

Hitler apologist David Irving loses libel case at London High Court

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12 April 2000

Right-wing historian David Irving lost his libel case in the London High Court on Tuesday, April 11. Irving had sued Deborah Lipstadt, professor of Modern Jewish and Holocaust Studies at Emory University in Atlanta, Georgia and her publishers Penguin Books, alleging they were part of an organised conspiracy to destroy his reputation and livelihood as a historian.

In her 1993 book *Denying the Holocaust—the Growing Assault on Truth and Memory*, Lipstadt described Irving as a “right-wing writer of historical works” who is “one of the most dangerous spokespersons for Holocaust denial”.

By agreement of all parties, the trial was held without a jury before a single judge. In his ruling, delivered four weeks after the conclusion of the trial, Judge Charles Gray found the allegations true that Irving was “a racist, an anti-Semite, an active Holocaust denier, who associates with right-wing extremists”. The judge also said, “Irving has for his own ideological reasons persistently and deliberately misrepresented and manipulated historical evidence. For the same reasons he has portrayed Hitler in an unwarrantedly favourable light, principally in relation to his attitude towards and responsibility for the treatment of the Jews.”

According to the judge, Irving's submissions appeared “to have a distinct air of unreality about them”. In those cases where he found the defendants' criticisms to be justified, Irving had “treated the historical evidence in a manner which fell far short of the standard to be expected of a conscientious historian”.

The central question concerning Auschwitz, the judge said, was whether or not the evidence supported the defendants' argument that the scale of those killed ran into hundreds of thousands, or whether Irving's contention was correct that the numbers killed by gas

were fairly small. Judge Gray said that the cumulative effect of the documentary evidence that the gas chambers at Auschwitz had been used to carry out genocide was “considerable”.

“It is my conclusion that no objective, fair-minded historian would have serious cause to doubt that there were gas chambers at Auschwitz and that they were operated on a substantial scale to kill hundreds of thousands of Jews,” said Gray.

During the trial, Irving claimed that until 1943 Hitler had known nothing about the “Final Solution,” the Nazis' plans to systematically exterminate the Jews. He told the court that the gas chambers at Auschwitz were fakes, and could not have been used to carry out mass murder.

In a statement, Professor Lipstadt said she was gratified with the ruling and never had any doubts that it would be favourable. “I hope that this victory will save other authors from having to face such trials and tribulations. I see this not only as a personal victory, but also as a victory for all those who speak out against hate and prejudice. It was a struggle for truth and for memory and a fight against those who sow the seeds of racism and anti-Semitism. They have pursued justice not just on my, but on many people's behalf.”

Eldred Tabachnik, the president of the Board of Deputies of British Jews, greeted the verdict. He said, “The decision proves that David Irving is a falsifier of history. Irving follows the short line of Holocaust deniers who aim to resurrect Nazism by denying the planned destruction of the European Jews.”

Yehuda Bauer of Yad Vashem, the Holocaust Martyrs' and Heroes' Remembrance Authority, called the verdict a “victory for sanity”.

Irving faces an extradition request from Germany for racial incitement, following a speech he delivered to the

neo-Nazi Nationaldemokratische Partei Deutschlands.

The costs of the 10-week trial are estimated at £2 million, which Irving is liable for. This was the first time in over three decades that the Holocaust was central to a libel case. Irving has indicated he will appeal the judge's ruling. He is also suing author Gita Sereny for her review of his book about Joseph Goebbels in the *Observer* newspaper.



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