

A Closer Look at Holocaust Deniers in the U.S and Germany

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“23% of U.S. millennials believe the Holocaust is a myth, exaggerated, or are unsure.”¹

This points to a troubling lack in Holocaust awareness across America. Holocaust denial and antisemitism remain serious global issue, but how nations handle these problems differs depending on their individual histories and the fundamental frameworks of their legal systems. Two countries that demonstrate a disparity are Germany and the United States. Due to their different roles in the Holocaust and differing legal systems, Germany combats denial through strict laws and nationwide education, while the United States relies more on subsidized private initiatives, resulting in differing levels of Holocaust denial in each country.

Germany, of course, was starting point of the National Socialist party and the Holocaust; to make sure it never happens again, they take a hard stance on Holocaust denial and antisemitism; *Section 130 of the German Criminal Code*, or *Volksverhetzung*, makes it a crime to “approve, deny, or downplay acts committed under National Socialism in a manner likely to disturb public peace.”² People who publicly deny or trivialize the Holocaust can face up to five years in prison. Germany’s goal here is clear: make sure no one can rewrite history or stir up hate under the veil of free speech.

Criminalization is not the only focus of the German government, education is mandatory in school nationwide.³ According to Monica Vitale, this education is meant not just to teach historical facts but also to help students reflect on modern antisemitism and racism.⁴ Germany

¹ Conference on Jewish Material Claims Against Germany, *U.S. Millennial Holocaust Knowledge and Awareness Survey*, 2020, accessed April 27, 2025, <https://www.claimscon.org/millennial-study/>.

² Germany, *Strafgesetzbuch* [Criminal Code], § 130, “Incitement to Hatred,” accessed April 27, 2025, https://www.gesetze-im-internet.de/stgb/_130.html.

³ Monica Vitale, “Holocaust Education in Germany: Ensuring Relevance and Meaning in an Increasingly Diverse Community,” *Forum for International Research in Education* 5, no. 1 (2019): 44–62.

⁴ *Ibid.*, 46.

sees education as a long-term defense against denial, connecting the past to the present. Where jail time might serve as a deterrent, it is not as systemic as long-term education.

The final aspect of Germany's strategy involves calls for active monitoring and reassessing. This is key to track emerging movements and trends to decide if further intervention needs to take place. This idea is encapsulated in the National Strategy Against Antisemitism which calls for stronger protection of Jewish life, expands research and monitors antisemitism.⁵ Additionally, recent citizenship laws require new citizens to explicitly recognize the responsibility that Germany has for the war and the Holocaust.⁶ All of these measures come together in a cohesive stance with a continuing commitment to reckon with Germany's past and prevent history from repeating itself.

The United States takes a different path. The disparity comes from two main reasons, for one the United States entered World War II late with the Allied forces, so the country was not a witness to the horrors of the Holocaust (unlike France, for example, which was occupied by Germany for a period of time). Second, freedom of speech is protected under the First Amendment, so a tactic of outlawing potentially problematic speech becomes very difficult to do and is legal if it doesn't incite violence—a stark difference from what Germany has been able to do. This changes how the U.S. combats antisemitism and Holocaust deniers to an ideology that involves funding agencies and educational organizations.

⁵ German Federal Government, *National Strategy Against Antisemitism and for Jewish Life*, 2023, <https://www.bundesregierung.de/breg-en/news/antisemitism-strategy-2218384>.

⁶ Ibid.

A primary example is the Never Again Education Act (2020), whose main purpose is to provide funding to the U.S. Holocaust Memorial Museum.⁷ This is key because it is indicative of a major difference; the U.S. is instructing a museum to educate the public, not schools' curriculum, to educate the public. Unlike Germany, the U.S. doesn't mandate Holocaust education at the national level—it's up to individual states. This leads to inconsistencies where today only, "29 states mandate Holocaust education."⁸ This is a large symptom of the lack of federal cohesion for the Holocaust; in nearly half of the states, kids' first impression of the Holocaust might come from social media.

Although Germany has strict laws and a stout educational regimen, denial has not gone away. Far-right groups like Alternative for Germany (AfD) have potentially problematic topics yet get around the law because they do not outright deny the Holocaust. As Michelle Kahn points out, these groups often use coded language to "normalize Nazi-era revisionism," pushing the boundaries of what's legally allowed without crossing the line into prosecutable speech.⁹ Still, because of Germany's laws and the comprehensive educational plan, outright denial is rare and met with serious consequences.

The United States' landscape is very different. Holocaust denial is legal under U.S. law, so denial narratives can circulate online and in person more frequently. This is shown not only by the statistic at the start of the paper, but by another survey conducted by the *Claim Conference* that found "11 percent of U.S. Millennial and Gen Z respondents believe Jews

⁷ United States Congress, *Never Again Education Act*, Public Law 116-141, May 29, 2020, <https://www.congress.gov/bill/116th-congress/house-bill/943>.

⁸ Echoes and Reflections, "Holocaust Education Interactive Map," accessed April 27, 2025, <https://echoesandreflections.org/interactive-map/>.

⁹ Michelle Lynn Kahn, "Antisemitism, Holocaust Denial, and Germany's Far Right: How the AfD Tiptoes Around Nazism," *The Journal of Holocaust Research* 36, no. 2-3 (2022): 164-185.

caused the Holocaust”.¹⁰ To put this into perspective, that is about 37 million people that believe the Jews caused the Holocaust. It is clear that there is a gap in how effectively the United States educates the public especially when compared to Germany. The United States Holocaust Memorial Museum explains how denial often hides behind claims of free speech or academic debate, positioning itself as “the other side” of a supposed historical argument.¹¹ This is not free speech however, it is an intentional and destructive attempt to mute and distort the Holocaust.

Two very different paths are taken by Germany and the United States when it comes to Holocaust denial prevention. Germany, shaped by its history as the perpetrator of the Holocaust, takes a hard line—making education mandatory from a young age and criminalizing Holocaust denial. The United States leans on organizations, like the U.S. Holocaust Memorial Museum, to deliver well-rounded information to the public. However, because of the free speech and states’ rights that exist in the U.S. their ability to intervene is limited. These differences impact how Holocaust denial is perpetuated in each country. Germany has far-right groups that have limited numbers and use carefully crafted language to get around the law, while the U.S. there is no limit to what can be said or done creating a larger problem of misinformation. These approaches reflect deeper cultural values—Germany’s focus on collective responsibility and the U.S.’s focus on individual freedoms—but they also show the challenges in fighting Holocaust denial across different systems. As denial continues to evolve, both nations have lessons to offer in balancing memory, education, and freedom

¹⁰ Conference on Jewish Material Claims Against Germany, *U.S. Millennial Holocaust Knowledge and Awareness Survey*, 2020, accessed April 27, 2025, <https://www.claimscon.org/millennial-study/>.

¹¹ United States Holocaust Memorial Museum, “Holocaust Deniers and Public Misinformation,” accessed April 27, 2025, <https://encyclopedia.ushmm.org/content/en/article/holocaust-deniers-and-public-misinformation>.

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