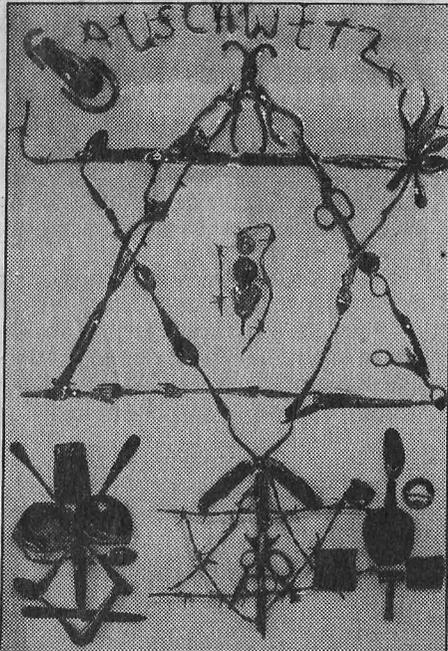


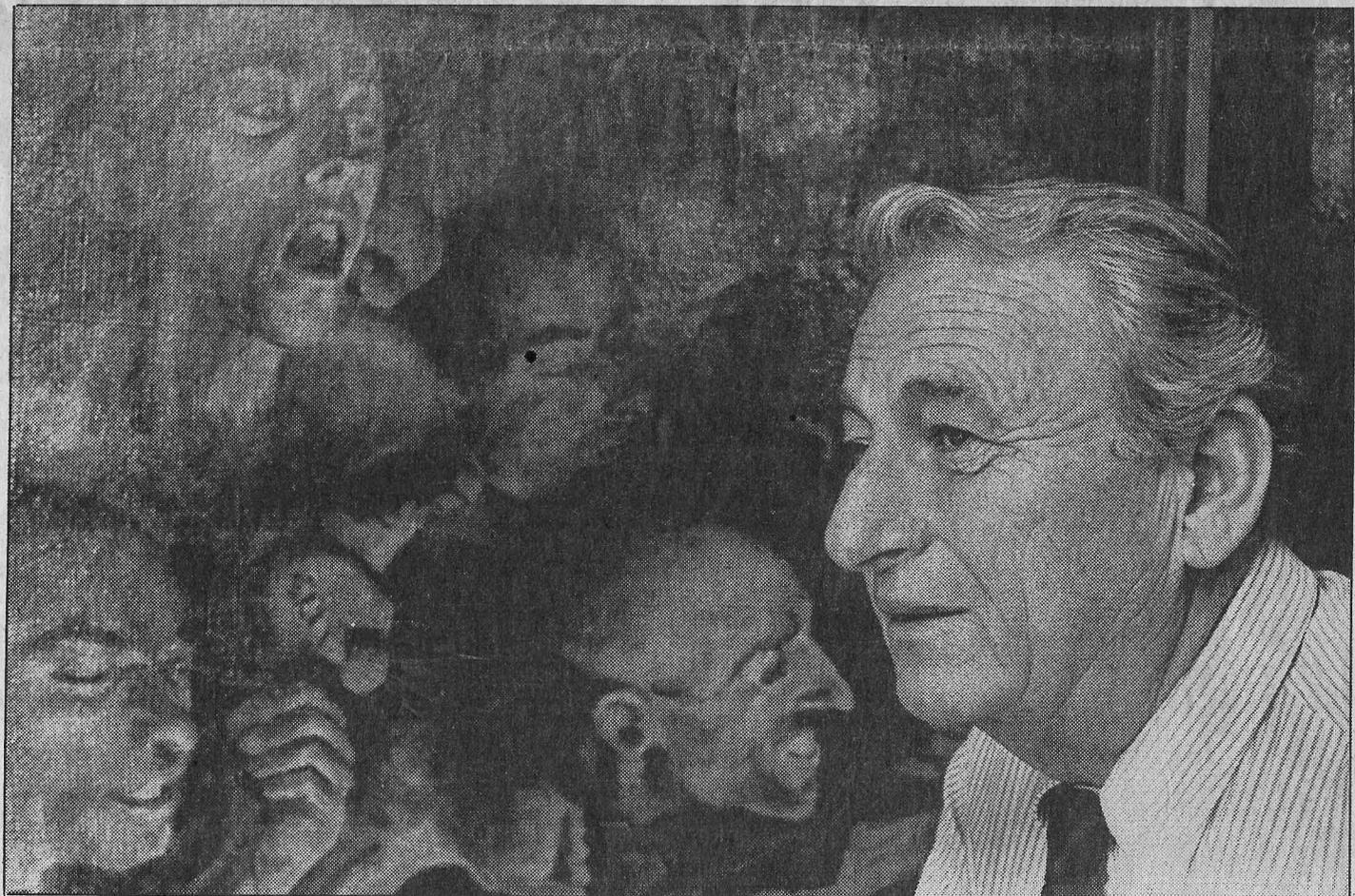
‘They chose the wrong
guy to pick on.’

—Mel Mermelstein



AXEL KOESTER / Los Angeles Times

Mel Mermelstein in front of a painting about the Holocaust and, above, some of the artifacts in his museum.



Holocaust Survivor Meets Push With Shove—Again

By DAVID HALDANE, *Times Staff Writer*

To Mel Mermelstein, the principle is simple: If someone pushes you, you push back.

That's what he did in 1980 when a group called the Institute for Historical Review offered \$50,000 for proof that Jews were killed in Auschwitz gas chambers during World War II. Mermelstein replied by supplying affidavits detailing the deaths of his mother, father, brother and two sisters at the hands of Nazis. The \$90,000 he won in a legal settlement, after the group refused to make good its promise, gained him international headlines.

He fought back again in 1986 by filing a libel suit after members of the institute

others of malicious prosecution and intentional infliction of emotional distress for bringing a legal action against him.

“They chose the wrong guy to pick on,” said Mermelstein, 61, a Long Beach resident whose latest suit alleges that the Institute for Historical Review, the Washington-based Liberty Lobby and three individuals have promoted anti-Semitism by harassing Holocaust survivors.

He was speaking just days before Wednesday's observance of the 50th anniversary of Kristallnacht, the night in 1938 when the Nazis ran rampant in Germany, burning synagogues and

Mermelstein's most recent lawsuit, filed Oct. 17 in Long Beach Superior Court, said he was unaware of the action and would have no comment on it. Willis Carto, founder of both the Liberty Lobby and the Institute for Historical Review, did not return several phone calls. But Vince Ryan, acting chairman of Liberty Lobby's board of policy, denied that the organization is anti-Semitic or had harassed Jews. “That's total nonsense,” he said. “It just sounds like Mermelstein is after more publicity.”

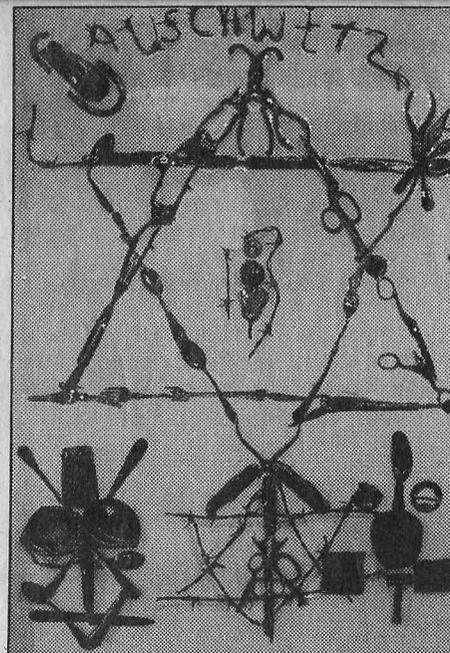
To Mermelstein, however, it is not a case of headline hunting but “protecting the honor of my loved ones who died.”

The roots of Mermelstein's obsession

concentration camp in Poland, where his mother and two sisters, 20 and 15 years old, were immediately put to death in the gas chamber. Mermelstein, meanwhile, was taken with his father and brother to a slave labor camp, where the other two eventually died.

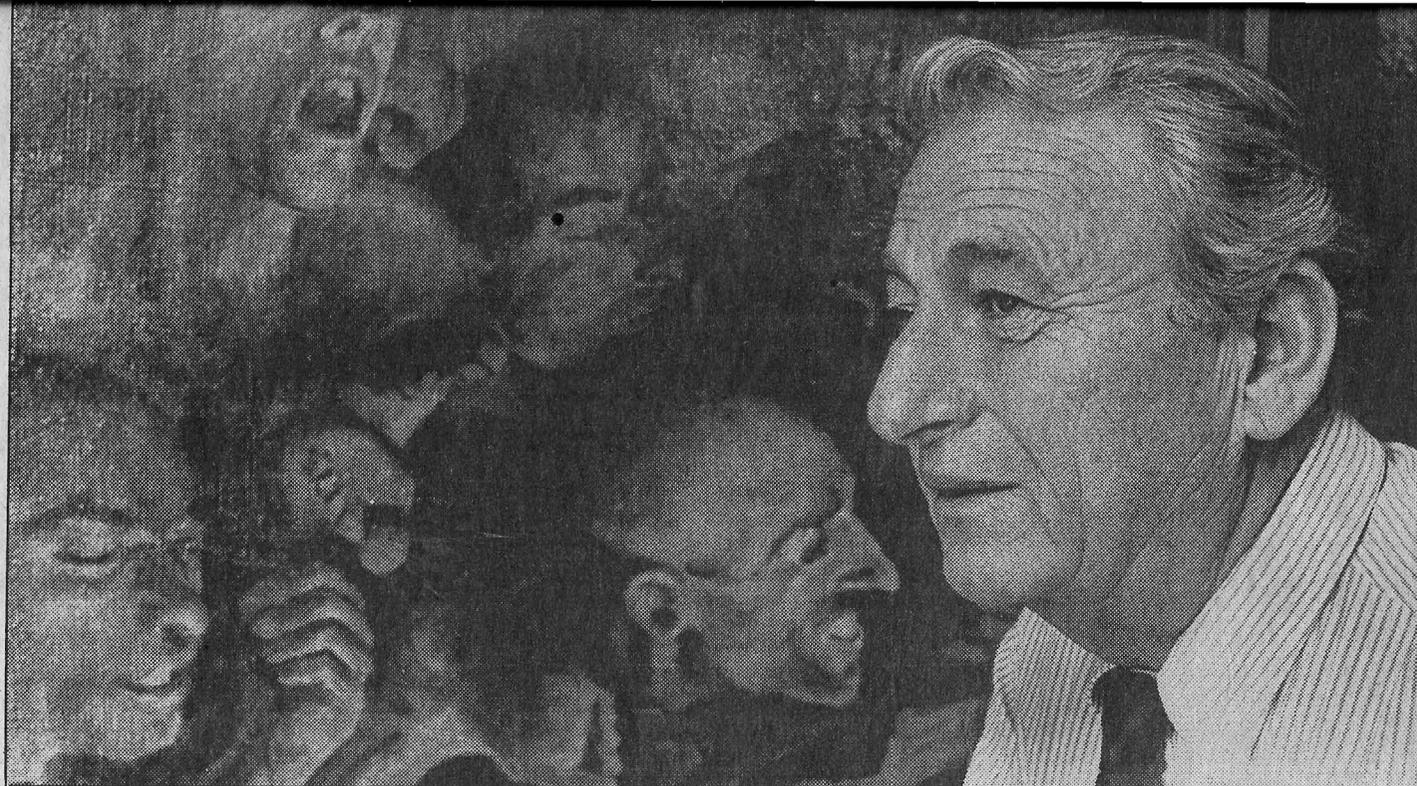
At his last meeting with his father in the camp, Mermelstein said, “He told [my brother and me] to separate, and whichever one survived, don't forget to tell what happened.”

Mermelstein didn't start telling, though, until many years later. After the war he settled in New York, served in the U.S. military and eventually married an American teacher. In 1960 he married



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That's what he did in 1980 when a group called the Institute for Historical Review offered \$50,000 for proof that Jews were killed in Auschwitz gas chambers during World War II. Mermelstein replied by supplying affidavits detailing the deaths of his mother, father, brother and two sisters at the hands of Nazis. The \$90,000 he won in a legal settlement, after the group refused to make good its promise, gained him international headlines.

He fought back again in 1986 by filing a libel suit after members of the institute called him a "demonstrable fraud" in their newsletter. That suit is still pending.

And now he has filed a third lawsuit, this time accusing the institute and

others of malicious prosecution and intentional infliction of emotional distress for bringing a legal action against him.

"They chose the wrong guy to pick on," said Mermelstein, 61, a Long Beach resident whose latest suit alleges that the Institute for Historical Review, the Washington-based Liberty Lobby and three individuals have promoted anti-Semitism by harassing Holocaust survivors.

He was speaking just days before Wednesday's observance of the 50th anniversary of Kristallnacht, the night in 1938 when the Nazis ran rampant in Germany, burning synagogues and murdering and imprisoning Jews—events marking the beginning of the Holocaust.

Mark Von Esch, a Newport Beach attorney named as a defendant in

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To Mermelstein, however, it is not a case of headline hunting but "protecting the honor of my loved ones who died."

The roots of Mermelstein's obsession are in events of 1944, when he was 17 and the Nazis marched into his native Czechoslovakia and, among other things, seized his entire family. Eventually they were taken to Auschwitz-Birkenau, a

concentration camp in Poland, where his mother and two sisters, 20 and 15 years old, were immediately put to death in the gas chamber. Mermelstein, meanwhile, was taken with his father and brother to a slave labor camp, where the other two eventually died.

At his last meeting with his father in the camp, Mermelstein said, "He told [my brother and me] to separate, and whichever one survived, don't forget to tell what happened."

Mermelstein didn't start telling, though, until many years later. After the war he settled in New York, served in the U.S. military and eventually married an American teacher. In 1960 he moved to California, began raising the first of four children, now aged 18 to 27, and started the lumber byproducts manufacturing plant in Huntington

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HOLOCAUST: Survivor Pushes Back

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Beach that still supports him and his family.

It wasn't until 1967, during Israel's Six-Day War, that the Holocaust became a cause for him. "I saw [Egyptian President] Nasser shaking his fists and saying he was going to drive the Jews into the sea," Mermelstein recalled. "It reminded me of Hitler. From then on I thought there was something wrong here; that the destruction of European Jewry is something that ought to be put on the table."

Since then he has revisited Auschwitz 16 times, bringing back with him a myriad of artifacts and mementos ranging from bricks mixed with ashes containing still-recognizable human teeth to pieces of the oven in which his mother and sisters were cremated.

The material, which he believes is the largest private collection of its kind in the United States, is housed in a 1,000-square-foot museum on a back corner of his Huntington Beach plant, where it is often visited by scholars, historians, students and journalists. Mermelstein frequently lectures on the Holocaust, and in 1979 published a

book about his experiences in it.

It was his outspokenness—specifically a letter that he wrote to the Jerusalem Post in 1980—that apparently attracted the attention of the Institute for Historical Review. Well known for its claim that Jewish suffering during World War II has been greatly exaggerated, the institute offered Mermelstein \$50,000 to prove that Jews were gassed at Auschwitz.

Mermelstein said he hoped the resulting settlement—along with a letter of apology, formal recognition by a judge of the Holocaust's authenticity, and a separate as-yet-uncollected \$5.25-million judgment against a Holocaust debunker in Sweden—would put the matter to rest.

When he spoke of the victory in a 1986 radio broadcast, however, the institute sued him for libel. It was that suit, which the group subsequently withdrew, that prompted Mermelstein's most recent court effort.

"While freedom of speech protects their right to lie about the existence of the Holocaust," said Jeffrey Mausner, a former prosecu-

tor of Nazi war criminals who is representing Mermelstein, "they do not have the right to intimidate and harass Holocaust survivors."

Most of the original \$90,000 judgment, Mermelstein said, has been spent on his work commemorating the Holocaust. The money has come in handy, he said, because his business has slowed considerably in recent years. A staff that once numbered 87 is now down to 12.

The publicity, however, has brought him other rewards.

A television movie on his life is in the works, Mermelstein said. He frequently gets letters from students interested in learning about the Holocaust. And his office is replete with congratulatory notes from such diverse figures as President Reagan and New York Mayor Ed Koch.

"Sometimes you wonder if it's worth it," he said, "but you're not worth a plugged nickel if you allow the bigots to overpower you."