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TRANSLATION OF STATEMENT OF DR. MEIER

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SUBJECT: Repression of Free Speech in Germany

I was born in North Germany in 1925. As a young man I endured both the Nazi dictatorship and the Second World War. As a result of my experiences, I developed a keen sensitivity to any and all restrictions on free expression. Since then it has always been my firm conviction that democracy is unthinkable without freedom of expression. For this reason, Article 5 of the Basic Law of the Federal Republic of Germany has great significance for me. Article 5 clearly states: "Everyone has the right to freely express his opinion orally, in writing and in art ... Censorship shall not exist here... Art and science, research and instruction shall be free."

During my career as scientist, college instructor and industrial manager I spent a great deal of time in foreign countries, especially England and the USA. These sojourns gave me ample opportunity to re-enforce my convictions from my own observations. It was not until my retirement in 1990 that I had sufficient leisure to direct my attention to the situation regarding freedom of expression in Germany.

To my amazement I discovered that research and discussion on the subject of Nazi Germany and World War II had come to an end with the so-called "Battle of Historians." Instead of scientific efforts to create the most complete historical picture possible (by means of freely expressed opinions both correct and incorrect), a dictatorship of politically correct opinion has developed. The opinions of the so-called Revisionists, which formerly might have been criticized on moral grounds, are now repressed legally as "Incitement of the Masses" and prosecuted with ever increasing severity. The investigations of the American specialist, Fred Leuchter, provided the stimulus for the first climax of persecution.

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As recently as 1990, the Federal Justice Ministry had assured Mr. Leuchter's publishers, in response to inquiries, that the Leuchter report is a scientific manuscript and legal prosecution would therefore not be considered.

As early as 1992 however, the college instructor Deckert, who had served as translator at one of Leuchter's lectures, was sentenced to several months' incarceration. His defense attorney, the lawyer Bock, was fined on account of a motion which he filed in the normal course of Deckert's defense during the trial. And the judge, who had initially opted for a suspended sentence, soon found himself forced into early retirement, following massive political intervention. Even Leuchter was arrested and charged with criminal behavior. Deeply disturbed, I have followed the subsequent trials with great interest, particularly those of the diploma chemist Germar Rudolf, the diploma historian Udo Walendy, and, most recently, the trial of the Australian Dr. Fredrick Toben.

The German Justice Ministry has followed the same format in every trial: The defendants are accused and summarily convicted for statements which, in the opinion of the court, raise questions about crimes of which Nazis have been accused.

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It is emphatically forbidden to discuss these statements, or to determine whether they are factual.

In order to receive a sentence of many months' incarceration nothing more is required than that defendants should contradict some vague but politically correct account of history, even though the defendants' statements may be objectively presented and scientifically proven. In the case of Dr. Toben the prosecutor and judge were not hampered by the fact that the accused was a citizen of Australia expressing his opinions from Australia via the Internet and the presumed infringements had no legal relevance. Freedoms guaranteed in Australia were denied in Germany.

In all these cases, a blanket media campaign has accompanied legal repression. Those targeted are suspected of "rightwing extremist opinion," thus branded moralistically. Drastic punishment is imposed based upon political policy and public opinion. The media report only the verdict and tell us nothing about the statements which prompted the trials. Publishers, authors, translators and even typesetters who dare to stray from the official line find themselves suspected of "rightwing sympathies." They are

subjected to verbal and physical abuse and have “Nazi” smeared on their automobiles, houses and fences. Their offices and publishers are targets of nocturnal vandalism. Even banks and savings institutions join the fray. They terminate services to the new pariahs on flimsy pretexts, withhold business relations and refuse accounts.

That we are not dealing with isolated instances is evident from the fact that in the Federal Republic from 1994 to 1997, a total of 17, 207 prosecutions of so-called propaganda offenses were carried out. The list of prohibited books and magazines is quite long but it is not public. Offending literature is confiscated and destroyed by the ton but one hears nothing about it in the news media.

In summarization After a decade of heightened attention to contemporary questions and political problems, I see that the constitutional rights anchored in our Basic Law, freedom of opinion and expression, are severely limited. The same is true with regards to judicial independence in Germany, as opposed to picayunish argumentation. Nonconformists are politically repressed here. The desperate nature of the situation was recently revealed in the fate of university Professor Dr. Werner Pfeiffenberger. By coincidence he was caught in the fire of the media and courts on account of candid remarks he made concerning the present climate of terror. In order to escape further persecution he committed suicide in May of this year.

Sir Leon Brittan, the British commissioner to the European Union, is credited with the quotation: “If we ever have laws which prohibit us from saying what we want to say, even if what we say is obviously wrong, then God help us!” In Germany we now have such laws. Our citizens are being relentlessly prosecuted without regard to the correctness of their statements. Such governmental behavior is totally incompatible with the democratic rule of law.

Let us hope that a tolerable escape from this dilemma can still be found.

Königsbronn, 22 November 2000.

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TRANSLATOR'S AFFIDAVIT:

I CERTIFY THAT I POSSESS EXPERT COMPREHENSION OF BOTH THE ENGLISH AND GERMAN LANGUAGES AND THAT THE ABOVE IS A TRUE AND ACCURATE TRANSLATION.

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