



David Irving's

October 31, 2001 AR#19

ACTION REPORT

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In this issue:

- On July 20, 2001 the Court of Appeal in London refused David Irving permission to appeal against the perverse Deborah Lipstadt Judgment
- He reveals the strategy of his coming new legal battles against the traditional enemies
- Read these dramas here in A Radical's Diary:-



A Radical's Diary

BY DAVID IRVING



Into Battle again . . .

Lipstadt, friends take Six Million Dollar hit

On to the Next Battle

Into action with fight against big U.K. newspaper group

Appeal's unsatisfactory, but expected, outcome

LONDON— The Court of Appeal in London refused in its opinion handed down on July 20 to allow David Irving to appeal against the perverse Judgment of Mr. Justice Gray in the libel action which the historian and writer had brought against the U.S. scholar Deborah Lipstadt and her London publisher.

In a four-day action complicated by the fact that Mr. Irving had had to replace his attorneys for negligence only days before the trial began, his Counsel Adrian Davies put up a courageous fight to persuade the three appeal court judges that they should hear new evidence which would show that the historian was substantially correct on all the historical points raised by the defence.

He also argued that the expert witnesses hired by Lipstadt's team had been unduly swayed by the excessive fees paid to them and by their own evident prejudices against the author.

They were thus incapable of reaching a proper verdict. Although Lords Justices Pill, Buxton, and Mantell at times expressed sympathy with Mr. Irving, and accepted his reasoning on the famous Schlegelberger Document, which conformist historians have consistently hidden from view, they refused permission to introduce the new evidence.

With that procedural decision the appeal collapsed. Lipstadt's costs, which are assessed at Six Million dollars, cannot be recovered as they were paid by outsiders (major Jewish bodies and personalities). Mr. Irving is now pursuing his action against Guardian Newspapers Ltd.

WRITE TO THE ATTORNEY who has been recommended to me, Nigel Adams: "Donors have given \$12,000 cash for the fight already. I hope you have already taken the necessary steps to approach Leading Counsel."

Lady R. reports that the U.S. journalist Don Guttenplan said at his book-launch lecture that Prof. Richard Evans's book, *Lying About Hitler: History, the Holocaust and the David Irving Trial*, isn't coming out in the U.K.: "Heinemann (his publishers) have cancelled it."

Don confirms it: "They backed out due to loss of nerve over libel."

I reply: "It is dripping with libels. Evans appears to have little concept of the law."

I FLY WITH COUNSEL ADRIAN DAVIES from Los Angeles to Washington DC and rent a Grand Marquis. Five p.m., dinner with B. Mysteriously, M. turns up also, like the proverbial bad penny. I have heard that he is of dubious loyalties (*Searchlight*, ADL etc), and I pass a note to Adrian, warning him.

We go to see Andrew Gray, who is now permanently linked to an oxygen line but seems in good colour and spirit otherwise. He writes a cheque for the fight.

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Farewell to two good friends



ACTION REPORT regrets to report the death of two staunch champions of free speech and independent thought. **Douglas Collins** (above), who died in a North Vancouver, B.C., hospital after a brief illness on Sept. 30, 2001, was in the forefront of the battle against the "political correctness police" of the Canadian human rights organisations.

A British-born veteran of Dunkirk (1940), he escaped no fewer than ten times from Nazi prison camps.

Andrew Gray, a thoughtful, witty *bon viveur*, well-known in Washington DC circles, organised several dinners at which David Irving spoke at the capital city's influential Cosmos Club. Gray died on Aug. 31, 2001 after a rare illness which he bore with great fortitude.

WE STILL urgently need support to promote the fight against these enemies

Use the envelope provided, or mail to

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THE LIPSTADT CASE

David Irving explains the fight so far

DAVID IRVING HAS PROVIDED TO SOME of his contributors an inside account of the whole battle to date, the reasons why he is fighting it, and what the future holds:

"It was a deep sense of personal rage that caused me to start this fight.

I launched the fighting fund in Nov. 1992 in Ontario, when the Canadian Government, acting

at the dictate of the Canadian Jewish Congress, ordered me deported. I had visited Canada for 25 years, ever since appearing on the TV show *Front Page Challenge* in 1967.



Canadian barrister Doug Christie, a guest speaker at David Irving's *Real History, U.S.A.*, convention in Cincinnati (SANYA)

Through the efforts of Canadian lawyer Barbara Kulaszka I established that the CJC had

planted libellous reports on me in the Ottawa files. These

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Up at six a.m. breakfast at my regular greasy spoon – opposite the theatre where Abraham Lincoln was gunned down. I josh the Black waitress, who has been there as long as I can remember (30 years or more). Then to National Airport; arrive at Key West at five p.m., and check into front cottage; very grubby and pokey.

E-mail from Nigel Adams: “Patrick Milmo QC wants to look at the grounds of appeal before deciding to take the case.”

THIS TO GERMAR RUDOLF:

The cheque goes to you tomorrow to cover your costs in writing the affidavit. Under the rules, the other side are entitled to ask to see all documents you rely on.

Davenport Lyons [lawyers for Penguin] have today requested copies of [all] the documents referred to in the 601 footnotes to your Affidavit.

Supper at the Rusty Anchor, feeling disgruntled. Cold during the night; in the morning I find out that this cottage can be heated however. Too late!

Germar replies unhelpfully:

“All documents quoted,” huh? Do you know that this can be done only if I returned to Germany, went to some major libraries, got all the books and literature that I read between 1993 and 1996, and received all the documents back that were confiscated (and probably destroyed) in the three 1993, 1994, 1995 house raids by the German police?

I reply: “Germar, the enemy will unfortunately make great play of your relying on documents and sources that you then cannot produce. That is the way lawyers do things.”



A LETTER COMES IN THE mail from Verio’s legal counsel identifying the ADL as the people who pressured them to suspend my website; I reply by e-mail:

You state in your letter that attorneys for that noble and incorruptible body, the Anti-Defamation League (supporters of the billionaire tax-fraudster Marc Rich, as it turns out!), allege that we are violating their trademark.

We note however: We have inserted in its place a caricature commenting on their logo.

An hour’s tennis with K. at three p.m.; we’re getting evenly matched, *i.e.*, I’m getting worse. Seven p.m. I cycle over to a movie theatre and watch a Robert de Niro thriller, *Fifteen Minutes*; needlessly violent, but unusual plot (anti-East European). Supper therefore consists of popcorn and Pepsi. And why not. Bookseller Tom Petteys informs

me: “By the way, your books on the second hand market are going through the roof! I have seen one as high as \$500!” I reply: “I’ll tell Benté how to dispose of my books when the time comes to dispose of me!”

This response goes to Guttenplan after I read his article on the trial, which is nasty in places and inadvertently libellous:

Mr. Justice Gray never determined that I had lied, so to call me a liar, or falsifier, as Evans quite cheerfully does, invites precisely the kind of visitations that his U.K. publishers seem to have feared.

Author Ian Mitchell informs me: “You knew, I presume, that Sir Charles Gray was Aldington’s slippery QC?”

I confirm: “Alas, I realised that too late. My faith in human nature is destroyed. He was kindness itself during the trial, and turned out to have a belly full of concealed venom all along, which he spewed over me.”

Martin G. alarms me thoroughly with this warning about our proposed witness for the coming appeal, Zöe Polanska:

I am in contact [he writes] with another Birkenau inmate, who lives in New Zealand, and I told him about Zöe.

He asked me to ask her whether she had a tattoo; she answered no, and said that Russian children weren’t tattooed.

This other inmate insists that everyone was tattooed; he is in doubt as to whether she was actually there!

To this I reply: “I must admit that I am concerned – and have been for some days – about this witness in case she turns out to be a Wilkomirski-type fantasist. Did she ever receive compensation for her stay in Auschwitz? It would be a disaster if the defence were able to show her up in the witness stand.”

I follow with this e-mail to Ian Mitchell. “I was worried when she claimed to have been operated on by Dr. Mengele, which is a sign of fantasy replacing fact, in my view.”

I pass these fears on to solicitor Nigel Adams whose duty it is to take the proof of this witness.

A teacher says that Jessica is teaching her things. She is all the time reading the *Encyclopædia Britannica*.

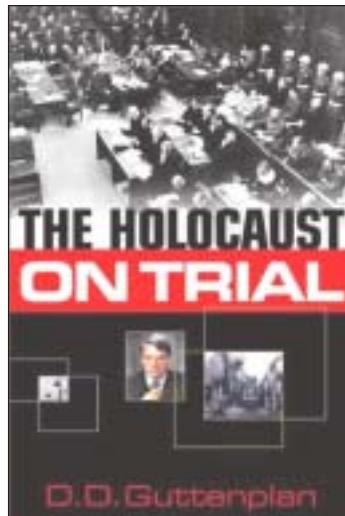
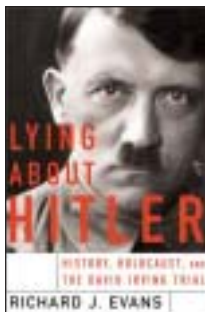
Jessica has fulsomely thanked her singing teacher for “being such a wonderful teacher.” Benté says, with a chuckle, “Nauseous!”

I go to see the Stephen Segal movie, *Exit Wound*; a lot of shooting, not much plot, and poorly made in my view. I pig

out on peppermints and popcorn and Pepsi. Beautiful warm evening and I cycle slowly back here and work until midnight.

A correspondent who has read the Don Guttenplan book passes on these two titbits:

On pages 222 - 223 Don says “the defence does get one lucky break. Early on, Irving asks Evans if he was ‘shown at any time any law report that had been produced by Penguin Books in this country, any libel reading [or] report on [Lipstadt’s] book.’ When Evans, quite truthfully, answers ‘No,’ Irving drops the matter. He never asks – and Evans never



volunteers – any information about the book’s American libel reading. If he had, and if Evans had seen the American Publisher’s report, the resulting disclosure of the inevitable list of cautious lawyer’s reservations could have seriously embarrassed the defence.”

Interesting, but these points would only have gone to quantum – the amount of damages.

On page 163 Don also writes “the defence had somehow assembled a team consisting of five non-Jews” –

After the trial Richard Evans, who co-ordinated testimony for the defence, said this had been deliberate we didn’t want to feed [Irving’s] anti-Semitic paranoia.

I PHONE BENTÉ DURING THE day; after a while, she puts me on hold so I can speak to Jessica, who chatters shyly for a while, then – puts me on hold. Growing up, what a shame.

The Observer has published a whinging article by Nick Cohen about my success in using the libel law against lying authors; it seems I have won further victories, unknown (as was the Heinemann one); against Robert Maxwell’s widow, no less.

Letter to *The Observer*:

You write: “Irving admitted speaking at British National Party rallies.” This absurd statement was just one of the several allegations tossed at me by Prof. Evans and others which even Mr. Justice Gray refused to accept.

But there is a larger issue about the publishing industry’s desire to do away with the laws of defamation.

Just suppose, for example, that a serious Sunday news-

paper accuses an historian of falsifying documents, of cheating colleagues out of the credit, and of stealing glass microfiches from a Moscow secret archives – to give just a few random examples – what other recourse does that person have than to the libel courts, if the same newspaper baldly refuses even to print his letter of denial?

Should he allows those stories to stand unchallenged? Is that not precisely what the laws are for – to protect the powerless individual against the moneyed might of the bullying press?

The Observer prints the letter, minus the latter paragraphs.

CYCLE OUT TO RUSTY ANCHOR in the evening; spotty rain turns into a down-pour with distant thunder and lightning. After half an hour my order has not been taken, so I cycle back, grumpy and soaked. Shower in Fairy washing-up liquid, dress, and have a bowl of lima bean soup.

I send this to Prof. Ian Kershaw:

Did you really say this? “[Re] Excerpts of Goebbels’s wartime diaries . . . Mr. Kershaw . . . said his biography was the first to fully exploit them.”

It is in today’s New York Times para. 12: I don’t remember seeing you in the Moscow archives next to me in 1992 when I was the first to bring the diaries out and use them for my *Goebbels. Mastermind of the Third Reich*. But perhaps the New Yorkers pretend that that book does not exist!

I am aware that journalists screw up their interviews, and I am sure you would not really have made such a claim.

Schuft is the right word for him.

This goes to Don Guttenplan:

I read in today’s Telegraph that your rival author Prof. Evans gripes at your book, and states: “Perhaps for dramatic effect, he portrays the trial as hanging in the balance almost to the very end and shows Irving making one dent after another in the testimony of the experts while standing up successfully to many of Richard Rampton’s efforts to break him down under cross-examination.”

I have not yet seen your book, but if this is true, then thanks once again; you have not abused the trust I had in your integrity from the first moment. Granta should incidentally be in no doubt about my intentions against Evans.

The Daily Telegraph has heard that the Oxford Union is planning to invite me to speak next term, and a reporter asks: “I would be very grateful if you could confirm this.”

No point keeping it secret longer:

I have accepted but advised the O.U. President to say nothing yet about it, as the Jewish intelligentsia have mounted a dedicated campaign to suppress my voice since their Pyrrhic victory at the High Court last year, and have used West Bank tactics to force five uni-

versities and four schools to withdraw their invitations to me to speak since then.

I think that my opponents, particularly the hiring Richard Evans whose review you published yesterday, are nervous because this year sees publication of my massive CHURCHILL'S WAR, vol. ii, which is the product of 27 years' real history. That will set a lot of people asking questions.

DON GUTTENPLAN ASKS: "MY German translator wants to know what you mean by referring to 'the England of the blue lamp and Jack Warner.' I confess some curiosity on this question myself, though for the U.S. and U.K. editions I decided readers could tolerate a little uncertainty."

I explain:

A very famous British film starring popular film star Jack Warner (who later had a weekly TV slot as Pc.49), *The Blue Lamp*: the lamp hangs outside every British police station. Dirk Bogarde was the small-time crook, run to ground in seedy post-war London. Fights it out with clean, upright (and of course White) copper J.W. "Don't be a fool, don't use that thing," says kindly old J.W. as Bogarde, cornered, draws a gun. (British police were of course unarmed in those days).

He closes in on Bogarde, smiling in an avuncular way, holds out his hand for the gun. . .

Yes, times have changed. As witness Heathrow, with squads of police armed with Heckler & Koch hardware. Did you know that when the Nazis came to power the first thing they did was to abolish the police truncheon? And vivisection (July 1934)? Next time, they say, no more Mr. Nice Guy.

WORD COMES FROM OUR SOLICITOR Nigel Adams that Milmo the QC wants £130,000 plus plus plus. That rather stymies me. Don't know what to do about it. Pull in our wings a bit, I think.

This e-mail from Jessica in London: "Dear David" – that's what she's taken to calling me – "Have a happy birthday. Love from Jessica." I reply: "Dear Jessica, I shall have a lovely birthday tomorrow: all alone here, in the sunshine, with palm trees, coconuts, blue skies, and bicycles. I'm looking forward to seeing you and Mummy [in London] next week."

I am getting older. These musings go privately to our junior Counsel:

What follows is me thinking out loud. Being realistic, which is something Nigel clearly is not, unless a miracle man steps forward, we are not going to raise that kind of money; and we are without a QC in the coming appeal. This may not be a bad thing.

I have heard horror-stories about QCs taking the cash and then being unable to turn up for some reason. I know all the arguments against going into

the appeal court without a Leader, but we may have to.

Today's *Observer* has an article by Richard Ingrams entitled "Either you sue, or you shut up."

This is a useful ploy which has been used in the past by the likes, for example, of right-wing historian David Irving who in addition to his recent threats actually succeeded in getting a book pulped [in 1969] which examined his role in the Sikorski affair.

A reader asks me what affair that was. I respond:

Carlos Thompson, an actor, was hired by the Churchill family to do a hatchet job on me after William Kimber published my book ACCIDENT, THE DEATH OF GENERAL SIKORSKI (1967). (Young Winston Churchill Jr. describes how they engaged Thompson in his excellent book on his father, Randolph.)

Thompson's book was called *The Assassination of Winston Churchill*. I saw an advance copy, and it was deliberately libellous, a well-known trick of wealthy antagonists. They try to force the impecunious into a ruinous legal battle.

My lawyer Michael Rubinstein and Counsel so advised me. The libels were however of a clearly demonstrable nature. E.g., Thompson's book says: "Mr. Irving taped his interview with Anthony Quayle, without Quayle being aware that there was a hidden tape recorder." (Quayle had been ADC to the Governor of Gibraltar in 1943). But the opening lines on the tape recording (which I still have) are as follows: "Mr. Quayle, I have here between us a tape recorder, as I prefer to record such interviews. Do you have any objection to my recording this interview?" "Not at all, Mr. Irving."

And so on. I produced a 60pp list of the deliberate libels.

After the book went on sale I issued a writ. . . Unfortunately, we were just entering on the appeal process in the PQ.17 libel action at that time, which soaked up my little family's entire financial reserves, and I had to abandon the Thompson action before it went the full length, but for that reason only.

I can understand Ingrams' dislike of the laws of libel, as he is a journalist accustomed to smearing people; for his targets, the law of defamation and the journalist's fear of it, are our one protection.

I will not say more, as Thompson is now dead and can not protect himself or answer.

ARRIVE BACK IN LONDON six a.m., only four degrees. I take the train to Victoria surrounded by people wearing dirty raincoats, drab clothes, and grim and gloomy faces. Victoria station loud-speakers announce a Tube strike from eight p.m. to last until Friday.

National Review's Apr. 2 edition attacks me. I write to the man who tells me this: "Heilbrunn is no friend. The attack on my name appears to be 100 percent

Jewish, worldwide."

Bed around 1:30 a.m.

Up at 9:30 a.m. Sassy immediately rushes into my room while I am showering and pees over the bed. That cat is living on borrowed time.

This message goes to Adrian

Davies (now back from Cuba):

I propose for ease of use to compose a document book which will have chapter by chapter and page by page this information on our main points:

1. what Judge Gray found in his Judgment
2. what my case was
3. extracts from relevant parts of the transcripts
4. what points Gray ignored
5. facsimiles and translations of the key documents

I attach a page for comment. It is about the "peephole-in-the-door" argument: an order for a steel gastight door thus equipped, which Lipstadt and Pelt and Gray said was *proof* that the chamber was a homicidal gas chamber and not being designed for use as a gasproof bomb shelter.

I READ THE GUTTENPLAN BOOK right through. It is good, but has twenty-two errors. I send him these remarks:

Congratulations . . . I bought two copies yesterday (Counsel wanted one) and read it through in one sitting until five this morning – something books very rarely achieve with me. Your attention to detail and concern for accuracy have really paid off, and I understand now Evans's irritation with you.

I gave Guttenplan exclusive access to my entire files, and it has paid off: his book is relatively polite, and it has divided the enemy camp into a squealing, bitching, backbiting mêlée, as witness Evans's furious remarks about how Guttenplan has "got it all wrong."

Apropos his final paragraph on the increasingly evident tactic of my opponents to call me an enemy of free speech (for issuing libel writs against Lipstadt and *The Observer*), I write him a bunch of rhetorical questions:

Has Lipstadt had her life threatened if she speaks, been subjected to violent club-wielding demonstrators, been banned from every country in the world where she used to lecture apart from the U.S.A. because of a secret organised campaign by you-know-whom, seen her lecture theatres ringed by armed, baton-wielding, helmeted riot police, had her publishers blackmailed and terrorised into cancelling contracts, learned of violent demonstrations outside newspaper office publishing her articles, been subjected to death threats by day and night on the phone, been roughed up in restaurants by organised mobs, seen seven universities in the space of 11 months forced to withdraw invitations to her to speak at major debates, etc.?

One wonders who is violating whose freedom to speak!

Was it not Lipstadt who called for the campus police to silence me when I asked her, when invited to do so, perfectly reasonable questions after she insulted me, believing me to be in absentia, at her Emory University talk in 1994?

The U.K. Defamation Act abrogates merely *the freedom to lie about others* which alas exists in the U.S.A. That is quite a different freedom.

THIS CIRCULAR GOES OUT: The Court of Appeal today Friday fixed a date for the appeal hearing in the Lipstadt case, it is now scheduled to run for five days from June 20.

I begin working on the Document Book. Work until three a.m. Up at 11:30. Jessica sings four songs to me that she has learned at school.

The Oxford Union's president, Amy Harland, confirms: "The motion is *This House Would Restrict the Free Speech of Extremists*. Thus far it is Richard Rampton QC and the Bishop of Stepney against yourself."

I FIND IT NECESSARY TO REMIND solicitor Nigel Adams that I have not instructed him to act for me in the *Guardian Newspapers Ltd & Sereny* case. "Please also avoid getting dragged into lengthy exchanges with Davenport Lyons or Mishcon [*the Lipstadt defence lawyers*]; a terse reply is all that I would wish you to make."

The cat Sassy disgraces herself on my bed, as I find on retiring at three a.m.; I have to sleep on a sofa and am not pleased.

Up next day again until three working on the document book and the CHURCHILL'S WAR picture section, which is shaping up magnificently. But can we afford forty pages in colour?

Sir Anthony Montague-Browne, Churchill's former private secretary, telephones. He is annoyed because Focal Point is claiming in a covering letter to the proofs that he wrote a review of vol. i which was partly favourable. I dig it out of files and he clearly did, on Feb. 2, 1988 (he has no doubt forgotten). In this, he wrote:

A great deal of it is a well composed and absorbing account of great events, containing surprisingly generous references to Churchill's qualities. For instance, Irving refers to "this lion hearted man". Elsewhere one comes across references to "this Leonardo of the English tongue," and to Churchill's prophecies being "a tour-de-force".

I suspect that Prof. David Dilks, who wrote to him, is disaffected because I draw attention to a vital handwritten sentence in the Sir Alec Cadogan diary on Pearl Harbor, which Dilks inadvertently edited out of his printed volume.

A long-winded, incoherent message from Nigel Adams; and an interesting phone call from

George Stern at the Public Record Office (PRO). He's been reading Harold Wilson's 1970 file on the Sikorski affair; says it contains documents I should know about (as well as one civil servant's comment that I am known for fascist leanings and for distorting documents!)

He comes round for supper bringing the items he has copied from the PRO files. Rather amusing: Wilson asked Sir Burke Trend whether there was any truth in the story that Churchill had had Sikorski bumped off! ("No.") They all concur that I will have to be kept down, because the air marshals agree that the RAF Court of Inquiry did a very slipshod job, that there had been something approaching a cover up, and it would be unfortunate if this now came out! Ho ho.

Testing her knowledge, gained from playing Monopoly, Jessica asks George, "I live in Mayfair, don't I?" I can see her pretty little eyes peeking at George to see if her daddy, the well-known liar, distorter, and falsifier, has sold her a pup on that one or not.

George confirms it: Mayfair it is. How long still, methinks. A reader tells me the *Daily Mail* has a review of the Evans book, entitled "The Man who told a million Lies about Hitler." No prizes for guessing his identity. (But the book isn't even on sale here in England!)

THIS MESSAGE GOES TO THE Fighting Fund:

Evans was one of the "neutral" expert witnesses in the trial, whom Deborah Lipstadt paid £100,000 for his mind-numbing, turgid, contribution.

Somewhere, some time, this has to stop, but meanwhile the traditional enemies of the truth seem to think they are entitled to bend all the rules. However not all of them think they can always win - William Heinemann Ltd., Evans's U.K. publishers, took one look at his book, and decided that it was too dirty to publish safely here.

Without consulting him they decided to pulp it!

At 2:29 AM I send this message to Adrian Davies:

I have only just seen that among the papers which [the defence lawyers] put to Judge Gray in a bundle right at the end was, for no proper purpose whatever, a page of my private diary of Dec. 1, 1989 reporting that I had just received a fax from London on the "disastrous defeat for Count Tolstoy by Lord Aldington, a slimy criminal if ever I saw one. The Establishment sticks together. Judge called Tolstoy a 'self styled historian.' £1.5m damages, plus £1m costs."

I wonder what Lipstadt's lawyers hoped to achieve by letting Gray see this diary entry (Gray was Aldington's Counsel)?

Tolstoy had proved that Aldington was an accomplice in the 1945

mass murder of Yugoslavs and White Russians. I work until 3:15 a.m. The cat has apparently disgraced herself in the drawing room again.

I send this e-mail to a Namibian inquirer: "Suffice it to say that the Judge (Gray J) at no time ruled that I was a *liar*, and it is a libel to suggest that he did. The words *lie*, *liar*, or *lying* do not occur in the transcripts."

THE PROBLEMS WITH OUR appeal case solicitor worsened. During the night I receive a message from Counsel advising me to tread with caution in dealing with him, given his "increasingly unhinged state of mind."

He advises me to start sounding out other firms - a nightmare scenario this late in the battle:

Adams 'phoned me on Friday morning [*Counsel informs me*]. At first, the conversation was perfectly sensible, but within five minutes he was raving and screaming in a completely demented fashion, in part because I had had the temerity to suggest that if he wanted a further £10,000 to £12,000 from you, he should expect a request for an itemized bill, which would in my view be quite reasonable, given the very large sums involved.

Quite so. After more comments about Adams, Davies continues:

I can see no alternative to replacing him. He is simply not doing his job, e.g., I have pleaded with him to complete his attendance note of the conference at your flat on Jan. 22 [i.e., three months ago], which he has failed to do, and even more seriously, he has not liaised properly (or at all) with John Uff's clerk about Uff's availability to take the appeal. . . Please bear in mind also that I am very anxious to get my hands on the transcripts, so that I can work on them over Easter.

Barrister T. (a National Front supporter!) writes a gloomy prognosis and I respond:

You may be right about the June appeal; I am having to change solicitors for a third time, the current incumbent is having a nervous breakdown in counsel's opinion. I was very shocked by what Gray J.'s mask-like countenance turned out to conceal. But he acted for Lord Aldington against Tolstoy, so I should've expected it.

Up at 9:30 a.m. Sassy has yet again pee'd over the freshly washed cushions of my sofa. She seems to have a psychiatric problem. I write to Davies ("At risk of stating the obvious"):

Today's newspapers are full of stories of the Contempt of Court committed by newspapers publishing loaded "background stories" during a trial, with very useful summaries of previous cases. *The Daily Telegraph* makes plain that the Act forbids publishing anything calculated to "create an atmosphere" which will hinder justice being done.

The *Guardian* group consistently tried to create a bad at-

mosphere against me, and Judge Gray refused to do anything about it. If nothing else it will help to show the appeal court what else I was up against.

OUR NEW EXPERT WITNESS Germar Rudolf communicates:

I am currently a homeless person who has no access to his documents and library.

I shall try to get some of my stuff organised during the next couple of weeks, but I can promise nothing.

If Mrs. Lipstadt, Penguin and their exterminationist friends complain about it, tell them that their persecuting me and my revisionist friends is the reason for this. Over and out.

I comment to Adrian, "You may now appreciate why I was reluctant to call him at the time of the trial!" I reply to Germar:

That is not a very helpful message. The Court of Appeal is not interested in whining from us. If we cannot back up your affidavit with the sources you have relied on, they will quite simply agree with the defendants that it should not be allowed as new evidence. . .

If you do not do the work, the affidavit will be thrown out, and the money that I have spent on it will be wasted. And our enemies will crow.

THE CAT HAS DRAINED THE ENERGY from me; Sassy seems to be unwell these last two days, a lot of yowling. Not as much as the yowling from me over her misdemeanours, I fear.

The *Daily Mail* pays up, £352, for the two photos used; finally! After I threatened court action.

I explain to a correspondent in Quebec: "I am not criticising [Ian] Kershaw for his knowledge of German; he merely told me in a letter that his knowledge of German was not good enough for him to be a useful witness in the trial. . . I have heard rumours that he is acting as a witness for Gitta Sereny in the next libel action."

I am exhausted in the evening, the more so as Sassy again disgraces herself on my "get-well" sofa; I chase her around the flat until she goes to ground behind the defunct tumbler drier, where we can't reach her.

A correspondent writes to me: Reading the *New Yorker* article, I chuckled where Ian Buruma quoted you describing Evans as "odious," or that "little dumpy scowling Welshman," or the "skunk."

It reminded me of Orwell's description of the Evans type: "It was curious how that beetle-like type proliferated in the Ministries: little dumpy men, growing stout very early in life, with short legs, swift scuttling movements, and fat inscrutable faces with very small eyes. It was the type that seemed to flourish best under the dominion of the Party."

You and Orwell are both excellent descriptive writers who inject great humour into

your serious discussions.

I reply:

I feel slightly sorry for Evans; his mouth has the same jaw defect that my second daughter's did, which creates the effect of a permanent scowl. My daughter, after initially declining surgery, eventually bravely decided to have it fixed with a very painful operation. She inherited it from my mother.



I PHONE PROF.

DONALD WATT

(the first time since the trial). A friendly chat, are we appealing?,

etc: Yes. He says he did get the CHURCHILL'S WAR, and has peeked at my chapter on Pearl Harbor, notes that I have not used "the latest works, e.g. by the Nottingham historian Richard Aldrich on British knowledge of Japanese plans before Pearl Harbor." I remind him that I don't like using peoples' books. Donald sounds very much under the weather.

Rummaging on the Internet, I find that Penguin Books Ltd have an "author's biography" page for David Irving (they have after all published several of my books). It is - no surprise - totally blank. No doubt the usual flattering material was removed. It was "last altered" on March 5 this year.

EASTER SUNDAY. I SEND this invitation to Michael Tregenza in Poland:

"Would you be available to speak at our Aug. 31-Sept. 2 Cincinnati function? My idea is to have you talk for an hour on, e.g., Treblinka, and then expose you to a half-hour discussion with disbelievers."

I WORK UNTIL 3:20 A.M. ON THE Harris/Eaker photo pages. A *Cherwell* [Oxford University] reporter phones, and I put this item on the website afterwards:

London, Apr. 17 - David Irving has accepted an invitation to speak at the Oxford Union, the university's most prestigious platform, on May 10.

This is the second time in twelve months that he has been invited to speak there; on the previous occasion [Oct 2000] the president of the Union cancelled the invitation under pressure.

This year's president, Miss Amy Harland, has declared that she has no intention of buckling, and last year's president, Jeffrey Bell, has stated his determination to assist her to see it through. . .

The Jewish-backed Anti-Nazi League (ANAL), who fielded a thousand violent demonstrators in Cork, Southern Ireland, in Nov 1999 to stop Mr. Irving from debating with university students there, have promised a night of violence in the streets of Oxford this time too.

The Attempts of the Traditional Enemy to destroy David Irving

Html version of this: <http://www.fpp.co.uk/ActionReport/AR19/items/recent.html>

Next Battle CONTINUED FROM PAGE 1

had been compiled for the CJC by Michael Whinge, director of the Board of Deputies of British Jews. It turns out that, just like the Anti-Defamation League (ADL) in New York, the British BoD is compiling dossiers on people they regard as “dangerous” to their interests. (I complained to the Data Protection Agency about this infringement of the laws, but they escaped prosecution).

The Canadian ban was a serious blow, but I have always fought back.

When confronting these secretive organisations a new factor comes in: they do not spare with money when it comes to destroying people. The ADL has *an annual budget of over \$50 million*, the other bodies not much less – particularly since the global success of their “Holocaust” shakedown operations (Abe Foxman, the ADL chief, wrote laughingly of having “bludgeoned” the Swiss banks out of their money).

In my action against their leading guru, Deborah Lipstadt, such organisations gave Six Million dollars to help her, believing that a British Court is impressed by money. “British justice,” my father warned me in 1966, “Is the best that money can buy.”

Over the two years following the Canadian ban, the world-wide bans proliferated. Australia, which I had visited in 1986 and 1987, promoting my books on the 1956 Hungarian uprising and on Winston Churchill, suddenly refused me a new visa.

Armed now with a Fighting Fund built up by hundreds of well-wishers in Australia, I was able to fight the Australian Government and I defeated them in the Federal Court of West Australia. The Judge declared the ban on me to be illegal.

Coming under fresh pressure from the Australian Jewish Congress, in the person of multi-millionaire Mr. Isidor Leibler (as the New Zealand *Herald* established at that time), Canberra now secretly changed the law in order to legitimise a continued ban on me. I have subsequently fought them twice in the Law Courts of Australia, but without success.

The Australian press is notably supporting me in this dramatic fight for free speech.

THE ATTEMPTS AT SILENCING ME ELSEWHERE grew more insidious. Always, it turned out that local Jewish organisations, networking with their international “umbrella” bodies, had provided the impetus. They don’t like the phrase “international conspiracy,” so I have coined for them the new phrase, the “traditional enemies of free speech.”

In South Africa, after I conducted three or four highly successful lecture tours, speaking in city halls and universities right across the country, the South African Jewish Board of Deputies persuaded Pretoria to ban any further lecture tours by me. That ban has now been rescinded. I now recognised what the initial letters SAJBOD, which I had first noticed heading a fax sent to the Immigration Court in Vancouver, which ordered my deportation, stood for.

Simultaneously, in 1992–3, a far uglier campaign began in Germany. I had visited

and worked there quite lawfully since 1959, and my books there were bestsellers, published by the leading German publishers.

After I happened to declare at a Munich public meeting in April 1990 that the alleged gas chamber at Auschwitz I, the *Stammlager*, which the Poles like to show to world-wide tourists, is a post-war fake, I was arrested and heavily fined. The fine increased from a summary 3,000 deutschmarks penalty in 1990 to 7,000 in 1992, and then to 30,000 in 1993, around \$20,000, as I refused to recant!

In November 1993 I was intercepted in Munich as I was about to speak to university students, and handed a police order banning me from Germany in perpetuity.

Outlawed, but right

The Polish Government has subsequently admitted that what I said was true – they had actually built the Auschwitz I gas chamber on display in 1948 (see the Paris news magazine *L’Express*, Jan. 19, 1995).

I initiated a lengthy lawsuit in Germany, aimed at overturning the ban; it failed, inevitably. Having expelled me, ironically the German government tried for ten years to extradite me from England, to jail me for having repeated this “libel on the memory of the dead” at a speech in Weinheim on Sept. 2, 1990.

Mr. Günter Deckert, a teacher who chaired that particular meeting, was arrested and imprisoned for a total of seven years. The Germans tried once more to extradite me on the day my historic action against Lipstadt opened in London. That is how closely the “traditional enemies” work with foreign governments. In a public press release on Sept. 3, 2000, Germany had to admit failure, as the ten-year statute of limitations on my “crime” had run out.

It was the very severity of these fines and prison sentences that convinced me that somebody must be hiding something. As the late Auberon Waugh once wrote, real history does not need such sanctions to survive. I commented in a letter printed in *The Sunday Times* that if President Clinton started imprisoning people for saying that Franklin D. Roosevelt knew in advance of Pearl Harbor, then people would surely start asking questions about the real history of that event too.

Italy joins in

In June 1992 – after I returned from Moscow with the exclusive Diaries of Dr. Joseph Goebbels, the Nazi Propaganda Minister – I was invited to address students in Rome. I flew into Rome International Airport; there I was intercepted by police refused entry, and sent back to Munich.

It was about now that I decided that each such event was in fact a major victory for real history, because it was proof that the traditional enemies now accepted that in the whole of Canada, Australia, Africa, Germany, Italy, etc., there were no conformist experts able to refute me.

This campaign increased in ferocity, initiated, sustained, and controlled by international organisations, as I have now estab-

lished from documents I have obtained.

I was subjected to death threats and harassment in London, and ambushed and physically attacked in my local restaurant one Sunday lunchtime by a gang of Jewish thugs. Although I have never written about the Holocaust, a subject which I find boring and tedious, I was being increasingly attacked by Jewish journalists as tho’ I had.

Intimidating a publisher

This particular aspect of the global onslaught on my reputation took a more concrete form in 1996. St Martin’s Press of New York were under contract to publish my biography of Dr. Goebbels.

Doubleday Inc. had named this book, the product of eight years’ hard work, as their book of the month for May 1996.

By coincidence, that was the month when the New York Jewish community was “*kvelling*” (rejoicing) as they put it, because a book by Daniel Goldhagen that was about to appear, *Hitler’s Willing Executioners*.

They admitted in one newspaper that the fact that my GOEBBELS would appear in the same month upset them: they had visions of my going face to face with Goldhagen on prime time television chat shows, and they decided to pull the plug on me.

For this, they wheeled in their ugliest weaponry. Prof. Deborah Lipstadt, religious “scholar” of Judaism teaching at Emory University, Atlanta, wrote a book called *Denying the Holocaust*. We now know, from her private papers, that I was not mentioned in the original manuscript at all; but Prof. Yehuda Bauer, who had commissioned the book on behalf of the State of Israel, asked her to shoe-horn my name in.

Lipstadt did a rapid cut-and-paste job – appealing to the Board of Deputies of British Jews, the U.S. Holocaust Museum in Washington, the Institute of Jewish Affairs in London, the Simon Wiesenthal Center in Los Angeles, and to all the other usual suspects, for any dirt they had on me.

The Simon Wiesenthal Centre in Toronto sent her a lengthy paper advising that my reputation as an historian was dangerously high, and that they would have to set about destroying it by hook or by crook.

The result was a series of passages inserted at a late date in her manuscript, accusing me of stealing, damaging, and faking historical documents, distorting translations, “admiring Hitler,” consorting with Hizbollah and Hamas terrorist leaders, cavorting with Louis Farrakhan, and a number of other lies: in short anything they could dream up to blacken my name. Lipstadt made no attempt to check anything with me: a true conformist “scholar”.

Turgid and unreadable

It was 1996 before I learned of these allegations although her book was published in about 1994. Very few appear to have voluntarily bought the turgid, and largely unreadable, book, and by 1996 it was enjoying what are known in the trade as “negative sales” (*i.e.*, more copies were being returned to the publisher than were being sent out to the bookshops). But the enemy kept up their clandestine campaign, donating copies to universities libraries, for example, in the name of non-existent “Friends of the History Society.”

It turns out that Lipstadt was among the Jewish agitators who wrote to St Martin’s Press in the Spring of 1996 demanding that they violate their contract to publish my GOEBBELS.

After publicly refusing for several weeks to surrender, St Martin's Press capitulated early in April 1996. Doubleday Inc. had to follow suit, and few U.S. publishers will be eager to follow them. The consequences for me are serious, as the United States provided eighty percent of my income.

The GOEBBELS book was published in England that month by my own Focal Point imprint (which I had set up with this contingency in mind fifteen years earlier. At the same time, vicious mudslinging against me began in the British press. This attack was led by the liberal and left-wing but otherwise respectable newspaper group, Guardian Newspapers Ltd.

If Lipstadt had been an unattractive attack-dog in the U.S.A., in the U.K. this corporation chose an even less toothsome weapon.

Gitta Sereny was a "chequebook" journalist – the kind who pays £50,000 to a convicted serial child-killer to buy her story. She had had me in her sights ever since 1977. I do not know why. She is not Jewish (she is married to the Jewish photographer Don Honeyman); but she identifies closely with what might be called the Jewish cause: it is what some call having your matzos and eating it.

At the Guardian group's behest, she wrote a gratuitous attack on me in their Sunday newspaper, *The Observer*, in which she accused me of cheating a friend and colleague, "borrowing" (*i.e.*, stealing) the priceless glass microfiches containing the Goebbels diaries from the Moscow archives, distorting translations, and faking documents.

The editor himself asked her to insert a concluding paragraph suggesting that I may be mentally ill (a neat idea for which she thanked him in a fax).

She wrote that no publisher was willing to publish my works. She stated that Macmillan Ltd., my then publishers, had refused to publish GOEBBELS (in fact I had written Macmillan's already in September 1992 asking them to sell all rights in this book back to me, and they complied).

It did however turn out, after I began building a dossier on Macmillan's, that from November 1991 on the Board of Deputies of British Jews had applied secret pressure to them, including the use of Oxford conformists like Prof. Peter Pulzer, to force Macmillan to tear up all contracts with me.

The Global Endeavour

In the Lipstadt action in England last year, I compiled these dossiers into a courtroom bundle of documents – *Bundle "E," the Global Endeavour* – which I attempted to put before the Court to establish that Lipstadt had been part of a worldwide conspiracy to libel me: for reasons which you can surmise, Mr. Justice Gray was not eager to allow me to quote from these rare documents in open Court.

By mid 1996 it was obvious that I had no option but to disregard the advice given to me thirty years before by my first English publisher, William Kimber – never to commence a libel action (he was at that time, in 1963, deeply mired in the famous "Exodus" libel action).

Acting as a litigant in person, as I was both entitled and capable of doing, I issued Writs in defamation against both Lipstadt and The Guardian Newspaper Group.

I made it plain in the Lipstadt case that I was not seeking major damages. If Publisher and Author would pay five hundred



Standing alone in court,
*Mr. Irving faced Penguin Books,
Lipstadt and an army of lawyers.*



pounds into a British charity for the disabled, I would end the action, covering my own costs, and that would be that. They could not withdraw, of course.

They poured immense funds into the Lipstadt action and it dominated the High Court in London, and the press, for three months from January 2000. Throughout those months I attended in Court, alone, without lawyers and without Counsel, while Lipstadt and her unfortunate publisher, Penguin Books Ltd., funded a courtroom spectacle of forty mercenaries – lawyers in wigs and gowns, Counsel, barristers, conformist historians, expert witnesses, and assistants, all linked by computer to each other and to the Internet, in the attempt to grind me down and defeat me (in which as you know they ultimately succeeded).

That they succeeded has been a grim disappointment: but I am much wiser than a year ago.

The Judge trying the case, without a jury, was a new judge at the start of his career: as Sir Charles Gray, Mr. Justice Gray had until recently been a sparring partner of Lipstadt's Counsel Richard Rampton.

More significantly, Gray had as a barrister more than once sided with the establishment against the dictates of real history, *i.e.*, the history which is plainly evident from archives.

Next time, no judge alone

He had acted for Lord Aldington in the libel action which this wealthy financier had brought against my friend and colleague, the historian Count Nikolai Tolstoy; Tolstoy had proven in two books that in 1945 Lord Aldington, as Brigadier Toby Low, had been an accomplice of the later prime minister Harold Macmillan in the criminal deportation of Yugoslavs and White Russians from Austria to their certain deaths at the hands of Stalin's and Tito's murderers.

Throughout the Tolstoy libel action, the one crucial War Office file which established that Lord Aldington was definitely lying was mysteriously missing from the British public archives; it was returned to the shelves on the day after the trial ended. Tolstoy was ordered to pay two million

pounds in costs, and brought to the verge of ruin. It was the ultimate hypocrisy – and Gray had been Aldington's Counsel.

Tolstoy lost, but his reputation remains intact to all those aware of the facts (SEE IAN MITCHELL'S FINE ANALYSIS, *The Cost of a Reputation*). Even so Judge Gray was, however, clearly in some difficulty during the Lipstadt trial. If you have read his perverse and vindictive Judgment, which I placed on my Internet website [pdf file] along with all the other documents, you will have noted a curious dichotomy in his findings – *e.g.*, he says repeatedly that I am quite entitled to be dubious about elements of history that are at the root of this case, only to declare a few pages later that it is wholly "unreasonable" for me to express such doubts.

In one such paragraph, he agrees that he was surprised that there is so little *documentary* evidence of mass murder in gas chambers at Auschwitz, should the eye-witnesses be discounted; along with most people, he had always *assumed* that the evidence was there. He has heard from my cross-examination of the conformist expert witnesses that, while there is much archival evidence for the shootings on the Eastern front, there is none – *none whatsoever* – for the existence of the homicidal Auschwitz gas chambers.

Despite this, and despite the general unreliability of the five "eye-witnesses" he found that he had no choice in the matter but to believe them (even though one of the five had testified that the SS officers made sausages from human flesh in the Auschwitz crematorium!)

As for the "scholar" Lipstadt herself, she "took the Fifth," and did not speak.

Though even she had made no allegations against me of racism or anti-Semitism in her book, Judge Gray willingly allowed Rampton not only to introduce these disgraceful and irrelevant elements into her defence at the last moment, but to go into great and lurid orations on them.

The press loved it, as you may have noticed. In his Judgment, Gray – who had years before declared Lord Aldington totally innocent of the massacres – danced with joy at being able to pronounce me both a racist and an anti-Semite (while simultaneously also admitting that I am "not obsessed with racism" and that I am "entitled to criticise" members of the Jewish community for what they have done to destroy me).

More recently, in July this year, the Court of Appeal became even more convoluted in their eagerness to do me down. On one basic issue, whether or not I am a "Holocaust denier," they reached this conclusion:

"We are not persuaded that the expression can be given any precise technical meaning or that 'Holocaust denier' defines a class of persons precisely. Having regard to the views expressed by [David Irving] about a range of events in the history of the Third Reich, we agree with the Judge that the applicant may be described as a Holocaust denier."

Yes, the best money can buy.

IN APRIL OF LAST YEAR, 2000, MR. JUSTICE Gray issued a damning and humiliating rebuff to my claims against Prof. Lipstadt.

Throughout the trial, the British Press had behaved in a contemptible fashion, in the legal sense of the word "contempt": during the trial, the newspapers heaped denigration on me in a manner which in any other British trial would have seen editors committed to prison for contempt of court.

In *The Guardian* they published one full-

page photo-article about me during the trial, with the headline: "THE MONSTER OF THE NURSERY." The majority of these articles were written by well-known Jewish journalists; this aspect of the campaign becomes evident only to somebody who, like myself, was routinely supplied each day with every single press-clipping. I am not saying that these journalists received directives to write as they did: they were on autopilot, and that was enough.

They were also largely ignorant of legal procedures. You may have seen occasional ill-informed news reports that I brought the libel action in England because it is easier to do so here than in the U.S.A. This is nonsense. In England there is no Legal Aid for actions in defamation, and the rule is that the loser pays all. There are no "contingency fee" lawyers willing to fight on a no-win, no-fee basis.

How do I survive?

I have been enabled by contributions to the Fighting Fund to sustain these actions, and to survive as a writer and as the father of a second young family. But I knew I would never be able to match the Six Million dollars which Lipstadt and friends poured into the London courtroom.

Some of their "neutral" Expert Witnesses were paid a quarter of a million dollars each for their contribution against me. Far from being neutral, one of these conformist "scholars", Prof. Richard Evans, a Cambridge historian, was so hostile that after just three hours of opening cross-examination on Feb. 10 last year, I openly challenged him, and accused him of displaying open contempt for myself, my writings, and everything that I stood for. On oath, he denied this.

In order to stay in the game in the High Court he had no choice. Had he admitted any bias I would have tossed him out of the witness box at once. Read this snatch of the cross-examination from the transcript:



EVANS: I have no personal feelings about you at all, Mr. Irving

IRVING: I had the impression from this morning's answers that you held something bordering between distaste and loathing towards me and the books I write, or the views that you perceive me to hold.

EVANS. Not at all.

This, we know now, was a disgraceful perjury, as he was at that very moment writing a book attacking me, with the title *Telling Lies about Hitler*, in which he wrote on one page – to cite just one example – of "Irving's seemingly limitless capacity for telling lies, distorting the truth, and insulting the memory of the dead," and on the next: "For all of us he became someone with whom the least contact was defiling."

The book was so libellous that even his own publishers, William Heinemann, a devoutly Jewish firm, have refused to print it.

We appealed and appealed

Instead of dismissing this witness for his obvious prejudice, Judge Gray hung on his every word. That mattered, because it was Evans alone who testified that I had distorted documents or misread their importance.

A subjective assessment like that is of value only if it is reached by truly neutral experts, which Evans clearly was not.

Although Mr. Justice Gray had



David Irving: A B.B.C. photo, after Mr. Justice Gray's perverse Judgment, April 2000

refused me leave to appeal his perverse Judgment, I applied straight to the Appeal Court to overrule him. The enemy immediately asked for immense costs, but I now had, thanks to our Fighting Fund, excellent Counsel – Adrian Davies – who is an expert on such legal issues.

It soon turned out that all of Lipstadt's costs had been paid by Steven Spielberg, Edgar J. Bronfmann, and other leading members of the Jewish establishment. Therefore she was not entitled to her costs.

Wrong to act in person?

My own legal costs have been diminished by the fact that I did not engage Counsel for the main trial last year.

I do not accept criticism for making this choice. You choose in such litigation between having a lawyer who is a bad historian, or an historian who is an indifferent lawyer. Questioned by *The Guardian* in a lengthy interview last year on precisely this issue, Judge Gray said that I had acquitted myself competently as a "barrister"; the journalist Don Guttenplan, who has compiled a first-rate book on the trial, says much the same, and even historians like Dr. David "Ratface" Cesarani afterwards wrote that I gave their Witnesses very anxious moments indeed under cross-examination.

Before a different court, before Mr. Justice Morland for example, I would probably have prevailed. But this became a "Holocaust" trial, and we were up against The Holocaust Industry (the book by Norman Finkelstein of that title was published only two months after the trial was over).

The courtroom was awash with their dirty money. The intimidating effect of the money-rich Holocaust lobby was felt by everybody, from the Judge and the press gallery down. And not only that. The Israeli ambassador attended court on the last day, flanked by gun-toting bodyguards.

Difficulties begin

We had some unusual difficulties in finding lawyers to act for me before the Court of Appeal (I am not so arrogant as to believe that I could act in person at that level, where the law is what primarily matters).

Nikolai Tolstoy had recommended to me the law firm of Goldsmiths, despite an obvious drawback. They acted very competently in the initial one-day hearing on costs, but then had to withdraw when one of their senior Partners objected on religious grounds.

This not-very-English behaviour, I am

afraid, attracted unfavourable Press comment; altogether, it has to be said that the Lipstadt action opened a proverbial can of worms, and worms are still crawling out.

Simultaneously with fighting this action in the High Court, I maintained my increasingly popular website. Even Mr. Justice Gray was following it, we now know. It provided complete libraries of most of the Press clippings on the trial, regardless of their tone, and – most damagingly for the enemy – the daily verbatim transcripts.

Students around the world contact me, at times two or three a day, asking about the real history of the Holocaust.

THE APPEAL – OR RATHER, OUR APPLICATION for permission to appeal – was heard for four days during June 2001 and it was, frankly, a disaster (SEE MY RADICAL'S DIARY). If anybody needed convincing that I had been right in not relying on lawyers in the lower Court, here it was. I had hired Nigel Adams, a one-man British law firm. The barrister who recommended him has since apologised, but it is too late: this attorney was beset with personal problems; he could not even type or send a fax or e-mail; he proved to be verbose, negligent, lazy, indolent, inefficient, and ineffective.

In no time at all he had angered Master Venne – the judge in the preliminary hearings – so badly that the judge for a time refused to deal further with him at all; I only found this out much later. Adams did not reply to the opposing lawyers' letters for weeks, and sometimes months, at a time.

Adams attended a conference with my Counsel in January this year, but drafted no conference-note until May – the most elementary kind of attorney work. We asked him to obtain expert evidence from a crematorium manager. He did not.

We commissioned and paid for a full-length technical affidavit on hydrogen-cyanide from Germar Rudolf. This impressive document went to Adams. He did not supply it or the many appendices to Counsel until a few days before the Appeal began (by which time I had sacked him).

We had located in Scotland an elderly Odessa-born survivor who was willing testify that she had had the run of both Auschwitz camps in 1943 and had seen nothing of "mass gassings." Adams did nothing to take a proof of her evidence, her Affidavit was never sworn, and he informed us by letter two days after the Appeal began that the lady was now too ill to testify. (I was having nagging doubts about her anyway).

It is of course obvious in retrospect that I tolerated this inefficiency for too long – in fact I dismissed him twice last year, but had to relent each time because of the sheer cost of instructing a third new law firm to replace him and Goldsmiths.

Sunk by our own lawyers

What was most damaging was that we learned, only after the Appeal Court hearings began on June 20 of this year, that Adams had taken none of the proper legal steps to apply for formal leave to introduce our new evidence, which was vital for the Appeal. In particular, he had not applied for permission to put before the Appeal Court the book written by Prof. Evans, *Lying about Hitler*, from which (as we saw above) it is obvious that Evans had perjured himself in the witness box.

Had the book been put before the Court of Appeal, it would have been plain that Evans's evidence was po-

A R ACTION REPORT

online

The trial transcripts and important documents can be read on our Website at <http://www/fpp.co.uk/trial>

lemical, malicious, subjective, and worthless.

We already knew this from the findings of a university Tribunal in New Zealand, where the same Evans had been hired by Jewish bodies to "put the boot in" on an academic, Dr. Joel Hayward, who had angered them by his findings in a Ph.D. thesis on revisionism; they demanded that his doctorate be revoked.

The New Zealand report confirmed that Evans was prejudiced and lacking in the objectivity called for in an Expert Witness. We had obtained the printed record of those findings, but we were unable to put them before the Court of Appeal in London, because Lawyer Adams had not given the court notice of this in advance.

JUST EIGHT DAYS AHEAD OF THE SCHEDULED start, as I reveal in the RADICAL's DIARY, I informed the Appeal Court that I had dismissed him; unfortunately, they refused the brief adjournment for which we asked to instruct new solicitors, and the appeal had to go ahead on this unsatisfactory basis.

Adams had in my view sunk our chances by his negligence. I have paid him a proper sum, and will pay him not a penny more. I told him that my Fighting Fund has been scraped together from the contributions, sometimes made in two- and five-dollar bills, of thousands of hardworking supporters; and that I have personally signed some 20,000 letters in the last twelve months, raising the fund, since the trial began.

My barrister (trial lawyer), Adrian Davis, put up a brave fight. Two of the three appeal Judges were sympathetic, including the presiding Judge. But the third, Lord Justice Buxton, was intellectual, shrewd, liberal-leftwing, and deeply opposed to me, to my writings, and to everything I believe in. On several occasions, when they withdrew for consultations, he quite obviously succeeded in talking his colleagues around.

By the second day, it was plain that we could not hope to win leave to Appeal. We were not allowed to introduce any new evidence whatsoever. The Court of Appeal is bound by strict rules, the so-called *Ladd vs. Marshall* guidelines, which lay down precisely the circumstances under which new evidence can be put before them. We might even have had difficulty in introducing the new 1,000-page Rudolf affidavit, as



The Judge: Mr. Justice Gray, interviewed by *The Guardian*, May 2000

we did not introduce him in the lower Court (I had reason, as Rudolf was a "wanted man" whom the German government were also trying to extradite; he is now in safety in the United States and applying for asylum there, which does not make it easier).

I have been vigorously criticised, I know, for not calling him in the lower Court: but the fact is that under the Directions for evidence for this trial both sides were limited to calling just six historians and six political scientists. There was no provision for a forensic chemist, or any other such scientist; nor did it seem obvious why we should need one in a libel action.

Prof. Robert Jan Van Pelt, the Dutch writer, was admitted by the court as an expert historian, and to our surprise Mr. Justice Gray quite willingly listened to his vapourings on such subjects as chemistry, toxicology, crematorium technology, document authentication, and architecture. On none of these subjects was he a qualified expert.

After a month's deliberation, on July 20, the Court of Appeal refused our application for permission to appeal. Legally, there can

be no appeal from this, as it was a *procedural* decision – a piece of legal trickery which friendly lawyers have since pointed out to me.

A Pyrrhic Victory for her

Defeat for me in this first action, however humiliating, does not mean Victory for Lipstadt: hers is a Pyrrhic victory. It has cost the traditional enemies of the truth Six Million dollars; we have smacked right into the twin towers of their fantasies.

Lipstadt had always declared that they must *never* debate the issues on the Holocaust with anybody. We, that is you and I, have forced them to do just that. Millions around the world are now openly talking about, and questioning, these matters of history. Publishers have learned the lesson that if they smear us, it can prove a very costly endeavour indeed, as we bite back.

On to the next battle

I shall now carry forward the battle against the next of these enemies, Guardian Newspapers Ltd. It is to be fought over much the same ground, still littered with the tanks and broken artefacts of war left by the earlier skirmish; and once again the same enemies are clanking onto the battlefield.

I shall show the same vigour and energy in pursuing these new actions. My enemies have boasted that they have injured me financially, but it is not a mortal injury.

I must admit that living without the royalties from publishers, and under the threat that these Shylocks will strip me of everything I own, including our family home, is something of a worry. But you and I never anticipated that this would be an easy fight. It is knowing that I have such loyal friends around me that has given the strength to continue this battle.

At this milestone in the fight – a mere milestone, which is by no means a turning-point – I want you to know that I am in good spirits, and that the battle will continue until we prevail. ”

Real History, USA

2002

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A Radical's Diary

Diary FROM PAGE 4

The ANAL is secretly funded by the Board of Deputies of British Jews and other traditional enemies of free speech.

Seven universities, including the Cambridge Union, Durham, and Trinity College Dublin, have invited Mr. Irving to speak since the end of the Lipstadt Trial: all had to cancel under threats from the same quarters.

A reporter from *Cherwell*, the university newspaper, told Mr. Irving tonight that this time the Oxford city police think they can keep the situation under control. Mr. Irving expressed wonderment that the police should fail to act in advance against all those who evidently conspire to commit acts of violence and public disorder. . .

Lewis & Lewis Ltd. phone: they have the drier drive-belt.

The Guardian runs a story on the Oxford Union. Michael Whinge [of the Board of Deputies of British Jews] and others are lamenting that Rampton is "giving Irving credence" by agreeing to debate with me. I think it will take more than a whinging Semite to silence him.

FEDEX TRIES TO DELIVER AN overnight letter

from Dow Jones (owners of *The Wall Street Journal*) who

are feuding with me. I must try not to confuse them with Dow Chemicals, makers of the lethal mammary implants and Agent Orange.

This response goes to George Stern; it is self-explanatory: "I am not going to 'scrap pages 461-4' as you blithely suggest, and you know it. Even if I had not just paid £2,000 for the index, which would have to be rewritten, it is payback time as far as I'm concerned. They want a scrap and they can have it."

Still scouting around for a replacement for Nigel Adams, I approach Sarah Rees at Goldsmiths. "Would there still be a partner problem? I ask, because although I am happy with junior Counsel and we are currently actively looking for a suitable Silk [leading QC], the solicitor of record is totally inadequate and unsatisfactory, a one-man show who is unfamiliar even with e-mails and the Internet and has yet to produce a Note on a conference we held back in Jan. My first thoughts went back to Goldsmiths and your own sterling record."

She responds: "I will have to consider the matter with Lee Goldsmith and the Senior Partner."

A call from Robin Denniston, picking up errors on page xvii of CHURCHILL'S WAR, vol. ii -

"Larry the Lamb" again. We decide it should in fact be "Dennis the Dachshund."

I write to the Oxford Union about security as interest in the debate is mounting (*The Guardian*, *The Daily Telegraph*, etc.)

Work until 3:40 a.m. Up at 9:30 a.m. My brother has had a brass-alloy pulley wheel turned on a lathe, so I spend four hours dismantling the tumbler drier.

I have to grind out the bore of the wheel a bit; putting everything together afterwards is a three-dimensional jigsaw, like Rubik's Cube. At three p.m. we have switch-on, and fortunately no lift-off.

An anonymous friend in Washington sends five envelopes (so he writes) with \$100 in each; three arrive today. And £1,500 from others. The appeal is running well, but still below what we need for a QC. Heigh-ho.

I AM RECEIVING E-MAILS from strangers like the following: "There has been a little controversy here in the States over your association with Christopher Hitchens. How do you feel about Mr. Hitchens' articles on your behalf and his having you to dinner and being attacked for referring to you as a great historian? A book review in the *New Yorker* has brought the relationship to light."

I refuse to comment. To Hitchens I copy the above and say, "I am not answering any inquiries based on these stories or reports. Oxford Union has asked me to debate next month; we shall see if it gets off the ground, indeed whether I even get into the building!"

Goldsmith's Sarah Rees now informs me that her law firm is unable to act for me.

"The Senior Partner is a prominent member of the Jewish community in the U.K. and accordingly feels that it would be inappropriate for us to be instructed in this particular instance."

If I had refused to do something for him because he is a Jew, that would be anti-Semitism.

A message comes from Counsel: "You must either reach an acceptable *modus vivendi* with Nigel Adams, or sack him and instruct other solicitors."

TWO OXFORD STUDENTS COME to interview me. One says that Richard Rampton has pulled out of the Union debate on a pretext.

The student tells me of massive ANAL agitation, police comments, the University Marshal intervening, and a National Union of Students website attacking on me.

I shall not hold my breath, but it will be a bad day if Oxford bows to this kind of intimidation.

THERE IS A SIX FOOT POLICE sign by the church downstairs, asking for witnesses about a three a.m. "serious sexual assault" - i.e., rape - in Binney Street. That new wine bar, Cork's, has a lot to answer for. Every night the street outside is crawling with its customers, like cockroaches, climbing into their BMWs, fighting, screaming, shouting, and driving off drunkenly the wrong way down the street.

I repeat my prediction: eight years from now everything within a mile of Marble Arch will be Black. And violent. I work rather aimlessly until three a.m.

A HARD DAY'S WORK ON EDITING the book, the appeal, etc. Fetch Jessica from school at 3:30 p.m., after going to Fortnum & Mason's to collect the Waterman pen gift from one admirer; never been in Fortnum's before. I ask the doorman where I can get a cab (the rain is belting down outside). His best advice is: "I suggest you take all your clothes off and run down the street, Sir." I suppose he thinks that funny. I find a cab however. Jessica very chummy.

I work again until three a.m., and get THE SECRET DIARIES OF HITLER'S DOCTOR (1983) posted on the Internet. Then two pages on *Juden* and *haben* (the alleged "deliberate" misreading of Himmler's handwriting). Going to bed, I find the cat has poo'ed on my bed sheets and pee'd on the pillows; time is lost remaking the bed.

I phone Davies to tell him that *The Times* has a serious attack on Judge Gray yesterday.

At two p.m. Alan Heath calls round, he's going to a Don Guttenplan soiree in Golders Green this evening; Tony Stadlen wants to invite me too, but the organisers say I will not be allowed in. Poor show.

Prof. John Erickson, the World War II expert, writes me:

I much appreciated the proof copy of Volume II of CHURCHILL'S WAR. I have now had time in which to read it fully. It is a vivid portrait accompanied by much striking and original analysis. It is certainly no mere repeat of the usual hagiography, much of which was simply arid or infantile.

Once again, as I have observed of your previous work, you show yourself to be a master of documentation.

Leni Riefenstahl says she can't make it to Cincinnati, as she is too old; but sends greetings.

I SEE LOCAL OXFORD STREET stores boarding up their windows in preparations for tomorrow's expected May Day mob violence. Some stores right opposite us do the same; street scenes like World War II. Blitz camaraderie.

Up at eight a.m., and prepare barricades round the front door in case the Oxford Street violence should splinter off towards us. I have at last fixed the door chain for the same reason. I bring the fire extinguisher inside the flat both in case of arson and to prevent any intruders from using it as a weapon. Better safe than sorry.

The New York-based *Jewish Telegraph Agency* announces today: "Britain's Union of Jewish Students is pressing the Oxford Union to cancel a planned address by Holocaust denier David Irving at its debating society on May 10. Plans call for Irving, who lost a high-profile libel lawsuit against Holocaust scholar Deborah Lipstadt last year, to be part of a panel debating freedom of speech at Oxford."

Several police helicopters hovering over Oxford Street; masked men running past, and masked cyclists with whistles. I don't remember this kind of thing under the Conservatives.

Later: the police appear to have contained the mob well, in fact lured them into the Oxford Circus quadrangle and then held them there in miserable conditions for six hours in pouring rain. As in the Hungarian Uprising of 1956, bad weather plays an important part in damping revolutionary spirits. Police truncheons they can stand; but not the dirty London drizzle. In consequence we have one of the quietest days for months - just like the old pre-Margaret Thatcher Sundays in Mayfair, or Good Friday.

I phone solicitor Maria N. at her new employers, the law firm McClay Murray Spence about acting for us in the appeal next month; she will get back to me.

UP WITH THE LARKS THIS MORNING, awake since six a.m. Tomorrow I go to Guildford with CHURCHILL'S WAR, vol. ii.

The Associated Press phones for a quote from me; a Mr. Triesman, of the Association of University Teachers, is calling on his members to boycott Oxford University if they let me speak next week. Mr. Triesman, says AP, is Jewish. I say: "This is one more example of the Jewish community emerging as traditional enemies of Free Speech, and I do not think that will advance their interests in the long run."

ANDREW ROBERTS HAS REFERRED in last week's *Sunday Telegraph* to my forthcoming work on Churchill as a hatchet job.

I write him that he will find I am far tougher on Eden, Mountbatten, *et al.*, than I am on Winston. "I do hope you will read it before reviewing it, if and when that time comes. . ."

A handwritten reply arrives. He

has read the volume from cover to cover, and "I thought it was a shame that you did not allow him a single redeeming feature. I accept that you are just as tough on Eden, Mountbatten, and especially that weird, near-lunatic rambling of Mackenzie-King's!" (The Canadian prime minister is one of the few statesmen whose integrity and incorruptibility I praise in the volume). He says we shall see from his review that "I did not like the book at all."

Funds still coming in at the rate of around £1,000 a day. This afternoon I speak to boys of Latymer High School in Hammer-smith. A Robert Kramer, an eighteen-year-old there, indignant that I am speaking, asks nonetheless to attend. I reply in two lines calling him a bigot.

The *Evening Standard* phones; their piece on CHURCHILL'S WAR is already going to press. It is by Andrew Roberts.

It will not be conducive to the book's health if Roberts is the first allowed to sink his teeth into it, weeks ahead of the rest. He is an ignorant upstart.

The *Jewish Chronicle* reports as its main story the efforts by Triesman, the general secretary of the university academics association, to gather *worldwide* support for a boycott of Oxford.

The traditional enemies of free speech! They never learn.

I speak for two hours to thirty boys and one girl of Latymer High School; organised outside the school in the Polish Centre, after the school withdrew its invitation to me at the insistence of three Jewish pupils; one of them, Kramer, has a barrister father, I am told.

I speak on the "scratchings out" in historical documents.

FEELING SLIGHTLY DEPRESSED; "post-natal," I suspect (CHURCHILL'S WAR, vol. ii, finished). I need a major new project to sink my teeth into; the appeal paperwork, mostly still to be done, looms over everything, and still no luck finding a solicitor more active than the feckless Nigel Adams, from whom nothing has been heard for four weeks.

The *Daily Telegraph* has a half-page advert for a series starting tomorrow, the diaries of General Alan Brooke, which have been "censored for fifty years." Not so, they are freely available in King's College archives, I used them twenty years ago. They print my letter saying so.

A DAUGHTER RELATES HOW SHE was dining with her friend at an upscale restaurant, with two well-known TV stars on either side. One of the latter began a long-winded joke at the expense of a certain David Irving, who went before God and when he

got to the Pearly Gates. . . that kind of joke.

By the sound of it, it was quite funny, and it would have been even funnier if she had played her hand straight; her friend was appalled and said nothing, and so alas did my daughter. She should have complimented their neighbour on his hilarious joke, and said how much her father would have enjoyed it too – and left a fellow diner to educate the man on who her father is after she had left.

D. TELLS ME HE WAS AN EXACT contemporary of Andrew Roberts at Cambridge. He narrates all he knows about the journalist and his family's failed aspirations to aristocracy; Roberts's father made his fortune from Kentucky Fried Chicken and Unigate Dairies concessions (my own papa, perhaps unfortunately, was uninterested in money, and spent his life fighting as an officer of the Royal Navy for Britain and our empire); the Roberts family are very wealthy in consequence; what is called *nouveau riche*, but only by the polite.

Young Andrew failed the entrance examination to Eton, much to his own dismay, and was expelled for a prank when he painted the Founder's statue white (I say this rather elevates him in my view: I myself hung a twelve-foot-square hammer-and-sickle banner over the main entrance to my school at dead of night in 1955, for which I was merely given six of the best when found out).

D. continues that at Cambridge young Andrew's own views on the Jews were well to the right of Adolf Hitler's; but in public he has sublimated these views well, seeking to perpetuate the "ghastly wartime myth" of Churchill's greatness and to establish his own impeccable credentials by such cunning acts as trampling on David Irving's face in print – as D. puts it; in other words, his ambition now is so all-consuming that he is prepared to prostitute his previous beliefs in order to succeed in the snake pit of the media.

Sounds like a really nice fellow. Two years ago he claimed, in *The Sunday Telegraph*, that I was lying when I said that at the outset of his career he had sought my assistance in the documentation of his first book, a biography of Lord Halifax (*The Holy Fox*).

A quick check of my diaries confirmed my recollection, that he had borrowed facsimiles of the Halifax diaries and other papers from me for many months, and had to be pressed several times to return them.

Oh well; I wish him well, but he will have to brush up on his practices to succeed in the long run. The Lord watches over His

own, but so does the Devil.

FROM 9:15 TO TEN P.M. A link to a popular Ontario radio station. Warren Kinsella on the other line; this lefty Canadian lawyer is a foul-mouthed braggart with little to say and only a limited vocabulary to say it in – it consists of the words "anti-Semite, hate, Jews, Holocaust, denier," and variations on those five.

I watch an entertaining and romantic movie, starring Jack Nicholson with Helen Hunt, *As Good as it Gets*, well written and acted, until nearly midnight, and get no work done in consequence. I am running out of steam.

This note goes on the website (based on an anonymous handwritten message received in this morning's mail):

THIS BRAVE FREE WORLD Westminster City Library Service, for which ratepayers (including David Irving himself) pay, has decided secretly to remove all thirty of his books (published 1963-1996) from its shelves and place them in its reserve stocks. We doubt that this is to avoid vandalism. No doubt the traditional enemies of free speech can again claim the credit.

AMY HARLAND, THE PLUCKY young Oxford Union president, writes:

I have had long discussions with the police. It looks like there may well be some security problems on Thursday night. This might make it very difficult for you actually to get in and out of the buildings. I therefore think it is best if you get here very early – say around three-thirty and leave immediately after the debate.

The evening is indeed blacktie. To reiterate, it is essential that you speak only on the subject of the motion. Whilst you are able to refer to your own experiences of having your right to free speech curtailed, it is not relevant for example to enter into a discussion of what exactly you were not allowed to say.

Another message from her reads:

We are going ahead. Unfortunately, Richard Rampton's replacement Lawrence Garnier has been forced to withdraw.

FROM NIGEL ADAMS COMES A bleat that Penguin's lawyers have sent "five lever-arch files occupying a complete box!"

This does not seem much to me – I had hundreds of files dumped on me in the lower court hearing. I respond, "Nigel – do you feel up to all this now? If you really apply yourself to it, we can do it together, but you do not exactly seem to be supercharged with energy on the appeal."

Around midnight George Stern phones; he marvels at the Roberts review printed in *The Evening Standard*, as he privately expected the newspapers

to give CHURCHILL'S WAR, vol. ii the ice-cold brush off. Thinks it a very good and helpful review (I don't).

Prof. Tony Martin, who is probably Black, accepts our speaking invitation for Cincinnati; I inform my local organiser on the current speakers situation:

Brief update; Doug Christie yes; Hitler's secretary too old; Leni R. sends message of support, Mark Weber on Wilhelm Höttl and C.I.A. records, Mike Tregenza on Treblinka, Prof Tony Martin on *The Controversy Surrounding the Trade in African Slaves*. (I think he is Black, but will know when I see his photo.)

THE INEVITABLE (IN RETROSPECT) then happens. At two p.m., as I come back from lunch, there is a call from Oxford University's *Cherwell* – have I any comment on the fact that the student union (not the Oxford Union) has voted today to rescind the invitation to me?

On reflection, I make no comment and say so. What else is new! *Quoi de neuf*. The pity is that this time I have prepared a fine speech. The warning signs were when the two QCs pulled out.

On the other line Associated Press and Sky TV simultaneously phone, would I go to Oxford uninvited to participate in the debate?

I am astonished to hear that the debate will continue without me, the main speaker, but that is the compromise and no doubt there will be much recrimination. I say no, I shall not be going, it is members-only. It is also not my style.

The AP reporter expresses surprise that the students notified *The Jewish Chronicle* before telling me.

At four p.m. Amy Harland herself phones, "I am afraid the vote went against me." I say I'm sure she put up a good fight, and we exchange pleasantries. She adds that the entire Union committee had been in favour of my speaking, and hundreds of students expressed eagerness to hear me, but there is a "vociferous minority" who seem to have a lot of influence at the university; they have swayed the general student body. I tell her I am eschewing comment, in the general interest.

NOW TO TAKE CHURCHILL vol. ii, to the printers, finished after twenty-seven years. I take the one p.m. train to Guildford. The book printers here have submitted the best tender for the job.

After a few minutes' negotiations, their chief comes back in, looking embarrassed, and tells me: "I am sorry, Mr. Irving, the managing director recognised you as you came in and he has instructed that we are not to accept any book contracts from

you. . ." I gather up my things, remarking that it would have been nice if they had informed me weeks ago, instead of submitting a tender for the job.

It is a setback, as newspapers have been briefed that we plan to have it out in three weeks. I wonder if the traditional enemy has put the fix in throughout the U.K. printing trade. There aren't many printers capable of handling the quality we expect.

George Stern tells me that the *Evening Standard* has a piece about the Oxford Union ban, and a very supportive editorial.

AFTER AN INDIFFERENT night's sleep, I find the Jewish newspapers and *Jewish Telegraph Agency* crowing over the Oxford decision. I wonder if their children will in 2050 wonder why the pogrom of that year has come? "Why us?" They never learn to ask Why.

I send this e-mail to Peterborough at *The Daily Telegraph*:

Following up on your good story on the Oxford Union, I draw your attention to the final paragraph of this morning's *Jewish Chronicle*:

"There was a second blow for Mr. Irving this week when several of his books were removed from Westminster Council Libraries - following 'concern' from library users, a council spokesman said."

They were forced to admit this after I received an anonymous (unsigned) handwritten tip from library staff that this had happened last week. I am not pleased, being a library user and Westminster ratepayer for 40 years myself. My books are borrowed country-wide by hundreds of thousands of readers. It seems odd that the wishes of no doubt very many Westminster borrowers are flouted by the "concern" of a few.

The *Evening Standard* runs another item on me, this time about the Reform Club.

The story is largely wrong, but I write only this letter: "Let me assure The Reform that my interest in any London clubs (apart perhaps from The Athenæum) is so marginal that the last time I was invited to lunch at The Savile I took a taxi, not realising that their front door is fifty yards from my own. Taking me for a tourist, the cabby gave me the 'scenic route,' passing Harrods and Victoria on the way."

A PHONE CALL FROM AN AUSTRALIAN student of journalism; I

warn I have little time, he pleads to ask five questions, with Yes or No answers. His first is, "Are you anti-Semitic?" I say "No" and hang up.

At 10:46 a.m. I send this to our barrister:

I am mailing you today a print out of the "document book" draft as it stands at present; it is very gappy, but will give you an idea of the answers to a lot of the points. . . We are very strong on "holes," gas-tight doors, and all eighteen (?) "history distortions."

I get a query from somebody asking for the *n*th time: "The basic thing I want to know is who started World War II and why?" He earns this riposte:

You really cannot expect people to answer questions as vague as this. Authors like me, and academics like Lord Dacre, have lives of our own to live! I don't know if you are retired, but I am certainly not and I have to work until three a.m. every morning, 365 days a year, to keep up with the vital matters on hand.

Assuming he is not a prankster, however, I fear this will not make him go away.

THE SINGAPORE ESTIMATE FOR printing WSC comes to around £50,000 for 10,000 copies . . . and we shall go with them. Parforce U.K. Ltd will put in a formal print order tomorrow.

PAIN THE LAUNDRY IN THE evening; very satisfactory exercise. This e-mail to barrister Adrian Davies:

I am still on top of things. Worked today on Daluge (one of the eighteen (?) alleged manipulations); very satisfactory, it turns out that Evans omitted from his extract of the DNB version of Daluge's paper all the statistics which I quoted in *Goebbels. Mastermind of the Third Reich*. I will start mailing these things to you one at a time as I complete them.

I am a bit puzzled about Nigel though. I recall him telling us two weeks ago that Davenport had shipped to him a box full of ring binders as their answer to our application, etc. I would have expect him to ask about their content. That fellow is a mystery to me.

Christopher Hitchens publishes an immense review of Guttenplan's book in the *Los Angeles Times*. I write to him:

"You don't mention the fortunes that the 'neutral' witnesses like Evans were paid to give their objective opinions [SEE <http://www.fpp.co.uk/Legal/Penguin/experts/payments.html>]."

"You don't mention the fact that

the appeal is up for a five-day hearing on June 20.

"As for Sir Oswald Mosley, I had not the slightest link with him (in fact in 1981 I revealed that I had found in Mussolini's papers the signed receipts for the huge sums that the Duce gave him in the 1930s).

"I appreciate your robustness, as I am sure do all your readers. In fact, we all wonder how much longer it will be before it costs you your job. . ."

THE FINALISED CHURCHILL'S WAR, vol. ii, goes to the printer. But press announces a mail strike, and in the afternoon all the boxes are sealed; so that disc will now stay lodged in the postal system.

Verio Inc., who owe me hundreds if not thousands of dollars, refuse to make any refund after suspending my website account: "We do not offer prorated refunds. That is not our policy. . . There is no refund due."

I reply: "On the contrary, Verio suspended, then cancelled the account - after first inviting me to increase substantially the webspace I was paying for and inviting me to pay two years in advance instead of one; you then started making illicit and unauthorised charges on my credit card account."

All afternoon at Public Record Office, finding the "gas masks" item decoded by us from the Auschwitz signals.

I read the whole file HW.16/22, which is of British intercepts of SS and police cypher traffic for mid November 1942 to early January 1943. The Auschwitz message dated Nov. 20, 1942 indicates the urgent need for 600 gas masks for recruits; so gas (air) attacks were expected.

Today our advert for a secretary for a "West End author" runs in *The Times*. Around 10:30 a.m. a Frenchwoman calls; it is a Valerie Nahman, of Reading, she sounds overqualified, asks for our e-mail address to send her resumé to. At 11:20 a.m. she phones, asks if "the author" is David Irving, admits she is Jewish, and will not accept the job. How can she have identified the author from the e-mail address? We call back 1471 and get a "number withheld" message. Suspicions, but they are usually justified.

Researcher Samuel Crowell (a pseudonym) thanks me for posting the Auschwitz "gas masks" message:

It strengthens the case quite a bit, especially as it regards my argument for air protection/gas protection from the fall of 1942.

I know that you are doing this court thing for your own reasons, but what you are also doing is serving as a kind of conduit for making public historical data that would likely be ignored for another two decades, were it not for your risk-taking and self-sacrifice.

I POST THIS ON THE WEBSITE:

Verio Inc. A warning to webmasters: This website was hosted until Feb. 2001 by Verio Inc. of Napa, California. We then discovered that they were making unauthorised charges on our card, and we cancelled the account after they refused to stop this practice. They have refused to refund these illegal charges. They offer no redress.

I work on the final layout of CHURCHILL'S WAR pictures until eleven p.m. There is already a rising hullabaloo outside; drunken Blacks sitting at the pub tables opposite, shrieking with laughter and shouting, then fat and belligerent Blacks arriving in open-top cars with radios and boom boxes blasting loud and ugly music, then more Blacks and whores fighting as they spill out from Cork's wine bar in Gilbert Street around the corner, or alternatively as they head that way.

The time is approaching to leave "Mayfair," which is no longer as fair as it was in 1968 when my family and I first moved in.

Message from A., a British engineer, Polish-speaking, working today in the Auschwitz archives: "Unfortunately they would not let me go where I wanted as I had always managed to arrange in the past." I ask: "Which sites are now off limits? Guilt! Guilt!"

At 10:08 a.m. he phones, they say they can't find the notorious Bischoff document. I ask: "Any comment from them (ask them toward the end of your visit!) about the Apr. 12, 2000 report in *The Times* which reads: *'The libel trial had a direct effect on the Auschwitz camp where curators started to search for crematorium gas inlets to refute Mr. Irving's courtroom claim that none could be seen. The results of the search are not yet known?'*"

1:50 p.m. he phones again from the archives with comments on evident discrepancies in the archives photocopy of the Bischoff document. He e-mails: "I asked the archivist if this could be a

Special £150,000 appeal: "To defeat Lipstadt permanently and inflict the Six Million Dollar loss on her backers, I must raise this sum at once. Contact me urgently if you will help."

David Irving: e-mail: focalp@aol.com • P O Box 1707, Key West FL 33041 • phone 305 296 6486



fake. She said that it was unlikely as the original was in Moscow and would have been seen by archivists from Poland. A copy of this document turned up in this archive in 1980s."

I comment: "No, she hasn't got it quite right. The Auschwitz archives got it as a gift from communist East Berlin in the 1980s, 25 years after East Berlin published an anti-SS propaganda book containing the text (but not a facsimile). The location of the original is shrouded in mystery (if indeed it exists). My own feeling is that the Auschwitz Polish archivists are not very critical when it comes to documents and authenticity. Any progress on 'holes in the roof' and *The Times* item?"

At 5:20 p.m. (London time) he phones from outside the famous gates. "I asked the archivist what the latest news on 'the holes' was, she did not know herself, but she must then have asked another, a stranger, because he came in and told me that last July [2000], he was certain of the month, Van Pelt and Lipstadt came together and went off to look for the holes. *They evidently found nothing, because no photos were published or taken and no report was made.*"

MAY 29: I WORK UNTIL four a.m. and finally complete the Postscript file on the picture section; a nerve-racking task. I leave the machine distilling the resulting 660-megabyte file and go to bed. Awake in a hot sweat at seven a.m. The file has distilled perfectly; the PDF gives a first taste of what it will look like in print. The colours a bit florid, but perhaps the printer will correct that.

Generally prepare for this morning's departure; doorbell rings on the dot of 9:30, it is the taxi to take me to the airport.

Get a lot of work done on the plane. Very cramped American Airlines 777, I am shocked at how badly designed it is (overhead-locker layout, etc). Arrive at Chicago at 3:45 p.m. and drive to Indiana. I try various motels; the usual one at Rensselaer is now run by an Asian – he greets me with the words, "The phones in the rooms don't work, I am afraid." So I move on to Remington and check into the Sunset Inn.

Phone London from Cincinnati; Jessica answers the phone and is non-committal when I ask if she's having a good time, then says: "Bear with me, while I put you on hold." She trots off to fetch her mother. Seems more and more young ladies are putting me on hold.

There is an e-mail from her mother: "The noise from the street here last night was absolutely appalling, lasted until

3:30 a.m."

CHICAGO, FRIDAY: WE HAVE A stand at the big BookExpo 2001. Around 10:30 there is a visit from one Horovitz, who runs the Spiritual book section for G P Putnam, Inc., and is a friend of Steve Wassermann; an interesting talk for half an hour, while others come and go.

Mark Bando, the Chinese author and expert on the 101st Airborne, comes and chats for an hour, and I say we'd be happy to consider publishing his works in the U.K. They are well researched and produced. Three Chinese then come and talk about buying rights in CHURCHILL'S WAR, HITLER'S WAR, and other works.

SATURDAY: I AM AGAIN HAVING serious qualms about our feckless lawyer, Nigel Adams. I write to our barrister:

It is probably asking too much to expect Nigel to take any action – I have still not seen whatever the bundle was that Davenport Lyons sent him three or four weeks ago – but:

Should we not now formally write to Davenport [Penguin's lawyers] asking them what was the outcome of the tests that were made on the roof for holes in response to my challenge, during the trial. (*The Times*, April 12, 2000, reported it, and that Auschwitz were not revealing the result). A British friend of mine who lives in Poland and is anti-revisionist visited Auschwitz last week, phoned me from the archives, and told me that an archivist had just told him, when he asked the same question, that Lipstadt herself and Van Pelt visited Auschwitz in July 2000 for the same purpose, and went off to look for the holes.

Again, we should ask formally what was their finding, if this is true. Surely this material is discoverable. Ask them to disclose all notes, letters, papers, records, photographs taken, etc., etc., on this occasion, and all reports made to them by the Auschwitz authorities as a result of my challenge during the trial.

We are running out of time for this kind of gambit. Do you think Nigel is on top of things, timewise?

AT THE BOOKEXPO I HAVE FROM 3:10 p.m. a visit from a representative of Hulton-Getty International, who shows me the latest Martin Gilbert coffee-table book. He mentions in passing that my visits to the Hulton-Getty Photo Library caused internal dissent and demands that I should not be allowed to use the pictures; he personally led the campaign to stop any such talk however, and the storm is over before it began.

It is all rather upsetting however, as it shows what I am secretly up against.

Several visits from anonymous fans brighten a monotonous day. Visit also from two gentle-

men of Totem Books, Cambridge, who are publishing a slim book on *Post-Modernism and Holocaust Denial* (I have not the faintest idea what this "in"-word *post-modernism* means). He asks me to sign his copy, and his colleague takes a photograph as I do so; he leaves me wondering what he is up to.

LAST DAY OF THE BOOKEXPO show. Plagued by fans and groupies; a row with two other stand owners who are fired up by no doubt leftist colleagues; they go away with their tail between their legs after I show them the actual books, which they have never seen.

Adrian Davies has now complained to solicitor Adams:

I am frankly increasingly concerned that I have still not received the bundle containing the pleadings. I cannot prepare for this appeal without this documentation.

D.I. would like you to ask the Respondents (both of them) whether they have seen the report prepared by the Auschwitz camp authorities on the question of the holes in the roof of Crematorium II. Please do so as soon as possible.

It later turns out that Adams never does so.

TAKE OFF LATE FOR LONDON, around nine p.m., American Airlines; a wretched 777 again, but an empty seat next to me.

I fetch Jessica from school: looking very smart in her school uniform, what joy. Seems put out that her mama is not there, but we end up (after I snooze for an hour) walking to Hamley's toystore and back; she abstains from purchasing anything, which is good.

JUNE 7: TODAY IS ELECTION DAY; that twerp William Hague does not stand a chance; I have been mystified by his appointment as Conservative leader; his wife Pffion is sweet, but I believe his sexuality is not above suspicion. She seems to have married a "confirmed bachelor." The voters have a way of sussing these things out, and it will cost him at the polling booth today, I suspect.

A worrying message from Adrian Davies about Adams:

I am surprised (you might use a less neutral word) at the level of his fees. You must urgently reach some arrangement with him. My concern [is] that he will snaffle the whole of your fighting fund for his extravagant bills.

I reply to this and to other matters which he raises:

("Are there any videos that you would like to show?") For consideration is only (a) the 30-second newsreel of the Kraków trial ("nearly 300,000 died [at Auschwitz]); (b) the video of *Mr. Death* in which Pelt is shown on top of Crema

II saying this is the centre of it all. However, we have an agreed transcript of that, which should serve adequately. The Pelt video does have the advantage of showing his holy fanaticism and emotionalism about Auschwitz.

Adrian replies in part: "As Ramp-ton boasts that he will show you leading a banner-waving bunch of Nazi thugs" (day 26, page 143), any video evidence of you remonstrating with shaven headed oafs, and telling them that their misconduct is bringing shame on Germany would also be helpful."

To which I respond: "I think we would do very well steering clear of it. It is very emotive and prejudicial stuff. I thought we were going to stick to the history arguments and ignore 'racism,' 'anti-Semitism,' etc., as being irrelevant. I think we would be well advised to use our brief time in court on central issues."

12:30 P.M. LUNCH WITH RAY Moseley of the *Chicago Tribune*, a newsman of the old school, just as one imagines them from Billy Wilder's *The Front Page*. He has been commissioned to write on Mussolini's last days and would I help him with advice? I do so, throwing up various lines of inquiry.

Adrian says that Nigel Adams has put in a £42,000-plus bill for his work so far, which has been the purest waffle and incompetence. What to do with Adams! That is the problem.

I work until midnight. Four Black men are urinating over the wall into the church basement next door. The street is now patrolled by Black security men at night, wearing fluorescent police-style jackets.

From remarks by one as I call out to him last night, they are hired by Cork's, as he says the urinating men are "nothing to do with the Club." How does he know?

Mayfair is going to hell in a hand basket.

FRIDAY: THIS LETTER TO ADRIAN:

This concerns "Police-Officer Hoffmann." I attach a raw, uncorrected Xerox printout of the materials recovered from my 1980 8-inch Xerox discs.

I have made no attempt to correct the printout anomalies (e.g., in the recovery process diacriticals, characters with umlauts, etc., have been lost).

The first page makes plain the problems that a "scholar" like Evans, who works by preference from printed library books, willingly overlooks – the sheer scale of paperwork involved in research into an item that eventually became just 2 or 3 pages of GÖRING: 52 + 55pages (17,436 + 17,169 words!) copy-typed by me from a dim microfilm-reader screen in German. . . The film is 2,916 pages long.

I sent the original 8-inch Xerox floppies to the conver-

sion firm Downloading Ltd. (of Ealing) in November 1999; after many reminders from me, they supplied the [Macintosh] disc to me this April.

This letter goes to Westminster Council:

Your council have, mistakenly in my view, granted a licence which permits a wine bar in this neighbourhood to operate until far into the night.

Since this disaster befell our area, we have had no peace at night: there have every night been fights, screams, loud disputes between obviously drunken Black and White bar customers and their females, the noises of car doors banging, racing engines, blaring music (at three and four a.m.) from car radios, and more recently the unpleasant phenomenon of scores of customers defecating in public as they leave the bar to go home. Our building's porter has to clean up this mess every day using bleach and buckets of water.

Of late, a number of men in yellow fluorescent jackets are to be seen "patrolling" the area, but this has produced no improvement whatever.

We have tolerated it for over a year now, hoping that you would take some action to curtail the establishment's excesses.

This part of Mayfair is not a night-entertainment zone and never has been. I have lived in this home for 33 years, and do not see why our peace should suffer like this . . . just because of the profits of one establishment. I am furious about your council's failure to take action; the police do nothing whatever - they are nowhere to be seen.

A FLIER FOR INDIANA UNIVERSITY Press announces a new book by Robert Jan Van Pelt, *The Case for Auschwitz*, to be published in January 2002. Under cross examination he denied that he was planning to publish his expert witness report as a book.

This message goes to Counsel:

You recall that I extracted from Van Pelt [Day 9, Jan 25, 2000, transcript, pages 43-45] a slightly devious statement, after I specifically reminded him that he was testifying on oath, that he was not planning to publish his report (because, I pointed out, that would induce him to load it in favour of anti-denial proof).

Now see the Indiana University press website which is advertising - wait for it! - his new book! The three pages of his replies to my very pointed questions show how dishonest he was. He was clearly intending to publish all along.

I comment to Don Guttenplan:

Human greed will be the downfall of Lipstadt and her case yet.

In Chicago your book was well displayed in bookstores; also in the local Books Etc. I have bought ten copies of the Evans book (in the U.S.A.), you can readily surmise why.

TWO P.M., MY GRANDSON ADAM'S First Communion. A large family gathering in a church that

has an almost eighty percent Black congregation so far as I can see. I take a number of photos. My other grandson Tony is there complete with sideburns and a girlfriend, Samantha, smoker, 17.

MONDAY: A LONG TALK with Adrian - he phones - in the evening. He is less impressed by the Pelt book than I am. Also fears we have lost Gernar's usefulness, as the other side will argue that I should have called him in the first instance.

Adrian agrees with me, "having now met him," that calling Gernar would not have been a good idea: however brainy, he is a shambling, ambling scientist, and no match for the crisp, clean-cut, white-collared experts produced by the defence.

Solicitor Nigel Adams is supposed to come today at two p.m.; he does not. He eventually phones at 4:34 PM with apologies; just typical how he wastes my time, and finally arrives at 6:45 p.m.



Perjurer Robert Jan Van Pelt, Prof. of Architecture, denied on oath that his witness report would be a book. His book is to be published by Indiana University Press next year.

An agonising two-hour talk ensues about the appeal. It seems he has ordered two sets of evidence from Mishcon de Reya [Lipstadt's lawyers] who have gleefully invoiced him (i.e., me) for over £750 in consequence. . . I lecture him that I have a high-speed copier here, so there was no need whatever for him to order two sets. He gulps and admits his error.

Next day an e-mail comes from him demanding £80,000-plus, or he will do no more work; not that he has done much so far.

I draft this response, which states only a quarter of my feelings about him and his blackmail:

The appeal fund which I have collected comes from people who have contributed sometimes as little as two dollars, and from widows and pensioners, and it is a duty on me to see that it is not squandered.

You will have perceived during our frank discussion last evening that I was not im-

pressed by your talk of the methods you had applied in charging earlier (and far wealthier) commercial clients.

PRETTY AWFUL NIGHT; AWAKE AT four a.m., get up at 4:21 for a shuffle around, lie awake worrying and brooding until seven a.m., then sleep fitfully until the bedside phone rings at nine a.m. It is the Australian magazine *FMQ* for their prearranged one-hour interview; not too hostile, but the usual questions, well funded with dirt by ADL and others ("What, us?").

I have half-decided during the night to abandon the appeal next week; I don't see how I can carry on with this half-baked solicitor Nigel Adams. He will muddle just through to a disastrous defeat, at best. But can I get a new firm up and running in time? Will we get a further postponement in the circumstances? Unlikely in my view.

10:38 a.m. I phone Russell Jones & Walker, but Barton Taylor has moved to Goulden's and he is not in when I phone there.

I WRITE THIS TO A NEW YORK researcher on Rudolf Kasztner: "You may not welcome advice or assistance from me, but here goes: There is a totally unnoticed file on Kasztner and the 'trucks [for Jews] deal' in the British Public Record Office. It is a half-inch thick file, formerly TOP SECRET, of the British-intercepted letters that passed between him and Joël Brand and their contact man in Palestine. I am surprised the 'experts' have not spotted it. I spent an afternoon reading it about four years ago, but as you know the Holocaust is not my subject so I took no notes." [*The researcher makes no reply*].

Nine p.m. Adrian phones from his chambers. I say that I have spent the day looking for a replacement for Nigel Adams.

What a mess. Adrian says that of my options, apart from throwing in the towel because of Adams, I can only realistically either settle with Adams now - which means going ahead with a very lame horse indeed - or appealing first to Master Venne, then to Lord Justice Pill himself, for a new, later, date to enable me to find and instruct a new solicitor; not easy.

He will approach T., but she is reluctant to take on a high-profile political case, as last time [. . .] she had to have Special Branch protection for months afterwards.

Later, Counsel makes plain that he will stop work unless I find a replacement solicitor. I say that having worked solidly since last April on this appeal, I cannot abandon work for five days, I have to assume it goes ahead on June 20. I am sorry, I add pointedly, that I was ever lum-

bered with Nigel Adams.

I spend the evening reading and commenting on Mark Bateman's (and Richard Rampton's) comments on the arguments.

It is all very dispiriting; I have no idea what will happen next week.

Nigel bleats: "I suggest we all meet up at Adrian's chambers at 10.30/11 a.m. tomorrow."

But I reply: "After discussion, I am withdrawing instructions from you." He is sacked, five days before the appeal begins.

ADRIAN DAVIES COMMENTS:

I cannot understand why you did not do so long ago, as you have been expressing profound dissatisfaction with him since last July.)

In these circumstances, you run an awful risk of not getting your adjournment.

I write to the Court: "I have late yesterday terminated the retainer of my solicitors, Nigel Adams & Co. . . I am thoroughly dissatisfied with the speed and thoroughness of this firm's preparation of my application for permission to appeal. I have been unable to resolve my differences with this firm. Accordingly counsel's brief has not been delivered, and I am now without representation.

"I have no alternative but to ask the Court of Appeal for a short adjournment in order to allow me to arrange alternative representation."

WESTMINSTER COUNCIL phones: they will install a noise-level meter here for the weekend.

Don Guttenplan asks for a look at our submissions. I tell him: "I had to sack my solicitor last night, as he was useless and over-generously charging his fees. I have applied to court for an adjournment to enable me to find a replacement. . . Off the record: Looks like this may be the final end run, in which the player trips, stumbles, falls flat on his face. I am heartily sick of the whole unproductive procedure. I do NOT like lawyers or their company."

I phone the major law firm Amhurst Brown Colombotti, then fax the entire Grounds and Skeleton Argument through to them. They warn that their charges will be substantial, but I pay them.

KIRK, FROM THE GROSVENOR Mayfair Association, comes round with a petition he is organising against Cork's. I eagerly sign it, and cheer the fact that there is such an effort. The court hearing is due at Horseferry Road Magistrates Court on July 9. Westminster Council are trying to get the licence reduced to one a.m., which will kill off their Black customer basis, he says (ethnics like to

party all night). They have legal advice, barristers, etc., lined up. I say: "Count me in." Cork's customers have smashed the windows of two local stores (Fourbuoys, and the medical clinic on Weighhouse Street) in the last few days; also stabbing, rape case, murder etc. Very nice.

Starting concentrating financial reserves for the next big legal fight. . . With CHURCHILL'S WAR, vol. ii, and HITLER'S WAR coming along, we can stand the strain in the long run. I change the note on the website's AR-Online front page to read:

David Irving is back in London. On Wednesday, June 13, 2001 he dismissed the law firm representing him in the appeal against last year's perverse Judgment in the Lipstadt libel action; on Friday he appears before Lord Justice Pill to ask the Court of Appeal for three more weeks while he instructs new attorneys.

To reassure our hundreds of supporters: such an appeal is Counsel-heavy, and the same excellent Counsel as before is still in position; but he is not allowed to appear in a British court without instructing attorneys.

Bed around midnight feeling jaded, depressed, exhausted, and flat. What's the opposite of whoopee?

FRIDAY: HORRID DAY. M. PHONES several times, has begun getting responses from Palestinian friends he has approached. Later: he has opened a letter containing a £2,000 cheque from one sheikh for the fund.

At the Court of Appeal to ask for the emergency adjournment. Our hearing begins four hours late, lasts until five p.m., and goes badly. Adrian speaks well (I don't address the Court).

Mr. Rampton says that Mr. Irving handled the case at first instance "competently" and would be able to handle the appeal equally so, i.e. there is no need for an adjournment. Moreover, he claims that Prof. Van Pelt is on his way over from Canada, if not in the air already, and Lipstadt too; adjournment would be inconvenient.

The three judges retire for fifteen minutes and return with a negative verdict stated by Pill: "The balance of convenience outweighs the balance of justice." (Meaning, convenience to them: they have spent weeks reading the papers; an adjournment would mean the court would be constituted differently, and these three would have wasted their time. I can't fault that argument. Also they point out that we had one adjournment already in March).

Sitting on the public benches, Nigel Adams interrupts several times, incoherently and mumbling, while the judges are very patient. At one stage he even apologises for seeming to "waf-

fle" (which remark makes my afternoon, if nothing else does: *waffle* is all he has done for twelve months now).

The message on the AR-Online front-page is changed (7:35 PM) to read: "[The judges] have refused to change the date. The trial of the Irving appeal proceeds therefore on Wednesday. We now urgently need to raise an additional £27,000 for the new law firm by Monday midday. Today's mail brought in £2,430. . ."

At 12:36 AM I send this letter to Davenport Lyons: "We have only just received from Nigel Adams & Co. the bundles of documents including the Pelt report [. . .]"

I write to our own Counsel:

I am addressing the money problem over the whole weekend, and the documents. I have begun reading the very thick (500 page) response by Pelt to Rudolf's affidavit. It contains almost as much waffle as Nigel's worst.

Pelt relies heavily on the eye witnesses still, and claims that an investigation of the holes was made after the trial, and they were found (appendix to his report); but we cannot cross examine the man who made the examination (Keren).

Germar Rudolf unfortunately has committed some methodological blunders, like using many *noms de plumes*, some of which quote "Rudolf" (i.e. himself) as a source.

That looks bad for a scientist, except in R.'s special circumstances. More anon, get some rest, I was very proud of your effort in court today.

AT 5:41 P.M., J. PHONES, INVites me to dinner with Lady Londonderry.

This letter goes to Westminster Council.

I regret that I was not here to welcome your team to install the noise level meter on Friday; I was unfortunately detained at the Court of Appeal until after five p.m.

Last night was the worst yet: at 3:40 a.m. the whole building was awakened by screaming in the street and several men shouting; there was a running brawl spilling round the entire building from Duke Street into Weighhouse Street and Binney Street. Two Black "security men" in yellow jackets were standing idly by doing nothing, manning a wooden barrier they had thrown across the Street. When I called out to them to intervene one shouted back "Go f*** your mother."

At 4:04 a.m., four police cars, a police van, and an unmarked patrol car arrive, with sirens sounding and blue lights. The shouting and screaming goes on for ten more minutes.

GERD SUDHOLT COMES. HE SAYS that Dr. Herbert Fleissner of Langen-Müller Verlag refused to give him an actual contract when he "bought" HITLER'S WAR from him, only an invoice for the payments! I warn him

that Fleissner has no rights to my works. Südholt says he has obtained Goebbels's *Last Book* (minus one page), 1945. This was all that survived of a print in Prague; the truck was blown off the road, the driver salvaged one copy. I say I have never heard of this book.

Wakened by the phone at 7:20 a.m., but it stops before I can answer it. In a dream I was up to that moment on a battlefield, looking across a hundred yards of no-man's-land to an open bunker with half a dozen German soldiers staring at me from its embrasure. I wonder why nobody is shooting. Then the shooting begins, and the phone rings.

My Counsel is still active:

I am in a good mood after productive further work on the appeal, very radical and aggressive, to quote the Little Doctor, who will, I am sure march *im Geist, in unseren Reihen mit*, on Wednesday.

My one big area of concern and regret relates to Germar's affidavit: I do not have a copy despite repeated requests to the waffler (thank you, Nigel) yet need to get to grips with it, the exhibits (Germar's sources), and the [defence lawyers'] evidence in answer.

Please prepare sufficient copies of the colour photos of the blue stains (assuming that I can somehow get on top of the Germar material), but in any event of the short version of the Policeman Hoffmann evidence appended to your letter to me of 8 June 2001, the DNB/Daluege crime statistics, with English translation, the Bartz telex, with English translation, Schlegelberger memorandum with ditto, the more lurid Olère drawings included in your "book" of appeal material, the advert for the air raid shelter door, drawings from Neufert of air raid shelter doors, documents showing inmates at Auschwitz were working on ARP, [air raid protection] Lipstadt's *Jerusalem Post* article of 6 June 2000, the two Auschwitz plaques, the videos of the Polish trial of Auschwitz personnel in 1948, and van Pelt having his religious experience on the roof of Krema II, Repal advertisement.

Do not on any account forget to bring the Himmler volumes to court; bring also Pressac, Van Pelt's book on Auschwitz, The Skunk's [i.e., Prof Evans's] masterpiece *Lying about Hitler*. Have you copies of Brownning's review of "The Revised Hilberg" in the *Simon Wiesenthal Annual*, Vol. 3, p. 294 (1986)? And Arno J. Mayer's, *Why Did the Heavens not Darken?*

CONTACT ONE MAJOR CONTRIBUTOR in Sherman Oaks, California: "The Arabs are only now beginning to stir in my favour, but not in time, alas. I had a sleepless night." M. is going to Ascot Thursday, to "work the field" as he puts it. Three days to go. I phone our new law firm, Amhurst Brown Colombotti, at 10:30 a.m. Their

Peter Laskey will be handling the case.

Don Guttenplan e-mails: "I am writing a feature on your appeal for *The Guardian*."

I reply: "Our old attorneys did virtually nothing (but submit a bill for £80,000). Last Tuesday they visited me (five hours late for the appointment), and casually brought two boxes of files from the enemy lawyers which they had been sitting on for eight weeks or more. These contain a new Van Pelt report (500 pages) and much else (affidavits, chemical tests etc).

"They were very surprised when I sacked them that evening. We were equally surprised when the court refused us an extension on this ground."

I walk to the bank; on the way I pass a smart girl with red hair slicked back into a pony tail; I think for a moment it is Mia, and say: "Still around, then!" and she flashes a large grin. Then I realise it was in fact Aislinn M., whom I have not seen since August 1998! I must be living in the past.

Harry phones from Sherman Oaks, the funds were wired at 2:45 p.m. LA time. He says, "Get some sleep, baby," and I do.

Rolf Hochhuth phones for half an hour, the first time for months

JUNE 20, 2001: UP AT SEVEN A.M. after an awful night.

From 10:30 a.m. to 4:30 p.m. at the Court of Appeal. Courtroom is crowded with forty or fifty people, including all the expert witnesses from last year's trial - Prof. Richard Evans glowering, no doubt asking himself why we have ten copies of his book *Lying about Hitler* on our counsel's table.

Lipstadt's Marxist expert on "right wing extremism," Prof. Hajo Funke, all the way from Berlin, comes slithering over to shake hands with me and *sich anbieten*. He asks if he can see me privately this weekend - I suspect he is an agent of the Bundesverfassungsschutz; no doubt in happier days he would have been a Stasi agent.

I take notes throughout the day. Adrian begins, "Considerably to my own surprise I am appearing before your Lordships."

He quotes the advice of Lord Justice Staines never to whinge about the opposing solicitors. On the contrary, he has high praise for them as they have been put to great inconvenience by the last-minute dismissal of our solicitor for negligence.

This libel action is, he says, a case which caused great emotion at the first instance last year. There are large parts of the Judgment by Mr. Justice Gray which we wholeheartedly adopt. The main charge however is that I falsify history.

The Appeal Court hearing begins . . .

As for the Leuchter Report, its nucleus is in the tables produced by the forensic scientist Dr. Roth, and not in Leuchter's assessment of them.

The question is, what evidence was available to me at the time I wrote my books? That is what matters. Other materials, like the Bletchley intercepts, became available only later.

At this point, Lord Justice Buxton makes the first of what will be many interruptions. He points out that Mr. Davies has not shown that Mr. Justice Gray was not aware of these considerations at the time.

Mr. Davies sets out his reasoning. Mr. Justice Gray's considerations were based on the evidence of Prof. Evans. But we shall show that he was biased.

Davies says that if he can show that I took reasonable positions on the various historical points, from Policeman Hoffmann through to the *Reichskristallnacht*, then we should win.

He will take things in chronological order. He starts with the need to define the words "Holocaust denier."

Lord Justice Buxton objects that there is no suggestion in our Skeleton argument that the Court misunderstood what was meant.

Davies argues: "Mr. Justice Gray should not have taken Evans's definition of Holocaust." It was for the judge to find what "Holocaust denier" means.

Lord Justice Mantell (who is clearly not unsympathetic): "What is meant by Holocaust does not come into it at all. Even if the Defendants showed it was an inaccurate definition, the Defendants have to show that Irving lied or distorted the evidence. The phrase 'Holocaust denier' is meaningless, and not defamatory in itself."

Mr. Davies then addresses the Hizbollah allegation, "a very serious libel." Lipstadt's book implied that I condoned the activities of terrorists: the Hizbollah and Hamas are seen as murderous, terrorist organisations. The allegation exposes me to violence by opponents of Hizbollah and Hamas.

Mr. Davies continues by pointing out that I succeeded on the Goebbels diaries allegation, and that I should also get damages in that respect.

11.43 a.m.: Davies says: "I am now prepared to deal with the specific allegations." He looks at the Policeman Hoffmann allegations. Richard Rampton, QC, interrupts to say that Hoffmann's background was only a minor point.

When Mr. Davies now proceeds to

deal with the matter of SS General Kurt Daluge, Rampton is on his feet, interrupting: "Daluge is not terribly important."

Lord Justice Pill says: "It is not for Mr. Rampton to say what is important and what is not."

Mr. Davies observes: "It is the drip-drip effect."

LORD JUSTICE PILL NOW invites Mr. Davies: "Can we hear your views on Prof. Robert Van Pelt's expertise?" Rampton again leaps to his feet, protesting at the prospect of Mr. Davies impugning his expert witnesses without having given due notice.

Mr. Davies says he has done so in paragraph 17 of his Skeleton argument, and he will rely on *The Ikarian Reefer* case on the matter of Expert Witnesses: "Van Pelt isn't an expert on any relevant issue on this case."

There was no direction, he says, for Expert Witness evidence to be given of an Architect, Engineer, or a Chemist. So Pelt should not have been heard on these subjects. Worse, he says, Pelt gave evidence on gas chambers, although he was "as entitled to give evidence on gas chambers as a fishmonger."

As for the Leuchter report, "Van Pelt was simply not qualified to comment on Leuchter."

Lord Mantell interrupts. He agrees that it does seem "wrong for Mr. Justice Gray to have accepted Van Pelt's, but to have refused Germar Rudolf's figures." He observes that the Leuchter Report is dated 1988, and it would be wrong to criticise me if the facts on which Rampton relies for it came to light only much later.

Turning to paragraph 13.9 of the Judgment, Davies states that there are only 19 pieces of evidence, not the 30 or 40 to which Mr. Rampton has earlier today referred. Rampton says that I have described Hitler as "a friend of the Jews." "This is ludicrous," says Davies. I argued only that Hitler was the only friend in power that the Jews had. Mr. Justice Gray's remark to the contrary is unsupported by the evidence.

Mr. Irving, he says, is criticised for challenging evidence that Adolf Hitler was involved in the *Reichskristallnacht*, but there is ample evidence that he could reasonably do so. Davies then notes that the 3:35 a.m. telex from a Herr Bartz, of the Berlin Gestapo, was given only a one-word treatment by Mr. Justice Gray, whilst he did not mention the Helmuth Groscurth diary entry in his Judgment at all. Both items supported my view.

Lord Justice Buxton asks: "Do you object to any of Mr. Justice Gray's other findings on *Reichskristallnacht*?" The accumulation of evidence is against me, he suggests.

Undeterred, my Counsel says, "That is not quite the test in law of how this Court should approach the conclusion."

Lord Justice Buxton is still sceptical, and asks what "previous order" was "reversed" by the Bartz telegram. He agrees that it is plain Mr. Irving honestly holds the opinion he does, but it is incumbent on the historian to cite evidence on both sides. What Mr. Justice Gray is saying is that Irving cited only the evidence before him.

Adrian Davies says that Prof. Evans, in his expert witness report, totally suppressed inconvenient documents like the Bartz telegram. The "gist" of Mr. Irving's account is correct.

Lord Justice Pill comments that Mr. Justice Gray finds that Mr. Irving misrepresented the *Judentransport* document of Nov. 30, 1941, and Lord Justice Buxton asks, "Was the error immaterial?"

Richard Rampton interrupts to observe (correctly) that the error has not been changed in the later, 1991, Avon Books Inc. edition of *HITLER'S WAR*.

Mr. Davies however points out that when licenses in books are sold to foreign publishers the author has little or no opportunity to make changes.

He then quotes Prof. Yehuda Bauer on the Wannsee Conference, who said that it was "silly" for anyone to say that the decision was taken there to liquidate the Jews. Bauer is right, suggests Counsel, and Mr. Justice Gray is wrong.

He concludes by reminding the court of the words frequently used in the Judgment about Mr. Irving's arguments, as being "not without merit" and "worthy of consideration." Thus, argues Davies, my views can hardly be described as *unreasonable*, let alone *perverse*.

BACK AT DUKE STREET, I READ an e-mail from H. in Sherman Oaks: "Any news when Van Pelt will be taking the witness stand?" – H. wants to fly over for that day.

I reply: "I suspect that he won't. As Pelt left court today, a woman was heard saying to him, 'No need to be so upset, I am sure it will be okay in the long run' – i.e. Adrian had made telling attacks on his abilities. Slow start this morning, much better in afternoon, two judges cordial, jovial; one [Buxton]

shrewd and quick witted."

THURSDAY: ENDLESS DIFFICULTIES finding a taxi in Grosvenor-square; ten minutes' wait. Taxi to High Court; arrive 10:32 a.m., the judges are already in session. Adrian Davies in fine form all day, better than yesterday; occasionally refers to Judge Buxton as Mantell and vice versa, but at least he doesn't call either Mein Führer. Buxton is sceptical, shrewd, and keen to display his knowledge in law, while the florid, large, and pocket-handed Mantell is happy to agree, asking helpful questions, and nodding approvingly once or twice.

In the coffee shop over the road Don Guttenplan tells me at luncheon that Adrian is a star: "Pity you didn't have him at the lower court. You'd have won hands down," he remarks. That does not say much for the strength of Lipstadt's case.

At the end of the day Adrian says that it is clear Pill and Mantell are with us, but that Buxton will put a stern fight, being a liberal do-gooder, to prevent them coming out with a Judgment in favour. We shall see. There is no doubt that Pill has what Churchill called "the root of the matter" in him, but that Buxton LJ is very quick-witted and spots every legal tripwire.

JUST BEFORE HE FINISHES HIS submissions on Auschwitz, Adrian comes to Prof. Evans's book *Lying about Hitler*, which he intends to put to the judges as proof of Evans's vicious prejudice; it contains some truly astonishing passages, demonstrating what he tells the court are Evans's revulsion, loathing, and dislike of me.

As soon as he reads out my cross-examination of Evans where, on oath, the Prof. denies having any feelings about me one way or the other, Buxton LJ interrupts to say that the allegation we are making is that Evans was lying on oath, i.e. "you are charging him with *mendacity*." Adrian replies that the book makes that quite plain.

There then comes one of the tripwires. The court asks *why we have not made formal written application to introduce this book in evidence long ago* – what Buxton LJ calls "mendacity" is such a serious charge that it must be made on notice.

Richard Rampton leaps to his feet, red-faced with fury, and shouts that as Adrian should know, moreover, he is flouting Bar Council rules which require that if an expert witness

is to be accused of lying, it must be done in his presence.

Adrian gasps, "In an appellate court? Where witnesses do not normally appear?" The judges too express doubts. But this objection by Rampton may explain why Evans has absented himself from the courtroom today (he was present all day yesterday). No doubt the defence saw the copies of his book stacked up on our tables, and realised what was coming.

Adrian can of course not give any explanation to the Court of why we did not make proper formal application (once again: we have been badly let down by Nigel Adams); Pill LJ, the presiding judge, says he will treat this as a belated application, which Adrian then properly formulates.

When the Judges return from their brief adjournment, Pill announces that this application to put the Evans book in as evidence of that witness's prejudice is refused. Nor, in consequence are we able to tell the Court what the learned judges in the New Zealand tribunal found as to Evans's lack of objectivity in the Joel Hayward case. So be it.

THIS SEEMS TO BE THE turning point of the appeal. One of our main weapons, the proof of the venality and prejudice of Lipstadt's chief expert witness, is dashed from our hands.

Solicitor Adams should have made timely application; Adrian certainly directed him to. He can hardly wonder now that I sacked him, far too late.

In the mail yesterday was a letter from Adams disclosing that our "Auschwitz survivor," Mrs Zoë Polanska, refuses to swear her affidavit as she has thyroid cancer and cannot testify. How long has he sat on that information? It is moot now anyway.

This erring solicitor did not forward the Rudolf Report to Adrian Davies until a few days ago, and then without any of the annexures, which now leads inexorably to the next disaster: Adrian has to tell the judges, *tout court*, without explanation, that we shall not be applying to introduce that evidence either.

MPHONES AT 9:24 P.M. that he has had a good down at Ascot – two folks who want to meet me urgently, including one whom he doesn't identify by phone.

After midnight, I phone Adrian about the lack of security classification on all the key documents; he agrees that is a key point. Says Lord Justice Buxton looked desperate yesterday for something to grab onto sink us with, given that his two colleagues favour us,

apparently. *Schön wär's*.

2:40 AM : Adrian writes:

Where in the transcripts is there any reference to the point that you only received [Theo] Miller's letter two years after publication of DRESDEN and/or that subsequent "editions" were simply new impressions, and not reset?

I reply:

Let me look those up tomorrow morning please. Dog tired now and going to bed.

I go to bed at 3:08 AM.

FRIDAY: WHAT A SURPRISE, Prof. Evans is back in the courtroom all day; Lipstadt hisses at him as she walks past, "You don't know what you missed yesterday!" I'd be surprised if he really is unaware.

I give Adrian the stuff I have prepared during the night. He too looks flattened by exhaustion. He deals with the remaining points during the day, his voice gradually wearing out (packets of lozenges are brought in to fortify him).

Buxton is sharper and more caustic than yesterday, while Pill and Mantell LLJ remain genial. Buxton says that my "omission" of the latter part of the SS lieutenant Altemeyer's 1941 remarks (reported by General Walter Bruns in 1945) is "on the face of it a most serious omission" and Gray J had used it to attack my methodology.

Adrian makes good points, but fails to impress upon the Court that the Bruns document is a 1945 *hearsay* item, whereas the 1941 decodes are just about the hardest evidence one can imagine; and that what Adrian calls the "factual matrix," invalidates what Altemeyer appears to be saying.

Even Mantell LJ is concerned: "If a man omits the last three words of *I have stopped beating my wife with a cane*, that is not minor." After a moment's thought Adrian retorts, "If witnesses show that the man has indeed stopped beating his wife, then the last words that are left out do not matter."

Coming to the Goebbels diary entry of Mar. 27, 1942 – I have treated it at greater length in GOEBBELS than in HITLER'S WAR of course – Adrian reminds the court that the diaries are a huge corpus of documents. The court must recall too that Goebbels is a pathological liar, and that the Schlegelberger Document, coming a few days later, completely devalues the suggestion that Hitler was aware of or ordering a homicidal final solution as the defence suggests.

To accept that view, he says, the court must first accept a whole series of propositions, the failure of any one of which invalidates the defendants' view. Buxton snaps that I have not quoted the line, "anywhere,"

that Hitler has remarked that "it is a struggle for life and death with the Jewish bacillus." I ruffle through the pages of GOEBBELS and find that very quote on page 388. Buxton appears unmollified by this proof that he is wrong. "The complaint is about HITLER'S WAR, not GOEBBELS," he sniffs.

Lunch – a bacon sandwich over the road; I offer a bite to Don Guttenplan, then apologise, "Of course, you're not allowed to!" He looks injured.

On the way back into Court at 1:45 p.m. I hear a voice talking loudly in Hebrew into a cell-phone – it turns out to be Prof. Lipstadt, waiting in the corridor. The traditional enemies of free speech: everywhere, but nowhere – paying, listening, bribing, monitoring, and dictating from the wings.

In the court every day is Sir Martin Gilbert; I compliment him on the technical presentation of his latest Holocaust study, which has very fine photo reproductions (I was shown a copy at the Chicago book fair earlier this month by Hulton-Getty when they came to our Stand; they supplied the photographs). He has not seen it yet.

Pill, the presiding judge, seems more genial than ever. Once he concedes, "I am little surprised at the judge's conclusion," referring to Gray in the lower court.

Davies says, "Your Lordships would have to find that Mr. Irving's reading was 'utterly unreasonable.'"

He makes good use of facts I had volunteered against my own case to the witness Prof. Longerich – like the remark made to me by Himmler's brother Gebhard, years ago – and my letter to *The Times* on Dresden casualties in July 1966. I am doubtful as to the weight they may carry, but Adrian says they have left a good impression. If he is right, I am rather perturbed that the Court can be swayed by such trivia. That appears to be the fault of the justice system all along.

Finally Adrian addresses the huge fees paid to the 'neutral' defence witnesses, so great "that they risk an appearance that they will be biased in favour of the paying party."

AT 3:13 P.M. THE THREE JUDGES withdraw, and go into a room to deliberate. As the minutes pass, I grow alarmed: what if they just come back in and say that they have decided to refuse our application there and then – then it is all over, with no possibility of appeal. Adrian says, "I think that's what they're going to do." He is half right.

As they come back in at 3:25 p.m. Pill says that they have six matters for Richard Rampton to address in particular.

• **should post-publication events be taken into account by the Court?**

• **what should the Court's approach be to the verdict of the Judge in a defamation action where there is no jury?**

• **the concept of "Holocaust denial"**

• **Auschwitz, especially the Judgment paragraphs 13.77, 13.83**

• **the Schlegelberger Document**

• **the Goebbels diary entry for Mar. 27, 1942**

I ask solicitor Peter Laskey if that means they have accepted all the rest of our points and he says, "The opposite."

RAMPTON DEALS WITH THE first four swiftly and scathingly, triumphant.

The defence is entitled, he argues, to deal on general facts that are subsequent to the publication of a work complained of. Second, a judge acts as a jury in relation to Section 5 matters, as reputation is a jury matter, but a judge gives reasons for a decision, where a jury does not. In this case Gray looked at what he found proved on motive, ideology, etc., and said to himself, rightly, that the damage done by unproved allegations is of no consequence.

As for "Holocaust denier," he says that of itself it is not defamatory, it is Lipstadt's use of the word "dangerous" that makes it so. He asks their Lordships to read Section 8 of the Judgment right through, stating (when he now deals with the Auschwitz question) that Adrian Davies has plucked many paragraphs out of context. "The test would be what an ordinary dispassionate mind would make of the evidence seen as a whole."

He is dealing with the "holes" on the Auschwitz roof as the day finishes, producing the photos of the "smudges" and all the other stuff long since disproved by careful and unbiased research, but stressing how well they match the drawings produced by the French artist David Olère. The references to "30x40cm" shutters on the architectural drawings confirm, he says, that the crematoria were homicidal (and he spouts much more nonsense besides).

AFTER THE JUDGES RISE, ADRIAN gathers up his things and turns round to me: "So on Tuesday we can at least go down with guns firing like the *Bismarck*."

I say, "Go down?"

He says firmly and knowledgeably, "We're going down."

That casts me into a furious gloom. Adrian seems to have run out of fire halfway through the afternoon; he was working through to three a.m., alas, like me. He did not use the Dalugee stuff I worked so hard on, and

much else we had prepared; we could not put into the court any of the Crematorium II pictures, or any other new stuff. Rules of court do not make it possible.

Back at Duke Street I lie on the sofa for two hours, washed out. M. phones with the result of his Ascot endeavours; the big one, The Prince, is Tuesday.

I draft this letter to Nigel Adams:

Now that we have the first three days of the appeal behind us I place on record my dismay at the damage that your inertia and negligence have caused. I am only now discovering the full extent.

Some examples: You neglected to forward the Rudolf affidavit to Counsel (Mr. Davies); therefore we yesterday had to inform the Court that we cannot introduce it. All the costs are wasted. Your neglecting this may well alone cost us the appeal. Despite being instructed, you failed to apply for leave to introduce the Evans book as evidence of prejudice; yesterday the Court therefore refused our application as being too late.

Yesterday I received your belated note that our other witness Polanska is not available; it turns out that you did not have her affidavit sworn, despite several reminders by [defence attorneys]. You neglected to pass on to Counsel any of the files that you received from the defendants. . .

And much more.

I HAVE DRAFTED THIS LETTER TO Lovell White Durrant.

DJC Irving vs. Guardian Newspapers Ltd & Sereny

Continuing the correspondence of earlier this year, I inform you that I am now represented in the current action against *Penguin Books Ltd & Lipstadt* by Amhurst Brown Colombotti, and that I intend shortly to instruct the same firm to act for me in rigorously pursuing the action against your clients, regardless of the outcome of the Penguin Books action.

We may well seek leave under certain circumstances to amend the pleadings, in particular to include details of your client's actions since January 2000 in support of a claim for aggravated/punitive damages. Obviously this action can no longer be allowed to wait, and the next step is an application to the Master for a summons for directions.

I go to bed finally at 12:30 a.m.

SATURDAY: AWAKE AT FIVE A.M.; after an hour I take four aspirins which send me off to sleep until 8:30 a.m., with horrible dreams: I am in a motel in Florida with Benté and Jessica, on returning to the motel I hear that a gunman has killed 30 guests, no sign of Benté and Jessica anywhere, just white coffins being carried out; then I am in a room being prepared for execution by throat-slitting with twenty others, lined up at a desk, having our particulars taken, and that twerp [Ewald] Althaus is brought in too. I con-

template the prospect of slipping away through the open door into the corridor, but it seems dishonourable. . .

The infection is clearly worse than last week. What has done it? I must take it easy this weekend.

I decide to say only this on the closure of this appeal, "This will not affect the other actions I am bringing." There is no point beefing about the millions of pounds poured by Lipstadt's friends into the defence or the court rules that prevented us producing new evidence.

At 6:15 p.m. a long phone call from Rolf Hochhuth. He says I was wrong to bring actions; I reply that I had no choice, the *Schmutzlawine* [mudslide] was threatening to bury me anyway, generated by the venal Jewish journalists, and they had already robbed me of my last U.S. publisher by their lying methods.

He says that [one son] is now an alcoholic, spends much of his time in clinics for rehab treatment. How the years fly.

UP AT 8:20 A.M. AFTER ANOTHER bad night. I draft this to the barrister ("I have lain awake part of the night brooding, what the Germans call *grubeln*") proposing that if, and only if, he and the lawyers are certain beyond reasonable doubt that we *are* going down, we halt the action and he make the following closing statement to Their Lordships:

"You have granted us no single indulgence in this case, despite the fact that in the lower court the Claimant was acting in person and facing a wealthy, powerful and embittered coalition of some forty actors (Lord Woolf's point 1!); and despite the fact that it is known to your Lordships that we were labouring under extreme difficulties with our previous solicitors, whom we had to dismiss a few days before this momentous hearing began, surely indication enough of a desperate situation.

"This has faced our application with grave and, Mr. Irving believes, insurmountable difficulties.

"Your Lordships' refusal to allow us even to submit the book by the defendants' expert witness Prof. Evans in evidence, in support of our argument that not just he but, according to him, every member of the defence team, was unable to be in the same room as the Claimant without feeling

defiled, was in our submission wrong, particularly as we wished to back this evidence with further material (from New Zealand) in support of our submission.

"Mr. Rampton stated that we should have given notice of this application, but as his instructing solicitors had read the book for libel, they were not unaware of it. If he had believed there was no justification in the book whatever for our submission, he would not have objected.

"We are not repeating our application in this matter, the Evans book. We are however regretfully withdrawing our application for leave to appeal against the Judgment of the lower court for the reasons set out above. May we therefore proceed straight to the application on the issue of costs?"

I send the draft to Adrian with the caption "A bold step (as in *hara kiri*); *Bismarck* scuttles, but fires parting shot."

Evening: a long talk with Adrian. He does not think we should throw in the towel on Tuesday, as he is by no means sure we are not going to "claw back" a lot of the position, even if we lose overall (and, to quote Dr. Frazier Crane, "The difference is?"). He is reading up the law on expert evidence this evening, and contemplating an appeal to the European Court if things go wrong on Tuesday.

A message: The Prince will see me Wednesday at Ascot.

TUESDAY: AWAKE FROM THREE to five a.m., etc. Antibiotics at four a.m. E-mail from Adrian:

I must say that the Auschwitz arguments have real merit in my view, and you deserve to succeed on them. Our problem is Buxton LJ's attitude!

The judges enter at 10:30 a.m., and by 12:45 p.m. it is all over.

Richard Rampton deals with

Auschwitz, the holes controversy, and the Schlegelberger Document, but does not make any telling points in our view.

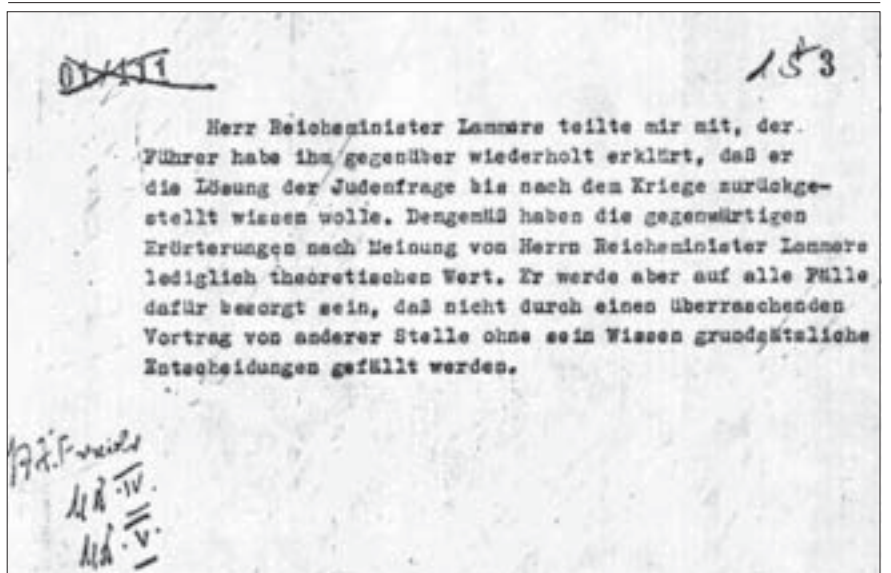
He makes very heavy going of the "holes" controversy. Prof. Van Pelt, he says, has been to Auschwitz many times, and Crematorium II and Morgue 1 are in such a state of ruin that nothing can be found.

Notwithstanding which, he adds that the presence of the holes, is attested to by the "eye witnesses" Tauber, Höss, Aumeier, Kula, and Broad. There are also drawings by Olere of the wire mesh columns going up to the holes in the roof, and drawings by one Fakin. So "there are a lot of documents and eye witness evidence," even though the holes cannot now be seen.

He then very wrongly adds that had we put in the Germar Rudolf affidavit in evidence, they would have submitted an immense Van Pelt report in rebuttal, to which is appended the evidence of two experts who have "found the holes."

I hiss to Adrian Davies that he must object to this illegal procedure, but he does not move; afterwards he says the Court will pay no heed to any documents not formally put in evidence. Maybe. Pelt's two "experts" are of course the notorious Dr. Keren and Dr. Green (both with degrees in *computer mathematics*, hardly the kind of experts this case needs).

Coming to the Schlegelberger Document, Rampton wheezes that this cannot be read in isolation. He fills in rather desperately the entire historical background to the document, beginning virtually with Adam & Eve and proceeding via the Goebbels diary entry to what



Schlegelberger Document "Mr Reich Minister Lammers informed me that the Führer had repeatedly declared to him that he wants to hear that the Solution of the Jewish Problem has been postponed until after the war is over. That being so, the current discussions are of purely theoretical value, in Mr Reich Minister Lammers' opinion. He will moreover take pains to ensure that, whatever else happens, no fundamental decisions are taken without his knowledge in consequence of a surprise briefing by any third party" (German Federal Archives (BA), Reich Justice Ministry file R.22/52).

Schlegelberger's minute was sent to St.S. (State Secretary) Roland Freisler and two others (bottom left) in March 1942. At dinner on July 24, 1942 Hitler again said he would tackle the Jewish problem "nach Beendigung des Krieges" (after the war's over).

he had for breakfast this morning. He even brings in the "Reinhard camps," stating "they were, as Mr. Irving conceded at the trial, mass extermination camps, using carbon monoxide instead of cyanide pellets."

It is beyond debate, he claims, that Hitler knew and authorised what Himmler was doing at that time. Rampton even argues all over again that the document is dated July 17, 1941 (a misreading by Prof. Evans of the "St.S." in front of Staatssekretär Freisler's name as "17.7.!") Of the document itself, he says there is no direct evidence that Schlegelberger wrote it; it is undated, has no heading or signature, and is devoid of any internal evidence.

It is truly remarkable, the double standards that they apply to a key document like this, compared with the Holocaust evidence they rely so heavily on! Rampton then quotes rather desperately from two speeches I made in 1983 (Los Angeles) and in August 1988 (Toronto) in which I referred to the document. "No reputable historian," he thunders, "would characterise it that way." Mr. Irving was, he said, clutching at every straw to exonerate Hitler.

Finally, Rampton argues that the document is not referring to Jews as a whole but only to the *Mischlinge* (the half- and quarter-Jews, whom however it does not explicitly mention).

After all this, the presiding judge, Lord Justice Pill – who bears a startling resemblance to the late Lord Denning – interrupts Rampton to point to a key passage in Mr. Justice Gray's Judgment. He purrs: "You have attempted (*sic!*) a comprehensive demolition, but Gray says 'I do not regard Irving's arguments as being without merit.'"

But then, Rampton persists, Gray went on to say that Mr. Irving considers in *HITLER'S WAR* that this document was "*incontrovertible evidence*." (Adrian, later in the morning, knocks that for six: he points out that I have meanwhile conducted a digital search of the entire trial transcripts, and that phrase is not used once by me or anybody else about the Schlegelberger Document. Wow!)

Not to be deterred, Rampton reads out a passage in which I call it "highly significant."

Pill admonishes him, "In ordinary English, 'highly significant' is not the same as 'incontrovertible evidence.'"

With Rampton growing more frantic, while I light whole festivals of candles in my heart, Rampton scours the documents and comes up with my calling the document in other statements, speeches etc., "a most compelling document," and "proof of Hitler's innocence."

"I'll be quite frank," he huffs. "We never regarded the Schlegelberger Document as being significant by comparison with Mr. Irving's other falsifications. The Schlegelberger issue was not the most telling."

Thus, with his tail between his legs, he abandons that particular battlefield and we have clearly won that point.

But he still whinges, "To pick one brick out of a wall, relatively insignificant, makes no impression on the wall as a whole. Because he is profoundly anti-Semitic, Mr. Irving is at pains to exonerate Hitler from what the Nazis did to the Jews. Indeed, from 1988 onwards Mr. Irving denies that anything much did happen to the Jews."

This is of course monstrous, but the judges will see through that distortion of the evidence by Rampton. They have my books in front of them.

They make rather better progress with the Mar. 27, 1942 Goebbels entry, which I have quoted more fully in *GOEBBELS* than in *HITLER'S WAR*. "I don't have to say it is incontrovertible evidence that Adolf Hitler knew," says Rampton, using that same phrase. "My case is that Mr. Irving did not do what a reputable historian should have done, that is to allow readers to make up their own mind. It is a historiographical falsification of the first water, to suppress the middle passage" – *i.e.* in *HITLER'S WAR*.

Lord Justice Buxton interrupts to pose the question: "Could any honest historian have written that?" From his demeanour, it is apparent that he and Evans are of the same camp. He will be the, uh, odd one out in the woodpile, as Pill and Mantell are evidently well-disposed towards me and my writings.

AT 11:25 A.M. ADRIAN Davies follows him, and makes effective points again on the "holes", pointing out that while Rampton has spoke with "great drama about the convergence of evidence on the gas chambers at Auschwitz," "if all the evidence is weak then the 'convergence' thereof does not matter."

On Day 10 at page 37, he reminds the court, Mr. Justice Gray asked Van Pelt what *other* evidence there was than the holes that the building was a homicidal mass gas chamber.

The photographic evidence, it turns out, is hard to interpret. "If there was a subject which called for a properly qualified expert," declares Davies, it is the interpretation of aerial photos. But Van Pelt is a jack-of-all-trades, allows himself to expound to the court on cremation technology, toxicology, and the appearance of victims after epidemics, and much else.

From Day 10 at page 14, says Davies, it is evident that Pelt cannot even date the photos he is relying on with any accuracy or certainty. The date he applies is pure speculation on his part, and to his own satisfaction. The shadows of "chimneys" can't be shadows, as they are cast in different directions.

At 13.73 of his Judgment, Gray summarises the weakness of all this evidence. The drawings "yield little clear evidence." They can be explained by fumigation chambers. "Mr. Justice Gray reviews all the evidence," observes Davies, "and comes to the conclusion that none of it comes to very much. Your Lordships cannot but find that Irving was entertaining honest doubts on the evidence."

On to the Schlegelberger Document; even Gray has said my arguments on this were "not without merit," while the defendants' too "are well founded." Buxton growls across the courtroom that it was the defendants' case that Mr. Irving treated Schlegelberger beyond the acceptable, and that that was what he called a "dishonest historical mistake."

Lord Justice Pill says that I have clearly given "enormous weight to the document," but he finds that this is not "perverse." Quite. A few minutes later Pill remarks that in his view Mr. Justice Gray has criticised me for it "in terms which are not supported by the evidence."

Adrian Davies then moves on to the Goebbels diary, remarking "we argued for two hours last Friday" about this. Mantell LJ bestirs himself, and roars: "Was it only two hours, Mr. Davies?" to general laughter.

We are at the end of our application. Adrian Davies urges that Lipstadt should be made to pay heavy damages for the allegation that I agreed to share a platform with Hamas and Hizbollah terrorist leaders, that I stole the glass plates of the Goebbels diaries from the Moscow archives, and especially the allegation that I applauded "internment" of the Jews by Hitler and the Nazis (in quotation marks – the innuendo being "liquidation"), as well merited by them. Nothing I have written justifies such a slur.

Buxton asks, very properly, "Was it pleaded in that way?" – *i.e.* by me. I murmur to Peter Laskey, "He has spotted that." But Adrian Davies argues (and *Gatley* agrees) that there is no need in law to plead a true innuendo, only a false innuendo.

Rampton, an acknowledged expert on defamation law, is on his feet at once disagreeing.

Buxton LJ snaps that this is the first that the court has heard of this allegation, namely the innuendo pleaded; here the presiding judge Pill, gently reminds

him that Davies included it in his Skeleton argument last year, many months ago.

"Mr. Irving drew the pleadings himself," Davies points out. "It is utterly apparent to anyone who reads these words what the innuendo is."

At 12:35 p.m. it is over. The judges go into a huddle on the bench, and then announce that they will hand down their Judgment in due course.

AFTERWARDS WE ALL WALK through the sweltering streets to what Adrian Davies says is a "nearby" Italian restaurant, which turns out to be north of Holborn! A useful working lunch as we plan the further steps to take against Sereny and Evans.

Then back to work on *HITLER'S WAR*: final touches before it too goes to the printer.

TO ASCOT TO SEE THE PRINCE AT Harewood. We drive past giant Sequoia Redwood trees! Never thought I'd see them in Surrey, southern England. Two hours with His Royal Highness. A dapper, short man of 46, olive-skinned, unnaturally smooth features and slit eyed; very witty, urbane, chain-cigarette smoking, highly polished shoes; turns out to be a history buff.

We talk of this and that and, right at the end, M. puts the special problem to him. After inquiring about the figures involved, he indicates that he is minded to assist and asks us to call him tomorrow, he is just off to Geneva for a few hours.

The house is surrounded by tall fences, and many flunkies with cellphones, one or two of muscular British ex-S.A.S. type. Our driver says, "They are British Government, but I suspect his Highness does not realise."

A PROF. ISRAEL CHARNY HAS LIbelled me in a journal for publication by Macmillan Ltd. Macmillan refuse to publish it, out of fear of a libel action from me. I write them however:

While I am aware that there is a sustained Jewish campaign to denigrate me, may I state that . . . if you still wish to publish, I would be happy to look at his article – with his permission – and tell you of any passage or passages which I felt to be libellous.

These may well be fewer than your lawyers advise. I have no desire to seem to be suppressing free public comment, within the law.

DURING THE DAY THERE have been two calls from a Mr. Martin at a Philadelphia phone number, saying mysteriously: "I have the papers you are looking for."

I try phoning back, but there is no answer.

At 11:20 p.m. he phones again. He

has found my name from the Internet, while tracking down Dr. Robert M. W. Kempner. Martin runs a waste paper business, he says, emptying out old people's homes and selling off the antiques. He had the job of cleaning out the late Kempner's home at Lansdowne in Pennsylvania, after it had first been picked over by the U.S. Holocaust Museum.

Martin has two days ago found in the remaining effects documents – he estimates 300,000 pages – stuffed into fifteen boxes, including 647 pages of the Alfred Rosenberg diary “in five sections,” from 1939-1945. There are obviously many Nuremberg documents, as he reads out to me some headed, e.g., 891-PS and 1927-PS (I warn him that those are worthless, being in plentiful copies in public archives); he also enthuses about “records of telephone conversations of Hitler,” but they sound as if they are the well-known American translations of the Führer conferences (*Lagebesprechungen*). There are also around 100 original letters that J. Edgar Hoover wrote to Kempner 1943 onwards. [. . . *More details*]. I say that in my view these papers, if they are originals, belong in either a U.S. university archive, or one of the German government archives, and he agrees. He is happy to give me first look at them, he adds. Ho-ho.

NOTTINGHAM UNIVERSITY invites me to speak; I will accept, but there will be the usual problems.

I tell M: “I cannot be bought; but my views on the Middle East are clear enough!”

The reply is: “Quite right. [The Prince] will be telephoning me back later today.”

Later, after nine p.m., M adds:

He was in high mood having laughed so much at the card I dropped in last night, that he's having it framed! It shows rival jockeys racing two “thoroughly well-breds” to the finishing post, who are neighing neck 'n neck: “After you!” “No, I insist, after you!” I outlined the [. . .] wealth of corporate Spielberg-sponsored forces against you. Says he's flying to [. . .] this weekend. Confirms he will provide!

I AM AT THE PUBLIC RECORD Office for a two-day conference on “The Missing Dimension: British 20th Century Intelligence.” Sir Stephen Landers, the Head of M.I.5, introduces. A startlingly young chap; but then all policemen begin to look young after a time. An interesting day. Many old friends there. David Kahn, Nigel West, Donald Watt, etc. Richard Aldrich of Nottingham University says a student of his wanted to attend my Oxford Union speech and he gave per-

mission; but it was cancelled of course. I tell him I am invited to speak at his university.

Back home at 6:10 p.m., pretty exhausted. An e-mail comes from the German Federal Archives, quite excited about the Philadelphia documents find.

At 11:25 p.m. Martin phones from there; happy to leave things in my hands. Says his brother has found a book labelled “Rosenberg letters” in handwriting, with pages torn out. He will fax half a dozen pages to me to evaluate. I say once he has done so I will decide whether to make a flying visit to him.

At the Public Record Office again for Day 2 of the conference. David Kahn joins up with me in the District Line train. Poor old Donald Watt is looking frightfully fatigued and drooping.

At lunch, I am buttonholed by

was White. No longer.

Yesterday the National Front planned to hold a march there; it was banned by our Home Secretary (and I make no bones about declaring that for Tony Blair to appoint a blind man as Home Secretary is carrying correctness to its absurdest outer limits). The NF obediently stayed away, but not the violent Anti-Nazi League (ANAL), who marched and counter marched, their membership for the day comprising primarily Asian youths (according to today's veiled, i.e. cowardly, language in *The Observer*).

I noticed one Claire Bissington being interviewed on television newscasts yesterday; these only sometimes identified her as the chief ANAL idiot. Wasn't she also the organiser of the violent movement to stop me speaking at the Oxford Union? I wonder

During the day there have been two calls from a Mr. Martin at a Philadelphia phone number, saying mysteriously: “I have the papers you are looking for.”

Prof. Simon Schama of the University of Virginia at Charlottesville; he says he has downloaded all CHURCHILL'S WAR, vol. ii and checked all my sources on the Darlan assassination (and I mean all); he shares my views, but feels that there is no smoking gun even now that can be placed in Anthony Eden's hand.

It is good to talk with real in-the-field professionals, the shirt-sleeved historians of whom I spoke in the trial last year, in place of the dry, witless, and brainless conformists like Prof. Evans – a type about whom Schama also has withering words of contempt to offer.

David Kahn and his rather obsessive son Oliver comes over; I last saw Oliver aged three, dropping eggs from the fridge onto the floor of their Oxford house. He is now thirty. A long and needless conversation about the Holocaust, a topic which really bores me.

JESSICA IS A REAL LITTLE lady. Has an excellent school report, earns straight 100 percents and very fine words of praise for her spirit, friendliness etc., from the headmistress. How we burst with pride over this little girl!

JULY 8: UP AT 8 A.M. THERE HAVE been violent race riots in Bradford yesterday and during the night. The last time I spoke at city's university, in the 1960s, it

what the Board of Deputies of British Jews will have to say tomorrow about their hidden funds being put to use organising such violence?

Which has not stopped the ethnics from having their day of fun, rioting, destroying, looting and burning, and putting 80 policemen in hospital and (says this morning's radio news) “mutilating” one police horse – I hope not in the sense that poor Pc. Blakelock was “mutilated” in the Broadwater Farm riots twenty years ago (Pc. Blakelock was decapitated by a machete wielded by a recent immigrant: not that you will find that grim detail in the press coverage of the incident).

Waves upon waves of immigration have mutilated England's culture. Small wonder that only the pea-brained politicians of the minimalist calibre of Tony Blair and William Hague want to have anything to do with the nation's running.

Never has a nation abdicated power more swiftly, without any declared mandate from its people to do so; nor succumbed to the urge to commit suicide more strongly, than the native English, if I can use such a neutral phrase.

At least King Canute could not blame his eyesight; it is however not lack of eyesight that ails us, it is lack of foresight, ever since 1940.

PROF. TONY MARTIN OF BOSTON sends me a letter from a Jewish

academic, Dr. Mathis, who is outraged that he is to speak to us at Cincinnati. I tell him:

Notwithstanding the smear tactics that they and particularly the multi-millionaire lawyers defending Deborah Lipstadt in my recent libel action used, you will find that my attitude towards minorities is considerably more liberal than theirs!

Under cross examination about this during that libel action, I drew attention to the fact that there was not one coloured face to be seen among the forty lawyers and their assistants in that courtroom, nor had there been for weeks; while I have never hesitated to employ as my personal assistants ethnic minority people, based entirely on their personal abilities.

I produced photographs of these (very happy) staff members in Court. The judge was not pleased by this!

Dr. Mathis sends me several instant messages, to which I make no reply. The last reads, “Don't expect Prof. Martin to run the elevators for you in Cincinnati. Adieu, jackass.”

I forward this to Prof. Martin with this comment: “Dr. Mathis rather reveals himself in a hate message he sent me overnight.”

JAMES H., A SUSSEX UNIVERSITY student, comes for a talk and I hire him on the spot for a few weeks to help deliver books.

A courier brings a High Court writ from my ex-lawyer Nigel Adams: his £80,000 claim has shrunk to £40,000. A High Court writ from a legal twit, to whose ineptness and inertia I owe much if not all of our inevitable coming defeat.

The Appeal Court will decide one way or the other on July 20.

Four phone calls from M. in the evening. The Prince has remarked that there is nothing about *his* country on my Internet website; just Palestine and Israel.

JULY 13: JAMES H. TURNS up for work; a really nice guy. He breaks the back of unloading the truckload of CHURCHILL'S WAR when it arrives at 10:30 a.m. and then he plays chess with Jessica.

A *Sunday Times* journalist named Crittenden phones to ask about the dreams of dictators like Hitler; I say that Prof. Theo Morell's diary mentions none. He then asks if right-wingers have nightmares; I say I don't – though I occasionally do dream I am being pursued by German police.

Later: Benté says that B.B.C. television has a morning papers programme showing my photo, in connection with “an article about bad dreams of right wingers.” Heigh-ho.

The *Evening Standard* runs a vapid article by A. N. Wilson

copying yesterday's *Sunday Times* article. Silly season.

GREAT ACHIEVEMENT: THE DYING rubber plant, which was down to one last yellowing, wilting leaf, has under my care suddenly sprouted a new leaf, three inches long, from the stem. I feel Godlike: fifteen years ago Annette V. dumped the defenceless plant in the bottom of a cupboard when it was at its full glory with thirty plate-sized leaves, and nearly killed it off. I have rescued it. Hallelujah.

Miss Renee Shearer, an Australian radio journalist over here who says she covered the denial-of-visa story, expresses eagerness to work for me in the U.S.A..

"Vacation" time: I set out into southern England with a truckload of books to visit bookstores and distributors. Heavy traffic heading south all afternoon; at the East Grinstead bookshop, two students are at a nearby table in the attached tea-shop, and one comes over having heard I am in the store.

I give her a copy of CHURCHILL'S WAR; she says she doesn't think her sister ought to see it, as she is a history student under Dr. David Cesarani.

"We call him Ratface Cesarani," I volunteer, and we spend half an hour talking about history and differing viewpoints.

WATCH TV IN THE EVENING: the Jeffrey Archer case; very sad, the way the press kicks him bravely now that he is down. The *journalle* has never changed.

JULY 20: TODAY THE COURT OF Appeal is to announce its Judgment. I am in little doubt. We leave Seaford at 9:30 a.m. and drive over to [a distributor] who takes 200 books. Then we drive back through East Grinstead to Reigate and London.

There is nothing about the appeal

on the radio news. Around midday I phone Benté, and she says only that I must have lost, as she has been having blank phone calls, cackling laughter, and hate calls that tell her as much. Sombre drive for an hour, but a later call to Benté brings word that [another distributor] is also taking 200 CHURCHILL'S WAR and has praised it highly.

At Reigate, the Ancient House Bookshop takes six. On back through London's dreadful southern suburbs. In Fulham, Pan Books takes five, and I donate a sixth; I get a £40 parking ticket in those three minutes, as James looks on passively at the warden and makes no move to shift the truck (later he admits he could not get it into reverse). Aaargh.

B.B.C. Radio Four's Today programme has phoned during my absence: would I do a programme, tomorrow very early?

E-mail hatred pours in, Messrs. Redish, Rosenberg, and all the other Jewish gentleman; I trash their messages unread. No time. A priggish gentleman ventures this comment: "I am very pleased to hear that your appeal hearing was unsuccessful. This represents a major victory of academic freedom over a traditional enemy of the truth. No reputable historian should resort to the courts to silence their critics."

That goes on the website with this answer:

I agree. Lipstadt however chose to stay silent, I did not oblige her to. She pleaded the Fifth, as they say in the U.S.A. – the traditional out-route of the crook.

As for silencing their critics: was it not Lipstadt who pressured St. Martins Press not to publish my book GOEBBELS. MASTERMIND OF THE THIRD REICH, on which I had laboured for eight years; and was it not Prof. Peter Pulzer, professor of politics at Oxford, who pressured Macmillan U.K. Ltd. into violating all their remaining contracts with me (in return for the promise of more



Professors Paul Supina, Peter Kirstein and Tony Martin (from top) spoke at the Real History, U.S.A. function in Cincinnati (MARRIOTT HOTEL CORP.)

BELOW: Sobran speaks on President Lincoln, on the Ohio River.

academic authors from Oxford); which gentle pressure so petrified my editor-in-chief at Macmillan, Roland Philips (husband of managing director Felicity Rubinstein), that he that same day, July 6, 1992, ordered all my remaining books secretly destroyed, without – as he ordered – anything of this leaking out to the press or public, let alone to me.

Who is silencing whom, I ask?

B.B.C. RADIO FOUR PHONES, will pick me up at 5:30 a.m. for the programme. We go over points – I won't mention Evans by name. No need, let's put them *all* in fear of the law.

Renee, the Australian journalist who is signing on to work for me in the U.S.A., e-mails:

After trying to ascertain your reputation in England, I have come to the conclusion that you are not so much of a concern to England, as you are to the [John] Howard Government [in Australia].

One question I have regarding your tour of the U.S.: Considering the large Jewish population, do you anticipate protest activity when you speak? I.e. I am not willing to take a bullet for you, should a psychotic protester attend a lecture (I thought I should just get that straight from the start.)

That would be the largest of my concerns.

I check the phone messages: Rolf Hochhuth, bursting with praise for my *opus magnum* (he has just seen CHURCHILL'S WAR). Cahal Milmo from *The Independent*. The vultures all ask how I intend to pay: I say that's my business, I do not discuss my finances with the media. Then *The Sunday Times* (Jack Grimston) telephones about a story that Field Marshal Erwin Rommel had an illegitimate son, whose own son is living in Germany; I confirm that this is true – I was contacted by Rommel's granddaughter, living in New Jersey, with the same facts in January, but did not make use of them.

At 8:17 p.m. the phone rings, and there is just crazy cackling laughter.

I WORK UNTIL ONE A.M., THEN sleep until four, awaiting the call from the B.B.C. driver. No call comes, until around 6:15 a.m. when they phone with apologies, saying "the driver has let them down." Ho-hum. They ask if they can pre-record the interview by phone, and I do so with John Humphrys as interviewer around seven a.m. It goes well; my mind is a blank afterwards, but M. who phones me around nine a.m. says they have cut out my references to CHURCHILL'S WAR, to the witness we intend to have prosecuted for perjury, and other minor matters. No doubt space considerations prevailed.

Today's papers run modest items



about the appeal outcome. *The Times* has found that I printed CHURCHILL in Singapore to avoid pressure on the printers by my “freedom-loving” opponents. *The Guardian* (“Death-wish News”) excels itself, reporting as follows:

Mr. Irving was ‘somewhere in a van on the south coast’ trying to sell his latest book, CHURCHILL’S WAR, to bookshops, said his lawyers.

After Mr. Justice Gray’s devastating Judgment that he was an apologist for Hitler, Mr. Irving has been unable to find a mainstream distributor for the book, which he has published under his own imprint, Focal Point Press, with finance from American investors.

Of course, this merely repeats the Gitta Sereny libel, for which Guardian Newspapers Ltd will shortly be facing the music. Most wisely in my view, I have never intended to offer CHURCHILL’S WAR, vol. ii to any publisher other than Focal Point: We generate a far better product than the others (compare Macmillan’s GÖRING with Focal Point’s GOEBBELS and NUREMBERG, THE LAST BATTLE). In fact, at the very moment that the appeal court was sitting, my assistant and I were unloading hundreds of copies of the book for one of the U.K.’s biggest book distributors.

This kind of reporting is reminiscent of *Der Spiegel*, which claimed that Norman Finkelstein’s book *The Holocaust Industry* was a dismal flop in the German bookstores; only to have to admit that it was top of the bestseller list. It remained there for fifteen weeks or more.

It all reminds me of a *Jewish Chronicle* writer, the late Chaim Bermant, who wrote in *The Observer* after interviewing me that he had found my home filled with “packages of hundreds, if not thousands, of unsold copies of HITLER’S WAR.”

The innuendo was not unsold, but *unsaleable*. One can visit any branch of Waterstone’s or Barnes & Noble and find oneself surrounded by thousands of unsold books. That is what the business is about: selling unsold books.

The Hitler biography concerned has been sold out, out of print, for five years – we printed far too few. It comes back into print in a few weeks’ time, also – as *The Times* will no doubt find out – in the Far East.

SOMEONE SENDS ME A page from a University of Cambridge magazine. It seems that The Skunk (Prof. Richard Evans, as he is known to *The Jewish Chronicle*, courtroom lawyers, the Holocaust Loot commission, and other hirers) is lecturing at Cambridge on the weekend of Sept 21–23 on the topic “Should historical issues be settled in court?”



Canadian barrister Douglas Christie warns of the campaign against Free Speech in Canada.

I do hope that lots of my friends attend and inquire nicely about the moneys he received.

I note that the law report posted on the *Telegraph* website has, as usual, all the enemy web-links but none to our own site which alone has the complete trial and appeal records.

I DRIVE OVER TO FOYLE’S WITH A load of books. A stranger and his wife crossing Shaftesbury Avenue spot me through the van window, smile broadly, and shout, “Good luck with the appeal!” Nice friendly folks – so different from the newspapers; but a bit behind events, I fear.

A call comes from Adrian Davies. We must kick-start the action against *The Observer*. He says Lord Justice Buxton behaved in a despicable manner on the costs, etc., always interrupting when Mantell expressed sympathy with his arguments. How very interesting it all is. Good thing I have strong nerves.

JULY 22: A LONG CALL FROM Rolf Hochhuth. Inquires straight away if I have a German publisher for CHURCHILL’S WAR; I ask him to mention it to Wolf-Jobst Siedler and to Albrecht Knaus. He says he has received no more royalties from Herbert Fleissner for his book *Kaisers Zeiten*, although it has gone through countless reprints (as Südholt also confirmed to me).

During the night the phone rings at about four a.m. There’s nobody at the other end.

At 9:19 p.m. I make a long call to M., who says The Prince returns today to London.

I POST ON THE WEBSITE THE full text of the Judgment. Their Lordships quoted with approval Judge Gray’s comments on my mastery of the history of World War Two:

That assessment is now unchallenged. We also agree with the judge that the Applicant’s knowledge of World War II, his mastery of detail, along with his ability and intelligence are not in doubt.

Not many newspapers (in fact, none) quote that bit either.

Lady Renouf, who was in Court on July 20, reports:

Court 70 was so full that several people were having to sit on the stairs. Adrian stood his ground well against the gratuitously nasty Buxton LJ. Adrian said: “Mr. Irving has no idea of your Judgment. He is not in London at the moment, and so we have no instructions.”

Personally I took pleasure in knowing their worst enemy was still riding high and dispersing far and wide his books down at the docks and onto the boats, while they bickered.

In the courtyard, Don stopped to ask Adrian for a copy of his Skeleton argument for costs...

VERY HOT; I SIT OUTSIDE IN THE sun for two hours with James. Then Adrian and my attorney Peter Laskey come and we have dinner and a long talk. I shall hear nothing from The Prince until this weekend, as he is still out of the country.

NEXT MORNING: UP AT EIGHT a.m., I read the morning newspapers in the sun. In *The Times*, I pause as usual at the Obituaries page. I am not in it yet, no; but somebody I know is. The Prince: he has died of a heart attack three days ago.

That is *bad* news. I wonder if M., who has skitted off to Brussels until Saturday, knows. The dilly-dallying over numbers lasted just a mite too long. The Prince did not look the least unwell when we met, but – he was a chain smoker.

TWO MORE PHONE CALLS from Rolf Hochhuth about Werner Maser, Dr. Giesing, and Heinz Linge etc. What hare is he chasing after now?

The Guardian, it turns out, has taken a series of pathetic swipes at me in their Diary column all week.

BENTÉ IS A VERY BEAUTIFUL woman when she is well and good-tempered, like today. Renee Shearer calls at around three p.m. about the U.S.A. job,

and gossips with her about it. James arrives at midday and we set out after lunch for the Cotswolds, with Jessica as driver’s mate No. 2. Good sales at Blackwell’s in Oxford and Waterstone’s in Cheltenham. Back to London around nine p.m.; Benté is not pleased to have lost sight of Jessica for so long.

An Evans supporter (*rara avis*) writes me, and I reply:

I had the opportunity of watching his weaselly evasions for several days, even when he was testifying under oath. His perjury was blatant from the first day.

Compare his first statements on the afternoon of his first day of cross-examination (two pages) with his statements about his visceral dislike of me in his book.

Which is the true Evans, and which is the perjurer??

I DRIVE OUT TO ONGAR, THE first time in many years; much has changed. I buy two pots of flowers in the High Street florists, and leave them on the graves of Mother (†1965) and Elisabeth (†1983); both sadly dilapidated and very overgrown.

Renee Shearer comes at 7:20 p.m. for a further interview, and it is plain she is looking forward to the U.S.A. trip, though her parents advise about “guilt by association” and her flatmates too, the latter more out of envy I suspect. She looks tough, though a bit overweight; a very pleasant face and talks too fast, but she will clearly survive the two months okay.

I was planning to go to Birmingham, but didn’t.

I AM SORRY TO SEE IN TODAY’S *Guardian* that Miklós Vásárhelyi has died in Budapest on July 31. I interviewed him several times in 1979 while writing UPRISING. I asked him at one time what had caused him, a dedicated communist who had languished for the requisite number of years in communist prisons for his beliefs, to switch sides and support the anti Soviet revolution of 1956.

He said, "I read a book" – it was *Animal Farm*, circulating *sub rosa* in Budapest in a French edition. Mightier than the sword! One author's pen, wielded years before, had persuaded a Hungarian communist whom he would never meet to abandon all thoughts of his own safety and that of his family to the winds of revolution.

I have often cited this as one instance of an author's responsibility to get things right.

Another instance was the letter I once received, on blue Basildon Bond notepaper, written in an elderly female hand, beginning with the words: "I have just bought a copy of your book *THE DESTRUCTION OF CONVOY PQ17* at my local station's W.H. Smith's, and for the first time I have discovered how my husband died." – He was the radio operator of the s.s. *Hartlebury*)

SET OUT FOR BATH AT MID-day; before reaching the ancient city I am stopped by a police motorcyclist and escorted to the ministry of transport weighbridge, where it is determined that the truck is overloaded by over 800 kg. I offload boxes onto the parking lot, leaving the truck almost empty, and drive on, losing my way many times in the city.

Unload everything there, including the NUREMBERG, THE LAST BATTLE blocks, and hurry back to the police pound, which is deserted by now, arriving at six p.m. Reload the 800 kg, and drive back to London, having had to abandon plans to visit bookstores in Bath and Bristol today. A 300-mile round trip for nothing.

The food stops on the motorway are now all American-style "food courts," *i.e.* junk food. How I curse, and there will be a fine for the overloading too. Not a good day. Back at Duke Street at nine p.m., exhausted.

I am getting alarmed about our speakers for Cincinnati. Viktor Suvorov has not responded, after he accepted and we announced that he is coming.

Renee Shearer e-mails me:

Thank you for getting back to me re: dates of travel. I do not foresee any huge problems. I have one request. Could I possibly be sent a copy of the itinerary and also some sort of work agreement outlining responsibilities, etc.

I am pleased to accept the position and will call by your office this week to help with the tour planning.

I respond thusly:

Your responsibilities: assisting in driving (about one-third of the estimated 9,000 miles); helping to sell books and tapes and pre-organise the functions (mail outs); you carry all cash and settle all cash bills, you will help with the general set-up of conferences.

Unless you request otherwise you are paid weekly in cash

(U.S. dollars) in arrears (I will be happy to advance you a larger sum if you wish or need). I am responsible for your health, safety, and well being (doctors', dentists' bills etc); should any emergencies arise [...etc.]

I confirm to her that I have purchased all the tickets for the journey, and I advise that they are non-refundable.

Jessica asks with childlike logic, "If they have all these troubles with people shooting each other, why don't they just ban the sale of guns and stop people getting them?" As in Cincinnati, the shooting in London is mostly Black on Black, as they say: *i.e.*, drug- and gang-related. Bring back Jack Warner! The Blue Lamp! Pc.49!

PLANS TO DRIVE THE TRUCK north today gradually fade away.

An impertinent letter comes from Herbert Fleissner, my former publisher in Munich; I reply:

The royalty statement of Feb. 3, 1998 which you attached is the only one I have received from your firm in the last eight years. In this time you have illegally sold licenses and rights in my works to other publishers without my permission and without the right to do so.

You lost the right to reclaim the advance that you paid for ABGEHÖRT after you failed to reject in writing the manuscript which I delivered to you under the terms of the contract in 1993, within the three months specified from the time that it was delivered to you. That is what contracts are for.

There is no further reason for correspondence between us except for me to repeat in writing: your firm owes substantial royalties to me for works published; your firm has forfeited all rights to publish any works under my name, and to sell licenses in those works to any other publishers in German or in any language.

THEN AN ALREADY UGLY DAY IS compounded as this stunning message comes from the Australian, Renee Shearer:

I am sorry to say that I will be unable to accompany you on this trip. . . I received two e-mails this week – one from a potential employer (a high-ranked media player who was

my motivation for becoming a journalist) and the other from a former employer. . . both have stated that they would not employ someone who has worked for a man once banned from entering the country. . .

Thank you once again for the offer, but I am not willing to risk what I have built up in my formative years in the industry for two months of my life.

It leaves me in a state of shock; nobody has ever let me down like this before. I send her this response, but experience tells me it will change nothing:

This is most unfortunate; as I warned you those air tickets are 100 percent non-refundable and non-transferable. I stand to be around \$1,500 out of pocket on your main ticket alone (I have your ticket in my hand at this moment, it was delivered three days ago).

Major changes will now have to be made to shorten the entire tour schedule, as I cannot find a replacement in time.

Shearer sends a further response, ending, "I am so sorry for the inconvenience – but the ticket was purchased before I formally accepted the position and I wasn't aware that it wasn't transferable." (That is course quite untrue). She now confesses that she also gets migraines. "Migraines?" She told me, when I asked her direct, that she was totally healthy.

She gets this response:

The word "inconvenience" does not describe the waste of around \$1,500 of air tickets. I do not want to be stuffy about this, but you have travelled enough to be aware that long-haul air tickets have to be purchased a fixed period ahead.

I told you several days ago that I was now going ahead and purchasing the tickets.

You indicated enthusiasm both then and in subsequent follow-up messages, and you never once indicated that you might suddenly leave me stuck with this colossal expense.

JAMES TAKES JESSICA TO THE Odeon at Marble Arch to see *Cats and Dogs*. Much enjoyed, evidently (by her). What a nice lad he is. Benté adores him. So does Jessica, and I am sorry to see him go to start a real job next week. I tell him he is welcome to return any time.

I also direct a renewed urgent inquiry to Viktor Suvorov: Where are you? No reply; I suspect he is overseas.

I send a message to Shearer again expressing my anger at her change of mind. I now have to abandon the Pacific coast part of the tour. I cannot drive 10,000 miles by myself. Benté too rails about the woman's unreliability. After reading Shearer's bleat about the reasons why she broke her word, I send this stern and no doubt final message:

I pay for such things from the same bank account as I pay for the school bills and the rest. Even if I were wealthy, you should still not have acted as you did. You have effectively taken \$1,500 out of that bank account and torn it up.

I set up a new speaking itinerary. The West Coast is dropped because of the Shearer fiasco.

A NICE LETTER COMES from the *Chicago Tribune's* Ray Moseley; I like him, he is the same honest kind of journalist as Don Guttenplan. I write him this confidential reply:

I have mailed a copy of CHURCHILL'S WAR to you by separate post. The sales drive is going well. We printed 10,000 and I expect to be reprinting twelve months from now. Now HITLER'S WAR, the new edition, goes to press too. The day does not have enough hours to do it all.

I have spent three weeks in a desultory drive around the country; either the bookstore managers are enthusiastic, pump my hand, accompany me to the van to see what else I have – or, erm, not.

"Needless to say," I jest, "the latter's names will go on a little list for solving when I come to power."

I sit outside a restaurant for an hour reading the newspapers. Two gentleman, yesterday's smooth-talking Arab and a demented Englishman, stop by and want to talk with me. I courage them. Then Lady R. comes sweeping up, looking like the cat that got the cream.

Finally S., a past amour of Benté, drives up, buys a copy of CHURCHILL'S WAR, and says the Lon-

Real History David Irving develops his theories about the conformist historians in Cincinnati (SANYA)



don Palestinian community has watched agog as I take on the mighty ones, all cheering from the sidelines. Hmmm again.

BIG SHOPPING DAY FOR TOMORROW'S book launch party.

I write to Churchill College:

Having completed CHURCHILL'S WAR I am now tidying up my files; your archives might like a copy of the Chequers guest register. It was made in 1972, hence the rather odd quality. I copied the original, which was in the possession of a Mrs. Hyams. I provided shelter to an elderly lady friend of hers, Mrs. Wolfson, who had the document.

I also have a complete set of the Churchill wartime desk calendars, which I can give you if you do not have them.

FROM THE DAILY TELEGRAPH comes this query:

I wanted to ask who you would support in the Conservative party leadership contest.

I respond:

None of them is at all appealing. I am sorry to say that Kenneth Clarke is the only one to show leadership qualities; there is a pleasing touch of Churchillian insouciance about him. Britain is bound to join the euro sooner or later, which also points in his direction.

But for the Tories to win big, they'd have to do radical things: Bring back Margaret Thatcher, and do more leading, and less listening.

"Samuel Crowell" writes to ask:

What happened with the Rudolf Report and testimony [in the Appeal]?

Two schools of thought have been advanced. One holds that the Van Pelt report (with its addenda) was so powerful and all-crushing that it reduced, not only Rudolf's arguments, but all other arguments, to smithereens.

The other school holds that negligence by your prior solicitors prevented the smooth operation of the appeal, with Rudolf's inclusion.

I send him a long letter which explains.

I HEAR THAT WILLIAM MANCHESTER is ailing, and he won't attempt to finish his Churchill trilogy. That's sad. A warning to us all, to get a move on.

My attorney sends me three letters about the Lipstadt case. I reply: "My instructions are: not to get worked up about it. We have made our offer. Defendant 1 has rejected it, Defendant 2 has still to respond."

At breakfast outside Ponti's an obnoxious cigarette-smoking lout camps on "my" table, so I move along to one at the other end. Here, a pigeon perches above me suffering, as it turns out, from a mild attack of diarrhoea. I have a necessary shampoo afterwards. Thank you, God.

I am applying again for an Australian visa, for Jan. 2002 or so.



Fireworks The pleasure boats line up on the Ohio River ready for the evening's Labor Day display; the view from the restaurant hired by Real History, USA at Cincinnati this September (SANYA)

I drive to Cambridge, Churchill College archives, meet the curator, and give him the spare set of 1939-1945 Churchill desk calendar photographic copies. Very pleased with them, turns out they have the missing four months but none of those in my set. We both now have full sets.

Somebody sends me this agency report:

BASHAR ASSAD A SUPPORTER OF HOLOCAUST DENIER DAVID IRVING

El Folio, the Italian newspaper, quotes American sources in Syria who reveal that Syrian president Bashar Assad gave 250 thousand pounds sterling to Holocaust denier David Irving.

According to the newspaper, Assad told his confidantes that the money was earmarked for "humanitarian aid" for Irving. The connection between the two was made by Ahmed Rami, a Syrian resident who operates a Swedish Internet site which contains anti-Semitic information. Rami was the conduit through which the money was transferred to Irving's bank account.

My private comment: "*Schön wär's*." In fact, as I respond to the correspondent, "You can take it from me that nobody has given me £250,000. Ahmed Rami is a known liar."

I write to Philip Ruddock, Australian immigration minister, advising that I'm about to apply again for a visitor's visa:

Please pass this to your appropriate office with a recommendation that on this occasion my application be granted. I wish to visit Australia to promote the publication of the book CHURCHILL'S WAR, vol. ii.

You may recall that when volume one was published in 1987 it became the Number 1 best-seller in your country for several weeks.

Although my daughter Beatrice is now an Australian citizen and a civil servant in Brisbane, I do not intend to rely at this stage on this close family relationship with an Australian citizen in order not to complicate the issue for your administration.

I drive from Chicago to Cincinnati at eight a.m., and arrive around one p.m. local time.

It seems that the enemy has registered a website in Germany, www.david-irving.de. There are several such websites. I am doing nothing about them for now. Later I shall get them shut down, as they are misusing my name, and there are now Internet "laws" against that.

I TELL ONE CORRESPONDENT who writes about Ian Kershaw: "I am coining the word *conformist* for these historians. They are the opposite of non-conformist. They keep their heads below the parapet, they swim with the tide, they march with the jackbooted throng of fellow conformist historians, and they trample dissent and real research underfoot. Watch for that word in coming years; *conformist*: it's going to pack a punch!"

This e-mail from an angry, and presumably Asian, librarian Lakshmie Banner [lakshmie@bilk.ac.uk] in Bradford:

I would appreciate it if you did not send any promotional material to this college. We are proud to be a multiracial organisation supporting a diverse community of students and staff, and have no place for material by an author who has been proved in court to be an "apologist for Hitler."

I reply: "Are you trying to dictate what materials future librarians, will receive, long after you have left the college? It is out of our hands anyway, as the library mailing list is compiled by a commercial organisation which is neutral (as are we ourselves); it is the bigots like yourself who promote racism in my country, don't you agree? Bradford does not belong to you, nor does the education of its English citizens."

WE START THIS YEAR'S Real History convention at Cincinnati with a reception and grand informal dinner; we have filled 160

rooms of this great hotel for the whole weekend, and the management is more than pleased.

The dinner is up to the very best standard and earns high praise afterwards. Afterwards I offer a few words of greeting to the delegates, and a brief talk on: "The Modern Plague: Historical Conformism."

Prof. Philip Supina comes over and congratulates me, as does Prof. Peter Kirstein. All of our speakers have come in apart from conservative columnist Joe Sobran who arrives, I hope, tomorrow.

Afterwards Mark Weber tells us what the files hold on "Wilhelm Höttl, triple agent: SS, OSS, CIA." He starts well, but goes off track into a more general discussion on the Six Million figure itself than the subject actually calls for, in my view.

A good beginning and many plaudits from the audience for the organisation this year.

On Sunday Prof. Supina gives "A comprehensive overview of Nazi Germany's Environmental policy." He is a remarkably good and forceful speaker, and knows his subject well.

Following his talk I offer a survey: "Hitler and the Final Solution; are we any nearer to the truth?" I have put copies of the key documents in each delegate's welcome pack, and lead the audience through them – and the difficulties that the Lipstadt defence had with the Schlegelberger Document, which is of pristine clarity and unambiguity. There is a lively discussion afterwards.

Our timekeeping this year is much better. A flashing red signal lamp helps corral and rein in the speakers.

I have hinted to the audience that for plain American fare at rock bottom prices – think truckers – they should try the restaurant down the road. I am glad to see that Joe Sobran has now turned up and is in the audience, or wandering absently around. After lunch Kirstein, a

Prof. from St. Xavier University, Chicago, lectures on "The Atomic Bomb as Case Study."

The lights are then dimmed for a showing of Leni Riefenstahl's *Triumph of the Will*. First, I give a brief introduction to the work of this film-maker (and read a letter of greeting from her); I tell the audience to look out for the opening sequences – how Leni's preferred original sequence, the open window and Nazi flag, are replaced by the Junkers 52 plane descending through the clouds with the "Messiah", which is the opening suggested by her colleagues.

I tell them to keep an eye open too for the first use of a travelling camera on a dolly, and on a cradle going up one of the huge flag masts. After that we show the entire two-hour film.

I draw attention to one little detail – that throughout the opening sequence, namely Hitler's triumphal parade through the cheering crowds in Nuremberg, he is standing erect in his open car, saluting, with the crowds less than two arms' lengths away from him: no Robocops, Teslar vests, bullet-proof body-work, armour-plated glass, armed SWAT-team escorts, etc.

The audience sits there enthused, although the subtitles I have promised failed to show (my man did not press the right button.) There is an unmistakable, carefully crafted quickening of the pace as Riefenstahl builds up artificial drama for the appearance of the jack-booted, goose-stepping SS-*Leibstandarte* for the parade through Nuremberg.

The film does feature overmuch cheering and Hitler-salutes and thump and blare.

In the subsequent general discussion I call the film the "Cecil B de Mille phase of the Party."

We board buses for the evening's Ohio River cruise; 165 people have turned up for this, and I check carefully as they come up the gangplank of the paddle steamer for "stowaways."

A truly splendid on-board feast, like last year. After dinner, Joseph Sobran speaks on "Lincoln, the Democrat Monarch."

He is a good speaker, practised and easy, and in my thanks I compare him with Alistair Cooke and his *Letter from America* – the same mellifluous voice and precise construction of each sentence, what a treat.

I tell the many young students who are there to remember this evening's experience, just as I shall for ever recall the experience of hearing Ralph Vaughn Williams coming to talk to us at school in the 1950s.

ON SUNDAY MORNING I SPEAK about Winston Churchill and his hitherto unknown secret communications with President



Organiser Linda Faith moves among dinner guests at Real History, U.S.A.: a sumptuous buffet awaits them (SANYA)

Roosevelt (see CHURCHILL'S WAR). I have put a copy of the January 1944 message from "C" in each welcome folder.

After a break for coffee, we all then pour back in to the auditorium to hear Prof. Tony Martin (Prof. of Africana Studies, Wellesley College, Boston) lecture on the Trade in African Slaves. He deals in broad strokes with the whole canvas, including White slavery and prostitution last century.

He has our audience in fits of laughter as he reads out – what probably none of us knew – what the wise men of the Talmud say of the origins of the Negro's thick lips, black skin, kinky hair and "elongated organ."

It turns out that Noah and his three sons Ham, *et al.*, are to blame. And Prof. Martin hams it up in a way that no White speaker would have dared.

He also reports the fact, which again I did not know, that census research by academic Jewish experts has established that their people were thirty percent more likely to "own" slaves than any others in North America. Yet Jewish community leaders like Abraham Foxman of the Anti-Defamation league have been at the forefront of the campaign for Ger-

many to pay reparations for the Nazi use of slave labour.

WHAT HYPOCRISY! I ASK PROF.

Martin if these community leaders should now accept these injustices done to the Blacks, and offer financial recompense. I add: "I understand that they have come into money recently."

We listen to a brief debate on an Auschwitz anomaly, namely discrepancies in the stories about the "holes" in the roof of Crematorium II.

It is pleasingly ramshackle and slightly amateurish, as the forceful Brian Renk confronts the more human Charles Provan, who sometimes seems stunned by the ripostes, but then comes back with a quiet, well-thought response.

Mark Weber steps into the subsequent discussion with a very cogent argument, which certainly never occurred to me: namely, that if the alleged formal decisions on the Holocaust – to kill every available Jew, gypsy, etc., – were indeed made by the Nazis in 1941 and early 1942 (Wannsee); and if construction of Crematorium II was started in late 1942, how is it that both that building and the later Kremas were still being built as regular crematoria



Slave-trade expert Prof. Tony Martin engages barrister Doug Christie in conversation at Real History, U.S.A. (MARRIOTT HOTEL CORP.)

and only hamfistedly "converted," according to the legend, into the killing buildings? Why were they not purpose-built as killing buildings, with characteristic Nazi efficiency?

WE ALL THEN LEAVE BY special buses for the Cincinnati riverfront (because streets downtown are closed off at five p.m. for the huge Labor Day fireworks display). Here we have an informal dinner, followed by an address by Canadian trial lawyer Douglas Christie on the assault on free speech in his country.

The end of his talk is drowned out by thumps and bangs as the city's multi-million-dollar fireworks display begins.

On Monday morning, the final day, I tell of the fight for Real History in the London law courts; I angle the talk so that the video record can be shown in Australia also, but I have the camera switched off for a frank, off-the-record briefing on certain aspects.

We return finally at midday to the auditorium hear Michael Hoffmann discuss Prof. Lipstadt's impassioned call to her people to "treat Mr. Irving as Amalek: *i.e.*, kill him". His talk is, for him, moderate: a forceful, well-argued indictment of Lipstadt for using the coded language of the Talmud to incite violence.

The quotations that he gives from this "scholar's" speeches and the corresponding entries in the Talmud are quite chilling. It must be presumed that Lipstadt, as a professor of the Jewish religion, knows precisely what she is doing, and that it is premeditated – that she is hoping that some crazed successor to Herschel Grynszpan will finish off her enemies.

He cites passages from a *Time* article by a Mr. Charles Krauthammer, "The Case for Assassination," and from *The Wall Street Journal*, in which a rabbi argues forcefully in favour of a policy of "targeted killings" as a way of finally solving the Palestinian Problem, saying that such steps are justified in Talmudic law if the "right people" are targeted.

I wonder what the Allied tribunals would have had to say if Kaltenbrunner or Eichmann had advanced such arguments in their own justification?

Around 1:15 p.m., I bid Real History U.S.A.'s guests farewell until next year. We have had brilliant speakers this year.

The academics whom I selected could not be called conformist in the slightest sense. They are masters of their craft.

MAUREEN W., ONE OF our antipodean visitors, is sitting in the foyer,

curled up, waiting for her plane back home to Melbourne. I ask her to carry the two videos we have made. That will speed their path. I set out finally at 3:15 p.m. for Colorado.

I drive all afternoon and evening, through some rainstorms too, until nine p.m., and check into a small motel, after stopping at others along the road the last hour and haggling, with the inevitable result that each is more expensive than the last.

Arrive at Abilene, Kansas, after another day's drive at 9:45 p.m. All the restaurants have closed at nine p.m., I am told. I spend the next morning at the Eisenhower Library, and find good items for vol. iii – e.g., the 1944 diary of Ernest Lee (Ike's aide); I was not aware of that. But they won't let me digitally scan their photos, so I shall leave early tomorrow for Denver.

Gosh, Abilene is a boring town. When I first visited this library with Carla Venchiarutti in 1975 we found we could stand in the middle of Buckeye, the main street, without any fear of being knocked down by rush-hour traffic. Nothing has changed.

The White House Hotel has moved into Asian hands, its restaurant closed (and stuffed with bric à brac), awash with Asian odours, and I flee to a Best Western. Virtually no other restaurants in town. I mail out the invitations for the Ohio meetings.

I SET OUT WESTWARDS FROM Abilene at 10:45 a.m. and cross yet another time zone west, driving 450 miles all day. At two pauses I mail 110 letters to Ontario fighting-fund supporters, inviting them to meet me at Niagara Falls next week. I arrive at Denver at eight p.m.

I am up at 7:40 a.m., and write this letter to Bente:

I left Abilene at 85°. As I drove west all day through a great thunderstorm the thermometer in the car dropped forty degrees in five minutes, and climbed back to 55°, then settled down around 45° which it is here. I hope it gets warmer when I head back east tomorrow. Seven hours or more on the road yesterday.

A nasty blustery day, very wet and windy. This may account for the poor turnout at the Denver bookstore – less than twenty come instead of the forty-two who registered. Never mind, I have had a glorious drive over here and I tell this little audience so.

I write to Ann W., an Essex (England) schoolgirl who asks for help, and I enclose a page from the British decodes of the German police messages, dated Dec. 1, 1941, which she has asked for. "You should also read Prof. Christopher Browning's work: he is in my view good. If you want to be very daring, go

through the 32 days of transcripts of my action against Deborah Lipstadt, until you find Browning's evidence under cross examination (about 3 days of it); you can machine-search them for titbits of use.

"You may find Daniel Goldhagen's book *Hitler's Willing Executioners* of use, but it has come in for criticism from Browning and others. Don't forget; ask me for more help as you go along. And plan a visit to the Public Record Office where you can consult those decodes in person!"

STILL AT DENVER. I SENT THIS message last night to Bente: "I am sitting in a seventh floor room looking across the prairie



Before our eyes, one tower collapses, and I start to pray for the dead, and for those on the planes as well.

to Denver's skyscrapers about eight miles away, and the same distance beyond that the Rocky Mountains begin. You don't know what you miss by not coming on these adventures."

I later add a postscript:

Just about to start the big drive back east. I was thinking about Josephine a lot the last two days driving over the prairies, and then I realised. It is just two years. . .

Arriving at Newton, Iowa, I have a reply from Bente, saying that Jessica has received the Roman Treasure Chest and the £20 I sent her: "She is very pleased as they are doing a project about the Romans this term. She also had her first violin lesson today, so now I have to find a violin that we can hire!"

SEPTEMBER 11, IOWA: I awake and switch on the television to see an extraordinary picture: it looks like the World Trade Center towers on fire. For a few baffling moments there is no commentary, and I wonder if this is a new disaster movie, but where is the commentary and the "two thumbs-up" that such convincing special effects must earn? Then I hear that two commercial airliners have been

crashed into the towers.

I start typing a record of the bulletins, while I work.

Before our eyes, one tower suddenly collapses, and I start to pray for the dead, and for those on the planes as well. Smoke is then seen pouring from beyond the White House, I think it may be a smokescreen, but then we hear that the Pentagon has been crash-bombed.

The TV channels are seized with it, the commentators talking of the cowardice of the men involved. Cowardice no, but reckless disregard for human life; by attacking in working hours, they have multiplied the death roll a thousandfold.

If it is Arab involvement, then America is paying dearly for Ariel Sharon and the American missiles he has been firing into Palestinian homes. News develops that the terrorists, whoever they were, hijacked one American Airlines jet from Boston, then another from New York, and flew down Fifth Avenue at rooftop height.

The damage to the U.S. economy will run into hundreds of billions of dollars. The U.S. Stock Exchange is shut, every plane is grounded, the Lincoln and Holland Tunnels are closed.

I feel like the morning of the Oklahoma City bombing: each minute brings something more heart-stopping than the last. The Palestinian Front disclaims responsibility. At 9:22 a.m. American Airlines says it was their Flight 11 from Boston to Los Angeles.

Word that the North Tower is leaning. The elevators have stopped. Mammon has failed to protect its underlings.

There were ninety passengers on Flight 11, and sixty on the second flight, which was hijacked on a flight from Dulles. There is a report that a car bomb has exploded outside the State Department. I know the feeling, but most Americans don't.

It is 9:29 a.m. and the second tower has just collapsed before our eyes. I try to phone London, to talk with Bente: "All circuits are busy." The ABC television commentator is almost speechless, "There is simply no way to accurately describe the emotion. . ." he begins.

At 9:31 a.m. Capitol police are told another hijacked plane is now en route to Washington.

Pearl Harbor all over: Caught with their pants down. "The Statue of Liberty, folks, is still standing," says one voice as the camera pans across it. How flimsy those giant twin towers must in fact have been.

A plane is reported to have crashed near Pittsburgh. By 9:50 a.m. they are already talking of the Taliban and of Osama bin Laden, but these are the usual U.S. bogeymen. The story of the car bomb is discounted. Nobody is mentioning the White House-area smoke. The plane down near Pittsburgh was a wide-bodied 767, but it may have been unrelated to the campaign, they say, except incidentally: a result of the air traffic control chaos.

London stockbrokers must be quietly ecstatic. New York's predominance in the financial world wiped out in one slash.

Of course, the media have not realised this, or at least they are not saying it. Nor are they asking who will most likely bear the insurance and, more important, the re-insurance burden – the London market

10:19 a.m. one of the Fox commentators calls it "a Day of Infamy."

10:30 a.m. police sources report that a plane is flying down the Potomac at high speed. "Commerce in America is not going to come to a grinding halt but it is going to be significantly affected." They can say that again.

10:34 a.m. Newt Gingrich says it out loud: it is a twenty-first century Pearl Harbor, and he blames the Americans for not having taken Osama bin Laden seriously enough. Any more of this and that gent may have to sue for libel. Oh no, *NYT vs. Sullivan*: He's a public figure.

10:53 a.m. Disney World has closed in Florida, so things are getting serious. In the U.K. the stock market has suffered its worst fall since October '87.

11 a.m. I reach Bente by phone; she has been watching petrified, the U.S. embassy close by is cordoned off. Jessica is irritated because all London TV channels are swamped by the live coverage, so she has lost the children's channel.

United confirms that their Newark to San Francisco flight has crashed outside Pittsburgh (or shot down by U.S. fighters, one wonders?)

President Bush appears on televi-

sion from Florida, and yet again impresses by his total incoherence, disregard for elementary rules of grammar, and absence of what the Germans call *Format*.

Once again, as with the history of the Holocaust, people seem unable to ask the simple question, "Why?" The asking, and the answer, are essential to the prevention of future miseries.

The Americans appear unable to appreciate that they have aroused the wrath of Islam, and that Islamic fighters will eagerly die for their cause.

The same American government spokesmen who cheered every Cruise missile that they slammed from a long and safe range into the skyscrapers of Baghdad and Belgrade call it an act of international terrorism when their enemies unexpectedly turn out to be willing to do the same a rather shorter range to them. Alas, they can hardly describe the Pentagon as a non-military target.

British commentators on U.S. television say Israel is keeping quiet because they don't want to make it evident that this "may be the result of American support of Israel."

Bush's ludicrous support for Star Wars II also comes in for question: All that money has failed to protect the World Trade Centre buildings.

I hear only one television broadcast comment in the evening that the U.S. Army has denied that they shot down the Pittsburgh plane. Ho-hum. The FBI have seized the cellphone tape in which a doomed passenger said there was an explosion and white smoke before the call went dead.

I ARRIVE AT MONTICELLO around seven p.m. Around midnight the CNN news programme shows two terrifying new film clips of the planes slamming into each of the towers; evidently the cameramen have only just released their tapes to the media, holding out for the biggest price – why else should it have taken until after midnight for them to appear? Money, the root of all evil.

At midnight CNN Headline News switches over to the B.B.C. for three hours, and the difference is startling: unabridged criticism of the U.S. government for its foreign policy and the security lapses which enabled the bombings to take place; the U.S. TV programmes have dared nothing of such criticism.

BENTÉ WRITES: "RENTED A VIOLIN for Jessica from a music shop in Mortimer Street. It makes a very loud and ghastly sound!"

I read the *Chicago Tribune* accounts of yesterday's horrors.

The most chilling photograph is a telephoto-lens shot of the upper floors of one tower, smoke and flames belching out from the floors beneath, and hundreds of people cramming the windows of the floors above, holding things up, gazing out of the windows.

As for the Pennsylvania crash, there are conflicting accounts. The *Tribune* says a spokesman "said that there was no evidence that the plane had been shot down but did not offer any explanation about what caused the crash. Investigators, too, were tight lipped." That is journalese-speak, indicating that they know something they do not report. Later, there are suggestions, based on a cellphone call, that three passengers mutinied against the hijackers.

The White House announces that they have evidence that the terrorists were also targeting the White House and Air Force One [*the presidential plane*], which explains why the president appears to have gone walkabout for most of the day instead of flying straight back to Washington. It is of course easy to be wise after the event.

The simple synopsis of the horror is this: "Fanatical Muslim terrorists crash planes into the World Trade Centre, as a symbolic centre of international finance, killing thousands, to punish the United States for their blind support of Nazi Israel's occupation of Palestine."

Nobody in the media dares even to hint at this, at cause and effect, however. I pray again for all the innocents who died.

I drive all day to Cleveland. Arrive in pouring rain. E. has arranged the usual big turnout. I then drive on to Conneaut, arriving eleven am. This e-mail to Bente: "Not bad last night in Cleveland. Arrived in pouring rain after a seven hour drive from Chicago, then changed into the High Court suit. Good audience, extra chairs brought in, bigger than last year."

Check into the Niagara Falls hotel at nine p.m. – "just got here 10 p.m., and have a tenth floor room overlooking the Falls: spectacular view, huge plumes of spray, etc."

I HAVE TRIED PHONING STEVE B. several times over last few days, without reaching him. I have brought a scanner from London just for his papers (he was an interrogator at Nuremberg and has many original Himmler and Hitler files).

Next day: A huge rainbow over the Falls, going right down into the gorge. Later I send this e-mail to Benté: "I was going to New Jersey today to see a man with Himmler stuff but his son tells me an hour ago by e-mail that he has been in hospital

since May (hence his non-reply to my letters, etc.); so that is that. I may go to Pennsylvania to see that man who phoned with the Rosenberg papers. I am like a gypsy, and I can take my horse and cart wherever I wish, until my next date in New York City on Wednesday."

I drive all day down through the Eastern Appalachians to Pennsylvania, and arrive at Philadelphia at 8:30 p.m. The Americans, who routinely fly from city to city, can have no idea how beautiful and varied is the country that lies between.

Somewhere far to the north-west of this mountain highway lies the crater left last Tuesday by the crashing United Airlines 767 flight. Did it crash, or was it shot down? This morning the media report that at 9:53 a.m. that Tuesday [Sept. 11] President Bush did indeed give, "with heavy heart," the order to open fire on any commercial airliner; and the Pentagon has confirmed that two U.S. air force fighter planes armed with air-to-air missiles did come within sixty miles of the doomed United 767 – i.e. about two or three minutes' flying time – but that it crashed soon after, allegedly "three minutes" before Bush issued his order. [*In fact it crashed at 10:17 a.m.*]

So that clarifies that. The plane was brought down by the heroic passengers who stormed the hijackers – and not by a U.S. fighter plane which innocently thwarted their rescue attempt. Ho-again-hum.

Two days ago however there was one odd radio news item, not repeated after that: a fragment of the plane, this said, had been found eight miles away. So it did disintegrate in mid-air. Why is that being withheld from the public? Was it shot out of the sky? If Bush feels he has to conceal it, he is less of a statesman than I took him for.

The most improbable news items are being spoon-fed to a gullible public as fact. One report stated yesterday that in the World Trade Centre wreckage, three passengers had been found "still strapped into their seats" and "a flight attendant with her hands bound behind her." There is no word of those gruesome titbits elsewhere.

One story has a lucky survivor from the 89th Floor riding the collapsing building down, and surviving with cuts and bruises; no doubt he'll turn out to be a "Holocaust survivor" too.

Patriotism in its ugliest manifestation has momentarily seized this great and otherwise intensely likeable people. Some have attacked anybody looking Arabic. The media, which bear a share of the blame for this evil, murmur a dutiful tut-tut. Osama bin Laden's shifty, oily, Semitic features leer from

every news bulletin and Op-ed cartoon, in a barely concealed appeal to the viewers' racism. Dr. Joseph Goebbels could not have done it better.

In a small town in northern Pennsylvania I watch the woman parking her car next to me – the archetypal obese American Mom in her late twenties, puffing a cigarette as she unloads her infant from the car, on the windows of which is scrawled in white-paint, just-married-style letters an incongruous "America the Beautiful."

PRESIDENT BUSH, WHO HAS UNilaterally declared that suspicion for the foul deeds, the bombing of the World Trade Centre and the Pentagon, falls only on Osama bin Laden, is asked on television news if he wants him killed. Bush hesitates, notes the CNN commentator, then recalls the 19th Century Western posters that used to proclaim "WANTED – DEAD OR ALIVE."

General Dwight D. Eisenhower too was an avid reader of western novels. So it seems that Washington has another pulp-fiction reading statesman, though of less stature than Ike.

B. told me yesterday that the B.B.C.'s Jonathan Dimpleby hosted a television programme two days ago about the horrors, and that several members of the live audience voiced the same views as mine, namely that the United States, with their meddling in the Middle East, are the architect of their own misfortune. Today there is criticism in the media of Dimpleby for having even allowed such things to be said.

Yet the ordinary man in Main Street America is asking much the same: I know, because over the last seven days I have talked with the Americans at stops across 2,000 miles of highway, and the difference between their views on the Middle East, and those propagated by the media, is startling.

Today I hear one phone call from Philadelphia sardonically asking a New Jersey radio station whether they can see some connection between U.S. warships firing Cruise missiles at what turns out to be an innocent pharmaceutical warehouse in the Sudan, in the mistaken belief that it is a "germ warfare factory" controlled by bin Laden, and Tuesday's terrorist attack on the skyscrapers.

The female radio host is shocked, and points to the difference in scale: Yet the Allies justified their massive saturation bombing raids on Germany and Japan by the Luftwaffe's puny attacks on Warsaw (in 1939) and on Coventry (in 1940, with 300 dead) and even on Guernica (in 1937, where just 97 died).

George W Bush has retroactively

declared that the bombing of the WTC was an act of war – though we may suspect that he has ulterior reasons for this: Wartime leaders are Very Popular. Hanging chads no longer matter. War moreover entitles him to liquidate any of his enemies on the basis of mere suspicion, no matter how much they protest their innocence; and Bush can please his military-industrial complex by pooping off more of his country's expensive Cruise missile arsenal – Arab lives do not count, and never have, in the calculus of Washington.

Five thousand humans are heroes when killed by an enemy in the financial skyscrapers of New York, but in the eyes of Washington they are worthless sub-humans when they are Arabs, Serbs, Sudanese, Ethiopians, Vietnamese, Japs, or other foreigners – dismissed as mere “collateral damage” in the contemptuous words of the White House's Ari Fleischer or the Pentagon's equivalent of Nato's unctuous Jamie Shea.

And how that phrase, “collateral damage”, spoken in Shea's unspeakable Dagenham voice, has now come back to haunt the nation that invented it.

Bush's other ulterior motive for proclaiming this to be a war may well not have occurred to his sorely-tried but patriotic citizens. If the WTC bombings are indeed to be regarded as an act of war, then the insurance companies concerned will find that they have no need to pay out on insurance claims, and labour union agreements will no longer be binding. “Read the small print,” they may well say.

Having a good war is not without its blessings. The question is, given the possible collapse of the United States' economy, can they now afford one? *Bange Frage*, as the Germans say.

I AM IN PHILADELPHIA. I phone Walt Martin and arrange to visit him. I start reading his cache of Rosenberg and other papers, and dictate notes on them until 5:20 p.m. without a break. They are in shocking disarray, stuffed willy nilly into boxes, crates, and folders, but there is some good stuff among them, diluted by 90 percent duplicated Nuremberg files, photoprints from U.S. and Foreign Ministry (Loesch!) microfilms, etc. No trace of the missing Rosenberg diaries.

I write to Peter G. in Washington DC, after phone calls fail to elicit a response from Andrew Gray who is organising my visit there: “I suspect he is stranded overseas or something. Could you be a pal and phone the restaurant and find out if they are expecting us?”

Meanwhile I set out for New York

at midday. Traffic is less heavy than usual, and as I sweep up the New Jersey Turnpike's last stretch along the Hudson river to the George Washington Bridge I peer across at the famous Manhattan skyline; there is no visible dust pall in the haze marking where the twin towers once stood.

The Club where I am to talk is a stately building on the Upper East side. The room is on the third floor, reached by a small, wheezy elevator not much larger than the platform-hoist



Display of patriotism “Don't mess with me,” said Tricia, an **Action Report** reader's girlfriend who decorated our website after the attack, “or I'll turn real ugly.” Readers who did mess with her picture were rewarded with a portrait of Emory scholar Deborah Lipstadt (right).



at Krema II, holding less than five people standing at a time. At ten p.m. I am on the road again heading south down the Turnpike, after changing out of my High Court suit and picking up a strong coffee at the La Cubana. A dim white glow rises from the southern end of Manhattan where salvage operations continue.

I send this word-sketch to Bente:

Rather an odd function in Manhattan last night. Got back here at 1:30 a.m., so overslept. Once again my letters to New Yorkers (around 150) had not, or only partially, been delivered in time. Boiling heat, very humid. Extraordinary city, totally different from rest of U.S.A.. Real melting pot. Very few Caucasian Whites now.

Good function in a very nice room, very elegant. No sign of the damage at the end of the city I was. Lots of those Xeroxed posters, saying God Bless America and the like.

Radio and television obsession with the bombings has now died down, but not much.

Now the Americans will go and bomb a lot of innocent Arabs and Muslims, and their Xerox machines will start churning out the same kind of pathetic “where is . . . ?” posters.

Nobody has the faintest idea who was really responsible for the bombings, and only ordinary Americans are asking the question Why. Their newspapers and media still do not.

Saw a rain-soaked Grosvenor Square on television last night. Looked hard in the background in case the camera

glimpsed you. Just beginning to tire of this journey, so far I have driven 5,000 miles.

Benté replies: “No, we haven't been able to get into Grosvenor Square. We left some flowers on Saturday with a policeman. Worrying time for everybody – yesterday on the news they kept going on about the possibility of chemical warfare on London. In a newspaper yesterday they described George Bush as being ‘verbally challenged’ – thought that was a pretty accurate description!”

have voice recorders installed in the cockpit so that the cause of crashes could be determined.

The 767's pilot's widow has demanded to hear the voice recording, so that she can hear the last words of her dead husband. That is an embarrassment, they may well have been something like “What the Hell's that F15 doing – aaargh!” Followed by what we might call an Andy Warhol moment.

None of those present is willing to accept Bush's glib assurance that bin Laden is the culprit. He is just the White House hate-figure of the month. Others have been Abu Nidal, Saddam Hussein, and Slobodan Milosevic.

Perhaps Washington now regrets have purchased Slobodan's incarceration by the “neutral” court at the Hague. Hoist with their own petard: he now has a cast-iron alibi.

I load the car, listening to the empty rhetoric of the president addressing both houses of Congress a mile down the road, in his flat, toneless voice, stumbling like a child over the more difficult words written for him (though his speechwriters have kept them to mercifully few).

They are not much more erudite than their president, unfortunately. The phrase comes into my head once used by Winston Churchill once about an opponent, “His speech contained every known cliché except Gentlemen please adjust your fly.”

It also occurs to me that in his blind flailing at the Taliban regime (which his own regime supported with a gift of \$43 million as recently as May this year), he may be making a capital blunder: suppose bin Laden is caught, handed over, and put out of the way; and the very next week there is a further such operation against Bush and his new allies – what then?

I depart at ten p.m. for Virginia, heading south again, just as the sombre opening chords of Johannes Brahms's *Deutsches Requiem*, broadcast live from New York, come over the radio.

Heading down I-395 past the Pentagon, I glance to the right, and see the brilliant white klieg lights illuminating the scarred west front of General Leslie R Groves's impressive building.

From this distance the damage looks less imposing than expected. The *Requiem* music marches majestically on: always one of my favourite pieces, though slightly unfamiliar in this New York concert setting.

The baritone is magnificent, the soprano even better: *Traurigkeit!* When it concludes, over an hour later, I drive off the interstate and find a motel to rest my bones. Tomorrow – that is, today – Wilmington,

FROM WASHINGTON COMES this puzzling message from Peter G.: “I hate to be the bearer of bad news, but the restaurant has no reservations for tomorrow evening.”

What has gone wrong with Andrew Gray? My messages to him are going unanswered.

Later, I drive down to Washington DC. The restaurant has made its upper floor available to us. There is no sign of Andrew.

A lively pre-dinner discussion develops on the terrorist attack campaign. One guest hands me a clippings from the *Nashua Times*, revealing that fragments of the Pennsylvania plane were found eight miles away, which confirms what I wrote earlier; and the FBI seized an answering machine with a recording of the phone call from a passenger who spoke of a sudden white puff of smoke in the 767's cabin.

I suggest that one test of this government's frankness will come when they decide whether to release the cockpit voice recorder and flight data recorder, both of which have been found.

I first revealed, incidentally, in my book *The Rise and Fall of the Luftwaffe*, that it was Hitler who hit on the idea of installing a Black Box in planes: after the fatal Heinkel crash of Fritz Todt, his munitions minister, in February 1942, Field Marshal Erhard Milch told his staff a few days later that the Führer had asked him if all important planes could

North Carolina. Let's see if the letters have arrived.

Shocking headache all night.

I reach Wilmington around five-thirty p.m. My host has selected a restaurant on the waterfront for the venue. Terrifically humid, the moisture running off the windscreen of the parked cars, the mist blowing in from the Atlantic.

SUNDAY: DRIVE OVER TO THE LOCATION in Buckhead, Atlanta, around four p.m., and set up at leisure. A crowd arrives, packing the room, I finish around ten p.m., and stop for the night some way south of the city.

Key West is only a thousand miles ahead. There, I shall resume writing. I send a message to the estate office: "Please leave the keys of the cottage where I can pick them up."

I drive south in heavy rain all day. The rain lashes down, and a pickup to my left, overtaking at high speed, suddenly spins off the Interstate in a flurry of spray. It stays upright, and nothing hits it, so it is fortunate. Must have had bad tyres.

President Bush has formally raised the U.S. flag from half-mast, and the wave of patriotism is receding.

At least he will have an "enemy" terrain over which his Stealth bombers and fighters can operate with a degree of safety. Thanks to the radio "mush" above civilised European countries generated by billions of cellphones ("Yeah! Hi! I'm in the *cinema!*") Stealth planes are no longer invisible to radar. Cellphones, like cinemas, are less numerous in Afghanistan (the Taliban does not seem to encourage their use); all the Americans need is an identifiable enemy. Collateral damage alone won't win this war.

Some of the legislators are manifestly uneasy. Colin Powell promised yesterday to reveal the evidence that puts the blame on Osama bin Laden, only to be slapped down by Bush who now says that (unspecified) security considerations prevent this disclosure. Ho-hum. Those who want to believe that, no doubt will.

I MAINTAIN MY OWN CURIOSITY about that crater at Shanksville, in Pennsylvania, and what really brought down the United Airlines 767. Two days ago the FBI confirmed

that the voice recorder has been recovered intact, and there are leaked reports that the recording has sounds of a scuffle, and the pilot shouting twice, "Get out of the cockpit."

There are elements of uncertainty – like whether this is from the cockpit recorder or a recording made by air traffic control as the pilot left his microphone open. Surely the doomed hijackers are heard to utter more than one wild last shout of "Allah Akhbar!" as, according to the FBI version, they steer their plane at full throttle into the ground?

It is a pity to squelch a truly heroic story – the passengers



West wing:
The damage to the Pentagon.

overpowering the hijackers, Tod Beamer, who shouts "Let's roll!", a Jeremy Glick saying his farewells to his wife, and the rest. Heroism like this is badly needed to bolster the morale of a country dispirited by the highly visible failure of its expensive Intelligence services.

COME TO THAT, WHY HAS no newspaper or U.S. government official reminded us of the crash, in 1999, of the EgyptAir plane which had just taken off with a full passenger load from New York? Its pilot unaccountably rode it straight into the Atlantic (murmuring, as the voice recorder revealed, prayers and imprecations to Allah as he did so).

Are there really no similar features that need investigation?

IN ORLANDO, AT THE BOOKSTORE owner's home, I get an e-mail from the son of Andrew Gray, living in Alabama.

My father passed away in his Washington home on the night of Aug. 30. His death was unexpected and will be mourned by many.

I would like to thank you for the friendship and intellectual camaraderie you shared with him. I know my father viewed your efforts as akin to his: a struggle to defend History as a free and rigorous intellectual pursuit.

I reply: "He was a fine man, a great wit and raconteur and I always enjoyed his company."

The bookstore owner's mother-in-law recalls the 1938 panic when Orson Welles made his spoof broadcast on the New York radio that Martians had landed in New Jersey. She was working in New York, and two National Guardsmen drove up in full uniform, shouting to everybody to take cover as aliens had landed in New Jersey.

I say that no alien in his right mind would choose Jersey to land in, and she says there was nothing in the newspapers, so she went to the radio, and scanned all the channels –

again nothing – and finally landed on the station which broadcast the original story: it was now issuing a retraction.

I tell her that Adolf Hitler hooted with derision about the story, and brought it up in conversation as proof that the Americans were endemically jittery. See Hitler's *Table Talk*.

The Orlando newspaper mentions that the odour of six thousand rotting bodies now pervades Lower Manhattan, and it must be truly awful for the salvage workers penetrating the ruins.

None of the Germans (and British and American prisoners of war) who had the same task in Dresden after the British raids in February 1945 failed to tell me about that sickly stench. Of course, we killed over *one hundred thousand* innocents in two hours that night (or "only twenty thousand" if you prefer to believe the conformist historian, Prof. Richard Evans).

AFTER A BRILLIANT FUNCTION AT Tampa I set out for Key West around eleven a.m. Heavy rain at times, then a subtropical downpour. I have driven 6,731 miles since picking up the car at O'Hare airport a month ago.

I find that WGBH television in Boston are advertising sales of their educational video *The Holocaust on Trial* with the

words, "David Irving claims the Holocaust was a myth. . . Irving defends himself and Hitler's Nazi atrocities. . ."

So the traditional enemies are hard at work again.

THE DESTRUCTION OF THE World Trade Centre has been a traumatic blow to the Americans, a shock going right off the Richter Scale.

The effects on the media have often verged on the ludicrous. Ellen de Generes, the lesbian television actress, finds that her producers have cut out the lines scripted for her new episode in which she explains that she is home early as her dot-com company "has collapsed." Her mother clucks, "Oh dear, I'm glad you got out in time."

If a reprisal war begins in Afghanistan, the unseen enemy will strike back too. I for one shall not be using the Lincoln or Holland Tunnels into New York City. One suicide bomber with a truckload of McVeigh-brand fertiliser could inflict real terror here.

I listen to the radio news. The latest scare is biological attack. A woman phones in, in an Oklahoma dialect, that she lives in a rural area and is surrounded by crop-dusting aircraft. She is scared she's the next target. The image of Cary Grant fleeing from the sinister crop-duster in Alfred Hitchcock's *North by North-West* flutters into my head. If somebody does use such aircraft to spray anthrax, it will not be against a farmer's wife in Oklahoma.

The United States is a nation fed on such fantasies, as witness the success of the movie *Independence Day*, in which the country's major buildings are splatted by aliens from outer space. Jeff Goldblum saved them then. Now that the aliens from inner space have attacked, the Americans don't know what to do. Their president inveighs about Osama bin Laden and his "attack on Americans' freedom."

Yeah, right: the bathrobed, be-turbaned Saudi gentleman, squatting in his cave, unable now even to use his cellphone safely, decides to smite the Twin Towers in Manhattan, saying, "If there's one thing about those Americans I can't stand it's that freedom of theirs."

Think again, George: Maybe it's something else upset them.

Special £150,000 appeal: "To defeat Lipstadt permanently and inflict the Six Million Dollar loss on her backers, I must raise this sum at once. Contact me urgently if you will help."

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