

Germar Scheerer
A-#: 78660016
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Political persecution in the Federal Republic of Germany

German certified chemist Germar Rudolf Scheerer has applied for asylum in U.S.A., pleading political persecution in his native country. He has asked me, in my capacity as a university Law Professor (emeritus), to furnish a brief report of the abominable treatment dissenting people are currently subjected to in today's Germany.

Introducing myself, it may suffice here to state that I was born in 1929, and that the whole of my professional life has been devoted to law studies. I graduated in 1960 from Lund University's faculty of law, was appointed Assistant Professor in the same year (from 1965 as a full-time researcher), and held the university's professorial chair in tax law during the period 1974-93.

After my retirement I have spent most of my time trying to arrive at an overall picture of 20th-century history. In doing this, my attention has increasingly been concentrated on World-War-II revisionism, not least that section of this field that is commonly called Holocaust revisionism. Revisionism in itself (that is, a critical reappraisal of earlier research) is of course a quite normal feature in historical research (as indeed it should be in any true research), and may indeed be said to form a basic prerequisite of any significant advances in historical scholarship, especially in the study of traumatic armed conflicts like the two world wars during the former half of the 20th century. For political reasons, however, this process has been drastically delayed or obstructed as far as WW2 is concerned, which accounts for the appalling persecution, in many Western countries, of WW2 revisionists during the latter half of the century.

Having now for a considerable number of years critically followed the English- and German-language scholarly literature of Holocaust revisionism, not least the two leading journals in the field, viz., *The Journal of Historical Review* and *Vierteljahreshefte für freie Geschichtsforschung*, I can only honestly certify that the revisionists do seem to have a case, and that they most certainly deserve to be taken seriously and to be admitted into the current scholarly debate from which they have so far been excluded (an exclusion, in my opinion, that is a disgrace to the universities and to the scholarly establishment).

However, as far as the mere question of the freedom of speech is concerned, a true conception of truth and reality is not a prime concern (quite apart from the problem of finding any acceptable authority capable of deciding for us what truth and reality actually are in each particular instance!). Far more to the point is the question of the dissenters being in good faith or not. Indeed, this may be said to be the only relevant question. Frequently also such qualities as accuracy and objectivity, and a desire to arrive at the truth quite independently of any political, ideological, and religious bias, are postulated in this context. Again I am unable to find any significant failure whatever on the part of current revisionistic scholarship as far as all these qualities are concerned.

The legal persecution of Holocaust revisionists, especially in Germany, Austria, France, Switzerland, and Poland, has already precipitated a most considerable literature in the human-rights field. In the last three decades an alarmingly large number of brave scholars and scientists have been convicted of heresy and sentenced either to pay ruinous fines and damages or to serve long prison terms. In order to escape such punishments many of these unhappy persons have fled abroad, and the present Germar Rudolf Scheerer is one of these.

True, the German constitution does have a freedom-of-speech paragraph (no. 5), which is however efficiently restricted by the penal law's paragraph 130, according to which it is punishable to deny or palliate (*verleugnen oder verharmlosen*) genocide committed by the Nazis. Maximum prison sentences for this kind of offence are five years (in Austria ten years). Any effort in court to prove the defendant's point is routinely rejected as irrelevant, with reference to a high-court precedent establishing once and for all that the gas-chamber genocide is an obvious

fact (*offenkundige Tatsache*) beyond any possible need of proof or further discussion. It may be added here that even the defence counsel are openly threatened with prosecution in case they dare to question this ridiculous postulate!

Furthermore, the German courts themselves are not allowed that degree of independence they should of course be entitled to. Judge Orlet in Mannheim was thus summarily dismissed from service after having given revisionist Günter Deckert merely a suspended sentence, and his assistant judges were forced to report themselves sick. After that, German judges tend to display an irresponsible docility in extensively interpreting the hazy legislation according to the prevailing political climate. On 6 May 1997, revisionist author and publisher Udo Walendy was even convicted (by a Herford court) to a prison sentence for something that he had *not* written, Judge Helmut Knöner having found that Walendy had not knowingly published lies but rather had broken the law by publishing "one-sided" history that did not give sufficient attention to alternative interpretations!

The inescapable sad fact is that Germany has more and more receded from the basic principles of a Western democratic state governed by law. Citizens are arbitrarily arrested and prosecuted because of their factual or alleged political, scholarly, or scientific opinions. A not inconsiderable number of Germans have gone into exile in order to escape punishment. Censorship holds the nation in a firm grip. There is a terrifyingly long German "index" list of confiscated and prohibited literature. Since the press is unable and apparently also unwilling to perform its normal and basic duties in a democratic society, there is no way of creating a public opinion against the ongoing violation of justice. In those few cases that are brought to public attention, the public does not even bother to react, the victims having been demonized by the current propaganda as "Nazis" or "hate-mongers" (which of course they are not).

It is therefore imperative that those few courageous scholars and writers who really stand up against all this repression and persecution are given proper help when they turn to the outside world in order to seek aid in their commendable fight for freedom, truth, and genuinely democratic values. Young Germar Rudolf Scheerer is one of these, and one of the most accomplished. He has now turned to the United States, with their famous

First Amendment law, in order to be able to continue his peaceful life of research, scholarship and publishing on urgent historical matters without being harrassed by censorship and intolerant governments. Having for more than ten years carefully studied his many writings and publications I can testify to his being not only a reliable and balanced scientist and scholar, with a real zeal for truth, but also a man of honour and integrity, with a character that will truly make him a pride of the great nation to which he has now confidently applied for protection.

Simrishamn, Sweden, 21 November 2000

Göran Englund

Professor Dr. Göran Englund
Skepparegatan 5
SE-272 31 Simrishamn
Sweden

I, the undersigned Notary Public in and for the District of Simrishamn, Kingdom of Sweden, do hereby certify that Professor Dr. Göran Englund personally appeared before me and did sign this document.



Simrishamn, November 27, 2000

Katarina Åkesson
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