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Robin Margo Named Chairman of the New Israel Fund Australia

May 9, 2011 by Agencies

The new organisation, to be officially launched in June, has issued a media release. J-Wire publishes it in full...



Robin Margo Photo: Henry Benjamin

Robin Margo, a Sydney-based barrister, has served in several leadership positions within the Jewish community, most notably as president of the New South Wales Jewish community from 2008-2010.

He remains actively involved in the NSW Jewish Board of Deputies, the Council for Jewish Community Security (NSW) and the Executive Council of Australian Jewry, the roof body of Australian Jewry.

He also acted for Jeremy Jones, past president of the ECAJ, in a long running legal battle against Holocaust denier Fredrick Töben.

The NSW Government awarded Mr Margo its Community Service Volunteer Award for 2010 in recognition of his role in strengthening understanding and promoting mutual trust between the NSW Jewish community and diverse ethnic, cultural and faith communities in NSW, especially Muslim communities.

As a student leader in South Africa, Mr Margo was an active opponent of Apartheid, and was denied a passport for many years. He was eventually allowed to migrate to Australia in 1977.

"NIF strives to promote the vision of Zionism that is contained, indeed promised, in Israel's Declaration of Independence, namely 'equality of social and political rights to all its inhabitants irrespective of religion, race or sex'," said Mr Margo.

"NIF supports a Jewish democratic state and pursues those Zionist ideals by working to increase social justice in Israeli society. We have been encouraged by the way NIF's values seem to resonate with many in the Australian Jewish community, including many of its younger members. They are similar after all to what we all wish for Australia."

Mr Margo's deputy is Melbourne-based Ric Benjamin, the immediate past president of Jewish Aid Australia, which was founded in 1994 in response to the humanitarian crisis in Rwanda, to mobilise the Australian Jewish community in the pursuit of humanitarian relief, poverty alleviation and social justice for disadvantaged communities in Australia and overseas.

Mr Benjamin, JAA's president for 11 years, stepped down in 2009, and is now CEO of VicRelief Foodbank, an independent charity that delivers food to people experiencing hardship through a network of more than 480 registered community organisations.

He is also a former president of the Australian Zionist Youth Council. "As a Jew and a Zionist I am proud of the principles of tzedakah (charity) and tikkun olam (healing the world) that are involved in my humanitarian work at Foodbank. To me, NIF Australia's support of welfare agencies in Israel is a natural extension of the way I judge the strength of any society – by the value it places on supporting the most vulnerable in the community."

Also on the NIF Australia board are Mandi Katz, Irving Wallach and Liam Getreu. Mandi Katz is a former

Victorian chair of the Australasian Union of Jewish Students. A former lawyer, she now works in financial services and has been active in Jewish women's issues. Her husband, Ashley Browne, is a former editor of the Australian Jewish News. They have three teenage children, who attend Jewish schools in Melbourne.

Irving Wallach, the son of Holocaust survivors, is a former head of Betar Zionist youth movement and former chair of the Zionist Youth Council of NSW. During his student years he fought against the anti-Israel campaigns of the Australian Union of Students.

He has also served as National Secretary of the Australasian Union of Jewish Students, Secretary-General of the World Union of Jewish Students in London, board member of Mount Sinai College, board member of Moriah College, and as a Deputy, Honorary Secretary, and Executive Member of the NSW Jewish Board of Deputies. A barrister, he is married to Ronni Kahn, the founder of Oz Harvest, and has a daughter.

Liam Getreu is the immediate past president of the Australasian Union of Jewish Students and will provide a link with young people supportive of NIF and its values. He is a graduate of Bialik College and Habonim Dror youth movement, a former president of the Australian Zionist Youth Council and was AUJS president in 2010.

The New Israel Fund works only within Israel. Over more than three decades, it has provided in excess of \$US200 million to more than 800 amunatot (NGOs), all recognised by the Israeli government.

NIF is widely credited for the role it has played in building Israeli civil society, promoting rights for women, the disabled, the GLBT community and minority groups, and for furthering religious pluralism and equality and democracy for all Israelis.

Organisations funded by the NIF have made many significant contributions in helping Israel, the only democracy in the Middle East, become a fairer and more just and inclusive society. The following are a few examples only out of a very long list.

One grantee, The Coalition for Affordable Housing, this year successfully lobbied for housing projects in Tel Aviv, Ashdod and Ra'anana for Israelis with limited financial means.

Another, Tebeka, successfully defended the right of Ethiopian Jews to equal participation in Israeli schools.

The leading human rights organisation in the territories, B'Tselem, seed-funded by NIF, was acknowledged recently by the Israeli government for assisting the IDF

to improve its procedures for urban warfare designed to minimise civilian casualties.

The NIF's current president is three-time Knesset member and former Deputy Speaker of the Knesset, Professor Naomi Chazan, and one of its international board members is the Australian-educated academic and former US ambassador to Israel, Martin Indyk.

The Australian branch will be officially launched in June by Professor Chazan, who is being brought to Australia by NIF in conjunction with the Union for Progressive Judaism.

She is scheduled to speak to Jewish audiences at Limmud Oz in Sydney on June 12 and 13 and at Glen Eira Town Hall in Melbourne on June 16, as well at various Progressive synagogues in Sydney and Melbourne. She will also speak at the Sydney Opera House on June 19, The Wheeler Centre in Melbourne on June 14 and the University of Melbourne on June 16.

"Attempts by some in Australia and overseas to denigrate the NIF have failed to dent the enthusiasm we are seeing for the establishment of NIF in this country", said Mr Margo.

"These attacks are ill conceived, based on selective or demonstrably incorrect facts, and ignore important context and other relevant facts," he said.

"More fundamentally, they miss the point of what is required to realise the vision of inclusion, pluralism and diversity in the Declaration of Independence. We welcome open, rational, civil debate about the fulfillment of the Zionist vision and the strengthening of Israeli society. And we look forward to constructive discussions about these issues, which will be prompted by Naomi Chazan's visit in June."

NIF also has branches in America, Canada, Switzerland and the United Kingdom. NIF Australia has been in development for more than a year.

"The new Australian branch will add to the strength of our growing organisation," said NIF's CEO Daniel Sokatch.

"My visit there last year impressed me with the depth of commitment the Australian Jewish community has to a strong Israel and to equality and justice for all Israelis."

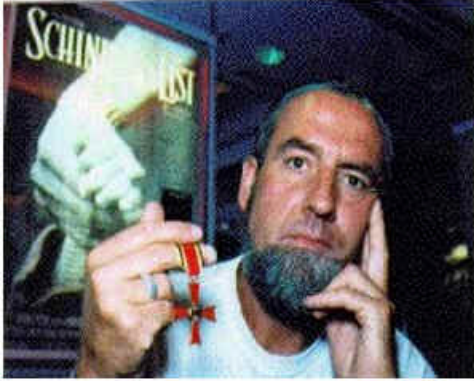
Peter Wertheim, the Executive Director of The Executive Council of Australian Jewry told J-Wire: "The Committee of Management will meet later this month. The NIF Australia is not on the agenda but it is likely to be discussed."

<http://www.jwire.com.au/news/robin-margo-named-chairman-of-the-new-israel-fund-australia/16242>

Robin Margo, Zionism and the New Israel Fund-NIF

D W Brockschmidt, Adelaide, 1 June 2011

Chairman Robin is trying to tell Australians and indeed the world that the New Israel Fund – NIF which works and functions only in Israel “strives to promote the vision of Zionism that is contained, indeed promised, in Israel’s Declaration of Independence, namely equality of social and political rights to all its inhabitants irrespective of religion, race or sex”.



David Brockschmidt with his father’s German Bundesverdienstkreuz medal

Chairman Robin’s version and vision of Zionism has absolutely nothing to do with the theory and practice of Zionism world-wide including in Israel and Palestine in the past and present. Zionism was once condemned as a form of racism by the UN. Zionism as it has been made clear by the founding fathers from Theodor Herzl to David Ben Gurion is for Jews only.

This, of course, excludes other racial, religious and or ethnic/cultural groups totally. For example, Muslims, Christians, Buddhists, Hindus, etc. Zionism fulfils the criteria of political, religious, racial and cultural apartheid. Chairman Robin was an opponent of Apartheid in his home country South Africa but supports Zionism in his new country Australia and in his spiritual home country Erez Israel.

I’m a bit confused here, Chairman Robin, please explain? But before you personally or publicly respond to my expressed views let’s have a closer look what the NIF stands for.

“The NIF supports a Jewish democratic state, and pursues those Zionist ideals by working to increase social justice in Israeli society.”

Well, well, here we go again. Judaism, like any other religion may with the exception of Buddhism, has nothing to do with democracy. Religions are not democratic. Israel has not even had the division between synagogue, church, mosque and state. The concept of a Jewish democratic state is an oxymoron.

Zionist ideals, working to increase social justice in Israeli society mean Jewish society only have a long, long way to go because Zionism is made for Jews only. Social justice

in Israeli Jewish society means justice for Jews only. Ask any Palestinian in Israel, in the occupied territories of Palestine and Palestinian refugee camps in other Arab countries, they will all confirm that.

Social justice has not even been achieved within Israeli Jewish society. Semitic-Sephardic – Oriental Jews – are still the underdog ruled by the non-semitic-Ashkenazi – European Jews. Not to mention here the non-Jewish communities in Israel which have no full citizen rights.

The oppressed Palestinians in Israeli-occupied Palestine have hardly any rights at all, especially not the right-of-return to their homes and land taken from them by the Zionists between 1900 and today.

The NIF under Chairman Robin informs us that their values are “similar after all what we all wish for Australia”. What a chutzpah! Certainly not mate! Australia is a ‘democratic’ country based on Westminster Law, which has its origin in Christianity and particularly in the Sermon on the Mount given to the world by the greatest Jewish Prophet Judaism has ever produced, Jesus the Christ. PBUH.

Zionist Israel has turned Palestine into a Jewish state. Israel is now ruled by Jewish Talmudic law, left over Turkish and British military occupation law.

The ideological, political and historical roots of Zionism are mainly based on bolshevism brought to Palestine from Eastern Europe and Russia by David ben Gurion and his followers and fascism brought to Palestine by Izak Shamir, Menachim Begin and their followers from all over Europe.

The Betar Zionist Youth Movement has a fascist background. They were trained in Italy under Benito Mussolini before World War Two, so was the Irgun, the forerunner of Zahal-IDF.

May I also remind Chairman Robin here that approximately 150,000 Jews served the German Reich between 1933 to 1945 in its defence force, science and technology, for example the twice-Nobel prize winner and president of the Kaiser Wilhelm Institute in Berlin, Otto von Warburg who belonged to the famous Warburg banking family. Paul von Warburg organised the training of young Jews in Germany in agreement with the Third Reich government for their new life in Palestine. Approximately 50,000 German-trained Zionist Jews migrated to Palestine, carried on German ships until 1940. This was based on the so-called Haavara Agreement between the German Reich and the Zionist organisations in Germany and other parts in Europe. The Warburg Bank organised the transfer of wealth for Jews migrating from Germany to Palestine. At the same time there was also a technological and industrial transfer of

German knowledge and industrial goods, for example locomotives were sent to Palestine. Approximately 70% of Palestine's infrastructure was made in Germany. SS Colonel Baron Leopold von Mildenstein travelled to Palestine in 1936 and stayed for six months in Zionist Kibutzims where he observed and praised the young Jewish Zionists who were building up their new homeland. The fatal flaw in this process was that this was done mainly on stolen Palestinian land.

Approximately 500,000 Jews were declared Arians or honourable Arians by Adolf Hitler.

How you, Chairman Robin and the NIF, can now turn Zionism, which is made for Jews only, into a form of multicultural- multiracial- political-social and religious freedom for all, is a mystery for me. Something does not add up here. Please explain Chairman Robin.

Last but not least, I would like to remind Chairman Robin and other political Zionist activists within the world-wide Jewish communities that my parents, Hertha and Heinrich Brockschmidt are Righteous Gentiles, recognised by the German government and by Yad Va Shem-Holocaust Martyrs' and Heroes' Remembrance Authority in Israel. Further, my late mother, Hertha Brockschmidt, on invitation of the Israeli government planted in honour of the Brockschmidt family a tree in the Allee of the Righteous Gentiles.

I, myself, lived on-and-off in Israel during the 1960s and 1970s, and especially during the 1967 dreadful six-day war, which is still on-going, risked my life for your spiritual homeland. I point this out to you and your followers just in case you are trying to stick the 'antisemitic' and 'anti-Judaic' label on to me.

During World War Two my father was also the business partner of Oskar Schindler and he supplied trucks to Schindler with which some of the 'Schindler Jews' were transported from Schindler's factory, Deutsche Metall, in Krakow Poland to Schindler's new ammunition factory in Brunnlitz Czechoslovakia, Schindler's birthplace.

Shalom and Mazaltov

W D Brockschmidt, Adelaide, SA.

Recommended reading on Zionism

Brian Riggs: *Hitler's Jewish Soldiers*

Allan Abrams: *Special Treatment*

Tom Segev: *The Seventh Million*

Lenni Brenner: *Zionism in the Age of Dictators*

Lenni Brenner: *51 Documents, Zionist collaboration with the Nazis*

Bernard Lazare: *Antisemitism*

Maurice Samuel: *You Gentiles*

John Sack: *An Eye for an Eye*

Tony Martin: *The Jewish Onslaught*

Douglas Reed: *The Controversy of Zion*

Ivor Benson: *The Zionist Factor*

Regina Sharif: *Non-Jewish Zionism*

Michael Jansen: *Dissonance in Zion*

Noam Chomsky: *The Fateful Triangle*

Alfred M Lilienthal: *The Zionist Connection*

Roger Garaudy: *The Founding Myth of Modern Israel*

Arthur Koestler: *The Thirteenth Tribe*

Holocaust survivor Prof Israel Shahak: *Jewish History, Jewish Religion*

Israel Shahak & Norton Mezvinzky: *Jewish Fundamentalism in Israel*

Peter Schäfer: *Jesus in the Talmud*

Robin Margo Is a full-blown Holocaust Believer

Here is an item from AI's archive:

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Speech by Robin Margo S.C.

President of the NSW Jewish Board of Deputies

Yom HaShoah Rookwood Memorial Service - 19

April 2009

A theme of this year's remembrance is **Now More than Ever** and it was suggested I might speak of the wave of antisemitism that is sweeping the world **post Durban1, post Gaza**, on the very eve of **Durban2**, which starts tomorrow.

Those are **bad things but to put them in perspective** one would have to speak also of the good that has been achieved and that I believe far outweighs the bad -

How under the leadership of survivors,

- the Shoah has become a cornerstone of modern ethical consciousness, not just for Jews but for all humankind, enlarging memory and deepening conscience and responsibility, making a most particular story universal

- How great museums have been created all over the world that perpetuate research and remembrance of the Shoah

- How antisemitism and Shoah denial is condemned, even criminalized, by many nation states and governments, including countries that were involved in the Shoah

- How testimony has been gathered on an unprecedented scale, using the most contemporary technologies, evidence that will survive and be the subject of study and research long after there are not only no living witnesses, but none any longer alive who lived when there were still witnesses among us.

... ..

But that last thought has prompted me instead to try and speak, in this place and in this company, about some things that are more intimate - but not less important.

The Baal Shem Tov said:

"Forgetfulness leads to exile.

While remembrance is the secret of redemption."

As most of us present here today know, however, in one way or another, remembrance or knowledge of events of the Shoah can itself produce a kind of exile -

And redemption, after the Shoah, can never again bear a simple meaning of joyful liberation.

When I was asked to speak today, in the presence of survivors and the families of survivors, I felt unqualified to do so. But one can only speak from the heart on this subject, and out of one's own experience, so that is what I shall try to do.

My father's parents left Russia at the end of the 19th Century.

It is true their departure was preceded and influenced by a wave of pogroms. But their journey eventually took them, by difficult stages, **far from Europe**, to Drom Afrika, **where my mother's parents** had arrived, at about the same time, straight from England.

When the Second World War came, my parents volunteered for service in the Eighth Army, my father as a sapper officer, and my mother as an army nurse. **My earliest perspective on that War was therefore** their experiences in the North African campaign, at Tobruk, El Alamein, in Cairo, and then during the Allied advance into Italy, followed, after the Italian armistice, by their marriage in uniform in the Rome synagogue. Through my uncle, Cecil, I heard something of the formation after the War of the Israeli airforce and my future father-in-law, Bernie Friedland, spoke, sparingly, of his experiences under fire and the injuries he suffered in the War of Independence.

These were all narratives of challenge and adversity, certainly, but they were told by people who were well-fed at the time and bearing arms. They were far removed from the ghettos and killing fields of Europe and Russia.

I do not know the name of any blood relation, on either side of my family, who suffered or died in the Shoah.

It is a puzzle therefore, and I cannot really now remember or explain, how it came about that, by my earliest teenage years, an awareness of the Shoah had so penetrated my consciousness that it cast a shadow, and still does, during many of my waking hours and even in dreams.

Survivors have told me on more than one occasion, and I believe it to be true, that no-one who did not experience these terrible things can ever fully know or understand what it was like. The survivors, the witnesses of the Shoah, have a unique moral authority.

But the number of our precious survivors grows less year by year. Most of those who were selected for work, and therefore most of those who survived the camps, were aged between 18 and 40, which means that the youngest of those are today aged 82 and the oldest past 100. There were child survivors too of course and they are younger today. But there will come a time, not too far off, when there will be no more among us with direct memories of the Shoah.

There is some relevance therefore on an occasion like this in considering how others, like me, who have no direct memories of such horrors, become engaged in the act and duty of remembrance.

I do not think that my early awareness of the Shoah came about through books, films or photographs.

- I read and saw a little in those early years, and it shocked me, but it was not until later, at university, that I began to read widely about the Shoah, later to be augmented by some study at Yad Vashem.

- It goes without saying that research into, and knowledge of, the history and facts of the Shoah is important and that the revisionists must be fought on the field of reason. And what is unique about the Shoah must also be analysed and explained by such means.

But it is also true, as Elie Wiesel for one reminds us, that there is a big difference between knowledge and understanding.

- In my own experience, the most important things about the Shoah have not been conveyed, are probably not conveyable, by books or discursive reason.

- As a child, I had a violin teacher in Johannesburg who was a survivor. He never said anything to me or in my presence about his experiences. But sometimes, in the middle of a lesson, chin on pad, I would catch him, out of the corner of my eye, gazing out the window or across the room and his eyes would fill with tears. Even as a shallow child, I felt his inexpressible sadness and it entered my soul.

- We have all had such powerful epiphanies of feeling and understanding, glimpses, for as long as the soul can bear it, into unutterable fear, pain, loss, abandonment, sadness and, yes, also into despair (which I shall say something more about shortly).

- It is what grips us, and brings tears into our eyes
- When we contemplate photographs like those taken by perpetrators at Auschwitz that Lili Jacob fortuitously saved
- When we think of the father directing his little son's eyes skywards as they stand on the edge of the pit
- When we hear the bitterness with which a survivor of the Warsaw Ghetto uprising still speaks, decades later, at Lochamei Hagetaot
- When we read the poems and narratives of survivors or a midrash like the following by Elie Wiesel:

Separated from husband and son, father and brother, a mother and her daughter walk together. The little girl, 8 years old, wonders where they are going. We are going, says the mother, to the end of the world. The little girl says: "Is that far mother, because I am very tired." "So is everyone", says the mother. "Even God?" asks the little girl. And the mother answers: "I don't know. You will ask him yourself."

The little girl who asked a question about God as she moved to the end of the world also had one for her older brother.

"Will you remember me too?"

He answers: "I have forgotten nothing. I will tell that you were only eight, that you had never seen the sea or been to a real wedding, that you never hurt anyone."

She says: "I want you to remember also how I loved my new winter coat, and Shabbat, and God."

He says he will; he will speak too.

The little sister has two more questions:

"When you speak of your little sister leaving you like that, without a hug, without a goodbye, without wishing you a good journey, will you say it was not her fault?"

"It was not your fault."

"Then whose fault was it?"

"I shall find out. And I shall tell. I swear to you little sister. I shall."

What happens to us when we think and feel these things I do not fully understand. But it has something to do with our common humanity and it offers hope, I believe, that deep feeling and remembrance will continue even when no direct living memory remains.

Adapting something Norma Rosen said of Cynthia Ozick's work, moments of insight and feeling like those I gave examples of allow us to "enter...into a state of being that for whatever reasons makes porous those membranes through which empathy passes, or deep memory with its peculiar 'thereness'", so that the veil of night and fog lifts somewhat and "we can move, so far as it is given to us to do so, into the pain ... of the Shoah."

I said earlier that reason and the study of history are also necessary, to establish and maintain the uniqueness of the Shoah, what was distinctive about the Nazis' murder of Jews and also, it must not be forgotten, of Gypsies. This audience will be familiar with those reasons so I will not revisit them. The Shoah was an evil that has no equal anywhere in history.

Emile Fackenheim had good reason therefore to characterize the Shoah as an epoch-making event.

- For Fackenheim, an epoch-making event is more than an important historical event. It is a unique event that makes new moral demands, not only on Jews, but on all mankind, and alters in radical ways the way that human beings perceive the past and the future.

- Previous epoch-making events in Jewish history were the Exodus from Egypt, what happened at Har Sinai, and the destruction of the first and second Temples. How a person responded to each of those events defined what it meant to be Jewish in those days.

The only other epoch-making event Fackenheim identifies in our modern history was the re-establishment in our day of Israel as a Jewish state.

Much has been said about the connection, and absence of connection, between these two events, but it can hardly be doubted that there is some connection or that, between them, they do supply strong tests of what it means to be authentically Jewish in our times.

The challenge of the Shoah to Jews in our time, whether they are religious or secular, is what Fackenheim called the 614th commandment – not to grant Hitler a further posthumous victory.

If that is unpacked, it includes at least the following moral imperatives for an authentic Jew in our period of history:

- We must not forget the victims of the Holocaust
- We must affirm the sacredness of life over death, with the further consequence that we must reject collective and individual suicide;
- We must have hope for the world, that a second Shoah will not be allowed to happen to anyone, anywhere, ever again;
- And we must survive as Jews, raising Jewish children.

I have not mentioned Fackenheim's injunction not to despair of God. These are deep matters that I have no answers to. Wiesel said: "If I am asked do I believe in God after Auschwitz, I would lie if I said yes." And he added: "I would also lie if I said no."

But whatever one's state of faith and belief after Auschwitz, the moral duty to fight despair seems clear. "Fight" is an appropriate word, because we see around us in 2009 that the forces of hatred and antisemitism are still at work in the world and because despair is not easily vanquished.

But for the sake of the little eight year old girl, her sisters and her brothers, her parents, grandparents, aunties, uncles and cousins, her unborn children, we must, we do,

we shall,
remember,
and tell,
and fight despair,
and survive, with love and with tears.

Those duties are reinforced by the moral imperative or challenge that arises from the other epoch-making event of our modern Jewish history, the rebirth of the state of Israel. And the imperative and challenge arising from that event, which in a sense embraces all the others, is Am Yisroel Chai. It is in this sadder and wiser sense that we understand and acknowledge the truth of the Baal Shem Tov's words:

"Forgetfulness leads to exile.
While remembrance is the secret of redemption."

Fredrick Töben comments: No wonder Robin Margo fears anyone who questions his world view – Weltanschauung for truth-content. He would have to revise a number of his cherished beliefs, the main one being that Germans systematically exterminated European Jews in homicidal gas chambers ... and let's augment the final quote above: not having a home within one's own mind leads to exile, and remembrance without truth-content leads to developing a persecution complex because truth sets you free. But then I forget, Margo doesn't wish to be free because his mindset-Weltanschauung is based on the slave-thinking Talmudic-Marxist death dialectic of win-lose that he tops up with scapegoating!

CLOSING MINDS – THE SHUTTING DOWN OF PUBLIC DEBATE

*FREDRICK TÖBEN REPORTS ON HIS COURT MATTERS *

Remember 28 April 2009, when Justice Bruce Lander found me guilty of contempt of court, for having dared to discuss and publish matters Holocaust-Shoah? Here is how local Adelaide court reporter Shaun Fewster summed up the day's proceedings:

Dr Fredrick Toben apologises to Federal Court

SEAN FEWSTER, COURT REPORTER, [The Advertiser](#), April 28, 2009, 4:15PM



Fredrick Toben outside court today.

Picture: Calum Robertson Source: *The Advertiser*

A "REVISIONIST historian" who published offensive material denying the Holocaust has apologised - and compared himself to dying Jewish billionaire Richard Pratt.

Dr Fredrick Toben was this month found guilty of 24 counts of contempt of court.

He "wilfully and contumaciously" breached Federal Court orders to stop publishing articles implying Jewish people offended by Holocaust denial were of "limited intelligence".

He was further banned from claiming some Jewish people "exaggerated" the Holocaust "for improper motives".

Today, Toben's sentencing submissions were derailed by a comment he published on his website hours earlier.

"Richard Pratt gets an indulgence, will Toben get the same?" his message asks. "What does this tell us about the Australian judicial system?"

Federal prosecutors this week dropped deception charges against Pratt because of his ill-health.

Giving evidence, Toben said he "unequivocally apologised" for breaching the court's orders.

"I would be the last one to challenge the system," he said. I've tried to follow the orders to the best of my ability ... the court orders do not make sense to me."

Robin Margo, SC, who is pursuing the contempt charge, asked Toben to explain the website message.

"These are very, very difficult cases for judges to make decisions on," Toben said. "If a man is sick I fully understand he should not be brought to court. (Retired Federal Court judge) Marcus Einfeld, who was sick, did not receive any indulgence, Pratt did, and now there is me."

Mr Margo asked if Toben was aware both Pratt and Einfeld – who was jailed for perverting the course of justice – were Jewish. "Are you feeling persecuted?" Toben said. "It's got nothing to do with being Jewish or non-Jewish, we're dealing here with justice."

Judge Bruce Lander will sentence Toben on a date to be set.

Comments cannot be published for legal reasons
<http://www.adelaidenow.com.au/news/holocaust-historian-apologises-to-court/story-e6freo8c-1225704659191>

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Though in the subsequent local Channel 7 evening news clip I make it clear that I am apologising for having upset the court, this reporter does not clarify the content of the apology by clearly stating I did not apologize for refusing to believe in the Holocaust, i.e. I am not apologising for my thoughts and expressed opinions. After all, that is what the November 2007 apology was all about, of which a written copy I received around 7pm, then signed it the next day around 9am – the bargain being that Jeremy Jones would forego asking me for court costs.

I soon realized that the written text of that apology, which they had formulated for me, contained matters not canvassed in open court. For example, I was requested to delete links to other websites containing material of which they did not approve. Also, the *Australian Jewish News* that had no representative in court that day and which must have obtained details of the outcome from Jones' legal team, claimed I had apologized for "Holocaust denial". The written apology became untenable and I formally withdrew it, and the rest is history and the written record can be found in my book: **ARBEIT MACHT FREI: Impertinent Incarceration.**

But the striking comment of which I am supposed to be the author is that I am supposed to have referred to Jewish people who are offended by "Holocaust denial" as having "**limited intelligence**". This comment is continuously repeated in the media without anyone ever asking me to comment on it, whether I in fact had ever made such a statement.

My answer, of course, is: NO! The matter arises out of the injunctions imposed upon me by four Federal Court of Australia court orders that former FCA judge Catherine Branson – now president of the Australian Human Rights Commission, who based her knowledge of the matter on The University of Adelaide's law lecturer, Kath McEvoy.

Unless these two ladies were merely regurgitating the gratuitous material offered to them by Australia's B'nai B'rith/Executive Council of Australian Jewry, they in effect are the authors of this "limited intelligence" quotation.

On 5 October 2000 then Commissioner Kath McEvoy handed down her determination – almost two years after the 2 November 1998 Sydney hearing. Why the delay? I had submitted the Hayward thesis and during this period it was formally attacked and "discredited" by members of New Zealand's Jewish community.

The matter then progresses to the Federal Court of Australia where Justice Catherine Branson imposed on me these injunctions, i.e. not "to publish any other material which conveys the following imputations or any of them –

A. there is serious doubt that the Holocaust occurred;

B. it is unlikely that there were homicidal gas chambers at Auschwitz;

C. Jewish people who are offended by and challenge holocaust denial are of limited intelligence;

D. some Jewish people, for improper purposes, including financial gain, exaggerated the number of Jews killed during World War II and the circumstances in which they were killed.

Interestingly, on 2 February 2007 another Federal Court judge in the Grigor-Scott case handed down the same word-for-word injunctions, which became ineffective when the three appeal judges allowed the appeal.

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In his latest item about my matter court reporter Shaun Fewster, et al, continues to repeat the third injunction. McEvoy and Branson are both residents of Adelaide and they would have been aware of the German influence within the South Australian social fabric.

I still hope there is NOT change BUT development in Fewster's mind so that he researches this matter in more depth and discovers who authored what thoughts – for the sake of clarification and not for the sake of point-scoring: I win, I win – you lose!

It is hoped that perhaps now the matter has been clarified, i.e. that I am not the author of this statement but rather that it is Kath McEvoy and Catherine Branson, and then mainly Branson who formulated the injunction and gave it legal protection.

Newsletter No 572 features Fewster's latest article where he repeats the "limited intelligence" statement.

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Although regularly heard in staffrooms around the world, as a teacher I would frown on such comments being made, and I would have given these two ladies, Kath and Catherine, a fail in their work because of lack of moral sensitivity.

The other deceptive thought-structure adopted by teachers is the Talmudic-Marxist death dialectic of win-

lose. For example, if students are bright and pass their final school year, then teachers usually take credit and pat themselves on the back for getting students through exams. However, if a student is battling with final school year, then teachers usually encourage them to exit in their penultimate year, or if that does not work and students fail their finals, then teachers blame the students. It's a simple formula of self-deception: students pass = good teachers; students fail = bad students. So much for the maxim heard in most western "free and democratic" countries: 'You can do and be anything you like!

I classify such a negative, deceptive and dishonest mindset as belonging to PRIME UGLIES who scapegoat, who cannot function without projecting their own deficiency thinking on to others, and who are quick to label anyone maintaining basic moral and intellectual values as: hater, Holocaust denier, anti-Semite, racist, Nazi, etc.

Both have a mindset that attempts to project on to others the rubbish they have in their own minds. If you ever meet these tow ladies you'll know how smug they are with so-called disadvantaged individuals but when they are confronted with upholders of civilizing influences, they themselves feel inadequate and revert to pure expedient subjectivity rather than reasoned argument.

The subject matter of Holocaust-Shoah would have stressed them significantly for the simple reason: for fear of the Jews, and both have visibly bent to Jewish pressure. At one time Catherine Branson was considered to be High Court material but this assumption seems to have evaporated because she now assumes the intellectual model contained in the deficiency thinking ideology of human rights. Neither McEvoy nor Branson accorded me any human rights because in their opinion I

I HAVE GENERATED LOTS OF MATERIAL ON THIS HOLOCAUST-SHOAH CONTROVERSY, AND IN THE LEGAL REALM SUBMITTED AND FILED COUNTLESS AFFIDAVITS, TO NO AVAIL BECAUSE MOST JUDGES DO NOT HAVE THE TIME TO PLOUGH THROUGH ALL SUBMITTED MATERIAL. ALSO, MATTERS OF FACT ARE SUBSUMED UNDER MATTERS OF LAW, AND THE FORMER ARE USUALLY DISMISSED AS BEING TOO POLITICAL IN NATURE. THIS GIVES TRUTH TO THE MAXIM THAT IN LIFE EVERYTHING IS POLITICAL AND EVERYTHING IS

was a mere perpetrator of "racial vilification" because I refuse to believe in the Holocaust-Shoah mythology. Interestingly, for McEvoy my case was the only one she completed as commissioner of the Human Rights and Equal Opportunity Commission.

These **PRIME UGLIES** attempt to hide their tactical negative and Talmudic-Marxist-Feminist inspired death dialectic by fleeing into the feel-good Human Rights rhetoric where subjectivity prevails because for them truth as a guiding principle/ideal does not feature at all. For the **PRIME UGLY** it is only a matter of winning an argument, never clarifying issues but quickly to condemn someone who does not share their nihilistic world view. It's a threat to their perverted world view.

There never is a discussion about pressing issues, for example, questioning the pillars on which the Holocaust-Shoah narrative is based: 1. Six million Jews died; 2. there was a systematic state extermination, and 3. the murder weapon was homicidal gas chambers.

But I forget, I am legally restrained from discussing such matters in public, and that's sad because it means lies have now been legally protected and truth-telling has been criminalised.

For the **PRIME UGLIES** that's good news because they don't care about the moral virtue of truth-telling. They don't care that where there is no truth-telling, lies prevail, trust rusts and destroys relationships and societies fracture, and then societies need to be held together by stifling and brutalising legal mechanisms, such as the biased and perverse human rights and racial discrimination laws. Here is where these authoritarian mindsets have a field day and under the guise of helping aggrieved parties they perhaps unwittingly begin to dismantle society's fundamental building blocks.

Stay tuned ...

RELIGIOUS - AND THE HOLOCAUST-SHOAH CERTAINLY HAS BECOME A RELIGION.

DURING 2009 THE FOLLOWING MATERIAL GAVE RISE TO MY LEGAL UNDERTAKING BECAUSE IT THREATENED THE HOLOCAUST-SHOAH NARRATIVE - HAD I BEEN ALLOWED TO ATTEND THIS PUBLIC MEETING, THEN IT COULD HAVE LED TO A PUBLIC DISCUSSION THAT WOULD HAVE RAISED THE ISSUE OF HOW GERMANS LET THEMSELVES BE OPPRESSED BY THIS HOLOCAUST-SHOAH NARRATIVE. BUT I FORGET, STIFLING A DEBATE ON THIS TOPIC IS THE AIM OF ANY LEGAL ACTION.

FOR THE RECORD: In the public/national interest

Horsham - 18 July 2009

Dear Mr Lewis

1. Following on from the 17 July 2009 Order made in the Federal Court of Australia at Adelaide by His Honour, Justice Besanko, which has banned me from attending the 20 July 2009 event at Horsham, I hereby submit for your

approval the following so that there is enough time, if you are so inclined, to bring on another possible Notice of Motion, something that I would like to avoid on account of incurring further legal costs. It would also enable me to be advised in time of your intentions and be present in

court rather than my being advised of your intentions per newspaper article on the day of the hearing, then participating by sitting in a car near a phone tower with mobile in hand.

2. On 30 July 2009 Professor Ian Plimer will be addressing the South Australian Press Club luncheon. Prof Plimer is a well known Climate-Change skeptic who challenges the orthodox version of Climate-Change, much like I, and others, challenge the orthodox version of the Holocaust-Shoah narrative, and much like Prof Peter Duesberg, et al, challenges the HIV=AIDS hypothesis.

2.1 Australian Climate-Change dogmatists and HIV=AIDS believers, such as Phillip Adams, Prof Tim Flannery, et al, who cannot factually refute Professor Plimer's arguments, feel threatened by his mere presence and high public profile, and they have attempted, unsuccessfully, publicly to smear his reputation, some even going so far as to likening him to a 'Holocaust denier'.

2.2 Much to the Climate-Change believers' dismay Professor Plimer's book on this topic has turned out to be a best seller, and his influence, among others, has penetrated Australia's Federal Parliament where Senator Fielding has dared to question fundamentals of this new 'public interest' issue.

3. Now to my moral problem which, as you would recall from the court case, is: "Do I tell the truth or do I obey the law?" You would also recall that I reject this life-denying, win-lose dialectic and I embrace as a moral imperative and civilizing influence the life-affirming, win-win dialectic: "I tell the truth AND obey the law".

3.1. I have been a member of the South Australian Press Club for about 15 years and have attended countless luncheons. My views on the Holocaust-Shoah are well known by those who have attended luncheons where I usually ask some difficult questions about issues generated by guest speakers – certainly not only about matters Holocaust-Shoah but about any issue that I consider to be relevant.

3.2 You will recall that after one of our FCA hearings this year, you stated to ABC TV news that I was "Australia's most notorious Holocaust denier". Then, I noted at the 17 July 2009 hearing before His Honour Justice Besanko, Mr Margo, SC, unsuccessfully wished directly to raise matters Holocaust-Shoah with me. I interpret this as an attempt to discuss/clarify important issues about matters Holocaust-Shoah and what my views are on the matter. Of course, in principle, I welcome such possible impulses for dialogue with me coming from you.

3.3 Alternately, I may have misunderstood Mr Margo's intentions and he may have wished to place me in his win-lose dialectic process, a process that would not lead to any civilising dialogue of any sort but rather serve to criminalize my opinions.

3.4 In any case, it appears that it was not appropriate at that time for Mr Margo to address me directly. However, I would certainly welcome any such moves on your part because as the 17 July 2009 FCA hearing indicated an individual's free expression is at stake here. Any impulse of resolving your conflict with me would, of course, be welcomed. Hence my other maxim comes to mind – seek civilized dialogue, even if it means going into the enemy's camp.

3.5. But then I remind myself that the matter has gone beyond any stage of reconciliation and it is now a purely FCA matter because judgment has been pronounced and you have in part achieved your goal of stopping me, as your client Mr Jeremy Jones stated about 15 years ago, "from functioning" as a free individual within our democratic parameters.

4. In this respect the following is relevant here. In view of the decades-long, and continuing, systematic extermination of the Palestinians the collective Jewish claim to victim status cannot be maintained any longer. Mr Margo raised this collective Jewish victim-status issue at the 17 July 2009 hearing in submissions why I should be banned from attending the public exhibition 'Courage to Care', to be held at the Horsham Town Hall on 20 July 2009. It is sad for me to be banned from any event but this one cuts deeper as this public event in the Wimmera is in my home territory where I have lived for almost 50 years.

4.1 It matters such as the above I would raise at any public meeting where I would deem it appropriate they be raised. I judge the Prof Plimer Press Club Luncheon as possibly an appropriate opportunity to raise some such matters, especially in reference to his being labelled a '**climate change denier**' and how his dissenting views 'upset' those who cannot answer his arguments. I can relate to that.

5. As I deem my ongoing bail matter to be one of public interest, and as the media was involved in alerting me to your 17 July 2009 FCA action, I am Bcc-ing this email to various media outlets, as well of course, to the Associate of His Honour, Justice Besanko.

MEDIA RELEASE 16 July 2009

Holocaust questioner Dr Fredrick Töben wishes to advise that he will be visiting Horsham on 20 July 2009 to attend the opening of the 'The Courage to Care' exhibition. Although facing a 3-month jail sentence for contempt of court, Dr Töben is free to travel within Australia for July only.

The reason why Dr Töben has decided to travel to Horsham is to meet one of Australia's leading Zionists, B'Nai B'rith lodge member and Holocaust-Shoah promoter, Dr Paul Gardiner, and Holocaust survivor, Mr

Harry Better. Dr Töben considers himself to be a concerned citizen and he rejects outright the principle of guilt by association "and this means engaging in civilized dialogue with anyone whose world view and opinions differ from my own because this is putting the democratic principle into action. This is what I have been doing through my life, literally walk into the enemy's camp and find out what's going on."

Although in a *Wimmera Mail-Times* article about this exhibition, 24 June 2009, mention is made of Germans having gassed Jews at Auschwitz, Dr Töben said he "will not be asking probing questions such as physical proof on this matter during my visit. This is because my barrister, Mr David Perkins, is currently overseas and cannot advise me as to how appropriately to respond to such provocative allegations levelled against Germans."

Dr Töben said "any talk about matters Holocaust is an incitement to racial hatred against Germans. This is because a right-of-reply has been legally taken away from anyone who wishes to challenge matters Holocaust, which is a terrible allegation to level against any German."

He said "proof of this is found in my own conviction in the Federal Court of Australia on 16 April 2009 and 13 May 2009 for contempt of court, which has now criminalized any open historical debate except that considered to be the orthodox version of events. Dissenting opinions on matters Holocaust-Shoah will from now on in Australia – and as is already the case in Austria, Germany, Switzerland, France, Israel and other European countries – be a criminal matter, and that is very sad."

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**IN THE FEDERAL COURT OF AUSTRALIA
SOUTH AUSTRALIA DISTRICT
REGISTRY**

No: **SAD69/2009**

GERALD FREDRICK TOBEN

Appellant

JEREMY JONES

Respondent

ORDER JUDGE: Besanko J

DATE OF ORDER: 17 July 2009

WHERE MADE: Adelaide

THE COURT NOTES:

That the appellant, until the determination of the appeals, undertakes not to leave the State of South Australia except for the purpose of conferring or receiving advice from Mr Perkins in Melbourne and except for the purpose of leaving the State of South Australia, but not Australia, for the sole purpose of private compassionate visits and that he undertakes not to attend the Courage to Care exhibition or any similar event.

THE COURT ORDERS THAT:

1. The respondent is liable for only one filing fee in relation to the notice of motion.
2. The costs of today be costs in the appeal.

Date that entry is stamped:

District Registrar

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The private compassionate visits enabled me to make my farewells to my mother before I entered prison in August 2009. While I served my time my mother died on 20 October 2009.

FUNNY PEOPLE

Some people love telling lies.

**Liars get upset with honest people
who refuse to believe in their lies.**

**Through legal persecution Liars then
begin to defame those who refuse
to believe in their lies.**

Interestingly, individuals who protest at being labelled racists all too often vigorously proclaim their anti-racist stance, then proclaim Jews are a race and that Jews are 'God's chosen people'. Why would such matters not be investigated? At the Brendon O'Connell case in Perth earlier in 2011 two witnesses gave contradictory statements: an academic stated the Jews are not a race, while a Rabbi stated that Jews are a race!

The HREOC body, now Australian Human Rights Commission, relied on the definition that gave Jews the racial status, which is factually a nonsense.

Now it is time for someone to get a High Court Declaration that Christians are a race!

I still marvel at HREOC's Commissioner McEvoy's dishonesty when she claimed I had not submitted the Hayward thesis as a defence in 1998.

The results of the Hayward Thesis still stand but its author recanted, and some time after a nervous breakdown he did gain another academic appointment in England. His letter to New Zealand's Zionists speaks for itself.

The President,
The NZ Zionist Federation,
80 Webb Street,
Wellington

26 January 1999.

Dear President,

It has come to my attention that one or two anti-Semitic organisations in Australia are using my name and position as a tenured lecturer here at Massey University to add "academic credibility" to their vile crusade. I was especially saddened to see that the last issue of the New Zealand Jewish Chronicle even mentioned my name in this context. I have since written a Letter to the Editor explaining how the anti-Semites are trying to drag me into their war entirely against my will.

I am hereby writing to reassure the executive committee of the Zionist Federation that I am NOT affiliated or otherwise associated with ANY groups that have anti-Jewish agendas. I abhor and condemn the racist views those people hold.

A few days ago I posted the following passage on my internet home page (<http://members.tripod.com/~WhitelightNZ/Hayward.html>), which I hope will make clear to all who log on that I am not associated with haters. That passage -- which can be seen at <http://members.tripod.com/~WhitelightNZ/Hayward-14.html> -- says:

I also wish to state that I am NOT affiliated or involved with individuals or organisations -- including [REDACTED] -- that seek to rehabilitate the Nazis and/or attack Jews and others. I despise the views of those people.

I am aware that several of those people have used my name or reprinted articles from my homepage in a pathetic attempt to add academic credibility to their anti-Semitic campaigns. I warn them to desist. I will defend my reputation against them with zeal.

My own opinion about race, for those who may be interested, is easy to express: I do not believe that race determines moral

attributes. I do not believe that ANY race is better or worse than another.


Moreover, I believe that we should treat racism [including anti-Semitism] like pornography. That is, we should take a zero-tolerance stance and demonstrate that we will NOT accept it in our communities.

I enclose for your information a photocopy of a letter that I recently sent to the [REDACTED] [REDACTED] which is currently prosecuting a case against [REDACTED] is one of the rat-bags who has tried to use me to add credibility to his miserable and repugnant crusade against Jews and others. You will see that I condemn his action in the strongest terms.

I am most happy to meet with you or members of your executive at any time if you considered it would help clarify matters. If you want additional information on me and my own fight against the haters who try to use me, please contact Mr [REDACTED], Executive Council of Australian Jewry, [REDACTED] Road, [REDACTED] NSW 2010, Australia. Mr [REDACTED] has been very helpful to me, and I certainly appreciate his wise counsel.

Thank you.

Yours sincerely,



Dr Joel S.A. Hayward,

Lecturer in Defence and Strategic Studies

**SO MUCH FOR HAYWARD, IN COWARDLY DEFAMATORY STYLE,
ADOPTING THE PRINCIPLE OF GUILT BY ASSOCIATION!**

THE FACT THAT COMMISSIONER KATH MCEVOY DID NOT RAISE THIS CORRESPONDENCE WHEN FORMULATING HER 5 OCTOBER 2000 DECISION INDICATES SHE – AND BEAR IN MIND SHE IS A LAW LECTURER AT THE UNIVERSITY OF ADELAIDE – HAS HAD A TOTAL FAILURE OF MORAL AND INTELLECTUAL NERVE!

**LIKewise FOR CATHERINE BRANSON WHO DID NOT EVEN MENTION THE HAYWARD MATTER IN HER 17 SEPTEMBER 2002 30+PAGE REASONS FOR JUDGMENT.
SUCH IS LIFE!**

**COMING UP IN NEWSLETTER NO 574:
FORGET THE SEARCH FOR TRUTH –
SUBMITTING TO COURT INTERESTING BUT
LEGALLY USELESS AFFIDAVITS.**
