

German law professor accuses Baberowski of right-wing extremism and historical revisionism

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Two weeks have now passed since Professor Jörg Baberowski withdrew his lawsuit against the general student committee (ASTA) of Bremen University.

The head of the Department of Eastern European History at Humboldt University (HU) wanted to ban the Bremen students from criticising his statements and describing him as a right-wing extremist and racist. In this, he has completely failed. His lawyer was forced to withdraw his legal complaint on June 1 so as to avoid a written judgement that would have been devastating to Baberowski's reputation. The Cologne District Court of Appeals (OLG) made unmistakably clear during the oral arguments that it would rule in favour of the ASTA.

Despite Baberowski's defeat, a statement defending him by the HU Presidium dated March 30, 2017 is still posted in the press section of the university's web site. In it, the Presidium claims that his scholarly statements are "not right-wing extremist" and criticism of them is "unacceptable." It threatens Baberowski's critics with criminal prosecution.

The statement refers to a March 15, 2017 ruling by the Cologne District Court that was explicitly rejected by the OLG and is no longer valid following the withdrawal of the lawsuit. The OLG judges specifically contradicted the allegation that statements by Baberowski had been torn out of context and cited "falsely and in a manner that distorted their meaning," as the statement of the Humboldt University Presidium claims.

Despite this, the Presidium has not retracted its statement. Neither have any of the 23 professors who signed it withdrawn their signatures. One can conclude only that this is a conscious decision to defend or at least cover up right-wing extremist and historical revisionist positions.

Renowned jurist Andreas Fischer-Lescano made this unmistakably clear in a full-page article published on June 10 in the *Frankfurter Rundschau* and now available online. The law professor heads the Center for European Law and Politics at Bremen University and is an expert on public law, European law and international law. He became well known nationwide in 2011 when he discovered plagiarism in the doctoral thesis of then-Defence Minister Karl-Theodor zu Guttenberg, which ultimately led to Guttenberg's resignation.

Fischer-Lescano advises Baberowski's supporters to take his defeat in Cologne "as an opportunity to distance themselves from

their premature whitewashing of the scholar." There were good reasons why the District Court of Appeals had confirmed that "after a close analysis of Baberowski's writings and statements on daily politics," he had to "accept the criticism of his positions as right-wing extremist." These reasons, the court said, were "to be found in the works of Baberowski."

In contrast to the Presidium's statement, which describes Baberowski as having unquestionable "integrity" as a scholar, who could be referred to as a right-wing extremist, whether that was right or wrong, only "because of the right to freedom of opinion guaranteed in the Basic Law," Fischer-Lescano notes that one cannot "make a distinction between the right-wing author of texts on daily politics" and the "excellent scholar." With Baberowski, his "scholarly Oeuvre and statements on daily politics" coalesce "into an amalgam of right-wing extremist criticism that is pervaded by historical revisionism and nationalist motives."

Fischer-Lescano substantiates this in detail in the course of his article. He notes how Baberowski defended the Nazi apologist Ernst Nolte in *Der Spiegel* in February 2014 and went on to assert: "Hitler was not a psychopath. He was not vicious. He did not want people to talk about the extermination of the Jews at his table." Baberowski has recently repeated this remark on several occasions and justified it.

It is simply historically false to state that Hitler did not want to discuss the extermination of the Jews at his table, Fischer-Lescano remarks, pointing to documented discussions at Hitler's table in the Wolf's Lair. But even if Hitler had remained silent at his table, it could "not be concluded from this that Hitler was 'not vicious.'" There is "no conceivable context in which Baberowski's statement that Hitler was not vicious would not be repulsive." Viciousness, Fischer-Lescano continues, is "one of the legal criteria for murder. The perpetrator acts without feeling or mercy. But what was the Holocaust if not vicious mass murder?"

At another point in his article, Fischer-Lescano points out that Baberowski eliminates "anti-Semitism entirely from his explanatory model for Nazi violence." He adds that in his study of violence, Baberowski does not use the word anti-Semitism once.

In his statements on daily politics regarding violence and refugees, Baberowski argues in "openly nationalist" terms, Fischer-Lescano writes. He cites as an example the fact that Baberowski asserts, in regard to the integration of refugees, that this endangers

“the traditional continuity in which we stand and which provides social stability and consistency.” He further notes that Baberowski promotes violence in connection with people “who want to destroy us and our way of life.”

At the same time, Baberowski downplays the violence to which refugees are exposed: “Refugee deaths in the Mediterranean, xenophobic attacks in Germany, the burning of refugee accommodation centres—violence against refugees is for this researcher on violence ‘relatively harmless’ and represents an understandable response to problems with immigration,” writes Fischer-Lescano.

Fischer-Lescano also deals with the methods employed by Baberowski and his supporters to silence his critics. With the conclusion of the court proceedings, a “peculiar spectacle of self-dramatisation” has come to an end, he writes. For months, Baberowski has “spread the narrative in the literary supplements of newspapers that he was a victim of left-wing moral guardians engaged in intellectual terrorism against him.” The same tone was to be found in statements of solidarity portraying Baberowski as a renowned scholar who was being unfairly defamed.

Baberowski “attempts to define his revisionist and nationalist comments as the ‘new mainstream,’ and protests against being described as what he really is: a right-wing extremist. He has—and this is the shocking thing—managed over months to win support for his right-wing extremist statements and mobilise new allies who have unconditionally attested that he is not arguing as a right-wing extremist,” states Fischer-Lescano.

The author of the article adds that while Baberowski “discredited those who criticised his statements, while he intimidated student critics and sought to silence them in the courts, he sought to claim the right to freedom of opinion for himself.”

Fischer-Lescano accuses the Presidium of Humboldt University of “not saying a word in its March statement about this perfidious action—even though it was directed against students—and instead asserting that the professor was arguing ‘not as a right-wing extremist’ in his academic work.” This demonstrates “how shockingly normal right-wing speech at universities has become.” A university that, after Baberowski’s defeat in Cologne, insists “that its academic is not arguing as a right-wing extremist” is making itself “an accomplice of right-wing scholarship.”

This is undoubtedly correct. But one must add that over the past three years hardly any academic or journalist was disturbed by Baberowski’s right-wing extremist and historical revisionist views. The only ones to warn of his defence of Nolte and Hitler were the Sozialistische Gleichheitspartei (Socialist Equality Party—SGP) and the International Youth and Students for Social Equality (IYSSE). For this reason, they were targeted for an hysterical campaign of slander in the media, without a single voice being raised in opposition.

The *Frankfurter Allgemeine Zeitung* led the way in this campaign. On March 27, 2017, it published a tirade by Heike Schmoll titled “The creeping poison of character assassination,” which combined shameless lies with outrageous slanders and accused the IYSSE of violating “freedom of scholarship” by criticising Baberowski’s right-wing extremist statements.

Die Welt and *Cicero Magazine* were not far behind, and even

Die Zeit displayed its support for Baberowski in a lengthy feature by Mariam Lau. Fischer-Lescano is correct to state that “right-wing speech” has “become shockingly normal,” and not only at universities.

If the IYSSE and SGP had not taken up these issues in the face of huge pressures, Baberowski would still be free to spread his right-wing ideology unhindered. The Left Party, the Social Democrats (SPD) and the Greens all maintained a stony silence or defended Baberowski. Humboldt University President Sabine Kunst is an SPD politician.

While the HU administration, several other academic institutions and numerous professors backed Baberowski or remained silent, the IYSSE found strong support for its criticisms among students and workers. Many student bodies, including the student parliament at HU, passed resolutions critical of Baberowski.

The Bremen ASTA protested against Baberowski on its own initiative. But in the course of its legal proceedings against Baberowski, it was able to rely on the material produced by the IYSSE and SGP. Fischer-Lescano himself uses citations from the book published in 2015 by Merhring Verlag titled *Scholarship or War Propaganda*, as well as passages from articles published on the *World Socialist Web Site* in the course of the conflict with Baberowski.

In the final analysis, the normalisation of “right-wing speech at universities” is the result of fundamental political shifts. Three years ago, in its first statement on Baberowski’s claim that “Hitler was not vicious,” the IYSSE pointed to the connection between Baberowski’s downplaying of Hitler’s crimes and the growth of German militarism.

German President Joachim Gauck and other leading government members had just declared the “end of military restraint.” As the IYSSE wrote in 2014, “The attempts to establish a historically false narrative come at a critical point in German history. The revival of German militarism requires a new interpretation of history that downplays the crimes of the Nazi era.”

Since then, this militarisation has continued to advance. The fight against “right-wing tendencies in scholarship”—as Fischer-Lescano puts it in the title of his article—is thus only beginning. It is inseparable from the struggle against militarism and war.

The IYSSE demands that the Humboldt University Presidium publicly retract its statement supporting Baberowski and remove it from the HU web site. An open letter to this effect dated June 8 has thus far elicited no response.

The university administration is deeply discredited. It is apparently playing for time. While it fired left-wing sociologist Andrej Holm for a trivial matter and reinstated him only after protests from students, it is defending the right-wing extremist historian Jörg Baberowski at all costs. The outcome of the legal proceedings in Cologne has, however, upset its plans.



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