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Munich Judge Liberates Germany from the Majority of its Anti-Semites with Absurd Definition of Anti-Semitism

About the Trial Elsässer vs Ditfurth (October 8, 2014; Munich State Court)

By Jutta Ditfurth

I had only just returned from Brandeis University in Waltham, MA/USA, from readings of my book *The Baron, the Jews, and the Nazis*, from participating in the Herbert-Marcuse Conference in celebration of the 50th anniversary of Marcuse's book *One-Dimensional Man*, and from interviewing some of the few remaining survivors of the Shoa--gracious and intelligent people. My head was still full from the conversations and new impressions, yet I had to go straight to Munich the next day (10/08/14), because Jürgen Elsässer had sued me.

For very well-documented reasons I consider him a "XXXXXXXXXX". In the context of my political analysis of the new volkish "Monday vigils" and the "new peace movement" in Germany I had called him that in a TV- interview with 'Kulturzeit', which aired on the channel 3sat on April 16, 2014.

The day of the trial in Munich was a real culture shock. I still can't quite grasp how a judge chose to define anti-Semitism in Germany anno 2014:

"A glowing Anti-Semite in Germany is someone who speaks in Anti-Semitic ways with conviction, with a conviction that does not condemn the Third Reich and that cannot be viewed independent of 1933-1945, without the background of history."

The judge's pronouncement means: It is forbidden to call people anti-Semites who insult other people in anti-Semitic ways, who are pursuing them with hatred, who humiliate and discriminate against them. One is not allowed to call them what they are: Anti-Semites. According to the judge, calling someone an anti-Semite is only allowed when the Jew hater is referring positively to 1933-45, to NS-Fascism, and to Auschwitz. To call someone an Anti-Semite, she said was a "killer argument," and the (ostensible) danger to the plaintiff's livelihood justified the limitation of my freedom of speech.

According to this judge's logic there was no anti-Semitism prior to 1933, no persecution that led to pogroms, no 'Antisemitismus-Streit', no volkish movement etc. After 1945, if one follows this judge's reasoning—the propagandists who are spreading the infamous "Protocols of the Elders of Zion," or the new followers of a myth of an ostensible „Jewish World conspiracy“ (for instance in the "new peace movement") cannot be called Anti-Semites. The entire flood of open, secondary, structural, covered, coded, and all other forms of Anti-

Semitism are thus deemed acceptable. This means protecting the perpetrators from the victims, and from their critics.

In court I was allowed to make a short statement. I quote it here:

"It is my freedom of speech to call anyone an Anti-Semite who keeps saying and writing anti-Semitic things in large quantities, who speaks together with other anti-Semitic speakers at rallies, and who declares his solidarity with them when they are criticized. One who does not raise critical arguments against the Israeli government but openly insults Israel in anti-Semitic language. One who allows himself to be invited to events by anti-Semites and Holocaust-deniers; one who interviews anti-Semites for his magazine, and one who has books written by anti-Semites for his publishing company. Especially here in Germany, why wouldn't one be allowed to call someone like that what he is: A XXXXXXXXXX?"

The definition of Anti-Semitism by the court ignores among other things the results of the Bundestag's study of anti-Semitism from 2011 (1) and the newest scholarly research, for example about anti-Jewish language (2).

One of the peculiarities of this trial is that Elsässer's attorney Michael Hubertus von Sprenger claimed that he would never take his seat next to a glowing anti-Semite. But he already defended the notorious Holocaust-denier David Irving. Moreover, one of the most abominable Nazis of the old Federal Republic was sitting in the front row of the audience in Munich: the leader of the Wehrsportgruppe Hoffmann (WSG), which was banned in 1980. And he was not alone.

The judge has hinted at the fact that I will lose this trial. The verdict will be rendered on November 19 2014. Of course I will continue after that! I am aware of my political responsibility. But my "personal" problem is: I have no money. I urgently need your support so I can appeal the verdict. Up to now (injunction; first instance) it has cost about 25.000 Euro.

I need help and am asking you urgently and cordially for your donations:

The bank account:

Account Holder: OekoLinX-Antirassistische Liste

RE: "Elsaesser-Prozess"

IBAN: DE40500100600717720600

BIC: PBNKDEFF

Bank: Postbank Frankfurt/Main

City/Country: Frankfurt/Main, Germany

Gratefully,

Jutta Ditfurth

Footnotes:

(1) Bundestagsbericht: Bericht des unabhängigen Expertenkreises Antisemitismus: *Antisemitismus in Deutschland – Erscheinungsformen, Bedingungen, Präventionsansätze* [Report presented by an independent circle of experts on anti-Semitism: Anti-Semitism in Germany—

Manifestations, Conditions, Efforts at Prevention] Berlin 2011, Bundestagsdrucksache 17/7700; <http://dip21.bundestag.de/dip21/btd/17/077/1707700.pdf>; aufgerufen am 11.10.2014).

(2) For Example: Monika Schwarz-Friesel / Jehuda Reinharz: *Die Sprache der Judenfeindschaft im 21. Jahrhundert* [The Language of Anti-Judaism in the 21st Century]. Reihe: Europäisch-jüdische Studien – Beiträge 7, Hrsg. v. Moses Mendelssohn Zentrum in Kooperation mit dem Zentrum Jüdische Studien Berlin-Brandenburg, Berlin: de Gruyter 2012.

Continuous Updates and Discussion on My Facebook-Pages (if you like in english):

<https://www.facebook.com/Jutta.Ditfurth> ("Fan"-site)

and

<https://www.facebook.com/jutta.ditfurth.5> (Profil-site)

Reports and Commentary about the Trial (sorry, most in german):

(version: October, 20):

17.) i24News, Oct 18, 2014 (article):

"German judge stirs controversy stating anti-Semitism limited to 'Nazi times'"

<http://www.i24news.tv/en/news/international/europe/47729-141018-german-judge-stirs-controversy-stating-anti-semitism-limited-to-nazi-times>

16.) The Jerusalem Post, Oct 17, 2014 (**first article in english**):

Benjamin Weinthal: "Anti-Semitism was limited to Nazi period, judge says"

<http://www.jpost.com/landedpages/printarticle.aspx?id=379057>

15.) Jüdische Allgemeine, Oct 15, 2014 (comment):

Nathan Gelbart: "Freibrief für Antisemiten"

<http://www.juedische-allgemeine.de/article/view/id/20493>

14.) Jungle World, Oct 15, 2014 (article):

Felix Sowa: "Die Querachse des Antisemitismus"

<http://jungle-world.com/artikel/2014/42/50731.html>

13.) Die Welt, Oct 15, 2014 (comment):

Henryk M. Broder: "So schafft man den Antisemitismus juristisch ab"

<http://www.welt.de/kultur/article133303492/So-schafft-man-den-Antisemitismus-juristisch-ab.html>

12.) junge Welt, Oct 14, 2014 (article):

Claudia Wangerin: "Nur Hitlerfans echte Antisemiten?"

<https://www.jungewelt.de/antifa/nur-hitlerfans-echte-antisemiten>

11.) Hinter den Schlagzeilen, Oct 13, 2014 (article and comments):

"Elsässer gegen Ditfurth: Gibt es überhaupt Antisemiten?"

<http://hinter-den-schlagzeilen.de/2014/10/13/elsaesser-gegen-ditfurth-gibt-ueberhaupt-antisemiten/>

10.) Duisburg gegen Rechts, Oct 13, 2014 (input and comments):

"Solidarität mit Jutta Ditfurth"

<http://www.duisburg-gegen-rechts.de/2014/10/13/bi-duisburg-gegen-rechts-solidaritaet-mit-jutta-ditfurth/>

10a.) Freitag-Community, Oct 18, (input and comments):

Jürgen Rohn: "Solidarität mit Jutta Ditfurth"

identical to "10.) Duisburg gegen Rechts, Oct 13, 2014"

<https://www.freitag.de/autoren/haltrust/solidaritaet-mit-jutta-ditfurth>

10b.) linksunten.indymedia.org, Oct 18, (input and comments):

"Solidarität mit Jutta Ditfurth"

identical to "10.) Duisburg gegen Rechts, Oct 13, 2014"

<https://linksunten.indymedia.org/de/node/125035>

9.) junge Welt, Oct 13, 2014 (comment):

Sebastian Carlens: "Umwertung der Begriffe"

<https://www.jungewelt.de/ansichten/umwertung-der-begriffe>

8.) Störsender.tv, Oct 11, 2014 (input and comments):

[without title]

<https://www.facebook.com/stoersender.tv/posts/720455994712379>

7.) Amadeu Antonio Stiftung, Oct 10, 2014 (comment):

"Keine 'glühenden Antisemiten' links von Hitler?"

<http://www.publikative.org/2014/10/10/keine-antisemiten-links-von-hitler/>

6.) Scharf links, Oct 10, 2014 (Beitrag):

Max Brym: "Darf Jürgen Elsässer als Antisemit bezeichnet werden?"

[http://www.scharf-links.de/46.0.html?&tx_ttnews\[tt_news\]=47485&cHash=c00e162444](http://www.scharf-links.de/46.0.html?&tx_ttnews[tt_news]=47485&cHash=c00e162444)

5.) Tapfer im Nirgendwo, Oct 10, 2014 (comment):

"Glüh im Glanze dieses Antisemitismus"

<http://tapferimnirgendwo.com/2014/10/10/gluh-im-glanze-dieses-antisemitismus/>

4.) Hagalil, Oct 10, 2014 (comment):

"Elsässer gegen Ditfurth"

<http://www.hagalil.com/archiv/2014/10/10/ditfurth-3/>

4a.) DKP, Oct 11, 2014 (comment):

"Elsässer gegen Ditfurth"

identical to "4.) Hagalil, Oct 10, 2014 "

<http://news.dkp.de/2014/10/elsaesser-gegen-ditfurth/>

3.) die tageszeitung (taz), Oct 9, 2014 (article):

Lisa Schnell: "Schrille Trennung"

<http://www.taz.de/Exlinker-gegen-Altlinke-vor-Gericht!/147329/>

2.) Interview with Jutta Ditfurth on Radio Z (Nürnberg) at 9.10.2014:

"Darf man Jürgen Elsässer einen 'glühenden Antisemiten' nennen?"

Kurzfassung [5:32 Min]: <https://www.freie-radios.net/66586>

bei youtube die Langfassung [10:53 Min]: <http://www.youtube.com/watch?v=06UTg54kQMI>

1.) Blog Schlamassel Muc, Oct 9, 2014 (article):

"Elsässer gegen Ditfurth: Münchner Richterin befreit Deutschland von der Mehrheit seiner

Antisemiten"

<http://schlamassel.blogspot.de/2014/10/09/richterin-im-antisemiten-prozess-antisemit-ist-ein-totschlagargument/>

1a.) DIG-Hochschulgruppe Rostock, Oct 10, 2014 (article):

"Ein Fascho bemüht den Rechtsstaat: Ahmadinedjad-Fan Elsässer will Kritiker mundtot machen"

identical to "1.) Blog Schlamassel Muc, Oct 9, 2014"

<http://dighochschulgruppe.wordpress.com/2014/10/10/ein-fascho-bemuht-den-rechtsstaat-ahmadinedjad-fan-elsasser-will-kritiker-mundtot-machen/>

Further information on my website: www.jutta-ditfurth.de