

## **Questionable Case Against David Irving's Sentence**

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David Irving is a British historian known, if not famous, for his views that the Holocaust did not occur and that Adolf Hitler did not preside over a systematic attempt to exterminate the Jews in Europe. At 67, David Irving has long held controversial views, like one view that the destruction of Dresden (Allied air raid in 1945 and the title of his 1963 literature) was the worst single massacre in European history. In 1989, during his lectures given in Vienna and Loeben, he claimed that gas chambers in Auschwitz never existed and denied that Nazi Germany killed millions of Jews. His radical views were looked upon with such disdain that he was deemed persona non grata in South Africa, Canada, and Australia.

The 1989 controversial finding (That millions of Jews were not killed and that there were no gas chambers) resulted in his arrest in 2005. He was charged and prosecuted for denying the Holocaust and was sentenced to a three year imprisonment on February 20, 2006 by a Vienna Court. The prosecution is asking for a harsher sentence while Irving is appealing the current one. The case will no doubt draw opinions and criticisms from generations to come especially in discussions over the issue of free speech.

Incidentally, Irving somewhat recanted his denial of the Holocaust during the trial in Austria even though he downplayed the severity of brutality in Auschwitz. While in prison, where he's being confined twenty-three hours daily, he accepted the notion that 1.4 million were killed in "Operation Reinhard" camps that included Treblinka and Sobibor, although denying that large numbers of people were murdered in Auschwitz. He was also quoted by BBC News as saying, "given the ruthless efficiency of the Germans, if there was an extermination program to kill all the Jews, how come so many survived."

Austria is one of eleven countries that prosecute those who deny the Holocaust (Belgium, the Czech Republic, France, Israel, Germany, Lithuania, Poland, Romania, Slovakia, and Switzerland being the others with similar laws against such a denial). In much of the Western culture (e.g., the United States and Great Britain) where free speech is of great importance (and some will argue that free speech should be absolute and that it is), the Irving sentence will be looked upon by many as unjustifiable. Indeed, David Irving did not commit murder or engage in any major offenses other than his aforementioned denial (as least as far as it is known). He's simply a historian with controversial and even unfounded viewpoints. He deserves ostracization, criticism, ridicule perhaps, and even a degree of backlash but to imprison an ignorant may be inhumane in and of itself.

Many will pose a counterargument that free speech is not so absolute nor should it

be. They argue that David Irving is a historian with outrageous findings, but he's denying (and now downgrading) the unique, policy-oriented series of events of the Holocaust that continue to change and affect the face of mankind. The sensitivity over the Holocaust cannot and should not be overlooked, for not only the number of lives perished in unprecedented levels, but one shall remember the extent of its popularity and justification among many sections of the population in Germany and beyond. Jews were indeed hated and scapegoated for a number of problems Europe was experiencing at the time. When they felt intense anger and vulnerability, as in Germany during the 1920s, they found others to blame for their troubles. In Hitler, Germany found a leader of great charisma and cunning to exploit those emotions and gear the people's vulnerabilities to a tragic direction. The atmosphere was so intense and uncertain that people in Nazi Germany did not realize that was really happening and what was going to occur. Hitler and his cronies took advantage of that state of mind.

The issue remains whether imprisonment for Holocaust denial is justifiable and even valid. It's not a necessary answer in fighting such a denial or fighting racism and hatred in general. While free speech should be discretionary and not absolute, imprisoning a person with wild and even absurd viewpoints will not necessarily solve the problem of denial.

While these views cannot and should not be legislated, the most effective weapon against ignorance and hatred is education. In fact, Holocaust museums and museums of tolerance have been built, visited, and recommended for those that yearn to understand how mankind can grow from the horrors of the past. The justice system, such as in the United States for instance, even orders people charged with hate crimes to visit the museums to help change their ways and their mindsets. Educating those consumed by hatred takes time and is not always a guarantee, but it involves more creativity than mere imprisonment and it provides hope for change within the inner-beings.

Countries, especially those directly affected by the Holocaust like Germany and Austria, should have the right to deal with the affects of the Holocaust in ways they see fit in their efforts to prevent another one. They should also have the right (and even a duty) to look at the Holocaust and other incidents of genocide with a different kind of sensitivity from nations that never quite match in scale. But imprisonment, while it may have an effective deterring affect on some people, is not necessarily a sensible answer in combating ignorance.

It is a matter that goes much deeper and it should.