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Presents

# Vincent Reynouard editorials

The European Court of Human Rights  
Instrument of dictators

Sans Concession tv  
Editorials tv

In my last video I exposed the hypocrisy of our democrats on the concept of freedom. Yesterday's decision by the European Court of Human Rights confirmed my conclusions. Curiously, this decision has raised great hopes among some people. Come on! The judges gave some credit to a "negationist". They determined that the denial of the Armenian genocide was not a crime. Therefore, one will say, why should it be otherwise with the "Holocaust"?

Why? Well, to understand it, one must closely read the judgments of the European Court of Human Rights. I got the judgment, which gave respect to the person who is presented as a revisionist of the Armenian genocide.

I invite the viewer to read Article 213 and the following. The court specifies that they are not usually used to intervene in historical debates. And indeed, in the following they do not claim that the Armenian genocide was a reality. In a dissenting opinion, several judges criticized the Court's timidity on this point, before clarifying *"that the killings and deportations endured by the Armenian people was evident. The Armenian genocide is a fully established historical fact. To deny it is to deny the obvious."*

Without denying that there have been deportations and killings, the Court therefore, did not declare that the Armenian people have been victim of a genocide. Hence, its recent decision, which, one said, give allowance to a "revisionist".

But, beware! It's not the same with the "Holocaust". In a judgment on September 23, 1998 the Court talked about: *"historical facts clearly established - such as the Holocaust - whose negation or revision would be subtracted from Article 17 on protection of Article 10."*

The Court therefore sets the "Holocaust" as a clearly established fact. Therefore, those who question this evidence can only be individuals of bad faith. Individuals acting for bad reasons.

This is precisely what is stated in yesterday's judgment. It reads: *"The former commission had received, in terms of Article 10 [Article which grants freedom of speech] a certain number of queries regarding the denial of the "Holocaust" and other remarks about the "Nazi" crimes that the Court declared as all being inadmissible."*

The long list of these cases follows. Then the judges wrote: *"In these cases, it was about remarks, whose authors - almost always people who defended opinions comparable to those of the "Nazis" or were associated with movements inspired by "Nazism" - cast doubt on the reality of the persecutions and the extermination, whose victims were millions of Jews under the "Nazi" regime, claimed that the "Holocaust" was an "unacceptable lie" and a "Zionist scam" fabricated for political purposes, denied or justified the existence of the concentration camps, or alleged either that the gas chambers never existed, or the number of people killed was very exaggerated and technically unrealistic. Often referring to historical antecedents of the concerned States, the Commission has equated these remarks to attacks against the Jewish community intrinsically related to the "Nazi" ideology, anti-thesis of democracy and*

*human rights. (The Commission) saw an incitement to racial hatred, an anti-Semitism, and xenophobia, concluding therefore, that the criminal convictions against the perpetrators were "necessary in a democratic society". In some of these cases (the Commission) relied on Article 17 to interpret Article 10 paragraph 2 of the Convention and consolidate its conclusion, confirming the necessity of the interference."*

To understand perfectly this legal reasoning, two short reminders are necessary: If, in its first paragraph, Article 10 guarantees freedom of speech to everyone; in its second paragraph, it grants the States the right to introduce restrictions to this freedom. As for Article 17, it prohibits the use of freedoms granted by the Human Rights to achieve goals contrary to Human Rights.

When one knows this, the Court argumentation becomes clear. *"Knowing, she says, that in the past the States of which you are the nationals have brought National Socialism to power or have collaborated with Hitler's authorities, then your remarks about the "Holocaust" can be considered as a resurgence of "Nazi" anti-Semitism. But, knowing also that National Socialism ideology is the anti-thesis of democracy and human rights, then the freedom of speech that you claim is used for purposes contrary to human rights. In consequence I can invoke Article 17 to justify that in your case the second paragraph of Article 10 applies, which restrains your freedom of speech."*

It's an implacable logic.

One could certainly say that in this case the first stake remains the historical truth, and that the value of a thesis doesn't depend on whom expresses it.

It is true that in the Lesnier case, for example, after his assault and murder by the Assize Court of the Gironde, Only his father protested his innocence. The man was naturally not impartial: he was the FATHER of the convicted. However, his arguments were valid, perfectly valid, since after several years of struggle his son was cleared.

Proof that one can be biased and at the same time say the truth. Consequently, one can be a National Socialist and say the truth when one defends National Socialism.

But this common sense argument, the Court will never hear. Since it declared that the *"Holocaust"* was a clearly established fact. For the Court, therefore, the revisionists are conscious liars.

This stance allows it to ignore another obvious argument: If today, revisionist activists are found especially among National Socialists, it's because of the very strong social taboo. Therefore, only people who are committed National Socialists dare defy the ban, with all the terrible consequences that entails. Today, if you do not sincerely believe that Europe urgently needs National Socialism then, you don't dare lose everything by claiming loudly that the

"Holocaust" is a myth. This is why the revisionist activists are, in majority, people related to the national right.

But this doesn't necessarily mean that their theses are anti-Semitism: if speech was really free, let's bet that people from all horizons would publicly affirm their revisionism. For, based on rational arguments, confirmed by science, revisionism doesn't belong to anyone.

But this argument the Court will always refuse to take it into consideration because: how could a serious and objective research lead to the denial of what is considered as historical evidence?

This is why the judge wrote that "*Holocaust*" denial, *"even if covered by impartial historical research, invariably reflects an anti-democratic and anti-Semitic ideology"*.

It's clear: do not say that your work is objective. You will be told that it's only a cover, a simple disguise that fools no one. In truth you are anti-democrat and anti-Semitic.

Personally, if I do not consider myself as a democrat, in the current meaning given to that word, I do worry about the people and their well being. I add that democracy as we are living it today is proving to be increasingly an empty shell.

The authors of the Civic Pact - who are not political friends - are noticing it: *"the democratic term, though, highly demanded, is no longer able to generate in France a project to humanize the "living together" and to begin a dynamic which would allow the creation of a new social contract."*

On his side, Jacques Gerriet, denounces *"a very singular relationship of forces which undermines the foundation of our democracy"*; Further, he says that he wants *"to move the current political system that clogs our democracy."*

As for Noel Mamere - who is really not a political friend - in his essay *"The Tyranny of Emotion"* he talks about all these laws passed in a hurry to meet the various news stories, and he writes: *"The law is no longer the expression of the general will, as stated in Article 6 of the Human and Citizen Rights, of 1789. By becoming talkative, acting in response to emotion or by submitting to lobby pressures, the law is subject to delegitimation."*

So what is left of the democracy that the European Court of Human Rights claims to defend? I don't hesitate to say it: Hitler was more of a democrat, than our self-proclaimed democrats. But, let's move on, as the important thing is elsewhere.

My revisionist positions have not caused or resulted in anti-Semitism. I have nothing against Jews as a collective entity and I don't deny them the right to benefit from a national home. But this justification the Court will not hear either.

Yet, it should. Because, in the judgment given yesterday it writes: *"The Court (...) already said - although in a different context - that remarks questioning, in virulent terms, the scope of historical events particularly sensitive for a country and touching its national identity, can't themselves alone be deemed to severely hurt the referred-to persons."*

Therefore, one should have the right to contest the reality of that *"Holocaust"* denial. But, the judges further pursue: *"The only cases in which the former Commission and the Court acknowledged the existence of such circumstances without having specific evidence are those relating to the denial of the Holocaust. However, as it has already been observed, one can see a consequence of the very particular context behind these cases, which led the former Commission and the Court to admit that Holocaust denial even covered by impartial historical research, must invariably be interpreted as an anti-democratic and anti-Semitic ideology (...) and must, in the present state of things, be considered particularly shocking to the people concerned."*

The judges, therefore, confess that the Court invokes circumstances that justify a restriction of freedom, BUT WITHOUT HAVING SPECIFIC EVIDENCE. And what allowed the Court to dispense with evidence? Well, the fact that *"Holocaust"* denial, *"even covered by impartial historical research is invariably translated as an anti-democratic and anti-Semitic ideology."*

It's always the same thing: One says that the *"Holocaust"* is an obvious historical reality and one deduces - without any proof - that any revisionist approach is underpinned by anti-Semitism...

And do not invoke the time that has gone by, i.e. the fact that it is distant events.

When I was in jail, a woman wrote to me to say that I was a selfish person who was not thinking about her family and to advise me to shut up now. *"Save your work, she said, when the times are ripe and the passions calmed, someone will take it and revisionism will triumph. For now, it is too early."* I told her that if my work remained on a shelf, gathering dust, forgotten by all, no one would bring it out when needed. I added that the times will never be ripe and the European Court of Human Rights has just given me the reason.

In yesterday's judgment, the judges write: *"(...) In the case of the Holocaust. For the Court, criminalizing its denial is not justified because it constitutes a clearly established historical fact, that because its denial, even covered by an impartial historical research, invariably translates into an anti-democratic and anti-Semitic ideology. The denial of the Holocaust is therefore doubly dangerous, especially in the States which experienced the Nazi horrors and of which it can be estimated that they particularly have a moral responsibility: To distance themselves from the mass atrocities committed by them or with their complicity, in particular by prohibiting its denial."*

So, after having stated that the *"Holocaust"* is an undeniable historical reality, the Court invokes the *"moral responsibility"* of the States directly guilty or guilty as accomplices. *"They*

*must", the Court says, "distance themselves from the mass atrocities committed by them [the "Nazis"] or with their complicity." Which involves the prohibition of any revisionism for the following generations.*

And until when this prohibition?

The Court having declared that the Armenian genocide was 90 years old, the case on which the Court was stating, in a dissenting opinion in which some judges have sounded the alarm bell. *"Should we conclude that within 20 or 30 years Holocaust denial itself would be acceptable under freedom of speech? What about the compatibility of this factor with the principal of the limitation of the war crimes and crimes against humanity?"*

So we are warned: the crimes against humanity being imprescriptible, time will do nothing to change the case. Revisionism will be for ever prohibited.

The Court justifying the ban of revisionism on the grounds that it invariably represents the expression of an anti-democratic ideology, one deduced that the proscription of revisionism is consubstantial to the democracy. It will last as long as democracy will last.

This is why demanding freedom of speech for the revisionists on the basis of Article 10 of the European Convention for the Protection of the Human Rights is useless. It must be addressed from a different perspective.

This is what we have done, my lawyer and myself for the Priority Question of Constitutionality (QPC) which I have deposited this summer to the Supreme Court. We won a first victory: my QPC has been transmitted to the Constitutional Council. Time will tell whether we can have faith in justice or if one must wait for the collapse of democracy to finally find freedom of speech.

Anyway, the recent decision of the European Court of the Human Rights confirmed that in our latitudes Article 10, which grants freedom of speech, only applies to right-thinking persons, therefore, stop asking for a freedom that will never be granted to us.

Good evening.