



**“I’ve never gone into court with such a full belt of bullets”**

Denial, which is released on Holocaust Memorial Day, tells the story of the legal battle between the historian Deborah Lipstadt and Holocaust denier David Irving.

Judi Herman meets the barrister who fought Lipstadt’s case.  
Portrait Rob Greig

“I did two years’ preparation on the case before we got into court – not long for a case like that.” Richard Rampton QC cuts a dapper figure sitting in his chambers at the heart of London’s Inns of Courts.

Rampton is referring to the court case where he represented the historian Deborah Lipstadt in her battle with the Hitler apologist David Irving. Irving sued Lipstadt for libel after she had labelled him “one of the most dangerous spokesmen of Holocaust denial”.

The case pivoted on the British law that holds that the defendant in a libel case has to prove that their assertion is true. To win, Rampton and the legal team (which included renowned solicitor Anthony Julius) had to prove that the mass murder of Jews was not just an assertion, but a fact.

It was a seminal trial – Rampton still goes into schools to talk about it today. Now his part in the story is being portrayed in the film Denial, written by David Hare. Tom Wilkinson plays the barrister, alongside Rachel Weisz as Lipstadt and Timothy Spall as Irving.

**JUDI HERMAN:** How did you prepare for the Lipstadt case?

**RICHARD RAMPTON:** I had to learn the history of the Third Reich and I learned to read German. The case wasn’t all about the Holocaust, or about Jews, which is what Denial focuses on; it was about the distortion of history in order to exonerate Adolf Hitler.

**JH:** Did it help in this case that you are not Jewish, especially as Anthony Julius is?

**RR:** Anthony and I have worked together since the early 1980s. We became good friends. He’s always instructed me in defamation matters. He thinks I’m good at it. But he does know I’m also philosemitic. That’s why he instructed me in this case.

**JH:** Did Irving speak for himself?

**RR:** He did. I don’t know why. Probably he didn’t feel confident that he’d find somebody who’d have their heart in it or somebody who’d have his mastery of the language and the documents. He was very knowledgeable about the period. If you read his books uncritically you’ll find they’re full of detail nobody else has discovered.

**JH:** Did Irving contribute to his downfall?

**RR:** He was in a losing position from the beginning. I don’t think I’ve ever gone into court with such a full belt of bullets. You can’t make up evidence, it’s there or it isn’t. The historians found 30 to 35 major historical falsifications which could only have been deliberate and which all converged in the same direction – the exoneration of Hitler, and eventually Holocaust denial. In Irving’s first Hitler



book (Hitler’s War, 1977), he accepted that the Holocaust had happened. He wouldn’t have it that Hitler knew anything about it. By the time of the second edition in 1983, he’d been converted. His road to Damascus moment was at the trial of the Holocaust denier Ernst Zündel in Canada. Fellow denier Fred Leuchter was hired to testify for him. He went to Auschwitz and brought back samples from sites identified as gas chambers. Because the residues in the samples were a low concentration, Leuchter concluded they could only have been used for killing lice, not gassing people. What he didn’t realise was that you need 22 times higher concentration to kill lice than humans. So all he proved was that those sites must have been gas chambers.

**JH:** What was a typical day in court like?

**RR:** You have to cut your head off from your heart, otherwise you’d be destroyed. At one moment I nearly cracked – with anger rather than emotion. Irving was arguing about the numbers that might have been killed at Auschwitz – if it had existed. I suddenly thought “What am I doing here, does it matter whether it’s 900,000 or 1.1 million?” You’ve got to keep that at bay, otherwise you stop functioning.

**JH:** Did David Hare consult with you?

**RR:** He came to see me. I told him it’s difficult to write anything interesting about a case in court that’s all on paper. There are no survivors, no Perry Mason dénouement. I think he was rather offended. He said ‘Just leave that to me!’ He’s done a wonderful job – he has given it some life. Of course it had its life, we had the largest court in the building, packed mostly with survivors every day – and one understands why.

**JH:** The film shows painstaking attention to fact and detail.

**RR:** It’s a feature film, and where they’ve used factual material, they’ve done it respectfully. Hare had the whole transcript so it’s difficult to get it wrong. It’s not been done from memory or imagination.

**JH:** What was it like dealing with Lipstadt?

**RR:** She’s very forceful. She argues her corner and doesn’t give way easily. She’s got courage; she was cross that we wouldn’t let her give evidence. The reason was easy.

We wanted to present the bare facts of the case, unclouded with emotion, which Irving would have easily undermined. For the same reason we didn’t call any survivors. He’d have made mincemeat of them. Rachel Weisz gives a wonderful performance. There are aspects of Deborah’s character that mattered, her determination and her courage, her argumentativeness. Rachel got all that.

**JH:** Several reviews say it’s a shame for the sake of the drama that she does not speak.

**RR:** It’s how the instrument of justice is, a cold beast devoid of emotion. It can grind something down much more effectively than a whole lot of histrionics. Deborah understood it by the end.

**JH:** In the film you refuse to shake hands with Irving...

**RR:** It’s true. At the end of the case Irving came up to me and tried to shake my hand but I couldn’t. I walked away. He thought that was offensive. I think he remarked on it when he was interviewed on the radio afterwards. I was asked about that and I said, “Is it surprising? It wasn’t a game of tennis!” But he behaved impeccably. I just don’t think he lives on the same planet as

I do. Timothy Spall plays Irving very well, capturing that conflict between the maverick and one that wants to be part of the establishment.

**JH:** How well do you think the film captured you?

**RR:** My son and wife think Tom got me pretty well. I was terrified I’d be embarrassed but Tom’s done a very good job. Anthony liked it, and found it moving but he was slightly upset at the way he was portrayed, not by Andrew Scott’s brilliant acting – but by the way it’s written. He’s made out to be a bit of a bully and show-off and he’s neither of those. He’s much nicer than you would think from the film.

**JH:** Will audiences see you and Anthony Julius as heroes and Irving as the villain?

**RR:** There’s a new word in the Oxford English Dictionary: ‘post-truth’. It’s the word of the moment because we live in an era where facts as we knew them don’t have a meaning anymore. If somebody wants to, they can believe the Holocaust didn’t happen or if it did then the Jews deserved it. There’s a very good scene in the film of the press conference Deborah gives. She says, “Opinion is fine but there’s a difference between fact and opinion. Elvis is dead – the ice caps are melting!” ■

Denial is in UK cinemas from 27 January. Judi Herman is JR’s Arts Editor and a BBC broadcaster.