



Volume 8. Occupation and the Emergence of Two States, 1945-1961
Implementation Decree on the Creation and Procedures of Care Centers for Victims of
Persecution in Hesse (1948)

Until April 1949, compensation in the Western zones was assigned on the basis of non-uniform state regulations. Issued in May 1948, these guidelines from the Hessian Interior Ministry make clear that attending to Nazi victims was a bureaucratic matter. Careful distinctions were drawn between various groups of victims, and persecutees had to explain the individual reason for their persecution to authorities. They also had to prove that they had behaved properly during their incarceration or exile. This was not always possible, and it also meant that they had to go through the painful process of a recalling their concentration camp experience in detail. Only after surmounting these obstacles were they granted a special ID card and financial benefits.

The Hessian State Ministry of the Interior, Sect. IX, Reparations Implementation Decree on the Creation and Procedures of Care Centers for Victims of Persecution in Hesse

Wiesbaden, May 13, 1948

To implement the decree on the Creation and Procedures of Care Centers in Hesse (GVBl. 1946, p. 227), the following guidelines have been issued.

I. General precondition for care.

- 1.) The precondition for admission into the care recipient group is the unblemished conduct of the applicants generally, especially in correctional institutions, camps, and – if they were emigrants – abroad.
- 2.) Persecutees of the Nazi regime include, in particular, individuals who, for political, racial, or religious reasons, were deprived of their freedom (incarcerated) for a longer period, usually around six months or more. Persons who were considerably restricted in their personal freedom in some other way can be accepted into the group of care recipients.
- 3.) Every applicant must substantiate his entitlement to acceptance into care through documents or at least three witnesses of unblemished character. To the extent that applicants should be seen as falling under the “Nuremberg Laws,” they must credibly substantiate the nature of their persecution.

4.) Individuals who are accepted into the care recipient group through the application of the above-mentioned guidelines will receive an ID card. This card should contain, in addition to the personal information of the holder, the nature and extent of the persecution.

5.) To be excluded from care are persons who fraudulently obtained admission through false statements, or who by their conduct threaten the reputation of the care recipients. Once they have been excluded, their ID card is to be revoked.

II. Guidelines.

A. The following are regarded as victims of political persecution:

1.) Persons who were persecuted between January 30 and the collapse of Nazi rule for planning or carrying out acts of high treason to eliminate National Socialist tyranny. It is irrelevant whether they acted at the behest of others or on their own accord.

2.) Persons who were persecuted because of an act of treason committed or attempted during Nazi rule, if the goal of that act was the elimination of the National Socialist system.

3.) Persons who were persecuted during the war for radio crimes. Merely listening to foreign stations is not sufficient, however. Rather, the precondition is that these persons, by listening to foreign stations and disseminating the broadcasts they heard to specific individuals, wanted to unsettle Nazi rule or ward off its consequences.

4.) Persons who were persecuted for demoralizing the armed forces. The requirement here is that this demoralization can be seen as a feature of fundamental opposition to National Socialism and that its effect was directed at third parties.

5.) Those persecuted for [the assassination attempt of] July 20, 1944, provided their intent was not to replace Nazi rule merely with a military-reactionary regime.

6.) Émigrés who left Germany because they were persecuted by National Socialism or because of their proven opposition to Nazi rule and who can be shown to have taken an anti-Nazi stance abroad.

7.) Persons who, through National Socialist persecution, were compelled to remain in Germany illegally between January 30, 1933, and the collapse of Nazi rule. To that end, proof must be furnished that they were neither registered with the police at their particular domiciles nor received food ration-cards during the war.

8.) Persons who were seriously persecuted for their demonstrated anti-National Socialist attitude or activity.

9.) Persons who were sterilized for racial or political reasons.

B.) The following are considered victims of racial persecution

Persons whose freedom was considerably restricted for racial reasons; Gypsies who were seriously persecuted for racial reasons under the National Socialist regime, provided they are today engaged in a regular occupation and seek a fixed domicile.

C.) The following are considered victims of religious persecution:

Persons who were seriously persecuted during the "Third Reich" on account of their religious conviction and activity.

D.) The following are also considered victims of persecution:

Surviving members of families whose sole breadwinner died at the hands of Fascism, provided they lived with him in a domestic community and assumed an anti-Fascist stance. The stipulations in Section I, No. 3, apply.

E.) The following are excluded from care:

Former members of the NSDAP or its organizations as well as militarists. Exceptions are subject to the decision of the reparations section.

F.) The process that occurs once a person has been recognized as a victim of political, racial, or religious persecution:

Admission to care becomes effective with the signed issuance of the special ID card by the head of the reparations section. The care centers are urged to submit the special ID cards with the applications to the reparations section without delay.

Source: IfZ-Archiv, OMGUS, 8/66-2/2; reprinted in Udo Wengst, *Geschichte der Sozialpolitik in Deutschland*, Bd. 2/2: 1945-1949: *Die Zeit der Besatzungszonen. Sozialpolitik zwischen Kriegsende und der Gründung zweier deutscher Staaten. Dokumente* [The History of Social Policy in Germany, vol. 2/2: 1945-1949. The Era of the Occupation Zones. Social Policy between the End of the War and the Founding of Two German States. Documents]. Baden-Baden: Nomos, 2001, no. 208, pp. 470-71.

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