

Rolf Helm, Department Chief in the East German Ministry of Justice: Reparations in West Germany (1958)

Abstract

Whereas the first nationwide compensation regulations stipulated that claimants had to be residents of the Federal Republic, the Federal Compensation Law [*Bundesentschädigungsgesetz* or BEG] of 1958 allowed for claims from all former residents of the “Third Reich” within the borders of 1937. In principle, this meant that East German citizens were also entitled to compensation benefits from West Germany. However, since the Federal Compensation Law made the receipt of compensation contingent upon the claimants’ endorsement of democracy, and thus excluded active Communists from benefits, the GDR refused to help would-be claimants procure and authenticate the documentation they needed to apply for compensation.

Source

To the Committee of the Anti-Fascist Resistance Fighters

Berlin, June 4, 1958

Dear Comrades!

On this question, the position of the Ministry, which is known to all state notary offices and independent notaries in the GDR, without there being a circular decree or published directive, is as follows:

The Federal Compensation Law regulates the compensation claims of individuals who were persecuted for their anti-Nazi convictions. In West Germany, however, since the conclusion of the Paris War Treaties, redress has been turned into its opposite. The Federal Compensation Law states that compensation benefits will not be granted, or will be withdrawn, if the persons in question are fighting against the “basic liberal-democratic order.” All of the German patriots and resistance fighters who are currently continuing their struggle against fascism and militarism in West Germany are receiving no compensation payments. For that reason, the state notary office cannot support the compensation measures. The only people who receive large compensation sums are those who agree with Bonn’s war course. Exceptions can be made in special cases.

To this day, the stance of our state organs has been consistently implemented. To the extent that exceptions were necessary, when it was a matter of securing the livelihood of especially active comrades or other workers, arrangements were made in every single case, partly with the Central Committee of the SED.

You are kindly asked to take note of this.

Dr. Helm

Department Chief

Source: SAPMO-BArch, DY 57, K 12/5; reprinted in Dierk Hoffmann and Michael Schwartz, eds., *Geschichte der Sozialpolitik in Deutschland*. Bd. 8: 1949–1961: *Deutsche Demokratische Republik. Im Zeichen des Aufbaus des Sozialismus*. Baden-Baden: Nomos, 2004, no. 8/183.

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