

# Decree on the Creation of a New Ordinance to Secure the Rights of Recognized Victims of Nazi Persecution (1953)

## Abstract

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In September 1952, the Federal Republic of Germany concluded a restitution agreement with Israel, whereby it pledged to pay billions of DM in compensation to Jewish victims of the Holocaust. Additionally, starting in 1953, Nazi victims in West Germany were offered material compensation through the restoration of assets and restitution payments. The GDR, however, rejected the notion of Holocaust responsibility – and attendant Israeli claims – by underscoring the struggle of the working class against National Socialism. In East Germany, compensation to Nazi victims mostly took the form of better social welfare benefits, with preference being given to Communist resistance fighters and political émigrés. The purpose of this 1953 directive from the East German Ministry of Labor was to put these Nazi victims on an equal footing with the racially persecuted, meaning above all Jewish victims, who did not have to prove that they had been personally opposed to the Nazi regime.

## Source

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### **The Committee of the Ministry of Labor Justification for the Creation of a New Ordinance**

Numerous complaints by victims of Nazi persecution, and tips and suggestions from the districts point to the need for a reworking and a revision of the Ordinance to Secure the Legal Status of Victims of Nazi Persecution of October 5, 1949, and of the implementation regulations and recognition guidelines issued on February 10, 1950.

With respect to the recognition guidelines, it is above all the regulations concerning the recognition of the racially persecuted that, after a thorough review, appear to be in need of change.

From the standpoint of putting resistance fighters on an equal [legal] footing with the racially persecuted, the recognition criteria for the racially persecuted were laid down in the recognition guidelines at the behest of then-president of the Jewish Community Julius Meyer, who, in connection with the Slansky trial was [later] unmasked as a Zionist agent and fled the republic; the practical consequences of these criteria resulted in the favoring of this group of individuals.

For example, in contrast to resistance fighters, political émigrés, and other groups of victims of Nazi persecution, those persecuted on racial grounds, including Jewish émigrés among others, are not required to present evidence of their organized struggle against the Nazi regime abroad or of their unblemished anti-Fascist-democratic stance during the Nazi period and after 1945.

From the outset, a different yardstick was applied to the racially persecuted, whereby the commission that was in charge of drafting the recognition guidelines back then evidently followed J. Meyer's argument that, even if the Jews were completely passive, politically speaking, they still suffered the most terrible persecution by the Nazis simply because of their membership in the "Jewish race," and that, for this reason alone, their recognition as victims of Nazi persecution is justified.

Moreover, members of that former commission have informed us that another consideration supposedly played a role: whereas the question of restitution and compensation for incarceration stood at the forefront in West Germany, our social and economic development did not allow for this option; instead,

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securing [the former victims'] livelihood through appropriate pensions and free medical care, alongside other benefits, was seen as the better social solution. A basic livelihood was to be secured for the racially persecuted as well by placing them on an equal footing with resistance fighters.

Also included in the recognition process, for the same or similar reasons, are Jewish émigrés, so-called “mixed-bloods” and those “affiliated by marriage” [*Versippte*] as defined by the Nuremberg laws, if they were arrested on racial grounds or interned in the special hardship camps associated with the OT/B [Organisation Todt] Actions “Haase” or “Mitte”, Jews living in “privileged marriages” who had to bear the additional names “Israel” or “Sarah” or who were used for forced labor, and non-Jewish spouses or life partners of former “bearers of the star.”

With regard to the last-named category, the preferential treatment is especially evident in that these wives, in addition to their own recognition in accordance with § 3 Sec. 1 of the recognition guidelines, are usually also recognized as surviving family members of victims of Nazi persecution and, in keeping with the current pension regulations for the victims of Nazi persecution, if they are disabled or have reached the age limit, they receive, in addition to the pension for the widows of victims of Nazi persecution, the full disabled or old-age pension for victims of Nazi persecution. [...]

Source: BArch, DQ 1/1929, Bl. 410, reprinted in Dierk Hoffmann and Michael Schwartz, eds., *Geschichte der Sozialpolitik in Deutschland seit 1945*. Bd. 8: 1949–1961: *Deutsche Demokratische Republik. Im Zeichen des Aufbaus des Sozialismus*. Baden-Baden: Nomos, 2004, no. 8/120.

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