[598]

(ii) Hitler's table talk of 25 October

(A) Irving's argument

1. In his book *Goebbels*, Irving comments on the deportation of Jews from Berlin, starting in October 1941: 'Hitler was neither consulted nor informed'. As proof for his assertion he refers to remarks made by Hitler at dinner ten days after the transportations had begun. According to Irving, Hitler on this occasion claimed that the Jews had started the war and said:

> "Let nobody tell me", Hitler added, "that despite that we can't park them in the marshier parts of Russia!" "By the way," he added, "it's not a bad thing that public rumour attributes to us a plan to exterminate the Jews". He pointed out however that he had no intention of starting anything at present. "There's no point in adding to one's difficulties at a time like this!".[599]

2. It is easy to investigate Irving's account of this monologue by Hitler on 25 October 1941, as the German original was published in 1980. An accurate translation of the whole passage would read as follows:

> In the Reichstag, I prophesied to Jewry, the Jew will disappear from Europe if war is not avoided. This race of criminals has the two million dead of the [First World] war on its conscience, and now hundreds of thousands again. Nobody can tell me: But we can't send them into the morass! For who bothers about our people? It's good if the terror that we are exterminating Jewry goes before us...I'm forced to pile up an enormous amount of things myself; but that doesn't mean that what I take cognisance of without reacting to it immediately, just disappears. It goes into an account; one day the book is taken out. I had to remain inactive for a long time against the Jews too. There's no sense in artificially making extra difficulties for oneself; the more cleverly one operates, the better. When I read speeches from a person like Galen, I say to myself: pricking them with pins has no purpose; it's better to keep silent; unless one doubts the future of the movement! If I believe that the movement will exist in a few centuries, then I can wait. I wouldn't' have dealt with Marxism either, if I hadn't had the power behind me.[600]

(B) Bending and wilfully mistranslating reliable sources

1. Once more, Irving manipulates his sources so that they fit his argument. His first obvious mistake is that there is no correspondence in the German original to Hitler's alleged statement in Irving's text concerning the 'parking' of Jews in the 'marshier parts of Russia!'. In the German original there is no reference to Russia, and the action described is not the innocuous-sounding 'park them', which implies some kind of reasonably long-term stay, but 'send them'. In all probability Hitler was referring to the Pripet marshes. What may well have been meant by his statement was illustrated by an order given by Himmler to the SS in the area of the Pripet marshes on 30 July 1941 three months prior to this monologue: 'All Jews must be shot. Drive Jew-women into the marshes.' Reporting on their attempt to carry this order out, the mounted division of the second SS cavalry regiment noted on 12 August in terms which left no doubt as to the purpose of driving the Jews into the marshes: 'Driving women and children into marshes did not have the success that it was meant to, since the marshes were not deep enough for them to sink in. In most cases one encountered firm ground (probably sand) below a depth of 1 meter, so that sinking-in was not possible.'[601] It seems reasonable to suppose that Hitler was aware of these events by mid – to – late October.
2. Irving is also wrong in claiming that Hitler added: 'By the way...it's not a bad thing that public rumour attributes to us a plan to exterminate the Jews'. As we can see, what Hitler really said was: 'It's good if the terror that we are exterminating Jewry goes before us'. Irving's version waters this down in several respects. The translation of 'Schrecken' as 'public rumour' is inadequate, as it fails to convey the element of terror and anxiety indelibly associated with the word 'Schrecken'. 'Public rumour attributes to us' implies that it is, as rumour so often are, untrue; in fact, of course Hitler said nothing about *attribution*, but presented it as a fact. Finally, Irving completes his distortion and manipulation of this sentence by inserting the word 'plan', which is wholly absent from the original, in order to make it seem that the rumoured extermination of the Jews was not actually taking place but was still in the planning stage. In fact, of course, Hitler's actual recorded statement was unambiguous in its recognition of the fact that Jews were being

exterminated behind the Eastern Front as the German army advanced, and crystal clear in its approval of the effect this had in terrorising the inhabitants of the areas which were still to be conquered.

3. Concerning the extermination of the Jews, Hitler, according to Irving, 'pointed out however that he had no intention of starting anything at present'. Irving here draws on his own account of the table talk in his book *Hitler's War* (1991), where he claimed that Hitler said that 'with the Jews too I have found myself remaining inactive'.[602] However, the German original makes clear that Hitler saw himself no longer as being inactive towards the Jews. He clearly states that: 'I had to remain inactive for a long time against the Jews too'. This means that the time of inactivity was over. Hitler is talking in the present tense about the Jews, not in the future tense.
4. But Irving continues his falsifications and adds that Hitler said: 'There's no point in adding to one's difficulties at a time like this!'. Clearly, Irving's translation here is, once again, wrong. The German original means: 'There's no sense in artificially making extra difficulties for oneself; the more cleverly one operates, the better'. Thus, Hitler makes the general point that when attacking one's enemies, one has to wait for the right moment to strike. The meaning of this passage is that while Hitler thought that the time had come to deal with the Jews and with Marxism, and states that he had started to do so, he wanted to postpone the conflict with the Catholic Church, personified by Bishop Galen, who had on 3 August 1941 in a sermon publicly attacked the Nazis 'euthanasia' programme (the killing of mentally and physically disabled adults and children).
5. In his Pleadings, Irving recognises that he is on weak ground because of his constant mistranslations in this case. He tries to rescue his position by arguing that he merely followed the official translation in English, first published in 1953 by Weidenfeld. However, this is merely a smokescreen, and just raises more questions about Irving's methods. The table talks in question, recorded by Heinrich Heim at Hitler's lunch and dinner table, were first published by Weidenfeld in an English translation. Until 1980, the German originals were not officially accessible to historians, who had to rely on the English translation, which is full of mistakes.[603]
6. For instance, it does indeed use the term 'park', it translates 'Schrecken' as 'public rumour' and has Hitler claim that 'Even with regard to the Jews, I've found myself remaining inactive'. Clearly, Irving has followed this translation.[604] Yet, by the time he published his book *Goebbels*, he had been familiar with the German original text of the table talk for almost 20 years. In the Pleadings, Irving claims proudly that he 'was the only historian in the world to whom the original German texts were made available by their physical owner, namely in October 1977'.[605] As Irving stated in 1983, the German original 'is completely different from the published English translation'.[606] Consequently, Irving then changed some aspects of his accounts of the table talk of 25 October 1941. Thus, in his first edition of *Hitler's War* in 1977, still relying on the Weidenfeld translation, he included a phrase attributed to Hitler ('Terror is a salutary thing'), which had no correspondence in the German original. It was an addition by the translator, and after reading the German original, Irving dropped it from his revised 1991 edition of *Hitler's War*.[607]
7. But while Irving cut out this phrase, which made Hitler appear in a bad light, he deliberately continued to use the other parts of the flawed Weidenfeld translation, if the original German text implicated Hitler in a way that the Weidenfeld translation did not. Thus, as we have seen, in 1996, in his book on Goebbels, he continues to claim that Hitler said that he planned nothing against the Jews at present (Weidenfeld translation), while the original, as we have seen, had Hitler stating

that 'I had to remain inactive for a long time against the Jews too'.[608] Irving uses both the German original, and the flawed translation, depending on which of the two documents serves his purpose of showing Hitler in a favourable light. Whether or not the Weidenfeld translation is accurate in any given case is of no interest at all to him; all that he is interested in is whether or not it supports his argument. Because he is familiar with the German original and must know that he is using a flawed translation, his version of the Hitler table talk in this instance amounts to manipulation of the source-material even if the actual translation is not his own.

(C) Hitler's involvement in the deportations

1. Irving thus falsifies a report in the *Table Talk* to make it look as if Hitler was saying in October 1941 that he was remaining inactive about the Jews. He draws from this the inference that Hitler was 'neither consulted nor informed' about the deportations of Berlin's Jews to the East which were taking place even as he spoke. In fact, however, there is some evidence that suggests that Hitler not only knew of the expulsions but that he had actually ordered them himself in the first place. In his discussion in the table talk on 25 October 1941, even Irving admits that Hitler was talking about the expulsion of the Jews from Germany to the East. Hitler's positive reference to the 'terror' of extermination that preceded the German advance strongly suggests he knew they were being killed by the SS task forces.
2. As far as the expulsions are concerned, Goebbels noted in his diary on 19 August 1941 that Hitler had approved them in principle: 'Apart from this, the Führer gave me approval to move the Berlin Jews out to the east as quickly as possible, as soon as the first possibility of transport offered itself'.[609] On 18 September 1941, Himmler in fact had told his subordinate in the Warthegau:

> The Führer wishes the Old Reich and the Protectorate to be emptied and freed of Jews from west to east as quickly as possible. I am thus aiming to transport the Jews of the Old Reich and the Protectorate if possible before the end of this year into the eastern territories which newly came to the Reich two years ago, initially as a first step, in order to move them further still to the east next spring.[610]

3. One month later, on 24 September 1941, Goebbels noted in his diary that Hitler had made a final decision on the matter:

> I can bring the Führer a series of internal political problems to decide upon: the Führer is of the opinion that the Jews must be taken out of the whole of Germany bit by bit. The first cities that are now to be made free of Jews are Berlin, Vienna and Prague, and I have the hope that we shall succeed even in the course of this year in transporting a significant portion of Berlin's Jews off to the East.[611]

4. Irving, to be sure, does acknowledge in his book *Goebbels: Mastermind of the 'Third Reich'* that Hitler had decided in late 1941 that all Jews were to be removed from Germany. It would be difficult even for him to avoid doing this, in the light of the evidence provided by the Goebbels diary entry of 24 September 1941.[612] However, in his submission to the court, Irving states that while Hitler had given the *general* authority under which the Jews were to be deported, starting with Berlin, he was 'not consulted or informed about the actual time that the expulsions began'.[613] This qualification disappears in the following pages of *Goebbels*, where the impression is given that Hitler was not con-

sulted about the entire operation of deporting Jews from Berlin ('Hitler was neither consulted nor informed'). As we have seen, this claim rests on a falsification of Hitler's *Table Talk*. The evidence cited above makes clear that Hitler was very much part of the decision-making process to drive the Jews out of Berlin.

(iii) Goebbels's article in 'Das Reich' of 16 November 1941

(A) Irving's claim

1. In describing the deportation of Jews from Berlin, Irving mentions an antisemitic article by Goebbels, published on 16 November 1941 in *Das Reich*, his propaganda paper.[614] According to Irving, this article (entitled 'The Jews are to blame!') was Goebbels's 'most venomous leader article ever for *Das Reich*...'.[615]

2. Irving summarises the article as follows:

> 'The Jews wanted this war', he argued, 'and now they have it'. They were getting their just deserts. An eye for an eye. All Jews alike, whether languishing in an eastern ghetto or whining for war from New York, were conspiring against Germany. The Yellow Star, he argued, was akin to a 'hygienic prophylactic', because the most dangerous were those otherwise not recognizable as Jews. To those who might bleat that the Jews were humans too he pointed out that the same could be said of muggers, rapists, and pimps. 'Suddenly one has the impression that all of Berlin's Jews are either darling little babies who wouldn't hurt a fly, or fragile old ladies'. 'Were we to lose this war', he continued, 'these oh-so-harmless Jewish worthies would suddenly turn into rapacious wolves...That's what happened in Bessarabia and the Baltic states after the Bolsheviks marched in, and neither the people nor the governments there had had the slightest sympathy for them. For us, in our fight against the Jews, there is no going back'.[616]

1. Directly after his summary of the article, Irving claims that this article shows that Goebbels was much more violent in his antisemitism than Hitler. This is part of Irving's general strategy to diminish the magnitude of Hitler's hatred for the Jews. For instance, just ten pages before the statement cited above, Irving claims that 'neither the broad German public nor their Führer shared his (i.e. Goebbels's) satanic antisemitism.'[617]
2. Irving also argues that the Goebbels article in *Das Reich* directly influenced the SS in widening the scope of the 'final solution'. He indirectly constructs a link between the article and the killing of the Jews in Riga on 30 November 1941. The full text of the relevant passage in Irving's *Goebbels* reads:

> The article displayed a far more uncompromising face than Hitler's towards the Jews. When the Führer came to Berlin for Luftwaffe general Ernst Udet's funeral he again instructed Goebbels to pursue a policy against the Jews 'that does not cause us endless difficulties', and told him to go easy on mixed marriages in future.
>
> Dieter Wisliceny, one of Eichmann's closest associates, would describe the Goebbels article in *Das Reich* as a watershed in the Final Solution of the Jewish Problem. The S.S. took it as a sign from above. Adolf Eichmann would admit in his unpublished memoirs, 'It's quite possible that I got orders to direct this or that railroad transport to Riga'. On the last day of

> November, on the orders of the local S.S. commander Friedrich Jeckeln, four thousand of Riga's unwanted Jews were trucked five miles down the Dvinsk highway to Skiatowa, plundered, and machine-gunned into two or three pits. [618]

5. It is necessary to deal with Irving's treatment of this article in a number of stages. Let us look first at Irving's use of the article to claim that Goebbels showed himself to be more antisemitic than Hitler, before moving on to investigate his claim regarding the impact of Goebbels on the SS.

(B) The deliberate omission of relevant evidence: The article in 'Das Reich'

1. In his summary of Goebbels's article in *Das Reich*, Irving fails to translate one key passage. In his well-known speech in the *Reichstag* on 30 January 1939, Hitler, as we have already seen, had made a chilling prediction:

> I want to be a prophet again today: if international finance Jewry in Europe and outside should succeed once more in plunging the peoples into a world war, then the result will not be the Bolshevization of the earth and with it the victory of Jewry, but the annihilation of the Jewish race in Europe.[619]

2. In the first paragraph of his article in *Das Reich*, Goebbels referred explicitly to Hitler's prediction:

> The historical guilt of World Jewry for the outbreak and spread of this war has been so sufficiently proven that no further words need to be wasted on it. The Jews wanted their war, and now they've got it. But the prophecy is also coming true for them, that the Führer pronounced on 30 January 1939 in the Reichstag, that if international finance Jewry should succeed in plunging the peoples once more into a world war, the result would be not the Bolshevization of the earth and with it the victory of Jewry, but the annihilation of the Jewish race in Europe. We are experiencing now the execution of this prophecy, and a fate is thus being fulfilled for Jewry that is, to be sure, hard, but more than earned. Sympathy or even regret is completely inappropriate there.[620]

3. This entire passage referring to Hitler's prediction is omitted by Irving from his account. Once again, Irving doctors the sources to suit his own argument.

(A) Further suppression of evidence of Hitler's antisemitism, July-December 1941

1. The following examples will show that Hitler at the time of the Goebbels article (published on 16 November 1941) was voicing very similar views concerning the Jews to those expressed by Goebbels.
2. On the evening of 10 July 1941, Hitler declared at his table: 'I feel I am like Robert Koch in politics. He discovered the bacillus and thereby ushered medical science onto new paths. I discovered the Jew as the bacillus and the fermenting agent of all social decomposition.'[621] At a meeting with the Croatian Minister of Defence, Marshal Slavko Kvaternik, on 21 July 1941, Hitler repeated these sentiments, albeit in a slightly different form:

> The Jews were the scourge of humankind...If the Jews had a free reign, as they had in the Soviet paradise, they would realise the craziest plans. Thus Russia had become a dangerous plague-centre [*Pestherd*] for the whole of humankind...If even one state, on whatever grounds, tolerated

> a Jewish family in its midst, this would become the breeding-ground for bacilli for a new subversion. If there were no more Jews in Europe, the unity of the European states would not be disturbed any more.[622]

3. After a meeting with Hitler, Goebbels noted on 19 August 1941 in his diary that Hitler was once again referring to the prophecy he had made at the beginning of 1939, quoted more than once already in this paper:

> We speak about the Jewish problem. The Führer is convinced that his former prophecy in the Reichstag, that, if Jewry succeeded once more in provoking a world war, it would end with the annihilation of the Jews, is being confirmed. It is being confirmed in these weeks and months with certainty that seems almost uncanny.[623]

4. At his table talk on 21 October 1941, Hitler exclaimed about the Jews: 'If we exterminate this plague, we will accomplish for humankind a deed the importance of which our men out there can still have no idea.'[624] Moreover, as we have already seen, in his table talk on 25 October 1941, when the task forces had already murdered tens of thousands of Jews behind the Eastern Front, Hitler himself came back to his own prediction of 30 January 1939, which he now took as a legitimation of the Nazis' murderous polices.

1. In his table talk on 5 November 1941, Hitler once more displayed his radical antisemitism:

> I have always said that Jews are the stupidest devils there are. They haven't a single real musician, thinker, no art, nothing, nothing at all. They are liars, forgers, deceivers. Any one of them only ever achieved anything as a result of the stupidity of his surroundings. If he wasn't washed by the Aryan, the Jew wouldn't be able to see out of his eyes for dirt. We can live without the Jews, they can't live without us.[625]

1. On 28 November, 1941, Hitler told the Grand Mufti of Jerusalem that after defeating the Soviet Union, Germany would not wish to conquer the Middle East: 'Germany's objective would then be solely the destruction of the Jewish element residing in the Arab sphere under the protection of British power.'[626]
2. In his table talk on the night of the 1 December 1941, Hitler declared: 'Many Jews had also not been conscious of the destructive character of their existence. But he who destroys life risks death himself, and nothing else but that is happening to them.'[627]
3. On 12 December 1941, less than one month after the publication of the article in *Das Reich*, Hitler spoke about the Jews in front of the *Gauleiters* (noted down by Goebbels):

> With reference to the Jewish question, the Führer is determined to clear the decks. He prophesied to the Jews that if they should once more bring about a world war, they would experience their own annihilation in doing so. That was no mere talk. The world war is there, the annihilation of Jewry must be the necessary consequence. The question is to be considered without any sentimentality. We aren't there to have sympathy with the Jews, only sympathy with our German people.[628]

1. Here, Hitler mirrored directly Goebbels's statements from the article in *Das Reich*. While Irving does cite this speech of 12 December 1941 by Hitler in *Goebbels*, he is careful to omit any mention at all of this key passage because it shows that Hitler was as determined to act brutally against the Jews as Goebbels was.[629]

2. Irving can only argue that the article by Goebbels in *Das Reich* 'displayed a far more uncompromising face than Hitler's towards the Jews' by deliberately leaving out a mass of relevant evidence that would undermine his case completely. He is aware of this evidence, and his suppression of it constitutes a conscious manipulation of the historical record to fit his preconceived arguments.

(D) The deliberate omission of evidence: Goebbels's diary entry of 22 November 1941

1. Irving manipulates a Goebbels diary entry describing a meeting with Hitler on 21 November 1941, the first time Goebbels had met Hitler since the publication of the article in *Das Reich*. Goebbels noted in his diary:

> The Führer also completely agrees with my views with reference to the Jewish question. He wants an energetic policy against the Jews, which, however, does not cause us unnecessary difficulties. Evacuation of the Jews is to be undertaken city by city. So it is still uncertain when it is Berlin's turn; but when it is, the evacuation is then to be completed as quickly as possible. With reference to Jewish mixed marriages, the Führer recommended to me a somewhat more reserved procedure, above all in artistic circles, because he is of the opinion that these marriages will in any case gradually die out, and one should not allow any grey hair to grow on one's head over it.[630]

1. In his Goebbels biography, Irving does quote this diary entry, but he omits the crucial first sentence and the first half of the second sentence from the text ('He wants an energetic policy against the Jews') because it shows once more that Hitler thought about the 'Jewish Question' in the same way as Goebbels. Irving only prints the first sentence hidden in the endnotes, directly followed by his comment that Hitler was 'clearly' not in agreement with Goebbels.[631] In his Pleadings, he argues that Goebbels inserted the line concerning Hitler's approval as an alibi 'for his own wrongdoing'.[632]
2. But what was the 'wrongdoing' in this case? Irving does not say. Certainly not Goebbels's article in *Das Reich*, which explicitly referred to Hitler's own prediction of 1939. Also, if Goebbels was so keen falsely to present Hitler as more radical an antisemite than he was, why then did he note down that Hitler wanted him to go easier on mixed marriages (the background here was the suicide of a well-known German actor, Joachim Gottschalk, who was married to a German Jew)?
3. As well as manipulating this diary entry by transposing a key point of it to an endnote, Irving also mistranslates. According to Goebbels's diary, Hitler, as we have seen, explained that he wanted to avoid causing 'us unnecessary difficulties' in pursuing an 'energetic policy against the Jews'. What he meant by 'unnecessary difficulties' was probably both the removal of Jews working in industries which were important for the war effort, and the printing of hostile reports about the evacuations in the foreign press.[633] However, Irving omits the word 'energetic', and mistranslates 'unnecessary difficulties' as 'endless difficulties' thus removing the specific context and broadening the significance of what Hitler was saying beyond what the diary entry actually implies.

(E) Suppression of relevant evidence: Friedrich Jeckeln's testimony

1. As we have seen, Irving's account of Goebbels's article in *Das Reich* explicitly states that the article was taken by the SS as 'a sign from above' and directly inspired the killing of thousands of Jews in Riga on 30 November 1941 'on the orders of local SS commander Friedrich Jeckeln'. There is no evidence at all of any radicalising influence exerted by Goebbels's article on Jeckeln or the SS. As

we have already seen, Jeckeln himself had already been involved in a number of large-scale massacres of Jews in the occupied Soviet territory in later summer and autumn of 1941: the over 80,000 Jews exterminated in Kamenets-Podolsk, Kiev, Dniepropetrovsk and Rovno were all killed before the publication of the Goebbels article in *Das Reich*. Clearly, Jeckeln did not need any 'sign from above' by Goebbels to organise the mass extermination of the Jews.[634]

2. Similarly, the SS officials in Berlin needed no cue from Goebbels to escalate the mass extermination of the Jews. Adolf Eichmann certainly did not make such claim during his trial in Jerusalem - indeed, he did not even mention Goebbels's article in *Das Reich*.[635] And quite apart from the fact that Heinrich Himmler would not have regarded any statement by Goebbels as a 'sign from above', it has already been shown that the SS leadership was pursuing a policy of mass extermination of the Jews in the occupied Soviet territories long before Goebbels's article was published on 16 November 1941. This policy of mass murder was also put into effect in the Baltic states. From July to November 1941, around 80% of the entire Jewish population of Lithuania were killed. The commander of *Einsatzkommando* 3 (EK 3, one of the four sub-units constituting *Einsatzgruppe* A) reported on 1 December 1941 that 'the aim of solving the Jew-problem for Lithuania has been achieved by EK 3. There are no more Jews in Lithuania, apart from the work-Jews and their families'.[636] The same murderous policy was being pursued in neighbouring Latvia. *Einsatzgruppe* A reported that by October 1941, 30,000 of the 70,000 Jews in Latvia had already been killed.[637] Clearly, the extermination in late November and early December 1941 of the Jews in Riga, the capital of Latvia, was simply following the murderous logic of Nazi extermination policy and had nothing to do with the Goebbels article in *Das Reich*.

3. This conclusion is supported by further documentary evidence. In his post-war interrogation, Jeckeln stated that he received orders from Himmler on 10 or 11 November 1941 to liquidate the Riga ghetto. Himmler's appointment book suggests that the meeting between Jeckeln and Himmler in fact took place on the evening of 4 November 1941 in Himmler's headquarters in Eastern Prussia.[638] In his testimony, Jeckeln stated that Himmler informed him that Hinrich Lohse (the *Reichskommissar Ostland* stationed in Riga, responsible to the Minister for the Occupied Eastern Territories, Alfred Rosenberg), was apparently opposed to the liquidation of the ghetto. Jeckeln continued: 'Himmler said I should talk this through with Lohse, and even if he was against it, the Riga ghetto must still be liquidated. "Tell Lohse it is my order, which also corresponds to a wish of the Führer!"'.[639]

4. On 5 November 1941, Jeckeln's men, about 50 in total, arrived in Riga. Jeckeln himself arrived some time after.[640] That Himmler approved of the liquidation of the Riga ghetto is also shown by another source. It is clear that on 4 December 1941, very shortly after the first day of mass killings of the Baltic Jews in Riga on 30 November 1941, Jeckeln met with Himmler to discuss these events.[641] A mere four days after this meeting, on 8 December 1941, Jeckeln supervised the killing of most of the remaining Jews in Riga. Concluding, Himmler had most probably ordered these massacres before the publication of Goebbels article in *Das Reich*. No connection at all can be established between this article and the killing of the Riga Jews.[642]

(A) Suppression of relevant evidence: Testimony of Walter Bruns

1. Irving omits further documentary evidence in order to support his claim that the massacre of Jews in Riga on 30 November 1941 was inspired by Goebbels's article in *Das Reich*. The German army officer Walter Bruns was apparently in Riga during the massacre. Bruns is regarded as a highly reliable witness by

Irving. Irving has referred to Bruns's statements in many of his books, including both editions of *Hitler's War*, the biographies of Goebbels and Göring, and the book on the Nuremberg War Crimes Trials, and concludes that there 'can be no doubt as to the veracity of his (i.e. Bruns's) description'.[643] In a conversation on 8 April 1945, apparently secretly taped by the Allied forces, Bruns recalls a conversation in Riga with a young man called Altenmeyer, who apparently belonged to the SS. Bruns claimed that he argued that the local Baltic Jews ought not to be killed, as they were valuable workers. But Altenmeyer replied:'"Yes, they must be shot, it's a FÜHRER-command!". I say: "FÜHRER-command?". "Yes, indeed", and then he shows it to me.'[644] Since Irving submits this document in evidence, he must know its contents. But he totally fails to make reference to this part of Bruns testimony in his published account of these events. This is a clear example of the deliberate suppression of relevant evidence because it does not fit in with Irving's case.

(G) Manipulation and Suppression of Evidence. The testimony of Dieter Wisliceny

1. As described above, Irving claims that Dieter Wisliceny, one of Adolf Eichmann's top officials, described 'Goebbels article in *Das Reich* as a watershed in the Final Solution of the Jewish problem'. Once more, Irving makes it very difficult to verify his claims. According to his footnotes, Wisliceny's post-war report of 18 November 1946 can be found in the *Institut für Zeitgeschichte*, file F 71/8.[645] However, this file does not exist,[646] and Wisliceny's report has to be located elsewhere.[647]
2. In his report, Wisliceny states that after the invasion of the USSR in June 1941, Nazi policy against the Jews was transformed dramatically in a step-by-step process, completed in the spring of 1942. One of these radicalising steps was taken in late 1941. As Wisliceny reported:

> The second wave of radicalization began after the USA entered the war. This could clearly be felt in the internal German propaganda too. Externally it was expressed in the introduction of the "yellow star" as a mark of the Jews: reference in this connection also to the Goebbels-article "The Jews are Guilty" in an edition of the magazine "Das Reich". In this period of time after the beginning of the war with the USA, I am convinced, must fall the decision of Hitler which ordered the biological annihilation of European Jewry.[648]

1. Quite clearly, Wisliceny does not see Goebbels's article as a 'watershed'. Rather, the decisive event in late 1941 in his mind was the decision by Hitler to exterminate the European Jews. However, Irving fails to acknowledge this important admission by Wisliceny, who repeatedly in his report returns to Hitler's decision to kill the European Jews. The main culprits for the extermination of the Jews, according to Wisliceny's report, are Hitler, Himmler and Eichmann. By contrast, Goebbels is only mentioned once, in the context of the intensification of anti-Jewish propaganda cited above. In no way does Wisliceny's report bear out Irving's claim that Goebbels pursued a more radical policy against the Jews than Hitler. On the contrary, Wisliceny clearly states that it was Hitler who ordered the extermination of the Jews.[649]
2. Moreover, in addition to all this, Wisliceny makes a further important admission in his report:

> According to Eichmann's own report, which he made to me, Globocnig (*sic*) was the first to use gas chambers for the mass extermination of humans. Globocnig had set up big labour camps for Jews in his area of command, and he got rid of those who were unable to work in the man-

ner described. As Eichmann explained, this "procedure" was "less conspicuous" than the mass shootings....[650]

1. Thus, Wisliceny's report not only fails to back up Irving's claims that the article in *Das Reich* by Goebbels was seen by the SS as a 'watershed', it completely contradicts everything that Irving has said about the 'final solution': According to Wisliceny, Goebbels was not a major decision maker in the 'Jewish question', Hitler personally ordered the extermination of the European Jews, and the Nazis used gas chambers to implement this order. Once again, Irving manipulates a document into saying the exact opposite from what it actually says.
2. In conclusion, it is clear that the documentary evidence fails completely to support Irving's claim that Goebbels's antisemitism in the article which he wrote for *Das Reich* was more violent than Hitler's antisemitism. It lends no credence at all to Irving's suggestion that the article influenced the killing of Jews in Riga on 30 November 1941. On the contrary, the evidence strongly suggests that the liquidation of the Riga ghetto was part of a systematic extermination process ordered by the Nazi leadership.

(H) Manipulation of statistics: the number of Jews killed in Riga

1. As has already been demonstrated in other briefings, Irving often manipulates numbers and statistics. He does so again in the case of the Jews killed in Riga. As we have seen, Irving claims that on 30 November 1941, one thousand Jews from Berlin and 'four thousand of Riga's unwanted Jews were...machine-gunned into two or three pits'. Irving's assertion here, which he states with absolute certainty, relies on a report of *Einsatzgruppe* A.[651] However, subsequent reports by the Nazi killing squads and post-war legal investigations indicate that the real number of Jews exterminated was significantly higher. For instance, a report compiled by the Reich Security Main Office (RSHA) detailed that a total of 10,600 Jews were shot in Riga on 30 November 1941.[652] After a detailed post-war investigation, the jury court in Hamburg accepted in 1973 that the real number was even higher: between 13,000 and 15,000 Jews were killed on 30 November 1941 in the massacre near Riga.[653] Faced with this evidence, Irving offers a further argument in support of his significantly lower figure. Drawing on the testimony of Bruns, who had described that the victims were gunned down into three ditches (24 metres long, about 3 metres wide), Irving claims that each ditch 'would have held one or two thousand victims'.[654] It is entirely unclear how Irving arrives at this bizarre conclusion, for Bruns in his testimony makes no reference at all to the depth of the ditches.

2. Furthermore, Irving in his main narrative in *Goebbels: Mastermind of the 'Third Reich'*, fails to enlighten his readers about a second massacre of the Riga Jews which took place on 8 December 1941. Only in his footnotes does he acknowledge that *Einsatzgruppe* A reported that in early December 1941 a total of 27,800 Jews were executed in Riga. However, Irving immediately casts doubt on these figures, claiming that they are 'possibly an exaggeration'.[655] Yet, Irving's doubts are not confirmed by other sources. The court in Hamburg in 1973 established that 12,000-15,000 Jews were killed on 8 December 1941, bringing the total number of Jews murdered by the Nazis in Riga between 30 November 1941 and 8 December 1941 to 25,000-30,000.[656] Using various methods of calculating the victims in Riga, the historian Andrew Ezergailis has also arrived at figures of certainly almost 25,000 Jews killed.[657]

(iv) Himmler's phone call of 30 November 1941

1. Irving's attempt to show that Hitler was not responsible for the mass killings of German Jews deported to the East also makes use of Himmler's phone log. This

appears repeatedly in Irving's work, as we have already seen, and for many years formed a key link in his alleged chain of documents exculpating Hitler from involvement in the extermination of the Jews. It therefore repays closer examination, as does Irving's shifting position on its status over time in the light of the devastating criticisms that have been levelled at it by Broszat and Trevor-Roper, as well as by others, and more recently, in the light of new documentary discoveries which back these criticisms up.

(A) Irving's claim in Hitler's War (1977)

1. In *Hitler's War* (1977), Irving argues that Hitler disapproved of the killings of Jews in the East. He claims that Hitler even explicitly ordered a stop to the extermination of Jews in November 1941 – as Trevor-Roper noted, blatantly contradicting his own claim that Hitler was ignorant about what was happening to Jews in Eastern Europe. In the most in-depth discussion of this issue, Irving states that on 30 November 1941 Himmler

> was summoned to the Wolf's Lair for a secret conference with Hitler, at which the fate of Berlin's Jews was clearly raised. At 1:30 P.M. Himmler was obliged to telephone from Hitler's bunker to Heydrich the explicit order that Jews were *not to be liquidated*; and the next day Himmler telephoned SS General Oswald Pohl, overall chief of the concentration camp system, with the order: "Jews are to stay were they are".[658]

2. Irving's evidence for his far-reaching claims relies purely on one entry in Himmler's phone log. Apparently, Himmler had a phone conversation from Hitler's bunker with Heydrich in Prague on 30 November 1941 at 1:30 pm, which Himmler summarised as follows:

Verhaftung Dr Jekelius	Arrest of Dr Jekelius
Angebl. Sohn Molotow.	Supposed son of Molotov.
Judentransport aus Berlin.	Jew-transport from Berlin.
Keine Liquidierung.[659]	No liquidation.

3. Irving interprets this in the 1977 edition of his book as meaning that Hitler told Himmler to tell Heydrich over the phone not to kill any Jews at all, ever. In the introduction to *Hitler's War*, Irving states that this is 'incontrovertible evidence' that 'Hitler ordered on November 30, 1941, that there was to be "no liquidation" of the Jews (without much difficulty, I found in Himmler's private files his own handwritten note on this)'.[660] Later on in the text, Irving several times refers to Hitler's 'November 1941 order forbidding the liquidation of the Jews'. The document is mentioned no fewer than sixteen times in the book, and forms the object of its only illustration. In June 1977 he also said: 'We want to know why other historians have not mentioned ever the one document that exists of Adolf Hitler saying "no liquidation of even a tiny trainload of Jews".'[661]

(B) Bending and misinterpreting reliable sources: The Himmler phone log of 30 November 1941

1. There is no doubt about the authenticity of this phone log. But it provides no

evidence for Hitler's involvement at all. All we know is that Himmler spoke to Heydrich at 1:30 p.m.; it is pure surmise on Irving's part to speak of an 'order' by Hitler. There is no evidence at all that Hitler and Himmler even met before the latter's call to Heydrich at 1:30 pm, let alone that they discussed the 'transport of Jews from Berlin'. Hitler's bunker was a large and rambling complex, not a small room in which everyone, including Himmler and Hitler himself, was present at the same time. Once more, Irving manipulates the evidence in order to present Hitler as being opposed to the physical extermination of the Jews.

2. Irving's manipulation of sources is most obvious regarding his claim that Hitler explicitly forbade the murder of 'the Jews'. From the entry in Himmler's phone log it is perfectly clear that the subject of the conversation on 30 November 1941 between Himmler and Heydrich concerned *one* transport of Jews *from Berlin*, namely the one which left Berlin on 27 November 1941. There was no *general* order by anyone to stop the killing of Jews. This meaning is falsely attributed to the source by Irving, a key example of how Irving misrepresents and bends source material to fit his thesis.
3. Irving nowhere gives a motive for Himmler's telephone conversation with Heydrich on 30 November 1941 regarding the fate of the Jews from Berlin, other than Hitler's opposition to the extermination of Jews, a motive which has no basis in historical fact. Himmler's motives in this case are not known for certain. Many historians have put forward convincing explanations for Himmler's opposition to the semi-public killing of the transport of Jews from Berlin on their arrival in Riga. As in so many other cases, Irving pays no attention to these alternative explanations at all, although it is the duty of any serious historian to take account of interpretations put forward by other historians on the basis of documentary evidence that is being used.
4. To begin with, it is necessary to point out once more that no final decision regarding the immediate fate of the German Jews deported to the East seems to have been taken by the Nazi leadership by November 1941. Whilst native Jews living in former Soviet territory conquered by the German army were already being indiscriminately killed in very large numbers, the fate of Jews deported from the West was not yet clearly marked out: some were killed on arrival, others were initially allowed to live. Some historians have deduced from this that Himmler still expected at this time the German Jews would be deported even further to the east the following year, after the expected victory over the USSR.[662]
5. Other historians have argued that in late 1941, opposition was being expressed in various parts of the German military and civilian authorities to the deportations of German Jews to the *Reichskommissariat Ostland*. Leading army officials in the area objected to the use of the railway system, claiming it should concentrate on bringing up supplies behind the front. Civilian officials such as the General Commissioner of *Weissrussland*, Kube, criticised the 'import' of Western Jews into the area. There was also disquiet in Germany, above all about the inclusion (or otherwise) in the deportations of so-called 'half-Jews', Jews with non-Jewish spouses, children, the infirm, and Jewish army veterans with decorations for gallantry won during the First World War. Foreign journalists in Berlin had also begun to ask awkward questions about where the deported Jews were going.[663] The decision by Himmler on 30 November 1941 also has to be seen in the context of the execution of German Jews in Kovno in late November 1941. On 25 November 1941, some 2,934 Jews from Berlin, Munich and Frankfurt-am-Main were killed by *Einsatzkommando* 3 in Kovno, as were another 2,000 from Vienna and Breslau on November 29.[664]

6. Recently available documentary evidence suggests that the decision to include the Jews transported from Berlin in the masscre of the Jews in Riga was taken locally, by Jeckeln. Although Himmler approved of the mass killing of the Baltic Jews, and indeed probably ordered it, he had not yet issued any orders for the extermination of the Jews transported to Riga from Berlin. Thus he called Heydrich on 30 November to prevent the murder of the Berlin Jews on their arrival in Riga, in the light of the killing of Berlin Jews transported to Kovno a few days earlier. It was semi-public and would arouse further attention. However, by the time of this telephone conversation between Himmler and Heydrich, the Jews were already dead. On the day after the massacre, 1 December 1941, Himmler once more spoke to Heydrich about the executions in Riga.[665] Then, the same evening, he issued the following message to Jeckeln in Riga: 'The Jews who have been resettled out to the territory of the *Ostland* are only to be dealt with in accordance with guidelines issued by me or by the Reich Security Head Office on my authority. I would punish individual initiatives and contraventions. Signed H. HIMMLER.'[666]
7. There can be little doubt, therefore, that Jeckeln was acting on his own initiative on 30 November, and that Himmler not only tried to stop him, but, when he had failed, then made sure that Jeckeln would not repeat his action. Equally, however, there can also be little doubt that Himmler concerned himself only with preventing the killing of Jews transported to Riga from the west; he fully sanctioned the mass murder of local Jews in Riga at this time.

(C) Inventing documentary evidence: Himmler's phone call to Pohl

1. As we have seen, Irving claimed in the 1977 edition of *Hitler's War* that on the following day, 1 December 1941, Himmler telephoned SS General Oswald Pohl with the order that 'Jews are to stay were they are'. Himmler's phone log for 1 December 1941 does indeed confirm that he spoke to Pohl that day. Himmler summarised their conversation as follows:

   'Besuch bei Schwarz.

   Koksagys.

   Verwaltungsführer der SS

   haben zu bleiben.

   Lappenschuhe u. Finnenstiefel'[667]

2. The relevant part of this entry for the matter under discussion consists of the third and fourth lines, which together make a single sentence. They translate as follows: 'Administrative leaders of the SS are to stay'. Thus, what Himmler talked about with Pohl was not that *Jews* were to stay were they were (i.e.safe from liquidation), but that the *administrative leaders of the SS* had to stay where they were. The term 'Jews' is not mentioned by Himmler in his phone call at all. It is simply fabricated by Irving, a fabrication which he has continued to repeat in other books, such as the 1991 edition of *Hitler's War*.[668]

(v) Irving's later repetition, and amendment, of his falsifications

(A) Continued misrepresentation of the Himmler phone log of 30 November 1941

1. In his submission to the court, Irving defends his broad, and as we have seen, completely false interpretation of the Himmler phone log of 30 November

1941 by claiming that the phrase '*Judentransport aus Berlin*' could be translated as 'transportation' in the sense of a repetitive movement. But there is no doubt about the fact that the German word '*Judentransport*' only refers to one single transport. Otherwise, the German plural, '*Judentransporte*', would have been used. Irving already knew that the subject of the phone call had been limited to Jews transported only from Berlin because this is what the document actually says. Thus, his more far-reaching claim that there was an order that Jews in general were not to be liquidated was a deliberate misrepresentation of the source. The leading German historian and critic of Irving, Martin Broszat, like Irving writing in 1977, had no difficulty in establishing that Himmler and Heydrich were talking about the transport from Berlin of 27 November 1941.[669]

2. Irving subsequently claimed that only after the publication of the 1977 edition of *Hitler's War* did 'colleagues provided him with the documentation which usefully narrowed down the reference in the Himmler-Heydrich phone note of November 30, 1941 to one particular trainload of Jews being shipped from Berlin to Riga at that time'. What is this documentation to which Irving refers? The evidence that the phone call referred to a single transport of Jews is unmistakably present in the document itself. However, while implicitly denying that he deliberately manipulated the document by misconstruing it to mean a general ban on killing Jews, Irving does concede that he has amended his account of it since 1977.

3. In *Goebbels: Mastermind of the 'Third Reich'*, published in 1996, as well as in the 1991 edition of *Hitler's War*, Irving indeed appears to have stepped back from some of his earlier claims.[670] All he argues in *Goebbels* is that the Berlin Jews who arrived in Riga on 30 November 1941 were killed 'even as Hitler...was instructing Himmler that these Berlin Jews were not to be liquidated'.[671] In his Reply to the Defence, submitted to the court, Irving similarly argues that the significance of the phone call on 30 November 1941 is that 'these Jews were shot despite the existence of a specific Hitler ruling to the contrary'.

4. However, as we have already seen, there was no 'specific Hitler ruling'. It is also nonsense to argue that the Jews were shot 'despite' a ruling to the contrary, for as Irving himself states in the same paragraph of his submission to the court, the Berlin Jews were shot dead on 30 November 'a few hours before Himmler spoke with Heydrich'.

5. As the German historians Martin Broszat and Eberhard Jaeckel also pointed out, moreover, if Hitler *had* intervened personally to stop the killing of a single trainload of Berlin Jews on their arrival in Riga, then this would also strongly suggest that he was making an exception here, and that he knew that there was a *general* policy of killing them on arrival. Thus Irving's revised interpretation snared him in a fresh net of contradictions, in which the document ends up by showing the reverse of what he intended it to.[672]

(B) New misrepresentations and omissions: The testimony of Walter Bruns and the letter of Dr. Otto Schulz-Du Bois

1. Irving's misrepresentation of the events surrounding the killing of the Jews in Riga is compounded in a recent article on his website. Here Irving relies on Walter Bruns (already mentioned above) as the source for his claim that a report about the killings in Riga eventually reached Hitler's headquarters. 'Hitler...seemingly intervened at once to order a halt to "*diese Massenerschiessungen*" (these mass shootings) as soon as a report, signed by a junior officer, was forwarded to him.'[673]

1. Irving also makes the same point in his Pleadings, where he claims that some

time after Bruns's eyewitness account of the massacre reached Hitler's headquarters, Bruns met an 'SS officer (in Riga, who) scoffed to him…"Here's an order that's come, saying that mass shootings like these are no longer to take place".'[674]

2. What is the evidence for these claims? As so often, Irving's argument depends on a complete misrepresentation of the source on which it purports to rest. First, he fails to draw attention to the full statement about these events made by Bruns in captivity on 8 April 1945. According to Bruns, two weeks after the massacre in Riga, 'ALTENMEYER (?) triumphantly shows me: "Here's an order that's come, saying that mass shootings of this kind may no longer take place in future. That is to be done more cautiously now".'[675]
3. Bruns made this point even more explicitly during his interrogation in Nuremberg. One or two weeks after the mass executions in Riga, he recalled, 'there someone showed me a piece of paper that sanctioned the shootings, they just had to be carried out less conspicuously in future.'[676] Thus there was no question of bringing the killings *per se* to an end; it was simply a matter of carrying them out more discreetly. And indeed this is precisely what happened. In early 1942, Heydrich could note that 'the Jewish question in the *Ostland* can be seen as practically solved and cleaned-up.'[677] Thus Bruns's evidence clearly implicates the Nazi leadership in the *continuation* of the killings of Jews in the East; in no way does it lend credence to Irving's claim that Hitler actually put a stop to these killings.
4. Bruns's testimony is backed up by another document, which Irving simply suppresses. In the conversation of 8 April 1945, apparently secretly taped by the Allied forces, Bruns states that on 30 November 1941 he sent two officers as witnesses to the spot in Riga where the executions were taking place. According to Bruns, it was decided to send reports of the killings to Admiral Wilhelm Canaris, head of the Abwehr, the intelligence department of the Armed Forces High Command. Canaris would then tell Hitler about these events. One of the two officers sent by Bruns to witness the executions in Riga was Dr. Otto Schulz-Du Bois, a reserve engineer captain.
5. Not long after the massacre in Riga, Schulz-Du Bois sent a secret letter to his wife, which she later dated to January 1942. On his website, Irving acknowledges that Schulz-Du Bois did indeed send his wife this letter referring to the killings in Riga.[678] However, he makes no mention of the letter's contents; and it is easy to see why. In this letter, Schulz-Du Bois wrote that some time after 30 November 1941, he inquired about the impact of the eyewitness report which he had drawn up on the massacres of Jews in Riga. He was told that his report had been forwarded to the top counter-espionage official

> with the justification that these things damage the morale of the troops who see and hear such things. This man, who has constant access to the Führer, is said to have described the consequences and the terrible nature of these methods to the F. (ührer) once more compellingly, whereupon he (i.e. Hitler) is said to have said: "You want to show weakness, do you, mein Herr! I have to do that, for after me there will not be another one to do it!"

Schulz-Du-Bois, who died in 1945, also apparently repeated this account verbally to a friend before the end of the war.[679]

7. Yet Irving makes no attempt to confront this important evidence pointing to Hitler's having sanctioned the mass killing in Riga; he simply omits it from his account. Thus Irving completely misleads his readers by claiming that once

Hitler received the report of the 30 November massacre in Riga, he intervened to order a halt. Yet another piece of evidence which Irving argues shows that Hitler intervened to save the Jews fails on closer inspection to match up to the claims Irving makes for it.

(C) Irving's partial withdrawal of his original claims about the Himmler phone log for 30 November 1941

1. On the Focal Point website, Irving claims that on 17 May 1998 he received a document detailing Himmler's appointments for the 30 November 1941 from the Moscow archive. He reproduces this document, with translation, on his website. As emerges from this document, Himmler met Hitler at 14.30, i.e. after he made the phone-call to Heydrich concerning the transport of Jews from Berlin, not before. The summary on the Focal Point website claims: 'This suggests that Mr Irving's original theory that Himmler discussed the matter with Hitler *before* phoning Heydrich is wrong'. Irving, of course, had never presented this as a *theory*, but as an absolute *certainty*. As will be remembered, Irving claimed that the Himmler phone log of 30 November 1941 was 'incontrovertible evidence' that Hitler ordered 'that there was to be "no liquidation" of the Jews'.[680]
2. Thus, Irving has now retreated from his claim that Hitler on 30 November 1941 ordered the stop of all liquidations of Jews. He has been forced to admit that the phone call Heydrich-Himmler only referred to one trainload of Jews from Berlin. He has also had to give up his claim that Hitler ordered Himmler to make the phone-call. Absolutely nothing remains of his original claim, which he had set out with such certainty in *Hitler's War* (1977) and repeated in modified form on a number of subsequent occasions. So conclusive is the new documentary evidence that even Irving has had to admit that one of his key arguments for Hitler's opposition to the extermination of the Jews is completely without substance.

3. Yet, extraordinarily enough, even though on 17 May 1998 Irving admitted that the claims he had made about the Himmler phone-log had been totally bogus, he still continued to support his earlier claims in some of his subsequent publications. Thus on 31 August 1998, he posted another document on his website in which he argued that on 30 November 1941, Hitler had 'demonstrably…ordered' ('*nachweislich…befohlen*') that the Berlin Jews on the transport to Riga were not to be killed. This document could still be accessed on Irving's website on 11 April 1999.[681] Evidently the story, which he himself had discredited a few months earlier, proved in the end to be too useful to be discarded altogether. A more egregious instance of Irving's totally unscrupulous use of manufactured, manipulated and doctored historical evidence to support his own untenable historical arguments would be hard to find.

[1]Reference will be made in the course of this Report to various documents posted on Irving's 'Focal Point' website. Because of the changing content of the website, they may not be posted there by the time these proceedings come to court. The Internet is one of the main outlets for material and opinions of many kinds for which it is difficult to find a conventional means of publication through the printed word, since it is effectively beyond the reach of censorship and not subject to commercial considerations.

[2]Videotape 190: Irving at Bayerischer Hof, Milton, Ontario, 5 October 1991, at 1 hour 48 mins. 40 secs. to 1 hour 50 mins. 50 secs..

[3]For these various dates, see Richard Breitman, *The Architext of Genocide: Himmler and the Final Solution* (London, 1991); Christopher Browning, *The Path to Genocide: Essays on Launching the Final Solution* (Cambridge, 1992); Philippe Burrin, *Hitler and the Jews* (London, 1993); Christian Gerlach, 'Die Wannsee-Konferenz, das Schicksal der deutschen Juden und Hitlers politische Grundsatzentscheidung, alle Juden Europas zu ermorden', *Werkstattgeschichte* 18 (1997), pp. 7-44; Peter Longerich, *Politik der Vernichtung: Eine Gesamtdarstellung der nationalsozialistischen Judenverfolgung* (Munich, 1998).

[4]These were two historians who emphasised Hitler's role in leading and co-ordinating the policies of the 'Third Reich': see Hans-Adolf Jacobsen, *Nationalsozialistische Aussenpolitik* (Frankfurt am Main, 1968), and Andreas Hillgruber, *Hitlers Strategie, Politik und Kriegführung 1940-1941* (Frankfurt am Main, 1965).

[5]Audiocassette 88: Irving press conference in Brisbane, Queensland, 20 March 1986, side 2, no. 107-126.

[6]David Irving, 'On Contemporary History and Historiography. Remarks delivered at the 1983 International Revisionist Conference', *The Journal of Historical Review*, Vol. 5, No.s 2,3,4 (Winter, 1984), pp. 251-88, here p. 265.

[7]Videotape 175: speech at the Elangani Hotel, Durban, South Africa, 5 March 1986.

[8]Statement of claim, 1; Reply to Defence of Second Defendant, p. 2.

[9]David Irving on Freedom of Speech. Speech at Victoria, British Columbia, Canada. October 28, 1992. Transcript on Irving's 'Focal Point' website.

[10]David Irving on Freedom of Speech. Speech at Victoria, British Columbia, Canada. October 28, 1992. Transcript on Irving's 'Focal Point' website.

[11]Irving, *Hitler's War* (London, 1977), p. xii.

[12]Ibid., p. 6; also in the preface to *Hitler's War* (London, 1991).

[13]Irving, *Hitler's War* (London, 1977), pp. 6-7; also in the preface to the 1991 edition.

[14]*Hitler's War*, 177 edn., p. xxii.

[15]Gitta Sereny, 'Building up defences against the Hitlerwave', *New Statesman*, 7 July 1978.

[16]Interview with David Irving on Radio Ulster, 23 June 1989.

[17]Ibid., p. 11 (also in the preface to the 1991 edition).

[18]Ibid., p. 13 (also in the preface to the 1991 edition).

[19]Ibid., p. 7 (also in the preface to the 1991 edition).

[20]Irving, 'On Contemporary History', p. 273.

[21]Ibid., p. 10 (also in the preface to the 1991 edition).

[22]Reply to the Defence of the Second Defendant, p. 29.

[23]John Toland, *Adolf Hitler* (London, 1976); Alan Bullock, *Hitler. A Study in Tyranny* (Harmondsworth, 2nd ed., 1962); Joachim C. Fest, *Hitler. Eine Biographie* (Frankfurt am Main, 1976)

[24]Ian Kershaw. *Hitler 1889-1936: Hubris* (London, 1998; second volume forthcoming, 2001).

[25]See for example Paul Madden, *Adolf Hitler and the Nazi Epoch: An Annotated Bibliography of English-Language Works on the Origins, Nature and Structure of the Nazi State* (Lanham, Maryland, 1998), which runs to over 700 pages just on the literature in English.

[26]The historical issues concerning the Nazi extermination of the Jews are dealt with in separate Reports by the expert witnesses Professor Browning, Dr. Longerich and Professor Van Pelt.

[27]Irving, 'On Contemporary History and Historiography. Remarks Delivered at the 1983 International Revisionist Conference', *The Journal of Historical Review*, Vo. 5, Nos. 2, 3, 4 (Winter, 1984), pp. 255-6.

[28]Robert Harris, *Selling Hitler. The Story of the Hitler Diaries* (London, 1986), pp. 319-26.

[29]See the account in *ibid.*. Jäckel had earlier accepted some other forgeries from the same collection as genuine; his discovery that they were not was what led to his doubts about the diaries. Irving himself purchased some 800 pages of Hitler documents from the same forger in October 1982 and was on the verge of selling them to Macmillan the publisher when he began to have doubts (Audiocassette 75, side 1, 300-370).

[30]Harris, *Selling Hitler* pp. 339, 244.

[31]Ibid., p. 359.

[32]Irving, 'On Contemporary History and Historiography. Remarks Delivered at the 1983 International Revisionist Conference', *The Journal of Historical Review*, Vo. 5, Nos. 2, 3, 4 (Winter, 1984), p. 253.

[33]David Irving on Freedom of Speech. Speech at Victoria, British Columbia, Canada, October 28, 1992. Transcript on Irving's 'Focal Point' website.

[34]Videotape 206: New Zealand television, *Holmes Show,* 4 June 193, at 8 mins..

[35] Videotape 206: New Zealand television interview with Irving on the *Holmes Show*, 4 June 1993, at 7 mins., 15 secs..

[36]Reply to the Defence of the Second Defendant, p. 7.

[37]Speech by David Irving to a packed hall in the Primrose Hotel, Toronto, November 1, 1992. Transcript on Irving's 'Focal Point' website.

[38]Reply to Defence of Second Defendant, p. 2.

[39]Paul Addison, 'The Burden of Proof', *New Statesman*, 1 July 1977, p. 46.

[40]R. Hinton Thomas, 'Whitewashing Hitler?' *The Birmingham Post*, 22 June 1978.

[41]Martin Gilbert, 'Unobtrusive Genocide', *The Guardian*, 16 June, 1977.

[42]Michael Howard, 'Hitler and the dogs of war', *The Sunday Times*, 18 June 1978.

[43]Christopher Hitchens, 'Hitler's Ghost', *Vanity Fair*, June 1996, p. 74.

[44]Gordon A. Craig, 'The Devil in the Details', *The New York Review of Books*, 19 September 1996. In his book *The Germans*, published in 1982, Craig wrote that Irving's evidence for Hitler's guiltlessness in the matter of the Holocaust 'was of the flimsiest kind' (Gordon A. Craig, *The Germans* (London, 1982), p. 73).

[45]Gordon A. Craig, 'Ein Volk von Antisemiten?', *Die Zeit*, 10 May 1996, p. 5. See Ruth Bettina Birn, 'Revising the Holocaust', *The Historical Journal*, Vol. 40, No. 1 (1997), pp. 195-215.

[46]Sir Martin Lindsay, 'Too decent for Hitler', *The Sunday Telegraph*, 15 January 1978.

[47]Patrick Cosgrave, 'Having it both ways', *The Spectator*, 24 June 1978, p. 17.

[48]Hugh Trevor-Roper, 'Hitler: does history offer a defence?', *The Sunday Times*, 12 June, 1977.

[4944]Martin Broszat, 'Hitler und die Genesis der "Endlösung. Aus Anlass der Thesen von David Irving', *Vierteljahreshefte fuur Zeitgeschichte*, Vol. 25 (1977), pp. 739-75, reprinted in Hermann Graml and Klaus-Dietmar Henke (eds.), *Nach Hitler. Der schwierige Umgang mit*

unserer Geschichte. Beiträge von Martin Broszat (Munich, 1986), pp. 187-229. References below are to the 1986 reprint.

[50]Ibid., pp. 212-4.

[51]Ibid., p. 215.

[52]Ibid., p. 220.

[53]Ibid., pp. 221-2.

[54]Ibid., pp. 222-3, and footnotes 65 and 66.

[55]Ibid., p. 228.

[56]D.C.Watt, 'At Hitler's court', *The Daily Telegraph*, 6 June 1978.

[57]A. J. P. Taylor, 'Hitler the opportunist', *The Observer*, 18 June 1978.

[58]Charles Sydnor, Jr., 'The Selling of Adolf Hitler: David Irving's *Hitler's War*', *Central European History*, Vol. XII, No. 2 (June, 1979), pp. 169-99; for the author's acknowledgements of financial support and research assistance, see p. 169.

[59]Ibid., p. 176,

[60]Ibid., pp. 176-77, citing records in the German Federal Archives in Koblenz and the personal file of the commander of the 'Brandenburg' regiment, SS Colonel Paul Nostitz, in the Berlin Document Center, including a report of its activities in Poland dated 28 September, 1939. *Einsatzgruppen* were task forces charged with the mass killing of Jews, Soviet commissars, 'partisans' and other categories of person found in the occupied Eastern territories during the war.

[61]Ibid., pp. 178-80.

[62]Ibid., pp. 180-6.

[63]Ibid., pp. 187-9

[64]Ibid., p. 189, citing Gitta Sereny in *The Sunday Times*, 10 July 1977, Broszat, pp. 766-7, and Irving, *Hitler's War*, 1977 ed., pp. 327n., 393 and 858.

[65]Sydnor, 'The Selling', pp. 190-3. Irving's indefensible claims about Heydrich, and his inaccurate depiction of his assassination, were also pilloried in Trevor-Roper's review: see Hugh Trevor-Roper, 'Hitler: does history offer a defence?', *The Sunday Times*, 12 June, 1977.

[66]Sydnor, 'The Selling', pp. 193-4.

[67]Ibid., p. 195.

[68]Ibid., pp. 196-7.

[69]Ibid., p. 176.

[70]Peter Hoffmann, 'Hitler's Good Right Arm' *The New York Times*, 28 May, 1989.

[71] *New Tork Times*, 8 March 1981.

[72] John Lukács, *The Hitler of History* (New York, 1998), p. 27.
[73] Ibid., pp. 27-28, 132-3, 229-30. Irving's use of the British libel laws to deter criticism of his work is exemplified by his reaction to this book. On 25 October 1997 he wrote to Lukács's US publishers telling them that he considered the book 'libellous' and adding: 'A major British Sunday newspaper was obliged to pay me very substantial damages for similar libels eighteen months ago'. He foolowed this up on 28 October 1997 with a letter to Lukács's UK agents asking them if they would 'in their own interests, inform any prospective U.K publisher of the risks attendant on pblishing this work in an unamended form…I put you, and through your agency any such publisher, herewith on notice that I shall immediately commence libel proceedings against any publisher who is foolish enough to repeat these libels within the jurisdictions of our courts.' Among the statements by Lukács which Irving declared defamatory were his claims in the book that 'almost all of Irving's references…must be considered with caution', and his accusation that (in Irving's words) Irving was 'an apologist, rehabilitator, and unrepentant admirer of Adolf Hitler', and that his books engaged in 'twisting and manipulating documentary evidence…falsifying citations and references…inventing historical sources or printing non-existent archival numbers, and…making up quotations.' (correspondence on Irving's website http://www.fpp.co.uk). Lukács's book has so not so far been published in the UK.

[74] David Cannadine, *History in Our Time* (London, 1998), pp. 223-4.

[75]Ibid., pp. 225-7.

[76]David Irving and Kai Bird, 'Reviewed vs reviewer', *New Statesman*, 8 May 1981, pp. 23-6.

[77]Videotape 232, Canadian Association for Free Expression, Carlton Inn, Toronto, undated (1986), 29 mins. 10 secs..

[78] Lukács, *The Hitler of History*, pp. 180-1.

[79]Ron Rosenbaum, *Explaining Hitler* (London, 1998), p. 226.

[801]T. Berenstein *et al*. (eds.), *Faschismus-Getto-Massenmord. Dokumentation über Ausrottung und Widerstand der Juden in Polen während des Zweiten Weltkrieges* (Frankfurt am Main, 1960), p. 46, translated and quoted in Jeremy Noakes and Geoffrey Pridham (eds.), *Nazism 1919-1945, Vol. 3: Foreign Policy, War and Racial Extermination* (Exeter, 1988), p. 1,055.

[81]G. Schwarz, *Die nationalsozialistischen Lager* (Frankfurt am Main, 1996), pp. 250-251; E. Kogon *et al*. (eds.), *Nationalsozialistische Massentötungen durch Giftgas* (Frankfurt am Main,

1986), pp. 151-4, 165.

[82] See the Expert Witness Report by Professor Robert Jan Van Pelt.

[83]This brief summary follows the account in Noakes and Pridham, *Nazism*, Ch. 38-39, based on a variety of documents including those printed in A. Rückerl (ed.), *NS Vernichtungslager im Spiegel der deutschen Strafprozesse. Belzec, Sobibor, Treblinka, Chelmno* (Munich, 1977), E. Kogon *et al.*, *Nationalsozialistische Massentötungen durch Giftgas* (Frankfurt am Main, 1986), and L. Poliakov and J. Wulf (eds.), *Das Dritte Reich und die Juden* (Frankfurt am Main, 1983).

[84]A small sample of the leading works would include, besides those mentioned below: Raul Hilberg, *The Destruction of the European Jews* (revised edn., 3 vols., New York, 1985); Nora Levin, *The Holocaust: The Destruction of European Jewry, 1939-1945* (New York, 1973); John Mendelsohn (ed.), *The Holocaust: Selected Documents in Eighteen Volumes* (New York, 1982); Gerald Reitlinger, *The Final Solution: The Attempt to Exterminate the Jews of Europe, 1939-1945* (New York, 1961), and Lucy Dawidowicz, *The War Against the Jews, 1933-1945* (New York, 1975); and, on individual countries: Randolph L. Braham, *The Politics of Genocide: The Holocaust in Hungary* (2 vols., New York, 1981); Frederick Chary, *The Bulgarian Jews and the Final Solution, 1940-1944* (Pittsburgh, 1972); Michael R. Marrus and Robert O. Paxton, *Vichy France and the Jews* (New York, 1981); Meir Michaelis, *Mussolini and the Jews: German-Italian Relations and the Jewish Question in Italy, 1922-1945* (Oxford, 1978); and Susan Zuccotti, *The Italians and the Holocaust: Persecution, Rescue, and Survival* (New York, 1987). The most recent, outstanding survey of Nazi policy towards the Jews up to 1945 is Peter Longerich, *Politik der Vernichtung. Eine Gesamtdarstellung der nationalsozialistischen Judenverfolgung* (Munich, 1998). This is only a small sample of a very considerable scholarly literature.

[85]Arno J. Mayer, *Why Did the Heavens Not Darken? The "Final Solution" in History* (New York, 1986).

[86]See Walter Laqueur, *The Terrible Secret: Suppression of the Truth about Hitler's "Final Solution"* (London, 1980), p. 7; Geoff Eley, 'Holocaust History', *London Review of Books,* 3-17 March, 1982, pp. 6-9; Richard J. Evans, *In Hitler's Shadow: West German Historians and the Attempt to Escape from the Nazi Past* (New York, 1989), p. 142; and Preface by Eberhard Jäckel to Eberhard Jäckel, Peter Longerich, Julius H. Schoeps (eds.), *Enzyklopädie des Holocaust. Die Verfolgung und Ermordung der Europäischen Juden* (3 vols., Berlin, 1993), p. xviii. The conference papers collected in David Cesarani (ed.), *The Final Solution: Origins and Implementation* (London, 1994) offer a compendium of relatively recent research.

[87]Michael R. Marrus, *The Holocaust in History* (London, 1989), p. 1.

[88]Martin Gilbert, *The Holocaust. The Jewish Tragedy* (London, 1986), p. 18.

[89]Vera Laska, *Nazism, Resistance and Holocaust in World War II: A Bibliography* (Meuchen, New Jersey, 1985), p. xvii.

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Cf. the definition of Holocaust denial in Michael Shermer, *Why People Believe Weird Things* (New York, 1997), pp 173-252.

[91]Deborah E. Lipstadt, *Denying the Holocaust. The Growing Assault on Truth and Memory* (London, 1994), pp. 21-23.

[92]Roger Eatwell , 'How to Revise History (and Influence People?), Neo-Fascist Style', in Luciano Cheles, Ronnie Ferguson and Michalina Vaughan, *The Far Right in Western and Eastern Europe* (London, 1995), pp. 309-26, here p. 311. The element of diversity in Holocaust denial is also noted by Kenneth S. Stern, *Holocaust Denial* (New York, 1993), pp. 8-9.

[93]Arthur C. Butz, *The Hoax of the Twentieth Century* (Southam, 1976), pp. 69-71.

[94]B. Kulaszka, 'Criminal Prosecution of "Holocaust Denial"', in eadem (ed.), *Did Six Million Really Die?* (Toronto, 1992), p. viii.

[95]Pierre Vidal-Naquet, *Assassins of Memory. Essays on the Denial of the Holocaust* (New York, 1992), pp. 18-23 (originally published in 1980).

[96](Yisrael Gutman), 'Die Auschwitz-Lüge', in Jäckel (eds.), *Enzyklopädie*, Vol. I, pp. 121-7, here pp. 121-4.

[97]See Evans, *In Hitler's Shadow* for an account of the contoversy of the 1980's about parallels.

[98]Armin Pfahl-Traughber, 'Die Apologeten der "Auschwitz-Lüge" - Bedeutung und Entwicklung der Holocaust-Leugnung im Rechtsextremismus, *Jahrbuch Extremismus und Demokkratie*, Vol. 8 (1996), pp. 75-101, esp. pp. 75-7

[99]Pierre Vidal-Naquet and Limor Yagil, *Holocaust Denial in France. Analysis of a Unique Phenomenon* (Tel Aviv, 1995), p. 21.

[100]Gill Seidel, *The Holocaust Denial. Antisemitism, Racism and the New Right* (Leeds, 1986), p. 38.

[101]Ibid., p. 39.

[102]Ibid., pp. 129-30.

[103]For a similar listing - denial of mass murder at Auschwitz, manipulation of number of victims, etc. – see the volume edited by the Dokumentationsarchiv des österreichischen Widerstandes/Bundesministerium für Unterricht und Kunst, *Amoklauf gegen die Wirklichkeit. NS-Verbrechen und ""revisionistische" Geschichtsschreibung* (Vienna, 1991).

[104]Lipstadt, *Denying the Holocaust*, pp. 179-81

[105]Reply to Defence of Second Defendant, p. 11.

[106]Ibid., pp. 10-11.

[107]Ibid, p. 4.

[108]*Hitler's War*, 1977 edn., p. xiii.

[109]Ibid., p. xiv.

[110]Ibid., pp. xiv-xv.

[111]Vidal-Naquet, *Assassins*, pp. 89, 124.

[112]Seidel, *The Holocaust Denial*, p. 121. Her references here are to R. Harwood, *Nuremberg and Other War Crimes* (Brighton, 1978), and M. McLaughlin, *For Those Who Cannot*

Speak (Brighton, 1979).

[113]Stern, *Holocaust Denial*, p. 31.

[114]The *Gauleiters* were the regional Nazi Party bosses.

[115]Arthur Greiser was the administrator of the Warthegau, a region of Nazi-occupied Poland. Chelmno is in fact situated to the west of Lodz.

[116]David Irving's 1988 Testimony at the Trial of Ernst Zündel, on Irving's website 'Documents on the Auschwitz controversy', p. 108 (http://www.fpp.co.uk).

[117]'Since having written this book in 1977', Irving said in 1988, 'I understand that that Slovak report is open to some question.' (ibid., p. 198).

[118]More details about Zündel are provided later in this Report, under Section II (e), 'Connections with Holocaust deniers'. Irving was called by Zündel's defence as an expert witness on the events of the Second World War.

[119]Ibid., pp. 30, 82-3, 138.

[120]Interview with David Irving on Radio Ulster, 23 June 1989.

[121]Gabriel Weimann and Conrad Winn, *Hate on Trial: The Zündel Affair, the Media, and Public Opinion in Canada* (New York, 1986); Robert Faurisson, 'The Zündel Trials (1985 and 1988)', *The Journal of Historical Review*, Winter 1988-1989; *Her Majesty the Queen versus Ernst Zündel*, District Court of Ontario, 1985; *Her Majesty the Queen versus Ernst Zündel,* District Court of Ontario, 1988; Shelly Shapiro (ed.), *Truth Prevails: Demolishing Holocaust Denial: The End of "The Leuchter Report"* (New York, 1990); David Irving, foreword to *Auschwitz: The End of the Line: The Leuchter Report* (London, 1989). The arguments and evidence, or pseudo-evidence, put forward in the Leuchter Report, are discussed more fully in the expert witness report by Professor Robert Jan Van Pelt. See also II (d) (ii) of the present report, on Irving's views on the Nazis' use of gas chambers at Auschwitz and elsewhere.

[122]Videotape 207, from NDR (North German Radio) 3, documentary, 'Juden wurden nicht vergast…', German verion of a Danish programme by Jens Olaf Jersild, screened on 9 May 1993, at 38 minutes 25 secs.; also Videotape 189, speech in Calgary, 29 September 1991,.

[123]Stabsamt: staff office.

[124]Irving cites the Milch papers MD58, 3640ff.

[125]Lipstadt, *Denying the Holocaust*, pp. 162, 179.

[126]Audiocassette 99: Irving in Toronto, August 1988, 247-248.

[127] Ray Hill, with Andrew Bell, *The Other Face of Terror. Inside Europe's Neo-Nazi Network* (London, 1988), pp. 244-46.

[128]Audiocassette 89: Terry Lane, ABC 3LO Radio, interview with Irving, 18 Narch 1986.

[129]David Irving's 1988 Testimony at the Trial of Ernst Zündel, on Irving's website 'Documents on the Auschwitz controversy', p. 12.

[130]Videotape 223: Irving interviewed on Australian Channel 7, 1 October 1996, 3 mins. 25 secs..

[131]Ibid., pp. 16, 151, 93.

[132]For a discussion of this document and Irving's interpretation of it, see below, Part III, section c, subsection (iv).

[133]This refers to the 'Schlegelberger memorandum', discussed in Part III, section c, subsection (v) below.

[134]Gilbert, *The Holocaust*, Ch. 26-27.

[135]For a detailed discussion of these figures, see below., Part IV, Section b.

[136]Letter from Irving to *The Spectator* on 25 November 1989, cited in Eatwell, 'How to Revise History', p. 312; the figure of 50,000 appears in Irving's speech in Latvian Hall, Toronto, on 8 November 1990 (Videotape 190, from 55 mins. 30 secs.).

[137]See H. Brunswig, *Feuersturm über Hamburg* (Stuttgart, 1978), pp. 279, 400-402; W. Johe, 'Strategisches Kalkül und Wirklichkeit: Das "Unternehmen Gomorrah". Die Großangriffe der RAF gegen Hamburg im Sommer 1943', in K.-J. Müller and D. Dilks (eds.), *Großbritannien und der deutsche Widerstand 1933-1944* (Paderborn, 1994), pp. 217-228, here p. 221; F. Bajohr, 'Hamburgs "Führer". Zur Person und Tätigkeit des Hamburger NSDAP-*Gauleiters* Karl Kaufmann', in F. Bajohr and J. Szodrzynski (eds.), *Hamburg in der NS-Zeit* (Hamburg, 1995), pp, 59-92, here p. 82; U. Büttner, 'Hamburg im Luftkrieg', in M. Hiller *et al.* (eds.), *Städte im Zweiten Weltkrieg* (Essen, 1991), pp. 272-298; Richard Overy, *Why the Allies Won* (London, 1995), p. 120; M. Middlebrook, *The Battle of Hamburg* (London, 1980), p. 328.

[138]Speech by David Irving to an audience in the Latvian Hall, Toronto, November 8, 1992. Transcript from Irving's 'Focal Point' website (Irving's italics) – also as Videotape 190. Quite who Irving means by 'them' in the phrase 'us, their opponents', is not entirely clear, but from the reference to 'their Holocaust', it would seem to mean the Jews.

[139]U. Hohn, *Die Zerstörung deutscher Städte im Zweiten Weltkrieg* (Dortmund, 1991), pp 119 and 208, note 586; H. Bardua, 'Kriegsschäden in Baden-Württemberg 1939-1945', in Kommission für geschichtliche Landeskunde in Baden-Württemberg (ed.), *Historischer Atlas von Baden-Württemberg* (Stuttgart, 1975), p. 8; W. A. Boelcke, 'Wirtschaft und Sozialsituationen', in O. Borst (ed.), *Das Dritte Reich in Baden und Württemberg* (Stuttgart, 1988), pp. 29-45, here p. 40.

[140]Irving, *Nuremberg: The Last Battle* (London, 1996), p. 352, n. 13. As we have seen, camp records did not incude those killed on or shortly after arrival.

[141]Irving videotape, 'The Search for Truth in History', cited in Nigel Jackson, *The Case for David Irving* (Sidgwick, Australia, 1992), p. 88. Jackson describes Irving as 'one of the greatest historians ever to have written in English' (p. 95). This appears to be the same as Videotape 200. For other examples of Irving's estimation of the number of deaths and murders at Auschwitz, see Videotape 190 (Latvian Hall, Toronto, 8 November 1990) – '50,000 people were killed in Auschwitz…the number is too high…nearly all of the deaths were due to disease' (from 55 mins. 30 secs.); audiotape 108 (speech to the 'Free Speech League', Victoria, British Columbia, 27 October 1990, no. 507) - 40,000 killed at Auschwitz in three years; Videotape 200, 'The Search for Truth in History' (1993) – 100,000 deaths from all causes, '25,000 people murdered in Auschwitz in three years' (from 1 hr. 13 mins. 15 secs.). The variation in the figures is typical of Irving's indifference to statistical accuracy:

for a classic case study of his invention of statistics to suit his arguments, see the analysis of his account of the Dresden bombing raids, below.

[142]Videotape 200: 'The Search for Truth in History', 1993, at 1 hr. 12 mins..

[143]Videotape 190: Irving at Latvian Hall, Toronto, 8 November 1992, from 1 hr. 7 mins. 15 secs..

[144]Irving, 'Battleship Auschwitz', *The Journal of Historical Review*, vol. 10, No. 4.

[145]See Irving, 'Auschwitz and the Typhus Plague in Poland. More preview pages from David Irving's new biography, *Churchill's War*, Vol. II', posted on Irving's 'Focal Point' website, seen at 12 February 1999: see also F. H. Hinsley *et al*., *British Intelligence in the Second World War: Its Influence on Strategy and Operations* (Cambridge,m 1979-1984), Vol. 2, Appendix, p. 673: 'The returns from Auschwitz, the largest of the camps with 20,000 prisoners, mentioned illness as the main cause of death, but included references to shootings and hangings. There were no references in the decrypts to gassing.'

[146]Richard Breitman, *Official Secrets: What the Nazis Planned, What the British and Americans Knew* (London, 1998), p. 115.

[147]Irving's discovery list: document 1,350 (see also document 1,349). Hinsley added that he thought it highly unlikely that the original transcripts had been retained.

[148]Irving, *Nuremberg: The Last Battle* (London, 1996), p. 341, n. 12.

[149]'The Crucifixion of the Jews Must Stop', *American Hebrew*, 31 October, 1919, is the source cited by Irving.

[150]Irving, *Nuremberg*, p. 62.

[151]Reply to Defence of Second Defendant, pp. 5-6.

[152]Irving, *Nuremberg*, pp. 24-5, 353.

[153]Videotape 200, 1 hr 15 mins. 40 secs. Given the extent of the evidence for systematic murder as the principal cause of the 'disappearance', the burden of proving alternative causes, by adducing evidence of similar quality, lies on the denier.

[154]Rassinier, *Debunking*, p. 214; Butz, *The Hoax*, p. 242.

[155]Videotape 184: Leuchter Report Press Conference, 23 June 1989, from 19 mins. 40 secs; see below , Section IV (g), for Dresden

[156]This well-known episode is the subject of Chapter 9 of Yehuda Bauer, *Jews for Sale? Nazi-Jewish Negotiations, 1933-1945* (New Haven, 1994).

[157]David Irving's 1988 Testimony at the Trial of Ernst Zündel, p. 147.

[158]'David Irving on the Eichmann and Goebbels Papers. Speech at Los Angeles, California, October 11, 1992 (11th Conference of the Institute for Historical Review, transcript on Irving's "Focal Point" Website).

[159]David Irving, 'Revelations from Goebbels's Diary', *Journal of Historical Review*, Vol. 15 (1995), No. 1, pp. 2-17, here p. 15.

[160]David Irving's 1988 Testimony at the Trial of Ernst Zündel, pp. 86, 132, 141, when he told the court that 'about 50,000 people' were killed in the Nazi 'euthanasia' murders of asylum inmates and the mentally and physically handicapped, 'as many as in one small British air raid'. In fact, as this Report demonstrates, Irving's estimates of the numbers of Germans killed in all the British air raids he mentions are grossly inflated, and none of the actual figures even for large air raids comes anywhere near 50,000; while the accepted figure for the 'euthanasia' killings is over 70,000 for officially recorded killings up to August 1941, and at least another 100,000 in the so-called 'wild euthanasia' thereafter; see Michael Burleigh, *Death and Deliverance* (Cambridge, 1994), and Henry Friedländer, *The Origins of Nazi Genocide. From Euthanasia to the Final Solution* (Chapel Hill, 1995).

[161]David Irving on the Eichmann and Goebbels Papers. Speech at Los Angeles, California, October 11, 1992 (opening sentence of section: 'Eichmann on Höss').

[162]David Irving on Freedom of Speech. Speech at Victoria, British Columbia, Canada, October 28, 1992. Transcript on Irving's 'Focal Point' website.

[163]Speech by David Irving to a packed hall in the Primrose Hotel, Toronto, November 1, 1992. Transcript from Irving's 'Focal Point' website.

[164]Videotape 206: *Holmes Show*, New Zealand television, 4 June 1993, at 6 mins. 25 secs..

[165] Jackson, *The Case for David Irving*, p. 89.

[166]See for example Gilbert, *The Holocaust*; Marrus, *The Holocaust in History*, Hilberg, *The Destruction of the European Jews*, etc.. Not one of the works listed in footnotes 3-8, above, puts forward the definition of the Holocaust used by Irving in the passages cited here.

[167]Ron Casey interview with David Irving, 27 July 1995, Station 2GB, *Media Monitors* (Sydney etc.), Broadcast transcript S36962003.

[168]Videotape 190: Irving at Latvian Hall, Toronto, 8 November 1990, at 42 mins. 25 secs..

[169]Irving, 'Censorship of History', lecture in Runnymede, Australia, 18 March 1986: Audiocassette 86, 270-291.

[170]Wolfgang Sofsky, *Die Ordnung des Terrors" Das Konzentrationslager* (2nd ed., Frankfurt am Main, 1997), pp. 237-45. See also Videocassette 180, Toronto 1989.

[171]Videotape 232: undated speech to the Canadian Association for Free Expression, Carlton Inn, Toronto, from 20 mins. 25 secs. to 20 mins. 55 secs.

[172]Audiocassette 93: Irving, 'The Manipulation of History', Toronto, 1 November 1986, 528-532.

[173]Paul Rassinier, *Debunking the Genocide Myth: A Study of the Nazi Concentration Camps and the Alleged Extermination of European Jewry* (Torrance, California, 1978); Austin J. App, *The Six Million Swindle: Blackmailing the German People for Hard Marks with Fabricated Corpses* (Tacoma Park, Maryland, 1973); Richard Harwood, *Did Six Million Really Die? The Truth at Last* (London, n.d.); Arthur J. Butz, *The Hoax of the Twentieth Century* (Torrance, California, 1976; the 'hoax' in Butz's view was the claim that six million Jews had been killed by the Nazis); Carlo Mattogno, 'The Myth of the Extermination of the Jews', *The Journal of Historical Review*, Vol. 8 (1988), pp. 133-72 and 261-302.

[174]Reply to Defence of Second Defendant, p. 3.

[175]Ibid., pp. 5-6.

[176]David Irving's 1988 Testimony at the Trial of Ernst Zündel, pp. 99-100.

[177]David Irving on the Eichmann and Goebbels Papers. Speech at Los Angeles, California, October 11, 1992 (11th Conference of the Institute for Historical Review, transcript on Irving's "Focal Point" Website); also on Audiocassette 114 at 420-430.

[178]Reply to Defence of Second Defendant, pp. 5, 10.

[179]Ibid., pp. 5-6.

[180]Ibid., pp. 5-6.

[181]Jackson, *The Case for David Irving*, pp. 75-9.

[182]Expert witness reports by Professor Robert Jan Van Pelt, Professor christopher Browning, and Dr. Peter Longerich; see also Shelly Shapiro (ed), *Truth Prevails: Demolishing Holocaust Denial: The End of "The Leuchter Report"* (New York, 1990).

[183]Robert Faurisson, 'The Problem of the Gas Chambers', *The Journal of Historical Review,* Summer 1980; Robert Faurisson, foreword to *The Leuchter Report: The End of a Myth: An Engineering Report on the Alleged Execution Gas Chambers at Auschwitz, Birkenau, and Majdanek, Poland* (American edition, 1988).

[184]See Irving's foreword to the British edition of *Auschwitz: The End of the Line: The Leuchter Report* (London, 1989), and the statements quoted above, in Section II (c) of this Report, recording Irving's change of mind in 1988.

[185]Shapiro (ed), *Truth Prevails*. Under cross-examination at the Zündel trial, Leuchter withdrew some of the arguments he had put forward in his report: See the trial transcript in *Her Majesty the Queen versus Ernst Zündel* (District Court of Ontario, 1988), esp. pp. 9,200 ff..

[186]Martin Broszat, 'The Concentration Camps 1933-1945', in Helmut Krausnick *et al*., *Anatomy of the SS State* (London, 1968), pp. 397-504.

[187]Gerstein was an SS officer who reported to the outside world on the crimes being committed in the extermination camps, in a document which constitutes an important piece of evidence for the gassing procedures and which therefore has become one of the most important targets of the attacks of Holocaust deniers: see Vidal-Naquet, *Assassins of Memory*, p. 115.

[188]Interview with David Irving on Radio Ulster, 23 June 1989.

[189]Videotape 186: Irving in Moers, 5 March 1990, at 4 mins. 45 secs.: 'In Auschwitz hat es keine Gaskammern gegeben, 30 000 Menschen in Auschwitz sind höchstens ermordet….das ist etwa so viel wie wir Engländer in Hambrg in einer einzigen Nacht getötet haben.'

[190]David Irving, 'Revelations from Goebbels's Diary', *Journal of Historical Review*, Vol. 15 (1995), No. 1, pp 2-17, here p. 15.

[191]BBC2: 'Journey to the Far Right' (20 March 1999).

[192]Videotape 184: Leuchter Report Press Conference, 23 June 1989, at 57 mins. 30 secs..

[193]Videotape 186: Irving in Moers, 5 March 1990, from 31 mins 30 secs. and again at 1 hr. 17 mins. 45 secs.: 'In Auschwitz hat es keine Gaskammern gegeben, es hat nur Attrapen gegeben. Die von den Polen erbaut wurden in den nachkriegsjahren, genau so wie die Attrapen, die die Amerikaner in Dachau gebaut haben…..daß diese Sachen in Auschwitz, und wahrscheinlich auch in Majdanek, Treblinka, und in anderen Vernichtungslagern (sogenannt) im Osten alle nur Attrapen sind….(Und es gehört etwas dazu, aufzustehen heute, so wie) ich und zunehmend andere Historiker auch tun in der ganzen Außenwelt, und sagen, der Holocaust, die Gaskammeranlagen in Auschwitz, hat es nicht gegeben.' The grammatical and syntactical errors in the speech have not been corrected in the above quotation.

[194]Videotape 190: Irving at Latvian Hall, Toronto, 8 November 190, at 1 hour, 1 minute, 50 secs..

[195]Reply to Defence of Second Defendant, p. 3.

[196]Audiocassette 8: Irving press conference, Brisbane, 20 March 1986, 445-458. In the phrase 'this is what they find very repugnant', 'they' presumably, as usual in Irving's speeches, refers to the Jews, or to historians working in some sense or some capacity on their behalf.

[197]Audiocassette 89: Terry Lane, ABC 3LO Radio, interview with Irving, 18 March 1986.

[198]Audiocassette 99, Irving in Toronto, August 1988, side 1, 727-754.

[199]See the expert witness statements by Professor Browning and Dr. Longerich for an account of these reports.

[200]David Irving's 1988 Testimony at the Trial of Ernst Zündel, pp. 45-6, 88.

[201]Reply to Defence of Second Defendant, p. 6.

[202]Ibid., pp. 17-18, 24-25, citing US National Archives, fol. T-120, roll 780, frames 372,024 *et seq.*, and Nuremberg Document NG-2586.

[203]David Irving's 1988 Testimony at the Trial of Ernst Zündel, pp. 3, 71.

[204]See the expert witness report by Dr. Longerich on the systematic nature of the Nazi persecution and extermination of the Jews.

[205]See for example the full translation in Noakes and Pridham, *Nazism*, Vol. 3. A translation of the Wannsee protocol is also available on the Internet (H-German) under the following address: http://h-net2.msu.edu/~german/gtext/nazi/wanneng2.html.

[206]Ibid., pp. 95-8; see also the statement, cited above, in Irving, 'Revelations from Goebbels's Diary'.

[207]Rassinier, *Debunking*, p. 288.

[208]App, *The Six Million Swindle*, pp. 7-8, repeating arguments first advanced in App, *Morgenthau Era Letters* (Tacoma Partk, Maryland, 2nd ed., 1975), p. 101 (first ed., 1965).

[209]Irving, *The Search for Truth in History*, as summarized by Jackson, *The Case for David*

Irving, p. 79; Irving's discovery list, document 1,211: 'Auschwitz – the end of the line'; Irving, 'Deutsche Historiker – Lügner und Feiglinge', vor der deutschen Presse in Berlin am 3. Oktober 1989', *Historische Tatsachen*, 42 (1990), pp. 37-40; Irving, 'Battleship Auschwitz', *The Journal of Historical Review*, Vol. 10, no. 4; Irving's discovery list, document 1,697: Irving to Slater, 15 November 1993.

[210]David Irving's 1988 Testimony at the Trial of Ernst Zündel, p. 111.

[211]Interview with David Irving on Radio Ulster, 23 June 1989.

[212]Audiocassette 99: Irving in Toronto, August1988, 465-660.

[213]Videotape 200: Irving, 'The Search for Truth in History', 1993, at 1 hr. 14 mins. 55 secs..

[214]Videotape 213: *This Week*, 28 November 1991, 50 mins. 55 secs..

[215] David Irving, 'Auschwitz, and the Typhus Plague in Poland. More preview pages from David Irving's new biography, Churchill's War, vol. ii. A sneak preview' posted on Irving's Internet Site, checked 12 February 1999.

[216] FO 371/30917, C 7853, telegram no. 2831, Berne to Foreign Office, quoted in Martin Gilbert, Auschwitz and the Allies p. 57.

[217] Ibid, p. 58.

[218] United States National Archives, 862-4016, Race Problems, Germany, 2234. Quoted in ibid, p. 58.

[219] Archives of the World Jewish Congress, General Secretariat, letter dated 24 August 1942. Quoted in ibid, p. 59.

[220] PRO FO 371/30917, D. Allen, minute, 14 August, 1942. See also Gilbert, p.59.

[221] Gilbert, pp. 59-60.

[222] PRO FO 371/30917, D. Allen, minute, 10 September 1942, quoted in Gilbert, p. 60.

[223] PRO, FO 371/3455, draft declaration and covering letter, 11 August 1943.

[224] PRO, FO 371/3455, Foreign Office to Moscow, 26 August 1943.

[225] PRO, FO 371/3455,Roger Allen, minute, 27 August 1943.

[226] PRO, FO 371/3455, Cavendish-Bentinck, minute, 27 August 1943. On the same day Cavendish-Bentinck wrote to Strang: '…I feel certain that we are making a mistake in publicly giving credence to this gas chambers story.' (Ibid.).

[227] PRO, FO 371/3455, Telegram, Foreign Office to Washington, 27 August 1943.

[228] PRO, FO 371/3455, Department of Sate Confidential Release, 28 August 1943.

[229]Irving, in Michael Schmidt, *Wahrheit macht frei*, broadcast on Swedish television, 18 September 1991, videotape.

[230]Reply to Defence of Second Defendant, pp. 5,6 and 7.

[231]Jackson, *The Case for David Irving,* pp. 83, 86.

[232]*CODE*, No. 5 1990, p. 55. *CODE* is an abbreviation for *Conföderation organisch denkender Europäer*, the 'Confederation of organically-thinking Europeans'.

[233]

[234]David Irving's 1988 Testimony at the Trial of Ernst Zündel, pp. 136-7.

[235]Noakes and Pridham, *Nazism*, Vol. 3, pp. 1,155-6, give a maximum figure of 70.

[236]Videotape 190: Irving at Latvian Hall, Toronto, 8 November 1990, from 45 mins. 30 secs. To 48 mins. 35 secs..

[237]Videotape 189: Irving in Calgary, 29 September 1991.

[238] Videotape 190: Irving at Bayerischer Hof, Milton, Ontario, 5 October 1991, 2 hrs. 19 mins. 19 secs. To 2 hrs. 20 mins. 40 secs..

[239] Videotape 220: Irving in Tampa, Florida, 6 Oct, 1995.

[240]Videotape 200: The Search for Truth in History – Banned! (1993), from 1 hour 21 minutes 15 secs.; Videotape 184: Leuchter Report Press Conference, 23 June 1989, from 19 mins. 40 secs. And 58 mins. 55 secs..

[241]'Hunderte von Zeugen, tausende, hundert tausende von Überlebenden gibt es jetzt. Millionen von Überlebenden gibt es jetzt. Und ich freue mich. Aber selbstverständlich jeder Überlebende ist ein lebendiger Beweis dafür, daß es ein Vernichtungsprogramm der Nazis nicht gegeben hat': Videotape 186: Irving in Moers, 5 March 1990, 49 mins 10 secs. to 49 mins. 40 secs..

[242] Videotape 220: Irving in Tampa, 6 Oct 1995.

[243]Interview with David Irving on Radio Ulster, 23 June 1989.

[244]Videotape 225: *Sunday*, 4 March 1997, reporter: Helen Dalley.

[245]*Trial of the Major War Criminals* (International Military Tribunal, Nuremberg), Vol. 6, contains the full transcript of Vaillat-Couturier's evidence.

[246]*Diary of Anne Frank: The Critical Edition* (New York, 1989); Harwood, *Did Six Million Really Die?*, pp. 109-111; Butz, *Hoax*, p. 37; Faurisson, 'Le Journal d'Anne Frank est-il authentique?', in S. Thion (ed.), *Vérité historique ou vérité politique?* (Paris, 1980).

[247]Videotape 207: NDR 3 documentary 'Juden wurden nicht vergast…', 9 May 1993 (German version of a Danish programme by Jens Olaf Jersild), 7 mins. 50 secs. to 13 mins. 0 secs.; also Tape 213, 1 hr 15 mins. 20 secs. to 1 hr. 20 m ins. 25 secs.. In 1986, Irving claimed that a West German police investigation had discredited the diaries; in fact, it established that the materials used, apart from the later ballpoint emendations, were authentic. See Audiocassette 90, Irving in Christchurch, New Zealand, 26 March 1986, 249-279, and *Diary of Anne Frank*, pp. 97-98, citing Landgericht Hamburg, Bundeskriminalamt report of 28 May 1980.

[248]Rudolf Höss, *Commandant of Auschwitz. The Autobiography of Rudolf Höss* (translated by Constantine Fitzgibbon, paperback edition, London, 1961), pp. 172-3.

[249] Irving. *Nuremberg*, p.241.

[250]Irving, *Nuremberg*, pp. 240-6, 354 n. 36

[251]Jackson, *The Case for David Irving*, pp, 26-7; the allegation that all court testimony of leading Nazis must be discounted because they were trying to save their lives by confessing, or acting under duress, derives from Paul Rassinier, *Debunking the Genocide Myth*, p. 216.

[252]Höss, *Commandant*, p. 59.

[253]See International Military Tribunal, *Trial of the Major War Criminals*, Vol. 33, ND 3868-PS, Affidavit of Rudolf Franz Ferdinand Hoess; Höss's confirmation to the court of the voluntary nature and accuracy of his confession, in ibid., Vol. 11, p. 414; and Höss, *Commandant*, pp. 218-19. For Irving's manipulation of Eichmann's testimony, see the expert witness report by Robert Jan Van Pelt; under interrogation before his trial in Israel, Eichmann gave a total of five million Jews killed by the 'Third Reich' (Jochen von Lang (ed.), *Eichmann Interrogated: Transcripts from the Archives of the Israeli Police* (New York, 1983), p. 112.

[254]David Irving's 1988 Testimony at the Trial of Ernst Zündel, pp. 20-1 (doubting the authenticity of records of the Posen speech) and 92 (quoting it without comment).

[255]Audiocassette 90: Irving in Christchurch, New Zealand, 26 March 1986, recording a conversation with SS Colonel Johannes Göhler which Irving claimed to have had 'right at the end of the war' (when he would still have been a child).

[256]Discovery document 1485: Fax from Irving to Karl Philipp, 4 June 1992.

[257]Discovery document 1486: Fax from Irving to Tom Marcellus, 4 June 1992. For the Institute for Historical Review, see Section II (e) of this Report.

[258]Irving, *Nürnberg – die letzte Schlacht: Hinter den Kulissen der Siegerjustiz* (Tübingen, 1996), 321-22; much abbreviated version in *Nuremberg – the Last Battle*, 353-4; see also discovery documents 1485 and 1486.

[259]PRO WO 208/4661; further accounts of Aumeier's activities at Auschwitz in Hermann Langbein, *Menschen in Auschwitz* (1st ed., Vienna, 1970), p. 170-368; Josef Kret, 'Ein Tag in der Strafkompanie: Erinnerungen', *Hefte von Auschwitz*, 1 (1959), pp. 87-124, esp. pp. 94-5; further accounts by former prisoners in ibid., 9 (1966), pp. 57-74 (esp. p. 67), 16 (1978), pp. 159-88 (esp. p. 180), and 17 (p. 198), pp. 157-203 (esp. p. 182); also Danuta Czech, *Auschwitz Chronicle 1939-1945* (London, 1990), p. 171. See also the mentions of Aumeier by Filip Müller, *Sonderbehandlung* (Munich, 1979), pp. 62-3, and Höss, *Commandant*, p. 166.

[260]Seidel, *The Holocaust Denial*, p. 39.

[261]Videotape 200: Irving – 'The Search for Truth in History – Banned!' (1993), at 20 mins..

[262]Interview with David Irving on Radio Ulster, 23 June 1989.

[263]Videotape 190: Irving at the Bayerischer Hof, Milton, Ontario, 5 October 1991, from 2 hrs. 28 mins. 30 secs..

[264]'History's cache and carry', *The Guardian*, 7 July, 1992.

[265]Paul Rassinier, *Debunking the Genocide Myth* (Torrance, California, 1978), p. 309.

[266]Austin J. App, *The Six Million Swindle: Blackmailing the German People for Hard Marks with Fabricated Corpses* (Tacoma Park, Maryland, 1973), p. 2.

[267]Lipstadt, *Denying the Holocaust*, p. 57; Y. Gutman *et al.* (eds.), *Encyclopedia of the Holocaust,* pp. 1,255-59.

[268]David Irving, 'On Contemporary History and Historiography. Remarks Delivered at the 1983 International Revisionist Conference', *The Journal of Historical Review*, Vol. 5, Nos. 2, 3, 4 (Winter, 1984), pp. 251-88, here p. 263. Churchill's official biographer Sir Martin Gilbert is also described as 'of a certain persuasion' in ibid., p., 261

[269]Speech by David Irving to a packed hall in the Primrose Hotel, Toronto, November 1, 1992. Transcript on Irving's 'Focal Point' website. Irving has never applied this insight to the Germans' behaviour during the Second World War.

[270]Videotape 226: unedited material from *This Week*, 28 November 1991, 1 hr. 30 mins. 15 secs. – 1 hr. 31 mins. 15 secs..

[271]Jackson, *The Case for David Irving*, p. 85.

[272]Transcript of first half of David Irving's Talk to the Clarendon Club in London, September 19, 1992 (Focal Point Website). See also audiocassette 159, (same speech), 'self-appointed, ugly, greasy, nasty, perverted representatives of that community ie. Jews) in Britain'.

[273]Videotape 190: Irving at the Bayerischer Hof, Milton, Ontario, 5 October 1991, at 2 hrs. 44 mins..

[274]Videotape 197: Irving, Clarendon Club speech, Bow Town Hall, Bromley, 29 May 1992, at 43 mins. 20 secs..

[275]Extract from Irving's personal diary, April 13-14, 1998, on Irving's 'Focal Point' website.

[276]See for example Austin J. App, *A Straight Look at the 'Third Reich': Hitler and National Socialism. How Right? How Wrong?* (Tacoma Park, Maryland, 1974), p. 18, for alleged Jewish control of the media; Butz, *Hoax*, p. 87, for an alleged Jewish world conspiracy to persuade the world of the reality of the Holocaust; more generally, for antisemitic language and concepts as used by Hitler, see the expert witness report by Dr. Peter Longerich.

[277]Videotape 190: Irving at the Bayerischer Hof, Milton, Ontario, 5 October 1991, from 2 hrs. 10 mins. 30 secs..

[278]Audiotape 127: Irving in Oakland, California (Berkeley Free Speech Coalition), 10 September 1996, 403-408.

[279] Videotape 220: David Irving in Tampa, Florida, 6 October 1995. Repeated, slightly toned down, and located in Baton Rouge, Louisiana, in Audiocassette 127: Irving in Oakland, California, 10 September 1996.

[280]Videotape 190: Irving at the Bayerischer Hof, Milton, Ontario, 5 October 1991, at 19 mins. 19 secs..

[281]Audiocassette 90: Irving in Christchurch, New Zealand, 26 March 1986; Brechtken,

"Madagascar für die Juden": *Antisemitische Idee und politische Praxis* (Munich, 1997); Peter Longerich, *Politik der Vernichtung. Eine Gesamtdarstellung der nationalsozialistischen Judenverfolgung* (Munich, 1998), pp. 273-89.

[282] Videotape 220: Irving in Tampa, 6 October 1995, 11 mins.

[283] Printed in *Spotlight*, magazine of the Liberty Lobby, Washington DC, an antisemitic organization with far-right connections.

[284] Butz, *The Hoax of the Twentieth Century* (Brighton, 1977 edn.), pp. 30, 36-7, 49, 58-9, 69-73, 100-105, 131, 173, 198, 203-5, 246-50.

[285] See for example the discussion of *Ausrottung* and *Judentum* in the Reply to the Defence of the Second Defendant, and further quotes from Irving above, *passim*.

[286] Robert Faurisson, *Mémoire en Défense, contre ceux qui m'accusent de falsifier l'histoire: La question des chambres à gaz* (Paris, 1980); *Le Matin*, 16 November 1978, interview with Faurisson; report of the trial in *Patterns of Prejudice*, Vol. 15, No. 4 (October, 1981), pp. 51-55. Faurisson was influenced by Rassinier: see Paul Rassinier, *Debunking the Genocide Myth* (Torrance, California, Institute for Historical Review, 1978).

[287] Videotape 190: Irving at the Bayerischer Hof, Milton, Ontario, 5 October 1991.

[288] Wilhelm Staeglich, *Der Auschwitz-Mythos. Legende oder Wirklichkeit* (Tübingen, 1979); Pfahl-Traughber, 'Die Apologeten', pp. 86-87; Hermann Graml, 'Alte und neue Apologeten Hitlers', in Wolfgang Benz (ed.), *Rechtsextremismus in Deutschland. Voraussetzungen, Zusammenhänge, Wirkungen* (Frankfurt am Main 1994), pp. 51-57.

[289] Audiocassette 99: Irving in Toronto, August 1988: 'I think it's very important to do all the research first. Far more than the established historians have done, so that you're impregnable. And Stäglich hasn't.'

[290] Videotape 201: Samizdat zeigt "Der Leuchter-Kongress", Part 2, Munich, 23 March 1991.

[291] Austin J. App, *A Straight Look at the 'Third Reich': Hitler and National Socialism, How Right? How Wrong?* (Takoma Park, Maryland, 1974), pp. 5, 18-20, and idem, *The Six Million Swindle: Blackmailing the German People for Hard Marks with Fabricated Corpses* (Takoma Park, Maryland, 1973), pp. 2, 29. See also Pfahl-Traughber, 'Die Apologeten der "Auschwitz-Lüge"' pp. 82-3.

[292] Friedrich Paul Berg, 'The Diesel Gas Chambers: Myth Within A Myth', *The Journal of Historical Review*, Vol. 5, No. 1 (Spring, 1984), pp. 15-46.

[293] Carlo Mattogno, 'The Myth of the Extermination of the Jews', *The Journal of Historical Review*, Vol. 8 (1988), pp. 133-72 and 261-302.

[294] Carl O. Nordling, 'How Many Jews Died in the German Concentration Camps?', *The Journal of Historical Review*, Vol. 11, No. 3 (1991) pp. 335-44.

[295] Friedrich Paul Berg, 'Typhus and the Jews', *The Journal of Historical Review*, Vol. 8 (1988), pp. 433-81, here p. 462.

[296] Enrique Aynat, 'Neither Trace Nor Proof: The Seven Auschwitz "Gassing" Sites', *The Journal of Historical Review*, Vol. 11, No. 2 (1991), pp. 177-206.

[297] *The Journal of Historical Review*, Vol. 12, No. 4 (1992-93).

[298] E.g. Vol. 11, Nos 1 and 2 (1991), Vol. 10, No. 3 (1990), etc..

[299] Michael A. Hoffmann II, 'The Psychology and Epistemology of "Holocaust" Newspeak', *The Journal of Historical Review*, Vol. 6, No. 4 (1985-86) pp. 267-78, here p. 478.

[300] Irving, 'A Radical's Diary' *Focal Point*, 8 March 1982, p. 13.

[301] N. Fielding, *The National Front* (London, 1980), for the general backgrounIrving's note in a version of his diary entry pubished in *Focal Point* in 1982, that the Institute of Historical Review was run at that time by a man calling himself Lewis Brandon' strongly suggests he was aware of Brandon's true identity and background (Irving, 'A Radical's Diary', p. 13).

[302] *Statement of Record and Letter of Apology to Mel Mermelstein*, signed by G. G. Baumen, Attorney for the Legion for the Survival of Freedom, the Institute for Historical Review, the Noontide Press, and Elisabeth Carto, and Mark F. von Esch, Attorney for the Liberty Lobby and Willis Carto, 24 July 1985.

[303] Peter I. Haupt, ' Universe of Lies: Holocaust Revisionism and the Myth of a Jewish World-Conspiracy', *Patterns of Prejudice*, Vol. 25, No. 1 (1991), pp. 75-85; Jacques Kornberg, 'The Paranoid Style: Analysis of a Holocaust-denial Text', *ibid.*, Vol. 29, Nos. 2-3 (1995), pp. 33-44.

[304] Samuel Taylor, 'The Challenge of "Multiculturalism"', *The Journal of Historical Review*, Vol. 12, No. 2 (1992), pp. 159-66; A. R. Wesserle, 'The New World Disorder', *ibid.*, Vol. 11, No. 4 (1991-92), pp. 389-430; William Grimstad, 'Autopsying the Communist Cadaver', *ibid*, Vol. 10, No. 1 (1990), pp. 49-58; Ivor Benson, 'Iran: Some Angles on the Islamic Revolution', *ibid.*, Vol. 9, No. 2 (1989), pp. 141-76; Léon Degrelle, 'How Hitler Consolidated Power in Germany and Launched a Social Revolution', *ibid.*, Vol. 12, No. 3 (1992), pp. 299-370.

[305] 'Record and Mission of the Institute for Historical Review', *ibid.*, Vol. 15, No. 5 (1995), pp. 18-21, here p. 19.

[306] Institute for Historical Review: Endorsements, February 1994 (website publication, on http://www.ihr.org/top/endorsements.html). Bradley R. Smith and Mark Weber formed the so-called Committee on Open Debate on the Holocaust (CODOH) in 1987 and placed advertisements in various outlets in the early 1990s claiming the gas chambers were a fraud, the inmates of concentration camps died of malnutrition because of the disruption caused by Allied bombing raids, the number of Jews killed at Auschwitz was much smaller than most historians maintained, and so on. See Bradley R. Smith, 'The Holocaust Story: How Much is False? The Case for Open Debate, *Daily Northwestern*, 4 April 1991, cited along with other campus papers carrying the article, in Lipstadt, Chapter 10.

[307] Letter to subscribers enclosed with August 1995 issue of the *Journal*.

[308] Mark Weber, 'From the Editor', *The Journal of Historical Review*, Vol. 13, No. 1 (1993), p. 3.

[309] Ibid., Vol. 10, No. 4 (1990-1991), pp. 389-416, 417-38 (by Irving); Vol. 9, No. 3 (1989), pp. 261-86 (also by Irving, on Churchill); Vol. 13, No. 1 (1993), pp. 4-19 (three articles, one by, two about Irving); Vol. 13, No. 2 (1993), pp. 14-25 (by Irving), and Vol. 15, No. 1 (1995), pp. 2-23 (two articles by Irving).

[310]The title of the leaflet is: *Who Reads the Journal of Historical Review?* Copy in the Wiener Library, London.

[311]*The Journal of Historical Review*, Vol. 13, No. 1, p. 1.

[312]Irving Discovery, Irving to Weber, 4 June 1992, doc. 1486., for an example.

[313] Audiocassette 158, 'David Irving speaks to NPD audience in Munich, 12 May 1991'.

[314]James Bacque, *Other Losses*: *An Investigation into the Mass Deaths of German Prisoners of War at the Hands of the French and Americans After World War II* (London, 1990), and Günter Bischof and Stephen E. Ambrose (eds.), *Eisenhower and the German PoWs. Facts against Falsehood* (London, 1992).

[315] Günter Bischof, Dewey A. Browder and others, 'Fact or Fiction? The Historical profession and James Bacque', roundtable discussion at the German Studies Association, Salt Lake City, 9 October 1998, reported in *Bulletin of the German Historical Institute Washington*, 23 (Fall, 198), 19-21

[316]34 Ibid.

[317]Videotape 204: 'The Fifth Estate – Rewriting History', at 46 mins. 55 secs..

[318]David Irving, 'On Contemporary History and Historiography. Remarks Delivered at the 1983 International Revisionist Conference', *The Journal of Historical Review*, Vol. 5, Nos. 2, 3, 4 (Winter, 1984), pp. 251-88, here pp. 273-4.

[319]Robert Faurisson, 'A Challenge to David Irving', *The Journal of Historical Review*, Vol. 5, Nos. 2,3,4 (Winter, 1984), pp. 288-305, here p. 305.

[320]Irving, 'A Radical's Diary', p. 13.

[321]See 'David Irving on the Eichmann and Goebbels Papers. Speech at Los Angeles, California, October 11, 1992' (11th Conference of the Institute for Historical Review, transcript on Irving's "Focal Point" Website), question-and-answer session. Irving referred to subsequent criticism from Faurisson as 'occasional sniping' and chose to emphasise their shared 'intellectual crusade'. See Robert Faurisson. 'On David Irving', *Adelaide Institute* 43 (August 1996), p.1, and the letter from Irving to Faurisson, 29 January 1997, in Irving's Supplemental Discovery List; see the Expert Witness Report by Professor Robert Jan Van Pelt, pp. 604-8.

[322](Gutman), 'Die Auschwitz-Lüge', p. 125.

[323] Videotape 220: David Irving in Tampa, Florida, 6 October 1995.

[324]David Irving, 'Revelations from Goebbels's Diary', *Journal of Historical Review*, Vol. 15 (1995), No. 1, pp. 2-17, here p. 15.

[325]David Irving on Freedom of Speech. Speech at Victoria, Brtish Columbia, Canada, October 28, 1992; transcript on Irving's 'Focal Point' website.

[326]*League Sentinel*, October 1992.

[327]Irving diary, 2 January 1990. See also the Expert Witness Report by Prof. Robert Jan

Van Pelt, pp. 510-520, documenting the correspondence and contacts leading to Irving's appearance at Zundel's trial in 1988.

[328]Audiotape 101: Irving speech to the Canadian Free Speech League, Victoria, British Columbia, 24 Fabruary 1989, at No. 458: see also Audiotape 99, Toronto, August 1988, naming the researcher as Paul Norris, 'one of Zündel's men'.

[329]Samuel Crowell, *The Gas Chamber of Sherlock Holmes. An Attempt at a Literary Analysis of the Holocaust Gassing Claim*, and *John Ball's website with an expert interpretation of the wartime aerial reconnaisance photographs of the Auschwitz and other Nazi and Allied "death camp" sites* (on Irving's Focal Point website, 'Auschwitz Index"). For a discussion of this material see the Expert Witness Report by Prof. Robert Jan Van Pelt.***

[330]Pfahl-Traughber, 'Die Apologeten der "Auschwitz-Lüge"', pp. 78-81.

[331]See the issues of 18 February and 25 March 1994 for these headlines; also *Die Zeit*, 10 September 1998, p.2. The full title of the paper is *Deutsche National- und Soldatenzeitung,* 'German Nationalist and Soldiers' Newspaper', signalling its original appeal directed at the former soldiers of Hitler's army.

[332]Letters from Frey to Irving, 23 July and 16 August 1982, disclosed documents 835 and 846; *Patterns of Prejudice*, Vol. 16, No. 2 (1982), pp. 35-38

[333]Pfahl-Traughber, 'Die Apologeten', p. 93.

[334]Michael Schmidt, *Heute gehört uns die Straße* (Düsseldorf, 1993), p. 305; Ingo Hasselbach, *Die Abrechnung. Ein Neonazi steigt aus* (Berlin, 1993)

[335]Thomas Assheuer *et al.*, *Rechtsradikale in Deutschland. Die alte und die neue Rechte* (Munich, 1992), pp. 107-8.

[336]Bernd Wagner, *Handbuch Rechtsextremismus. Netzwerke, Parteien, Organisationen, Ideologiezentren, Medien* (Hamburg, 1994), p. 227: Bundesministerium des Innern (ed.), *Verfassungsschutzbericht 1992* (Dortmund, 1992), p. 128; Schmidt, *Heute gehört uns*, p. 182.

[337]Audiocassette 115: Veranstaltung (Freundeskreis Ernst Zündel), nos. 337-71 (Althans) and 378 to end (Irving). For Irving's German contacts see the Expert Witness Report by Professor Hajo Funke.

[338]Ray Hill, *The Other Face of Terror. Inside Europe's Neo-Nazi Network* (London, 1988), pp. 205, 232; Brigitte Bailer-Galanda, Wolfgang Benz and Wolfgang Neugebauer (eds.), *Die Auschwitzleugner* Berlin, 1996), p. 325.

[339]Hill, *The Other Face*, pp. 240-1; Bailer-Galanda *et al.*, p. 55,

[340] Schmidt, *Heute gehört uns die Straße*, p. 305; Hasselbach, *Die Abrechnung.*. For further detail on Hancock, see the Expert Witness Report by Professor Roger Eatwell, pp.38-40.

[341]*Political Extremism and the Threat to Democracy* (Institute of Jewish Affairs, CERA, London, 1979), pp. 43-44.

[342] Michael Schmidt, *The New Reich: Violent Extremism in Unified Germany and Beyond* (New York, 1993), p. 53; Martin Lee, *The Beast Reawakens* (London, 1997), pp. 125, 229, 259-60; Robert Tilley, 'The SS veterans who still march to Hitler's tune', *The Sunday Telegraph*, 15 November 1992.

[343]Radio Islam website http://abbc.com/islam/deutsch/aktiv/remer.html, p. 16.

[344]Lee, *The Beast Reawakens*, pp. 385, 495.

[345] 'An Interview with General Otto Ernst Remer conducted by Stephanie Schoenmann, *The Journal of Historical Review*, Vol. 10 (1990), No. 1, pp. 108-117.

[346] Schmidt, *Heute gehört uns die Straße*, p. 262; Irving interview in *Der Freiwillige*, February 1979.

[347]Action Report No. 13, 1 December 1997, posted on Irving's website http://www.codoh.com/irving/irv.AR13.html.

[348]http://www.fpp.co.uk/Germany/documents/Victims.html.

[349]Videotape 201: Samizdat zeigt: 'Der Leuchter-Kongress', Part 2, 23 March 1991; Rami's speech appears to be censored in translation from the French.

[350]http://www.radioislam.org/islam/english/jewshp/remerin.html.

[351]Action Report, December 1996, p. 3; Action Report, December 1997. See also Rainer Erb and Hermann Kurthen, 'Selected Chronology of Antisemitic and Extreme Right-Wing Events in Germany during and after unification, 1989-1994', in Hermann Kurthen, Werner Bergmann and Rainer Erb (eds.), *Antisemitism and Xenophobia in Germany after Unification* (New York, 1997), pp. 282-3.

[352]Ron H. Rosenbaum, *Explaining Hitler. The Search for the Origins of His Evil* (London, 1998), p. 234.

[353]Ibid., p. 233.

[354]Ibid., p. 223; and Norman Stone, 'Failing to find the Führer', *The Sunday Times*, 12 July 1998.

[355]Videotape 189: Irving speech at Calgary, 29 September 1991.

[356]1977 ed., p. xvi.

[357]'Book a calumny on victims of Hitler', *Jewish Chronicle*, 17 June 1977.

[358]David Irving, 'On Contemporary History', *The Journal of Historical Review*, Vol. 5 (1984), p. 262.

[359]David Irving, 'Nachwort', in Paul Rassinier, *Die Jahrhundert-Provokation: Wie Deutschland in den Zweiten Weltkrieg getrieben wurde* (Tübingen 1989), pp. 345-50, here pp. 347-8.

[360]On the economy, see for example Richard Overy, *War and Economy in the 'Third Reich'* (Oxford, 1994); on the British Empire, see for example Klaus Hildebrand, *Vom Reich zum Weltreich. Hitler, NSDAP und koloniale Frage 1919-1945* (Munich, 1960); on the war in the East, see for example Gerhard Hirschfeld (ed.), *The Policies of Genocide* (London, 1986).

[361]Reply to the Defence of the Second Defendant, p. 13.

[362]'Book a calumny on victims of Hitler', *Jewish Chronicle*, 17 June 1977.

[363]Michael Burleigh, *Death and Deliverance* (Cambridge, 1994).

[364]Irving, *Hitler's War*, (1991 ed., pp. 35-6).

[365]Ibid., p. 37.

[366]Norbert Frei, *National Socialist Rule in Germany. The Führer State 1933-1945* (London, 193), pp. 3-27; Kershaw, *Hitler*, pp. 512-17. Otto Gritschneider, *"Der Führer hat Sie zum Tode verurteilt…' Hitlers 'Röhm-Putsch' vor Gericht* (Munich, 1995), describes attempts to bring the surviving perpetrators to justice after 1945.

[367]Irving, *Hitler's War* (1991 ed.), p. 4.

[368]Irving, *Hitler's War* (1991 ed.), p. 50.

[369]Ibid., p. 109. For the Nazi persecution and eventual mass murder of the 'delinquent', see Wolfgang Ayaß, *"Asoziale" im Nationalsozialismus*(Stuttgart, 1995).

[370]Gordon A. Craig, *The Germans* (London 1982), p. 72.

[371]Hugh Trevor-Roper, 'Hitler: does history offer a defence?', *The Sunday Times*, 12 June, 1977. The same point was made in other reviews, e.g. by the Oxford historian Robert Blake in *The Spectator*, 18 June 1977 ('one gains the impression that in the end Mr. Irving regards Roosevelt, Churchill, Eden, Hitler, Goering, Stalin, as all much on a par, all equally capable of committing high crimes in the interests of state, none of them morally so very different from the others').

[372]Robert Harris, *Selling Hitler. The Story of the Hitler Diaries* (London, 1986), pp. 188-9.

[373]Charles W. Sydnor, Jr., 'The Selling of Adolf Hitler: David Irving's *Hitler's War*', *Central European History*, Vol. XII, No. 2 (June, 1979), pp. 169-99, here pp. 171-2.

[374]John Lukács, *The Hitler of History* (New York, 1998), p. 26.

[375]Ibid., p. 229.

[376]Broszat, 'Hitler und die Genesis', pp. 190-94 ('Hitler-parteiische Blickverengung'….Irving verschweigt nicht einzelne Tötungs- und Vernichtungsaktionen, die auf Hitler zuruuckgingen, stellt sie aber entschuldigend und oft falsch dar.').

[377]Rosenbaum, *Explaining Hitler*, p. 232.

[378]'Adolf Hitler hat im Grunde selbst bestimmt, wer sein Biograph werden sollte. Daß weiß ich, seit ich Anfang 1970 in Krefeld den Hals-, Nasen- und Ohrenarzt gefunden habe, der Hitler nach den Attentat vom 20. Juli 1944 behandelt hat: Dr. Erwin Giesing. Ich habe ihn in seiner Praxis aufgesucht. Er hatte gerade keine Zeit, und ich mußte eine halbe Stunde auf ihn warten. Er gab mir aber schon im Wartezimmer einen Akt zu lesen, ungefähr 500 Blatt Schreibmaschine. Das war sein Tagebuch. Können Sie sich vorstellen, wie man sich fühlt, wenn man das Tagebuch des Arztes liest, der Hitler nach dem Attentat behandelt hat? Es beginnt am 23. Juli 1944. Ich frage ihn: Wieso geben Sie mir das, Herr Dr. Giesing? Er antwortet mir: lesen Sie die Seite 387. Da geht's um ein Gespräch zwischen Hitler und Giesing. Der Arzt berichtet, daß er Hitler wegen eines Ohrenleidens zu behandeln hatte. Er schreibt: Ich fragte den Führer, ob er wisse, daß auch der Kaiser schon einmal unter einem derartigen Ohrenleiden gelitten habe. Er nickte. Ich fragte ihn, ob er das von einem Engländer geschriebene, sehr gute Buch über den Kaiser "Ein Fabeltier unserer Zeit" gelesen habe. Der Führer bejahte auch dies. Ich sagte: Eigentlich ist der Kaiser sehr gut wegekommen. Immerhin war der Autor Engländer. Diesem Engländer ist es gelungen, die schriftlichen

Unterlagen des Kaisers auszuwerten. Hitler sagte: Herr Doktor Giesing, seit zwei Jahren bin auch ich dazu übergangen, von meinen Besprechungen Wortprotokolle aufnehemen zu lassen. Vielleicht kommt eines Tages auch ein Engländer, der über mich eine objektive Biographie schreiben will. Das muß ein Engländer der nächste Generation sein. Er kann nicht aus der heutigen Generation stammen. Denn ein Vertreter der heutigen Generation kann über mich nicht die Wahrheit schreiben und will es sicherlich auch gar nicht. Es muß ein Engländer sein, der die Archive kennt und auch die deutsche Sprache beherrscht. Und deswegen, sagte der Arzt, bekommen Sie das Tagebuch, Herr Irving.' (*Hitler heute*, pp. 70-71). More or less the same passage can be found in *Hitler's War*, pp. 423-4.

[379]Videotape 189, speech at Calgary, 29 September 1991.

[380]Videotape 226, unedited material ftom *This Week*< 28 November 1991, at 1 hour 36 mins. 40 secs..

[381]Third Suplemental Discovery List, Audiotape 88, Press Conference in Brisbane, Queensland, Australia, 20 March 1986, side 2, 224-249, and side 1, 324-330.

[382]Reply to Defence of Second Defendant, p. 29.

[383]Irving, *Goebbels,* p. 207, also misdating the Nuremberg Laws to 1936.

[384]Reply to the Defence of the Second Defendant, pp. 21-22.

[385]David Irving, 'On Contemporary History and Historiography. Remarks Delivered at the 1983 International Revisionist Conference', *The Journal of Historical Review*, Vol. 5, Nos. 2,3,4 (Winter, 1984), pp. 251-88, here pp. 274-5. Also in Audiocassette 75: International Revisionist Conference, September 1983, 307.

[386]'Book a calumny on victims of Hitler', *Jewish Chronicle*, 17 June 1977.

[387]David Irving, 'On Contemporary History and Historiography. Remarks Delivered at the 1983 International Revisionist Conference', *The Journal of Historical Review*, Vol. 5, Nos. 2,3,4 (Winter, 1984), pp. 251-88, here p. 274.

[388]Ibid., pp. 275-83.

[389]Reply to the Defence of the Second Defendant, p. 29.

[390]Ian Kershaw, *Hitler 1889-1936: Hubris* (London, 1998), pp. 195-219.

[391]Irving, *Hitler's War* (London, 1991), p. 18.

[392]Irving, *Göring. A Biography* (New York, 1989), p. 59.

[393]Pleadings Bundle, IV, p. 14.

[394]Irving, *Göring*, 518, footnote reference for p. 55.

[395]Pleadings Bundle, IV, p. 14.

[396] L. Gruchmann, R. Weber (eds.), *Der Hitler-Prozeß 1924. Wortlaut der Hauptverhandlung vor dem Volksgericht München I*, Vol. 2 (Munich, 1998), 545-546: 'Außerdem möchte ich einen Fall vorher erwähnen, weil auch immer die Gewalttätigkeiten, die von einzelnen begangen worden sind, ihm in die Schuhe geschoben worden sind. Ich bin einmal, da habe ich noch Dienst gemacht, zu Hitler

gegangen und habe ihm gesagt: da ist wieder das und das vorgekommen. Es war der Überfall von einigen Elementen auf die israelitische Speiseanstalt erfolgt. "Daß macht einen schlechten Eindruck für die Partei, und für uns in der Polizei ist es recht peinlich, daß das gerade vorkommen muß". Zufällig ist der Führer der Gruppe dagewesen, ein junger Kriegsleutnant. Zur Rede gestellt hat dieser gesagt: Ich habe das Parteizeichen abgelegt. Hitler sagte: "Damit haben sie bekannt, daß Sie sich nicht zur Partei gerechnet haben in dem Augenblick, wie Sie das gemacht haben. Mit Ihrer gesamten Mannschaft sind Sie sofort aus der Partei ausgeschlossen und ich werde Sorge tragen, daß Sie bei keiner nationalen Kampftruppe mehr unterkommen". Hitler hat diese Gewalttätigkeiten und diese einzelnen Ausschreitungen, die vorgekommen sind, ständig verurteilt'

[397]Gruchmann and Weber (eds.), *Der Hitler-Prozeß 1924,* Vol. 2, pp. 540-542. Hofmann's NSDAP membership is mentioned in G. Franz-Willing, *Putsch und Verbotszeit der Hitlerbewegung* (Preußisch Olendorf, 1977), 173. The reference he gives is: 'Untersuchungsausschuß des Landtages, 12. Sitzung; ferner Mitgliederliste der NSDAP, Orginal, Privatbesitz'.

[398]Die Polizeidirektion München an Generalstaatskommissar Kahr, 4.12.1923; reprinted in E. Deuerlein (ed.), *Der Hitler Putsch. Bayrische Dokumente zum 8./9. November 1923* (Stuttgart 1962), 465.

[399]Gruchmann and Weber (eds.), *Der Hitler-Prozeß 1924,* Vol. 2, p. 546: "Es ist ein schönes Zeichen von Ihnen, wenn Sie zu Gunsten Ihres Führers aussagen'

[400]Gruchmann and Weber (eds.), *Der Hitler-Prozeß 1924.*, Vol. 1, p. 323; W. Maser, *Der Sturm auf die Republik. Die Frühgeschichte der NSDAP* (Frankfurt am Main, 1980), 451; H. Frank, *Im Angesicht des Galgens* (Neuhaus, 1955), 55.

[401]Gruchmann and Weber (eds.), *Der Hitler-Prozeß 1924.*, Vol. 1 (Munich, 1997), 62: 'Ich habe das getan in Erinnerung an die Revolution, die dem deutschen Volk Hunderte von Milliarden an Gold beschlagnahmt hat. Ich habe mich dazu berechtigt gefühlt...'The seemingly huge sum involved was not worth a great deal; the raid took place at the height of the German hyperinflation.

[402]Irving, *Goring*, p. 59. Irving misspells the name of the printers as Parvus instead of Parcus. 'Parvus' was the pseudonym of a well-known international revolutionary during the First World War, Alexander Helphand.

[403]Hermann Graml, *Der 9. November 1938: "Reichskristallnacht"* (Bonn, 1956); Helmut Heiber, 'Der Fall Grünspan', *Vierteljahreshefte für Zeitgeschichte* 5 (1957), 134-72.

[404]For example, Wolfgang Benz, 'Der Novemberpogrom 1938', in Wolfgang Benz (ed.), *Die Juden in Deutschland 1933-1945: Leben unter nationalsozialistischer Herrschaft* (Veröffentlichung des Instituts für Zeitgeschichte, Munich, 1988), 499-544, William Sheridan Allen, 'Die deutsche Öffentlichkeit und die "Reichskristallnacht". Konflikte zwischen Werthierarchie und Propaganda im Dritten Reich', in Detlev Peukert and Jürgen Reulecke (eds.), *Die Reihen fast geschlossen* (Wuppertal, 1981), 397-412, and Uwe Dietrich Adam, 'How Spontaneous Was the Pogrom?', in Walter H. Pehle (ed.), *November 1938. From 'Reichskristallnacht' to Genocide* (Oxford, 1991), 73-94; Rita Thalmann and Emanuel Feinermann, *La nuit de cristal* (Paris, 1972); Dieter Obst,

"Reichskristallnacht". Ursache und Verlauf des antisemitischen Pogroms von November 1938 (Frankfurt am Main, 1991). This is only a selection from a considerable literature. There are also numerous local studies.

405For a selection of eyewitness reports, see Herbert Schultheis, *Die Reichskristallnacht in Deutschland: Nach Augenzeugenberichten* (Bad Neustadt, 1985). See also Heinz Lauber, *Judenpogrom. "Reichskristallnacht" November 1938 in Deutschland: Daten, Fakten, Dokumente, Quellentexte, Thesen und Bewertungen* (Gerlingen, 1981). The events were the subject of extensive criminal investigations after the war, which produced a mass of further evidence.

406Nuremberg Document 3063-PS, in *Der Prozess gegen die Hauptkriegsverbrecher vor dem Internationalen Militärgerichtshof* (Nuremberg, 1948), Vol. XXXII, pp. 20-29.

407'so viele Juden – insbesondere wolhlhabende – festzunehmen, als in den vorhandenen Hafträumen untergebracht werden können'. Abschrift des Blitzfernschreibens aus München vom 10. 11. 1938, 1 Uhr 20, in *Der Prozess gegen die Hauptkriegsverbrecher vor dem Internationalen Militärgerichtshof*, Vol. XXXI, ND 3051-PS; see also Fernschreiben an alle Stapo-Stellen und Stapoleitstellen, 9. 11. 1938, in ibid., Vol. XXV, ND 374-PS.

408Wolfgang Benz, 'The relapse into barbarism', in Pehle (ed.), *November 1938*, pp. 1-43.

409Heydrich to Göring, 11 November 1938, in *Der Prozess gegen die Hauptkriegsverbrecher*, Vol. XXXII, 3058-PS.

410Stenographische Niederschrift von einem Teil der Besprechung über die Judenfrage unter Vorsitz von Feldmarschall Göring im RLM am 12. November 1938, in ibid., Vol. XXVIII, ND 1816-PS.

411Der Oberste Parteirichter to Göring, 13 Feb. 1939, in ibid., Vol. XXII, ND 3063-PS.

412Nuremberg Document L-202, cited in Noakes and Pridham (eds.), *Nazism*, doc. 424, pp. 554-56.

413Eyewitness report, 26 November 1938, Wiener Library, P II d, No. 658 (also IfZ archive MZS 1/1). These eyewitness reports are only two out of a vast number long available to historians.

414*Göttinger Tageblatt*, 11 November 1938, quoted in Peter Wilhelm, *Die Synagogengemeinde Göttingen, Rosdorf und Geismar, 1850-1942* (Göttingen, 1978), p. 55.

415For a similar translation to the one provided above see Saul Friedländer, *Nazi Germany and the Jews: The Years of Persecution 1933-1939* (London, 1997), p. 272.

416*Der Prozess gegen die Hauptkriegsverbrecher*, Vol. XX, p. 320.

417R. Jordan, *Erlebt und Erlitten* (Leoni, 1971), pp. 180-181; IfZ, Zs 251/I, Niederschrift der Unterredung des früheren SA-Obergruppenführers Max Jüttner mit Dr. Freiherr von Siegler am 2.4.1952.

418Irving, *Goebbels*, p. 274.

419E. Fröhlich (ed.), *Die Tagebücher von Joseph Goebbels*, Vol. I/6 (Munich, 1998), p. 178: "In Hessen große antisemitische Kundgebungen. Die Synagogen werden

niedergebrannt. Wenn man jetzt den Volkszorn einmal loslassen könnte!'

[420]E. Fröhlich (ed.), *Die Tagebücher von Joseph Goebbels*, Vol. I/6 (Munich, 1998), p. 180.

[421]Irving, *Goebbels*, p. 613, note 37.

[422]Irving, *Goebbels*, p. 196.

[423]R. Jordan, *Erlebt und Erlitten* (Leoni, 1971), p. 181: 'ging ich nach einer Weile zu Goebbels und berichtete ihm von den beiden Magdeburger Vorfällen. Er sah mich spöttisch an und meinte: "Machen Sie sich über diese kleinen Miniaturausschreitungen keinerlei Gedanken. Aus anderen Gauen liegen ähnliche und auch aufregendere Berichte vor...Das ist erst der allererste Anfang. Das deutsche Volk hat noch so viel Ehrbewußtsein, um nach dem feigen Terrormord dem Judentum eine ganz andere Antwort zu erteilen. Warten Sie noch fünf Minuten. Dann werde ich zu dem Thema Stellung nehmen".'

[424]For this quote, see Irving, *Goebbels*, p. 281.

[425]Irving, *Goebbels*, pp. 274-6.

[426]IfZ ZS 251/2, M. Jüttner, Eidestattliche Erklärung, 9.12.1947.

[427]For instance, Jüttner falsely claimed that all SA members who had participated in the pogrom were later punished by ordinary criminal courts, due to the insistance of SA leader Lutze; *Der Prozess gegen die Hauptkriegsverbrecher vor dem Internationalen Militärgerichtshof*, Vol. XXI, p. 223, Aussage Jüttner, 15 August 1946. Jüttner also claimed that the SA leadership was informed of the pogrom only days, or even weeks after 9 November 1938; IfZ, Zs 251/I, Max Jüttner, 'Führung, Aufgaben und Tätigkeit der SA und Nürnberger Prozess', no date.

[428]Der Oberste Parteirichter an Hermann Göring, 13.2.1939; in Der Prozess gegen die Hauptkriegsverbrecher vor dem Internationalen Militärgerichtshof, ND 3063-PS, IMT Vol. XXXII: 'die Partei nach aussen nicht als Urheber der Demonstrationen in Erscheinung treten, sie in Wirklichkeit aber organisieren und durchführen sollte'

[429]BA Berlin, Slg. Schumacher 409, Bericht der SA-Grupe Nordmark, 9.12.1938: 'Ein Jude hat geschossen. Ein deutscher Diplomat ist tot. In Friedrichstadt, Kiel, Lübeck und anderswo stehen völlig überflüssige Versammlungshäuser. Auch Läden haben diese Leute bei uns noch. Beide sind überflüssig. Es darf nicht geplündert werden. Es dürfen keine Misshandlungen vorkommen. Ausländische Juden dürfen nicht angefaßt werden. Bei Widerstand von der Waffe Gebrauch machen. Die Aktion muß in Zivil durchgeführt werden und um 5.00 Uhr beendet sein.'

[430]*Der Prozess gegen die Hauptkriegsverbrecher vor dem Internationalen Militärgerichtshof*, Vol. XXVII, ND 1721-PS, SA der NSDAP, Brigade 50 (Starkenburg) an SA Gruppe Kurpfalz, 11.11.1938: 'Am 10.11.1939 3 Uhr erreichte mich folgender Befehl: "Auf Befehl des Gruppenführers sind sofort innerhalb der Brigade 50 sämtliche jüdischen Synagogen zu sprengen oder in Brand zu setzten. Nebenhäuser die von der arischen Bevölkerung bewohnt werden dürfen nicht beschädigt werden. Die Aktion ist in Zivil auszuführen. Meutereien oder Plünderungen sin (*sic*) zu unterbinden."'

[431]Ibid.

[432]Irving, *Goebbels*, p. 275.

[433]Telephonisch aus München erteilter Befehl des Führers der SA-Gruppe Nordsee vom 9. November 1938, IMG, XXV, p. 376ff, reprinted in K. Pätzold, I. Runge, *'Kristallnacht'. Zum Pogrom 1938* (Cologne, 1988), pp. 112-3: Sämtliche jüdischen Geschäfte sind sofort von SA-Männern in Uniform zu zerstören...Jüdische Synagogen sind sofort in Brand zu stecken...Die Polizei darf nicht eingreifen. Der Führer wünscht, daß die Polizei nicht eingreift...Sämtlichen Juden sind zu entwaffnen. Bei Widerstand sofort über den Haufen zu schießen.'

[434]Staatsanwaltschaft Wiesbaden 2 KLs 38/51; Staatsanwaltschaft Regensburg KLs 1/51; cited in Obst, *"Reichskristallnacht"*, p. 77.

[435]For a selection, see Staatsanwaltschaft Aschaffenburg 4 Js 6/49, KLs 7/51; Staatsanwaltschaft Schweinfurt KLs 16/47; Staatsanwaltschaft Wiesbaden 2 KLs 38/51; Staatsanwaltschaft Kaiserslautern KLs 14/50; Staatsanwaltschaft Saarbrücken 11 KLs 16/49; Staatsanwaltschaft Kassel 3 KLs 3/49; Staatsanwaltschaft Bad Kreuzenach 2 KLs 4/51; Staatsanwaltschaft Ansbach KLs 28/47; Staatsanwaltschaft Flensburg 2a Ks 6/49; Staatsanwaltschaft Ulm KLs 4/46; Staatsanwaltschaft Bonn 7 Ks 1/50; Staatsanwaltschaft Pforzheim KLs 17/47; Staatsanwaltschaft Mannheim 1 KLs 8/49; Staatsanwaltschaft Bamberg 7 KLs 5/49; Staatsanwaltschaft Düsseldorf 8 Js 47/46; all cited in Obst, *"Reichskristallnacht"*, pp. 204-242. See also various testimonies in Benz, 'The relapse into barbarism'; and in Lauber, *Judenpogrom*.

[436]While Lutze, according to Irving's notes, acknowledges that opinion in Germany was divided over the pogrom, he gives no indication at all that he himself was opposed to it: 'In der Nacht v. 9 auf 10.11.1938 Vergeltung für Ermordung v. Rath in Paris. — Judengeschäfte stillgelegt, Synagogen niedergelegt'; Irving's typed notes, by Irving. ('In the night of 9 to 10.11.1938 retribution for the murder v. Rath in Paris. - - Jewish shops made to cease business, synagogues knocked down'). The original diary can be found in the archive of the Friedrich-Ebert-Stiftung, Bonn, but is at the moment not accessible to historians.

[437]Irving, *Goebbels*, p. 277.

[438]Irving, 'On Contemporary History', *The Journal of Historical Review* Vol. 5 (1984).

[439]Irving, *Goebbels*, p. 277. In *The War Path*, p.p. 164-5, Irving merely claims that Hitler 'angrily sent' for Eberstein 'and told him to restore order', not that Hitler was 'livid with rage' when Eberstein arrived.

[440]BA Berlin, Film 55002, Vernehmung des Wilhelm Brückner, 26.8.1947; IfZ, ED 100/203, Bl. 407, statement by Schaub.

[441]IfZ, Zs-243/I, Aktenvermerk Dr. Freiherr von Siegler, Betreff: Besuch von Herrn Heim am 1. Oktober 1952, written on 2.10.1952: 'soll getobt haben… Brückner begab sich wahrscheinlich in Begleitung des Münchner Polizeipräsidenten Frhr. v. Eberstein, zu Hitler.'

[442]Irving interview with von Below, 18 May 1968, in, folder 51(a).

[443]*Der Prozess gegen die Hauptkriegsverbrecher*, Vol. XX, pp. 320-21.

[444]Eberstein to Staatspolizeistellen Augsburg, Nuremberg, Würzburg, Neustadt, 10 November 1938, 2.10 a.m., in BDC Berlin, BDC Ordner 240?I

[445]Irving, *The War Path*, p. 279.

[446]Irving, 'On Contemporary History', *The Journal of Historical Review*, Vol. 5 (1984).

[447]Irving interview with von Below, 18 May 1968, in folder 51 (a).

[448]*Der Prozess gegen die Hauptkriegsverbrecher vor dem Internationalen Militärgerichtshos*, Vol. XLII, pp. 510-12, and Vol. XX, pp. 320-21, and Zeugenschrift des Instituts für Zeitgeschichte, Karl Wolff, 22. 3. 1948, cited in Irving discovery, V, document 120.

[449]E. Fröhlich (ed.), *Die Tagebücher von Joseph Goebbels*, Vol. I/6 (Munich, 1998), p. 180.

[450]Irving, *The War Path* (London, 1984), p. 164.

[451]Irving, *Goebbels*, p. 277.

[452]Irving, *The War Path* (London, 1978), p. 165.

[453]IfZ, ZS 137, Ministries Division, Research Section, no date; BA Berlin, Film 55270, Vernehmung von Julius Schaub, 7.12.1946; BA Berlin, BDC, Personalfile Julius Schaub; IfZ, ZS 137, Vernehmung von Julius Schaub durch Dr. Kempner, 12.3.1947. Schaub's claim was the Hitler war immer fuer Frieden'.

[454]Irving, *Goebbels*, p. 613, note 46.

[455]IfZ ED 100/203.

[456]It is described in the file itself more aptly as 'Nachlaß Julius Schaub', which was collected by Irving and then donated to the Institut für Zeitgeschichte. The 'Nachlass' contains a very small number of photocopies of what appear to be handwritten notes by Schaub himself. The bulk of the files, however, consists of type-written notes and essays on various themes relating to the 'Third Reich'. Some appear to be written by Schaub himself (or typed directly from his notes), but it is clear that others were not written by Schaub himself. Rather, they are embellished accounts, possibly based on Schaub's original notes or interviews with him.

[457]IfZ ED 100/203: 'zu retten, was noch zu retten war und ordnete an, dass einige Leute seiner Umgebung, darunter Schaub, die Plünderung sofort abzustoppen hätten'.

[458]Der Stoßtrupp Hitler geht gleich los, um in München aufzuräumen. Das geschieht denn auch gleich. Eine Synagoge wird in Klump geschlagen...Der Stoßtrupp verrichtet fürchterliche Arbeit...Wir gehen mit Schaub in den Künstlerklub, um weitere Meldungen abzuwarten. In Berlin brennen 5, dann 15 Synagogen ab. Jetzt rast der Volkszorn...Schaub ist ganz in Fahrt. Seine alte Stoßtruppvergangenheit erwacht.' - E. Fröhlich (ed.), *Die Tagebücher von Joseph Goebbels*, Vol. I/6 (Munich, 1998), pp. 180-181. The *Stoßtrupp* had been created in 1923 as a personal paramilitary bodyguard formation for Hitler; see W. Benz, H. Graml, H. Weiß (eds.), *Enzyklopädie des Nationalsozialismus* (Munich, 1997), p. 718.

[459]Nicolaus von Below, *Als Hitlers Adjutant* (Mainz, 1980), p. 136.

[460]Irving interview with von Below, 18 May 1968: folder 51(a). The German original reads: Dann wurde sofort der Polizeipräsident von München bestellt, v. Eberstein. Herr von Eberstein erschien dann gleich in der Führerwohnung, der war auch SS-Obergruppenführer. Er wurde nun von Hitler vernommen. Dann fand ein Gespräch zwischen Hitler und Göbbels (*sic*) statt per Telefon über die Situation. (blieb der auch

in München?) Weiss ich nicht. Die Leute waren wohl alle in München aufgrund des 8./9. November. (Was war Hitler seine Reaktion auf die ersten Nachrichten?) Also "was ist los, bitte feststellen, ich muss wissen, was gespielt wird". Ich hatte den Eindruck, dass wir alle und auch Hitler selber alle aus dem Muspott kamen, keiner wusste etwas…Dann wurde Hitler ärgerlich und hat recht laut mit Eberstein gesprochen…Das habe ich mitgehört, weil das Gespräch so zwischen Tür und Angel stattfand. Was aber hinsichtlich der Anordnung an Göbbels (*sic*) oder an Himmler fürs andere Reichsgebiet war, das weiss ich nicht.'

461Von Below, *Als Hitlers Adjutant*,, pp. 10-11 and footnote.

462'In Berlin brennen 5, dann 15 Synagogen ab. Jetzt rast der Volkszorn. Man kann für die Nacht nichts mehr dagegen machen. Und ich will auch nichts machen. Laufen lassen...Als ich ins Hotel fahre, klirren die Fensterscheiben. Bravo! Bravo! In allen großen Städten brennen die Synagogen'; E. Fröhlich (ed.), *Die Tagebücher von Joseph Goebbels*, Vol. I/6 (Munich, 1998), p. 181

463Der Oberste Parteirichter an Hermann Göring, 13.2.1939; in *Der Prozess gegen die Hauptkriegsverbrecher vor dem Internationalen Militärgerichtshof*, Vol. XXXII, ND 3063-PS.

464Irving, *Goebbels*, p. 276. The footnote refers mistakenly to Nuremberg Docment 3052-PS instead of 3051-PS.

465'Im Laufe der heutigen Nacht - 9. auf 10.11.1938 - im ganzen Reich Demonstrationen gegen die Juden zu erwarten...sind die stattfindenden Demonstrationen von der Polizei nicht zu verhindern - /a) Es dürfen nur solche Maßnahmen getroffen werden, die keine Gefährdung deutschen Lebens oder Eigentums mit sich bringen (z.B. Synagogenbrände nur, wenn keine Brandgefahr für die Umgebung vorhanden ist), /b) Geschäfte und Wohnungen von Juden dürfen nur zerstört, nicht geplündert werden. Die Polizei ist angewiesen, die Durchführung dieser Anordnung zu überwachen und Plünderer festzunehmen. /c) In Geschäftsstrassen ist besonders darauf zu achten, dass nicht jüdische Geschäfte unbedingt gegen Schäden gesichert werden. /d) Ausländische Staatsangehörige dürfen - auch wenn sie Juden sind - nicht belästigt werden.'. Both quotes in: Heydrich an alle Staatspolizeileit- und Staatspolizeistellen, an alle SD-Oberabschnitte und SD-Unterabschnitte, 10.11.1938, 1 Uhr 20; in *Der Prozess gegen die Hauptkriegsverbrecher vor dem Internationalen Militärgerichtshof*, Vol. XXXI, ND 3051-PS.

466 Obst, '*Reichskristallnacht*', pp. 87-88.

467See *Der Prozess gegen die Hauptkriegsverbrecher*, Vol. XLII, pp. 510-512; ibid., Vol. XXI, p. 392; IfZ Zs 526: Vernehmung des Luitpold Schallermeyer, 23. 6. 1947.

468'Kurz vor der Vereidigung der SS-Verfügungstruppe – etwa gegen 23.20 Uhr – erfuhr ich von Synagogenbränden und Ausschreitungen. Ich bin daraufhin sofort zur Privatwohnung Hitlers, in der sich auch Himmler befand, gefahren und habe die Ereignisse gemeldet. Beide waren noch nicht informiert und völlig überrascht.…In meinem Beisein hat Hitler Himmler den Befehl erteilt, dass die SS sich unter allen Umständen aus diesen Ereignissen herauszuhalten habe: IfZ, Zs 317/II: Karl Wolff, 22. 3. 1948.

469J. Tuchel, 'Gestapa und Reichssicherheitshauptamt', in G. Paul and K.-M. Mallmann

(eds.), *Die Gestapo. Mythos und Realität* (Darmstadt, 1995), pp. 95-96.

[470]'Es werden in kürzester Frist in ganz Deutschland Aktionen gegen Juden insbesonders gegen deren Synagogen stattfinden. Sie sind nicht zu stören. Jedoch ist im Benehmen mit der Ordnungspolizei sicherzustellen, dass Plünderungen und sonstige besondere Ausschreitungen unterbunden werden können…Es ist vorzubereiten die Festnahme von etwa 20-30.000 Juden im Reiche. Es sind auszuwählen vor allem vermögende Juden. Nähere Anordnungen ergehen noch im Laufe dieser Nacht': Müller an alle Stapostellen und Stapoleitstellen, 9. 11. 1938, in *Der Prozess gegen die Hauptkriegsverbrecher*, Vol. XXV, pp. 377-38, ND 374-PS.

[471]A. Seeger, 'Vom bayrischen "Systembeamten" zum Chef der Gestapo', in Paul and Mallmann (eds.), *Die Gestapo*, pp. 255-68.

[472]'Der Führer hat angeordnet, daß 2(5)-30.000 Juden sofort zu verhaften sind': Goebbels diary entry for 10 November 1938, in E. Fröhlich (ed.), *Die Tagebücher von Joseph Goebbels*, Vol. I/6 (Munich, 1998), p. 181. Other editions of the diary, however, interpret the missing digit not as a five, but as a zero: 'Der Führer hat angeordnet, daß 20-30 000 Juden sofort zxu verhaften sind', *Der Spiegel*, 29 (1992), p. 128.

[473]PRO, FO 371/21637, Telegram from G. Ogilvie Forbes, 11.11.1938, No. 673, transmitting telegram No. 38, 11.11.1938, from the Consular officers in Munich.

[474]'Sollten bei den kommenden Aktionen Juden im Besitz von Waffen angetroffen werden, so sind die schärfsten Massnahmen durchzuführen'; Müller an alle Stapostellen und Stapoleitstellen, 9.11.1938, in *Der Prozess gegen die Hauptkriegsverbrecher*, Vol. XXV, pp. 377-8, ND 374-PS.

[475]Irving, *Goebbels*, pp. 274, 276.

[476]Telephonisch aus München erteilter Befehl des Führers der SA-Gruppe Nordsee vom 9. November 1938; reprinted in K. Pätzold, I. Runge, *'Kristallnacht'. Zum Pogrom 1938* (Cologne, 1988), pp. 112-3.

[477]Irving, *Goebbels*, p. 612, note 30.

[478]Irving, *Goebbels*, p. 613.

[479]Ibid., p. 614, note 73.

[480]Irving, *The War Path*, p. 279.

[481]Irving, 'Revelations from the Goebbels Diary', *The Journal of Historical Review*, Vol. 15 (1995)

[482]Irving, Introduction to the revised edition *Hitler's War* (1991), http://www.fpp.co.uk/bookchapters/HWIntro.html.

[483]Pleadings, IV, p. 33.

[484]Irving, 'On Contemporary History', *The Journal of Historical Review*, Vol. 5 (1984), pp. 275-6; italics in original.

[485]BA Berlin, BDC file 240/I, Fernschreiben an alle Gauleitungen, 10.11.1938, 2.56 Uhr: 'Auf ausdrücklichen Befehl allerhöchster Stelle dürfen Brandlegungen an jüdischen Geschäften oder dergleichen auf gar keinen Fall und unter gar keinen Umständen

erfolgen.'

[486]'An verschiedenen Stellen bestand grösste Gefährdung der Nachbarhäuser, ohne dass es jedoch zu einem Uebergreifen des Feuers gekommen wäre': IfZ, G 01/91: Der SD-Führer des SS-Oberabschnittes Donau an den Chef des Sicherheitshauptamtes, 21.11.1938; IfZ, G 01/71: SD-Unterabschnitt Wien an den SD-Führer des SS-Oberabschnittes Donau, 10.11.1938.

[487]PRO, FO 371/21637, British Consulate in Vienna to British Embassy in Berlin, 11.11.1938. The consul also reported that: 'Last night Vienna presented an extraordinary spectacle, with fires raging all over the city and Jews being hustled along the streets, cursed at and assaulted by crowds of hooligans whose pride it is to belong to one of the greatest and most civilised nations in the world'.

[488]Sämtliche jüdischen Geschäfte sind sofort von SA-Männern in Uniform zu zerstören...Jüdische Synagogen sind sofort in Brand zu stecken...Die Feuerwehr darf nicht eingreifen. Es sind nur Wohnhäuser arischer Deutscher zu schützen von der Feuerwehr. Jüdische anliegende Wohnhäuser sind auch von der Feuerwehr zu schützen, allerdings müssen die Juden raus, da Arier in den nächsten Tagen dort einziehen werden... 'Telephonisch aus München erteilter Befehl des Führers der SA-Gruppe Nordsee vom 9. November 1938; reprinted in K. Pätzold, I. Runge, *'Kristallnacht'. Zum Pogrom 1938* (Cologne, 1988), pp. 112-3.

[489]Heydrich an alle Staatspolizeileit- und Staatspolizeistellen, an alle SD-Oberabschnitte und SD-Unterabschnitte, 10.11.1938, 1 Uhr 20; in *Der Prozess gegen die Hauptkriegsverbrecher vor dem Internationalen Militärgerichtshof*, Vol. XXXI, ND 3051-PS.

[490]Irving, *Goebbels*, p. 277.

[491]Irving, *War Path*, p. 165.

[492]Irving, *Goebbels*, p. 613, note 47; see ibid., p. 612, note 32.

[493]BA Berlin, Film 44320, Vernehmung des Karl Hederich, 16.4.1947. See also ibid., interrogation of 23.10.1947; interrogation of 16.12.1947; interrogation of 26.2.1948;

[494]'Ich habe damals 1938 diese Versammlung in Muenchen mitgemacht, auf der Dr. Goebbels gesprochen hatte und ich hatte den Eindruck, dass diese ganzen Ereignisse, die sich an diese anschlossen, am 8. und 9., dass das eine Provokation von Dr. Goebbels war...denn er hatte eine Ansprache gehalten und ich hatte den Eindruck, dass sie nicht im Einklang mit dem stand, was vorher Hitler selbst gesagt hatte und ich bin in dieser Ueberzeugung bestaerkt worden durch die Untersuchung, die Herr Schneider gefuehrt hat, der mir persoenlich gut bekannt war. Der war im obersten Parteigericht und durch diese Untersuchung bin ich zu der Ueberzeugung gekommen, dass Dr. Goebbels und vielleicht auch Heydrich...wohl die Hauptschuld an diesen Ereignissen trugen und dass andererseits, das ergab sich aus den Besprechungen bei Buhle[r], doch wesentliche Stellen und vor allem soll es auch Hitler selbst gewesen sein, diese Dinge verurteilt hat (sic). Man sprach davon, dass Goebbels dieserhalb seines Postens enthoben wuerde', BA Berlin, Film 44320, Vernehmung des Karl Hederich, 16.4.1947.

[495]Irving, *Goebbels*, p. 274.

[496]Der Oberste Parteirichter an Hermann Göring, 13.2.1939; in Der Prozess gegen die Hauptkriegsverbrecher vor dem Internationalen Militärgerichtshof, Vol. XXXII,

ND 3063-PS.

[497]Irving, Introduction to *Hitlers War* (1991), copy posted on the Focal Point website at http://www.fpp.co.uk/bookchapters/HWIntro.html.

[498]Irving, *Goebbels*, p. 613, note 48.

[499]'Es ist gar kein Zweifel dass diese Aktion denen, die sie angezettelt haben aus der Hand geglitten ist. Es wird zuverlässig berichtet, dass auch Göbbels (sic) während der Nacht selbst wiederholt von München aus angerufen hat um die stärksten Ausschreitungen zu stoppen.' - folder 51 (a).

[500]Bericht des Oberseten Parteigerichts an den Minsterpräsidenten Generalfeldmarschall Göring vom 13.3.1939, *Der Prozess gegen die Hauptkriegsverbrecher*, Vol. 32, pp. 20-9.

[501]Ibid.

[502]Helmuth Groscurth, *Tagebuch eines Abwehroffiziers 1938-1940* (Stuttgart, 1970), p. 167; Hjalmar Schacht, *76 Jahre meines Lebens* (Bad Wörishofen, 1953), p. 496.

[503]Irving, *Goebbels*, p. 281.

[504]Ulrich von Hassell, *Vom anderen Deutschland. Aus den nachgelassenen Tagebüchern 1938-1944* (Zurich, 1947), p. 39.

[505]Fröhlich (ed.), *op. cited* , p. 181.

[506]Whether or not the word 'next' in the phrase 'what to do next' is a proper translation of the original German *nunmehrige* is quite irrelevant to the issues at hand. Literally 'now-more', it means precisely 'from now on, in the immediate future', and either 'now' or 'next' would be a reasonably satisfactory English equivalent in the context.

[507]'Gestern: Müller erstattet Bericht über die Vorgänge in Berlin. Dort ist es ganz toll hergegangen. Brand über Brand. Aber das ist gut so. Ich setze eine Verordnung auf Abschluß der Aktionen auf. Es ist nun gerade genug...Im ganzen Land sind die Synagogen abgebrannt. Diesen Toten [vom Rath] muß das Judentum teuer bezahlen. In der Osteria erstatte ich dem Führer Bericht'; E. Fröhlich (ed.), *Die Tagebücher von Joseph Goebbels*, Vol. I/6 (Munich, 1998), p. 182.

[508]'In der Osteria erstatte ich dem Führer Bericht. Er ist mit allem einverstanden. Seine Ansichten sind ganz radikal und aggressiv. Die Aktion selbst ist tadellos verlaufen. 17 Tote. Aber kein deutsches Eigentum beschädigt. Mit kleinen Aenderungen billigt der Führer meinen Erlaß betr. Abbruch der Aktionen. Ich gebe ihn gleich durch Presse und Rundfunk heraus. Der Führer will zu sehr scharfen Maßnahmen gegen die Juden schreiten. Sie müssen ihre Geschäfte selbst wieder in Ordnung bringen. Die Versicherungen zahlen ihnen nichts. Dann will der Führer die jüdischen Geschäfte allmählich enteignen...'; E. Fröhlich (ed.), *Die Tagebücher von Joseph Goebbels*, Vol. I/6 (Munich, 1998), p. 182.

[509]Schreiben des Adjutanten des *Gauleiters* Adolf Wagner an den bayrischen Ministerpräsidenten, 11 Nov. 1938, in Bayerisches Hauptstaatsarchiv, MA 106412, cited in Obst, "*Reichskristallnacht*", p. 93.

[510]Irving, *Goebbels*, p. 279, my translation. 'Weiterhim werden in kurzer Frist noch

eine Reihe von Maßnahmen gegen die Juden auf dem Gesetzes- oder Verordnungswege durchgeführt werden'.

[511]Videotape 199: Irving interviewed by Kurt Franz on the serialization of the Goebbels diaries, CBC Newsworld, 10 July 1992.

[512]Irving, tape 200: Irving, "The Search for Truth in History –Banned!" 1993.

[513]Ibid., p. 278.

[514]IfZ, G 01/71: SD-Unterabschnitt Wien an den SD-Führer des SS-Oberabschnittes Donau, 10.11.1938; IfZ, G 01/91: Der SD-Führer des SS-Oberabschnittes Donau an das Sicherheitshauptsamt, 21.11.1938; Rundruf des Deutschen Nachrichtenbüros; Rundruf des Deutschen Nachrichtenbüros in Berlin vom 10. November nachmittags, in W.-A. Kropat, '*Reichskristallnacht*' (Wiesbaden, 1997), p. 233; Obst,op. cited, p. 93.

[515]Irving, *Goebbels*, p. 277.

[516]Irving, *Goebbels*, p. 276-7.

[517] ND PS-1816 in IMT, Vol. XXV!!!, pp.499-540; translation in Noakes and Pridham, *Nazism,* Vol.2, p. 588.

[518]*Reichsgesetzblatt* I (1938), pp. 1579-80; T.W. Mason, *Arbeiterklasse und Volksgemeinschaft* (Opladen, 1975), pp. 890-2; H. Genschel, *Die Verdrängung der Juden aus der WIrtschaft im Dritten Reich* (Götingen, 1966), p. 206; A. Barkai, 'Schicksalsjahe 1938', in Pehle (ed.), *Der Judenpogrom*, pp. 94-117, here p. 96.

[519]'Der Führer hat auf meinen Vortrag folgende Entscheidungen in der Judenfrage getroffen: …Vordringlich ist die Arisierung der Betriebe und Geschäfte, des landwirtschaftlichen Grundbesitzes, der Forsten u.a...Die Benutzung von Schlafwagen und Speisewagen ist Juden zu untersagen…Ferner kann der Judenbann für Badeanstalten, gewisse öffentliche Plätze, Badeorte usw ausgesprochen werden.' - *Der Prozess gegen die Hauptkriegsverbrecher*, Vol. XXV, pp. 132-4, Göring note, 28.12.1938, ND 069-PS.

[520]Nuremberg Document PS 1816, in *Der Prozess gegen die Hauptkriegsverbrecher*, Vol. 28, pp. 499-540.

[521]Ibid..

[522]Irving, *Goebbels*, p. 281.

[523]'Auseinandersetzung zwischen Hitler und Goebbels völlig anders verlaufen sei, als er gehofft hatte. Anscheinend hatte Hitler – er drückte sich vorsichtig aus – dem schon vorher erheblich in Ungnade gefallenen Goebbels nicht nur verziehen, sondern es sei Goebbels sogan aus unerfindlichen Gründen gelungen, die Aktion zum Anlaß zu nehmen, weitere Schritte gegen das Judentum zu fordern. Hitler habe daher Göring…befohlen, die endgültige Verdrängung der Juden aus dem wirtschaftlichen Bereich schärfer als bisher u betreiben und den Juden in ihrer Gesamtheit eine Art Kontribution zur Deckung der entstandenen Schäden aufzuerlegen': Hans Kehrl, *Krisenmanager im Dritten Reich* (Düsseldorf, 1973), p. 143.

[524]Carl J. Burckhardt, *Meine Danziger Mission 1937-1939* (Munich, 1960), pp. 226, 230, reprinting a letter of 2 December 1938: 'Ich erfuhr aus sicherer Quelle, dass der

Befehl zum Einsatz dieses Fortissimo vom Reichskanzler, selbst gegeben worden war'…, 'auch diesmal hat ihn der Führer gerettet'.

[525]Irving, *Goebbels*, p. 281.

[526]Hassell, *Vom anderen Deutschland*, p. 43.

[527]Irving, *Goebbels*, p. 281.

[528]'Der Zweck der Untersuchung durch die Parteigerichte ist, festzustellen, welche Fälle aus der Aktion heraus verantwortet werden können und müssen und welche Fälle persönlichen und niederen Motiven entsprangen. In letzteren Fällen wird eine Uebergebung an die Staatsanwaltschaft unumgänglich, ja gerecht sein.' Mitteilung der Obersten SA-Führung, cited in: BA Berlin, BDC file 240/II, Der Führer der Gruppe Kurpfalz, 19.12.1938.

[529]Translated as: 'Sachbeschädigungen an Synagogen, Friedhofshallen und Friedhöfen durch Brand, Sprengung usw', 'Beschädigungen von jüdischen Geschäften'

[530]Reichsministerium der Justiz an Generalstaatsanwalt Hamburg, 19.11.1938, cited in L. Gruchmann, *Justiz im Dritten Reich. 1933-1940* (Munich, 1990), pp. 487-8.

[531]"Der Stellvertreter des Führers teilte die Auffassung des Obersten Parteigerichts, dass die bekannt gewordenen Ausschreitungen jedenfalls zunächst von der Gerichtsbarkeit der Partei zu untersuchen seien...[Es] muss nach Auffassung des Obersten Parteigerichts grundsätzlich unmöglich sein, dass politische Straftaten, die primär das Interesse der Partei berühren, die...als illegale Massnahmen von der Partei gewollt sind, von den staatlichen Gerichten festgestellt und abgeurteilt werden, ohne dass die Partei die Möglichkeit hat, sich vorher durch ihre eigenen Gerichte Klarheit über die Vorgänge und Zusammenhänge zu verschaffen, um gegebenenfalls rechtzeitig den Führer um Niederschlagung des Verfahrens vor den staatlichen Gerichten bitten zu können? Der Oberste Parteirichter an Hermann Göring, 13.2.1939; in *Der Prozess gegen die Hauptkriegsverbrecher vor dem Internationalen Militärgerichtshof*, Vol. XXXII, ND 3063-PS.

[532]Ibid. Only one of the 14 cases did not involve murder but a sexual attack on a Jewish woman. In this case, the perpetrators had been taken in to police custody and most probably been sent to a concentration camp.

[533]Irving, *Goebbels*, p. 280.

[534]Ibid., plate section between pp. 332 and 333. Irving misdates the speech to 11 November. The speech made no reference to the pogrom. See W. Treue, 'Rede Hitlers vor der deutschen Presse (10. November 1938)', *Vierteljahreshefte für Zeitgeschichte*, Vol. 6 (1958), pp. 175-91, here pp. 175-6.

[535]Entry for 17 November 1938, in Reuth (ed.), *Joseph Goebbels: Tagebücher*, Vol. 3 (1935-1939) (Munich, 1992), p. 1,287: 'gut in Stimmung. Scharf gegen die Juden. Billigt ganz meine und unsere Politik.'

[536]Irving, *Goebbels*, p. 282.

[537]Ibid.; Reuth (ed.), *Goebbels: Tagebücher*, pp. 1,287-8, entry for 17 November.

[538]Ibid., p. 1,289.

[539]Irving, 'Revelations from the Goebbels Diary'.

[540]Irving, *The War Path*, p. 166.

[541]Joachim von Ribbentrop, *Zwischen London und Moskau* (Leoni, 1961), p. 272.

[542]Ibid., document 135. Wolff also claimed that the murder of vom Rath was the outcome of an anti-German conspiracy, that Hitler had no aggressive foreign policy aims, that the 'Jewish world press' stirred up hatred against Germany, and that the Second World War was started by the Allies.

[543]Reuth, Vol. 3, p. 1,296, diary entry for 17 January, 1939.

[544]Ibid., p. 1,296 note 3 and p. 1,301 note 10.

[545]Irving, *Goebbels*, p. 281-2.

[546]Irving, *Goebbels*, p. 614, note 65.

[547]PRO, FO 371/21637, Telegram (en clair) and Cypher from G. Ogilvie Forbes, 14.11.1938, No. 688.

[548]Irving, *Goebbels*, p. 614, note 83.

[549]PRO FO 371/21665, 89-92: W.W. Astor memorandum on the internal situation in Germany, 9.11.1938.

[550]PRO FO 371/21665, 235-240: British Consulate-General, Vienna, to Sir Ogilvie-Forbes, 25.11.1938.

[551]PRO FO 371/21665, 246-256: Private Notes on a visit to Germany, November 1938. The memorandum was passed on to the Foreign Office by M. Kestenbaum, who warned that he was inclined to 'be sceptical as to whether the narrative has been too highly coloured'; ibid, Bl. 244: Kestenbaum to Ashton-Gwatkin, 29.11.1938.

[552]PRO FO 371/21665, 297: Ridsdale memorandum, 6.12.1938.

[553]See http://www.webcom.com/–ezundel/english/zgrams/zg9809/980912.html; further information from http://www.codoh.com/thoughtcrimes/9103ZUND.HTML, These are two 'revisionist' websites.

[554]Irving to Weckert, 3 June 1979; 22 August 1992,.

[555]'Die Behauptung, Deutsche hätten durch "Gaswagen" Tausende von Menschen umgebracjt, als Gerücht einzuftufen ist': Ingrid Weckert, 'Die Gaswagen', in E. Gauss (ed.), *Grundlagen zur Zeitgeschichte* (Tübingen, 1994), http://www.codoh.com/inter/intgrweckert.html. The Grabert Verlag, which publishedthis collection, is well known for publishing material of this kind.

[556]I. Weckert, '"Crystal Night" 1938: The Great Anti-German Spectacle', *The Journal of Historical Review*, Vol. 6 (1985), pp. 183-206, disclosed in Irving's Third Supplemental Discovery List, with pencil lines in the margin.

[557]Ingrid Weckert (alias Hugo Rauschke), 'Zweimal Dachau', *Sleipnir* 3 (2) (1997), pp. 14-27, reprinted in http://www.who.org/D/Sleipnir/RauWe3_2.html.

[558]'vorwiegend ein Forum für rechtsextremistische Autoren aus dem In- und Ausland. Neben fremdenfeindlicher und antisemitischer Agitation werden insbesondere revisionistische Auffassungen vertreten…Aufgrund des Verdachts der Veröffentlichung von volksverhetzenden antisemitischen Beiträgen wurden die Räume des VdF und die Privatwohnungen der Verantwortlichen in der Vergangenheit mehrfach durchsucht und einschlägige Publikationen sowie Teile der Verlagseinrichtung beschlagnahmt': Innenministerium des Landes Nordrhein-Westfalen (ed.), *Verfassungsschutzbericht des Landes Nordrhein-Westfalen über das Jahr 1997*, also on http://www.verfassungsschutz.nrw.de/.

[559]For further information on the trial of Ingrid Weckert, see the 'revisionist' website http://www.who.org/News/D/News3_98.html#Weckert, and for more details on Weckert, see also http://www.webcom.com/-ezundel/english/zgrams/zg1998/zg9809/980912.html.

[560]I. Weckert, 'Die Reichskristallnacht – 2. Folge', *Göttinger Briefe*, März-April 1979, and Irving to Weckert, 3 June 1979, both in Third Supplemental Discovery List.

[561]Ingrid Weckert, *Feuerzeichen. Die 'Reichskristallnacht', Anstifter u. Brandstifter – Opfer u. Nutzniesser* (3rd ed., Tübingen, 1988); quotations and details here are from the version published on the website http://www.vho.org/D/Feuerzeichen/FR.html.

[562]The testimony of Naumann, discussed later in this Report, is taken over by Irving from Weckert, but only mentioned in her book – not in the two articles by her which he has included in his Discovery. See Weckert, 'Die Reichskristallnacht – 2. Folge', Weckert, '"Crystal Night" 1938', the latter with pencil lines in the margin, both in Third Supplemental Discovery List; and also Irving's comments in Irving, 'Revelations from the Goebbels Diary', p. 12.

[563]Bundesprüfstelle für jugendgefährdende Schriften, Entscheidung 4651 (V), 16 June 1994, in *Bundesanzeiger* 120 (30 June 1994); see also Entscheidung 3823, 30 April 1988.

[564]See the pencil lines in the margins of the relevant sections of Irving's copy of Weckert, '"Crystal Night" 1938, in Third Supplemental Discovery List.

[565]'Als wir morgens in Berlin ankamen, begrüßte uns Görlitzer (der stellvertretende Gauleiter von Berlin) auf dem Bahnhof und berichtete von den Ereignissen der letzten Nacht. Der Doktor war auf das äußerste empört und machte aus seinem Unwillen kein Hehl, was um so unangenehmer war, als inzwischen viele Mitreisende ihn erkannt und sich in seiner Nähe angesammelt hatten. Es geland mir mit Mühe, die beiden miteinander diskutierenden Herren zu bewegen, ihre laute Besprechung im Auto fortzusetzen.' Quotation in 'Nach der "Kristallnacht", chapter of Weckert, *Feuerzeichen*. Page and chapter numbers not given in Internet version.

[566]Irving, *Hitler's War* (1991 ed.), p. 148, footnote.

[567]See for example BA Berlin, BDC Ordner 240/I, Joseph Goebbels, '/Der Fall Grünspan', *Völkischer Beobachter*, 12 Nov. 1938.

[568]See the passages of Weckert, '"Crystal Night" 1938', in Third Supplemental Discovery List, marked with pencil in the margins, presumably by Irving.

[569]Helmut Heiber, 'Der Fall Grünspan', *Vierteljahreshefte für Zeitgeschichte*, Vol. 5 (1957), pp. 134-172.

[570]Irving, *The War Path*, p. 165: Der Oberste Parteirichter to Hermann Göring, 13

Feb. 1939, in *Der Prozess gegen die Hauptkriegsverbrecher vor dem Internationalen Militärgerichtshof*< ND 3063-PS, IMT Vol. XXXII; IfZ G 01/91: Der SD-Führer des SS-Oberabschnittes Donau an den Chef des Sicherheitshauptamtes, 21. 11. 1938.

[571]Irving, *The War Path*, pp. 164-5.

[572]Irving, *Göring*, p. 237.

[573]Irving, *Goebbels*, p. 276.

[574]Stenographische Niederschrift von einem Teil der Besprechung über die Judenfrage unter Vorsitz von Feldmarschall Göring im RLM am 12. November 1938, in *Der Prozess gegen die Hauptkriegsverbrecher vor dem Internationalen Militärgerichtshof*, Vol. XXVIII, ND 1816-PS.

[575]I. Weckert, '"Crystal Night" 1938: The Great Anti-German Spectacle', *Journal of Historical Review*, 6 (1985), p. 190.

[576]Irving, 'Revelations from the Goebbels's Diary', *Journal of Historical Review*, 15 (1995), pp. 2-17, here p. 12.

[577]Stenographische Niederschrift von einem Teil der Besprechung über die Judenfrage unter Vorsitz von Feldmarschall Göring im RLM am 12. November 1938, in *Der Prozess gegen die Hauptkriegsverbrecher vor dem Internationalen Militärgerichtshof*, Vol. XXVIII, ND 1816-PS.

[578]See, for example, Obst, *"Reichskristallnacht"*, p. 271.

[579]A. Barkai, '"Schicksalsjahr 1938"', in W. Pehle (ed.), *Der Judenpogrom 1938* (Frankfurt a.M., 1988), pp. 94-117, here p. 96. Heydrich on 12 November 1938 explicitly refered to 'shops' only. But even if one counted all Jewish business in Germany, not just shops, one would only reach a figure of around 30,000-40,000, and not 100,000; see ibid. See also A. Barkai, *Vom Boycott zur 'Entjudung'* (Frankfurt a.M., 1987), p. 147.

[580]Heydrich to Göring, 11.11.1938, in *Der Prozess gegen die Hauptkriegsverbrecher vor dem Internationalen Militärgerichtshof*, Vol. XXXII, ND 3058-PS.

[581]Cited in S. Rohde, 'Die Zerstörung der Synagogen unter dem Nationalsozialismus', in A Herzig, I. Lorenz (eds.), *Verdrängung und Vernichtung der Juden unter dem Nationalsozialismus* (Hamburg, 1992), pp. 153-172, here p. 169.

[582]A. Diamant, *Die Zerstörung der Synagogen vom November 1938* (Frankfurt a.M., 1978), p. xv; S. Korn, 'Synagogenarchitektur in Deutschland nach 1945', in H.P. Schwarz (ed.), *Die Architektur der Synagogue* (Frankfurt a.M., 1988), p. 309; both cited in S. Rohde, 'Die Zerstörung der Synagogen unter dem Nationalsozialismus', in A Herzig, I. Lorenz (eds.), *Verdrängung und Vernichtung der Juden unter dem Nationalsozialismus* (Hamburg, 1992), pp. 153-172, here p. 170.

[583]J. Noakes, G. Pridham (eds.), *Nazism 1919-1945*, Vol. 3 (Exeter, 1988), pp. 922-957, 1049-1085; U. Adam, *Judenpolitik im Dritten Reich* (Düsseldorf, 1972), pp. 247-272; C. Browning, 'Nazi Ghettoization Policy in Poland, 1939-1941', in idem., *The Path to Genocide* (Cambridge, 1992), pp. 28-58; D. Pohl, 'Die Ermordung der Juden im Generalgovernement', in U. Herbert (ed.), *Nationalsozialistische Vernichtungspolitk 1939-1945. Neue Forschungen und Kontroversen* (Frankfurt a.M., 1998), pp. 98-121, here 99.

[584]'Directives for the behaviour of the troops in Russia', reprinted in Noakes, Pridham (eds.), *Nazism*, Vol.3, p. 1090.

[585]Einsatzgruppe A, Gesamtbericht bis zum 15. Oktober 1941, Anlage 8: 'Übersicht über die Zahl der bisher durchgeführten Exekutionen'; reprinted in *Der Prozess gegen die Hauptkriegsverbrecher vor dem Internationalen Militärgerichtshof Nürnberg* (Nürnberg, 1949), Vol. 37, pp. 670-717 (ND-180-L).

[586]'Das Ziel, das dem Einsatzkommando 2 von Anfang an vorschwebte, war eine radikale Lösung des Judenproblems durch die Exekution aller Juden'; Institut für Zeitgeschichte, Fb 101/29; reprinted in H.H. Wilhelm, 'Die Einsatzgruppe A der Sicherheitspolizei und des SD 1941/42 - eine exemplarische Studie', in H. Krausnick, H.H. Wilhelm, *Die Truppe des Weltanschauungskrieges* (Stuttgart, 1981), pp. 281-636, here 534.

[587]E. Fröhlich (ed.), *Die Tagebücher von Joseph Goebbels*, Teil II, Vol. 1 (Munich, 1996), entry for 20.8.1941, p. 19; Noakes, Pridham (eds.), *Nazism*, pp. 549, 1107-1114.

[588]Himmler to Greiser, 18 Sept. 1941 in Institut für Zeitgeschichte, MA 3/9, folder 94, cited in Broszat, 'Hitler und die Genesis der Endlösung', *Vierteljahreshefte für Zeitgeschichte*, 1977, pp. 739-75, here p. 750; Notizen aus der Besprechung am 10. 10. 1941 über die Lösung der Judenfrage, in Centre de Documentation Juive Contemporaine, Paris, Dokumente des Eichmann-Prozesses, Police d'Israel, 1193, cited in H. Safrian, *Die Eichmann-Männer* (Vienna, 1993), p. 124; Aktennotiz Dr. Drechsler, 20. 10. 1941, in YIVO Institute for Jewish Research, New York, Occ. E 3-29, also cited in Safrian, p. 134.

[589]Noakes, Pridham (eds.), *Nazism*, p. 1114.

[590] Christian Gerlach, *Krieg, Ernährung, Völkermord* (Hamburg, 1998), pp. 96-98.

[591]'Berlin muß eine judenreine Stadt werden. Es ist empörend und ein Skandal, daß in der Haupstadt des Deutschen Reiches sich 76 000 Juden, zum größten Teil als Parasiten, herumtreiben können'; cited in Fröhlich (ed.), *Tagebücher*, Teil II, Vol. 1, p. 19; capital letters in the original.

[592]IfZ, MA 423: Notiz vom 21.3.1941; cited in W. Benz (ed.), *Die Juden in Deutschland* (Munich, 1989), p. 639; also disclosed by Irving in his Third Supplemental List of Documents, 51 (A).

[593]For the deportation figures, see W. Gruner, *Judenverfolgung in Berlin 1933-1945* (Berlin, 1996), p. 98, table 5: Deportationen aus Berlin nach Polen und ins Baltikum. For the killings of Berlin Jews in Kovno, see Ernst Klee, Willi Dressen, Volker Riess (eds.), *'Schöne Zeiten'. Judenmord aus Sicht der Täter und Gaffer* (Frankfurt am Main, 1988), pp. 52-62, citing: Der Befehlshaber der Sicherheitspolizei und des SD, Einsatzkommando 3 (Jäger), Gesamtaufstellung der im Bereich des EK. 3 bis zum 1. Dez. 1941 durchgeführten Exekutionen.

[594] Chief of the Security Police and Security Service, Operational Situation Reports USSR/80, 11 Sept. 1941, USSR/101, 2 Oct. 1941, USSR/135, 19 Nov. 1941, USSR/143, 8Dec. 1941, in Y. Arad, S. Krakowski, S. Spector (eds.), *The Einsatzgruppen Reports* (New York, 1989), pp. 128-9, 168, 237-42, 251-53. See also Hilberg, *Die Vernichtung der europäischen Juden*, Vol. 2 (Frankfurt am Main, 1990), pp. 311-2.

[595]'Für ihre ausgezeichnete Tätigkeit spreche ich Ihnen meinen herzlichen Dank und meine ganz besondere Anerkennung aus'; RFSS an Jeckeln, 31.10.1941, DC Jeckeln; cited in Ruth Bettina Birn, *Die Höheren SS- und Polizeiführer* (Düsseldorf, 1986), p. 393, fn. 4

[596]Chief of the Security Police and Security Service, Operational Situation Reports

USSR/156 (16 Jan. 1942) and USSR/155 (11 Jan. 1942), both reprorted in Arad *et al*, *The Einsatzgruppen Reports*, pp. 279-83, 276-78. Undatierter Geheimbericht der Einsatzgruppe A, in *Der Prozess gegen die Hauptkriegsverbrecher vor dem Internationalen Militärgerichtshof,* Vol. XXX, pp. 71-80, ND 2273-PS, also in BA Berlin, R70 SU/15.

597 Fleming, *Hitler*, pp. 89-92.

598'In den Gruben mußten sich die Juden mit dem Gesicht nach unten nebeneinander hinlegen. Aus kurzer Entfernung...wurden sie durch Genickschüsse aus russischen Maschinenpistolen, die auf Einzelfeuer gestellt worden waren, getötet. Die nachfolgenden Opfer mußten sich unter Ausnutzung des vorhandenen Raumes... auf die soeben vor ihnen Erschossenen legen. Gehbehinderte, Alte und Kinder wurden von den kräftigeren Juden in die Gruben geführt, von ihnen auf die Leichen gelegt und von den Schützen, die in der großen Grube auf den Getöteten standen, erschossen. Auf diese Weise füllten sich die Gruben nach und nach'; IfZ Gh 02 47/3, Urteil des Schwurgerichts Hamburg in der Strafsache gegen J. und andere (50), 9/72, vom 23. 2. 1973.

599Irving, *Goebbels* (London, 1996), p. 377.

600'Vor dem Reichstag habe ich dem Judentum prophezeit, der Jude werde aus Europa verschwinden, wenn der Krieg nicht vermieden bleibt. Diese Verbrecherrasse hat die zwei Millionen Toten des Weltkrieges auf dem Gewissen, jetzt wieder Hundertausende. Sage mir keiner: Wir können sie doch nicht in den Morast schicken! Wer kümmert sich denn um unsere Menschen? Es ist gut, wenn uns der Schrecken vorangeht, daß wir das Judentum ausrotten...Ich bin gezwungen, ungeheuer viel bei mir aufzuhäufen; das bedeutet aber nicht, daß in mir erlischt, was ich, ohne gleich zu reagieren, zur Kenntnis nehme. Es kommt auf ein Konto; eines Tages wird das Buch herausgezogen. Auch den Juden gegenüber mußte ich lange tatenlos bleiben. Es hat keinen Sinn, künstlich sich zusätzliche Schwierigkeiten zu machen; je klüger man verfährt, desto besser. Wenn ich so Reden von einem Menschen wie dem Galen lese, so sage ich mir: Nadelstiche zu versetzen ist zwecklos; besser, man schweigt; man müßte denn zweifeln an der Zukunft der Bewegung! Wenn ich glaube, daß die Bewegung ein paar Jarhunderte existiert, dann kann ich warten. Ich wäre auch mit dem Marxismus nicht fertig geworden, wenn ich hinter mir nicht die Gewalt gehabt hätte'; cited in W. Jochmann (ed.), *Monologe im Führerhauptquartier 1941-44. Die Aufzeichnungen Heinrich Heims* (Hamburg, 1980), pp. 106-108.

601'Sämtliche Juden müssen erschossen werden. Judenweiber in die Sümpfe treiben' - *Justiz und NS-Verbrechen,* Vol. XX, No. 570 (radio reports of SS cavalry regiment 2) and 'Weiber und Kinder in die Sümpfe zu treiben, hatte nicht den Erfolg, den es haben sollte, denn die Sümpfe waren nicht so tief, daß ein Einsinken erfolgen könnte. Nach einer Tiefe von 1 Meter kam man in den meisten Fällen auf festen Boden (wahrscheinlich Sand), so daß ein Versinken nicht möglich war.' - *Unsere Ehre heißt die Treue*, pp. 227-9.

602 Irving, *Hitler's War* (London, 1991), p. 427.

603H. Trevor-Roper (ed.), *Hitler's Table Talk*, transl. N. Cameron, R.H. Stevens (London, 1953), 87-92.

604The translation in the Weidenfeld edition records Hitler as saying: 'Let nobody tell me that all the same we can't park them in the marshy parts of Russia! Who's worrying about out troops? It's not a bad idea, by the way, that public rumour attributes to us a plan to exterminate the Jews. Terror is a salutary thing...Even with regard to the Jews, I've found myself remaining inactive. There's no sense in adding uselessly to the difficulties of the moment'; H. Trevor-Roper (ed.), *Hitler's Table Talk*, transl. N. Cameron,

R.H. Stevens (London, 1953), 87-92.

[605]Pleadings Bundle, IV, p. 23. In fact, as document 2040 in Irving's Discovery shows, he received copies of the original table talk in November 1977 (Genoud to Irving, 4 November 1977).

[606]Speech at the 1983 International Revisionist Conference; reprinted in Irving, 'On Contemporary History', *The Journal of Historical Review* 5 (1984), pp. 251-283, here 281.

[607]Pleadings Bundle, IV, p. 23; see also Irving, *Hitler's War* (London, 1991), p. 427.

[608]For Irving's selective use of the sources and translations, see also Irving, *Hitler's War* (London, 1991), p. 427.

[609]'Im übrigen sagt der Führer mir zu, die Berliner Juden so schnell wie möglich, sobald sich die erste Transportmöglichkeit bietet, von Berlin in den Osten abzuschieben. Dort werden sie dann unter einem härteren Klima in die Mache genommen'; E. Fröhlich (ed.), *Die Tagebücher von Joseph Goebbels*, Teil II, Vol. 1 (Munich, 1996), p. 266; capital letters in the original.

[610]The Warthegau was former Polish territory incorporated into Germany in 1939; the Protectorate was former Czechoslovakian territory. The German original reads: 'Der Führer wünscht, daß möglichst bald das Altreich und das Protektorat vom Westen nach Osten von Juden geleert und befreit werden. Ich bin daher bestrebt, möglichst noch in diesem Jahr die Juden des Altreiches und des Protektorats zunächst einmal als erste Stufe in die vor zwei Jahren neu zum Reich gekommenen Ostgebiete zu transportieren, um sie im nächsten Frühjahr noch weiter nach dem Osten abzuschieben'; Institut für Zeitgeschichte, MA 3/9, Folder 94; cited in M. Broszat, 'Hitler und die Genesis der Endlösung', in *Vierteljahreshefte für Zeitgeschichte*, 1977, pp. 739-775, here 750.

[611]'Ich kann gleich dem Führer eine Reihe von innerpolitischen Problemen zur Entscheidung bringen: Der Führer ist der Meinung, daß die Juden nach und nach aus ganz Deutschland herausgebracht werden müssen. Die ersten Städte, die nun judenfrei gemacht werden sollen, sind Berlin, Wien und Prag. Berlin kommt als erste an die Reihe, und ich habe die Hoffnung, daß es uns im Laufe dieses Jahres noch gelingt, einen wesentlichen Teil der Berliner Juden nach dem Osten abzutransportieren'; cited in E. Fröhlich (ed.), *Die Tagebücher von Joseph Goebbels*, Teil II, Vol. 1 (Munich, 1996), pp. 484-485.

[612]Irving, *Goebbels*, p. 374.

[613]Pleadings Bundle IV, p. 36.

[614]D. Welch, *The 'Third Reich'. Politics and Propaganda* (London, New York, 1993), p. 103.

[615]http://www.fpp.co.uk/Auschwitz/documents/BrunsCSDICa.html.

[616]Irving, *Goebbels*, p. 379. (…) in the original.

[617]Irving, *Goebbels* p. 369.

[618]Irving, *Goebbels*, 379.

[619]'Ich will heute wieder ein Prophet sein: Wenn es dem internationalen Finanzjudentum in und außerhalb Europas gelingen sollte, die Völker noch einmal in

einen Weltkrieg zu stürzen, dann wird das Ergebnis nicht die Bolschewisierung der Erde und damit der Sieg des Judentums sein, sondern die Vernichtung der jüdischen Rasse in Europa'; cit in M. Domarus, *Hitler. Reden und Proklamationen* Band II, Erster Halbband, 1939-1940 (Wiesbaden, 1973), p. 1058.

620,'Die historische Schuld des Weltjudentums am Ausbruch und der Ausweitung dieses Krieges ist so hinreichend erwiesen, daß darüber keine Worte mehr zu verlieren sind. Die Juden wollten ihren Krieg, und sie haben ihn nun. Aber es bewahrheitet sich an ihnen auch die Prophezeiung, die der Führer am 30. Januar 1939 im Deutschen Reistag aussprach, daß, wenn es dem internationalen Finanzjudentum gelingen sollte, die Völker noch einmal in einen Weltkrieg zu stürzen, das Ergebnis nicht die Bolschewisierung der Erde und damit der Sieg des Judentums sein werde, sondern die Vernichtung der jüdischen Rasse in Europa. Wir erleben eben den Vollzug dieser Prophezeiung, und es erfüllt sich damit am Judentum ein Schicksal, das zwar hart, aber mehr als verdient ist. Mitleid oder gar bedauern ist da gänzlich unangebracht'; cited in J. Goebbels, 'Die Juden sind schuld!'; reprinted in J. Goebbels, *Das eherne Herz. Reden und Aufsätze aus den Jahren 1941/42* (Munich, 1943), pp. 85-91.

621,'Ich fühle mich wie Robert Koch in der Politik. Der fand den Bazillus und wies damit der ärztlichen Wissenschaft neue Wege. Ich entdeckte den Juden als den Bazillus und das Ferment aller gesellschaftl. Dekomposition'; Institut für Zeitgeschichte, Archive Irving; reprinted in P. Longerich (ed.), *Die Ermordung der europäischen Juden* (Munich, Zurich, 1989), p. 76. Robert Koch discovered *vibrio cholerae*, the bacillus that caused cholera, in 1884.

622,'Die Juden seien die Geißel der Menschheit...Wenn die Juden freien Weg hätten wie im Sowjetparadis, so würden sie die wahnsinnigsten Pläne verwirklichen. So sei Rußland zu einem Pestherd für die Menschheit geworden...Wenn auch nur ein Staat aus irgendwelchen Gründen eine jüdische Familie bei sich dulde, so würde diese der Bazillenherd für eine neue Zersetzung werden. Gäbe es keine Juden mehr in Europa, so würde die Einigkeit der europäischen Staaten nicht mehr gestört werden'; cited in A. Hillgruber, 'Die "Endlösung" und das deutsche Ostimperium als Kernstücke des rassenideologischen Programms des Nationalsozialismus', in *Vierteljahreshefte für Zeitgeschichte* 20 (1972), pp. 133-153, here p.142.

623,'Wir reden über das Judenproblem. Der Führer ist der Überzeugung, daß seine damalige Prophezeiung im Reichstag, daß, wenn es dem Judentum gelänge, noch einmal einen Weltkrieg zu provozieren, er mit der Vernichtung der Juden enden würde, sich bestätigt. Sie bewahrheitet sich in diesen Wochen und Monaten mit einer fast unheimlich anmutenden Sicherheit.' E. Fröhlich (ed.), *Die Tagebücher von Joseph Goebbels*, Teil II, Vol. 1 (Munich, 1996), p. 269. The original is in upper case.

624,'Wenn wir diese Pest ausrotten, so vollbringen wir eine Tat für die Menschheit, von deren Bedeutung sich unsere Männer draußen noch gar keine Vorstellung machen können'; W. Jochmann (ed.), *Monologe im Führerhauptquartier 1941-44. Die Aufzeichnungen Heinrich Heims* (Hamburg, 1980), p. 99.

625,'Ich habe immer gesagt, die Juden sind die dümmsten Teufel, die es gibt. Sie haben nicht einen wirklichen Musiker, Denker, keine Kunst, nichts, gar nichts. Sie sind Lügner, Fälscher, Betrüger. Zu etwas gebracht hat es einer immer nur auf Grund der Einfalt seiner Umgebung. Der Jude würde, wenn er nicht vom Arier gewaschen würde, vor Dreck nicht aus den Augen schauen. Wir können ohne die Juden leben, sie aber nicht ohne uns'; W. Jochmann (ed.), *Monologe im Führerhauptquartier 1941-44. Die Aufzeichnungen Heinrich Heims* (Hamburg, 1980), p. 131.

[626] *Documents on German Foreign Policy*, Series D, Vol. XIII, No. 515, pp. 882-885, here 882.

[627]'Viele Juden sind sich auch des destruktiven Charakters ihres Daseins nicht bewußt gewesen. Aber, wer Leben zerstört, setzt sich dem Tod aus, und etwas anderes geschieht auch ihnen nicht'; W. Jochmann (ed.), *Monologe im Führerhauptquartier 1941-44. Die Aufzeichnungen Heinrich Heims* (Hamburg, 1980), p. 148.

[628]'Bezüglich der Judenfrage ist der Führer entschlossen, reinen Tisch zu machen. Er hat den Juden prophezeit, daß, wenn sie noch einmal einen Weltkrieg herbeiführen würden, sie dabei ihre Vernichtung erleben würden. Das ist keine Phrase gewesen. Der Weltkrieg ist da, die Vernichtung des Judentums muß die notwendige Folge sein. Die Frage ist ohne jede Sentimentalität zu betrachten. Wir sind nicht dazu da, Mitleid mit den Juden, sondern nur Mitleid mit unserem deutschen Volk zu haben'; cited in E. Fröhlich (ed.), *Die Tagebücher von Joseph Goebbels*, Teil II, Vol. 2 (Munich, 1996), pp. 498, diary entry for 13.12.1941.

[629]Irving, *Goebbels*, 383.

[630]'Auch bezüglich der Judenfrage stimmt der Führer völlig mit meinen Ansichten überein. Er will eine energische Politik gegen die Juden, die uns allerdings nicht unnötige Schwierigkeiten verursacht. Evakuierung der Juden soll stadtweise vorgenommen werden. Es ist also noch unbestimmt, wann Berlin an die Reihe kommt; aber wenn es an die Reihe kommt, dann soll die Evakuierung auch möglichst schnell zu Ende geführt werden. Bezüglich der jüdischen Mischehen, vor allem in Künstlerkreisen empfiehlt der Führer mir etwas reserviertes Vorgehen, da er der Meinung ist, daß diese Ehen sowieso nach und nach aussterben, und man sich darüber keine grauen Haare wachsen lassen soll'; cited in E. Fröhlich (ed.), *Die Tagebücher von Joseph Goebbels*, Teil II, Vol. 2 (Munich, 1996), pp. 340-341, diary entry for 22.11.1941.

[631]Irving, *Goebbels*, 379 and 645, endnote 39.

[632]Pleadings, IV, p. 37.

[633]E. Fröhlich (ed.), *Die Tagebücher von Joseph Goebbels*, Teil II, Vol. 1 (Munich, 1996), pp. 169, 309, diary entries for 24.10.1941, 18.11.1941.

[634]Indeed, there is no evidence that Jeckeln even read Goebbels's article; see the extracts from interrogation of Friedrich Jeckeln, 14-15.12.1945; reprinted in H.H. Wilhelm, 'Die Einsatzgruppe A der Sicherheitspolizei und des SD 1941/42 - eine exemplarische Studie', in H. Krausnick, H.H. Wilhelm, *Die Truppe des Weltanschauungskrieges* (Stuttgart, 1981), pp. 566-570, here p. 567.

[635]State of Israel, Ministry of Justice (ed.), *The Trial of Adolf Eichmann*, 8 Vols. (Jerusalem, 1992).

[636]'das Ziel, das Judenproblem für Litauen zu lösen, vom EK. 3 erreicht worden ist. In Litauen gibt es keine Juden mehr, außer den Arbeitsjuden incl. ihrer Familien'; Der Befehlshaber der Sicherheitspolizei und des SD, Einsatzkommando 3 (Jäger), Gesamtaufstellung der im Bereich des EK. 3 bis zum 1. Dez. 1941 durchgeführten Exekutionen; cited in E. Klee, W. Dreßen, V. Rieß (eds.), *'Schöne Zeiten'. Judenmord aus Sicht der Täter und Gaffer* (Frankfurt a.M., 1988), pp. 52-62. Jäger listed 133,346 murdered persons, the vast majority of whom were Jews. See also H. Safrian, *Die Eichmann-Männer* (Vienna, Zurich, 1993), p.152.

[637]Undatierter Geheimbericht der Einsatzgruppe A, in: *Der Prozess gegen die Hauptkriegsverbrecher vor dem Internationalen Militärgerichtshof*, Vol. XXX, pp. 71-80, ND 2273-PS; also in BA Berlin, R70 SU/15; Einsatzgruppe A, Gesamtbericht bis zum 15. Oktober 1941, in: *Der Prozess gegen die Hauptkriegsverbrecher vor dem Internationalen*

Militärgerichtshof, Vol. XXXVII, ND 180-L.

638R. Breitman, *Official Secrets* (London, 1999), p. 272, note 66.

639'Himmler sagte, ich solle dies mit Lohse durchsprechen, und auch wenn er dagegen sei, solle das Rigaer Ghetto dennoch liquidiert werden. "Sagen Sie dem Lohse, es ist mein Befehl, der auch einem Wunsch des Führers entspricht!"'; Extracts from interrogation of Friedrich Jeckeln, 14-15.12.1945; reprinted in Wilhelm, 'Die Einsatzgruppe A', p. 567.

640A. Ezergailis, *The Holocaust in Latvia 1941-1944* (Riga, 1996), p. 240.

641Public Record Office (PRO), HW 16/32, German Police Decodes, No. 2 traffic: 1.12.1941. A Himmler phone call to Heydrich on 30 November 1941, discussed in detail later in this report, aimed at preventing the semi-public execution of a train-load of Berlin Jews in Riga on 30 November 1941, also suggests that Himmler was aware of the fact that the killing of the native Jews in Riga was planned at this time.

642Extracts from interrogation of Friedrich Jeckeln, 14-15.12.1945; reprinted in Wilhelm, 'Die Einsatzgruppe A' p. 567.

643See Irving's website http.//www.fpp.co.uk/Auschwitz/documents/BrunsCSDICa.html; and http.//www.fpp.co.uk/Auschwitz/documents/BrunsIndex.html

644'"Ja, die müssen erschossen werden, ist FÜHRER-Befehl!". Ich sage: "FÜHRER-Befehl?". "Jawohl", und da zeigt er mir das'; cited in CSDIC, SRGG 1158, transcript of conversation including Generalmajor Bruns, 8.4.1945; disclosed by Irving as document 110.

645Irving, *Goebbels*, p. 645, note 40.

646There are only three sub-files of the file F 71 in the Institut (F 71/1; F 71/2; F 71/3). In none of these files is there any trace of the report mentioned by Irving.

647IfZ, Fa 164, D. Wisliceny, Bericht, 18.11.1946.

648IfZ, Fa 164, D. Wisliceny, Bericht, 18.11.1946: 'Die zweite Welle der Verschärfung trat nach dem Kriegseintritt der USA ein. Auch in der innerdeutschen Propaganda war dies deutlich zu spüren. Aeusserlich trat sie in Erscheinung durch die Einführung des "gelben Sterns" als Kennzeichnung der Juden. Es sei in einem Zusammenhang auch auf den Goebbels-Artikel "Die Juden sind schuld" in einer Ausgabe der Zeitschrift "Das Reich" verwiesen. In diesem Zeitabschnitt, nach dem Kriegsbeginn mit den USA, muss meiner Ueberzeugung nach, der Entscheid Hitlers fallen, der die biologische Vernichtung des europäischen Judentums befahl

649 When Irving uses Eichmann's 1961 testimony to discredit Wisliceny's assertion that Eichmann showed him a written order from Himmler directly implicating Hitler as the decision-maker – and then goes on to dismiss Eichmann's evidence that he was told this orally by Heydrich. *Hitler's War* (1991 ed.), no. 814 to p. 466.

650IfZ, Fa 164, D. Wisliceny, Bericht, 18.11.1946: 'Nach Eichmanns eigenen Angaben, die er mir gegenüber machte, hat Globocnig (sic) als erste[r] Gaskammern zur Massenextermination von Menschen angewandt. Globocnig hatte in seinem Kommandobereich grosse Arbeitslager für Juden errichtet, der Nichtarbeitsfähigen entledigte er sich auf die angegebene Weise. Wie Eichmann ausführte, war dieses "Verfahren" des Globocnig "unauffälliger" als die Massenerschiessungen…'

651Irving, *Goebbels*, p. 645, note 42, referring to ND NO-3257. See The Chief of the

Security Police and Security Service, Operational Situation Report USSR No. 151, 5.1.1942; reprinted in Y. Arad, S. Krakowski, S. Spector (eds.), *The Einsatzgruppenreports* (New York, 1989), 268-269.

[652]The Chief of the Security Police and Security Service, Operational Situation Report USSR No. 156, 16.1.1942; reprinted in Y. Arad, S. Krakowski, S. Spector (eds.), *The Einsatzgruppenreports* (New York, 1989), pp. 279-283.

[653]IfZ, Gh 02.47/3, Urteil des Schwurgerichts Hamburg in der Strafsache gegen J. und andere, (50) 9/72, vom 23.2.1973.

[654]Irving, *Goebbels*, p. 645, note 43.

[655]Irving, *Goebbels*, p. 645, note 42.

[656]IfZ, Gh 02.47/3, Urteil des Schwurgerichts Hamburg in der Strafsache gegen J. und andere, (50) 9/72, vom 23.2.1973.

[657]A. Ezergailis, *The Holocaust in Latvia 1941-1944* (Riga, 1996), p. 261.

[658]Irving, *Hitler's War* (1977 edition), 332.

[659]IfZ, Archiv F 37/2, 1941; now printed in Peter Witte *et al.* (eds.), *Der Dienstkalender Heinrich Himmlers 1941/42* (Hamburg, 1999), p. 278.

[660]Irving, *Hitler's War* (1977 edition), xiv.

[661]Irving, *Hitler's War*, 393; see also ibid., 504, and 'Book a calumny on victims of Hitler', *Jewish Chronicle*, 17 June 1977.

[662]See expert witness report by Dr. Longerich on the persecution of the Jews.

[663] Wehrmachtsbefehlshaber Ostland to Reichskommissar für das Ostland, Riga, 20. 11. 1941, cited in Safrian, *Eichmann-Männer*m 150; Helmut Heiber, 'Aus den Akten des *Gauleiters* Kube', *Vierteljahreshefte für Zeitgeschichte*, 4 (1956), pp. 67-93, here p. 73; Christian Gerlach, 'Die Wannsee-Konference, das Schicksal der deutschen Juden und Hitlers politische Grundsatzentscheidung, alle Juden Europas zu ermorden', *Werkstatt Geschichte*, 6 (1997, No. 18, pp. 7-45, here pp. 14-16; Gerlach, *Krieg*, pp. 102-3; Broszat, 'Hitler und die Genesis', p. 761.; G. Aly, S. Heim, *Vordenker der Vernichtung* (Frankfurt am Main, 1993)m p. 45; R. Breitman, *Official Secrets* (London, 1999), p. 83.

[664]Klee *et al.* (eds.), *Schöne Zeiten*, p. 57; Broszat, 'Hitler', p. 761.

[665]Broszat, 'Hitler', 761.

[666]Himmler to Jeckeln, 1. 12. 1941, 7. 30 p.m., in PRO HW 16/32 (document recently discovered by Christoph Dieckmann); also Breitman, *Official Secrets*, p. 83; also Witte *et al.* (eds.), p. 278.

[667]IfZ, Archiv F 37/2, also in Witte *et al.* (eds.), p. 280.

[668]Irving, *Hitler's War* (London, 1991), p. 427.

[669]Broszat, 'Hitler', 760.

[670]See also Irving, *Hitler's War* (London, 1991), p. 427, where he speaks of 'a trainload of Berlin's Jews'.

[671]Irving, *Goebbels*, p. 379.

[672] Eberhard Jäckel, 'Hitler und der Mord an den europäischen Juden. Widerlegung einer absurden These', in Peter Marthesheimer and Ivo Frenze (eds.*), Im Kreuzfeuer:*

Der Fernsehfilm Holocaust. Eine Nation ist betroffen (Frankfurt am Main 1979), pp. 151-62, here pp. 153-4; Broszat, 'Hitler', 761.

673http.//www.fpp.co.uk/Auschwitz/documents/BrunsCSDICa.html.

674Pleadings Bundle IV, 17.

675'da zeigt mir der ALTENMEYER (?) triumphierend: "Hier ist eine Verfügung gekommen, dass derartige Massenerschiessungen in Zukunft nicht mehr stattfinden dürften. Das soll jetzt vorsichtiger gemacht werden"'; cited in SCDIC, SRGG 1158, transcript of conversation including Generalmajor Bruns, disclosed by Irving as document 110.

676BA Berlin, Film 44340, Vernehmung des Generals Walter Bruns, 13. 2. 1948.

677Gerlach, *Krieg*, 99-100; Safrian, *Eichmann-Männer*, 153-4; Heydrich in Activity and Situation Report No. 10, for February 1942, cited in expert witness report of Procfessor Browning.

678For Bruns's testimony, see SCDIC, SRGG 1158, transcript of conversation including Generalmajor Bruns, disclosed by Irving as document 110; BZ Berlin, Film 44340, Vernehmung des Generals Walter Bruns. 13. 2. 1948. For Irving's claims, see his website at http://www.fpp.co.uk/Auschwitzs/documents/BrunsCSDICa. html.

679Fleming, *Hitler und die Genesis der Endlösung* (Wiesbaden, 1982), 97-102: 'und zwar mit der Begründung, daß diese Dinge die Moral der Truppe, die derartiges sieht und hört, gefährden. Dieser, der beim Führer aus- und eingeht, sollte dem F. die Folgen und Scheußlicfhkeiten dieser Methoden noch einmal eindringlich dargestellt haben, worauf dieser gesagt haben soll: "Sie wollen wohl weich werden, mein Herr! Ich muß das tun, denn nach mire wird es doch kein anderer mehr tun!"' (cited in Fleming, *Hitler und die Genesis*, p. 98. See also ibid. pp. 97-102.

680Irving, *Hitler's War* (1977), p. xiv.

681As note 95**(e)**

The Schlegelberger note

(i) The document in question

1. Irving consistently argues that far from driving on Nazi Germany's antisemitic policies, Hitler frequently personally intervened to stop them or water them down. One key document which he uses to support his case is what he describes in the Preface to the 1991 edition of *Hitler's War* as an extraordinary note dictated by Staatssekretär Schlegelberger in the Reich Ministry of Justice in the Spring of 1942: "Reich Minister Lammers", this states, referring to Hitler's top civil servant, "informed me that the Führer has repeatedly pronounced that he wants the solution of the Jewish Question put off until after the war is over." Whatever way one looks at this document, it is incompatible with the notion that Hitler had ordered an urgent liquidation programme.[1]
2. According to Irving, 'no other historians have quoted this document, possibly finding its content hard to reconcile with their obsessively held views' about Hitler's responsibility for the extermination of the Jews.[2]
3. Irving's claim that no other historians have quoted this document is pure invention. It must be so, since he has made a point elsewhere of claiming on more than one occasion that he never reads the work of other historians. In fact the Stuttgart historian Eberhard Jäckel published an article about the note as long ago as June, 1978.[3] Indeed it was Jäckel who first informed Irving of the document's existence, a fact that Irving himself acknowledged.[4] The full text of the typewritten document is as follows:

> Reich Minister Lammers informed me that the Führer had repeatedly explained to him that he wanted the solution of the Jewish Question put back until after the war. Accordingly the present discussions possess a merely theoretical value in the opinion of Reich Minister Lammers. But he will be in all cases concerned that fundamental decisions are not reached by a surprise intervention from another agency without his knowledge.[5]

However, the interpretation of this document is by no means as straightforward as Irving's description of it implies.

1. The document can be found in a folder of Reich Ministry of Justice files held at the German Federal Archives in Berlin (R 22/52). In terms of its appearance, it is a very unusual document: it has no date, no signature, none of the abbreviations usually used by the leading officials in the Ministry of Justice when signing memoranda, and not even an internal reference number (*Aktenzeichen*). The only direct clue to the background of the document is the name of the State Secretary in the Ministry of Justice, Freisler, which appears in handwriting above the hand-written abbreviation 'UB IV' and 'UB V' (possibly references to internal departments in the Ministry of Justice) in the bottom left-hand corner. However, this writing appears not to be by Freisler himself, and it is not clear from the note itself whether Freisler is the author. The handwriting rather suggests that Freisler and two internal departments of the Ministry of Justice were to be informed of the content of the note. All the handwriting can establish is that the note was apparently written before August 1942, when Freisler left the post of State Secretary on his appointment as President of the People's Court.
2. When trying to analyse documents such as this, historians have to attempt to establish their background by examining the context of the file in which the document are located. Even this is far from straightforward in the present case. The file (R 22/52) is not an original file kept by ministerial officials in the 'Third Reich', but rather a large collection of documents (204 pages) put together after 1945. It contains various original and copied documents relating to issues regarding Jews in Germany which touched in some way on the authority of the Ministry of Justice, from the forcible 'Aryanisation' of Jewish property in the late 1930s, to the implications of the 13th *Verordnung zum Reichsbürgergesetz* of 1 July 1943.
3. Of all the documents collected in the file (R22/52), only five bear an older page reference in the top left corner (01/108 - 01/112). This older pagination has subsequently been crossed out, indicating that these five documents, which include the document in question ('Schlegelberger note'), originally belonged to the same file or context. However, this older page reference does not appear to be a German ministerial reference, nor is it an archival reference (these traditionally appear on the top right side of a page where the documents, as here, are single-sided). It is most likely that the deleted pagination was stamped on these five documents by the Allies in preparation for the Nuremberg trials. This theory is confirmed by documents prepared by the Office of U.S. Chief of Counsel. In a staff evidence analysis of 22 June 1946, the five documents are listed together as located in the Ministry of Justice files.[6]
4. This conclusion still does not allow the document in question ('Schlegelberger note') to be put into context beyond any reasonable doubt. For only three of the five documents clearly belong in the same context, namely that of ongoing discussions about the treatment of so-called 'mixed Jews' or 'half-Jews' (*Mischlinge*) and German Jews married to non-Jewish Germans (*Mischehen*) during the Spring of 1942. These three documents are as follows: (1) A letter by State Secretary Schlegelberger to the Head of the *Reichskanzlei*, Hans Heinrich Lammers. In

this letter, dated 12 March 1942, Schlegelberger raises objections to proposals regarding the fate of certain Jews and 'mixed Jews', which had been made at a conference on 6 March 1942, and requests a personal meeting with Lammers in that matter.[7] (2) Lammers's reply to Schlegelberger, dated 18 March 1942. Writing from Hitler's headquarters, Lammers informs Schlegelberger that he expects to return to Berlin at the end of the month, and would then arrange a date for a meeting.[8] (3) A letter by Schlegelberger to various party and state agencies, dated 5 April 1942, regarding proposals for the treatment of 'half-Jews' and Jews in 'mixed marriages'.[9]

5. By contrast, the fourth document dates not from spring 1942, but from 21 November 1941. It is an internal memorandum, signed by *Ministerialdirigent* Lutterloh, a senior civil servant in the Ministry for Justice with responsibility for personal and organisational matters. In the memorandum, Lutterloh noted that

> With reference to the current situation of the Jews, discussions are taking place in the Ministry as to whether the Jews are to be deprived of their right to take part in court proceedings, and whether their representation before a court is to be regulated in another way. In this matter the deciding factor is whether an immediate expulsion of all Jews can be reckoned with.[10]

10. At that time, the deportations of the German Jews to the East had already started and the view inside the Ministry of Justice was evidently that it made little sense to draw up new guidelines for the treatment of Jews before German courts if there were to be no Jews left in Germany within a short time anyway.

1. It is not immediately clear what the relation the fifth document (the 'Schlegelberger memorandum') has to these other four documents. There appear to be three different possibilities.
2. First, it might not stand in any relationship with either documents 1-3 or document 4. This does not very likely, yet this possibility cannot be totally dismissed. It is at least possible that the Allies, when collecting the five documents under examination here, mixed them together from different parts of the same file. In this case, the dating and meaning of the document would remain obscure. It may well have been written in 1940 or 1941, in which case the reference to Hitler's wish for the postponement of the 'Solution of the Jewish Question' until after the war at this point is perfectly compatible with Hitler having decided on the extermination of all European Jews later on.
3. Second, the document ('Schlegelberger memorandum') might be linked to the Lutterloh memorandum. As the discussions in the Ministry of Justice about the legal status of Jews in November 1941 were, according to Lutterloh, linked to the question of whether the German Jews would rapidly disappear from Germany or not, it is possible that a senior judicial official asked Lammers about the general direction of Nazi policy towards the Jews. Would they all 'disappear' soon or not?
4. On the whole, this interpretation does not appear to be very likely either, as Lammers would probably not have agreed to a meeting on issue of such comparatively minor importance. There is also no indication in the Lutterloh memorandum that such a meeting was sought by the Ministry of Justice. Still, this interpretation can not be dismissed completely. After all, Lutterloh had asked in his memorandum on 21 November 1941 that his assessment be passed on to State Secretary Freisler, whose name, as we have seen, also appears on the document in question ('Schlegelberger memorandum'). It is also striking that the document ('Schlegelberger memorandum') uses the same term for discussions ('Erörterungen') as the Lutterloh memorandum. Thus, it is at least thinkable

that Lammers had informed a senior judicial official (possibly Schlegelberger) sometime after 21 November 1941, that the current discussions in the Ministry of Justice were purely theoretical, as Hitler had stated in the past that the 'Final Solution' would only be carried out after the war.

5. This dating and context would also be perfectly compatible with the notion that Hitler did decide on the extermination of all European Jews at some later date. After all, the document in question ('Schlegelberger memorandum') does not refer to Hitler's present views ('Reich Minister Lammers informed me that the Führer *had* repeatedly explained to him...). Thus, Lammers might be repeating views which Hitler held some time in 1941 or even earlier. Indeed, some historians would even accept that Hitler was still voicing similar views in early 1942.

6. Thus the historian Peter Longerich has argued in a recent, document-based study of the National Socialist extermination of the Jews, in early 1942 the Nazi leadership still saw the extermination of Jews in the East (which was in fact already under way) merely as 'pre-emptions of the "final solution" which was first to be carried out to its full extent after the end of the war.' Only in spring-summer 1942 did Nazi policy escalate further, and it was decided that the 'Final Solution' (that is, the systematic extermination of all European Jews) would not be carried out mainly after the war, but already while the war was going on. In this context, it is important to remember that the Nazi leadership considered in the winter of 1941-42 that the war would be over relatively quickly, possibly well before the end of 1942, and only as the offensive on the Eastern Front became increasingly bogged down during the Spring of 1942 did they begin to realise that it would take a lot longer to bring to a conclusion.[11]

7. These first two possible interpretations of the document cannot be dismissed out of hand, and there will probably always remain some degree of uncertainty about the context in which it should be read and understood. There is a third possibility, however, and that is, that the document in question might be linked to the discussions in the Spring of 1942 regarding the fate of 'half-Jews' and Jews in 'mixed marriages' which form the context of documents one, two and three discussed above. This seems to be the most likely interpretation. It has also been advanced by several historians of Nazi Germany,[12] by one of the leading prosecution attorneys at the Nuremberg trials,[13] and indeed even by David Irving himself.[14] It is this interpretation which will now be investigated in greater detail, in order to establish what seems the most likely context into which the Schlegelberger memorandum can be put.

(ii) Nazi policy towards 'half-Jews' and 'mixed marriages'

1. In September 1935, the Nazis proclaimed the so-called Nuremberg laws, which outlawed sexual relations between Germans and Jews (apart from those already married) and made German Jews officially into second-class citizens.[15] These laws meant that the Nazis had to legally define who they regarded to be a 'Jew'. This issue was settled in the First Supplementary Decree to the Reich Citizenship Law of 14 November 1935. Falling back on religious definitions of Jews (and thus openly acknowledging the absurdity of Nazi racial ideology), a Jew was defined as 'anyone who is descended from at least three grandparents who are racially full Jews'. This last point was defined as follows: 'A grandparent shall be considered as full-blooded if he or she belonged to the Jewish religious community'.

2. However, German citizens with two grandparents who had belonged to the Jewish religion were classified in a crucially different way. Only if they, too, were members of the Jewish religion or married to a 'full Jew', were they classified by

the Nazis as 'Jews'. In all other cases (barring some other special circumstances), they were classified as 'half-Jews' (*Mischlinge*) 'of the first degree'.[16]

3. 'Half-Jews' faced various forms of discriminations, from being dismissed as civil servants to having to pay higher school fees than 'Aryans' did. But while their treatment continuously deteriorated during the 'Third Reich', the 'half-Jews' were still in a comparatively better position than those Germans who had been classified by the Nazis as 'full-Jews'. The privileged status of the 'half-Jews' (of whom there were an estimated 69,000 in Germany and Austria in 1939) compared to 'full Jews' was not accepted by some agencies in the Nazi dictatorship. The Nazi party and other officials (for instance in the *Sicherheitsdienst*) pushed for a change in policy and demanded that 'half-Jews' be treated in the same way as 'full Jews'. These demands were opposed by officials in the Ministry of the Interior and other government departments. Hitler was apparently ambivalent about the status of 'part-Jews' and did not decisively intervene in these debates.[17]

4. After the beginning of the deportation of German Jews to the East in autumn 1941, the question of what should happen to the 'half-Jews' apparently took on greater urgency for various Nazi officials. This became obvious above all at the notorious Wannsee conference of 20 January 1942. The general topic of the conference was the 'final solution of the European Jewish question'. In the first part of the conference, Heydrich informed the high-ranking party and government officials present, that Hitler had approved of the 'evacuation of the Jews to the east' as a solution to the 'Jewish question'. Heydrich left no doubt about the murderous fate which awaited the Jews:

> Large labour gangs will be formed from those fit for work...and undoubtedly a large number of them will drop out through natural wastage. The remainder who survive - and they will certainly be those who have the greatest powers of endurance - will have to be dealt with accordingly.[18]

5. Adolf Eichmann, who took these minutes at the meeting, after the war admitted that the minutes were put in euphemistic language, and that at the meeting itself the talk had been openly about 'killing and elimination and annihilation'.[19] The meeting voiced no opposition to the plans outlined by Heydrich. Soon after the Wannsee conference, Heydrich expressed his satisfaction that the 'basic line in respect of the final solution of the Jewish question has been set and complete agreement exists on the part of the agencies which are participating in it.'[20]

6. The same could not be said, however, for the special case of 'half-Jews' and Jews in 'mixed marriages' with people whom the regime defined as non-Jews or 'Aryans'. Even though their fate was discussed at great length in the second part of the Wannsee conference, no consensus was reached. As Heydrich pointed out at the meeting, an important precondition for the 'Final Solution' was 'the precise definition of the group of persons involved'. Heydrich thus suggested that '*Mischlinge* 1st degree are to be treated as Jews for the purpose of the final solution' [i.e. deported to the East], apart from certain exceptions such as 'half-Jews' married to partners classified by the Nazis as German. Those few 'half-Jews' allowed to stay in the *Reich*, Heydrich proposed, were all to be sterilised 'to resolve finally the *Mischling* problem'. Regarding 'mixed marriages', Heydrich argued that the 'decision on whether the Jewish partner should be evacuated or sent to an old people's ghetto must be decided from case to case depending on the effects of such a measure on the German relatives of this mixed marriage.'[21]

1. Heydrich's plans regarding the 'half-Jews', which repeated demands made in

summer 1941 by Nazi Party and SS radicals,[22] were not universally accepted. State Secretary Stuckart from the Ministry of the Interior criticised them as leading to 'endless administrative work'. He proposed that the 'half-Jews' be sterilised (rather than 'evacuated') and that in the case of 'mixed marriages', as he said, 'one ought also to contemplate ways by which the legislator might say, for example: "these marriages are dissolved"'.[23] In order to iron out these differences regarding the treatment of 'half-Jews' and 'mixed marriages', Heydrich called a 'detailed discussion' (*Detailbesprechung*) of lower-ranking state and party officials on 6 March 1942 in the Reich Security Head Office.[24]

2. It is absolutely vital to note that this conference, and the written exchanges by the participants in the aftermath of the conference, were *only* concerned with the issue of 'mixed marriages' and 'half-Jews'. The fate of the 'full Jews' was not raised, as it had already been agreed upon in principle, even if, as historians like Peter Longerich have argued, Nazi leaders had not yet abandoned their view that the total extermination of all European Jews would only be completed after the war was won[25] . Nevertheless, the conference on 6 March 1942 and the subsequent exchanges were still conducted under the general heading 'Final Solution of the Jewish Question'.[26] The reason for this is clear: the officials were still occupied with determining 'the precise definition of the group of persons involved' in the 'final solution', as Heydrich had put it at the Wannsee conference. Were 'half-Jews' also to be 'evacuated', or 'only' sterilised? And what would be the fate of Jews in 'mixed marriages'? All of these seemingly minor questions of detail were vital to the implementation of the 'Final Solution' and had already taken up a great deal of time at the Wannsee Conference itself. This was unfinished business from the Conference, in other words, and it is not surprising that it continued to be carried on under the general heading of the 'Final Solution of the Jewish Question'.

3. These matters of detail were thus debated at the meeting of 15 lower ranking state and party officials on 6 March 1942 under this very general heading - '*Endlösung der Judenfrage'*. The content of this meeting is detailed in several contemporary sources.[27] Regarding the 'half -Jews', Stuckart's proposal that they all be compulsory sterilised and then allowed to remain in the *Reich* was widely criticised. Most officials agreed that such mass sterilisations were impossible during the war, as hospital beds and doctors were needed for the war-wounded. It was also remarked that Stuckart's proposal would not lead to a complete 'solution of the half-Jew problem', for:

> According to a communication from the representative of the Party Chancellery, the view had been expressed, in the highest quarter, in connection with the discussion of half-Jew questions in the Army, that it was necessary to divide the half-Jews into Jews and Germans, and that it was in no way tenable to keep the half-Jews permanently alive as a small race. No account would be taken of this demand if all half-Jews were to be sterilised and allowed to stay on Reich territory.

10. 'In the highest quarter' was the traditional bureaucratic designation for the head of state, or in this context, for Hitler. In view of the fact that Hitler had expressed himself on this issue, the meeting decided that Hitler should be presented both with Stuckart's proposal for the general compulsory sterilisation of all 'half-Jews', and with an alternative plan, which mirrored Heydrich's suggestions at the Wannsee conference. Under this proposal, 'half-Jews' would generally be equated with Jews, and 'evacuated' (possibly to special 'settlements' to be set up for 'half-Jews'). However, there was to be a one-off screening process of 'half-Jews', after which a relatively small group would be allowed to remain in

the Reich. In their case, the officials envisaged their 'voluntary' sterilisation 'as quid-pro-quo for the clemency accorded to them in being allowed to stay in the Reich.' But in case Hitler still opted for the Stuckart proposal, rather than this alternative plan, it was suggested that the sterilised 'half-Jews' should not be allowed to remain in the Reich, as they represented a political and administrative 'burden'. Rather, they should be deported to a special 'settlement' for 'half-Jews'.

11. The representative of the Propaganda Ministry at the conference on 6 March 1942 also criticised the proposal Stuckart had made at the Wanssee conference regarding the issue of 'mixed marriages'. He rejected the promulgation of a law which would forcibly dissolve all marriages between German Jews and non-Jewish Germans on political grounds, especially as the Vatican would probably criticise such a law. The representative of the Ministry of Justice also opposed the proposed law out of general legal considerations. In the end, the officials at the meeting put forward a compromise solution, which, however, was still close to the original proposal for forcible divorces. The German partners in 'mixed marriages' were to be given the option to approach the courts for a divorce, which would then be granted automatically. However, if the German partners failed to do so within a specified time-frame, then

> The state prosecutors will be instructed to institute divorce proceedings. The divorce decree will then depend solely on the ruling that one marriage partner is fully or half-Jewish. The Head of the Security Police and the SD (Heydrich) will make this ruling. The state prosecutors and the courts will be bound by the ruling of the Head of the Security Police and the SD.[28]

1. When the lower-ranking officials reported to their superiors about the outcome of the conference on 6 March 1942, several senior officials immediately raised concerns. On 16 March 1942, State Secretary Stuckart from the Ministry of the Interior sent a letter to seven of the state and party offices which had been represented at the 6 March 1942 meeting. In this letter under the heading 'Re: Final Solution of the Jewish Question' Stuckart reiterated his vehement opposition to the plan 'to equate the half-Jews with the Jews and to incorporate them into the expulsion action already in progress for Jews'. He reiterated his proposals for the 'natural dying-out of the half-Jews within the Reich territory' after their sterilisation.[29]
2. The discussions at the conference on 6 March 1942 also rang alarm-bells in the Ministry of Justice. When the acting Minister of Justice, Franz Schlegelberger, was informed by the ministries' representative at the meeting, Massfelder, of the discussions, he immediately wrote to Hans Heinrich Lammers, the head of the Reich Chancellery. It is at this point that we return to the three documents collected in the file in the German Federal Archives (R 22/52). In his letter to Lammers on 12 March 1942, Schlegelberger noted that the meeting of 6 March 1942 had prepared the ground for decisions, 'which I must hold to be in large part completely impossible': 'Since the result of the discussions, in which indeed an adviser from your Department took part, is to form the basis for the Führer's decision, I urgently wish to discuss this matter with you personally in good time.'[30]
3. In a letter sent some three weeks later to seven of the state and party offices which had been represented at the 6 March 1942 meeting, Schlegelberger set out exactly which proposals he objected to. Again, this letter is written under the heading 'Re: Final Solution of the Jewish Question'. At the beginning of his

letter Schlegelberger reiterated Heydrich's demand at the Wannsee conference for a clear definition: 'The final solution of the Jewish question demands a clear and permanently determining prior delimitation of the group of people to which the measures envisaged are to be applied.'

4. Schlegelberger then moved on to discuss in detail the different proposals for the treatment of 'half-Jews' and 'mixed marriages'. Regarding the former, Schlegelberger supported Stuckart's proposal that

> Preference is to be given to the prevention of the reproduction of these half-Jews over their equal treatment to that of the full Jews and the expulsion connected with it. The fertile half-Jews should be given the choice of submitting to sterilisation or to being expelled in the same way as full Jews.

Those 'half-Jews' with children who were not classified as 'half-Jews', Schlegelberger suggested, could possibly even be exempted both from sterilisation and 'expulsion'.

16. Regarding 'mixed marriages', Schlegelberger raised no objections to the proposals that procedures for divorce applications by non-Jewish Germans married to German Jews or 'half-Jews' be simplified. However, Schlegelberger strongly opposed the proposals for forcible divorces which had been made at the conference on 6 March 1942:

> Substantial reservations exist in respect of compulsory divorce, perhaps on the application of the state prosecutor. Such compulsion is unnecessary because the marriage partners are separated from one another in any case by the expulsion of the Jewish partner. Compulsory divorce is, however, also pointless, because even if it removes the ties of marriage, it does not remove any inner ties between the marriage partners.

17. No doubt, Schlegelberger also opposed the proposals for forcible divorces made at the conference on 6 March 1942, as they would have left the entire decision-making process in divorce issues regarding Jews to Heydrich's officials. Courts and judges were to be given no option but to grant divorce petitions approved by the Reich Security Head Office. Throughout the Nazi years, the Ministry of Justice was consistently concerned to maintain at least the formal appearance of judicial independence, and here was a proposal which threatened to undermine it. In practical terms it would also have removed a significant area of decision-making from the Ministry's purview.

1. It was these issues, the treatment of the 'half-Jews' and 'mixed marriages', which Schlegelberger wanted to raise with Lammers. Schlegelberger was clearly not concernced about the fate of 'full Jews'. As we have already seen, their fate had already been agreed upon in principle by the different state and party officials at the Wannsee conference. On 18 March 1942, Lammers, writing from Hitler's headquarters, replied to Schlegelberger's request for a meeting. Under the heading: 'Re: Complete Solution of the Jewish Question', Lammers agreed to meet Schlegelberger. A date for the meeting would be fixed upon Lammers's return to Berlin, which he expected to be at the end of March 1942.[31]

2. It seems very likely that the document in question ('Schlegelberger memorandum') is Schlegelberger's record of this meeting with Lammers, which according to the historian Eberhard Jäckel took place on 10 April 1942.[32] Lammers at the meeting apparently informed Schlegelberger that Hitler had repeatedly told him in the past, that the issue of 'half-Jews' and 'mixed marriages' would be

solved after the war. This is the only reasonable interpretation of the phrase 'solution of the Jewish question' (*Lösung der Judenfrage)* used in the note. As has been clearly demonstrated, Schlegelberger did not seek a meeting with Lammers to discuss the 'evacuation' of Jews to the East in general. This had already been decided upon. He only wanted to raise the issue of 'half-Jews' and 'mixed marriages'. It has also been shown that the debates about this very specific issue in March and April 1942 were conducted under the general heading 'Final Solution of the Jewish Question' (*Endlösung der Judenfrage*).

3. This interpretation of the document is supported by other sources as well. In preparation for the Nuremberg trials, Allied prosecutors interrogated several officials who had been involved in the discussions regarding 'half-Jews' and 'mixed marriages' in spring 1942. Some officials, like Franz Rademacher from the Foreign Office, simply claimed that they did not remember a thing about the conference on 6 March 1942, even though Rademacher had himself passed on a summary of the meeting to his superiors.[33] Edinger Ancker, who had represented the Party Chancellery at the meeting on 6 March 1942, suffered from a similar loss of memory.[34] However, two officials from the Reich Chancellery (headed by Lammers), Hans Ficker and Gottfried Boley, did give testimonies about the discussions in spring 1942. These testimonies were certainly self-serving (for instance, Ficker claimed ignorance about the extermination of the Jews) and have to be treated with some scepticism. As Ficker admitted, he had talked about the meeting on 6 March 1942 'more than a dozen times' with Boley in an internment camp.[35] Nevertheless, these interrogations broadly confirm the context of the document in question ('Schlegelberger memorandum').

4. Asked about the exchange of letters between Lammers and Schlegelberger in March 1942, Ficker recalled that in early 1942 the Reich Chancellery had received an invitation from the Reich Security Head Office for a discussion regarding the 'Final Solution of the Jewish Question' (*Endlösung der Judenfrage*). It is clear that this was the conference on 6 March 1942, which was to discuss the treatment of 'half-Jews' and 'mixed marriages'. Ficker at that time was *Kabinettsrat* in the Reich Chancellery, which he had joined at the beginning of the Second World War. Previously, he had been a senior official (*Ministerialrat*) in the Ministry of Justice. According to his testimony, Ficker totally rejected the proposals to be discussed at the 6 March 1942 meeting and refused to represent the Reich Chancellery. Instead, a junior official in the Reich Chancellery, Boley, was sent to the conference. Boley was indeed present at the conference on 6 March 1942.[36] State Secretary Kritzinger, as Ficker testified on 20 December 1946, strictly instructed Boley

> in no way to express a position on the issue, but just to report the result of this meeting. This Boley did; on the basis of his written report of the meeting, it was suggested to the Minister (Lammers) that he should now already, that is, before the responsible department heads or State Secretaries had expressed their views, report on the matter to the Führer and suggest a postponement for the time being of the whole problem (.i.e. what to do with 'half-Jews' and mixed marriages). This report followed, and Hitler decided that this so-called 'final solution' should now be postponed until the end of the war. This was in my opinion communicated to the Reich Security Head Office. Before this decision had been obtained, State Secretary Schlegelberger, who at that time was entrusted with carrying out the business of the Reich Justice Ministry, had written a letter which, I believe, was sent to various recipients, also including Reich Minister Lammers, [this is incorrect; the letter was not sent directly to Lammers]…Since the decision of Hitler had gone out in the meantime,

it was necessary to inform State Secretary Schlegelberger of it.[37]

Further testimony by Ficker makes it clear that all that was discussed between Lammers and Hitler, and subsequently Lammers and Schlegelberger, was the issue of 'half-Jews' and 'mixed marriages'.

22. Once Boley reported back to the Reich Chancellery with the results of the conference on 6 March 1942, Ficker stated on 19 February 1947, 'Lammers went straightaway to Hitler and said, this proposal has been put forward, that won't do, we must postpone this matter. And thereupon he came with an instruction from Hitler to postpone the whole matter to the end of the war.'[38] Ficker supplied more detail about the context in his testimony on 11 June 1947. After the conference on 6 March 1942, Boley returned to the Reich Chancellery and

> Tabled a note about the session…Lammers was not in Berlin. At that time we tabled the matter with a note from Boley and Kritzinger was agreed that the matter should be postponed to the end of the war. After the report to the Führer the Minister (Lammers) came back with the same note too.[39]

22. Boley also testified about the aftermath of the conference on 6 March 1942:

> The minutes were sent to the individual departments and these were to give their opinion on the matter. Weeks later, the Reich Chancellery received a demand (from the Reich Security Head Office) in pretty impolite manner…to take a position. Thereupon we replied saying we refused to take a view. For us, and also for myself, the matter was thus closed. Lammers also claimed in a conversation we had after the end of the war that he had stopped it being carried out by reporting to Hitler.[40]

1. What these testimonies show, despite their various internal inconsistencies and the various self-serving statements put out by these witnesses, is that it is very likely that the document in question ('Schlegelberger memorandum') is Schlegelberger's record of a meeting with Lammers, which took place in the wake of the conference on 6 March 1942, and dealt with Schlegelberger's opposition to certain proposals regarding 'half-Jews' and 'mixed marriages'.
2. How can we explain Hitler's uncertainty and ambivalence regarding 'half-Jews' and 'mixed marriages'? There can be no doubt that Hitler was very hostile towards 'half-Jews'. Already in *Mein Kampf*, he had made tasteless remarks about 'cross-breeding' and 'bastards', and in spring and summer 1942 his attitude towards the *Mischlinge* clearly became more radical. In June and July 1942 he repeatedly complained that various agencies used excessively 'mild criteria' in assessing 'half-Jews'. On 10 May 1942, he told General Jodl that

> He regretted the many exceptions which the Army was making in the recruitment of fifty-per cent half-Jews. For experience proved that from these Jewish descendants four, five, six generations long, pure Jews bred out again and again. These pure-bred Jews posed a great danger! In principle he would now only permit exceptions in quite special cases.[41]

1. At the same time, Hitler was apparently not prepared simply to brush aside the criticisms uttered by the Ministry of the Interior and the Ministry of Justice and follow the demands by the party radicals to include most 'half-Jews' and Jews in 'mixed marriages' in the extermination ('expulsion') programme. There are numerous possible reasons for this. Hitler repeatedly chose not to interfere with internal conflicts between different agencies of the Nazi dictatorship, in an at-

tempt to avoid association 'with possible unpopular policy options'.[42] This may have been an instance of such a refusal. He also probably wanted to avoid causing unrest among the non-Jewish relatives or partners of the Jews involved. Unlike those Germans classified as 'full Jews', the 'half-Jews' and Jews in 'mixed marriages' were not yet totally cut off from the rest of the German population, as they still often had one parent classified as German, or were married to a German partner. That these 'Aryan' Germans would not necessarily allow deportations to go ahead without resistance was powerfully confirmed in the famous Rosenstrasse incident in February 1943, when a large crowd of 'Aryan' German women successfully staged a public demonstration to force the release of some two thousand of their arrested Jewish husbands and even the return of a handful who had already been sent to Auschwitz.[43]

2. In fact, Hitler failed to issue an authoritative order that discussion of the issue should be postponed. After all, Lammers in his discussions with Schlegelberger did not claim to have actually spoken to Hitler about the different proposals made regarding 'half-Jews' and Jews in 'mixed marriages'. All Lammers stated was that Hitler *in the past* had repeatedly said that a decision in the matter should be postponed until after the war. As Hitler did apparently not make any clear decision in Spring 1942, the discussions continued throughout Summer and Autumn 1942. On 16 July 1942, Alfred Meyer, an official in Rosenberg's Reich Ministry for the Occupied Eastern Territories, sent a letter regarding the status of 'half-Jews' to various state and party agencies, which had been involved in the discussions that same spring. At a conference in the Ministry for the Occupied Eastern Territories, several state and party officials had already proposed on 29 January 1942 that in Czechoslovakia, Romania, Croatia, the General Government and in the occupied Eastern territories all 'half-Jews' and non-Jewish wives married to Jews were to be classified as Jews.[44] In the letter of 16 July 1942, the Ministry for the Occupied Eastern Territories informed the other officials that it proposed that a 'decision of the Führer' be requested regarding the different proposals made for the treatment of 'half-Jews' at the conference on 6 March 1942. In this context, Himmler wrote ten days later to the Head of the SS Main Office, Gottlob Berger. While Jews were all to be exterminated, no binding decision should be made about the definitions (and thus the status of the 'half-Jews'):

> I. I urgently request that no decrees should be issued concerning the concept of a Jew. We only tie our hands with all these stupid definitions.
>
> II. The occupied Eastern territories are going to be freed from the Jews. The *Führer* has placed the responsibility for implementing this very difficult order on my shoulders. I forbid any discussion...[45]

27. However, this did not put an end to the issue. On 27 October 1942, yet another conference took place in the Reich Security Head Office, under the heading 'Final Solution of the Jewish Question' (*Endlösung der Judenfrage*). Like the meeting on 6 March 1942, it was entirely devoted to the issue of 'half-Jews' and 'mixed marriages', and included no less than eight of the participants of this earlier conference, including Boley and Massfelder. Regarding 'half-Jews', the participants were informed that

> findings and new experiences in the area of sterilization [possibly a reference to experiments which had just started in Auschwitz][46] will probably make it possible to carry out sterilization in simplified form and in a shortened operation already during the war. Having regard to this, it was

agreed that the proposal to sterilize all half-Jews of the first degree should be approved.[47]

28. Yet, this programme was never implemented and the issues were never resolved. As a consequence, most *Mischlinge*, as well as many Jews in mixed marriages, survived the war.

(iii) Conclusion

1. This detailed investigation has made clear that David Irving is wrong to claim with absolute certainty that the document in question was dictated by Franz Schlegelberger in Spring 1942. As has been shown, this is merely one of several possible interpretations, albeit the most convincing one. Irving is utterly misleading when he argues that the document 'is incompatible with the notion that Hitler had ordered an urgent liquidation programme' and shows that Hitler 'ordered "No Final Solution"'.[48] As has been demonstrated, an examination of the historical context makes clear that the 'present discussions' to which the document refers, were most probably the discussions taking place in the spring of 1942 about divorce proceedings for Jews in 'mixed marriages' and measures against 'half-Jews'. These discussions took place under the general heading 'Final Solution of the Jewish Question' (*Endlösung der Judenfrage)*. In this context, the overwhelming likelihood is that Lammers's reference to views Hitler had expressed in the past that the solution of the 'Jewish question' be postponed until after the war was over, referred only to the fate of 'half-Jews' and Jews in 'mixed marriages'. The fate of 'full Jews', by contrast, had already been decided upon in principle. Yet, until the position of the borderline categories was finally clarified, the 'Jewish Question' as many Nazis understood it could not be regarded as completely solved. Lammers's reference to a possible surprise intervention from another agency was probably meant to reassure Schlegelberger that more radical officials in other party or state positions who, as we have seen, favoured a more drastic solution, would not be allowed to resolve the issue without Schlegelberger's considerations being taken into account.
2. The absurdity of Irving's claims regarding the document can be demonstrated in two other ways. First, if the term 'final solution' was really understood to mean, in each and every context in which it was used by the Nazis, the total physical extermination of the Jews in Europe, as Irving implies, then the document immediately would make clear that Hitler did know about the plan to exterminate Europe's Jews, even if he did want it postponed until after the war. Surely Irving would not want this implication to be drawn from the document in question; the inference would run counter to everything he has previously argued about Hitler, and indeed he does not draw it here.
3. Secondly, the actions of the Ministry of Justice regarding the Jews from spring 1942 onwards are absolutely incompatible with the Ministry officials having received any *general* order from Hitler which stated '"No Final Solution"', or in other words, no killing of Jews. On 16 April 1942, only six days after Schlegelberger's presumed meeting with Lammers, the Ministry of Justice issued a directive to all Chief State Prosecutors in Germany stating that the Ministry supported the 'evacuation' to the East of the Jewish inmates of all German penal institutions. On this date, regional judicial authorities were instructed by the Ministry that 'the implementation of a prison sentence against Jews who are to be evacuated is to be discontinued after a requisition by the state police authority'. In such cases, the prisoners were to be directly handed over to the Gestapo. The same principle was applied to Jewish prisoners awaiting trial on remand, 'unless', the Ministry added in a revealing phrase, 'it is expected that

they will be sentenced to death', showing that judicial officials clearly understood that 'evacuation' was a synonym for 'execution'.[49]

4. All the remaining Jews in state penal institutions were handed over to the police (together with other selected 'asocial' state prisoners) after a meeting between Himmler and the new Minister of Justice, Otto-Georg Thierack, on 18 September 1942 'for annhihilation through labour'. More than 1,000 Jewish prisoners were transported straight to Auschwitz following this agreement.[50] Finally, on 13 October 1942, Thierack wrote to Martin Bormann to inform Bormann of his plans that in future the judicial courts would no longer prosecute any offences by Jews, as well as other 'racial aliens' (Russians, Poles and Sinti and Roma). Instead, such offenders should be left to the SS and police. Thierack explained his motives with reference to the fact that

> The judicial system can only contribute in small measure to exterminating members of this race…There is no sense either in conserving such persons for years on end in German prisons and penitentiaries….On the contary it is my belief that substantially better results can be achieved by delivering such persons to the police, who can then take their measures free of the threat of legal prosecution.[51]

5. Thus, the Ministry of Justice since 1942 was actively involved in the extermination of Jews. Whatever Schlegelberger had come away with from his meeting with Lammers, it was clearly not the impression that it was Hitler's wish that the Jews were not to be exterminated. Schlegelberger also did not mention any such wish in his testimony at the Nuremberg trials.[52] In contrast, the Ministry of Justice made apparently no further policy advances regarding 'half-Jews' after the meeting between Lammers and Schlegelberger. Thus, Thierack agreed in October 1942 that the issue of the 'half-Jews' should be left alone until the end of the war.[53]

6. Irving is well aware that the historical context of the document in question ('Schlegelberger memorandum') is most likely to have been the discussions regarding 'mixed marriages' and 'half-Jews' in spring 1942. He has even accepted this himself.[54] He knows the documents which support this conclusion. The fact that he continues to mislead the public with his claim that the document proves that Hitler 'ordered "No Final Solution"' is testament to his obsessive belief in Hitler's innocence which, here as in so many other instances, has led him to misrepresent a documentary source in the interest of a historically untenable argument.

7. Peter Hoffmann, a leading specialist on the history of the German resistance, noted in 1989, when Irving repeated his account of the Schlegelberger memorandum in his biography of Hermann Göring:

> Mr. Irving knows that this is part of a file regarding the legal status and definition of German Jews of mixed parentage and those married to non-Jewish partners…. Apparently, 11 years after the West German historian Eberhard Jäckel first showed and explained the document to him, Mr. Irving is still too pleased with its possibilities to see that it defeats his purpose. By publishing it as "proof" that Hitler did not want the Jews murdered, Mr. Irving accepts the term "solution of the Jewish question" as meaning mass murder, and he accepts Hitler's knowledge of the program. Had he taken it at its discernible face value, he would have avoided the logical trap. Further, he put himself in the position of accepting second-hand evidence on Hitler's wishes in the mat-

ter, so that he cannot convincingly contrive to exclude the mass of available secondhand evidence contradicting his interpretation.[55]

8. Ten years previously, after first demolishing Irving's interpretation of the document, Jäckel had written that Irving knew full well how limited its significance was. 'But he only ever sees and collects what fits his story, and even now he will not let himself be dissuaded from understanding what he wants to by the phrase 'postponement of the Jewish question.' Jäckel predicted that Irving would soon repeat it in his books once more. That he would still be repeating it so many years after it had been disproved, would come therefore as no surprise to him.[56] This supposedly key document in Irving's arsenal of alleged documentary proof of Hitler's lack of culpability for the extermination of the Jews has long been regarded by professional historians as nothing of the kind.

(f) <u>The Goebbels diary entry of 27 March 1942</u>

(i) Historical context

1. On 1 September 1939, German troops invaded Poland, and overran and defeated it within weeks. The most western parts of Poland were incorporated directly into the German Reich (Danzig Westpreussen; Warthegau; Zichenau). The central parts of Poland under German control, next to the new Soviet borders, were placed under German civilian administration. This area became known as the General Government.
2. Soon after the invasion of Poland, leading Nazis, including SS leader Heinrich Himmler, began to put into action a wide-scale plan of ethnic cleansing in the new territories under German control. In September 1939, Hitler had suggested establishing three distinct population belts from west to east: the first, the territory which was incorporated into Germany, was to become totally German, through the expulsion of Jews, Gypsies and Poles. The place of these people was to be taken by ethnic Germans from other parts of Eastern Europe. The Poles were to be concentrated in the second, central area of Poland, the western part of the General Governement. Finally, the Jews were to be deported into the third area, the most eastern region of the General Government, the Lublin region.[57] In the following years, this 'ethnic domino-policy' was partially realised by the forcible deportation of many thousands of Jews from the Warthegau to the General Government.[58] By early 1942, about 2.3 Million Jews were living in the General Government.[59]
3. The freedom of movement of the Polish Jews was restricted, as more and more were forced into ghettos set up by the Nazis from 1940 onwards. Living conditions in the ghettos deteriorated rapidly. Local Nazi officials failed to provide sufficient food, heating materials and other vital resources. However, the long-term aim of Nazi policy at this time concerning the Jews was not yet extermination, but forced deportation. Thus, in early summer 1940, after the defeat of France, the Nazi leadership began seriously discussing the transportation of all European Jews to the French island of Madagascar.[60]
4. The German invasion of the Soviet Union on 22 June 1941 marked a watershed. The mass murder of Soviet citizens in general, and Jews in particular, had been decided upon before the invasion.[61] Specially formed task forces (*Einsatzgruppen*) immediately followed the army into newly conquered Soviet territory and soon started to kill all Soviet Jews, without consideration of age or sex. One of these task forces reported on 15 October 1941 that it had already killed 118,430 Jews since late June 1941.[62] As the task forces only executed Jews living on former Soviet territory, Nazi officials searched for ways to extend the murderous programme to Jews living in the General Government. Probably sometime in autumn 1941, the former Gauleiter of Vienna and SS and Police leader in Lublin,

Odilo Globocnik, was charged by Heinrich Himmler with the extermination of Jews living in the General Government.[63]

5. In late 1939, the Nazis, acting on a specific written order signed by Hitler, had started the extermination of the mentally and physically handicapped, the so-called 'euthanasia' programme. By August 1941, over 70,000 people had been murdered in several designated asylums all over Germany. Most of the victims were gassed. Once the Nazis had decided to exterminate the Jews, the individuals involved in operating the 'euthanasia' programme were transferred to the east.[64] Their technical expertise in mass murder was required for the construction and running of extermination centres set up in order to kill the Jews. An extermination centre was established at Chelmno, in the Warthegau, where an SS unit under Herbert Lange, who had been in charge of the 'euthanasia' gas vans in Germany in 1940, began gassing Jews in December 1941.[65]
6. In the General Government, a camp was set up in the small town of Belzec (south-east of Lublin) in the most eastern corner of the General Government. Construction started in November 1941, and in December 1941, Christian Wirth, a former senior member of the 'euthanasia' programme, arrived in Belzec to take up his position as camp commander. Gas chambers were built, connected to an armoured car engine which was set up outside the gas chambers. The carbon monoxide fumes were used to murder the victims in the gas chambers. In March 1942, the first Polish Jews from the General Government, were transported to Belzec by train, and murdered.[66] To increase the capacity for murder, and to shorten the length of the transports, two further death camps were set up in the General Government: the first gassings in Sobibor (east of Lublin) took place some-time in April or May 1942, while killings in Treblinka (north of Lublin) started in July 1942.[67]
7. This operation was officially terminated in October 1943, and by November 1943, the three camps had been dismantled. According to estimates by Professor Wolfgang Benz, around 1.75 million Jewish women, men and children, mostly Jews, were murdered in Belzec, Treblinka and Sobibor. Probably more than 90% of the victims came from the General Government, while the others came from territory as far away as Holland, Macedonia and France.[68] Tens of thousands more Polish Jews were shot by German police officers, organised in so-called police battalions.[69] Himmler congratulated Globocnik for his part in organising the genocide in the General Government. On 30 November 1943, Himmler wrote to him:

> I would like to express to you my thanks and appreciation for the great and unique service which you have performed for the whole German people by carrying out the 'Reinhard Action'.[70]

8. These events have been established by exhaustive archival research, and are not disputed by serious historians.

(ii) David Irving's claims in the first edition of Hitler's War

1. In the first edition of *Hitler's War* (1977), David Irving claims in several passages that Hitler was kept in the dark in the first half of 1942 by other Nazi officials such as Goebbels and Himmler about the extermination of Jews in the East. This is part of his general argument that Hitler knew nothing of the 'final solution'. In one such passage, Irving writes:

> The ghastly secrets of Auschwitz and Treblinka were well kept. Goebbels wrote a frank summary of them in his diary on March 27, 1942, but evidently held his tongue when he met Hitler two days later, for he quotes

only Hitler's remark: "The Jews must get out of Europe. If need be, we must resort to the most brutal methods".[71]

How does Irving use the diary entry in question to substantiate this claim?

(A) Omission of reliable sources: the Goebbels diary entry of 27 March 1942

1. Irving refers to the diary entry for 27 March 1942 and Goebbels's subsequent conversation with Hitler as evidence that Goebbels by this time knew of the details of the mass extermination camps operating in the East, and that Hitler did not. However, the full diary entry gives a very different impression from that conveyed by Irving:

> The Jews are now being pushed out of the General Government, beginning near Lublin, to the East. A pretty barbaric procedure is being applied here, and it is not to be described in any more detail, and not much is left of the Jews themselves. In general one may conclude that 60% of them must be liquidated, while only 40% can be put to work. The former Gauleiter of Vienna [Globocnik], who is carrying out this action, is doing it pretty prudently and with a procedure that doesn't work too conspicuously. The Jews are being punished barbarically, to be sure, but they have fully deserved it. The prophesy that the Führer issued to them on the way, for the eventuality that they started a new world war, is beginning to realise itself in the most terrible manner. One must not allow any sentimentalities to rule in these matters. If we did not defend ourselves against them, the Jews would annihilate us. It is a struggle for life and death between the Aryan race and the Jewish bacillus. No other government and no other regime could muster the strength for a general solution of the question. Here too, the Führer is the persistent pioneer and spokesman of a radical solution, which is demanded by the way things are and thus appears to be unavoidable. Thank God, during the war we now have a whole series of possibilities which were barred to us in peacetime. We must exploit them. The ghettos which are becoming available in the General Government are now being filled with the Jews who are being pushed out of the Reich, and after a certain time the process is then to renew itself here. Jewry has nothing to laugh about...[72]

2. Clearly, Irving is right to use this diary entry to show that Goebbels knew the operational details of the mass extermination in the East. However, Goebbels clearly did not refer to Auschwitz or Treblinka, as Irving claims. The reference to Globocnik, and to killings taking place in the east of Lublin, make clear that Goebbels is writing about Belzec. More importantly, aside from this elementary factual error, Irving does not tell his readers that Goebbels described Hitler as having pushed for this 'radical solution'. Irving simply omits the entire passage relating to Hitler, as he did in the 1991 edition of *Hitler's War*, because this statement by Goebbels discredits Irving's claim that Hitler knew nothing about the extermination camps in the East.[73] If Hitler was ignorant, how could he be 'the persistent pioneer and spokesman of a radical solution'? Thus, Irving manipulates the diary entry to argue the exact opposite of what it actually shows.

3. Irving tries to justify himself in his reply to the defence by arguing that Goebbels's claim Hitler's complicity should be regarded simply as 'gratuitous references to

the Führer' and discarded as untrue:

> ...when analysed, these references boiled down to (a) the empty rhetoric of a diarist dictating orally to a subordinate private secretary (Richard Otte), and (b) Goebbels's by now familiar alibi-ing technique, of ascribing some historic act - be it Hitler's decision to stand against Hindenburg, or the 'Kristallnacht', or some other event - *post facto* to The Will of an omnipotent and omniscient Führer. The perceptive historian does not fall for such subterfuges, particularly given the Goebbels Diaries' troubled relationship with the truth. In short the passage quoted is evidence in law against Goebbels, but not against Hitler.[74]

4. Irving's manipulation and distortion of Hitler's and Goebbels's role in 'Kristallnacht', the anti-Jewish progrom of November 1938, has been discussed previously. Here, we will deal with Irving's other claims in this passage.

5. First, the question whether Goebbels's dictated this passage or not is irrelevant to the issue, particularly in view of the fact that his diary entries relating to the '*Kristallnacht*' were not dictated. Far from using 'empty rhetoric', Goebbels in fact repeats several of Hitler's own thoughts. For the reasons given by Goebbels for the extermination of the Jews in his diary had also been expressed in similar form by Hitler in the previous year. In July 1941, Hitler stated: 'If even one state, on whatever grounds, tolerated a Jewish family in its midst, this would become the breeding-ground for bacilli for a new subversion.'[75] On 12 December 1941, Hitler spoke about the Jews in front of the *Gauleiters* (noted down by Goebbels himself):

> With reference to the Jewish question, the Führer is determined to clear the decks. He prophesied to the Jews that if they should once more bring about a world war, they would experience their own annihilation in doing so. That was no mere talk. The world war is there, the annihilation of Jewry must be the necessary consequence. The question is to be considered without any sentimentality. We aren't there to have sympathy with the Jews, only sympathy with our German people.[76]

6. Far from keeping the knowledge of the mass extermination in the camps in the East from Hitler, as Irving claims, Goebbels not only describes Hitler as the originator of the most radical measures taken against the Jews, but even uses Hitler's line of argument to justify this murderous policy.

7. Secondly, Irving's selective use of the Goebbels diary is not based on neutral analysis, as he claims, but it is motivated by his attempt to absolve Hitler of responsibility for the extermination of the Jews. Irving accepts as accurate all those passages in the diary which confirm Goebbels's involvement, and dismisses all the passages implicating Hitler as 'alibis'. Irving is open about this biased use of the Goebbels diary. He claims that the diary 'is acceptable as evidence against Goebbels, but not necessarily against third parties. A distinction must be drawn therefore between what he admits putting to his Führer, and what he alleges the Führer to put to him.'[77] But for which audience were these 'alibis' inserted by Goebbels? If Goebbels really did try in his diary to shift the blame for the extermination of the Jews onto Hitler, and away from himself, why did he include so many passages which showed that he himself favoured the mass extermination of the Jews? Why did he sometimes even show himself as suggesting radical measures to Hitler rather than simply taking orders from

him?[78] As a means of absolving its author of blame, the diary is worse than useless. Surely Goebbels was cleverer than that. In any case, it is clear throughout that Goebbels never expected to be called to account for his actions by a hostile power or a disapproving posterity. He passionately believed in the prospect of the 'Thousand-Year-Reich' and he clearly wrote the diary to show the future inhabitants of that state how important his own role had been in its creation.

8. In *Hitler's War* (1977 edition) Irving relies on the Goebbels diary entries of 26 April 1942 and 29 May 1942 to show that Hitler did *not* know about the extermination of the Jews while Goebbels himself did. So why did Goebbels not insert an 'alibi' here? Why did Goebbels not pin the blame for the extermination of the Jews on Hitler in these passages too? Irving's use of the diary shows him not to be a 'perceptive historian', but an incorrigible manipulator of evidence. If the diary, in Irving's view, exonerates Hitler, he accepts it as genuine. But if the diary implicates Hitler, Irving dismisses it as an 'alibi'. This selective use of the diary leads Irving to conclude that 'nowhere in the entire Goebbels diaries - *including* the unpublished years - is there any reference to Hitler's alleged initiative in the extermination of the Jews.'[79] This claim is completely false.

(C) False attribution of quotes and manipulation of evidence: the Goebbels diary entry of 30 March 1942

1. Irving claims[80] that Goebbels did not inform Hitler of the murderous activities taking place in Auschwitz and Treblinka when he met him on 29 March 1942. In order to support this claim, the account in *Hitler's War* of the Goebbels diary entry on 27 March 1942 is extremely selective. It is also clear from Goebbels's diary entry for 30 March 1942, which recorded the events of the previous day, that the propaganda minister did not meet Hitler on the 29 March 1942.[81] Hitler's remark ('The Jews must get out of Europe. If need be, we must resort to the most brutal methods') was made on 19 March 1942, as recorded in Goebbels's diary on 20 March 1942, and cannot therefore be used, as Irving uses it, as evidence that Goebbels 'held his tongue when he met Hitler' after writing his 'frank summary' of the 'ghastly secrets' of the extermination camps on 27 March. Nor does Irving publish the complete passage from Goebbels diary entry of 20 March. Goebbels recorded: 'We speak in conclusion about the Jewish question. Here the Führer remains, now as before, unrelenting. The Jews must get out of Europe, if necessary, with the application of the most brutal means.'[82] Thus Irving in 1977 omits Goebbels's characterisation of Hitler's stance as 'unrelenting', an ommission he repeated in the 1991 edition of *Hitler's War*.[83]

(iii) Evaluation of Irving's defence of his claims

(A) Irving's defence

1. In his reply to Lipstadt's defence, Irving admits that Hitler's statement that the 'Jews must get out of Europe, if necessary, with the application of the most brutal means' was recorded in the Goebbels diary entry on 20 March 1941, not on 30 March 1941, as he had claimed in *Hitler's War* (1977).
2. Irving also admits that he was wrong to use this statement by Hitler as evidence that Goebbels, who had on 27 March 1942 noted down in his diary a frank account of the murder of the Jews, 'held his tongue when he met Hitler' two days later. As this Report has noted above, this meeting did not take place at all. In any case, Irving goes on to argue that this error is insignificant, claiming that

Hitler 'said the same thing again and again at this time, both before and after the March 27, 1942 entry, according to Goebbels's.[84]

3. In *Hitler's War*, Irving provides some examples which show, in his view, that Hitler still talked only about the deportation of Jews from Europe, and was therefore ignorant of their extermination. In particular, Irving refers to the Goebbels diary entries of 27 April 1942 and 30 May 1942, and Hitler's table talks of 15 May 1942 and 24 July 1942.[85] This Report will now therefore give detailed consideration to these four sources and to Irving's interpretation of them, beginning with the Goebbels diary entry for 27 April 1942 and the related Hitler table talk of 15 May 1942.

(A) *Irving's misrepresentation and misunderstanding of the sources: the Goebbels diary entry of 27 April 1942 and Hitler's table talk of 15 May 1942*

1. In his table talk on 15 May 1942, as recorded by Henry Picker, Hitler stated that the Jews were being deported to the East, and admitted that there was apparently some opposition to this policy among the German population:

> Our so-called bourgeoisie is lamenting today over just the same Jew who back then [in 1918] carried out this stab in the back, when he is pushed out to the East. The remarkable thing about it is that this bourgeoisie didn't however concern itself with the fact that 250,000 to 300,000 German people were emigrating from Germany a year, and about 75 per cent of the German emigrants to Austalia already died during the journey. No stratum of the population is more stupid in political things as this so-called bourgeoisie. If for reasons of state one renders a definite racial pest harmless, for example by beating him to death, then the entire bourgeoisie cries out that the state is a violent state. If however the Jew drives the German person…to emigration and the German person then loses his life on the journey to his emigration destination, then the bourgeoisie calls the state in which that is possible a state founded on the rule of law.
>
> That the Jew as a parasite is the person on earth most able to withstand any climate, and in contrast to the German settles down in Lapland just as in the tropics, is considered by not a single one [of the people] who weeps his crocodile tears after a Jew transported off to the East. In this case, as a rule, however, we have to do in the case of this philistine with a person who imagines he stands firmly on the basis of the Bible, although, however, he does not know that according to the reports of the Old Testament, the Jew cannot be harmed either by a sojourn in the desert nor a march through the Red Sea.[86]

2. A related statement was recorded by Goebbels on 27 April 1942 in his diary. Here, Hitler spoke about 'pushing Jews out of Europe', which since the failure of the Madagascar plan in the autumn of 1941 had meant deportations to the East into the former Soviet territory:

> I talk through the Jewish question extensively once more with the Führer. His standpoint with regard to this problem is unrelenting. He wants to force the Jews out of Europe absolutely. That is also right thus. The Jews have brought so much suffering upon our part of the earth that the hardest punishment that one can impose upon them is still too lenient. Himmler is pressing ahead at the moment with the great resettlement of the Jews from the German towns to the Eastern ghettos.[87]

3. These quotes do not show, as Irving has claimed, that Hitler was completely ignorant of the extermination of the Jews at this time. In this diary entry, Goebbels describes

Hitler as radical and unrelenting, just as he does in his diary entry of 27 March 1942. By this time, Goebbels already knew that 'resettlement' meant that the Jews were being exterminated in the East (as proven by his diary entry of 27 March 1942). So it is inconceivable that he would have characterised Hitler as a radical, if Hitler in reality had only been aiming to push the Jews out of Western and Central Europe, and not to kill them as well. This characterisation of Hitler as a radical makes sense only if Hitler, like Goebbels, also knew that 'pushing the Jews out of Europe' meant killing them when they got to the East.

1. This conclusion suggests that at his table talk of 15 May 1942, some three weeks after Goebbels diary entry of 27 April 1942, Hitler was well aware of the fate of the Jews in the East, despite his suggestion that Jews were able to 'withstand any climate'. For, whatever Hitler's reasons were for this absurd and cynical claim (which he had already made in similar form on 4 April 1942)[88] , Jews transported to the East faced a much worse enemy than a hostile climate: they had to face the *Einsatzgruppen*, the SS gassing facilities and other agencies of the Nazi killing machine, all hell-bent upon exterminating the Jews. In his table talk, Hitler even hinted at the violent fate of the Jews when he referred to 'racial pests' or '*Volksschädlinge*' being beaten to death. The context of this remark, with its juxtaposition to the (completely unfounded) claim that Jews had driven Germans from Germany in conditions in which many German emigrants died, clearly indicates that it was intended to refer to the killing of Jews.
2. Even this brief investigation makes clear that Irving's claim that these sources show that Hitler was ignorant of the extermination of the Jews is untenable. This conclusion is supported by further examination of the documents. What the Goebbels diary entry of 27 April 1942 and Hitler's table talk of 15 May 1942 have in common is that Hitler speaks about the concrete fate of the Jews in rather general terms. Thus, he refers to Jews being 'pushed out to the East', Jews being 'transported off to the East', and Jews being forced 'out of Europe'. What did these terms stand for and why were they employed by the Nazis? There was a central ambiguity in both Hitler's recorded private conversations and in his and Nazi propaganda. Genocide and extermination were invoked and justified in general terms, while the political reality and the detailed mechanics of the extermination programme were treated as a state secret and generally only referred to in coded language such as 'transported off to the East'.[89] There are a large number of instances where Hitler spoke openly about exterminating the Jews, at a time when these mass killings were already taking place.
3. These statements by Hitler are recorded in a great number of different sources, ranging from comments he made in private meetings to statements he uttered in public speeches. Irving either ignores these examples, or distorts their significance (as this Report has already demonstrated in its examination of Irving's account of the Goebbels diary entry of 27 March 1942 and Irving's account of the Hitler table talk on 25 October 1941), or disputes their veracity. These statements clearly suggest that Hitler was not ignorant about the fate of the Jews and that he did not merely assume that they were being transported to the East. Despite the fact that Hitler was careful not to mention any specifics or details about the extermination programme set up in the East or give anything away about its manner of operation, what he said was quite clear in its general reference to what was going on.
4. Already on 19 August 1941, almost two months after the murders of Soviet Jews by the SS task forces had begun, Goebbels noted in his diary:

> We speak about the Jewish problem. The Führer is convinced that his former prophecy in the Reichstag, that, if Jewry succeeded once more in provoking a world war, it would end with the annihilation of the Jews, is being confirmed. It is being rendered true in these weeks and months with a certainty that seems almost uncanny. In the East the Jews have to pay the price; in Germany

> they have paid it already in part and in future they will have to pay yet more. Their last refuge remains North America; and there they will also have to pay some time, sooner or later.[90]

8. In Hitler's table talk on 25 October 1941, as we have already seen, the following statement was recorded:

> In the Reichstag, I prophesied to Jewry, the Jew will disappear from Europe if war is not avoided. This race of criminals has the two million dead of the [First World] war on its conscience, and now hundreds of thousands again. Nobody can tell me: But we can't send them into the morass! For who bothers about our people? It's good if the terror that we are exterminating Jewry goes before us...I'm forced to pile up an enormous amount of things myself; but that doesn't mean that what I take cognisance of without reacting to it immediately, just disappears. It goes into an account; one day the book is taken out. I had to remain inactive for a long time against the Jews too.[91]

9. In a meeting with the Grand Mufti of Jerusalem on 28 November 1941, Hitler explained (according to the official minutes) that 'Germany stood for uncompromising war against the Jews' and that when the German armies had reached the southern exit from the Caucasus, 'the Führer would on his own give the Arab world the assurance that its hour of liberation had arrived. Germany's objective would then be solely the destruction of the Jewish element residing in the Arab sphere under the protection of British power.'[92] On 12 December 1941, a few days after the first Jews had been killed at the extermination camp set up in Chelmno, Hitler spoke about the Jews in front of the *Gauleiter* (noted down by Goebbels):

> With reference to the Jewish question, the Führer is determined to clear the decks. He prophesied to the Jews that if they should once more bring about a world war, they would experience their own annihilation in doing so. That was no mere talk. The world war is there, the annihilation of Jewry must be the necessary consequence.[93]

10. Only two days after this speech, Hitler met with Alfred Rosenberg, the Reich Minister for the Occupied Eastern territories, who showed him the manuscript of a speech he planned to make. As Rosenberg noted down on 16 December 1941, he [Rosenberg]'took the standpoint of not talking about the extirpation of Jewry. The Führer approved of this position and said, they had forced the war on us and they had brought destruction, it was no wonder if the consequences affected them first.'[94]

15. In his table talk on 25 January 1942, Hitler expressed sentiments similar to the ones at the table talk on 15 May 1942 discussed above:

> If I take the Jews out today, then our bourgeoisie becomes unhappy: what is happening then with them? But have the same people troubled themselves about what would become of the Germans who had to emigrate? One must do it quickly, it is no better if I have one tooth pulled out by a few centimetres *[sic]* every three months -, when it is out, the pain is gone. The Jew has to get out of Europe. Otherwise we get no European understanding. He incites people the most, everywhere. In the end: I don't know, I'm colossally humane. The Jews were maltreated at the time of the Pope's rule in Rome. Up to 1830 eight Jews were driven through the city every year with donkeys. I am just saying, he has to go. If he collapses in the course of it, I can't help there. I only see one thing: absolute extermination, if they don't go of their own accord.

> Why should I look at a Jew with other eyes than at a Russian prisoner of war? Many are dying in the prison camps because we have been driven into this situation by the Jews. But what can I do about that? Why then did the Jews instigate the war?[95]

16. Hitler came back to his 'prophecy' of the extermination of the Jews in a widely-transmitted speech in the *Reichstag* on 30 January 1942. Irving merely comments that in his speech, Hitler 'reminded his audience of his "prophetic warning" to the world's Jews in 1939'.[96] In fact, Hitler was much more explicit:

> I have already pronounced it in the Reichstag on 1 September 1939 - and I guard myself against premature prophecies - , that this war will not end as the Jews imagine, namely that the European-Aryan peoples will be exterminated, but that the result of this war will be the annihilation of Jewry. For the first time the truly old Jewish law is being applied this time: 'an eye for an eye, a tooth for a tooth!'.[97]

17. Hitler came back to these same sentiments in the following month. In his diary on 15 February 1942, Goebbels recorded a conversation he had had the previous day with him:

> The Führer gives expression once again to his opinion that he is determined to clear out the Jews in Europe. One must not have any sentimental moods here. The Jews have earned the catastrophe which they are experiencing today. They will also experience their own annihilation. We must speed up this process with a cold ruthlessness, and we are thereby performing an inestimable service for humanity, which has suffered and been tortured by the Jews for millennia. This clear attitude of enmity towards the Jews must also be implemented in our own people against all rebellious groups. The Führer emphasises that explicitly, also again afterwards amongst the army officers, who can just remember that.
>
> The great chances which this war is offering us are recognized in their entire import by the Führer. He is conscious today of the fact that he is fighting a battle of gigantic dimensions, and that the fate of the whole of civilized humanity depends on the outcome of this struggle.[98]

Nor was this the only such statement.

18. At Hitler's table talk on 22 February 1942, the following statement was recorded:

> It is one of the greatest revolutions there has ever been in the world. The Jew will be identified! The same fight that Pasteur and Koch had to fight must be led by us today. Innumerable sicknesses have their origin in one bacillus: the Jew! Japan would also have got them if it had remained open any longer to the Jew. We will get well when we eliminate the Jew.[99]

19. On 24 February 1942 a statement by Hitler was announced to NSDAP party members in Munich which again made a reference to his 'prophecy':

> Today the idea of our National Socialist, and that of the fascist revolution, have conquered great and powerful states, and my prophecy will find its fulfilment, that through this war Aryan humankind will not be annihilated, but the Jew will be exterminated. Whatever the struggle may bring with it or however long it may last, this will be its final result. And only then, with the removal of

these parasites, will a long period of understanding between nations, and with it true peace, come upon the suffering world.[100]

20. These statements, made between the late Summer of 1941 and February 1942, clearly suggest that Hitler was well aware that Jews were not merely being deported to the East, but were being killed there. When he talked about the Jews, Hitler frequently referred to their murderous fate: as we have seen, he spoke repeatedly of their 'annihilation', 'destruction', 'extermination' and 'elimination' and also referred to the Jews going 'kaputt' and experiencing a 'catastrophe'.

21. Clearly, he gave no detailed descriptions of the killing programmes. It is important to note that leading Nazis, including Hitler, rarely spoke openly about the extermination of the Jews, but rather used euphemistic or coded language, such as 'resettlement in the East' when referring to the details of the extermination of the Jews. After the realisation that the Madagascar plan was unrealistic because of Britain's naval dominance, leading Nazi officials in spring 1941 apparently advanced the plan to transport the Jews 'to the East' into the territory of the Soviet Union, once it had been defeated by Germany. There, they would slowly die of hunger, or be worked to death.[101] However, these plans were never realised, and by the spring of 1942 Jews from both Eastern and Western Europe were being systematically exterminated, mainly in the newly established extermination camps. Despite this reality, many Nazis continued to use terms like 'deportation to the East', when they were really talking about mass murder. This terminology no longer stood for the plan of actually transporting Jews to the former Soviet territory, but for extermination.

1. The element of secrecy surrounding the Final Solution was a central motive for this linguistic camouflage. All officials in the extermination camps were sworn to secrecy.[102] The SS leader Heinrich Himmler referred to the extermination of the Jews on 4 October 1943 as 'a glorious page in our history and one that has never been written and can never be written'.[103] On 25 September 1941, Hitler had decreed the 'Fundamental Order Number 1', which ordered that no member of a party, government or military agency was to be informed or seek to know more than was required for the enactment of his or her duties.[104] This order for secrecy clearly covered the operational details of the 'final solution'. As Henry Picker, who had recorded many of Hitler's table talks, noted: 'Over state secrets, Hitler was totally uncommunicative. He told us nothing in his table talk about the extermination of the Jews in the concentration camps...His conversations nevertheless revealed his deep-rooted and fanatical hatred for all other races.'[105]
2. Historians have put forward various reasons why the Nazi leaders tried to keep the operational details of the extermination of the Jews secret. For instance, regarding Hitler's private conversations, the late Martin Broszat, for many years director of the Munich Institute for Contemporary History, pointed out that Hitler avoided speaking about the exterminations, and indeed did not have to, as he knew, 'what he could expect of his entourage'.[106] The use of coded language at Hitler's lunch and dinner table avoided uncomfortable discussions and maintained a harmony among the guests which would have been disturbed by an admission of the detailed arrangements for the extermination of the Jews. As far as any public announcement was concerned, leading Nazis had become more careful about the impact of public statements of murder actions after details of the 'euthanasia' killings of the mentally and physically disabled had become known to a wider audience. In this case, the public disquiet about the killings had contributed to the temporary stop of the 'euthanasia' programme in 1941.[107]
3. Thus, in general, leading Nazis and other officials used coded terms when describing the programme for the extermination of the Jews. However, there are various known

examples where the individuals involved themselves revealed what these terms really stood for. For instance, in his notorious speech to SS leaders in Posen on 4 October 1943, the SS leader Heinrich Himmler spoke of 'the Jewish evacuation programme, the extermination of the Jewish people', using the two as synonomous.[108]

4. Another example can be found in a statement by Adolf Eichmann, one of the leading bureaucrats in the Reich Security Head Office dealing with the extermination of the Jews. Eichmann was examined in 1961 by his defence lawyer during his trial in Jerusalem, and gave evidence on the use of technical language or euphemistic terms by the Nazis to avoid open reference to the killing of the Jews. Asked about the minutes of the Wannsee conference of 20 January 1942, which he had drawn up, Eichmann explained:

> The minutes reproduce the essential points factually and correctly, but of course they are notword for-word minutes, because the, shall we say, certain excesses, a certain jargon that was used, had to be clothed in official words by me, and these minutes, I believe, were corrected 3 or 4 times by Heydrich.[109]

1. Thus, while the participants in the discussion openly talked about 'killing, elimination, and annihilation,[110] the minutes drawn up by Eichmann refers only to the 'evacuation of the Jews to the East' and the 'final solution of the European Jewish Question'.[111] Camouflage language was also used in the various reports by the *Einsatzgruppen*, which carried out the mass shootings of Jews in the occupied Soviet territory. However, in some of these reports, euphemistic terms like 'resettlement', 'deportation' and 'special treatment' are used interchangeably with terms like 'liquidation', 'executed', 'shot' and 'extermination'.[112]
2. Another such example is Goebbels's diary entry of 27 March 1942, which this Report has already examined above. Here, Goebbels had first noted that the Jews were being 'pushed out to the East', only to then explain later that this meant that 60% of these Jews were being exterminated (while keeping quiet about the details of the methods of extermination), and the rest 'put to work'. In his table talk on 15 May 1942, Hitler used precisely the same words as Goebbels. He spoke of Jews being 'pushed out to the East' and 'transported off to the East'.
3. In the light of Goebbels's diary entry of 27 March 1942, as well as the general comments made above on the use of coded language by leading Nazis, it is highly likely that Hitler knew perfectly well what the term stood for. Such language cannot be used as proof for Hitler's ignorance of the extermination. The evidence points very strongly indeed in the opposite direction to Irving's theses, and Irving is unable to deal with it except by blatant manipulation and suppression .

(C) Irving's suppression, misrepresentation and misunderstanding of the sources: the Goebbels diary entry of 30 May 1942

1. Another document cited by Irving in support of his claim that Hitler was deceived by Goebbels and others about the true nature of the deportations to the East, is Goebbels's diary entry of 30 May 1942. Goebbels here noted:

> Thus I plead once again for a more radical Jewish policy, whereby I am just pushing at an open door with the Führer...The Germans only ever take part in subversive movements when the Jews seduce them into it. Therefore one must liquidate the Jewish danger, cost what it will...Therefore the Führer also does not wish at all for the Jews to be evacuated to Siberia. There, under the harshest living conditions, they would undoubtedly form an element of vitality once more. He would rather settle them in central Africa. There they live in a climate that would surely not render them strong and capable of resistance. In any case it is the Führer's aim to make West Europe completely Jew-free.

Here they will not be allowed to have any home any more.[113]

2. Once more, Goebbels characterises Hitler as being in favour of a more radical policy against the Jews - a fact which Irving suppresses in his account of this Goebbels diary entry.[114] As Goebbels knew by this time that 'resettlement' meant that the Jews were being exterminated in the East (as proven by his diary entry of 27 March 1942), it is inconceivable that he would have characterised Hitler as a radical, if Hitler had in reality only aimed to push the Jews out of Europe. This characterisation of Hitler as a radical makes sense only if Hitler, as has previously been noted, also knew that 'pushing the Jews out of Europe' meant killing them when they got to the East.

3. So how can we explain Hitler's reference to the evacuation of Jews to Siberia and Africa? As has been noted above, the 'final solution' went through various stages. In summer 1940, leading Nazi officials were seriously considering deporting Jews to the island of Madagascar. By spring 1941, Nazi officials such as Heydrich apparently advanced a plan for the 'final solution' which involved the transport the Jews 'to the East' into the territory of the Soviet Union, once it had been defeated by Germany. There, they would slowly die of hunger, or be worked to death. One area apparently envisaged at the time as a possible destination for the Jews was Siberia.[115]

4. In the following 12 months, this plan for a Jewish reservation was increasingly superseded by the escalating mass murder of first the Eastern European Jews, and then the Central and Western European Jews. But, as the historian Peter Longerich has argued,

> one must proceed on the assumption that even those who were involved in mass murder up to the period May-June 1942 believed that the "real" "final solution" would only take place after the end of the war and that the murders taking place before then were only "provisional" measures, "anticipatory" measures to the "final solution".[116]

1. This distinction between the ongoing extermination of the Jews in the East, and a long-term 'final solution' (which was expected to take place after the war), is also evident in Goebbels's record of Hitler's views on 30 May 1942. On the one hand, Goebbels characterised Hitler's attitude as very radical, at a time when Jews were already being 'transported off to the East' as Hitler had stated many times, and killed there. On the other hand, Hitler was still talking about some vague long-term plan (note his reference to the Jews in western Europe) which might take place sometime in the future, in this case mentioning Central Africa as a destination.
2. These considerations, which never took on any more concrete forms, however are not evidence that Hitler did not know of the extermination programme in the East. Rather, they are testament to his belief that the 'real' 'final solution' was not yet fully under way. To cite Peter Longerich again: 'Only in the spring and early summer of 1942 did the realisation slowly come through that the "Final Solution" would take place during the war: it finally became clear which means would be chosen to achieve the "Final Solution".'[117]

(D) Irving's misrepresentation and misunderstanding of the sources: the Hitler table talk of 24 July 1942

1. The final document cited by Irving in support of his claim that Hitler was ignorant of the extermination of the Jews and was deceived by Goebbels and others about the true nature of the deportations to the East, is the Hitler table talk of 24 July 1942. Henry Picker recorded Hitler as saying that:

> After the war was over he would rigorously take the standpoint that he would

> smash city after city to pieces if the Jews did not come out and emigrate to Madagascar or some other Jewish national state...When it was reported to him that Lithuania was also Jew-free today, that was therefore significant.[118]

2. There can be no doubt that this statement was designed by Hitler to deceive his aides and guests into believing that he had nothing to do with the extermination of Jews, which was already the subject of rumours. By the time of this statement, in late July 1942, the Madagascar plan had long been put aside - by none other than Hitler himself. At the notorious Wannsee Conference on 20 January 1942, Reinhard Heydrich informed the other high-ranking Nazi officials present that in place of emigration from now on the evacuation of the Jews to the East has come into operation as a further possible solution, after a corresponding prior approval by the Führer.'[119]

3. By early 1942, it had thus been made official that Hitler was no longer aiming at driving Jews out of Europe to Africa. The Madagascar plan, which had already been postponed indefinitely in the Autumn of 1940, was now officially shelved.[120] It is totally misleading to speculate, as Irving does, that Hitler in July 1942 'might still be dreaming of Madagascar'.[121] On 10 February 1942 the Foreign Office official who had first proposed the plan for deporting the Jews to Madagascar in 1940, wrote that

> ...Gruppenführer Heydrich has been charged by the Führer with carrying out the solution of the Jewish question in Europe. In the meantime, the war against the Soviet Union has opened up the possibility of placing other territories at our disposal for the final solution. Accordingly the Führer has decided that the Jews should be pushed off not to Madagascar but to the East. Madagascar therefore does not need to be foreseen for the final solution any more.[122]

4. Thus, by the time Hitler referred to the possibility of deporting Jews to Madagascar in the summer of 1942, this plan had long been abandoned on *his own order*s. Irving is well aware of these facts.[123]

5. Hitler knew that, in order to realise the plan of shipping Jews to Madagascar, Germany needed control over the seas. But not only was the British fleet dominant; British troops had even landed on Madagascar itself between 5 and 7 May 1942.[124] Hitler commented on 13 May 1942 that 'England does not think of surrendering Madagascar again'.[125] The plan to deport Jews to Africa had become a complete fiction.

6. In fact, by this time the complete extermination of all European Jews in the Nazi sphere of influence was well under way. Transports with Jews from various countries had already gone to the death camps in the East. The extermination camps in Belzec, Sobibor and Auschwitz had been in operation for several months, and the death camp in Treblinka was just beginning to receive the first transports of Jews to be exterminated.[126] The extermination of the Jews living in the General Government was also escalated. On 19 July 1942, Himmler ordered that the 'resettlement of the entire Jewish population of the General Government is to be carried out and completed by 31 December 1942.'[127] And on 28 July 1942, just two days after Hitler's table talk, Himmler wrote to the Head of the SS Head Office, Gottlob Berger, and explained that 'the occupied Eastern territories will be Jew-free. The Führer has laid the implementation of this very difficult order on my shoulders. In any case, no-one can take the responsibility from me. So I am denying myself any debate about it.'[128]

1. All these documents make clear that Hitler on 24 July 1942 was not serious about deporting Jews to Madagascar. So why did Hitler refer to Madagascar? Essentially, as one historian, Magnus Brechtken, author of the standard work on the Madagascar

plan, has convincingly argued, this was no more than 'pure hypocrisy, at best a verbal smokescreen of Hitler's, born out of thought-games, a smokescreen with which he took up a known topic which had also once been the subject of concrete planning, in order not to call the measures which were actually going on against the Jews by their name.'[129]

2. This view has also been expressed by other historians, such as Peter Longerich, who argues that all of Hitler's statements from the Summer 1942 'about possible "resettlement projects" - are diversions meant to deceive his listeners'.[130] After the war, some of Hitler's listeners did indeed claim that they had been deceived by Hitler. Henry Picker, who took the notes at the table talk of 24 July 1942, claimed that Hitler, even in his private circle, had never

> forgotten to keep silent about things for which there was no resonance among his table-companions, as amongst the broad mass of out people. Only take the persecution of the Jews, which he obscured before his table-companions with references to preparations for the establishment of a Jewish national state on the island of Madagascar or alternatively in central Africa.[131]

(iv) Conclusion

1. An examination of David Irving's claims about the Goebbels diary entry of 27 March 1942 has revealed that he is wrong to claim that Goebbels deceived Hitler about the true nature of the 'final solution' when the two men met two days later. It has also been shown how Irving manipulated the diary entry of 27 March 1942 in order to omit Goebbels's reference to Hitler as the 'persistent pioneer and spokesman of a radical solution' of the 'Jewish Question', which clearly suggests that Hitler was not ignorant of the extermination of the Jews, as Irving has claimed. A detailed examination of further documents cited by Irving in support of his theses has shown that they also fail to substantiate his claim that Hitler was deceived by Goebbels about the true nature of the 'final solution' and ignorant about the extermination of the Jews. There are a number of documents and sources which strongly suggest that Hitler knew all along. Irving does not confront these but misrepresents and suppresses them in the interests of his own argument.

(g) <u>The Himmler minute of 22 September 1942</u>

(i) Historical background

1. A further link in Irving's chain of documents is provided by a minute written by Himmler on 22 September 1942. The background to the document is as follows. Some time in the autumn of 1941, the former *Gauleiter* of Vienna and SS and Police leader in Lublin, Odilo Globocnik, was charged by the SS leader Heinrich Himmler to exterminate the Jews in the General Government.[132] The method chosen for the killing was gas. The site chosen as the first extermination camp was the small town of Belzec (south-east of Lublin) in the most eastern corner of the General Government. Construction started in November 1941. Crude gas chambers were built, connected to an armoured car engine which was set up outside the gas chambers. The carbon monoxide exhaust fumes were used to murder the victims in the gas chambers, who died a slow and agonising death. On 17 March 1942, the first Polish Jews from the General Government, transported to Belzec by train, were murdered.[133] To increase the capacity for murder, further death camps were set up in the General Government. The first gassings in Sobibor (east of Lublin) took place some time in April or May 1942.[134]

2. In the Summer of 1942, there was a serious attempt to accelerate the extermination process. There was some resistance against this, partly because Jews were

increasingly used as forced labour, and partly because most means of transport were used by the army. It seems likely that Himmler needed Hitler's support to overcome this resistance. It is possible that he talked about this issue with Hitler during various meetings on 11, 12 and 14 July 1942.[135] On 16 July 1942, Himmler's adjutant with Hitler, SS-Obergruppenführer Wolff, had an urgent phone conversation with a leading official in the Ministry for Transport, Dr. Ganzenmüller, concerning the provision of more railway services.[136] On 19 July 1942, Himmler ordered that the mass murder of the Polish Jews was to be intensified. He set a deadline on 31 December 1942, by which time 'no kind of persons of Jewish origin should be staying in the General Government any more'. The only exception were those Jews employed for the Nazi war economy in several ghettos such as Warsaw.[137]

3. Some historians have argued that Himmler acted with Hitler's backing.[138] This argument is supported by contemporary documentation. As has already been pointed out, on 28 July 1942, just two days after Hitler's table talk, Himmler wrote to the Head of the SS Head Office, Gottlob Berger, and explained that 'the occupied Eastern territories will be Jew-free. The Führer has laid the implementation of this very difficult order on my shoulders.'[139] . The acceleration of the killing was clearly also in line with Globocnik's thinking, who had some weeks earlier demanded to be able 'to carry out the whole Jewish action as fast as in any way possible, so that one doesn't get stuck in the middle of it one day'.[140]

4. On 22 July 1942, Globocnik welcomed Himmler's new order: 'The Reichsführer SS...has given us so much new work that with it now all our most secret wishes are to be fulfilled. I am so very thankful to him for this, and he can be sure of one thing, that these things he wishes will be fulfilled in the shortest time.'[141] The next day, killings started in the extermination camp set in Treblinka (north of Lublin).[142] Three extermination camps were now in full operation in the General Governement. On 28 July 1942, Dr. Ganzenmüller, from the Ministry of Transport, reported to SS-Obergruppenführer Wolff that 'since the 22.7. one train has been travelling every day with 5,000 Jews on it from Warsaw via Malkinia to Treblinka, and moreover twice a week a train with 5,000 Jews from Przemysl to Belzec.'[143] Wolff, writing from Hitler's headquarters, thanked Ganzenmüller for his efforts on 13 August 1942, and noted: 'With particular joy I noted your assurance that for two weeks now a train has been carrying, every day, 5,000 members of the chosen people to Treblinka.'[144]

5. In the seven weeks from the end of July 1942 until mid-September 1942, some of the worst excesses of mass murder of the entire 'final solution' occurred in the General Government. Apart from mass gassings, German police forces also exterminated entire villages by shooting all Jewish inhabitants.[145] 'Operation Reinhard' was officially terminated in October 1943, and by November 1943 the three camps had been dismantled. According to conservative estimates, around 1.75 million women, men and children, mostly Jews, were murdered in Belzec, Treblinka and Sobibor. Probably more than 90% of the victims came from the General Government, while the others came from territory as far away as Holland, Macedonia and France.[146] Many more Polish Jews were shot by German police officials. Himmler congratulated Globocnik for his part in organising the genocide.[147]

(ii) Hitler and the 'final solution': the Himmler minute of 22 September 1942

1. On 22 September 1942, Himmler had a lengthy meeting with Hitler. Judging

from Himmler's hand-written agenda notes, one subject appears to have been the extermination of the Jews. Under to heading 'Race and Settlement', Himmler noted:

1. Emigration of Jews

how to be further proceeded?

2. Settlement Lublin - Circumstances

Lorrainers Gen[eral] Gouv.[ernement]

Germans from Bosnia Globus

Bessarabia[148]

2. The fact that Himmler discussed the 'emigration of the Jews', a euphemism for the extermination of the Jews frequently used by the Nazis, as well as 'Globus', his nickname for Globocnik, who was responsible for this programme of mass extermination in the General Government, raises the strong suspicion that the mass annihilation of the Jews was one of the topics of conversation between Hitler and Himmler on that day.

1. This interpretation has been advanced by a number of historians. For instance, Gerald Fleming concluded that the note made clear that 'the Führer and his Reichsführer SS discussed the operations that came under Globocnik's supervision'.[149] Saul Friedländer, another expert on the history of Jews in the 'Third Reich', accepts Himmler's note for the meeting on as indirect proof 'that Hitler attentively followed the process of annihilation'.[150] Thomas Sandkühler, a specialist historian of the operation, argues that the note shows that in September 1942 'Himmler reported to Hitler on the annihilation of the Jews'.[151]

(i) Irving and the Himmler note

1. In his reply to the defence, David Irving concedes that he has neglected the Himmler note in question. On his decision to omit any discussion of the note, Irving writes:

> It is admitted that the plaintiff did not draw attention to this minute, but it is denied that this is relevant...The Defendants have failed to inform us of the minute's 'obvious significance', which escapes the Plaintiff...Himmler's jotted agenda for his meetings with Hitler are crowded with names, pet or otherwise, and in the absence of collateral evidence it is imprudent in the extreme to spin fanciful theories around them.[152]

2. Indeed, the minute does seem significant. It is not a fanciful theory to suggest that the note gives a strong indication that Hitler was updated by Himmler on the mass murder of Jews in the East, or that the two men decided on the next steps in the 'final solution'. There is no doubt that at this time important decisions by the Nazi leaders were being taken. During a conference between 20 and 22 September 1942, in view of the extreme shortage of labour, Hitler apparently agreed to the proposal of Sauckel, the official responsible for the workforce in the war economy, to continue to employ skilled Jewish workers in the General Governement.[153] As a consequence, Himmler ordered on 9 October

1942 that Jewish workers employed in the war economy in the General Government were to be gathered in a few concentration camp factories: 'However, the Jews there too will disappear one day, in correspondence with the wish of the Führer.[154]

3. Some historians have not used the note.[155] However, both the defence and Irving are in fact wrong in claiming that Irving has not used the note by Himmler in his work. Irving, who knows well what he has written and what not, once more twists the truth. In the 1991 edition of *Hitler's War*, Irving uses the minute to support his claim that in his meetings with Hitler, Himmler did not enlighten Hitler about the true fate of the Jews in the East. This is part of Irving's argument that it was not Hitler, but other leading Nazis, like Himmler and Goebbels, who were behind the extermination of the Jews. Hitler, he argues, was left in the dark by his officials:

> Himmler meanwhile continued to pull the wool over Hitler's eyes. On September 17 (*recte: September* 22) he calmly jotted in his notes for that day's Führer conference: "1. Jewish emigration - how is to be handled in future? 2. Settlement of Lublin," and noted next to these points: "Conditions in Generalgouvernement," and "Globus" (Globocnik's nickname).[156]

4. Irving's claim lacks all factual foundation. First, there is no indication at all that Himmler took down the notes of the meeting 'calmly' or kept Hitler in the dark about the mass annihilation of the Jews. Second, the fact that the mass murder of the Jews is not mentioned openly in Himmler's notes, which Irving seems to take as proof for Himmler's having mislead Hitler, should come as no surprise. As stated above, the Nazis generally used camouflage terms like 'evacuation', 'resettlement', 'wandered off', 'disappeared', when noting down details of the extermination of the Jews. There was a great difference between what the Nazi officials wrote down on paper, and what they actually discussed verbally. For instance, as has already been pointed out in this Report, while the participants at the Wannsee conference on 20 January 1942 openly talked about 'killing, elimination, and annihilation',[157] the protocol drawn up by Adolf Eichmann refers only to the 'evacuation of the Jews to the East' and the 'final solution of the European Jewish Question'.[158] Irving is well aware of this, and his interpretation is a blatant misrepresentation of the Himmler minute, quite apart from the gratuitous addition of his characterisation of Himmler as having 'calmly' taken down the notes. Also, why would Himmler mention Globocnik at all at his meeting with Hitler, if he aimed to keep Hitler in the dark about the mass killings? It is clear, therefore, that if anyone has spun fanciful theories around this document, it is Irving himself.

(h) <u>The Antonescu/Horthy Meetings with Hitler in April 1943</u>

(i) Background

1. The next link in the chain is provided by documentation on Germany's relations with Hungary in 1943. During the Second World War, Hungary was ruled by a strongly authoritarian, right-wing regime, which had come to power in a bloody counter-revolution at the end of the First World War. Led by Admiral Horthy, whose title derived from the defunct Habsburg Empire and who functioned as Regent for the absent Habsburg Emperor, the Hungarian regime allied itself to Nazi Germany from early on, principally in order to recover territory from small neighbouring countries

which it considered belonged to Hungary by the historic right of the Habsburg tradition.

2. In 1938-39 it joined Germany in the dismemberment of Czechoslovakia. In return for German backing in obtaining territory from Romania in August 1940 and Yugoslavia in April 1941, the Hungarian government sent troops to participate in the German invasion of Russia in June 1941. Having achieved its principal goals in annexing territory from its small neighbouring states, Hungary now tried to pull out of the war on the Eastern front, and withdrew substantial numbers of troops. Following the defeat of the German armies at Stalingrad, Hitler began to put pressure on Admiral Horthy to reverse this policy, and summoned him to a meeting on 16 and 17 April 1943, at which the German Foreign Minister, Ribbentrop, was also present. Hitler and Ribbentrop also used this opportunity to discuss with Horthy the question of Hungary's Jewish population.

3. A substantial number of Jews lived in Hungary; a figure of around three-quarters of a million in 1943-44 is widely accepted by historians. These people were already subjected to massive legal discrimination by the strongly antisemitic Horthy regime, which denied them basic rights such as entering the professions and enforced on them restrictions comparable to those obtaining in Germany under the Nazis before 1939. The Hungarian fascist party, the Arrow Cross, was putting pressure on the Horthy government to introduce harsh new policies against the Jews. These measures, enacted from 1938 onwards, had been partly designed to appease it.

4. The subject of Hungary's Jews had already been the cause of friction between the two regimes of Hitler and Horthy. After the invasion of Russia, on learning of the Nazis' intentions of deporting Jews to Russia, the Horthy regime began deporting 'alien Jews' (including Jewish refugees from Austria, Slovakia, Poland and Germany) to Körösmezo, close to the border with the General Government. From here, they were forcibly transported over the border into German-controlled territory. By late August 1941, when the operation was completed, 16,000-18,000 Jews had been transferred. The great majority of the Jews pushed out of Hungary in this way were exterminated by SS units in Kamenets-Podolsk (Ukraine), in a massacre on 27-28 August 1941. Only about 2,000 Jews who had arrived from Hungary initially survived.[159]

5. In the following year, the 'Third Reich' stepped up its efforts to include the remaining Jews in Hungary in the 'Final Solution'. On 15 August 1942, the Hungarian representative in Berlin, Döme Sztójay, reported to his government that

> the Germans are determined to rid Europe of the Jewish elements without further delay and intend...to deport them to the occupied territories in the East, where they will be settled in ghettos or labour camps and made to work. The authorities have been instructed to complete these deportations while the war is still on. According to absolutely reliable information, Reichsleiter Himmler has informed a meeting of SS leaders that it is the wish of the German Government to complete these deportations within a year.[160]

6. Two months later, the Germans officially approached the Hungarian government in this matter. On 14 October 1942, the senior Foreign Office official Martin Luther instructed the German embassy in Budapest to inform the Hungarian government of the reasons 'which are moving us according to the will of the Führer to attempt a complete solution of the Jewish question in Europe soon, and to ask the Hungarian government to drive forward on its part the measures which are necessary for this purpose.' These measures included the 'immediate labelling of all Jews' as well as the

preparation for 'deportation and transport off to the East'.[161] These demands were passed on by the German representative in Budapest on 17 October 1942 to the Hungarian government.[162]

7. However, the Hungarians comprehensively rejected the demands. In its reply on 2 December 1942, the Hungarian government made clear that it was extremely jealous of its sovereign rights and insisted that any 'solution' of the Hungarian dimension of the 'Jewish question' would have to take the specific circumstances in Hungary into account. It rejected the special marking of Jews and informed the Germans that as far as the 'deportation of Jewry out of Hungary' was concerned, 'the Hungarian government possesses today neither the possibilities nor the technical means of lending governmental measures practical validity in this matter.'[163]

8. The German government was clearly unhappy with this response from its military ally, and increased its pressure on Hungary to give in to its demands. On 15 January 1943, Luther reminded the Hungarian representative in Berlin, Döme Sztójay,

> that the Führer is resolved under all circumstances to remove all Jews from Europe already during the war, because these, as he (Sztójay), to be sure, knows exactly, constitute an element of subversion, and in most cases carry the guilt for acts of sabotage which occur, and otherwise also occupy themselves mainly with espionage for the enemy. It fills us with very great concern that just one country in the middle of Europe that is friendly to us harbours about 1 million Jews. We cannot look on this danger in the long run without taking action.[164]

1. However, in the following months the Hungarian government did not change its stance on the matter.
2. The meeting between Hitler and Horthy on 16 and 17 April 1943 was in part designed to escalate the pressure which the German government had already put on Horthy to 'solve' the 'Jewish question' in Hungary once and for all and to persuade Horthy to remove the obstacles which he had so far put in the way of the forcible deportation of all of Hungary's Jews to territory controlled by the Nazi regime.

(ii) The meeting between Hitler and Horthy on 16 and 17 April 1943.

1. The meeting between Hitler and Horthy on 16 and 17 April 1943 has generally been regarded by historians as one of the few occasions on which Hitler openly admitted the extermination of the Jews in Poland. The minutes of the meeting were taken by Dr. Paul Otto Schmidt, who confirmed them and added his own recollections at the Nuremberg trials.[165] There is no doubt about their authenticity. The minutes for the meeting on 17 April 1943 record a statement by Ribbentrop, in Hitler's presence, to a point made by Horthy:

> On Horthy's retort, what should he do with the Jews then, after he had pretty well taken all means of living from them - he surely couldn't beat them to death - The Reich Foreign Minister replied that the Jews must either be annihilated or taken to concentration camps. There was no other way.[166]

2. This blunt statement by Ribbentrop contributed to the conclusion of the judges at the Nuremberg trials in October 1946, that Ribbentrop had played an important part in the 'final solution' and was guilty of war crimes and crimes against humanity.[167]

3. On 17 April 1943, Hitler almost immediately confirmed Ribbentrop's explicitly murderous statement at some length:

> Where the Jews were left to themselves, as for example in Poland, gruesome poverty and degeneracy had ruled. They were just pure parasites. One had fundamentally cleared up this state of affairs in Poland. If the Jews there didn't want to work, they were shot. If they couldn't work, they had to perish. They had to be treated like tuberculosis bacilli, from which a healthy body could be infected. That was not cruel, if one remembered that even innocent natural creatures like hares and deer had to be killed so that no harm was caused. Why should one spare the beasts who wanted to bring us Bolshevism more? Nations who did not rid themselves of Jews perished.[168]

4. Despite this open language, Horthy was clearly not convinced about the need to murder large numbers of Jews, much to Hitler's annoyance.

5. Some three weeks after Hitler's meeting with Horthy, on 8 May 1942, Propaganda Minister Goebbels noted down in his diary the following statement by Hitler:

> The Jewish question is solved worst of all by Hungary. The Hungarian state is completely permeated by Jews, and the Führer met with no success during his discussion with Horthy in convincing him of the necessity for harsher measures. To be sure, Horthy is himself, together with his family, extraordinarily strongly interwoven with Jews and will also in future struggle with all his might against getting a really active grip on the Jew-problem. Here he is bringing forward thoroughly humanitarian counter-arguments, which naturally possess absolutely no importance in this connection. There can be no talk of humanity towards Jewry. Jewry must be thrown to the ground. The Führer has been at great pains to convince Horthy of this point of view, but he has only succeeded to a very small extent.[169]

6. Thus it is clear that the statements by Ribbentrop (in Hitler's presence) and of Hitler himself on 17 April 1943 pose an insurmountable problem for anyone who wishes to argue, as Irving does, that Hitler neither knew nor approved of the extermination of the Jews. Whilst Irving never openly challenges the authenticity of the minutes of Hitler's meeting with Horthy, he attempts in various ways to minimise their significance, as we shall now see.

(iii) Irving's account of the meeting between Hitler and Horthy: Bending reliable sources to fit preconceived ideas, invention and fabrication

(A) Hiding key statements in footnotes

1. In the 1977 edition of *Hitler's War*, Irving starts off by hiding away in a footnote Ribbentrop's statement that all Jews had to be either 'annihilated or taken to concentration camps'. Irving resorts to the same tactic in his 1991 edition of *Hitler's War*.[170] One might think, of course, that putting this statement in a footnote is no great crime against honest scholarship in itself - after all, it is still there in the book for everyone to read. But everyone, of course, does not read footnotes, and placing it there allows Irving to marginalise it almost out of existence.

(A) Citing other documents to discredit the minutes of the meeting.

1. Irving has referred repeatedly to other documents, which, he claims, indicate that Hitler, in fact, did *not* mention the extermination of the Jews during his meeting with Horthy. These arguments by Irving are utterly pointless, as the authenticity of the original minutes is beyond doubt, and never directly challenged by Irving. Not surprisingly, the documents used by Irving indirectly to undermine the official minutes fail to

support his case and once more illustrate his flawed methodology.

2. First, in his footnote, Irving casts doubt on the reliability of the official minute by claiming that

> Secret Hungarian records do not echo the wording in such bluntness. In a draft letter to Hitler on May 7, Horthy included a sentence - later deleted - "Your Excellency further reproached me that my government does not proceed with stamping out Jewry with the same radicalism as is practised in Germany."[171]

3. This is pure invention by Irving. It is based on the fact that the draft letter by Horthy (disclosed by Irving to the court) uses the term *Ausrottung*, which Irving insists on translating as 'stamping out'. However, its true and generally agreed meaning is 'extermination', which is of course no less blunt than the term 'annihilated' used by Ribbentrop in the minutes. The complete passage in Horthy's draft letter should thus be translated as follows: 'Your Excellency further reproached me that my government did not proceed in the extermination of Jewry with the same radicalism with which this is being carried out in Germany and there is also regarded as desired for other countries too.'[172] Clearly, this draft letter comprehensively fails to support the claim which Irving attaches to it.

4. Secondly, in his plea to the court, Irving cites a report submitted by the Hungarian representative in Berlin, Sztójay, to Prime Minister Kallay in Budapest.[173] According to Irving, the report summarised 'the talks between Hitler and Horthy and Ribbentrop' and did not say that the Hungarian Jews 'were to be liquidated, only interned'. In fact, the document is concerned with a separate conversation between Sztójay and Ribbentrop. Only a very brief passage of the document deals with the Hitler-Horthy meeting. In this brief passage, Sztójay reports that Hitler 'personally drew the attention of His Highness the Regent [Horthy] to the necessity of settling in a more thorough and penetrating manner the Jewish question in Hungary. No doubt His Highness the Regent has informed Your Excellency [Kallay] of this'.[174]

5. Clearly, Irving completely misrepresents this source. As is plain to see, Sztójay in his reference to the Hitler-Horthy talks does not mention that Hungarian Jews were 'only' to be interned. Also, it is no surprise that Sztójay speaks merely of 'more thorough and penetrating' measures, and does not directly mention killing. Possibly, Sztójay was not aware of the explicit statements made by Ribbentrop and Hitler on 17 April 1943. After all, Sztójay himself had not been present during the meeting. More likely, though, Sztójay was well aware of Nazi extermination policy, and merely cloaked the murderous programme in more neutral, euphemistic language. This was common practice. For instance, Horthy himself in his letter of 7 May 1943 to Hitler (see above) deleted the sentence which spoke of the 'extermination' of the Jews. The remaining letter made no direct reference to the fate of the Jews.[175]

6. Thus neither Horthy's draft letter to Hitler on 7 May 1943, nor Sztójay's report of April 1943 can cast any doubt on the remarks made by Hitler and Ribbentrop at the meeting on 17 April 1943. Irving's claims are totally irrelevant and simply designed - not very effectively - to undermine a reliable source, namely the minutes drawn up by Schmidt of the meeting.

(C) Invention, fabrication and falsification: placing Hitler's remarks at the meeting with Horthy on 17 April 1943 into a false context, in order to bend a reliable source.

1. As has been described above, Ribbentrop's comments to Horthy at the meeting on 17 April 1943 were almost immediately followed by a murderously antisemitic outburst on the part of Hitler. However, by removing Ribbentrop's preceding remark to a footnote, Irving places Hitler's subsequent statement addressed to Horthy on 17 April 1943 in an entirely different context:

> Events in Poland were pointed to as providing an ugly precedent: there were reports of Jews roaming the country, committing acts of murder and sabotage… In Warsaw, the fifty thousand Jews surviving in the ghetto were on the point of staging an armed uprising - with weapons and ammunition evidently sold to them by Hitler's fleeing allies as they passed westward through the city. Himmler ordered the ghetto destroyed and its ruins combed out for Jews. "This is just the kind of incident that shows how dangerous these Jews are".
>
> Poland should have been an object lesson to Horthy, Hitler argued. He related how Jews who refused to work there were shot; those who could not work just wasted away. Jews must be treated like tuberculosis bacilli, he said, using his favourite analogy. Was that so cruel when one considered that even innocent creatures like hares and deer had to be put down to prevent their doing damage? Why preserve a bestial species whose ambition was to inflict bolshevism on us all? Horthy apologetically noted that he had done all he decently could against the Jews: "But they can hardly be murdered or otherwise eliminated", he protested. Hitler reassured him: "There is no need for that."[176]

2. Thus, Irving implies, Jews were violent and disruptive in Eastern Europe and posed a threat. They had to be dealt with and 'combed out' like lice. But despite all this, Hitler did not want them killed.

3. This is pure invention on Irving's part. Whoever said "This is just the kind of incident that shows how dangerous these Jews are", Adolf Hitler certainly did not say it to Admiral Horthy at their meeting on 16-17 April 1943. Hitler did not mention the Warsaw ghetto uprising at all, which is not surprising, since it did not even begin until two days later. Nor did the uprising involve 50,000 armed Jews, as Irving implies, but at most a few thousand of them.[177] Nor did Hitler mention Jewish partisan activity or Jewish violence, but simply poverty and degeneracy, something quite different. Irving also waters down the expression used by Hitler to describe the fate of those Polish Jews who could not work - *verkommen* - by translating it as 'wasted away', as if they had no assistance towards this fate by Nazi authorities who deliberately starved them of food.

4. Most seriously of all, however, the exchange reported at the end of Irving's account, beginning 'Horthy apologetically noted', did not occur on 17 April, as Irving clearly portrays by placing it immediately after his summary of Hitler's speech, but on the previous day, and in another context, namely during the first of the two men's meetings. On 16 April, namely, Horthy stated: 'He had done everything which one could decently undertake against the Jews, but one could surely not murder them or kill them in some other way. The Führer replied that this was also not necessary. Hungary could accommodate the Jews in concentration camps just like Slovakia did.'[178] At this point in the meeting, Hitler and Ribbentrop were not being as open as they became on 17th. It was because he was not satisfied with Hitler's response, and was aware that he had still not satisfied the Nazi leaders with his, that Horthy repeated his question on 17th ('he surely couldn't beat them to death'), eliciting this time far more explicit statements of what they expected him to do, both from Ribbentrop and from

Hitler, namely that they were to be put in camps if they could work, and killed if they could not.

5. One might add here that the majority of the Slovakian Jews were by no means 'only' put into concentration camps, as Hitler claimed on 16 April 1943. In fact, they were killed. According to SS statistics, 57,545 Slovakian Jews had been transported to Nazi-occupied Polish territory between 26 March 1942 and 31 March 1943 (only about 25,000 Jews were still left behind in Slovakia). The transports went to Auschwitz, Sobibor and Lublin. At the end of the war, only 284 survivors of these transports could be registered. The rest were dead.[179]

1. What Irving does, therefore, is to bend this reliable source to suit his argument, misprepresenting the historical data and skewing the documents on which he relies, by placing quotations in a false context, removing part of the record to a footnote, and mixing up two different conversations in the text so that it looks as if Hitler is telling Horthy that the Jews should not be killed, only interned in camps. Irving increases the force of Hitler's statement by putting it into direct speech instead of the indirect, reported speech in which it appears in the original minutes.
2. In fact, the real sequence of statements on 17 April is perfectly clear: Horthy, unclear as to why the Nazi leaders were still putting pressure on him after all the measures he had already taken against the Hungarian Jews, repeated his question to Hitler and Ribbentrop: surely you can't want me to kill them? Ribbentrop replied yes, that is exactly what they wanted, kill them or put them in camps, and Hitler immediately followed by saying he should do as had been done in Poland, namely shoot those who refused to work in the camps, and ensure that those who were unable to work perished.[180] Just to make it absolutely clear, Hitler used the analogy of a healthy human body ridding itself of tuberculosis bacilli. His meaning could hardly have been clearer.
3. In the 1991 edition of *Hitler's War*, Irving omits all reference to the Warsaw uprising in this disussion of the meeting. Instead, he offers two different accounts of Hitler's words:

> In Hitler's warning to Horthy that the "Jewish Bolsheviks" would liquidate all Europe's intelligentsia, we can identify the influence of the Katyn episode - a propaganda windfall about which Goebbels had just telephoned him...Hitler warmly approved Goebbels's suggestion that Katyn should be linked in the public's mind with the Jewish question. But the most persuasive argument used to reconcile Hitler with the harsher treatment of the Jews was the bombing war: From documents and target maps found in crashed bombers he knew that the British aircrews were instructed to aim only at the residential areas. Only one race murdered, he lectured the quailing Horthy, and that was the Jews. It was they who had provoked this war and given it its present character against civilians, women, and children.[181]

1. Irving provides no factual evidence for these two claims in his footnotes. The word 'Katyn' does not even occur a single time in Horthy's conversations with Hitler.
2. To be sure, Hitler did know about the massacre, since Goebbels had recorded Hitler's decision that it should be used for propaganda in his diary on 14 April 1943.[182] But all of Hitler's statements in his conversations with Horthy were couched in general terms and differed little from his previous warnings about 'Jewish-Bolshevism':

> It would surely be madness to believe that if the German army should not be in a position to stop the Russians, a Turkish-Bulgarian-Hungarian combination would be capable of it. It would be swept aside, and the Bolshevist Jews in Moscow would annihilate the intelligentsia and exterminate the masses by unimaginable means.[183]

1. Katyn thus had nothing to do with it, and there is no evidence that knowledge of it made Hitler more antisemitic than he had been previously. The reference is pure invention on Irving's part.
2. Similarly with Allied bombing raids. Irving's claims that these lay behind Hitler's antisemitic outbursts in his conversations with Horthy rest on Hitler's statement to Horthy on 16 April 1943 that there was no need to be soft towards the Jews because

they were also responsible for the present war and the form which it has taken, in particular for the bombardment of the civil population and the numerous victims among women and children...Only *one* murdered, namely the Jew, who sparked wars and through his influence given them their present character directed against civilians, women and children.[184]

13. And on the following day, Hitler told Horthy at the beginning of their conversation that the Germans had found detailed plans which showed that during a recent raid on Frankfurt the British bombers were not specifically instructed to destroy industrial targets but had been told they could also bomb residential areas (not quite the same as Irving's claim that they were told to aim *only* at residential areas). Also, there is no mention of Jews in this passage.

14. Immediately after this statement, Hitler added that ''the attacks themselves had been irritating but wholly trivial.'[185] In view of the fact that he dismissed them as unimportant, it is highly unlikely that these bombing raids roused Hitler to an unprecedented antisemitic fury which he then expressed to Horthy. The antisemitic outbursts in his conversations with the Hungarian leader in fact only need explaining in Irving's scheme of things by such inventions and fabrications because Irving denies the normal antisemitic virulence of Hitler's views at other times. In fact, of course, there is massive evidence for the extreme nature of Hitler's antisemitism at other times, stretching back over several decades.

15. This boundless antisemitism is also evident throughout Hitler's talks with Horthy. Hitler had mentioned among other things during these conversations that (in his view) the Jews were to blame for the 1918 revolution, the First World War and the Second World War, that they had had a very destructive impact on morals, on the currency and on the economy, that they were parasites, that they ran the black market in wartime, and that any country or city that did not get rid of them would go under.[186]

16. In another passage not quoted or referred to by Irving, Hitler told Horthy that

> one did not need to fight shy of pursuing the struggle against the Jews energetically on his part either. There must be no deviation in this, and anyone who believed in compromises in this question was fundamentally deceiving himself. Why should the Jews be treated with kid gloves?...They were also responsible for the present war and the form which it had taken on, and for the numerous victims among women and children.[187]

Later, he added that 'the Jews had indeed started the war, and one need have no sympathy for them if the war now brought serious consequences for them with it.'[188]

17. In view of all this, it seems very unlikely that a bombing raid which Hitler described as 'trivial' and which he did not link directly to the Jews, would have counted for very much in his mind. Hitler pursued his murderous policies against the Jews not because of the alleged criminality of Jews in Poland, the impending Warsaw uprising, or the bombing campaign of the Allies, but because of his all-consuming hatred of the

Jews, whom he saw as responsible for almost every problem that faced Germany and the world. Finally, Irving's manipulation of the context of Hitler's remarks on 17 April 1943 cannot distract from the simple fact that Hitler openly admitted and justified the murder of the Jews in these conversations with the Hungarian leader.

(i) Further suppression of evidence of Hitler's radical antisemitism.

1. Hitler's antisemitic remarks to a meeting held with the Romanian military dictator Ion Antonescu, another of his allies whom he accused of disloyalty to Germany, on 13 April 1943, shortly before he met Horthy, are also suppressed by Irving. To be sure, on page 508 of the 1977 edition of *Hitler's War*, Irving does mention the fact that the two men met on 12 April to discuss Romania's position in the war. But he omits to mention altogether the fact that the official meeting went on for a second day, 13 April, during which, according to the minutes, Hitler harangued Antonescu in uncompromising terms about the 'Jewish Question':

> The Führer then described the measures which had been taken in Germany in this area. The moment the Jews had been removed, the economy, cultural life and other areas had blossomed. In other countries, where the Jew-question had not been so energetically cleaned-up, as e.g. in Hungary, the circumstances were very difficult. The Jews were the natural allies of Bolshevism and the candidates for the positions occupied by the present intelligentsia who were to be murdered during Bolshevization. Therefore, in contrast to Marshal Antonescu, the Führer took the view that one must proceed against the Jews, the more radically the better. He (the Führer)...would rather burn all his bridges behind him, because the Jewish hatred is so enormously great anyway. In Germany, as a consequence of the clearing-up of the Jewish question, one had a united people without opposition at one's disposal...however, once the way had been embarked upon, there was no going back.[189]

2. Once again, since the meetings of 12 and 13 April between Hitler and Antonescu are recorded in the same documentary collection, a collection with which Irving is fully familiar, the failure to mention the second day's discussion in a book, *Hitler's War*, which devotes considerable attention to Hitler's attitude towards the Jews, can only be the result of deliberate suppression.

(v) Conclusion

1. The significance of the meeting between Hitler and Horthy on 16-17 April 1943 only really becomes clear when we recall what happened subseqently. In May 1943 the Hungarian Prime Minister Kállay publicly rejected the idea of 'resettlement' of Hungary's Jews in the East until he received a satisfactory answer from the Germans as to how and where the resettlement was to take place.[190] But the Nazi government did not abandon its designs for the extermination of the Hungarian Jews. In March 1944, Horthy was again summoned to meet Hitler. According to Horthy, at the meeting on 18 March 1944 Hitler complained that 'Hungary did nothing in the matter of the Jewish problem, and was not prepared to settle accounts with the large Jewish population in Hungary'[191] . Meanwhile, German troops marched into Hungary and took the country over. Sztójay was appointed Prime Minister on 22 March 1944 of a puppet government. Already on 19 March 1944, the Eichmann *Sonderkommando* was in Budapest to organise the deportation of the Hungarian Jews. By July 1944, over 430,000 Jews had been deported to Auschwitz. After a brief halt called by Horthy, who still retained some influence, the Germans staged another coup in October 1944 and installed the Hungarian fascist leader Szalasi as Prime Minister. Although plans were laid to deport more Jews and thousands were marched

to Austria under terrible conditions, many of them dying *en route*, Auschwitz was now being wound up in the face of the Russian advance and there was no more major extermination, although thousands of Jews died in what had become a virtual ghetto in Budapest in the winter of 1944-45. All of this demonstrated clearly the paramount importance the extermination of Hungary's Jews had for Hitler.

2. Irving is at pains to obscure this in his account of the German leader's meeting with Admiral Horthy on 16-17 April 1943. Through bending reliable sources to fit his argument, misrepresenting and skewing historical data, misinterpreting sources and deliberately suppressing relevant information, he conveys the impression in his book *Hitler's War* that Hitler was actually opposed to the extermination of the Hungarian Jews, demanding merely their confinement in internment camps, a measure for which, Irving falsely insinuates, events in Poland (including the Warsaw ghetto uprising, which as we have seen had not actually taken place at the time of the meeting between Hitler and Horthy) provided a reasonable justification. This argument is untenable on historical grounds, and rests on a deliberate falsification of the historical record.

(i) The Deportation and Murder of the Roman Jews in October 1943.

(i) Background

1. In his reply to the defence, Irving cites the following incident as part of his argument that Hitler opposed the killing of Jews, and refers in the course of his account to another of the key links in the documentary chain of evidence which he claims supports his argument:

> On 6 October, 1943 at 1.30 p.m. Ribbentrop received a message from Consul Moellhausen in Rome, reporting that SS *Obersturmbannführer* Kappler had been instructed to arrest the eight thousand Jews living in Rome and take them to Upper Italy, 'where they are to be liquidated'; and that the commandant of Rome, Luftwaffe General Stahel, was objecting. Upon receiving this telegram, the foreign minister Ribbentrop visited Hitler at his headquarters The Wolf's Lair. He lunched with Hitler at two p.m. on October 6, and his liaison officer at the Wolf's Lair, Walther Hewel, had several meetings with Hitler on October 6, 8, and 9, 1943. Ribbentrop's aide Franz von Sonnleithner sent to the minister's office a telex stating that Ribbentrop asked that their ambassador in Italy, Rudolf Rahn, and consul in Rome, Moellhausen, should be informed 'that by a Führer Directive the 8,000 Jews living in Rome are to be taken to Mauthausen, Upper Danube, as hostages' (Nuremberg Document ng-5027) - i.e., kept alive.[192]

2. Irving has been using this document in this way for over two decades, for the same example appears, with variations, in the 1977 edition of his book *Hitler's War*. Here, Irving described the incident in the following terms which, unlike his account to the court, make it clear what actually happened to these Jews:

> Early in October the remaining Jews were deported from Denmark. Himmler also considered the eight thousand Jews in Rome a potential threat to public order; Ribbentrop brought to Hitler an urgent telegram from his consul in Rome reporting that "the eight thousand Jews resident in Rome are to be rounded up and brought to Upper Italy, where they are to be liquidated." Again Hitler took a marginally more "moderate" line. On the ninth Ribbentrop informed Rome that the Führer had directed that the eight thousand Jews

were to be transported to Mauthausen concentration camp in Austria instead, where they were to be held "as hostages" It was, Ribbentrop defined, purely a matter for the SS. (The SS liquidated them anyway, regardless of Hitler's order.)[193]

3. In the 1991 edition of *Hitler's War,* this passage appears once more, abridged and amended, as follows:

> Himmler evidently also considered the eight thousand Jews in Rome a potential threat to public order; Ribbentrop brought Hitler an urgent telegram from his consul in Rome reporting that the SS had ordered that "the eight thousand Jews resident in Rome are to be rounded up and brought to Upper Italy, where they are to be liquidated." Again Hitler took a more "moderate" line. On the ninth Ribbentrop informed Rome that the Führer had directed that the Jews were to be transported to Mauthausen concentration camp in Austria instead, where they were to be held "as hostages". [194]

4. In 1991 Irving goes on to describe Himmler's speeches to SS officers in October 1943 on the extermination of the Jews. He deletes all reference to the fact that the Jews of Rome were killed anyway, in keeping with his general removal of references to the extermination of Jews from the book following his conversion at the end of the 1980s to Holocaust denial, as described earlier in this report.

5. Before we come to examine the supporting documentation advanced by Irving for this claim, three background factors need to be borne in mind. First, the *Reichssicherheitshauptamt* [Reich Security Head Office - RSHA] had been formally entrusted with the 'final solution of the Jewish question'. To move against Jews in conquered and allied countries or indeed Jewish nationals of countries within German territory, however, required the assistance of the Foreign Office. By early 1943 Ribbentrop had perceived the political expediency of engaging in diplomacy on behalf of the Final Solution. The longer the war continued, the more the operational sphere of Ribbentrop's Foreign Office was reduced, and in turn the more Ribbentrop himself tried to compensate for lost jurisdiction by replacing it with war-related assignments, such as implementing the Final Solution, thereby maintaining his influence on Hitler.[195]

6. Secondly, Rome was plagued by the administrative confusion and overlapping authority which were such marked features of the 'Third Reich'. On 25 July 1943, Hitler's ally Mussolini had been overthrown and the new Italian government had thereupon surrendered to the Allies. Germany then invaded Italy, her erstwhile ally, and annexed the areas she had previously occupied with the intention of putting Mussolini back as the figurehead of a German-dominated administration. German civilian, military, and police agencies jostled with each other over disputed jurisdictions. Italy was in effect governed by the military, headed by Field Marshal Albert Kesselring in Southern Italy and Field Marshal Erwin Rommel in the North. Control of Rome was exercised by military Commandant General Rainer Stahel, but he did not command all the forces in the city, since some of the police were under the German police attaché in Rome, *SS Obersturmbannführer* Herbert Kappler. Kappler in turn was responsible to *SS Obergruppenführer* Karl Wolff, commander of the SS in Italy. An equally confusing mixture of powers characterised the diplomatic service in Italy. The German ambassador to Italy, Dr. Rudolf Rahn, was appointed plenipotentiary of the Greater German Reich in Italy, and he and his staff departed from Rome shortly after the occupation of the city to the projected seat of the new puppet Italian fascist government at Salò, leaving a few officials behind in Rome. Ernst Freiherr

von Weiszäcker headed the German embassy to the Vatican, which since 1929 had been an independent sovereign state located within the city.[196]

7. Thirdly, the situation in all of the newly overrun territories was extremely unstable. This had serious implications for policy. Martin Bormann wrote to the *Gauleiters* of the border provinces of Venezia Guilia and Alto Adige on September 10, 1943 underlining the need to distinguish between 'ideal aims, which are not immediately achievable' [*Ideal-Zielen, die sofort gar nicht zu verwirklichen sind*] and the 'steps which lead to these ideal aims' [*Stufen, die zu diesen Ideal-Zielen führen*]. The lack of available police batallions circumscribed the achievable for it made the occupiers dependent on the native Italian police. Bormann went on:

> Accordingly all our steps must be dictated by political cleverness. Every rash step endangers our war potential. 4) The therefore decisive point is that we refrain from shrill, political imprudence which could provoke a country into revolt and resistance.[197]

The presence of the Vatican made the situation in Rome particularly sensitive.

8. All these factors constitute, therefore, a difficult and complex historical situation against which the meaning and significance of the Ribbentrop telegram have to be judged.

(ii) Irving's suppression of two key documents.

1. The sources Irving cites in *Hitler's War* concerning the deportation of the Roman Jews are the following: (1) Nuremberg Document, NG-5027, telegram from Consul Eitel Friedrich Moellhausen, 6 October, 1943; (2) Hitler's negation of the SS order in Franz von Sonnleithner's teletype dated October 9, 1943. (3) T175/53/7133, the SS report on the roundup of Rome's Jews, 17 October, 1943.[198] In his submissions to the court in the present case, Irving has cited the first two of the above and an additional document relaying the content of Sonnleithner's teletype to Rome. All three documents provided are separate leaves from NG-5027 (i.e. a document used by the Nuremberg Court in their prosecutions).
2. All three are telegrams. The first, as we have seen, is from Consul Eitel Moellhausen in Rome to Ribbentrop, dated 6 October 1943.[199] The second document listed above is from Foreign Ministry official von Sonnleithner asking that Consuls Dr. Rudolf Rahn and Moellhausen be informed of Hitler's and Ribbentrop's orders to deport the Jews of Rome, dated 9 October 1943, addressed from Westphalia.[200] The other document cited by Irving in his submission to the court, but not mentioned in his account in *Hitler's War*, and therefore referred to here as document number (4), is also dated 9 October 1943 and is a message from the Foreign Ministry in Berlin to the same effect, but addressed only to Consul Moellhausen.[201]
3. These three documents (1), (2) and (4) read together could lead one to believe that Hitler had intervened to the advantage of Rome's Jews, as is no doubt Irving's intention. As we shall see, however, this belief would be mistaken.
4. The background circumstances are as follows. On 12 September 1943 the German police attaché in Rome, Kappler, received a telephone call from Rastenberg [Hitler's field headquarters in East Prussia, also known as the *Wolfschanze* - Wolf's Lair] informing him that Himmler wanted him to proceed with the round-up and deportation of the Roman Jews.[202] This telephone call was followed by a secret cable:

> Recent Italian events impose an immediate solution to the Jewish problem in the territories recently occupied by the armed forces of the Reich. The *Reichsführer SS* therefore requests *Obersturmbannführer* Kappler to take with-

> out delay all preliminary measures necessary to ensure the swiftness and secrecy of the operation to be carried out in the territory of the city of Rome. Immediate orders will follow.[203]

5. On 24 September Himmler's office in Berlin sent a second secret cable calling for the 'final solution' to the Jewish problem in Rome. All Jews were to be arrested and sent to the Reich 'for liquidation'.

6. The cable did not set a date for the operation, but continued:

> It is known that this nucleus of Jews has actively collaborated with the Badoglio movement, and therefore its speedy removal will represent, among other things, a necessary security measure guaranteeing the indispensable tranquillity in the immediate rear of the Southern front. The success of this undertaking is to be ensured by means of a surprise action, and for this reason it is absolutely necessary to suspend the application of any anti-Jewish measures in the nature of individual acts in order not to arouse any suspicions amongst the population of the imminent Jewish action [*Judenaktion*].[204]

7. On 25 September the RSHA sent a circular to all its branches at home and abroad, announcing that 'in agreement with the Foreign Office' all Jews of listed nationalities could now be included in the deportation measures. Italy headed the list.[205]

8. Although it was marked 'confidential' and 'personal' the military commandant of Rome, Stahel, read the cable from Himmler and contacted Consul Moellhausen. By chance Moellhausen had become the chief representative of the Reich in German-occupied Rome when his superior, ambassador Dr. Rudolf Rahn, had been injured in a car accident the day before.

9. It would seem that both Moellhausen and Stahel agreed that the action was a mistake. Regardless of their motivations, Moellhausen in turn agreed to take the matter up with Kappler, and proceeded to do so on 26 September. Moellhausen drew Kappler's attention to Tunisia, where in 1942 the Jews had been saved by drawing them into forced labour on fortification work. Both Rahn and the current military commander of southern Italy General Field Marshal Kesselring had been involved.[206] Moellhausen and Kappler then called on Kesselring, who told them that he would be unable to spare any soldiers for the action, and that if Berlin considered it necessary to do something about the Jews within his jurisdiction, he would approve using Jewish labour for fortification work around Rome.[207]

10. At the beginning of October *SS Hauptsturmführer* Theodor Dannecker of Section IV-B-4 of the RSHA arrived in Rome at the head of a mobile *Einsatzstab* [task staff, i.e. execution team].[208] Dannecker had already played a prominent part in the deportation of Jews from France and Belgium. He had with him an authorisation from Gestapo Chief Heinrich Müller ordering the local police chief to furnish all necessary assistance.[209] It was in this context that Moellhausen sent his cable of 6 October (document 1, above, cited by Irving both in *Hitler's War* and in his submission to the court). It was marked 'very very urgent' [*Supercitisssime*] and addressed to the Reich Foreign Minister personally.

11. This cable, Telegram 192, read in full:

> *Obersturmbannführer* Kappler has received orders to arrest the eight thousand Jews resident in Rome and bring them to Upper Italy, where they are to be

liquidated. The City Commandant of Rome, General Stahel, informs me that he will permit this action only if it corresponds to the intention of the Herr Reich Foreign Minister. I am personally of the opinion that it would be better business to employ the Jews for fortification work, as in Tunis, and, together with Kappler, I will propose this to Field Marshal Kesselring. Please advise Moellhausen.[210]

12. Consul Moellhausen followed this with a second dispatch on 7 October, again marked 'very very urgent' [*Supercitisssime*] and to 'the Reich Minister personally'. It was numbered 201 and headed 'in connection with telegram of 6th, no. 192+' [*Im Anschluß an Telegramm vom 6. Nr. 192+*] Irving completely omits this document from his account, although the Foreign Ministry's reply, document number 98 as submitted by Irving, clearly reads 'in response to no. 201 of 7.10 ' [*Auf Nr. 201 vom 7.10.*]. Telegram 201 read as follows:

> Field Marshal Kesselring has asked *Obersturmbannführer* Kappler to postpone the planned *Judenaktion* for the time being. But if something has to be done, he would prefer to use the able-bodied Jews of Rome for fortification work here.[211]

13. This is the complete documentary background to Hitler's order [*Führerbefehl*] as passed on to Rome by Eberhard von Thadden of the Foreign Ministry.

14. On 9 October, Moellhausen received an answer to telegram 201 addressed explicitly to him and marked 'very urgent'. This is the additional document, listed above as number (4), submitted by Irving to the court. It reads:

> On the basis of the Führer's instructions, the 8,000 Jews resident in Rome are to be taken to Mauthausen as hostages. The Herr R(eich) F(oreign) M(inister) asks you not to interfere in any way in this affair, but to leave it to the SS. Please inform Ambassador Rahn Thadden.[212]

15. This in turn was a response to a message of earlier in the day from Dr. Franz von Sonnleithner to the Office of the Foreign Ministry asking them to relay the following message from Ribbentrop to Rahn and Moellhausen. This is the document referred to above as number (2) and also cited by Irving, indeed the key document in his whole account. It reads as follows:

> The Reich Foreign Minister requests that consuls Rahn and Moellhausen be informed that, on the basis of a Führer instruction, the 8,000 Jews resident in Rome should be taken to Mauthausen (Upper-Danube) as hostages. The Reich Foreign Minister requests that Rahn and Moellhausen be told under no circumstances to interfere in this affair, but rather to leave it to the SS. Sonnleithner.[213]

16. But Irving then omits a vital document from his account. A few hours later a second, unequivocal message was sent to Rome from the same source:

> The Herr Reich Minister of Foreign Affairs insists that you keep out of all questions concerning Jews. Such questions, in accordance with an agreement between the Foreign Ministry and the Reich Security Head Office, are within the exclusive competence of the SS, and any further interference in these questions could cause serious difficulties for the Ministry of Foreign Affairs.[214]

17. Nowhere does Irving even mention the existence of this document, let alone cite or refer to its contents.

(ii) Irving's manipulation of reliable sources.

1. Moellhausen's telegram of 6 October, not cited by Irving, makes it clear that not merely was Stahel 'objecting' to the *Aktion*, but that he was refusing to comply with it unless it was sanctioned by Ribbentrop himself.[215] Moreover Moellhausen, Rahn's stand-in, had not only the stupidity to use the word 'liquidate' in official correspondence with the Foreign Minister, but also the audacity, before a response could be given to his first telegram, to contact Field Marshal Kesselring and obtain his agreement that the Jews of Rome be engaged in fortification work.[216] The senior figures in Rome, Moellhausen, Kesselring, and probably also Kappler had effectively formed a triumvirate to block deportation. Any prospect of a 'clean' round-up was fading fast in this entanglement. Hitler's order cut decisively through the mess and made clear in no uncertain terms that the Jews of Rome were still to be deported and not to be kept in Italy on fortification work.
2. Appended to the order outlining 'the Führer's instructions' in this matter was a clear order that Moellhausen and Rahn were 'under no circumstances' to interfere in the affair. They were instead to leave it entirely to the SS.[217] Irving manipulates the document (no. 2 above) by omitting all mention of this part of it both in the 1991 edition of *Hitler's War* and in his submission to the court. Only in the 1977 edition of his book does he mention that Ribbentrop ordered that the matter was to be left to the SS, just as only in the 1977 edition of his book does he add that the Jews were 'liquidated' anyway. Clearly he is suppressing this important information in order to underline the impression he gives that Hitler was intervening purely and simply to stop the Jews being killed. Yet the instruction to put them in the hands of the SS was made explicit by the second telegram, which is left unmentioned by Irving even though he must be familiar with its contents.[218]
3. In 1977, Irving wrote that the Jews were liquidated 'regardless' of Hitler's orders (i.e. contrary to them), part of his thesis that Hitler was only responsible for the deportations; and Himmler and Heydrich murdered the Jews without his knowledge.[219] Ribbentrop must have discussed with Hitler all the major aspects of the situation, including Himmler's liquidation orders, the impending round-up by the SS, and the attempts to block it by the consuls and the army. There is every reason to suppose that Ribbentrop's injunction to leave the *Aktion* to the SS was an integral part of the discussion, and that Hitler approved it. If Hitler was intervening to stop the Roman Jews from being killed, then he knew that the Roman Jews were to be liquidated, he knew it was on Himmler's orders, and he must have known it was part of a much wider pattern of mass murder of Jews by the SS, or in other words, he must have known it was part of the 'Final Solution'.

(iv) Other relevant documentation.

1. The Jews of Rome were finally rounded-up and deported on 16 October 1943. Moellhausen claimed in his post-war memoirs that he was reprimanded by Rahn on October 19 to the following effect:

> Apropos the events of October 16th: You got Ribbentrop's senior men on your neck; you have placed Kesselring in an embarrassing position and have weakened your own, and thus my position, in order to gain little or nothing at all. You should have reported to me and I would have tried to arrange something with Wolff. You have created chaos and have ruined everything. Very bad![220]

2. On the face of it, there is no reason to disbelieve his account, since it fits in with the contemporary documentary record, though not, of course, as amended and manipulated by Irving.

3. A second relevant additional piece of documentary evidence is the following report, written by the German Foreign Office in the discussions that followed the initial attempts to round-up the Jews of Italy:

> The RSHA has informed us that the actions ordered in Italy by the *Reichsführer-SS* [Himmler] to catch the Italian Jews have lead to no results worth mentioning because the necessary steps have been protracted by objections from various sides, so that the majority of the Jews have availed themselves of the opportunity to find hiding in small villages etc.[221]

1. This reference to 'objections from various sides' no doubt included Moellhausen's actions in the matter, described above.

2. But there were other objections too. Hitler's order rode roughshod over a number of considerations on the part of various authorities in both Rome and Germany about the impending deportation. Any one of these either in isolation or combination could have dictated a policy of compromise to the less determined and fanatical mind. The greatest fear was of a public Papal condemnation. On the day of the action a letter of protest was signed by Bishop Alois Hudal, Rector of the German Catholic Church in Rome addressed to Commander Stahel. It requested an immediate stop to the arrests:

> I must speak to you of a matter of great urgency. A high Vatican dignitary in the immediate circle of the Holy Father has just informed me that this morning a series of arrests of Jews of Italian nationality has been initiated. In the interests of the good relations which have existed until now between the Vatican and the German High Command ... I earnestly request that you order the immediate suspension of these arrests both in Rome and its vicinity. Otherwise I fear that the Pope will take a public stand against this action which would undoubtedly be used by the anti-German propagandists as a weapon against us.[222]

6. The ambassador to the Holy See, Baron Ernst von Weizsäcker, wrote urgently to the Foreign Office:

> With regard to Bishop Hudal's letter ... I can confirm that this represents the Vatican's reaction to the deportation of the Jews of Rome. The Curia is particularly upset because the action took place, in a manner of speaking, under the Pope's own windows. The reaction could be muffled here somewhat if the Jews were to be used for labour service here.
>
> The people hostile to us in Rome are using this affair as a means of forcing the Vatican from its reserve [...] Enemy propaganda abroad will certainly view this event in the same way [as events in France] in order to disturb the friendly relations between the Curia and ourselves.[223]

Weiszäcker subsequently wrote that the pressure had been unsuccessful.[224]

7. Others predicted civilian unrest in Rome as a result of the deportations and a consequent hampering of the German war effort. That security problems had been anticipated is clear from the Gestapo report of the round up sent to *SS Obergrüppenführer* Karl Wolff. This was signed by Kappler, but presumably written by Dannecker: 'The

antisemitic part of the population was nowhere to be seen during the action, only a great mass of people who in some individual cases even tried to cut off the police from the Jews. In no case was it necessary to use firearms.'

1. A report drawn up for Stahel's headquarters for his war diary was brief and inaccurate, but finished: 'What the consequences of the *Aktion* will have, remain to be seen.'[225] Ten days after the deportation Legation Secretary Gumpert wrote to defend the conduct of General Stahel who was under threat of with removal. On occupying the city he had quickly restored an 'atmosphere of trust' between the military authorities and the population. 'Even the measures against the Jews, which were thought strong here and all sorts of German evacuation measures could ... be enforced without any special outwardly noticeable shocks.'[226]

2. Irving argues that Hitler was in 'most circumstances a pragmatist' and that he would not 'willingly destroy manpower, for which his industry was crying out.'[227] Why did he willingly destroy it, then, in a country which was in the thick of battle, as Italy was? Countermanding the plan that the Jews of Rome be pressed into fortification work deprived the army of sorely needed manpower. No single document illustrates this, but almost every second piece of German Foreign Office correspondence in this context is concerned with some aspect of work mobilisation, whether it be sending Italian workers to the Reich or trying to build battalions for defence work. It was clear that police forces were not sufficient to capture the Jews in Italy in one fell swoop. The diehards of the SS balked at what Hitler expected to be done with so little available manpower.

10. A meeting between von Thadden of the Foreign Office and Müller of the Gestapo on 16 October recorded:

> He [Müller] does not agree with the opinion of the Foreign Office which believes that precisely here [i.e. in Italy] especially with regard to the position of the Catholic Church a surprise blow is called for. The available forces are not sufficient to do such a thing in the whole of Italy. One is therefore forced to begin with the unrolling of the Jewish question immediately behind the front line and drive the purge step-by-step further north. *Gruppenführer* Müller evidently had certain apprehensions at the time to do with the practical implementation of the *Führerbefehl*, concerning the arrest of 8,000 Jews in Rome.[228]

11. The only thing which separated Hitler from the SS and the RSHA was a difference in the tactics to be used in a complex situation where the Germans, in the view of some of their senior officials, lacked the strength to carry out the full measure of the 'Final Solution'.

(iv) The fate of the Roman Jews: the question of language.

1. As it was, on 16 October 1,259 people were seized and after two days and a sifting process the remaining Jews were shipped off, not to Mauthausen, but to Auschwitz.[229] The exact number of deportees is unclear. Kappler's report gave the number as 1,007, but the Italian literature puts the number at somewhere between 1,030 and 1,035.[230] On arrival on 23 October 149 men were admitted to the camp and given the numbers 158491-158639, and 47 women were admitted and given the numbers 66172-66218. Katz traced 14 male and one female survivor. Tagliacozzo traced 17 men and one woman and *Ebrei in Italia* 15 men and one woman.[231] The rest were gassed.[232]
2. Even after the analysis above, the question remains if it is possible to reconcile 'liquidation' in 'upper Italy', 'hostages' in Mauthausen, and deaths in Auschwitz. Four

points can be made: First, where exactly in Northern Italy Himmler ordered the Jews to be taken and how they were to be 'liquidated' is unclear. The first large concentration camp on Italian soil (Fossili near Carpi) was not operational until December 1943.[233] 'Upper Italy' was probably a convenient euphemism for 'the East'. This is supported by a note by the head of the *Inland II* department of the Foreign Office, Hurst Wagner on a conference in Berlin on the Italian Jewish problem on 4 December 1943. By this time the Italians had gone some way to rounding up the Jews themselves. *Inland II* had persuaded the RSHA to 'delay' [*abwarten*] with a request for an immediate transfer of Jews concentrated in Italy to the East:

> Group Inland II considers it advisable to delay this request for the moment because the concentration process will probably proceed with less trouble if the transfer to a concentration camp appears to be the final solution and not evacuation to the East.[234]

Ribbentrop saw the note and concurred.[235]

3. The verbal camouflage surrounding the Final Solution is notoriously hard to penetrate. That Moellhausen used the word 'liquidate' is reason enough to surmise that Hitler's order used 'Mauthausen' and 'hostage' to reassert the prescribed phraseology. It should suffice to quote another order of Hitler's. On 11 July 1943 Hitler's private secretary and close collaborator Martin Bormann addressed a circular to all *Reichsleiter*, *Gauleiter*, and *Verbändeführer*:

> Re: treatment of the Jewish question. By order of the *Führer* I hereby notify: in the public handling of the Jewish question every discussion of a future total solution must be discontinued. It can be said though that the Jews will be drawn into appropriate work detail en bloc.[236]

4. The concern to use camouflaged language and avoid all use of words such as 'liquidation' and 'final solution' in public thus emanated from Hitler himself.

5. As for Mauthausen, if Hitler did indeed mean what he said when he ordered the Roman Jews to be sent there, he was surely aware that it was perhaps the deadliest of all concentration camps. In January 1941 the head of the Reich Security Service *SS-Obergruppenführer* Reinhard Heydrich divided the concentration camps into three grades to determine conditions of detention and work in each.[237] Those camps in Grade III were to deal with the worst category of prisoner; protective custody prisoners with bad records, particularly criminal records and anti-social elements, i.e. those who could not be re-educated.[238]

6. Grade III was reserved solely for Mauthausen. The mortality rate, especially for Jews, was terrible. Deportation to Mauthausen was effectively a death sentence, often by forced labour in the quarries or in camp construction. For example, between 26 November 1942 and 1 March 1943, 10,191 state prison inmates were transferred from German state prisons to concentration camps. 7,587 of them were transferred to Mauthausen/Gusen. By 1 March 1943 3,853 of the original ten thousand were dead, 3,306 of them in Mauthausen alone.[239] Marsálek estimates that of the 25,732 Jews committed to Mauthausen between 1938 and 1945, 14,356 were registered in the camp's deaths register [*Totenregistratur*] as 'deceased'. This figure excludes 4,005 retransferred to other camps.[240] The fate awaiting Jewish 'hostages' in Mauthausen is clear from the example of Holland. In Febuary of 1941 a German security detachment suprised a Jewish 'illegal terror group' and were doused in ammonia.[241] In retaliation some 400 young men between eighteen and thirty-five were rounded-up in the Jewish quarter. They were taken as 'hostages' first to Buchenwald and then

348 of them on to Mauthausen on 17 June 1941. A second group of 291 'hostages' arrived direct from the concentration camp Schoorl outside Amsterdam on 25 June. Only one of the original 400 young men survived.[242]

(vi) Conclusion.

It is incumbent upon the historian to provide an account of events that is consistent with the facts. When considering the facts relating to the deportation of the Jews of Rome Irving is open to charges of manipulation and willful misrepresentation. Hitler's intervention was not one which 'mitigated' the lot of the Jews. On the contrary it counteracted a concerted local attempt to save them and condemned them to extermination. Hitler's order was not a revision of Himmler's order but a forceful reaffirmation of it. Hitler surely knew that for the Jews to be deported from Italy 'as hostages' was their death warrant, whether it was to Mauthausen or whether this was simply a euphemistic deception on his part. Irving manipulates and falsifies the documentation, suppressing material which he knows runs against his case, in order to support a wholly untenable conclusion which in fact is the exact opposite of the real truth. **(j) <u>Ribbentrop's testimony at Nuremberg and his evidence from his cell in Nuremberg.</u>**

(i) Introduction

1. In *Hitler's War,* Irving used an extract from Foreign Minister Joachim von Ribbentrop's Nuremberg prison notes to support the thesis that Hitler knew nothing of the 'Final Solution'.[243] In a footnote on page 851 of the 1977 edition Irving wrote:

> Writing a confidential study on Hitler in his Nuremberg prison cell, Ribbentrop also exonerated him wholly. "How things came to the destruction of the Jews, I just don't know. As to whether Himmler began it, or Hitler put up with it, I don't know. But that he *ordered* it I refuse to believe, because such an act would be wholly incompatible with the picture I always had of him."

2. This forms another of the documents in Irving's much-vaunted chain of sources allegedly supporting his thesis that Hitler was not responsible for the extermination of the Jews.

(ii) Irving's manipulation of the source.

1. The journalist Gitta Sereny pursued Irving's reference for her 1977 *Sunday Times* article.[244] The original document in the Bavarian State Archives contained an additional sentence as translated by Sereny: 'On the other hand, judging from his [Hitler's] Last Will, one must suppose that he at least knew about it, if, in his fanaticism against the Jews, he didn't also order [it]'.[245] When Sereny and her collaborator asked him about the omission Irving told them 'that it was "irrelevant" to the logic of his argument and that he did not "want to confuse the reader."'[246]
2. Irving's own notes on the original make clear that by editing away the later sentence, he has altered the sense of Ribbentrop's comments. Far from 'exonerating him wholly' the full text, even from Irving's own notes, makes clear that Ribbentrop drastically qualified the reference to Hitler which is quoted by Irving. The full text of the manuscript account by Ribbentrop as noted by Irving reads:

> Undoubtedly the Führer saw world Jewry, about whose organisation he was convinced, more and more in the last years as the actual originators of this war. One saw this in his speeches, although, knowing my attitude about this subject, he did not speak with me. How things came to the destruction of the Jews, I just don't know. As to whether Himmler began it, or Hitler put up with it, I don't know. But that he ordered it I refuse to believe, because such an act would be wholly incompatible with the picture I always had of him. Adolf Hitler, who ate no meat because he did not want animals to be killed, to whom children had such trust that we all adored him, could not have been

cold blooded to such a terrible degree. On the other hand, judging from his testament, one must suppose that he at least knew about it, if not even ordered it, in his fanaticism against the Jews.[247]

3. The word 'ordered' put into italics by Irving in the published version does not appear so in the extract.

4. Following the appearance of the article by Chester and Sereny, Irving wrote to the editor of *The Sunday Times* on 14 September 1977 claiming that 'The passage from Ribbentrop's statement which I omitted is totally irrelevant to my claim that *up to October 1943* there is no evidence for the claim that Hitler knew what was going on.'[248] But this does not detract from the documentary manipulation by Irving which was revealed in the article. At no other point in this letter or in his subsequent correspondence did Irving try and defend his editing of the Ribbentrop note.[249] Despite such devastating criticism by Chester and Sereny, the quotation remained intact and is still without the missing sentence in the 1991 edition of *Hitler's War* [p. 809].

1. In his Reply to the Defence, Irving stands by his argument 'that the omitted passage was irrelevant to the logic of his argument and that its inclusion would confuse the reader.' It is of course perfectly true that the omitted passage *did not support* the logic of Irving's argument. But to claim that it was irrelevant is another matter. Its relevance consists in the fact that it undermines Irving's argument. The reader is entitled to know that the passage in point is by no means as unequivocal about Hitler and the 'Final Solution' as Irving would have us believe. Ribbentrop concedes that he cannot but suppose that Hitler knew about, and probably ordered, the 'Final Solution'. In editing the document Irving has manipulated its meaning.

(i) Irving's use of an unreliable source.1. Irving does not address the reliability of Ribbentrop himself as a source. In this context, it is important to note that at no point in the Nuremberg trials did Ribbentrop waver in his loyalty to Hitler, and at no point did he acknowledge the truth of the serious charges laid against him by the International Military Tribunal. After the war, Ribbentrop was questioned about his role in the deportation of the Jews of France and Denmark, and on his conversations with the Italian dictator Mussolini and with Admiral Horthy of Hungary to try to overcome their reluctance to deporting their own Jewish nationals.[250] Ribbentrop admitted that he was a 'faithful follower' who 'adhered' to Hitler's orders to deport all Jews, but claimed that he had no idea of the fate awaiting those Jews after deportation.[251] Yet this last-mentioned claim was an obvious untruth. It is undermined by Ribbentrop's knowledge of the 'Activity and Situation Reports of the task forces of the Security Police and the SD in the USSR' [*Tätigkeits- und Lageberichte der Einsatzgruppen der Sicherheitspolizei und des SD in der UdSSR*].[252]

2. These reports detailed the activities of the mobile armed units operating in Russia behind the advancing German army. The most sensational part of these reports concerned the execution of large numbers of Jews. The first report we know Ribbentrop to have received was report number six, forwarded to him by Heydrich on 25 November 1941 andcovering activities in October. According to it all Jews over sixteen, excepting doctors and elders had been shot in the *Reichskommisariat* Ostland. In Kiev nearly 34,000 Jews had been shot on 29 and 30 September.

3. On 12 December 1941 Ribbentrop received a summary of the first six such reports. By January 1942 it was an open secret in higher circles of the Foreign Office that the Russian Jews were being systematically murdered. Ribbentrop likewise received the seventh, eighth, tenth and eleventh reports. Most important in respect of deportations to the east, the reports made clear that the Ostland was now 'free of Jews' [*Judenfrei*]. It was to Riga in the Ostland that trainloads of German Jews had been shipped it the

end of 1941, obviously only to share the fate of native Jews.

4. Ribbentrop was unwavering in his refusal to criticise Hitler in any way in the dock at Nuremberg. His own defence witnesses, state secretary Steengrach, and his secretary, Margarethe Blank, both spoke of his total subservience to Hitler. The Nuremberg psychologist G. M. Gilbert recorded the following exchange with Ribbentrop on 4 - 5 May 1946:

> [Ribbentrop] "... But I was against this antisemitic policy. What he says about World Jewry starting the war is nonsense - sheer nonsense. - I fought him tooth and nail on it. - "

[Gilbert] "Why couldn't you say that at the trial?"

> [Ribbentrop] "Oh I couldn't stand there and attack the Führer - it just couldn't be done. I am not like certain Germans - now I don't want to say anything against any other defendant, but I can't say I was against him. - Oh, I might still say I don't believe the Jews started the war, but I can't bring out how I opposed the Führer on that issue." [253]

5. Before his execution on 16 October 1946 Ribbentrop had a final meeting with his son Rudolf. Ribbentrop had spent the previous months writing his memoirs.[254] Rudolf expressed the hope to his father that in doing he had not been too uncritical of Hitler. This sentiment apparently shocked Ribbentrop senior.[255] This contradiction between Ribbentrop's public denial of his own knowledge of the 'Final Solution' at Nuremberg and his obvious real complicity in it, coupled with his overwhelming need to exculpate Hitler, make him an unreliable witness to either his own or Hitler's innocence.

(iv) Irving's suppression of a contradictory source.

1. In his book *Nuremberg. The Last Battle*. (London, 1996) Irving uses G.M. Gilbert's *Nuremberg Diary* (London, 1948) as a source.[256] As we have seen, Gilbert was prison psychologist in the Nuremberg prison and wrote up his conversations with the defendants from memory, either immediately after having spoken with them or that same evening. Under 19-22 April 1946, Gilbert recorded the following exchange with Ribbentrop:

> [Ribbentrop] "... Tell me - I wasn't in court on Monday. - Did Hoess[257] actually say - that Hitler had ordered the mass murders?"

[Gilbert] "He said that Himmler gave him a direct *Führerbefehl* for extermination of the Jews in 1941."

> Ribbentrop held his head in his hand and repeated in a descending whisper, " - '41 - '41 - '41 - My God! - Did Hoess say in '41?"[...]
>
> [Ribbentrop] "... All those years - a man to whom children came so trustingly and lovingly. It must have been a fanatic madness - there is no doubt now that Hitler ordered it? I thought even up to now that perhaps Himmler, late in the war, under some pretext -. But '41, he said? My God! My God! [258]

Irving is of course aware of this exchange, but suppresses altogether in his book.

(v) Irving's further arguments.

1. Irving tries to bolster his position with three arguments, all of them spurious. First, he argues that the 'special circumstances and imperatives of ... Ribbentrop, writing under duress in Allied captivity and facing the inevitable death sentence, had to be borne in mind'.[259] Irving nowhere explains exactly what these 'special circumstances and imperatives' are. Does he mean the imperative of a condemned man to tell the truth? Or does he mean the imperative to try and exonerate himself before history by arguing that he must have known nothing of the extermination of the Jews because Hitler knew nothing? If Ribbentrop wrote under 'duress' then why does Irving not dispense with the whole document, as he does for example with the memoirs of Rudolf Höss, rather than trying to maintain that this 'duress' was manifest only when Ribbentrop implicated Hitler but not when he did not?

2. Secondly, Irving suggests that Hitler's political testament 'does not explicitly specify a Hitler knowledge *[sic]* of the extermination.'[260] This repeats the argument presented by Irving in his letter to Harold Evans of *The Sunday Times*, on 14 September 1977. Irving wrote that 'Hitler's Testament was written in April 1945, and Ms. Serenyi *[sic]* knows it; in any case, its wording is as ambiguous as every other document that has ever been produced purporting to prove Hitler's guilt.'[261] Even if true the fact remains that Ribbentrop saw enough in the document to revise his opinion that Hitler knew nothing of the 'Final Solution'. However this is not true. Hitler's political testament, dictated during his last days in the bunker in Berlin, bristled with anti-Semitism. It was brutally clear:

> I also made it quite plain that, if the nations of Europe are again to be regarded as mere shares to be bought and sold by those international conspirators in money and finance, then Jewry, the race which is the real criminal in this murderous struggle, will be saddled with the responsibility. I further left no one in doubt that this time millions of Europe's Aryan peoples would not die of hunger, millions of grown men would not suffer death, nor would hundreds of thousands of women and children be allowed to be burnt and bombed to death in the towns, without the real criminal having to atone for his guilt, even if by more humane means. [262]

3. This passage is in no sense ambiguous. Hitler unmistakably informs posterity that he has made good his threat that 'this time' [i.e. in contrast to World War One] the deaths of millions of Aryans would not go unavenged. This can only refer to his speech before the Reichstag of 30 January 1939. This speech has already been mentioned a number of times above, and was constantly referred to by members of the Nazi leadership during the war when they referred to the extermination of the Jews. In it (it will be remembered) he said:

> Today I will once more be a prophet. If the international Jewish financiers inside and outside Europe should once again succeed in plunging the nations into a world war, the result will not be the bolshevization of the world and thus the victory of Jewry, but the annihilation [*Vernichtung*] of the Jewish race throughout Europe.[263]

4. With the radicalisation of Jewish policy during the course of the war his 'prophecy' took on a prominent place in Hitler's thinking. On 30 January 1941, for example, Hitler reminded his audience:

> And I do not want the remark forgotten, which I once made in the German

> Reichstag on 1 September 1939. The remark namely, that if the other world is thrown into a general war by Jewry, then the whole of Jewry will be done for in Europe. [264]

5. Hitler returned to his 'prophecy' yet again a year later in another speech making it absolutely clear that he now considered himself engaged in a war against the Jews in which either one side or the other would end by being exterminated:

> We are certain that the war can only end in that either the Aryan peoples will be exterminated or that Jewry disappears from Europe. I already pronounced before the German Reichstag on 1 September 1939 - and I guard myself against hasty prophecies - that this war will not end as the Jews imagine it will, namely that the European-Aryan peoples will be exterminated, rather that the result of this war will be the annihilation of Jewry. For the first time this time the real ancient Jewish law will be applied, 'an eye for an eye, and a tooth for a tooth.'[265]

6. This 'prophecy' also became common currency in higher Nazi circles, as we have already seen. Here too there was a clear understanding of what it actually meant. The propaganda minister Joseph Goebbels wrote in his diary on 13 December 1941:

> Concerning the Jewish question the Führer is determined to make a clean sweep. He predicted to the Jews that if they were to once again bring about a world war, that they would thereby experience their annihilation. That was no idle phrase. The world war is here, the annihilation of Jewry must be the necessary consequence. [266]

7. Another leading Nazi, the Governor-General of occupied Poland, Hans Frank, spoke before his government on 16 December 1941 in similar terms which also made it clear what he understood by the phrase 'deportation to the east':

> An end must be made with the Jews one way or another - I want to tell you that quite openly. The Führer once pronounced: if united Jewry should once again succeed in unleashing a world war, then the blood-sacrifice will not only be brought by those peoples incited into war, but the Jew in Europe will also meet his end. [...]
>
> But what will happen to the Jews? Do you believe that they will be housed in village settlements in the Ostland? We were told in Berlin: why all the screaming; we can not do anything with them in the Ostland or the Reichskommisariat either, liquidate them yourselves! [267]

8. Hitler, of course, was considerably less brutal in the language used in his testimony, and used the term 'even if by more humane means'. All this should do, however, is alert the historian to the well-documented fact that murder by gassing was considered (without any justification, it must be added) to be more humane than shooting or starvation, and that Hitler included in his testament the propagandistic point that the killing of civilians by bombing raids, at least when the civilians in question were German, was inhumane.

9. These points can be illustrated by an infamous memorandum of July 1941 in which SS-*Sturmbannführer* Rolf-Heinz Höppner drew the attention of the Jewish expert of office IV B 4 of the RSHA, Adolf Eichmann, to considerations amongst SS men in the Warthegau regarding the 'solution of the Jewish question'. Point 4 read:

> This winter there is a danger that not all of the Jews [of the Warthegau] can be fed anymore. One should weigh up honestly if the most humane solution might not be to finish off those Jews, as far as they are incapable of being put to work, by some quick-working means. At any rate, this would be more pleasant than letting them starve to death.[268]

1. Irving cited this selfsame document in trying to convince the historian Martin Broszat that there was no Hitler order for the 'Final Solution', rather that it was the result of a number of *ad hoc* local initiatives.[269] And yet the same tale-tell reference to starvation and more humane means of killing occurred both in this document and in Hitler's final testament.
2. Thirdly, Irving claims that he 'had a fund of collateral documentary evidence on which to base his decisions on how to paraphrase or edit over-long documents. This includes the transcript of a conversation, secretly recorded between Ribbentrop and a British officer at this time, relatiung [sic.] to what had happened in these concentration camps.'[270] This fact, he further claims, has been overlooked.
3. The transcript referred to does not seem to have been included in Irving's First List of Documents, but presumably this refers to the interrogation of 11 August 1945 cited in Irving's *Nuremberg: The Last Battle*. Far from being collateral evidence of Hitler not having ordered the destruction of the Jews, it is as contradictory as the Ribbentrop notes detailed above. In Irving's book, Ribbentrop answers the question if Hitler knew of the fate of the Jews in the concentration camps thus:

> I have so often thought about that. It would absolutely ruin my picture of Hitler if I thought this. I know one thing, that after the Russians [in September 1944] had taken over the concentration camp in Poland, Majdanek I think it was called, that was the first time I heard of these persecutions in concentration camps, misdeeds, atrocities. This was the first thing I heard when our representatives from abroad sent telegrams that Russian propaganda was making a tremendous row in neutral countries. I got these telegrams and placed them before the Führer. I said that if this were true in any respect it would be quite impossible to make foreign policy. So he took the matter in hand and said it was not my business to discuss this. That's the only thing I heard.[271]

1. This, therefore, is the first piece of 'collateral evidence' which Irving cites in order to justify his procedure in 'editing' Ribbentrop's testimony.
2. Ribbentrop is likewise quoted in Irving's book on Nuremberg as having said to the Nuremberg psychologist Gilbert: 'You know, I didn't know anything about the exterminations - until the Maidanek affair came out in '44.'[272] Thus even by his own admission Ribbentrop did know about the concentration camps and had discussed them with Hitler at the latest in 1944, contradicting his own testimony whilst in the dock. Ribbentrop's account here is as unreliable and self-serving as it is on other aspects of this question.
3. These allegedly 'collateral' pieces of evidence thus in no way justify, as Irving claims they do, the suppression of important parts of Ribbentrop's public and private evidence at Nuremberg in Irving's account. He is not engaged in the neutral 'editing' of 'over-long' documents in order to convey their essential sense in a few words. He is, once more, engaged in the skewing of the evidence by editing out parts of it which run counter to his argument.

(vi) Conclusion.

1. Irving's editing of the Ribbentrop note is a blatant manipulation of the evidence, and is also based on testimony that is itself thoroughly unreliable. By omitting a key part of Ribbentrop's statements, Irving conveys a completely misleading impression of

what he said. Not only is Ribbentrop an unreliable and discredited witness anyway, but none of the arguments which Irving musters in defence of his editing justifies this manipulation. Another link in Irving's much-trumpeted chain of documents proving Hitler opposed or at least did not know about the extermination of the Jews (insofar as, in his later work, Irving admits this happened at all) thus turns out to be so brittle that it falls apart at the first critical glance. All of the links, indeed, turn out to be based on the manipulation and falsification of the historical record.

2. If Irving's attempt to exculpate Hitler involves the use of such scandalously unprofessional methods, then what of his other historical work? This is the subject of the next section of this report.**5. Irving's use of evidence 1. Introduction**

1. In her book *Denying the Holocaust,* it will be remembered, Lipstadt makes a series of allegations about Irving's work, both indirectly, by describing him as a Holocaust denier, and directly, by referring to him in person. Lipstadt argues that Holocaust deniers 'misstate, misquote, falsify statistics, and falsely attribute conclusions to reliable sources. They rely on books that directly contradict their arguments, quoting in a manner that completely distorts the authors' objectives' (p. 111). Since this statement comes immediately after the allegation that Irving has become a Holocaust denier, the implication that he does all these things too is unmistakable. Indeed, Lipstadt also claims that scholars 'have accused him of distorting evidence and manipulating documents to serve his own purposes' and of 'skewing documents and misrepresenting data in order to reach historically untenable conclusions' (p. 161). 'Familiar with historical evidence, he bends it until it conforms with his ideological leanings and political agenda...he is most facile at taking accurate information and shaping it to confirm his conclusions' (p. 181).
2. It is important to unravel the normal or common-sense meaning of these charges in order to determine whether or not it is reasonable to conclude after examining Irving's work that they are justified. If we put them in (a more or less arbitrary) order, they can be summarised as follows:2. Irving misstates. This would seem to mean that he gives a false account of historical fact.
3. Irving misquotes. This must mean that he does not quote from historical documents in an accurate manner. Such misquotation can include suppression of vital parts of such documents as well as false and inaccurate quotations from the documents themselves.
4. Irving falsifies statistics.
5. Irving falsely attributes conclusions to reliable sources.
6. Irving relies on books that directly contradict his arguments, quoting in a manner that completely distorts the authors' objectives.
7. Irving distorts evidence and manipulates documents to suit his own purposes.
8. Irving skews documents and misrepresents data in order to reach historically untenable conclusions.
9. Irving bends historical evidence until it conforms to his own ideological leanings and political purposes.
10. Irving takes accurate information and shapes it to confirm his conclusions. The implication is that the conclusions have been reached before the information has been evaluated, and that in using accurate information, in this way, Irving distorts it.

10.1.1. It has already been shown in the preceding sections of this Report how Irving adopts a variety of procedures which conform to several of the techniques of falsification and manipulation laid out in Lipstadt's list. He bends and wilfully mistranslates reliable sources; he deliberately suppresses evidence which runs counter to his argument; he skews evidence and misquotes by omitting vital parts of documents and by mistranslating other parts which he does cite; he takes accurate and reliable sources such as the Himmler phone log and shapes and bends it to suit his purposes by including speculation and pure invention which is in no way warranted by the documentary record; he misrepresents data by presenting unreliable sources as reliable

when they serve his argument; he relies on books such as memoirs and diaries that directly contradict his argument, and interprets them in a way that runs counter to what the authors intended, falsely attributing to them conclusions which they did not reach.

10.1.2. All of this Irving does in order to support the historically untenable conclusion that Hitler neither knew nor approved of the extermination of the Jews, and that insofar as persecution of Jews came to his notice, he did his best to stop it. This conclusion is untenable because, as we have seen above, all of Irving's attempts to prove it rest on a falsification of history. An accurate and unbiased reading of relevant parts of the documentation, as we saw in the previous section, would indeed lead any reasonable person to conclude that Hitler did indeed know, approve of and in documented instances order the killing of large numbers of Jews. But it is not necessary to prove this point beyond all reasonable doubt in order to prove that Irving is manipulating the evidence to reach an untenable conclusion. It is the untenability of Irving's argument that Hitler did not know or approve of the mass murder of the Jews that is at issue, not the validity of the contrary argument that he did.

10.1.3. Part IV of this Report takes these points further, and examines other aspects of Irving's work where he is not directly engaged in the exculpation of Hitler. It begins with a discussion of one point so far largely (though not entirely) left to one side, namely the charge that Irving falsifies statistics. This Report has already shown how he falsifies statistics in the matter of the numbers killed in bombing raids on Hamburg and Pforzheim; it will now examine in more detail his account of the numbers killed in the 1945 Allied bombing raid on Dresden.

10.1.4. The Report then turns to Irving's use of one particular kind of source, namely the testimony, mostly postwar, of Hitler's adjutants, much of it elicited from them in interviews by Irving himself. This will provide further evidence, on a more general level, in support of the conclusions reached above, particularly, though not exclusively, in connection with Irving's attempt to exculpate Hitler from responsibility for the extermination of the Jews.

10.1.5. Finally, the Report details the ways in which Irving seeks to explain those acts of Nazi antisemitism which he can neither dismiss nor ignore. Here too, it will be demonstrated that Irving's methods involve a wholly unprofessional and dishonest falsification of the historical record.

5.2 The Bombing of Dresden in 1945.

(a) Background

1. The city of Dresden was subject to two fierce attacks by British bombers on the night of 13/14 February 1945, followed the next day by two further attacks by American bombers. The attacks are rightly seen as the high point of the strategic air war in Europe. Ill chance played a role in sealing Dresden's fate. The head of the RAF's Bomber Command, Arthur Harris, anticipating the complications that such a long-range attack would probably entail, sent double the number of planes in the second wave of the attack. Dresden itself was ill-prepared for the attack. Flak batteries had been removed to the Eastern front and Dresden citizens had the illusion that their city would escape the fate of so many other German towns. German defence fighters remained grounded and the first attacking wave had unusually good weather, so that marking the target was achieved without hindrance.
2. Dresden was an important centre for administration, communications, and transport. After Berlin and Leipzig it was the largest city behind the eastern front, a military installation with garrisons and troops. Dresden's industries were fully integrated into the structure of armaments manufacture.[273] Yet these war industries, although cited as a justification for the raid, were not even targeted. Instead, the British attacked the maze of timbered buildings which made up the historic heart of Dresden and which were so easy to ignite. In proportion to the stated aim of crippling Dresden as a transportation point, the attack was grotesquely large. Industrial production, although damaged, was not crippled, and even the main railway line remained severed for only four days.
3. The resulting firestorm blazed in the centre of a city clotted with refugees fleeing the encroaching Russian army. Fifteen square kilometres of Dresden were destroyed. The death-roll, whatever its final figure, was substantial. This, and the destruction of the historic heart one of Germany's finest cultural treasures, became the Focal Point of impassioned post-war debate about the respective crimes of the Allies and the Axis. It has proven hard to disentangle the strategic merits or limitations of Allied bombing from the ethical implications. Opinions have been divided between those who have seen the British bombing campaign as in some way as effective and therefore justifiable,[274] and those who have condemned it not merely as ineffective but as calculated 'terror'.[275]
4. The conclusion reached by most historians is that Dresden was bombed in an effort to kill German morale and damage beyond repair the German people's will to resist the invading Allied armies on the Eastern and Western fronts. The Soviet advance westward was to be aided by disrupting the German rail network and fouling the transport arteries with refugees.[276] As with Hiroshima and Nagasaki an effort may well have been made to impress and intimidate the Soviet Union with Anglo-American air power.[277] None of this, however, has succeeded in arguing away the impassioned moral debate which still surrounds the events of 13-14 February 1945.

(b) Irving's *The Destruction of Dresden.*

1. Among the many authors to write on the bombing raids of 13/14 February 1945, Irving has perhaps attracted the most attention and has had the largest popular readership. *The Destruction of Dresden*, probably the most widely read of Irving's books, has gone through numerous editions and translations:

The Destruction of Dresden, William Kimber, London 1963 (two impressions).

The Destruction of Dresden, William Kimber, London 1964 (third impression).

The Destruction of Dresden, Corgi, London 1966 (revised and updated edition).

The Destruction of Dresden, Corgi, London 1971 (reissue).

The Destruction of Dresden, Elmfield Press, Morely 1974.

The Destruction of Dresden, Futura, London 1980.

The Destruction of Dresden, Papermac, London 1985.

Apocalypse 1945: The Destruction of Dresden, Focal Point, London 1995 ('...thoroughly revised and expanded on the basis of material available since 1963.').

2. In Germany the book was preceded by a more general account of the bombing offensive against various German cities, serialised in 1961 in the *Neue Illustrierte*, a glossy magazine, and published in book form as *Und Deutschlands Städte starben nicht* [And Germany's Cities did not Die], in Zurich, 1962 and 1963. The translation of *The Destruction of Dresden* then likewise went into numerous editions:

Der Untergang Dresdens, Sigbert Mohn, Gütersloh 1964.

Der Untergang Dresdens, Rowohlt Verlag, Reinbeck 1967.

Der Untergang Dresdens, Heyne Allgemeine Reihe, 1977 (five editions by 1985).

Der Untergang Dresdens, Ullstein, Frankfurt a.M. 1985. [278]

(c) Misstatement, misrepresentation, misattribution.

As will become clear, Irving's account of the bombing of Dresden manipulates and invents material, misinterprets documents, and gives weight to unreliable documents. He also gives undue weight to eyewitness testimony when it suits him, and falsifies statistics in order to put the behaviour of the Allies and particularly Churchill, in a negative light.

(i) Misstatement of circumstances: low-level strafing in Dresden.

1. The most authoritative book on the Dresden raids is by Götz Bergander, published in 1977 after almost two decades of research.[279] Amongst his aims was to combat the many myths and legends which had come to surround the attacks. One such myth was the strafing of civilians and refugees by Allied fighters during the attack, an act most people today would condemn as a particularly despicable or even as a criminal act of war. Bergander points out that although other authors have cited witnesses for such an attack, Irving's is the last account in which any credence is given to the story. He then proceeds to disprove Irving's assertion that such low-level strafing of civilians took place, either by night or by day.[280] Irving's documentation betrays his knowledge of the charge levelled at him.[281]
2. In his book Irving described the 20th Fighter Group's role in the American bombing of 14 February:

> For this mission ... the Group was subdivided into two groups, denoted 'A' and 'B'.... 'A' Group pilots were briefed that as soon as the bombers' attack on Dresden was over they were to dive to roof-top level and strafe what were euphemistically referred to as 'targets of opportunity'.... Most of the pilots appear from eye-witness accounts to have decided that the safest attacking runs could be made along the Elbe river banks. Others attacked transport on

> the roads leading out of the city, crowded with columns of people. One 'A' Group P-51 of the 55th Fighter Squadron flew so low that it crashed into a wagon and exploded. The other fighter-pilots were, however, disappointed by the lack of opportunities for combat, especially the crews of the 'B' Group aircraft. [282]

3. Elsewhere in the same edition of his book (the Corgi paperback, published in 1966) Irving states as a matter of proven historical fact that:

> it was the Mustang fighters, which suddenly appeared low over the streets, firing on everything that moved, and machine gunning the columns of lorries heading for the city. One section of the Mustangs concentrated on the river banks, where masses of bombed out people had gathered. Another section took on the targets in the Grosser Garten area.
>
> Civilian reaction to these fighter-strafing attacks, which were apparently designed to perfect the task outlined in the air commanders' directives as 'causing confusion in the civilian evacuation from the east', was immediate and universal; they realised that they were absolutely helpless.

American fighters strafed Tiergartenstrasse, the road bordering the Grosser- Garten on the southern side. Here the remnants of the famous Kreuzkirche children's choir had taken refuge. Casualties on record here include the Choir Inspector, seriously wounded, and one of the choir boys killed. British prisoners who had been released from their burning camps were among those to suffer the discomfort of machine-gunning attacks on the river banks and have confirmed the shattering effect on morale. Wherever columns of tramping people were marching in or out of the city they were pounced on by the fighters, and machine-gunned or raked with machine gun fire.

It is certain that many casualties were caused by this low-level strafing of the city, which later became a permanent feature of the American attacks. [283]

4. Bergander's criticism of this account was devastating in its detail. Irving dates the strafing to the day of the 14th and attributes them to the Americans, but many witnesses likewise claimed to have been seen strafing during the British attack the night before. Bergander first explained how it was impossible that the British could have undertaken such attacks on the night of the 13th and exactly why many people may have believed that dive-strafing was taking place. He pointed out that there never would have been enough surplus fuel on such an extended flight over Germany to descend slowly, circle and then regain height. He noted that it would have been unthinkable to risk such valuable machines in low level-flying, at night, over unknown territory. Lancasters were long range-range bombers and unsuitable for such attacks; the smaller mosquitoes were used to drop the initial markers, and were likewise unsuitable for such attacks. Dresdeners who had not yet reached the safety of their cellars may well have seen the Mosquitoes at 300 meters drop their red markers. Finally, the practicalities of the situation made low-level strafing impossible. By all accounts the fire-storm threw immense heat and smoke into the air at great heights. To send planes into this cauldron to strafe civilians would have been pure folly.[284]

(ii) Misrepresentation of eyewitness testimony.

1. Irving's initial witness was taken from one of the first books on Dresden (minus the page number), describing the attack on the Tiergartenstrasse.[285] Bergander approached the same witness who told him that he had been unconscious at the time

and that those who related the details to him had been in a severe state of shock. He was hit by shrapnel, not by machine-gun fire. Most tellingly, as quoted by Seydewitz, the witness said that the attack to which he was victim, described by Irving as taking place during the following day, had taken place *at night* (i.e. the 13th). Irving transposed the story to substantiate his more believable allegation that the strafing of civilians took place during the day.[286]

2. Bergander added that in *Und Deutschlands Städte starben nicht* an eyewitness was cited by name who described how huge trees were torn out of the ground in the park [*Große Garten*] and thrown hundreds of metres into the eye of the fire storm. This passage was excised from *Der Untergang Dresdens* because the 'witness' complained that he had said no such thing to Irving and that the story had been put into his mouth.[287] Nevertheless the story remained in 1966 and 1995, albeit minus a source.[288] Here is another example of Irving's cavalier disregard for the truth.

(iii) False attribution of conclusions to reliable sources.

1. The documentary evidence Irving quoted for the attack is likewise threadbare. Irving quoted the 'account contained in the 20th Fighter Intelligence Bulletin for 14th February'.[289] Bergander pointed out that this 'source' is 'a partly quite free interpretation' from 'Kings Cliffe. The 20th Fighter Group'. Therein appeared the sentence: 'Shortly after leaving the target 'A' Group hit the deck to strafe enemy transportation but found few targets.' [290] Out of this sentence Irving builds up a narrative which creates the impression that the pilots were somehow spoilt for choice and did not know what to hit first. The implication is also that the pilots were cowardly and that somehow the greed of one of them caused him to hit the truck. Nowhere does the 'source' mention a 'briefing' to dive over rooftops. Indeed the source mentioned explicitly that 'Lt. Jack D. Leon (55th) was strafing a truck and either hit the truck or it exploded causing Lt. Leon to crash.' [291] Another member of the same sortie wrote to Irving that the one thing he distinctly remembered 'was a friend of mine, Lt. Jack Leon, strafing a truck which exploded. He flew through the debris and evidently struck a piece which downed him.'[292]

2. More slipshod still Irving decided that his source referred to Dresden when in fact Bergander went into painstaking detail to show that the group had in fact attacked Prague![293] Irving himself had even been provided with a detailed report in 1961 by one of the participants who had gone into some detail to explain exactly how they had hit Prague by mistake.[294] The German Army High Command diaries [*Kriegstagebuch des Oberkommando der Wehrmacht* - OKW] reported fighter attacks on civilians and dive-bombers on 11, 12, and 13 February. On 14 February, the day that Irving quoted from to support a different point, attacks were reported from the upper and middle Rhine areas, but there is no mention of similar attacks on Dresden, although the OKW would have been amongst the first to receive any such reports.[295]

3. How did Irving then proceed to grapple with his critics? Some of Bergander's criticisms came to Irving's attention in 1985, through a book review.[296] Irving firstly tried to defend himself by saying that he had proof that *general* orders existed to fire on civilians, a point that Bergander never contested. He also claimed that the muzzle of a machine-gun could be seen on films of the British bombers taking part: 'This surely led to an understandable confusion on the part of the living, fleeing targets: but the word legend is rather rough.' Considering the prominence and care Irving took in the book to excite in the reader a feeling of revulsion against the attackers, his last refuge reads strangely: 'The question of dive attacks on fugitives on the banks of the Elbe and in the Große Garten is surely of ancillary importance.'[297] It is not of ancillary importance in his book. Even if it were, that would in no way excuse his manipulation of the truth.

4. In the 1995 edition, rather than acknowledge, let alone tackle Bergander's criticisms, he exculpated himself with a disclaimer that: 'Memories may be fickle and eye-wit-

ness testimony is ever suspect' and then proceeded to relate the events anyway with the addition of one more eye-witness account. [298] Thus the effect upon the reader remained the same one of revulsion, but Irving threw in the sop that in the 'opinion' of others the attack took place in Czechoslovakia.[299] Thus his account is presented as fact: the actual truth is presented as 'opinion'.

5. To bolster his argument Irving quoted the Final Report [*Schlußmeldung* - see below for fuller details] of 15 March 1945 by the Dresden Higher SS and police leader [*Höhe SS- und Polizei Führer*]. It states that during all the attacks 'Strafing by machine gun' [*Bordwaffenbeschuß*] had been 'observed' [*festzustellen*].[300] No mention is made here of the targets of such strafing, however, which could well have been military.[301] Details of the strafing of *civilians*, including time and place, would have had ample time in the month following the attack to have been taken down and noted in this otherwise meticulous report. When noting the various causes of death of those killed in Dresden during the raid, the 'Final Report' contains no mention of machine gun deaths.[302] These points had already been made by Bergander, but again Irving saw no reason to alter his account, despite the fact that they told heavily against his allegation of Allied aeroplanes machine-gunning fleeing civilians.[303]

6. Although Irving had interviewed many of the participants in the events of 13/14 February 1945 in Dresden who claimed to have seen machine-gun fire he was likewise aware of the complete lack of any relevant documentary evidence.[304] By his own count Irving had also interviewed two hundred British airmen and 'about one hundred' American bomber and fighter-escort crews for this and other sections of the book. He had ample opportunity to ask them to confirm or deny the story, but the strafing story is supported by not a single one of Irving's three hundred airmen.[305] He was aware of the fact that other reliable authors such as Bergander had destroyed the credibility of his use, or misuse, of these sources to claim that allied airmen engaged in the low-level strafing of civilians. Yet despite being confronted with the facts, Irving persistently repeated a story that he must know was an invention based on the misstatement of circumstances, the misrepresentation of the evidence and the false attribution of conclusions invented by himself to the testimony of reliable sources. It seems that in this, as in so many other cases, no amount of detailed refutation of his historical narrative can bring him to change it.

(d) Falsification of statistics.

(i) Introduction

1. Irving has intimated that he will contest in court that estimates of the casualties vary between 35,000 and 250,000.[306] This is indeed in a strict sense true. Georg Feydt, a Dresden civil defence engineer during the war, said that the number could not have been above 50,000, quoting an official figure of 39,773 fallen, but without naming his source. [307] Hans Rumpf, General Inspector of the fire services in Germany during the war put the figure at 60,000, which in turn was the number first 'approximately' given by the German army.[308] This figure of 60,000 gained acceptance in West German official circles after the war. The first post-war mayor of Dresden, Max Seydewitz, put the figure at 35,000, although conceding that it could be several thousand higher. This remained, with some exceptions, the official East German figure.[309] Others, contemporary and later, have put the figure variously at between 100,000 and 400,000. None of these though can be considered with any degree of seriousness. Either they are content merely to quote secondary sources or each other, or repeat propaganda figures circulated immediately after the attack.[310]

2. The fact that various people have made widely varying estimates of the numbers of

dead is completely beside the point What is at issue is Irving's own estimate, or rather, as we shall see, estimates, and the question of whether or not he has falsified statistics in order to arrive at them.

3. Irving's own estimates of the numbers of dead have varied widely over time, and have changed from one edition of his book to the next and in his public speeches:

· In the 1966 edition of *The Destruction of Dresden* the triple blow was 'estimated authoritatively to have killed more than 135,000 of the population...',[311] but the 'documentation suggests very strongly that the figure was certainly between a minimum of 100,000 and a maximum of 250,000.'[312]

· In the 1971 edition the triple blow was 'estimated authoritatively to have killed more than 100,000 of the population...'[313]

· In 1989 Irving told journalists whilst launching the 'Leuchter Report' in Britain that: 'There were one million refugees in the streets of Dresden at the time that we burned Dresden to the ground, killing anything between 100,000 and 250,000 of them.' [314]

· In 1992 Irving told the Institute of Historical Review that 'a hundred thousand people were killed [in Dresden] in a period of twelve hours by the British and Americans.' [315]

· In 1993, in a publicity video made for the Australian public, Irving stated that 'over 130,000 people died in that particular air raid.' [316]

· In the 1995 edition of *The Destruction of Dresden* the figure was no longer authoritative and the attack had 'cost the lives of between fifty and one hundred thousand inhabitants....'[317] Elsewhere he dropped the lower figure and said the attack cost 'up to a hundred thousand people their lives.'[318]

· In 1996 Irving had changed this figure yet again in his *Goebbels: The Mastermind of the 'Third Reich'*, where he notes of the Dresden raids that 'Between sixty and one hundred thousand people were choked to death or burned alive...'[319]

4. As will be demonstrated, these erratic fluctuations in Irving's figures are entirely arbitrary and have never accorded to the changing state of research (either his own or that of others) into the Dresden death roll. The only consistency in his figures is that they have resolutely remained far in excess of the most reliable and agreed figures (i.e. those based on the most solid research and which command the most general assent). We shall now see how he has arrived at these inflated estimates, and what evidence that they are indeed far above the likely number.

1. In 1977 Bergander's book appeared, which after painstaking research and sound reasoning came to the conclusion that the number which 'came nearest to the truth' was 35,000, even if he did not exclude the possibility of it being a few thousand more.[320] This figure tallies with that given by Walter Weidauer and by the East-German authorities.
2. Many historians accept the 35,000 figure.[321] For instance the historian Earl A. Beck said 'the constant increase in estimates of the number killed in the raids does not comport with the facts. Official reports justify an estimate of between 25,000 and 35,000 killed. Figures that rose to 100,000 or 200,000 killed lost touch with reality.'[322] In 1994 research by the Dresden historian Friedrich Reichert was published, using a previously unused source, which convincingly reduced Bergander's

figure of 35,000 to 25,000.[323] This figure can be regarded as close to definitive.

3. The Dresden City museum sent Irving a copy of the research in 1997. It seems unlikely he could have read it in 1994 before issuing his own revised edition (his manuscript is dated 1993), but from his reply to the defence plea it is clear Irving rejects these findings as well.[324]

(ii) Unreliable evidence: the testimony of Hans Voigt.

1. Irving's falsification of these statistics is based on the use of an insignificant and unreliable piece of evidence to dismiss or ignore more substantial evidence that does not support his thesis. Through all the years it has been the evidence of only one source that has allowed Irving to argue that 135,000 people died in Dresden. Irving's faith in Hans Voigt is enduring.

2. Four days after the attack a missing persons search bureau was set up in the Saxon Ministry of the Interior. At the same time in each of the seven Dresden districts a register of missing persons was established. In one of these districts a central bureau of missing persons was set up to collate information from the six others. Hans Voigt, at the time an assistant school master, was put in charge of establishing a dead persons department for the bureau to collect the records and personal effects of those people already dead, and of those still buried in the ruins. Irving said that it was this department which was 'responsible for the identification of the victims and for arriving at some final estimate of the death-roll.'[325]

3. Voigt's office had four different filing systems for different data. The first were garment cards, onto which samples of garments taken from unidentified bodies were pasted, together with date, location and so on. Voigt told Irving that up to the time of the capitulation 'we had almost twelve thousand of these cards completed.' The second list was of miscellaneous personal belongings of the unidentified. The third was an alphabetical list of bodies identified by personal papers. The fourth was a list of wedding rings recovered from bodies. According to Irving in 1966, this had been done with bolt croppers. In 1995 he only claimed that they were cut off. Voigt told Irving that between ten and twenty thousand of these had been collected by the time the Russians entered Dresden. With these four indexes the dead persons department was 'able to clear up the identity of some 40,000 of the dead.' Thus Irving arrives at his 'absolute minimum' death roll of 40,000.[326] This in turn would tally with the figure of 39,773 given by Georg Feydt.

4. However, Irving did not accept 40,000 as the actual figure because Voigt had told Irving that he himself 'estimated that the final number would have been 135,000'.[327] In 1995 Voigt remained Irving's favourite source for a higher death roll. According to Voigt the Russians closed down his offices and quite '"simply struck off the first digit"' to arrive at their own official figure of 35,000.[328] Irving repeated this story to a reporter in 1963 as his own opinion, but with an elaboration: '"The Germans simply struck off the first digit to make the figure more acceptable to the Russians, who contended that Bomber Command was not a powerful weapon."' [329] This does not seem to be a particularly strong motive for such a blatant act of falsification. Strangely Voigt wrote to Irving as early as September 1962, asking Irving to correct the passage: 'It was probably not the Soviet officials who struck off the first figure, rather Dresden officials (especially the then mayor and later Lord Mayor Weidauer) reduced the figure out of fear of the "Big Four," so as not to speak ill of them.' [330]

5. Voigt had first contacted Irving in February 1961 in response to an announcement concerning Irving's research in the *Dresdener Monatsblätter*.[331] Voigt provided Irving with a long report of his experiences of the raids on Dresden. The crucial passage in

his report read:

> The number of dead people registered as "known" or "unknown" is, as long as I was working on it, as far as I remember at about eighty to ninety thousand. I think that with 135,000 approximately one would be near the correct figure for the death roll of these raids. [332]

This opinion formed the basis of Irving's figure in the first editions of his book, and was the number he sought safety in again after having been forced to retreat from an even higher estimate.

6. It cannot be too heavily emphasised that this is all based on the spoken testimony of one man. No amount of bureaucratic detail about his former post can hide the fact that his statement is not backed up by a single piece of documentary evidence, wartime or otherwise, and cannot be authenticated. In other words, there is no corroborative evidence of any kind about the missing digit. Moreover Voigt was apparently not a popular man with the cold-war Dresden authorities. Weidauer decries him a 'virulent fascist', who had been rightfully thrown out of East Germany. Voigt, then living in West Germany, may therefore have had a political motive in accusing the Soviet and East-German authorities of falsifying the statistics. Weidauer added that far from being destroyed, the death register which Voigt claimed showed 80,000 to 90,000 dead was still extant in the Dresden Town Hall with a highest card number of 31,102 for an unidentified body. In addition the so-called street books, which were compiled based on the streets and houses where the dead were found, were likewise extant. The numbers in the street books exactly matched those on the registration cards.[333]

(iii) The use of forged evidence: Tagesbefehl 47 [Order of the Day no. 47].

1. Between the English editions of 1963 and 1966 and the German editions of 1965 and 1967 Irving acquired a copy of the now notorious Order of the Day no. 47 [*Der Höhere SS und Polizeiführer, Dresden: Tagesbefehl Nr. 47, Luftangriff auf Dresden*, henceforth TB 47]. TB 47 was dated 22 March 1945 and attributed to a Colonel Grosse. It introduced itself as 'a brief extract from the concluding statement of the Police President of Dresden', i.e. an earlier document. Irving's copy of the report, besides detailing other physical damages, put the final death-roll at an incredible 202,040 and expressed an expectation that the figure would rise to 250,000 by the time all the victims had been recovered. Irving gave the document full prominence in the English edition of 1966 and the German edition of 1967, and reproduced it in both as an appendix.

2. It must be borne in mind at this point that Irving was not in fact the first person to have seen or written about TB 47. Max Seydewitz had photographically reproduced a dissected copy of it and had dismissed it as forgery as early as 1955. Irving had in fact cited Seydewitz in 1963 himself and branded the document an ingenious piece of propaganda and 'spurious'![334] In changing his mind, Irving reported that he had previously not seen the report himself. Seydewitz had only quoted a few sentences, but on seeing the '*whole*' Irving could no longer agree that it was a forgery.[335]

3. Irving was coy in print in naming his source, other than referring to him as a 'Dresden private citizen' and a 'doctor' who had been one of many medical officials and local officers to have received the document through 'official channels' in March 1945.[336] From Irving's collected documents it is clear that the indirect source was indeed a Dresden citizen, Dr. Max Funfack.[337] In 1995 Irving claimed that by

1965 he had seen two other copies of TB 47, one which had been shown to the playwright Rolf Hochhuth. Although Irving claimed that the original had not been found, he described Hochhuth's copy as a 'typed original with several hand-written corrections.'[338]

4. In fact Irving had not obtained TB 47 directly from Funfack but from a Dresden photographer, Walter Hahn, who was a friend of Funfack's. Funfack had 'confidently' shown Hahn the document and 'without Funfack's knowledge, Hahn copied the entire document, and made a typewritten copy of it.' [339] Irving in turn had visited Hahn on 18 November 1964 and had chanced upon the document on Hahn's desk whereupon he asked him to copy it. Hahn's wife began to type a copy,

> while in the sitting room I, Hahn and [Walter] Lange [Director of the Dresden City Archive] began to discuss the implications of the "200,000" figure. Lange had not realised that it gave this figure, and I at once realised why Hahn had seemed reluctant to show it to me (in fact he had had that probably since 1950 or so, yet he had not shown it to me on any of my previous visits in 1962 and 1963). As soon as Lange began to expostulate on this document being a patent forgery, Hahn became very worried, and when his wife brought in the typed copy, plus four carbon copies, and I took one of the copies, he urgently asked me to give it back to him - but realising that they could not very well fight me for it if I was the guest of the Lord Mayor I folded it up and put it into my wallet and assured them that I too thought it highly unlikely that the figure mentioned was genuine.... [340]

5. Irving's proposal to visit Funfack that day was rejected by Lange and Hahn, and Irving apparently sufficed himself with an intention to write to Funfack on his return to England.[341] In the following discussion it is important to remember that what Irving had obtained in Dresden was a copy of a copy of a document, unauthenticated by any distinguishing marks such as a signature or an official stamp of any description.

6. Irving was obviously ecstatic at his 'find'. No sooner had he returned to England than he wrote to Donald McLachlan of *The Sunday Times* apprising him of its existence: 'Having now examined the document minutely myself, I am satisfied of its authenticity. It remains to be established whether the "200,000" figure contained is equally genuine.'[342] On 28 November he wrote to his German publisher, Dr Dieter Struss, that the figure was a 'sensational' piece of information, and suggested they publish as an appendix if a new edition of his book were to appear in German. Now that he had seen a copy 'with my own eyes' he no longer had any doubts as to the 'authenticity of the document'.[343] In a letter to the Provost of Coventry concerning Irving's suggestion that an exhibition of Walter Hahn's photographs of the raid on Dresden be staged, he wrote that TB 47 should be reproduced 'in large type' to 'drive home the impact of the exhibition' because 'its nonchalance and the casualties it mentions have a shattering effect.'[344]

7. His mounting excitement was hard to conceal when he breathlessly explained to *Stern* magazine concerning a forthcoming serialisation that the death roll 'constantly grows'. 'Is that not very impressive?'[345] Likewise he wrote to his Italian publisher reassuring her that if anything the 135,000 figure was too low and asked if an insertion could be made in the next Italian edition of TB 47.[346]

8. What reason did Irving have for so wholeheartedly embracing a document he himself had branded a forgery in print only a year previously?

(A) Misattribution of authorship and responsibility.

1. Irving's first line of confirmation was Funfack's alleged connection to TB 47. On 6 December 1964 he had written to the Provost of Coventry [the underlining is Irving's]: 'I am myself in no doubt as to the authenticity of the document in view of having obtained it indirectly from the Dresden Deputy Chief Medical Officer responsible for disposing of the victims….'[347] Likewise in December 1964 Irving and his German publisher, Sigbert Mohn, set about marketing TB 47 as authentic to the English and West-German public. A reader's letter from Irving's publisher, Dr. Dieter Struss, to a West-German newspaper on 10 December read:

> …Mr. Irving has found a new document a copy of which I enclose to you. The document has been examined and has been established as authentic. The figures originate with the then deputy Chief Medical Officer, Dr. Max Funfack. Therefore the dead of Dresden need in future no longer be guessed. They are precisely counted and they were 202,040 in all. The truth is therefore much worse than one had previously imagined.[348]

2. On 18 December the German edition of *The Destruction of Dresden* was reviewed in the right-wing *Deutschen Nationalzeitung und Soldatenzeitung* again naming Funfack as the author of the new figures.[349]

3. It remains a mystery where Irving first gleaned this information from, but it had appeared in his account of his visit to Walter Hahn in November 1964, albeit with a question mark in ellipses.[350] On 19 January 1965, after six weeks of frantic marketing, Irving received a letter from Funfack:

> Why I should now, after twenty years, be put in the spotlight with the mention of my name in the West German papers and be named as a witness to the number of dead is a complete mystery to me. Exactly like every one else effected I have only ever heard the numbers third-hand: from city commandants with whom I was friends, from the civilian air-raid protection etc. But the numbers always differed greatly. I myself was only once present at a cremation on the *Altmarkt*, but otherwise completely uninvolved. Likewise I was never Dresden's Chief Medical Officer or even deputy Chief Medical Officer; rather I was always worked as a specialist urologist in a hospital. How one comes to such suppositions, is incomprehensible to me. I did not have the slightest to do with rendering any such services. The photos of the cremations on the *Altmarkt* as well as the "Order of the Day 47" were also given to me by acquaintances. Therefore I can give no firm [*verbindliche*] information about the figure of the dead but only repeat what was reported to me. [351]

5. From his reply on 28 February 1965 to Funfack's letter it is clear that Irving had in fact made no effort whatsoever to contact Funfack. He had made no attempt to establish the provenance of Hahn's copy, no attempt to check Funfack's for stamps or signatures if it were an original, and no attempt to confirm Funfack's alleged hand in TB 47 before going to press. Irving apologised for his delay in replying to Funfack's letter in that had only reached him a few weeks earlier. In a mixture of German and English he excused himself in that he was currently still travelling:

> I am afraid that I am partly to blame for the naming *Ihres Namens im Bundesrepublik* ['your name in the Federal Republic']. I obtained a copy of the *Tagesbefehl*, and was told that you had a copy, and I mentioned this to my publishers in Gütersloh [.] [T]hey misunderstood me, and thought that you

> had signed (*unterschrieben*) the *Tagesbefehl*, and told *Die Welt* and other West German newspapers about that. Please accept my humble apologies for this mistake. I have explained this to Sigbert Mohn Verlag and they are very sorry too. [352]

This was a disingenuous excuse for a number of reasons.

6. Firstly, Irving had already found time on 27 January to follow up Funfack's suggestion that he contact the International Red Cross, on 10 February to write a second letter to the Red Cross, and on 20 February to write to the former leader of the Red Cross delegation in Dresden.[353] Why had he delayed a month in writing to Funfack?

7 Secondly, Struss had not claimed that the report was signed by Funfack, but that Funfack was the person who had collated the figures, repeating faithfully exactly what Irving had informed him in November 1964. Irving had written: 'This information [the 202,040 dead] is naturally sensational, and because it comes from the then deputy Chief Medical Officer, Dr. Max Funfack, there is no doubt as to authenticity of the document.'[354]

8. Thirdly, Irving used Funfack's rebuttal as further proof of TB 47's authenticity. On 27 January he enclosed a copy of Funfack's letter to an editor of the German *Der Stern* magazine. Funfack's suggestion that the Red Cross, unlike Funfack himself, might be in a position to provide reliable information as to the number of dead reported at the time, was manipulated to read that Funfack's suggestion 'shows that his information *[sic]* is 100% reliable' because Irving had learned from other sources that a Red Cross delegation had indeed been in Dresden at the time.[355]

9. Fourthly, and more insidiously, both Irving and his German publisher wrote further letters defending TB 47 in the West-German press, Irving in full knowledge that Funfack explicitly denied being the author of TB 47. On 12 February 1965 Dr. Dieter Struss wrote to *Die Welt*, 'besides Mr. Irving found the doctor who had calculated the figures and reached the conclusion that the figure of 202,040 dead was not propaganda, but is authentic.' Struss then announced the intention to give TB 47 full prominence in a new edition of the book.[356] In an accompanying letter Irving defended his rejection of Seydewitz's conclusion that TB 47 was a fake and pompously held forth, 'One learns from this that one should not accept everything one reads in books as facts. Two thirds of an historian's efforts lie not in getting hold of exact facts, but in verifying the authenticity and reliability of his sources and documents *[sic]*.' Irving piously rounded off his defence of TB 47 with the words 'God knows, I as an Englishman have the least grounds to exaggerate the effects of the air raid on Dresden.'[357]

10. As evinced from his letter to the Red Cross, Irving had received Funfack's complaint on 27 January *at the very latest*, yet he had made no attempt to disabuse either his publisher or his public.[358] Moreover in a draft article written in February for the *Sunday Telegraph* propagating the new source, Irving continued to insinuate that Funfack had an official connection to TB 47 [the underlining is Irving's]:

> The document's pedigree is certainly impressive. It came out subsequently that my host [Walter Hahn] had obtained a copy of it some years before from one Doctor Max Funfack, who still lives in and practices in Dresden. Funfack, during the war a senior medical officer (Oberstabsartzt) in the German army, was in 1945 Deputy Chief Medical Officer, Dresden District; as such he was responsible for supervising the disposal and cremation of all the city's air-raid

victims during the three months following the attack.

According to Funfack, the report had reached him during the war through the normal official channels. [359]

11. As late as May 1965 Irving triumphantly sent a copy of TB 47 to the RAF historian Dr Noble Frankland informing him that he had 'obtained' it 'from the doctor (still in Dresden) who during the war was Deputy Chief Medical Officer of the city.'[360] Funfack had explicitly denied holding any such position and Irving had not obtained the document from him. Evidently nothing was going to stand in the way of Irving's eagerness to capitalise on his new found belief in TB 47.[361]

(B) Suppression of internal inconsistencies.

1. Might Irving then have had reasons to authenticate the document on internal grounds?
2. The main piece of evidence Irving cited to support his change of mind was that the figures for the physical damage overlapped with those in other documents, as indeed they do.[362] But even in arguing for it's authenticity Irving himself had outlined the disturbing contradiction, which pointed to its pedigree as a forgery:

> It seems hardly possible that somebody not in an official position in the Dresden A.R.P [Air Raid Precaution] organisation could have forged his statistics so consistently well as in this report; and conversely it is remarkable that not one of the report's figures is known to be wrong, apart from the death-roll statistic, of course.[363]

3. A number of further facts spoke for the document being propaganda. In early March 1945 an unsparing report on the attack on Dresden appeared in the Nazi weekly *Das Reich* in which it was stated that the allied intention to force the German population into capitulation through mass murder was now manifest.[364] At the same time as the fake TB 47 was circulating in unusual numbers in Dresden in March 1945, a 'top secret' version of the same was circulating in Berlin. As R.H.S Crossman had written retrospectively in 1963, presumably referring to TB 47: 'In his secret propaganda, Dr. Goebbels did even better [than in his public propaganda] by leaking to the neutral press a fictitious top-secret estimate that the casualties had probably reached 250,000.'[365] The figures cited therein made an appearance in Nazi foreign broadcasts in the final weeks of the war, and it would seem to have been circulated to offices where it was sure that the figures would be leaked to the foreign neutral press before the war was over. [366]

4. As hoped, the figures hit a real vein of revulsion in the neutral press during the final phase of the war, especially Swiss and Swedish newspapers. They duly dwelt on the extent of the destruction, the apparently immense death roll, and questioned the military sense of the action. Previous to TB 47 the neutral press had merely guessed at how many might have been killed. The *Dagens Nyheter* of 16 February 1945 had reported 'several tens of thousands' dead and the *Svenska Morgonbladet* of 17 February 1945 that 'Currently 100,000 dead are talked of.' [367] Following the deliberate leaking of TB 47 the *Svenska Dagbladet* of 25 February 1945 wrote:

> No one knows with certainty how many people lost their lives because thousands of corpses remain buried under the rubble and will long stay there. But according to information compiled a few days after the destruction the figure is closer to 200,000 than 100,000. [368]

5. The propaganda effect was therefore twofold: to shock the world and to shock the

German people. Thus the Allies were portrayed as monsters in a believable way whilst at the same time the German population was goaded on to vain efforts at final resistance. This also explains how an inflated number so resolutely remained in the minds of the Dresden population and higher Nazi officials for long after the war.

6. But the contradictions in the report were more numerous and profound than just this. A number of facts should have alerted the common-sense reader that the document was a clumsy forgery.

7. A close examination quickly reveals a number of serious problems of plausibility and authenticity, quite apart from the distinct lack of official stamps or a signature. The document started off, 'In order to be able to counter wild rumours, there follows a brief statement from the concluding statement of the Police President of Dresden' and closed: 'As the rumours far exceed the reality, open use can be made of the actual figures. The casualties and the damage are grave enough.'[369] This is the key sentence. It indeed appears true that rumours did circulate at the time of around 200,000 dead. But what rumours could be so outlandish as to 'far exceed the reality' of 250,000 dead? With a figure of 202,040 dead the sentence is nonsense.

8. Even if the attack on Dresden can be considered the worst of the war, the number of deaths would still have remained in some proportion to the extent of the physical destruction. In raids that had cost Hamburg 3.3% of its population, 48% of dwellings became uninhabitable; in Kobe the destruction of over 50% of its dwellings went with the death of 1% of its population. Even allowing for the unique circumstances in Dresden, a figure of 250,000 dead would mean that 20-30% of the population was killed, a figure so grossly out of proportion to other comparable attacks as to raise eyebrows, even if the population was inflated by refugees. [370]

9. Then again, how is it imaginable that 200,000 bodies could have been recovered from out of the ruins in less than a month? It would have required a veritable army of people to undertake such work and hundreds of sorely needed vehicles to transport the bodies. The effort actually undertaken to recover bodies was considerable, but there is no evidence that it reached the levels required to remove this number.

10. Thirdly, TB 47 gives a figure of 68,650 dead having been incinerated on the Dresden *Altmarkt* This refers to the decision by the Dresden authorities two weeks after the attack to burn some of the corpses dug from the rubble to avoid the spread of typhus. Common sense should have made Irving pause for thought before swallowing this. After all, it was he who brought the gruesome photos of the cremations on the *Altmarkt* to light in the first place.[371] He himself gave prominence to the cremations and talked of 'scores' of police helping in the last-ditch attempt to identify the bodies.[372] The *Altmarkt*, which everyone agrees was the only place where bodies were burned, is 100m by 125m large, a market place half taken up by a huge water tank clearly visible in photos. It would have taken weeks and an army of men and materials to burn such a vast number of corpses. As Irving points out, gallons of gasoline were needed for each pyre at a time when it was 'sorely needed' by the military.[373] None of Irving's sources or anybody else's even hinted at an undertaking of such vast dimensions. In the pre-publication publicity, Irving had indeed spoken of 'the mass cremations of the tens of thousands of victims behind police cordons.'[374] By the time it came in to print, it was apparent that this was a contradiction that Irving was unable to solve. Bewilderingly for his readers, Irving reproduced TB 47, including its figure of 68,650 cremated, but elsewhere in the book he put the figure of those burned on the *Altmarkt* at only 9,000.[375] At no point did Irving seek to explain this contradiction.

11. Fourthly, and quite basically, how does he explain the incongruity of the 250,000 figure with Voigt's 135,000, on which he also placed considerable weight? Voigt had given his minimum figure of 40,000, recorded according to Voigt at the very end of the war. At no point in the revised account of 1966 did Irving attempt to reconcile the figures.

12. Despite these problems, Irving learned from his original publisher, William Kimber, in May 1965, that Corgi were to publish the paperback edition of *The Destruction of Dresden*. Irving requested that 'one sensational document' be inserted as an index.[376] None of the further correspondence with Corgi has been Discovered and neither was it reproduced in his microfilmed records, but at some later date Irving sent Corgi 21 pages of amendments that he wanted inserted into the original Kimber text, much of them concerning TB 47. [377]

13. When TB 47 appeared in print in the 1966 English edition of his book what additional evidence had Irving managed to garner to allow him to so confidently reject the opinion that the document was a fake and to resolve the document's flawed nature?

(C) False attribution and manipulation of corroborating testimony confirming the authenticity of TB 47.

1. Irving claimed to have been able to talk to a number of Grosse's 'war-time police associates' who 'have spoken out for its *general* authenticity.'[378] However Irving has never identified any of them in his published work. He wrote to the Bundesarchiv, the German Federal Archive, in December of 1964 asking them to comment on TB 47, and to help him establish its authenticity.[379] They replied that they could not comment on the authenticity of the document, but supplied Irving with the address of Frau Grosse and five former members of the Dresden police.[380] Thus Irving was able to establish that there had indeed been a Colonel Grosse, chief of staff to SS Major-General Oberheidacher, but was no closer to vouching for the document's authenticity.
2. In fact it was not Irving who followed up the names provided by the Federal Archive. In March 1965 the German illustrated magazine *Der Stern* conducted investigations into TB 47 (presumably at Irving's suggestion). On 15 March Irving received the results of their researches. Of the five people named in the letter from the Federal Archive, two would seem to have died and one was marked as 'away.'[381] A reporter had managed to interview Major Ludwig Nölke, one of those people suggested to Irving by the Federal Archive. Nölke was unable to comment on the authenticity of TB 47. He had not seen it at the time as it lay outside his area of competence. However, Nölke was willing to comment on the figures in TB 47 based on his position as the then police commander of Dresden Middle: 'Based on his experience and memory the figures about buildings in the Order of the Day could be correct, but not the figure of the dead. Nölke considers the figure of 35,000, which was given by the Lord Mayor Weidauer after the war and that the Soviet officials also adopted, as correct.' [382]
3. A reporter likewise interviewed Wolfgang Thierig apparently at the suggestion of Frau Grosse, who had been responsible for air-raid precautions in Dresden. [383] Thierig considered the document authentic including the number of dead.[384] Irving had no way of knowing it, but, as will be discussed below, Wolfgang Thierig's signature was to turn up a year later on a document which recorded that as of 10 March 1945 (i.e. 12 days before TB 47) the police had been able to establish 18,375 persons as 'killed.' Thierig was lying.
4. Irving would seem to have only contacted one former official himself. In June 1965 Irving approached Werner Bühlmann, a former army officer in Dresden, again at a later suggestion of Herr Teske of the Federal Archive, asking him if he would care to

comment on TB 47.[385] Bühlmann wrote back that he was unable to comment on TB 47 as he had been hospitalised in Bad Elsten from 20 February 1945 until the end of the war. [386] Taken together these three statements would not amount to an endorsement of the 'general authenticity' of the document by any stretch of the imagination.

5. We also have Irving's interview with Frau Eva Grosse, the wife of Oberst Grosse. He reproduced his notes of the interview with her on July 10, 1965, as appendix 5 in the German edition.[387]

6. Let us pause for a moment and consider the particulars. Irving had in his hand in 1965 a document which, if genuine, would have gone a long way to proving that nearly quarter of a million people died in the attacks on Dresden. To date he had no supporting documentation for TB 47. Of the three of Grosse's former colleagues Irving had been contacted one had been unable to help and one had doubted the authenticity of the death-roll given in TB 47. Only one witness *thought* the figure to be correct and was lying. The Dresden archivist Walter Lange had clearly told Irving that TB 47 was a fake when he had snapped it away from an unwilling Hahn. Max Funfack, whom Irving had named as the source of the document, denied being such.

7. Irving then met the wife of TB 47's dead author, so it would seem from the details, for the first time.[388] Since *Der Stern* had contacted her in February on Irving's behalf, Frau Grosse had collected and sorted all the papers of her husband, and at the time of Irving's visit was occupied with her son in sifting these papers for reference points to TB 47's authenticity.

8. All well and good. His papers consist of a) his military identification, driving licence etc. b) military assessments of his superior officers from 1930 to 1943 and c) Frau Grosse's correspondence with the Allied authorities to secure her husband's release. The only papers Frau Grosse had that could provide any comparison on which to confirm the authenticity of TB 47 were letters her husband had written to her during his imprisonment after the war.[389]

9. Never a man to be deterred, and without even the slightest note of irony, Irving solemnly declared in point 10 of his interview that indeed: 'There are clear similarities between the style and expression of the Order of the Day and some of Grosse's letters from the period May to July 1945.'[390] TB 47 was of course typewritten, so the similarity alleged by Irving referred to the content of the letters and the report, not to the handwriting. But he provides no evidence whatsoever to show what these supposed similarities were, beyond the fact that both were presumably written in German. Did Frau Grosse's emotional nourishment during the painful period of uncertainty and separation from her husband consist, then, of letters written in the style and expression of a bureaucratic police document such as TB 47? Surly not.

10. Nevertheless Irving obviously concluded that he had been able to confirm the authenticity of a report putting the Dresden death-roll at three times that of Hiroshima. Irving's notes recorded that the interview had lasted from 9.30 p.m. until 10.30 p.m. Allowing a minimal amount of small talk and perhaps ten minutes' perusal of the documents which Frau Grosse handed him to glean the background information contained in points 1-9, we could even whittle this achievement down to the result of half an hour's work.

11. Irving also claimed that Frau Grosse confirmed to him that her husband had mentioned the final figure of 250,000 to her. Point 8 reads that Frau Grosse '...remembers very well how her husband confided in her the daily number of victims found in the weeks after the attack - it grew daily from a figure of 10,000. She remembered his *prediction* [*Vorhersage*] that the final figure *would be* a quarter of a million.'[391] In the 1966 English edition of his book Irving writes that Frau Grosse 'confirmed to the author that her husband spoke of the death-roll *as having been* a quarter of a million.'[392] In reporting the details of the interview in 1995, Irving again fails to in-

clude the word 'prediction'.[393] In Irving's hands, the future tense becomes the past, and a prediction becomes a report.

(D) Unreliable testimony: the Red Cross, Walter Kleiner, and Karl Mehnert.

1. What else did Irving have to follow up? Funfack, who in the meantime had fallen foul of the East German authorities as a result of being named in right-wing and nationalist West-German newspapers as the source for a figure of over 200,000 dead at Dresden, continued to be as helpful as possible to Irving. This despite Irving's unscrupulous use of Funfack's name without his permission, let alone his knowledge. Funfack refused to comment on the death-roll contained in TB 47 or to send Irving a copy, but he did offer to show him his copy if Irving were to obtain permission from the East-German authorities. He also suggested a number of people Irving might find it useful to contact:

> Therefore I can give no firm [*verbindlichliche*] information about the figure of the dead but only repeat what was reported to me. The city commander Herr General Mehnert spoke on about 22 February 1945 of 140,000, Herr Professor Fetscher of the civilian air defence of 180,000. Nevertheless I have never seen written documentation to this effect. I set great store by these facts to tell the truth. The International Red Cross delegation headed by a Swiss man should actually know best. All the figures were put at their disposal when they as commissioners enquired about prisoners of war. Unfortunately I do not know their names, but was briefly with them at a meeting. [394]

2. Irving duly wrote to the Red Cross asking if they could confirm that a Red Cross official was shown the official casualty figures at the time, and if so could they send him the report it might be contained in.[395]

3. The Red Cross replied: 'It is correct to say that one of our delegates, Mr. Walter Kleiner, was in the Dresden area during the period you mention, for the purpose of carrying out his duties of visiting camps. We have in fact in our possession the reports he made at the time on prisoner-of-war camps. We have, however, no information concerning the victims of the Dresden air raids.'[396] In a second reply to a second letter, presumably inquiring into the exact contents of Kleiner's report, the Red Cross replied, 'There were no PoW camps in Dresden itself, consequently Mr. Kleiner's reports did not even allude to the air raids on the town. Moreover, the ICRC's rule is only to hand its delegates' reports to the Detaining Power and to the prisoners' Power of origin.' [397] The Red Cross appended Kleiner's address of 1945, but Irving's letter to Kleiner was returned to him 'not known.' [398]

4. In his second letter, responding to the detailed questions which Irving should have put to Funfack four months earlier, before going to press, Funfack reiterated: 'I was only more or less a witness to the attack and one of those badly effected and have had no official function, as for example counting the dead, whatsoever.' He also informed Irving that unfortunately both Karl Mehnert and Professor Fetscher were dead. [399]

5. Never a man to be deterred by a lack of corroborating evidence, Irving then proceeded to distort Funfack's suggestions in order to give more credence to TB 47. In the published version, Irving wrote that Mr Walter Kleiner, the Swiss leader of an International Red Cross delegation, toured Allied PoW camps in the Dresden area on 22 February 1945 and 'was in the presence of witnesses informed by the Dresden city commandant, General Karl Mehnert, that the current death-roll was 140,000'.[400] The source reads that 'information on Kleiner's visit to Dresden was

supplied by the International Red Cross Committee in Geneva; the figures given him were provided to the author by a third party, a Dresden private citizen.' Both sources were in a strict sense correct. The Red Cross had informed Irving that they had had a representative in the area and the private citizen was of course Funfack, whom Irving was no longer at liberty to name since Funfack had distanced himself from TB 47. But the account had become subtly altered. Funfack had indeed written to Irving that General Mehnert had spoken of a figure of '140,000,' but stressed that he [Funfack] had he 'had never seen written documents about it.' Moreover Funfack did not mention Mehnert and the Swiss Red Cross official in the same context; rather he had named himself as the person who had heard Mehnert's figure.[401] There is no evidence, in other words, not even of an indirect nature, that a figure of 140,000 was supplied to the Red Cross This small slip gives the story a glimmer of authenticity to the unsuspecting reader by associating the figure with the Red Cross, whereas in fact no such association existed.

6. Moreover, in the 1966 edition of his book, Irving added that General Mehnert, the Dresden City commander who had accompanied Kleiner's visit, 'was " amazed" at the figure of 35,000 published in the central German press by the authorities.' Irving gave no source for Mehnert's alleged amazement.[402] In fact again Mehnert's amazement was likewise reported second-hand in one of Funfack's letters. He had written that in the years following the war: 'We [Funfack and Mehnert] were both astonished at the low figure of 35,000 which took root here in the press.'[403]

7. Even on the most basic level Irving cannot disguise the fact that this is not an eyewitness account. It is a story told him at third hand by Funfack, a man who had himself denied being in a position to relay any reliable evidence on the numbers killed, other than his own opinion or repeating gossip and rumour. This is hardly evidence enough to confirm the deaths of a staggering 250,000 people.

8. In 1995, Irving cryptically wrote that: 'It is also known that on February 22 a representative of the International Red Cross had visited Dresden to inquire after the fate of the prisoners of war; his report to Geneva may well have contained other information than about the number of prisoners amongst the casualties.'[404] But the Red Cross had expressly told Irving that Kleiner's report 'did not even allude to the air raids on the town' and Irving's own letter to Kleiner stated that 'they [the Red Cross] have informed me that you made no reference to the air raid in your reports, as of course there was no reason why you should.'[405] So Irving's suggestion about his report was demonstrably invention.

All that was left to Irving in 1995 was a last passing jibe at Funfack:

> Grosse's figures were allegedly provided by Dr med. Max Funfack, described as the deputy surgeon-general of Dresden. Funfack, still living in the Soviet zone, protested at having his name dragged into the newspaper columns of West Germany as a witness for the death-roll figures. He claimed to have learned such figures at third hand only, and never to have been surgeon-general.... He will have had good reason in the Soviet zone to express himself thusly. He did not however take the opportunity to repudiate the figures.[406]

9. This is pure sophistry. Funfack had quite clearly stated he was in no position to comment on the figures. There is no reason to doubt that he was telling the truth, and no evidence that it was because he was under pressure from the East-German authorities that he denied having provided the figure of 250,000. On the contrary, Funfack was surprisingly frank in expressing his personal doubts about the official

East German figure of 35,000, even after he had fallen foul of the authorities thanks to the unsolicited exposure Irving had given him in the media.[407]

(E) Suppression of contradictory evidence: testimony of Theo Miller.

1. Irving had no chance to interview Mehnert, who had died in the late 1950s or early 1960s.[408] But Irving corresponded with Theo Miller, a member of the Dresden Clearing Staff [*Aufräumungsstab*]. In his first letter of February 1965 Miller described his work to Irving (in English):

> At the wall of my bunker [the Staff Quarter in the bunkers under the Brühl'sche Terrasse] I had pinned up a big map of the town. Every evening the commanders of rescue units had to report on the figures of corpses found and on the shelters which had been cleared of deads *[sic]*. The streets and shelters which had been cleared of corpses I marked with red colour in my map. Furthermore, I had to keep book on the figures of deads *[sic]*. In the middle of March, 1945, our task was almost completed. The town was free of corpses. I then received the order to return to my division in Latvia.
>
> Soon after the attack we heard in the radio Joseph Goebbels reporting on the attack on Dresden. He spoke of 300,000 deads *[sic]*. In your book you mention the figure of 135,000 victims. My records at the Clearing Staff showed 30,000 corpses. If you assume the amount of deads completely burnt etc. would reach 20%, the total figure of victims will not exceed 36,000. Still this figure – two full divisions – is terrible enough.[409]

In a second letter of 25 February 1965 Miller gave more detail to his book keeping.

2. He first outlined how, in an attempt to prevent double book-keeping, army logistics had confiscated all brandy and cigarette stocks in Dresden and offered SS salvage teams 15 cigarettes and a half-bottle of brandy if they reported their figures to the army team.

> One day General Mehnert visited our Staff. I had seen the general the last time in summer 1939 when he had inspected our battalion. In March 1945 he looked like a very old, broken man. He asked me for the figures of deads *[sic]* and I showed him my book-keeping, and the map showing the freed areas. He shook his head and said: These figures are much too low, I do not believe them, it must be much more, I have seen them." Well, he was an old man and completely desperated *[sic]* like we all, but generally nobody, no police man, no civilian believed my figures. Maybe only the Lord in Heaven knows whether my figures were right or wrong. However, I had figures to count based on the reports of all salvage units and my counterparts only estimated figures. Their figures, so I believe, were an expression of the dantesque pictures of horror they saw everywhere on their ways through the town.
>
> My counting system was very simple. I used a thick book like that of a bookkeeper. In this book I wrote down exactly the names of the reporting unit, the name of the reporting officer, the figure of corpses found and the areas of the town, where they had been collected, and the place they had been buried. When I left the Staff on about March 20 with the order to return to my tank-division in Latvia, I handed this book over to another officer. My last figure of deads was about 30,000 – this figure I remember well, because after my return to my division I was asked by many of my comrades, who were born in

Dresden and did not know anything about their relatives.[410]

3. Miller added 'P.S. By the way, the figures of deads *[sic]* were reported every day to a Central Air Defence Staff. This authority was in Berlin.'[411] In a postscript typed a day later Miller wrote:

> P.S. I have again to come back to the high figures of victims which I deny as far as they overgo 50,000. It is a fact that all corpses found have either been buried or burnt on the Altmarkt. Now we come to mathematical problems: Do you believe it possible to burn in about three weeks 110,000 corpses on a fire-grate of railway rails with a dimension of about 70 x 10 meters? [412] In fact we started collecting corpses not before February 17 when the town stopped to burn and enough transport media had been brought together from other cities. The burning of corpses started about February 21 (one week after the air raid) and only on the hermetically closed Altmarkt because we feared the reaction of the population. The burning was finished to the best of my knowledge about March 15. When you can find out how long corpses are burning you will believe that a maximum amount of 10,000 – rather 7,000 – has been burnt. For the transportation of the deads we had only horse-drawn carts (*Panjewagen*) and some rickety trucks which run with producer gas (*Holzgasgeneratoren*) due to the lack of diesel oil or gasoline. This poor transport capacity could not transport the gigantic figures of deads overgoing 100,000 which are mostly reported. You must check again this problem as one of logistics. But can anybody really imagine what also 40,000 corpses mean? If you put them down in a line foot by head it is a street of 42 British miles! The inner district of Dresden has only a dimension of 2 times 4 miles! So the streets of Dresden looked to the frightened population like overfloated with corpses, and as a normal human reaction the survivors reported gigantic figures out of their phantasy. [413]

4. Here was a lucid, sober, and detailed account by a witness who had obviously taken some time and care to recollect his activities following the bombings. Miller, like Voigt, had apparently occupied a key position in the attempts to record the death roll, and was therefore ideally suited to give an estimate, albeit like Voigt from memory, of the numbers killed. Miller's figures corresponded roughly to those given by the East-Germans, by the engineer Feydt, and to Voigt's minimum. He had given apposite information on Mehnert's state of mind, information that at the very least needed to be judiciously weighed against Funfack's, at the most invalidated it. He gave a perfectly plausible explanation of why some eye witnesses exaggerated the figures. Moreover he had raised some telling points about the sheer logistics of any death roll put at higher than 50,000.

5. Irving may have had a sound reason to ignore Miller's testimony, but if he did it is not apparent from his microfilmed records. As it was, Miller, his testimony, and his criticisms remained unmentioned. TB 47 was obviously too compelling to be questioned.

(F) Use of unreliable testimony: two United States Strategic Bombing Survey interrogations.

1. In the published account Irving recounted that two German medical officers (Desaga and Hurd) were interrogated by the United States Strategic Bombing Survey on 19 July 1945. They had stated that '"the most badly damaged town in their opinion is Dresden, with an estimated death-roll of 250,000"' [414] As usual Irving provided no exact reference and no information as to who these doctors even were. There is no

indication that they were in a position to do anything more than repeat rumour and nothing to link their statements to TB 47, other than of course to confirm that it was an effective propaganda figure. It is probably in connection with this source that official USAF historian Joseph W. Angell wrote in a report formulated in 1952 – 1953 (but not declassified until 1970):

> The most distorted account of the Dresden bombing - one that may have become the basis of Communist propaganda against the Allies, particularly the Americans, of recent years - was prepared by two former German general officers for the Historical Division, European Command (U.S.A.) in 1948. In this account, the number of dead from the bombings was declared to be 250,000.

2. Angell concluded 'That this figure may be the "probable" number of dead, multiplied by ten for the sake of exaggeration…' by comparing death rolls and physical damage in other German cities. [415]

3. A second USAF historian wrote an account of the bombing raids on Dresden in 1954, and did not even mention the original United States Strategic Bombing Survey report, preferring rather to approvingly to cite Rumpf's 60,000 figure as 'closer to the correct figure.'[416] Irving's supporting source has thus been decisively described by official USAF historians as unreliable.

(G) Use of unreliable evidence: testimony of Wilfred von Oven.

1. In 1995 Irving quoted the post-war diaries of Goebbels's propaganda ministry official, Wilfred von Oven, that 'with Dresden, Churchill has fulfilled his first quota [as agreed at Yalta with Stalin] of 300,000 at one fell swoop.'[417] This is nothing but von Oven's personal opinion, or more likely a regurgitation of the propaganda of the time. Moreover it is not a contemporary, but a post-war record (which Irving uses despite his declared suspicion of post-war records of any kind). Von Oven had every motive to put himself and his work for the Nazis in a favourable light in this way, by exaggerating the numbers killed at Dresden and falsely claiming that the Allies had apportioned 'quotas' of German dead to each other (a claim for which there is no documentary evidence).
2. In fact there is much better evidence available for the contemporary estimate of deaths at Dresden circulating in the Reich Propaganda Ministry, where von Oven worked.
3. One of the witnesses to Hitler's vengeful desire to start shooting Allied soldiers in retaliation for allied bombings was Hans Fritzsche, radio propaganda chief under Goebbels. At Nuremberg he stated:

> Dr Goebbels explained in the often mentioned "11-o'clock-midday conference" that 40,000 victims were to be lamented in Dresden. At the time one did not know yet that the figure was considerably higher.[418] Dr. Goebbels added to the announcement that one way or another this terror had to now be stopped and that Hitler was absolutely determined to have the same number of English, American, and Russian pilots shot as the residents of Dresden who had died.[419]

4. This is proof enough that in the Propaganda Ministry and in Hitler's headquarters a far lower number was available than that given out as official propaganda, the spurious number merely repeated by von Oven.

(H) Falsification of statistics: official estimates.

1. In 1966 Irving wrote that the 'competent authority in Berlin for air raid relief and welfare services accepted an estimate of between 120,000 and 150,000...' There is no source given for this.[420] In 1966 Irving wrote further that 'according to the Federal Ministry of Statistics in Wiesbaden immediately after the attacks the local authorities were estimating the figure as 180,000 to 220,000.' The source runs simply, 'Dr. Hans Sperling, Federal Ministry of Statistics'. Without Dr Sperling's letter to see what these estimates consist of the reader is hard put to comment on their provenance. Irving does not care to enlighten us further. In 1995 we are no nearer the source. Again he attributes the figure 180,000 to 220,000 to 'official sources in Berlin' and this time a lower figure of 120,000 to 150,000 to 'the authority responsible for relief measures in blitzed cities'. Dr. Sperling's letter is still quoted.[421] This figure of 120,000 to 150,000 makes a reappearance in the 1995 edition, again attributed to 'the Berlin authority for responsible for welfare in blitzed cities'. Bizarrely the upper figure of 150,000 cited in 1966 has become 'half a million' by 1995, while still being attributed to the same source as previously. [422]
2. Sperling's letter is included in Irving's microfilmed documents pertaining to Dresden. Indeed Sperling had informed Irving that: 'Immediately after the attack their number [the dead] was estimated by local authorities at 180,000 – 200,000. A few days later the competent authority in Berlin for relief of those cities effected by air raids reckoned with a loss of 120,000 – 150,000.' Sperling made no mention of a figure of 500,000. Moreover he provided a clear proviso to these figures: 'As a result of the shock the offices in the badly affected cities and the higher authorities directly involved were, out of experience, in the habit of being prone to initial overestimation. A typical example is the attacks on Hamburg in July 1943 when the losses were initially estimated at more than double.' Sperling then proceeded to outline a number of difficulties in establishing the number of those killed in Dresden, concluding: 'Besides, as a result of the number of those fleeing the destroyed city being hard to estimate people were counted as dead who had actually fled the city and later returned. After weighing up all demographic factors and technical numeral [*zähltechnischen*] influences most probability is attached to a figure of 60,000 losses.'[423] Irving deliberately garnered the highest possible figures from Sperling's letter, suppressed his proviso, and suppressed the then official West German figure in this context.
3. There is however good evidence that a lower number was circulating in March 1945. Situation Report no. 1396 of the chief of Berlin's police force [*Ordnungspolizei*] concerning air attacks on the Reich, 14 March 1945, contains an appendix from the commander [*Befehlshaber*] of Dresden's police force which states 'some 12,000 fallen recovered until now'. Bergander argues that the appendix was penned at the beginning of March 1945 and there is no reason to doubt him.[424]
4. Thus in publishing TB 47, Irving had no evidence to support the document. On the contrary, he was forced to rely on hearsay, gossip, and speculation by unattributed sources, whilst suppressing and manipulating more valuable sources. His evidence has no historical credibility whatsoever. TB47 was cited by him in the face of far more reliable evidence for the true figure of deaths in the Dresden bombing raid, evidence of which he was only too well aware at the time.

(iv) The 'Final Report' of 15 March 1945. [425]

1. As if Irving's new evidence were not already threadbare enough, the single most important document to date in helping historians decipher the true Dresden death-roll was discovered just as he set about publishing his own 'sensational' source. Following a lecture in Bad Schandau in East Germany in 1965, a Frau Jurk showed Walter Weidauer a document belonging to her father-in-law. It was the 'Final Report' issued by the Dresden police on 15 March 1945. Max Jurk had formerly been with

the Dresden police. He had been a colleague of Wolfgang Thierig, the police Colonel responsible for the report. The 'Final Report' bore Jurk's dictation initials and was signed by Thierig.[426] This was the document that Irving had often claimed had not survived the war, and the very document on which TB 47 claimed to be based.[427] The document contained exact details of all the material damage the city had sustained. The key passage read: 'Until early 10.3.1945 established: 18,375 fallen, 2,212 badly wounded, 13,718 slightly wounded, 350,000 homeless and long-term re-quartered.'[428] Unlike the copies of TB 47 the 'Final Report' bore both an identifiable signature and was stamped 'secret.' It ended with the commentary, 'The above report was given [*erstattet*] after agreement on the documents with the district committee of the NSDAP.' Weidauer was the first to publish the document in 1966 in a second edition of his book *Inferno Dresden*.

2. The Dresden City archivist Dr Walter Lange kindly informed Irving of the existence of this crucial document on 5 April 1966. Irving replied: 'As you know I continue to believe in the authenticity of *Tagesbefehl* signed by *Oberst* Grosse' based on its stylistic similarity with other documents signed by Grosse.[429] Lange then sent Irving a copy of the document on 27 May 1966 informing Irving that he would be interested to have his opinion on it.[430] This should have been the final piece of evidence any self-respecting historian would need to halt the printing of TB 47 as authentic.

3. Simultaneously, on 13 May, the West German archivist Dr. Boberach drew Irving's attention to the discovery of a document in the Federal Archive in West Germany that confirmed the authenticity of the 'Final Report'.[431] Amongst the 'Situation Reports on Air Raids on Reich Territory' dated between 23 February and 10 April 1945, Situation Report No. 1404 of the Berlin Chief of Police, dated 22 March 1945 had appeared, a document dated the very same day as TB 47. In it the same data was recorded as in the 'Final Report', including the then current death roll of 18,375, a predicted death roll of 25,000, and a figure of 35,000 missing. As Boberach informed Irving: 'These figures are in complete contradiction to the Order of the Day [i.e. TB 47] of the BdO [*Befehlshaber der Ordnungspolizei*] Dresden, likewise dated 22.3. The number of dropped bombs and destroyed buildings mentioned deviate only slightly or not at all from the figures in the Order of the Day.'[432] Boberach refrained from pushing the implications of this find further, but the inescapable conclusion was that 1) the 'Final Report' was authentic beyond doubt and 2) that someone had tampered with the death-roll in Irving's copies of TB 47.

4. A further passage in the document drew attention to a possible source of statistical confusion in Voigt's earlier statements to Irving of a minimum figure of 40,000.

> Exact establishment of the number killed first possible when police bureau of missing persons and registration office establish which people have left Dresden. At the moment some 35,000 missing persons entries have been submitted to the bureau of missing persons and the city authorities.[433]

5. Apparently Voigt's office had also collated information on those registered as missing, but who may well have fled Dresden following the attack. This would shed possible light on the deviation between Voigt's minimum of 40,000 and the East-German figure of 35,000.

6. The last document to strengthen this substantial chain of evidence was published by Bergander on 13 February 1975. The last wartime document to quote a figure for those who had died in Dresden was Situation Report No. 1414 of the Berlin Chief of Police, dated 3 April 1945. It read: 'BdO. [*Befehlshaber der Ordnungspolizei*] Dresden.

Up to 31.3.45 the number of killed recovered numbers 22,096 persons.'[434]

7. With the appearance of the 'Final Report' it was conclusively proven that no weight could be given to TB 47 and that it was more likely than ever a forgery. Irving was forced to make a humiliating climb-down. In his pleadings in the case Irving has made great play of his probity and responsibility in this affair, and how he did not flinch from his 'dilemma'.[435] On 16 May 1966 he informed Dr. Boberach that he fully realised the implications of the document of which Boberach had apprised him, and announced his intention to give the facts 'fullest prominence' [*Zuerkennung*] in both England and Germany to counter the 'false impression' given by TB 47. Unfortunately he would have to delay any announcement by 'about a month' on 'diplomatic grounds' *[sic]* as the new edition of his book had appeared only fourteen days earlier.[436] In fact Irving waited six weeks.

8. Irving has disclosed none of his correspondence with Corgi surrounding their new edition, and until the exact publication date has been established one is obliged to take Irving's excuse at face value. Whatever the exact publication date, Lange had informed Irving of the existence of the 'Final Report' on 5 April. Taking Irving's stated publication date of 2 May 1966 (i.e. fourteen days before his letter to Boberach) this still perhaps allowed Irving a chance to at least halt printing in early April while he gave himself time to peruse Lange's document and weigh up the supposed merits of TB 47.

9. A letter, first drafted and discussed on 29 and 30 June, duly appeared in *The Times* on 7 July 1966.[437] Irving brought readers' attention to the new documents, finishing off that he had 'no interest in promoting or perpetuating false legends'.[438] Likewise he wrote to the *Sunday Telegraph* asking them if they would help him 'to correct what might otherwise become a dangerous legend.'[439] This was too little, too late. Irving had had no grounds to print TB 47 in the first place. As Mr L.A. Jackets, Chief Historian to the Air Ministry commented in a memorandum shortly after Irving's letter to *The Times* had appeared: 'It is practically impossible to kill a myth of this kind once it has become widespread and perhaps reprinted in other books all over the world.'[440]

10. Although there is no evidence that Irving undertook a similar effort in Germany he wrote to Kimber and to his Italian publishers in August outlining the alterations which needed to be made in light of the 'Final Report'.[441] Likewise Corgi wrote to Irving in September, presumably in reply to a similar request, to say that as no new edition of his book on Dresden was planned in the foreseeable future the changes could not be made. In reply to Corgi, Irving wrote that he hoped that Corgi did not think he was pushing them for a new edition, only that 'otherwise I would lay myself open to charges of having done nothing to bring this to the attention of my various publishers' attention.'[442]

11. So far so good. However even Irving's recantation was not as whole-hearted as it might at first glance seem. On the very day his letter appeared in *The Times*, Irving recorded his conversation with a journalist from the *Sunday Telegraph* as follows: 'I told him that I had lost faith in statistics now, but was still a little suspicious of the new Dresden figure as the man who wrote the report was responsible for civil defence in the city.'[443] Likewise in answer to a reader's letter he wrote: 'You probably detected the note of reservation I introduced into my letter to *The Times*, because it is unlikely that the Germans could have counted accurately the large numbers of victims in such a short time, and in a catastrophe like that who was there left to register relatives as "missing" anyway?' [444] This begs an obvious question. If Irving in July

1966 doubted the police's ability to count 18,375 dead by 10 March, why had he never previously doubted their ability to count 202,040 dead by 20 March? In reply to another reader who expressed the opinion that the real figure was nevertheless still much higher Irving wrote: 'I share your disbelief regarding the authenticity of the number of losses given by the Dresden police officer…'[445] Irving then turned down a request from his Italian publishers to print his letter to the *Times*. 'They [the alterations] are not too sweeping because despite what I wrote to the Times I do not think too much importance can be attached to the figures given in the new German documents. On the other hand, they cannot be ignored.'[446]

12. Reading the documentation presented to the court one might falsely gain the impression that Irving did his best to rectify the damage done by his frantic marketing of TB 47. But for reason best known to himself Irving recanted on his recantation. The new German edition appeared in October 1967, but TB 47 was still given the same prominence as in the Corgi edition of 1966. Neither had Irving seen himself as obliged to revise his 'most probable' figure of 135,000.[447] Worse still the requested changes were not instituted in the Corgi edition of 1971, despite Irving's prior communication to this publisher of his book about the evidence of the 'Final Report'.[448] TB 47 was still printed in the 1971 Corgi edition as an appendix and the text was entirely unaltered, save for one change.

13. Irving has claimed in the pleadings that he had no control over or responsibility for the cover of the 1971 Corgi edition, but the text of the book had in fact been altered. Both his own preface and Sir Robert Saundby's foreword, written for the original Kimber edition, now contained the figure 100,000 dead as the authoritative death-roll as opposed to the figure of 135,000 given in the preface to the 1966 edition. Irving had written to Corgi in August 1966, enclosing all the changes he wanted made, and added 'The only point which might require checking is the alteration I have made in Saundby's Foreword; this might need his approval, although I hardly feel he will object.'[449] No attempt was made to explain the contradiction between the continued inclusion of TB 47 as an authentic document and Irving's revised authoritative death roll, or indeed between the latter and Voigt's estimate. This begs the question why of all the changes he had initially requested this was the only one carried out? Irving has not disclosed his further correspondence with Corgi, so the question remains an open one as to whether the continued inclusion was due a change of heart by Irving or the vagaries of the publishing industry.

(v) The real TB 47.

1. In 1977 TB 47, which had long been strongly suspected as a forgery, was conclusively proven to be so, and a last stone in the mosaic fell into place. A copy of the original document was discovered by Bergander. Bergander had found a reservist, Werner Ehlich, who reliably reported that not only that he had had the original in his hands, but, as a then member of the Dresden police force, had also made one typed and one hand-written copy of it. The copy was still in Ehlich's possession It started 'In order to be able to counter wild rumours.…', and proceeded to list all the details listed in the version of TB 47 used by Irving: with one crucial difference.
2. In this new, authentic Ehrlich copy the death figure was put at 20,204, the expected dead at 25,000, and the number cremated at 6,865. What had clearly happened was that someone had crudely doctored the document by simply adding an '0' to the end of each number it contained. What Irving had claimed as authentic documentary evidence was a crude forgery. [450]
3. In neither England or Germany had Irving made an effort to revise his book in light of the mounting documentation and had thus ignored new evidence that not merely

contradicted, but invalidated his findings. It was not until 1977 in Germany that Irving finally described TB 47 as a Nazi fake, as Seydewitz had argued all along, although he still reprinted it as an appendix, and published the 'Final Report' as an appendix alongside it.[451] And it was not until 1995 that Irving was at last willing to come clean with his English-language readers and make Seydewitz's explanation his own again, that TB 47 was in fact a product of the Propaganda Ministry's 'machinations'.[452] Without expanding on the information given by Weidauer, Irving wrote imperiously to the Dresden City Museum:

> We have recently re-published my work about the massive Allied attack on Dresden, which will be well known to you.... In this volume...I have revised the number of losses, and independently from the research named by you, I come also to the conclusion that the so-called *Tagesbefehl 47* is a forgery of the Ministry of Propaganda.[453]

4. How or on what grounds Irving's conclusions were arrived at 'independently' he did not make clear. In fact, of course, this was pure bluster, and there was nothing independent about his change of mind at all. The truth seems to be in fact that he felt unable to persist with his allegiance to TB 47 in the light of the overwhelming weight of evidence, dating back twenty years, indicating that it was a forgery.

5. Despite having been finally forced to disown TB 47 Irving has continually kept the legend of a higher death roll alive and sown the seeds of doubt amongst the unwary and the ill-informed. How has he been able to continue to maintain that the death roll in Dresden was anywhere between 60,000 and 150,000 despite such strong documentary evidence that the number was around 30,000?

(vi) Further bending of reliable sources.

1. In 1985 Irving wrote to a Munich newspaper, the *Süddeutsche Zeitung*, claiming that the police chief responsible for the 'Final Report' had the 'most reason to minimise the losses', because he was the person with air-raid protection. Irving was implying therefore that the figure of 18,375 given in the 'Final Report' was a politically-motivated underestimate.[454] Yet Irving is quite happy in other places to accept the authenticity of police statistics on air-raid losses. As he himself commented with regard to the October 1943 attack on Kassel, the Germans '...kept records of all air raid losses with meticulous care - even those on livestock.'[455] After the September 1944 raid on Darmstadt he wrote in the 1995 edition of the Dresden book: 'Once again the police chief's post-raid report provides the best documentary description of the attack.'[456] Irving, indeed, quoted the 'Final Report' no less than eighteen times in 1995. Why therefore should it be unreliable? Moreover TB 47 itself had also been signed by the police chief for Dresden. Yet for a long time Irving had accepted the figure of 250,000 given in the forged version of the document as entirely plausible. Here is yet another example of the double standard Irving applies in the evaluation of evidence which suits his case, and evidence which does not.

(vii) Further misuse of figures: refugees, burials, and excavations.

1. Although the existence of the 'Final Report', he wrote in 1995, 'must inevitably cast doubt' on higher estimates, the report was by nature 'interim', concluded a mere three weeks after the attack.[457] This again begs the question asked above. If Irving once again doubted the police's ability to count the dead by 10 March, why had he never previously doubted their ability to count 202,040 dead by 20 March? Yet, Irving went on, there are too many 'unknowns' to allow anyone the luxury of wholeheartedly relying on it:

> ... I am still reluctant to adopt it without question. March 10, 1945 - the status of the death-roll estimates - was still too early for final figures ... Nobody could, or can, be precise about the final figure. Countless people in Dresden that night vanished from the human race as surely as the man of whom only a shadow remained etched into the wall against which he had been standing.

2. The city had been overcrowded, it had had no shelters and no defences worth talking of, and no expectations were current of raids on such a scale (contradicting the earlier statements by Irving that the Dresden populace had already experienced 172 air raid alerts).[458] These factors, coupled with the most violent fire storm in history, 'must inevitably have caused casualties substantially greater than in Hamburg'. Later Irving stated that: 'The key element is probably, over and above the identified death-roll, the vast number of missing people which even the Dresden Police Chief put at thirty-five thousand.' [459]

3. Irving thus implies that the difference between the 'Final Report's' 25,000 and his minimum of 60,000 is accounted for in the number of unidentified nameless refugees and those still buried or never found and therefore never counted.

4. The night Dresden was hit it was, according to Irving, 'swollen to twice its peacetime population by the [massive] influx of refugees from the East, Allied and Russian prisoners of war, and thousands of forced labourers.'[460] Dresden had had a 'permanent' population of 650,000 and 'hundreds of thousands of refugees'. In the 1995 edition they had become 'the million or more refugees who flooded into the city after January 1945'.[461] In 1966 the Dresden pre-war population is figured at 630,000, in 1995 at 642,143.[462] Elsewhere, while in the 1966 edition the city is 'palpably overcrowded', in the 1995 edition it is 'swollen with one or two million refugees'; [463] a population 'between 1,200,000 and 1,400,000 citizens' of whom 'hundreds of thousands had no roof over their heads'; [464] a city which 'twelve hours earlier had sheltered a million people and their property.'[465] As the increases which they have undergone between the 1966 and 1995 editions of his book would suggest, these figures are entirely arbitrary. At no point does Irving give a source for any of them. They are figments of his own imagination.

5. Dresden was undoubtedly hit in the early part of 1945 by a wave of refugees fleeing westwards from the advancing Red Army. Schools and pubs, cinemas on the Prager Straße, and even the palace in the *Große Garten* were given over to accommodating refugees. None of them though were meant to stay longer than three days, and all available manpower was committed to keeping the trains and carts flowing through Dresden. Undoubtedly some became stationary in Dresden, but 500,000 or 700,000? How were so many refugees accommodated? According to Irving, they were not. 'These endless, well organised refugee "treks", each with its own designated "Führer" , had been directed one after another to the designated reception areas - like the *Grosse Garten*'.[466] In other words they slept under the open skies.

6. In the Corgi edition of 1966 Irving claimed that the Dresden City authorities had issued a total of 1,250,000 ration cards to the city's population by the time of the raids.[467] Here would be official documentary proof of the number of people in Dresden at the time of the attack. The source reads simply 'Ration statistics were provided by Mr. Howard Gee who was given them during a visit to Dresden in June 1963.'[468] This is once again typical of the infuriating, perhaps deliberate, poverty of so many of Irving's source-references. Who is Mr Gee? A British statistician, perhaps, or a tourist friend of Irving's? Who had given him the information and in what

form? Maybe a typed statement from the Dresden archives? For all the reader might know it could be a conversation overheard on a park bench between two Dresden drunks. Without this information this apparent 'fact' remains nothing more than hearsay. Irving saw fit to allow the 'fact' to disappear from the 1995 edition.[469] Why? Because in the meantime the truth about the 1,250,000 ration cards he claimed had been issued to the Dresden population had now become clear to him. Far from being genuine, many if not most of them had been produced by the Allies in order to confuse the population and hamper the local Nazi administration. In 1995, and in the 1985 German edition of his Dresden book, Irving admitted he had made a 'mistake' on this point in 1966, and conceded that to add to the long-term dislocation the RAF dropped 'millions of fake ration cards'. He quoted the 'Final Report' of March 1945, which recorded that such cards had been dropped 'in large masses' [*größere Massen*].[470] Yet this openly admitted mistake did not prevent Irving continuing to claim that Dresden was packed with immense numbers of refugees in early February 1945.

7. As early as 1953, the Dresden civil defence engineer Georg Feydt had struggled to defeat the myth of the city saturated with refugees. He wrote: 'I cannot imagine a more peaceful and calm picture than Dresden on the afternoon of 13 February 1945.'[471] Bergander likewise confirmed from his own memory that at no point did Dresden become crammed with refugees. He himself had been called on to help place refugees in accommodation, and apart from those stragglers around the station and the influxes which came with each train, he remembered most being somehow quartered.[472] Bergander then proceeded to calculate that the number of refugees in Dresden could sensibly be put at 200,000; 9,000 in the stations (through which the majority came), 6,000 who had trekked with carts spread out over the whole of Dresden, and 85,000 in emergency accommodation. He doubled the number to include all those who might have somehow found their own lodgings that night. Bergander admitted that this was also a guess, but at least a sensible one arrived at through due process. To have accommodated some half a million refugees would have required one of two measures, neither of which took place: either forced billeting in private homes on a massive scale, or huge temporary camps. [473]

8. The Dresden historian Reichert went one step further. He likewise quoted witnesses who attested that no refugees were billeted in Dresden houses and that no billeting took place in the parks or squares. He then pointed out that the Dresden population could of course not be expected to have been at its pre-war level because of the numbers of men away on active service. Not 630,000, but 567,000 were resident in the city at the time. To that he added 100,000 refugees.[474] This was already a very considerable number in view of the city's overall population; but nowhere near the 'one or two million' suggested by Irving in 1995.

9. How many of these are likely to have been killed? The total figure of just over '18,000' given by the 'Final Report' of course included refugees as well as local citizens. Irving, as we have seen, implied that many thousands of those killed were officially only listed as 'missing' and so were excluded from the official death roll. Section E of the 'Final Report' headed 'loss of life' listed under the difficulties in identifying the number of dead: 'migration of large parts of the population, transport of a large part of the wounded out of the city.' [475] The 'Final Report' put the 'missing' figure known to the register of missing persons and the city administration at 35,000, but with the proviso that 'Exact ascertainment of the number of killed only possible when it becomes established through the register of missing persons and the police offices of registration how many people have left Dresden.'[476] 10,000 of those missing were later found to be alive.[477]

10. Given the chaotic situation of the last weeks of Hitler's Germany, with millions of refugees streaming through Europe many more might have escaped official attention. Irving himself obliquely concedes that a mass exodus took place from Dresden after the bombing raid. He quoted a Swedish newspaper of 18 February that 'Dresden had been so destroyed that the order for its final evacuation had been given.' In the same paragraph he quoted a refugee: 'None of the neighbouring towns could send help [after the attack] because all the approaches to Dresden were crowded with refugee columns, peasant carts, pushcarts and army vehicles.'[478] Thus even on Irving's own evidence, the 'missing' must have included many thousands who had left the city immediately after the raids were over. This was a complicating factor that Dr. Hans Sperling of the Federal Office for Statistics had already brought to Irving's attention in 1962.[479] Even if a considerable number of those registered as missing had in fact been killed in the raids, it still remains the case that they would have added no more than a few thousand to the overall death-roll, not the numbers needed by Irving to make up the shortfall between the 'Final Report' figure of 18,000 and his own estimate of 100,000 or even 250,000. As it is, it is now clear that the Dresden authorities took great pains to count all the dead, identified and unidentified.

11. Conclusive evidence is supplied by burial figures. According to Irving 'history relates that the last mortal remains of 28,746 air the raids' victims found their last resting place on the Heidefriedhof cemetery.'[480] The figure of 28,746 in the Heidefriedhof comes from the cemetery's head gardener Zeppenfeld, who is quoted by Seydewitz as haven giving this total from the head-count of those buried and the ashes of 9,000 bodies burnt on the Altmarkt.[481] In fact, as we know, 6,865 people were burnt on the Altmarkt. Bodies were also buried at the Johannisfriedhof cemetary. Weidauer quotes the director of administration that 3,660 victims of the attack were buried there.[482] In 1993, new official material was found from the Dresden burial offices [*Marschall- und Bestattungsamt*] confirming the exact number of those buried.[483] Quite contrary to Irving's image of chaotic and botched mass-burials,[484] the counting of the dead was conscientiously carried out, with the figures being reported regularly to the city administration. Exactly 17,295 bodies had been buried in the Heidefriedhof cemetary, including the ashes of the 6,865 people burnt on the Altmarkt. In addition to the 3,462 burials in the Johannisfriedhof cemetary, 514 were buried in the Neue Annenfriedhof cemetary. This gives a total of 21,271 registered burials.[485] Head gardener Zeppenfeld's figure of 28,746 thus overestimated the true number by more than 7,000, unsurprising perhaps, given the fact that it lacked any written authentication and was arrived at only in a rough and ready way. The official figures are far more likely to be closer to the truth.

12. Another possible point of statistical confusion, according to Irving, lay in the fact that many people searched for missing relatives to 'spare them the indignity of mass burial in a common grave' or even resorted to digging up their next of kin already buried in mass graves.[486] Even if one were to concede the point, and there are witnesses quoted elsewhere as rescuing bodies from the rubble themselves, it seems highly unlikely that people broke open sealed mass graves in the hope of finding their relatives amongst the number buried there. Moreover, this in no way precluded the victims from appearing on one of the official lists. On the contrary, people who had by then of course identified their relatives would have been bound to have reported their death to the authorities, or would Irving have us believe that thousands were secretly buried on unconsecrated grounds and their deaths for some strange reason kept secret from the authorities? Reichert adds that the burials in the smaller graveyards were scrupulously recorded and did not exceed 2,000.[487] The total number of burials, therefore, approximates well to the total figure of deaths in the raid already known from other sources such as the 'Final Report', namely 21,000 com-

pared to 18,000.

13. Irving's last refuge was to claim that too much of Dresden remained unexcavated to say how many bodies might still be buried.[488] More, of course, did lie hidden beneath the rubble and were not discovered until later. Weidauer points out that from 8 May 1945 until 1966, exactly 1,858 bodies had been dug from the ruins of Dresden. Only in four instances had it been impossible to establish the number of victims in one place. The total for the four could not have been higher than a hundred.[489] He likewise makes clear that by all accounts the majority of victims had died through suffocation and that only in a small number of cases were bodies so mutilated or burnt that the exact number could not be ascertained. Reichert quotes a slightly smaller figure for between October 1945 and late 1957 of 1,557 bodies.[490] Irving, although he must have been aware of Weidauer's figures, still wrote in 1995 of an immediate post-war Dresden 'where thousands of victims were still being recovered each week from the ruins'. He argued that too little of Dresden had been excavated to determine how many bodies lay undiscovered.[491] Yet he himself had written in 1963 that 'most of the bomb sites in Dresden's Inner City have been cleared anyway.'[492] Reichert adds (1994) that not a single body had been found since 1990, despite heavy building and despite archaeological excavations on the Altmarkt and around the Taschenberg Palace.[493]

14. When Reichert added the three sums together cited above he came to the inescapable conclusion that the final number of deaths for the raids of February 13/14 and April 17 was 25,000, corresponding to the real TB 47's prediction of the same number, and all of it based on documentary evidence.

15. How reliable, finally, are these official figures? Widely accepted for many years, the fact that the Communist authorities in post-war Dresden were among those who treated the figure of 35,000 as accurate is an irrelevancy. What interest did the Communists have in playing down the numbers killed? Even if they had, the figure of 25,000 - 35,000 comes not from the Communists but, as we have seen, from the Nazi authorities themselves.

(e) Dresden and Holocaust Denial

1. Even as a young writer Irving seems to have used his manipulations of the evidence on the bombing of Dresden to peddle an as then relatively inarticulate and 'soft' form of 'revisionism'. Irving has variously claimed that his interest in Dresden was first awakened by 1) reading an article in the German magazine *Stern* in March 1960 or 2) conversing with fellow workers whilst employed at a steel mill in Mülheim. In April 1961 he placed adverts in British and American newspapers to trace the surviving air personnel. William Kimber was one of the people to answer his advertisement and subsequently became his publisher.[494]

2. That Kimber's relationship with Irving was an uneasy one is borne out by the documents. Kimber wrote to Irving on 3 April 1963, after his legal advisers had suggested he check the proofs for 'certain allegedly historical statements'. Once they had started, wrote Kimber,

> it became abundantly clear that the first proofs were riddled with falsifications of the historical facts. The picture painted by these falsifications led to the inescapable conclusion that your book could be interpreted as the work of a propagandist for Nazism who had not scrupled to distort many facts and omit numerous others in order to vilify the British War Government and in

particular Winston Churchill…. I have no doubt that it was a scoop for the Germans to find an Englishman prepared to concoct a mixture of fact and fiction which would vindicate or extenuate Nazi actions (because of course there is an extensive movement trying to achieve this aim in Germany and elsewhere) and at the same time to denigrate English leaders.[495]

3. Irving stiffly denied this and argued that in Germany he had been accused of being a lackey of British Air Command and that now Kimber was branding him a Nazi propagandist.[496]

4. According to Irving Kimber then instituted a number of textual changes against his wishes. He altered chapter headings, softened criticism of Churchill and Harris, and erased the more 'harrowing' details of the attack; all testimony to Kimber's 'sincerely held belief that, after all, perhaps the Germans had merely been repaid, with interest in their own coin.' [497] Although Irving told his readers in 1995 that it was 'several years before I noticed these little modifications' we have documents to the contrary. In the same letter of April 1963 Kimber had written to Irving informing him that after 'intensive work' by the office staff checking and changing the proofs 'we now believe the book to be cleansed of its somewhat evil undercurrents'. Later in April Irving berated Kimber for changing some of the historical sections in the book.[498]

5. Irving wrote to Kimber in 1963 that the crime of World War Two was not genocide but 'innocentocide' (sic), the killing of civilians, and that therefore the Eastern and Western powers were equally guilty in his eyes as the Germans and the Japanese. For him Dresden was a crime. [499] Nowhere in the earlier editions though was there an *explicit* effort to draw the parallel, but the whole tenor of the argument was unmistakably in this direction. In his own notes Irving commented on his discovery of TB 47 that put the death-roll at 202,040 that the document, if authentic, showed that the Dresden death-roll 'was well over the combined death-rolls of Hiroshima, Nagasaki, and Tokyo.'[500]

6. Instead, Irving allowed others to draw this obvious conclusion and then somewhat disingenuously congratulated them on their independence of mind. Thus he wrote to Sydney Silverman MP, who had reviewed the book in *Tribune*: 'I am not someone who holds political views similar to your own, but I really must congratulate you - in spite of this - for having stuck your neck out so firmly and unmistakably by drawing a parallel between the Nazis' atrocities and what happened in Dresden; this is something I myself did not claim in my book'.[501] This may be literally the truth, but as we have already seen with reference to his presentation of the history of the bombing raid on Pforzheim, there can be no doubt that Irving actually did, and does, believe in a parallel of this kind between Allied bombing raids, of which Dresden was the most famous, and Nazi war crimes.

7. In 1995 the 'innocenticide' refrain was repeated. In answer to the rhetorical question if there is a parallel between Dresden and Auschwitz Irving replied: 'To my mind both teach one lesson: that the real crime of war and peace alike is not Genocide - with its implicit requirement that posterity reserve its sympathy and condolences for a chosen race - but Innocenticide. It was not the Jewishness of the victims that made Auschwitz a crime; but their innocence.' [502] There is of course no implication in the concept of genocide that posterity should reserve its sympathy and condolences for a 'chosen race' – this is purely Irving's invention, for the concept can apply, and has been applied, to many other victims of genocide besides the Jews.

8. Whilst to his readership Irving has always maintained a more balanced tone, in his public speaking Irving's opinions have become increasingly strident. Despite his frequent rhetoric against the propagating of other myths in history, especially the 'myth' of the Holocaust, and despite his earlier pronouncements to the contrary, Irving is proud of his own role in keeping alive the very real legend of the Dresden death roll.[503] At a speech in South Africa in 1986 he told his audience:

> I realised that I was being told [about Dresden] of what we would now call a Holocaust I suppose, of which we English at that time, 1961, knew absolutely nothing at all. Of course now everybody talks about Dresden in the same breath as they talk about Auschwitz and Hiroshima. That's my achievement ladies and gentlemen. I'm a little bit proud when I look at the newspapers every 15th or 14th of February, when the anniversary comes and they mention Dresden, because until my book was published on that subject the outside world had never heard of what happened in Dresden when 100,000 people were killed in one night by an RAF and American air force air raid on one undefended German town at the end of the war. [504]

9. In Ontario in 1991 Irving told his audience:

> …Germany, a country that should be grateful to me, the Englishman who first revealed to the outside world what we British and Americans did to Dresden, where we killed over 100,000 people, burned them alive in three hours in one night in February 1945. Nobody outside Germany knew about it until my book *The Destruction of Dresden* was published. The country which should have given me every medal I suppose." [Applause] [505]

10. It would seem to be more than coincidence that Irving, his mind perhaps constrained by a convenient symmetry, has stubbornly maintained a false figure of 100,000 deaths in Dresden in the face of all evidence to the contrary, while at the same time he has manipulated his figure of deaths at Auschwitz down to a similar number. In a television documentary screened on 28 November 1991 Irving made the comparison explicit in the following interchange:

> Interviewer: "So what's the point in quibbling about the exact number of Jews that were killed by Hitler?"
>
> Irving: "Exact numbers are important. Look at Auschwitz. About 100,000 people died in Auschwitz. Most of them died of epidemics, as we now know, from code breaking. So even if we're generous and say one quarter of them, 25,000, were killed by hanging or shooting. 25,000 is a crime, that's true. 25,000 innocent people executed by one means or another. But we killed that many people burning them alive in one night, not in three years, in a city like Pforzheim. We killed five times that number in Dresden in one night."
>
> Interviewer: "So we're as bad as that?"
>
> Irving: "I've pleaded for equality in the writing of history. Not just truth but also equality."
>
> Interviewer: "So lining up Jews in pits and machine gunning them was as bad as bombing Dresden?"
>
> Irving: "I see very little difference." [506]

11. In addition Irving's utterances connecting Dresden and Auschwitz have become increasingly bizarre. Launching the 'Leuchter Report' in 1989 he told journalists:

> Obviously if the gas chamber now turns out to have been phoney then we have to try and explain what happened to the figures. Now, one possible reason is the large number that turned up in the state of Palestine, what's now the state of Israel. The Jews that were in Israel didn't come from nowhere. Another part of them, when Auschwitz was liberated were set out on the roads to be shipped westward where they ended up in cities like Dresden. I don't have to tell you what happened in Dresden three weeks after Auschwitz was evacuated by the Germans. There were one million refugees in the streets of Dresden at the time that we burned Dresden to the ground, killing anything between 100,000 and 250,000 of them. Large numbers of people on the streets in Europe that winter also suffered normal deaths of exposure and starvation epidemic. I'm offering to you alternative solutions to where the people went. [507]

12. Irving repeated this explanation in a 1993 promotional video intended for Australia:

> Many concentration camps as the Russians approached were evacuated and set out on the long cold march through the European winter of December 44, January 1945 to the West. The concentration camp inmates arrived in Berlin or in Leipzig or in Dresden just in time for the RAF bombers to set fire to those cities. In Dresden million-and-a-half people camping out in the streets on the night of February 13, 1945. Nobody knows who they were. Refugees, concentration camp prisoners, citizens of Dresden itself. After the bombers retired, 45 minutes later another wave came, and at then at noon on February 14 the American air force joined in. Over 130,000 people died in that particular air raid The same kind of raids took place on Leipzig, Berlin, Cottbus: refugee centres up and down the centre of Germany. Nobody knows how many Jews died in those air raids, nobody knows how many Jews died on the roads of hunger or starvation or just sheer cold. [508]

13. The so-called death marches took place in the closing months of the war as the Nazi authorities cleared concentration camps and ghettos in the East in the face of the victorious Red Army. Between 17 and 23 January 1945 some 60,000 prisoners of Auschwitz were evacuated, mainly on foot. Many of them died of cold, physical exhaustion, thirst and hunger, or were beaten or shot to death on their way to other concentration camps within the Reich. There is no evidence that those prisoners forcibly evacuated from Auschwitz passed through Dresden, and although Dresden had its own prisoner-of-war camps, it would seem incredible that the deporting authorities would have quartered thousands of starving and emaciated Jews in the historic heart of Dresden. The suggestion that the Allies were somehow responsible for killing Auschwitz prisoners in Dresden in what were their last agonising weeks of suffering is completely fantastic.

(f) <u>Conclusion.</u>

1. It is clear that Irving has played a pivotal role in keeping the myths of the Dresden attack persistent in the public mind. From the above examination of Irving's account it is clear that this has involved the deliberate falsifying of statistics, mistaking circumstances, misrepresenting testimony, attributing false conclusions to reliable sources, using evidence which he should know to be unreliable or forged, and bending reliable sources to fit his argument in order to arrive at conclusions that are historically untenable. His estimation of the purposes and biases of those compiling

historical sources varies not according to the sources themselves, but according to how useful Irving finds them in his attempt to maximise the numbers killed.

2. Irving's overriding purpose has been to drive up the figure of those killed in the raids by any means until it becomes many times greater than the actual number, and begins to achieve implicit comparability with the mass murders carried out by the Nazis at Auschwitz and elsewhere. In the light of his consistent and deliberate falsification of the historical evidence to this end, it was hypocritical of him to ask the *Süddeutsche Zeitung*, a reputable Munich newspaper, in 1985: 'Is the question of the number of deaths really of consequence?' [509] , and say to *The Times* that, 'It is odious to debate whether we killed 200,000 or "only" 35,000 that night.' [510]

3. Few would now wish to defend the Allied bombing raids on Dresden on 13/14 February 1945. No-one would want to underestimate the terrible cost they wrought in terms of human life and suffering, or ignore the wanton destruction of some of Europe's most beautiful and significant buildings, whose reconstruction is still not complete more than half a century later. But the way to reach a reasoned judgement on these events is not to falsify the evidence, which is already horrifying enough: all that does is to obscure the issues. Irving's manipulations and exaggerations have merely got in the way of a proper discussion of these events, rather than assisting it.

4. Although his inaccuracies and distortions of the truth have long since been exposed, he persists in presenting them to his readers as an accurate depiction of the historical record. Perhaps the best way of dealing with his version of the destruction of Dresden was found in 1985 by his German publishers, who appended to the title page of his book the description, 'a novel'.

5.3 The evidence of Hitler's adjutants

(a) Background

(i) Introduction

1. We now turn our attention from Irving's treatment of one particular historical event to his use of one specific type of historical evidence. We have repeatedly seen how Irving uses double standards when evaluating the post-war testimony of survivors of the 'Third Reich'. He dismisses the evidence of victims, while giving serious consideration to the evidence of the perpetrators. He uncritically accepts the testimony of members of Hitler's entourage when it is suitable to his arguments, but ignores it, suppresses it, manipulates it, or attempts to discredit it when it is not. The centrality of this evidence to Irving's arguments requires that it now receive a more systematic consideration.

2. When *Hitler's War* was first published in 1977 the claim which caused most consternation was that Hitler, although ultimately responsible for the murder of the European Jews, had known nothing about the crime itself:

> There are documents which strongly suggest that Hitler's responsibility - as distinct from Himmler's - was limited to the decision to deport all European Jews to the east, and that responsibility for what happened to the Russian Jews and to European Jews after their arrival in "the east" rested with Himmler, Heydrich, and the local authorities there - who took full advantage of the atmosphere of hatred and contempt for human life created by their Führer. [511]

Irving expressed his thesis more clearly in a letter in February 1974:

> It is important for me to ascertain if there was a difference in Hitler's eyes between the 'deportation' and 'liquidation' of the Jews at the turn of 1941 and

> also later. From the documents available so far one could almost believe that as far as the Jews of Europe were concerned Hitler believed that it was only a matter of deportation, and that he believed that there in the East they were being put to work, albeit under hard circumstances. This belief seems to have stayed with Hitler for the whole of 1942. Only in April 1943 does one find formulations, which might possibly point to a different attitude by Hitler.[512]

3. Irving's thesis rested on three strands of argument. First, the absence of a written order signed by Hitler, such as existed for the euthanasia action. Second, the 'chain of documents' discussed earlier in this report. Third, the argument that Hitler had never talked about the destruction of European Jewry in the close private circles surrounding him.

4. This part of the Report concentrates on the third point, namely, Irving's claim that Hitler's surviving adjutants, secretaries, and staff stenographers have *all* uniformly testified that never once was the extermination of either the Russian or the European Jews mentioned, even in confidence, at Hitler's headquarters.[513] Irving clearly makes use of the alleged testimony of Hitler's retinue as to the absence of any discussion of the extermination of the Jews amongst Hitler's intimate circle to support his thesis that Hitler did not know about the matter. In his dispute with the *Sunday Times* in 1977, over an article written by Lewis Chester and Gita Sereni, Irving wrote to the Press Council a letter which appeared to deny the connection:

> But the matter is totally unimportant, as I never, at any time, anywhere, based my case on these five staff members and it is dishonest of Miss Serenyi *[sic]* to suggest that I did. Let her state precisely where I claimed that these people supported my case. Once they informes me, as they did, that they never heard any mention of Jewish liquidations at Hitler's HQ, and that they themselves learned of it only after the war, what possible purpose was there in my questioning them further about it, let alone basing my case on them?[514]

5. If we refer to the structure of the relevant passages in the 1977 edition of *Hitler's War* this is pertinently not the case. The passage falls squarely in a section of the book which sought to propound Hitler's ignorance of the ultimate fate of those Jews deported to the east.'[…] no direct report by Himmler or Heydrich to Hitler on the barbarous massacres of Russian Jews they themselves had witnessed has ever come to light.'[515] Irving then added (and it is to be borne in mind how unequivocal he is): 'Hitler's surviving adjutants, secretaries and staff stenographers have *all* uniformly testified that never once was the extermination of either the Russian or European Jews mentioned – even confidentially – at Hitler's headquarters.'[516]

6. Irving relies on four varieties of evidence from these people: contemporary documents, such as letters and diaries; his own 'exhaustive' interviews; post-war interrogations, interviews and affidavits (usually in connection with one or other of the post-war Nuremberg trials); and memoirs composed after the war. Of the four, contemporary documents are, without doubt, of most value to the historian, as Irving himself has argued in a general manner; the other categories of evidence are not to be dismissed, but have to be treated with a high degree of critical caution.

7. As we have seen, it is Irving's stock in trade as a Holocaust denier to become cautious with certain types of evidence when it contradicts the revisionist line.[517] For instance Irving criticised Gerald Fleming's book *Hitler and the Final Solution* (London, 1983), which set out to refute Irving's central thesis that Hitler knew nothing of

the 'Final Solution', by pointing out that Fleming relied heavily on war crimes trial testimonies 'which are anything but safe'.[518] Yet Irving has presented the court with precisely five such pieces of testimony in document 1856, to support his claim that Hitler's adjutants were as ignorant as Hitler was himself. In his book *Goebbels: Mastermind of the 'Third Reich'*, Irving draws heavily on testimonies and affidavits from the Nuremberg trials.[519] Yet he has also said: 'I myself know that one has to be very careful with personal questioning. I put a lot of worth on personal letters from this time, on personal diaries, on war diaries, and on documents, which are demonstrably authentic. Only then come people….' [520] Despite this, all of the evidence presented to the court is post-war testimony, and little of it is pertinent other than to establish Irving's contact with certain individuals. It should also be taken into account that none of the documents presented to the court, apart from the correspondence with Hitler's secretary Christa Schroeder and the extract from the Krause memoir, have been presented in an original form. Rather they constitute Irving's notes on the same.

8. It is not proposed in this report to tackle each and every member of Hitler's staff individually to prove the extent of their knowledge.[521] But, using the printed documents and memoir literature at hand, it will be shown that:

· Hitler did talk about the 'Final Solution of the Jewish question', or better said aspects of it, to his personal staff.

· Hitler was often disingenuous in his conversation, but that the listener who chose to understand him, either at the time or in reminiscing after the war, was perfectly able to.

· Despite the claustrophobia and cloistered nature of life in the *Führerhauptquartier*, aspects of the 'Final Solution' were common knowledge amongst members of Hitler's staff, either through rumour, gossip, or what they themselves saw and heard at first hand.

· Members of Hitler's staff were not only witness to Hitler's role in the 'Final Solution', but also perpetrators themselves.

· While some of Hitler's staff tried to exonerate Hitler in various ways after the war, similarly some of them were in no doubt that the 'Final Solution' could not have taken place without Hitler's knowledge and express orders.

· Those members of Hitler's staff who sought to exonerate him had many good reasons after the war to disguise or deny what they saw, heard, or did during their time in Hitler's service. This is a factor which Irving conveniently chose to ignore.

· Irving's findings and interpretations were not the result of a flawed methodology or a naive credulity. In full knowledge of the historical detail Irving subjectively filtered, bent, and manipulated his sources to his own political and ideological desire to exculpate Hitler.[522]

9. In this section, we will start with a survey of the general background of knowledge about the extermination of the Jews in Nazi Germany, and the post-war ideology and purposes of the surviving members of Hitler's immediate circle and the pressures operating on them. These general considerations have an important bearing on the evaluation of the quality of their evidence. We shall then move on to a consideration of selected individual members of Hitler's entourage, and conclude with some wider

reflections on Hitler's decision-making process as reflected in the evidence of those who worked closely with him on a daily basis.

(ii) General Knowledge of the 'Final Solution'

1. None of the witnesses Irving cited (save Karl Wolff) was prominent enough in the 'Third Reich' to have been subject to individual historical scrutiny, in other words to have had the veracity of their post-war recollections weighed against the documents and the testimony of others. It is therefore apposite to consider briefly how much of the 'Final Solution' was public knowledge in Germany and thereby to set a rough standard by which to judge how much credence can be given to individual staff member's claims to have known nothing.
2. Most accounts assessing how much of the 'Final Solution' was common knowledge are based on the 'Reports from the Reich' [*Meldungen aus dem Reich*] composed by the German security services, particularly the SS Security Service [*Sicherheitssdienst* – SD], to gauge the mood of the German public. Members of the Security Service in civilian clothing listened to conversations in public places and gathered information from various other sources with the aim of informing the regime about the public mood, sometimes generally, sometimes in relation to specific events such as a speech by Hitler or Goebbels or an important event of some kind. The source is not without bias. Information supplied by the local stations was purposefully deleted and suppressed by the authors of the national digest, whilst other aspects were put into relief. For example the reports do not reflect popular knowledge of the euthanasia program and popular opposition to it, although we know both to have been large. Interestingly, during a speech given in 1996, Irving claimed that there was not a single reference to the 'Final Solution' in the SD Reports: '…and there's the entire series of SD *Berichte* [reports] from the beginning of the war right through until nearly the end, and never once is there any reference to the Holocaust in them. The people just didn't know what was going on, whatever it was.' [523] This claim was advanced despite numerous publications that used the selfsame source to show exactly the opposite: i.e. that reference was made to aspects of the Holocaust and people did know about aspects of it. [524]
3. There is a general consensus amongst historians on the following points:

   First, the daily discrimination and violence, especially of the so-called 'evacuations' [*Aussiedlungen*] of the Jews to the east, was impossible to overlook, although the fate of the deportees may not have been clear to everyone. The beatings, the forced marches, and the savagery of some of the deportations, even when carried out late at night, were impossible to hide from the populace. Likewise the number of Jews committing suicide before each impending round-up must have penetrated even the most stubborn of minds. These deportations took on ever-larger proportions throughout the Reich from October 1941 onwards.

4. Secondly, the appreciation was widespread that the war in the east was a war of extermination, and was being fought with a hitherto unknown barbarism. Those soldiers and administrators who saw duty in the east, be it in Poland or Russia, often came into direct contact with aspects of the 'Final Solution', either as witnesses or perpetrators, foremost to the *Einsatzgruppen* shootings. Prince Ferdinand von der Leyen wrote in his memoirs that:

   > It is true that apart from the perpetrators who remained silent, the extent of the horror was hardly known to anyone. But those who were in the east, especially in the [Polish] General Government, must have at least heard of the destruction of the Jews, even if the immense numbers and the bestial implementation which were spoken of remained unverifiable [...]. This much is

certain: there was no one in Germany who did not know that something bad happened to the Jews [...].[525]

5. A SD report of May 1942 from Erfurt indicated that a remarkably accurate idea of the *modus operandi* of the *Einsatzgruppen* in Poland and Russia was current in the town:

> Thus the rumour has been circulating among the population that the Security Police have been given the task of wiping out Judaism in the occupied territories. Jews by the thousands have been collected together and shot, after they have dug their own graves beforehand. At times the shooting of the Jews assumed such proportions that even members of the execution squads suffered nervous breakdowns. [526]

6. Thirdly, as Germany began to suffer reverses, especially on the eastern front, and with the increasing severity of the aerial bombardment of German cities, general fears increased of retaliation for the fate inflicted on the Jews. These mounting guilt complexes were particularly evident at the time the German authorities sought to make capital from the mass killing of Polish officers by the Soviets in the Katyn forest in April 1943. The SD reported that many people found it 'remarkable' and 'hypocritical' that 'German propaganda has now revealed its concern for the Poles.' As some observed, 'We have no right to work ourselves up about these measures of the Soviets, because on the German side Poles and Jews have been done away with in much larger numbers.' Others remarked that 'we ourselves have not exactly been fastidious in handling Poles, Jews and Bolsheviks.' [527]

7. Fourthly, the full monstrous scope and all the details of the crimes being committed were known to fewer. Rumours, talk, and hints of gassings did circulate, but it is harder to substantiate how much was known about the mass exterminations in the concentration camps using gas. For many such ideas were quite simply beyond rational comprehension, as they indeed remain for many today. But, although details were distorted and blurred, something was known of the gassings.

8. An ordinary citizen like Karl Dürkefälden learnt of the murder of the Jews of Kiev in October 1942, and the gassing of French Jews, from a soldier on leave from Vilna.[528] Lilli Hahn living in Hessen was told that the last two transports of Frankfurt Jews had been killed near Minsk.[529] Artilleryman Peter Perchel heard a similar story in May 1943 travelling to Bucharest as a courier for the Supreme Command. An Engineer Corps colonel told him that he had witnessed the gassing of a trainload of Jews in Poland. The cars had been shunted into a tunnel and decoupled. The tunnel was sealed and trucks were left running to kill the Jews with diesel fumes.[530] Ruth Andreas-Friedrich in Berlin recorded in her diary on 2 December 1942 'The Jews are disappearing in droves. Terrible rumours are circulating about the fate of the evacuated. Of mass shootings and death from starvation, of tortures and gassing.'[531]

9. Fifthly, Himmler and the killing apparatus, the Nazi party leadership, and the various participating organs of state made considerable efforts, to keep the operation secret. No one had to know, and no doubt the stench of murder was hidden for some by the nature of war. But there was scarcely anyone who was unable to know or understand if he or she chose to do so. Hence the large number of persons in Resistance circles who were well informed about what was going on.

10. The diplomat Ulrich von Hassell, who had numerous contacts within the Foreign Office and was always promptly and reliably informed about the inner workings of the Foreign Office, noted in his diary on the 15 May 1943:

> Shocking reports come in from the good [Max] Fraunendorfer [administrator in the General Government] in Poland. While [Hans] Frank publicly declares he wanted to give Poland a dignified and free existence, and while the gang tries in vain to befuddle world opinion about [better 'with'] the Katyn murders, the SS in Poland carries on most shamefully. Countless Jews have been gassed in specially built chambers, at least 100,000. [...] Meanwhile the unhappy remnants of the Jews [in Warsaw] prepared to defend themselves, and there is heavy fighting which will certainly lead to their complete extermination by the SS. [532]

11. Von Hassell was not the only Foreign Office official to know what was going on. Others were quite well informed as well.

12. Curt Prüfer, the former head of personnel in the Foreign Office and later ambassador to Brazil returned to Berlin in 1942. After conversing with friends and acquaintances he confided to his diary on 12 November:

> I was told terrible stories this morning about the treatment of the Persians. They have been massacred in large numbers - men, women, and children - by asphyxial gas or by machine gun. The hatred, which will obviously be engendered, will never be extinguished. Every child today knows this in all its details. [533]

13. Furthermore, on 17 November 1942, General Alexander Stahlberg visited the headquarters of Army Group Centre at Smolensk, where he spent the evening with Major General Henning von Tresckow and his aide Lieutenant Fabian von Schlabrendorff. These were figures who, like von Hassell, were involved in the plot to overthrow Hitler which culminated in the unsuccessful attempt on his life on 20 July 1944.

14. According to Stahlberg, the conversation turned to the General Staff, Hitler, and the course of the war:

> After a pause I asked him [Tresckow] if there was anything in the rumours of SS incursions against the civilian population in the rear areas. The rumours were true, he said, but with the rider that this was not a matter of occasional raids but of the planned extermination of human beings. Reliable information had reached Army Group that special SD and SS units had been formed for the carefully organised execution of the plan, on a scale that transcended imagination.[534]

15. Several months later Stahlberg was charged with delivering a letter from Manstein to Colonel-General Beck through General Oster or Admiral Wilhelm Canaris in Berlin.

16. On his mission Oster showed him a copy of a summarised report from SD *Einsatzgruppen* on the liquidation of Jews in the *Reichskommissariat Ostland* which listed the executions carried out by region, 'tens of thousands of them, adding up to six figures.' [535] In October 1943 the Senior Quartermaster of Army Group Centre, Colonel Eberhard Finckh reported from Vinnitsa to Stahlberg that two General Staff Officers had witnessed a mass execution of Jews. An SS officer had told the General Staff Officers that they had already executed more than 100,000 Jews. Stahlberg passed the information on to Manstein that evening, who refused to believe the enormity of the figure.[536]

17. In considering how far this kind of knowledge could and did percolate downwards to

secretaries and office workers, it is instructive to quote Erika Scholz, a secretary in Adolf Eichmann's Section IV-B4 of the RSHA. She told a court in 1969 at the trial of Eichmann's specialist for transport, Franz Novak:

> I did not know the details about what went on in the concentration camps, but I knew that the final solution of the Jewish question consisted of the extermination of the Jews. [...] I knew the word 'special treatment' [*Sonderbehandlung*] from my Berlin days. It was never talked about in the department, also with friends. [...] But everyone who was involved in it knew what the whole thing meant. [537]

18. Irving is himself content to quote Karl Wolff's claim that only 70 people had an intimate knowledge of the full scale and mechanisms of the 'Final Solution'.[538] Yet over 100,000 people were directly involved in the murder of European Jewry, not to speak of those who directly witnessed or heard at first hand or through rumour of what was happening. [539]

19. The self-serving nature of Wolff's absurdly low figure is obvious; if very few people knew, then his argument that he himself knew nothing of the extermination becomes to seem a little more plausible than it might at first glance be the case.

(iii) General Problems of Oral History and Memoir Literature [540]

1. Adalbert Rückerl, the former head of the Central Agency of the *Länder* for the Prosecution of Nazi Crimes, based in Ludwigsburg, who died in 1986, commented that the absolutely objective, i.e. independent and unprejudiced witness, does not exist. By this he meant one who in complete command of his or her faculties takes in an event, memorises it, and finally can repeat it without mistakes after the passage of time. A 'neutral' witness is hard to find because witness statements are inevitably, by their very nature, a recounting of events subjectively experienced at the time and further filtered over the years. The most exciting witnesses for the historian are those who have a wider mental horizon, whose powers of perception and interpretation of events are above the normal. Usually though, the historian faces the hard task of weighing up the objective truth of a statement against possible corruption of memory of one sort or another.
2. Rückerl listed a number of specific problems concerning witnesses to Nazi crimes and their willingness to talk. [541] Some of them correctly fear that if they give a truthful account, they themselves may be prosecuted. Some of them are silent because they are genuinely ashamed to have known about these things and to have kept silent at the time. Some witnesses have genuinely repressed their memories of events, but Rückerl adds the proviso that:

> The extent of apparent loss of memory, which many of these witnesses in the courtroom try to demonstrate, is nothing short of shocking and disgraceful. Time and time again in NS trials it is shown that those persons, apart from the accused themselves, who could be most effective in establishing the truth, are the very ones who impede matters. [542]

3. The age of the witnesses and the time-span between events and their retelling often poses problems, as does the tendency to fill holes with products of their fantasy to retain credibility. The historian is also confronted by the possibility of an ongoing exchange of ideas and memories between members of a particular group, so that that which has been experienced and that which has been received become intermingled and hard to disentangle.

4. A comparative approach is imperative when evaluating investigations. Only by reviewing as broad a sample of statements as possible are discrepancies, distortions and omissions likely to be revealed. Moreover, only by comparison with the existing documents can such statements be placed in their proper historical and individual context, and thus allow of an informed conclusion. With well-documented individuals one is often in the position to reject witness statements as a reflected self-image, based on a desire for exculpation. It must also be remembered that a genuine repentance and critical distance to their former life is rare amongst former Nazis. For instance only three of the twenty two accused at the main Nuremberg trial admitted their guilt: the General Governor of Poland Hans Frank, the Minister for the Occupied Eastern Territories Alfred Rosenberg, and the *Einsatzgruppenführer* Otto Ohlendorf. Albert Speer made a show of declaring his guilt, but in fact to his dying day never admitted that he had known about the extermination of the Jews. Very few are those who wish to unburden themselves, legion are those who seek to prove their innocence.[543]

5. It is a recognised phenomenon amongst oral historians of the 'Third Reich' that witnesses to NS crimes are often only in a position partially to reveal their knowledge. Often an episode is disguised as having been told to the person interviewed by a third party, coupled with a disclaimer that he or she had not realised the full significance of the episode as related to them at the time. Oral historian Gabriele Rosenthal concluded that when the statement is made that the interviewee 'knew nothing', they mean that they knew nothing about the factory-like murder of the Jews in death camps or all of the circumstances and details which became public after the war.[544] The witness deliberately overlooks the significance of those particular details known to themselves, and thereby avoids a confrontation with the realities of the past.

6. A further problem is that matters that are related as incriminating or as having preyed upon the mind, may not be what they pretend to be. A defensive barrier is erected whereby a partial revelation maintains the fiction of a certain morality and simultaneously blocks a fuller (self-) investigation into actions and responsibility. The claim to have known 'something' also maintains a certain plausibility as regards the rest of the story.[545] Often the Nazi era is rejected out of hand as being too far in the past to be worth reminiscing about and provokes the blanket sentiment 'we had nothing to do with it.' It is also a recognised phenomenon that interviews, if granted at all in the first place, are often refused publication, often out of the revulsion experienced from listening to their own recollections.[546]

7. Not only are witness statements recollections of things past, and therefore subject to retrospection, but the context of a criminal or historical investigation itself may provide additional incentives for distorting the truth. This is a factor that must be taken into account by the interviewer. Oral historian Ela Horning discussed her experiences interviewing Austrian soldiers who had fought for the German *Wehrmacht*. She established that many of her interviewees, either consciously or subconsciously, sought to equate the sufferings of the victims of National Socialism with their own privations suffered on the eastern front or during post-war imprisonment. Some of her witnesses had revisionist interests and expectations. They hoped that, with the historian as an 'accomplice', their sufferings in Soviet camps could finally become a historically subjective part of history. Thereby they could negate their complicity in the crimes of war and National Socialism. The intention was, Horning concluded, that 'The culprits should become victims'.[547]

(b) <u>Hitler's entourage and its post-war evidence</u>

(A) Irving's misrepresentation of Hitler's staff as 'ordinary people'

1. For the sake of simplicity we can distinguish between three main groups in Hitler's intimate circle:

   · Hitler's own personal staff of valets, servants, secretaries, body guards, and chauffeurs.

   · His social circle, including many well-known Nazi socialites and dignitaries.[548]

   · Hitler's adjutants and representatives from the various military, ministry, and party organisations.

2. The distinctions between the three groups were in reality often blurred. As the war ground on Hitler increasingly limited his social circle to his immediate surroundings. Adjutants not only attended official conferences and discussions, but joined Hitler's evening table alongside visiting officials like Reich Marshal Hermann Göring or Propaganda Minister Joseph Goebbels. The extent to which members of one of the three groups were privy to larger or smaller aspects of Hitler's world varied from individual to individual, according to the position and confidence they enjoyed with Hitler.

3. Distinct from these three groups were those who dealt with the logistics of running of the *Führerhauptquartier*: technicians, stenographers, wireless and telephone operators, and the like. They enjoyed a lower security clearance and formed no part of the 'inner circle', save when exercising their official duties.

4. As early as 1978 Anthony Seldon brought Irving's attention to a very simple but crucial point regarding this group: 'What your so-called "witnesses" recount 30 years after Hitler's death is namely neither original nor spontaneous. These people have had time, at least 30 years long, to justify themselves. Besides they were often in a position where they had to justify themselves.' [549] In notes provided by Irving on the craft of oral history he warned only of the danger that witnesses might exaggerate or boast of their own role, or that of their own organisation. He left unmentioned the constant danger with Nazi witnesses that they might have good grounds to do exactly the opposite, namely to deprecate their own role or deny any knowledge or complicity. [550] Yet it is incumbent on the historian to consider the ulterior motives which a particular witness might have for relating that which he or she has done in the past. A number of aspects of the collective biography are apposite here, aspects which Irving wilfully ignores.

5. Irving is at pains to represent the group as being composed in some sense of ordinary people. To the journalist Ron Rosenbaum he said

   > what struck me early on [...] is that you're dealing with people who are educated people. [Hitler] had attracted a garniture of high-level educated people around him. The secretaries were top-flight secretaries. The adjutants were people who had gone through university or through Staff College and had risen through their own abilities to the upper levels of the military service. So they were educated people with insight. [...] This is the point. These people without exception, spoke well of him. Coming as I did with an as-yet-unpainted canvas, this was really the seminal point, the seminal experience - to find twenty-five people of education, all of whom privately spoke well of him. [551]

6. Yet all of these people worked for years amongst the top echelons of the Nazi State. A shared quality amongst Hitler's staff was a fervent loyalty, reverence and personal

devotion towards the person of the Führer, bordering on the sycophantic and fawning. Many of Hitler's servants and adjutants were 'old fighters' from the 'Time of Struggle' [*Kampfzeit*] from 1919 - 1933. Irving himself described Otto Günsche as 'Hitler's most faithful bulldog.' [552] Max Amann was an old First World War comrade of Hitler's.[553] Wilhelm Brückner and Fritz Wiedemann were both provided for in Hitler's will of 2 May 1938.[554] Many of them likewise enjoyed high ranks within the SS.

7. Far from being ordinary people, the term 'old Nazi' is apt for many of the survivors of Hitler's circle. Astrid Lang defined 'old Nazis' thus:

> People who were functionaries under National Socialism, or to be more precise in the NSDAP and its subsidiary organisations (e.g. the Hitler Youth) as well as former members of the so-called elite units (SA, SS). Most of this circle gloss over the National Socialist era and deny participation in the crimes, if not the crimes of the regime themselves as a whole. [555]

Three of Hitler's adjutants will suffice to illustrate this point.

8. First, Irving has submitted Julius Schaub's statement at Nuremberg.

> Hitler never spoke of the so-called Final Solution of the Jewish Question or about the destruction of the Jews in my presence. Such subjects were never talked of in Hitler's surroundings; neither in the Führerhauptquartier nor elsewhere. Conversations about the KZs [concentration camps] never occurred. I myself learnt nothing of the so-called Jewish Question or a destruction of the Jews until the capitulation. [556]

9. Julius Schaub was imprisoned with Hitler in Landsberg after the attempted Putsch of 9 November 1923 and was Hitler's personal servant from 1925 onwards. By all accounts he was one of Hitler's most loyal and trusted confidants. Christa Schroeder described Schaub as 'a mystery-monger par excellence amongst the adjutants. Naturally he was informed about what was happening and he quite obviously enjoyed such situations.' [557] Already in his last will and testament of 2 May 1938 Hitler had provided for Schaub in the event of his death with an intended lump sum of 100,000 Marks and a monthly pension of 500 Mark.[558] His loyalty to Hitler was such that Hitler entrusted Schaub to burn his documents in the *Berghof* after he realised that the war was lost. Questioned at Nuremberg in March 1947 Schaub confirmed that he was still loyal to Hitler.[559] He was also directly involved in killing operations himself.[560] He thus had every reason to minimise Hitler's knowledge of the Holocaust, as well, of course, as his own.

10. Secondly, Franz von Sonnleithner was a Foreign Office adjutant to Hitler and party to the deportation of the Jews of Denmark and Rome to extermination camps in the east.[561] In his post-war memoirs he made little effort to disguise his antisemitism, his resentment at any tarnishing of the German past, and his belief that Nazi crimes were equalled by those of the Allies. 'Today the ability of the Germans to judge has been so distorted that everyone who was loyal to Hitler is considered stupid if not criminal.' [562] His memoirs have a thoroughly tendentious tone.[563] Choosing his words with some care von Sonnleithner implied that the Nuremberg Trial was a Jewish revenge tribunal. He noticed the number of allegedly Jewish names on office doors at Nuremberg and commented:

> I thought to myself at the time that I would have considered the Jewish people cleverer than to take such a prominent role in the prosecutor's office as, so to

> speak, a chorus of revenge. I felt sorry that there were people who would never learn how to conduct themselves so as to get rid of pent-up aggression. The German people were so affected at the time that they would have jumped at the chance to let bygones be bygones.[564]

12. Elsewhere he wrote:

> In Ossweil we were led into a gym to be shown a film about the horrors of the German concentration camps. [...] As humans we naturally felt sorry for our fellow human beings who had suffered any horrible fate, but we equally knew precisely that not only we had conducted the war harshly but that the other side had done a few things which amongst us would certainly have been labelled as war crimes. Besides only a very few of us were responsible for the resulting action. [565]

13. Here too, therefore, we are dealing with an unrepentant, active Nazi who continued after the war to justify the crimes of Nazism and deny all responsibility for them.

14. Thirdly, Heinrich Heim was not only one of earliest of Hitler's followers (old party membership number 1782), but a man his editor described as 'a convinced national socialist'.[566]

15. In notes on Heim made by the Munich Institute for Contemporary History, following the above conversation, the author recorded that '…Heim lives in a dream world and still reveres Hitler in a completely unrealistic way.'[567] Francois Genoud, the copyright holder of many major Nazi documents and himself no stranger to Nazi apologetics, described Heim to Irving in 1971 as 'an old Nazi' [*einen alten Nazi*].[568] Heim apparently wanted to use some of the proceeds from the sales of his book to form a museum in Hitler's memory in Linz, and continued to be unashamedly antisemitic in his political writings. [569] Again, therefore, his loyalty to Hitler after the war was an important factor in predisposing him to exculpate his leader.

(A) Pressures on Hitler's entourage after the war

1. Although in the formal sense few of Hitler's staff who survived the war were guilty of crimes against humanity (save Hitler's doctor Karl Brandt, Karl Wolff, Otto Dietrich, and SS General Josef 'Sepp' Dietrich), the real or perceived danger of imprisonment hung over those who admitted too much about their actions. As members of Hitler's entourage, the people Irving encountered were considered prominent Nazis immediately after the capitulation. The Allies, like Irving, presumed that people who had spent so much time in Hitler's immediate surroundings could provide them with valuable insights into the workings of the 'Third Reich' and Hitler's mind. The unlucky ones fell into Soviet hands and faced up to a decade of hard labour. Those in the British and American zones were subject to 'automatic arrest', three or four years' internment, and even upon release were immediately subject to *Spruchgerichtsverfahren*, denazification and a catalogue of fines and confiscations.
2. For instance a BBC team went to film Grand Admiral Dönitz in 1973 after a string of revelations had come out about the navy and himself, particularly his preamble to Himmler's Posen speech of October 1943. Dönitz refused to be drawn on Hitler, in the words of the producer 'as if terrified he would be whipped back into Spandau.' [570] Karl Wolff is another case in point. At the time Irving became aware of Wolff's existence Wolff was a free man, having escaped his 15-year prison sentence on grounds of ill health. Writing about a recent visit to Karl Wolff, Irving's research assistant Elke Fröhlich informed Irving: 'He is definitely of the opinion that Hitler had nothing to do with the Final Solution. Wolff is rather ill though, if not unfit to be imprisoned. His friends are meant to have forbidden him to blab anything more.'[571]

3. This fear of prosecution may have been real or imagined, but it certainly must be considered as a possible factor stopping Hitler's staff from telling all. Another factor was peer-group pressure. The 'inner circle' was a close-knit and secretive group after the war. Although rent by the intrigues and animosities forged in their days under Hitler, they were bound by a devotion to their dead 'boss'. Hitler's former secretary Johanna Wolf explained to James P. O'Donnell, the Berlin *Newsweek* correspondent, that 'I was taught long ago that the very first and last duty of a confidential secretary is to remain confidential.' Another of Hitler's secretaries, Gerda Christian, explained why none of them had remarried after the war: 'How could any of us have remarried, after having known a man like Adolf Hitler?' [572]
4. Individuals in the 'inner circle' often fell foul of group constraints and duress, by writing or expressing the wrong ideas. Albert Speer's name became anathema amongst former staff because of his supposed betrayal of Hitler. It is related that Hitler's secretary Christa Schroeder returned a copy of Speer's *Inside the 'Third Reich'* because she had been 'ordered to do so.'[573] Speaking of the circle of the 'formers' [*Ehemaligen*] Christa Schroeder's editor Anton Joachimsthaler wrote: 'Everyone had some sort of notes, but few of them published them because thereby criticisms from the others immediately ensued.' [574] Heinz Linge related that:

> A story which irresponsible journalists made up was circulated as the 'Linge report' and did me a lot of damage. Former comrades from Hitler's surroundings turned their backs on me and accused me of making money with completely fictitious claims. [...] Now that I no longer have to fear being put back in prison and penal camp because I served in Hitler's immediate surroundings for ten years, I can hope to be able freely and openly to tell what I witnessed. [575]

1. Added to this certain prominent witnesses came under pressure from outside. SS Lieutenant Colonel [*SS-Sturmbannführer*] Wilhelm Höttl of Office VI of the RSHA testified for the prosecution at Nuremberg. Most importantly he stated that Adolf Eichmann had told him that some four million Jews had been murdered in the concentration camps and that a further two million had met their deaths in various other ways.[576] For his sins Höttl entered the black list of revisionists and neo-Nazis. Journalists who interviewed him in the late 1980s explained his camera-shyness. 'The reason is not the fear that he could be compromised by his role in the 'Third Reich'. No, the old SS man is scared. Scared of all people of German neo-Nazis, who consider him a traitor for his statement in the Nuremberg trials and have threatened him for years with obscene letters and postcards.' [577]
2. It is, moreover, noticeable that very few high Nazis were prone to moral self-examination after the war. Although not in the formal sense criminal, Hitler's staff must have been vaguely aware that what they had actively or tacitly supported was morally reprehensible. Many of them tried to mitigate their guilt or passivity by claiming the overwhelming influence on them of Hitler's charisma and aura.[578] Hans Frank described Hitler as 'a sort of superman' in whom he had believed 'without reservation' and whom he saw as being right 'in all decisive matters'.[579] Hitler's 'power' becomes a self-defence. Their complete submission to the Führer made them blind, trusting and naïve (i.e. they were somehow deceived or tricked by Hitler). This defence implies a recognition of the criminal endeavour which was under way, so that the safest and simplest reflex becomes to deny any knowledge whatsoever. Although this defence may ultimately be incredible, at least it is simple and immune to being prey to internal inconsistencies.
3. But a third variant is conceivable, one which combines strands of duty to Hitler and a desire to exculpate oneself. By claiming that Hitler himself knew nothing of the 'Final Solution' the logical conclusion is that neither did those in his service. This argument repeats aspects of the first, in that Hitler rather than the individual them-

selves becomes the misused idealist. It also has a pedigree in the myth, which grew up in the 1930s, 'if only the Führer knew!' This sentiment is common to any number of monarchical or dictatorial systems across the ages. It rests on the presumption that the 'good' ruler is somehow hood-winked by his advisers, otherwise his good nature would oblige him to rectify particular abuses. He has not addressed the abuses therefore logically he does not know of them.

4. Therefore all of Hitler's staff had any one of many possible vested interests in making exculpatory statements. And so it is. Thus although very few of Hitler's retinue are themselves holocaust deniers, they are all explicit or implicit apologists to varying degrees. This can take a variety of forms. At its most transparent it is the stated intention to rehabilitate Hitler; usually a crude furthering of stock National-Socialist myths, such as a naive reverence of Hitler, either as person, politician, or military leader.[580] At its most benign it is the intention to depict Hitler, not as an historical figure, but as a person. This was a reaction to the tendency in the immediate post-war years to depict Hitler as mad, demonic, or depraved.[581] Heinz Linge, for instance, wrote his memoirs with the express wish to contradict the image of Hitler as a mad 'carpet eater' and a 'psychopath with permanently hysterical reactions'. [582]

5. This kind of memoir was often content to limit itself to the anecdotal; Hitler the dog lover, Hitler the wit, Hitler the children's friend, Hitler the vegetarian, and so on. It therefore requires the very least of critical acumen to realise that Hitler's staff might have a vested interest in exonerating him. Yet Irving does not waste even a single word to make this fact salient. With good reason, since such exoneration is extremely well suited to his purposes and arguments. That is why, in dealing with them, he chooses not to exercise the critical methods that he regards as so indispensable in other contexts.

(A) Irving's relations with Hitler's entourage

1. How did Irving obtain entry into this close-knit group of people after the war? He described his admission to the circle to Ron Rosenbaum:

> In return for collecting documents for the archivist of the Munich Institute for Contemporary History, Dr. Anton Hoch, Hoch gave me a lot of help identifying to me the important people and all the addresses of Hitler's private staff, who at the time kept their heads very, very low. They kept down. They were a small circle of very frightened people who were putting up with grave indignities and who had a very tough time. Christa Schroeder, Hitler's secretary, had been held in prison by the Americans for three or four years, and that is a very unpleasant experience for a young girl. [583]

2. Schroeder was the key to the 'magic circle', but his real entry came when he translated the memoirs of Field Marshal Wilhelm Keitel. He traced Keitel's son to ask him about ellipses and omissions in the published version of his memoirs. Keitel's son, impressed by Irving and indignant at the German publishers, offered to introduce Irving to Otto Günsche in 1967.

3. Gaining access to Hitler's surviving staff and having ferreted out papers from them is an obvious source of pride to Irving: 'Hitler's closest staff (secretaries, adjutants - the "inner ring") spoke only with me and at great length; they refused to talk to [John] Toland, with one or two unimportant exceptions'.[584] Talking of one particular adjutant, Irving said to the journalist Ron Rosenbaum: 'He [Günsche] was Hitler's most faithful bulldog. And he has never spoken to anyone except me. I got ten hours of recordings of Günsche, which he's never given to anyone except me.' [585] This journalistic scoop approach meant that Irving seemingly considered Hitler's staff as exclusively his source. Journalist Gitta Sereny questioned some of those quoted in *Hitler's*

War only to be rebuked by him: 'Irving was most upset by the fact that we had spoken with his sources, angrily accusing us of "pressuring his witnesses."' [586]

4. At first sight *Hitler's War* appears to have been based on an impressive collection of previously unused sources. Nevertheless it remains pertinent to weigh up the importance of the various sources marshalled and, more importantly, their effect on Irving's interpretation. Irving's most significant discovery was undoubtedly the diary of Walter Hewel, Ribbentrop's confidant at the *Führerhauptquartier*. But, as Charles Sydnor commented:

> For all his self-congratulation about digging and burrowing in the sources, Mr. Irving's mining efforts have yielded more lead than gold. The collective testimony of those at Hitler' court, his wartime intimates, minions and attendants, the records of their meetings with him and the records of those who met with Hitler singly and infrequently - however laudable Mr. Irving's efforts to find them all and induce them to talk - are simply inadequate for such a full portrait of Hitler, much less a credible revisionist argument about what he did or did not know, order, do. [587]

5. One critic pointedly said that Irving's over-reliance on such sources meant that *Hitler's War* was nothing more than the 'valet perspective' on Hitler. [588]

6. Certainly an interpretation which concentrates on such material, inevitably blocks an historical understanding of Hitler and his epoch. It also gives the book its curiously unreal quality. While the readers learn the intimate details of life in the *Führerhauptquartier* they learn nothing of the sufferings of the millions of victims of the horrors of Hitler's war, despite the very title of the book. The book becomes a literary reproduction of the privileged milieu around Hitler, cushioned from the unsavoury and the distressing.

7. At its kindest therefore, it would be fair to say that Irving in demolishing the alleged myths and 'caricaturing process' surrounding Hitler merely replaces them with further myths and caricatures. [589] But this would be to miss the central point. This is not the result of an unfortunate methodological flaw in Irving's work. In claiming to be merely writing about Hitler's 'inner mind', or describing the man as he was to those around him Irving is thinly disguising his real intention. It is a veiled excuse for his attempt to exonerate Hitler.[590] *Hitler's War* and all the manipulations, bias, and suppressions it involved boil down to this point.

8. As the 'revisionist' purveyor of Holocaust denial literature, the *Journal of Historical Review,* put it, 'numerous survivors of the Second World War era who are often mistrustful (often with good reason) of establishment historians' are willing to talk to Irving or entrust him with private papers.[591] Irving himself explained, 'I have interviewed scores of the principal German officers and personnel involved, including many of Hitler's close staff who have hitherto refused to talk to anybody, but who felt able to talk at length to me because of the nature of my previous books ("The Destruction of Dresden", etc.).' [592] Irving gained access to the 'inner circle' where others had not, not because of his supposed objectivity, but precisely because of his sympathetic attitude to Hitler.

9. But given the continuing devotion of certain members of Hitler's staff to their Führer there is obviously a reverse side to this process: 'Once they'd won your confidence and they knew you weren't going to go and report them to the state prosecutor, they trusted you. And they thought, well, now at last they were doing their chief a serv-

ice.'[593]

10. It therefore becomes hard to distinguish the more culpable party: Irving as Hitler's 'ambassador', or Hitler's staff who were 'at last doing their chief a service'? [594] The symmetry between Irving's agenda and that of many of those he interviewed is perfect. The resulting history is inevitably tendentious. Seen in this light a piece of advice Irving offered to historians becomes paradigmatic for his revisionism, though presumably not in the way he meant it: 'You need to talk to the people at great length, steep yourself in their way of thinking, and learn to see things through their eyes. The documents take on different meanings.' [595]

11. Even so, Christa Schroeder dedicated a whole appendix to her memoirs headed 'Even David Irving who is advertised as "serious" and "upright" is not charmed against [...] imprecisions or however one wants to call it.' [596] Nicolaus von Below wrote in 1980 that he could not understand how Irving could make the assertion in 1975 in *Hitler und seine Feldherren* [*Hitler and his Generals*] that his diaries were 'probably in Moscow' as he and Puttkamer had destroyed them in 1945.[597] Irving repeated his claim in 1991 that the diaries were 'probably' in Moscow without offering an explanation for his continued assertion in the face of von Below's claim to the contrary.[598] Von Below added:

> Another comment of I.[rving]'s amazed me. I am meant to have "made unpublished contemporary manuscripts and letters available" and made the effort to - amongst other things - "work through many pages" of "the resulting text". I well remember on a couple of visits from I.[rving] when I answered his questions. But I must categorically deny his claims above and beyond this as not tallying with the truth.[599]

(D) Conversation in Hitler's inner circle.

1. Before weighing up the sources at hand it is worthwhile to consider the moot point of with whom and to what extent Hitler revealed his thoughts on 'the Jewish question' and the 'Final Solution'. It would seem that, at least in social intercourse, the concrete fate of the Jews was taboo, or at best only alluded to in a general, indierct way. Irving himself has written that 'The "Jewish problem" was taboo at the Berghof.' [600] The film directress Leni Riefenstahl similarly describes Hitler's absolute refusal to be drawn on the Jewish problem with her.[601] At first glance this would tie in with other known aspects of Hitler's personality - for instance, his refusal to hear of bad news, or his pathological aversion to visiting the retreating fronts, or Germany's bomb-ravaged cities once the tide of war had changed. As the war progressed, Hitler increasingly shunned the company of military men, intellectuals, and bureaucrats: or in other words, people who were liable to bring news and views from the outside world. Gitta Sereny concluded that Hitler's silence was a psychological reflex, and that Hitler tried to stop people in his intimate circle from associating his person with deeds, which would have disturbed the harmony of their relationship.[602]

2. Bormann's adjutant's Henry Picker, who like Heinrich Heim recorded Hitler's evening 'Table Talk', wrote that: 'Thereby it was astonishing that even on the most exciting days he [Hitler] rarely opined on actual problems of war rather, he could lecture about the harmfulness of smoking or such like, even when in the military conferences before lunch the differences of opinion were explosive.'[603] Heim concurred:

> In assessing Hitler's monologues one thing has to be constantly borne in mind. His need for relaxation and displacement [*Verdrängung*] was such that in the winter months of 1941-2 not a word was said of the huge crisis on the eastern front, the straits of the population in the escalating air war, the supply difficul-

ties, and the initial weakening of Italy. The need for recuperation was no less visible in the memories of the sunlit past, the tales of interesting encounters and experiences, in discussions on questions of art.[604]

3. Schroeder claimed that for Hitler, tea evenings were a source of relaxation and that 'nothing political would be spoken of.'[605]

> After Stalingrad Hitler could no longer listen to music. From then onwards we spent the evenings listening to his monologues. But it was always the same conversation: his youth in Vienna, the time of struggle, the history of mankind, the microcosmos and the macrocosmos and so on. With most subjects we already knew in advance what he would say, and so the evenings often became quite tiresome. Events in the world or on the front could not be touched upon during the tea times; everything to do with the war was taboo.[606]

4. By all accounts Hitler was obsessive about secrecy, not only with the destruction of the Jews, but with all state and military secrets. Picker wrote that

> At the same time the astonishing thing was that even on the days of the highest tension he hardly ever commented on current war problems. Rather he knew how to chat about the harmfulness of smoking or the like, even when opinions in the military conferences before lunch, before dinner, or at midnight had clashed violently.[607]

5. Picker added;

> In any case it was his skill to present something so effectively to his guests that the harshness and brutality of his attacks, especially against foreign statesmen, the bourgeoisie, church, Jewry, lawyers, and diplomats would be easily overlooked. Nevertheless his ever alert instinct never left him, even whilst highly excited, never to forget to camouflage the things for which those in his company had no resonance, exactly the same as the wide mass of our population. Take only for example the horrors of the persecution of the Jews, which he veiled with the preparations for the founding of a Jewish national state in Madagascar or inner Africa. [608]

6. This desire for secrecy was formalised in Hitler's 'Fundamental Order Number 1' [*Grundsätzlicher Befehl Nr. 1*] of 25 September 1941. It ordered that no member of a party, government, or military agency was to be informed or seek to know more than was required for the enactment of his or her duties.

> 1. No one; no department, no official, no staff, and no worker may learn of a matter which is to be kept secret if they do not absolutely need to know of it for official reasons.
>
> 2. No department, no official, no staff, and no worker may learn more of a matter, which is to be kept secret than is absolutely necessary to carry out their duty.
>
> 3. No department, no official, no staff, and no worker may learn of a matter which is to be kept secret, or more precisely the part which is necessary to them, sooner than is absolutely necessary to carry out their duty.
>
> 4. The thoughtless spreading of decrees, orders, communications whose being secret is of critical importance is forbidden, especially re any sort of gen-

eral distribution lists. [609]

7. Many of Hitler's staff cite this order, not to claim that Hitler himself was ignorant of the 'Final Solution', but to give a plausible reason for their own ignorance. Schroeder wrote that 'If Hitler's 'Fundamental Order' ever was strictly followed then it was by Hitler's personal adjutants. It was always only to be guessed when something special happened or was supposed to happen.'[610] In her notes on Hitler written for the Nuremberg psychiatrist Douglas M. Kelly, she wrote:

> Hitler only needed the secretaries for simple dictation and thereby it was impossible for them to get a full picture of the plan or the success of an operation. This tactic corresponded with Hitler's principle to never let anyone know anything that they did not have to know out of necessity. He informed those who really had to be initiated into something only at the moment it was absolutely demanded [...]
>
> However this example [the invasion of France] is no exception because all events took place under similar secrecy. Evidently this had to do with the fact that Hitler did not completely trust anyone. I had the impression that Hitler only trusted the individual to a very specifically determined extent, as far as the circumstances and the situation allowed. This universal suspicion on Hitler's part infected his whole staff and resulted in a generally oppressive atmosphere. [611]

8. Elsewhere she wrote:

> With the same amazing control Hitler could keep secrets. He was convinced that each individual only had to know that which was absolutely necessary to carry out his offices. He often said that "a secret shared by two people is no longer a secret" He never spoke of his secret intentions and plans and also never even gave a hint of an impending operation or such like.[612]

9. Both Heinz Linge and Nicolaus von Below agreed. Linge wrote:

> Because biological anti-Semitism was one of the main aspects of national socialism, a fact that not only every German certainly experienced in some form or another between 1933 and 1939 even without having read Hitler's 'Mein Kampf' or the 'Stürmer', such comments from Hitler could surprise us least of all. Quite the opposite. Even I, who really should have known more, knew as little as the military about Himmler's special authorities. Hitler's ability consistently to safeguard secrets was without parallel. No one learnt more than he had to know in a particular situation, and no one was excepted, neither Bormann, Himmler and Göring, or [Eva] Braun. [613]

10. Von Below said that:

> Like many others I believed at the time the excuse given for the deportation of the Jews to the east, which could not remain unknown, that one recruiting them for work detail in tasks important for the war. This seemed perfectly plausible to me considering the increasing use of domestic and foreign labour potential. I know now that I was subject to a terrible deception. It is inconceivable to me how this mass murder could be successfully covered with the impenetrable veil of secrecy. Nothing forced its attention upon our ears through immediate channels, including through relatives, friends, and comrades, be-

> cause my family and my wife's family had no Jewish friends or acquaintances, and because we lived in a certain isolation during the war. The 'Führer Order No. 1' of 1941 had effect here. Certain themes were taboo, also in our circle, in a system such as the National Socialist regime with an excellently functioning secret police which did not flinch when facing the military. [614]

11. With Irving's unequivocal statement in mind that Hitler's staff '*all* uniformly testified that never once was the extermination of either the Russian or European Jews mentioned [...]', it is interesting that few of Hitler's staff quoted above inferred from this (alleged) silence that Hitler was in any sense ignorant of the 'Final Solution'. In the same sense none of them assumed that Hitler was ignorant of forthcoming campaigns or political events, merely because they remained unmentioned by him.[615] Rather the conclusion was that Hitler's silence and dissembling were part and parcel of his persona.

12. The journalist Gitta Sereny contacted five of Hitler's former staff for a 1977 article which took issue with *Hitler's War*, and concluded that '…all stated that while they had indeed told Irving that Hitler had never spoken of the extermination camps in their hearing, none of them was of the opinion that Hitler did not *know* about what was happening to the Jews.' [616] The stenographer cited by Irving conceded his doubts:

> In the Führer conferences, which I reported in shorthand, there was never any mention of the atrocities against the Jews. For the present it must remain an unanswered question, whether Hitler himself issued specific orders [...] or whether orders issued in generalised terms were executed by subordinates and sadists in this brutal and vile manner.[617]

(E) The 'Table Talk'

1. Martin Bormann commissioned his adjutants Heinrich Heim and Henry Picker to make surreptitious notes of Hitler's table talk. These notes took on a semi-official role. Bormann would work through the notes; correct, reformulate and comment on them. Although marked 'secret' the contents of the table talks were passed on to ministers, *Gauleiters* and *Reichsstatthalter* as Hitler's official line.[618] For instance Alfred Rosenberg received a letter from Bormann on 23 July 1943, repeating all that Hitler had said about the eastern questions a few days previously. [619] The 'Table Talk' became embroiled in much legal wrangling at the time of publication, mainly because Picker published parts of Heim's notes without the latter's permission, and because the Swiss Nazi François Genoud claimed to be the rightful owner of the document.[620] Of importance is that Picker seems to have toned down some of Hitler's language and Heim made a habit of omitting all military matters for security reasons. Both are facts that might have had a filtering influence on what was recorded of Hitler's talk on the fate of the Jews.

2. Irving has submitted his notes on a conversation between Heinrich Heim and an interviewer from the Munich Institute for Contemporary History as part of his case:

> "Heim believes" – according to a talk of 17 July 1952 – "that Hitler knew nothing of the happenings in Auschwitz etc. and also would not have sanctioned it." ... "The whole measure against the Jews is far too doctrinaire, as to have come from Hitler's mind. In addition Hitler knew about the appalling labour shortages [...]" ... "The whole action fitted Himmler much better. Kaltenbrunner once gave a presentation on the Jewish action, whereupon Hitler had immediately ordered Himmler to stop the measures." [621]

3. Against this we can weigh what Schroeder told Gitta Sereny. Sereny mentioned to

Schroeder that Heim had told her that he did not think that Hitler knew about the extermination of the Jews. Schroeder is reported as having replied '" Oh Heimchen - he's too good for this life. Of course Hitler knew! Not only knew, it was *all* his ideas, his orders."' [622]

4. Henry Picker was rather more circumspect:

> Over state secrets, Hitler was totally uncommunicative. He told us nothing in his table talk about the extermination of the Jews in the concentration camps; as late as July 24, 1942, he spoke of setting up a Jewish national state on Madagascar. His conversations nevertheless revealed his deep-rooted and fanatical hatred for all other races. [623]

5. He added: 'The mass murder was completely hidden, even from the majority of the FHQ staff. [...] I ask myself then [because of Himmler's obsessive secrecy] did Himmler want to spare Hitler a confrontation with the brutal realities of the concentration camps? Or did he want to preserve his [Hitler's] anonymity [...] as a "desk bound murderer"?' [624]

6. Hitler's antisemitism is a constant refrain monologues, and his statements have been quoted at various points in this submission.[625] There is a central ambiguity in Hitler's private conversations, the same one in fact as in official propaganda. On the one hand the genocide was evoked and rhetorically justified in general terms: but on the other hand the political reality of the genocide, the physical process of carrying it out, was denied and treated as a state secret. [626] In propaganda terms this dichotomy explains the pains that the Nazis took to avoid public discussion about what was happening to the Jews. The Nazis had learned a valuable lesson from the uproar against the euthanasia killings in summer 1941: that they could not take public support for granted. But, although the 'Final Solution' was a secret, at least partial public knowledge of what was going on was required to fulfil the basic terror function it was intended to exercise. It was, in other words, a kind of 'open secret'.

7. Hitler's coded language and euphemisms mitigated moral responsibility and guaranteed a harmony amongst his guests which certainly would have been strained, if not broken, by an open admission of the fate of the Jews. It also guaranteed that the Hitler myth remain unsullied. As a prophet Hitler could demonstrate his charisma and his ability to bend history to his will, he could also guarantee in this way a measure of personal unaccountability. Hitler saw himself as the agent of deterministic forces, convinced that he knew the 'eternal laws of nature' and that his duty was merely to validate them.[627] These private and public 'prophecies' employed a technique of implicit presuppositions, so that it was the listener who became responsible for what he or she understood from the statement. Vagueness was cultivated because it enhanced uncertainty. A lack of detail avoided uncomfortable discussion. It therefore remains ultimately a subjective question as to what Hitler's individual staff took from these monologues. But, with the benefit of hindsight and the ability to peruse the documentation, few could pretend that despite Hitler's attempts to mask his murderous plans the meaning of such statements was anything short of transparent.

(c) <u>Individuals in the entourage</u>

(i) Unjustified dismissal of a source containing material counter to Irving's arguments – the diaries of Gerhard Engel.

1. Amongst the private diaries Irving collected in the course of his research was the diary of Gerhard Michael Engel [1906-1976], army adjutant to Hitler from 1936 to

1943. Irving's research itineraries for December 1970 and February to March 1971 showed his intention to interview Engel. The entry under March reads: '[...] and read his diaries'.[628] His research itinerary for April to May 1971 showed an intention to allot two-and-a-half days out of a total of 5 days in Germany to a visit to Engel's offices in Düsseldorf.[629] In January 1972 he described it as 'a really excellent diary' to prospective publishers Collins.[630]

2. By the time the diaries were published by the Munich Institute for Contemporary History in 1974, Irving claimed they had long troubled him.[631] He wrote to his research assistant Elke Fröhlich in February 1974 that in late 1972 he had begun to have his doubts, having been warned by Major i. G. Kehrig of the *Militärgeschichtliches Forschungsamt* of their 'problematic nature'.[632] In 1979 he lambasted the Munich Institute for Contemporary History, 'a body which distinguished itself by publishing in 1974 the diary of Gerhard Engel [...] although knowing it to have been faked post-war, as [Professor Martin] Broszat has now conceded to me in a recent letter'.[633] In 1979 he wrote to the German weekly *Die Zeit* defending his dismissal of the diaries, claiming that while the Institute had proven the diaries to be post-war with a chemical analysis as late as 1974, he himself had recognised this as early as the late 1960s, because of 'discrepancies in the contents' (a claim contradicted by his letter to Collins of 28 January 1972 and his letter to Fröhlich of 15 February 1974).[634] In 1991 he included the Engel diary amongst those works which sought to 'pillory' Hitler after the war.[635]

3. Irving's main doubt about the Engel diary is in the dating. He criticised Johannes Fischer's study of the Stalingrad airlift decision in the journal *Militärgeschichtliche Mitteilungen* because it 'relies too heavily on the since-discredited "Engel diary" for its dates.'[636] Nevertheless Irving quoted the Engel diary no less than eight times in the 1977 edition of *Hitler's War*.[637] He also used the very same diary to place Hitler in Berlin on 11 November 1938 during the Night of Broken Glass [*Kristallnacht*].[638] This would seem to suggest either that he was lying in his letter to *Die Zeit* claiming he had recognised the diaries as forgeries several years earlier, or that he knew the diaries were fakes but used them all the same in 1977 when it suited him.

4. What are we to make of these contradictory evaluations? It is certainly true that the Engel Diaries are problematic. First and foremost because they are not diaries, but post-war comments and insights hung on to the framework of contemporary notes and diary-like sketches. By the time Engel came to deposit his papers in the Munich Institute for Contemporary History, the original diary had been 'lost'. But this was not mischievously hidden from the reader, as Irving implies.[639] Engel's editor introduced the diary as 'a mixture of contemporary substance and memoir' and urged caution on the historian in relying on Engel's dating.[640] Other historians have also expressed their caution when using the Engel diaries.[641] This does not mean that they are in any way 'forgeries'. Regardless of whether they were presented to the Munich Institute for Contemporary History as original diaries or not, they still represent the memories, albeit hung on a diary form, of an insightful observer, who for seven years was privy to Hitler's ruminations and decision-making. It is therefore a source that enjoys equal ranking with any of Irving's other post-war testimonies and certainly should be weighed against them.

5. Four episodes from Engel's diary-memoir should suffice to demonstrate how much Hitler's adjutants knew about Hitler's Jewish policy. Under 8 October 1939 with the title 'Ghettos' Engel related Hitler's conversation about the 'Jewish problem' in front of a 'small circle' following his tour of Poland.[642]

> The whole business is not a religious but a race problem. He always wonders why he was so humane and generous with the Nuremberg Laws [...] Even if the political influence of the Jews in Poland was negligible the whole business has to be rigidly handled. One has already begun with the creation of large

ghettos, as in Lublin and Lodz. But that would not be sufficient, others would have to be added. Best of all former training grounds or fortresses. There the Jews would get their own administration, even their own police, and there they could be left to their quarrelsome nature. That they would have to work was self-evident. Markings and likewise were not effective. He would think through with Himmler and Heydrich how far one could in this way, once one had the Polish land, deport the largest part of the Jewish population there or to the Protectorate. [643]

6. On 13 February 1940 Engel placed Hitler in the Reich Chancellery in the company of Hans Frank, Martin Bormann, and fellow adjutant Nicolaus von Below. Frank delivered a report on the 'resettlement' [*Umsiedlung*] and concentration of the Jews in the General Government.

> Utterly slanderous attacks on the military commanders, field commanders etc. (They) hindered the 'pacification'. Commanders were without instinct, often hindered him and his officials in carrying out the instructions they had been given. He asked for a blanket removal of the military, especially from political things, because they had an extraordinarily anti-party attitude. F.[ührer] burst with fury, which also lasted into the briefing.[644]

7. On the 2 February 1941 in the presence of Field Marshal Keitel, Bormann, adjutant Walter Hewel, Robert Ley, and Albert Speer: 'Yet again the Jewish Question [...] is exhaustively discussed'.

> F.[ührer] makes known what he is thinking in long statements. Firstly the war would speed up the solution of this question, but on the other hand many extra difficulties were arising. Originally it had only been within his power to break the power of the Jews only in Germany, now the aim must be to eliminate the Jewish influence in the whole domain of the Axis. In certain countries such as in Poland or Slovakia his own authorities would suffice. In France it was considerably more problematic since the armistice, and especially there it is particularly important. If only he knew where one could put the few million Jews; there were not that many after all. He would approach France and demand that the French make room on Madagascar for a resettlement. To Bormann's question how they should get there during a war, he (F.)[ührer] answered that one would have to think about it. Best of all he would like to make his whole 'Strength through Joy' fleet available, but that would be dangerous because he did not want German crews to sink at the hands of a torpedo from an enemy submarine. He thought about some things differently now, not exactly more friendly.[645]

1. The three entries taken together are of great historical worth. They chart the caesura in Hitler's thinking as he grappled with the increasing dimensions of the Jewish Question after the conquest of Poland. They point to his coming ideological orientation towards solving the 'Jewish question' within the framework of the war of destruction and the struggle for 'living space' [*Lebensraum*] in the East.[646]
2. On 2 October 1941 Engel placed Hitler at the *Wolfsschanze* in the presence of Chief of the OKW Jodl, Himmler, Heydrich, adjutant Rudolf Schmundt, and later General Walter Warlimont.

> Himmler reports about the evacuation of foreigners (Jews), comes to the situation in the Baltic and Ruthenien, mainly Riga, Reval and Minsk. Raises a question about the Jewish population in Salonika saying that Salonika was a city with one of the largest Jewish communities; danger of an entwinement of

> Jews and Levantines. F.[ührer] agrees with him and demands that the Jewish elements be removed from S.[alonika] To this end Himmler demands authority and receives it. SD commandos will be deployed with reinforcement. Keitel asks if military command should be engaged. F.[ührer] answers only if urgently need be. But asks Keitel to inform military command that *Reichsführer SS* [Himmler] had received authority that was not to be interfered with. Sch.[mundt] and I happy that armed forces and troops will not become involved.[647]

10. Salonika was one of the leading centres of European Jewry, known proudly to its Jewish inhabitants as the 'Mother of Israel'. After Greece was divided up between the Axis powers the fate of the Jews in the Italian and German-controlled areas diverged sharply. The Italians successfully resisted all German pressures to introduce antisemitic measures and the Germans were forced to go ahead with preparations for the 'Final Solution' in the areas they controlled, first and foremost in Salonika.[648]

11. The first public action against the Jews *en masse* took place in July 1942 when the army commander of northern Greece, General von Krenzski, mobilised the city's Jewish population for forced civilian labour. The great Jewish cemetery of Salonika was demolished in December. Adolf Eichmann appointed his 'Jewish expert' Dieter Wisliceny to direct the planned deportations. In early February 1943 Wisliceny and his colleague Alois Brunner arrived in Salonika. With the help of the military administration ghettos were created pending the deportations which began in March with the arrival of a police unit from Belgrade.[649] The majority of Salonika's Jews were deported between 15 March and early June, although the last transport left in early August. Almost all of the transports were destined for Auschwitz. Of the 48,974 Jews who arrived there from northern Greece as a whole, 37,386 were immediately gassed.[650]

12. By Engel's account it was Hitler who 'demands that the Jewish elements be removed from Salonika' and it was Hitler who granted Himmler the necessary authority to do so. Engel's and Schmundt's stated relief that army troops would not get their hands dirty in 'removing' the Jews from Salonika implies that they, and those present, were all well aware that the consequences of Hitler's order would not merely be deportation to Poland. All this makes it clear why Irving has been so keen to discredit Engel's account as a source.

(ii) Uncritical treatment of a biased source favourable to Irving's argument: the diaries of Wilfred von Oven

1. It is enlightening to once again consider the dynamics of Irving's source criticism. As a pendant to Irving's rejection of the Engel diary he has long been happy to use the 'diary' of Wilfried von Oven, *Mit Goebbels bis zum Ende* (Buenos Aires, 1949-50).[651] In his biography of Goebbels he justified this with the following:

> Oven's 'diary' was evidently written up only after the war [...] His dates are often late [...] Some parts, e.g. J[oseph] G[oebbels]'s views on Gauleiter Weinrich and the entry of Jun[e] 5-6, 1944 seem derived from Rudolf Semler (whose 'diary' had been published in London in 1947 ...). There are syntactical oddities [...] However Oven probably did use contemporary notes [...][652]

2. In other words exactly the same 'problems' as Irving took to task in the Engel diary. Why then might Irving criticise one diary and remain content with the other?

3. Wilfred von Oven was Propaganda Minister Goebbels's last adjutant, and spent some of the post-war era in Argentina. At the time of composing his diaries von Oven was contributing to *Der Weg*, a German language newspaper started in June 1947 with strong antisemitic leanings.[653] Fellow founder and contributor to *Der Weg* was the 'unrestrained antisemite' Johann von Leers.[654] Since the 1970s von Oven has been the editor of *Deutschland in Geschichte und Gegenwart* (Grabert Verlag) and a writer for the *Deutsche Monatsheft* and the *Huttenbrief für Volkstum, Kultur, Wahrheit und Recht*.[655]

4. *Deutschland in Geschichte und Gegenwart* is an extremist, right wing quarterly journal, whose authors included Holocaust deniers Robert Faurisson and Wilhelm Stäglich.[656] The *Huttenbriefe* is the publication of the *Freundeskreis Ulrich von Hutten*, a 1982 creation of the former Socialist Reich Party [*Sozialistische Reichspartei – SRP*] leader Otto Ernst Remer (the SRP was constitutionally banned in 1952 as neo-Nazi). Von Oven was an activist in the Belgian AGIR, which had close links to the German *Volk und Heimat*.[657] He is also a regular contributor to Dr. Gerhard Frey's newspapers, leader of the German People's Party [*Deutsche Volksunion*].

5. In 1997 von Oven was awarded the 'Ulrich-von-Hutten-medal' by Germany's largest extreme right-wing cultural-political association, the 'Society for Free Journalism' [*Gesellschaft für freie Publizistik*].[658] This was set up in 1960 by former Nazi Party and SS members as a public forum to combat whiat it alleged were distorted portrayals of National Socialism in German history, and to demand a revision of the 'dominant doctrine' about the origins of the Second World War. Previous prizewinners included Ribbentrop's widow Annelies von Ribbentrop.[659] Perhaps rather predictably the circle closes itself neatly. The Society's yearly congresses offer apologists for National Socialism an open platform. Past speakers have included revisionists and Hitler admirers Robert Hepp, Peter Dehoust, Hans-Dietrich Sander, Adolf von Thadden, and Emil Schlee. And of course Irving.[660]

6. Irving regards Von Oven's diary as unproblematic, because Von Oven is an apologist for Nazism, and therefore acceptable to Irving; Engel is critical, and therefore is not. The nature of the two sources is almost exactly the same.

(iii) Suppression of relevant information: the memoirs of Nicolaus von Below

1. In the documentation presented by Irving, von Below is quoted, in a note headed by Irving 'Destruction of the Jews: nothing known of it in the FHQu.', as having said:

> The measures against the Jews that became known after the war were never the object of official discussions. Neither do I remember any private conversations about the subject. I did not even know the names of the persons named in the meantime in court cases as organisers of the destruction of the Jews, such as Eichmann, [Rudolf] Hoess etc. None of them were ever present in the *Führerhauptquartier*.[661]

2. This was an affidavit given in April 1948 in defence of a fellow member of Hitler's staff, press spokesman Otto Dietrich.

3. Yet in March of the same year von Below had been more open with his interrogators. The following exchange about the systematic murder of Russian Jews by the *Einsatzgruppen* is included in the same files as the above statement:

> Question: I'm talking about the activities of the SD *Einsatzgruppen*, that is the people who carried out the shooting of Jews on the basis of the Führer order

.You think that you first learnt about it immediately after the beginning of the war [with Russia]?

Answer: Approximately. Anyway I learnt that about these *Einsatzgruppen* that they existed. Where and what they individually did, that I also didn't learn of.

Question: Did you know about this Führer order?

Answer: No, that's a matter that was agreed between HITLER and HIMMLER. [662]

4. The question was repeated:

Question: When did you first learn that these Commandos had executed Jews?

Answer: I learnt that in Summer 1942.

Question: Can you still remember the occasion?

Answer: During some meeting or another as we were in the Winizza headquarters [Hitler's headquarters in the Ukraine].

Question: What was the reaction like?

Answer: We were surprised and we regarded it as unwarlike and inhuman. There was at the time a very strong opposition to this question, but nothing could be done against it. [663]

5. None of this is mentioned by Irving. In other words, Irving has filleted from the files the material that fitted his argument, but suppressed that which did not. Moreover it is hard to overlook that nowhere in the affidavit of April 1948 did von Below say that Hitler did not know about the 'Final Solution.'

6. In his memoirs von Below was again rather more circumspect, admitting that he should have realised what the fate of the European Jews was, if he had pondered more carefully. He described the 'many evening conversations by the fire' where Hitler 'spoke a lot of his ideas of the state which would one day rule Europe. His aim was to combat Jews and Bolsheviks and to destroy their influence on world events in every form.' [664] Von Below found that Hitler's 'repeated antisemitic attacks made a particularly embarrassing impression on me.' [665]

Naturally after the war and from some conversations whilst imprisoned I gathered circumstantial evidence together which should have actually even then given me cause for thought, such as Hitler's ever increasing antisemitic outbursts towards the end of the war, or casual remarks by higher SS leaders. [666]

7. But, whilst disclaiming any actual knowledge of the 'Final Solution', von Below made clear who he thought was ultimately responsible:

Nevertheless I am completely convinced, even without written evidence, that the extermination of the Jews originated in an express instruction from Hitler, because it is inconceivable that Himmler and Göring would have undertaken such a thing without his knowledge. Certainly Himmler did not inform Hitler in every detail, but he acted in this matter with his approval and in complete accordance with him. [667]

8. Von Below also made clear that reports of atrocities did seep through to the *Führerhauptquartier* and to Hitler's staff.

> During the residence in the camp in Winniza a terrible report reached me one day. A young lieutenant from the FHQ intelligence service told me that he had been witness to a mass execution near Winniza. Whilst laying connections he came across a troop of SS men in a large hollow, who were busying themselves with shooting a number of men and women. This action had made a horrifying impression on him and he had to report it. I spoke to the SS leader's representative, *Gruppenführer* [Karl] Wolff about the event and asked him to investigate it and report to me. After a few days he gave me an evasive answer to my question, referring to acts of sabotage in the rearward area. But he requested that I take no further steps. I was satisfied and did not follow the matter up. I never heard anything again of similar actions in the following months and years. [668]

9. It is important to note how the events described in 1948 have become dislocated in this account.

10. For what originally was an action that - in the 1948 affidavit - had come to von Below's attentions in a general form through official meetings in the *Führerhauptquartier*, now - in the later memoirs - becomes a divorced one-off atrocity reported at second hand. In the 1948 document the *Einsatzgruppen* killings had, according to von Below caused a general and prolonged unease amongst a number of members of staff; in his later memoirs he is supposedly tricked by Himmler's adjutant into letting the matter rest. Thus von Below argues away the guilt implicit in his 1948 confession.

11. It should be remembered that von Below was also witness to Hitler's last political testament, composed hours before he killed himself. The document bristled with antisemitism and at least one point Hitler was brutally clear about the fate of the Jews of Europe:

> I also made it quite plain that, if the nations of Europe are again to be regarded as mere shares to be brought and sold by those international conspirators in money and finance, then Jewry, the race which is the real criminal in this murderous struggle, will be saddled with the responsibility. I further left no one in doubt that this time millions of Europe's Aryan peoples would not die of hunger, millions of grown men would not suffer death, nor would hundreds of thousands of women and children be allowed to be burnt and bombed to death in the towns, without the real criminal having to atone for his guilt, even if by more humane means. [669]

1. Hitler left his audience, including von Below, in no doubt whatsoever about the fate of the Jews who had fallen into the hands of the Nazis during the war. Irving read von Below's then unpublished memoirs whilst researching *Hitler's War*, yet did not feel that it was incumbent upon himself to qualify his statement that nothing was known about the 'Final Solution' in the *Führerhauptquartier*. [670]

(iv) Manipulation of two further affidavits: Karl Jesco von Puttkamer and Wilhelm von Brückner.

1. Irving has presented two other affidavits, or better said his own index card notes on the same, in defence of press spokesman Otto Dietrich's in 1948 during Nuremberg trial number 11, the so-called 'Ministries Case' [*Wilhelmstraße-Prozess*].[671] One is from Admiral Karl-Jesco von Puttkamer, Navy adjutant to Hitler, [1935-1938, and

1939-1945] and one from SS Lieutenant-General [*SS-Obergruppenführer*] Wilhelm Brückner, Hitler's head adjutant [dismissed October 1940]. Both adjutants did indeed deny any knowledge of the 'Final Solution', but Irving has in both cases omitted sentences that in fact make clear that both men thought Hitler at least sanctioned if did not order the murder. Karl-Jesco von Puttkamer declared that:

> The measures against the Jews that first became known to me after the collapse of 1945 were never privately or officially discussed. This was not possible for the very reason that knowledge of these things must have been restricted to very few people, who I naturally can not name individually. Names like Auschwitz and Majdanek were completely unknown. [672]

2. So far Irving's own notes. But von Puttkamer added a crucial sentence that Irving chose to overlook:

> I can state with certainty that Dr. Dietrich knew nothing of such things. Because of his [Dietrich's] sensitive nature Hitler would have completely oppressed him with the knowledge of it, and Hitler, who knew precisely this quality in Dr. Dietrich, took care, alone on these grounds, not to initiate him.[673]

3. Quite the opposite to an exculpation of Hitler, von Puttkamer's affidavit indictes Hitler as the man who chose whom to take into his confidence about the 'Final Solution.'

4. Wilhelm von Brückner stated that 'Hitler never talked in my presence about the so-called final solution of the "Jewish question" or "extermination of the Jews". This applied equally to the whole of Hitler's surroundings.'[674] Crucially von Brückner added: 'These questions were probably left to the close and competent circle, to which Diedrich did not belong.'[675] Nowhere did von Bruekner deny Hitler's presence in this close circle that von Brückner identified as responsible for the 'extermination of the Jews.'

(v) Manipulations and suppressions: the evidence of Hitler's stenographers.

1. The order of the day at the *Führerhauptquartier* was determined by the staff war conferences that were held twice daily.[676] As a result of an altercation between Hitler and General Alfred Jodl in September 1942, in which Jodl quoted Hitler's own orders in defence of a subordinate general, Hitler ordered that henceforth all military conferences were to be stenographically recorded and written up as protocol. This record served the double purpose of protecting Hitler against any false interpretation of his orders, but equally to establish for posterity the mistakes of his incorrigible generals, secure in the belief in his own military infallibility. The Stenographic Service [*Stenographischen Dienst im Führerhauptquartier*] eventually consisted of some 103,000 sides of written protocol, which were deliberately destroyed at the end of the war. All that was recovered from the ashes were the partial remains of around 50 conferences, less than one percent of the original. The stenographers were immediately set to work by the Americans to reconstruct the remaining fragments. The almost complete destruction of the protocol and the method of reconstruction make the source a problematic one.

2. Irving claimed in *Hitler's War* that 'all' the surviving members of the stenographic service were 'closely interrogated' about Hitler's involvement in 'the Jewish atrocities' *[sic]*.[677] Irving has provided the court with a number of documents pertaining indirectly

to the stenographic service, including his correspondence with Horace A. Hansen, the Chief Prosecutor of the War Crimes Trial at Dachau. Hansen wrote to Irving in 1974, informing him that he possessed written statements by the stenographers Buchholz, Jonuschat, Krieger, Reynitz and Thöt made in connection with the War Crimes Trials held in Dachau.[678] These are presumably the interrogations referred to in *Hitler's War* and elsewhere in documents provided to the court.[679] Irving has not seen fit to include the actual statements given by members of the stenographic service, nor has he included details of his interviews with Krieger, Peschel, or Thöt. [680] Peschel, for instance, informed Irving that 'naturally I would have something to say on the subject [Hitler and the Jews]', but Irving has not seen fit to disclose the further correspondence, making it impossible to ascertain what Peschel did or did not hear.[681]

3. When the documents themselves are examined it becomes clear that far from being 'closely interrogated about Hitler's involvement in the Jewish atrocity' Hitler's stenographers gave loosely formulated statements to Hansen. Three of them chose not to mention the Holocaust at all.[682]

4. As an example Irving gave a note he claimed he had found amongst Krieger's private papers dated 13 December 1945 which read (the ellipse is Irving's):

> In the Führer conferences which I reported in shorthand there was never any mention of the atrocities against the Jews. For the present it must remain an unanswered question, whether Hitler himself issued specific orders ... or whether orders issued in generalised terms were executed by subordinates and sadists in this brutal and vile manner.[683]

5. This is a stylistically improved version of the statement whichKrieger gave to Hansen. The ellipses in Irving's footnote are revealing. In the original version Krieger wrote:

> I wish to state that in the meetings with the Führer, written down by shorthand by me, never those atrocities against Jews or prisoners of concentration camps were mentioned, which I myself and the other stenographers, and, surely, the most German people only learned after the end of the war. It remains a problem first unsolved whether Hitler himself issued the orders of such cruelties or authorised men as Himmler or Bormann to do so or whether generally held orders were carried out by subordinate organs and sadists in such a brutal and vile manner. [684]

6. It is impossible to fathom from Irving's records whether Krieger wrote two versions on the same day, one in faulty English and one fluent, or whether these 'improvements' came from Irving's pen. The difference between the two versions is subtle but important. The sentence 'It remains a problem first unsolved whether Hitler himself issued the orders of such cruelties or authorised men as Himmler or Bormann to do so or whether generally held orders were carried out by subordinate organs and sadists in such a brutal and vile manner' obviously puts more emphasis on Hitler's decisive role than the sentence 'For the present it must remain an unanswered question, whether Hitler himself issued specific orders ... or whether orders issued in generalised terms were executed by subordinates and sadists in this brutal and vile manner.' But Irving also failed to quote the following sentence that weighs even more heavily against his argument: 'But on the other hand it seems impossible that Hitler who always consulted with his advisers, did not know these important affairs.' [685] This is another manipulation of the source material.

7. Irving also decided to suppress comments by Buchholz:

> The treatment of political prisoners in concentration camps was never discussed in the briefings with Adolf Hitler at which I was present. The reason lies in the fact that the question did not immediately concern the conduct of the war but was of a police and administrative character. Therefore, the Führer did not mention this matter to his military. […] The circle of those in the know had been kept very small, and the topic was also not touched upon unofficially, for reasons which I fully understand only now. I am convinced that such questions have always been treated between the Führer and the Reichsführer SS Himmler in strict confidence. Especially in the last half year, such conversations between these two often took place, usually before or after a briefing at which Himmler appeared. [686]

8. Likewise Irving failed to bring his reader's attention to the opinion of stenographer Ewald Reynitz: 'I even doubt whether he [Hitler] personally knew all about the concentration camp atrocities to the last shocking detail. But I am honestly convinced that he would have approved them following his general philosophy that the end justifies the means,'[687]

9. Only by dint of these manipulations and suppressions could Irving claim the statements by Hitler's stenographers as evidence for a conclusion that was not only unsupported by the sources he quoted, but openly contradicted.

(vi) Double standards in the evaluation of evidence: the memoirs of Karl Wilhelm Krause

1. Krause was personally chosen by Hitler to be his manservant. He started work in the *Obersalzberg* in September 1934. Irving has presented an extract from Krause's memoirs to support the quote in *Hitler's War* that Hitler's orders were brutally carried out by Bormann and Himmler, without Hitler's knowledge because 'Hitler lived in a world of his own - he liked to believe in good rather than evil of people.' [688] The full extract runs:

> One told us also that only people were put there [presumably the concentration camps] who were really guilty of an offence, but on the other hand not so grave that one could immediately punish them with prison or penal servitude. For me personally it is still today a complete mystery how secretly the whole thing must have been handled by the highest authorities, that one knew absolutely nothing about it. It was only then possible that very, very few people knew about it and they really let nothing be known of it. I want to maintain once again that this affair, and also the fight against the church, originated with Bormann and Himmler. They only reported to Hitler in as far as they felt it necessary to properly fan the flames. Undoubtedly one also left Hitler in the dark about the real conditions in the camps, and otherwise only informed him of the best side. - If one asks me how I come to this view then I say: I infer it because many small instances were known to me in which it would be explained: "the Führer has commanded, or more precisely ordered..." when I knew precisely that Hitler had not the faintest idea of it. Thereby though it had to do with personal matters and which hardly interested wider circles. Nevertheless they throw a light on the way certain wirepullers were in the habit of treating Hitler's name. To give only one example, Bormann came to Munich one time and reported on the situation in Warsaw. A secret radio transmitter existed in the ghetto that was in contact with abroad. Hitler thought and said that if the report were true then punitive intervention would have to be undertaken. However there was no clear-cut order. It remained up to Bormann, Himmler, and the commander of Warsaw, how punishment would

take place.

> It can be added in this context that Hitler lived in a sort of illusory world. He believed good rather than evil. If for example one told him that the SS had wreaked havoc in such-and -such-a-place he answered that his boys did not do such things, and if they really had done then nothing remained but to punish them. [689]

Irving's interpretation in this respect is almost identical to Krause's.

2. Although Krause's memoirs are entitled 'Hitler's Valet, 1934-1943' he remained Hitler's manservant only until 10 September 1939, when he was fired for lying to Hitler. In other words, apart from the first week and a half of the occupation policy in Poland, Krause was no longer privy to Hitler's thoughts and actions. As of 1 March 1940 he returned to the Navy and took part in the battle for Norway. He was commandeered to the *Liebestandarte SS Adolf Hitler* (LSSAH) as an *Oberscharführer* of the Waffen-SS on 2 November 1940 and, in December 1943, was sent to the front with the 11th. SS tank division 'Hitler Jugend'. [690]

3. Yet again we are confronted by Irving's double standards. From the passage above it is clear that Hitler's supposed innocence was merely inferred by Krause from small personal incidents. But Irving himself has told the court: 'A scrupulous historian is not impressed by what sources either "imagine" or profess themselves incapable of "imagining."' [691] Neither does the passage necessarily disallow of other interpretations. Hitler's phrase that 'his boys' did not do such things falls squarely in to the repertoire of Hitler's evasions. Krause's example of the radio transmitter concluded: 'However there was no clear-cut order. It remained up to Bormann, Himmler, and the commander of Warsaw, how punishment would take place.' As will be discussed below this does not exclude the fact that this was a deliberate facet of Hitler's personal style of leadership, and that he anticipated the very ramifications Krause saw as an abuse.

(vii) Deliberate suppression of relevant evidence: the testimony of Heinz Linge

1. Heinz Linge [1913-1980] was an SS Captain and Hitler's personal servant from 1935-1945. His testimony is one of the more important pieces of evidence from Hitler's personal entourage; Irving has long been aware of it, but chooses not to use it. What does it reveal? Recounting events surrounding the invasion of Poland Linge wrote:

> At the time of the Polish campaign Hitler remarked some time that already the impressions gained during drives through the country demanded that the Jewish question be solved as soon as possible, also in Poland as an area of German influence from now on. Although the Jews in Poland had not exercised any particularly great influence in politics it was necessary to take more consequential drastic measures in this respect than had been envisaged in the Reich in the Nuremberg Laws. The ghettos being prepared in Lublin and Lodz were not enough. Evidently he had not planned this far in advance, probably not even thought about it, because in his discussions with the deputy Danzig Gauleiter Arthur Greiser and the Gauleiter Albert Foster, neither he nor they held unified views. He said though that the Franconian Forster was too soft, in contrast to Greiser, that he did not know the Poles, and that he advocated a politically naive "Army attitude of a necessarily lenient Poland policy". But he trusted Greiser and above all Heinrich Himmler who had had to first install a very harsh and rigorous police chief in Danzig. [692]

2. This collaborates the thoughts which, as the report has already noted, were recorded by Engel that the conquest of Poland was a caesura in Hitler's thinking on how the 'Jewish Problem' best be solved. 'Originally it had only been within his power to break the power of the Jews only in Germany, now the aim must be to eliminate the Jewish influence in the whole domain of the Axis. […] He thought about some things differently now, not exactly more friendly.'[693]

3. Albert Forster was the *Gauleiter* of the newly created Danzig-West Prussia, Arthur Greiser *Reichsstatthalter* of the newly created Warthegau. Both areas were incorporated into the German Reich: the Warthegau with approximately 400,000 Jews, Danzig-West Prussia with some 30-40,000.[694] Although Foster was responsible for the expulsion and murder of Poles, Jews, and the mentally ill, he had been in constant conflict with Himmler and Himmler's Head of Police in Danzig, Hildebrandt, since 1937. The simmering conflict centred on Forster's competence and methods in the 'Germanisation' The men's mutual dislike was an open secret in Nazi circles: Forster is famously meant to have said of Himmler: 'If I looked like him, I would not speak of race at all.' [695]

4. The Warthegau's large Jewish population made it one of the centre points of Jewish policy in the newly expanded Reich. Greiser managed to maintain good relations with Himmler and engaged himself energetically to solve the 'Jewish Problem' in his Gau. As early as September 1939 he took part in RSHA discussions and tried to start deporting the Warthegau Jews under the aegis of Himmler's deportation order of 30 October 1939.[696] The project soon fell foul of Hans Frank of the General Government, whose area was seen as a dumping ground for deported Reich Jews. Frank managed to block Greiser's early strenuous efforts to deport the Warthegau Jews to the General Government, but Greiser remained tenacious in his claim that Frank was obliged to take them.[697]

5. Greiser turned to a short-term program of ghettoisation of the Jewish population, notably the ghetto of Lodz. As the possibility of deportation receded into the future, Greiser developed a dual policy of exploiting the ghettos, whilst allowing the weak and infirm to die of the rigours of hunger and disease. The murder of the Jews in his *Gau* was discussed in summer of 1941. Building at Chelmno, the first death camp in Poland, began in November 1941, and the first gassing took place on 8 December with a gas van and staff of the former euthanasia action.[698] According to Polish sources more than 300,000 people were murdered at Chelmno between December 1941 and April 1943.[699] Between 1939 and 1945 some 630,000 Poles and Jews were murdered or expelled from the Warthegau and replaced by 537,000 Volksdeutsche. Linge testified to the fact that the Führer's will was for the harsher of the two policies in occupied Poland. It also shows Hitler's dislike of half-measures and his trust in those advocating his more radical line, in this case Himmler and Greiser.

6. Linge also recounted Hitler's thinking during his last days in Berlin.

> What appeared to me to be most remarkable was what Hitler said about the Jews in the last weeks and days of his life. Contrary to his earlier remarks in speeches etc., in which he always spoke of the 'Jewish race', he now said that seen genetically and anthropologically such a thing as a Jewish race did not exist and that we only spoke of a Jewish race 'out of linguistic convenience'. Jewry did not represent a particular race, but rather a spiritual community, which not least embodied their common fate of persecution since time immemorial. Yet even this interpretation led to the assertion that Jewry, whose existence he interpreted as 'the wretched superiority of the spirit over the flesh',

were responsible for all disasters in history, and that one day they would be brought to book. He had made a start of the extermination of Jewry, from whom humanity had to be 'freed'. There could be no question of a principled turning - away from his doctrine. I was as none the wiser than I was before.[700]

7. This ties in and strengthens what we have already cited from Hitler's last will and testament. Irving read Heinz Linge's memoirs in the course of his researches for *Hitler's War*.[701] But he chose not to use them, because what they revealed of Hitler's views ran directly counter to the argument he wished to put forward.

(vii) Deliberate suppression of evidence: the annotation of Hans Pfeiffer

1. Hans Pfeiffer [d. 1944] was one Hitler's staff officers from October 1939 until his death. On 29 December 1942 Himmler presented Hitler report number 51 in a series on SS so-called anti-partisan operations [*Meldungen an den Führer über Bandenbekämpfung*]. The report detailed the number of Soviet partisans captured and executed between August and November 1942. It contained a section on 'partisan helpers and suspected partisans' [*Bandenhelfer und Bandenverdächtete*] which had a separate section for 'executed Jews' [*Juden executiert*]. Of a total of 386,033 people shot, the report separately lists 363,211 'Jews executed'. The report was typed up on the 'Führer typewriter' (so-called because of its large type to compensate for Hitler's bad eyesight) and bore the annotation 'presented 31/12' in Hans Pfeiffer's handwriting and with his initials. [702] Irving himself mentions this report on page 436 of *Hitler's War*, minus the annotation, thus giving the impression that Hitler did not read the report, whereas in fact the typewriter and annotation indicate that Hitler was expecting the report, and people in his entourage knew he was receiving it. [703]

(ix) Suppression of relevant information: the diary of Otto Bräutigam

1. Otto Bräutigam was a diplomat and subordinate to Alfred Rosenberg in the latter's newly created Reich Ministry for the Occupied Eastern Territories [*Reichsministerium für die besetzten Ostgebiete* or *Ostministerium*], responsible for the civilian administration of the occupied east (initially the two Reich Commissariats Ostland and the Ukraine).[704] Bräutigam became the *Ostministerium's* representative to the Army High Command, and later to Army Group A [*Heeressgruppe A*]. In 1956 when Bräutigam was head of the eastern section of the West-German Foreign Office, the East-German authorities published his war diaries. [705] A critical edition of the same diary was published in 1987.[706]

2. A single episode will illustrate the fact that Hitler's adjutants were not merely passive witnesses to Hitler's thoughts. Rosenberg had heard that on 28 August 1941 the Soviet Head of State, Kalinin, had ordered that the 400,000 Volga Germans be deported to Siberia. Bräutigam noted in his diary that 'it was clear that a large number would not survive the banishment, or even the transportation.' [707] Rosenberg urged Hitler to approve the immediate deportation of German Jews in retaliation. What applied to the *Volksdeutsche* certainly applied to the Jews. Rosenberg's proposal calculated the fatal consequences of transporting Jews to the east, independently of the direct preparations for extermination. Bräutigam brought Rosenberg's proposal to Hitler's *Wolfsschanze* in East Prussia. He recorded in his diary:

> As a reprisal the *Reichsleiter* [Rosenberg] had considered the deportation of all central European Jews to those eastern territories which are in our control. I received telegraphed orders to induce the Führer to approve this project [...]

> Finally I found Colonel Schmundt, and to my great surprise he immediately asked for the memorandum, saying that it was something very important and urgent which the Führer was very interested in. [708]

3. The next day Bräutigam was informed that the matter would be personally discussed between Hitler and Ribbentrop.[709] A meeting duly took place on 17 September.

4. Leaving aside speculation about the exact role of Rosenberg's suggestion in the formulation and timing of a final order to exterminate the Jews of Europe, the entry is important for a number of reasons.[710] It shows that Hitler's adjutants (in this case Schmundt) were well-informed about current measures against the Jews. Indeed Schmundt was well enough informed about Hitler's thoughts that he could decide, on his own initiative, that Rosenberg's idea was 'something very important and urgent which the Führer was very interested in.' It again shows Hitler's position as the ultimate recipient of information as well as adjudicator.

5. It also demonstrates the inherent problem with Nazi memoir literature and reminiscences. Needless to say Bräutigam made no mention of Rosenberg's proposal or his own part in it in his official memoirs. Neither did he mention his knowledge of the notorious pogrom in Kowno in his official memoirs. [711] Yet in his diary for 11 July 1941 he wrote: 'With our tacit permission numerous Jewish pogroms were undertaken by the Lithuanian police.' [712]

6. Bräutigam's diary is well known to Irving. It is listed as 'DI-97' amongst his own microfilm records [*Irving Collection*] lodged at the Institute for Contemporary History.[713] He also used it as an example to illustrate the historian Charles Sydnor's 'sad ignorance of the wider archival sources available' on Hitler in reply to a critical review of *Hitler's War*.[714] Once again Irving saw no reason even at least to qualify his statement that none of Hitler's staff heard the 'Final Solution' mentioned at the *Führerhauptquartier*.

(x) Misrepresentation of source material: the evidence of Hitler's secretary

1. Christa Schroeder [d. 1984] was Hitler's personal secretary from 1933 to 1945. Irving interviewed her a number of times and remained in contact with her until her death. This contact is an obvious source of pride for Irving who has superfluously presented the court with a number of letters and postcards from his correspondence with and about her, without any ostensible relevance to the case.[715] Schroeder provided Irving with a part of her wartime correspondence with a friend, some of it in an adapted form.[716] In her posthumous memoirs Schroeder wrote of how she regretted the decision:

> In the 1950s my friend Johanna Nusser returned my letters written to her from the Berghof and the *Führerhauptquartier*. The following extracts come from them. I once rashly put a part of them at David Irving's disposal. I passed on (parroted) the judgements expressed therein from Hitler's conversations, for instance about the Russian mentality. Today I am horrified about these views thoughtlessly taken from Hitler. [717]

2. Irving has made none of these original letters available to the court.

Schroeder's evidence would seem to be clear at first glance.

> In all the conversations that we attended Hitler always stressed that every-

> thing he did resulted from the wish to give the German people a better future. He never spoke of matters which had to do with concentration camps or persecution of the Jews. He acted towards us as if such things did not exist. When from time to time he mentioned the fact that the war was a necessary thing, that millions of human lives were destroyed, that afterwards life would resume its peaceful path, so his face took on a cold, decisive expression. The cruelty one sensed in this way of talking was mitigated to a certain extent by the sympathy he showed when one told him of the misfortunes of an individual. [718]

3. But Schroeder had given another account of herself as early as 1949, albeit written up by Albert Zoller, a French interrogation officer she met during her internment.[719] Irving rejected this first account as 'spurious' and listed it amongst those documents which sought to 'pillory' Hitler: 'The anonymous "memoirs" of the late Christa Schroeder [...] were penned by Albert Zoller, a French army liaison officer to the US Seventh Army.' [720]

4. This dismissal is misplaced and wilful. Once again Irving's source criticism rests solely on his desire to ride roughshod over sources which contradict his thesis. Schroeder herself was certainly unhappy at Zoller's financial double-dealing, but this is not ground enough to dismiss the accuracy of the contents of Schroeder's first account. The historian Gerhard L. Weinberg called for a critical source investigation of the Zoller book in 1961. Happily, Schroeder's 1985 memoirs were given an exemplary critical apparatus by her editor Anton Joachimstahler.[721] He wrote:

> Frau Schroeder said that the Zoller book was also based on the interrogations of Heinrich Hoffmann [Hitler's photographer] and Julius Schaub in the camp in Augsburg (CIC Centre of the 7th. US Army). In a copy [of the book] she had crossed out all the passages which were not by her. When one flicks through the book one can approximately say that of 238 pages about 160 to 170 originate from Frau Schroeder. However, according to her comments, there are also individual passages changed by Zoller, i.e. reproduced with other words or significance. Frau Schroeder did not doubt the truth of the statements in the least, only that they were polemically distorted in some details and not represented quite exactly. At this point it is also to be established that Zoller's interviews were undertaken shortly after the internment of the persons in question and that the truth of these statements under the pressure of events at the time is to be given more weight than those which were made later. Seen thus the Zoller book represents a contemporary source that is to be taken seriously, as for example Gerhard L. Weinberg has explained. [722]

5. What did Schroeder (or Schaub or Hoffmann respectively) tell Zoller during internment?

With regard to Hitler and the murder of the European Jews the book was unequivocal.

> I can categorically affirm that Himmler meticulously informed Hitler about the events in the concentration camps. He regarded all the atrocities as measures necessary to maintain his regime. But here as in all other areas he was very concerned about his good reputation. He thought it unbearable that his name be brought into connection with the actions in the camps that flew in the face of all humanity. For this reason he played his most hypocritical role exactly here and abused the good faith of his numberless adherents. / It is characteristic that he always held all his discussions with Himmler in private

and behind carefully locked doors. Only Bormann was occasionally admitted.

> If in the conferences the talk came to the rumours of the mass murders and torturing in the concentration camps then Hitler would not answer or brusquely broke off the conversation. Only very rarely did Hitler deign to answer, and then only too deviously. He would have never have admitted, in front of witnesses, the inhuman severity of laws issued by him. / One day Himmler was confronted by a few generals about the atrocities committed in Poland. To my surprise Himmler defended himself with the assurance that he was only carrying out the 'Führer's' orders. But he immediately added: 'The Führer's person may on no account be brought into connection with this. I take on full responsibility.' [723]

6. Schroeder, perhaps more likely Schaub in this case, was equally detailed in describing Hitler's attempts to force other foreign dignitaries to follow Germany's example in their policies against the Jews.

> Hitler systematically tried to drum his hatred of those opposed to him into those close to him. In the process he did not even spare the leading men of the allied states. I was impressed time and time again by the sharp words with which he repudiated the attempts of Mussolini or Horthy to bring him to a more conciliatory stance in the Jewish Question. At this moment Hitler would dispense with every diplomatic form and allow himself to paint the Jewish danger in the shrillest colours to his partners. He always closed his long explanations with the demand to 'eliminate' the Jews. He never used a stronger expression, but always spoke the word 'eliminate' with such a vehement malice that no one could be in doubt as to his true meaning.
>
> Hitler was always visibly satisfied when he could tell us that foreign visitors had given him information about hard anti-Jewish measures in their own land. Antonescu clearly went up in his estimation on the day he informed him of the 'disappearance' of the Jews from Bessarabia. In comparison it was incomprehensible to him how Horthy attempted to explain to him with warm-hearted arguments "that in the end one could not simply throw the Jews onto the street or kill them".
>
> Even during diplomatic negotiations Hitler allowed himself unbridled comments against his political opponents. He never missed the opportunity to demand that his visitors to finish off their political opponents in the same way as he used in the concentration camps. [724]

7. Gitta Sereny spoke to Christa Schroeder in 1977 whilst researching into Irving's *Hitler's War*. Schroeder told Sereny ' " [...] Of course Hitler knew! Not only knew, it was *all* his ideas, his orders " ' and added:

> I clearly remember a day in 1941, I think it was in early spring ... I don't think I will ever forget Himmler's face when he came out after one of his long, 'under four eyes' conferences with Hitler. He sat down heavily in the chair on the other side of my desk and buried his face in his hands, his elbows on the desk. 'My God, my God,' he said, 'what am I expected to do.' Later, much later ... when we found out what had been done, I was sure that that was the day Hitler told him that the Jews had to be killed.[725]

8. Even Irving himself described a talk with Schroeder about the murder of Ernst Röhm

and scores of others on Hitler's personal orders in 1934 in the so-called 'Night of the Long Knives' in which she said (in Irving's own words) '"You know, he [Hitler] could be quite cruel. I don't think that you're right about Hitler's Jewish problem. He could be very cruel."' [726] Thus Irving's key witness was explicit in her belief that Hitler not only knew of, but ordered the 'Final Solution'

(xi) The suppression of relevant evidence: the memoirs of Franz von Sonnleithner

1. Franz von Sonnleithner was Ribbentrop's Foreign Office adjutant in the *Führerhauptquartier*. Irving appears not to have interviewed von Sonnleithner, whose memoirs appeared posthumously in 1989.[727] At Nuremberg he told the defence 'that I did not believe that it was Hitler who gave this order for the extermination measures.' [728] Elsewhere he wrote that 'Hitler never said anything to me about the treatment of the Jews.' [729] This assertion is contradicted though by other passages in his memoirs, and by documentary evidence linking him to the deportation of the Jews of Rome and Denmark to Auschwitz.

2. Sonnleithner related a famous episode in the *Führerhauptquartier* in 1944:

> During a military conference some time in Autumn 1944 the Reich press spokesman [Otto] Dietrich came [...] with an English report, a newspaper article which had reached us, I believe, from the last gateway to the world, namely Lisbon. In the newspaper piece it was claimed that the Russians had taken a German concentration camp called Majdanek. People had been in there that had, without doubt, been exterminated. Pictures showed large racks upon which a very large number of well ordered chambers were to be seen, just as a foreigner would expect from a German institution. I believe that other fittings could also be seen, cells or even incineration chambers, although I'm not sure now. The text said that people had been exterminated there. Dietrich presented the press article to Hitler and we waited expectantly for what he would say about it. The answer came quickly: " That is the same as the hacked-off hands of Belgian children during the First World War, nothing but enemy propaganda." I believe that I have quoted Hitler's statement word for word. Anyway a weight fell from all of our shoulders, one could positively hear the sighs of relief. I myself telephoned the head of the security police [*Sicherheitspolizei*] Dr. [Ernst] Kaltenbrunner that same day to ask for the papers for a corresponding denial, which he agreed to. [...] as I had heard nothing from the *Staatspolizei* for a number of weeks I rang Kaltenbrunner and reminded him of his support for a denial. He answered word-for-word: "A public contradiction of the matter means lending the matter too much importance." After the discussion of the situation to which I had referred was over, and I have also delivered my report, Hitler said to me that the Allies had already claimed in the First World War that the German troops who marched into Belgium in 1914 had chopped off the hands of Belgian children or hung them upside down in bell-towers so that children's heads had served the function of clappers. All that was new to me, so I have a volume brought up from the archive with retractions by the "Times" a few years after the war…We therefore believed that every new English press report was as untrue as the reports from the First World War.[730]

It would seem that this episode in the *Führerhauptquartier* had a wide resonance. Hitler's press secretary Heinz Lorenz also related the story to Irving.[731]

3. Irving also cited a post-war interrogation of Ribbentrop on 11 August 1945 to the

same effect, in his book *Nuremberg. The Last Battle*. Ribbentrop's answer to the question if Hitler knew of the fate of the Jews in the concentration camps ran thus:

> I know one thing, that after the Russians had taken over the concentration camp in Poland, Majdanek I think it was called, that was the first time I heard of these persecutions in concentration camps, misdeeds, atrocities. This was the first thing I heard when our representatives from abroad sent telegrams that Russian propaganda was making a tremendous row in neutral countries. I got these telegrams and placed them before the Führer. I said that if this were true in any respect it would be quite impossible to make foreign policy. So he took the matter in hand and said it was not my business to discuss this. That's the only thing I heard.[732]

4. To the Nuremberg psychologist Gilbert, Ribbentrop is likewise quoted as having said: 'You know, I didn't know anything about the exterminations - until the Majdanek affair came out in '44 [...].' [733]

5. In this case Hitler deliberately played on a psychological obstacle current not only in Germany, but amongst the Allies and even the Jews themselves, namely the historical impact of British propaganda during the First World War. This was expressed in a deep reluctance to give credence to the news that slowly filtered out about the mass murder of the Jews.

6. World War One was of course not the first war in which allegations had been made of cruelty and savagery, but such campaigns had never been conducted so systematically, on such a large scale, and with such success as by the British (and French). British propaganda attributed all sorts of horrors to their enemies, such as that the Germans had hacked of the hands of children in Belgium, that the bodies of fallen soldiers were being used to make soap, and even that the Austrians and Bulgarians had killed 700,000 Serbs using an asphyxiating gas.[734]

7. Unlike the hacking-off of the hands of Belgian children, the reports filtering out into the world about Majdanek were not Allied propaganda. Majdanek was built near Lublin in the General Government in Poland at the orders of Himmler during a visit he made to Lublin in July 1941. At first it was run as a prisoner-of-war camp under the aegis of the SS, but on 16 February 1943 it was re-named a concentration camp.

8. There are only rough estimates of how many died in Majdanek. Some 500,000 people passed through the camp and at least 250,000 met their deaths there, perhaps as many as 360,000.[735] 60% died from hunger, filth, disease, torture and sheer exhaustion. 40% were executed by shooting or murdered in gas chambers making Majdanek a death camp. The zenith of the executions came on 3 November 1943, when 18,000 Jews were shot in the camps of the Lublin district in an action codenamed Harvest Festival.[736]

9. Whilst a Polish source dates the first gassings in Majdanek to September 1942, the Düsseldorf court which tried members of the camp personnel between 1975 and 1981 said that the gassing facilities were operational in October 1943 at the latest.[737] The method of gassing in chambers, the immediate selection process of those too old, young or infirm to work, and the camouflage were all similar to those tried and tested in Auschwitz.[738] The majority of those killed with gas were Jews, many deported from all over Europe. This combination of work, depravation, and murder made Majdanek 'the model of a future camp of gradual annihilation combined with a camp of immediate extermination.' [739]

10. The camp was liberated in the night of 22-23 July 1944 by the Soviet army. 480 prisoners regained their freedom, mainly crippled Soviet PoWs and Polish peasants from 'pacified' villages. In their haste to evacuate the camp the Germans had failed to destroy all the evidence of Majdanek's murderous purpose. With the forced evacuation of the prisoners the camp authorities had burned most documentation and the main crematorium. But most of the prisoner's barracks, the gas chambers, smaller crematoria and ditches for mass executions with the corpses of shot prisoners gave witness to the camp's nature.[740] A joint Polish-Soviet investigation committee began its work the same month.

11. At the very least, the episode gives yet again the lie to the Irving's claim that none of Hitler's adjutants (in this case had heard anything of the mass exterminations in the East). As Schroeder told Zoller of Hitler's abhorrence of any discussion on the 'Final Solution':

> If in the conferences the talk came to the rumours of the mass murders and torturing in the concentration camps then Hitler would not answer, or brusquely broke off the conversation. Only very rarely did Hitler deign to answer, and then only too deviously. He would have never have admitted in front of witnesses the inhuman severity of laws issued by him.[741]

12. It was Irving himself who offered another piece of proof that staff at the *Führerhauptquartier* had heard Hitler talk of the concentration camps. Irving related the following to an audience in New Zealand in 1986:

> I remember right at the end of the war *[sic]*[742] I asked one of Himmler's staff, 'Did you know nothing about the concentration camps, the extermination of people in concentration camps?' And he said, 'Nothing was told.' He said, 'I was with Hitler right through [Unintelligible – 'when was it now?'?], from August 1944 right through until the last days in the bunker.' This man's name was SS Colonel Johannes Göhler. He was the adjutant to Himmler's liaison officer to Hitler [Fegelein], and as such attended all the main conferences with Hitler. And he says, 'In any of the conferences no where was there any discussion of the extermination of the Jews or anything.' And I say, 'Well yes, you've got to say that haven't you.' He says, 'Wait a minute. I remember one conference where something similar came up, but not quite the same.' He says, 'I remember Himmler saying to Hitler, two weeks before the end of the war, three weeks perhaps before the end of the war,' Himmler being the chief of the SS, "Mein Führer we've got this terrible problem. The Americans are approaching Weimar. They're on the point of over-running the concentration camp at Buchenwald." The famous concentration camp at Buchenwald. "What do we do with the inmates?" And Hitler says, "Herr Reichsführer, wait and see me after the conference is over." Göhler says, 'I remember after the conference was over Hitler sat on the edge of the conference table, swinging his legs. He says, "Herr Himmler, this concentration camp [Unintelligible – "that is next to?"] Buchenwald, I want all the inmates liquidated before the Americans get them." [743]

(xii) Suppression of relevant information: Karl Brandt

1. Karl Brandt [1904-1948] was personal physician to Hitler and his staff [*Begleitartzt*]. From 1934 onwards he was a permanent member of Hitler's Obersalzberg social circle. He was given the rank of major general in the Waffen-SS and, despite his limited experience, was appointed Reich Commissioner for Health and Sanitation in July 1942; a position strengthened by decrees dated 5 September 1943 and 25 August

1944. As the Nuremberg court which tried him commented, Brandt's appointment and Hitler's decrees 'disclose his [Hitler's] great reliance upon Karl Brandt and the high degree of personal and professional confidence which Hitler reposed in him.'[744]

2. In October 1939 (back-dated to 1 September 1939) Hitler empowered Brandt and the Reich Leader [*Reichsleiter*] Philipp Bouhler of the Führer Chancellery to take the necessary steps to start the 'euthanasia' action, or in other words, the mass murder by gassing, later by starvation and lethal injection, of up to 200,00 mentally and physically handicapped men, women, and children.

> Reich Leader Bouhler and Dr. Brandt are charged with the responsibility for expanding the authority of physicians, to be designated by name, to the end that patients considered incurable according to best available judgement of their state of health, can be granted a mercy death. [745]

3. The backdating is usually attributed to Hitler's belief that a direct connection with the outbreak of war would render the German population more amenable to the project. Brandt recalled that in 1935 Hitler had told Wagner, the Reich Doctors' leader,

> that if war should break out, he would take up the euthanasia question and implement it [...] because the Führer was of the opinion that such a problem would be easier and smoother to carry out in wartime, since the public resistance which one would expect from the churches would not play such a prominent role amidst the events of wartime as it otherwise would. [746]

4. There was also a deeper psychological relationship between euthanasia and war. As Dr. Pfannmüller put it 'The idea is unbearable to me that the best, the flower of our youth must lose its life at the front in order that feebleminded and irresponsible asocial elements can have a secure existence in the asylum.' [747]

5. In choosing his own escort physician and close confidant Dr. Brandt to supervise the programme Hitler demonstrated his trust in him and simultaneously his desire to bypass the state apparatus while retaining some measure of legal procedure and fiscal accountability. Brandt's involvement in this programme of mass murder was central. Even after the cessation of the euthanasia action Brandt had ample knowledge of the concentration camps and the murder and cruelty committed in them. There exist a number of documents linking Brandt to the pseudo-medical human experimentation that fed off the death camps.[748] These experiments were only facilitated by the certain death that ultimately awaited the camp inmates. For instance *Oberster SS-Arzt* Dr. Ernst Robert Crawitz, who was involved in the sterilisation experiments in Auschwitz and Ravensbrück, wrote to Himmler on the 1 June 1943 confirming that '8 prisoners condemned to death, preferably of a young age, be placed at disposal' from Sachsenhausen, for a Dr. Dohmen to undertake experiments as required by Dr. Brandt.[749] Besides being found guilty for the euthanasia action after the war, Brandt was declared culpable for various human experiments on concentration camp inmates: sulfanilamide experiments at Ravensbrück concentration camp; epidemic jaundice experiments at Sachsenhausen concentration camp; mustard gas experiments at Natzweiler concentration camp; and freezing, malaria, bone muscle and nerve regeneration and bone transplantation, sea water, sterilization and typhus experiments Karl Brandt was sentenced to death by the Nuremberg Military Tribunal and executed aftr the war.[750] Here was one member of Hitler's close entourage who did not just know about mass murder, but was a perpetrator of it on a considerable scale. Even Irving admits his close involvement in the 'euthanasia' programme, and notes that he was a member of Hitler's entourage until September 1944.[751]

(xiii) Neglect of relevant information: the reports of Hermann Fegelein

1. Similar things may be said of Hermann Fegelein [1906-1945], who became Himmler's contact man to Hitler when Karl Wolff was named plenipotentiary to Italy. Fegelein married Eva Braun's sister and as her brother-in-law was a frequent guest at the Berghof. Hitler ordered him shot in the closing weeks of the war when he was caught in civilian clothes preparing to escape through the encroaching Russian lines around Berlin.

2. Fegelein was obviously, therefore, until the very last stages of the war, a member of Hitler's entourage. Did he too know nothing about the mass murder of Jews being carried out behind the Eastern front? On the contrary, as an SS cavalry commander in Himmler's personal Commando Staff of the RFSS [*Kommandostab Reichsführer-SS*], he actually took part in them.[752] On the back of the Polish campaign the Commander of the Security Police [*Kommandeur der Sicherheitspolizei und der SD*] of Warsaw ordered the executions of numerous Jews and Poles in November 1939. Fegelein's 1st. SS cavalry division carried out a series of mass shootings in the following month. Polish sources date the commencement of the shootings on the 7 and 8 of December 1939 in the Kampinos forest near Palmiry outside Warsaw. According to the postwar West Berlin public prosecutor 'more than 1,700' people were shot. Fegelein's division also undertook executions in the Parliament Gardens in Warsaw itself.[753]

3. In the Russian offensive Fegelein led his 1st SS Cavalry Regiment in operations in Rear Central Army Group Area. His cavalry formation was involved in the liquidation of the 'bearers of the Jewish-Bolshevik system'; in other words the systematic murder of Jews and Communists euphemistically disguised as anti-partisan warfare.[754] His regiment played a key role in the escalation process of September 1941 in the Army Area Middle [*Heeresgebiet Mitte*] as the army became increasingly involved in the murder of Jews and civilians.

4. Part of Fegelein's Cavalry regiment carried out a 'cleaning-up' operation [*"Säuberungs"-Unternehmen*] between the 27 July and 11 August 1941 in the area of the Pripjet marshes. Order number 42 of the SS-Cavalry Regiment, signed by Fegelein, plainly stated that 'Jews are mostly to be treated as plunderers' in the forthcoming 'final pacification' [*"endgültigen Befriedigung"*] of the area.[755] Himmler gave this order greater precision when he instructed that 'All Jews must be shot, female Jews [*Judenweiber*] are to be driven into the marshes.'[756] This order has an uncanny echo in Hitler's table talk of 25 October 1941 when he said 'Nobody can tell me: but we can't send them [the Jews] into the morass.'[757] The action met with a positive resonance in the army. The head of the general staff of the Rear Central Army Group reported to the OKH on the 10 August:

> The SS-Cavalry Brigade has essentially completed its cleaning-up operation between runway 1 and Pripjet. Those alien to the area, as well as Red Army members and Jewish commissars, were seized by the SS and mostly shot. With the insertion of mayors, the creation of a reserve police, and the oppression *[sic]* of the Jews the area could be considered pacified.[758]

5. What an 'oppression' of the Jews involved was made clear in the final report of the 1st SS Cavalry Brigade of 13 August. It reported a 'total' of '13,788 plunderers shot' at a cost to the Brigade of '2 dead, 15 wounded, thereof some seriously wounded'.[759]

6. Fegelein observed in a report dated 3 September 1941 that 'Jew-free' localities were

often attacked by partisans and that it had been shown that 'above all Jews' served as intermediaries to the partisans.[760] This echoes Hitler's selfsame thoughts on the Jews in Russia as recorded by Heim on 5 May 1942 'The banditry in Estonia and Lithuania has died down quite a lot. But one has to know when one does not eradicate the Jews then none of it is any use – the Jews are the contacts [*Telephonstrippe*].'[761] Fegelein's report was marked with approving marginalia by army officials and the commander of Army Group Middle ordered his security divisions to concentrate on the Jews in future, following the model laid down by Fegelein.[762] Here was a later member of Hitler's entourage, therefore, who knew only too well what was going on behind the Eastern front, a context in which Irving refers to him as 'a young SS brigadier on the Eastern front?[763]

(xiv) Use of an unreliable source: the testimony of Karl Wolff

1. Irving's star witness is SS 'Colonel General' [*SS-Oberstgruppenführer*] Karl Wolff.[764] In his biography of Hitler, Irving wrote

> [...] the written testimony of Karl Wolff is persuasive; Wolff, who was also Himmler's Chief of Staff, believes that Himmler desired, in some bizarre way, to perform great deeds for the "Messiah of the next two thousand years" - without having to involve his Führer in them. [765]

2. Elsewhere he stated: 'Even SS General Karl Wolff, Himmler's Chief of Staff and liaison officer to Hitler, was at this time [September 1942] ignorant of the program that now got underway.' [766] This rests on document 121 as presented to the court, presumably the same document referred to when Irving wrote 'SS General Karl Wolff estimated - in a confidential post-war manuscript - that altogether probably only some seventy men, from Himmler down to Höss, were involved in the liquidation program.'[767]

3. Wolff [1906-1982] was Himmler's right-hand man and a close confidant of Hitler's.[768] From August 1939 until February 1943 he was Himmler's liaison officer to Hitler, or better said Himmler's eyes and ears at the *Führerhauptquartier*. It was Wolff's job to inform Himmler about daily events, political and war decisions, new plans, and the general mood. Hitler personally appointed him the military governor of north Italy and plenipotentiary to Mussolini in 1943. He surrendered his troops in Italy to Allen Dulles, which probably spared him from being one of the accused at Nuremberg. He was freed in August 1949.

4. On 9 June 1958 SS Lieutenant-Colonel [*Obersturmbannführer*] Dr. Otto Bradfisch, the head of *Einsatzkommando* 8 was questioned by the Munich State prosecutor about the shooting of Jews and communists in Minsk in mid-August 1941. In his defence Bradfisch claimed that the executions were legal, as proven by the presence of Himmler and Wolff at the shootings. Bradfisch was sentenced to 15 years' imprisonment in 1961.[769] His statement increased pressures on the German authorities to try Wolff. In September 1964 the Munich *Landgericht* finally sentenced Wolff to 15 years imprisonment. He was found guilty of being an accessory to murder [*Beihilfe zum Mord*] in 'at least 300,000 interconnected coincidental cases'.[770]

5. Wolff was tried in Munich on two charges: the Minsk shootings and his part in the deportation and murder of at least 300,000 Jews from Warsaw at Treblinka and Sobibor. The Munich court refused to believe Wolff's defence that he had had no knowledge of the extermination of Europe's Jews. Neither did the court believe his defence that 'Himmler and others had purposefully deceived and misled him be-

cause it was clear to them that he, the accused, did not sanction such crimes and would not have gone along with carrying them out.' Instead the court judged that Wolff 'learnt of Hitler's instruction in early 1941 to exterminate the Jews in the areas conquered by Germany or in those area within the orbit of German influence, because they were '"subhumans", "parasites".' [771] Further the court judged that Himmler entrusted Wolff with commissions 'which could only be carried out by someone who enjoyed his highest confidence, someone he could rely on in every eventuality.' [772] The court likewise refused to accept Wolff's defence that he had helped individual Jews. The court pointed out that both Hitler and Himmler had helped individual Jews, but that it would be absurd to therefore declare them innocent of mass murder. [773]

6. In the pleadings only one portion of the Munich case has been contested, namely the exchange between *SS -Gruppenführer* Harald Turner and Wolff. The Munich court in fact presented no fewer than twenty-eight separate pieces of evidence to prove Wolff's knowledge of and complicity in the 'Final Solution'. For the sake of brevity it is not intended to detail each piece of evidence separately, rather to refer first to the contested Turner letter and then to selected documents or incidents which shed light on Irving's thesis and his manipulations.

(A) Harald Turner's letter [774]

1. On 11 April 1941 SS Lieutenant-General [*SS-Gruppenführer*] Dr. Harald Turner wrote to Wolff about the use of a gas van at the Semlin concentration camp in Belgrade:

> Already months ago I had all the Jews we could catch in this country shot, and concentrated all Jewish women and children in one camp. With the help of the SD we have obtained a "delousing-car" thanks to which we will clear this camp within 14 days to four weeks. [775]

2. Despite his misgivings, Irving concedes that the document 'may be genuine', but adds 'there is no indication that Karl Wolff himself did receive it. The hand-written initial on it is apparently that of [Werner] Gr[othmann], Himmler's adjutant, familiar on documents from Himmler's files; Grothmann will no doubt clarify this at the trial of this action.'[776] This concurs with what Wolff himself argued at his trial; that he could not remember any such letter and that his own signature was missing from the letter.[777]

3. The Munich court, however, was convinced that Wolff had read the letter on two grounds. First, the letter was a personal letter from Turner to Wolff. The letter paper had a letterhead 'Staatsrat Dr. Turner'. The letter opened 'Dear comrade Wolff' [*Lieber Kamerad Wolff*] and closed 'I am, as always, your follower' [*bin ich wie stets Ihr getreuer*]. Secondly, the court heard the evidence of Wolff's adjutant SS Major [*SS-Sturmbannführer*] He.

4. He. declared that it was outside his remit to direct personal letters to Wolff on into official channels on his own authority. Personal letters were presented to Wolff, or at least their contents were orally made known to him. After this had occurred He. would stamp the letter with 'it has been brought to Chief P.'s attention' [*Chef P. hat Kenntnis*][778] . Only then would the letter be passed on further, according to Wolff's instructions. The top right hand corner Turner's letter bore the inscription:

> 1. Obstub. Dr. Brandt (side 2)

2. It has been brought to Chief P.'s attention

3. To be filed

He.[779]

5. The court inferred that the witness He. had showed the letter to Wolff, hence the comment 'Chief P. knows'.

6. After Wolff had seen the letter he had instructed his adjutant to bring the letter to the attention of Himmler's personal aide SS Lieutenant-Colonel [*SS-Obersturmbannführer*] Dr. Rudolf Brandt, especially the second page in which the destruction of the Jews is spoken of. Wolff instructed his adjutant to treat the letter as official correspondence because of its contents. To this end it was filed as confidential amongst the papers of Himmler's personal staff under act number AR 21/B. [780] This would explain Grothmann's initials on the document; a fact that in no way detracts from or contradicts the proof that Wolff had seen the letter. Irving is deliberately trying to fool the court.

(B) The Minsk Shootings

1. In mid-August 1941 Wolff was part of the entourage which accompanied Himmler to Minsk, where he was met by the Head of the SS and Police [*Höheren SS- und Polizeiführer*] of Russia, von dem Bach-Zelewski and the leader of *Einsatzgruppe* B, SS Lieutenant-General [*SS-Brigadeführer*] Arthur Nebe. Himmler and Wolff witnessed the execution of some 100 to 120 Jews and 'partisans'.[781]

2. Irving states in his pleadings that at Wolff's 1964 trial the SS General von dem Bach-Zelewski testified 'that in his view "Hitler knew nothing of the mass destruction of the Jews" and that "the entire thing began with Himmler." This is close to the views expressed by the plaintiff.' [782] In fact von dem Bach-Zelewski was called before the court to prove that Wolff knew of the fate which awaited the Jews in early 1941. He testified that both he and Wolff were present at the Wewelsberg in March 1941 where Himmler talked about the impending war with Russia and the coming 'special assignments' ['*Sonderaufgaben*'] which the SS, SD and police units would perform:

> About the meaning and aim of the campaign he said that it was a question of existence and therefore a struggle of the peoples [*Volkstumskampf*] of unparalleled bitterness would break out in the course of which, through acts of war and [illegible], 20 to 30 million Slavs and Jews would die. Himmler's comments remained fresh in his mind because of their importance and their consequences, and because of the dramatic way they were presented. [783]

3. Irving's citing of von dem Bach-Zelewski to prove that Hitler knew nothing of the 'Final Solution' is openly contradicted by another piece of evidence von dem Bach-Zelewski gave during Wolff's trial. He was one of no fewer than eight witnesses who testified that during the shootings in Minsk, Himmler stated that he and Hitler alone bore responsibility for the extermination of the Jews:

> Himmler declared after the shootings that the hard struggle that the German people [*Volk*] had to undertake made harsh measures such as this imperative. The Jews were the bearers of world Bolshevism and they must therefore be destroyed. He and Hitler had assumed responsibility for this before the court of history. The task was difficult, but it had to be carried out.

4. Von dem Bach-Zelewski's account of Himmler's words was corroborated by no fewer than seven other witnesses at the trial.

> The witnesses Dr Otto Bradfisch, von dem Ba.[ch- Zelewski], Paul N., Kl., Klae., Me., Str. and T. concur in this. The court believes these statements. [784]

5. The head of Einsatzkommando unit 8, Dr. Otto Bradfisch put the question to Himmler:

> As soon as Himmler arrived in Minsk, I turned to him and asked him who was taking responsibility for the mass extermination of the Jews. Himmler made this conversation the occasion for a speech, in which he told the members of Einsatzkommando 8, as well as those members of the Security Police who were present, not to worry - the orders had been personally given by Hitler. It was a question, then, of a Führer-order, which had the force of law, and he and Hitler alone bore the responsibility for these orders. [785]

6. Himmler's private reply to Bradfisch before the execution had been no different: 'Himmler answered me in a fairly sharp tone that these orders had come from Hitler as the supreme Führer of the German government, and that they had the force of law.' [786]

(C) The correspondence between Wolff and Dr. Albert Ganzemüller [787]

1. The clearing of the ghettos in the General Government in Poland began in 1942, beset sometimes by transportation blockages, the first in June and the second in July. In July the railway line to the killing centre at Sobibor broke down and had to be repaired. On 16 July 1942 Wolff telephoned State Secretary [*Staatssekretär*] Dr. Albert Ganzenmüller of the transport ministry for help. Ganzenmüller looked into the matter and discovered that it had already been solved locally. 300,000 Warsaw Jews had been diverted from Sobibor to Treblinka. Beginning on 22 July 1942 a train a day, each packed with some 5,000 Jews was to leave Warsaw for Treblinka, while twice weekly another train was to run from Przemysl to Belzec.[788] Wolff wrote in thanks:

Dear Party Member G[anzenmüller]:

> For your letter of 28 July 1942, I thank you - also in the name of the *Reichsführer-SS* - sincerely. With particular joy I noted your assurance that for two weeks now a train has been carrying, every day, 5,000 members of the chosen people to Treblinka, so that we are now in a position to carry through this population movement at an accelerated tempo. I, for my part, have contacted the participating agencies to assure the implementation of the process without friction. I thank you again for your efforts in this matter and, at the same time, I would be grateful if you would give these things your continued personal attention. With best regards and Heil Hitler! Your devoted W.[789]

2. Wolff's defence was simple. Himmler and Higher SS and Police Leader [*Höherer SS- und Polizeiführer* – HSSPF] Odilo Globocnik had lied to him.[790] Himmler had told him in July 1942 that because of increasing partisan activities he had been forced to dissolve the large and small ghettos in Poland and to herd them together in a sort of reservation in Lublin. The fertile earth and the fact that many Jews were able craftsmen would allow some of the Jews self-sufficiency. Others would work in large concentration camps manufacturing German armaments. Himmler asked him to look

into the transportation problems that were preventing moving Polish Jews to the Lublin area. He had taken Himmler's explanation at face value.

3. The fact that he was ignorant of the ultimate fate of those transported from Warsaw was proven, he claimed, by the fact that his letter of thanks bore no secret stamp and the fact that he explicitly spoke of a 'population movement' [*Bevölkerungsbewegung*]. He had not approved of the expression 'chosen people' [*auserwähltes Volk*], but the letter had been drawn up by his assistant at Himmler's field commando post in Shitomir. Wolff was alone in the *Führerhauptquartier* in Winniza and did not want to delay matters by demanding a redrafting. The court found that it did not believe Wolff's line of defence 'because it is not the truth'.[791]

4. Irving quoted the notorious Wolff-Ganzenmüller exchange, but added that Wolff was 'as ignorant as Ganzenmüller of the true functions of Treblinka extermination camp.'[792] Irving's own files contain a further piece of incriminating documentation. On Wolff's instructions, extracts from Ganzenmüller's letter of 28 July were forwarded to the very men most responsible for the murder of the Jews in the General Government of Poland: Globocnik and HSSPF Friedrich Krüger, as well as *Obersturmbannführer* Rudolf Brandt of Himmler's Personal Staff.[793] Ganzenmüller himself faced a court in Düsseldorf in 1973 where he claimed to have seen and known nothing about the fate of the Jews. The presiding judge asked him incredulously if he was supposed to believe Ganzenmüller's claim to have signed, but to have taken no notice of the content, of a secret letter addressed to the office of the second most important man in the 'Third Reich'.[794] There can be no claim that Irving was unaware of the grounds for Wolff's prosecution and imprisonment, as Elke Fröhlich had informed him as early as 1971 that: 'The Jewish affair is making progress. For example the indictment in the court case against Wolff of 19. 4. 63.'[795]

(xv) Additional evidence.

1. The following three accounts all appeared subsequent to the re-issue of *Hitler's War* in 1991. Characteristically, Irving has not mentioned them anywhere, although he is usually quick to post up any new documentary or other discovery on his website. One assumes that as an avid reader and collector of the testimony of members of Hitler's inner circle and other Nazis and their associates, Irving is none the less aware of their existence. However, these accounts are not presented as examples of Irving's manipulation and suppression of historical evidence, but as additional pieces of evidence deriving from, or reporting statements by, further members of Hitler's entourage. This further undermines his argument and support the view that contrary to Irving's persistent and repeated claims, aspects of the 'Final Solution' were well known amongst Hitler's staff.

2. The first piece of additional evidence comes from Jutta Rüdiger, who was the Reich Leader of the Hitler Youth for Girls [*Bund deutsche Mädel*]. In 1997 she told a BBC interviewer about an episode during her post-war internment.

> After the war I was interned with Hitler's secretaries and one of them told me that Hitler had said "If the Jews really manage to push America and Germany into war against each other, I will have no mercy. On all sides, good, valuable people are losing their lives, be it in England or in Germany or in France. But the Jews are never willing to bring a sacrifice, they stay in the background and pull the strings, and I will have no mercy."[796]

3. The second, and perhaps more significant testimony comes from Alfons Schulz, who

was a switchboard operator in the *Führerhauptquartier* from January 1942 until April 1945, with the exception of a single ten-day holiday. His memoirs were published in 1997. [797] He recalled an episode from 1942 that is quoted here at length.

> On one particular morning, it must have been mid-May or so, Walter Meiendresch who also belonged to "our circle" came in deathly pale from his night shift. He vomited several times and we thought that he was seriously ill. He was actually unfit to work for several days. Finally on the second or third day Dr. Fliegner found out the cause of this sudden collapse. Walter was in fact very robust and hardy in his nature.
>
> In the night in question he had listened in on a conversation between Himmler and Bormann. In it the *Reichsführer SS* [Himmler] conveyed a "pleasant piece of news from Auschwitz" to the *Reichsleiter* Bormann, intended, as he said, for the *Führer*. Once again, exactly according to plan, 20,000 Jews had been "liquidated", "er" he corrected himself immediately, "evacuated" there.
>
> Whereupon Bormann had shouted at him furiously and sharply reminded him that as agreed such reports were only allowed to be in writing and delivered by couriers who were SS officers; delivered to him personally to be passed onto the Führer. He vigorously forbade any such further reports about this subject be delivered in any other way.
>
> For the first time the mass murder forced its way somewhat into the naiveté that held sway even in our communications centre.
>
> To be sure we restricted those who knew about this overheard conversation to our closest circle on grounds of security.
>
> With the exception of Walter Meiendresch, who was quite simply no longer capable of listening in on conversations, we tried to find out more precise information. In vain.
>
> Only some of the staff officers of the OKH, who as was later to be found out were hanged as accomplices to the assassination attempt of 1944, intimated something to higher officers in the FHQ whom they apparently trusted. They referred to rumours which came to them from reliable regiment and division commanders and not through the official channels. These rumours were of the mass murder of Jews and other "undesirables". No one knew any concrete facts though. Considering what we know today it seems that it was practically impossible, also for someone who did not belong to the SS, to learn anything more precise. [798]

5. Despite the obvious attempt at self-exculpation, this is none the less an important fragment of testimony about the importance of the use of euphemism and circumlocution by the leading Nazis in the discussion of the mass murder of the Jews.

6. Finally, there is the testimony of General Gerd Schmückle, who described in his memoirs a visit he and *Oberst* Fröhlich made to Field Marshal Kluge at the headquarters of Army Group Centre in the second week of May 1942. Fröhlich intended to tell Kluge that the war was lost and that the front should fall back to the old borders of the Reich.

> At headquarters everything turned out differently. We had to wait in an outer office. The officer in charge of the bureau said that the Field Marshal was negotiating with a intermediary of Hitler's. That is to say, Kluge had threat-

> ened to resign his Marshal's staff to Hitler because the SS had driven Jewish men and women out of Minsk, stripped them in a forest clearing, doused their heads and pubic hair in petrol, and set them on fire.[...] Finally Hitler's messenger left, an *SS-Führer* who saluted us strictly. [799]

7. These, then, are a few additional pieces of the mosaic of evidence that cumulatively undermines Irving's claim that the mass murder of the Jews was not known or talked about by Hitler and his intimate circle.

(d) Hitler's decision-making process.

1. Irving's argument that Hitler and his entourage did not know about the extermination of the Jews rests not only on a manipulation and suppression of specific sources, but also on a much larger contortion of the realities of the power structures and decision-making process in the 'Third Reich'. This distortion too involves suppressing or ignoring general statements by members of Hitler's entourage about his way of taking decisions and issuing orders.

2. Irving's thesis that Hitler was ignorant of the final fate of those deported east is a corollary of his general idea that 'while Adolf Hitler was a powerful and relentless military commander, the war years saw him as a lax and indecisive political leader who allowed the affairs of state to rot. In fact he was probably the weakest *leader* Germany has known this century. [...] Domestic policy was controlled by whoever was most powerful in each sector, [...].' [800] The logical consequence of this was that ' " He knew even less than the rest. He allowed himself to be taken for a sucker by everyone" '(SS General 'Sepp' Dietrich quoted by Irving). Likewise Karl Krause, whom Irving quotes as having said: 'It can be added in this context that Hitler lived in a sort of illusory world. He believed good rather than evil.' [801]

3. This is contradicted by what is generally known about Hitler's personal style of decision making.[802] It is also contradicted by what others amongst Hitler's staff said. For instance von Sonnleithner wrote that 'The threads of the military and civilian leadership always converged in Hitler' [803] In fact, Nazi decision making was a synthesis of initiatives from below and set priorities and decisions from above. A legacy of the *Kampfzeit* and the early years of power was that the Nazi party was essentially a 'Führer party' in nature, tied to emotionally powerful but loosely defined aims embodied in the person of the Führer and held together by a Führer cult. The path to power and advancement lay in anticipating the 'Führer's will', and, without necessarily waiting for explicit orders, to promote what were presumed to be Hitler's wishes. In this way a continuum of radicalisation was assured and sustained, precisely in those areas most closely associated with Hitler's own ideological fixations.

4. One part of this political system was neatly outlined by the State Secretary in the Prussian Agricultural Ministry, Werner Willekens, when he said in 1934:

> Everyone with opportunity to observe it knows that the Führer can only with great difficulty order from above everything that he intends to carry out sooner or later. On the contrary, until now everyone has best worked in his place in the new Germany if, so to speak, he works towards the Führer. Very often, and in many places, it has been the case that individuals, already in previous years, have waited for commands and orders. Unfortunately, that will probably also be so in the future. Rather, however, it is the duty of each single person, in the spirit of the Führer, to work towards him. Anyone making mistakes will come to his notice soon enough. But the one who works correctly

> towards the Führer along his lines and towards his aim will in the future as previously have the finest reward of one day suddenly attaining legal confirmation of his work.[804]

5. The reverse side to this was Hitler's own style of leadership. Linge wrote:

> Hitler mostly outlined tasks and aims very vaguely and happily left everything else be taken out of his hands if "it" went "in principle" as he had imagined it. Thereby he preferred to allow two authorities or people to undertake the same thing and to observe who asserted themselves better (or also against competitors). It was obvious that this policy had too often lead to friction, delays, double the strain, and contrary results.[805]

6. The sociologist and historian Rainer C. Baum commented:

> That this [style of leadership] was just an accident of personal idiosyncrasy, moreover seems rather doubtful. More likely it derived from an astute appreciation of how one could combine rule by interest constellation with the dynamics of a social movement forging east, for this style of leadership involved a structural preference for disorder at home. Interinstitutional, interorganisational, and interpersonal conflicts and competitions were encouraged. Attempts to delineate clear lines of authority and responsibility were discouraged, as were traditional jurisdictions of offices. [806]

7. This form of rule had a number of practical consequences beyond mere bureaucratic chaos. It invited radical initiatives from below and offered the prospect of them being taken up in as far as they conformed to Hitler's broadly defined goals. Four examples have been cited of Hitler as the adjudicator in this radicalisation process: Engel on the deportation of the Jews from Salonika, Linge on Hitler's enthusiasm for the 'hard' line followed by Greiser in the Warthegau, Linge on politics in the occupied Ukraine, and Bräutigam on Rosenberg's retaliatory deportation plans. Both Engel and Linge commented on Hitler's anger at army unease with the actions of the SS.

8. This system also promoted ferocious competition amongst rival institutions, and the individuals within them, to anticipate and fulfil the Führer's will. No single institution or organisation could accumulate a reliable power base for its operations. The leaders of such institutions had to exert all their energies to maintain and expand their control over resources and to maintain their political relevance. Hitler himself welcomed these overlappings in competence, the lack of clarity, and the resultant unending demarcation disputes. He consciously avoided all attempts to produce a more rational authoritarian state structure because the process cemented his own autonomy within the regime in his position as Führer.

9. This command technique of deliberately leaving it up to the executive organs (for example the *Einsatzgruppen*) to place limits on how an order was interpreted was a form of issuing orders which relied upon an interaction as almost old as the Nazi party itself. The Nazi Party Supreme Court [*Oberstes Parteigericht der NSDAP*], which was given the task in 1938 of deciding what was to be done to those party members who had committed crimes during the *Reichskristallnacht* pogrom, explained that it was

> […]obvious to active National Socialists from the *Kampfzeit* [...] that orders for campaigns in which the party does not want its role as organiser to be known need not be completely clear and detailed. They are also accustomed to reading more into such an order than is written or said, just as the issuer of

> this order has often become adept, in the Party's interest (especially in the case of illegal political rallies), at leaving the order unclear and at merely sketching out its aim. [807]

10. Von Below gave a clear picture of this interaction between Führer and subordinates:

> Until Autumn 1941 though, Hitler had very rarely given a direct order. He confined himself to convincing those listening, so that they realised his ideas on there own initiative. This explains the often lengthy discussions with Hitler. As of December 1941, when Hitler took over the leadership of the armed forces, he slowly started to implement his ideas by giving direct orders. He also continued to try and win over those he talked to his views with partly lengthy explanations. Only in the last year of the war did he make more use of clear orders, at a time when the possibility of carrying out orders in the sense he intended was already very limited.[808]

11. In this light the testimony of Krause cited by Irving becomes understandable: 'Hitler thought and said that if the report [about a radio transmitter in Warsaw] were true then punitive intervention would have to be undertaken. However there was no clear-cut order. It remained up to Bormann, Himmler, and the commander of Warsaw, how punishment would take place.' [809] This suggests strongly that some similar kind of arrangement was involved in the genesis of the 'Final Solution', personally sanctioned by Hitler but not ordered by him in detail or method.

12. In exculpating Hitler from the murder of the European Jews the onus was on Irving to find another culprit. His choice fell naturally on the *Reichsführer SS* [RFSS] Heinrich Himmler. Yet as head of the powerful SS *imperium* Himmler was personally subordinate only to Hitler, an autonomy that was repeatedly confirmed by Hitler himself. The SS as an organisation saw the realisation of Hitler's *Weltanschauung* as its central aim. Quoting a speech by Himmler on 5 May 1944 in which Himmler referred to 'executing this soldierly order' in solving the 'Jewish problem', Irving added 'Never before, and never after, did Himmler hint at a *Führer* Order [...]'. [810] This assertion is wilfully wrong. It is highly improbable that a written order ever existed. As Eichmann told his Israeli interrogator:

> A Reich law is not necessary, Herr Captain. There are also decrees. There are orders. It was said … it was not only said, it was a certain fact that – quotation marks – "the Führer's words have the force of law". Orders given by a commanding general also don't appear in law gazette. [811]

13. Although the decision itself may never be conclusively dated, Irving chose to ignore abundant evidence that it was indeed Hitler who entrusted Himmler with the murderous 'Final Solution'. Himmler realised the full horrors of the task Hitler had assigned him, but resigned himself to his task in the belief that it was deigned by the Führer and therefore ordained by providence.

14. In a letter to Otto Berger, head of the SS Main Office [*SS-Hauptamt*], dated 26 July 1942, Himmler wrote 'The occupied eastern territories will become free of Jews. The Führer has put the responsibility for completing this very difficult order on my shoulders. In any case no one can relieve me of the responsibility. So I forbid all discussion [*Mitreden*].' [812] In an order of 9 October 1942, demanding that all Jews still at work in the armaments industry in the districts of Warsaw and Lublin be put in concentration camps, Himmler added 'But there too [in the General Government] the Jews will one day disappear, according to the wishes of the Führer.' [813] Hitler's personal secre-

tary Christa Schroeder has given us her version:

> I can categorically affirm that Himmler meticulously informed Hitler about the events in the concentration camps. He regarded all the atrocities as measures necessary to maintain his regime. But here as in all other areas he was very concerned about his good reputation. He thought it unbearable that his name be brought into connection with the actions in the camps that flew in the face of all humanity. For this reason he played his most hypocritical role exactly here and abused the good faith of his numberless adherents. [...]
>
> One day Himmler was confronted by a few generals about the atrocities committed in Poland. To my surprise Himmler defended himself with the assurance that he was only carrying out the 'Führer's' orders. But he immediately added: 'The Führer's person may on no account be brought into connection with this. I take on full responsibility.' [814]

15. Further evidence, from Bach-Zelewski and Bradfisch, is quoted above. Even Irving's witnesses themselves are incredulous that Himmler could have acted alone. 'Himmler's last adjutant, Werner Grothmann, whom I interviewed in 1970, felt it unlikely that the Reichsführer SS would have dared act on his own initiative, and Himmler's surviving brother Gebhard - formally a high civil servant - told me the same in 1968 [...].' [815] And yet Irving, without explanation, decided that it was Wolff's account that was 'persuasive'. He paraphrased Wolff as having said that 'Himmler desired, in some bizarre way, to perform great deeds for the "Messiah of the next two thousand years" - without having to involve his Führer in them.' This is based on document 121, a page of Irving's hand-written notes on a statement deposited by Wolff in the Munich Institute for Contemporary History in 1952. Even allowing for the bias in Irving's note taking the passage in no way contradicts those documents and witnesses quoted above, rather it rounds out the picture.

> Bormann and Hitler were [well] of the opinion that the Jewish question had to be dealt with, without Hitler getting his fingers dirty in the process.[...] Himmler was bizarre and religious in his own way and took the view that he had to assume tasks which had to be solved for the greatest commander [Hitler] in the greatest war of all times; to realise Hitler's ideas without involving him personally. Around August 1942 the RFSS [i.e. Himmler] gave dark hints: Wolff had no idea what one had to take on for the Messiah of the next 2,000 years [Hitler], so that he personally could remain free of sins. No one could help him (RFSS [Himmler]). He had had to take things on his shoulders for the German people and the Führer that no one dare know about. [...] Wolff tends towards the opinion that Hitler did not touch on the question of the destruction of the Jews even with Himmler and in this sense kept his distance from the matter. The small group protected by Bormann and Himmler simply explained they were acting on an order by the Führer, without this having explicitly been given. [816]

16. In a record quoted in other respects by Irving, Bormann's adjutant Heinrich Heim was recorded as saying:

> Bormann had the great gift to put himself entirely in Hitler's place, to fully adapt to him, and the ability to resolutely suppress all his own wishes and views in favour of him [Hitler]. In this way he was in a position to decide many questions of a lesser importance exactly as Hitler would have decided them. Bormann never did anything that was not in accord with Hitler and he

was able to completely suppress his own intentions. His principle was not to trouble the Führer with anything that he could carry out himself, but also not to withhold anything that only the Führer could decide. […] It fits that in the first years after the war Bormann was made into a scapegoat for Hitler. Even many old National Socialists painted Bormann in particularly black shades to exonerate Hitler. [817]

17. Von Sonnleithner wrote '...and another thing: the trained official who knows his master would never bother him with every detail. He would first try to resolve difficulties which arose himself.' Finally Hitler himself described his system of issuing orders in his table talk of 14 October 1941:

> Where would I be if I did not find people I trusted to undertake the work which I cannot direct myself; hardened people of whom I know they take tough measures just as I would. The best man for me is he who troubles me the least in that that he undertakes 95 out of 100 decisions himself. To be sure, there are always cases that in the end have to be decided by me alone. [818]

1. The 'Final Solution' was surely one such case. Hitler did not want to 'get his hands dirty', Himmler was, it seems, resigned, but willing in his fanatical devotion to Hitler, to shoulder a task with which Hitler's name could not be associated for fear of destroying the myth of the Führer.

(e) Conclusion

1. Irving's working methods are fatally flawed: not because of a naive credulity towards those he interviewed and the documents he read, but because of his overriding desire to excuse Hitler's role in the 'Final Solution'. Irving deliberately ignored the most basic cautions when interviewing the surviving members of Hitler's staff. The symmetry of aims and means between interviewer and interviewees is perfect. Irving resorted to the very same methods of excusing Hitler as those he interviewed had adopted in excusing themselves.
2. Irving's work with historical material is characterised by his utterly tendentious choice and interpretation of documentation. The greater wealth of statements directly implicating Hitler's role in the 'Final Solution' is rejected out of hand, whilst those rather fewer statements exculpating Hitler are adopted as 'persuasive' without any explanation as to why greater emphasis should be put on one set of statements than another. Likewise, Irving deliberately fails to take into account a number of key considerations when using his material. For instance, rather than Hitler not knowing about the 'Final Solution' he may quite explicablly have lied to certain members of his staff. Only by taking the sources at face value can he mould them to his preconceived ideological aims.
3. Neither is it coincidental that at no time does Irving enter into source criticism, save when the aim is to dismiss a source that contradicts his theory. Irving has written: 'In fact I have been startled by the number of such 'diaries' which close scrutiny proves to have been faked or tampered with - invariably to Hitler's disadvantage.'[819] Almost invariably these rejections are either unfounded or involve crass double standards on Irving's part. Wolff's trial, Engel's diary, and Zoller's book are but the three most blatant examples amongst a veritable myriad of distortions, suppressions, and manipulations.
4. Irving requires absolute standards of proof from those sources which contradict him, yet requires no such proof from those which support him. For instance Irving rejects those like von Below who said:

> Nevertheless I am completely convinced, even without written evidence, that

the extermination of the Jews originated in an express instruction from Hitler, because it is inconceivable that Himmler and Göring undertook such a thing without his knowledge. Certainly Himmler did not inform Hitler in every detail, but he acted in this matter with his approval and in complete accordance with him. [820]

5. Irving discredits the statement by resorting to the phrase 'A scrupulous historian is not impressed by what sources either "imagine" or profess themselves incapable of "imagining."'[821] And yet both Wolff and Krause too stated what they believed, or better said what they wanted to believe. Nowhere does Irving seek to reconcile these contradictions.

6. Irving was unequivocal when he said 'Hitler's surviving adjutants, secretaries, and staff stenographers have *all* uniformly testified that never once was the extermination of either the Russian or European Jews mentioned - even confidentially - at Hitler's headquarters.' [822] This is contradicted by the evidence cited above. By looking at the documents and statements from Hitler's former staff, not only does Hitler's personal role in the murder of the European Jews become apparent, but it becomes clear that concrete episodes in the 'Final Solution', such as *Einsatzgruppen* killings and even the death camps, were talked about at the *Führerhauptquartier*. Any idea that members of Hitler's entourage knew nothing about the mass murders in the East is similarly contradicted in the evidence.

5.4 Explaining Nazi antisemitism

(a) Introduction

1. As this Report has shown above, Irving does, like other Holocaust Deniers admit that a limited amount of antisemitic actions were perpetrated by the Nazis, up to and including murder. However, his portrayal of such actions is far from objective or unbiased. Irving generally tries to dismiss an example of an antisemitic action or policy by the Nazis as non-existent, or invented by critics long after the event, or committed by criminal mavericks operating without orders under the harsh conditions of war. If he is unable to do this, he frequently attempts to blame it on the Jews themselves. He does this either indirectly, by supplying 'information' which will encourage readers to regard the Nazis' antisemitic beliefs with sympathy, or directly, by attributing antisemitic actions by the Nazis to provocation by the Jews.

2. This tactic is entirely characteristic of the arguments used by Holocaust deniers, as summarized earlier in this Report. Irving has already been quoted as saying that the Jews only have themselves to blame for their misfortunes, up to and including the Holocaust. He also employs this general argument in a number of specific historical instances. A detailed consideration of some of these provides another opportunity to examine the methods Irving uses in interpreting the past to see if they also conform to the kind of falsification of history which Lipstadt attributes to Holocaust deniers in general. As we shall now see, they do indeed fall into these general patterns. Irving's attempts to pin the blame for antisemitic actions in the 'Third Reich' on the Jews themselves can be discussed, indeed, as examples of various types of manipulation and distortion of the historical record. These include, as we shall now see, manipulation and misinterpretation of statistics, use of unreliable sources, suppression of relevant evidence, and the skewing of evidence to fit a preconceived argument. The following subsections will take each of these in turn, in the chronological order of the events in the history of Weimar and Nazi Germany to which they refer.

(b) Jewish criminality in Berlin

1. In one of his speeches, Irving claimed that Goebbels only became antisemitic in the 1920s when he realised the dominance of the Jews in Berlin, and that much of Goebbels's anti-Jewish propaganda was based in fact:

> Well, if you remember when the Nazis came to power, which was in 1933, Dr. Goebbels made a great deal of mileage out of the fact that certainly in Berlin, the Berlin that he arrived at in 1926, that was very largely dominated by the Jewish lawyers, the Jewish politicians, the Jewish police chiefs, the Jewish ministers and so on. And he made a lot of mileage out of that and it was a very unhealthy political situation for Germany. In fact, the odd thing is before Goebbels came to Berlin in 1926 he wasn't anti-Jewish. He turned anti-Jewish by what he saw.[823]

2. This theme is also taken up in Irving's writings, with particular emphasis on the alleged dominance of Jews in the criminal underworld of Berlin. For instance, in his book *Goebbels: Mastermind of the 'Third Reich'* (1996), Irving states that Goebbels

> would highlight every malfeasance of the criminal *demi-monde* and identify it as Jewish. In the closing years of the Weimar republic, he was unfortunately not always wrong. In 1930 Jews would be convicted in forty-two of 210 known narcotics smuggling cases; in 1932 sixty-nine of the 272 known international narcotics dealers were Jewish. Jews were arrested in over sixty percent of the cases concerning the running of illegal gambling dens; 193 of the 411 pickpockets arrested in 1932 were Jews. In 1932 no fewer than thirty-one thousand cases of fraud, mainly insurance swindles, would be committed by Jews.[824]

3. Similarly, in 1995 article, Irving wrote;

> As Goebbels orchestrated the rise of the Nazi party in Berlin, part of the problem for the democrats there was that much of what he said was true. The Jewish community not only dominated the legal and medical professions in Berlin, they also dominated the crime scene. In my biography I've quoted Interpol figures of the percentage of Jews among those arrested for drug dealing and narcotics. Moreover, three-quarters of the pickpockets in Berlin were Jewish. It was quite easy for Goebbels to draw attention to such facts, and to embellish them in a propaganda campaign.[825]

4. Irving's claims about the dominance of Jews in various professions are highly misleading. In 1930, around a third to a half of all doctors in Berlin were Jewish. In statistics drawn up by the Nazis, about half of all the lawyers in Berlin were classified as Jews. Many fewer Jews joined the judicial service, from which they had been excluded before the 1920s. Only around one-fifth of the higher judicial officials (*höherer Justizdienst*) were classified as Jewish by the time of the Nazi seizure of power, and Jews played a minor role in senior positions in the civil service. Irving himself describes the Vice-President of the Berlin Police in the late 1920s, Bernhard Weiss, as 'the first Jew ever to be accepted for the Prussian higher civil service'. Similarily, Jews played no dominant role in Berlin politics. From 1918 to 1933, only a total of eight deputies with Jewish origins were elected to either the *Reichstag* or the Prussian parliament to represent the various Berlin constituencies. And after the murder of Foreing Minister Rathenau in 1922, hardly any Germans with Jewish origins were appointed as Reich Cabinet Ministers.[826] Moreover, the figures given by Irving in *Goebbels*

suggests that 'only' 47% of all pickpockets in Berlin were Jewish, not 75%, as he claimed in the 1995 article. And in the passages quoted above, Irving provides no example of Goebbels having used these figures in his propaganda. More importantly, perhaps, it is possible to examine in detail Irving's claims about the dominance of Jews in the Berlin criminal underworld in the Weimar Republic. Irving gives the following detailed footnote reference for his claims:

> Interpol figures, in Deutsche Nachrichten-Büro (hereafter DNB), Jul 20, 1935; and see Kurt Daluege, 'Judenfrage als Grundsatz', in *Angriff*, Aug 3, 1935 (Hauptamt Ordnungspolizei files, BA file R. 19/406); on the criminal demimonde of 1920s Berlin, see Paul Weiglin, *Unverwüstliches Berlin. Bilderbuch der Reichshauptstadt seit 1919* (Zürich, 1955) and Walther Kiaulehn, *Berlin: Schicksal einer Weltstadt* (Munich, 1958).[827]

5. On checking out these references, which are, typically, without specific page numbers, it becomes clear that while there are indeed sections in Kiaulehn's and Weiglin's books which deal with the Berlin criminal underworld, there is not a single reference in either of the books which could back up Irving's claim regarding the dominance of Jews in the crime scene in Berlin in the 1920s.[828]

6. Next come the 'Interpol figures', as quoted in the *Deutsche Nachrichtenbüro*. This source, which sounds very authorative, is clearly regarded by Irving as the key evidence for the claims advanced both in *Goebbels* and in his 1995 article. However, on closer inspection this document turns out to be nothing more than a piece of Nazi propaganda. The *Deutsche Nachrichtenbüro* (DNB) was not an independent news agency, but a mouthpiece of the Nazi leadership. Since its creation in December 1933, it had been controlled directly by Goebbels's Propaganda Ministry and was subject to the same controls and directions as any other part of the Nazi news media.[829]

7. Second, the article of 20 July 1935 in the DNB does not report any 'Interpol figures', as Irving claims, but rather consists of a transcript of a press conference by Kurt Daluege on the 'Jews and criminality'.[830] Daluege is anything but an objective source. He was a committed Nazi, who had joined the NSDAP as early as 1926 and entered the SS in 1930. In the Spring of 1932, he was elected as a Nazi deputy to the Prussian Parliament. Immediately after the Nazi 'seizure of power', Daluege was appointed by Göring in February 1933 to the Prussian Ministry of the Interior. In September 1934, he was awarded the rank of *SS-Obergruppenführer* and in April 1935 he was promoted to *Generalleutnant der Landespolizei*. It was in this capacity that he gave his press conference on 20 July 1935. During the Second World War, Daluege was responsible for the involvement of the German order police (which he had headed since 1936) in the Nazi extermination of Jews in the East. In January 1943, Daluege described the Second World War as a 'struggle of annihilation against the world enemies, Jewry, Communism, which is led by Jewry, and plutocracy…' Daluege was also responsible for Nazi occupation policy in Czechoslovakia in 1942-43 (when he served as deputy *Reichsprotektor für Böhmen und Mähren*). In October 1946, Daluege was executed for his crimes against the Czech population during the war.[831]

8. Daluege's press conference in July 1935 was a blatant propaganda exercise, designed to justify the brutal Nazi persecution of the German Jews. Daluege complained that while the 'Jew-subservient' (*judenhörigen*) sections of the world press reported the 'alleged' persecution of Jews in Germany, none of these journalists went to the trouble to discover the reasons

> that compel the German people to take up its defensive struggle against Jewish arrogance and against Jewish criminality. I am in a position to supply to all those who out there in the world make themselves out to be so concerned about the allegedly endangered position of the German Jews material which will make their mood more reflective.

9. Daluege went on to present figures detailing the alleged participation of Jews in criminal activities in Germany which proved the 'danger of Jewry for the German people'. Daluege's implication was clear: it was not Nazi Germany which posed a danger for the Jews, but it was the Jews who threatened Germany.

> When one reflects on the fact that according to the latest statistical investigations there are 7.6 Jews per 1,000 Germans, and that the Jew is at the top of the figures with 80 per cent in particular types of crime and in others again at least a quarter of all convictions, one can be really happy that the German people has been freed from a large part of this evil. We want to deal all the more energetically with the other part, which now as before is mounting its thieving raids against the property and the health of our people.[832]

10. This antisemitic propaganda by a fanatical Nazi is utterly useless as a statistical source for the participation of German Jews in the Weimar Republic in criminal activities.

11. Contemporary figures from the Weimar period do not indicate that Jewish criminality was particularly important. For instance, in 1925, an average of 1.05 per cent of all inmates in Prussian penitentiaries (*Zuchthäuser*) were Jewish, and 1.79 per cent of inmates in larger Prussian prisons.[833] It is typical for Irving's disregard for even the most basic conventions of historical scholarship, that he presents Daluege's figures as objective facts ('Interpol figures'). This uncritical use of Nazi propaganda material is indefensible.

12. This is also true for the final source cited by Irving for his claims about the dominance of Jews in the Berlin criminal underworld, Daluege's article of 3 August 1935 in *Der Angriff*. (incidentally, this article could not be located in the file referred to by Irving). *Der Angriff* was one of the most important Nazi propaganda papers, originally set up by Goebbels in 1927. Daluege in this article defended the material he had presented at the press conference on 20 July 1935:

> If a section of the foreign press is trying to portray the official statistical material on the criminality of the Jew as an attempt to justify the legal measures which are to be expected against the increasing presumptiousness of the Jews, that is either malicious, or at least a lack of understanding for the stantpoint of the German people in the Jewish question.[834]

13. As an objective source, Daluege's article is just as worthless as is his preceding press conference of 20 July 1935.

14. Not only does Irving uncritically use Daluege's propaganda as an objective source, he even fails to cite Daluege's figures correctly. For instance, in the original text of the press conference, Daluege claimed that in 1933, there were a total of 31,000 fraud cases recorded in Berlin. By 1934, there were only 18,000 such cases. According to Daluege, 'a considerable part, if not the largest (part)' of these perpetrators in 1934 were still Jewish. In Irving's text, this passage is rendered in the following way: 'In 1932, no fewer than thirty-one thousand cases of fraud, mainly insurance swindles, would be committed by Jews'. As is plain to see, this does not correspond to

Daluege's original text. First, Daluege's figure of 31,000 fraud cases refers to 1933, not 1932. Second, not even the Nazi propagandist Daluege claimed, like Irving does, that *all* of these 31,000 fraud cases involved Jews. Irving thus further inflates the figures presented in Daluege's propaganda material. Thirdly, Daluege nowhere claims that these fraud cases were mainly insurance swindles, as Irving does. It would have been easy for Irving to have verified his account against other sources. Thus the official German Criminal Statistics for the year 1932 recorded a total of *74* persons convicted of insurance fraud (paragraph 265 of the German Criminal Code) *in the whole of Germany* - a far cry from Irving's figure *of over 15,500* cases of insurance fraud committed in 1932 by *Berlin* Jews alone.[835]

(c) The boycott of 1 April 1933

1. In his book *Goebbels: Mastermind of the 'Third Reich'*, Irving justifies the Nazi-sponsored boycott of Jewish shops and businesses on 1 April 1933 as a legitimate reply to an irresponsible anti-Nazi press campaign instigated by Jews and Communists. In the last days before the March 5 elections in 1933, he writes,

> the Jews and communists who had fled to Prague, Paris, and London poured vitriol over the new Hitler government. Irresponsible foreign journalists did the rest. Even ex-chancellor Brüning, still in Germany, watched in fury as they filed blatantly untrue stories exaggerating the plight of the Jews. At that time (Spring, 1933), he (Brüning) pointed out, hardly any Jews had suffered except for the leaders of the communist party. This year, 1933, was however the year of the big lie.[836]

2. These exaggerated reports, Irving continues, led to a boycott of German goods started by the international Jewish community, and thus 'Goebbels secured from Hitler - or so he claimed - approval to threaten a short, sharp counter-boycott of the Jews', on 1 April. This was 'crude but effective'. But, Irving continues, 'untrue' foreign press stories alleging for example (in 1935) that shops were refusing to serve Jews, continued to appear.[837]

3. Irving has made similar claims elsewhere. For instance, in 1996 he told an audience in California:

> Dr. Goebbels was the man who had the Jews in his power...Dr. Goebbels was the one who made the decisions. Well, there are some of the reasons for his motivation in the book [Irving's biography of Goebbels]. The first piece of motivation is the episode of the Nazi boycott of the Jews in 1933. Very famous. Everybody knows about the Nazi boycott of the Jews, April 1, 1933, it took place on a Saturday. What nobody knows is that one week previously there had been a Jewish boycott of the Nazis, worldwide. And this is one of those facts of history which is suppressed. Cause and effect. Only the cause is never mentioned in the history books.[838]

4. In an article published in 1995 he similarly claimed that the Nazi boycott of Jewish shops on 1 April 1933 was merely a response to a boycott of German goods by Jews:

> We must not overlook the fact that the world's Jewish community lost no time in striking at Nazi Germany. We all too readily talk about the book-burning and about the Nazi boycott against the Jews as if those things happened in a vacuum. They didn't. The Nazi boycott against the Jews on April 1, 1933, was a foolish reprisal by the Nazis in retaliation for the Jewish boycott against

> Germany. As soon as the Nazis came to power the world Jewish community announced an international boycott campaign against Germany.[839]

5. Irving once again tries to distance Hitler from any actions taken in Nazi Germany against the Jews:

> It was Goebbels who organized that boycott, even though, if you read his diary, you can get the impression that Hitler authorized it, sanctioned it, and possibly even suggested it. But there's no doubt at all in my mind that this is another case of Goebbels having an idea, of putting it into effect, and then playing a trick by writing in his diary that he'd gotten Hitler's approval in advance.[840]

6. There may be no doubt in Irving's mind. But there is absolutely no warrant for this supposition either in the Goebbels diary or anywhere wlse.

7. There are many problems with Irving's account of the April, 1933 boycott. To begin with, he is wrong to repeat Brüning's claim that 'hardly any Jews had suffered except for the leaders of the communist party': wrong on two counts. First, the leaders of the Communist Party were predominantly not Jewish. Indeed, by late 1932, not one of the 100 Communist deputies in the German Reichstag was Jewish.[841] Secondly, many Jews had suffered in a variety of ways. Immediately after the elections on 5 March 1933 there were violent anti-Jewish disturbances in Berlin.[842] On 9 March 1933, the SA seized dozens of East European Jews in Berlin and took them off to concentration camps.[843] Among the first German Jews to die in Berlin were Dr. Ascher and the journalist Leo Krell, killed on 16 March.[844] Those attacked included American Jews who happened to be in Berlin. One of them, Herman Roseman, was kicked by an SA man on the street on 10 March and then the 'SA man continued to attack me, struck me in the face, wounded me in the eye and continued to do me bodily harm', he reported the following day.

8. Another Jew, Jean Klauber, was attacked in her home on 10 March by Nazi thugs who said to her 'Jews. We hate you. For fourteen years we have been waiting for this, and tonight we'll hang many of you', before beating her husband unconscious.[845] In the town of Gedern in Hesse, the SA forced their way into Jewish homes and beat up the inhabitants 'with the acclamation of a rapidly growing crowd'.[846] In Bündingen, many resident Jews were taken off to a local pub on the evening of 15 March 1933 and beaten up by SA men.[847]

9. Numerous other incidents of this kind were reported by officials. The later March report of the governing president of Bavaria noted:

> On the 15th of this month, around 6 in the morning, several men in dark uniforms arrived by car at the home of the Israelite businessman Otto Selz in Straubing. Selz was taken by them from his house in his nightclothes and abducted in a car. Around 9.30 Selz was found, shot to death, in a forest near Weng, in the Landshut district. The car is said to have arrived from the direction of Munich-Landshut and to have departed in the same way. It carried six uniformed men and bore the sign II.A....Several people claim to have noticed that the car's occupants wore the red armband with the swastika.[848]

10. The American consul in Leipzig reported in the following terms on 5 April, recounting the anti-Jewish violence which had occurred since the elections of 5 March, a month before:

> In Dresden several weeks ago uniformed "Nazis" raided the Jewish Prayer house, interrupted the evening religious service, arrested twenty-five worshippers, and tore the holy insignia or emblems from their head-covering while praying. Eighteen Jewish shops, including a bakery, mostly in Chemnitz, had their windows broken by rioters led by uniformed "Nazis". Five of the Polish Jews arrested in Dresden were each compelled to drink one-half litre of castor oil…Some of the Jewish men assaulted had to submit to the shearing of their beards, or to the clipping of their hair in the shape of steps. One Polish Jew in Chemnitz had his hair torn out by the roots.[849]

11. SA troops attacked a Jewish-owned department store in Breslau on 11 March, and on the same day several SS men, on the orders of the local SS leader, raided two Jewish-owned department stores in Braunschweig and caused as much damage as they could, ruining the interiors and smashing many shop windows. Local Nazis in Göttingen broke in the windows of almost all the Jewish-owned shops in the town, while in Mannheim Jewish shop-owners were forced to close their shops by the local SA.[850]

12. Jews suffered in other ways and other walks of life too. For instance, almost immediately after the election of 5 March 1933, Nazi violence started against Jewish judges and lawyers. On 9 March 1933, the local SA forced their way into the district court in Chemnitz, forced Jewish officials to leave the building, and took several of them into protective custody. On 11 March 1933, Jewish judges and lawyers in Breslau were forced onto the streets by the SA and physically assaulted; many of them were prevented by the SA and police from returning to work. Similar incidents had taken place in Kaiserslautern and Zweibrücken the previous day, and the courts were also occupied in Oels on 18 March, Gleiwitz on 24 March, Görlitz on 29 March and Königsberg on 31 March. On 14 March 1933, the Nazi association of jurists demanded that all Jewish judges in Germany should be suspended immediately and that all Jewish lawyers should have their licences revoked within four years. The Nazi newspaper, the *Völkischer Beobachter*, demanded on 19 March 1933 that the Berlin courts should be 'cleansed' of Jews.[851]

13. The Nazi boycott of Jewish shops and businesses on 1 April 1933 has to be seen first of all in the light of all this preceding violence. Contrary to what Irving claims, there was no organized boycott of German goods by the international Jewish community; indeed the leaders of the Jewish community in Palestine sent a telegram to the Reich Chancellery 'offering assurances that no authorized body in Palestine had declared or intended to declare a trade boycott of Germany'.

14. There were, to be sure, protests outside Germany against Nazi attacks on Jews, but these were based not on reactions to irresponsible reporting and exaggeration but on accurate representations of what the Nazis were actually doing to Jews in the weeks following the elections of March 5th. The Nazi boycott of Jewish shops and businesses on 1 April was not, as Irving claims, a 'counter-boycott'. The German Jews were in no way responsible for the actions of American Jews, and in any case the movement amongst Jews in the USA to boycott German goods was neither organized nor co-ordinated, and certainly not undertaken at the behest of the German Jews.

15. Indeed, the idea of a boycott of Jewish shops and businesses was not first mooted as a response to foreign criticism of Nazi policies in March 1933 but had been frequently proposed by a variety of Nazis over the precious two years.[852] Nor, finally, was it undertaken on 1 April on Goebbels's initiative and without Hitler's approval, as Irving

claims; on the contrary, Hitler told the cabinet meeting on 29 March 1933 that he supported the proposed boycott and said he himself had called for it.[853] Once more, Irving's attempt to exonerate Hitler from measures taken in Nazi Germany against the Jews is totally discredited by contemporary documentation. Once more, too, it is apparent that he has borrowed a long-established 'revisionist' assertion, lifting it, as he does so much else, from other Holocaust deniers. In this instance, Irving seems to have based his claims on an article published by the notorious antisemite Ingrid Weckert in 1985, in which she wrote:

> No legal measures were taken against the Jews in Germany until after the international Jewish "Declaration of War" against Germany, as announced, for example, on the front page of the London *Daily Express* of 24 March 1933. This "declaration" took the form of a worldwide boycott of German goods. A week later there was an officially sanctioned boycott of Jewish shops and stores throughout Germany. This action was in direct response to the international Jewish boycott of German goods already in effect.[854]

(d) Chaim Weizmann's alleged 'declaration of war' on Germany in 1939

1. In his Pleadings to the court, Irving claims that Deborah Lipstadt in her book *Denying the Holocaust* presented him as a historian 'who has inexplicably misled academic historians like Ernst Nolte into quoting historically invalid points contained in his writings and who applauds the internment of the Jews in Nazi concentration camps'.[855] This too relates to the argument, pursued in various places by Irving, that the Jews were in some way responsible for their own misfortunes in the 'Third Reich'. However, it has a special status because it is a specific subject of dispute between the Plaintiff and the Second Defendant in the present case. Let us first examine the comments by Deborah Lipstadt to which Irving objects.

2. In her book, Lipstadt refers to Irving and Nolte in two different instances. First, she argues that the German historian Ernst Nolte used a declaration given by the Zionist leader Chaim Weizmann at the outbreak of war in 1939, in which Weizmann pledged that the Jews would fight on the side of the democracies, to argue that Hitler had 'good reason' to be convinced that his enemies wanted to annihilate him. Lipstadt continues:

> When Nolte was criticized on this point in light of prewar Nazi persecution of Jews, he said that he was only quoting David Irving, the right-wing writer of historical works. How quoting Irving justified using such a historically invalid point remains unexplained, unless one wishes to see it as a reflection of Nolte's personal predilections. As we shall see in subsequent chapters, Irving...has become a Holocaust denier.[856]

3. Lipstadt comes back to this point briefly at a later stage in her book where she argues: 'As we have seen above, Nolte, echoing David Irving, argues that the Nazi "internment" of Jews was justified because of Chaim Weizmann's September 1939 declaration that the Jews of the world would fight Nazism.'[857]

4. These statements by Lipstadt include three distinct elements: first, that Nolte claims to have drawn in his argument on the works on David Irving; second, that the interpretation by Nolte and Irving of Weizmann's letter as a declaration of war by the Jews of the world against Germany is historically invalid; third, that Nolte (and Irving) regard the declaration by Weizmann as justifying the Nazi 'internment' of the Jews. We will first turn to the interpretation of the Weizmann note by David Irving. In a passage in the English edition of *Hitler's War* (1977), Irving writes:

> Now, in September 1939, Hitler was upon the verge of world war. And Dr. Chaim Weizmann, the president of the Jewish Agency, had written to Neville Chamberlain promising explicitly that all Jews everywhere stood by him and would fight on the side of the democracies against Nazi Germany. *The Times* published Weizmann's letter on September 6, and Hitler no doubt considered it an unorthodox Jewish declaration of war. He often referred to it in later years.[858]

5. Irving reprinted this passage almost unchanged in his 1991 edition of *Hitler's War*. One of the few changes is that Irving now argued that Hitler 'no doubt considered it a Jewish declaration of war' - thus Irving has cut the word 'unorthodox' when referring to the Weizmann document.[859]

6. Irving first referred to the Weizmann note in the German edition of *Hitler's War*, published in 1975, the version which was apparently later used by Nolte. Here, Irving's account is crucially different from his later versions. In his subsequent books, Irving argues that it was *Hitler* who saw the note as a declaration of war. But this qualification is missing in the 1975 account. Here, it is *Irving* who describes the note as a declaration of war. Thus, Irving writes that in September 1939

> Dr. Chaim Weizmann, the President of the Jewish Agency, had underlined 'most emphatically' in a letter to the British government that all Jews, wherever they might be, stood behind Chamberlain and would fight on the side of the democracies against Hitler. This open declaration of war certainly reached Hitler's cognisance when *The Times* published the letter on 6 September, for he based his statement in the summer of 1942 that World Jewry was Enemy Number 1 on it.[860]

7. These claims by Irving were later taken up Ernst Nolte, a retired professor of modern history in Berlin, specialising in the history of fascism. In recent years, Nolte has moved increasingly to the right-wing fringe of the German historical profession. For instance, in an interview with *Der Spiegel*, Nolte argued in 1994 that radical right-wing thought should be supported and that there had been various positive elements and tendencies within National Socialism.[861] Nevertheless, in the past Nolte has distanced himself from Irving's claim that Hitler was not informed of the extermination of the Jews:

> The thesis of David Irving is astonishing not least because in *Fuhrer und Reichskanzler* he himself reported on the basis of Himmler's interview notes that Himmler was obliged to report to Hitler on 19 November 1939 on the 'shooting of 380 Jews in Ostro'. The idea that he was not obliged to report two years later on the planned and in part already executed killing of millions is just absurd.[862]

8. Nolte also characterised Irving as a holocaust denier. In his 1993 book *Streitpunkte*, he argued that he, after he had joined the group around the *Journal of Historical Review* he 'then came more and more to the conviction that the whole final solution as a programme of systematic extermination was an invention of British propaganda.'[863]

9. However, Nolte did draw on Irving's interpretation of the Weizmann note. He first referred to it in a contribution to a volume edited by the historian H.W. Koch and published in 1985. In this essay, Nolte discussed various books on Nazi Germany, including the (as he called it) 'revisionist' book *Hitler's War* (German edition 1975) by David Irving. Nolte argued that while Irving's general aim was 'undisguisedly a vindication of Hitler',

> not all of Irving's theses and references can be set aside so easily...it can hardly be denied that Hitler had good reasons to be convinced of his enemies' determination to annihilate him much earlier than when the first information about Auschwitz came to the knowledge of the world. The 1940 pamphlet 'Germany must perish' by Theodore N. Kaufman has often been mentioned in the literature, but I do not remember seeing it in any of the more important German books I have read about Chaim Weizmann's official declaration in the first days of September 1939, according to which Jews in the world would fight on the side of England. Anyway, I have to reproach myself for not knowing this statement in 1963 and not having made use of it, although it can be found in the *Archiv der Gegenwart* of 1939, and it might justify the consequential thesis that Hitler was allowed to treat German Jews as prisoners of war and by this means to intern them...[864]

10. Here Nolte acknowledges that it was Irving who first brought his attention to the Weizmann note. He repeats this point in several of his later articles and interviews, when challenged about his interpretation of the Weizmann note. In October 1986, he tried to distance himself from David Irving's thesis that Weizmann's note 'was to be regarded as a kind of declaration of war'.[865] Nolte now denied that he had accepted this thesis; he had only wanted to discuss it.[866] As he explained in an interview on 17 April 1987 with the Israeli newspaper *Ha-Aretz*: 'Certain statements by Irving are to be regarded as wrong on logical grounds. Of other statements this can not be said, they must be discussed, they require debate.'[867] Nevertheless, Nolte clearly continued to be sympathetic to Irving's interpretation, and has come back to it several times in recent years. For instance, in 1994 he argued that Chaim Weizmann's statement might indeed be interpreted as a 'declaration of war against the German Reich' by the Jews.[868]

11. Nolte is here taking over an element in the Holocaust denial arsenal of arguments that make the Jews responsible for their own fate under the 'Third Reich'. Let us look at the origins and background of Weizmann's note of 1939. Chaim Weizmann was the President of the World Zionist Organisation, as well as the Leader of the Jewish Agency for Palestine. He took part in the Zionist Congress, which opened on 16 August 1939 in Geneva, and wound up on 25 August under the impression of an impending war. He returned to London, and on 29 August 1939, he sent the following letter to Prime Minister Chamberlain, which was later, on 6 September, published in the *Times*:

> In this hour of supreme crisis, the consciousness that the Jews have a contribution to make to the defence of sacred values impels me to write this letter. I wish to confirm, in the most explicit manner, the declaration which I and my colleagues have made during the last months, and especially in the last week: that the Jews "stand by Great Britain and will fight on the side of the democracies."
>
> Our urgent desire is to give effect to these declarations. We wish to do so in a way entirely consonant with the general scheme of British action, and therefore would place ourselves, in matters big and small, under the co-ordinating direction of His Majesty's Government. The Jewish Agency is ready to enter into immediate arrangements for utilising Jewish man-power, technical ability, resources etc.
>
> The Jewish Agency has recently had differences in the political field with the Mandatory Power. We would like these differences to give way before the

greater and more pressing necessities of the time.

We ask you to accept this declaration in the spirit in which it is made.[869]

12. Weizmann's offer to use Jewish manpower and technical ability in the war effort, probably with the aim of forming a Jewish army, 'met with an icy response from the outset'.[870] Chamberlain did not commit himself in his reply on 2 September. He stated that he noted with pleasure that 'Britain can rely upon the whole-hearted cooperation of the Jewish Agency. You will not expect me to say more at this stage than that your public-spirited assurances and welcome aid will be kept in mind.'[871] He refused to go any further than this.

13. This was thus something rather less than a declaration of war. Moreover, in issuing his letter, Weizmann was not claiming to speak for 'all Jews everywhere', as Irving suggests. As is clear from the letter to Chamberlain, Weizmann in the first place spoke on behalf of the 'Jewish Agency', a representative body of the 'World Zionist Organisation' in Palestine.[872] Weizmann also mentioned in the letter the support for Britain by his 'colleagues' in the World Zionist Organisation. However, this organisation in 1939 only comprised around 6% of all Jews living in the world, and only a small fraction of German Jews, very many of whom opposed the idea of Zionism.[873] Just before the Nazi seizure of power, only around 20,000 of Germany's 500,000 Jews were members of the German Zionist Association (*Zionistische Vereinigung für Deutschland*).[874] The idea that Weizmann was in any way a leader of world Jewry in 1939 belongs solely to the fantasy world of antisemitic conspiracy theory.

14. Quite apart from the fact that Weizmann could only claim to speak for a small minority of Jews, neither he, nor the World Zionist Organisation, nor the 'Jewish Agency' was in any position to declare war on Germany. The notion that Zionist pressure groups, without territory, army, government or international recognition, could somehow act as a sovereign state with the ability to declare war according to international law, has been widely dismissed by serious historians.[875] One also ought to note that Weizmann wrote the letter to Chamberlain *before* the outbreak of the war, on 29 August 1939, and not after, as Nolte states and Irving implies, or in other words, at a time when no sovereign state had so far issued a declaration of war. Chamberlain, as has already been pointed out, also did not see the letter as a declaration of war on Germany.

15. Irving's interpretation of the Weizmann note as a 'declaration of war' was first advanced by the Nazis themselves as a justification for their murderous conduct during the war. Thus Hitler declared on 24 July 1942 that

> In this Second World War as a struggle for life and death it must never be forgotten that following the declaration of war of the World Zionist Congress and its leader Chaim Weizmann (in his message to England's Prime Minister Chamberlain), World Jewry is the unrelenting opponent of National Socialism, the enemy Number 1.[876]

Irving's claim that Weizmann's statement was a declaration of war, as well as his equation of Zionism with all Jews living in the world, are both taken straight from Hitler himself.

16. After the Second World War, like other claims made by the Nazis, the argument was soon again taken up by right-wing propagandists, Nazi apologists and Holocaust deniers. Irving was by no means the first writer in the post-war period to claim that Weizmann's statement amounted to a declaration of war. In June 1963, a Hamburg Professor of Psychology, Peter Robert Hofstätter argued in an article for the weekly

paper *Die Zeit* that one might be able to describe the Jews exterminated in the 'final solution' as victims who had fallen in the war which they had fallen in the war they had declared against the Nazis. Hofstätter used this argument to call for some kind of amnesty for Nazi criminals, as their crimes had in reality been acts of war, ordered by the Commander of the German troops, Adolf Hitler. In the following months, a heated debate ensued in Germany about Hofstätter's claims. In a letter to the *National-Zeitung* on 16.8.1963, Hofstätter argued that Hitler and the NS state had 'quasi declared war on the Jews'. In an interview with the magazine *Der Spiegel* in September 1963, Hofstätter linked Hitler's supposed declaration of war against the Jews (in particular focusing on the Reichstag speech of 30 January 1939) with Weizmann's letter of 1939 to Chamberlain. Hofstätter declared that he was convinced 'that there was a declaration of war on the German Reich by Chaim Weismann in August 1939.'[877] Other commentators in the 1960s used Hofstätter's arguments to advance their claims that the Jews and the 'Third Reich' had been in a state of war, so the Jews were partly responsible for the Final Solution.[878] Since the 1960s, the Weizmann note has become a fixed part of the literature put out by revisionists and Holocaust deniers.[879]

17 Nolte also argued that Weizmann's statement, as a declaration of war, could be used to justify the internment of Jews by the Nazis, a point he had first made in 1985. Thus, he commented that Weizmann's statement 'might justify the consequential thesis that Hitler was allowed to treat German Jews as prisoners of war and by this means to intern them.'[880] Nolte again claimed that this interpretation was based on Irving's work. In 1987 Nolte commented on the Weizmann note that 'this statement possibly, as Irving also hints, justifies Hitler interning the German Jews as civil internees, just as it is well known that the French interned the Germans and the English the Germans on the outbreak of war.'[881] Nolte repeatedly drew attention to what he described as Irving's thesis that 'Chaim Weizmann's letter to Chamberlain at the beginning of September 1939 is possibly to be regarded as a kind of declaration of war which gave Hitler the right to intern the German Jews as enemy aliens.'[882] 'Internment', as has been pointed out, 'is far too mild a word for the harsh, brutal, and eventually murderous discrimination meted out to Jews by the Nazis', long before Weizmann even wrote his letter.[883] From 1941 onwards, Jews were not treated as 'civil internees' by the Nazis, but gassed, shot and starved to death. And in any case, extreme measures had been taken against them by the Nazis well before the outbreak of war, including the deprivation of citizenship and incarceration of large numbers of them in concentration camps in 1938.

18. Nolte provides no footnotes for his assertion that he based his argument on suggestions made by Irving. As no corresponding argument can be found in Irving's book *Hitler's War*, it would seem as if Nolte was wrong in attributing this argument to Irving. There is, however, no indication that Irving ever wrote to Nolte to object to this misrepresentation. On the contrary, Irving himself later endorsed Nolte's interpretation. Thus, in 1995, Irving described the Weizmann statement of 1939 as a 'crucial error because - as Professor Ernst Nolte and some other historians have argued - it somewhat justified what the Nazis then did to the Jews: the Jews declared war on Germany and Germany declared war on the Jews'.[884] One should note that Irving goes much further than Nolte. Nolte had argued that Weizmann's note might justify the internment in some form of the Jews living in Nazi controlled territory. Irving, however, speaks of the note somewhat justifying 'what the Nazis then did to the Jews'.

19. By inference, this includes not only imprisonment, but also, for example, the mass murder of Soviet Jews by SS task forces from late June 1941 onwards, which Irving accepts as historical fact. Thus, Irving attaches a far wider significance to the Weizmann note than Nolte had done. Also, he presents the supposed German declaration of war

against the Jews as a consequence of the Weizmann note, ignoring the years of persecution of Jews since 1933 at the hands of the Nazis and also ignoring Hitler's public threats on the Reichstag of 30 January 1939.

20. Lipstadt's claim that Nolte echoed Irving's argument that Weizmann's declaration justified the Nazi 'internment' of Jews is therefore not quite correct. She repeats Nolte's claim that he had relied on Irving's work, yet it seems that Irving had not made this particular claim about the 'internment' of the Jews at the time at which Nolte wrote his article. However, it is difficult to see the grounds on which Irving can object to Lipstadt's allegation. His claim that the Weizmann letter was an 'open declaration of war' on Germany by the Jews was indeed taken over by Nolte. He has never written to Nolte to complain about the latter's use of his work to justify the 'internment' of the Jews, or repudiated this view in public. Indeed, he has subsequently attached an even greater significance to the Weizmann note than Nolte has, implying that it justified not only the 'internment' of Jews but also their murder.

(e) <u>The Eichmann memoirs</u>

1. Irving even retrospectively supports the Nazi policy of expelling the Jews from Europe and suggests that the mass murders of the Jews by the Nazis during the war, to the extent that he admits they actually took place, were ultimately the reponsibility of the Jews themselves. In a speech delivered on 11 October 1992, Irving argued that in the Eichmann papers recently given to him, Adolf Eichmann clearly meant by the word *Endlösung* or 'final solution' the idea of taking

> all the Jews of Europe...to Madagascar, where they would be on an island where they couldn't bother any of their neighbors and where none of their neighbors could bother them. I've always said and I say it here again - even though I risk making a few enemies - that I think that would have been an ideal solution to a perennial world tragedy.

2. Irving surely knew that the plan to deport Europe's Jews to Madagascar was murderous in its intent.

3. For there is every reason to believe that the transport itself would have been carried out in inhumane conditions comparable to those obtaining on the cattle-trucks which took the Jews to Auschwitz and Treblinka, and in which many thousands died because of overcrowded conditions, and lack of sanitation, food and water. Conditions on the island itself were extremely inhospitable and it is extremely unlikely that the Nazis would have made any effort to have supplied the Jews deported there with the necessities of life. As with Jewish emigrants and deportees from Germany itself, money and valuables would have been taken from them before they set off, leaving them without the means of paying for supplies. 'Madagascar' was in effect another euphemism for mass murder, as Irving surely knows.[885]

4. Irving then went on to recount, without comment, Eichmann's speculation, repeated throughout the papers, that it was the Jews themselves who were responsible for the Holocaust. 'Was the Holocaust something that they themselves inflicted on their own body', he reported Eichmann as asking, 'in order to bring about their Zionist cause in the long run?' Eichmann justified the cruelties he saw in Auschwitz - the burning of bodies in an open pit - by referring to Allied air-raids ('what they were doing to us at that time', 'they' obviously meaning the Jews, though Irving does not comment on this assumption either).[886]

5. Here once more, Irving implicitly adopts the antisemitic fantasy of a leading Nazi as his own point of view; for his failure to dissociate himself from it means that he is consciously offering it to his audience as a plausible hypothesis. It need hardly be added that there is no evidence at all for Eichmann's charge. 'The Jews' were not behind Allied air-raids on Germany; nor, as we have already seen, was there any causal connection at all between the raids and the Nazi extermination of the Jews. Finally, it is worth noting that Irving, once again, steers carefully clear of referring to the Holocaust as the systematic extermination of millions of Jews, and merely quotes Eichmann as referring to the burning of bodies in an open pit at Auschwitz.

(f) <u>The 'Kaufman plan'.</u>

1. In the passage quoted by Irving above, Eichmann also justified the Holocaust by reference to 'the Jews' plans for Germany' after the war. Once again, Irving does not dissociate himself from this suggestion. Indeed, he actually backs this up by referring to

> a sensational book, *Germany must Perish',* in which 'American writer Theodor N. Kaufman proposes the sterilization of all male Germans. *Time* magazine lauds his book. In August 1941 Goebbels translates it for the troops and uses it to persuade Hitler to tackle the Jewish problem now.

2. This statement appears as a caption to a picture of the book in the illustrations between pages 332 and 333 of *Goebbels*, under the heading: 'FINAL SOLUTION', a term, it will be remembered, conventionally used for the Nazi extermination of the Jews, though not employed by Irving in this sense. In fact, Goebbels did not translate the book, or even have it translated by someone else. An examination of the Goebbels Diaries for August 1941 shows that Goebbels had a pamphlet made about the book, with extracts. In his entry for 13 August 1941, he mentioned that he had had to abandon the idea, originally mooted in his entry for 3 August, of translating the whole book, because he feared the consequences for German publications in America of breaching the copyright law in such a blatant fashion.

3. In his entry for 19 August, Goebbels did indeed write that 'the mass pamphlet on the book of the American Jew Kaufman, doctored for the war needs of the German people, finds the approval of the Führer'. However, this is only towards the end of a lengthy report of a conversation with Hitler, some time *after* the two men had discussed the 'Jewish problem' and after they had gone on to other subjects. In other words, Hitler had *already* agreed to more radical measures against the Jews - more rapid deportations of Berlin Jews to the East, and the imposition of the obligation to wear the identifying yellow star on Germany's remaining Jews- some time *before* the Kaufman book had been brought to his attention by Goebbels. The diary entries show clearly that Goebbels considered the pamphlet, together with the yellow star, to be propaganda weapons in influencing German popular opinion against the Jews; nowhere does he mention using the pamphlet to persuade Hitler to do anything at all.[887] Thus Irving has skewed the diary entry to make it look as if the pamphlet was discussed before the 'Jewish problem', and invented a connection between the two for which there is no evidential basis whatsoever.

4. The publicity generated by Goebbels's translated extracts from the Kaufman book, and the commentary he had appended to them, ensured that it was widely known amongst German troops and civilians during the war and remained lodged in the

memory of Nazi apologists long afterwards, not least because of Nazi claims that it represented official US policy. In a press conference called by the Reich government on 23 July 1941, a representative of the German Foreign Ministry said: 'We know that Roosevelt dictated individual chapters himself. This programme of annihilation of Roosevelt's deserves the sharpest possible repudiation. It really is a programme of Roosevelt's policy.'[888] Following this claim, the Nazi daily newspaper, the *Völkischer Beobachter*, ran the story on 24 July 1941 under the headline: 'Roosevelt demands the sterilization of the German people.'[889] The publication date of the book, which actually had been at the beginning of 1941, was manipulated to place it just after the signature of the Anglo-American Atlantic Charter in August, to give it a further appearance of being official Allied policy, 'the cornerstone of thousand-year-long Jewish plans for world domination'.[890]

6. When extracts from the book were published in German translation as ordered by Goebbels, the commentary made clear what the implications were. 'Who shall die?', ran a page-heading for example: 'The Germans or the Jews?' The commentary on the text continued in the following way, drawing out its significance for those who might still have some difficulty in getting the message the Propaganda Ministry was trying to get across:

> Here a modest reference may be permitted: There are some 20 million Jews in the world. How would it be if instead of the 80 million Germans, these 20 million Jews were treated according to the recipe of their racial comrade Kaufman? At all events, peace would then be secured. For the Jew is the trouble-maker, the disturber of the peace in the whole world.[891]

1. Not surprisingly, long before Irving came to quote it in his own work, Holocaust deniers were using the 'Kaufman plan' to suggest that if anything bad happened to the Jews during the war, it was their own fault. The Holocaust denier Paul Rassinier (1906-1967) wrote in 1963:

> Hitler ordered the book to be read out on all radio stations. One can imagine the kind of impression this made on the public opinion of Germany. I myself have met Germans who said to me that from the day this plan became known, the necessity of physically destroying the Jews began to be talked of, in the people, in the army, in the police and everywhere. The hope was expressed that Hitler would give an appropriate order, and very frequently people were even convinced that such an order had already gone out to Himmler or Heydrich...In short, the reading-out of Theodore Kaufman over the German radio unleashed popular rage against the Jews.[892]

8. Similarly, in 1970 another Holocaust denier, former SA member Heinz Roth, argued that the Wannsee Conference was less harmful than the 'Kaufman plan' because it only dealt with 'emigration' not extermination or sterilization.[893] Adolf Eichmann's claim, advanced in his memoirs, that the book acted as a trigger in the Nazi leadership for 'killing measures against Jews', as he quite openly called them, belongs essentially to this literature of retrospective justification as well.[894] Thus, as in other aspects of his Holoaust denial, Irving here is not reporting research of his own, but simply lifting arguments from others, or in other words, engaging in what he calls 'inter-historian incest' with other Holocaust deniers.

9. In fact, not even Irving went so far as to repeat Nazi propaganda claims that the book was dictated by Roosevelt or formed part of official Allied policy towards the Ger-

mans. These claims indeed had no foundation in reality at all. The compiler of the Propaganda Ministry's translated extracts, Wolfgang Diewerge, went out of his way to argue that Kaufman was 'no nameless loner, no fanatic rejected by world Jewry, no deranged crank...rather a leading and well-known Jewish personality in the United States', indeed an adviser to President Roosevelt himself.[895] But actually Kaufman had no connections with the US Administration. He was also a completely marginal figure in the Jewish political scene. *Germany must Perish!* was self-published by Kaufman and had no financial backing from anyone else. The 'American Federation of Peace' was not a mainstream political organization, but largely a figment of Kaufman's own imagination. It had few members and lacked any kind of influence on the establishment.

10. The book did indeed advocate the postwar division of Germany and the sterilization of the entire German population.[896] But as *Time* magazine pointed out in an article, entitled 'A Modest Proposal', on 24 March, 1941, on the foundation of the 'American Federation of Peace' establishment by Kaufman in 1939 Kaufman had declared that its aim was to petition Congress '1) to keep the U.S. out of Europe's wars or 2) to sterilize all Americans so that their children might not become homicidal monsters.'[897] 'In step with the times', commented *Time*, 'Sterilizer Kaufman had simply transferred his basic idea back to the enemy'. This presentation gives the lie to Irving's claim that *Time* magazine received Kaufman's book with praise. On the contrary, the magazine made it clear that it was the work of an eccentric, and noted that readers might wonder 'whether the strange book was a landmark, the first appearance of the Streicher mind in the U.S.', referring to the notoriously violent, rabid racism of the prominent Nazi Julius Streicher, publisher of the vulgar antisemitic paper *Der Stürmer*.

11. Reporting on 9 August 1941 that the Jewish residents of Hanover had been herder together in the mortuary of the Jewish cemetery in an antisemitic action justified by the town's mayor as a response to the 'Kaufman plan', the *New York Times* cited Kaufman himself as saying: 'The Nazis are merely finding a scapegoat for their barbarities. They have hounded the Jews since the beginning of the Nazi regime, and I am sure anything I have written could not make their atrocities worse.'[898]

12. The critical reception the book received in the American press was in fact well known to Goebbels and the Propaganda Ministry, who took what brief biographical details there were about Kaufman - his foundation of the so-called American Federation of Peace, and so on - from 'A Modest Proposal', *Time* magazine's article on him published on 24 March 1941. Not only did Goebbels know, therefore, that *Time* magazine had dismissed the book as eccentric, he was also well aware of the fact that, as he put it in his diary entry for 3 August 1941, Kaufman's book demonstrated a 'complete lack of realism' and was therefore not to be taken seriously; his use of it as a propaganda measure bore all the usual hallmarks of his cynical disregard for the truth.[899]

13. Irving's appropriation and uncritical repetition of Holocaust denial myths surrounding Theodore Kaufman's *Germany must Perish* are characteristic of his attempts to suggest that Nazi antisemitism was somehow a reaction to a Jewish threat; those attempts in turn are characteristic of the wider antisemitic context of Holocaust denial, just as is the crude and obvious falsification of the relevant historical evidence which it involves. As in his attempts to provide a documentary basis for his exculpation of Hitler from the charges of antisemitism and mass murder, Irving engages in a knowing and conscious manipulation of the historical record in order to lend a semblance of credibility to his insinuation that the Jews were to blame for their own

misfortunes. A simliar manipulation was also observable in his allegation that a Jewish organization was behind the assassination of the German diplomat vom Rath in 1938, as this Report showed above in its discussion of Irving's account of the pogrom of 9-10 November 1938. As in that instance, so in the case of the Kaufman book, a critical examination of his work reveals examples of all the dishonest techniques of manipulation and falsification with which Lipstadt has charged him. **6. General Conclusion**1. This examination of Irving's work has demonstrated that there is abundant evidence of his beliefs and activities since 1988 as a Holocaust denier; that is to say, he has actively propagated the view that the Holocaust as conventionally understood did not happen. According to Irving, there were no functioning gas chambers, there was no systematic extermination of the Jews by the Nazis, the number of Jews killed by the Nazis in the Second World War did not amount to more than a few hundred thousand at most, and the evidence on which historians have relied for their accounts of the Holocaust was fabricated by the Allies during the war and further invented afterwards in the interests of sustaining the new state of Israel. Irving has manifold connections with well-known Holocaust deniers in a number of countries, and uses his website to propagate Holocaust denial on the Internet. He has repeatedly implied that such antisemitic outrages as did occur under the 'Third Reich' were the responsibility of the Jews themselves, who in his view gave rise to them as a result of various acts of provocation which they committed. And he has consistently sought to portray the crimes of the 'Third Reich' during the Second World War as no more serious, indeed possibly a good deal less serious, than the crimes, if that was what they were, committed by the Allies most notably the bombing of German cities.

2. Irving is a particularly dangerous spokesperson for Holocaust denial because over the years he has consistently portrayed himself as a scrupulous historian with an unrivalled knowledge of the archival sources and an unerring eye for forgeries and falsifications. As we saw in Part I, he has repeatedly claimed that he is waging a 'campaign for real history' against legend and myth, truth against falsehood. 'Real history', he says, is based on the archives, not on copying other historians' work, which is how academic, university-based historians in his opinion proceed. Many reviewers, and still more journalists, have been at least partly taken in by this ceaselessly propagated self-promotion and have paid tribute to Irving's skill and energy as a researcher. But even if they have done so, they have often gone on to complain that Irving manipulates and distorts the sources he uses. If, like Peter Hoffmann, Charles Sydnor, Martin Broszat, Hugh Trevor-Roper, David Cannadine, or Eberhard Jäckel, for instance, they have themselves been familiar with these sources, their condemnation of Irving's work for its inaccuracy and bias has been particularly detailed and unremitting.

3. Irving has claimed in a posting on his website that there is at least one positive view of him by a professional historian with expertise in the areas on which he works. 'New Zealand's leading Holocaust historian has a word or two to say about David Irving', he proclaims. The competition to be New Zealand's leading historian of the Holocaust is, in truth, not very intense. However, the historian to whom he refers – Dr. Joel S. Hayward of Massey University, Palmerston North, New Zealand, is not a specialist on Nazi antisemitism at all, but a military historian who has worked on the role of the Luftwaffe in the Battle of Stalingrad. Irving quotes Hayward as saying that he has read all of Irving's books, and has also 'conducted extensive research into Irving's character and career, this information forming a substantial part of my Master's thesis on the historiography of Holocaust Revisionism'. Hayward's verdict, based, he says, on a knowledge of many of the documents Irving has used and cited in his work, is that 'I can't find serious flaws in his methodology and I have never found a single example of deliberate falsification of evidence….Irving is a researcher, biogra-

pher and military historian ofoutstanding aptitude. Many of his works are excellent.'[900]

4. However, although he holds an academic post, Hayward is far from being an unbiased witness. In fact, he hovers on the fringes of Holocaust denial, to put it no more strongly, himself. His only work on the Nazi extermination of the Jews was an M.A. thesis entitled 'The Fate of Jews in German Hands An Historical Enquiry into the Development and Significance of Holocaust Revisionism', which was quoted by antisemites in New Zealand as a justification of Holocaust denial. Charged with being a Holocaust denier, Hayward replied that he was young and inexperienced when he wrote the thesis, admitted that it contained errors of fact and judgement, and confessed that he was embarrassed by some of the things he wrote in it. It is clear, however, that the thesis was extremely sympathetic to the Holocaust deniers. Moreover, in his reply to his critics, Hayward admitted that 'European Jews suffered dreadfully during the 1930s and especially during World War II, when Germans and others maltreated, enslaved and murdered great numbers', but did not admit that gas chambers had existed, that five to six million Jews had been murdered, or that the Nazi extermination was in any way systematic. Moreover, Hayward has published an article in the Holocaust Revisionist periodical the *Vierteljahreshefte für freie Geschichtsforschung* (first issue of 1999, pp. 4-16), and is listed as an author by the periodical's publisher, the *Vrij Historisch Onderzoek*, a Dutch revisionist organization devoted (as it proclaims on its website) to '*Revisionismus pur*', alongside well known deniers such as Austin App, Robert Faurisson and Günther Deckert (Irving is another author whose work is available via this website). Neither from the nature of his associations, nor from the quality and range of his research, which insofar as it has dealt with the Nazi extermination of the Jews, has been in considerable measure, if not quite completely, disowned by its author, can Dr. Hayward be called an unbiased or trustworthy witness on the quality of Irving's work. As this Report has made abundantly clear, Hayward's own views on Irving's research are completely without foundation.[901]

5. Irving's claims to be a historian are bogus for a number of reasons. He has repeatedly condemned other historians for supposedly neglecting or suppressing key documents and for merely plagiarising each other; but how can he possibly do this, when on his own admission he never reads their work, and so can have no idea what is in it? At the Zündel trial in Canada, for example, he was even forced to admit that he had not read the standard work on the extermination of the Jews by Raul Hillberg. How can one take seriously the opinions of such a man on what professional historians do or fail to do? In fact, as we have seen, specialist historians do not merely rely on each other's work, but base their investigations on research in the archives that is at least as extensive as Irving's, and in most cases a good deal more rigorous. They cite other historians because other historians have carried out work on archival sources themselves, which it would be otiose to repeat. However, historians always provide precise references to the archival sources on which they base their conclusions, enabling their colleagues to check their accuracy and subject their arguments to critical scrutiny, and this is what commonly occurs when they use each other's work. By contrast, as we have seen, Irving frequently fails to provide proper source references, is often vague about the documents he claims to have used, and sometimes appears to cover his tracks by making it particularly difficult for his readers to track his sources down.

6. Moreover, far from reaching his conclusions about the Holocaust as a result of independent research, Irving, who admitted to a conference of the Institute of Historical Review in the mid-1980'sthat he had never investigated it in any detail since it was not his primary concern, has simply copied them from the existing literature of Holocaust denial, in the kind of incestuous and plagiaristic procedure which he has repeatedly and falsely alleged is common practice among academic historians. Exam-

ining the views of App, Butz, Faurisson, Rassinier, Staeglich, Christophersen and others quoted and summarized in this paper, it is clear that many of them have been taken over completely by Irving without acknowledgment and presented as his own. Thus his argument that Zyklon-B was only used for delousing and hygiene - for saving lives rather than taking them, in other words - was put much earlier by Butz. So too was his claim that the failure of Yad Vashem to collect six million names showed that six million did not in fact die. Irving's assertion that Auschwitz was no more than an industrial plant also appears to derive from Butz. His belief that most Jews who died there died of typhus can also be found in Butz's *The Hoax of the Twentieth Century*, published long before Irving announced in public his conversion to Holocaust denial. He follows Butz in his semantic disputation of the meaning of terms such as *Judentum* and *Ausrottung*. He echoes Austin App in the suggestion that a large number of the Jews who allegedly died in the Holocaust went to Israel and were not killed at all. These examples can easily be multiplied with reference to other well-known works of Holocaust denial. All that Irving does in this respect is to repeat the arguments that had become standard clichés of this literature in the decades before his conversion. Indeed he himself, writing in his diary on 24th July 1986, admitted that it was Faurisson who first got him 'thinking very hard' about the evidence for the Auschwitz gas chambers. There is no evidence that he has carried out any serious research on the Holocaust since the late 1980's, and none at all that he did any in the run-up to his 'conversion' in 1988.

7. The Holocaust denial literature which he has copied is light-years away from the kind of careful, archivally based historical scholarship which Irving has become accustomed to describe as 'real history'. Take for example the arguments put forward in the 1980s by 'Richard Harwood', quickly revealed as a pseudonym for Richard Verrall, the editor of *Spearhead*, the journal of the National Front, which at the time was the leading racist and neo-fascist political organization in Britain. In 1974 'Harwood' published a booklet entitled *Did Six Million Really Die? The Truth at Last*. In 1978 'Harwood' bought out a second pamphlet, entitled *Nuremberg and other War Crimes*. Among other things, these brief tracts engaged in the kind of semantic disputes which we subsequently find in the work of Irving. Harwood declared, like Butz, that in his trial at Nuremberg, leading Nazi Alfred Rosenberg 'was able to show that "*Ausrottung*" had been mistranslated; in fact it meant uprooting. Likewise, "*Judentum*" did not, in Harwood's view, following Rosenberg, mean "Jews" as individuals (this would have been *Juden*), but should be translated as "Jewry" or "Jewish power".'[902] Harwood also claimed, as Irving was to do subsequently, that Nazi antisemitism was a response to attacks on Germany by 'international Jewry'. As Irving was to do later, he argued that the Allies fabricated photographs alleged to be of concentration camp victims.[903] Although the author of the pamphlet had never carried out any documentary historical research, Irving subsequently rated it as over 90 per cent factually accurate and took over many of its arguments entirely uncritically, although he himself had not done any documentary historical research in this area either.[904] In fact it is a complete falsification of history, as is all the work of the Holocaust deniers, including Irving's.

8. An examination of Irving's own work, for example with reference to the origins of such instances of Nazi antisemitism as he is prepared to concede actually did happen, or the statistical calculation of the number of German civilians killed in the Allied bombing raid on Dresden in February 1945, confirms that he shares the principal historical methods of Holocaust denial. These include especially skewing and manipulation of documents, intentional suppression of evidence, conscious falsification of statistics, reliance on sources known to be unreliable if they fit the argument in hand, unjustified dismissal of reliable sources if they do not, false attribution of conclusions to books and sources which in fact say the opposite, knowing mistrans-

lation of German sources and use of known mistranslations when this suits the argument, and deliberate misconstrual or even invention of the historical record. We have repeatedly encountered examples of all of these methods of distorting and falsifying the historical record in Irving's work, both in connection with his contention that Hitler did not know of, or insofar as he did know, disapproved of antisemitic acts during the 'Third Reich', and in connection with other aspects of the history of the time, such as the Allied bombing raid on Dresden in February 1945.

9. In looking at one particular kind of source, especially prized by Irving, namely the postwar testimony of Hitler's surviving staff, we have seen again how he lacks all consistency in applying critical criteria to source material and judges it not by its provenance, the intention and position of its authors, or its internal consistency and its consistency with other relevant sources, but solely and simply by the extent to which it supports his attempt to exculpate Hitler. The same can be said of Irving's use of the Goebbels diaries, of which he has made so much in recent years. When Goebbels writes something that fits Irving's argument, Irving praises it as accurate. When he writes something that does not, Irving suggests, usually without any solid grounds for doing so, that Goebbels had ulterior motives in writing it, and that it cannot be relied on.

10. Irving's claim to be a scrupulous historian is completely bogus. His attitude to source material which runs counter to his argument is neatly summed up by his discussion of a passage in Eichmann's memoirs which he evidently found somewhat inconvenient to his attempt to argue that Hitler neither ordered nor even knew about the extermination of the Jews. In the memoirs, Eichmann says how in July 1941 Heydrich said to him: 'I've come from the Reichsführer SS. The Führer has given orders for the physical destruction of the Jews." Irving told an audience at the Institute for Historical Review: 'You've only got to change one or two words and you get a completely different meaning.' Eichmann, he claimed, was worried when he was writing his memoirs in case he was later arrested and put on trial. So he tried to place the responsibility on Hitler in order to advance the argument that he had only been obeying orders. 'Eichmann', concluded Irving, 'may well have adapted the sentence that Heydrich actually uttered to him'.[905] In other words, if the source doesn't fit, then argue it out of existence if you can't ignore it altogether. If you want to alter a few words in a document in order to make it support your argument, then either do so (which, as we have seen, is the case with some of Irving's translations) or argue that the author would have done so had he been telling the truth.

11. There are some, of course, though they do not include Irving, who argue that this kind of way with sources is what historians do anyway, and that arguments about Hitler and the Holocaust are simply arguments of the kind that historians commonly indulge in between themselves. 'Revisionism' according to this view is what historians not only do, but actually should engage in all the time, and the 'Revisionists' such as Irving and his associates at the Institute for Historical Review are doing no more than the customary business of the historian. The libertarian journalist David Botsford, for example, has recently argued along these lines:

> Whether one likes the fact or not, these ideas have gained considerable ground since the mid-1970s, and are no longer dismissed by historians as merely the ravings of a neo-Nazi fringe seeking to restore the 'Third Reich'. They are beginning to creep into the margins of respectable academic history….Holocaust revisionism is increasingly considered by historians to be an extreme, radical, dubious and highly controversial interpretation, but an interpretation nevertheless that must be taken into consideration in the writing of the history of the second world war.

1. And Botsford goes on to argue against the proposition that 'historical arguments aimed at exonerating Hitler and the Nazi regime simply cannot be equated

with those relating to other historical problems'. 'No historical question can ever be regarded as finally settled', he concludes, not even that of the Holocaust.[906]

2. But this is a cynical and in the end inaccurate depiction of the historian's business. Of course historians disagree. One pertinent example is the long-running controversy between so-called 'intentionalists', who argue that everything in the 'Third Reich', including above all the extermination of the Jews, happened because Hitler intended it to happen, and the so-called 'functionalists', who argue that the ideological radicalism of the Nazi movement generated its own dynamic, and that many things, including at least the beginnings of the 'final solution', happened because of various pressures acting upon Nazi functionaries on the ground, whose actions eventually forced Hitler to ratify their policy and give it a systematic character. From this point of view, leading 'functionalists' such as the German historians Martin Broszat and Hans Mommsen went on record in the 1970s as accepting Irving's argument that the final solution did not happen because Hitler planned and ordered it from the outset.[907] Broszat and Mommsen pointed in support of their arguments to factors such as the casual and often opportunistic nature of decision-making in the 'Third Reich', and the absence of any written order by Hitler for the extermination of the Jews.
3. But none of these historians actually disputed the fact that the extermination of the Jews, however it began, eventually, by the middle of 1942 at the latest, became a co-ordinated and systematic action. None of them disputed the fact that between five and six million Jews were eventually killed. None of them denied the fact that millions of them were killed in the gas chambers of Auschwitz, Treblinka and other murder centres. And none of them accepted Irving's contention that Hitler never knew about the extermination, never approved of it, and never ratified it. Botsford is wrong to say that Holocaust denial is one interpretation amongst many; it is indeed unnecessary for him to do so in order to justify his fundamental argument, which is that there should be no law against it, for from his libertarian point of view, it does not matter how absurd an argument is: freedom of speech is absolute. The fact is that academic historians have not come to consider Irving's argument about Hitler, or other elements of 'Revisionism' as in any sense legitimate or come to believe that thay have to be taken into account. The handful who have, such as the German historian Ernst Nolte, or the American historian Arno Mayer, have done so from political motives (respectively, right and left) and their views have not been taken seriously by mainstream historians.
4. Two general questions are of vital importance here. They are interlinked and to a large extent interdependent. The first is, what are the boundaries of legitimate disagreement among historians? The second is, how far do historians' interpretations depend on a selective reading of the evidence, and where does selectivity end and bias begin? The answer to both is fundamental to the business of being a historian. Historians bring a whole variety of ideas, theories, even preconceptions to the evidence to help them frame the questions they want to ask of it and guide their selection of what they want to consult. But once they get to work on the documents, they have a duty to read the evidence as fully and fairly as they can. If it contradicts some of the assumptions they have brought to it, they have to jettison those assumptions. The pursuit of history, as Thomas Haskell has argued, 'requires of its practitioners that vital minimum of ascetic self-discipline that enables a person to do such things as abandon wishful thinking, assimilate bad news, (and) discard pleasing interpretations that cannot pass elementary tests of evidence and logic.'[908]
5. Those historians who have abandoned, or in some cases never acquired, this

faculty of self-criticism and the ability to recognise when the evidence confounds their hypotheses, have received short shrift at the hands of their colleagues. In the late 1970s and early 1980s, for example, the young American Marxist historian David Abraham was shown by his critics to have cited his own, tendentious paraphrases of documents as if they were the originals, to have committed innumerable egregious errors of transcription, including the omission of the word 'not' from a quotation to make it look as if a document said the reverse of what it actually said, and to have selected material in order to back up his own preconceived arguments rather than to test them against the sources. He was denied tenure at Princeton University as a result and failed to get a job in any history faculty elsewhere.[909] Selecting evidence to support a case is one of the worst sins a historian can commit. 'Far from just looking for evidence that may support his thesis', the late J. H. Hexter, Professor of History at Yale University, remarked, the historian '…needs to look for vulnerabilities in that thesis and to contrive means of testing them. Then, depending on what he finds, he can support the thesis, strengthen its weak points, or modify it to eliminate its weaknesses.'[910]

6. It is no use for example merely selecting quotations from the Goebbels diaries to back up your argument; some other historian is bound to read them and refute your argument by selecting other quotations that tell against it. What a professional historian does is to take the whole of the source in question into account, and check it against other relevant sources, to reach a reasoned conclusion which will withstand critical scrutiny by other historians who look at the same material. It is precisely for this reason that there is so much agreement amongst historians on so many aspects of the 'Third Reich', at least as much agreement as there is disageement. Argument between historians is limited by what the evidence allows them to say. Perhaps the point may be best put in a metaphor. Supposing we think of historians like figurative painters sitting at various points around a mountain. They will paint it in different styles, using different techniques, they will see it in a different light according to where they are, and they will view it from different angles. They may even disagree about some aspects of its appearance, or some of its features. But they will all be painting the mountain. If one of them paints a fried egg, or a railway engine, we are entitled to say that they are wrong: whatever it is that he has painted, it is not the mountain sitting in front of him. The possibilities of legitimate disagreement and variation are limited by the evidence in front of their eyes.
7. Holocaust denial falls into this category of what is wholly unacceptable in terms of the evidence. It is not, indeed, an interpretation at all, but an attempt to make a statement, or series of statements, about historical fact. As we have seen, 'intentionalists' and 'structuralists' dispute the origins of the Nazi extermination of the Jews. Each side is advancing an interpretation based on a different reading of the available evidence. Neither side disputes the evidence for what happened. Holocaust deniers, by contrast, ignore, suppress, misinterpret or dispute the evidence itself. In the same way, astronomers, geographers and geologists argue about how to interpret the history and structure of the Earth and the solar system, but only within the limits imposed by the evidence; none of them argues for example that the earth is flat, or that the sun orbits the earth and not vice-versa. Holocaust denial falls wholly outside the confines of what it is reasonable or legitimate to argue in terms of historical evidence for the events that took place in Europe between 1939 and 1945.
8. Matters stand a little differently with the question of whether or not Hitler ordered, knew about or approved of antisemitic actions before and during the 'Third Reich', up to and including the extermination of the Jews. It is no part of

this paper to argue that he did any of these things, however. In terms of the allegations levelled by Lipstadt against Irving, all that is necessary is to show that Irving has manipulated and falsified the historical record in order to support his contention that Hitler did none of these things. The point at issue is not what Hitler knew or thought, but what Irving writes and says. The many examples presented in the present paper demonstrate beyond any reasonable doubt that Irving has repeatedly engaged in the falsification of the historical record.

9. Reputable and professional historians do not suppress parts of quotations from documents that go against their own case, but take them into account and if necessary amend their own case accordingly. They do not present as genuine documents which they know to be forged just because these forgeries happen to back up what they are saying. They do not invent ingenious but implausible and utterly unsupported reasons for distrusting genuine documents because these documents run counter to their arguments; again, they amend their arguments if this is the case, or indeed abandon them altogether. They do not consciously attribute their own conclusions to books and other sources which in fact, on closer inspection, actually say the opposite. They do not eagerly seek out the highest possible figures in a series of statistics, independently of their reliability or otherwise, simply because they want for whatever reason to maximise the figure in question, but rather, they assess all the available figures as impartially as possible in order to arrive at a number that will withstand the critical scrutiny of others. They do not knowingly mistranslate sources in foreign languages in order to make them more serviceable to themselves. They do not wilfully invent words, phrases, quotations, incidents and events for which there is no historical evidence in order to make their arguments more plausible.

10. At least, they do not do any of these things if they wish to retain any kind of reputable status as historian. Irving has done all of these things from the very beginning of his career. Not one of his books, speeches or articles, not one paragraph, not one sentence in any of them, can be taken on trust as an accurate representation of its historical subject. All of them are completely worthless as history, because Irving cannot be trusted anywhere, in any of them, to give a reliable account of what he is talking or writing about. It may seem an absurd semantic dispute to deny the appellation of 'historian' to someone who has written two dozen books or more about historical subjects. But if we mean by historian someone who is concerned to discover the truth about the past, and to give as accurate a representation of it as possible, then Irving is not a historian. Those in the know, indeed, are accustomed to avoid the term altogether when referring to him and use some circumlocution such as 'historical writer' instead.[911] Irving is essentially an ideologue who uses history for his own political purposes; he is not primarily concerned with discovering and interpreting what happened in the past, he is concerned merely to give a selective and tendentious account of it in order to further his own ideological ends in the present. The true historian's primary concern, however, is with the past. That is why, in the end, Irving is not a historian.

11. In reaching this conclusion, I have understood that my overriding duty is to the Court. My paramount obligation, as I have been advised by my Instructing Solicitors, is to assist the Court on all matters within my expertise regardless of whom my instructions are from and who is paying my fees. I confirm that this report is impartial, objective and unbiased and has been produced independently of the exigencies of this litigation. I believe that the facts I have stated in this report are true and that the opinions I have expressed are correct.

Signed……..

Date……..

[1]Irving, *Hitler's War* (1991 ed.), p. 18. See also Keith Brace, 'Secret Memo clears Hitler - Irving', *The Birmingham Post*, 9 March 1978, and Daniel W. Michaels, 'Nuremberg: Woe to the Vanquished', review of Irving's *Nuremberg*, *Journal of Historical Review*, Vol. 17 (1998), No. 1, p. 46, citing the memorandum again.

[2]Cited by Irving in his court Plea Part IV page 14. See also Irving, *Goebbels*, p. 388, where he describes the document as a 'ruling that remarkably few historians now seem disposed to quote'.

[3]Eberhard Jäckel, 'Der Zettel mit dem schlimmen Wort', *Frankfurter Allgemeine Zeitung*, 22 June 1978.

[4]Jäckel to Irving, 20 Feb. 1978 (doc. 591 in Pleadings Bundle) and Irving to Jäckel, 22 March 1978 (doc. 601).

[5]BA Berlin R22/52. German text: Herr Reichsminister Lammers teilte mir mit, der Führer habe ihm gegenüber wiederholt mitgeteilt, daß er die Lösung der Judenfrage bis nach dem Kriege zurückgestellt wissen wolle. Demgemäß haben die gegenwärtigen Erörterungen nach Meinung von Herrn Reichsminister Lammers lediglich theoretischen Wert. Er werde aber auf alle Fälle dafür besorgt sein, daß nicht durch einen überraschenden Vortrag von anderer Stelle ohne sein Wissen grundsätzliche Entscheidungen gefällt werden.

[6]Office of U.S. Chief of Counsel for Prosecution of Axis Criminality, Staff Evidence Analysis, 22 June 1946; Third Supplemental Discovery List by Irving, folder 51 (b).

[7]BA Berlin R 22/52, Bl. 155: Schlegelberger to Lammers, 12.3.1942.

[8]Ibid., Bl. 156: Lammers to Schlegelberger, 18.3.1942.

[9]Ibid., Bl. 157-158: Schlegelberger to Klopfer et al, 5.4.1942.

[10]Ibid., Bl. 154: Vermerk, Ministeraldirigent Lutterloh, 21.11.1941: 'Im Hinblick auf die derzeitige Lage der Juden schweben im Hause Erörterungen, ob den Juden die Prozeßfähigkeit zu entziehen und ihre Vertretung vor Gericht anders zu regeln ist. Hierfür ist entscheidend, ob mit einer sofortigen Abschiebung aller Juden gerechnet werden kann.'

[11]P. Longerich, *Politik der Vernichtung* (Munich, Zurich, 1998), esp. 475, 513: 'Vorgriffe auf die erst nach dem Kriegsende in vollem Umfang durchzuführende "Endlösung"'.

[12]E. Jäckel, *Frankfurter Allgemeine Zeitung*, 11 June 1978, translated (by H. D. Kirk) in *David Irving's Hitler* (Port Angeles, Brentwood Bay, 1993), pp. 35-36; N. Stoltzfus, *Resistance of the Heart. Intermarriage and the Rosenstrasse Protest in Nazi Germany* (London, 1991), p. 171; P. Hoffmann, 'Hitler's good Right Arm', *The New York Times*, 28 May 1989.

[13]Dr. R. Kempner to Elke Fröhlich, 10.6.1972; Third Supplemental Discovery List by Irving, folder 51 (b).

[14]Irving, *Hitler's War* (1991 ed.), p. 464.

[15]*Law for the Protection of German Blood and German Honour*, and *Reich Citizenship Law*, 15.9.1935; reprinted in J. Noakes, G. Pridham (eds.), *Nazism*, Vol. 2 (Exeter, 1984), pp. 535-537.

[16]*First Supplementary Decree to the Reich Citizenship Law*, 14 November 1935; reprinted in J. Noakes, G. Pridham (eds.), *Nazism*, Vol. 2 (Exeter, 1984), pp. 538-9. In this Report, the term 'half-Jews' will be used to refer to 'half-Jews of the first degree' only.

[17]J. Noakes, 'Nazi Policy towards German-Jewish "Mischlinge"', *Leo Baeck Institute Yearbook*, 34 (1989), pp. 291-354, here pp. 293, 310, 324-328, 337-341.

[18]Minutes of the Wannsee conference of 20 January 1942; in J. Noakes, G. Pridham (eds.), *Nazism*, Vol. 3 (Exeter, 1988), pp. 1127-1134, here p. 1131.

[19]Interrogation of Adolf Eichmann, 24.7.1961; in P. Longerich (ed.), *Die Ermordnung der europäischen Juden* (Munich, Zurich, 1989), pp. 92-94, here p. 93.

[20]Heydrich to Luther, 21.1.1942 (?); Third Supplemental Discovery List by Irving, folder 51 (b): 'Grundlinie hinsichtlich der Endlösung der Judenfrage festgelegt ist und seitens der hieran beteiligten Stellen völlige Übereinstimmung herrscht...'

[21]Minutes of the Wannsee conference of 20 January 1942; in J. Noakes, G. Pridham (eds.), *Nazism*, Vol. 3 (Exeter, 1988), pp. 1127-1134, here pp. 1131-1133.

[22]J. Noakes, 'Nazi Policy towards German-Jewish "Mischlinge"', *Leo Baeck Institute Yearbook*, 34 (1989), pp. 291-354, here p. 342.

[23]Minutes of the Wannsee conference of 20 January 1942; in J. Noakes, G. Pridham (eds.), *Nazism*, Vol. 3 (Exeter, 1988), pp. 1127-1134, here p. 1133.

[24]Heydrich to Luther, 21.1.1942 (?); Third Supplemental Discovery List by Irving, folder 51 (b).

[25] See, for instance, P. Longerich, *Politik der Vernichtung* (Munich, 1998), pp. 466-472.

[26]The minutes of the conference on 6 March 1942 define the subject of the conference as

a 'Besprechung über die Endlösung der Judenfrage'; BA Berlin, 99 US 58013, Besprechungsniederschrift, ND: NG-2586.

[27]The official minutes are: BA Berlin, 99 US 58013: Besprechungsniederschrift der Besprechung über die Endlösung der Judenfrage, 6.3.1942, ND: NG-2586; See also the notes of the Foreign Office representative Rademacher at the meeting, ibid., Aufzeichnung der Sitzung über weitere Behandlung der Judenfrage am 6.3.1942, ND: NG-2586.

[28]BA Berlin, 99 US 58013: Besprechungsniederschrift der Besprechung über die Endlösung der Judenfrage, 6.3.1942, ND: NG-2586; Ibid., Rademacher, Aufzeichung der Sitzung über die weitere Behandlung der Judenfrage am 6.3.1942, ND: NG-2586.

[29]BA Berlin, 99 US 58013: Stuckart an Klopfer et al, 16.3.1942, ND: NG-2586: 'Betrifft: Endlösung der Judenfrage… die Halbjuden den Juden gleichzustellen und sie in die für Juden gegenwärtig bereits in Gang befindliche Abschiebungsaktion einzubeziehen…. natürliche Aussterben der Halbjuden innerhalb des Reichsgebiets"

[30]'die ich zum großen Teil für völlig unmöglich halten muß. Da das Ergebnis der Besprechungen, an denen ja auch ein Referent Ihres Hauses teilgenommen hat, die Unterlage für die Entschließung des Führers bilden soll, wäre es mir dringend erwünscht, mich noch rechtzeitig mit Ihnen persönlich über die Angelegenheit zu unterhalten'; BA Berlin R 22/ 52, Bl. 155: Schlegelberger an Lammers, 12.3.1942.

[31]Ibid., Bl. 156: Lammers an Schlegelberger, 18.3.1942: 'Betrifft: Endlösung der Judenfrage…..Die Endlösung der Judenfrage setzt eine klare und für immer maßgebende Abgrenzung des Personenkreises voraus, für den die in Aussicht genommenen Maßnahmen getroffen werden sollen…die Verhinderung der Fortpflanzung dieser Mischlinge ihrer Gleichbehandlung mit den Volljuden und der hiermit verbundenen Abschiebung vorzuziehen ist…Den fortpflanzungsfähigen Halbjuden sollte die Wahl gelassen werden, sich der Unfruchtbarmachung zu unterziehen oder in gleicher Weise wie Juden abgeschoben zu werden…Gegen eine zwangsweise Scheidung, etwa auf Antrag des Staatsanwalts, bestehen erhebliche Bedenken. Ein solcher Zwang ist unnötig, weil die Ehegatten durch die Abschiebung des jüdischen Teils ohnehin von einander getrennt werden. Eine Zwangsscheidung ist aber auch zwecklos, weil sie, wenn auch das Band der Ehe, so doch nicht die etwaige innere Verbundenheit der Ehegatten aufhebt….Betrifft: Gesamtlösung der Judenfrage.

[32]E. Jäckel, 'Noch einmal: Irving, Hitler und der Judenmord', *Frankfurter Allgemeine Zeitung*, 22.6.1978; reprinted in P. Märthesheimer, I. Frenzel (eds.), *Im Kreuzfeuer* (Frankfurt a.M., 1979), pp. 163-166, here p. 165.

[33]BA Berlin, Film 44565: Vernehmung von Franz Rademacher, 2.10.1947.

[34]BA Berlin, Film 44996: Vernehmung von Edinger Ancker, 11.6.1947.

[35]BA Berlin, Film 44312: Vernehmung von Hans Ficker, 11.6.1947.

[36]BA Berlin, Film 44312, Vernehmung von Hans Ficker, 19.12.1946; ibid., Vernehmung von Hans Ficker, 20.12.1946; ibid., Vernehmung von Hans Ficker, 19.2.1947.

[37]Ibid., Vernehmung von Hans Ficker, 20.12.1946: 'in keiner Weise sachlich Stellung zu nehmen, sondern nur vom Ergebnis dieser Sitzung zu berichten. Dies tat Boley; auf Grund seines schriftlichen Sitzungsberichts wurde dem Minister [Lammers] vorgeschlagen, bereits jetzt, also bevor die zustaendigen Abteilungsleiter oder Staatssekretaere sich geaeussert hatten, dem Fuehrer Vortrag zu halten und diesem vorzuschlagen, das gesamte Problem bis auf weiteres zurueckzustellen. Dieser Vortrag ist erfolgt und Hitler entschied, dass diese sogenannte "Endlösung" zunaechst bis Kriegsende zurueckgestellt werden solle. Dies wurde nach meiner Meinung dem Reichssicherheitshauptamt mitgeteilt. Bevor diese Entscheidung eingeholt worden war, hatte der Staatsekretaer Schlegelberger, der damals mit der Fuehrung

der Geschaefte des Reichsjustizministeriums beauftragt war, einen Brief geschrieben der, glaube ich, an verschiedene Empfaenger, darunter auch an den Reichsminister Lammers gerichtet war...Da inzwischen die Entscheidung des Hitler ergangen war, war es erforderlich, den Staatssektretaer Schlegelberger hiervon zu unterrichten.'

[38]Ibid., Vernehmung von Hans Ficker, 19.2.1947: 'ging Lammers sofort zu Hitler und sagte, dieser Vorschlag ist gemacht worden, das geht nicht, wir muessen diese Angelegenheit zurueckstellen. Und daraufhin kam er mit einem Bescheid von Hitler wieder, die ganz Angelegenheit wird bis Kriegsende zurückgestellt.'

[39]Ibid., Vernehmung von Hans Ficker, 11.6.1947: 'hat einen Vermerk ueber die Sitzung vorgelegt...Lammers war nicht in Berlin. Wir haben damals die Sache mit einem Vermerk von Boley vorgelegt und Kritzinger war damit einverstanden, dass die Sache bis nach Kriegsende zurueckgestellt werden solle. Nach dem Vortrag beim Fuehrer kam auch der Minister [Lammers] mit demselben Vermerk zurueck.'

[40]BA Berlin, Film 55001: Vernehmung von Gottfried Boley, 10.6.1947: 'Das Protokoll wurde an die einzelnen Ressorts gesandt und diese sollten sich dazu aeussern. Die Reichskanzlei hat in ziemlich unhoeflicher Form nach Wochen eine Aufforderung [of the Reich Security Head Office] bekommen...Stellung zu nehmen. Daraufhin wurde zurueckgeschrieben, dass wir eine Stellungnahme ablehnen. Damit war die Sache fuer uns und auch fuer mich erledigt. Wie mir Lammers in einem Gespraech nach dem Kriege noch erzaehlte, will er durch einen Vortrag bei Hitler verhindert haben, das durchzufuehren.'

[41]J. Noakes, 'Nazi Policy towards German-Jewish "Mischlinge"', *Leo Baeck Institute Yearbook*, 34 (1989), pp. 291-354, here pp. 310, 333-4; H. Picker (ed.), *Hitlers Tischgespräche im Führerhauptquartier* (Berlin, 1997), p. 394: 'bedauere die vielen Ausnahmen, die die Wehrmacht bei der Einstellung fünfzig-prozentiger Juden-Mischlinge mache. Denn die Erfahrung beweise, daß aus diesen Judennachkommen doch vier, fünf, sechs Generationen lang immer wieder reine Juden ausmendeln. Diese ausgemendelten Juden bedeuten eine große Gefahr! Er werde jetzt grundsätzlich nur noch in ganz besonderen Fällen Ausnahmen zulassen.' 'Ausmendeln' refers to Hitler's (wholly spurious) application to human genetics Mendelian theory of heredity; for example, the union of a black cat and a white cat will give rise not necessarily to a litter of black-and-white cats; a few of the kittens may be pure black, or pure white.

[42]I. Kershaw, *The Nazi Dictatorship* (London, 1989), p. 71.

[43]Stoltzfus, *Resistance of the Heart*; J. Noakes, 'Nazi Policy' p. 354.

[44]ND: NG-5035; see R.M.W. Kempner, *Eichmann und Komplizen* (Zurich, Stuttgart, Vienna, 1961), p. 166.

[45]Cited in Noakes, 'Nazi Policy' p. 346; italics in original.

[46]See E. Klee, *Auschwitz, die NS-Medizin und ihre Opfer* (Frankfurt a.M., 1997), pp. 436-439.

[47]Institut für Zeitgeschichte, G 01/106: Besprechungsniederschrift der Besprechung über die Endlösung der Judenfrage am 27.10.1942; underlined in original: 'neue Erkenntnisse und Erfahrungen auf dem Gebiete der Unfruchtbarmachungnew es wahrscheinlich ermöglichen werden, die Sterilisation in vereinfachter Form und in einem verkürzten Verfahren schon während des Krieges durchzuführen. Mit Rücksicht hierauf wurde dem Vorschlag, sämtliche fortpflanzungsfähigen Mischlinge ersten Grades unfruchtbar zu machen, zugestimmt.'

[48]Irving, *Hitler's War* (1991 ed.), p. 18; David Irving, press release, 6.3.1978, Third Supplemental Discovery List by Irving.

[49]BA Berlin, R 22/1238, Bl. 286: Der Reichsminister der Justiz an den Oberreichsanwalt beim Volksgerichtshof, die OLG Präsidenten, die Generalstaatsanwälte, 16.4.1942.

[50]BA R 22/4062, Bl. 35a-37: Besprechung mit Reichsführer SS Himmler am 18.9.1942 in seinem Feldquartier. For the implementation of this agreement, see N. Wachsmann, '"Annihilation through Labour". The Killing of State Prisoners in the 'Third Reich", *Journal of Modern History* (forthcoming, 1999).

[51]BA Berlin, 99 US 2 FC, 585, Microfilm 22933, Bl. 287: Thierack an Bormann, 13.10.1942; ND NG-558: 'die Justiz nur in kleinen (sic!) Umfange dazu beitragen kann, Angehoerige dieses Volkstums auszurotten...Es hat auch keinen Sinn, solche Personen Jahre hindurch in deutschen Gefaegnissen und Zuchthaeusern zu konservieren...Dagegen glaube ich, dass durch die Auslieferung solcher Personen an die Polizei, die sodann frei von gesetzlichen Straftatbestaenden ihre Massnahmen treffen kann, wesentlich bessere Ergebnisse erzielt werden.'

[52]Interrogation of Franz Schlegelberger, IMT, Vol. XX, pp. 300-301.

[53]BA Berlin, R 22/4062: Thierack Vermerk über eine Besprechung mit Goebbels, 26.10.1942; cited in J. Noakes, 'Nazi Policy towards German-Jewish "Mischlinge"', *Leo Baeck Institute Yearbook*, 34 (1989), pp. 291-354, here p. 347.

[54]Irving, *Hitler's War* (1991 ed.), p. 464.

[55]Peter Hoffmann, 'Hitler's Good Right Arm', *The New York Times*, 28 May 1989.

[56]Eberhard Jäckel, 'Der Zettel', also 'Noch einmal: Irving, Hitler und der Judenmord', in Marthesheimer and Frevel (eds.), *Im Kreuzfeuer*, pp. 163-66.

[57]J. Noakes, G. Pridham (eds.), *Nazism 1919-1945*, Vol. 3 (Exeter, 1988), pp. 922-957, C. Browning, 'Nazi Resettlement Policy and the Search for a Solution to the Jewish Question', in idem., *The Path to Genocide* (Cambridge, 1992), pp. 3-27.

[58]G. Aly, *'Endlösung'. Völkerverschiebung und der Mord an den europäischen Juden* (Frankfurt a.M., 1995).

[59]The protocol of the Wannsee conference on 20 January 1942 gives a figure of 2,284,000; reprinted in J. Noakes, G. Pridham (eds.), *Nazism 1919-1945*, Vol. 3 (Exeter, 1988), pp.1127-1134.

[60]Noakes and Pridham (eds.), *Nazism* Vol. 3, pp. 1050-1085; C. Browning, 'Nazi Ghettoization Policy in Poland, 1939-1941', in idem, *The Path to Genocide* (Cambridge, 1992), pp. 28-58.

[61]'Directives for the behaviour of the troops in Russia', reprinted in Noakes and Pridham (eds.) *Nazism*, Vol. 3, p. 1090.

[62]Einsatzgruppe A, Gesamtbericht bis zum 15. Oktober 1941, Anlage 8: 'Übersicht über die Zahl der bisher durchgeführten Exekutionen'; reprinted in *Der Prozess gegen die Hauptkriegsverbrecher vor dem Internationalen Militärgerichtshof Nürnberg* (Nuremberg, 1949), Vol. XXXVII, pp. 670-717 (ND-180-L).

[63]J. Noakes, G. Pridham (eds.), *Nazism 1919-1945*, Vol. 3 (Exeter, 1988), p. 1145; see also D. Pohl, 'Die Ermordung der Juden im Generalgovernement', in U. Herbert (ed.), *Nationalsozialistische Vernichtungspolitk 1939-1945. Neue Forschungen und Kontroversen* (Frankfurt a.M., 1998), pp. 98-121, here 103; D. Pohl, *Von der "Judenpolitik" zum*

Judenmord (Frankfurt am Main, 1993), pp. 99-101.

[64] H. Friedländer, *The Origins of Nazi Genocide* (Chapel Hill, 1995).

[65]M. Burleigh, *Death and Deliverance* (Cambridge, 1994).

[66]E. Kogon *et al.* (eds.), *Nationalsozialistische Massentötungen durch Giftgas* (Frankfurt a. M., 1983), pp. 151-156, 165-170; Pohl, *Von der "Judenpolitik"*, pp. 105, 113-14.

[67] E. Kogon *et al.* (eds.), *Nationalsozialistische Massentötungen,* pp. 157-180; F. Golczewski, 'Polen', in W. Benz (ed.), *Dimension des Völkermords* (Munich, 1991), pp.411-498, here 463.

[68]R. Hilberg, 'Die Aktion Reinhard', in E. Jäckel, J. Rohwer (eds), *Der Mord an den Juden im Zweiten Weltkrieg* (Stuttgart, 1985), 125-136, here 131.

[69]C. Browning, *Ordinary Men. Reserve Police Batallion 101 and the Final Solution in Poland* (New York, 1993).

[70]Cited in Noakes and Pridham (eds.), *Nazism,* Vol. 3 (Exeter, 1988), p. 1169.

[71]Irving, *Hitler's War* (London, 1977), p. 392.

[72]'Aus dem Generalgovernement werden jetzt, bei Lublin beginnend, die Juden nach dem Osten abgeschoben. Es wird hier ein ziemlich barbarisches und nicht näher zu beschreibendes Verfahren angewandt, und von den Juden selbst bleibt nicht mehr viel übrig. Im großen kann man wohl feststellen, daß 60 % davon liquidiert werden müssen, während nur noch 40 % in die Arbeit eingesetzt werden können. Der ehemalige Gauleiter von Wien, der diese Aktion durchführt, tut das mit ziemlicher Umsicht und auch mit einem Verfahren, das nicht allzu auffällig wirkt. An den Juden wird ein Strafgericht vollzogen, das zwar barbarisch ist, das sie aber vollauf verdient haben. Die Prophezeiung, die der Führer ihnen für die Herbeiführung eines neuen Weltkriegs mit auf den Weg gegeben hat, beginnt sich in der furchtbarsten Weise zu verwirklichen. Man darf in diesen Dingen keine Sentimentalitäten obwalten lassen. Die Juden würden, wenn wir uns ihrer nicht erwehren würden, uns vernichten. Es ist ein Kampf auf Leben und Tod zwischen arischer Rasse und dem jüdischen Bazillus. Keine andere Regierung und kein anderes Regime könnte die Kraft aufbringen, diese Frage generell zu lösen. Auch hier ist der Führer der unentwegte Vorkämpfer und Wortführer einer radikalen Lösung, die nach Lage der Dinge geboten ist und deshalb unausweichlich erscheint. Gott sei Dank haben wir jetzt während des Krieges eine ganze Reihe von Möglichkeiten, die uns im Frieden verwehrt wären. Die müssen wir ausnutzen. Die in den Städten des Generalgovernements freiwerdenden Ghettos werden jetzt mit den aus dem Reich abgeschobenen Juden gefüllt, und hier soll sich dann nach einer gewissen Zeit der Prozeß erneuern. Das Judentum hat nichts zu lachen...'; in E. Fröhlich (ed.), *Die Tagebücher von Joseph Goebbels*, Teil II, Vol. 3 (Munich, New Providence, London, Paris, 1994), p. 561. Goebbels's initial claim, that the Jews were being pushed out of the General Government to the East, was not in fact realised; not only did the majority regarded as unfit for work remain in the General Government, to be exterminated, but the rest stayed here too, and were also exterminated in increasing numbers in the course of 1942. (Note on the translation: 'Das Judentum' and 'die Juden' are used interchangeably).

[73]Irving, *Hitler's War* (London, 1991), pp. 464-465.

[74]Irving: Reply to the Defence of the Second Defendant, p. 18.

[75]'Wenn auch nur ein Staat aus irgendwelchen Gründen eine jüdische Familie bei

sich dulde, so würde diese der Bazillenherd für eine neue Zersetzung werden'; cited in A. Hillgruber, 'Die "Endlösung" und das deutsche Ostimperium als Kernstücke des rassenideologischen Programms des Nationalsozialismus', in *Vierteljahreshefte für Zeitgeschichte* 20 (1972), pp. 133-153, here p.142.

[76]'Bezüglich der Judenfrage ist der Führer entschlossen, reinen Tisch zu machen. Er hat den Juden prophezeit, daß, wenn sie noch einmal einen Weltkrieg herbeiführen würden, sie dabei ihre Vernichtung erleben würden. Das ist keine Phrase gewesen. Der Weltkrieg ist da, die Vernichtung des Judentums muß die notwendige Folge sein. Die Frage ist ohne jede Sentimentalität zu betrachten. Wir sind nicht dazu da, Mitleid mit den Juden, sondern nur Mitleid mit unserem deutschen Volk zu haben'; cited in E. Fröhlich (ed.), *Die Tagebücher von Joseph Goebbels*, Teil II, Vol. 2 (Munich, 1996), pp. 498, diary entry for 13.12.1941.

[77]Irving, *Goebbels*, p. 387.

[78]For example, see the Goebbels diary entry for 22 November 1941: 'With reference to Jewish mixed marriages, the Führer recommended to me a somewhat more reserved procedure, above all in artistic circles, because he is of the opinion that these marriages will in any case gradually die out, and one should not allow any grey hair to grow on one's head over it'; cited in E. Fröhlich (ed.), *Die Tagebücher von Joseph Goebbels*, Teil II, Vol. 2 (Munich, 1996), p. 341.

[79]Irving, *Hitler's War* (London, 1991), p. 814.

[80] Irving, *Hitler's War* (London, 1977) p. 392.

[81] E. Fröhlich (ed.), *Die Tagebücher von Joseph Goebbels*, Teil II, Vol. 3 (Munich, 1996), pp. 578-583.

[82]'Wir sprechen zum Schluß noch über die Judenfrage. Hier bleibt der Führer nach wie vor unerbittlich. Die Juden müssen aus Europa heraus, wenn nötig, unter Anwendung der brutalsten Mittel'; Fröhlich (ed.), *Die Tagebücher von Joseph Goebbels*, Teil II, Vol. 3, p. 513.

[83]Irving, *Hitler's War* (London, 1991), p. 464-465.

[84]Irving's reply to the defence of the second defendant, p. 17.

[85]Irving, *Hitler's War* (London, 1977), p. 392; Irving, *Hitler's War* (London, 1991), pp. 465-466.

[86]'Das Bemerkenswerte daran sei, daß dieses Bürgertum sich seinerzeit aber nicht darum gekümmert habe, daß jährlich 250 000 bis 300 000 deutsche Menschen aus Deutschland auswanderten und ca. 75 Prozent der deutschen Auswanderer nach Australien bereits auf der Reise starben. Keine Bevölkerungsschicht sei in politischen Dingen blöder als dieses sogennante Bürgertum. Wenn man von Staats wegen einen ausgesprochenen Volksschädling unschädliche mache, zum Beispiel totschlage, dann schreie das ganze Bürgertum, der Staat sei ein brachialer Staat. Wenn aber der Jude den deutschen Menschen...zur Auswanderung treibe, und der deutsche Mensch dann auf der Fahrt nach seinem Auswanderungsziel sein Leben verliere, so nenne das Bürgertum den Staat, in dem das möglich sei, einen Rechtsstaat...'Um eben denselben Juden, der damals diesen Dolchstoß geführt habe, lamentiere heute unser sogenanntes Bürgertum, wenn er nach dem Osten abgeschoben werde. Das Bemerkenswerte daran sei, daß dieses Bürgertum sich seinerzeit aber nicht darum gekümmert habe, daß jährlich 250 000 bis 300 000 deutsche Menschen aus Deutschland auswanderten und ca. 75 Prozent der deutschen Auswanderer nach Australien

bereits auf der Reise starben. Keine Bevölkerungsschicht sei in politischen Dingen blöder als dieses sogennante Bürgertum. Wenn man von Staats wegen einen ausgesprochenen Volksschädling unschädliche mache, zum Beispiel totschlage, dann schreie das ganze Bürgertum, der Staat sei ein brachialer Staat. Wenn aber der Jude den deutschen Menschen...zur Auswanderung treibe, und der deutsche Mensch dann auf der Fahrt nach seinem Auswanderungsziel sein Leben verliere, so nenne das Bürgertum den Staat, in dem das möglich sei, einen Rechtsstaat...Daß der Jude als Parasit der klimafesteste Mensch der Erde sei und sich im Gegensatz zum Deutschen in Lappland genauso wie in den Tropen einlebe, das bedenke natürlich kein einziger, der seine Krokodilstränen hinter einem nach dem Osten abtransportierten Juden herweine. Dabei handelt es sich bei diesem Spießer aber in der Regel um einen Menschen, der sich auf seine Bibelfestigkeit etwas einbilde, trotzdem aber nicht wisse, daß nach den Berichten des Alten Testaments dem Juden weder ein Aufenthalt in der Wüste noch ein Marsch durchs Rote Meer etwas anhaben könne'; H. Picker, *Hitlers Tischgespräche im Führerhauptquartier* (Berlin, 1997), pp. 434-436.

87'Ich spreche mit dem Führer noch einmal ausführlich die Judenfrage durch. Sein Standpunkt diesem Problem gegenüber ist unerbitterlich. Er will die Juden absolut aus Europa herausdrängen. Das ist auch richtig so. Die Juden haben unserem Erdteil so viel Leid zugefügt, daß die härteste Strafe, die man über sie verhängen kann, immer noch zu milde ist. Himmler betreibt augenblicklich die große Umsiedlung der Juden aus den deutschen Städten nach den östlichen Ghettos'; E. Fröhlich (ed.), *Die Tagebücher von Joseph Goebbels*, Teil II, Vol. 4 (Munich, 1996), p. 184. In his translation of this passage, Irving fails to translate the last sentences; see Irving, *Hitler's War* (London, 1991), p. 465.

88Picker recorded Hitler as saying that Jews were 'das klimafesteste Wesen' and 'gediehen überall, sogar in Lappland und Sibirien'; Picker, *Hitlers Tischgespräche* (Berlin, 1997), p. 262

89See D. Bankier, 'The Use of Antisemitism in Nazi wartime propaganda', in M. Berenbaum, A. J. Peck (eds.), *The Holocaust in History. The Known, the Unknown, the Disputed, and the Reexamined* (Bloomington, Indianapolis, 1998), pp. 41-55; V. Ulrich, '"Wir haben nichts davon gewußt" - Ein deutsches Trauma', *1999. Zeitschrift für Sozialgeschichte des 20. und 21. Jahrhunderts*, vol. 4 (October 1991), pp. 11-46.

90'Wir reden über das Judenproblem. Der Führer ist der Überzeugung, daß seine damalige Prophezeiung im Reichstag, daß, wenn es dem Judentum gelänge, noch einmal einen Weltkrieg zu provozieren, er mit der Vernichtung der Juden enden würde, sich bestätigt. Sie bewahrheitet sich in diesen Wochen und Monaten mit einer fast unheimlich anmutenden Sicherheit. Im Osten müssen die Juden die Zeche bezahlen; in Deutschland haben sie sie zum Teil schon bezahlt und werden sie in Zukunft noch mehr bezahlen müssen. Ihre letzte Zuflucht bleibt Nordamerika; und dort werden sie über kurz oder lang auch einmal bezahlen müssen'; E. Fröhlich (ed.), *Die Tagebücher von Joseph Goebbels*, Teil II, Vol. 1 (Munich, 1996), p. 269.

91'Vor dem Reichstag habe ich dem Judentum prophezeit, der Jude werde aus Europa verschwinden, wenn der Krieg nicht vermieden bleibt. Diese Verbrecherrasse hat die zwei Millionen Toten des Weltkrieges auf dem Gewissen, jetzt wieder Hundertausende. Sage mir keiner: Wir können sie doch nicht in den Morast schicken! Wer kümmert sich denn um unsere Menschen? Es ist gut, wenn uns der Schrecken vorangeht, daß wir das Judentum ausrotten...Ich bin gezwungen, ungeheuer viel bei mir aufzuhäufen; das bedeutet aber nicht, daß in mir erlischt, was ich, ohne gleich zu reagieren, zur Kenntnis nehme. Es kommt auf ein Konto; eines Tages wird das Buch herausgezogen. Auch den Juden gegenüber mußte ich lange tatenlos bleiben'; cited in W. Jochmann (ed.), *Monologe im Führerhauptquartier 1941-44. Die Aufzeichnungen Heinrich Heims* (Hamburg, 1980), pp. 106-108.

[92]Record of the conversation between the Führer and the Grand Mufti of Jerusalem on 28.11.1941; *Documents on German Foreign Policy 1918-1945*, Series D, Vol. XIII, pp. 881-885.

[93]'Bezüglich der Judenfrage ist der Führer entschlossen, reinen Tisch zu machen. Er hat den Juden prophezeit, daß, wenn sie noch einmal einen Weltkrieg herbeiführen würden, sie dabei ihre Vernichtung erleben würden. Das ist keine Phrase gewesen. Der Weltkrieg ist da, die Vernichtung des Judentums muß die notwendige Folge sein. Die Frage ist ohne jede Sentimentalität zu betrachten. Wir sind nicht dazu da, Mitleid mit den Juden, sondern nur Mitleid mit unserem deutschen Volk zu haben'; cited in E. Fröhlich (ed.), *Die Tagebücher von Joseph Goebbels*, Teil II, Vol. 1 (Munich, 1996), pp. 498, diary entry for 13.12.1941.

[94]'stände auf dem Standpunkt, von der Ausrottung des Judentums nicht zu sprechen. Der Führer bejahte diese Haltung und sagte, sie hätten uns den Krieg aufgebürdet und sie hätten die Zerstörung gebracht, es sei kein Wunder, wenn die Folgen sie zuerst träfen': Vermerk über Unterredung beim Führer am 14.12.1941, gez. Rosenberg v. 16.12.1941, BDC, SL 47 (F); cited in C. Gerlach, *Krieg, Ernährung, Völkermord* (Hamburg, 1998), pp. 121-2.

[95]'Wenn ich heute den Juden herausnehme, dann wird unser Bürgertum unglücklich: was geschieht denn mit ihnen? Aber haben sich die Gleichen darum gekümmert, was aus den Deutschen werden würde, die auswandern mussten? Man muss es schnell machen, es ist nicht besser, wenn ich einen Zahn alle drei Monate um ein paar Zentimenter herausziehen lasse -, wenn er herrausen ist, ist der Schmerz vorbei. Der Jude muss aus Europa heraus. Wir kriegen sonst keine europäische Verständigung. Er hetzt am meisten überall. Letzten Endes: ich weiss nicht, ich bin kolossal human. Zur Zeit der päpstlichen Herrschaft in Rom sind die Juden mißhandelt worden. Bis 1830 wurden acht Juden jedes Jahr durch die Stadt getrieben, mit Eseln. Ich sage nur, er muss weg. Wenn er dabei kaputt geht, da kann ich nicht helfen. Ich sehe nur eines: die absolute Ausrottung, wenn sie nicht freiwillig gehen. Warum soll ich einen Juden mit anderen Augen ansehen als einen russischen Gefangenen? Im Gefangenenlager sterben Viele, weil wir durch die Juden in diese Lage hineingetrieben sind. Aber was kann denn ich dafür? Warum haben die Juden denn den Krieg angezettelt?': Hitler table talk on 25.1.1942, recorded by H. Heim; Third Supplemental Discovery List by Irving, folder 51 (b).

[96]Irving, *Hitler's War* (London, 1991), p. 464.

[97]'Ich habe am 1. September 1939 im Deutschen Reichstag es schon ausgesprochen - und ich hüte mich vor voreiligen Prophezeiungen -, daß dieser Krieg nicht so ausgehen wird, wie es sich die Juden vorstellen, nämlich daß die europäisch-arischen Völker ausgerottet werden, sondern daß das Ergebnis dieses Krieges die Vernichtung des Judentums sein wird. Zum erstenmal wird diesmal das echt altjüdische Gesetz angewendet: "Aug' um Aug', Zahn um Zahn!"'; Cited in M. Domarus, *Hitler. Reden und Proklamationen*, Band II, Zweiter Halbband (Wiesbaden, 1973), p. 1829.

[98]' Der Führer gibt noch einmal seiner Meinung Ausdruck, daß er entschlossen ist, rücksichtslos mit den Juden in Europa aufzuräumen. Hier darf man keinerlei sentimentalen Anwandlungen haben. Die Juden haben die Katastrophe, die sie heute erleben, verdient. Sie werden auch ihre eigene Vernichtung erleben. Wir müssen diesen Prozeß mit einer kalten Rücksichtslosigkeit beschleunigen, und wir tun damit der leidenden und seit Jahrtausenden vom Judentum gequälten Menschheit einen unabschätzbaren Dienst. Diese klare judenfeindliche Haltung muß auch im eigenen Volke allen widerspenstigen Kreisen gegenüber durchgesetzt werden. Das betont der Führer ausdrücklich, auch nachher noch einmal im Kreise von Offizieren, die sich das hinter die Ohren schreiben können./ Die großen Chancen,

die dieser Krieg uns bietet, werden vom Führer in ihrer ganzen Tragweite erkannt. Er ist sich heute bewußt, daß er einen Kampf von gigantischer Weite ausficht und daß von dem Ausgang dieses Kampfes das Schicksal der gesamten gesitteten Menschheit abhängt': Goebbels diary entry of 15.2.1942; in E. Fröhlich (ed.), *Die Tagebücher von Joseph Goebbels*, Teil II, vol. 3 (Munich, 1994), pp. 320-1.

[99]'Es ist das eine der größten Revolutionen, die es je gegeben hat in der Welt. Der Jude wird erkannt werden! Der gleiche Kampf, den Pasteur und Koch haben kämpfen müssen, muß heute von uns geführt werden. Zahllose Erkrankungen haben die Ursache in einem Bazillus: dem Juden! Japan würde ihn auch bekommen haben, wenn es dem Juden weiter offen gestanden hätte. Wir werden gesunden, wenn wir den Juden eliminieren.' Hitler table talk on 22.2.1942; cited in Jochmann (ed.), *Monologe im Führerhauptquartier 1941-44*, p. 293.

[100]'Heute haben die Gedanken unserer nationalsozialistischen und die der faschistischen Revolution große und gewaltige Staaten erobert, und meine Prophezeiung wird ihre Erfüllung finden, daß durch diesen Krieg nicht die arische Menschheit vernichtet, sondern der Jude ausgerottet werden wird. Was immer auch der Kampf mit sich bringen oder wie lange er dauern mag, dies wird sein endgültiges Ergebnis sein. Und dann erst, nach der Beseitigung dieser Parasiten, wird über die leidende Welt eine lange Zeit der Völkerverständigung und damit des wahren Friedens kommen'; Cited in G. Aly, *'Endlösung'* (Frankfurt a.M., 1995), p. 404; see also VB, 26.2.1942, Domarus II, 1844.

[101]Aly, *'Endlösung'*, 278.

[102]R. Hilberg, *The Destruction of the European Jews* (New York, 1983), 619.

[103]Cited in J. Noakes, G. Pridham (eds.), *Nazism. 1919-1945*, Vol. 3 (Exeter, 1988), 1199.

[104]Document 112, Grundsätzlicher Befehl; in M. Moll (ed.), *"Führer-Erlasse" 1939-1945* (Stuttgart, 1997), p. 201.

[105]H. Picker, H. Hoffmann, *The Hitler Phenomenon* (London, 1974), p. 8.

[106]M. Broszat, 'Hitler und die Genesis der Endlösung', in *Vierteljahreshefte für Zeitgeschichte*, 1977, pp. 739-775, here 765.

[107]Burleigh, *Death and Deliverance*; Friedländer, *Origins of Nazi Genocid,* for the full story.

[108]Cited in J. Noakes, G. Pridham (eds.), *Nazism. 1919-1945*, Vol. 3 (Exeter, 1988), 1199.

[109]'Das Protokoll gibt die wesentlichen Punkte sachlich, korrekt wieder, nur natürlich ist es kein wortgetreues Protokoll, weil die, sagen wir mal, gewissen Auswüchse, gewisser Jargon der vorgebracht wurde, in dienstliche Worte von mir zu kleiden waren und dieses Protokoll ist, glaube ich, 3 oder 4 Mal von Heydrich korrigiert worden...'; questioning of Eichmann by his attorney, 23 June 1961; cited in K. Pätzold, E. Schwarz (eds.), *Tagesordnung Judenmord* (Berlin, 1992), p. 186.

[110]Eichmann trial, 24.7.1961; cited in G. Fleming, *Hitler and the Final Solution* (London, 1984), p. 92.

[111]Cited in P. Longerich (ed.), *Die Ermordung der europäischen Juden* (Munich, Zurich, 1989), pp. 85-87.

[112]See Expert Report by Prof. Browning

[113]' Ich plädiere also noch einmal für eine radikalere Judenpolitik, womit ich beim Führer nur offene Türen einrenne...Die Deutschen beteiligen sich an subversiven Bewegungen immer nur, wenn die Juden sie dazu verführen. Deshalb muß man die jüdische Gefahr liquidieren, koste es was es wolle...Deshalb wünscht der Führer auch gar nicht, daß die Juden nach

Sibirien evakuiert werden. Dort unter härtesten Lebensbedingungen würden sie zweifellos wieder ein lebenskräftiges Element darstellen. Er möchte sie lieber nach Zentralafrika ansiedeln. Dort leben sie in einem Klima, das sie gewiß nicht stark und widerstandsfähig macht. Jedenfalls ist es das Ziel des Führers, Westeuropa gänzlich judenfrei zu machen. Hier dürfen sie keine Heimstätte mehr haben'; E. Fröhlich (ed.), *Die Tagebücher von Joseph Goebbels*, Teil II, Vol. 4 (Munich, 1996), p. 406.

[114]Irving, *Hitler's War* (London, 1991), pp. 465-466; see also the edited version on p.395 of Irving, *Goebbels*, where the first sentence of the diary entry is also suppressed.

[115]Aly, *'Endlösung'*, pp. 268-279.

[116]Expert report by Dr. Longerich; see also P. Longerich, *Politik der Vernichtung* (Munich, 1998) for the wider context.

[117]Expert report by Dr. Longerich.

[118]Nach Beendigung des Krieges werde er sich rigoros auf den Standpunkt stellen, daß er Stadt für Stadt zusammenschlage, wenn nicht die Juden rauskämen und nach Madagaskar oder einem sonstigen jüdischen Nationalstaat abwanderten...Wenn ihm berichtet werde, daß heute auch Litauen judenfrei sei, so sei das bezeichnend'; H. Picker, *Hitlers Tischgespräche im Führerhauptquartier* (Stuttgart, 1976), p. 456.

[119]'Anstelle der Auswanderung ist nunmehr als weitere Lösungsmöglichkeit nach entsprechender vorheriger Genehmigung durch den Führer die Evakuierung der Juden nach dem Osten getreten'; cited in P. Longerich (ed.), *Die Ermordung der europäischen Juden* (Munich, Zurich, 1989), p.85.

[120]M. Brechtken, *'Madagaskar für die Juden'* (Munich, 1997), p. 293.

[121]Irving, *Hitler's War* (London, 1991), 466.

[122]'...Gruppenführer Heydrich vom Führer beauftragt worden ist, die Lösung der Judenfrage in Europa durchzuführen. Der Krieg gegen die Sowjetunion hat inzwischen die Möglichkeit gegeben, andere Territorien für die Endlösung zur Verfügung zu stellen. Demgemäß hat der Führer entschieden, daß die Juden nicht nach Madagaskar, sondern nach dem Osten abgeschoben werden sollen. Madagaskar braucht mithin nicht mehr für die Endlösung vorgesehen zu werden'; Hausmitteilung Rademacher to Bielfeld, 10.2.1942; reprinted in M. Brechtken, *'Madagaskar für die Juden'* (Munich, 1997), p. 279.

[123]Irving, *Hitler's War* (London, 1991), p. 423.

[124]M. Brechtken, *'Madagaskar für die Juden'* , p. 283, footnote 277.

[125]H. Picker, *Hitlers Tischgespräche im Führerhauptquartier* (Stuttgart, 1976), p. 293.

[126]E. Kogon *et al.* (eds.), *Nationalsozialistische Massentötungen durch Giftgas* (Frankfurt am.M., 1983).

[127]'Umsiedlung der gesamten jüdischen Bevölkerung des Generalgovernements bis 31. Dezember 1942 durchgeführt und beendet ist'. Befehl Himmlers an den HSSPF im Generalgovernement, Krüger, 19.7.1942; reprinted in P. Longerich (ed.), *Die Ermordung der europäischen Juden* (Munich, Zurich, 1989), pp. 201-202.

[128]'.Die besetzten Ostgebiete werden judenfrei. Die Durchführung dieses sehr schweren Befehls hat der Führer auf meine Schultern gelegt. Die Verantwortung kann mir ohnedies

niemand abnehmen. Also verbiete ich mir alles mitreden." Himmler to Berger, 28.7.1942; Third Supplemental Discovery List by Irving, folder 51 (b).

[129]'pure Heuchelei, allenfalls eine aus Gedankenspielereien geborene verbale Nebelkerze Hitlers, mit der er einen bekannten Topos, der zugleich einmal Gegenstand konkreter Planungen gewesen war, aufgriff, um die tatsächlich ablaufenden Maßnahmen gegen die Juden nicht beim Namen zu nennen'; M. Brechtken, *'Madagaskar für die Juden'* (Munich, 1997), pp. 281-282.

[130]Expert report by Dr. Longerich.

[131]'die Verschwiegenheit vergessen bei Dingen, für die in seiner Tafelrunde ebenso wie in der breiten Masse unseres Volkes die Resonanz fehlte. Man nehme nur die Judenverfolgung, die er der Tafelrunde gegenüber durch Vorarbeiten für die Einrichtung eines jüdischen Nationalstaates auf der Insel Madagaskar beziehungsweise in Innerafrika vernebelte.' Picker, *Hitlers Tischgespräche im Führerhauptquartier* (Berlin, 1997), p. 55; see also H. Picker, H. Hoffmann, *The Hitler Phenomenon* (London, 1974), p. 8.

[132]J. Noakes, G. Pridham (eds.), *Nazism 1919-1945*, Vol. 3 (Exeter, 1988), p. 1145; D.Pohl, *Von der "Judenpolitik" zum Judenmord* (Frankfurt am Main, 1993), pp. 99-101.

[133]G. Aly, *'Endlösung'. Völkerverschiebung und der Mord an den europäischen Juden* (Frankfurt a.M., 1995), p. 359; E. Kogon et al (ed.), *Nationalsozialistische Massentötungen durch Giftgas* (Frankfurt a.M., 1983), pp. 151-156, 165-170.

[134] E. Kogon et al (ed.), *Nationalsozialistische Massentötungen*,, pp. 157-165, 175-182

[135]BA Berlin, NS 19/3959; cited in P. Longerich, *Politik der Vernichtung* (Munich, Zurich, 1998), p. 510.

[136]M. Broszat, 'Hitler und die Genesis der "Endlösung"', in *Vierteljahreshefte für Zeitgeschichte* (1977), p. 766.

[137]'...dürfen sich keinerlei Personen jüdischer Herkunft mehr im Generalgovernement aufhalten'; Befehl Himmlers an den Höheren SS und Polizeiführer im Generalgovernement Krüger, 19.7.1942; reprinted in P. Longerich (ed.), *Die Ermordung der europäischen Juden* (Munich, Zurich, 1989), pp. 201-202.

[138]For example,D. Pohl, *Nationalsozialistische Judenverfolgung in Ostgalizien 1941-1944* (Munich, 1996), p. 403.

[139]'Die besetzten Ostgebiete werden judenfrei. Die Durchführung dieses sehr schweren Befehls hat der Führer auf meine Schultern gelegt. Die Verantwortung kann mir ohnedies niemand abnehmen. Also verbiete ich mir alles mitreden.' Himmler to Berger, 28.7.1942; Third Supplemental Discovery List by Irving, folder 51 (b).

[140]'...die ganze Judenaktion so schnell wie nur irgend möglich durchzuführen, damit man nicht eines Tages mitten drin steckenbliebe'; cited in P. Black, 'Odilo Globocnik - Himmlers Vorposten im Osten', in R. Smelser, E. Syring, R. Zitelmann (eds.), *Die Braune Elite II* (Darmstadt, 1993), pp. 103-115, here p. 111.

[141]Globocnik to Wolff, 22 July 1942, BDC Globocnik SS file, cited in R. Breitman, *The Architect of Genocide. Himmler and the Final Solution* (London, 1991), p. 238.

[142] E. Kogon et al (ed.), *Nationalsozialistische Massentötungen durch Giftgas* (Frankfurt a.M., 1983), p. 163.

[143]'Seit dem 22.7. fährt täglich ein Zug mit 5000 Juden von Warschau über Malkinia nach Treblinka, außerdem zweimal wöchentlich ein Zug mit 5000 Juden von Pzemysl nach Belzec; Nuremberg Document NO-2207, Ganzenmüller to Wolff, 28.7.1942.

[144]'Mit besonderer Freude habe ich von Ihrer Mitteilung Kenntnis genommen, dass nun schon seit 14 Tagen täglich ein Zug mit je 5.000 Angehörigen des auserwählten Volkes nach Treblinka fährt.'; Wolff to Ganzenmüller, 13.8.1942, Third Supplemental Discovery List by Irving, folder 51 (b).

[145]D. Pohl, 'Die Ermordung der Juden im Generalgovernement', in U. Herbert (ed.), *Nationalsozialistische Vernichtungspolitk 1939-1945. Neue Forschungen und Kontroversen* (Frankfurt a.M., 1998), pp. 98-121, here 98-99.

[146] E. Kogon et al (ed.), *Nationalsozialistische Massentötungen durch Giftgas* (Frankfurt a.M., 1983), p. 192; R. Hilberg, 'Die Aktion Reinhard', in E. Jäckel, J. Rohwer (eds), *Der Mord an den Juden im Zweiten Weltkrieg* (Stuttgart, 1985), 125-136, here 131.

[147] Noakes and Pridham (eds.), Nazism 1919-1945, Vol. 3, p. 1169.

[148]IV. Volkstum u. Siedlung

1) Judenauswanderung

Wie soll weiter verfahren werden?

1) Besiedlung Lublin

Lothringer Verhältnisse

Deutsche aus Bosnien. Gen. Gouv.

Bessarabien Globus

BA Berlin, NS 19/1447, Bl. 78-89, here 85: Vortrag beim Führer, Wehrwolf, 22.9.1942. Some historians have dated this document 7 October 1942, or 17 October 1942. However, examining the original file in the German Federal Archives on microfiche leaves doubt that the date for the meeting was 22 September 1942. Himmler's entry under the heading 'Volkstum u. Siedlung' continued, but the following points (settlement of the Crimea; registration of illegitimate children in Russia) are not relevant to the above topic.

[149]G. Fleming, *Hitler and the Final Solution* (London, 1985), p. 64.

[150]'...dafür, daß Hitler den Prozeß der Vernichtung aufmerksam verfolgte'; S. Friedländer, 'Vom Antisemitismus zur Judenvernichtung", in E. Jäckel, J. Rohwer (eds.), *Der Mord an den Juden im Zweiten Weltkrieg* (Stuttgart, 1985), p. 47.

[151]'...berichtete Himmler Hitler über die Judenvernichtung'; T. Sandkühler, '*Endlösung' in Galizien* (Bonn, 1996), p. 180.

[152] Pleadings, IV, p. 28.

[153]P. Longerich, *Politik der Vernichtung* (Munich, Zurich, 1998), p. 510.

[154]Himmler note, 9.10.1942; Third Supplemental Discovery List by Irving, folder 51 (b). See also P. Longerich, *Politik der Vernichtung* (Munich, Zurich, 1998), p. 510.

[155]There is no mention of the note, for instance, in R. Hilberg's *The Destruction of the European Jews* (New York, 1983); P. Longerich (ed.), *Die Ermordung der europäischen*

Juden (Munich, 1989); or L. Dawidowicz, T*he War against the Jews 1933-1945* (London, 1977).

156Irving, *Hitler's War* (London, 1991), 467.

157Eichmann trial, 24.7.1961; cited in G. Fleming, *Hitler and the Final Solution* (London, 1984), p. 92.

158P. Longerich (ed.), *Die Ermordung der europäischen Juden* (Munich, Zurich, 1989), pp. 85-87.

159R. Braham, *The Politics of Genocide*, Vol. I (New York, 1994), pp. 205-213; see also idem, 'The Kamenets Podolsk and Delvidek Massacres', in: *Yad Vashem Studies* 9 (1973), pp. 133-156.

160Sztójay report, 15.8.1942; cited in E Levai, *Black Book on the Martyrdom of Hungarian Jewry* (Zurich, Vienna, 1948), pp. 26-27.

161'die uns bewegen, nach dem Willen des Führers eine baldige und vollständige Lösung der Judenfrage in Europa anzustreben und die Ungarische Regierung zu bitten, auch ihrerseits die dazu erforderlichen Maßnahmen voranzutreiben… sofortige Kennzeichnung aller Juden …Aussiedlung und den Abtransport nach dem Osten'. Luther to German Embassy in Budapest, 14.10.1942, ND NG-5562; reprinted in R. L. Braham (ed.), *The Destruction of Hungarian Jewry*, vol. 1 (New York, 1963), document 75.

162Note from Sztójay to the German Foreign Office, 2.12.1942; reprinted in R. L. Braham (ed.), *The Destruction of Hungarian Jewry*, vol. 1 (New York, 1963), document 86.

163'Aussiedlung des Judentums aus Ungarn'; 'besitzt die Ungarische Regierung heute nicht die Möglichkeiten, noch besitzt sie die technischen Mitteln dazu um diesbezüglichen Regierungsmassnahmen eine praktische Geltung zu verschaffen.' Note from Sztójay to the German Foreign Office, 2.12.1942; reprinted in Braham (ed.), *The Destruction of Hungarian Jewry*, vol. 1 (New York, 1963), document 86.

164'dass der Führer unter allen Umständen gewillt sei, alle Juden noch während des Krieges aus Europa zu entfernen, da diese, wie er [Sztójay] ja genauestens wisse, eine (*sic*) Element der Zersetzung darstellen und in den meisten Fällen an vorkommenden Sabotageakten die Schuld trügen und sich im übrigen auch vornehmlich mit Feindspionage beschäftigten. Es erfülle uns mit sehr grosser Sorge, dass ein uns befreundetes Land mitten in Europa allein ca. 1 Million Juden beherberge. Wir könnten dieser Gefahr auf die Dauer nicht untätig zusehen.' Note from Luther to Foreign Office, 16.1.1943; reprinted in R. L. Braham (ed.), *The Destruction of Hungarian Jewry*, vol. 1 (New York, 1963), document 92.

165*Trials of the War Criminals before the Nuremberg Military Tribunals*, Vol. X, pp. 231, 244. By contrast, Schmidt's self-serving memoirs, *Hitler's Interpreter*, are unreliable.

166'Auf die Gegenfrage Horthys, was er denn mit den Juden machen solle, nachdem er ihnen so ziemlich alle Lebensmöglichkeiten entzogen habe - erschlagen könne er sie doch nicht -, erklärte der Reichsaußenminister, daß die Juden entweder vernichtet oder in Konzentrationslager gebracht werden müßten. Eine andere Möglichkeit gäbe es nicht'; A. Hillgruber (ed.), *Staatsmänner und Diplomaten bei Hitler*, Vol. 2 (Frankfurt a.M., 1970), p. 256.

167*Trials of the War Criminals before the Nuremberg Military Tribunals*, Vol. XXII, pp. 605-6.

[168]'Wo die Juden sich selbst überlassen wären, wie z.B. in Polen, herrsche grausamstes Elend und Verkommenheit. Sie seien eben reine Parasiten. Mit diesen Zuständen habe man in Polen gründlich aufgeräumt. Wenn die Juden dort nicht arbeiten wollten, würden sie erschossen. Wenn sie nicht arbeiten könnten, müßten sie verkommen. Sie wären wie Tuberkilbazillen zu behandeln, an denen sich ein gesunder Körper anstecken könne. Das wäre nicht grausam, wenn man bedenke, daß sogar unschuldige Naturgeschöpfe wie Hasen und Rehe getötet werden müßten, damit kein Schaden entstehe. Weshalb sollte man die Bestien, die uns den Bolschewismus bringen wollten, mehr schonen? Völker, die sich der Juden nicht erwehrten, verkämen'; Ibid., pp. 256-7.

[169]'Die Judenfrage wird am allerschlechtesten von den Ungarn gelöst. Der ungarische Staat ist ganz jüdisch durchsetzt, und es ist dem Führer bei seiner Unterredung mit Horthy nicht gelungen, ihn von den Notwendigkeit härterer Maßnahmen zu überzeugen. Horthy ist ja selbst mit seiner Familie außerordentlich stark jüdisch verfilzt und wird sich auch in Zukunft mit Händen und Füßen dagegen sträuben, das Judenproblem wirklich tatkräftig in Angriff zu nehmen. Er führt hier durchaus humanitäre Gegenargumente vor, die natürlich in diesem Zusammenhang überhaupt keine Bedeutung besitzen. Dem Judentum gegenüber kann nicht von Humanität die Rede sein, das Judentum muss zu Boden geworfen werden. Der Führer hat sich alle Mühe gegeben, Horthy von seinem Standpunkt zu überzeugen, allerdings ist ihm das nur zum geringsten Teil gelungen'; E. Fröhlich (ed.), *Die Tagebücher von Joseph Goebbels*, Teil II, Vol. 8, p. 236.

[170]Irving, *Hitler's War* (1977), p. 872; Irving, *Hitler's War* (1991), p. 541-2. Irving translates *Vernichtet* as 'destroyed'.

[171]Irving, *Hitler's War* (1977), p. 872.

[172]'Euer Exzellenz warfen mir des weitern vor, meine Regierungen schritten nicht mit dem gleichen Radikalismus in der Ausrottung des Judentums vor, als dieses in Deutschland durchgeführt und dort auch für andere Länder als erwünscht betrachtet wird '. Horthy to Hitler (draft); cited in *The Confidential Papers of Admiral Horthy* (Budapest, 1965), disclosed by Irving in this court case as document 85.

[173]Document 82 in Irving's Discovery.

[174]Sztójay report, 23.4.1943; cited in E. Levai, *Black Book on the Martyrdom of Hungarian Jewry* (Zurich, Vienna, 1948), pp. 26-27.

[175]The reference to the 'internment' of the Jews was made by Ribbentrop in a subsequent meeting with Sztójay. Sztójay also noted that Hitler had decided to 'rid Europe of the Jews' and that all 'Jews of Germany and the German-occupied countries are to be moved to the Eastern i.e. Russian, territories'. Again, the use of this kind of language has no special significance. In general, when dealing with foreign government officials, leading Nazis preferred to speak of 'resettlement' in the East, a widely used euphemism for extermination - hence the great significance of the blunt statements by Ribbentrop and Hitler on 17 April 1943. Ribbentrop probably used such euphemistic language in his meeting with Sztójay. Alternatively, Ribbentrop might have used language at his meeting with Sztójay that was as open as that used at the meeting with Horthy. In that case, Sztójay might in turn have thought it wise to use a euphemism such as 'resettlement' in view of the opposition of his superior, Prime Minister Kallay, to such a measure if he did not receive guarantees that the Hungarian Jews so resettled would be well-treated. Sztójay was well known to be more antisemitic than Kallay and has been described by historians as having 'constantly undermined his Prime Minister's position in Berlin' during his many meetings with German officials; see IMT Case XI, NG 1800; Braham, *Politics*, 229-234; Jagow to Foreign Office,

2.6.1943, reprinted in R. L. Braham (ed.), *The Destruction of Hungarian Jewry*, vol. 1 (New York, 1963), document 107.

[176]Irving, *Hitler's War* (1977 ed.), p. 509; repeated in Irving, 'Hitler and the Jews', *The Spectator*, 30 September 1978 (correspondence column).

[177]R. Ainsztein, *Jewish Resistance in Nazi-occupied Europe* (London, 1974), pp. 624-5; E. Jäckel, P. Longerich, J. Schoeps (eds.), *Enzyklopädie des Holocaust*, Vol. 3 (Munich, 1995), p. 1,555; R. Ainsztein, *The Warsaw Ghetto Revolt* (New York, 1979), pp. 97-9.

[178]Hillgruber (ed.), *Staatsmänner*, Vol. 2, p. 245.

[179]R. Hilberg, *Die Vernichtung der europäischen Juden*, Vol. 2 (Frankfurt am Main, 1990), p.779, 785..

[180]In 1978 Irving also claimed that in this passage Hitler was referring to *Poles* not Jews at all ('Hitler was alluding to his draconian ordinances of 1939, provided the death penalty for Poles refusing to work'), even though the source in question, cited in the text above, clearly has Hitler saying 'If the Jews there (i.e. in Poland) didn't want to work, they would be shot.' (Irving, 'Hitler and the Jews'; n. 18, above).

[181]Irving, *Hitler's War* (1991 ed.), p. 542.

[182]Fröhlich (ed.), *Die Tagebucher, von Joseph Goebbels*, Teil II, Bd. 8, p. 104.

[183]'Es wäre doch ein Wahnsinn zu glauben, daß, wenn die deutsche Armee nicht imstande sein sollte, die Russen aufzuhalten, eine türkisch-bulgarisch-ungarische Kombination dazu fähig wäre. Sie würde beiseite gefegt werden, und die bolschewistischen Juden aus Moskau würden die Intelligenz vernichten und die Massen mit unvorstellbaren Methoden ausrotten? (Hillgruber (ed.), *Staatsmänner*, Vol. 2, p. 254).

[184]Hillgruber (ed.), *Staatsmänner*, Vol. 2, pp. 240, 245: 'Auch für den jetzigen Krieg und die Form, die er angenommen habe, seien sie verantwortlich, insbesondere für die Bombardierung der Zivilbevölkerung und die zahlreichen Opfer unter Frauen und Kindern....nur *einer* morde, nämlich der Jude, der die Kriege anzettele und ihnen durch seinen Einfluß seinen jetzigen gegen Zivilisten, Frauen und Kinder gerichteten Charakter gegeben habe.'

[185]Ibid., p. 255: 'Die Angriffe selbst seien zwar störend, aber gänzlich belanglos.'

[186]Ibid., pp. 240, 245-6, 256-7.

[187]Hillgruber (ed.), *Staatsmänner*, p. 240.

[188]Ibid., p. 246.

[189]Hillgruber (ed.), *Staatsmänner*, Vol. 2, pp. 232-3.

"Der Führer schilderte dann die Massnahmen, die in Deutschland auf Diesem Gebiet ergriffen worden seien. In dem Augenblick, in dem die Juden entfernt wurden, habe in der Wirtschaft, im Kulturleben and auf auf anderen Gebeiten eine Blüte eingesetz. In anderen Ländern, wo die Judenfrage nicht so energisch bereinigt worden sei, wie z.B in Ungarn, seien die Verhältnisse sehr schwierig. Die Juden seien die natürlichen Verbündeten des Bolschewismus und die Kandidaten für die Stellen, die jetzige bei der Bolschewisierung zu ermordende Intelligenz innehabe. Deshalb sei der Führer im Gegensatz zu Marschall Antonsecu der Meinung, dass man je radikaler desto besser gegen die Juden vorgehen müsse.

Er (der Führer)…breche lieber alle Brücken hinter sich ab, da der jüdische Hass sowieso riesengross sei. In Deutschland habe man infolge der Bereinigung der Judenfrage ein geschlossenes Volk ohne Opposition zur Verfügung…allerdings gäbe es auch kein Züruck auf dem einmal eingeschlagenen Wege."

[190]Jagow to Foreign Office, 2 June 1943, reprinted in Braham (ed.), document 107.

[191] Cited In Braham, *Politics,* p. 391.

[192] Reply to the Defence of the Second Defendant, p. 15, paragraph 17 (h).

[193]Irving, *Hitler's War* (London, 1977), p. 575.

[194]Irving, *Hitler's War*, 1991, p. 590.

[195]Hans-Jürgen Döscher, *Das Auswärtige Amt im Dritten Reich. Diplomatie im Schatten der 'Endlosung'* (Munich, 1987), pp. 310-11; Christopher Browning, *The Final Solution and the Foreign Office* (New York, 1978), pp. 174-5; Raul Hilberg, *The Destruction of the European Jews* (New York, 1961), pp. 350-55.

[196] See the Führer Order of 10 September 1943 appointing Rahn, Wolff, and Kesselring to their respective posts in *Akten zur deutschen Auswärtigen Politik*, *Serie E: 1941-45*, vol. VI, 1 May - 30 September, 1943 (Göttingen, 1979), pp. 533-34.

[197]Bormann at Hitler's headquarters to Friedrichs for *Gauleiters* Rainer, Hofer and Überreither, 10 September 1943 in *Akten zur deutschen Auswärtigen Politik 1918-1945*, vol. VI, p. 523-4: 'Demgemäß müssen alle unsere Schritte von politischer Klugheit diktiert sein. Jeder unbesonnene Schritt schädigt unser Kriegspotential. 4) Es kommt also entscheidend darauf an, daß wir schrille, politische Unklugheiten, die ein Land zum Aufruhr und Widerstand bringen könnten, unterlassen.' .

[198]*Hitler's War*, (1991 ed.) p. 879.

[199]Plaintiff's First List of Documents, no. 96.

[200]ibid., no. 97.

[201] ibid., no. 98.

[202]Meir Michaelis, *Mussolini and the Jews. German-Italian Relations and the Jewish Question in Italy, 1922-1945* (Oxford, 1978), p. 352; Robert Katz, *Black Sabbath. A Journey through a Crime Against Humanity* (London, 1969), p. 48. Michaelis gives as his source M. Tagliacozzo, 'La Comunità di Roma sotto l'incubo della svastica. La grande razzia del 16 ottobre 1943', *Gli ebrei in Italia duraante il fascismo, iii* (Quaderni del Centro di Documentazione Ebraica Contemporanea), Milan, 1963, p. 9. Katz's source is the transcript of Kappler's sworn testimony in the trial of Adolf Eichmann taken at the military prison at Graeta, 27 June 1961.

[203]Michaelis, p. 353; Katz, p. 49. Both give Taglicozzo, 'La Comunità di Roma sotto l'incubo della svastica.', p. 9, as their source. This might be a paraphrase of the cable as repeated by Kappler in his trial in 1948. Michaelis's translation is given. Katz's translation varies slightly, most noticeably in givng the phrase 'final solution' instead of 'immediate solution'.

[204]Katz, p. 54; Michaelis, p. 354. Both translations are the same. Both give Taglicozzo, 'La Comunità di Roma sotto l'incubo della svastica.', p. 10, as their sources.

[205]NG-2652-H , von Thadden to missions abroad, 12 October 1943, enclosing the RSHA circular dated 23 September 1943, Hilberg, p. 427.

[206]NG-2271, order by General Nehring, forwarded to Rahn, 6 December 1942; NG-2099, Rahn to Foreign Office, 6 December 1942. The NG-2771 document is partially reprinted as document 102 in Peter Longerich (ed.) *Die Ermordung der Europäischen Juden. Eine umfassende Dokumentation des Holocaust 1941-1945* (Munich/Zurich, 1989), p. 255-6. For the Tunisian episode see Raul Hilberg, *The Destruction of the European Jews* (New York, 1961), pp. 411-413.

[207]Michaelis, p. 355; Katz, pp. 60-62. Michaelis cites Taglicozzo, 'La Comunità di Roma sotto l'incubo della svastica.', p. 10-12 and E. F. Moellhausen, *La carta perdente. Memorie diplomatiche, 25 luglio 1943 - 2 maggio 1945* (Rome, 1948), p. 112-15. Katz likewise cites Moelhausen' memoirs and his own interview with Moellhausen in Milan, 13 June 1967.

[208]Section IV of the RSHA was the Gestapo, section IV-B was concerned with sects, and within that Section IV-B-4 with the Jews.

[209]Michaelis, p. 362; Katz, pp. 117-18 and 125-9. Both cite Taglicozzo, 'La Comunità di Roma sotto l'incubo della svastica.', p. 19-20 and Kappler's sworn testimony at the trial of Adolf Eichmann.

[210]'Obersturmbannführer Kappler hat den Auftrag erhalten, die achtausend in Rom wohnenden Juden festzunehmen und nach Oberitalien zu bringen, wo sie liquidiert werden sollen. Stadtkommandant von Rom, General Stahel, mitteilt mir, daß er diese Aktion nur zulasssen wird, wenn sie im Sinne des Herrn Reichsaußenministers liegt. Ich persönlich bin derAnsicht, daß es besseres Geschäft wäre, Juden, wie in Tunis, zu Befestigungsarbeiten heranzuziehen und werde dies gemeinsam mit Kappler Generalfeldmarshall Kesselring vortragen. Erbitte Weisung. Moellhausen.' NG-5027, Moellhausen to Ribbentrop, 6 October 1943. The document is also to be found in the Public Record Office, Kew (PRO) under GFM 33/147/123580. It is also reproduced in *Akten zur deutschen Auswärtigen Politik 1918-1945*, *Serie E: 1941-45*, vol. VII, 1 October 1943 - 30 April, 1944 (Göttingen, 1979), p. 31. The text above is Michaelis's translation, p. 363.

[211]'Generalfeldmarshall Kesselring hat Obersturmbannführer Kappler gebeten, geplante Judenaktion zunächst zuruckzustellen. Sollte jedoch etwas unternommen werden, würde er es vorziehen, die arbeitsfähigen Juden Roms zu Befestigungsarbeiten heranzuziehen', Moellhausen to Ribbentrop, 7 October 1943, (PRO) GFM 33/147/123599. Michaelis's translation, p. 363.

[212]'Für Konsul Moellhausen persönlich: Auf Grund Führerweisung sollen die in Rom wohnenden 8.000 Juden als Geiseln nach Mauthausen gebracht werden. Der Herr RAM bittet Sie, sich auf keinen Fall in Angelegenheiten einzumischen, sondern die SS zu überlassen. Bitte Gesandten Rahn verständigen. *Thadden*.', NG-5027, von Thadden to Moellhausen, 9 October 1943. Michaelis's translation, pp. 363-4.

[213]22'Der Herr RAM bittet, Gesandten Rahn und Konsul Moellhausen mitzuteilen, dass auf Grund einer Führerweisung die 8000 in Rom wohnenden Juden nach Mauthausen (Oberdonau) als Geiseln gebracht werden sollen. Der RAM bittet, Rahn und Moellhausen anzuweisen, sich auf keinen Fall in diese Angelegenheit einzumischen, sie vielmehr der SS zu überlassen. Sonnleithner.' Irving, document no. 97, NG-5027, Sonnleither to Ribbentrop's Office, 9 October, 1943.

[214]NG-5027 as cited by Michaelis, p. 364. No further details.

[215]'The Commandant of Rome, General Stahel, informs me that he will permit this action only on approval of the Herr Reich Minister of Foreign Affairs.' Moellhausen to Ribbentrop, 6 October 1943.

[216]'In my personal view it would be better business to employ the Jews for fortification work, as was done at Tunis and, together with Kappler, I will propose this to Field Marshal Kesselring.', Moellhausen to Ribbentrop, 6 October 1943; 'Field Marshal Kesselring had asked *Obersturmbannführer* Kappler to postpone the planned *Judenaktion* for the time being. But if something has to be done, he would prefer to use the able-bodied Jews of Rome for fortification work here.' Moellhausen to Ribbentrop, 7 October 1943.

[217]Sonnleither to Ribbentrop's office, 9 October 1943.

[218]NG-5027, as cited in Michaelis, p. 364.

[219]*Hitler's War*, (1977 ed.) pp. .326-7 and 329-32.

[220]Moellhausen, *La carta perdente*, p. 119, quoted in Katz, p. 258.

[221]'Wie das Reichssicherheitshauptamt mitgeteilt hat, haben die vom Reichsführer-SS in Italien befohlenen Aktionen zur Erfassung der Italienischen Juden bisher zu keinem nennenswerten Ergebnis geführt, da durch verschiedenen Seiten erfolgten Einsprüche die erforderlichen Schritte so lange hinausgezögert worden seien, bis die Mehrzahl der Juden Gelegenheit gefunden hatte, sich Verstecke in kleinen Dörfen etc. zu suchen.', NG-5026, report by Wagner for Ribbentrop, 4 December 1943.

[222]NG-5027 as translated by Michaelis, p. 366. *Stahel* handed the letter to Legation Secretary Gerhard R. Gumpert, who was in charge of the Germany Embassy in the absence of Moellhausen. Gumpert in turn passed it on to Berlin.

[223] 'Die von Bishof Hudal ... angegebene Reaktion des Vatikans auf den Abtransport der Juden aus Rom kann ich bestätigen. Die Kurie ist besonders betroffen, da sich der Vorgang sozusagen unter den Fenstern des Papstes abgespielt hat. Die Reaktion würde vielleicht gedämpft, wenn die Juden zur Arbeit in Italien selbst verwendet würden.[.. .] Die Propaganda unserer Gegner im Ausland wird sich des jetzigen Vorgangs sicher Gleichfalls bemächtigen, um zwischen uns und der Kurie Unfrieden zu stiften.', NG-5027, Weizsäcker to the Foreign Ministry, 17 October 1943 in *Akten zur deutschen Auswärtigen Politik 1918-1945*, vol. VII, p. 85. (Michaelis's translation, pp. 366-7). Note the echo of Moellhausen's plan that the Jews of Rome be put to work. Von Thadden of Inland II passed on the cables to Ribbentrop, who replied he would consider them at a later date. He also sent a routine description of Hudal's and Weizsäcker's communications to Eichmann on October 23. He in turn sent it on to the head of the Gestapo [Section IV of the RSHA] *SS Gruppenführer* Heinrich Müller. There the trail goes cold. Michaelis, pp. 366-7; Eichmann's testimony of 3 July 1961, session 84, translated from the French by Katz, p. 279.

[224]NG-5027, Weiszäcker to Foreign Office, 28 October 1943.

[225] Both are quoted in Katz, p. 223. The German extracts for both are printed as documents 154 and 155 in Longerich (ed.) *Die Ermordung der Europäischen Juden*, pp. 330-332.

[226]'Selbst die hier stark empfundenen Maßnahmen gegen Juden und deutsche Evakuierungsmassnahmen aller Art konnten [unter der rasch geschaffenen und nach vielen Seiten hin gestützten deutschen militärischen Autorität] ohne besondere äusserlich bemerkbare Erschütterungen durchgeführt werden.' Gumpert to the Foreign Ministry, 27 October 1943, PRO GFM 33/144/70904-5. That this fear was continually present is also illustrated in Florence. The German consulate there wired Rahn on November 6, 1943 that his and the military's actions had greatly influenced the mood of the Florence population which had long been under the sway of skillful enemy propaganda. This 'threatens to shift abruptly as a result of the *Judenaktion* which began today.' [*... droht infolge heute hier begonnener Judenaktion ins Gegenteil umzuschlagen.*], PRO GFM 33/144/71042.

[227] *Hitler's War*, (1977 ed.) p. 332.

[228] Er verschließe sich den Argumenten des Auswärtigen Amtes nicht, die gerade hier insbesondere im Hinblick auf der Stellung der katholischen Kirche für eine schlagartige Aktion sprächen. Die vorhandenen Kräfte reichten jedoch nicht aus, um eine solche in ganz Italien durchzuführen. Man werde daher gezwungenermaßen mit der Aufrollung der Judenfrage unmittelbar hinter der Frontlinie beginnen und die Reinigungsaktion schrittweise nach Norden weitertreiben. Gruppenführer Müller hatte offensichtlich auch seinerseits wegen der praktischen Durchführungs des Führerbefehls, betreffend Festnahme von 8000 Juden in Rom, gewisse Sorge.' Presentation memorandum of the meeting between von Thadden and Müller on 16 October 1943 on the technical implementation of the Jewish question, record by Wagner for the Foreign Minister, Berlin 22 October 1943 in *Akten zur deutschen Auswärtigen Politik 1918-1945*, *Serie E: 1941-45*, vol. VII, pp. 102-3.

[229] A Gestapo report was sent to Wolff, the SS commander in Italy, signed by Kappler, but presumably written by Dannecker. It read: '*Judenaktion* according to plan worked out in this office exploiting all possiblities was today initiated and completed. Put into action were all the available forces of the *Sicherheits- und Ordnungs Polizei* [Security- and Order Police]. Participation of the Italian Police in the affair was not possible, given their unreliability ... Blocking off entire streets was not practicable considering the character of the Open City and also the insufficient aggregate of only 365 German police. Nevertheless during the action, which lasted from 5.30 a.m. to 2 p.m., 1,259 persons were arrested in Jewish homes and brought to a central collection point at a military college here. After the release of the half-breeds, the foreigners (incl. one citizen of the Vatican City), the members of mixed marriages (incl. the Jewish partners), the Aryan domestics and subtenants, there remained in custody 1,007 Jews. Deportation set for Monday, 10/18 at 9 a.m., with through-accompaniment of 30 Order-Police.' IfZ NO-2427 (17-18 October, 1943), as cited in Michaelis, p. 367. A rump of the original German text is printed as document 154 in Longerich (ed.) *Die Ermordung der Europäischen Juden*, pp. 330-31.

[230] Centro di Dokumentazione Ebraica Contemporanea di Milano [CDECM - Centre for Contemporary Jewish Documentation, Milan], *Ebrei in Italia: Deportazione, Resistenza* (Florence, 1974), p. 13; Michael Tagliacozzo, 'La persecuzione degli ebrei a Roma', *L'occupazione tedesca e gli ebrei di Roma: Documenti e fatti*, ed. Liliana Picciotto Fargion (Rome: Carucci, 1979), pp. 149-71. Both mentioned in Susan Zuccotti, *The Italians and the Holocaust. Persecution, Rescue and Survival* (London, 1987), p. 117, fn. 43. Danuta Czech, *Auschwitz Chronicle 1939-1945* (London, 1990), p. 512, gives the number as 1,006, but likewise cites *Ebrei in Italia*. The full CDECM list of deportees minus those names unconfirmed by the sources is given as Appendix I in Katz, pp. 331-340. Liliana Picciotto Fargion gives the number deported as 1,023, the number of survivors as 17 and the number of victims as 1,005 in 'Italien' in Wolfgang Benz (ed.), *Dimension des Völkermords, Die Zahl der jüdischen Opfer des Nationalsozialismus* (Munich, 1991), 199-228, p. 220. See also L. Picciotto Fargion, *Il libro della memoria. Gli ebrei deportati dall' Italia (1943-1945)* (Milan, 1991), p. 42, and the same author's *Per ignota destinazione. Gli ebrei sotto il nazismo* (Milan, 1994), p. 63.

[231] Katz, pp. 293-4 and appendix II, p. 341; Tagliacozzo, 'La persecuzione degli ebrei a Roma', p. 164; *Ebrei in Italia*, p. 13. The most important survivor was Armino Wachsberger whose fluency in German secured him a position as translator to the deportation. He witnessed the selections at Auschwitz and conversed with Doctor Josef Mengele on more than one occasion. A. Wachsberger, 'Les deportations des juifs italiens', 25 December 1955, CDEC doc. E-II; report prepared for Katz by A. Wachsberger, 8 October 1967, and 1 January 1968, Katz, p. 345.

[232] The liquidation of the remaining (839?) Jews was witnessed by a rare survivor of the Sonderkommandos, a Czechoslovakian Jew called David Karavet. In January 1946 he met the Roman Jewish historian Michael Tagliacozzo, who had himself avoided the round-up of

16 October. Karavet detailed the last moments of the Jews of Rome to Tagliacozzo in a number of transcribed talks which followed this chance meeting. Katz, pp. 275-9.

[233]Fargion, 'Italien', p. 204.

[234]Gruppe Inland II hält es jedoch für ratsam, mit diesem Verlangen zunächst abzuwarten, da sich die Konzentrierung vermutlich wird reibungsloser abwickeln lassen, wenn die Überführung in Konzentrationslager zunächst als die Endlosung und nicht als Vorstufe für die Evakuierung in die Ostgebiete erscheint.', NG-5026, *Inland II* (signed Wagner) via Hencke to Ribbentrop, 4 December 1943.

[235]NG-5026, Hilger via Steengrach and Hencke to *Inland II*, 9 December 1943.

[236]'Betrifft: Behandlung der Judenfrage. Im Auftrage des Führers teile ich mit: Bei der öffentlichen Behandlung der Judenfrage muß jede Erörterung einer künftigen Gesamtlösung unterbleiben. Es kann jedoch davon gesprochen werden, daß die Juden geschlossen zu zweckentsprechendem Arbeitseinsatz herangezogen werden.', NG-2710-NO, quoted in Eugen Kogon *et al.* (eds.), *Nationalsozialistische Massentötung durch Giftgas. Eine Dokumentation* (Frankfurt a. M., 1986), p. 23.

[237]Helmut Krausnick *et al.*, *Anatomy of the SS State* (London, 1973), p. 227.

[238].'für schwerbelastete, unverbesserliche und auch gleichzeitig kriminell vorbestrafte und asoziale, das heißt kaum noch erziehbare Schutzhäftlinge', quoted in Hans Marsálek, *Die Geschichte des Konzentrationslagers Mauthausen. Dokumentation* (Vienna, 1980), p. 39. Heydrich's ordinance of 1 January 1941, Mauthausen Museum Archive, A 7/1 and 2.

[239]Chief of the SS Economic and Administrative Department Oswald Pohl to Heydrich, 16 March 1943, Mauthausen Museum Archive, O 2/4, quoted in Marsálek, p. 41.

[240]Marsálek, p. 283. This excludes the fate of the mainly Hungarian Jews who arrived at the camp in April 1945.

[241]Higher SS and Police Leader Hans Albin Rauter to Himmler, 20 February 1941 in N. K. C. A In't Veld (ed.) *De SS en Nederland. Documenten uit SS-Archiven 1935-45* ('s-Gravenhage, 1976), vol. 1, 1935-42, doc. no. 61, pp. 543-48; NG-2285, proclamation by Rauter, 25 February 1941.

[242]Gerhard Hirschfeld, 'Niederlande' in Wolfgang Benz (ed.), *Dimension des Völkermords, Die Zahl der jüdischen Opfer des Nationalsozialismus* (Munich, 1991), 137-165, pp. 141-2 and 165; J. Presser, *Ashes in the Wind. The Destruction of Dutch Jewry* (London, 1968), pp. 50-55, 70-72; Hilberg, p.372-4.

[243] See paragraph 30 in the Defence of the Second Defendant.

[244]Document 500, newspaper clipping from *The Sunday Times*, 10 July 1977, Gitta Sereny and Lewis Chester: 'Mr Irving's Hitler - the $1,000 Question'.

[245]Ibid.

[246] Ibid.

[247]Zweifellos sah der Führer im Weltjudentum, von desssen Organisation er überzeugt war, in den letzten Jahren mehr und mehr die eigentlichen Urheber dieses Krieges. Man sah dies aus seinen Reden, obwohl er mit mir - meine Auffassung über dieses Thema kennend - nicht sprach. Wie es zu den Judenvernichtung gekommen ist, weiss ich nicht. Ob Himmler dies begonnen hat oder Hitler dies gedult hat, weiss ich nicht. Dass er es angeordnet hat,

kann ich nicht glauben, denn eine solche Handlungsweise würde so gar nicht zu dem Bilde passen, das ich immer von ihm hatte. Adolf Hitler, der kein Fleisch ass, weil er nicht wollte, dass man Tiere töten sollte, zu dem Kinder ein solches Zutrauen hatte, den wir alle vergötterten, kann doch nicht kalten Blutes eine so furchtbare Order gegeben haben. Anderseits lässt sein Testament [vom 29. April 1945] den Schluss zu, dass er es zumindest gewusst, wenn nicht gar in seinem Fanatismus gegen die Juden angeordnet hat.' Doc. 116, extract of an undated manuscript by Joachim von Ribbentrop, notes on Hitler's personality.

[248]Doc. 524, letter from Irving to Harold Evans, *The Sunday Times*, 14 September 1977.

[249]Doc. 505, reader's letter from Irving to *The Sunday Times*, 28 July 1977; 508, letter to Irving from Ron Hall, features editor of *The Sunday Times*, 17 August 1977; 511; reader's letter from Irving (not for publication) to Harold Evans, *The Sunday Times*, 16 August 1977; 527, letter to Irving from George Darby, *The Sunday Times*, 21 Septemeber 1977; 529, letter to George Darby, *The Sunday Times*, 26 September 1977; 533, letter to Irving from Frank Giles, *The Sunday Times*, 5 October 1977; 535, letter from Irving to Harold Evans, *The Sunday Times*, 3 October 1977; 541, letter from Irving to Frank Giles, *The Sunday Times*, 10 October 1977; 542, reader's letter from Irving to *The Sunday Times*, 10 October 1977; 543, letter from Irving to The Press Council, 12 October 1977; 545, letter to Irving from *The Sunday Times*, 13 October 1977; 549, letter to Irving from The Press Council, 26 October 1977; 557, letter from Irving to The Press Council, 21 November 1977; 565, letter to Irving from The Press Council, 7 December 1977; 566, letter from Irving to The Press Council, 113 December 1977; 569, letter to Irving from The Press Council, 21 December 1977; 612, letter from Irving to The Press Council, 31 May 1978; 614, letter from Irving to The Press Council; 615, reader's letter from Irving to *The Sunday Times*, 19 June 1978; 616, reader's letter from Irving to *The Sunday Times*, 25 June 1978; 624, letter to Irving from The Press Council, 19 July 1978; 625, letter to The Press Council from Irving, 6 August 1978; 630, letter from Irving to The Press Council, 29 July 1978; 657, letter to Irving from The Press Council, 22 December 1978, enclosing proposed press release; 665, letter from Irving to The Press Council, 1 January 1979; 666, letter from The Press Council to Irving, 5 January 1979.

[250]*Trial of the Major War Criminals before the International Military Tribunal, Nuremberg, 14 November 1945 - 6 April 1946*, vol. X, *Proceedings 25 March 1946 - 6 April 1946* (Nuremberg, 1946), pp. 395-413 [henceforth IMT]

[251]IMT, vol X, p. 412.

[252]The following is based on Döscher *Das Auswärtige Amt*, pp. 246 - 249 and Browning, *The Final Solution*, pp. 72 - 76.

[253]G. M. Gilbert, *Nuremberg Diary* (London, 1948), p.196.

[254]In his memoirs [*The Ribbentrop Memoirs*, introduced by Alan Bullock (London, 1954), p. 179] Ribbentrop repeated his claim: 'In 1944, Hitler spoke more and more of his conflict with Jewry and he became fanatically obstinate. But never, right down to 22nd April, 1945, when I last saw him in the Reich Chancellery, did he ever mention the killing of the Jews. That is why to even today I cannot believe that the Führer ordered these killings; I believe that Himmler presented him with accomplished facts.'

[255] Michael Bloch, *Ribbentrop* (London, 1992), p. 455, fn. 79 'David Irving's notes of interview with Rudolf von Ribbentrop on 20 July 1989.'

[256]For instance note 27, p. 143.

[257] Rudolf Franz Höss [1900 - 1947], commandant of the extermination camp at Auschwitz.

[258] Gilbert, p 168.

[259]Reply to Defence of Second Defendant, paragraph 30.

[260]Ibid.

[261]Doc. 524, letter from Irving to Harold Evans, *The Sunday Times*, 14 September 1977, p. 5.

[262]The translation is that in Jeremy Noakes and Geoffrey Pridham, *Documents on Nazism, 1919 - 1945* (London, 1974), 678 - 80, p. 678, but minus a small mistake which translated 'Millionen von Europäern der arischen Völker' as 'millions of children of Europe's Aryan people'. The German original reads 'Ich habe aber auch keinen Zweifel darüber gelassen, dass, wenn die Völker Europas wieder nur als Aktienpakete dieser internationalen Geld- und Finanzverschwörer angesehen werden, dann auch jenes Volk mit zur Verantwortung gezogen werden wird, das eigentlich Schuldige an diesem mörderischen Ringen ist: Das Judentum! Ich habe weiter keinen darüber im Unklaren gelassen, dass dieses Mal nicht nur Millionen von Europäern der arischen Völker verhungern werden, nicht nur Millionen erwachsener Männer den Tod erleiden und nicht nur Hunderttausende an Frauen und Kindern in den Städten verbrannt und zu Tode bombadiert werden dürften, ohne dass der eigentlich Schuldige, wenn auch durch humanere Mittel, seine Schuld zu büssen hat.' Gert Sudholt (ed.), *Adolf Hitler's Drei Testamente. Ein Zeitdokument* (Leoni am Starnberger See, n.d.), p. 69, facsimile p. 3.

[263] Noakes and Pridham, pp. 485 - 6. The original reads 'Ich will heute wieder ein Prophet sein: Wenn es dem internationalen Finanzjudentum in und außerhalb Europas gelingen sollte, die Völker noch einmal in einem Weltkrieg zu stürzen dann wird das Ergebnis nicht die Bolschewisierung der Erde und damit der Sieg der Judentums sein sondern die Vernichtung der jüdischen Rasse in Europa.' Max Domarus, *Hitler Reden und Proklamaationen 1932 - 1945*, vol. 2, *Untergang (1939 - 1945)* (Würzburg, 1963), p. 1058.

[264] 'Und nicht vergessen möchte ich den Hinweis, den ich schon einmal, am 1. September 1939, im deutschen Reichstag gegeben habe. Den Hinweis darauf nämlich, daß, wenn die andere Welt von dem Judentum in einen allgemeinen Krieg gestürzt würde, das gesamte Judentum seine Rolle in Europa ausgespielt haben wird!' Domarus, p. 1663. The referece to a speech of 1 September 1939 is wrong, that of 30 January 1939 being the only one to contain such a prediction.

[265] 'Wir sind uns dabei im klaren darüber, daß der Krieg nur damit enden kann, daß entweder die arischen Völker ausgerottet werden, oder daß das Judentum aus Europa verschwindet. Ich habe am 1. Septemeber 1939 im deutschen Reichstag es schon ausgesprochen - und ich hüte mich vor voreiligen Prophezeiungen - daß dieser Krieg nicht so ausgehen wird , wie es sich die Juden vorstellen, nämlich daß die europäisch - arischen Völker ausgerottet werden, sondern daß das Ergebnis dieses Krieges die Vernichtung des Judentums sein wird. Zum ersten mal wird diesmal das echt altjüdischen Gesetz angewendet: 'Aug' um Aug', Zahn um Zahn.' Domarus, pp. 1829 - 30.

[266]'Bezüglich der Judenfrage ist der Führer entschlossen, reinen Tisch zu machen. Er hat den Juden prophezeit, daß, wenn sie noch einmal einen Weltkrieg herbeiführen würden, sie dabei ihre Vernichtung erleben würden. Das ist keine Phrase gewesen. Der Weltkrieg ist da, die Vernichtung des Judentums muß die notwendige Folge sein.', Elke Fröhlich (ed.), *Die Tagebücher von Joeseph Goebbels*, part 2, *Diktate 1941 - 1945*, vol. 2, October to December 1941 (Munich, 1996), p. 498.

[267]'Mit den Juden - das will ich Ihnen ganz offen sagen - muß so oder so Schluß gemacht werden. Der Führer sprach einmal das Wort aus: wenn es der vereinigten Judenschaft wieder gelingen wird, einen Weltkrieg zu entfessseln, dann werden die Blutopfer nicht nur von den Krieg gehetzten Völkern gebracht werden, sondern dann wird der Jude in Europa sein Ende gefunden haben. [...] Aber was soll mit den Juden geschehen? Glauben Sie, man wird sie im Ostland in Siedlungsdörfen unterbringen? Man hat uns in Berlin gesagt: weshalb macht man diese Schreiereien; wir können im Ostland oder in Reichskommisariat auch nichts mit ihnen anfangen, liquidieren sie selber!', Werner Präg and Wolfgang Jacobmeyer, *Das Diensttagebuch des deutschen Generalgouverneurs in Polen, 1939 - 1945* (Stuttgart, 1975), p. 457.

[268] 'Es besteht in diesem Winter die Gefahr, daß die Juden nicht mehr sämtlich ernährt werden können. Es ist ernsthaft zu erwägen, ob es nicht die humanste Lösung ist, die Juden, soweit sie nicht arbeitseinsatzfähig sind, durch irgendein schnell wirkendes Mittel zu erledigen. Auf jeden Fall wäre dies angenehmer, als sie verhungern zu lassen.'. A less satisfactory translation using 'device' as '*Mittel*' is in Raul Hilberg, *Documents of Destruction. Germany and Jewry 1939 - 1945* (London, 1972), pp. 87 - 88.

[269]Doc. 534, letter from Irving to Professor Martin Broszat, 3 October 1977.

[270]Reply to Defence of Second Defendant, paragraph 30.

[271]David Irving, *Nurember:. The Last Battle* (London, 1996), p. 78.

[272]Gilbert, p. 170.

[273] Rudolf Förster, 'Dresden', in Marlene P. Hiller, Eberhard Jäckel and Jürgen Rohwer (eds.) *Städte im 2. Weltkrieg. Ein internationaler Vergleich*, (Essen, 1991), pp. 299-315, pp. 302-5.

[274] Most commonly official air-force historians or historians close to them in their sympathies. For example C. Webster and N. Frankland, *The Strategic Air Offensive Against Germany*, 4 vols. (London. 1961); Richard Overy, *Why the Allies Won* (London, 1995), chapter 4.

[275] For instance Geoffrey Best, *Humanity in Warfare. The Modern History of the International Law of Armed Conflicts* (Bristol, 1983), 2nd. ed., pp. 262-285; Reiner Pommerin, 'Zur Einsicht bomben? Die Zerstörung Dresdens in der Luftkrieg-Strategie des Zweiten Weltkriegs' in Reiner Pommerin (ed.), *Dresden unterem Hakenkreuz* (Cologne, 1998), pp. 227-245.

[276] Overy, pp. 106 and 132; Best, p. 268; Pommerin, pp. 241-3.

[277] Michael S. Sherry, *The Rise of American Air Power. The Creation of Armageddon* (New Haven/London, 1987), pp. 260-61.

[278] Discovery List (hereafter 'Doc.') 1981, list of all books written by Irving and editions in the British Library.

[279] Götz Bergander, *Dresden im Luftkrieg. Vorgeschichte - Zerstörung - Folgen*. (Cologne/Vienna, 1977), 2nd. ed. 1985. Bergander was a Hitler Youth flak gunner at the time of the attack and Irving interviewed him for his book. See Focal Point, p. 281, fn. 10.

[280] Bergander, pp. 228-246.

[281] Doc. 1061, newspaper clipping from the *Süddeutsche Zeitung*, 12 February 1985; doc. 1063, Irving to the *Süddeutsche Zeitung*, 15 February 1985.

[282] Corgi 1966, pp. 164-5.

[283] Corgi 1966, pp. 194-5.

[284] Bergander, p. 229. A Master-Bomber interviewed by Irving describes his aircraft being enveloped in smoke at 7,000 ft. See Corgi 1966, p. 152.

[285] Max Seydewitz, *Zerstörung und Wiederaufbau von Dresden* (East Berlin, 1955), pp. 105f. Seydewitz was Dresden's post-war mayor at the time of publication.

[286] Corgi 1966, p. 278. The second witness is a prisoner of war, John Heard. In 1995 the one prisoner becomes, 'British prisoners ... were among those to suffer the discomfort of being strafed...', although John Heard remains Irving's only prisoner witness. The Seydewitz citation remains intact and a third witness is added, apparently an interview from 1961. See Focal Point edn., p. 200, fns. 4, 5, and 7.

[287] Bergander, p. 221; *Und Deutschlands Städte starben nicht*, p. 370; letter from Dr. Recktenwald in the *Sammlung Irving* in the Bundesarchiv.

[288] Corgi 1966, p. 175; Focal Point, p. 173.

[289] Corgi 1966, p. 276.

[290] Irving was provided with two versions of the 20th Fighter Group's Intelligence Bulletin. See Irving's microfilmed records DJ 10, excerpt from King's Cliffe, the 20th Fighter Group, European Theatre of Operations, Mission Number 260, 14 February 1945, p. 1 and accompanying letter, John E. Hudgens to Irving, 6 September 1961. DJ 10, 20th Fighter Group's Intelligence Bulletin, Mission Number 260, 14 February 1945 and accompanying letter, Merle D. Nichols to Irving, 11 October 1961.

[291] Ibid.

[292] DJ 10, Dale N. Jones to Irving, 23 February 1962.

[293] Bergander, p. 234 - 42.

[294] DJ 10, Edward J. McCormack to Irving, 17 April 1961 and his enclosed account of the raid of 14 February 1945.

[295] Bergander, p. 243.

[296] Doc. 1061, newspaper clipping from the *Süddeutsche Zeitung*, 12 February 1985; doc. 1063, Irving to the *Süddeutsche Zeitung*, 15 February 1985.

[297] Doc. 1063, Irving to the *Süddeutsche Zeitung*, 15 February 1985.

[298] Focal Point, pp. 160 and 200. Irving acknowledged Bergander's book as 'well researched.' See Focal Point, p. 281, fn. 10.

[299] Focal Point, p. 289, fn. 10. He attributes the 'opinion' to US Air Force Historians. Elsewhere he relates that his comments on the strafing generated an internal inquiry by US Air Force historians. See Focal Point, p. 293, fn. 6. Likewise Irving repeats the story of the attack of 20th Fighter Group's 'A' fighters and footnotes that 'In the opinion of the U.S. Air Force Historians the 150 (out of 461) B-17s escorting by the 20th Fighter Group did not attack the assigned target, Dresden, but targets of opportunity in Czechoslovakia.' See Focal Point, p. 289, fn.10.

[300] Focal Point, p. 199.

[301] This would tally with the report in a source that Irving cited in full in a different context, namely the Swedish newspaper *Sydsvenska Dagbladet*. The edition of 17 February read: '... none of the aid convoys from neighbouring towns could be sent, because the roads to Dresden were blocked with refugee columns, peasant carts, and hand carts, interspersed with military transports. American dive bombers sprayed them with machine-gun fire. The military vehicles which were hit blocked the roads.' *Svenska Morgonbladet*, 17 February 1945, document 67 in Erhard Klöss (ed.), *Der Luftkrieg über Deutschland 1939-1945. Deutsche*

Berichte und Pressestimmen des neutralen Auslands (Munich, 1963), p. 262. See Focal Point, p. 260

302 The 'Final Report' was reproduced in full as Appendix 3 in the Heyne edition of 1985 (and therefore 1977). For the relevant passage see p. 290.

303 Bergander, pp. 243-4.

304 DJ 10, Effect of Strafing.

305 Focal Point, ix.

306 Reply to Defence of Second Defendant, paragraph 48, p. 38.

307 Georg Feydt, in *Ziviler Luftschutz* 4, 1953, quoted in Bergander p. 253. His was the first 'sober' account of the attack, but went largely ignored at the time. Irving refers to the article several times in his accounts.

308 Hans Rumpf, *Das war der Bombenkrieg* (Hamburg, 1961), p. 106. Rumpf was one the authors to first bring many rumours and legends to full circulation through his books; KTB/ OKW, vol. IV, second part, p. 970.

309 Seydewitz, p. 141. Dresden was located in the Soviet occupation zone and from 1949 to 1990 in the communist German Democratic Republic.

310 Bergander details the progressive and feverish notching up of the figure throughout the literature, pp. 253-259.

311 Corgi, edn. 1966, vii.

312 Corgi, edn. 1966, p. 225.

313 Corgi, edn. 1971, p. 7.

314 Videotape 184, 'Leuchter Report press conference,' London [?], 23 June 1989. Titles read: 'The Truth at Last, Six Million Lies, Focal Point Video'.

315 David Irving, 'Life under Fire' (remarks delivered to the eleventh IHR conference, October 1992), *Journal of Historical Review*, vol. XIII, no. 1 (January/February 1993), 8-11, p. 10.

316 Videocassette 200: Irving, "The Search for Truth in History –Banned!" 1993.

317 Focal Point, ix.

318 Focal Point, p. 167.

319 David Irving, *Goebbles, Mastermind of the 'Third Reich'* (London, 1996), p. 501.

320 Bergander, p. 268.

321 For example Pommerin, p. 244; Sherry, p. 260.

322 Earl A. Beck, *Under the Bombs. The German Home Front 1942-1945* (Kentucky, 1986), p. 179.

323 Friedrich Reichert, 'Verbrannt bis zur Unkenntlichkeit', in Dresden City Museum (ed.), *Verbrannt bis zur Unkenntlichkeit. Die Zerstörung Dresdens 1945* (Altenburg, 1994), pp. 40-62,

p. 58.

[324] Doc. 1836, Stadtmuseum Dresden to Irving, 13 April 1997.

[325] Corgi 1966, pp. 200-1; Focal Point, pp. 208-9.

[326] Corgi 1966, pp. 212-13; Focal Point, pp. 223-4.

[327] Corgi, 1966, p. 225.

[328] Focal Point, p. 242.

[329] Doc. 142, newspaper clipping from the *Daily Sketch*, 29 April 1963.

[330] DJ 10, Voigt to Irving, 6 September 1962, enclosing comments on Irving's draft.

[331] DJ 10, Voigt to Irving, 28 February 1961; Irving to Voigt, 7 March 1961.

[332] DJ 10, SG 22, Report of Hans Voigt, Survivor of Dresden Raids, dated 5 June 1961.

[333] Walter Weidauer, *Inferno Dresden. Über Lügen und Legenden um die Aktion 'Donnerschlag'* (East Berlin, 1965), 2nd. ed. 1966, p. 120. Bergander cited Weidauer, p. 268, but perhaps due to a misprint the figure is put at 3,102.

[334] Kimber 1963, p. 207.

[335] Corgi 1966, p. 280. It does not say much for Irving's self-proclaimed skill and scrupulosity as a researcher that he should initially have dismissed a document as a forgery without actually having seen it at all.

[336] Corgi 1966, p. 280.

[337] DJ 10, New information on death roll in Allied air raids on Dresden, 1945, introduction, dated November 1964, p. 7.

[338] Hochhuth's copy was sent to him by Dankwart Guratzsch as a result of an article in the German illustrated *Der Stern*. Guratzsch had found it amongst the papers of his father, who in turn may have received it from one of his students, a Dresden policeman. Indeed Guratzsch described his copy as 'a typed copy, with many, partly hand-written, corrections.' But what he sent Hochhuth was a copy typed by Gurazsch himself. Hochhuth provided Irving with Guratzsch's address and suggested he contact him himself, but any correspondence with Guratzsch are not contained in Irving's records. See DJ 10, Dankwart Guratzsch to Rolf Hochhuth, 3 July 1965; Rolf Hochhuth to Irving, 10 September 1965; DJ 35, 'Further information on Tagesbefehl extracted from my Day Book'.

[339] DJ 10, New information on death roll in Allied air raids on Dresden, 1945, introduction, dated November 1964, p. 7. Hahn is also named as Irving's source for the 'forged' TB 47 in a letter from Weidauer. See DJ 35, Walter Weidauer to Irving, 21 November 1966.

[340] DJ 10, New information on death roll in Allied air raids on Dresden, 1945, introduction, dated November 1964, p. 8.

[341] Ibid.

[342] Doc. 154, Irving to Donald McLahlan, 26 November 1965.

[343] Doc. 155, Irving to Dr, Dieter Struss, 28 November 1965, comment written in pencil replacing in type 'correctness of the information.'

[344] DJ 12, Irving to the Provost of Coventry, 6 December 1964.

[345] Doc. 159, Irving to Hr. Schuller, *Der Stern*, 27 January 1965.

[346] Doc. 165, Irving to A. Calabi, Arnoldo Mondadori Editore, 19 March 1965.

[347] DJ 12, Irving to the Provost of Coventry, 6 December 1964.

[348] DJ 35, *Die Welt der Literatur*, 10 December 1964.

[349] DJ 12, Walter Lange to Irving, 2 February 1965.

[350] DJ 10, New information on death roll in Allied air raids on Dresden, 1945, introduction, dated November 1964, p. 8.

[351] DJ 35, Max Funfack to Irving, 19 January 1965. Partially reproduced as a plate in Weidauer, pp. 126-7.

[352] DJ 35, Irving to Max Funfack, 28 February 1965.

[353] DJ 35, Max Funfack to Irving, 19 January 1965; doc. 160, Irving to Croix-Rouge, Comite International, Geneva, 27 January 1965; DJ 35, P. Verbert (International Committee of the Red Cross) to Irving, 4 February 1965; P. Verbert (International Committee of the Red Cross) to Irving, 17 February 1965, refering to Irving's second letter of 10 February; Irving to Walter Kleiner, 20 February 1965.

[354] Doc. 155, Irving to Struss, 28 November 1964.

[355] Doc. 159, Irving to Shuller of *Der Stern*, 27 January 1965.

[356] DJ 35, Dr. Dieter Struss, 'Umstrittiner Tagesbefehl,' reader's letter in *Die Welt*, 12 February 1965, p. 10. The first German edition had appeared on 10 September 1964 under Sigbert Mohn's imprint, too early to include details of TB 47. See DJ 12, 'Schlimmer als Hiroshima' in *Rheinische Post*, 9 September 1964.

[357] DJ 35, Irving 'Die Totenziffern von Dresden,' reader's letter to *Die Welt*, 12 February 1965, p. 10.

[358] Irving also wrote to Walter Hahn on the same day, mentioning Funfack's letter, but omitting his [Funfack's] complaint. DJ 12, Irving to Walter Hahn, 27 January 1965.

[359] DJ 12, Draft, 'Two Questions on Dresden' for the *Sunday Telegraph*, February 1965, 15 pp., p. 9.

[360] Doc. 167, Irving to Dr Noble Frankland, 28 May 1965.

[361] Irving continued to market TB 47 in England in March, albeit without naming Funfack as collaborating evidence. See DJ 12 Draft, 'Bombing Dresden' for *The Observer*, 7 March 1965; Reader's letter from Irving, 'Death-roll in Dresden,' *The Observer*, 14 March 1965.

[362] Corgi 1966, p. 226; DJ 35, Irving, 'Die Totenziffern von Dresden,' readers letter to *Die Welt*, 12 February 1965, p. 10.

363 DJ 12, Draft, 'Two Questions on Dresden' for the *Sunday Telegraph*, February 1965, 15pp, p. 13.

364 Rolf-Dieter Müller and Gerd R. Ueberschär, *Kriegsende 1945: Die Zerstörung des Deutschen Reiches* (Frankfurt a. M., 1994), p. 39.

365 DJ 12, R.H.S. Crossman, 'Apocalypse at Dresden,' *Esquire*, November 1963, pp. 149-154, p. 152.

366 Weidauer, pp. 111-12.

367 Documents 66 and 67 in Klöss (ed.), *Der Luftkrieg über Deutschland 1939-1945*, pp. 260-62.

368 Document 69, in ibid., p. 265.

369 Doc. 164, Order of the Day, 22 March 1945, p. 4; Corgi edn. 1966, pp. 259-60, appendix IV.

370 R.A.C. Parker, *Struggle for Survival. The History of the Second World War* (Oxford/New York, 1989), p.167.

371 Doc. 155, Irving to Dieter Struss, 28 November 1964.

372 Corgi edn., 1966, pp. 221-2; Focal Point edn., pp. 234-6.

373 Focal Point edn., p. 235.

374 DJ 12, Draft, 'Two Questions on Dresden' for the *Sunday Telegraph*, February 1965, 15pp, p. 5.

375 Corgi edn., 1966, pp. 222 and 260.

376 DJ 12, Irving to Corgi Books, 25 May 1965.

377 DJ 12, 'Required Alterations in the Dresden Book,' undated, 21 pp.

378 Corgi edn., 1966, p. 280. My italics.

379 Doc. 157, Irving to Oberst Teske, 1 December 1964.

380 DJ 10, Bundesarchiv to Irving, 13 January 1965. See also DJ 35, Boberach (Bundesarchiv) to Irving, 13 May 1966. In a letter to Walter Hahn Irving passed finding the five names off as the work of himself and his publisher. See DJ 12, Irving to Walter Hahn, 27 January 1965.

381 DJ 12, copy of Bundesarchiv to Irving, 13 January 1965, with pen marginalia, stamped as received 15 March 1965.

382 DJ 10, interview with Major Nölke by *Stern* reporter.

383 *Der Stern* had interviewed Frau Grosse in January or early February 1965, who had suggested contacting Wolfgang Thierig. See DJ 35, Virchow to Sakowsky, 4 February 1965.

384 DJ 35, *Stern Hausmitteilung*, Gerd Baatz to Sakowski, 6 February 1965, received by Irving 15 March 1965.

385 DJ 10, Irving to Werner Bühlmann, 24 June 1965.

386 DJ 10, Werner Bühlmann to Irving, undated, received 21 July 1965.

[387] Heyne 1985, appendix 5, 'Aktennotiz zu einem Interview mit Frau Eva Grosse, München, Johanisplatz 14, am 10. Juli 1965 von 21.30 bis 22.30 Uhr in ihrer Wohnung', pp. 295-297.

[388] DJ 35, Virchow to Sakowsky, 4 February 1965.

[389] Heyne 1985, p. 295

[390] Heyne 1985, p. 297.

[391] Heyne edn., 1985, p. 296. My italics.

[392] Corgi edn., 1966, p. 259. My italics.

[393] Focal Point, edn., p. 240.

[394] DJ 35, Max Funfack to Irving, 19 January 1965, partially reproduced as a plate in Weidauer, pp. 126-7.

[395] Doc. 160, Irving to Croix-Rouge, Comite International, Geneva, 27.1.65.

[396] DJ 35, P. Vibert (International Committee of the Red Cross) to Irving, 4 February 1965; P. Vibert (International Committee of the Red Cross) to Irving, 17 February 1965.

[397] DJ 35, P. Vibert (International Committee of the Red Cross) to Irving, 17 February 1965.

[398] DJ 35, Irving to Walter Kleiner, 20 February 1965.

[399] DJ 35, Max Funfack to Irving, 19 March 1965.

[400] Corgi 1966, p. 225.

[401] DJ 35, Max Funfack to Irving, 19 January 1965.

[402] Corgi edn., 1966, p. 280.

[403] DJ 35, Max Funfack to Irving, 19 March 1965.

[404] Focal Point edn., p. 266.

[405] DJ 35, P. Vibert (International Committee of the Red Cross) to Irving, 17 February 1965; Irving to Walter Kleiner, 20 February 1965.

[406] Focal Point edn., p. 298, fn. 29. This would tie in with Irving's claim that it was Dr. Funfack who first related the figures to him, and only later did he come to the source itself. See doc. 155, Irving to Dr. Dieter Struss, 28 November 1964.

[407] DJ 35, Max Funfack to Irving, 19 March 1965.

[408] DJ 35, Max Funfack to Irving, 19 March 1965.

[409] DJ 35, Theo Miller to Irving, 7 February 1965.

[410] DJ 35, Theo Miller to Irving, 25 February 1965.

[411] Ibid.

[412] As a result of the *Die Welt* article Dr. Dieter Struss received a letter from an eyewitness

who claimed that the police director had told him that 110,000 bodies had been burnt on the *Altmarkt*. See DJ 35, Walter Klätte to Dr. Dieter Struss, 12 February 1965; Walter Klätte to Irving, 23 February 1965.

413 DJ 35, Theo Miller to Irving, 26 February 1965.

414 Corgi 1966, p. 226.

415 Dresden Updated Material, Josef W. Angell, *Historical Analysis of the 14-15 February 1945 Bombings of Dresden*, (n.d., n.p.). See further Dresden Updated Material, 'Dresden Raids Shortened War, AF Study Says,' *Washington Star*, 13 February 1970. Again, if Irving gives credence to this figure, he later quotes an overheard conversation of Karl Bodenschatz, one of Hitler's personal staff, putting the figure at 50,000, but in no way tries to reconcile the two See Focal Point edn., p. 215.

416 Dresden Updated Materials, Joseph P. Trustin (Chief Historian, Historical Division, Office of Information Services Headquarters, United States Air Forces in Europe), *Why Dresden was Bombed. A Review of the Reasons and Reactions* (1954, n.p.), pp. 15-17.

417 Focal Point edn., p. 214; *Mit Goebbels bis zum Ende*, n.d., Buenos Aires, vol. ii, no page number.

418 Quite the contrary, the number was surprisingly exact.

419 *Der Prozeß gegen die Hauptkriegverbrecher vor dem Internationalen Militärgericchtshof*, vol. XVII, p. 283. Irving himself has collected extensive material on this episode and gave it prominence in his book *Hitler's War*, (1977 ed.) pp. 771-72.

420 Corgi edn., 1966, p. 225.

421 Focal Point, p. 243 and fn. 35, p. 299.

422 Corgi 1966, p. 241; Focal Point, p. 263.

423 DJ 10, Hans Sperling to Irving, 25 April 1962. See also Irving to Hans Sperling, 16 April 1962.

424 *Lagemeldung Nr. 1396 des Chefs der Ordnungspolizei Berlin*, quoted in Bergander, p. 264.

425 The full title of this document is *Der Höhere SS- und Polizeiführer Elbe an den Gauen Halle-Merseburg, Sachsen und im Wehrkreis IV - Befehlshaber der Ordnungspolizei, Schlußmeldung über die vier Luftangriffe auf den LS-Ort Dresden am 13., 14. und 15. Februar 1945*, signed [Police Colonel Wolfgang] Thierig, Eilenberg, March 15, 1945.

426 Weidauer, p. 127.

427 Kimber, p. 223.

428 Bergander, p. 265. A photocopy of the original is contained on Irving's research microfilm DJ 35.

429 DJ 35, Walter Lange to Irving, 5 April 1966; Irving to Walter Lang, 12 April 1966.

430 DJ 35, Walter Lange to Irving, 27 May 1966.

431 Focal Point edn., fns. 36 and 37, p. 299.

432 DJ 35, Boberach to Irving, 13 May 1966.

433 Bergander, p. 266.

434 Bergander, pp. 267 and 269.

435 Doc. 1063, 'further Dresden records'.

436 DJ 35, Irving to Boberach, 16 May 1966. Irving would seem to have been slightly suspicious as to why the document had been discovered so late. He described its late discovery as 'very tragic' and asked Boberach to explain the reasons why the document had first turned up then. For Boberach's explanation see DJ 35, Boberach to Irving, 6 June 1966.

437 DJ 35, 'The Dresden Air Raids – A Correction,' second draft, 29 June 1966; Record of telephone conversation or message, 30 June 1966.

438 Doc. 180, Irving to *The Times*, 7 July 1966.

439 DJ 35, Irving to the *Sunday Telegraph*, 7 July 1966.

440 Dresden Updated Materials, Melden E. Smith Jr., 'Dresden Revisited: New Perspectives on a Lingering Controversy,' presented to the 1978 Missouri Valley History Conference, p. 5.

441 Doc. 182, Irving to Amy Howlett, 28.8.66; doc. 183, list of alterations in the text of *The Destruction of Dresden*; doc 1870, Irving to Cin Calabi, Arnoldo Mondadori Editori, 28.8.66.

442 Doc. 185, Irving to Alan Earney, 14 September 1966; doc. 187, Irving to Alan Earney, 16 September 1966.

443 DJ 35, record of telephone conversation with John Moorehead of the *Evening Standard*, 10.10 a.m., 7 July 1966.

444 DJ 35, Irving to R.H. Haydon, 11 July 1966.

445 DJ 35, Irving to Rudolf Lusar, 11 August 1966.

446 Doc. 184, Cin Calabi to Irving, 9 September 1966 simply says that she can 'quite understand' Irving not wanting his letter to *The Times* to be reprinted.

447 Rowohlt, 1967, pp. 210-11 and 247-48.

448 No changes were made in either of the reprints of the original Kimber text (1974 and 1985), remembering of course that the 1963 edition had not included TB 47 and had merely based its 'most probable' figure on Voigt.

449 Doc. 182, Irving to Amy Howlett, 28 August 1966.

450 Bergander, p. 261.

451 Heyne edn..1985 (and therefore 1977), p. 223.

452 Focal Point, edn., p. 239-240.

453 Doc. 1833, Irving to the Dresden City Museum, 10.3.97.

454 Doc. 1063, Irving to the *Süddeutsche Zeitung*, 15 February 1985.

455 Focal Point, p. 45.

[456] Focal Point, p. 63.

[457] Focal Point, edn., p. 244.

[458] Corgi, edn.,1966, p.187; Focal Point, p. 189.

[459] Focal Point, edn., pp. 243 and 244.

[460] Corgi edn., 1966, vii; Corgi edn., 1971, p. 7; 'massive' dropped from Focal Point, ix.

[461] Corgi edn., 1966, p. 78; Focal Point edn., p. 78; Corgi edn., 1966, p. 81; Focal Point edn., p. 81.

[462] Corgi edn., 1966, p. 83; Focal Point, edn., p. 82.

[463] Corgi edn., 1966, p. 83; Focal Point, edn., p. 82.

[464] Corgi edn., 1966, p. 106; Focal Point, edn., p. 104.

[465] Focal Point, edn., p. 171; Corgi edn., 1966, p. 173.

[466] Focal Point, edn., p. 188; Corgi edn., 1966, p. 185.

[467] Corgi edn., 1966, p. 106.

[468] Corgi edn., 1966, p. 272.

[469] Focal Point, p. 104.

[470] Focal Point, p. 176 and fn. 12, p. 290; Heyne 1985, appendix 3, p. 277.

[471] Feydt, quoted in Bergander, p. 249.

[472] Bergander, p. 250.

[473] Bergander, pp. 250-3.

[474] Reichert, p. 55. Förster also gives the same figure, but allows for a number of evacuees from the Rhineland, p. 309.

[475] Heyne 1985, p. 289.

[476] Heyne edn., 1985, p. 290.

[477] Reichert, p. 58.

[478] Focal Point, edn., p. 260.

[479] DJ 10, Hans Sperling to Irving, 25 April 1962.

[480] Corgi edn., 1966, p. 213, Focal Point, p. 224

[481] Bergander, pp. 267-8.

[482] Weidauer, p. 119.

[483] Stadtarchiv Dresden, *Marshall und Bestattungsamt, Nachtrag 1* and *5*.

[484] Corgi 1966, pp. 214-5; Focal Point, pp. 225-6.

[485] Reichert, p. 58.

[486] Corgi 1966, pp. 216; Focal Point, pp. 227-8.

[487] Reichert, p. 58.

[488] Focal Point edn., p. xiii.

[489] Weidauer, p.120.

[490] Reichert, p. 58.

[491] Focal Point, edn., pp. 272 and xiii.

[492] Irving to Crossman, 26 May 1963, PRO, FO 371/169329. Theo Miller had contacted Irving in 1965 as he had been involved in the clearance work following the attack, including recovering corpses. He wrote to Irving that by mid-March 1945 'our task was almost completed' and that the clearing work had uncovered 30,000 corpses. See DJ 10, Theo Miller to Irving, 25 February 1965.

[493] Reichert, p. 61.

[494] Doc. 1340, Obituary for William Kimber by Irving, 1 May 1991, published in *The Daily Telegraph*.

[495] Doc. 1866.

[496] Doc. 143. Doc. 140 is presumably the list of extracts from *Und Deutschlands Stadte starben nicht* to prove to Kimber that he was not biased in his censures.

[497] Focal Point, edn., preface.

[498] Focal Point, edn., p. xiv; doc. 1866, Kimber to Irving, 3 April 1963; doc. 143, Irving to William Kimber, 25 April 1963.

[499] Doc. 143, Irving to William Kimber, 4 April 1963.

[500] DJ 10, New information on death toll in Allied air raids on Dresden, 1945, introduction, dated November 1964.

[501] Doc. 147, Irving to Sydney Silverman, 2 June 1963.

[502] Focal Point, edn., viii.

[503] For instance his claim to *The Times* on 7 July 1966 that he had 'no interest in promoting or perpetuating false legends' See doc. 180, Irving to *The Times*, 7 July 1966.

[504] Videotape 175, David Irving, 'A return to honesty and truth in history,' Elangani Hotel, Durban, South Africa, 5 March 1986.

[505] Videotape 190, Irving at Bayerischer Hof, Milton, Ontario, 5 October 1991.

[506] Videotape 226, unedited material from the "This Week" programme, 28 November 1991.

[507] Videotape 184, 'Leuchter Report press conference,' London [?], 23 June 1989. Titles read: 'The Truth at Last, Six Million Lies, Focal Point Video'.

[508] Videocassette 200: Irving, 'The Search for Truth in History –Banned!' 1993.

[509] Doc. 1063, Irving to the *Süddeutsche Zeitung*, 15 February 1985.

[510] Doc. 1064, Irving to *The Times*, 21.2.85 (unpublished).

[511] David Irving, *Hitler's War* (London etc., 1977), p. 326.

[512] 'Für mich ist ja wesentlich festzustellen, ob es um die Jahreswende 1941/42 und auch später einen Unterschied zwischen "Abtransport" und "Liquidierung" der Juden in Hitler's Augen gab. Aus den bisher vorliegenden Aktenmaterialien könnte man beinahe vermuten, dass - was die Juden aus Westeuropa anging - in seinen Augen es sich nur um den Abtransport handelte, und er glaubte, dass sie dort im Osten zwar unter sehr harten Umständen den Arbeitsprozess zugeführt wurden. dieser Glauben scheint das ganze Jahr 1942 über noch bei Hitler geherrscht zu haben. Erst im April 1943 findet man dann Formulierungen, die eventuell auf eine andere Ansicht Hitler's schliessen lassen könnten.' (document 397, Irving to Dr. Friedrich Kabermann, 2 February 1974).

[513] Irving, *Hitler's War* (1977 ed.), p. 327, and 1991 ed., p. 424.

[514] Document 625, Irving to the Press Council, 6 August 1978.

[515] *Hitler's war,* 1977 edn., p.327. See also p. 331.

[516] Ibid., p.327. The sentence is retained in David Irving, *Hitler's War* (1991) p. 424.

[517] Deborah Lipstadt, *Denying the Holocaust. The Growing Assault on Truth and Menory* (London, 1994), p. 181.

[518] *Hitler's War* (1991), p. 20.

[519] Irving, *Goebbels,* p. 281, n. 73 (Schallmeyer), p. 274 n. 27 (Eberstein).

[520] Guido Knopp (ed.), *Hitler heute. Gespräche über ein deutsches Trauma* (Aschaffenberg, 1979), p. 92.

[521] Some of the reminiscences and documents cited in *Hitler's War* can be dismissed out of hand in relation to the point under discussion. For instance Nicolaus von Vormann was Hitler's adjutant for August and September of 1939. Max Wünsche's diary recorded 'Hitler's movements and minor decisions' only for 1938. Wilhelm Brückner and Fritz Wiedemann were both released from Hitler's service in 1939.

[522] Lipstadt, p. 181.

[523] Audiocassette 127, Irving on 'the Freedom of Speech' and 'Adolf Hitler's "Final Solution"' in Oakland, California, 10 September 1996.

[524] Amongst the relevant studies are M. Steinert, *Hitlers Krieg und die Deutschen* (Düsseldorf, 1970); Lawrence D. Stokes, 'The German People and the Destruction of the European Jews', *Central European History*, vol. 6 (1973), pp. 167 - 191; Ian Kershaw, *Popular Opinion and Political Dissent in the 'Third Reich': Bavaria 1933 - 1945* (Oxford, 1983); Hans Mommsen,

'Was haben die Deutschen vom Völkermord an den Juden gewußt?', in Werner H. Pehle (ed.), *Der Judenpogrom 1938. Von der 'Reichskristallnacht' zum Völkermord* (Frankfurt a. M., 1988), pp. 176-200; David Bankier, 'The Germans and the Holocaust: What did they know?', *Yad Vashem Studies*, vol. 20 (1990), pp. 69-93.

525 'Wohl ist es wahr, daß - außer den Beteiligten, die schwiegen - das ganze Ausmaß des Grauens kaum jemandem bekannt wurde, aber wer im Osten und insbesondere im Generalgouvernement war, mußte von der Ausrottung der Juden wenigstens gehört haben, wenn auch die ungeheuren Zahlen und die Bestialität der Ausführung, von denen gesprochen wurde, für ihn unkontrollierbar blieben [...] Soviel ist aber sicher: es gab keinen Menschen in Deutschland, der nicht wußte, daß den Juden Böses geschah,..' (Ferdinand von der Leyen, *Rückblick zum Mauerwald. Vier Kriegsjahre im Oberkommando des Heeres* (Munich, 1965), pp. 62-3 quoted in Hans-Heinrich Wilhelm, 'Wie geheim war die "Endlösung"? ', in Wolfgang Benz (ed.), *Miscellanea. Festschrift für Helmut Krausnick zum 75. Geburtstag* (Stuttgart, 1980), pp. 131-148, p. 133).

526 Stokes, pp. 188-9.

527 Stokes, p. 187.

528 Herbert and Sibylle Obenaus (eds.), *"Schreiben wie es wirklich war!": Aufzeichnungen aus den Jahren 1933-1945* (Hannover, 1985), pp. 112, and 113-115.

529 Lilli Hahn, *... bis alles in Scherben fällt. Tagbuchblätter 1933-1945* (Cologne, 1979), entry of 30 November 1941.

530 Johannes Steinhoff / Peter Pechel / Dennis Showalter (eds.) *Voices from the Reich. An Oral History* (London, 1991), pp. 254-57.

531 Ruth Andreas-Friedrich, *Der Schattenmann. Tagebuchaufzeichnungen 1938-1945* (Frankfurt a. M., 1983), p. 96.

532 *The von Hassell Diaries* (London, 1948), p. 272. The German reads, 'Erschütternde Berichte des braven Frauendorfer aus Polen, während Frank öffentlich erklärt, man wolle Polen ein menschenwürdiges freies Dasein geben und während man - vergeblich - die Welt durch Katyan abzulenken sucht, haust die SS in Polen weiter in unvorstellbar beschämendster Weise. Unzählige Juden werden in besonders gebauten Hallen vergast, jedenfalls 100 000. [...] Iinzwischen setzte sich der unglücklich Judenrest in Warschau zur Wehr, und es kam zu schweren Kämpfen, die Wohl zur völligen Ausrottung durch die SS führen werden.' (Ulrich von Hassell, *Vom anderen Deutschland. Aus den nachgelassenen Tagebüchern 1938-1944* (Zürich, 1947), p. 314). Ulrich von Hassell [1881-1944] was a career diplomat and active member of the Resistance movement. He was executed on 8 September 1944 in the wake of the July Plot. Hans Frank [1900-1946] General Governor of Poland 1939-1945.

533 'On m'a raconté ce matin des histoires affreuses sur le traitment des Persans. Ils ont été massacrés hommes, femmes et enfants en grand nombre par des gaz asphyxiants ou par la mitrailleuse. La haine, qui, forcément, doit en surgir ne sera jamais éteinte. Dies weiß heute jedes kind in allen Details.' (hand-written entry of 22 November 1942 in the unpublished diaries of Curt Prüfers, quoted in Hans-Jürgen Döscher, *Das Auswärtige Amt im Dritten Reich. Diplomatie im Schatten der 'Endlösung'* (Berlin, 1987), p. 253). The French and reference to the 'Persians' instead of the Jews was intended to disguise his knowledge. After the war, Prüfer rewrote this diary entry to make the reference to the Jews explicit, and added new material to make him seem more sympathetic to their plight. In the original version, quoted here, he was worried only about the effect of the killings on subsequent, probably

international, opinion. See Donald M. McKale (ed.), *Rewriting History. The Original and Revised World War II Diaries of Curt Prüfer, Nazi Diplomat* (London, 1988), pp. 11 and 151, quoting, respectively, the original and revised versions. See also Donald M. McKale, *Curt Prüfer: German Diplomat from the Kaiser to Hitler* (London, 1987).

534 Alexander Stahlberg, *Die verdammte Pflicht: Erinnerungen 1932 bis 1945* (Berlin, 1987), translated by Patricia Crampton as *Bounden Duty. The Memoirs of a German Officer 1932-45* (London, 1990), p. 202.

535 Ibid., p. 286.

536 Ibid., p. 312-14.

537 'Von den Vorgängen in den KL wußte ich keine Einzelheiten, aber ich wußte, daß die Endlösung der Judenfrage in der Ausrottung der Juden bestand. [...] Das Wort 'Sonderbehandlung' kannte ich schon in meiner Berliner Zeit. Auf der Dienstelle wurde nie etwas darüber gesprochen, auch nicht mit Freunden. [...] Aber jeder, der damit befaßt war, wußte, was das Ganze bedeutet.' (statement by Erika Scholz, 11 December 1969 in the trial of Franz Novak, quoted in Götz Aly, *"Endlösung". Völkerverschiebung und der Mord an den europäischen Juden* (Frankfurt a. M., 1995), p. 372).

538 *Hitler's War,* p. 393.

539 Peter Steinbach, *Nationalsozialistische Gewaltverbrechen. Die Diskussion in der Öffentlichkeit nach 1945* (Berlin, 1981), p. 74.

540 Literature discussing the veracity of post-war reminiscences of the National Socialist dictatorship includes Walter Hubatsch, *Deutsche Memoiren 1945-1955. Eine kritische Übersicht deutscher Selbstdarstellung im ersten Jahrzehnte nach der Katastophe* (Laupheim, 1956); Helmut Peitsch, *"Deutschlands Gedächtnis an seine dunkelste Zeit." Zur Funktion der Autobiographik in den Westzonen Deutschlands und den Westsektoren von Berlin 1945 bis 1949* (Berlin, 1990); Leonidas E. Hill 'The Published Political Memoirs of Leading Nazis, 1933- 1945', in George Egerton (ed.), *Political Memoir. Essays on the Politics of Memory* (London, 1994), pp. 225-241; Friedrich Gerstenberger 'Strategische Erinnerungen. Die Memoiren deutscher Offiziere', in Hannes Heer (ed.) *Vernichtungskrieg. Verbrechen der Wehrmacht 1941-1944* (Hamburg, 1995), pp. 620-627.

541 Adalbert Rückerl, *NS-Verbrechen vor Gericht. Versuch einer Vergangenheitsbewältigung* (Heidelberg, 1982), pp. 249-256.

542 Rückerl, p. 250.

543 A particularly crass example is Lina Heydrich, Reinhard Heydrich's wife. When she published her memoirs her publishers saw themselves obliged to employ an historian to refute no less than 29 contentious attempts to excuse her husband or herself. Lina Heydrich, *Leben mit einem Kriegsverbrecher mit kommentaren von Werner Maser* (Pfaffenhofen, 1976).

544 The varieties of the protestation 'I knew nothing' are also dealt with in Barbara Keller, *Rekonstruktion der Vergangenheit. Vom Umgang der "Kriegsgeneration mit Lebenserinnerungen* (Opladen, 1996), p. 204.

545 Gabriel Rosenthal (ed.) *"Als der Krieg kam, hatte ich mit Hitler nichts mehr zu tun" Zur Gegenwärtigkeit des 'Dritten Reichs' in Biographen* (Opladen, 1990), pp. 216-220.

546 Lothar Steinbach, *Ein Volk, ein Glaube? Ehemalige Nationalsozialisten und Zeitzeugen*

berichten über ihr Leben im Dritten Reich (Bonn, 1983), pp. 16-17.

547 Ela Hornung, 'Das Schweigen zum Sprechen bringen. Erzählungsformen österreichischer Soldaten in der deutschen Wehrmacht', in Walter Manoschek (ed.), *Die Wehrmacht im Rassenkrieg. Der Vernichtungskrieg hinter der Front* (Vienna, 1996), pp. 182-205, p. 187.

548 Hitler's regulars at the Berghof included his doctor Theodore Morell, his court photographer Heinrich Hoffman, his press speaker Otto Dietrich, the Munich Gauleiter Otto Wagner and the Vienna Gauleiter Baldur von Schirach and his wife Henriette von Schirach. The wives of the top elite were also regular fixtures such as Anni Brandt, Maria von Below, Margret Speer, Gerda Bormann, and of course Eva Braun,

549 *Hitler heute*, p. 90.

550 Document 882, Anthony Seldon to Irving, 7 February 1983, (labelled as Irving to Anthony Seldon).

551 Ron Rosenbaum, *Explaining Hitler. The Search for the Origins of his Evil* (London, 1998), p. 228.

552 Ibid., p. 229.

553 Robert M. W. Kempner, *SS im Kreuzverhör. Die Elite die Europa in Scherben schlug* (Nördlingen, 1987), p. 341.

554 Gert Sudholt (ed.), *Adolf Hitler's drei Testamente. Ein Zeitdokument* (Leoni am Sternberger See, n.d.), pp. 29 and 31.

555 Astrid Lange, *Was die Rechten lesen. Fünfzig rechtsextreme Zeitschriften. Ziele, Inhalt, Tatik* (Munich, 1993), p. 21.

556 Document 1856, Staatsarchiv Nürnberg, KV Prozesse, Fall 11, Akte G15, Dietrich Dokument Nr. 279, Affidavit Julius Schaub, 8.6.1948.

557 'Ein Geheimniskrämer par exellencce in der Adjutantur war Julius Schaub. Er war natürlich informiert über das, was gerade anstand, und genoß solche Situationen ganz offensichtlich.' (Christa Schroeder, *Er war mein Chef. Aus der Nachlaß der Sekretärin von Adolf Hitler* ed. by Anton Joachimsthalter (Munich/Vienna, 1985), p. 48). Henceforth *Er war mein Chef.*

558 *Adolf Hitlers drei Testamente*, p. 29.

559 Kempner, p. 343.

560 A.L. Rüter-Ehlermann and C. F. Rüter (eds.), *Justiz und NS-Verbrechen. Sammlung deutscher Strafurteile wegen nationalsozialistischer Tötungsverbrechen 1945-1966* (Amsterdam, 1970), Vol. 2, pp. 149-55.

561 NG-5027, telegram no. 1645, 9.10.1943; Ulrich Herbert, *Werner Best. Biographische Studien über Radikalismus, Weltanschauung und Vernunft 1903-1989* (Bonn, 1996).

562 'Heute ist das Urteilsvermögen der Deutschen derart verdreht worden, daß jeder für dumm, wenn nicht für verbrecherisch gehalten wird, der Hitler die Treue hielt.' (Franz von Sonnleithner, *Als Diplomat im "Führerhauptquartier"* forward by Reinhard Spitzy (Munich/

Vienna, 1989)., p. 230). Henceforth von Sonnleithner.

563 Von Sonnleithner, pp. 246-7.

564 'Ich dachte mir damals, daß ich das jüdischen Volk für klüger gehalten hätte, als sich so stark in der Anklagebehörde gleichsam als ein Chor der Rache zu beteiligen. Ich bedauerte, daß es Leute gibt, die nie lernen werden, wie man sich benehmen muß, um aufgestaute Agressionen abzubauen. Das deutsche Volk war damals so getroffen, daß es gerne die Gelegenheit ergriffen hätte, verflossene Zeiten vergessen zu machen.' (von Sonnleithner, p. 266).

565 'In Ossweil wurden wir auch in die Turnhalle geführt, um uns einen Film über die deutschen Konzentrationslager-Greuel zu zeigen. [...] Als Menschen taten jedem natürlich alle Mitmenschen leid, die irgend ein schreckliches Schicksal erlitten hatten, aber wir wußten so genau, daß nicht nur wir den Krieg hart geführt hatten, sondern auch die auf der Gegenseite einiges getan hatten, was bei uns sicher als Kriegsverbrechen bezeichnet worden wäre. Außerdem waren die wenigstens von uns für das jetzt so bestandete Tun verantwortlich.' (von Sonnleithner, p. 241).

566 Werner Jochmann (ed.) *Adolf Hitler. Monologe im Führerhauptquartier 1941-1944. Die Aufzeichnungen Heinrich Heims* (Hamburg, 1980), pp. 12 and 15. Henceforth *Monologe*.

567 '...Heim lebe in eine Trauwelt und verehre heute noch Hitler in einer gar unrealistischen Weise.' (IfZ ZS-243/I, protocol of a conversation between Heinrich Heim and Dr. Mau, 17 July 1952, p. 9.)

568 Document 290, note on an interview of M. Francois Genoud, Lausanne, 21 June 1971.

569 See the accout in Schroeder, *Er war mein Chef* and Joachim von Lang, *Der Sekretär*.

570 Peter Padfield, *Dönitz. The last Führer. Portrait of a Nazi War Leader* (London, 1984), p. 486.

571 Document 303, Elke Fröhlich to Irving, 13 August 1971.

572 Robert Harris, *Selling Hitler. The Story of the Hitler Diaries* (London etc., 1991), pp. 70-71.

573 The reporter Gitta Sereny described their contempt for the 'disloyalty' of Albert Speer at Nuremberg and his writings and interviews since Spandau (Gitta Sereny, *Albert Speer. His Battle with the Truth* (New York, 1995), p. 5); Harris, p. 70.

574 *Er war mein Chef*, p. 10.

575 'Eine Story, die verantwortungslose Journalisten sich aus den Fingern gezogen hatten, war im Umlauf, galt als "Linge- bericht" und - brachte mir großen Schaden. Ehemalige Kamaraden aus der Umgebung Hitlers kehrten mir den Rücken und ziehen mich der Geschäftemacherei mit frei erfundenen Behauptungen. [...] Jetzt, nachdem ich nicht mehr fürchten muß, noch einmal in Gefängnisse und Straflager gesteckt zu werden, weil ich zehn Jahre lang in Hitlers unmittlbarer Umgebung gedient habe, kann ich hoffen, frei und offen sagen zu dürfen, was ich miterlebte' (Heinz Linge, *Bis zum Untergang. Als Chef des Persönlichen Dienstes bei Hitler*, ed. by Werner Maser (Munich/Berlin, 1980), pp. 7-8). Henceforth Linge.

576 Document 301, in Jewish Historical Institute Warsaw (ed.), *Fascismus, Getto, Massenmord. Dokumentation über Ausrottung und Widerstand der Juden in Polen während des zweiten Weltkrieges* (Berlin, 1960), pp. 381-3.

577 Rena and Thomas Giefer, *Die Rattenlinie. Fluchtwege der Nazis. Eine Dokumentation* (Frankfurt a. M., 1991), p. 35.

578 See Ian Kershaw, *The 'Hitler Myth'. Image and Reality in the 'Third Reich'* (Oxford, 1987).

579 Hans Frank, *Im Angesicht des Galgens* (Munich, 1953), pp. 139 and 322.

580 For a description of the publishing milieu, see Thomas Aassheuer and Hans Sarkowicz, *Rechtsradikale in Deutschland. Die alte und die neue Rechte* (Munich, 1992), pp. 72-79. For an extreme example see the memoirs of Hitler's architect, Hermann Giesler, *Ein anderer Hitler. Erlebnisse - Gespräche - Reflexionen* (Leoni am Starnberger See, 1978). Irving uses Giesler in *Hitler's War*.

581 Rainer Zitelmann, 'Hitler Bild im Wandel', in Karl Diedrich Bracher/Manfred Funke/ Hans-Adolf Jacobsen (eds.), *Deutschland 1933-1945. Neue Studien zur nationalsozialistischen Herrschaft* (Bonn, 1992), pp. 491-506.

582 Linge, p. 209

583 Rosenbaum, *Explaining Hitler*, p. 228. For another person's journey into the 'inner circle' see Ib Melchior and Frank Brandenburg, *Quest. Searching for the Truth of Germany's Nazi Past* (Novato, 1994).

584 Document 444, a list of selling points in *Hitler's War*, July 1976.

585 *Explaining Hitler*, p. 228.

586 Document 500, 'Mr Irving's Hitler - the $1,000 Question', *The Sunday Times*, 10 July 1977.

587 Sydnor, p.198.

588 *Hitler heute*, p. 90.

589 *Hitler's War* (1991), p. 6.

590 *Hitler's War*, p. xxi.

591 Daniel W. Michaels, 'Nuremberg: Woe to the Vanquished', *Journal of Historical Review*, vol. 17 (1 January- February 1998), pp. 38-46, p. 17.

592 Document 243, letter from Irving to Maximillian Becker, 7 October 1969.

593 *Explaining Hitler*, p. 229.

594 Document 753, Cindy Strafford to Irving, 3 January 1981; document 755, Irving to Cindy Strafford, 10 January 1981.

595 Document 882.

596 'Selbst der als 'serious' und 'integer' annoncierte David Irving ist nicht gefeit gegen ... Ungenauigkeiten oder wie immer man es nennen mag.' (*Er war mein Chef*, pp. 262-266). For example Schroeder commented on Irving's 1980 book '*Wie krank war Hitler eigentlich?*' Irving had related that Viktoria von Dirksen smuggled a 21 year-old relation of hers naked into Hitler's bed. This lady (Grafin Welczeck) was apparently insulted. Her friend Reinhard Spitzy demanded Irving apologise to her before she would be prepared to receive him for an interview. (ibid., pp. 69-70 and 264).

597 'Die Aufzeichnung meiner Erinnerungen aus der Adjutantzeit stellte mich vor außergewöhnliche Schwierigkeiten. Meine Tagebücher sind bei Kriegsende vernichtet worden. Einen Teil verbrannt ich selbst, für die Verbrennng der auf dem Obersalzberg befindlichen Aufzeichnungen hat Puttkamer Sorge getragen. Es ist mir unerklärlich, wieso der englische Historiker David Irving zu der Behauptung kommen könnte - im Vorwort "Hitler und seine Feldherren" (1975) -, meine Tagebücher befänden sich "wahrscheinlich in Moskau." ' (Nicolaus von Below, *Als Hitler's Adjutant 1937-1945* (Mainz, 1980), pp. 9-10).

598 *Hitler's War* (1991), p. 13.

599 'Noch eine Bemerkung von I. hat mich in Erstaunen gesetzt. Ich soll ihm "unveröffentlichte zeitgenössische Manuskripte und Briefe zur Verfügung gestellt" haben und hätte mich der Mühe unterzogen - neben anderen - "viele Seiten" seines "sich daraus ergebenden Textes durchzuarbeiten". Ich erinnere mich zwar an einige Besuche von I., bei denen ich seine Fragen beantwortete. Aber seine weitergehenden Behauptungen muß ich als nicht der Wahrheit entsprechend entschieden zurückweisen.' (von Below, pp. 9-10).

600 *Hitler's War*, (1977 ed.) p. 529.

601 Leni Riefenstahl, *The Sieve of Time* (London, 1992), pp. 137, 152, and 211.

602 Sereny, p. 112.

603 'Dabei war verblüffend, daß er [Hitler] selbst in den spannungsreichensten Tagen kaum zu aktuellen Kriegsproblemen Stellung nahm, vielmehr - auch dann, wenn in den militärischen Lagerbesprechungen vor dem Mittagsessen die Meinungen heftig aufeinander geplatzt waren - etwa über die Schädlichkeit des Rauchens oder dergleichen dozieren konnte.' (Henry Picker, *Hitler's Tischgespräche im Führerhauptquartier* (Stuuttgart, 1976), p. 36). Henceforth Picker. For a slightly different account see Henry Picker and Heinrich Hoffmann, *The Hitler Phenomenon. an Intimate Portrait of Hitler and his Entourage* (London, 1974), p. 7.

604 'Bei der Beurteilung der Monologe Hitlers werden stets diese Aspekte berücksichtigt werden mussen. Dem Bedürfnis nach Entspannung und Verdrängung entsprach es, daß in den Wintermonten 1941/2 die schwere Krise an der Ostfront, die Nöte der Bevölkerung im harter werdenden Luftkrieg, die Versorgungsschwierigkeiten und die sich abzeichnende Schwäche Italians mit keinem Wort erwähnt werden. Nicht minder sichtbar wird das Bedürfnis nach Erholung bei den Erinnerungen an eine besonntere Vergangenheit, den Berichten über interessante Begegnungen und Erlebnisse, bei Eröterungen über Fragen der Kunst.' (*Monologue*, pp. 13-14).

605 *Er war mein Chef*, p. 224.

606 'Nach Stalingrad konnte Hitler keine Musik mehr hören. Wir verbrachten nunmehr die Abende damit, ihn monologisieren zu höre. Aber es waren auch immer wieder die gleichen Gespräche: seine Jugendzeit in Wien, die Kampfzeit, die Geschichte der Menschheit, der Mikrokosmos und der Makrokosmos usw. Bei den meisten Themen wußten wir schon im voraus, was er sagen würde, und so wurden die Abende oft zu einer recht anstrengenden Angelegenheit. Die Ereignisse in der Welt und an der Front durften während der Teestunden nicht berührt werden, alles, was mit dem Krieg zusammenhing, war Tabu.' (ibid., p. 130).

607 'Dabei war das Verblüffende, dass er selbst in den spannungsreichsten Tagen kaum zu aktuellen Kriegsproblemen Stellung nahm, vielmehr – auch dann, wenn in den militäischen Lagebesprechungen vor dem Mittagessen, vor dem Abendessen oder um Mitternacht die Meinungen heftig aufeinandergeplatz waren – über die Schadlichkeit des Rauchens oder dergleichen zu plaudern verstand.' (Picker, pp.42-43).

608 'Auf jeden Fall war seine Kunst, den Tischgästen etwas darzulegen, so effecktvoll, daß die Schärfe und Brutalität seiner Angriffe - besonders gegen ausländische Staatsmänner, Bürgertum, Kirche, Judentum, Juristen und Diplomaten - leicht überhört wurde. Trotzdem ließ ihn sein immer wacher Instinkt auch bei größter Lebhaftigkeit nie die Tarnung vergessen bei Dingen, für die bei seiner Tischgesellschaft ebenso wie in der breiten Masse unseres Volkes die Resonanz fehlte. Man nehme z.B. nur die Greuel der Judenverfolgung, die er durch Vorarbeiten über die Errichtung eines jüdischen Nationalstaates auf der Insel Madagaskar oder im Innerafrika verschleierte.' (Picker, p. 44).

609 '1. Niemand: Keine Dienstelle, kein Beamter, kein Angstellter und kein Arbeiter dürfen von einer geheimzuhaltenden Sache erfahren, wenn sie nicht aus dienstlichen Gründen unbedingt davon Kenntnis erhalten müssen.

2. Keine Dienstelle, kein Beamter, kein Angestellter und kein Arbeiter dürfen von einer geheimzuhalten Sache mehr erfahren, als für die Durchführung ihrer Aufgabe unbedingt erforderlich ist.

3. Keine Dienstelle, kein Beamter, kein angestellter und kein Arbeiter dürfen von einer geheimzuhalten Sache bezw. Dem für sie notwendigen Teil früher erfahren, als dies für die Durchführung ihrer Aufgabe unbedingt erforderlich ist.

4. Die gedankenlose Weitergeben von Erlassen, Verfügungen, Mitteilungen, deren Geheimhaltung von entscheidener Bedeutung ist, insbesondere laut irgendwelcher allgemeiner Verteilerschlüssel, ist verboten' (document 112, *Grunsätzlicher Befehl*, in Martin Moll (ed.) *"Führer-Erlasse" 1939-1945* (Stuttgart, 1997), p. 201).

610 Wenn Hitlers "Grundsätzlicher Befehl" strikt befolgt wurde, dann war das in der Persönlichen Adjutantur Hitlers. Es war immer nur zu erahnen, wenn sich etwas besonderes ereignet hatte oder sich ereignen sollte.' (*Er war mein Chef*, p. 48).

611 'Hitler brauchte die Sekretärinnnen nur für einfach Diktate und dadurch war es ihnen nicht möglich, ein vollständiges Bild von dem Plan oder dem Erfolg eines Unternehmens zu erhalten. Diese Taktik entsprach Hitlers Grundsatz, nie jemanden etwas wissen zu lassen, was dieser nicht unbedingt wissen mußte. Jene aber, die unbedingt in eine Sache eingeweiht werden mußte, unterrichtet er erst, wenn der Zeitpunkt es unbedingt erfoderte. [...] Dieses Beispiel ist jedoch keine Ausnahme, denn alle Vorgänge spielten sich in ähnlich geheimsvoller Weise ab. Offentsichtlich hing dies damit zusammen, daß Hitler niemanden vollständiges Vertrauen schenkte. Ich hatte den Eindruck, daß Hitler dem einzelnen nur bis zu einem genau festgelegten Punkte traute, so weit es Umstände und Lage erforderten. Dieses allgemeine Mißtrauen Hitlers ging auf seinen ganzen Stab über und bewirkte eine allgemeine bedrückte Atmosphäre.' (*Er war mein Chef*, p. 268). Linge also spoke of the 'camouflage' [*Tarnung*] surrounding the invasion of France (Linge, pp. 195-6).

612 'Mit ebenso erstaunlicher Beherrschung konnte Hitler Geheimnisse bewahren. Er war überzeugt davon, daß ein jeder nur das zu wissen hat, was er unbedingt zur Ausübung seines Amtes brauchte. Oft sagte er: "Ein Geheimnis, das zwei wissen, ist kein Geheimnis mehr." Niemals hat er über seine geheimen Absichten und Pläne gesprochen und hat auch niemals eine Andeutung über eine bevorstehende Operation oder dergleichen gemacht.' (*Er war mein Chef*, p. 75).

613 'Da der biologische Antisemitismus einer der tragenden Aspekte des Nationalsozialismus war, was nicht nur jeder Deutsche spätestens zwischen 1933 und 1939 auf irgendeine Weise mit Gewißheit erfahren hatte, auch ohne Hitlers "Mein Kampf" oder der "Stürmer" gelesen zu haben, konnten derartige Hitler-Äußerungen am allerwenigsten bei uns Überraschung

auslösen. Im Gegenteil. Über die Sondervollmachten Himmlers wußte auch ich, der eigentlich mehr hätte wissen müssen, im Detail so wenig wie die Militärs. Hitlers Fähigkeit, Geheimnisse konsequent zu wahren, war beispiellos. Niemand erfuhr mehr, als er in einer bestimmten Situation unbedingt erfahren mußte, und niemand war dabei ausgenommen: weder Bormann, Himmler und Göring noch Braun.' (Linge, pp. 186-187).

614 'Wie viele andere glaubte ich aber damals daran, was als Grund für die nicht unbekannt bleibenden Juden-Deportationen in den Osten angegeben worden ist, daß man sie dort zum Arbeitseinsatz für Kriegeswichtige Aufgaben heranziehe. Dies erschien mir angesichts der zunehmenden Nutzung des in- und ausländischen Arbeitskräftepotentials als durchaus plausibel, und ich weiß nun erst, daß ich einer schrecklichen Täuschung unterlag. Es ist mir unbegreiflich, wie es gelingen konnte, diesen Massenmord mit dem undurchdringlichen Schleier des Geheimnisses zu umgeben. Da meine Familie, auch die Familie meiner Frau, keine jüdischen Freunde oder Bekannte hatte und wir während des Krieges in einer gewissen Isolation lebten, drang auf unmittelbaren Wegen davon nichts an unser Ohr, auch nicht über andere Verwandte, Freunde und Kamaraden. Der "Führerbefehl Nr. 1" von 1940 tat hier seine Wirkung. In einem System wie der nationalsozialistischen Herrschaft mit einer vorzüglich funktionierenden Geheimpolizei, die auch vor dem Militär nicht halt machte, waren bestimmte Themen tabu, auch in unserem Kreise.' (von Below, p. 291).

615 *Hitler's War*, p. 327.

616 The five were Werner Koeppen [Rosenberg's representative in the *Führerhauptquartier* and also a recorder of Hitler's Table Talk (unpublished?)], Otto Günsche, Nicholaus von Below, Christa Schroeder, and Richard Schulze-Kossens. Dr. Koeppen said ' "I must doubt that he [Hitler] knew nothing" ' Otto Günsche said: ' "Of course, one must assume that he did know…" ' Von Below said: ' "According to reason, the assumption has to be that he knew".' Christa Schroeder said: ' "That Hitler should not have known, is quite impossible".' Richard Schulze-Kossens said that he did not realise that Irving claimed in his book that Hitler didn't know: ' "I thought it just says that Hitler didn't give the *order* for the extermination. One must of course conclude that he knew – I can't believe, knowing Himmler, that he would have acted off his own bat […]".' (Document 500)

617 *Hitler's War*, p. 850.

618 Picker, p. 29, *Monologue*, p. 16.

619 *Monologue*, p. 19.

620 Karl Laske, *Ein Leben zwischen Hitler und Carlos: François Genoud* (Zurich, 1996), pp. 112-121.

621 Document 122. Document 210 repeats the same view.

622 Sereny, p. 248.

623 Picker and Hoffmann, p. 8.

624 Picker, pp. 17-18.

625 Picker, pp. 70, 78-9, 305-6, 340, and 456; *Monologe*, pp. 99, 106-8, 148, 228-9, 293, and 377.

626 See David Bankier, 'The use of Antisemitism in Nazi Wartime Propaganda' in Michael Berenbaum and Abraham J. Peck (eds.), *The Holocaust in History. The Known, the Unkown, the Disputed, and the Reexamined* (Bloomington/Indianapolis, 1998), pp. 41-55, and Volker

Ullrich, '"Wir haben nichts davon gewußt" - Ein deutsches Trauma.' in *1999. Zeitschrift für Sozialgeschichte des 20. und 21. Jahrhunderts*, vol. 4 (October 1991), pp. 11-46.

627 *Monologue*, p. 23.

628 Document 267, itinerary for December 1970; document 275.

629 Document 277, itinerary for April-May 1971.

630 Document 328.

631 Hilddegard von Kotze (ed.) *Heeresadjutant bei Hitler 1938-1943. Aufzeichnungen des Majors Engel* (Stuttgart, 1974).

632 Document 400, Irving to Elke Fröhlich, 15 February 1974.

633 Document 1921, Irving to Douglas Unfug, *Central European History*, 26 October 1979; Douglas Unfug to Irving, 16 July 1980; proofs of letters to be published.

634 Document 714, Irving to *Die Zeit*, 6 October 1979; document 328; document 400.

635 *Hitler's War* (1991), p. 11.

636 *Hitler's War*, p. 865, fn. to page 455.

637 Ibid., p. 72, fn. p. 833; p. 121, fn. p. 836; p. 128, fn. p. 837; p. 351, fn. p. 854; pp. 433-4, fn. p. 863; p. 444, fn. p. 864; p. 453, fn. p. 865; pp. 483-4, fn. p. 870.

638 Ibid., p. 406, fn. p. 860; p. 416, fn. p. 861; p. 472, fn. p. 868; document 382, pre-draft working notes for manuscript of *Hitler's War*, ca 1974, on "The consequences of Kristallnaacht": see this report, above, for details.

639 Irving stated that the editor 'rather feebly' drew attention to the diary's shortcomings (*Hitler's War* (1991), p. 11).

640 *Heeresadjutant bei Hitler*, p. 13.

641 For instance Magnus Brechtken, *"Madagaskar für die Juden" Antisemitische Idee und politische Praxis 1885 - 1945* (Munich, 1997), p. 276.

642 Listed as present were Engel, Otto Dietrich, Baldur von Schirach, state secretary for tourism Hermann Esser, Munich Gauleiter Adolf Wagner, Gauleiter of Munich-Oberbayern Wilhelm Murr.

643 'F. äußert sich im kleinen Kreise eingehend über die Judenprobleme, die ihm während seiner Besuche in Polen wieder so recht vor Augen getreten wären[…]Die ganze Angelegenheit sei kein religiöses, sondern ein rassisches Problem. Er überlege sich immer wieder, warum er bei den Nürnberger Gesetzen so human und großzügig gewesen wäre[…]Wenn auch der politische Einfluß der Juden in Polen gering gewesen wäre, müsse die ganze Angelegenheit doch straff geregelt werden. Man habe schon mit der Einrichtung von Groß-Ghettos begonnen, so in Lublin und Lodz. Aber damit würde man nicht auskommen, und es würden noch einige hinzugenommen werden müssen. Am besten ehemalige Übungsplätze oder Festungen. Dort bekämen die Juden selbstverwaltung, sogar mit eigener Polizei, und könnten ihre Streitigkeiten dann untereinander ausmachen; daß sie arbeiten müßten, wäre selbstverständlich. In Deutschland habe man eine solche Reglung versäumt. Abzeichen und was ähnliches täten es nicht. Er würde sich aber mit Himmler und Heydrich überlegen, wieweit man auf diese Weise, nachdem man polnische Land hätte, den größten Teil der jüdischen Bevolkerung nach dort oder in das Protektorat abschieben könne.' (*Heeresadjutant bei Hitler*, p. 95).

644'Übelster Hetze gegen Mil.Bef., Feldkommandanten usw. (Diese) störten die "Befriedung". Kommandeure seien instinktlos, hinderten ihn und seine Stellen häufig an

der Durchführung der übertragenen Aufgaben. Er bäte um weitgehende Ausschaltungg der Militärs, vor allem in politischen Dingen, da diese ausgesprochen parteifeindliche Einstellung hätten. F. bekam Wutausbruch, der auch in der Lagebesprechung anhielt.' (ibid., pp. 74-5). The army's unease about the mobile *Einsatzgruppen* and SS units had been a bone of contention between the Army command and Hitler since the conquest of Poland.

645 'Wieder einmal wird eingehend, von Ley angeschnitten, die Judenfrage zu erörten *[sic]*. F. trägt in längeren Ausfuhrungen vor, wie er sich alles denkt. Erstens würde der Krieg die Lösung dieser Frage beschleunigen, andererseits träten aber auch viele zusätzliche Schwierigkeiten auf. Habe ursprünglich nur in seiner Macht gelegen, die jüdischen Macht höchstens in Deutschland zu brechen, müsse jetzt das Ziel sein, den jüdischen Einfluß im gesamten Machtbereich der Achse auszuschalten. In einigen Ländern, wie in Polen, in der Slowakei, könne er das mit seiner Organen allein machen. In Frankreich sei das nach dem Waffenstillstand schon bedeutend schwieriger, und gerade dort sei es besonders wichtig. Wenn er nur wüßte, wo man die paar Millionen Juden hintu könnte; so viel seien es ja gar nicht. Er werde an Frankreich herantreten und die Franzosen auffordern, auf der Insel Madagaskar Raum für eine Umsiedlung zur Verfügung zu stellen. Auf der Frage von Bormann, wie die denn im Krieg dahin kommen sollten, antwortete er (F.), das müßte man überlegen. Am liebsten stellte er seine ganze KdF-Flotte zur Verfügung, aber das sei eben im Kriege schwerig, denn er wolle nicht, daß deutsche Besatzungen durch den Torpedo eines feindlichen U-Bootes untergingen. Er dächte über manches jetzt anders, nicht gerade freundlicher. Er habe tatsächlich einmal geglaubt, diese halbe Million deutscher Juden mit Hilfe der Engländer nach Palästina oder Ägypten zu bringen. Als er das 1937 auf diplomatischem Wege versucht habe, sei er bei den Vettern von drüben aber schön angekommen. Diese hätten gemeint, sie hätten mit ihren schon genug zu tun und wollten nicht noch zusätzliche Unruhen.' (*Heeresadjutant bei Hitler*, pp. 94-5).

646 Brechtken, pp. 276-7.

647 'Himmler berichtet über Verlagerung von Fremdrassigen (Juden), kommt auf Lage im Baltikum und Ruthenien zu sprechen, Hauptpunkt Riga, Reval und Minsk. Schneidet Frage der jüdischen Bevölkerung in Saloniki an, behauptet, Saloniki sei eine Stadt mit einer der größten jüdischen Gemeinden; Gefahr wegen Verflechtung zwischen Juden und Levantinern. F. pflichtet ihm bei und verlangt, jüdische Elemente aus S. zu entfernen. Himmler verlangt hierfür Vollmacht und erhält sie. SD-Kommando würde verstärkt eingesetzt. Keitel fragt, ob Militärbefehlshaber eingeschaltet werden soll. F. antwortet: Nur soweit dringend erforderlich. Bittet jedoch Keitel, Mil.Bef. darüber zu unterrichten, daß Reichsführer SS Sondervollmacht erhalten habe, welche nicht zu stören seien. Schm. und ich froh, daß Wehrmacht und Truppe hiervon nicht berührt werden.'(*Heeresadjutant bei Hitler*, p. 111).

648 Mark Mazower, *Inside Hitler's Greece. The Experience of Occupation, 1941-1944* (New Haven/London, 1993), pp. 235-244.

649 'The evacuation *[sic]* of the some 56,000 local Jews of Greek nationality began today with the removal of 2,600 people from Saloniki to the General Gouvernment. The prospect is to undertake four transports a week so that the whole action will be finished in approximately six weeks.' (Schreiben des Generalkonsulats Saloniki an das Auswärtige Amt, 15.3.1943, in Longerich, pp. 295-6).

650 Mazower, p. 244.

651 Republished as *Finale Furioso* (Tübingen, 1974).

652 *Goebbels. Mastermind of the 'Third Reich'*, pp. 628-9.

653 Ronald C. Newton, *The 'Nazi Menace' in Argentina 1931-1947* (Stanford, 1992), p. 381.

654 Holger M. Meding, *Flucht vor Nürnberg? Deutsche und Österreichische Einwanderung in Argentinien 1945 - 1955* (Cologne, 1992), p. 151.

655 Astrid Lange, *Was die Rechten lesen. Fünfzig rechtsextrene Zeitschriften. Ziele, Inhalt, Taktik* (Munich, 1993), p. 147.

656 Ibid., p. 82.

657 Bernd Wagner (ed.), *Handbuch Rechtsextremismus. Netzwerke, Parteien, Organisationen, Ideologiezentren, Medien* (Hamburg, 1994), p. 221.

658 Anton Maegerle, 'Die Strategie des Dr. Frey', in *konkret*, vol. 6 (June 1998), pp. 20-21.

659 Wagner, p. 165.

660 Uwe Backes/Patrick Moreau, *Die extreme Rechte in Deutschland. Geschichte - gegenwärtige Gefahren - Ursachen - Gegenmaßnahmen* (Munich, 1993), p. 219; Thomas Assheuer/Hans Sarkowicz, *Rechtsradikale in Deutschland. Die alte und die neue Rechte* (Munich, 1992), p. 61.

661 Document 1856, Staatsarchiv Nürnberg, KV Prozesse, Fall 11, Akte G15, Dietrich Dokument Nr. 281, Affidavit Nicolaus von Below, 10.4.1948. Rudolf Höss [1900-1947] was the commander of Auschwitz.

662.Fr. 'Ich spreche von der Taetigkeit der Einsatgruppen des SD, also die Leute, die auf Grund des Fuehrerbefehls die Judenerschiessungen durchgefeurt haben. Sie denken, dass Sie in der 1. Zeit nach [Russland] Kriegsbeginn davon erfuhren?' A. 'Ungefaehr. Jedenfalls habe ich erfahren von diesen Einsatgruppen, dass solche existierten, wo und was sie im einzelnen gemacht haben, das habe ich auch nicht erfahren.' Fr. 'Kannten Sie diesen Fuehrerbefehl?' A. 'Nein, das ist eine Angelegenheit gewesen, die zwischen HITLER und HIMMLER vereinbart wurde.' (Staatsarchiv Nürnberg, KV Anklage, Interrogations, Rep. 502 VI B51, Nicholaus von Below, Interrogation 2786a, of Nicholaus von Below, 24 March 1948, 26pp, p. 10.)

663 Fr. 'Wann erfahren Sie das 1. Mal, dass diese [SD Einsatgruppen] Kommandos Exekutionen der Juden durchgefuert haben?' A. 'Das habe ich erfahren im Sommer 1942.' Fr. 'Wissen Sie noch der Anlass?' A. 'Bei irgendeiner Bessprechung kam das heraus, wie wir im Hauptquartier Winizza waren. Fr. 'Wie waar die Reaktion dazu?' A. 'Wir waren ueberrascht und wir haben das als unkriegsmaessig und unmenschlich aufgefasst. Es war damals eine sehr starke Oppisition zu diesen Fragen, aber es war ja dagegen nichts zu machen.' (Ibid., pp. 10-11).

664 'Den vielen abendlichen Gesprächen am Kamin ... Er sprach viel über seine Vorstellung von dem Staat, der Europa einmal regieren sollte. Sein Ziel war es, Juden und Bolschewisten zu bekämpfen und deren Einfluß auf das Weltgeschehen in jeder Beziehung zu zerstören.' (von Below, p. 370).

665'Besonders peinlich berühten mich die wiederholten antisemitischen Ausfälle.' (von Below, p. 416).

666'Natürlich habe ich nach den Krieg, auch bei manchen Gesprächen in der Gefangenschaft, Indizien aus den Kriegsjahren zusammengetragen, die mir eigentlich schon damals hätten zu denken geben müssen, etwa Hitlers sich zu Kriegsende immer noch steigernde antisemitishe Ausbrüche oder beiläufige Bemerkungen hoher SS-Führer.' (von Below, p. 291).

667 'Allerdings bin ich fest überzeugt davon, auch ohne schriftliche Beweise, daß die Vernichtung der Juden auf eine ausdrückliche Anweisung Hitlers zurückgeht, da es undenkbar ist, daß Himmler und Göring so etwas ohne sein Wissen unternommen hätten. Sicher hat Himmler Hitler nicht über jede Einzelheit unterrichtet, aber in dieser Angelegenheit mit seiner Billigung und in gänzlicher Übereinstimmung mit ihm gehandelt.' (ibid.).

668 'Während des Aufenthaltes im Lager von Winniza erreichte mich eines Tages eine erschreckende Meldung. Ein junger Leutnant aus dem FHQ-Nachrichtenzug erzählte mir, daß er in der Nähe von Winniza Zeuge einer Massenexekution geworden sei. Beim Verlegen von Nachrichtenverbindungen sei er in einer größeren Bodenfalte auf einen Truppe SS-Leute gestoßen, der damit beschäftigt war, eine Anzahl Männer und Frauen zu erschießen. Er habe einen grauenhaften Eindruck von dieser Aktion erhalten und müsse darüber Meldung machen. Ich sprach mit dem Verbindungsmann zur SS-Führung Gruppenführer Wolff über diesen Vorgang, bat ihn, den Vorfall zu überprüfen und mir zu berichten. Nach einigen Tagen gab er mir eine sehr zweideutige Antwort auf meine Frage und verwies auf Sabotagehandlungen im rückwärtigen Gebiet. Aber er bat mich, keine weiteren Schritte zu unternehmen. Ich gab mich zufrieden und spürte dem Vorgang nicht weiter nach. Ich habe im Laufe der nächsten Monate und Jahre nie wieder von ähnlichen Aktionen gehört.' (von Below, p. 320).

669 *Adolf Hitler's Drei Testamente*, p. 69, facsimilie p. 3.

670 *Hitler's War*, p. 844.

671 Document 1856, miscellaneous index cards prepared by Irving relating to the Jewish problem, September 1942 - 1945.

672 'Die mir erst nach dem Zusammenbruch 1945 bekannt gewordenen Massnahmen gegen die Juden sind im Hauptquartier niemals dienstlich oder privat eroertet worden. Dies war schon deswegen nicht moeglich, weil die Kenntnis dieser Dinge sich auf ganz wenige Personen, die ich im einzelnen natuerlich nicht angeben kann, beschraenkt haben muss. Namen wie Auschwitz und Maideneck waren voellig unbekannt.' (Staatsarchiv Nürnburg, Rep 501 LV, Tribunal IV, Fall 11, Dokumentbuch für Otto Dietrich, Dietrich Dokument 278, Karl Jesko von Puttrnkammer, Eidesstaatliche Erklaerung, 25 May 1948.)

673 'Mit Sicherheit kann ich angeben, dass Dr. Dietrich nichts von diesen Dingen gewusst hat. Bei seiner empfindsamen Natur haette Hitler die Kenntnis darueber ihn voellig niedergedrueckt und Hitler, dem diese Eigenschaft Dr. Dietrichs genau bekannt war, haette sich schon aus diesem Grunde gehuetet, ihn einzuweihen.' (Ibid.)

674 'Ueber die sog Endloesung der "Judenfrage" oder "Judenvernichtung ist von Hitler in meiner Gegenwart niemals gesprochen worden. Dasselbe gilt wohl auch fuer die ganze Umgebung Hitlers.' (Staatsarchiv Nürnberg, Rep 501 LV, Tribunal IV, Fall 11, Dokumentbuch für Otto Dietrich, Dietrich Dokument 280, Wilhelm von Bruekner, Eidesstaatliche Erklaerung, 8 June 1948).

675 'Diese Fragen blieben vermutlich dem engsten und zustaendigen Kreis vorbehalten, zu den Dietrich nicht gehoerte.' (Ibid.)

676 The following is based on Helmut Heiber (ed.), *Hitlers Lagebesprechungen. Die Protokollfragmente seiner militärischen Konferenzen 1942 - 1945* (Stuttgart, 1962), pp. 11-33. A selection of the documents appeared in English under the editorship of Felix Gilbert, *Hitler Directs his War* (New York, 1950).

677 *Hitler's War*, p. 850.

678 Document 405.

679 Document 1984, p. 5.

680 Ibid.

681 Document 628; document 634.

682 Irving Collection, IfZ Munich, written statements by Members of Stenographischer Dienst des FHQu., Hans Jonuschat, note for Capt. Hansen, undated; Karl Thoet, 'Notes about my career…', Dachau, 13 December 1945. Two of Buchholz's statements are exclusively concerned with the attempt on Hitler's life and the treatment of allied airmen shot down over Germany. This is clear even from Irving's own cover sheet summarising the statements, where of the five only two are referred to as mentioning Hitler and the 'Final Solution'.

683 *Hitler's War*, p. 850.

684 Irving Collection, IfZ Munich, written statements by Members of Stenographischer Dienst des FHQu., Ludwig Krieger, 'Notes on my stenographic career…', Dachau, 13 December 1945.

685 Ibid.

686 Irving Collection, IfZ Munich, written statements by Members of Stenographischer Dienst des FHQu., Heinz Buchholz, 'Note for Captain Hansen', undated.

687 Irving Collection, IfZ Munich, written statements by Members of Stenographischer Dienst des FHQu., Ewald Reynitz, Dachau, 13 December 1945.

688 *Hitler's War*, pp. 850-51.

689 Document 134

690 *Er war mein Chef*, p. 326, fn. 99.

691 Reply to the Defence of Second Defendant, paragraph 23, p. 18.

692 'Zur Zeit des Polenfeldzuges bemerkte Hitler gelegentlich, daß bereits der während der Fahrten durchs Land gewonnene Augenschein dazu zwinge, auch in Polen als nunmehrigem deutschem Einflußgebiet die Judenfrage zu lösen, sobald dies möglich sei. Obwohl die Juden in Polen keinen besonders großen Einfluß auf die Politik ausgeübt hätten, wäre es notwendig, in dieser Hinsicht konsequenter durchzugreifen, als es nach den Nürnberger Gesetzen im Reich geschehen sei. Mit den in Vorbereitung befindlichen Gettos in Lublin und Lodz allein sei es nicht getan. So weit hatte er vorher offentsichtlich nicht geplant, vermutlich noch nicht einmal gedacht; denn in seinen Unterhaltungen mit dem stellvertrtenden Danziger Gauleiter Arthur Greiser und dem Gauleiter Albert Forster vertraten weder er noch sie einheitliche Auffassungen. Er meinte zwar, daß der Franke Forster im Gegensatz zu Greiser zu weich sei, die Polen nicht kenne und die politisch naive "Heeres-Vorstellung über eine nötige milde Polen-Politik" verfechte, aber er vertraue auf Greiser und vor allem auf Heinrich Himmler, der zunächst einmal einen sehr scharfen und rigorosen Polizeiführer in Danzig einsetzen müsse.' (Linge, pp.186-87).

693 *Heeresadjutant bei Hitler*, pp. 94-5.

694 Raul Hilberg, *The Destruction of the European Jews* (New York etc., 1961), p. 131; Frank Golczewski, 'Polen', in Wolfgang Benz (ed.), *Dimension der Volkermords. Die Zahl der jüdischen Öpfer des Nationalsozialismus* (Munich, 1996), pp. 411-90, p. 431.

695 Christopher Browning, 'Nazi Resettlement Policy and the Search for a Final Solution to the Jewish Question, 1939-1941' in Christopher Browning, *The Path to Genocide. Essays on the Launching of the Final Solution* (Cambridge, 1992), pp. 3-27, p. 11.

696 Anordnung Himmlers, 30 October 1945, document 4 , in *Fascismus, Getto, Massenmord*, pp. 42-3.

697 Notes on a discussion in Berlin on the deportation of the Lodz Jews to the General Gouvernment, 1 April 1941, document 15, ibid., pp. 53-4.

698 Cf. Friedländer, *Origins of Nazi Genocide*.

699 Gudrun Schwarz, *Die nationalsozialistischen Lager* (Frankfurt a. M., 1997), pp. 248-50.

700 'Bemerkenswert erschien mir vor allem, was Hitler in den letzten Wochen und Tagen seines Lebens über die Juden sagte. Im Gegensatz zu seinen früheren Ausführungen in Reden usw., in denen er stets von der "jüdischen Rasse" gesprochen hatte, sagte er jetzt, daß es von genetischen und anthropologischen Standpunkt aus gar keine jüdische Rasse gäbe und daß "wir nur aus sprachliche Bequemlichkeit" von einer jüdischen Rasse redeten. Nicht eine besondere Rasse, sondern eine Gemeinschaft des Geistes repräsentiere das Judentum, das nicht zuletzt auch die Schicksalsverbundenheit der siet jeher Verfolgten verkörpere. Doch auch diese Interpretation mündete in der Behauptung, daß das Judentum, dessen Existenz er als "traurige Überlegenheit des Geistes über das Fleisch" deutete, für alles Unheil in der Geschichte verantwortlich gewesen sei und daß es eines Tages bezahlen müßte. Den Anfang zur Ausrottung des Judentums, von dem die Menschheit "befreit" werden müsse, habe er gemacht. Von einer grundsätzlichen Abkehr von seiner Lehre konnte also nicht die Rede sein. Ich war so klug oder so dumm wie zuvor.' (Linge, p. 264).

701 *Hitler's War*, p. 844.

702 NA /T - 175 / 124 / 2598775 - 78. NO - 1128 is a copy made from one of the carbons. This point was made by Sydnor, p. 183.

703 Document 1921.

704 The structure of the *Ostministerium* is described in Alexander Dallin, *German Rule in Russia 1941 - 1945. A Study in Occupation Politics* (London, 1981), 2nd. ed., pp. 84 - 95.

705 Ausschuß für deutsche Eeinheit (ed.) *Aus der Tagebuch ein Judenmörders* (East Berlin, 1956).

706 'Das Kriegstagebuch des Diplomaten Otto Bräutigam' introduced and commented by H. D. Heilmann, in Götz Aly *et al.* (eds.), *Biedermann und Schreibtischtäter. Materialien zur deutschen Täter-Biographie* (Berlin, 1989), 2nd. ed., pp. 123-187

707 'Dabei war es klar, daß der größte Teil die Verbannung oder gar schon den Transport nicht überleben würde' (entry for 14 September 1941, in Götz Aly *et al.*, p. 144).

708 Peter Witte, 'Two Decisions Concerning the "Final Solution to the Jewish Question": Deportation to Lodz and Mass Murder in Chelmno', in *Holocaust and Genocide Studies*, vol.9, no.3, (1995), pp. 318-345, p.326. The German entry reads: 'Als Gegenmaßnahme

war vom Reichsleiter die Verschickung aller Juden Zentraleuropas in die östlichen, unter unserer Verwaltung stehenden Gebiete in Aussicht genommen, und ich hatte telegraphisch den Auftrag erhaltten, die Zustimmung des Führers zu diesem Projekt herbeizuführen [...] Schließlich entdeckte ich Oberst Schmundt, und zu meiner großen Überraschung bat er sich die Aufzeichnungen sofort aus mit den Worten, daß sie eine sehr wichtige und dringlichen Angelegenheit sei, für die sich der Führer sehr interessiere.' (Götz Aly *et al.*, pp. 144-5).

709 Entry 15 September 1941, in Götz Aly *et al.*, p. 145.

710 Some historians have assumed that a general decision had already been taken, for instance Helmut Krausnick and Hans-Heinrich Wilhelm, *Die Truppe des Weltanschaungskrieges: Die Einsatzgruppen der Sicherheitspolizei und des SD 1938-1942* (Stuttgart, 1981), p. 552. Witte agreed with Ino Arndt and Heinz Boberach ('Deutsches Reich' in *Dimension des Völkermords*, pp. 43-4), that a 'direct temporal and material connection' exists between Rosenberg's suggestion and a decision by Hitler (Witte, p. 342, fn. 48).

711 Otto Bräutigam, *So hat es sich zugetragen: Ein Leben als Soldat und Diplomat* (Würzburg, 1968).

712 'Unter unserer stillschweigenden Duldung wurden zahlreiche Judenpogrome von litauischen Hilfspolizei durchgeführt.', (entry for 11 July 1941, in Götz Aly *et al.*, p. 134). The pogroms in this area belong to some of the best documented.

713 David Irving, *Göring. A Biography* (New York, 1989), p. 550.

714 Document 1921.

715 Documents 450, 451, 681, 802, 982, 1904 and 1011.

716 *Er war mein Chef* , p. 188.

717 'Meine Freundin Johanna Nusser gab mir in den 50er Jahren meine aus Berlin, dem Berghof und den Führerhauptquartieren an sie gerichteten Briefe zurück. Aus diesen stammen die nachfolgenden Auszüge. Einen Teil davon hatte ich einmal leichtsinnigerweise David Irving zur Verfügung gestellt. Die darin ausgesprochenen Urteile über die Mentalität der Russen u. a. hatte ich aus Hitlers Gesprächen aufgegriffen und weitergegeben (nachgeplappert). Heute bin ich über diese bedenkenlos von Hitler übernommenen Ansichten entsetzt.' (*Er war mein Chef*, p. 93).

718 'In allen Gesprächen, bei denen wir anwesend waren, betonte Hitler stets, daß alles, was er tat, nur aus dem Wunsch heraus geschehe, dem deutschen Volk eine bessere Zukunft zu bereiten. Nie sprach er über Angelegenheiten, die mit Konzentrationslagern oder Judenverfolgung zusammenhingen. Er tat uns gegenüber so, als ob derartige Dinge gar nicht existierten. Wenn er bisweilen die Tatsache erwähnte, daß der Krieg eine notwendige Sache sei, daß bei Naturkatastrophen Millionen von Menschenleben vernichtet würden, daß aber hinterher das Leben ruhig sienen Gang weiterginge, so nahm sein Gesicht einen kalten, entschlossenen Ausdruck an. Die Grausamkeit, die man aus dieser Art zu sprechen herausfühlte, wurde indes gewissermaßen durch die echte Anteilnahme gemildert, die er zeigte, wenn man ihm vom Unglück eines einzelnen berichtete.' (*Er war mein Chef*, p. 272).

719 Albert Zoller, *Hitler Privat. Erlebnisbericht seiner Geheimsekretärin* (Düsseldorf, 1949).

720 David Irving, *Hitler's War* (1991), p. 5.

721 Gerhard L. Weinberg (ed.), *Hitlers zweites Buch. Ein Dokument aus dem Jahr 1928* (Stutt-

gart, 1961), p. 19.

722 'Frau Schroeder erzählte, das dem Zoller-Buch auch die Vernehmungen von Heinrich Hoffmann und Julius Schaub im Lager Augsburg (CIC-Center der 7. US-Armee) zugrunde liegen. In einem Exemplar hatte sie die Stellen durchstrichen, die nicht von ihr sein sollten. Wenn man das Buch durchblättert, so kann man überschlägig sagen, daß von 238 Seiten rd. 160-170 Seiten von Frau Schroeder stammen sollen. Allerdings sind nach ihren Einmerkungen dabei auch einzelne Passagen, die von Zoller abgeändert, d.h. mit anderen Worten und Bedeutungen wiedergegeben worden sind. Über den Wahrheitsgehalt der Aussagen zweifelte Frau Schroeder in keiner Weise, nur sollen sie auch in manchen Details polemisch entstellt und nicht ganz exakt wiedergeben sein. Hier ist auch festzustellen, daß die Einvernehmen Zollers kurz nach der Gefangennahme der entsprechenden Personen gemacht wurden und der Wahrheitsgehalt dieser Aussagen, unter dem Druck der damaligen Ereignisse, höher zu bewerten ist, als derjenigen, die später gemacht wurden. So gesehen stellt das Zoller-Buch eine ernstzunehmende zeitgeschichtliche Quelle dar, was z. B. Gerhard L. Weinberg ausführte ('Hitlers zweites Buch').' (*Er war mein Chef*, p, 281, fn. 3).

723 'Ich kann mit Bestimmtheit versichern, daß Hitler von Himmler über die Vorgänge in den KZ-Lagern genaustens unterrichtet war. Er sah alle die Scheußlichkeiten als für die Erhaltung seines Regimes notwendige Maßnahmen an. Aber auch hier wie auf allen anderen Gebieten war er sehr auf seinen guten Ruf bedacht. Er hielt es für untragbar, daß sein Name mit den in den Lagern verübteen, aller Menschlichkeit hohnsprechenden Handlungen in Verbindung gebracht wurde. Deshalb spielte er grade hier seine größte Heucherrolle und trieb Schindluder mit dem guten Glauben seiner zahllosen Anhänger./ Es ist bezeichnend, daß er alle seine Besprechungen mit Himmler stets unter vier Augen und hinter sorgfältig verschlossenen Türen abhielt. Nur Bormann wurde hin und wieder zugelassen./ Kam der Lagebesprechungen das Gespräch auf die Gerüchte über Massenmord und Folterungen in den KZ-Lagern, so antwortete Hitler nicht oder brach das Gespräch brüsk ab. Nur selten bequemte er sich zu Antworten, und dann auch nur zu auszuweichenden. Vor Zeugen würde er niemals die Unmenschliche Härte der von ihm erlassenen Gesetze zugeben haben./ Eines Tages wurde Himmler von einigen Generalen wegen der in Polen begangenen Greuel zur Rede gestellt. Zu meiner Überraschung verteidigte er sich mit der Versicherung, daß er nur die Befehle des 'Führers' ausführe. Aber gleich darauf fügte er hinzu: "Die Person des Führers darf aber auf keinen Fall damit in Zusammenhang gebracht werden. Die volle Verantwortung übernehme ich." ' (Zoller, pp. 194-5).

724 'Hitler versuchte systematisch, seinen Haß gegen die ihm feindlichen Personen auch allen ihm Nahestehenden einzuimpfen. Er verschonte damit nicht einmal die führenden Männer der verbündeten Staaten. Ich war immer wieder beeindruckt, mit welch scharfen Worten er die Versuche Mussolinis oder Horthys zurückwies, ihn zu einer versöhnlicheren Haltung in der Judenfrage zu bewegen. In diesen Augenblicken stand Hitler von jeglicher diplomatischer Form ab und ließ sich dazu hinreißen, seinen Partnern die Judengefahr in den grellsten Farben zu schildern. Er schloß seine langen Ausführungen immer mit der Aufforderung, die Juden zu "beseitigen" stets mit solch leidenschaftlicher Bosheit aus, daß niemand über seine wahre Bedeutung im Zweifel stehen konnte./ Hitler war immer sichtlich befriedigt, wenn er uns erzählen konnte, daß ausländische Besucher ihm Mitteilungen über scharfe antijüdische Maßnahmen in ihren Ländern gemacht hatten. Antonescu stieg deutlich in seine Achtung an dem Tage, an dem er ihm das "Verschwinden" der Juden aus Bessarabien meldete. Dagegen war es ihm völlig unverständlich, wie Horthy ihm mit warmherzigen Begründung klarzumachen versuchte "daß man ja schließlich die Juden nicht einfach auf die Straße werfen oder umbringen könne"./ Selbst bei diplomatischen Verhandlungen ließ sich Hitler zu zügellosen Bemerkungen gegen seine politischen Gegner hinreißen. Er versäumte es nie, seine Besucher auszufordern, sich ihrer politischen Gegner auf dieselbe Art zun erledigen, wie er sie in den KZ-Lagern anwandete.' (Zoller, pp. 201-2).

[725] Sereny, p. 248-9.

[726] *Explaining Hitler*, p. 230.

[727] Franz von Sonnleithner, *Als Diplomat im "Führerhauptquartier"* forward by Reinhard Spitzy (Munich/Vienna, 1989).

[728] 'Im übrigen habe ich diesem Verteidiger gegenüber behauptet, daß ich nicht glaubte, daß Hitler diesen Befehl zur Vernichtungsmaßnahmen gewesen sei.' (von Sonnleithner, p.108).

[729] 'Hitler hat mir gegenüber nie etwas über die Behandlung der Juden gesagt.' (von Sonnleithner, p. 109).

[730] 'Während einer militärischen Lagebesprechungen etwa im Herbst 1944 kam der Reichsspressechef Dietrich [...] mit einer englischen Meldung, einem Zeitungsbericht, der uns über das, ich glaube, letzte Tor zur Welt, nämlich Lissabon, erreicht hätten. In dieser Zeitungsnotiz wurde behauptet, daß die Russen ein deutsches Konzentrationslager mit namen Majdanek erobert hätten. In diesem seien zweifellos Menschen gewesen, die man vernichtet hätten. Bilder zeigten große Gestelle, auf denen eine sehr große Zahl von Kämmern zu sehen war, wohlgeordnet, wie sich es der Ausländer von einer deutschen Institution erwartet. Ich glaube, es waren auch andere Einrichtungen zu sehen, Zellen oder sogar Verbrennungsanlagen, das weiß ich heute nicht mehr. Der Text besagte, daß hier Menschen vernichtet worden seien. Dietrich legte die Pressemeldung Hitler vor, und wir hingen an seinem Mund, was er wohl dazu sagen würde. Die Antwort kam rasch: "Das sind die abgehackten Hände der belgischen Kinder während des Ersten Weltkrieges, nichts als feindliche Propaganda!" Ich glaube, daß ich die Aussage Hitlers wörtlich richtig zitiert habe; jedenfalls fiel uns allen ein Stein von Herzen, man konnte förmlich das Aufatmen hören. Ich selbst habe noch am gleichen Tag mit dem Chef der Sicherheitspolizei Dr. Kaltenbrunner telephoniert und von ihm Unterlagen für ein entsprechendes Dementi verlangt, die er mir auch zusagte [...] als ich von der Staatspolizei nach einigen Wochen nichts hörte, rief ich Kaltenbrunner an und errinerte ihn an seine Unterstützung bei einem Dementi. Er ewiderte wörtlich: "Ein Wiederaufrühren der Sache in der Öffentlichkeit hieße, der Angelegenheit eine zu große Bedeutung beimessen!" So ließ man also die Pressemeldung unwidersprochen. / Nachdem die erwähnte Lagebesprechung beendet war und ich auch meinen Vortrag hinter mich gebracht hatte, sagte Hitler zu mir, daß die Alliierten schon im Ersten Weltkrieg behauptet hätten, die 1914 in Belgien einmarschierenden deutschen Truppen hätten den belgischen Kindern die Hände abgehackt oder sie verkehrt in Glocken aufgehängt, so daß Kinderköpfe die Funktion von Klöppeln erfüllt hätten. Mir war das alles neu, und so ließ ich mir aus dem Archiv einen Band mit einige Jahre nach dem Ersten Weltkrieg erschienenen Widerrufen der "Times" bringen. [...] Wir hielten daher die neue englische Pressemeldung ebenso für eine Unwahrheit wie die Nachrichten im Ersten Weltkrieg.' (von Sonnleithner, pp.107-8).

[731] Document 726, redrafted pages of *Hitler's War* on the ending of the Final Solution for a revised edition, ca. 1980, p. 3.

[732] David Irving, *Nuremberg. The Last Battle* (London, 1996), p. 78.

[733] Gilbert, p. 170.

[734] Walter Laqueur, *The Terrible Secret. Supression of the Truth about Hitler's "Final Solution"* (London, 1982), pp. 8-9.

[735] Józef Marszalek, *Majdanek. The Concentration Camp in Lublin* (Warsaw, 1986), p. 142;

Yisrael Gutmann (ed.), *Enzyklopädie des Holocausts. Die Verfolgung und Ermordung der europäischen Juden* (Munich/Zurich, n.d.), vol. II, entry 'Majdanek', pp. 918-20.

736 Marszalek, p. 130.

737 Egon Kogon *et al.* (eds.), *Nationalsozialistische Massentötung durch Giftga. Ein Dokumentation* (Frankfurt a. M., 1986), p. 241.

738 Marszalek, pp. 136-142.

739 Ibid, p. 142.

740 Ibid, p. 186.

741 Zoller, pp. 194-5.

742Irving was still a child at the end of the war.

743 Audiocassette 90, Irving in Christchurch, New Zealand, 26 March 1986. According to Irving, Göhler related the episode a second time, with the proviso that Hitler's fear was that the Americans would let the inmates lose on the local populace.

744 *Trials of War Criminals before the Nuremberg Military Tribunals under Control Council Law No. 10*, vol. 10, *'The Medical Case'* (n.d., Washington), p. 190.

745 *Ermächtigungsschreiben* dated 1 September 1939, document 209, in Jochen-Christoph Kaiser, Kurt Nowak and Michael Schwartz, *Eugenik, Sterilisation, "Euthanasie". Politische Biologie in Deutschland 1895-1945 Eine Dokumentation* (Berlin, 1992), p. 253.

746 Quoted in Burleigh, p. 97.

747 Quoted in Robert Jay Lifton, *The Nazi Doctors. Medical Killing and the Psychology of Genocide* (London., 1986), p. 64.

748Ernst Klee, *Auschwitz, die NS-Medizin und ihre Opfer* (Frankfurt am Main, 1997).

749*Der Nürenberger Ärzteprozeß und seine Quellen. Eine Dokumentation von Alexander Mitscherlich und Fred Mielke* (Heidelberg, 1947), p. 69.

750See*'The Medical Case'*, pp. 193-198.

751 Irving, *Hitler's War* (1991 ed.) pp. 227-9, 695-6, 788.

752 For a detailed account of this organisation and its operations alongside the *Einsatzgruppen* see Yehoshua Büchler, '*Kommandostab Reichsführer-SS*: Himmler's Personal Murder Brigades in 1941'in *Holocaust and Genocide Studies*, 1 (1986), pp. 11 – 25.

753 Krausnick, p. 77 and fn. 373, p. 287.

754 OKH order of 25 July 1941, ibid..

755 'Juden sind zum großen Teil als Plünderer zu behandeln. Ausnahmen bilden nur ausgesprochene Facharbeiter, wie Bäcker usw. und vor allem Ärzte.' (Zentralstelle Ludwigsburg [ZStL], Document Collection, Various, vol. 17, plate 2-5, in Krausnick, p. 194).

[756] ZStL, Document Collection, File 147, pp. 60-69, in ibid.

[757] *Monologue*, pp. 106-8.

[758] 'Die SS-Reiterbrigade hat im wesentlichen ihre Säuberungsaktion zwischen Rollbahn 1 und Pripet abgeschlossen. Die in diesem Gebiet befündlichen Ortsfremden sowie Rotarmisten und jüdischen Kommissare wurden von der SS gefaßt und zum größten Teil erschossen. Durch Einsatz von Bürgermeistern, Aufstellung von Hilfspolizei und Niederdrückung *[sic]* von Juden dürfte das Gebiet als befriedet angesehen werden [können]' (IfZ, MA 855, in Krausnik.).

[759] Fritz Baade etc. (eds.) *"Unsere Ehre heißt Treue", Kriegstagebuch des Kommandostabes RFSS, Tätigkeitsberichte der 1. und 2. SS-Kav.-Brigade und von Sonderkommandos der SS* (Vienna, 1965), p. 214, in ibid. Büchler quotes a final report by Fegelein listing 15,878 dead and speculates whether this number partially overlapped with the shooting of 18,000 Jews in Pinsk and Bobruisk in which Fegelein's units took part (Büchler, p. 20).

[760] BA-MA, RH 22/224, Erfahrungsbericht I. SS-Kav. Brigade, 3.9.1941, quoted in Wolfgang Peter, 'Wehrmacht und Judenverfolgung', in Ursula Büttner (ed.), *Die Deutschen und die Judenverfolgung im Dritten Reich* (Hamburg, 1992), pp. 161-178, p. 172; Krausnick, p. 217.

[761] *Monologe*, p. 377.

[762] BA-MA, RH 26-221/13: Befehl Rückw. Heeresgebiet Mitte, 14.9.1941, in Peter, p. 217.

[763] Irving, *Hitler's War* (1991 ed.), p.590.

[764] The fullest biography of Wolff is Jochen von Lang, *Der Adjutant. Karl Wolff: Der Mann zwischen Hitler und Himmler* (Munich, 1985). Although his book is well researched, von Lang unfortunately makes do without footnoting.

[765] *Hitler's War*, p. 851.

[766] Ibid., p. 327.

[767] Ibid., p. 858; document 121 is titled 'May 11, 1952: Zeugenschrift in Institüt für Zeitgeschichte files: Karl Wolff', but is a single page of Irving's own hand-written notes on Wolff's statement. Even then the gist of Wolff's claim seems open to more than the interpretation Irving puts on it. For instance the line (in Irving's transcript) that Himmler considered that he had to tackle problems ' ... to realise Hitler's ideas without having to engage him personally.' [*...um Hitlers Ideen zu verwirklichen, ohne ihn persönlich zu engagieren.*].

[768] From February until July 1943 Wolff was ill and excused from his duties. He claimed at his trial that his relation with Himmler began to worsen about this time because Himmler 'took offence, that he enjoyed Hitler's respect and trust.' (Irene Sagel-Grande/ H. H. Fuchs / C. F. Rüter (eds.) *Justiz und NS-Verbrechen. Sammlung deutscher Strafurteile wegen nationalsozialistischer Tötungsverbrechen 1945-1966*, vol. XX, *Die vom 12. 04. 1964 bis zum 03. 04. 1965 ergangenen Strafurteile. Lfd. Nr. 569-590* (Amsterdam, 1979), 1 Ks 1/64, 385-504, p. 486, § 43). Henceforth *Justiz und NS-Verbrechen*, vol. XX.

[769] Von Lang, p. 325-6.

[770] *Justiz und NS-Verbrechen*, vol. XX, p. 385.

[771]Ibid., p. 386-7.

[772]Ibid., p. 411.

[773]Ibid., pp. 488-495, §47 and 48.

[774] Irving was sent a copy of Turner's letter in June 1977 by Lewis Chester, co-author with Gitta Sereny of the July 1977 *Sunday Times* article 'Mr Irving's Hitler - the $ 1,000 Question'. (Document 493, letter to Irving from Lewis Chester 28 June 1977, enclosing copy of letter SS-Gruppenführer Harald Turner to Karl Wolff, 11 April 1942).

[775] 'Schon vor Monaten habe ich alles an Juden in hiesigen Lande greifbare erschießen und sämtliche Judenfrauen und -kinder in einem Lager konzentrieren lassen und zugleich mit Hilfe des SD einen "Entlausungswagen" angeschafft, der nun in etwa 14 Tagen bis 4 Wochen die Räumung des Lagers endgültig durchgeführt haben wird.' (document 493). There is a discussion as to whether Turner's claim to have ordered the gas van from Berlin was true or not, or an exaggeration to impress Himmler. (Christopher Browning 'The Semlin Gas Van and the Final Solution in Serbia' in Browning, *Fateful Months. Essays on the Emergence of the Final Solution* (New York, 1985), p. 77; Walter Manoschek, *"Serbien ist judenfrei". Militärische Besatzungspolitik und Judenvernichtung in Serbien 1941-1942* (Munich, 1993), pp. 169-171). This discussion is immaterial to the problem under discussion, because it neverthless illustrates that the 'Final Solution' was an open secret between higher Nazi officials and that Wolff was seen by Turner as a suitable and reliable channel to bring Himmler's attention to his efforts, real or imagined.

[776] Reply to Defence of Second Defendant, p. 19, paragraph 24 (ii).

[777] *Justiz und NS-Verbrechen*, vol. XX, p. 453, § 31.

[778] Wolff was at this time head of Himmlers Personal Staff Main Office [*Chef des Hauptamtes persönlicher Stab]*. The stamp 'Chef P.' presumably derived from his position.

[779] '1. Ostub. Dr. Brandt (Seite 2) 2. Chef P. hat Kenntnis 3. Zum Akt. He.' (ibid., p. 454, § 31). The full document, including marganalia, is reproduced in Tuviah Friedmann, *Die zwei intellektuellen SS-Generale die verantwortlich waren für die Ermördung der Jude in Jugoslavien und in Danzig 1941 - 1943. Eine dokumentarische Sammlung von SS-Dokumenten* (Haifa, 1996), no pagination.

[780] *Justiz und NS-Verbrechen*, vol. XX, p. 454, § 31.

[781] Published reference: Himmler diary entry for 15 August 1941; reprinted in Peter Witte et al. (eds.), *Der Dienstkalender Heinrich Himmlers 1941/42* (Hamburg, 1999), p.195.

[782] Reply, para. (24) on p. 20.

[783] 'Über Sinn und Zweck des Feldzuges habe er gesagt: Es gehe um eine Existenzfrage, daher werde es zu einem Volkstumskampf vo unerbitterlicher Härte kommen, in dessen Verlaufe durch Kriegshandlung und die [unreadable] 20 bis 30 Millionen Slawen und Juden umkommen würde. Die Ausführung Himmlers seien ihm wegen ihrer Bedeutung undd Tragweite und wegen der dramatischen Art, in der sie vorgetragen wurden, gegenwärtig geblieben.' (*Justiz und NS-Verbrechen*, vol. XX, p. 412).

[784] 'Himmler hat im Anschluss an die Erschiessung erklärt, dass der schwere Kampf, den das deutsche Volk führen müsse, harte Massnahmen wie diese erforderlich mache. Die Juden seien die Träger des Weltbolschewismus, sie müssteen daher vernichtet werden. Er und

Hitler hätten dafür vor der Geschichte die Verantwortung übernommen. Die Aufgabe sei schwer, dennoch müsse sie durchgeführt werden. Die Zeugen Dr. Otto Bradfisch, von dem Ba., Paul N., Kl., Klae., Me., Str., undd T. haben dies übereinstimmend bekundet. Das Schwurgericht hat diesen Aussagen Glauben geschenkt.' (Ibid., p. 436).

785 Dr. Otto Bradfisch on events in Minsk, 10 a Js 39/60 [Karl Wolff, Criminal Proceedings, 17 May 1963, Landgericht Munich], p. 135, quoted in Fleming, p. 51.

786 Ibid.

787 NO - 2207, reproduced in Raul Hilberg, *Sonderzuge nach Auschwitz* (Mainz, 1981), pp. 177 and 181.

788 Staatsekretär Ganzenmüller to Ogruf. Wolff, 28 July 1942, NO-2207, *Sonderzuge*, p. 177.

789'Lieber Parteigenosse Ga.[nzenmüller] Für Ihr Schreiben vom 28.7.1942 danke ich Ihnen - auch im Namen des Reichsführers-SS - herzlich. Mit besonderer Freude habe ich von Ihrer Mitteilung Kenntnis genommen, daß nun schon seit 14 Tagen täglich ein Zug mit je 5.000 Angehörigen des auserwählten Volkes nach Treblinka fährt und wir doch auf diese Weise in die Lage versetzt sind, diese Bevölkerungsbewegung in einem beschleunigten Tempo durchzuführen. Ich habe von mir aus mit den beteiligten Stellen Fühlung genommen, so dass eine reibungslose Durchführung der gasamten Massnahmen gewährleistet erscheint. Ich danke Ihnen nochmals für die Bemühungen in dieser Angelegenheit und darf Sie gleichzeitig bitten, diesen Dingen auch weiterhin ihre Beachtung zu schenken. Mit besten Grüßen und Heil Hitler!' (Wolff to Ganzenmüller, NO-2207, *Sonderzuge*, p. 181).

790 Odilo Globocnik [1904 – 1945] oversaw the murder of the Jews in the General Government and Bialystock. He oversaw the construction of Majdanek and later Belzec, Sobibor, and Treblinka. For a short biographical sketch see *Enzyklopädie des Holocaust*, vol. I, pp. 546 – 47.

791 *Justiz und NS-Verbrechen*, vol. XX, pp. 460-61, §36.

792 *Hitler's War*, p. 858.

793 File 51b, Judenfrage 1942 – 1945, Persönlicher Stab RFSS to Brandt, Globocnik, and Krüger, Führerhauptquartier, 18 August 1942.

794 *Sonderzuge*, p. 244.

795 Document 305, Elke Fröhlich to Irving, 25 August 1971.

796 *The Nazis. A warning from History*, BBC 1 television programme.

797 Alfons Schulz, *Drei Jahre in der Nachrichtenzentrael des Führerhauptquartiers* (Stein am Rhein, 1997), 2nd ed.

798 'An einem Morgan, es muss so um Miite Mai gewesen sein, kam Walter Meiendresch, der auch zu "unserem Kreis gehört, totenbleich von seinem Nachtdienst. Er übergab sich mehrmals, und wir dachten, er wäre ernstlich erkrankt. Für mehrere Tage war er tatsächlich dienstunfähig. Erst am zweiten oder dritten Tag kam Dr. Fliegener hinter die Ursachen dieses plötzlichen Kollapses. Walter war nämlich von Natur aus sehr robust und widerstandsfähig.

In der fraglichen Nacht hatte er ein Gespräch zwischen Himmler und Bormann mitgehört. In diesem brachte der Reichsführer SS dem Reichsleiter Bormann eine "erfreuliche Nachricht aus Auschwitz", wie er sagte, für den Führer. Wieder seien, ganz plangemäß, dort 20,000 Juden "liquidert", "ah", verbesserte er sich umgehend, "evakuiert" worden./ Bormann habe ihn daraufhin wütend angefahren und scharf darauf hingewiesen, dass solche Meldungen, wie ausgemacht, nur schriftlich durch Kuriere, gestellt von Offizieren der SS, ihm persönlich zur Weiterleitung an den Führer zugesstellt werden dürften. Er verbat sich energisch jegliche weitere Benachrichtung über dieses Thema auf anderen Wegen./ Zum ersten Mal drang von diesem Massenmord etwas in die Ahnungslosigkeit, die selbst in unserer Nachrichtungzentrale über dieses Thema herrschte./ Wir beschränkten allerdings aus Sicherheitsgründen den Mitwisserkreis über dieses abgehörte Gespräch auf unseren engsten Kern./ Mit Ausnahme von Walter Meiendresch, der einfach nicht mehr imstande war, Gespräche mitzuhören, versuchten wir, Näheres darüber in Erfahrung zu bringen. Vergebens./Nur von Staabsoffizieren des OKHs deuteten einige, die, wie wir später herausstellen sollte, als Mitverschwörer beim Aattentat 1944 gehenkt wurden, höheren Offizieren im FHQ, denen sie anscheinend vertrauen konnten, einiges darüber an. Sie wiesen auf Gerüchte hin, die ihnen von Regiments- und auch verlässlichen Divisionskommandeuren vertraulich, und nicht auf dem Dienstwege, zugegangan waren. Diese sprachen vom Massenmord an Juden and anderen "Unerwünschten". Konkrete Fakten kannte aber niemand. Nach dem, was wir heute darüber wissen, scheint es auch für einen, der nicht zur SS gehörte, kaum möglich gewesen zu sein, etwas Näheres zu erfahren.' (Schulz, pp.98-9).

799 'Im Haupquartier sah dann alles anders aus. Wir mussten im Vorzimmer warten. Der Bürooffizier sagte, der Feldmarshall unterhandle mit einem Vermittler Hitlers. Kluge habe nämlich dem Führer gedroht, im seinen Marschallstab zurückzusenden, weil die SS jüdische Männer und Frauen aus Minsk hinausgetrieben, auf einer Waldwiese nackt ausgezogen, Kopf- und Geschlechtshaare mit Benzin übergossen und sie angezündet habe. […] Endlich ging Hitlers Abgesandter, ein SS Führer, der uns streng grüsste'. Gerd Schmückle, *Ohne Pauken und Trompeten, Errinerung an Krieg und Frieden* (Stuttgart, 1982), p. 54-55.

800 *Hitler's War*, pp. xi-xii.

801 Document 134.

802 Ian Kershaw, *Hitler 1889-1936. Hubris* (London, 1998), chapter 13, 'Working towards the Führer', pp. 527-591.

803 'Die Fäden der militärischen und zivilen Führung liefen immer bei Hitler zusammen.' (von Sonnleiter, p. 20).

804 Kershaw, *Hitler*, p. 529.

805 Linge, p. 266.

806 Rainer C. Baum, *The Holocaust and the German Elite. Genocide and National Suicide in Germany, 1871-1945* (Ottowa/London, 1981), p. 275.

807 Der Oberste Parteirichter Walter Buch an Hermann Göring, 13 feb. 1939 (IMT Vol. XXXII, ND 3063-PS), quoted in Peter Longerich, 'From Mass Murder to the "Final Solution". The Shooting of Jewish Civilians during the First Months of the Eastern Campaign within the Context of Nazi Jewish Genocide' in Bernd Wegner (ed.), *From Peace to War. Germany, Soviet Russia and the World, 1939-1941* (Oxford, 1997), pp. 253-275, p. 274.

808 'Bis zum Herbst 1941 hat Hitler allerdings ganz selten einen direkten Befehl gegeben. Er beschränkte sich darauf , seine Zuhörer zu überzeugen, so daß sie von sich aus seine

Ansichten verwirklichten. Das war auch der Grund für die oft sehr langen Gespräche bei Hitler. Ab Dezember 1941, als Hitler auch die Führung des Heeres übernahm, ging er nur langsam dazu über, durch direkte Befehle seine Ansichten durchzusetzen, und versuchte es weiter, seine Gesprächspartner mit zum Teil längeren Darlegungen für seine Absichten zu gewinnen. Erst im letzten Kriegsjahr machte er mehr Gebrauch von der klaren Befehlsgebung, zu einer Zeit, als die Möglichkeit, Befehle in seinem Sinne auszuführen, schon sehr begrenzt waren.' (von Below, p. 208).

809 Document 134

810 *Hitler's War*, pp. 630-31

811 'Das ist ja nicht notwendig. Ein Reichsgesetz ist ja nicht notwendig, Herr Hauptmann. Denn es gibt auch Erlasse. Es gibt Befehle. Und es hiess ja … nicht nur es hies, es war eine feststehende Tatsache, dass – Anführungszeichen – "Führerworte haben Gesetzkraft". Befehle, die ein kommandierender General gibt, stehen ja auch nicht im Gesetzblatt.' (von Lang, p. 196)

812 'Die besetzen Ostgebieten werden Judenfrei. Dei Durchführung dieses sehr schweren Befehls hat der Führer auf meine Schultern gelegt. Die Verantwortung kann mir ohnedies niemand abnehmen. Also verbiete ich mir alles Mitreden.' (*Faschismus - Ghetto - Massenmord*, pp. 296).

813 'Jedoch auch dort sollen eines Tages, dem Wunsche des Führers entsprechend, die Juden verschwinden.' (ibid., pp. 446-7; also in Third Supplemental Discovery List, Section 51 (b), letter dated Reval, 28 July 1942).

814 'Ich kann mit Bestimmtheit versichern, dass Hitler von Himmler über die Vorgänge in den KZ-Lagern genaustens unterrichtet war. Er sah alle die Scheusslichkeiten als für die Erhaltung seines Regimes notwendige Massnahmen an. Aber auch hier wie auf allen anderen Gebeiten war er sehr auf seinen guten Ruf bedacht. Er hielt es für untragbar, dass sein Name mit den in den Lagern verübteen, aller Menschlichkeit hohnsprechenden Handlungen in Verbindung gebracht wurde. Deshalb spielte er grade hier seine grösste Heucherrolle und trieb Schindluder mit dem guten Glauben seiner zahllosen Anhänger.[…]

Eines Tages wurde Himmler von einigen Generalen wegen der in Polen begangenen Greuel zur Rede gestellt. Zu meiner Überraschung verteidigte er sich mit der Versicherung, dass er nur die Befehle des 'Fuhrers' ausführe. Aber gleich darauf fügte er hinzu: "Die Person des Führers darf aber auf keinen Fall damit in Zusammenhang gebracht werden. Die volle Verantwortung übernehme ich."' (Zoller, pp. 194-5.)

815 *Hitler's War*, p. 851.

816 'Bormann und Himmler vertraten [wohl] die Ansicht daß die Judenfrage erledigt werden müsse, ohne daß sich Hitler dabei die Finger schmutzig mache. […] Himmler war in seiner Art bizarr und religiöus und vertrat den Staandpunkt, daß er für den grossten Feldherr [Hitler] im grössten Krieg aller Zeiten Aufgaben übernehmen müsse, die gelöst werden müssten, um Hitler's Ideen zu verwirklichen, ohne ihn persönlich zu engagieren. Etwa August 1942 macht RFSS dunkle Andeutungen: Wolff habe keine Begriff was man für den Massiahs der nachsten 2000 Jahren übernehmen musse, damit dieser persönlich sundenfrei bleibe. Ihm (RFSS) könne kein Mensch helfen. Für das deutsche Volk und seinen Führer habe er Dinge auf seine eigenen Schultern laden müssen, von denen niemand etwas wissen dürfte. […] Wolff möchte die Meinung zuneigen daß Hitler die Frage der Judenvernichtung auch mit Himmler nicht berührte und in diesen Sinne sich aus der Sache heraushielt. Die

kleine Gruppe unter Himmlers und Bormanns Deckung erklärte einfach, sich auf einen Führerbefehl zu berufen, ohne dass diesen ausdrücklich gegeben war.' (document 121).

817 'Bormann hatte die grosse Gabe, sich ganz in Hitler einzufühlen, sich völlig auf ihn einzustellen, und die Fähigkeit, seine eignen Wünsche und Ansichten demgegenüber konsequent zurücktreten zu lassen. Auf diese Weise war er in der Lage, viele Fragen minderer Wichtigkeit so zu entscheiden, wie Hitler sie entschieden haben würde. Bormann hat nie etwas getan, was nicht in Hitlers Sinn gewesen wäre; und er vermochte seine eignen Intentionen ganz und gar zurückzustellen. Sein Grundsatz war, den Führer mit nichts zu belasten, was auch er selbst erledigen konnte, dem Führer aber nichts vorzuenthalten, was nur der Führer entscheiden konnte. […] Es passt dazu, dass Bormann in den ersten Jahren nach dem Krieg zum Sündenbock für Hitler gemacht worden ist. Auch viele alte Nationalsozialisten malten Bormann besonders schwarz, um Hitler zu entlasten.' (IfZ ZS-243/I, protocol of a conversation with Heinrich Heim and Dr. Mau, 17 July 1953, pp. 4-5)

818 'Wohin käme ich, wenn ich nicht Leute meines Vertrauens fände zur Erledigung der Arbeiten, die ich nicht selbst leiten kann, harte Leute, von denen ich weiß, sie greifen durch, so wie ich das tun würde. Der beste Mann ist für mich der, welcher mich am wenigsten bemüht, indem er 95 von 100 Entscheidungen auf sich nimmt. Freilich gibt es immer Fälle, die letztlich nur von mir entschieden werden müssen.' (*Monologue*, pp. 90-91). 'Und noch etwas: Der geschulte Beamte, der seinen Herrn kennt, wird diesen nicht mit jeder Kleinigkeit belästigen. Er wird versuchen, auftauchende Schwierigkeiten zunächst selbst zu uberwinden.' (von Sonnleiter, p. 78).

819 *Hitler's War* (1991), p. 6.

820 Von Below, p. 219.

821 Reply to the Defence of Second Defendant, paragraph 23, p. 18.

822 Ibid., p. 327. The sentence stands in David Irving, *Hitler's War* (1991), p. 424.

823 Videotape 226: Unedited material from *This Week*, 28 November 1991: 1 hr.. 32 mins. 05 secs. To 1 hr. 34 mins. 10 secs..

824 Irving, *Goebbels* (1996), pp. 46-7.

825 Irving, 'Revelations from the Goebbels Diary', p. 8.

826 For this information, see A. Barkai, 'Die Juden als sozio-ökonomische Minderheitsgruppe in der Weimarer Republik', in W. Grab, J. H. Schoeps (eds.), *Juden in der Weimarer Republik* (Stuttgart, Bonn, 1986), pp. 330-346; E. Douma, *Deutsche Anwälte zwischen Demokratie und Diktatur 1930-1955* (Frankfurt a.M., 1998), p. 75; R. Angermund, *Deutsche Richterschaft 1919-1945* (Frankfurt a.M., 1990), p. 51, note 37; B. Breslauer, *Die Zurücksetzung der Juden im Justizdienst* (Berlin, 1907); Irving, *Goebbels*, p. 46; E. Hamburger, 'Jüdische Parlamentarier in Berlin, 1848-1933', in H. Strauss, K. Grossmann (eds.), Gegenwart im Rückblick (Heidelberg, 1970), pp. 56-85; T. Maurer, 'Juden in der Weimarer Republik', in D. Blasius, D. Diner (eds.), *Zerbrochene Geschichte* (Frankfurt a.M., 1991), pp. 102-120, here 110.

827 Irving, *Goebbels* (1996), pp. 547-8, note 29.

828 Walther Kiaulehn, *Berlin. Schicksal einer Weltstadt* (Munich, Berlin, 1958); Paul Weiglin, *Unverwüstliches Berlin. Bilder der Reichshauptstadt seit 1919* (Zurich, 1955), here esp. pp. 67-68.

[829]A. Heider, 'Deutsches Nachrichtenbüro', in W. Benz, H. Graml, H. Weiß (eds.), *Enzyklopädie des Nationalsozialismus* (Munich, 1997), p. 427.

[830]'Die Juden in der Kriminalität. Ausführungen des Generalleutnants Daluege', *Deutsches Nachrichtenbüro*, 20.7.1935; disclosed as part of Irving's Third Supplemental List of Documents, 51 (A).

[831]F. Wilhelm, *Die Polizei im NS-Staat* (Paderborn, 1997), p. 198; C. Browning, *Ganz normale Männer* (Reinbek b. Hamburg, 1996), pp. 45-6; BA Berlin, Film 14769, K. Daluege, 'Zum 10. Jahrestage der nationalsozialistischen Revolution' (no date, Jan. 1943): 'Vernichtungskampfe gegen die Weltfeinde, das Judentum, den von ihnen geführten Kommunismus und das Plutokratentum...'.

[832]'Die Juden in der Kriminalität. Ausführungen des Generalleutnants Daluege', *Deutsches Nachrichtenbüro*, 20.7.1935; disclosed as part of Irving's Third Supplemental List of Documents, 51 (A). For the original text of Daluege's speech, see BA Berlin, Film 14769, K. Daluege, 'Der Jude in der Kriminalstatistik!', 20.7.1935: 'die das deutsche Volk zu seinem Abwehrkampf gegen jüdische Anmaßung und gegen jüdisches Verbrechertum zwingen. Ich bin in der Lage, allen denen, die draußen in der Welt um das angeblich gefährdete Schicksal der deutschen Juden so besorgt tun, Material an die Hand geben, das sie nachdenklicher stimmen so.... Gefahr des Judentums für das deutsche Volk...Wenn man sich überlegt, daß nach den neuesten statistischen Erhebungen auf 1000 Deutsche 7,6 Juden kommen und daß der Jude mit 80 v. H. in einzelnen Verbrechensarten an der Spitze steht, und in anderen wieder mindestens 1/4 aller abgestraften Fälle stellt, so könnte man wirklich froh sein, daß das deutsche Volk von einem großen Teil dieses Uebels erlöst ist. Umso energischer wollen wir uns mit dem anderen Teil befassen, der skrupellos nach wie vor seine Raubzüge gegen das Vermögen und gegen die Gesundheit unseres Volkes unternimmt'

[833]*Statistik über die Gefangenenanstalten der Justizverwaltung in Preußen für das Rechnungsjahr 1925* (Berlin, 1928).

[834]BA Berlin, Film 14768, K. Daluege, manuscript for article 'Judenfrage als Grundsatz', *Angriff*, 3.8.1935: 'Wenn ein Teil der Auslandspresse das amtliche Zahlenmaterial über die Kriminalität des Juden als einen Rechtfertigungsversuch für die zu erwartenden gesetzlichen Maßnahmen gegen die überhandnehmenden jüdischen Anmaßungen hinzustellen versucht, so ist das entweder Böswilligkeit oder zum mindesten Mangel an Verständnis gegenüber dem Standpunkt des deutschen Volkes in der Judenfrage.'

[835]'ein beträchtlicher Teil, wenn nicht der größte'. As will be remembered, Irving claimed that most of the 31,000 fraud cases were insurance fraud (i.e. more than 15,500). For the insurance fraud figures, see *Kriminalstatistik für das Jahr 1932*, Bearbeitet im Reichsjustizministerium und im Statistischen Reichsamt (Berlin, 1935), p. 112. Allegations of Jewish criminality occur elsewhere in Irving's speeches and writings too. Thus in a speech delivered by Irving at the Bayrischer Hof, Milton, Ontario, 5 October 1991 (Videotape 190, 2h 28m 30s – 2h 29m 40s) Irving claimed that Jewish survivors of the Holocaust were criminals: 'The big lie [i.e. what Irving terms the Holocaust lie] is designed to justify both in arrears and in advance the bigger crimes in the financial world elsewhere that are being committed by the survivors of the Holocaust.'

[836]Irving, *Goebbels,*, p. 159. Heinrich Brüning was Reich Chancellor from 1930 to 1932. Irving is quoting from his retrospective writings on the fall of the Weimar Republic.

[837]Ibid., pp. 163, 207.

[838]Audiocassette 127, Irving speech of 10 September 1996 in Oakland, California, at an event sponsored by the "Berkeley Free Speech Coalition".

[839]Irving, 'Revelations from the Goebbels's Diary', J*ournal of Historical Review*, 15 (1995), pp. 2-17, here pp.9-10

[840]Ibid., p. 10.

[841]E. Hamburger, 'Jüdische Parlamentarier in Berlin, 1848-1933', in H. A. Strauss and K. Grossmann (eds.), *Gegenwart im Rückblick* (Heidelberg, 1970), pp. 56-85, here p. 67.

[842]U. Adam, *Judenpolitik im Dritten Reich* (Düsseldorf, 1972), p. 47.

[843]S. Friedländer, *Nazi Germany and the Jews* (London, 1997), Vol. I, p. 18.

[844]K. Drobisch, 'Die Judenreferate des Geheimen Staatspolizeiamtes und des Sicherheitsdienstes der SS 1933 bis 1939', *Jahrbuch für Antisemitismusforschung*, Vol. 2 (1993), pp. 230-54, here p. 230.

[845]Affidavits in Nuremberg document 1759-PS, *Der Prozess gegen die Hauptkriegsverbrecher vor dem Internationalen Militärgerichtshof*, Vol. 28 (Nuremberg, 1948), pp. 234-54, here pp. 244-6.

[846]Drobisch, 'Die Judenreferate', p. 231.

[847]Peter Longerich, *Die braunen Battalione* (Munich, 1989), p. 170.

[848]M. Broszat, E. Fröhlich and F. Wiesemann (eds.), *Bayern in der NS-Zeit*, Vol. I (Munich, 1977), p. 432.

[849]Nuremberg Document 2709-PS, reprinted in Noakes and Pridham (eds.), *Nazism 1919-1945*, Vol. 2, p. 523.

[850]H, Graml, *Reichskristallnacht. Antisemitismus und Judenverfolgung im Dritten Reich* (Munich, 1988), p. 110; H. Buchheim *et al.*, *Anatomie des S-Staates*, Vol. 2 (Freiburg, 1965). p. 311; Longerich, *Die braunen Battalione*, p. 170; Institut für Zeitgeschichts, 6b 10.02: Urteil des Schwurgerichts Braunschweig, 5. 4. 1950.

[851]L. Gruchmann, *Justiz im Dritten Reich* (Munich, 1990), pp. 124-6, 322-3.

[852]Friedländer, *Nazi Germany*, pp. 19-21; M. R. Gottlieb, *American Anti-Nazi Resistance, 1933-1941. A Historical Analysis* (New York, 1982); G. Arad, *The American-Jewish Leadership and the Nazi Menace* (Bloomington, 1997).

[853]*Akten der Reichskanzlei: Die Regierung Hitler*, Part I, Vol. I, p. 277; D. Bankier, 'Hitler and the Policy-Making Process on the Jewish Question', *Holocaust and Genocide Studies*, Vol. 3 (1988), No. 1, pp. 1-20, here p. 4.

[854]I. Weckert, '"Crystal Night" 1938: The Great Anti-German Spectacle', *Journal of Historical Review*, 6 (1985), pp. 183-206, here p. 186, disclosed in Third Supplemental Discovery List by Irving, with pencil lines in the margins.

[855]Irving's reply to the Defence of the Second Defendant, lines 258-260.

[856]D. Lipstadt, *Denying the Holocaust*, p. 111.

[857]Ibid., p. 213.

[858]Irving, *Hitler's War* (London, 1977), p. 12.

[859]Irving, *Hitler's War* (London, 1991), p. 222.

[860]'Dr. Chaim Weizmann, der Präsident der Jewish Agency, hatte in einem Brief an die britische Regierung "auf das ausdrücklichste" bekräftigt, daß alle Juden, wo immer sie sein mochten, hinter Chamberlain stünden und auf der Seite der Demokratien gegen Hitler kämpfen würden. Diese offene Kriegserklärung gelangte mit Sicherheit zu Hitlers Kenntnis, als "The Times" den Brief am 6. September veröffentlichte, denn er bezog sich im Sommer 1942 darauf als Beweis, daß das Weltjudentum der Feind Nummer 1 sei'; Irving, *Hitler und seine Feldherren* (Frankfurt a.M., 1975), 20.

[861]'"Ein historisches Recht Hitlers"? Der Faschismus-Interpret Ernst Nolte über den Nationalsozialismus, Auschwitz und die Neue Rechte', *Der Spiegel* 40 (1994), pp. 83-103.

[862]E. Nolte, *Streitpunkte. Heutige und künftige Kontroversen um den Nationalsozialismus* (Berlin, Frankfurt a.M., 1993), p. 462, n. 46; italics in the original. German text: 'Die These von David Irving ist nicht zuletzt deshalb verwunderlich, weil er in *Führer und Reichskanzler*...selbst aufgrund der Vortragsnotizen Himmlers die Feststellung trifft, Himmler habe am 19. November 1939 Hitler über die 'Erschießung von 380 Juden in Ostro' berichten müssen. Die Vorstellung, er habe zwei Jahre später über die geplante und zum Teil schon ausgeführte Tötung von Millionen *nicht* berichten müssen, ist schlechthin absurd.' For further criticisms of Irving, see ibid., pp. 318-319.

[863]E. Nolte, *Streitpunkte. Heutige und künftige Kontroversen um den Nationalsozialismus* (Berlin, Frankfurt a.M., 1993), p. 307. German text: 'kam dann mehr und mehr zu der Überzeugung, die ganze Endlösung sei als Programm systematischer Extermination eine Erfindung der britischen Propaganda gewesen'.

[864]E. Nolte, 'Between Myth and Revisionism? The 'Third Reich' in the Perspective of the 1980s', in H.W. Koch (ed.), *Aspects of the 'Third Reich'* (London, 1985), pp. 17-38, here 27-28. Nolte late qualified the term 'prisoners of war'. He claimed he had meant 'civilian internees like the Germans in England from September 1939, or U.S. citizens of Japanese heritage in the United States from 1941 to 1945'; see E. Nolte, 'Between Historical Legend and Revisionism? The 'Third Reich' in the Perspective of the 1980s', in J. Knowlton, T. Cates (trans.), *Forever in the Shadow of Hitler?* (New Jersey, 1993), pp. 1-15, here p. 8.

[865]'sei als eine Art Kriegserklärung anzusehen'; E. Nolte, 'Die Sache auf den Kopf gestellt', in *'Historikerstreit'. Die Dokumentation der Kontroverse um die Einzigartigkeit der nationalsozialistischen Judenvernichtung* (Munich, Zurich, 1987), pp. 223-231, here 228; first published in *Die Zeit*, 31.10.1986.

[866]See also E. Nolte, *Das Vergehen der Vergangenheit. Antwort auf meine Kritiker im sogenannten Historikerstreit* (Berlin, 1987), pp. 20-21.

[867]'Bestimmte Aussagen von Irving sind aus logischen Gründen als unrichtig zu betrachten. Für andere Aussagen kann man das nicht sagen, sondern sie müßten erörtert werden, sie bedürfen der Diskussion'; E. Nolte, *Das Vergehen*, p. 93.

[868]'eine Art Kriegserklärung an das Deutsche Reich'; in '"Ein historisches Recht Hitlers"? Der Faschismus-Interpret Ernst Nolte über den Nationalsozialismus, Auschwitz und die Neue Rechte', *Der Spiegel* 40 (1994), pp. 83-103, here 101.

[869]B. Litvinoff (ed.), *The Letters and Papers of Chaim Weizmann*, Vol. XIX, Series A (New Brunswick, Jerusalem, 1979), p. 145.

[870]N. Rose, 'Introduction', in B. Litvinoff (ed.), *The Letters and Papers of Chaim Weizmann*, Vol. XIX, Series A (New Brunswick, 1979), p. xvi; see also C. Sykes, *Cross-Roads to Israel* (London, 1965), pp. 214-215.

[871]B. Litvinoff (ed.), *The Letters and Papers of Chaim Weizmann*, Vol. XIX, Series A (New Brunswick, 1979), p. 145, footnote 123.

[872]See also H.-U. Wehler, *Entsorgung der deutschen Vergangenheit?* (Munich, 1988), p. 227, footnote 41.

[873]H. Auerbach, '"Kriegserklärungen" der Juden an Deutschland', in W. Benz (ed.), *Legenden, Lügen, Vorurteile. Ein Wörterbuch zur Zeitgeschichte* (Munich, 1992), 122-126; R.J. Evans, *In Hitler's Shadow* (London, 1989), p. 39.

[874]W. Benz, H. Graml, H. Weiß (eds.), *Enzyklopädie des Nationalsozialismus* (Munich, 1997), p. 811; J. Noakes, G. Pridham (eds.), *Nazism 1919-1945*, Vol. 2 (Exeter, 1994), p. 522.

[875]For instance, H.-U. Wehler, *Entsorgung der deutschen Vergangenheit?* (Munich, 1988), p. 84; J. Kocka, 'Hitler sollte nicht durch Stalin und Pol Pot verdrängt werden', in *'Historikerstreit'. Die Dokumentation der Kontroverse um die Einzigartigkeit der nationalsozialistischen Judenvernichtung* (Munich, Zurich, 1987), pp. 132-142, here 142; first printed in *Frankfurter Rundschau*, 23.9.1986; M. Broszat, 'Wo sich die Geister scheiden', in *'Historikerstreit'. Die Dokumentation der Kontroverse um die Einzigartigkeit der nationalsozialistischen Judenvernichtung* (Munich, Zurich, 1987), pp. 189-195, here 191-192; published first in *Die Zeit*, 3.10.1986; C.S. Maier, *The Unmasterable Past* (Cambridge, Mass., London, 1988), 67-68.

[876]H. Picker, *Hitlers Tischgespräche im Führerhauptquartier* (Stuttgart, 1976), p. 456. German text: 'In diesem II. Weltkrieg als einem Ringen auf Leben und Tod dürfe es nie vergessen werden, daß das Weltjudentum nach der Kriegserklärung des Weltzionistenkongresses und seines Führers Chaim Weizmann (in seiner Botschaft an Englands Premier Chamberlain) der unerbitterlichste Gegner des Nationalsozialismus, der Feind Nummer 1 sei'

[877]'Sind die ermordeten Juden gefallen? Spiegel-Gespräch mit dem Hamburger Psychologieprofessor Dr. Peter Robert Hofstätter', *Der Spiegel*, Nr. 38 (1963), pp. 37-44. German texts: 'den Juden quasi den Krieg erklärt'; 'daß es im August 1939 eine Kriegserklärung von Chaim Weizmann an das Deutsche Reich gab'.

[878]See for example 'Die Teilnahme der Juden am 2. Weltkrieg und ihre Mitverantwortung an der Endlösung der Judenfrage', *Deutsche Hochschullehrer-Zeitung* 15 (1967), no. 3, pp. 10-15.

[879]Lipstadt, p. 110; M. Broszat, 'Wo sich die Geister scheiden', in *'Historikerstreit'. Die Dokumentation der Kontroverse um die Einzigartigkeit der nationalsozialistischen Judenvernichtung* (Munich, Zurich, 1987), pp. 189-195, here 191-192; U. Stern (ed.), *Die wahren Schuldigen am Zweiten Weltkrieg* (Munich, 1992), p. 450; R. Faurisson, 'Response to a paper historian', *Journal of Historical Review* 7 (1986), pp.21-72, here 50-1.

[880]E. Nolte, 'Between Myth and Revisionism?', p. 28.

[881]E. Nolte, *Das Vergehen der Vergangenheit. Antwort auf meine Kritiker im sogenannten Historikerstreit* (Frankfurt a.M., 1987), p. 95. German text: ...möglicherweise rechtfertigte

diese Äußerung, wie auch Irving andeutet, daß Hitler die deutschen Juden als Zivilinternierte internieren durfte, wie ja bekanntlich die Franzosen die Deutschen und die Engländer die Deutschen interniert haben bei Kriegsausbruch.'

882'..der Brief Chaim Weizmanns an Chamberlain von Anfang September 1939 sei als eine Art Kriegserklärung zu betrachten, die Hitler das Recht gegeben hätte, die deutschen Juden als feindliche Ausländer zu internieren'; E. Nolte, *Das Vergehen der Vergangenheit*, p. 21.

883Evans, *In Hitler's Shadow*, p. 39.

884Irving, 'Revelations from the Goebbels's Diary', *Journal of Historical Review* 15 (1995), pp. 2-17, here 13.

885 M. Brechtken, '*Madagascar für die Juden'* (Munich, 1997).

886David Irving on the Eichmann and Goebbels Papers. Speech at Los Angeles, California, October 11, 1992' (11th Conference of the Institute for Historical Review, transcript on Irving's "Focal Point" Website), also in Jackson, *The Case for David Irving*, pp. 26-7.

887Elke Fröhlich (ed.), *Die Tagebücher von Joesph Goebbels, Teil II: Diktate 1941-1945, Bd. 1. Juli-Sept. 1941* (Munich, 1996), pp. 168-9, 225, 271, 312, 328, 334, 515; the references to Hitler's toughness towards the Jews occur on pages 267-9, the reference to Goebbels's mentioning the pamphlet to Hitler on page 271. The German original of the quotation is: 'Die Massenbroschüre über das Buch des amerikanischen Juden Kaufman, zurechtgestützt für den Kriegsbedarf des deutschen Volkes, findet die Billigung des Führers.'

888'Man wisse, daß Roosevelt einzelne Kapitel selbst diktiert habe. Diese Vernichtungsprogramm Roosevelts verdiene die allerschärfste Zurückweisung. Es handelt sich tatsächlich um ein Programm der Rooseveltschen Politik', cited in Wolfgang Benz, 'Judenvernichtung aus Notwehr? Die Legenden um Theodore N. Kaufman', *Vierteljahreshefte für Zeitgeschichte*, Vol. 29 (1981), pp. 615-30, here p. 619.

889Benz, 'Judenvernichtung', pp. 615-16.

890Wolfgang Diewerge, *Das Kriegsziel der Weltplutokratie. Dokumentarische Veröffentlichung zu dem Buch des Präsidenten der amerikanishen Friedensgesellschaft Theodore Nathan Kaufman "Deutschland muß sterben" ("Germany must Perish"* (Berlin, 1941), p. 8 cited in Benz, 'Judenvernichtung', p. 623).

891'Hier sei ein bescheidener Hinweis gestattet: Es gibt etwa 20 Millionen Juden auf der Welt. Wie wäre es, wenn statt der 80 Millionen Deutsche diese 20 Millionen Juden nach dem Rezept ihres Rassegenossen Kaufmann behandeln würde? Dann wäre der Frieden auf alle Fälle gesichert. Denn der Unruhestifter, der Friedensstörer, auf der ganzen Welt ist der Jude' (Diewerge, p. 14, cited in Benz, p. 623). Kaufman's supposed middle name 'Nathan' was a Nazi invention to make Kaufman seem irrefragably Jewish; his middle name was in fact 'Newman'. Diewerge was the head of radio in the German Propaganda Ministry.

892Paul Rassinier, *Zum Fall Eichmann Was ist Wahrheit? Oder unbelehrbaren Sieger* (Leoni am Starnberger See, 1978), cited in Benz, 'Judenvernichtung', p. 624.

893Heinz Roth, *Was hätten wir Väter wissen müsen/ Auf der Suche nach der Wahrheit* (Odenhaussen/Lumda, 1970), cited in Benz, 'Judenvernichtung', pp. 624-5.

894'Tötungsmassnahmen gegen Juden', in Rudolf Aschenauer (ed.), *Ich, Adolf Eichmann. Ein historischer Zeugenbericht* (Leoni am Starnberger See, 1980), pp. 177-8, cited in Benz,

'Judenvernichtung', pp. 625-26;cf. also Irving, *Goebbels*, p. 640, n. 38.

[895]Diewerge, *Das Kriegsziel*, p. 5, cited in Benz, Judenvernichtung', p. 620.

[896]Theodore N. Kaufman, *Germany Must Perish* (Newark, N.J., n.d.; the Library of Congress copy is stamped as received on 28 February 1941).

[897]Benz, 'Judenvernichtung', pp. 627-28.

[898]Associated Press release in the *New York Times*, 9 August 1941, as cited in Benz, p. 627 and fn. 42. See also Associated Press release, 'Nazis attack Roosevelt' in the *New York Times*, 24 July 1941, ibid.

[899]Ralf Georg Reuth (ed.), *Josef Goebbels. Tagebücher*, Vol. 4: *1940-1942* (Munich, 1942), p. 1,646.

[900]Focal Point website, 6 November 1998, citing letter from Hayward on the following website: http://members.tripod.com/~WhitelightNZ/Hayward-3.html.

[901]Hayward to Jeremy Jones, 18 January 1999; Hayward to New Zealand Jewish Chronicle, 4 Dec. 998; website http://www.adam.com.au/fredadin/news82.html; website of the Vrij Historisch Onderzoek: http://who.org/index.html.

[902]Harwood, *Nuremberg*, p. 27.

[903]Ibid., p. 61.

[904]David Irving's 1988 Testimony at the Trial of Ernst Zündel, p. 28.

[905] Jackson, *The Case for David Irving*, p. 30.

[906] David Botsford, *Freedom of Expression, Dissenting Historians, and the Holocaust Revisionists* (Historical Notes No. 29, published by the Libertarian Alliance, London, 1998), pp 10-11, 19-20.

[907]Broszat, 'Hitler und die Genesis der Endlösung'; T.W. Mason, 'Intention and Explanation: A Current Controversy about the Interpretation of National Socialism', in G. Hirschfeld and L. Kettenacker (eds.), *Der Führerstaat': Mythos und Realität* (Stuttgart, 1981).

[908]Thomas L. Haskell, 'Objectivity is not Neutrality: Rhetoric and Practice in Peter Novick's That Noble Dream', *History and Theory*, Vol. 29 (1990), pp 129-57, here p. 132.

[909] Richard J. Evans, *In Defence of History* (London, 1997), pp, 116-24.

[910] Quoted in ibid., p. 121.

[911] Jäckel, 'Noch einmal', p. 164.