

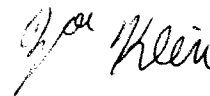
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Audience Analysis

The audience for this essay consists of American citizens who support federal bowdlerization of Holocaust denial materials. Seemingly, those endorsing the idea of suppression of the constitutional right to free speech have attained the level of education to present a knowledgeable judgment on the matter. This audience occupies no age restrictions; everyone in the United States is entitled to free speech and expression under the First Amendment, regardless of how old. My thesis serves to show the opposing side the advantages of unrestricted Holocaust denial expression and the ultimate detriments and challenges that censorship of free speech presents. Those reading it may range from concerned parents of young children who are vulnerable to acceptance of new ideas, or simply citizens who do not see the point of allowing hate speech to circulate the country. Essentially, the audience expresses an ideological inconsistency: they wholeheartedly identify themselves as Americans who strongly support the freedoms that the United States provides; however, they remain fearful of unlimited First Amendment rights. This essay provides a refutation to their beliefs in hopes of increased support for universal free speech within the United States of America.

I pledge on my honor that I have not given or received any unauthorized assistance on this

assignment.



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“The proposed interpretations of extermination are obvious lies...The Jews of Europe were not exterminated, and there was no German attempt to exterminate them” (316), infamous Holocaust denier, Arthur Butz states in his work *The Hoax of the Twentieth Century*. These claims of denial are utterly abominable; however, they do not stand alone. Holocaust denial in the United States stands an ever-present movement and continues to grow with each publication of immense propaganda. Though the Holocaust denial movement presents malicious, bigoted contentions, the United States government must uphold the inalienable First Amendment rights of free speech and expression.

Because of the rights illustrated by the First Amendment, “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances,” hate groups in the United States are entitled to articulate what they please about the Holocaust and its debated occurrence, with very few exceptions. Usually, those who deny the Holocaust believe one of two things. They publicly assert that either the genocide never occurred in the first place or the details pertaining to the deaths are skewed immensely. The latter, concerning detail, consists of three major claims. The first argument refutes the notion that the Nazis targeted the Jewish people, specifically, for mass extermination. Second, deniers believe that the estimated number of deaths, approximately six million, is vastly exaggerated. The last conviction claims that the Nazis never utilized gas chambers and crematoria as execution methods. To the educated ear, these arguments indicate

preposterous, easily detectable lies; however, free speech laws do not exclude those preaching to vulnerable, easily-swayed audiences.

One of the first men to spread Holocaust denial claims in America was Harry Elmer Barnes, a history professor at Smith College. Largely influenced by the French Holocaust denier Paul Rassinier, Barnes states in his 1966 essay, titled "Zionist Fraud," "The courageous author [Rassinier] lays the chief blame for misinterpretation on those who we must call the swindlers of the crematoria...politicians who derive billions of marks from nonexistent, mythical and imaginary cadavers, whose numbers have been reckoned in an unusually distorted and dishonest manner" (Atkins 146). Barnes, a steadfast anti-Semite, asserts that the so-called gas chambers and crematoria in the death camps were simply built after the war ended to qualify Jewish claims. Additionally, like many, Barnes contests that the Holocaust was a crutch on which the State of Israel leaned as it became an independent Jewish country. Barnes and Rassinier helped set the tone for subsequent Holocaust denial with their particular contempt for the Jewish state, its supporters, and the Jews in general (Lipstadt 80).

Over a decade later, in 1979, Holocaust denial in America not only persisted, but became a stronger, more popular movement. Willis Carto, an infamous, extremist anti-Semite, founded the Institute for Historical Review. Soon after establishing the Institute, Carto and his colleague, William David McCalden, sent out a challenge to Holocaust survivors around the nation. The two offered \$50,000 to any man or woman who could prove that gas chambers were the main means of extermination during World War II. Carto and McCalden asked claimants for their ethnic origins, the dates of their internment in any concentration camp, and the exact date and

location of any gassing operations they witnessed (Lipstadt 138), a challenge not impossible, yet exceedingly complicated to respond to. The challenge was only one of the twisted events on the Institute's agenda. Today, the Institute stands responsible for holding denial conferences and publishing a plethora of Holocaust rejection material. In his work, *Holocaust Denial*, author Kenneth Stern expresses, "The IHR is the spine of the international Holocaust denial movement...the IHR's influence now is only a fraction of what it will be" (10). It seems the hits will never stop coming. Despite the continuous attempts to revise history, however, federal involvement through censorship of Holocaust denial claims is not the answer and the freedom of speech must remain unaltered.

First Amendment rights must prevail for several reasons. The traditional justification for viewing the U.S. Constitution's First Amendment guarantee of free expression as virtually absolute—the exceptions are few and narrow in scope—is to encourage an open and unfettered exchange of ideas (Lasson 243). Freedom of speech is the perfect means for maintenance of a diverse, well-rounded academic environment within American society. Citizens' exposure to a broad spectrum of ideologies, even if they are negatively outrageous, serves as an intellectual challenge and a positive educational experience. Full disclosure of Holocaust denial and, consequently, the issues of historical revisionism and falsehood, addresses the importance of revealing the inconvenient truth – the truth that hate does exist, that is. Citizens of the United States must hear the wrong, iniquitous assertions which circulate the country in order to avoid ignorance and know what is right. In their work, *Anti-Semitism: Myth and Hate from Antiquity to the Present*, authors Marvin Perry and Frederick M. Schweitzer effectively express:

Rather than being granted a forum, the deniers should be exposed and studied as living examples of the enduring strength and danger of mythical thinking, another demonstration of the inability of the mind to predominate over the dark and mysterious forces of the irrational, another reminder of the capacity of Jew-hatred to warp judgment and pervert morality. Exposing and condemning these hatemongers and charlatans constitute a victory for reason and humanity and a vindication of memory (212).

Evidently, the aforementioned “unfettered exchange of ideas” provides citizens with the chance to make well-informed decisions about their respective beliefs and loyalties. Without this open environment, the American society would largely consist of one-sided, narrow claims instead of a range of multi-faceted dogmas.

Additionally, the trial of Holocaust denier David Irving provides insight to the dispute of upholding First Amendment rights. In Austria in 2005, under the law that prohibits denial of the Holocaust, officials arrested Irving for making light of the horrors committed against the Jewish people. His case is emblematic of the quandaries that censorship presents. Author Michael Shermer writes in the *Los Angeles Times*, “Freedom is a principle that must be applied indiscriminately. We have to defend Irving in order to defend ourselves. Once the laws are in place to jail dissidents of Holocaust history, what's to stop such laws from being applied to dissenters of religious or political histories, or to skepticism of any sort that deviates from the accepted canon?” (para.10). Surely most citizens do not agree on one set of religious or political ideals. The First Amendment protects the right to publicly disagree and act accordingly without negative legal consequences. This right is one reason that the United States is referred to as “the melting pot;” the country holds the status as a home for Christians, Jews, Muslims, and

Buddhists alike. Thus, being tolerant when you are in the believing majority means you have a greater chance of being tolerated when you are in the skeptical minority (Shermer para. 9). In concurrence, anti-Nazi theologian, Martin Niemöller, sadly relates his poem “First They Came...”:

“In Germany they came first for the Communists,
and I didn't speak up because I wasn't a Communist.
Then they came for the Jews,
and I didn't speak up because I wasn't a Jew.
Then they came for the trade unionists,
and I didn't speak up because I wasn't a trade unionist.
Then they came for the Catholics,
and I didn't speak up because I was a Protestant.
Then they came for me,
and by that time no one was left to speak up.”

Niemöller reveals the ultimate dangers of repressed speech and, by default, acknowledges the magnitude of indubitable First Amendment rights in the United States.

Moreover, in many instances, free speech in the United States has resulted in broadening experiential possibility. For example, on August 28, 1963, Martin Luther King, Jr. presented his “I Have a Dream” speech in Washington D.C. This speech, among many others, was a powerful voicing for the advancement of black rights in the United States. During that period, support for black rights was an aberration from accepted thought. King, however, by means of the First Amendment, delivered his speeches which ultimately brought about the Civil Rights Act of

1964, banning countrywide racial segregation and calling for the right of black citizens to vote. The majority of the country vociferously disapproved of King's ideals; at the time, many considered Dr. King's teachings ultimate blasphemy. Regardless, through freedom of speech and expression, he managed to succeed. Though Holocaust denial claims are nothing like Martin Luther King Jr.'s declarations – they serve to incite increased hate within the country instead of promoting peace and equality – they serve a beneficial purpose in the ways of teaching the discrepancy between positive, progressive thinkers and propagandists with ill intentions.

Furthermore, exposing Holocaust denial claims in their fullest, most explicit existence, serves to inform the country of the detriments of bigotry, the power of hate speech, and the positive influence of speaking out against evil. Author Jacob Mchangama movingly describes in his article, "Censorship as 'Tolerance'":

When the Nazis swept to power in 1933, they abolished freedom of expression. Nazi propaganda became official truth that could not be opposed, ridiculed, or challenged with dissenting views or new information. Such a monopoly on "truth" is impossible in a society with unfettered freedom of expression, where all information and viewpoints are subject to intense public debate. While Germans were being brainwashed into hating Jews and acquiescing to the Holocaust, their Lutheran brethren to the north in Denmark—which maintained a free press until it was occupied in 1940—saved most of their country's Jews from extermination (para. 13).

In this case, suppression of free speech fulfilled the potential to cause tragedy. In the United States, the First Amendment bestows the right to protest and object to behaviors that do not

correlate with the widespread moral and rational majority; this right must remain concrete, for the prospect of nationwide adverse conditions increases without it.

Some believe that censorship of Holocaust denial serves to maintain a harmonious, nonviolent people. Law, however, can play only a limited role in creating a humane and gentle society (Noorani para. 6). People will always vocalize their beliefs, regardless of others' silencing efforts. No clear evidence exists proving that hate-speech laws foster a higher degree of racial and religious tolerance or help eradicate racism, and it is in any case both condescending and oppressive for the government to presume it knows which views and information its citizens can be trusted to express (Mchangama para. 14). In fact, other countries' unsuccessful federal censorship endeavors verify that suppression of free expression is not the correct means of solving the problems that hate speech transmits.

Outside of the United States, governments have attempted to cease Holocaust denial speech through legal action. For instance, in July 1990 the French government passed the Gayssot Law, an act which inflicts punishment on someone who outwardly disputes the authenticity of operations of cruelty towards humanity. This Act served to daunt deniers and threaten their ability to hurt others with their odious speech, and for a short period, it succeeded. Nevertheless, after a dose of improvement, the efficacy of the Gayssot Law began to crumble. French deniers learned to express their messages in coded languages (Kahn 101). This failure of judicial measures reiterates the utter fortitude of humanity to communicate differing views despite the accepted behaviors and thoughts of the majority. Moreover, this evokes the question: does hate speech pose more danger when publicized than in clandestine hate group meetings? Clearly, imparting a medium through which Holocaust deniers can transmit their malevolent

views is the safest, most beneficial means of dealing with the movement. Silencing, or attempting to censor, Holocaust denial material will only move the hatred from a controlled environment to one that is unpredictable and hazardous to society.

Reducing the near-limitless freedom of speech and expression presents other countless issues – namely with regards to line-drawing. Censorship of Holocaust denial negates the intended purpose of the First Amendment. The First Amendment does not read “Congress shall make no law abridging the freedom of good and peaceful speech.” In fact, the rights imply that even arguments that the majority does not support are permitted. Thoughts that are abhorrent to a free society, the argument goes, will wither when aired and fester when suppressed. Moreover, who is to decide which ideas are abhorrent? Certainly not the government, reasoned the Constitution’s Framers (Lasson 244). Censorship, in essence, calls for the removal of “unsuitable” materials from public media. But which claims cross the line of “inaptness”? The determination of which expressions are “hateful” or “derogatory” is highly subjective; the atheist and the fervent believer are unlikely to agree on where the limits of religious satire should be drawn (Mchangama para. 10). So, too, the discrepancy between blatantly hateful Holocaust denial speech and a less belligerent, curious inquiry is quite ambiguous.

The refusal to recognize the Holocaust as an authentic, legitimate part of history still exists today, and people must counteract it by means of education – not confiscation. In order to combat Holocaust denial and the grievances it presents, humanity must not only stay informed, but active as well. Alas, the era when the few remaining survivors are passing away is approaching quickly. Without their primary testimony, which is most definitely debated already, opposition to Holocaust denial stands ill-equipped. One must become well-versed with the

various arguments of the aforementioned Harry Elmer Barnes, Arthur Butz, and all other Holocaust deniers, and maintain confidence and evidence to refute them. The United States government must not alter the First Amendment as a sign of weakness, but produce factual counterarguments in strength.

The institution of museums and publishing of various testimonies will ensure that humanity never abandons the mass graves in the Warsaw cemetery, containing those who died due to the vile, inhumane conditions in the Ghetto; or the infamous, fraudulent sign, “Arbeit Macht Frei,” “Work Will Make You Free,” at the entrance of Auschwitz; or the forest of Lopuchowo, outside Tykocin, Poland, where 2,000 Jews were sprayed with bullets until their cries turned to silence and the vast pits in the ground were filled with lifeless bodies. Though the Holocaust denial movement seems intractable, at the end of the day, truth will reign. Expurgation of Holocaust denial speech, however, is not the answer.

Through propaganda and the infectious spreading of fallacious arguments, Holocaust deniers paint a picture of poor, helpless Nazis at the mercy of evil, iniquitous Jews. They illustrate victims with ulterior motives and untrue testimonies. Censorship of these conflicting allegations, however, does not serve as an effective means of protection of historical truth and thought. Americans need not fear, for the *Hoax of the Twentieth Century* is itself a hoax. Historical revisionism exists everywhere, yet, through freedom of speech, citizens identify the falsehood and present it as the quintessence of educational opportunity in the face of evil. Freedom of speech must remain free and, in due course, it is the duty of society to differentiate between deliberate mendacity and ultimate truth.

Works Cited

- App, Austin J. "The 'Holocaust' Put in Perspective." Institute for Historical Review. 1979. Web. 28 Nov. 2010. < http://www.ihr.org/jhr/v01/v01p-43_App.html>.
- Atkins, Stephen E. *Holocaust Denial as an International Movement*. Westport: Praeger Publishers, 2009. Electronic. < http://books.google.com/books?id=M9Uj6u6b-ZIC&pg=PR3&dq=holocaust+denial+as+an+international+movement&source=gbs_selected_pages&cad=3#v=onepage&q&f=false>.
- Butz, Arthur R. *The Hoax of the Twentieth Century: The Case Against the Presumed Extermination of European Jewry*. 3rd ed. Chicago: Castele Hill Publishers, 2003. Print.
- Cohen-Almagor, Raphael. "Hate in the Classroom: Free Expression, Holocaust Denial, and Liberal Education." *American Journal of Education*, Volume 114, Number 2 (February 2008), pp. 215-241, <<http://ejournals.ebsco.com/direct.asp?ArticleID=41EC8BB55E64ABFF9805>>.
- Grobman, Alex and Michael Shermer. *Denying History: Who Says the Holocaust Never Happened and Why Do They Say It?* Los Angeles: University of California Press, 2000. Print.
- "Hate Groups Growing." *America* 200.11 (2009): 4. *Military & Government Collection*. EBSCO. Web. 11 Oct. 2010.
- Kahn, Robert A. *Holocaust Denial and the Law: A Comparative Study*. New York: Palgrave Macmillan, 2004. Print.
- Kelly, Christopher. "Rousseau and the case for (and against) censorship." *Journal of Politics* 59.4 (1997): 1232. *Academic Search Premier*. EBSCO. Web. 28 Nov. 2010.
- Lang, Berel. "Six Questions On (or about) Holocaust Denial." *History and Theory* 49.2

- (2010): 157–168. Web. 5 November 2010.
- Lasson, Kenneth. "Defending Truth: Legal and Psychological Aspects of Holocaust Denial." *Current Psychology* 26.3/4 (2007): 223-266. *Psychology and Behavioral Sciences Collection*. EBSCO. Web. 12 Oct. 2010.
- Levin, Brian. "History as a Weapon: How Extremists Deny the Holocaust in North America." *American Behavioral Scientist* 44.6 (2001): 875-77. Web. 28 Nov. 2010.
- Lipstadt, Deborah E. *Denying the Holocaust: The Growing Assault on Truth and Memory*. New York: The Free Press, 1993. Print.
- Mchangama, Jacob. "Censorship as 'Tolerance'." *National Review* 62.13 (2010): 37-38. *Military & Government Collection*. EBSCO. Web. 30 Nov. 2010.
- Niemöller, Martin. "First They Came..." Hubpages, Inc., 2010. <http://hubpages.com/hub/Martin_Niemoller>.
- Noorani, A. G. "Hate Speech and Free Speech." *Economic and Political Weekly*. 27.46 (1992): 2456. Web. <<http://www.jstor.org/stable/4399116>>.
- Perry, Marvin and Frederick M. Schweitzer. *Anti-Semitism: Myth and Hate from Antiquity to the Present*. New York: Palgrave Macmillan, 2002. Print.
- Shermer, Michael. "Free Speech, Even if it Hurts." *Los Angeles Times*. Los Angeles Times, 22 February 2006. Web. 7 November 2010.
- Shermer, Michael. "The Truth Will Out." *New Scientist*. New Scientist, 15 May 2010. Web. 5 November 2010.
- Siano, Brian. "Dancing with the Fuhrer." *Humanist* 53.5 (1993): 42-44. *Academic Search Premier*. EBSCO. Web. 29 Nov. 2010.
- Stern, Kenneth. *Holocaust Denial*. New York: The American Jewish Committee, 1993. Print.

Taylor Jr., Stuart. "Troubling Signals On Free Speech." *National Journal* (2009): 21. *Academic Search Premier*. EBSCO. Web. 29 Nov. 2010.

"William Hastie Quotes." *Thinkexist.com Quotations*. <http://thinkexist.com/quotation/history_informs_us_of_past_mistakes_from_which_we/331180.html>.