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Irving versus Lipstadt: a historian's view of the case

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Introductory

Readers of David Irving's *Hitler's war*¹ might consider it unjust that he has been described as a Holocaust denier. The book is a history of the Second World War seen from Hitler's standpoint, and most of it is concerned with purely military history. Irving's argument about the fate of the Jews is that Hitler's policy was to resettle them in the east; that doing so in wartime created appalling conditions; that Hitler's subordinates considered his virulent antisemitism sufficient authorisation to put Jews to death rather than let them die of starvation and disease; and that Hitler did not become aware of his subordinates' actions until October 1943 or possibly later, by which time the process was largely a *fait accompli*. So the Holocaust happened, and Hitler bears a heavy responsibility for it, but he did not actually order it. Hitler's slovenly habits, his preoccupation with the war, and the ramshackle nature of the Nazi state, make this thesis not entirely implausible. Irving argues that it is convenient for Germans to put all the blame on one omnipotent lunatic whom it was death to disobey, but that the guilt was much more widely spread.

Irving does not hold a salaried academic post: he is a professional writer entirely dependent on the sale of his books, and he charged that false accusations of Holocaust denial were destroying his career and means of livelihood by alienating publishers, booksellers and readers. His most influential accuser, Deborah Lipstadt, refused to debate the matter with him. 'There is no debate', she said: 'I refuse to lower myself to debating with the revisionists.'² In Germany and some other countries what is

1 David Irving, *Hitler's war*, vol 1, 1939–1942, vol 2, 1942–1945, (London, 1983; first publ 1977).

2 Quoted on Irving's website, <http://www.fpp.co.uk>, which contains much material on the case, including a full transcript of the proceedings, the expert reports, and the judgement. I am grateful to Simon Dagut for assistance with the internet. I am also grateful to Carolyn Hamilton and the participants in a seminar held on an earlier draft of this paper on 2 October 2000 at the Graduate School for the Humanities and Social Sciences at the University of the Witwatersrand.

regarded as denying the Holocaust is a criminal offence. Irving sees this as amounting to a ban on legitimate historical debate. It was as a champion of freedom of speech that David Irving entered the lists, without legal representation, against the Goliath of a legal team assembled by Deborah Lipstadt and her publishers, Penguin Books.

Or so it might seem. But there is another side to Irving. For years he led a double life, with one foot in the door of respectable scholarship and the other in the camp of conspiracy theory and racist extremism.

Academic historians have praised Irving's scholarly industry and his mastery of primary sources, and one has collaborated with him in editing sources for publication.³ Irving has discovered many hitherto unknown collections of documents, largely by gaining the confidence of widows of German generals and prominent Nazis, and he has made these papers accessible to other scholars. The German Federal Archives described him as a Trüffelschwein, which he said he hoped was 'more flattering than it sounds'⁴. Irving's moment of glory came when Hugh Trevor-Roper, the Regius Professor of Modern History at the University of Oxford, pronounced the newly discovered 'Hitler Diaries' genuine. Irving declared them forged, and was proved right. Irving has made great play with this coup. What he fails to mention nowadays is that when he found the 'diaries' presented a favourable image of Hitler, he changed his mind and declared them authentic, until scientific tests on the paper and ink made this opinion impossible to maintain. He was the first to declare them forged and the last to declare them authentic.⁵

Irving's opinions underwent a decisive shift in 1988. In the first edition of *Hitler's war* (1977) he sought to exculpate Hitler as far as possible from responsibility for the Holocaust. In the 1991 edition all mention of systematic extermination was eliminated. What he described as his 'conversion'⁶ occurred in Toronto. He went to Canada to give testimony as an expert on the Third Reich in the trial of Ernst Zundel, author of *The Hitler we loved and why*, who was charged (under an old law since struck down as unconstitutional) with having spread false information in a pamphlet entitled *Did six million really*

3 This was Donald Cameron Watt, who gave evidence in Irving's favour, but only after being served with a subpoena, having declined to do so voluntarily: *Proceedings*, Day 7, pp 22–52 (on Irving's website – see note 2). Likewise Sir John Keegan, the military editor of the *Daily Telegraph*, who had reviewed Irving's *Hitler's war* favourably: *Proceedings*, Day 16, pp 11–12.

4 *Proceedings*, Day 1, p 61.

5 Richard J Evans, *Expert witness report*, pp 25–6 (on Irving's website – see note 2). In referring to Evans's *Report*, I use the pagination as it appears on the website, which differs from the original. The paragraphs of the *Report* are numbered, but the numbers are confusing and impossible to follow.

6 Evans, *Report*, p 58.

die? On the night before Irving's testimony, the defence lawyers handed him a report by another 'expert witness', Fred Leuchter, of which he had time to read only a part. But this was enough for him to tell the court the next day that he no longer believed the accepted view of the Nazi extermination camps, that he now understood 'that the whole of the Holocaust mythology is after all open to doubt' and that he was 'now becoming more and more hardened in this view'.⁷

Fred Leuchter has since been completely discredited. The Canadian court rejected his evidence on the grounds that he had no expertise in any relevant field. His 'research' consisted of illegally chipping off bits of masonry from the remains of gas chambers and from a room used to fumigate clothing at Auschwitz; his 'findings' were completely vitiated by his assumption that more hydrogen cyanide was needed to kill humans than to kill lice, while according to genuine experts lice require a concentration 22 times as great.⁸

Irving declared Leuchter's report a 'truly epoch making investigation' and said it had made him 'into a hardcore disbeliever'. He announced to an appreciative audience in Calgary that 'more women died on the back seat of Edward Kennedy's car at Chappaquiddick than ever died in a gas chamber in Auschwitz'. Shortly before he was deported he said he intended forming an 'Association of Auschwitz Survivors, Survivors of the Holocaust and Other Liars – A-S-S-H-O-L-S'.⁹

Back in London he published the 'Leuchter Report' with an introduction by himself, and announced that it exposed 'the blood libel on the German people, as I call it, the lie that the Germans had factories of death with gas chambers in which they liquidated millions of their opponents'. He said he was conducting a 'one man intifada' against the official history of the Holocaust.¹⁰

Irving does not loom very large in Lipstadt's *Denying the Holocaust*, but she describes him as 'one of the most dangerous spokespersons for Holocaust denial'¹¹ because his reputation as a serious historian makes it difficult to dismiss him as a crank. She accused him not only of Holocaust denial, but also of falsifying and manipulating evidence in pursuit of his political agenda. When Irving brought his libel action, the defence had to justify Lipstadt's statements and this required an

7 *Proceedings*, Day 7, pp 108–115.

8 Deborah E Lipstadt, *Denying the Holocaust: the growing assault on truth and memory*, (New York, 1993), chapter 9.

9 *Proceedings*, Day 1, pp 98–9.

10 *Proceedings*, Day 2, p 228; Lipstadt, *Denying*, p 179.

11 Lipstadt, *Denying*, p 181.

examination of what Irving wrote both before and after his conversion. A number of expert witnesses were engaged, chief among them Richard Evans, Professor of Modern History at the University of Cambridge, the author of a number of works on German history and on historiography. Evans states that he was astonished by the things he and his research assistants discovered.

For example, Irving's statements about the high levels of Jewish criminality in Berlin in the last years of the Weimar Republic, which purport to be based on 'Interpol figures', were in fact a repetition and even embellishment of statements by a member of the *Schutzstaffel* (SS) hanged after the war for atrocities on the eastern front, statements contradicted by official figures which Irving did not use.¹² Irving's assertion that Hitler was 'livid with rage' over *Kristallnacht* and took immediate steps to put a stop to this state-sponsored pogrom is based on the self-exculpatory oral evidence Irving collected from Hitler's former adjutants decades after the event, and is contradicted by many contemporary documents known to him.¹³ Irving's figure for civilian casualties in the Allied bombing of Dresden is ten times the most reliable estimate, and is based on a document he knew to be a forgery.¹⁴

Hitler and the Holocaust

Turning to matters more directly relevant to the trial, I examine firstly Irving's earlier argument that Hitler did not order the extermination of the Jews and did not know about it until the process was virtually complete, and secondly his post-conversion position. In considering the question of Hitler's alleged innocence and ignorance, one must bear in mind that the Nazis made every attempt to keep the 'final solution' secret, that they communicated about it by word of mouth rather than in writing, that they used camouflaged language, and that they destroyed a great many documents as well as physical installations before the end of the war.

Himmler's telephone log

In the introduction to *Hitler's war* Irving states that there is

12 David Irving, *Goebbels: mastermind of the Third Reich* (London, 1996), pp 46–7; Evans, *Report*, pp 356–9; *Proceedings*, Day 29, pp 98–105.

13 Irving's most extended treatment of *Kristallnacht* is in his *Goebbels*, chapter 32, pp 271–82. Evans's critique is in pp 116–153 of his *Report*. See also *Proceedings*, Day 12, pp 75–142, Day 13, pp 23–69, Day 21, pp 8–162.

14 David Irving, *The destruction of Dresden* (London, 1963); Evans, *Report*, pp 273–305; *Proceedings*, Day 13, pp 69–185, Day 23, pp 194–224.

'incontrovertible evidence' that 'Hitler ordered on November 30, 1941, that there was to be "no liquidation" of the Jews'. Irving added that 'without much difficulty, I found in Himmler's private files his own handwritten note on this', thus implying the remissness of other historians.¹⁵ Irving attaches considerable importance to this note, reproducing it in facsimile and mentioning it sixteen times in the course of the book.

The note is written in Himmler's telephone log and reads 'Jew-transport from Berlin', and then on the next line, 'No liquidation'. Himmler gave the order by telephone from Hitler's headquarters; but this was a large and rambling complex, and there is no evidence that he made this phone call on Hitler's instructions. The experts stated, and Irving was forced to acknowledge in court, that the original German, which Irving mistranscribed (though he had transcribed it correctly in a letter three years before the publication of *Hitler's war*)¹⁶ makes it clear that the note refers to one train-load of Jews from Berlin, not to Jews in general. It thus proves the opposite of what Irving wants it to prove. It is the exception that proves the rule. As Hugh Trevor-Roper pointed out when reviewing the book, 'one does not veto an action unless one thinks it is otherwise likely to occur'. If the order came from Hitler, as Irving argues, it would show that Hitler knew there was a policy of liquidating the Jews, something which Irving wishes to deny.¹⁷

The following day Himmler made a call to an SS general summarised in his telephone log as 'Verwaltungsführer der SS haben zu bleiben'. This means 'administrative leaders of the SS are to stay'.¹⁸ Irving represents it as an order (from Hitler's headquarters and by implication on his instructions) that 'Jews are to stay where they are'.¹⁹ In his evidence at the trial Irving explained that he had misread 'haben' as 'Juden', although the sentence makes no sense in this form. He explained he thought it was two sentences ('haben' begins a new line, albeit indented) although this would leave the SS administrative officers with nothing said about them. The defence counsel (Richard Rampton, QC) demonstrated in court that it was quite easy to

15 Irving, *Hitler's war*, vol I, p xiv.

16 *Proceedings*, Day 3, pp 28–9; *Judgement*, V, 5.106 (on Irving's website – see note 2).

17 Quotations and information from Evans, *Report*, 166–8. The reason for the order was a temporary hesitation over exterminating German Jews as distinct from *Ostjuden*.

18 Evans, *Report*, p 168.

19 Irving, *Hitler's war*, vol I, p 332.

distinguish in Himmler's handwriting between the letters j and h, u and a, and d and b, and that Irving had not confused them anywhere else.²⁰

Irving was obliged to admit that after the error was pointed out to him he did not correct it in the 1991 edition of *Hitler's war*. At first he said this was because the error was discovered too late for any changes to be made, since the edition was typeset in 1985 or 1986 and thereafter reproduced photographically. When it was pointed out to him that it must have been typeset after his 1988 conversion since all references to the Holocaust had been omitted, he changed tack and said it simply an oversight, and that failing to correct one word out of half a million was surely excusable, especially since it was 'pretty meaningless' and 'totally immaterial and unimportant'. Why then was it included in the first place? This was 'purely because it was the next entry in the telephone log'.²¹ This is palpably absurd and false: the statement occurs at the end of a section devoted to proving that Hitler did not want the Jews exterminated and is clearly meant to be an important piece of evidence in support of this contention.

The 'Schlegelberger' note

A document which Irving regards as very important is an undated, unsigned, unaddressed, and a typed copy of a note on unheaded paper stating that Hitler's top civil servant, Hans Lammers, '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'.²² It is surmised that State Secretary Schlegelberger of the Ministry of Justice was the author of this note, but there is no proof that this is so. Irving states that 'no other historians have quoted this document' and suggests that this is because it is 'hard to reconcile with their obsessively held views' that Hitler was responsible for the extermination of the Jews. In fact, he said on one occasion, it is 'of extreme embarrassment' to them: 'they close their eyes and when they open them it is still there'.²³ Given the obscurity of its provenance it is not surprising that historians have paid little attention to this document and not drawn any definite conclusions from it. But they have not ignored it: a German historian discussed this

20 *Proceedings*, Day 4, pp 121–32.

21 *Proceedings*, Day 3, pp 66–81

22 *Evans, Report*, pp 217–30.

23 *Proceedings*, Day 6 p 184, quoting a lecture by Irving.

document in print before Irving and indeed told him of its existence, as he earlier acknowledged; so his suggestion of a conspiracy of silence on the part of academic historians is not convincing.

The interpretation of this document presents obvious difficulties (though Irving has no doubts – he describes it as the ‘most cardinal piece of proof in this entire story of what Hitler knew about what was going on’).²⁴ The file in which it is located contains mainly documents from 1942, but it was placed there not by German civil servants but by the Allies after the Nuremburg trials. The other documents in the file are mainly concerned with the Nazis’ intractable problem of what to do with German Jews married to Gentiles, and Germans who were partly Jewish, a problem that was never solved, with the result that most of them survived. The next sentence refers to ‘the present discussions’, and there were indeed many discussions on this question in 1942. If the document does date to 1942, as Irving believes, it most likely relates to this narrow ‘Jewish Question’. It is difficult to understand how even Irving could really believe that it refers to the ‘Jewish Question’ as a whole, since by 1942 massive deportations of Jews to the east were in progress, and Irving acknowledges that Hitler knew and approved of these deportations even though he denies that Hitler knew what fate befell the Jews when they reached their destination.

Hitler’s knowledge of Einsatzgruppen actions

When Germany invaded Soviet Russia in June 1941 detachments of the SS known as *Einsatzgruppen* (operation groups) followed in the wake of the army to pacify the conquered territory. This was done by shooting communist functionaries, partisans, saboteurs, and anyone else likely to cause trouble. The latter rapidly escalated from certain categories of Jews to all Jews.²⁵

On 1 August 1941 Heinrich Müller, the head of the Gestapo within Heydrich’s Security Police, sent a message to the four *Einsatzgruppen*: ‘The Führer is to be kept informed continually from here about the work of the *Einsatzgruppen* in the East’.²⁶ Through these reports historians are well-informed about the shootings in the east. One surviving report is retyped in the large print which the vain and short-sighted Hitler could read without glasses. It is Report No 51, signed by

²⁴ *Proceedings*, Day 6, p 184.

²⁵ Christopher R Browning, *Expert opinion, evidence for the implementation of the Final Solution*, Part 1, on Irving’s website (see note 2).

²⁶ Browning, *Evidence*, paragraph 4.5.

Himmler, which states that in the regions of Russia South, Ukraine and Bialystok in the period August to November 1942, a total of 363 211 Jews had been shot together with about 23 000 non-Jews. The report is ostensibly on 'combating partisans'. Himmler's appointment book shows that on 18 December 1941 he and Hitler had discussed the 'Jewish question' and had decided that Jews were 'to be annihilated as partisans'. Combating partisans served as a cover for genocide.²⁷

Irving mentions Himmler's report,²⁸ but only in the context of combating partisans: he does not allow it to influence his opinion that Hitler knew nothing of what was happening to the Jews in the east. In court Irving explained this perfunctory use of the document by saying that it was an 'orphan' document, the only one of its kind, that although it was laid before Hitler he probably paid no attention to it as he would have been preoccupied with the battle of Stalingrad at the time, and that Himmler, realising this, probably thought it was a good time to slip it into the pile of papers for Hitler's attention in order to cover himself against any subsequent accusation of failure to keep the Führer informed of what his *Einsatzgruppen* were doing.²⁹ All this is, of course, pure speculation, and much less plausible than the obvious conclusion that Hitler wanted to be kept informed, and was.

Irving makes no mention anywhere of the order from Müller that Hitler was to be kept informed. He claimed that he had seen it for the first time in court, despite the fact that it is preserved in the archives of the Institute for Contemporary History in Munich where he had worked at various times over thirty years. At first he appeared to suggest that the document was a forgery. When the judge insisted on knowing whether or not this was his argument, he replied 'I think for the purpose of today I will accept that it is genuine', but reserved the right to change his mind.³⁰

Defence counsel Rampton pointed out that the document was printed in Professor Gerald Fleming's book on Hitler and the 'final solution', of which Irving possessed both the English and the German editions; but he said he had read neither. Rampton pointed out that when Irving had been asked by a member of an lecture audience what he thought of Fleming's book he had replied that although it was well written and based on much research, he 'mixes first, second and third order evidence'. How could he say that without having read the book? Irving replied that his remarks

27 Browning, *Evidence*, paragraphs 4.1.6–4.1.8

28 Irving, *Hitler's war*, p 436 & n.

29 *Proceedings*, Day 2, pp 262–78.

30 *Proceedings*, Day 14, p 60.

were based on reviews of the book.³¹ When Rampton pointed out that Irving's copy of the book was marked beyond the page on which the Müller order is printed, Irving explained that although he had 'not read the book as such', he had read the first few pages and looked up particular points, unfortunately missing the Müller order. He pointed out that the page on which it was printed was not marked.³²

Hitler's table talk and the Einsatzgruppen

In his biography of Goebbels (1996) Irving quotes part of *Hitler's table talk* of 25 October 1941 to reinforce his argument that Hitler was unaware of the shootings in the east and wished to defer the Jewish question until after the war was over:

'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!'³³

Evans demonstrates how misleading this is.³⁴ Hitler prefaced his remarks by referring to his 'prophecy' to the Reichstag of the annihilation of the Jews (see below). The first sentence quoted in the above passage is correctly translated as 'It's good if the terror that we are exterminating Jewry goes before us'. This implies that the extermination is proceeding, whereas Irving's 'rumour', 'attributes' and 'plan' all imply that it is not.

The remainder of the above passage comes from three pages further on in the published English version of *Hitler's table talk*. The context is Bishop Von Galen's public protest against the Nazi euthanasia programme, which brought it to a halt. Von Galen was a Cardinal, an aristocrat, and an ex-army officer, and at a time when Hitler needed to retain the support of the officer corps and of the forty percent of Germans who were Catholics he could not afford any move against him. Hitler stated that lack of immediate reaction did not mean matters simply disappeared: in due course the account book would be 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.' Hitler was currently inactive against Von Galen,

31 *Proceedings*, Day 14, pp 66–7.

32 *Proceedings*, Day 29, pp 81–5.

33 Irving, *Goebbels*, p 377, based on H R Trevor-Roper (ed) *Hitler's table talk* (London, 1953), pp 87 & 90.

34 Evans, *Report*, pp 155–8.

but his inactivity against the Jews was clearly in the past. What he said provides no justification for Irving to represent him as saying that 'he had no intention of starting anything at present' against the Jews.

What Irving was unable to explain to the court was why he used the inaccurate English translation (as he had on another occasion acknowledged it to be) published by Weidenfeld and Nicolson in 1953 instead of the German original published in 1980; or why, having boasted that he was the first historian to whom the original German manuscript had been shown (in 1977) by its owner, he failed to use that, thus departing from his oft-reiterated rule of only using authentic originals.

He denied that he preferred an inaccurate translation because it happened to suit his ideological purposes. Instead he produced a flurry of excuses: it was the 'official translation'; he found it an adequate translation which did not seriously deviate from the original; that 'Schrecken', which Evans translated as 'terror' and which the Weidenfeld and Nicolson edition translated as 'public rumour', really meant a 'spook' or 'goblin'; that although the dictionary gave its meaning as 'fright, shock, terror, alarm, panic, consternation, dismay, fear, horror', the fact that Evans chose the third in this list showed that he was the one who preferred to manipulate its meaning; that George Weidenfeld was a Jew who could not be accused of wanting to exonerate Hitler; that 'public rumour' was not so widely deviant a translation as to warrant tampering with it and risking exposure to unfair criticism from other historians familiar only with the Weidenfeld and Nicolson translation; that the Weidenfeld and Nicolson translation was a good, flowing, literate translation which he preferred to a wooden translation; that what mattered was not whether one word had been mistranslated but the general sense of the passage which was not affected by this small error; that when he wrote the first (1977) edition of *Hitler's war* he did not have access to the original German and that although he did have access to it thereafter, the 1991 edition was just a reissue (despite all the alterations in it, including the deletion of all references to the Holocaust); that in writing the Goebbels biography (1996) he used *Hitler's war* as his source; that he had to compress if he were not to 'write a book two or three times as long [and] endlessly boring, as the academics write them'; that there was 'a whole series of documents which lie in my direction'; and that the reason other historians 'start poking fingers and sneering' at him was because of his skill and success in ferreting out documents. As Rampton said: 'Mr Irving, I have to put it to you, you just say any old thing to get yourself out of a corner.'

Although Irving used the Weidenfeld and Nicolson translation, his note does not refer to it, nor even to the published German version; it refers to the original manuscript which is in private hands in Switzerland. This, Irving explained, was because he wished 'to point people reading my books to where they can find the original documents so they can check it for themselves'. In this he contrasted himself favourably with the academic expert witnesses retained by the defence who 'just take books down off a shelf and use those as sources'. There is nothing in the court record to indicate that Irving was trying to be funny; his capacity for self-deception appears to be close to absolute.³⁵

Goebbels's diary

Hitler made what appears to have been a threat to exterminate the Jews in a speech of 30 January 1939 in the Reichstag:

Today I will be a prophet again. If international Jewry within Europe and abroad should succeed once more in plunging the peoples into a world war, then the consequence will be not the Bolshevization of the world and therewith a victory of Jewry, but on the contrary the annihilation of the Jewish race in Europe.

Nazi policy at this time (three months after *Kristallnacht*) was to harrass the Jews into emigration. Negotiations were proceeding with international bodies whereby the Nazis hoped that world Jewry would pay for the removal of the Jews from Germany. Threatening bigger and more lethal actions against the Jews, it has been argued,³⁶ was calculated to persuade international bodies and western governments to expedite this process.

The calculation failed, but the 'prophecy' came to be regarded by the Nazis as a sort of warrant for genocide. Just as in retrospect one can see that P W Botha's references to 'total onslaught' and 'total response' were intended to justify his government's adoption of a policy of murdering its opponents, so the repeated references by Hitler and his henchmen to the Reichstag 'prophecy' seem to have had a similar purpose. Irving, however, attaches no importance to these repeated references. He dismisses them as Hitler's 'gramophone record', by which he seems to mean they were something Hitler recited to please the party faithful but which were of no real significance.³⁷

Goebbels did not see it in that light. The *Einsatzgruppen* operated only in Soviet Russia. As their activities rapidly escalated to genocide,

35 *Proceedings*, Day 4, pp 168-90.

36 *Proceedings*, Day 24, pp 83-8, Dr Longerich's evidence.

37 *Proceedings*, Day 4, p 141; Day 16, p 121; Day 29, pp 152 & 155; see especially Day 32, p 94.

ways were found to do the same to the Jews in German-occupied Poland. The vans which had been adapted to kill euthanasia victims with exhaust fumes were moved to Poland, and fixed extermination camps were also set up and began operation in early 1942. Goebbels referred to this 'barbaric procedure' in his diary entry for 27 March 1942, stating that '60% of them must be liquidated, while only 40% can be put to work':

The Jews are being punished barbarically, to be sure, but they have fully deserved it. The prophecy 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.³⁸

This passage is surely incompatible with any argument that Hitler did not know what was happening to the Jews. Even Goebbels regarded what was happening as barbaric and terrible but his reference to Hitler's 'prophecy' and his use of Hitlerian phrases (such as 'Jewish bacillus') show that the Führer had convinced him, or mesmerised him into believing, that it was unavoidable. Irving refers briefly to this passage to show that Goebbels knew what was happening, but he quotes none of it and says nothing of Goebbels' references to Hitler. He then continues: 'but [Goebbels] evidently held his tongue whenever he met Hitler. After seeing him on March 19, Goebbels quotes only Hitler's remark: "The Jews must get out of Europe. If need be, we must resort to the most brutal methods."' ³⁹

This is then followed by a number of references to the Nazis' earlier policy (abandoned when the war made it impracticable) of resettling the Jews in Madagascar or elsewhere, and a reference to Hitler's (non-existent)⁴⁰ 'November 1941 order forbidding the liquidation of the Jews'. Thus Hitler's 'get out of Europe', even using 'the most brutal methods', is made to appear a reference to emigration; and the fact that Goebbels never records having informed Hitler of the extermination programme, which would of course have been totally unnecessary, is made to appear significant.

38 Evans, *Report*, p 232. Evans deals with this subject on pp 230–46.

39 Irving, *Hitler's war*, vol I, p 392. The chronological confusion that Evans refers to (p 234) in the first edition of *Hitler's war* (1977) has been rectified in the 1988 impression of the paperback edition.

40 See above, *Himmler's telephone log*.

Irving's justification for omitting passages in Goebbels's diary which implicate Hitler is that they were intended as 'alibis' and should not be believed. But, as Evans asks, who could be the intended readership of alibis in a private diary? Why should a devout believer in the Thousand Year Reich have thought such alibis necessary? And what could have been Goebbels's purpose in inserting alibis when he also included many passages showing that he too favoured the extermination of the Jews?⁴¹ Irving could do nothing in court to shake the criticisms Evans made of his treatment of this evidence.⁴²

Himmler ad Hitler

Irving regards it of great importance that no document signed by Hitler ordering the extermination of the Jews has ever been found. He has even offered a reward of £1 000 to anyone who can produce it. It is unlikely that such a document ever existed. Hitler's method of ruling was to expound his vision for the future and leave its implementation entirely to his subordinates; as little as possible concerning the fate of the Jews was committed to paper; and Hitler was in frequent personal contact with Himmler, the Reichsführer SS, whose task it was to carry out the 'final solution' of the Jewish question.⁴³

Irving contends Himmler initiated the extermination that programme and kept Hitler in the dark, despite acknowledging that when he interviewed Himmler's last adjutant and his own brother both thought it unlikely that he would have dared act on his own initiative.⁴⁴ Himmler has been described as 'a colourless, insecure personality ... completely under the spell of Hitler ... with ability as an administrator, ambition and an over-zealous devotion to duty'.⁴⁵

In May 1940, before the invasion of Soviet Russia, and before the 'final solution' was adopted, Himmler wrote a secret memorandum, approved by Hitler, on the reshuffling of 'alien populations' in the newly conquered Poland. Poles were to be moved out of the part annexed to Germany and replaced by ethnic Germans from the east. Himmler intended to 'erase the concept of Jews' by 'emigration of all Jews to a colony in Africa or elsewhere'. He recognised that his

41 Evans, *Report*, pp 233-4.

42 *Proceedings*, Day 23, pp 17-73; *Judgement*, paragraphs 13.10, 13.27 and 13.28.

43 See Evans, *Report*, pp 350-5, *Hitler's decision-making process*.

44 Evans, *Report*, p 353.

45 Alan Bullock, *Hitler and Stalin: parallel lives* (London, 1993), p 704. Bullock states that this description is based on 'all who knew him'.

proposals would cause suffering, but said they were 'still the mildest and best, if one rejects the Bolshevik method of physical extermination of a people out of inner conviction as un-German and impossible'.⁴⁶

By June 1941, when the invasion of Russia was launched, or shortly thereafter, extermination had ceased to be un-German and impossible. On a number of occasions Himmler stated or implied that the decision had been Hitler's. On 26 July 1942 he wrote: 'The occupied eastern territories will become free of Jews. The Führer has put the responsibility of completing this very difficult order on my shoulders. In any case no-one can relieve me of the responsibility. So I forbid all discussion.' On 9 October 1942 he ordered all Jews in the districts of Warsaw and Lublin to be put in concentration camps, adding 'but there too the Jews will one day disappear, according to the wishes of the Führer'. Hitler's private secretary recalled:

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'.⁴⁷

Irving ignores this evidence. When he refers to an address by Himmler to an audience of generals on 5 May 1944 he tells his readers that 'never before, and never after, did Himmler hint at a *Führer* Order'. Himmler told the generals on this occasion that he had 'uncompromisingly' solved the 'Jewish problem' in German-occupied Europe, adding: 'I am telling this to you as my comrades. We are all soldiers regardless of which uniform we wear. You can imagine how I felt executing this soldierly order issued to me, but I obediently complied and carried it out to the best of my convictions.'

Irving acknowledges that only Hitler could issue a 'soldierly order' to Himmler, but says 'there is reason to doubt he dared show this passage to his Führer', since Hitler would know it to be untrue – this despite the fact that a transcript of the speech was typed in the special large print used for documents to be shown to Hitler. Irving's reason for doubt is that the page containing the crucial words 'was manifestly retyped and inserted in the transcript at a later date, as the different indenting shows'.⁴⁸ But these typographical speculations are surely, as the judge

46 Bullock, *Hitler and Stalin*, pp 707–8.

47 Evans, *Report*, pp 352–3.

48 Irving, *Hitler's war*, vol II, pp 630–1 & n.

said, fanciful.⁴⁹ Hitler was in daily contact with his generals and could not have failed to learn from them what Himmler said. Himmler would surely not have dared tell the generals that the order to exterminate the Jews came from Hitler had it not been true.

In the 1991 (post-conversion) edition of *Hitler's war* this speech by Himmler to the generals has disappeared. In court Irving professed bafflement at its disappearance; he suggested his American editors must have left it out.⁵⁰

Hitler, Ribbentrop, and Horthy

On another occasion Hitler himself was very explicit about the necessity for the extermination of the Jews. In 1943 he and Ribbentrop met Admiral Horthy, the Regent of Hungary. (Horthy's titles, in a country without a navy or a monarchy, are oddities the collapse of the Austro-Hungarian Empire left in its wake). Hungary was Germany's ally, and Hitler wanted it to hand over its Jews to the SS. Horthy resisted this pressure. In the minutes of the meeting on 16 April, which Irving accepts are accurate, Horthy is reported to have stated that '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'.

This produced no satisfactory response. On the following day, therefore, Hitler and Ribbentrop were much more open about the fate they intended for the Jews and why they considered it necessary. When Horthy repeated that he surely could not kill the Jews, Ribbentrop replied that 'the Jews must either be annihilated or taken to concentration camps'. Hitler said that the Jews were degenerate parasites and that this state of affairs had been cleared up 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'. Even 'innocent natural creatures like hares and deer had to be killed' to prevent harm, so why should beasts who spread Bolshevism be spared?

Subsequent events make it perfectly clear what Hitler wanted, if

49 *Judgement*, paragraph 13.46.

50 *Judgement*, paragraph 13.46.

further clarity were needed. Horthy remained recalcitrant, so Germany installed a puppet government, and the SS were sent in to deport the Jews to Auschwitz, where they were killed.

These events⁵¹ are well-known to historians of the period, so simple omission was not an option for Irving. He was obliged to resort to obfuscation. He consigns Ribbentrop's statement to the obscurity of the endnotes, though it is surely important enough to be in the text (it was important enough to get Ribbentrop hanged). Then he provides reasons why Hitler might have been particularly upset and said things he did not really mean. Irving describes Polish Jews roaming the country committing murder and sabotage and states that fifty thousand Jews were on the point of staging an armed uprising in the Warsaw ghetto. Then appears a sentence in inverted commas: 'This is just the kind of incident that shows how dangerous these Jews are.'

Evans describes this as pure invention on Irving's part. There is no record of Hitler having uttered the quoted sentence. Neither did he make any reference to Jews committing murder and sabotage in Poland. And he could not possibly have referred to the Warsaw ghetto uprising (which did not involve anything like as many as fifty thousand armed Jews) since it had not yet occurred.

Irving runs the meetings of 16 and 17 April together as though they were one meeting, which enables him to rearrange the material to Hitler's advantage. He refers to Hitler's comparisons with tuberculosis bacilli and hares and deer; then quotes Horthy's statement that the Jews could hardly be murdered; but leaves till last, as though it were his last word on the subject, Hitler's soothing reassurance, 'there is no need for that'. This chronological confusion was pointed out to Irving in 1977, but he did not correct it in later editions of *Hitler's war*. In court he represented it as nothing more than a slip, getting a date wrong by a mere day; but the effect on the unsuspecting reader is much more than this would suggest.

In later editions new reasons were inserted for Hitler's statements, including the Katyn forest massacre of Poles by Russians, although Hitler made no mention of this to Horthy. But no special or immediate reasons are necessary to explain the genocidal language Hitler used on this occasion: he had used the same kind of language on numerous

51 Irving, *Hitler's war*, pp 508–510; Evans, *Report*, pp 246–55; *Proceedings*, Day 12, pp 32–55, Day 23, pp 112–22, 149–60; Day 29, pp 85–7; Day 32, pp 12–15.

previous occasions stretching over decades. It is only because Irving denies this fact, or dismisses it as 'Hitler's gramophone record', that he has to resort to distortion and invention.

Did the Holocaust happen?

The many wild statements made by Irving after his conversion are not all consistent with each other, but if one connects up the more extreme of them one arrives at something like the following. The Jews had a rough time during the war but there is no reason to believe that their experience was worse than that of many other communities.⁵² Moreover they brought much of their troubles upon themselves, partly by being generally obnoxious,⁵³ but more particularly because Chaim Weizmann, the leader of world Jewry, wrote a letter in late August 1939 to Neville Chamberlain, later published in *The Times*, stating that the Jews would stand by Great Britain and fight on the side of the democracies. This was virtually a Jewish declaration of war on Germany, and an announcement that all German Jews were traitors, and it led Hitler to intern the Jews as enemy aliens.⁵⁴ Conditions in the internment or concentration camps deteriorated during the war, largely as a result of murderous Allied bombing raids, which impeded medical and food supplies.⁵⁵ There were also unauthorised shootings on the eastern front similar to the Mai Lai massacre in Vietnam.⁵⁶ But the fantastic story of systematic extermination in gas chambers was an invention of British wartime propaganda,⁵⁷ eagerly taken up after the war by Zionists to extort money from Germany in so-called compensation and to justify the establishment and maintenance of the state of Israel and all it entailed, including violence against the Arabs. The Holocaust myth also conveniently serves to inhibit criticism of Jewish swindlers.⁵⁸ As for the disappearance of the Jewish population of eastern Europe, some moved to Russia, some migrated to Palestine, and others fled to Dresden where they were exterminated by Allied bombers.⁵⁹

The Jewish declaration of war on Germany, like many of Irving's

52 Evans, *Report*, 59.

53 Evans, *Report*, p 89.

54 Evans, *Report*, pp 362-7; Lipstadt, *Denying*, pp 111 & 213-15.

55 *Proceedings*, Day 19, pp 196 & 205.

56 *Proceedings*, Day 4, p 109.

57 Evans, *Report*, p 74.

58 Evans, *Report*, p 86; *Proceedings*, Day 7, p 184.

59 Evans, *Report*, p 65; *Proceedings*, Day 19, pp 176-9.

historical interpretations, was first put forward by Adolf Hitler. Weizmann was President of the World Zionist Organisation and of the Jewish Agency in Palestine, but scarcely the leader of world Jewry. The World Zionist Organisation represented about six percent of world Jewry and about four percent of German Jews. It was not a state and had no capacity to wage war. The purpose of Weizmann's letter to Chamberlain was to assure the Mandatory Power that despite past conflict the Jews of Palestine would side with Britain against the far greater threat presented by the Nazis. Weizmann had no control over the Jews of Europe.⁶⁰ He had little control even over the Jews of Palestine, some of whom made a bizarre attempt to form an alliance with the Nazis against Britain.⁶¹

Most of Irving's post-conversion assertions are obviously absurd. He provided archival references for his statement that British propagandists invented the story of Nazi gas chambers, but they provide no support for this statement. What they show is that British officials were incredulous when the first reports of systematic gassing emerged, and were chary of making such apparently fantastic accusations lest they damage the credibility of their war propaganda.⁶² The backfiring of British propaganda in the First World War, when such stories as Germans using Belgian children as bell clappers were proved false, were in many people's minds during the Second World War. In America and in Germany as well as in Britain this memory caused the early reports of gas chambers to be sceptically received.⁶³

In court Irving was determined to defend his pre-conversion scholarship. But the attempt to argue that Hitler's henchmen concealed from him what was happening in the east, while at the same time arguing that nothing was happening in the east, proved too difficult. The difficulty, together with the irrefutable evidence the expert witnesses produced, caused Irving's views on the Holocaust to 'evolve', as the judge put it, during the trial. He soon abandoned the 'Mai Lai' theory of the *Einsatzgruppen* and conceded that the shootings were systematic, that Hitler knew and approved of them, and that between half a million and one and a half million people were shot, most of them Jews.⁶⁴ At first he asserted that gas vans had been used only on an

60 Evans, *Report*, pp 362-7

61 Conor Cruise O'Brien, *The siege: the saga of Israel and Zionism* (London, 1988), pp 246-7.

62 Evans, *Report*, p 74.

63 Deborah E Lipstadt, *Beyond belief: the American press and the coming of the Holocaust 1933-1945* (New York, 1986), pp 8-9; Evans, *Report*, p 339.

64 *Proceedings*, Day 4, pp 106-7; *Judgement*, paras 13.56-8.

experimental basis and on a very limited scale, but eventually conceded that this was not so. At first he denied that there had been gas chambers at Treblinka, Sobibor and Belzec, but then conceded this, as well as that gassing had been carried out at these camps on a considerable scale.⁶⁵

But this 'evolution' was anything but a smooth learning curve. On a number of occasions Irving denied what he had earlier conceded, explaining that he had made the concessions simply to speed up the trial.⁶⁶ On one occasion he insisted his concession that there were gas chambers at Treblinka, Sobibor and Belzec had been his view all along, until it was demonstrated that he had denied it in his initial pleadings.⁶⁷ He repeatedly stated he was 'not a Holocaust historian',⁶⁸ so any errors were not deliberate falsifications. But if he was not a Holocaust historian, why had he made categorical statements on the subject which contradicted the consensus of Holocaust historians? His statement at one point that he was an expert on the way Holocaust historians went about their research, 'but not on their findings, so to speak' is scarcely convincing.⁶⁹ Moreover when he appeared as an expert witness in the trial of Ernst Zundel in Canada in 1988 he answered questions on the Holocaust, stating for example that 'I am not familiar with any documentary evidence of any such figure of 6 million. It must have been of the order of 100,000 or more'. In London, perhaps fearful that this might be construed as Holocaust denial, he first denied having said it, but then, having been shown the Canadian court record, he said he had done 'what any scientist would, which is give a lower limit and an upper limit'; thus claiming, however implausibly, the expertise on the subject he had earlier denied he possessed.⁷⁰

Irving's last stand was at Auschwitz, which he insisted was nothing more than a labour camp. More specifically, he nailed his colours to mortuary 1 of crematorium 2. There were other gas chambers at Auschwitz, but this was, according to the expert witness, Professor Van Pelt, the most lethal: about half a million people, virtually all Jews, perished in this building, more than in any other place of its size on

65 *Judgement*, para 3.63.

66 *Proceedings*, Day 5, pp 5–10; Day 23, pp 15–6; Day 24, pp 160–5, 189–91; Day 19, pp 200–1; Day 25, pp 1–2, 162–3.

67 *Proceedings*, Day 19, pp 191–2, 199.

68 *Proceedings*, Day 1, p 12; Day 2, p 232; Day 5, p 138; Day 6, p 81; Day 7, p 90; Day 8, p 161; Day 14, pp 34, 42, 50 & 63.

69 *Proceedings*, Day 2, pp 130–1

70 *Proceedings*, Day 19, pp 202–4

earth. Irving denied it was a gas chamber, and, no longer relying on Leuchter, declared he would abandon his legal action if anyone could prove the existence of the holes in the roof through which the pellets of Zyklon-B were allegedly poured.

The roof is at present in ruins, the building having been blown up by the Nazis ahead of the approaching Russians; whether it ever had chimneys or holes in the roof is now impossible to ascertain visually. Irving produced a photograph taken of the one small section of the roof which is more or less intact, which appeared to show no sign of a hole; but Van Pelt gave credible reasons why that part of the roof would not have had a hole in it. The judge accepted that there are a number of eye-witness accounts and drawings which are mutually corroborative without being cross-contaminated, as well as aerial photographs which, though indistinct and difficult to interpret, are consistent with the existence of small chimneys on the building.⁷¹ Irving rejected all this evidence, declaring the eye-witnesses to be mentally ill or liars and the photographs wrongly interpreted. In his summing up he stated that Van Pelt had accepted that there were no holes in the roof; the judge corrected him, pointing out that all Van Pelt had said was that none were visible in its present ruined state.⁷²

Even Irving's harshest critics acknowledge his 'capacity to think on his feet and express himself fluently';⁷³ but this very ability sometimes gets him into trouble. While he was arguing that mortuary 1 of crematorium 2 was not a gas chamber, evidence of cyanide deposits within it was produced. This was, Irving promptly said, because it was used for fumigating 'objects or cadavers'. Asked the point of gassing corpses, he said it was to kill the lice that spread the typhus that had caused the deaths. But then he was unable to explain why it should be, when the former mortuary was converted to its new purpose, that the corpse-slide was removed and replaced by steps, down which the corpses would have had to be carried; or why an adjacent undressing-room (*Auskleidekeller*) was necessary; or why it was necessary to fumigate corpses which were then immediately incinerated; or why the concentration of cyanide was lower than that in the acknowledged fumigation rooms (lice needing over twenty times the concentration of cyanide necessary to kill humans); or why a glass spy-hole in the door was necessary if only inanimate objects were gassed; or why the metal grille over the spy-

71 *Judgement*, para 13.83.

72 *Proceedings*, Day 32, pp 161-2.

73 Dan Jacobson, 'The downfall of David Irving', *Times Literary Supplement*, 21 April 2000, p 12.

hole was on the inside; or how the fumigant had been introduced into a room with no windows and a gas-tight door, if there were no ducts or holes in the roof, as he claimed.

Irving also asserted that the room was an air-raid shelter. He explained that the gas-proof doors were in case of gas-bombs; but was unable to provide a rational explanation of why an air-raid shelter should have been situated one and a half miles from the SS barracks; or explain why something as innocuous as an air-raid shelter should have been described as a 'bath-house for special purposes'; or answer any of the other objections to this impromptu theory.⁷⁴ In all this flurry of irrelevance, the fact that Irving had not a shred of evidence for either suggestion seems to have passed almost unnoticed.

Judgement

Since Irving has publicly denied the Holocaust on many occasions, often in the most offensive terms,⁷⁵ it is difficult to see how he could have hoped to obtain damages for being called a Holocaust denier. He made an attempt to redefine the Holocaust, rejecting 'a systematic programme of exterminating Jews conducted by the Nazi regime' in favour of 'the tragedy that befell the Jewish people during World War II', or even the 'whole of World War II', including deaths by bombing.⁷⁶ But there was no ambiguity about what Lipstadt accused him of denying; it would be absurd to suggest she accused him of saying the Second World War had never taken place. He did not apparently expect such searching scrutiny of his writings, and characteristically represented it as part of the international Jewish conspiracy against him:

the real Defendants in this case are not represented in this court but their presence has been with us throughout like Banquo's ghost ... We have them to thank for the spectacle that has been presented in this court room since January. Without their financial assistance, it is unlikely that Mr Rampton and this defence team and his instructing solicitors could have mounted this colossal onslaught on my name.⁷⁷

One has to remind oneself that Irving initiated the case and that his aim was to get Lipstadt's book suppressed.

⁷⁴ *Proceedings*, Day 8, pp 85–8; Day 11, pp 183–6; *Judgement*, paras 7.121–2 & 13.84–6.

⁷⁵ *Judgement*, paras 13.92–99.

⁷⁶ *Proceedings*, Day 2, pp 153–5.

⁷⁷ *Proceedings*, Day 32, p 114. Banquo's ghost appears to be the anti-defamation league of the B'nai Brith.

Having in his own estimation 'run rings round' the expert witnesses and caused them to 'crumble',⁷⁸ and having made recommendations for 'when your Lordship comes to consider such things as costs and damages',⁷⁹ the judgement must have come as a shock. Mr Justice Gray found that the defence plea of justification succeeded in that

in numerous respects, Irving has misstated historical evidence; adopted positions which run counter to the weight of the evidence; given credence to unreliable evidence and disregarded or dismissed credible evidence ... the effect of what Irving has written has been to portray Hitler in a favourable light and to divert blame from him onto others ... I have seen no instance where Irving has misinterpreted the evidence or misstated the facts in a manner which is detrimental to Hitler ... [on occasion] Irving's treatment of the historical evidence is so perverse and egregious that it is difficult to accept that it is inadvertence on his part ... Irving on occasion applies double standards to the documentary evidence, accepting documents which fit in with his thesis and rejecting those which do not ... [and] there is a comparable lack of even-handedness when it comes to Irving's treatment of eye-witnesses.

The judge found significance in Irving's concessions during the trial and in his subsequent retractions. 'Irving's readiness to resile from positions he had adopted in what he has written and said about important aspects of the Holocaust demonstrates his willingness to make assertions about the Nazi era which, as he must appreciate, are irreconcilable with the available evidence.' And he said there was force in the defence's contention that Irving's subsequent retraction of these concessions 'manifests a determination to adhere to his preferred version of history, even if the evidence does not support it'.

The judge found that Irving's pro-Nazi and antisemitic political activities together with his historical falsifications warranted the inference that 'for the most part the falsification of the historical record was deliberate and that Irving was motivated by a desire to present events in a manner consistent with his own ideological beliefs even if that involved distortion and manipulation of historical evidence.'⁸⁰

The judgement was not wholly adverse. Judge Gray stated that 'as a military historian, Irving has much to commend him', mentioning his 'thorough and painstaking research', his discovery and disclosure of new sources of information, his 'unparalleled' knowledge of the Second World War and the 'clear and vivid' style in which he writes. In this, the judge rejected Richard Evans's assessment that he could not be

78 BBC interview with Tim Sebastian, 25 April 2000.

79 *Proceedings*, Day 32, p 114.

80 *Judgement*, paras 13.140–13.163.

described as a historian at all,⁸¹ and accepted the views of Sir John Keegan and Professor DC Watt, the two witnesses who appeared, albeit under subpoena, for Irving.

Keegan stuck to his view that the two outstanding books on the Second World War were Chester Wilmot's *Struggle for Europe*, and David Irving's *Hitler's war*. He described Irving's view that Hitler did not know what was happening to the Jews as perverse and in defiance of reason and common sense, but said that Irving's picture of how Hitler conducted military operations was done extremely well. Watt stated that he had found Irving a very effective scholarly collaborator in bringing out an edition of German documents, and said that in areas where his 'particular political convictions are not involved I am most impressed by the scholarship'.⁸²

But what are these areas? Irving's chief political conviction is his admiration for Hitler, the man who lifted up the beaten and humiliated German nation, cured its ills, and restored its self-respect: 'friend of the arts, benefactor of the impoverished, defender of the innocent, persecutor of the delinquent'.⁸³ Such a conviction impinges on virtually every subject he has written about. His hostile portraits of Churchill and other Allied leaders serve to set up a false moral equivalence between them and Hitler. His gross exaggeration of civilian casualties in Allied bombing raids is explicitly used to palliate Auschwitz.⁸⁴ Gordon Craig of Stanford University, whom Evans describes as a 'customarily generous reviewer', comments that Irving accepts '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'. This surely must raise doubts about Irving's reliability even as a military historian.⁸⁵

Keegan and Watt, like readers generally, probably assume that Irving, while liable to error, makes a genuine attempt to arrive at the truth. Evans has come to the opposite conclusion. He states that Irving has falsified history from the very beginning of his career (his first book was on the bombing of Dresden).

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.

81 Evans, *Report*, p 377.

82 *Proceedings*, Day 7, pp 39-49, Day 16, pp 3-11.

83 Evans, *Report*, p 105.

84 Evans, *Report*, p 62.

85 Evans, *Report*, pp 105-6; and see generally, pp 28-40 & 103-111.

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.⁸⁶

The court record and Irving's statements after the trial suggest that he says whatever he thinks he can get away with, and that he is quite impervious to argument. Deborah Lipstadt is surely justified in refusing to debate with him and with Holocaust deniers in general. As in the case of evolution deniers, HIV deniers and spherical-earth-deniers, the opinions of Holocaust deniers are not derived from the evidence and arguments on which they ostensibly rest. As fast as the arguments are knocked away they are replaced by others, while the opinions remain unchanged.

There are legitimate debates about the Holocaust. One such is that between 'intentionalists' and 'functionalists'. The former hold that the Holocaust happened because Hitler was from the first determined to exterminate the Jews, and circumstances provided him with the opportunity. The latter argue that the racist radicalism of the Nazis generated its own dynamic, and that during the war on the eastern front there was a process of escalation in mind and deed. There is evidence to support both views, and the debate has been fruitful in producing a more nuanced and accurate account.⁸⁷ At one time Irving was regarded as having made a contribution to this debate by challenging the tendency to explain everything by reference to the will of Hitler. But any usefulness he might once have had as an irritant and stimulus to research has surely now been exhausted.⁸⁸

Irving accuses academic historians of 'inter-historian incest', meaning that they base their books on each others books. He boasts of not reading books himself but of relying on the original documents.⁸⁹ One of the books he has not read is *Mein Kampf*.⁹⁰ Reading it might have raised doubts whether it was really true, as he maintains, that Hitler was merely a tactical antisemite, that he lost interest in the subject once he gained power,⁹¹ and thereafter intervened 'on behalf of the

86 Evans, *Report*, p 377.

87 Compare the 'instrumentalist' Lucy Dawidowicz, *The war against the Jews, 1933-45* (Harmondsworth, 1977; first publ London, 1975) with Christopher Browning, *The path to genocide: essays on launching the Final Solution* (New York, 1992), esp chaps 1, 2 & 5, which take account of 'functionalist' arguments.

88 Evans, *Report*, p 375.

89 Irving, *Hitler's war*, vol I, p xiii; *Proceedings*, Day 1, p 30; Day 2, p 173; Day 5, p 182; Day 32, pp 77-8; Evans, *Report*, pp 21-2.

90 *Proceedings*, Day 24, pp 107-8.

91 *Proceedings*, Day 24, p 101.

Jews rather than against them', being in fact 'the best friend the Jews ever had in the Third Reich'.⁹² References to Jews in *Mein Kampf* are replete with the imagery of pollution, vermin and disease. More surprising is the religious language. As one reads the book it becomes increasingly clear that the Jews have taken the place in Hitler's world view occupied in his childhood by the Devil.⁹³ Hitler's antisemitism was visceral and implacable. Irving seems not to have heard of, let alone read, Ian Kershaw's recent biography of Hitler.⁹⁴ From it he might have learned how Hitler came to see Bolshevism as the work of the Jews, and the destruction of both as his life's work.⁹⁵ His policy of not reading books has left Irving hugely ill-informed about the nature of Hitler's antisemitism (assuming that he really believes what he says).

Irving has no academic qualifications. Evans argues that this is not sufficient reason for refusing to call a writer a historian, since it is possible to learn the craft on the job.⁹⁶ Nevertheless Irving's lack of formal training is possibly of some relevance. His approach to scholarship has a certain similarity to that of his fellow-autodidact, Adolf Hitler. Irving's contempt for academics resembles Hitler's opinion on the 'so-called intelligentsia':

They have not the faculty of distinguishing between what is useful and useless in a book, so that they may retain the former in their minds and if possible skip over the latter or throw it overboard as useless ballast ... Each little piece of knowledge thus gained must be treated as if it were a little stone to be inserted into a mosaic, so that it finds its proper place among all the other pieces that help to form a general *Weltanschauung* in the brain of the reader.

Alan Bullock comments: 'He had no feeling for literature at all, or interest in books for their own sake, but regarded them solely as a source from which he could extract material that fitted in with views he already held.'⁹⁷

In his approach to history, Irving bears some resemblance to the laymen who confuse archaeology with treasure-hunting. Ignoring the total assemblage of published scholarship, evidence, questions, argument and debate, Irving shovels through the primary sources, retrieving only what he wants to find: 'gems', 'pure gold' 'a nugget', 'embedded in the trivia, like in a goldmine, in the slurry, there are

92 *Proceedings*, Day 21, p 163.

93 Adolf Hitler, *Mein Kampf*, trans R Manheim, intro D C Watt (London, 1973), esp pp 60, 294, 584–5, 605.

94 *Proceedings*, Day 3, p 35.

95 Ian Kershaw, *Hitler, 1889–1936*, vol I, *Hubris* (Penguin, London, 1999) esp pp 151–3, 245–6.

96 Evans, *Report*, pp 20–1.

97 Bullock, *Hitler and Stalin*, pp 23–4.

diamonds like this', 'a high level diamond document of unquestioned integrity'.⁹⁸ This last is the 'Schlegelberger' note, discussed above. What all these treasures have in common is that they are isolated scraps whose ambiguity facilitates interpretations exculpating Hitler. Irving cautions that 'you have to be very careful before you use the Goebbels diary as pure gold source material. You have to refilter it out of that evil brain',⁹⁹ a procedure presumably necessitated by the evil brain's tendency to incriminate Hitler.

According to Irving, academic historians tell their readers what to think, while he simply provides his readers with the evidence and lets them draw their own conclusions. He describes his practice as:

just putting the evidence in the pages and not joining up the dots and allowing the reader to do the dot joining for himself. I assume that my readers have a certain degree of intellectual honesty and ability, that they are capable of forming their own conclusions provided I present the evidence to them with as much integrity as possible. Other historians, like no doubt some of the experts in this case, like to join up the dots for you and that is where the mistakes I think creep in.¹⁰⁰

This sounds reasonable, but what it amounts to in practice is selecting, summarising, paraphrasing and juxtaposing documents in such a way as to nudge the uninformed and unsuspecting reader in a predetermined direction. Explicit argument and analysis enable readers to be on their guard. Often one does not know whether it is Irving's or Hitler's views one is reading. Perhaps it does not make much difference. *Hitler's war* has been described as the autobiography Hitler never wrote. But then it must be read with all the caution that memoirs require, especially the memoirs of someone like Hitler.

Professor Watt commented that not all the writings of some senior academic historians would stand up to the kind of scrutiny to which Irving's have been subjected. He referred to an unnamed historian occupying a post of some importance in the United States who argued that Stalin killed hardly anyone; then the KGB archives were opened, whereupon he hastily changed his views.¹⁰¹ But at least he changed his views: he did not argue the KGB documents were all forgeries.

Evans refers to a young American Marxist historian whose book, published by Princeton University Press, was initially well received, until it was found to be full of errors, including inaccurate paraphrases

98 *Proceedings*, Day 2, p 168; Day 3, pp 20, 73, 192, 193; Day 6, p 179; Day 8, pp 25–6; Day 24, p 132.

99 *Proceedings*, Day 5, p 31.

100 *Proceedings*, Day 5, p 182. See also Day 4, pp 66 & 79; Day 6, pp 182–4.

101 *Proceedings*, Day 7, p 49.

masquerading as quotations, omission of words (such as 'not') from quotations, invention of sources and so on. The result was that he was hounded from the historical profession. He later re-entered university employment teaching law, a subject Evans describes as 'perhaps more comfortable with the manipulation and tendentious interpretation of evidence than history is', a phrase he tactfully omitted from his report to the court.¹⁰² This may be an extreme case, but many less extreme cases might be quoted. Every academic historian is conscious of future referees breathing down his or her neck. Professional writers, dependent on sales, are subject to different pressures, which are not necessarily conducive to accuracy.

Peer review is nowhere more savage than in the field of history. As watchdogs, academic historians seem especially fond of sinking their teeth into each other. Hugh Trevor-Roper was a particularly savage watchdog in his day, which is why the 'Hitler Diaries' débâcle caused such widespread joy. Richard Evans tried to explain to Irving that peer review and the submission of manuscripts to referees were perfectly normal practices, and that his increasingly bizarre and offensive statements from 1988 made it not at all surprising that reputable publishers had turned their backs on him; but Irving persisted in believing that illegitimate external political pressure had been brought to bear on his former publishers by the international conspiracy against him.¹⁰³

Even within the academy, not all writing about the past is the work of historians. Anthropologists, literary theorists and practitioners of cultural studies follow different rules from those of historians, rules with which historians are often uncomfortable. Some hide beneath the carapace of fashionable theories that there are no rules, often with dismaying results.¹⁰⁴

Peter Novick considers Deborah Lipstadt an alarmist, arguing that Holocaust denial is confined to a tiny minority, whom he describes (protesting too much, perhaps) as 'screwballs', 'cranks', 'kooks', 'misfits', 'nuts' and 'fruitcakes'. But Lipstadt argues that beyond the kooks there is a growing penumbra of well-intentioned but ill-informed people, some influenced by relativist 'postmodernist' theories, who

102 Richard J Evans, *In defence of history* (London, 1997), pp 116–24; Evans, *Report*, p 376. An account of this affair, by a friend and former teacher of the historian/lawyer in question is in Peter Novick, *That noble dream: the 'objectivity question' and the American historical question* (Cambridge, 1988), pp 612–621.

103 *Proceedings*, Day 19, pp 95–7.

104 See the examples in Evans, *In defence of history*, and especially Keith Windschuttle, *The killing of hHistory: how literary critics and social theorists are murdering our past* (New York, 1997).

believe that both sides of every question should be heard, that debate is healthy, and everything is open to debate; and that such people are susceptible to plausibly presented denial theories. Vulgar relativism and vulgar liberalism might both be summed up in Cole Porter's words as 'anything goes'; the result is the vague idea that whether or not the Holocaust ever happened is a legitimate historical debate.¹⁰⁵

Innocent of theory, Irving is one of nature's postmodernists. He uses history to generate a 'knowledge' of the past that sustains his cultural and political values, he treats texts as having no fixed or certain meaning, he reads his own meanings into the documents he uses, and holds that if the orthodox account of the Holocaust is more widely accepted than the revisionist account, this is not because of its greater proximity to the 'truth' or closer conformity to the 'evidence', but because of the massively entrenched financial and ideological power of international Jewry.

Fortunately, there is nothing post modernist about Mr Justice Gray. The defence was obliged to concede that Lipstadt's statements were defamatory. Its plea was justification: that what Lipstadt said about Irving was true and what Irving said about the Holocaust was false. Had the judge believed that there is no such thing as historical truth or objectivity, that there are no grounds to be found in the historical record for preferring one construction of its meaning to another, that meanings are imparted to documents by their readers, and that all meanings are equally valid, the plea of justification would have failed and Irving would have won. This should serve as a salutary warning that however amusing these academic games may be to their practitioners they could have serious consequences in the real world.

105 Peter Novick, *The Holocaust in American life* (New York, 1999), pp 270–2; Evans, *Defence of history*, pp 238–43. Novick is no doubt correct that student editors who run deniers' advertisements have not read Foucault and Derrida. His statement that they have read Thomas Jefferson and John Stuart Mill is more doubtful. Most probably, like most people, they have absorbed both sets of ideas at tenth-hand.