

Prof. em. Dr. Ernst Nolte

Gerhard Scheerer  
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To whom it may concern.

My name is Dr. Ernst Nolte. I am a retired professor for recent history at the Free University (Freie Universität) of Berlin. I have published a series of books about the history of the 20th century, among them „Der Faschismus in seiner Epoche“ 1963 (English under the title „Three Faces of Fascism“ 1965 in London and 1966 in New York) and „Der europäische Bürgerkrieg 1917-1945“ 1987 (The European Civil War 1917-1945). I am not a specialist for the „Holocaust“ but sufficiently informed to categorize myself as a so-called intentionalist within the „exterminationist“ direction. I am not related to Mr. Gerhard Rudolf - Scheerer and do not know him personally. I even had some reason to bear a grudge against him, because several years ago he published a brochure under a pseudonym which had a title that could easily be misunderstood and which heavily criticized my position (Manfred Köhler :“Professor Nolte : Auch Holocaust Lügen haben kurze Beine“ (....: Even Holocaust lies have short legs). I do nevertheless desire to answer the question he asked me, since in my view it is a matter of great importance, i.e. the question whether there is any political persecution in contemporary Germany.

In principle it should be possible to decide this question from an American point of view by replacing it with a more concrete question : In the USA, does there exist an equivalent to the updated section 130 of the German Criminal Code, threatening those with a punishment of up to five years imprisonment who publicly or in writings „approve, deny or trivialize.....an act of § 220 para 1 (genocide) committed under the rule of National Socialism“? I consider this law to be extraordinarily questionable, because it is a special law which does not address genocide in general, but only a particular one (the „Holocaust“). Additionally, it uses terms which cannot be defined unequivocally. For instance : is somebody „trivializing“ the NS genocide who puts „Auschwitz“ in relation to the „GULag“? Is somebody „denying“ Auschwitz who considers certain witness accounts regarding the „gas chambers“ to be untrustworthy?



It should be remembered that during the seventies and part of the eighties, the so-called „radical decree“ was in force in Germany, which barred those candidates from public service who had been active in a communist or leftwing radical way. It is well known that in these years, the Federal Republic of Germany was engaged in a hard confrontation with the communist regime of the German Democratic Republic. Nevertheless, this decree was massively, and finally successfully, attacked by a large part of the intellectual public. It was considered as self-evident that this decree encompassed „political persecution“. If this decree, which barred the access to certain professional positions, was „political persecution“, then, in my opinion, a law threatening with an unusually harsh punishment of up to five years anybody who expresses publicly certain judgments or opinions, fulfills this prerequisite all the more. And as far as I am informed, the number of resulting criminal cases and prison terms, going into the thousands, is by far higher than the number of those persons who, in the past, were excluded from public service as a result of the "radical decree“.

It has to be conceded that this law supposedly exempts „scholarly research“ from prosecution and thus is not to restrict the principle of „freedom of science“. However, „truth“ is no criterion of being scholarly. If incorrect or half-correct statements as well as insufficient arguments would not be permissible, no scholarly life would exist any longer. Therefore, the criterion must be the obedience to certain methodic maxims, e.g. like the citation and emotionless discussion of opposing opinions.

Mr. Rudolf-Scheerer has edited a book which was published in Germany several years ago under the title „Grundlagen zur Zeitgeschichte“ (Foundations for Contemporary History) and which just appeared in the USA under the title „Dissecting the Holocaust“. In Germany, this book was banned and confiscated, even though it fulfilled the formal criteria of being scholarly. If, as a consequence of the constitutional law, such a prohibition would not be possible at all in the USA, then this German prohibition would not only indicate a political, but additionally an anti-scientific prosecution.



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This question can be answered in the USA alone. As hard as this assessment is for me, I feel compelled to articulate the following sentence as my personal opinion : Political persecution does exist in Germany indeed, and even serious violations against the principle of freedom of science. In my view, Mr. Rudolf-Scheerer's application for political asylum seems to be well founded.

A handwritten signature in black ink, appearing to be 'E. Nolte', written in a cursive style.