July 20, 2000 AR#17

A Radical's Diary

By David Irving

Astonishing Post-Trial Revelations in U.K. Press

LONDON – Author David Irving is to challenge the unfavourable Judgment handed down in the British High Court in his defamation action against Atlanta scholar Deborah Lipstadt and her UK publishers, Penguin Books Ltd. The two-month trial was followed with intense curiosity by the international media, but in the words of Mr. Irving cast more noise than illumination on one of the greater mysteries of World War II.

Many journalists commented on the courtroom spectacle as Mr. Irving battled, single-handed against thirty leading lawyers and experts. Lipstadt herself is Jewish, and has written extensively attacking Jews who marry outside their own race and religion; but while most of the Six Million Dollars used to fight Mr. Irving came from Steven Spielberg, Edgar J Bronfman Jr., and the American Jewish Committee (as the press revealed), the Defence team, led by star attorney Anthony Julius, went to great pains to preserve a “non-Jewish” image. Julius even had a Black paralegal sit briefly in the well of the court, after Mr. Irving made a withering attack on Defence Counsel Richard Rampton for having a wholly White team while accusing him of “racism.”

This witness was also forced to admit that the Auschwitz gas chamber story rested on a handful of six “eye witnesses” who saw SS officials pour cyanide pellets through four large holes in the roof. There are large holes in the roof. There are 10,000 survivors, Mr. Irving pointed out, but only these six are ever

THE LIPSTADT CASE

Putting their Money on the Table

by David Irving

In My British High Court libel action against her, Emory University professor Deborah Lipstadt “took the Fifth.” While I offered myself for cross examination, and was put through the hoops by Britain’s most famous and highly paid (fee: $750,000) counsel for three weeks, she ducked out of testifying on the witness stand, even though she would have had only me facing her (I could not afford counsel). Her publisher Penguin Books Ltd also decided not to venture onto the witness stand.

She is now touring the world at $2,500 a pop, addressing audiences in Los Angeles, Chicago, Miami, Tel Aviv, and elsewhere, on how she single-handedly “slew the dragon.” And good luck to her, I say; I hear she’s complaining about three months’ loss of income. Germans will have to get a move on, as the “crime” expires after ten years; and (b) I have lived at this same address for 32 years, with the same phone number, and they know where to find me.

As the Polish government agreed in 1995 that what I said in 1990 is true, I am astonished, I say, that the German government is still “trying to brazen it out.” When he asks, “Do you still describe yourself as a ‘fascist’?” I say: “I really am very busy, good-bye,” and hang up. Twerp! Six p.m., j esica and I walk a bundle of documents (on Hannah, etc.) down to [Penguin Books Ltd’s lawyers] Davenport, Lyons. Work on revising my opening statement until two a.m.

JANUARY 9, 2000

A L DAY TODAY, SUN- 
day, on final pre- parations. Head swimming. At 2:45 p.m. a phone call from The Daily Express: The German government is asking for my extradition. Is this the first you have heard of it? the journalist asks. “Yes,” I say. “If that’s the quote you want, – it is the first I have heard of it.”

Because of a speech I made in Sept. 1990!

I sarcastically point out that (a) the Germans will have to get a move on, as the “crime” expires after ten years; and (b) I have lived at this same address for 32 years, with the same phone number, and they know where to find me.

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January 9, 2000
Diary FROM PAGE 1

Jan 10, 2000
(Monday) Last pre-trial day. I take Jessica to school; what a bright little bird she is. . .

A useful item is faxed to me from Australia: today's Australia/Israel Review reveals that Debo rah Lipstadt pressured St. Martin's Press (New York) not to publish my Goebbels biography. I shall add that to my opening speech.

10:06 a.m. Helen Demidenko of Rupert Murdoch press, Australia; she is in London, wants an interview. I visit the Courtroom. It is a beehive of activity as my opponents are installing their feet of shelving and documents.

5:15 p.m. New York Times, a Miss Sarah Lyall, phones for an interview; shall be covering the case. When she gets, after ten minutes, to "Are you an anti-Semite?" I am afraid I put the phone down. Lyall is all lies.

5:38 p.m. CNN television phones to ask which High Court entrance am I using tomorrow, and when? Work all day tomorrow. 150 e-mails arrive.

Jan 11, 2000
(Tuesday) I work through the night until 5:45 a.m. and am up again at eight to take Jessica to school. Not good policy.
not occurred.

While Deckert was sentenced to prison long ago for these events, the planned Court hearing against him in the summer of 1997 had to be cancelled because the accused did not appear on the trial date.

The attempt to summon him via the German embassy also failed.

The accused had travelled to the United States.

As has just been made known, Weinheim magistrates Court therefore declared the extradition proceedings.

After the British government in August last year had declared its basic readiness to support the German authorities in August last year the official extradition request was served, as the Court director has stated in response to an inquiry.

It seems however doubtful that the British would extradite Irving as the allegations against him will run out of time in September this year.

Bed around 4:30 a.m., and up again at eight to take) esca to school. Road my feet and feeling distinctly bad.

Fine press coverage of the trial today. Every newspaper reports my comment, yesterday, that “no British soldier would have gone 50 yards up the Normandy beach in 1944 if they had known what England would look like at the end of the century.”

[Many British national newspapers repeated this a few days later as their Quote of the Week.]

Taxi to Court. I hand the judge a letter about the Stuttgart Zettar.

Tuzling asking if I may cross-examine the defendants’ solicitors on this. He says he will not permit my arrest during the trial (or words to that effect) and Mr. Richard Rampton QC [Defence Counsel] volunteers the information that his instruction is: “we are not involved in the extradition application.”

I accept this of course, though the judge said, it is obviously “no coincidences.”

At one point Rampton refers to the “waffle” contained in some document, and says that there is as much waffle as there is coming from Counsel’s bench in this action.

The judge is not amused.

Rampton sticks to his view that Vertrichtung means only extermination. I press him to look at the Langenschieldt Dictionary that I gave him to view. I happen to know that this gives extermination as the only third or fourth possible meaning, not the primary meaning.

When he asks me for the distinction between annihilation and extermination, I say: “Mr. Rampton, I have been inhabited by theses. But I have not been exterminated. Is that sufficient for you?”

I also point out that because I have quoted from a certain diary entry in Goebbels Diary (Dec. 13, 1941) that does not mean that I have read the entire entry for that day in the Moscow archives. They evidently have not appreciated this third, when I get back, during the evening, a fax comes from [Penguin’s lawyers] Davenport, Lyons: can they have a look at all the Goebbels diaries I brought back from Moscow.

I collapse exhausted on the sofa in the evening, but remain completely wakened by the phone. I wish the police wouldn’t call to Court just for an hour. But she is not well. She is looking very beautiful: or is it just that I am very fond of her.

Announcement to start work: A huge backlog of paperwork.

January 14, 2000

(Friday) Finally to bed at 2:48 a.m., and up again at eight to take) Esca to school. The Times says I looked tired in yesterday’s small wonder! Newspapers today are muddled. The Times reports Germany’s extradition request was rejected.

The Telegraph has nothing at all. At 9:45 a.m. Esca Berry of The Sunday Telegraph wonders straight away, “I know who you are and I know the people you are operating with (i.e. the Board of Deputies of British Jews). I may not answer your questions.” She asks: “Are you prepared to accept the call of Gerhard Rudolf for your Defence?”

I say: “No, I am not going to answer.”

Let’s leave the [-i] in the dark. As I told Rudolf some days ago, I am not calling him and could not if I wanted to, as the lists closed months ago. What does she mean, anyway – “For your Defence”? Lapsus linguae.

10:10 a.m. I send a fax to Daventry Lyons suggesting they contact Munich police to ask if any archives are as curious about the Dec. 13, 1941 Goebbels diary entry; it is in the set I donated to them in June 1993.

10:40 a.m. A long waffling phone call from M.; he says that A. (a legal friend) tells him that counsel always put their best points in their opening speech; if that was the Nov. 30, 1941 episode [Himmler’s talk with Heydrich, Page 18] I have blown them out of the water. I work until three a.m. tidying up the battlefield.

January 15, 2000

(Saturday) Benté is in a bad way, ash-faced and hardly able to walk. What a worry.

3:33 p.m. G. says the Frankfurter Allgemeine Zeitung ran a fine article about me (and Esca) on Thursday. Thank you, Eva Menasse. Around four p.m. he phones again, to donate DM5,000 to the fighting fund.

Fierce attack on the Los Angeles Times by the L.A. Jewish journal. They are fighting back with snakelike venom and ad hominem attacks on the journalists who do their proper – in this case, Kim Murphy of the Los Angeles Times.

January 16, 2000

(Sunday) I sleep late, and finally get to bed around 3:30 a.m.

More good reports in the Frankfurter Allgemeine Zeitung.

My e-mail correspondent (code-name “Polina”) arrives: turns out to be that old rogue Dr. Mirgo Dragam, from Connecticut (he says he has been in the USA for 37 years, but he still speaks a tortured English – almost wholly unintelligible). He has brought superb large-scale vertical photos of the historic sites at Auschwitz, taken recently (I am sure) from a helicopter; and they are not without their uses. Work solidly all day, and sleep a bit too; bed around 2:30 a.m.

January 17, 2000

(Monday) To Court with the lunatic Pole around ten a.m.; the whole of the Stroud is closed for roadworks, so we just scrape in at 10:28 a.m. The judge allows me to argue for half an hour on various points before I go back into the box.

He allows me one or two minor victories during the day, but as in all periods of cross-examination, no doubt. I have the sense that the things sliding against me. I must restore the balance as soon as this ordeal (cross-examination) is over.

The judge is not being helpful about my need to introduce my own bundles of documents in evidence. When he is reading the daily press reports on the trial, as he admits when I ask point blank. But he avers that he pays no attention to them; that is how events, not left to chance, do not contain so many lies about me; that some are bound to stick.

Back at 4:30 p.m., and I get some shut-eye during the evening, having turfed R. and Dragan out early. Benté is glad to say in better spirits after a visit to the doctor.

But I am at a loss to suggest how things may go from now. What a worry.

January 18, 2000

(Tuesday) Taxi gets caught in bad jams. We just make it again.

I judge Gray listens with interest to the item on the Dec. 1942 Himmler document (LEFT), a Mündung, and another Mündung that was twice “vorgelegt”; but I don’t know if he really gets the point or agrees with me.

Rampton cross-examines, I am on my feet for six hours again.

Tough going, and there are plaudits from the public. I am not so sure. The judge is sliding into his old friend’s camp.

Hope I can recoup this when I take back the trial (i.e. start cross-examination). The judge agrees that he should present arguments on the relevance of Auschwitz on Thursday.

Back home at five p.m. I sleep a lot on the sofa while the news runs to two-thirty a.m., solving some bad computer problems (caused I think by) Esca’s CD Roms of Anastasia.

January 19, 2000

(Wednesday) A lethal day; I feel tired and heavy. I went to bed around three a.m. finally, and am up again at 7:45 a.m. to take Jessica school.

The Pole comes back again (he left after lunch for the airport, finds it is the wrong day, and comes back!)

I judge argues that we agree Auschwitz tomorrow. “Roughly, is the history of the Holocaust relevant to this trial or not?”

I phone A. at 9:58 p.m. for a long call on the results of his most wholly unintelligible. He brings superb large-scale vertical photos of the historic sites at Auschwitz, taken recently from a helicopter; and they are not without their uses. Work solidly all day, and sleep a bit too; bed around 2:30 a.m.
January 20, 2000

(Thursday) Several hours during the night on the Website, then I look for our condolences to put to Prof. Donald Watt in the box (our select file has vanished); and then I also look for the full Schlegelberger file. A letter goes to the Judge at 3:38 a.m. To bed finally at four. Up at ten to nine and I find Jessi still sitting watching television! Taxi to rush her to school. In Court at 10:30 a.m. I have taken in all the new photographs. Dr. Dragan is there, as incomprehensible as ever. Prof. Watt comes and shakes hands as does Prof. Robert Van Pelt [Dutch “professor of architecture” as a Canadian university] a baby faced little fellow who looks barely twenty. I see Eva Menasse sitting in Court dipping into the latest Frankfurter Allgemeine Zeitung and looking abashed – even asherashed! I say: “That bad, is it?” and she says: “Stinking!”

Back home at five p.m. The Frankfurter Allgemeine Zeitung article is truly stinking. In it, she accuses us of lying to the Court about Josephine’s death – she says I told the Court she died of a brain disease when in fact she had “Tepaq” (gespannungen) out of a window. Poor Josephine had no legs! Angtish, I check the actual transcript (PANEL ON RIGHT). I presume Eva Menasse has received a book on the head for her first flattering articles.

SEND THIS TO THE GANG:

Gentlemen – In Court today the Defence put to me the Dec. 10, 1942 Himmler conversation with Hitler about the 600-700,000 Jews in Franckfurter, after which Himmler noted “abschaffen” (“aunting” the typewriter) and another document stating that 10,000 were to be sent to a Sonderlager.”

I stated: 600-700,000 is a gross exaggeration. The figure was closer to 20,000 Jews in France. And, that aside from the 10,000 Gesaên (hostages) thousands of French Jews we to my knowledge were sent to work in German aircraft factories and Rustungsbäder. Do we not have a document about the destruction of spe-

A M. of Orlando, Florida, has written an anti-Semitic letter in my support to the Daily Telegraph, he copied it to me and I rebuke him: You do really think you have helped me by sending that vile letter to a British newspaper which is broadly speaking very supportive of me.

Great help on the other hand from Michael Mills, a history expert, in Australia, to whom I reply:

I have purchased over the last year a dozen wartime German dictionaries, and shall take the 1935 Routledge dictionary to Court, which gives as primary meanings all the things that I mean for ver-

The Jerusalem Post, Jun.

ACTION REPORT

Transcript, January 12, 2000:

Mr. Rampton (for Deborah Lipstadt): Mr. Irving, there is an elegiac story that you told us – be the book’s fault but

Mr. Rampton: It would not – perhaps you would agree – be the book’s fault but yours, wouldn’t it?

Mr. Irving: The book has generated a climate of hatred.

Mr. Rampton: It would not – perhaps you would agree – be the book’s fault but yours, wouldn’t it?

A well-dressed White male had purchased the wreath anonymously at a florist in Bavaria. Work hard all day long, preparing for next week; no time for the diary. Bed around 2:30 a.m.

January 22, 2000

(Saturday) Up at 10:20: that was a good sleep. A long phone call in the evening from Mrs Ruth Tz., a person who looks barely twenty. Prof. Donald Watt in the box – she says I told the Court she was legless and she had been brain-damaged for the rest of her days. I have purchased over the years a dozen dictionaries, and shall use his 1998 Langenscheidt dictionary!

Long phone call in the evening, some 40 minutes with Dennis B. Roddy of the Pittsburgh Post-Gazette. Then I work until after 2:30 a.m.

January 23, 2000

The Sunday Telegraph publishes my reply to Andrew Roberts, with an untruthful retort from him printed alongside: He claims not to have had the Halifax Diaries, on which he based his biography, from me. My diaries prove he’s lying (May 12, 1998, Apr. 9, 1990; Jun. 12, 1991, Jun. 4, 1992; and Oct. 28, 1997) but I leave it at that. This morning I say to essica, “You’re not an only child – you’ve got four sisters. Well, three,” I correct myself. She says, “I’ve got four,” and points up to Heaven. We all miss Jessi so-

January 24, 2000

Great help on the other hand from Michael Mills, a history expert, in Australia, to whom I reply:

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The Jerusalem Post, Jun.

March 4, 1992; and Oct. 28, 1997)
This circular message goes to The Gang at 9:10 p.m.:

**Gentlemen:** I have now received (9 p.m. Sunday) a new lengthy telegram from Mr. Neufert, the Defence lawyers relating to Van Pelt, and attaching “three new documents”, from the Polish Auschwitz archives, which I list below:

(1) Feb. 12, 1943, Topf to Central Bauleitung Auschwitz. Betr. Bein- und Entlüftungsanlage im Barackenlager [BL 30]. No security classification. In summary: ventilator bits still missing. Topf lacks sufficient priority to get adequate wagon space for such small quantities. For fortune of me I can’t see the point of this document’s inclusion. I shall rely on Neufert (the German architect’s building code) which accompanies his memo. 

(2) February 11, 1943, Bauleitung Auschwitz (Bischoff) to Topf. Commissions' report for delivery to Crematorium 3 of (2) two permanent electric Lüftungsanlagen (air conveyance machines) and one provisional drip which was delivered at short notice; and a coal and ash conveyance machine. Topf thus has a contract to deliver and erect Crematorium 3’s equipment, to become operational by April 10 1943 at latest. Bischoff reproaches Topf for non-fulfillment of contract conditions. That says that Topf had foiled off Auschwitz with lame excuses; Bischoff’s documentary evidence of the Frachtbrief for the Feb 6, 1943 shipment shows that he knew the German architect’s building code was not delivered. 

(3) To which Topf replies on Feb. 12, 1943. He identifies the temporary elevator as a Demag elevator; their own suppliers had failed to deliver the motors mentioned, so they will now supply a 10-PS motor as an interim measure. 

Clearly I need to be able to satisfy the Court of the harmlessness of these blowers and motors.

On Oct. 25, 1941, Hitler made remarks about the fate of the Jews, which were recorded by Bormann’s adjutant Heinrich Himmler. David Irving used the excellent and literate Weiendfeld translation in Hitler’s Table Talk (ed. Hugh Trevor Roper). Years later he obtained the original German document, above. 

The translation had given the sense of the German word Schrecken in this context as “terror”, rather than “fright” (as it is now). Prof. Evans accused Mr. Irving of “distortion and manipulation” for having used this Weiendfeld translation. This is Mr. Irving’s argument in his Closing Speech.

**January 24, 2000**

(Monday) Up at 7:45 a.m. to take Jessica to School. Court at 9:45 a.m. Caby regales me with unanswerable jibes about all the way. Court decides to have Thursday free, not Friday.

Frankfurter Allgemeine Zeitung publishes a fine article about Donald Watson, so Eva Menasse is forgiven.

I am in the witness box, I nearly write “dock,” being cross-examined by Mr. R. The Tribunal decides to let him cross-examine me. When he is angry his eyes seem to draw closer together. I score a big hit with the reveal that the Morgue 1 was probably being preserved as an air raid shelter cum fumigation room, a possibility which they have not considered; after lunch I list further documents listing the evidence of other air-raid shelter construction projects in Auschwitz.

The judge is frosty, and when I refer to war, he does not seem to accept many of my arguments, which is a poor sign; on the other hand, at 4:30 p.m. I flop onto a sofa for an hour before J. [My private secretary] comes. He is desolate, as I have earlier foolishly said I will take her off. My trial concludes, and I give me time to complete my bundles. So I never quite catch up. And today 150 more emails have poured in - I read only half of them, and reply to none.

Today’s mail has however brought over $3,800, which is helpful to say the least.

Back home for the High Court at 4:30 p.m. I flop onto a sofa for an hour before J. [My private secretary] comes. Jessica is desolate, as I have earlier foolishly said I will take her to the Disney Store again, but I am just too tired.

I spend the whole evening with J. printing out our immense Petit cross-examination dossier. But I can make enough sense of it to cross-examine from! That we shall know tomorrow.

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Mr. David Irving: My Lord, may I propose that I briefly cross-examine the witness as to credit? Prof. Van Pelt, may I first of all welcome you to our country and say what a great pleasure I had in reading your book on Auschwitz – it is one of the few books that I have read from cover to cover. . . You studied at the University of Leiden, and you are now Professor of the History of Architecture at the University of Waterloo in Ontario?

Prof. Van Pelt: No. I am officially a Professor of Architecture. I would call myself Professor of Cultural History because, both in my background, my PhD., and my teaching duties, I teach cultural history in the architectural school. However, when I was advised [by defense attorneys] about the way I had to create my curriculum vitae for this proceeding, I had to pretend to be a very precise, so I put in Professor of Architecture.

Mr. Justice Gray: So you are really a cultural historian?

Prof. Van Pelt: I am really a cultural historian.

Mr. Irving: This is a point of some substance, my Lord. [To Van Pelt:] We need to know precisely what your qualifications are, to offer your expertise to the court. I do not mean this in the least sense in a derogatory manner. In Britain, we have the Royal Institute of British Architects (RIBA). Are you familiar with the fact that it is illegal in England to call yourself an architect unless you are registered with the RIBA?

Prof. Van Pelt: Yes, I know.

Mr. Irving: In Holland, the equivalent is the Bond van Nederlandse Architecten, am I correct?

Prof. Van Pelt: Yes, Bond van Nederlandse Architecten.

Mr. Irving: Am I right in saying that you are not registered with the Bond van Nederlandse Architecten? . . . So you cannot legally pretend to be an architect, is that what you did?

Prof. Van Pelt: No, I could not be prosecuted.

Mr. Irving: Rather as Mr. Leuchter was prosecuted in Massachusetts for pretending to be an engineer?

Prof. Van Pelt: Yes.

Mr. Irving: In other words, your expertise, as an architect, is the same as Mr. Leuchter's expertise as an engineer?

Prof. Van Pelt: I do not really know. I have been teaching in architectural school now since 1984. I have taught design courses, specially in small architecture schools, one needs to chip in wherever one does. I have been on architectural juries –

Mr. Irving: You have never learned architecture? You have never studied architecture at university? You have never taken a degree in architecture?

Prof. Van Pelt: I do not have a degree in it, but I have been confronted with the architectural practice and, apart from that, I have worked for various architects, one of them, Sir Dennis Leston, here in England, when he was designing the Synagogue in Jerusalem. I have worked with Jack Diamon in Toronto. So I have been in architectural offices very often and other practices.

Mr. Irving: And, of course, you are now advising the present Auschwitz authorities on re-erecting, if I can put it like that, of the Auschwitz site?

Prof. Van Pelt: I was advising them, yes.

Mr. Irving: Very well. So if I am called a "pseudo-historian", then you are a pseudo-architect, if I can put it like that?

Prof. Van Pelt: Yes, except I have never claimed to be either an architect or a pseudo-architect.

Mr. Irving: Except that you announce that you are a Professor of Architecture: you leave people with the impression that you are an expert on architecture, and yet you have never studied it. And you have never qualified. And you are not registered as such.

Prof. Van Pelt: I must say that I probably would prefer to be called a Professor of Cultural History.

Mr. Irving: – but you are not giving evidence here on the culture of Auschwitz; you are giving evidence on the architecture of Auschwitz.

Prof. Van Pelt: I am going to give evidence on the history of Auschwitz and the architectural documents are a very important historical source.

Mr. Irving: I think it is important to draw his Lordship's attention to the fact that your qualifications as an architect are, in fact, no greater or lesser than mine?

Prof. Van Pelt: I agree that my formal qualifications are exactly the same as yours.

Mr. Irving: So when you look at light switches or architectural drawings or "blueprints" – as you call them – are you no better qualified than I am?

Prof. Van Pelt: No, but I would say, your Lordship, that I have been doing this for the past maybe 15 years, and so there is a certain practical experience, I would say, which may be going to be relevant.

Mr. Irving: The "crematorium capacities" document: a fake?

Prof. Van Pelt: It is one of the few books that I have read from cover to cover. . . You studied at the University of Leiden, and you are now Professor of the History of Architecture at the University of Waterloo in Ontario?

Prof. Van Pelt: I was advising them, yes.

Mr. Irving: Very well. So if I am called a "pseudo-historian", then you are a pseudo-architect, if I can put it like that?

Prof. Van Pelt: Yes, except I have never claimed to be either an architect or a pseudo-architect.

Mr. Irving: Except that you announce that you are a Professor of Architecture: you leave people with the impression that you are an expert on architecture, and yet you have never studied it. And you have never qualified. And you are not registered as such.

Prof. Van Pelt: I must say that I probably would prefer to be called a Professor of Cultural History.

Mr. Irving: – but you are not giving evidence here on the culture of Auschwitz; you are giving evidence on the architecture of Auschwitz.

Prof. Van Pelt: I am going to give evidence on the history of Auschwitz and the architectural documents are a very important historical source.

Mr. Irving: I think it is important to draw his Lordship's attention to the fact that your qualifications as an architect are, in fact, no greater or lesser than mine?

Prof. Van Pelt: I agree that my formal qualifications are exactly the same as yours.

Mr. Irving: So when you look at light switches or architectural drawings or "blueprints" – as you call them – are you no better qualified than I am?

Prof. Van Pelt: No, but I would say, your Lordship, that I have been doing this for the past maybe 15 years, and so there is a certain practical experience, I would say, which may be going to be relevant.

Mr. Irving: The "crematorium capacities" document: a fake?

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He names Bimko, Broad, Tauber, and another.

E-mail message to The Gang:

Please supply what you know of those witnesses for tomorrow's hearing! They're going to come back fighting after this disaster!

I ask him to estimate the size of the wire mesh columns through which the pellets cascaded. Then I have him name the defendants who have paid Prof. Van Pelt $200,000. Van Pelt has claimed that the Nazis must have filled in the holes with concrete at the last moment so that they would not be seen. I sarcastically ask him if the SS or invisibly mended, as he has done it. Unless Mr. Rampton wishes to stop at 3:45 p.m., as I finish. The Judge has agreed that we shall not begin the unimportant. I ask him, has he given some luckless corporal a shot? The Judge is inclined to agree with me on Tauber, too.

Auschwitz is bunkum. The Times carries a piece as it turns out, The Guardian does too which appears to be based on a P.R. handout from somebody, as it contains evidence (eye-witness names etc.) not stated by Van Pelt in the Courtroom.

I open the day by protesting to the Judge that this attempt to influence public opinion. He merely agrees not to read the story.

I spend an hour demolishing more of Pelt's five main “eye-witnesses.” He formally admits that the 1945 Pravda article on Auschwitz is bunkum. The Judge agrees that Bimko also spoke to him, that Pelt should have cited the bunkum bits as well as those he has relied on. The Judge is inclined to agree with me on Tauber, too.

Can we prepare equal at-tacks on Broad and Bender, on whom he is increasingly rely-ing: we also need to demolish Mula, who claims to have made the wire mesh pipes. We revert to the roof of Morgue I. Van Pelt produces the famous picture of the building under construction (Nov. 1942) with a locomotive in the foreground. I put a powerful case for the ob-jects glimpsed on the flat of concrete, but, sadly enough, one does not have that kind of concrete in the ceiling of Morgue No. 1 of Crematorium II. You cannot draw any conclusion from that formwork of what kind of hole was located where.

Mr. Irving: Is it not so that when you have formwork made of wooden planks you can see the grain of the wood, and that you could not plas-ter over the holes in such a way that “those denomin-siers” years later would not find them?

Van Pelt: Yes, but there is one problem. The second column of the crematorium remains. T. mesh columns were attached to the first, the third, the fifth and the sev-enth.

Mr. Irving: Fortuitously – the one that remains was the one that did not have the wire mesh? . . . I am talking about the ceiling.

Van Pelt: T. there is a one little bit of ceiling only visi-ble. You can crawl under the roof of Morgue No. 1. I have done it.

Mr. Irving: The holes are not under that part?

Van Pelt: T. her roof falls back into the ground.

Mr. Irving: Here is a map of the roof as it now is. T. only holes are where it has been punched through in recent years by people curious about what is going on underneath, and the one place where the pillar has also broken through. T. hose shown by Van Pelt’s “eye-witnesses” refer to cannot be found for the simple reason they were never there. T. hotel is the Press Benches. I also draw your attention, my Lord, that you go back to page 184 –

Mr. Judge Gray: Yes.

Mr. Irving: – about ten lines down.

The showers were fitted to small blocks of wood sealed into the concrete roof of the gas chamber. Those little blocks of wood are also not in the ceiling, as you cannot, my Lord – I gave your Lordship two colour photographs this morning.

Mr. Judge Gray: Yes. I am just underlining that.

Mr. Irving: One is of the underside of the concrete roof and you can see the condition that the concrete roof underneath this messy slab is in. You can see the wood-grain markings on the con-crete where the formwork was, all these years ago, when they built Crematorium I in Auschwitz. You can also see that there were holes in the roof, which are the cardinal linchpin of the Defence in this action, they would have been found by now. T. they have not found them. So their “eye-witness” evidence collapses, because these people are exposed for the liars that they were. My Lord, it is four minutes to 4. Unless Mr. Rampton wishes to say something to restore the damage at this point –

Van Pelt: My Lord, may I respond to this?

Mr. Judge Gray: Yes, but not until 10:30 tomorrow.
clemency; in these letters the camps were being done in full. I produce a dip of the well-known documents re Fahrenhimmung, travel permits, for 5-ton truck deliveries; visitors from Dessau to Auschwitz, and the Zyklon-B invoices; when we get to the "Földön" permit, Pelt claims to have documents proving the Nazis, which is Chémao that day to inspect fire grates for Böblod's disposal of disinterred corpses. One point to him; my transcription of Földön as "field kitchens" earns a black mark from the judge, thank you, whoever fed that evidently bad document to me!

We turn to the corpse-elevator question: Pelt has no figures, but says that the elevator eventually was a flatbed freight hoist, of 1,500 kg capacity, which I state that this would severely limit the number of bodies that could be stacked on it, if slippery and loose, and I suggest that ten minutes was an optimum figure for a round trip, including loading, stacking, and unloading, he asks for time to do the calculation in detail.

On the Vorwärmung ("prewarming") of Morgue I, I make the point, based on Neufert, that Morgue have to be maintained at a constant temperature – neither too low nor too high). Pelt's response is that (a) Neufert is guidelines, not a building code, (b) Morgue at Auschwitz are too small, (c) Morgue would have written, the tide has changed; as Dr. Goebbels would have written, the "Vorwärmung" is German slang for getting ready. Pelt makes sense of it all.

When I raise the not important question of "Why us?"

January 28, 2000 (Friday) Work until four. The famous and I leave at 4:30 p.m. for London. I expect that the Defence will have to squelch Prof. MacDonald's and the documents that support his testimony. Supper with George S. and Nina. I have not yet seen it.

January 30, 2000 (Sunday) Work until 3:30 p.m., tidying papers and updating the Website. Prof. MacDonald is nervous about tomorrow. I hope he has his money. I labour all afternoon and evening preparing seven sets of my evidence bundle ("E"), my bundle called "Global"; then index it until three a.m.

January 31, 2000 (Monday) Up at 7:50 a.m. Take J esica to school, then by taxi to the Zamosc document.

I invite the judge to order that Rampton's "documents re anonymity" of source, to enable me to issue a sub-poena if need be for production of the surrounding evidence. The judge is receptive to the idea and tells Rampton he cannot see why it should not be identified. In the afternoon Rampton seems unable to concentrate; he is rattled when I several times catch out the odious Prof. Richard Evans (their chief expert witness, who has yet to testify) in some German-language errors in his [£200,000]. Report. Once, this "expert" has even translated a Feb. 1939 (Supreme Party Court) reference, "...show me the Zamosc document."

An unhelpful story! His story disappeared from later editions when I cross-examine him at the trial. The portrayal by the professor of his teachings and books is something too not very audible, given the American voice in which it is put, and Judge Gray seems impatient, asking about the relevance to this action. I explain that my - "expert". The Second Defendant [Listopad] has made herself part of an international global endeavour (what the) "experts" swarms are joined in its way (conspiracy) to destroy my name, and that her documents come from bodies which are all part of that endeavour. I draw MacDonald's attention to the affidavit served in 1996 by Michael Whine (of the Board of Deputies of British Jews) confining that he has secretly fed
throw the book: the judgment which Sir Charles Gray QC handed down to a packed courtroom on Apr. 11, 2000 in David Irving vs. Penguin Books & Liptstadt surprised many by its savagery, but delighted the Jewish community.

Keelhauled was a disciplinary measure on English ships in the good old days. A seaman guilty of some misdemeanour would have a rope attached under his arm, which would be dragged underwater all the way from the stern to the bow of the ship before being hauled out again.

Count Tolstoy later found evidence to the effect that Brigadier Low was indeed still in Australia at the time when his orders were carried out, but the appeal judges refused to re-open the case. They let the £1,750,000 order against Count Tolstoy stand. It bankrupted him, of course.

I have met Charles Gray. It was at my sixth birthday flat in Hampstead. M. F. had met him in the City and told him that Liliane Belloz’s daughter Elizabeth had been my godmother. Gray told him that he himself was related to Belloz.

When we met, I tested the water, re-marking that I had written to the Royal Society for the Protection of Cruelty to Animals, protesting against the ritual slaughter of animals without stunning (as in schechta or halal killing).

Gray became excited and said that the Jews were such an asset that any banning of slaughter without stunning would be intolerable. He was obviously a philo-Semite (as appears in his judgment of the Irving action).

As the evening wore on, more drink was consumed. Gray warned to me, and asked me to accompany him somewhere. We went on foot, and he sang me a song about an Irish bomber called The Old Alumun Clink (alarm clocks being used in the enemy for bombs), and told me a story about a barrister in Reading who was asked by the judge whether his client was aware of the principle of res ipsa loquitur (the thing speaks for itself), to which the barrister replied: “In the Irish village from which my client comes, M’Lud, they speak of little else.”

Then he sang The British Grenadiers, in which I was able to join. It struck me at the time that the Grenadiers were more likely than most regiments to be philo-Semite, because they were the first Allied troops in Berlin-Berlin. (T he escences of emaciated prisoners were similar to those in Andersonville PoW camp at the end of the American Civil War, and for the same reason: starvation – though typhus was also rampant.) — Hugh Purcell

The Guardian interviews Judge Gray

On Apr. 17, 2000, five days after his judgment, The Guardian published in London a revealing interview of Sir Charles Gray. He is told, in this, was not to decide what the Nazis did sixty years ago, but whether David Irving had deliberately manipulated historical evidence. He can’t speak about the issues in the Irving case because they may go to appeal, he noted.

Clare Dyer, “There was a lot of emotion in A lington but there wasn’t in this, because it was all expert evidence and that in a way distanced you from the actual events.” He found it “very revealing” to discover how historians like Mr. F. Irving and the experts work. “I think that he has the makings of a very good judge indeed, and I think that’s very impressive,” says Gray.

Robert Van Pelt, who is Mr. Irving’s expert, Mr. Van Pelt v. A lington v. Tolstoy. A lington told The Guardian quoted Judge Gray saying, “I think he has the makings of a very good judge indeed, and I think that’s very impressive.”

Gray and Rampton knew each other from when they were adversaries in A lington v Tolstoy. Having Gray as the judge in this case, was remarked Rampton without elaborating, “The one ray of light.” The Guardian noted Judge Gray saying, “I think he has the makings of a very good judge indeed, and I think that’s the whole point of the defamation bar. A lington v Tolstoy is an suspended.” Rampton adds, “A lington v Tolstoy is an suspended.”

February 1, 2000
(Tuesday) At eight a.m. the Australian Associated Press phones about her. I hope they don’t cause her problems.

even win. — Incidentally, don’t talk with any Australian media people who contact you. That’s my advice.”

Midnight: The Melbourne Herald Sun phone about her. I hope they don’t cause her problems.

Full text: http://www.fpp.co.uk/docs/trial2/Guardian170400.html
states that the reality is that the Dresden death toll was only "3051". I reported on this extraordinary word to which concerns 35,000 innocent human beings whom we British have burned alive in one night.

I remind the Court that Rampton also shouted "So what!" when I mentioned the Dresden atrocity two weeks ago — whereupon I had shown the Court the huge black and white enlarged photograph of the Feb. 25, 1945 Altmarkt mass cremations; I also quoted from the Dresden atrocity as their expert Evans, who suppressed a number of documents that are in my Dis-covery. Here the Defense lawyers are on shaky ground, as their expert Evans has not even read the Bruns document, which the fakers had added on. I would like to remind the Court that this opinion which you endorsed or accept all the views of that document, and I think that in about April 1980 I worked till two a.m.; the fax machine is over-taxed, I say that this is bad news for millions of Australians who have always imagined that their English next of kin have an automatic right of entry. They now find that the Government minister has sold out to wealthy private interests and thinks he can trample on the law. "He will have to change the law and agree with important interests to keep me out this time," I say.

Februrary 2, 2000

A LUNCHTIME I DO A FILMED interview for Australian television outside the Law Courts, and Tracey Hannan of their Channel 9 team arranged for us to go to their studio in Camden for a live satellite link with Australia during the night. In the afternoon the public flog-ging goes on, this time switch-ing over to the Dresden death-statistics issue. Here the Defense lawyers are on shaky ground, as their expert Evans has not even read the Bruns document, which the fakers had added on. I would like to remind the Court that this opinion which you endorsed or accept all the views of that document, and I think that in about April 1980 I worked till two a.m.; the fax machine is over-taxed, I say that this is bad news for millions of Australians who have always imagined that their English next of kin have an automatic right of entry. They now find that the Government minister has sold out to wealthy private interests and thinks he can trample on the law. "He will have to change the law and agree with important interests to keep me out this time," I say.

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May 2, 2000

T THE MORNING CLOSINGS ON A heated note as they try to make a deal. They read out from my private di-ary two poems I wrote for jessi-ca. One such private poem, written after an anti-fascist magazine published a photo of myself with Benté and jessica, with the sneering caption “The perfect Aryan family,” reads: “I am a baby Aryan / Not Jewish or whatever. I have no plans to marry an ‘Ape or Rastafarian.”

The public gallery is engaged; I compare the poem however with those of Hilare Belloc and Edward L. Fagan and I remark that Counsel that jessica was nine months old at the time (he then dares to have been speaking perfectly at six months).

As a real dancer, I then say words to this effect: Mr. Ramp- ton, for three or four weeks now His Lordship and I have sur-veyed the Dresden ranks, documen-tors, solicitors, trainees and researchers arrayed on the De-fense side of the Court, and never once have we seen a member of an ethnic minority working for you; whereas, as you know, I have repeatedly employed members of those mi-norities. Then I think, appreciating from the public, but I judge Gray to my astonishment reprimand me for the remark, calling it “unhelpful.”

I repeat it, saying that I am sure-ly entitled to draw this comparis-on. He reprimands me again; I again
At this Judge Gray becomes very angry, so I leave it at that. I begin my answer with a long explanation for an apology for having, as I spell it out once again, drawn his attention to the fact that Defence counsel's entire team has never shown one coloured face, unlike my own private staff, and yet they call me a racist. Gray accepts this apology.

The afternoon begins with Defence counsel taking issue with a word in my speech at Tampa in 1995. They want to show only the latter half, with my remarks about Jewish opponents; I say that they should show it all, the Judge judges, and for over an hour the entire Courtroom listens to a not-bad exposition of the entire revisionist case. There is laughter at several places from the public gallery, which embarrasses me. I have no idea who comes each day. I say, on the contrary, the word Semite is in his mind, not mine. The whole passage is pointed Jewish community criticism; and (2) that the anti-Semitism is in his mind, not mine. The traitors who had encouraged this, he says he will check. That will certainly be quicker than going through all my files, which are dishonored by their source from the Defence lawyers. From three until 4:30 p.m. I am cross-examined about that talk and other speeches I have made.

T is UNCOMFORTABLE ninety minutes. I explain (1) I have come under concentrated and vicious attack by self-appointed Jewish extremist leaders for twenty years or more; (b) that these attacks have frequently been of a despicable nature; (c) that the Jewish community is not immune from criticism; and (d) that such criticism is not anti-Semitism.

Rampton reads out from one speech: “I was told by Simon Wiesenthal and the Halloween mask, calling it an example of anti-Semitism. I say, on the contrary, the word “Jew” is not mentioned in the entire passage. I say the anti-Semitism is in his mind, not mine. The whole passage is “Anti-Ugilsim” – the basis of the anecdote being that an ugly man, not a Jewish man, wore the mask. Nobody, I say, is likely to award Wiesenthal (right) a prize for beauty; Jewishness despises beauty.

The strain of this cross-examination tells on me, having had so little sleep, and Rampton cheekily suggests I am looking “rattled”, and then orders him to refrain from using, and asks if I would like to end it for the day right there. I reply, “I am game for many more rounds, Mr. Rampton: just carry on.”

At DUKE STREET AT 4:45 p.m. The flat is in deepest silence: Benté is in her darkened room. Jessa is sitting in the drawing room. Benté has spent the last eight months so in with only brief remissions. At 7:50 p.m. there is a phone call from “The School,” saying that certain parents have objected to my collecting Jessa and can not Benté continue to go speechless with anger; it emerges that this is the Ballet School in Har- ley Street, where I have so far (filed up) Jessa only twice! I suggest to the lady (Vicki Wood) that she should tell these “par- ents,” whoever they are, to “push off” or at least firmly in- vite them to approach me direct with their concerns and not through the school like this.

The courage of these people! Striking at me through Jessa. A fax is sent to the Court, Ly- ans asking me to provide from my files copies of the Fleming book reviews by Gordon Craig and Tom Bower! I spend hours searching for them.

At ten p.m. I telephone tomor- row’s witness Peter Millar (journalist, ex Sunday Times); he confirms he will come to give evidence at 10:30 a.m. next morning.

Then a long friendly talk with Gerald Fleming about his book. He’s now 79 and too old to come to London, and I ask him to bring to London for forensic tests (all were later returned by us to the Moscow collection). One passage is on the Moscow collection. The witness Peter Millar arrives; he has come to London to attend Sunday Times correspondent at the time of our visit to Moscow. He is an excellent and unexpected- ly useful witness, I have not encountered anyone in his rank or knowledge who comes closer to knowing what (unlike the Defence witnesses, who have since re- vealed that they were thorough- ly unreliable) I mean by the “hate- wreath”, to show how totally distorted was her account in the FAZ a few days ago; she seemed confused. Nevertheless, I post today’s FAZ story on my website; but now I add an easy pushbutton link, so that my German-speaking readers can check what the transcript actually says, and send her, or “even better her editor,” an e-mail...

Richard Rampton resumes questioning me: “I am going to be more moderate,” he says; “I respond: “Mr. Rampton, you have every justification for your modesty.” (Purloined, I confess, from Winston Church-ill’s comment on his TMS suc- cessor Mr. Clement Attlee: “A humble man, and with every- thing to be humble about.”)

I hope that the Court transcribers and the [Court] transcribers about the copyright position on the verbatim transcripts. I hope to resume posting them on [the Internet] in full.

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readers to send messages of support to Deborah Lipstadt. I send them this message:

I thought it was a great idea that your readers send messages of support to Deborah Lipstadt — who found herself sucked into this trial, having accepted the advice of Yehuda Bauer, who was paying her, that she should snare me into her case. (Part of which I previously did not figure, it seems: we do not know, as she has refused to open the witness box and testify.)

Somebody told me yesterday that a Waterstones bookstore in the Midlands have, after saying they would give her the Lipstadt book in three days, now told him that Penguin have announced they are withdrawing it from circulation. That is an interesting titbit.

February 5, 2000
(Saturday) The Guardian runs a whole-page review of the trial by one J ohn Friend, who it is well written but hopelessly prejudicial, and I must put it before the Court on Monday. I am sure it is entirely coincidental that Guardian Newspapers Ltd. are defendants in the next libel action that I am bringing.

P E O P L E A R E W R I T I N G M E E- mail letters pleading with me not to post this diary on the Internet, as it reveals too much to the “enemy.” I disagree: Cards on the table. I will often Viertel potter around all day, clearing the desks for the cross-examination of Christopher Browning next week. On Monday I shall examine Sir John Keegan, one of Britain’s premier historians, briefly and painlessly. Benté has left to pick her up at five p.m. in Harley Street: and her husband would call in the aid of the expert analyses prepared for me to the topic of “killing” throughout, unambiguously means only resettlement. But send a letter asking that I be wiped out as “half.” (SEE BOX ON PAGE 10) His evidence furnishes an international reputation as an historian is short and to the point, and he is through in twenty-five minutes. I put to him a small bundle of ten documents, going back to 1980: words of praise he has uttered on my international disguise on the Website she has created, etc. (I add that the Guardian Newspapers Ltd. may think, in the U.K. at least, it is not “open season” on any of the parties in this action, and he takes away the newspaper articles concerned to read. (Neither nor later does he take any action on these contents.)

February 6, 2000
(Sunday) The National Post in Toronto [owned like The Daily Telegraph by Conrad Black] published an article by British journalist Geoffrey Wheatcroft, who could not have been more vicious if he were a smearmonger of the Gerald Gache ilk.

February 7, 2000
(Monday) I work until 2:30 a.m. preparing for the cross-examination of Prof. Browning today; up at seven a.m. to take Jessica to school.

In the e-mails: a Swiss gentleman contributes £1,000 anonymous to the fighting fund. Thank- you kindly zurr.

At the High Court at ten a.m., I admonish Eva Menasse for her wayward Frankfurter Allgemeine Zeitung. She looks abashed and complains that since I put her e-mail address on the Website she has received unpleasant emails. I promise, relenting, to take the address off as soon as I get in this evening (and do so; but the links to her editor remain). One or two such nasty e-mails are of course nothing compared with days of vicious and inaccurate reports in a newspaper of the calibre of the Frankfurter Allgemeine Zeitung.

The Ottawa Sun and Toronto Globe and Mail yesterday published libelous attacks on me, written by the usual people.

S I R J O H N K E E G A N , M Y W I T- ness, arrives toward 10:30 a.m.; he is bent almost double, and carries a walking stick. I assure him it has nothing to do with him first; he asks me to make plain that I have sub-pona’d him, and I tell him I will do so anyway. (SEE BOX ON PAGE 10) His evidence furnishes an international reputation as an historian is short and to the point, and he is through in twenty-five minutes. I put to him a small bundle of ten documents, going back to 1980: words of praise he has uttered on my international disguise on the Website she has created, etc. (I add that the Guardian Newspapers Ltd. may think, in the U.K. at least, it is not “open season” on any of the parties in this action, and he takes away the newspaper articles concerned to read. (Neither nor later does he take any action on these contents.)

T A T E L E V E N A M PROF. C H R I S- topher Browning enters the witness box, and I spend the rest of the day teasing out of him the answers that I want, though they are wrapped in so much American soft talk that they are often hard to interpret.

I have more joy when I tackle his first report’s first twenty pages, paragraph by paragraph, with the aid of the expert analyses prepared for me by M. and R. I take on the Aug. 1, 1941 Müller- Eisatzgruppen document, and I have demolished it: he accurately translates its reference line Bétritt: Anschau- ungsmaterial as “rei visual ma- terials”, and since we have ear- lier this morning earlier established that the Eisatzgruppen also had major intelligence gathering functions, and their killing activities took up only one of at least a dozen para- graphs in each report, these in- telligence activities are more likely to have formed bulk of any reports to Hitler. Besides, as Browning agrees, the document has only a low grade security classification, or of incredulity?) from the front. He is more tenacious on the Nov. 30, 1941 [Himmler telephone log] document, insisting that it shows that Liquidierung of such transports was evidently evident in the air, and suggesting that this phone call was canceling a previous policy; he proves difficult to shake on this.

When we come to the Dec. 18, 1941 Himmler visit to Hitler, and the [e]uferfrage [als Parti- san auszurotten entry, there are audible gaps (of consterna- tion) or of incredulity?] from the packed public benches as I point out that since the German word used is als and not wie, the correct interpretation would be “I wish problem | To be wiped out as (the) partisans (they are),” “Wie is a comparison, I explain; als is an equivalency. I then add that the Galician Golanz book, Esternierung of the] eus, and invite him to tell the Court its year of publication from the title page (it is 1936). So Esternierung, I suggested, must have meant something else then; which neatly brings us to the topic of Umseildung. One of his documents is an Oct. 1942 report on the Umseildung (literally: “resettlement”) of 20,000 Jews at Brestr-Litovsk; it has that word three times in its first paragraph; the first two, unambiguously the clearly homicid- al euphemisms, but the third, at the end of the same para- graph, to which I invite his at- tention only after he has stated that the word clearly means “killing” throughout, unambigu- ously means only resettlement (“Half of the villagers of X were shot, the other half were resettle- d [umgesiedelt] to village Y”). The day flies past with such in-
February 8, 2000

[Tuesday] I work through the night until nearly four a.m. In the early hours, somebody sends me today's Daily Telegraph report on Sir John Keegan's book: the report makes no visible reference to his testimony.

Up again at 7.40 a.m. to take Es-sica to school.

E-mails have come in from The Times during the night. I print off what is needed for the cross-examination of Browning, and set off to the High Court, arriving at 10.20 a.m.

I notice there The Daily Telegraph reporter, and I suggest to her courteously that next time she ought to print what is in the transcript rather than her own fantasy-version.

Prof. Browning resumes the stand. He is a good witness, professional and urban, a bit cocky as he sits in his chair (the only witness apart from the alluring Sir John Keegan to sit) and he smirks when he thinks he is scoring.

Early on I put to him Adolf Eichmann's own copy of the Rudolf Höss memoirs, with Eichmann's handwritten comments: in Jewish handwriting, his partly dismissed H. 's "memories" as "falsch." Once or twice the Judge interrupts my questions impatiently, he usually does so at the precise moment when the relevance will become plain. I start by referring to Browning's failed application for the proposed Harvard University chair of Holocaust Studies, and I press him, as I know about him to quote The New York Times reference to his belief that he had not been accepted as he is not "scholarly." The Holocaust is a subject matter away in money now.

After lunch I bring up, as had Douglas Christie (in the Zündel trial), that Browning was paid by Yad Vashem for a book he has still to write; as that an Israeli state institution, does this not make him an agent of Israel? There are titters from the public benches, but I press this hypothetrical point: if he were eventually to write a book that suggested that the outcome of the Holocaust, or that it was smaller than believed, what would be that book's commercial prospects? Would not Yad Vashem want their money back?

The Judge allows the point. I bring to the Court's attention the deceptive way that Browning quotes the Hans Frank Re- gierungssitzung [Cabinet meeting] of Dec. 16, 1941, and even more so his use of the Kurt Gerstein report: the 35,000 commission (only of three versions, not all seven); he originally left out sentences which are damaging to the Defence, and I give him some of these moments.

Before he digests himself too deep on Gerstein, I remind him that he is testifying on oath. He claims that I have been a prolongation of his Expert Report, and that Lipstadt's lawyers Mishcon screwed things up. But, I press, that still quoted. He added: "They all lied." The roof is still there, he pointed out. If Lipstadt's lawyers could bring back "the weekend" one photo of just one such hole, he said, he would end the action forthwith. They secretly tried but the present Auschwitz authorities concealed the results, as The Times reported on Apr. 12.

There has been speculation in the UK and elsewhere on the reason for the harshly worded judgment, which ignored or misunderstood the historical issues and correctly saw Browning's seemingly unrelated issues of racism and anti-Semitism. During the trial Judge Gray had taken pains to seem to act impartially, and he pressed Browning to recommend Mr. Irving judge says, "Take your wages outside please." Browning briefly re-examines Browning, putting to him the suggestion that other documents dealing with the mass killings are only geheim; in further cross-examination I elicit the concession (I think) that while this may be so for non SS documents, those within the SS and from the SS were in all sache and not of lower grade. Rampton also tries to suggest that Einsteinism [on No. 80, which talks of Gerstein's (Ger-) mours of killing], may have reached Hitler: I ask Browning if there are any notations on the document that it did (No), and he has given him on the Führer typewriter, is it (No). Browning is released, and the Court decides not to sit tomorrow. On Thursday I go back in the morning, and on Friday we shall hear my witness Dr. John Fox (about "freedom of speech matters", slips Rampant sardonically, as though it is not what lies at the very root of this case).

Back home at 4.30 p.m. I sleep for three solid hours on the sofa while little ecsica jumps up and down on my stomach on various pretenses. Benté seems marginally better. They carried out tests two days ago. [. . .]

Court

FROM SOMEWHERE TO MY left I hear Richard Rampton mutter out loud, "He says fake," but they were reconstructed. "If I give you a reconstructed $50 bill," I challenge, "will you give me five tens for it?" Rampant sniers, "You're not good for it," I say, "Doesn't this tell you something about the value of eye-witness evidence?" Gray says my questioning on this is perfectly proper in the circum- stances (but he still seems unconvinced).

We still urgently need support to carry on the fight through the Court of Appeal. All help is acknowledged. Use the envelope provided, or mail to P O Box 1707, Key West, FL 33041, or easiest of all, go online at www.fpp.co.uk/help
February 10, 2000

(Thursday) Four or five points to submit to the judge – the Müller and Kinna documents, the IMT Apr. 1946 transcript, etc. – then Rampton calls his chief Defence witness Prof. Richard Evans.

Evans, a small, scowling Welshman, bristles with so much hostility throughout the day that after the lunch adjournment I ask point-blank whether he dislikes, loathes, nay even hates me? Had he admitted that he did, I would have submitted a motion to the Court for his removal as an expert witness from this case.

I detect signs of panic from the Defence benches. Evans rapidly loses the Court's patience, which once I must confess that with two or three days ago in Oxford Street), and is there not a Bible passage about 'casting out the mote from Thine own eye'? The judge offers, "Pot calling the kettle Black?" – seemingly innocent of the racist overtones in that, but my protest is to no avail.

I take Evans through the first fifty or so pages of his Report. He scowls a lot more, but he is a tough witness to break. Next week however we shall break him, with what we have.

The Court rises at three p.m. as I have run out of prepared materials for cross-examination (having been denied the use of Bundle "E").

Rampton now demands a proper Proof of Dr. Fox's intended evidence on Bletchley Park and the police decimals, which I shall prepare today.

I phone Dr. Fox on my return to Duke Street and reschedule him for next week. He tells me he has one very nice intercept document, a Führer order, of which I never knew. Dinner at the Caledonian Club with M. Black home at 10.30 p.m., and I work until two a.m.

At one a.m. this message goes to Eva Menasse of the Frankfurter Allgemeine Zeitung answering a question from her.

Watt and Keegan both appeared under sub-poena. The two others, MacDonald and Fox, appear wholly voluntarily and without payment. I have dispensed with a fifth witness, the forensic witness.

Today went magnificently, pity you weren't here. The frightful Evans was on the stand, the judge lost patience with him at times, and snapped at him... I must confess that with today's published report you (almost) atoned for past wrongs.

One belly-laugh from Australia. The Melbourne Herald Sun has run a readers' poll on the Holocaust and asked: "Is David Irving right?"

The poll result has – for the first time in the newspaper's history – been suppressed after pressure from the city's Jewish community leaders!

Today a reader informs me I telephoned the newspaper to ask about the result. I was told that the result wouldn't be published as it would "offend some of our readers".

I said, OK, but could a private inquiry be made? I was told that the phone-in results ran "about 50-50".

February 11, 2000

(Friday) I work until 2.30 a.m. Up at 7.30 to take Jelissa to school. I just fancy that: Today The Times and The Daily Telegraph both have identical stories, both headlined, "IRVING DOES NOT DESERVE TO BE CALLED A HISTORIAN."

Mass cremation of air raid victims, Dresden Altmarkt, Feb. 25, 1945 "The awfulness of that night never leaves my thoughts" (Irving Collection/Walter Hahn).

A Scowling Welshman of Blissful Ignorance

to this witness; in argument, it is decided that I should submit it to the Court later in my arguments on damages.

The high points of today include my challenge on the "racist" [Baby Aryan] ditty. Evans sulks, and complains that he does not see why I put this material to him. But he has quoted the ditty himself in his report, and judge Gray explains to him that since Profs. Levin and Eatwell are not going into the stand, that leaves Evans in the hot seat.

I therefore ask Evans whether he has read all of my private diaries, "Most of them."

"That is around 30 million words. Is that the ditty the only such item that you and your staff found?"

Evans remarks on the speeches, but I bring him back to the diaries. Nineteen words out of 30 million makes only 0.00000063 percent of me "racist". I point out, which means that some 99.9999997 percent is not racist!

I punch out the calculation on a battery-powered desk calculator, to make the point.

Judge Gray does not approve of the calculator, but emphasises helpfully that the point that I am making is that if that ditty was indeed the only item in the diaries, that is a very small item indeed to rely upon.

With the judge's permission I then put to a still uncomprehending and irritable Evans the photos of my ethnic-minority staff members since 1980 (e.g., W., N., R., Ch., etc.). Richard Rampton mutters out loud about the irrelevance of the fact that Mr. Irving has had "Black servants," a misplaced phrase in which I rub his nose after the lunch adjournment, addressing the Court.

TRY THE SAME ARGUMENTS on "anti-Semitism," but the Court will not allow me to put to Evans the pages of quotations from the unpublished diaries of Lord Halifax, Anthony Eden, and other British notables with their unflattering private references to the "Jews."

Nor will I judge Gray allow me to put to this witness a passage from John Buchan's Thirty Nine Steps – a book whose anti-Semitic character has shocked me – since, as Gray explains, times have now changed.

I protest that the First Defendant, Penguin Books Ltd, is still peddling this book (we bought it two or three days ago in Oxford Street), and is there not a Bible passage about 'casting out the mote from Thine own eye'?

The judge offers, "Pot calling the kettle Black?" – seemingly innocent of the racist overtones in that, but my protest is to no avail.

I take Evans through the first fifty or so pages of his Report. He scowls a lot more, but he is a tough witness to break.
February 12, 2000

(Saturday) Up at 10:30 a.m. Hoo- ray, no Court today! With J esi ga to the library at 12:30 p.m. to change her books. I toy with the computer there, checking to see whether it yet has the edi-
of Mar. 30(?) 1941,
2. OKW Order on militärische Gerichtsbarkeit, around the same time.
3. Commissar Order of May 1941. Can one of you please rapidly e-mail me these docu-
ments in English to serve up to the Judge on Monday?

Schlegelberger Document
M arch 1942: “The Führer has repeatedly or-
dered the Solution of Jewish Problem postponed until after war” (Bundesarchiv).

ous ADL-style “free speech” fil-
ters installed. It has not. The Los Angeles Jewish journal has published 100 readers’ let-
ters to Deborah Lipstadt. One of them says, “Someone said that vermin dies when exposed to sunlight. I am convinced that the vermin you are facing now will too shrivel away when ex-
posed to light.” Nice folks. I shall put that “verbatim” quote to good use in the High Court on Monday. Prof. Evans, do you re-
gard dissident historians as vermin?

I respond to one correspondent: “My own instinct, and I may be wrong, is that the judge will not attach importance to the racist label, unless he is really out for my blood.”

SEND THIS QUERY TO THE SHORT LIST (The Gang): On Thursday or Wednesday ude Gerhard Hasluck, who has been com-
mitting the Defence that they have not provided English translations of a number of documents. Two or three of them should be readily available in the IMT files. I think: 1. Richtlinien for the troops, 2. OKW Richtlinien, 3. Kommissar Order of May 28th, 1941, 4. Commissar Order of May 1941. Can one of you please rapid-
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French thugs attacked Prof. Robert Faurisson, leading revision-
ist, in Paris in 1989, poured acid in his eyes, broke both jaws.

They appear to be based solely on the written Evans Prep. It is as though yesterday in Court never even happened. Good P.R. work by somebody: not this smart.

Once more, the only paper report-
that Evans has made, a telling point to his advantage. I am convinced that the Evans has made, a telling point to his advantage. I am convinced that

Second Last (“The Gang”): My problem was that unlike others, he does not take your views and your case seri-
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pleasure with some of the re-
markable questions.

I state at the beginning that deal-
ing with this witness’s Expert
Report is like advancing with
The Bali statement at Alamein: we still have to inch
our way through, even though
every mine we have found so far
turns out to be a dummy.

The Judge does not like the com-
parison, and says so.

A PROBLEM AWILHEN THE
expert witnesses Prof. Levin
and Eatwell, whom the Defence
will not now be calling.

Judge Gray says that he has so far
naturally believed that this
means that the report will no
longer be relied on, and when
Rampton differs, stating that
Civil Evidence Act notices haveeen served under the old rules,
the Judge says that the procedure
will surely be most unusual with
Expert Reports, and we shall
have to argue this on a later
date. I lose faith.

At the end of the morning I tackle
Evans on one slur in his report
(page 170), the allegation that I
have impugned him for not
knowing and stating (in fact, he
even says “is not known and not
stating”) that Hoffmann was a
Nazi Party member – but my
original notes taken in the 1980s
are still at the Download-
ing company, after six weeks or
more, being converted from the
now illegible Xerox disks, and
I cannot prove that Evans is
wrong.

Thus he and Richard Rampton,
who springs up and down like a
jack-in-the-box all day long
with objections and interrup-
tions, make much of this point,
and the Judge seems to attach
importance to it as well.

Difficult to bring home to these
modern books-from-shelves pro-
fessors and lawyers, that it is
easier for them to use a print-
ed, bound volume, fully anno-
tated, with an alphabetical in-
dex of names, etc., than for a
shirtsleeves historian like my-
self who used the original docu-
ment or sat at a microfilm read-
ner years before those books of
theirs were printed: no page
numbers, no indexes, no Xerox
copiess in those days …

As the hours grind past, I appeal
to the judge to assist me in
stemming the flow of witless
words and unprofessional
witness, and at one time I refer
to the famed loquacity of the
Welsh race (adding, “Though

JUDGE GRAY CONFIRMS THE ABSENCE OF WARTIME DOCUMENTARY EVIDENCE ON “GAS CHAMBERS”

Mr. Irving: If this Lordship is led to believe, by a care-
less statement of the wit-nesses, that there is a
dead body of wartime documents (on gas chambers),
this would be unfair, would it not, be-cause you are not referring
to wartime documents? Are you referring to post-war
documents?

Prof. Evans: I am refer-
ing to all kinds of docu-
ments.

Mr. Irving: You are not referring to wartime docu-
ments?

Prof. Evans: I am refer-
ing to documents includ-
ing wartime documents, the
totality of the written evi-
dence for the Holocaust
which you deny.

Prof. Irving: Are you saying there is a vast quantity of
timeless documents?

Prof. Evans: What I am saying is that there is a vast
quantity of documents and material for all aspects of
the Holocaust.

Mr. Justice Gray: I ex-
pect you would accept, Pro-
fessor Evans, just to move
on, that the number of ver-
ifiable instances of docu-
ments—wartime documents
as regards gas chambers—is
actually pretty few and far
between?

Official transcript, Day 20, Feb. 15, 2000 at page 91.
I am dubious – Evans is a leading authority on Nazi Germany. But when we came to a note on Hitler’s talk with Abetz, who every historian knows was the Nazi ambassador to France throughout the war, I try it out.

“These notes are dated Aug. 3, 1940. They refer to a meeting that he had with Hitler. Who was Otto Abetz?”

Evans doesn’t know: “You’ll have to tell me. I am afraid.”

“Otto Abetz was the German ambassador in France in Paris, would you accept that?”

“Sure, yes.”

It is stunning proof of Evans’ ignorance: I kick myself for not having done this days ago.

Mr. Irving: The first document – does it show Otto Abetz swearing in an affidavit: “He [Hitler] said to me that he wanted to solve the Jewish question generally for Europe, and in fact by a clause in the peace agreement, the so-called ‘solution’:”

Evans: Yes.

Mr. Irving: “In which he made a condition of the vanquished countries, that they agreed to transport their Jewish citizens outside of Europe”, is that right?

Evans: Yes, exactly.

Mr. Irving: So again it is a geographical solution he is talking about?

Evans: Quite right, yes.

THE SPEECHES FROM EVANS become longer; he snaps at me to let him finish, then he wanders off course, and he de- dines to answer questions di-

I put him to a page translat-

Evans admits that he mistrans-

1938

It is stunning proof of Evans’ igno-

of course am now unable [being bann

Also that with thirty-nine years

Mr. Irving: Would you mind sayin-

I learn that he is, he hates the Nov. 10,

No. 35: SPK from DQ6 SSD Berlin No. 44 2300 3 parts 173 167 177 SPK 1

To Commander of Security Police Dr. Lange in Riga

Evans doesn’t know: “You’ll have to tell me. I am afraid.”

Mr. Irving: In which he made a condition of the vanquished countries, the defeated countries, that they agreed to transport their Jews “outside of Europe”, is that right?

Evans: Yes, exactly.

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The Judge asks me to go over the

The Judge agrees. Evans is in-

I state that I will not agree to Fri-

Rampton says it is my fault for

Heydrich “from the bunker” at

Himmler is on the phone to

rather quaintly argues that if

Evans has dealt with this in his

killings up to that point.

sor cannot avoid agreeing, sig-

a killing-directive

and occupation directives).

no instructions to that effect,

ready to do this, but he can find

asking Alfred Rosenberg what

ue. It shows the Reichskommis-

which proves of unexpected val-

to thank for that.

day academic timetable at

sacrifice that day which I need

and researchers, and the physi-

some thirty barristers, lawyers,

cross-examine.

quite superfluous in his view,

of insults until he runs out of

record suddenly begins to play.

“manipulations,” “distortions,” etc.,

about my “tissue of lies,” “ma-

er unhelpful document in the

The Himmler–Heydrich episode

Was the original theory that Himmler discussed

In

The call was put through from Hitler’s Wolf’s

from Berlin was not to be liquidated.

I phone Hitler at 8:34 a.m.

Führer headquarters) that

though the SS had now re-

Altemeyer (upon which the De-

mark by the SS-gangster Hans

tion of a third-hand 1941 re-

of hidden-microphone record-

CSDIC reports are transcripts

and that he has never worked

pockets stance. Asked by me,

T IS ALL RATHER ODD: OUR OP-

the matter with Hitler first wrong? Only at

November 10, 1938 – the night after

dence is there for her “ten a.m.”

Mal sehen

for preparation.

ens that could have come

find it within them only to re-

into tinpot Andrei Vishinsky’s.

they have spent twenty years

faintest idea of the CSDIC re-

this Defence “expert” admits

presents stance. Asked by me,

pre-1989 state school in com-

ments that could have come

straight from the marxist-ten-

history textbook of some

pre-1998 state school in com-

the only witness that they

witnesses don’t like a “neo-

and “Hitler apologist”;

every statement that cannot

explain, they de-

mand to see in facsimile.

The session has ended a few

minutes earlier than usual, as

His Lordship has an appointment

elsewhere. Taxi back to Duke

p.m., did he go for lunch with Hitler?

Tomorrow, to borrow a Marxist slogan, la lotta continua.

February 17, 2000

(Thursday) To bed at four a.m.

Mal sehen! At 8:34 a.m. I phone

[German writer] Iנגרig Weckert for the first time. What evi-

timing of the broadcast of Goebb-

pronouncement, halting the pogrom, on the morning of

November 10, 1938 – the night before the Kristallnacht?

“The time?” she repeats. "I chabe
doch gehört! ‘I heard it!”

She realises they even had to hear it at school. Which re-
tenantly fixes the time at earlier

for four p.m., the time pre-

ferred by the Defence.

At 9:18 a.m. I phone again to ask

what were the school hours in

those days in Germany? – She has

gone however out.

The taxi gets snared in roadworks

and jams in Piccadilly. I am in the
courtroom at 10:35 a.m., and apolo-

gise to the Court.

On the witness stand, Prof. Evans

is back to his hostile, hands-in-

pockets stance. I ask him if he had

been an expert for the Nazi govern-

The Himmler–Heydrich episode

In Hitler’s War (1977), Mr. Irving revealed a note by Hen-

rich Himmler on a phone call to Reinhard Hey-

drich, chief of the RSHA, at 1:30 p.m. on Nov. 30,

1941 (asassined), ordering that a trainload of Jews

from Berlin was not to be liquidated.

The call was put through from Hitler’s Wolf’s Lair (Wolfschanze) bunker. But the train had arrived at Riga that morning in the midst of a liquidation

of local Jews, and as described in

Gebbels, M. einstem of the Third Reich the Berlin Jews

were machine-gunned into pits – already described in the

imiller speaks with H eyrich.

H Himmler summoned SS Obergruppenführer Jec-

ken from Riga to headquarters to account for his “arbitrary

and disobedient acts” (Thursday) To bed at four a.m.

For a while we look at Evans’ charge that I have played down

the statistics of the victims shot at Riga in 1941. He composes

that I stated in Goebbels that the killing pits probably held

one to two thousand bodies each; he estimates far more. I

remind him that I described the trenches as being twenty-

five metres long, and about three wide.

Evans objects: “But we don’t know how deep!” “Look at

the photograph at the end of the bundle which I handed you

this morning, please, witness,” I re-

spend. “This is a trench filled

with bodies, under the guard

of British soldiers holding

Tommy guns!” I believe it is

Bergen-Belsen.

“But what made the trench at Riga?” he doggedly

asks.

“Is it a picture of a trench

being filled with bodies by various

women?”

Evans refuses to answer the ques-

tion if it does not show the actual

trench in Riga to which

Brus is referring. The judge

rules that I may continue with

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at first that a trench can be

of any depth, surely?

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My Lord," I respond, "I worked my way through University as a navvy. I have spent my early years digging trenches. I am an expert on trenches! If they are not shared out fairly," The professor says he too has experience, as his house is having an extension built. I am allowed to put to the witness this calculation if the trench is 25 metres by three by two metres deep, say, for the purpose of this calculation, and if it has square sides (not the sloping ones that common sense dictates) it will hold 150 cubic metres; and if no allowance is made for a fill-in layer of earth on top of the bodies, then 1,500 bodies can be packed into assuming ten bodies to a cubic metre. The witness lapses into silence, and my one to two thousand estimate seems to have prevailed.

T he PETTY OBJECTIONS BY Prof. Evans have, in my view, proved self-defeating. On the other hand I may be wrong and this witness-tactic may be precisely what lawyers, judges, and Courts expect and applaud. The Schlegelberger Document (PAGE 15) takes up an hour of the afternoon, and results in a resounding and even somewhat unexpected victory. [It quotes Hitler as ordering the postmortem of the Jewish Problem to post-war.] At first Evans demurs, grumbles that it is an odd document with no heading, no signature, etc.; that it is an odd document with its present location in a file of confidential papers and knows that Mr. Rampton has helped him to him. I note that he seems out of his depth, and his answers are notably shorter though, alas, no more to the point for that.

I N THE AFTERNOON, AFTER MR. Rampton mutters a loud comment about Hitler's military defeats and his ineptness, I curse myself for not having responded: "Hitler had bad counsel!" To my delight Rampton, who seems to be slipping today, repeats his remark in a loud plume who has been assisting him to dress, so I have to take off my Internet Website. Nearly eleven hours' sleep, and 9:01 p.m. fast asleep.

February 18, 2000

(Friday) Up at 7:50 a.m. after nearly eleven hours' sleep, and I need it. I messic decembering, I have to take her to school by car. A ten-inch high pile of correspondence to deal with this morning. This message of thanks goes to "Samuel Crown" (a non-plume) who has been assisting me with documents:

It is clearly impressive the judge that I produce translations of the documents that the Defence has hurled at him only in German. Evringer was a great day. Today, thank God, I am free, beginning to crumble physically otherwise.

2. Can you e-mail to me over next 24 hours an English text for: NS-3063, Report of Supreme Party Court, Feb. 13, 1939 (IMT, vol. xxxii). I am sure that Mr. Rampton would not look too favourably on similar comments, if, for example, you suggested that it "could destroy everything" if your friend Gerald Freisler's name was mentioned. Yes, I am the one they are smearing as the "racist". And Lipstadt is not brave enough to go into the witness box. Around six p.m. a courier brings an unexpected 24-page document from her lawyers, Mishcon – another trick by them. It is a new paper by Prof. Peter Langerich, entitled "Glossary of some key terms and phrases that really matter (which energetic highlighting of the past)". I shall ask the judge to disallow this kind of document:

Certainly it cannot be put to him, or so I hope; but it might be put to me in cross-examination, or by me to him. I note that he deals with "your friend Gerald Freisler" (and sounding Jewish) twice, with over "intermarriages could destroy everything", with over "52%" of Jews in America marrying non-Jews. He seems to be slipping today, repeating a pre-war one.

The trial transcripts and important documents can be read on our Website at: http://www/fpp.co.uk/trial/ as "17.7. Freisler", in support of that version, he laughed it out of Court. As I pointed out, the notorious Freisler, later the hanging judge Freisler, would hardly like a document being addressed to him as "Freisler", without his rank or title. At 11:49 a.m. I phone my friend Weckert; she informs me that school hours in wartime Germany were eight a.m. to midday. That fixes the time of the Goebbels broadcast nicely.
Herrmann includes a revealing remark by Otto Günsche, one of the last surviving Hitler adjutants, amplifying Guttenplan's statement that Günsche had told him one had to assume that Hitler knew of the liquidation of the Jews. Günsche says Herrmann* today told me by phone on Feb. 17 he first heard of Auschwitz when he was in the Lubyanka prison in Moscow. When the gentlemen came to interview him, he, like most Germans was exposed to the supposed genocide on media, so that he gradually began to believe Auschwitz was probably true. If that was so, then Herrmann had to have known about it too.

today he would no longer be able to say that.

February 19, 2000

(Saturday) Up at nine a.m., hoo- ray. A good day's work on the paper-mountain. 2:21 p.m. Fred Toben phones from February 19, 2000 Ihaps a million lives – after losing his defence lawyer in Munich. He found himself himself

February 20, 2000

(Sunday) Asleep at eight a.m. hear the phone ringing, and Iessica, six, answers. Later she wakes me and says: "I told them Mummy is sick and you are in bed asleep." While I am reading this morning, she hides in the cubby-hole under the desk. Sometimes I wish I could do that too. She blows out this morning, at 11:02 a.m. "Daddy, why don't you get one of those 'lawyers' to do all the work for you, then you would have more time to play games with me. You could

February 21, 2000

(Monday) The British press report has totally dried up while I have been cross-examining Lipstadt's experts. I am surprised. I wonder how much money the Defence has spent on public relations firms. I am not naïve about this. I begin today by asking that the judge direct the Defence to serve a witness list to me setting out the statutes and authorities on which they rely in presenting the Expert Reports without the experts them- selves being subjected to cross-examination. J udge Gray at first gives a vague ruling, but I ask firmly for a de- rection; which he then dictates. I thank him that knocks out both Levin and Eatwell, and their Expert Reports. Rampton states that he expects to get sufficient from my state- ments in speeches and the like; I doubt it – these will explode in his own hands when the time comes for my submissions.

February 22, 2000

(Tuesday) The day begins with Jessica announcing that Mum- my is very very sick. Yes- terday she lay all day in her darkened room, and today as well. A clear day's work to complete preparations for Prof. Long- erich. I take Jessica to the cocoa dancing school at No. 43 Harley Street at two p.m., since I'm "home" today.

February 23, 2000

(Wednesday) Laurence M., a Har- vard legal friend, phoned. He will come to Court today. Jessica's school has half-term. She asks me to take her to her little friend Gracie's "on the way to the High Court (it is in the opposite direction), so I arrange to leave at 9:45 a.m. I am receiving large numbers of faxes from around the world, many from total strangers with largely useless advice, some- times fifty pages at a time. Many such helpful "friends"

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* Hajo Herrmann was a World War II Heinkel bomber pilot, and then a Luftwaffe fighter pilot, decorated with Germany's highest medal for valor.

Mr. Irving writes: I first interviewed him through the wide-awake fighter tactics which he introduced in 1943, he spared Berlin a Hamburg- type attack (see Dec. 29, 1943). Sieving, perhaps a million lives – after losing 150 Lancaster bombers in three raids, "Buchet" Harris hailed the Birming ham series. From 1990 to 1993 Herrmann was a defence lawyer in Munich. He found himself himself

braving attempts by the Ministry of Justice to have him prosecuted under their "anti-free speech laws" for endorsing the websites of his clients!

Herrmann is in other words the very opposite of that cowardly defense lawyer who appeared before Roland Freiser in 1945, Frederick Blumenthal. He listened to the prosecution opening statement and then announced, "I can only wholeheartedly endorse your views expressed by my colleague against my client." The German Bar Association found in 1993 that Herrmann had acted impeccably, but Ger- many's public prosecutors' attempts to jail this brave lawyer have not let up.

---

PROF. LONERGICH & SIEGELBERGER DISCOUNT SIGNIFICANT

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BEGIN CROSS-EXAMINATION of German historian Dr. Peter Longerich around 10:40 a.m. Longerich admits that after his lecture to the German Institu- te in Nov. 1996, on Hitler and the Holocaust, he invited ques- tions but then refused to an- swer mine about the Siegel- berger Document (or anything else, for that matter). He states that he considers this wartime

interest ing message from Düsseldorf lawyer Hajo Herr- mann.* He mentions the fine

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document to be "Insignificant". He now suggests that the reason he refused to answer my question was that he already knew that he was to give evidence against him in 1998). When I asked him if he informed the meeting's chairman of that reason at the time, he admits that he did not.

It is easy to press the point. I take him very gently all day. He complies him on his English, and lays no real traps for him. He is relatively easy to credit, and he grows more into making useful statements. I must add that I have to urge him not necessarily to agree with the points I make, but to think carefully as others may ignore any concessions he does make are probably valueless. For a while I asked him about Hitler's anti-Semitism. Mr. Rampton is edgy, and leapse to his feet to protest that he has "conceded" that Hitler was anti-Semitism. From the very outset.

I ask Longrich whether Hitler was indeed an anti-Semite if he tolerated a half-Jewish chauffeur (Emil Maurice see Prof. Peter Hoffmann's book on Hitler's security), and a Jewish district attorney, Max Hirschfeld.

We finish this expert's Glossary on "euphemisms" relatively swiftly; the judge does not like the document and takes the larger speed through it. I have already announced that I shall concentrate on Hitler's uses of specific words like Ausrottung and Vernichtung.

Richard Rampton QC is a chain smoker and suffers accordingly in the non-smoking courtroom. But he is a tough old dog; he must have been through battles like this a hundred times, and with far more capable adversaries than me.

He rises once again to object that I have already conceded, as he claims, with references to Days 2 etc., that Hitler knew of and ordered the shootings of Jews by the Einsatzgruppen in 1941. He (Hitler) has never been against the Jews, he maintains, but has never been "anti-Semitic".

I refer to a passage on "the position on the hod", as I put it, and say I will submit a written statement tomorrow, which may well agree with his claim.

I refuse to be rushed into concessions which I know to be wrong not once but twice - indicating that they had not been read on at least one occasion.

I say I hear rumours that some briefs are "submitted" to leading Counsel (I mention on the name of George Carman QC) but never actually get read, and this evidently strikes a resonant chord with Mr. Rampton and his Lordship.

Rampton mutters in a loud sotto voce (a tactic which is quite effective) that he has already supplied by "his Lordship" with over 1000 Jews each from the Cruces in the late 1960s. It is at the institute in Munich. I will try and get it, I say for Monday.

The Judge asks the Defence solicitors to use their good offices to get the document from Munich.

I cross-examine somewhat better all afternoon, on the basis of the translations of Joseph Maier, Michael Mills, an expert from Australia. A very useful brief if it is too, and it helps to narrow down the issues, though it lengthens the cross-examination. I am still unfinished by four p.m.

I apologise that Dr. Longerich will therefore have to return on Monday for half a day. The Judge asks his Lordship to somebody resigns themselves to it. Meanwhile, to my surprise, Munich has already supplied by four p.m. to the Defence lawyer, I think (I am left with the translation document): It is five pages long, and the judge, after glancing at it, invites me to agree that I stated this morning that I rely on the whole document.

I wonder what his eagle eye has spotted. I am reluctant to comment without reading it in full, and I volunteer to translate the whole thing this weekend. I think that will be worth it, it does seem to suggest a really bizarre relationship between Himmler and Hitler over the Holocaust - a word that did not even exist in this context when I last had the document in my hands in 1970.

I use up the remaining ten minutes by putting to the witness first the Danneker (Aug. 1942) and then the Ahnert (Sept. 1942) document, and finally the Fohl (June 1942) document.

I do not have spare copies of one item, and apoloise for the disorganised condition. I judge Gray remarks: "Normally you are exceedingly well organised." But that is the only praise from His Lordship.

The German witness cavils over every item, even suggesting that the paragraph of which Fohl Götz Aly quotes verbatim in Endlösung may have left out more vital, incriminating stuff proving that the letter is baloney. I point out that Aly, an "ex-terminator", is likely to have left out even a comma that speaks in his favour.

True, Aly goes on to dismiss the document, and I am left with the evidence that we have suggested that it is not. After all, the document has Walter Fohl, a leading Krakow resettlement officer, writing to his SS comrades in June 1942.

"Every day, trains are arriving with over 1000" euros each from throughout Europe. We provide first aid here (he was writing from Krakow, so "here" was Krakow) and give them more or less provisional

J. Jessica - "Why don't you get one of those 'lawyers' - then you could play Hide and Seek with me".

She took this picture of Mummy.

Peter Longerich primly says he has studied the diary of the Auschwitz doctor, and is prepared to agree with his claim, with references to days and years, rather than me.

He states that there are scattered references to a broadcast that Prof. Lipstadt presents. I agree that he has studied this, and am prepared to agree with his Lordship.

"A research paper and I am up again before eight, which I do every morning with the points I make, but to think carefully as others may ignore any concessions he does make are probably valueless. For a while I asked him about Hitler's anti-Semitism. Mr. Rampton is edgy, and leapse to his feet to protest that he has "conceded" that Hitler was anti-Semitism. From the very outset.

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"Every day, trains are arriving with over 1000" euros each from throughout Europe. We provide first aid here (he was writing from Krakow, so "here" was Krakow) and give them more or less provisioning..."
February 25, 2000

(Friday) Up at 9:30 a.m. No Court today. Hokey. Feeling good. I fire off this letter to [Penguin’s attorneys] Dayton Lyons:

I have received no digital transcripts to date (see Feb. 3). I have repeatedly addressed yourselves about this matter, and made a written cash-precipitate offer to yourselves, which I consider reasonable, in order that you may continue our daily posting of the transcript on the Internet as a non-profit making service. I have received no acknowledgement or response.

While I wish to imply no deliberate intent on your part, the daily posting of the digital version of the daily transcripts is causing me disadvantages; it has made it possible for me to annotate the transcript as I proceed with the cross-examination.

I shall take up this imbalance with His Lordship on Monday.

More quality reporting in today’s Los Angeles Times, which did carry a major story [by Kim Murphy], has been severely rapped across the nose by the usual suspects. I agree to see him any weekend.

[The New York Times eventually spikes Buchan’s story.]

February 27, 2000

(Sunday) Up at nine a.m. Thank you letters to Americans. I fax to A. about the lack of “extremism” references in the State-Claim (only to Farra-
hizkhah, Hizbollah et al.):

This is the only reference to extremity or extremism in the statement of claim. Should I not ask Judge Gray to hold the defendants purely to this issue?

The only references to “right-wing” are in the [Litigant’s] book itself, page 111: “Prof. Erwin Lobban [sic] criticized on this point in light of pre-war Nazi persecution of Jews, he said that he was only quoting David [sic] Fohler’s “The white writing of historical workers” and page 112: “Having written a self-described ‘moderate fascist,’ established his own right-wing political organization...” which is of course a lie. Let’s see what he responds.

Ha’aretz announces in Israel to-day that Mr. Rampton has ap-
ploved to the Israeli government to release the Eichmann mem-
ories. That is interesting. M. phones at 1:34 p.m. and when I tell him this, he suggests, “Yes, and why not the Himmler di-
aries while they are about it?”

February 28, 2000

(Monday) Up at 7:50 a.m. Benton is obviously very sick. I take Jessica to school, finish preparing the documents for today, and then go to High Court. At 10:30 a.m., just as the judge enters, I realise I have the wrong file with me. I frantically close it and open it several times, in the hope it magically turns into the right one. It is not the cross-examination file at all.

I stutter my apologies - Judge Gray is very understanding: he asks if there is nobody who can bring the file over to Court for me, I explain that B. is fighting a battle of wits today.

I haul a taxi back to Duke Street, leaving a packed Courtroom be-
hind, with people still lining up outside.

The taxi plunges straight into the mother of all traffic jams in Ox-
ford Street; it takes 45 minutes to make the round trip. Bente is still in her silent and darkened roost.

I complete cross-examining Longerich. I ask him to examine the Karl Wolff manuscript, point by point. The mystic, religious na-
ture of Himmler’s writing really impresses him, but not Wolff’s conclusions about Himmler’s sole responsibility for the mass extermina-

I put him to the Horst Ahnert doc-
ument, which is so powerful and con-
tinuates. He keep them some trou-
ble, and he has to state that the latter is just camouflage, as his-

torian Gózly also avers.

Not good for a lawyer that he may find it remarkable that there are now emerging two parallel bodies of history: (a) the established version of the Holocaust, or Final Solu-

Here is a discussion then on remaining points. I insist that I must be told the correct archival file number for the document 12/403, which comes from “Gestapo” Müller to the Ein-
satzgruppen; the Bundesarchiv has told me that the file number which the defendants have quoted to me is incorrect. Gray mentions to Rampton that it has not escaped his attention that he has reserved the cross-examina-
tion of me on right-
it for today, as he was originally inclined not even to bring before the Court, until the very end – no doubt as a bon-bouche for the press gal-
lary. Rampton intends to show a video; I shall sit heavily on that, if it is edited.
I say that I have read that Mr. Rampton is seeking a ruling for the Eichmann papers. I applaud his initiative and will he now try and get the Himmerl diaries from the Bamberg archive? The judge says that he has no powers to make such an order. The Court reporters are asking £100 per day for our posting of the transcripts. Reasonable, I send them to a dozen of my historians, adding: ‘This morning I complained to the judge about the non-supply of transcripts of oral evidence (formal to me); the judge frowned, and ordered that they be made available to me immediately without taking not to post them on the Next until agreement is reached.’

I am attaching those transcripts with this message, on the understanding that they do not make copies for third parties, and use them only for this litigation. I have made the payment and get them back on the Internet within 24 hours or more.

At 7:19 p.m. Wieland K. phones: ‘At 7:19 p.m. Wieland K. phones. The Court reporters are asking £100 per day for our posting of the transcripts. Reasonable, I send them to a dozen of my historians, adding: ‘This morning I complained to the judge about the non-supply of transcripts of oral evidence (formal to me); the judge frowned, and ordered that they be made available to me immediately without taking not to post them on the Next until agreement is reached.’’

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After hearing argument from the defence attorneys themselves. The problem for the Defence is that in most of the videos I am not that shot's witness, and that as their target personalities like Robert Faurisson and Ernst Zündel and others. I point out this absence, and I judge Gray responds that there has been waiting to glimpse me in the videos.

The Hallé video (of Nov. 1993) is irksome: it has been cut at three points of my brief speech, as the cameraman moves to change his angle, and each time he has lost important parts of the transcript: the first part, where I tell the audience that they are young, and I am old; and that they are Germany's future. Then again I angrily shout at the first cameraman, this front rank for giving me Hitler salute (no doubt having been well paid to do so by the many international newswire teams).

The local stringer from the Süddeutsche Zeitung buttonholes me afterwards, and I take him downstairs for a snack.

After lunch, I cross-examine Prof. Hajo Funke. His German is excellent, but his English is less so, for expressing complex concepts. The judge is interested only in a few names, a dozen or so of the people I know, and he wants me to cross-examine Funke only on these names. This simplifies matters.

I state that with one deal of the Eichmann disc, and I hand the judge the five pages that refer substantively to Hitler or Führer. He says however that he does not deal with those today; quite right.

I continue with the cross-examination of Prof. Funke. He seems somewhat exhausted, his answers are quite boisterous, and occasionally more muddled than yesterday, and he is noticeably more irritable, particularly when I make modeling reference to the ‘consensus of expert opinion’ upon which he repeatedly draws as his one basic source, and the ‘social sciences’ which he cites as his other, for stating that certain people or bodies are right-wing extremists. It is difficult to see how far this
I think they were instructed to do this, because: No. 1. It makes the point that “you can’t be trusted” by real historians
No. 2. It makes the point that real historians are cautious in their judgments.

However, I think the Defense strategy backfired, in a few ways: First ... made them appear more ignorant than they probably are. Third, it prevented them from engaging in a frontonate ... they might have demonstrated their intelligence in quick exchanges. Fourth, it made them appear ideologically driven and frankly instructed on how to think, because of their inability to entertain counterarguments.

As a result, what we got was running rings around a group of frightful local historians. There is no doubt in my mind that you bested them all.

Benté seems to be better these afternoons, but not in the mornings. My worries about her remain, however.

In the evening I went to Duke Street a crowd of journalists – the Süddeutsche Zeitung, various Israelis, ZDF television, and other media concerns until eight p.m. I get ideas from joining in the interviews. The Eichmann Memoirs have kickstarted the media interest in the trial – and tomorrow the first wave of the public flogging resumes.

March 2, 2000

(Thursday) A rather odd day. I work until 3:30 a.m., preparing rebuttal items for the cross-examination today primarily all diary entries relating to [-] and Faurisson, etc., on which I expect Rampton to focus, at Court’s eyes. My staff have worked for weeks distilling these extracts from the diaries. At 9:30 a.m. a woman from the OSS (Office for the Supervision of Soldiers) telephones about my Apr. 1998 complaint to them, about Mishcon’s breach of an undertaking featuring the Hallé video to Court.

To the High Court at 10:30 a.m. I begin by stating five points to Judge Gray.

1. I have repeatedly asked the Defense, as I am entitled to, for the speeches on disc, to enable me to search rapidly for the bleaching morsels which they have torn out of context and tossed out of the court to Your Lordship. Please now order them to provide that material.

2. I have pointed to the transcriptions of the police documents proving that my version of events (see March 12, 31.3.90) is correct and that Prof. Frankel is not.

3. The Defense are sitting on several of my videos and materials, which hampers my preparatory work for these cross-examinations. Their total destruction of my boxes and filing system has greatly hampered my preparation of bundles.

4. Since the Eichmann manuscript has been placed in the public domain by various bodies, and other sources, can I be relieved of my undertaking?

5. The Hallé video ... to make submissions next week on its admissibility.

On No. 1, the judge orders that a disc be provided to me tomorrow at the latest.

On No. 2, he shows little interest: he says he is not at all interested in the arrest; I point out that it was important to establish that I was telling the truth, and that we accept that.

On No. 3, the judge says it was between me and the solicitors, but they will no doubt take the right steps.

On No. 4, the judge says he agrees that I should be released from the undertaking, but that it is difficult to do so as Rampton still objects, having given his word to the Israelis. He says, rather mysteriously, that the Israelis have indicated to him that they have supplied to us a version more complete than the one released to the public.

On No. 5 the judge expresses concern, asks what is afoot: I say two things, the admissibility of the video (in which I do not think I will prevail) and the conduct of the Defense case, with fraudulent withholding of the videos in April last year.

The latter as the parties are well aware goes to the issue of costs, which may be relevant. Later in the day, Judge Gray orders that we shall argue the latter point, No. 5, on Monday.

Richard Rampton’s final cross-examination of me resumes around 10:45 a.m., and concludes at three p.m. I commence by showing a video of part of my speech at Hamilton, Ontario, including my ridiculing of the witness’s allegation of a portable “one-man gas chamber”, and reference to the Auschwitz system; I agree to all his submissions on the document, which do not really damage the policy I have adopted, but I point out that Kinna was a very low-class (a corporal, I say: but a commander) figure that Untersturmführer is in fact second lieutenant), and that his command of language is perhaps not such that one can attach great significance to the precise words he used.

Going on to my contacts with the “Rogues’ Gallery” of “extremists” he tries to establish beyond doubt that I spoke often to “National Alliance” functions and, in 1983 – seventeen years ago – to the British National Party. The latter turns on a documentation of the National Movement, whatever that is, and there is only one function addressed by me described as “partly a BNP function”, the rest of the audience being explicitly Monday Club (of the ruling Conservative Party) and other bodies.

I don’t think the Judge will make much out of that. The NA link is less tenuous, but hardly more intense: Erich Gliебe, Cleveland organiser of functions for me, wrote me one letter in 1990 on NA-headed note-paper, with what turns out to be the NA logo top left (it is like an inverted CND symbol). All his other pamphlets have such embellishment however, and apart from a diary entry where I state that a Tampa, Florida, function “turns out to have been [an organisation]

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2. for the purposes of the referendum campaign.

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1. has produced to the Public Record Office.

2. for the purposes of the referendum campaign.

3. Some time is spent in the afternoon on little dossiers they have compiled:

1. On the Kurt Daluege figures for Jewish criminality in pre-Nazi Germany: We arranged the meeting with him from the Statistisches Bundesamt, but do not support Dalueges, evidently. I point out that my source-footnote references four documents to the German government (but I must now check those on returning home).

2. On the Goddell’s diary entry for Dec. 13, 1941. They still want to prove that in Moscow in 1922 I read his full account of the Hitler speech about the udenfrage...
counts of the trial by Eva Me
nasse. She gets (and earns) this e-mail from me:

no doubt he was on stand-by in
I shall make mention of this
but I do: (need to respond to your query
which Website page to look at.
you like that? I did tell you
court. Don prison was for contempt of
facts). The committal to a Lon-
Herbert Fleissner of Langen-
ination; he disappeared as soon
months, during my cross-exam-
matorium II roof”. Otherwise
refereed me to your writings.
HITLER’S WAR, GÖRING and

In my closing speech, and having
for the defense law-

The article is, comparatively,
me, a Black fe-

9:00 a.m. to take Jessica to
draft out of my speech, from memory: the way

up to my neck with the great

sent this message at once to

Dear U. – Words cannot ex-
press the sorrow I feel at hear-
ing the sad news of Henry’s
dying studied him I am rather hor-
ified at how restricted the
judge’s proposal’s are; they
seem to betray his own flound-
ering, I think.

I can put whatever I want in
my closing speech, and
Davenport have sent a disc of
speeches, but it is not what was ordered – the whole contents of
the transcripts, which I need.

I end up working until 2:30 a.m.
again.

March 5, 2000
(Sunday) Bentive is very sick this morning,
so Papa is wakened at 8:45 a.m to do party duty
for Jessica. “Now is the time for all
good men,”... etc! I tell to
Sarah. She sends me a
message (in the Belgian
language, not mine.

I send all your points to
me, they will not waste my
time. We cannot go into too
much detail, except on “killer”-

time. We cannot go into too
much detail, except on “killer”-

speech, from memory: the way

and Mackenzie and all her oth-

her little schoolfriends.

We have
to retrace our steps to get them.

A Scandinavian sends me this
message:

Kurt Målarstedt has now re-
ported in Dagens Nyheter (the
morning paper in Stockholm, the
largest circulation in Sweden): The title is: THE MAN WHO DE-
NIES THE HOLOCAUST

Mostly standard stuff but at
least he tries to quote some of your old words as he under-
stood them.

Sample excerpt: [Mr. Der
er equated the allegations that he is an anti-
Semitic and a racist. He dis-
misused “fascist historians who, at
best, invent proofs of generally
embraced theories” (about the
Holocaust and the Auschwitz
gas chambers implied) - his
comment, not mine.

Add to that the leader [sic] of the Nazi German exterm-
ination programme against
Jews, was “a little snake of a
man”.

Eichmann was, Irving said,
“very good at being servile, an
excel in servility. For instance...
its... etc..! Taxi to
8:45 a.m to do party duty for

Up at 7:50 a.m. to take Jessica to
school. Take a No. 15 bus to
Fleet Street and the Law
Court. A large crowd is waiting patiently outside, though I
warn them we shall be finished in less than an hour.

Lady R. is there; she incidentally
telled me she was not even a
Black female, but a “Bolshevik
Bolshevik horde”.

He refers to Cesarani’s worry
that an “unholy alliance”
might be formed between you
and “the more honourable
writers and scholars” who

bears and that the wig of the

The article is, comparatively,
not very malicious. He says
that you have the body of a
beast and the wiz of the
judge is even more ridiculous
than that of the Defence law-
yer. The signatory of an un
signed writer who has compared you to
a “Wehrmacht general... in a
desperate fight against the
Jewish–Bolshevik hordes.”

SAD word comes from Honolulu,
from a stranger, that Henry K.,
who was an old friend and a
prominent

It must have been bêtefroy.

March 6, 2000
(Monday) Until one a.m. I watch the raw,
unedited video of the

March 4, 2000
(Saturday) Weird dreams during the

Davenport, Lyons to clarify
My (Judge Gray: “Unhelpful”)

The bright little spark arrives
from Australia, and I respond:

I can put whatever I want in
my closing speech, and

Up at 7:50 a.m. to take Jessica to
school. Take a No. 15 bus to
Fleet Street and the Law
Court. A large crowd is waiting patiently outside, though I
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a “Wehrmacht general... in a
desperate fight against the
Jewish–Bolshevik hordes.”

SAD word comes from Honolulu,
from a stranger, that Henry K.,
who was an old friend and a
prominent

It must have been bêtefroy.
T HE POINT I AM MAKING IS, AN HUMAN being, an historian of integrity, and I am not entitled to continue to earn a living in the way that I have earned it for nearly forty years. He will have a choice: accept the official version holus-bolus; or stop being an historian.

A judgment in my favour does not mean that the Holocaust never happened; it means only that in England today discussion is still permitted. My opponents would still be just, as now, to produce other documents or expose other alternative interpretations. They would be as free as ever to declare that they think I am wrong.

They would be impeded in no way; only they would not be able to say a loud and authoritative voice that I am an historian, and that my books must be banned. As a result of my work (and of this case) the Holocaust has been researched more. Those who (rightly) believe that these crimes should never be forgotten would ask whether their case is better served by a compulsory - and dead - text imposed by law and intimidation, or by a live and on-going discussion.

ALLOW ME TO INTRODUCE ONE cautionary statistic: not including the fuss about the Eichmann manuscript, the British press gives far fewer than 167 reports during the seven days that I was on the witness stand, that is 24 per day. I suggest that these experts were more expert in reporting the Holocaust, and possibly for that reason alone we have all been dragged through that vast and inhuman tragedy yet again, and quite needlessly.

It would have sufficed for their purposes if they could have proved, on the basis of the total disclosure of my files which I have made to them, that I had indeed "distorted, misstated, misquoted, falsified." Fearing or finding however that they were unable to prove wilful fraud, in effect, they have fallen back on the alternative plea in the tort of negligence: that Mr Irving ought to have known that this unsuitable change of Defence should not have been allowed to them, as it was not pleaded at the outset.

If misleading or false on the law is, however, wrong then Your Lordship must ask what effort would have been reasonable on the part of an historian, acting without institutional support, that of Yad Vashem, and with the doors of archives increasing being slammed against him.

These Defendants have spent reportedly some Six M illion dollars, and twenty man-years or more, in researching this case: this blinding and expensive focussing has brought the narrowest of issues, yet still it has generated more noise than illumination.

I heard the expert witnesses who were paraded before us using phrases like the "consensus of expert opinion" as their source so often - in fact the word consensus occurs so far fewer than forty times in the daily transcripts of this trial - that I began to wonder what archives were for.

I suggest that these experts were not just parroting each other's sopinions, and those of people who agree with them, than in what the archives actually do - and do not contain.

The phrase "Holocaust De nier", which the Second Defendant boasts of having invented, is an Orwellian stigma. It does neither diminish or extend our knowledge on this tragic subject. Its universal adoption within the space of a few days after it was introduced and even academics seems to indicate something of the international endeavour of which I shall make later mention.

It is in my submission a key to the whole case. Perhaps this Court should raise its gaze from the narrowest of issues, yet still it light has been focused on the Holocaust, and possibly for that reason alone we have all been dragged through that vast and inhuman tragedy yet again, and quite needlessly.

From the witness box, with its revelations of the "consensus of opinion", "moral certainty", and the mass male voice of the "social sciences" or "social scientists" - on which the Defendants' German expert Professor Hajo Fron makes his submissions 

Professor Hajo Fron makes his submissions for his certainty as to what is right-wing extremism - we seem to hear more than a vague echo of Orwellian Newspeak - a language that moulds minds, and destroys reputations and livelihoods.

Orwell was wrong in one thing and Newspeak - a language that moulds minds, and destroys reputations and livelihoods.

Only the Royal Courts of Justice, the independent fully grown, can protect the rights of the individual from now on. And those rights include the right, as Lord Justice Sedley recently put it - to use the force of the State to impose Enewspaper: Professor Lipstadt and her reckless publishers Pentgun Books Ltd. - I shall justify that adjective shortly - have sought to impose it through the machinery of the literary and media establishments.

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The full report of the trial can be found at www.fpp.co.uk

1 Hitler's war, 1991 edition, at page 17:
2 The Daily Telegraph, Jul. 29, 1999: "PREACHER HAS RIGHT TO BE HEARD, however irritating." Citing Socrates and two famous Quakers, William Penn and William Mead, Lord Justice Sedley said: "The irritating, the contentious, the eccentric, the heretical, the unwelcome, and provocative have a right to be heard."
March 7, 2000

(Tuesday) Work until one a.m.

Phone call from Wiesbaden, the Frankfurter Rundschau has a major article today on the trial; I realize the British police (chief inspector Michael Schmidt) — "He only filed what interested him," Gray points out to the Defence, inquiringly. I shall do further comments on that item for the final speech.

Mr. Rampton now says that since I have made remarks in open Court about a 'broken under-taking' they have my papers. (I am not sure what he means.) Mummy has had a word with Counsel, and they have decided to pass on the matter to the Honor. He confirms that. The time is now almost two hours, and makes useful comments on the speech arguments.

As I must resume my career as a writer and essayist I have four points or so and put them to the Court. First, I express formal thanks to the two law firms acting for the defend-ants, since I recognise the extra burden placed on them by a litig-ant acting in person. Rampton immediately comments on "Mr. Irving's sophomoric remarks" about his instructing solicitors — and adds his own words of thanks to the lady Court Usher. Second, I quote from the full diary entry for July 25, 1998, which I previously redacted: the full entry shows no reference to the National Alliance (NA), which they had suspected I excised. Third, I produce a small file on the "gas-chamber" broadcasts made by Thomas Mann, Ger-many's own "Lord Haw-Haw", in 1940 and early 1942, as re-quested by the Court on Thurs-day.

I then touch upon the defendants' fraudulent concealment last April of the whole video of the Hal-lee speech, Nov. 9, 1991. There are three issues, I suggest: admissibility, conduct of counsel and relevance. Judge Gray says that this is not the place to make representa-tions on the defendants’ conduct of the case or damages, but that's not bad, she assures me.

I declare that I shall not slavishly follow the listed issues as draft-ed by the Judge, and that I shall read out my speech with suitable omissions, rather than writing a separate summary.

Finally, Rampton asks that if I am to be given the judgment one day ahead of the public reading as one case, I should give an undertaking of secrecy to which I agree.

Back to the Duke Street flat at 11.30 a.m. Rebecca Wallerstein me, and not to the product of the privilege existed?" I say: fifty-five. Which is not much. "It depends on whether Judge Gray is ready to commit professional suicide", so I say.

Gottlieb says I should write and tell him what "my expectations" are.

George S. phones, would I like a coffee? I say yes, he rings the doorbell seconds later, stays two hours, and makes useful comments on the speech argu-ments.

M. comes round at eight p.m. and works three hours analysing the UK press clippings; ignor-ing the Eichmann and routine stuff — as edited, anyway. That means no sitting on Monday, which suits me.

The Independent publishes on Mar. 4 a vicious and libellous article about the trial. A 7:30 A.M. to the STEINER Theatre for the school play, The) single Book. Jeez is one of my characters; I try and trickle down my chews in the darkness of the auditorium. What happens a family brings, and what sorrow too. M. comes home; we supper at a restaurant, he and I, and he stays until one a.m.; reading the first draft of the speech, making comments, and then reviewing the video with me (Halle, etc.); I have timed the Hal-le speech extracts: 3·5 minutes or so. They are hair-raising stuff — as edited, anyway.

March 11, 2000

(Saturday) Bertie is unfortunately very sick this morning, J. esca-lated. I take him to school (he says Mummy talked to her all night and kept her awake. Lat-er, she says that Mummy asked her to keep her fingers crossed

Marot, his Seulchlidt gatka und keng pøen — Schill-er, I think: The Blackamoor has done his bit and now away with it. (An erudite reader tells me it's from Friedrich Schiller. [An erudite reader tells me it's from him.]).

"The Judge has also grasped the point that this video on which they have my papers is not material relevant to the issue of admissibility of the video in evidence. That limits my submis-sions multiply in the foreign currency has come in the mails over the last few days — Belgian, French, German, Aus- trian, Canadian, etc. A sad last letter too from Hawaii, just four or five typed lines of farewell, and a very shaky "Henry" signing at the end, be fore and after submerges for his final dive. I am sad that I did not see him again after last April in Seattle. Without his aid, I could not have written that article. 11:42 a.m. Davenport, Lyons’ Mark Bateman phones: they have had a word with Counsel, they are ready to produce my witness scripts (as signed am I); they propose that we hand them in on Monday. Judge Gray can read them that day and ask his questions on Tuesday.

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March 10, 2000

(Thursday) Thirty e-mails when I get up: but the tide is reced-ing. Posner phones, will come on Saturday. Judge Gray's Predic-tions multiply in the foreign newspapers, by friend and foe, and that I cannot win the action. My final speech is taking shape. How (long to make it) 3·5 p.m. I phone Dr. Howard B Gottlieb at Boston University, Special Collections, who wrote to me 13 or 15 years ago, want-ing to acquire my papers. I persuaded him to buy the Tyler Gatewood Kent papers last year. I say: The time is now app-roaching. He too is following the trial, and asks if I am optim-istic. I say: fifty-five. Which is not much. "It depends on whether Judge Gray is ready to commit professional suicide", so I say.

Gottlieb says I should write and tell him what "my expectations" are.

George S. phones, would I like a coffee? I say yes, he rings the doorbell seconds later, stays two hours, and makes useful comments on the speech argu-ments.

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for her all night. Jessica has done as asked, and hopes it does the trick, and that Mum-
gets better again. The Toronto Globe & Mail has published better than Rubinstein. Churchhill’s brave nights on the roof at No. 10 Downing Street; no doubt the usual people will be an-
nounced. I take myself to the Ballet School in Harley Street; I send the cab driver to ring their bell, while I slump down out of sight inside the cab!

March 12, 2000

(Tuesday) Apologies by e-mail from Court TV for Dershowitz’s ill-mannered and bullying approach. Mr. Ir-
ving, I want to apologise sin-
erely for that interview. I do
not ambush my guests and I as-
cerely for that interview. I do
not want to do this again.

March 13, 2000

(Monday) Finally to bed at 2:15 a.m., and up at eight a.m. When J esica, now all of six, is about to be cheeky, shecock
her head slightly on one side and asks, “What’s the tra-

tome, it was worth 83 cents.

March 13, 2000

(Tuesday) Apologies by e-mail from Court TV for Dershowitz’s ill-mannered and bullying approach. Mr. Ir-
ving, I want to apologise sin-
erely for that interview. I do
desire you that I believed Der-
showitz would be a tempered
tie, no coat) on the program. . .
looked a bit disheveled (loose

March 14, 2000

(Thursday) Agreed by e-mail, but only after a battle for a

night, so must go. . .

An American Prospect fact-check-
er phones, editing a scummy article. I correct their wrong facts, but can’t correct their au-
Thor’s head. . .

March 15, 2000

(Thursday) Closing-speeches day. At the Courthouse at 10:10 a.m., with a box of twenty-five Xerox copies of my 104-page speech to distribute to the me-
Dia. A dozen press and TV cam-
eman rush outside the main entrance. I stand up for them, talking gently to the driver out to ring their bell, and to the士and under my arm etc.

As I cross the great entrance hall, a Court reporter from another trial trots after me, all flus-
terd, and she says that all the Court reporters in the building are solidly behind me.

“Are you putting up a fight for a lot of people who think just the same as me as she says.

From her further remarks, before I outpace her, I take it that she finds the Holocaust propaganda campaign endlessly boring.

Constitution 175 is already over flowing, and a hundred people are still lining up out side. I spy many famous faces – I see Stutzsford of the Times again, and p.a., my interesting friend Rebecca Wallenstein-
er; there is Chief Rabbi Hugh Gryns daughter too.

On the way in I chat with Neil Ascherson of The Observer; I say I am going to mention in his speech, and his 1981 re-
view of UPRISING (“A Buckle of Silver”, but I’m afraid this time comes I generously skip that paragraph and carry on.

The Usher is dashing around in her black robe ducking like a chicken, marshaling people into the public and press galler-
esty. “One more seat here – No Sir, that’s a press seat – That’s all, I’m afraid.” The House Full sign goes up, and the audience is locked. Then “Silence. All rise!” and the Judge comes in.

Rampton’s speech is short, and as predictable as Adolf Hitler’s (“(My 1939 attack about the e)es”) Phonograph-record. I spend the hour ignoring him with all but half an ear, and trimming down my own speech in the programme. It’s locked.

Rampton brings in all the facts I have predicted, which makes my own prepared response seem more water, a response. Mr. Justice Gray asks him a few questions, bittingly inquiring about the point or relevance of some of these statements, then in-
vites me to begin.

At this, to show who is in com-
mand, I propose that the Court adjourn for five minutes; an op-
tional task. I do, and when I rid-
sides, I am sure that this Judge has liquid suspension in his room, and my coming speech
As I say that no doubt Prof. Evans, to assure the Court that I bear him no personal animus; but he still gets a well-deserved mention when the time comes. And once I pause, when we came to the figures, to say: "…those figures seem appalling figures but, if it is one million, 300,000, with the figures is, each of them means that many multiples of one individual." I never forget in anything I have said or written or done the appalling suffering that has been inflicted on people in the camps like Auschwitz. On the side of the Innoceans of this century.

When I refer to a press report in The Swiss Chronicle, I half turn to the press gallery and under the unscripted words of congratulation for Cambridge from the University. It was that his team's endorsement of Irving's view that Hitler did not order the Second World War. That did not imply endorsement of Irving's view that Hitler did not know about the Holocaust until October 1943. That view was "perverse", I said.

What did I mean? I meant, I said, that it defied reason, or common sense. Would it not, however, be the most extraordinary historical revelation of the war, Irving asked, if it could be shown that he [Hitler] did not know about the Holocaust? This was a serious, very curious moment and it seems to me that Irving believed that Hitler's ignorance could be demonstrated.

I stepped down but stayed to watch the rest of the trial. So the proceeding had been a thorough success. It was very impressive. I have, a strong, handsome man, excellently dressed, with the appearance of a leading QC. A.C. also, asking, in a firm but courteous voice, precise questions which demanded his detailed knowledge of an extensive collection of documents.

There it was all around us, hundreds of box files holding thousands of pages telling in millions of words what had been done and suffered in the camps like Auschwitz and Auschwitz. That was what he had hoped, I thought, to demonstrate.

The London press was filled with Judge Gray's extraordinary verdict. It was reprinted in newspapers around the world including Le Temps (Italy), Le Monde (France). It caused outrage elsewhere.

There is no one in the world who knows more about the camps and the Jews. I see this every day as I come to the Courtroom.

I have just heard, from my page on the British Parliament, that Miss Laura Tyler, of Mishcon de Reya, and thank her for having inadverently sent me to last April these three videos [of him] after she returned my own videotape collection.

She flashes a meltdown smile and says she is glad to have helped. That is the only thing I am thinking about today: that Mishcon's staff, who have been brought in to the Courtroom as a treat, are in such corporate good humour. The press pack are waiting in the Strand as I emerge. It is a pity Bentel is still so ill. She would have really wowed these press hounds, but she's a very private person and even more so now.

HIT THE GET-WELL SOFA FINALLY around six p.m., and I am out cold for three hours.

What did they do if things go "wrong" for them? Rampton seems confident, but so am I.

Judge Gray is heard to the last word - Judge Gray is heard to state tersely by Mr. Rampton that his team's sotto voce "reactions" to my speech are undesirable.

I finish exactly on time after five hours, at 4.30 p.m. Then it is all over: the drama, the stress, the strain, the sleepless nights. For a while the judge addressed legal matters; Rampton acknowledged we had made a week's advance warning of the day that judgment would be given. I am the only unsettling thing about today: that Mishcon's staff, who have been brought in to the Courtroom as a treat, are in such corporate good humour. The press pack are waiting in the Strand as I emerge. It is a pity Bentel is still so ill. She would have really wowed these press hounds, but she's a very private person and even more so now.

This is my message to The Gang: Gentlemen - Today was the day of final judgment. The Courtroom was packed with 200, standing-room only round the walls, around 70 journalists from all over the world; I handed out 200 copies of my speech and nearly had my clothes torn off by journalists trying to get it.

Mr. Irving, if he will only learn from this case, still has much that is interesting to tell us. - Sir JOHNNIE KEGAN, The Daily Telegraph

Sir John's courageous article from which the above is extracted appeared on Apr. 12, 2000 - the morning the London press was filled with Judge Gray's extraordinary verdict. It was reprinted in newspapers around the world including Le Temps (Italy), Le Monde (France). It caused outrage elsewhere.

The News That David Irving Has Lost His Libel Case and - my part in his downfall

By John Keegan

D efence Editor

T HE news that David Irving has lost his libel case will send a tremor through the community of 20th-century historians. For more than a year now, the gossip between them has been about whether he would lose or not, a subject on which all hedged their bets. "It depends whether the judge goes for Holocaust denial or slurs on his reputation," was the general view. "If the first he'll lose, if the second he might get away with it." This was not an answer. But it was clear that Prof. Lipstadt's accusations of his bad historical method. That was what he cared about and he was extremely well prepared.

As the trial date drew near, a judge was nominated. "What would you do if you were in his place?" he was asked. I thought for a moment, and said I would not give up my opinion of Prof. Lipstadt's work. I had praised, and would praise again, Irving's extraordinary ability to describe and analyse Hitler's conduct of military warfare, which he did write about during the Second World War. That did not imply endorsement of Irving's view that Hitler did not "know" about the Holocaust until October 1943. That view was "perverse", I said.

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The Daily Telegraph

David Irving “has many of the qualities of the most creative historians. He is certainly never dull. Prof. Lipstadt, by contrast, seems as dull as only the self-righteously politically correct can be. Few other historians had ever heard of her before this case. Most will not want to hear from her again. Mr. Irving, if he will only learn from this case, still has much that is interesting to tell us.” - Sir JOHN NIGEL, THE DAILY TELEGRAPH
April 10, 2000

Gorgeous drive up the Keys to Miami. (Sunday) I finish packing for London. (Saturday) A tropical downpour in Key West, Florida. Lawrence M., my Harvard lawyer, 10:15–30 p.m. long call from A.

* According to an item in The Times, Apr. 12, 2000, in fact they did try (see panel on page 6).

April 8, 2000

(Key West, Florida) (Saturday) A tropical downpour begins. Heigh-ho. Looks like a darling of a week is brewing.

April 9, 2000

(Sunday) I finish packing for London. This message goes to Fox TV Network: “I am flying back to London today from Florida. I have refused all other interview requests including esp. the BBC and ITV. Paula Zahn got her request in under the wire. She is in a trance, which may turn into a mania with costs from the publisher. My friend who attended the Court yesterday, I give everybody the same answer: no interviews, whatever the verdict. First I assemble the new bike I have carried back from the USA for Jessica. At three p.m. she and I leave by taxi to the High Court. I am concerned to see new roadworks outside the Law Courts, with a temporary barricade running along the kerbside; even more disturbing, there are piles of half-bricks and paving stones flanking the main entrance, which may turn into ammunition tomorrow if the Lumperproletariat turns out. The judge’s clerk brings the ring binder with the Judgment down to me. Jessica gapes at me. I say: “No interviews!” strangely, he seems to know the outcome, because he asks if I will be appealing in a certain event. 6:03 p.m. A. phones: I discuss the legal implications with him. I must analyse the judgment in detail to see where I have prevailed – Rampton will almost certainly ask for an Order for costs immediately. 6:25 p.m. Lee Levitt of The Jewish Chronicle phones; he gets the standard response. Around nine p.m., a courier brings from Davenport, Lyons, a two-inch thick sheaf of their major costs – a sign that they will ask the Court tomorrow to make an Order for immediate payment. This interim assessment alone already totals well over a million pounds. As I leaf through its pages, my eyes are popping with astonishment; it begins. Heigh-ho. Looks like a darling of a week is brewing.

April 10, 2000

(England, Monday morning) Back at Duke Street by midday. I am allowed to pick up the Judgment any time after nine a.m. The phone is ringing all day. I give everybody the same answer: no interviews, whatever the verdict. First I assemble the new bike I have carried back from the USA for Jessica. At three p.m. she and I leave by taxi to the High Court. I am concerned to see new roadworks outside the Law Courts, with a temporary barricade running along the kerbside; even more disturbing, there are piles of half-bricks and paving stones flanking the main entrance, which may turn into ammunition tomorrow if the Lumpenproletariat turns out. The judge’s clerk brings the ring binder with the Judgment down to me. Jessica gapes at me. I say: “No interviews!” strangely, he seems to know the outcome, because he asks if I will be appealing in a certain event. 6:03 p.m. A. phones: I discuss the legal implications with him. I must analyse the judgment in detail to see where I have prevailed – Rampton will almost certainly ask for an Order for payment of a percentage of the costs immediately. 6:25 p.m. Lee Levitt of The Jewish Chronicle phones; he gets the standard response. Around nine p.m., a courier brings from Davenport, Lyons, a two-inch thick sheaf of their major costs – a sign that they will ask the Court tomorrow to make an Order for immediate payment. This interim assessment alone already totals well over a million pounds. As I leaf through its pages, my eyes are popping with astonishment; it begins. Heigh-ho. Looks like a darling of a week is brewing.

March 16, 2000

(Thursday) 10:14 a.m., a phone call from Thomas Kielinger of Die Welt, asking where he can see the Schlegelberger Document. I give him the Website reference. He uses that Website has become. He says the date for Judgment has been fixed at Apr. 10, from what Mschon told him on the way out. That is news to me. The Iews are trying to get at Michael Mills, who has provided me with such help.

An article entitled, “IRVING’S CASE GETTING AID FROM AUS- SIE – MILLS, A CIVIL SERVANT, PLAYING A ROLE IN TRIAL” appears on page one of the Mar. 10, 2000 issue of the New York Jewish Forward. According to this newspaper, “a subscriber to H-Holocaust [an Internet discussion group], Gabriel Schoenfeld of Commentary magazine, recognized Mr. Mills as the [source].”

A controversy has now erupted in Australia with leaders of the Jewish community calling on the government to reprimand Mr. Mills. And then they wonder where the hatred comes from.

Missile Attack is Early Warning Arriving with Washington Post bureau chief Tom Reid, right, at the High Court to hear Judgment in the case, David Irving is bombarded with eggs by hired hooligans and supporters of U.S. scholar Lipstadt (am). His Lordship has asked me to reply thanking you for taking the trouble to write.... In a convenient effort to keep track on the trial, you may find Mr. Irving’s Publishing Company’s web-site (www. fpp.co.uk) as a comprehensive source of information through the AR section.

An extraordinary letter. I have suspected for some time that Judge Gray is privately reading my Website, and perhaps even the Radical’s Diary that I post on the trial...
April 11, 2000

Not a nice day, at all. Up at seven a.m.; I stand in drizzling rain at the bus stop by Selfridges. Tom P. Reid of The Washington Post jumps off a No. 6 bus and invites me to share a cab down to the High Court. As the cab grinds its way through London traffic, he asks what I shall do if it turns out I have lost: I tell him I already know the result – “I am indestructible.” He then: “I am indestructible.”

April 12, 2000

The first round is over, but it is still a strenuous day. Up at six a.m., to do the BBC’s Breakfast TV, Lipstadt and her lawyers have understood in this morning’s press as spitting fury that I am now being seen and heard on every television screen for years they have successfully prevented it – and now this! They won’t like to see today’s print media then – the Breakfast TV news bulletin is introduced with the words: “One story dominates the front pages of every national newspaper in Britain today...”

Back to Door Street at 8:30 a.m. The phone rings all morning every thirty seconds, every line is lit up. I ignore them until 12:45 p.m. – it is BBC Question Time asking if I can do their programme in Edinburgh tomorrow. – Yes. (Later today they cancel on a pretext, citing impossible difficulties.) The immense press coverage continues. Front-page headlines in every main broadsheet, with photographs, special pull-out sections, and interviews.

I HITS ME, THAT IS THIS JUST as though I have died. I now know what the obituaries will say, if I ever do. But I feel curiously immortal. Nothing even remotely resembling an aura of doom hangs over me.

6:30 p.m. a reporter from The Independent, Juila Stuart, wanders her way in; a plumpish female in a green cardigan. She wants really to see Benté, but I prod her then about Jose- phine’s death. She is never out of my mind. I now know what the obituaries will say, if I ever do. But I feel curiously immortal. Nothing even remotely resembling an aura of doom hangs over me.

7:45 p.m. My son, Martin, invites me to share a cab down to the High Court. As the cab grinds its way through London traffic, he asks what I shall do if it turns out I have lost: I tell him I already know the result – “I am indestructible.” He then: “I am indestructible.”
Money FROM PAGE 1

a dirty war to destroy my livelihood by putting secret pressure on my publishers like T he Viking Press, St. Martins Press and Doubleday, Inc.

My pre-trial offer to Lipstadt and Penguin (twice, in writing) was to end the action if they confidentially paid $7500 to a charity for the limbless in memory of my daughter.

During the trial itself I furthermore twice guaranteed to end the trial and accept defeat if they would fly to Auschwitz and bring back photographs of the apertures in the roof of the “gas chamber” (K rema II) through which they said the cyanide crystals were poured in. (T hero is still there; but not the holes).

The defense lawyers fighting this action have so far spent $6m. T he New York Times, Lon don J ewish Chronicle and T he Sunday Telegraph reported that the funds came from the Ameri can Jewish Committee, Steven Spielberg and E dgar Bronfman.

Since Deborah Lipstadt has denied that the $6m came from “the J ewish community”, we must assume she paid it herself.

There certainly seems to be a lot of money on the table in this fight against the lone historical revisionist like myself – or on one of the tables, anyway.

On the day I picked up Judge Gray’s damning Judgment in my libel action against Lipstadt I also received a list of the payments made to her expert witnesses. I posted them immediately on my Internet Website.

Some people must have rubbed their eyes in disbelief to see that these mediocre British and German scholars were paid upwards of $200,000 each for their testimony: they deserve medals of valor for staying neutral between the contending parties (as sworn to by law) – one of whom had given them this fortune, with prospects of more – Prof. Richard Evans has just accepted a post on the Holocaust art theft panel – while the other had paid them nothing. T he judgment, incidentally, that there were three major lies in Lipstadt’s book:

■ T hat I sit in my office under a portrait of H itler;
■ T hat I am in C arphot with Louis F arrakhan and the I z b ollah leaders; and
■ T hat I damaged the historic glass microfiches containing the G oebbels diaries in the Moscow archives and broke an agreement with them.

H ave newspaper readers been told that Judge Gray also found both that I am not “obsessed with racism”, and that given that Lipstadt or her allies have done their utmost to destroy my career, it can not be termed “anti-Semitism” when I criticise them for it.

Oh, and he also referred to my record as a military historian in glowing terms: the odd thing is that, in his Judgment, and because he is so advised by the “experts”, I suffer a monstrous and malevolent blind spot when it comes to my critique of Holocaust history – the numbers, the methods, and whether H itler ever ordered it or not.

Well, that is what the appeal courts are for. T he world’s press began squirting slime over me weeks before the judgment was announced. Even the British press did so, heedless of the laws on contempt. Gray, a brand-new judge, had his entire career still before him; but his seniors, the judges of appeal, have theirs largely behind.

It may well be that Prof. Lipstadt is in for a nasty fall, and that many of those journalists around the world who scrambled onto the bandwagon will come to regret that they did not use ink of a softer hue.


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