

ISSUED BY THE

ASSOCIATION OF JEWISH REFUGEES IN GREAT BRITAIN

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## A STEP TOWARDS MORAL REPARATIONS

The London visit of Senator Joachim Lipschitz and his associates was certainly an unusual event of more than local importance. There is no doubt that it was of great practical value to the many people who have grievances against the German indemnification authorities, and who welcomed the possibility of getting some first-hand general information and of discussing their personal cases.

However, what made these meetings so memorable was the peculiar moral problem involved. There was, in fact, more personal contact between leading Germans and Jews on this occasion than at any previous encounter. The speeches of both sides, made at the various luncheons and receptions, were of an extraordinary cordiality. On the other hand, it cannot be denied that some Jewish observers felt a little uneasy. Others objected because they are afraid that an impression might be created that the Jewish community as a whole, or even a section of the one-time German-Jews, is prepared to condone or to forget the tragedy which was enacted only twelve years ago.

Certainly, the present Jewish generation will never get over the injuries inflicted on them under Nazi rule. No intelligent German could expect that, and nobody assumes that money can atone for the mass murders of our own kith and kin. It was a comfort to hear from the German speakers themselves that they are fully aware of this situation. Indeed, this fact could not have been expressed in a more drastic and convincing way than did Senator Lipschitz himself. Perhaps the fear of some Jews that they could be suspected of "selling" their most sacred personal feelings for their dear departed, is a little exaggerated. But it underlines the perplexing nature of a unique moral involvement.

Nevertheless, we all feel that we cannot reject for ever the idea of moral reparation and of restoration of human relations. There is even some—though small—re-emigration to Germany; a Jewish community is growing there and is treated in an honourable way by the authorities. Moreover, we Jews should be the last to over-stress the principle of collective responsibility. The present rulers of Germany and their representatives do not attempt to excuse the Nazi crimes; on the contrary, they are making an extraordinary effort to demonstrate their desire for reparation. We have often expressed our grievances about the shortcomings of the indemnification, but it is also our duty to recognise that there are many in Germany who, tormented by genuine qualms of conscience, are eager to do all in their power to give the Jewish survivors a convincing sign of Germany's repentance.

It was certainly a significant moment when the German Ambassador to the Court of St. James'—replying to a toast at an informal luncheon arranged in honour of the guests by the United Restitution Organisation, in conjunction with the Council of Jews from Germany—said that he was deeply moved and, he would not hesitate to say, ashamed, and that of all invitations which he received in the course of his diplomatic activities

## ONE YEAR'S ACHIEVEMENTS

The period under review at last month's general meeting was marked by new ventures launched by the AJR, and by an extension of the Association's general activities. More and more energy has been concentrated on constructive work to assist those who, for one reason or another, have to turn to the AJR for help and rehabilitation.

One of the latest examples is the creation of the Revolving Fund, from which loans are granted to persons whose compensation claims have not yet become due but whom advance payments will tide over present difficulties. The committee set up to decide on the applications has, so far, allocated about £4,200 to 32 applicants. Loans can only be given after it has been ascertained that the applicant has a genuine claim for compensation; they have to be repaid as soon as the indemnification authorities have granted the claim. The reasons for urgency submitted by applicants for Revolving Fund loans were varied. In some cases the money was required to set up homes for people who had lived in furnished rooms for many years. Other applicants needed the money for medical purposes; others again because they were in dire need. There is a steady influx of new requests.

Another new scheme launched by the AJR is in an entirely different sphere—the establishment of the AJR Club at 57 Eton Avenue. This Club, which has now been in existence for more than a year, has proved a boon to various sections of the community. In the afternoons people, especially of the older generation, meet informally in the pleasant surroundings; in the evenings, those who work during the day gather, and there are functions with lectures or recitals about once a month.

Another problem, which calls for constant attention, is the question of restitution and compensation. Whilst the limitations of the existing legal position cannot be denied, it has to be recognised that in the course of the years considerable progress has been made. These achievements are often taken for granted. They are, however, the result of concentrated

in London there was none that had honoured him as much as this one.

Was it really only polite *façon de parler* when the German speakers stated that they were the ones to be grateful and not the recipients of the restitution money? Such words are not without significance.

Possibly we will be reminded that today, too, there is a political and educational problem in Germany; the reappearance of some former Nazis in leading positions arouses doubts about the new spirit. Such problems were, however, bound to crop up, and they will have to be watched. But, with all the mental reservations which we naturally have, nothing should stop our acknowledging sincerity and goodwill when it is shown, and to express our satisfaction on such agreeable occasions as the Lipschitz visit to London undoubtedly was.

efforts in which the Council of Jews from Germany—of which the AJR is the British constituent—has taken a decisive part. We are still occupied with these efforts, and a note appearing in this issue illustrates some of the problems which the Council has had to take up recently.

The period under review was also marked by increased information services by the AJR in the field of restitution and compensation. A supplement describing in detail the provisions of the Federal Indemnification Law, 1956, was placed at the disposal of our readers last year, and various further special issues were dedicated to the description of other legislative measures. Further publications of this kind are scheduled to appear, especially when the Third Implementary Order to the Federal Indemnification Law, which is to deal with indemnification for loss of career, and the "Bundesrueckerstattungs-Gesetz" have been enacted.

### Two Further Homes

Progress has also been made in work for the aged. The new wing of the Otto Schiff House at 14 Netherhall Gardens was completed and the House now accommodates 40 residents altogether. Two sites for two further Homes (one in Hampstead Garden Suburb and the other in Kew) have been acquired, and it is hoped that the buildings to be erected will be ready towards the end of this year or the beginning of next. The house in Hampstead Garden Suburb will accommodate 47-49 residents, and the house in Kew 50-52 residents. At the same time, efforts are proceeding to find a suitable property for the establishment of flatlets. The urgency of this scheme is fully realised because, day after day, the AJR Social Services Department is called upon by persons frantically seeking accommodation. The difficulty of materialising the scheme arises from the fact that, so far, houses in suitable districts, if available, have not lent themselves to conversion, and vacant sites have been offered only in out-of-the-way places.

Apart from problems of accommodation, many other matters have to be dealt with by our Social Services Department. They refer to the various difficulties people of our background, and especially the older ones, are confronted with. Many of them still have to work and must be placed in employment. Others require care and personal attention because of their mental state of health, occasioned by the sufferings they have sustained. There are also those who need help or guidance in cases of illness or convalescence, and visits to hospitals have become an important feature of the Social Services Department's work.

The approval AJR Information has found amongst its readers has been most encouraging. However, criticism is also welcomed and any suggestions will be appreciated. Whilst it cannot be the object of the paper to convey general news which is obtainable in the national or Jewish press, AJR Information has tried to

Continued on page 2, column 1

## THE AUSTRIAN ASSISTANCE FUND FOR EMIGRANTS

The Austrian Assistance Fund for Emigrants (Hilfsfonds) which started its activities in June, 1956, has made most remarkable progress, under the excellent Chairmanship of Ministerialrat Dr. F. Sobek and the able and energetic direction of the Fund's Manager, Dr. George Weis.

Readers will recall from information published in this journal, that the Hilfsfonds makes grants in accordance with a scale of priorities:

- (1) Priority A is accorded to those who suffered damage to health as a consequence of imprisonment or maltreatment, and to the widows of persecutees who died while imprisoned or through maltreatment. Grants under Priority A are cumulative with grants under any of the subsequent priorities.
- (2) Priority B comprises those whose state of health is such that they are physically permanently incapable of earning a living and, at the same time, do not have the means to support themselves.

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reflect the trends and interests specific to our community.

These trends and interests cover a wide field and are by no means limited to the practical questions of indemnification and social work. In fact it became evident, especially in the course of the last few years, that the spiritual heritage we have is so great that a special new venture would have to be launched to cope with this essential task. The Council of Jews from Germany therefore established the Leo Baeck Institute, with headquarters in Jerusalem and offices in London and New York. The first result of the Institute's labours, "Year Book No. 1," has now become available.

Work of this kind, however, cannot be carried out in scholarly isolation. It requires permanent contact with the rank and file of the community, and especially with the great number of those who feel a personal responsibility for the legacy of German Jewry. To this end, the establishment of a sponsoring organisation to be known as the "Friends of the Leo Baeck Institute" is now under active consideration. As soon as plans have taken shape, details will be announced in AJR Information.

The increased activities of the AJR and its associated bodies have also resulted in an increase in membership, and there has been a steady influx of new members. However gratifying this may be we cannot ignore the fact that many who benefit, directly or indirectly, from the various activities of the AJR, are not yet amongst its members. It will be the task of those who are already associated with our work to help increase the ranks of the Association.

Time and again it has proved to be a decisive asset that, as an independent organisation, the AJR has been able to take up the interests of the community it represents. Its further achievements will likewise depend on the solidarity of those for whom the Association has been founded.

W.R.

- (3) Into Category C fall needy persons over 60 years of age.
- (4) The subsequent priorities (D to M) are based purely on the applicant's age.

During the first seven months of the Fund's activities, 13,449 applications were received. The Awards Commissions settled the applications of 4,122 claimants by classifying them as follows:

Group A .....	218
Group B .....	1,366
Group C .....	309
Group D .....	184
Group G .....	321
Group H .....	433
Group K .....	604
Group M .....	620
Rejected .....	173
	4,228

(The difference between the number of claimants [4,122] and the above total of 4,228 awards is accounted for by cumulation of claims under Group A with claims under other groups.)

Up to January 10, 1957, the Fund made the following payments:

To claimants in the U.S.A. ....	A.Sh. 7,681,000
" " " United Kingdom .....	4,837,000
" " " Israel .....	3,398,000
" " " other countries .....	5,099,000
	A.Sh. 21,015,000

The fact that, only a few months after the creation of the Fund, more than one-third of the applications so far received has been processed and that payments are being currently made, testifies to the drive and sense of urgency by which those responsible for the administration of the Fund are animated. For the year 1957 the Austrian Government in their budget proposals now before the Austrian Parliament allocated A.Sh. 100 million for Hilfsfonds purposes. The speed of operations justifies every hope that there will be no avoidable delay in the distribution of this amount.

In drafting the Statute it was necessary to establish firmly defined rules governing priorities of payments. It is clear that the Statute could not provide for all contingencies and that any set of firm rules inevitably leads to the creation of border-line cases. The governing body of the Hilfsfonds, the Kuratorium, endeavoured, by establishing additional rules of procedure, to fill some gaps of the Statute. Thus, for instance, while in general it is the head of the household only who is entitled to file a claim, the Kuratorium decided that women married to persons not themselves entitled to claim (e.g. if married to an Englishman or an emigrant from Germany) can lodge an application in their own right. Moreover, the Kuratorium makes very generous use of the powers given to it in the Statute to relieve hardship in individual cases. On the other hand the Kuratorium is in duty bound, *vis-à-vis* the general body of emigrants, to ensure the just application of the Statute and to prevent its abuse.

It is well known that the Fund is limited to the modest sum of A.Sh. 550 million, i.e. approximately £7,600,000. From the experience gained during the first seven months of the Fund's existence, it appears, however, that it is not generally realised that if anybody succeeds in obtaining a priority he is not entitled to, he will deprive somebody else of what is justly due to him. The total amount the Hilfsfonds is to receive is determined by law.

## ZUR WIEDERGUTMACHUNGS-GESETZGEBUNG

### Schritte des "Council of Jews from Germany"

Während der letzten Monate ist in Bonn der Entwurf einer 3. Verordnung zur Durchführung des BEG., deren Erlass durch die Bundesregierung nunmehr unmittelbar bevorsteht, beraten worden. Bereits im November wurde der Verordnungsentwurf, der die Schaedten im beruflichen Fortkommen behandelt, mit den Verfolgtenverbaenden besprochen. Der von der Bundesregierung schliesslich dem Bundesrat zur Zustimmung vorgelegte Entwurf enthielt aber einige Aenderungen, die in den Kreisen der Verfolgten starke Befuerchtungen ueber die Auswirkung in der Praxis hervorriefen. Die Conference on Jewish Material Claims against Germany hat—Anregungen des Council of Jews from Germany entsprechend—beim Bundesrat Vorstellungen erhoben, die zwar zu unserem Bedauern nicht in vollem Umfange beruecksichtigt worden sind, denen aber zu einem Teil entsprochen worden ist.

Es ist zu erwarten, dass die Bundesregierung den vom Bundesrat vorgeschlagenen Aenderungen der Verordnung zusimmen und sie demnaechst erlassen wird. Wir werden dann Naeheres berichten.

Im Wiedergutmachungsausschuss des Bundestags wird zur Zeit der Entwurf eines Bundesrueckerstattungsgesetzes (Regelung der rueckerstattungsrechtlichen Geldverbindlichkeiten des Deutschen Reiches—sogen. 3. Masse Ansprueche) beraten. Es handelt sich um Ansprueche wegen Einziehung von Bankkonten, Wertpapieren, Edelmetall, Umzugsgut usw.

Die Bundesrepublik soll nach dem Gesetzentwurf die rueckerstattungsrechtlichen Ansprueche gegen das Deutsche Reich uebernehmen, jedoch nur bis zu einem Gesamtbetrag von 1½ Milliarden DM. Bei der Bemessung der Hoehe des Schaedensersatzbetrages soll der Wiederbeschaffungswert des entzogenen Vermoegensgegenstandes in der Bundesrepublik zugrunde gelegt werden.

Es ist zu hoffen, dass eine gewisse Verbesserung des Befriedigungsplanes des Entwurfs beschlossen werden wird, sowie eine Verbesserung der Bestimmung ueber die Entschaedigung fuer Umzugsgut, das in einem ausserhalb der Bundesrepublik gelegenen europaeischen Ort vom Deutschen Reich entzogen worden ist.

Mit einer Verabschiedung des Gesetzes im April wird gerechnet. Wir werden, sobald es erlassen ist, weiteren Bericht erstatten.

### BEDIENSTETE JUEDISCHER GEMEINDEN Fristablauf 31. Maerz 1957

Es wird erneut darauf hingewiesen, dass die Anmeldefrist fuer Ansprueche auf Grund der Rechtsverordnung fuer Bedienstete juedischer Gemeinden am 31.3.1957 ablaeuft.

Die auf Grund dieser Rechtsverordnung zugebilligten Versorgungsbezeuge beginnen mit dem 1.10.1952.

Fuer die rueckliegende Zeit stehen dem Geschaedigten Ansprueche auf Grund des BEG zu. Die Frist zur Anmeldung dieser Ansprueche laeuft erst am 1.10.1957 ab.

No matter how many people may claim priority treatment by stating, for example, that they are unable to work or are in need, the Austrian Government would not be entitled to place more than A.Sh. 550 million at the disposal of the Hilfsfonds. It is therefore imperative that the claims of all those asking for classification in one of the topmost priorities should be most carefully checked.

While, as mentioned above, the Fund has started making payments to those in Categories A and B, it can arrive at a final assessment of its commitments only after expiry of the claiming period on June 10, 1957. It is important that all those who have not claimed so far should do so as soon as possible, as the dateline of June 10, 1957, must be adhered to in the interests of those who have claimed in time and would inevitably have to wait longer if the claiming period were extended.

This opportunity serves also to remind all Austrian readers that the dateline for claiming privileged treatment for emigrants in the Austrian Social Insurance Scheme expires on June 30, 1957.

The United Restitution Organisation is ready to assist Hilfsfonds claimants and claimants under the Austrian Insurance Scheme.

C.K.

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# NEUE LASTENAUSGLEICH-VERORDNUNG

## Entschädigung fuer Vermoegensverluste in den sogen. Vertreibungsgebieten

In dem von der Conference on Jewish Material Claims against Germany mit der Bundesrepublik Deutschland geschlossenen Wiedergutmachungsabkommen vom 10.9.1952 (Haager Protokoll No. 1, II, 7) hat die Bundesrepublik zugesagt, in Ausfuhrung des in § 359 Abs. 2 des Lastenausgleichsgesetzes (LAG) enthaltenen Rechtsgedankens auf eine Regelung hinzuwirken, wonach fuer Schaeden und Verluste an Vermoegensgegenstaenden der in § 12 Abs. 1 No. 1 und 2 des LAG bezeichneten Art, die ein Verfolgter in den Vertreibungsgebieten im Sinne des LAG vor dem Zeitpunkt der Vertreibungsmaßnahmen durch Entziehung im Sinne des Rueckerstattungsrechts erlitten hat, Entschädigung nach den Grundsätzen des LAG gewahrt wird, wenn anzunehmen ist, dass der Verfolgte von den Vertreibungsmaßnahmen betroffen worden waere, die sich im Zusammenhang mit den Ereignissen des zweiten Weltkrieges gegen deutsche Staatsangehoerige und deutsche Volkszugehoerige gerichtet haben.

In Durchfuhrung dieses Grundsatzes sollte fuer Verfolgte von der Voraussetzung des LAG abgesehen werden, dass der Geschaedigte am 31.12.1950 seinen staendigen Aufenthalt im Bundesgebiet oder in Berlin (West) gehabt haben muss.

Diese Regelung ist jetzt in der 11. Verordnung ueber Ausgleichsleistungen nach dem LAG vom 18.12.1956 (Bundesgesetzblatt Teil I No. 52/1956 S. 932 ff) getroffen. Im folgenden geben wir zunaechst eine kurze Uebersicht ueber ihren Inhalt.

### I.

Anspruchsberechtigt ist:

1. Ein Verfolgter, der in einem Zeitpunkt waehrend des Verfolgungszeitraums seinen Wohnsitz in einem Vertreibungsgebiet hatte und der zu dessen Beginn die deutsche Staatsangehoerigkeit oder die deutsche Volkszugehoerigkeit besass.

Vertreibungsgebiete sind sowohl die deutschen Gebiete oestlich der Oder-Neisse-Linie, wie Schlesien, Ostpreussen, Pommern, und die Gebiete ausserhalb der ehemaligen Grenzen des Deutschen Reichs, die, wie Danzig und das Sudetengebiet, dem Deutschen Reich einverleibt wurden oder von den deutschen Truppen besetzt waren.

2. Ein Verfolgter, der in einem Zeitpunkt waehrend des Verfolgungszeitraums vor dem 1. Januar 1945 den Wohnsitz im Deutschen Reich (Gebietsstand vom 31.12.1937) hatte.

In Abweichung von § 230 LAG ist die Geltendmachung von Anspruechen nicht davon abhaengig, dass der Geschaedigte am 31.12.1950 seinen staendigen Aufenthalt im Bundesgebiet oder in Berlin (West) gehabt hat.

### II.

Ein Anspruch auf Ausgleichsleistungen nach dem LAG ist gegeben, wenn einem der vorgenannten Verfolgten in dem Vertreibungsgebiet Vermoegenswerte der nachstehend angegebenen Arten entzogen worden sind. Entzogen im Sinne dieser Verordnung sind Vermoegensgegenstaende, deren Eigentum der Eigentuemer in der Zeit vom 30. Januar 1933 bis zum 8. Mai 1945 (Verfolgungszeit) aus Gruenden politischer Gegnerschaft gegen den Nationalsozialismus oder aus Gruenden der Rasse, des Glaubens oder der Weltanschauung verloren hat, wenn der Verlust beruht

1. auf einem gegen die guten Sitten verstossenden oder durch Drohung oder durch Zwang veranlassten oder mit einer widerrechtlichen Besitzentziehung verbundenen Rechtsgeschaefte oder auf einer sonstigen unerlaubten Handlung,
2. auf einem Staats- oder Verwaltungsakt oder auf dem Missbrauch staatlicher oder behoerdlicher Machtbefugnis,
3. auf Massnahmen der NSDAP, ihrer Gliederungen oder angeschlossener Verbaende.

Es wird vermutet, dass ein Vermoegensverlust in der Verfolgungszeit auf Massnahmen nach Nummern 1 bis 3 beruhte, wenn der fruhere Eigentuemer zu einem Personenkreis gehoerte, den in seiner Gesamtheit die Deutsche Regierung oder die NSDAP durch die Massnahmen vom kulturellen und wirtschaftlichen Leben auszuschliessen beabsichtigte.

In Bezug auf den Beginn der Verfolgungszeit hat die Verordnung, so weit es sich um die Vertreibungsgebiete ausserhalb des Deutschen Reichs nach dem Gebietsstand vom 31.12.1937 handelt, eine besondere Regelung vorgesehen, und zwar gilt als Beginn der Verfolgungszeit der Zeitpunkt der jeweiligen Einbeziehung in den unmittelbaren Einflussbereich der deutschen Staatsfuhrung. Im Gebiet der ehemaligen Freien Stadt Danzig gilt der 1.7.1933 als Beginn der Verfolgungszeit. Die vorgenannte Vermutung gilt fuer Danzig und soweit es sich um rassistisch Verfolgte handelt, fuer das ehemalige westoberschlesische Abstammungsgebiet nur fuer die Zeit ab 1.1.1936.

### III.

Entschädigt werden Entziehungen

1. an Wirtschaftsgueter, die zum land- und forstwirtschaftlichen Vermoegen, zum Grundvermoegen oder zum Betriebsvermoegen im Sinne des Bewertungsgesetzes gehoeren,
2. an folgenden Wirtschaftsgueter, soweit sie nicht unter Nr. 1 fallen:
  - (a) an Gegenstaenden, die fuer die Berufsausuebung oder fuer die wissenschaftliche Forschung erforderlich sind,
  - (b) an Hausrat,
  - (c) an Reichsmarkspareinlagen,
  - (d) an anderen privatrechtlichen geldwertigen Anspruechen als Reichsmarkspareinlagen,
  - (e) an Anteilen an Kapitalgesellschaften sowie an Geschaefts Guthaben bei Erwerbs- und -Wirtschaftsgenossenschaften.

In Bezug auf die Hoehe der Entschädigungsgelten im wesentlichen die Berechnungsvorschriften des LAG. Danach ist der Schaden des Verfolgten in der Hoehe festzustellen, die sich nach den Vorschriften des Feststellungsgesetzes fuer den Zeitpunkt der Entziehung ergibt. Von diesem Schadensbetrag ist ein etwa gezahlter Kaufpreis abzusetzen, der aus Anlass der Entziehung gewahrt worden und in die freie Veruegung des Verfolgten gelangt ist.

Fuer die Berechnung der zu gewahrenden Entschädigung werden die Geschaedigten in Schadensgruppen eingestuft, die so gestaffelt sind, dass kleine Schaeden voll und besonders hohe Schaeden mit 5% und weniger verguetet werden. Die so errechnete Entschädigung mindert sich um 25%, wenn der Geschaedigte am 31.12.1950 seinen staendigen Aufenthalt ausserhalb der Bundesrepublik oder von Berlin (West) gehabt hat. Sie mindert sich ferner um den Betrag, der als Entschädigung nach § 51 des Bundesentschädigungsgesetzes oder nach den entsprechenden landesrechtlichen Vorschriften gewahrt worden ist oder gewahrt wird.

### IV.

Fuer das Verfahren gelten die Vorschriften des LAG. Demgemaess erfolgt die Anmeldung der Ansprueche bei dem zustaeudigen Ausgleichsamte unter Ausfuellung der fuer Vertreibenen- und Ostschaeden vorgeschriebenen Formulare. Die Anmeldung von Anspruechen kann jedoch erst erfolgen, wenn technische Einzelheiten, insbesondere die Zustaendigkeit, geregelt sein werden.

## ANGLO-JUDAICA

### Security for Israel

A plea for British Jewry not to falter in identifying itself with the people of Israel in the present situation, was made by the Chief Rabbi. Stressing Israel's "irreproachable" demand for her security, Dr. Brodie said: "We are proud to be associated with our brothers and sisters at this time when they confront the nations of the world with dignity and self-respect, courage and faith."

An urgent call to do everything possible to secure Israel from armed attack by hostile neighbours, was unanimously addressed to H.M. Government by the Board of Deputies.

The President of the Board, Mr. B. Janner, as well as two fellow-Labour M.P.s of his, Dr. Hugh Dalton and Sir Thomas O'Brien, former Chairman of the Trades Union Congress, also two Conservative M.P.s, Sir Robert Boothby and Mr. S. McAdden, and the former Liberal leader, Mr. Clement Davies, spoke at a Zionist mass meeting held under the slogan "We Demand Security for Israel!"

Israel's cause was also championed by Colonel Robert Henriques, the well-known Jewish author and broadcaster, who has just written a book on the Sinai campaign.

### Appeal of Central British Fund

The Central British Fund, now again the overall communal agency for relief and rehabilitation of Jewish refugees in this country, has launched an appeal for £200,000, which is urgently required. Most of the 700 or so Hungarian Jewish refugees in Britain at the beginning of last month have been accommodated outside the camps, though the majority of the 800 from Egypt are still in hostels. Further arrivals are expected to bring the total soon to at least 2,000.

Shocked surprise at the fact that the free world had not openly opposed Egypt's disgraceful anti-Jewish campaign, was expressed by the President of the Anglo-Jewish Association, Mr. R. N. Carvalho.

### Still Short

The Centenary Appeal for Jews' College has so far raised (in four and a half years) £220,000 from a comparatively small number—just over 2,000 contributors all over the country. The sum is still short of the amount required for the new College building now under construction.

Concern has been caused by a deficit of about £5,000 in the administration of the Judith Lady Montefiore College in Ramsgate, a joint venture of the Jewish Agency and the British Sefardi community. The College, whose main concern is to train ministers and teachers for North Africa, now has more than 250 pupils, a considerable increase compared with previous years.

Another Jewish Book Week was held. At a symposium arranged as one of its features by the Anglo-Jewish Association, Mr. Alexander Baron, the novelist, said there was no market for Jewish literature in England, where the Jew "grew up in an atmosphere hostile to art." According to Mr. Baron, there is no positive aspect in Jewish life here to attract the writer, as there had been for Yiddish writers in Eastern Europe and was now for Hebrew writers in Israel.

### In the Trade

There is a high proportion of Jews among employers in London's furniture trade, probably 50 per cent, and the proportion of retailers and distributors may be still higher. The number of Jews employed in the industry is less than 1,000, a substantial decrease compared with the 1920s.

A steady decline has also been suffered by the Jewish Friendly Society Movement, once an influential force in the community. The Grand Lodge of the United Jewish Friendly Society now has a membership of 2,855 men and 682 women, a decrease of 118 during the first ten months of 1956. All Anglo-Jewish Friendly Societies together, with over 300 Lodges, have approximately 30,000 voluntary members.

Bradford is to have another Jewish Lord Mayor—Alderman Dr. David Black, the only Jewish member of the City Council. He is also President of the local Hebrew Congregation.

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## GERMANY AND THE MIDDLE EAST

### FIRST GERMAN CORRESPONDENT IN ISRAEL

Herr Rudolf Kuestermeier has been assigned as the first German press correspondent in Israel. He will work under the auspices of the German Press Agency (DPA), to which all West German dailies subscribe.

Kuestermeier was one of the founders of the "Peace with Israel" movement initiated by Erich Lueth, and was one of the first German journalists to visit Israel.

Before 1933, he took a leading part in the Socialist student movement and continued his Socialist activities clandestinely after 1933. He was captured by the Gestapo and sentenced to ten years' penal servitude.

### NAZIS IN EGYPT RESPONSIBLE?

The American State Department has instructed the American Embassy in Cairo to check a report, submitted by the B'nai B'rith, that former German army officers are responsible for carrying out anti-Jewish measures in Egypt. The report states that thousands of former Nazi officers are working in Egypt under Arabic names and with Egyptian passports. The report goes on to say that more than 4,000 Jews have been arrested. Five concentration camps are being built, big enough to hold the entire Jewish population of Egypt.

### STAMP CLUB'S ANNIVERSARY

Next month one of the largest philatelic societies in Great Britain will celebrate its fifth anniversary. The British Association of Palestine-Israel Philatelists saw its inception in a private house at Hendon one April day in 1952, when a group of enthusiastic collectors gathered to form the British counterpart of a society already existing in the United States. There were 65 founder members, but since then the membership has grown to nearly 500, a remarkable tribute to the widespread interest in the postal history of the Holy Land.

Meetings are held regularly at the rooms of Dr. E. Rachwalsky, 9 Upper Wimpole Street, and some fascinating talks and displays have been given. Recently Mr. Otto M. Lilien spoke about the production of Israel's early issues. The Association's most successful public event was an exhibition, held in the West End, in 1953.

In July, 1952, the *BAPIP Bulletin* was first published, and No. 19 appeared in December, 1956; the file of the magazine contains a wide variety of articles on all aspects of Palestine-Israel philately. The Association has been invited to provide material to occupy three frames at the National Stamp Exhibition at Central Hall, Westminster, between March 16 and 23.

L.N. & M.W.

### AN EVENING OF HARMONY

#### Concert of Hampstead Council of Christians and Jews

A concert of sacred and folk music, arranged under the auspices of the Hampstead Council of Christians and Jews, proved particularly successful and the Hampstead Town Hall was filled to capacity.

The choral recitals were given by the Hampstead Parish Church Choir conducted by Martindale Sidwell and by the Jewish Male Choir conducted by Martin White. The happy choice of the programme was bound to make members of the audience aware of the impact of the Old Testament on the development of the Christian religion in the field of sacred music, as a number of the motets were based on texts from Psalms or other parts of the Bible. At the same time, the large number of Christians, who attended the function, became acquainted, probably for the first time, with the various aspects of Jewish music, the programme of the Jewish Male Voice Choir including both items from the Hebrew liturgy and from Israeli and Yiddish songs.

The promoters of the concert can be congratulated on having fostered understanding between the two communities by means of this original method.

### BEN-GURION INTERVIEW WITH GERMAN JOURNALIST

The "Welt am Sonntag" published the first interview which the Israeli Premier, Ben-Gurion, granted a German journalist. The Prime Minister expressed his satisfaction about the fulfilment of the restitution agreement with the German Federal Republic. About Dr. Adenauer he said: "He is an admirable statesman. I had no opportunity of meeting him up to now, but I hope that this day will not be far off."

### GERMAN STUDENT AT HEBREW UNIVERSITY

Miss Eva Beljing has been accepted as the first German student at the Hebrew University. She is preparing a doctoral thesis on the integration of German Jews in Israel. She comes from Frankfurt where her father, a staunch anti-Nazi, took an active part after 1933 in the vocational training of Jewish youth.

### STRESEMANN FILM

Before the actual première of the new film about Stresemann, a reception was given by the Lord Mayor of Western Berlin, Dr. Suhr. Thus Berlin honoured its famous son who strove, in vain, to make Germany safe for democracy and to bring about its permanent reconciliation with France. This is the main theme of the film. The late German Foreign Minister is portrayed by Ernst Schroeder; the part of his antagonist and later his friend, the French Foreign Minister, Aristide Briand, is played by Leonhard Steckel. The director of the film is Alfred Braun and the script is based on a radio feature by Axel Eggebrecht and Ludwig Berger. Stresemann's son, Dr. Wolfgang Stresemann, Intendant of the Radio Symphony Orchestra in Berlin, conducted Beethoven's Egmont Overture before the film started. The film was received with great enthusiasm.

### LOEB LECTURE BY DR. MAYBAUM

The second semester of the Frankfurt Loeb lectures, inaugurated last year by the late Dr. Leo Baeck, commenced in January with a lecture by Dr. Ignaz Maybaum on the "Sacrifice of Isaac."

Dr. Maybaum, who celebrated his 60th birthday on March 2, is well known to our readers through his writings and lectures, which reflect his original and unbiased approach to Jewish religious problems of our times. The AJR, on the Board of which he has acted since its inception, extends its sincerest congratulations to Dr. Maybaum on this occasion.

## EX-GERMAN JEWS IN THE NEWS

### A PIONEER OF ARCHITECTURE

Mrs. Louise Mendelsohn, widow of the renowned German architect, Erich Mendelsohn, who now lives in the United States, has launched a scheme which has met with wide response. When considering where to leave her late husband's drawings, she felt the lack of some sort of "museum of architecture" where such papers would have a public place. Such a "museum" could also include a reference library for architectural information.

The scheme, towards the implementation of which the preparatory steps have been taken, is described in detail in the "New York Times" of February 27.

### COMPOSER'S ACHIEVEMENT

The symphony by the German-born composer, Jan Meyerowitz, called "Midrash Esther," received its world première when it was performed in New York by the New York Philharmonic-Symphony Orchestra on January 31. The symphony was inspired by the biblical story of Esther and the rabbinical commentary on it.

### TRIBUTE TO A CIVIL SERVANT OF ANGLO-JEWRY

#### Mr. A. G. Brotman's Service

Mr. A. G. Brotman, recently completed twenty-five years' service with the Board of Deputies of British Jews. As a part of his manifold activities, Mr. Brotman also took an active part in the work for the refugees from Nazi oppression from 1933 onwards. These long-standing connections have been strengthened by his co-operation with the United Restitution Organisation, on the Board of which he serves as Vice-Chairman.

All of us who, on one occasion or another, have had the privilege of working with Mr. Brotman or of calling on him for help, have been impressed by his personality—a blend of strong efficiency, self-effacement and kindness. The AJR sincerely expresses its thanks and good wishes to Mr. Brotman on this happy occasion.

### ANNE FRANK DIARY

#### President Attends Jerusalem Première

The Jerusalem Première of "The Diary of Anne Frank" was attended by President Ben-Zvi and by Cabinet Ministers and diplomats. Otto Frank, Anne Frank's father, cabled his appreciation of the decision to plant a wood in the Jerusalem hills, named in memory of his daughter.

#### Monument in Amsterdam

In Amsterdam, prominent intellectuals have decided to erect a monument to the memory of Anne Frank in one of the city's squares. Furthermore the street in which she lived and a girl's school will bear her name.

#### Publication of Fairy Tales

Anne Frank's eight fairy tales were published in Amsterdam in 1949 under the title "Weet je nog?" ("Do you remember?")

#### Performance in Frankfurt

"The Diary of Anne Frank" was produced in Frankfurt/Main, Anne Frank's birth-place. It was directed by Karl Guttman, one of the founders of the Tel Aviv Chamber Theatre.

#### A German Biography

In the third volume of his series of biographies "Genie and Eros" called "Eros der Gegenwart" (Neuer Pfeil-Verlag, Genf) the well-known writer, Lee van Dovski, devotes a whole chapter to Anne Frank. Van Dovski was the first biographer of Anne Frank even before the publication of her diary. The diary was published in Dutch in 1947, in German and French in 1950, and in English, Spanish, Italian, Norwegian, Swedish and Danish in 1952.

### IN MEMORIAM—KURT TUCHOLSKY

The Deutsche Theater in East Berlin is holding a series of matinées devoted to politico-satirical writers and poets. The first one was given on Heine, the second one on Kurt Tucholsky. In addition to a recital of Tucholsky's prose and verse, Ernst Busch, sang songs with text by Tucholsky and music by Hanns Eisler and Herbert Jarczyk.

#### A FRIEND OF THE BLIND

Many friends of Dr. Ludwig Cohn (formerly of Breslau) will be pleased to hear that he celebrated his 80th birthday on February 22 in Rotterdam, Holland, where he now resides.

Dr. Cohn is well known for his labours on behalf of blind people everywhere, and no task is too much for him if he can help them in their difficulties. He himself became blind at the age of seven years and, despite his great handicap, he progressed from school to university, attaining honours in philosophy and jurisprudence.

Apart from his main interest, teaching, for sixty years he attended to the welfare of the blind. In Germany he worked assiduously for the blind of the First World War and, latterly, for the blind in general, especially in Israel.

## SENATOR LIPSCHITZ ADDRESSES LONDON AUDIENCE

Over 1,200 people attended the meeting at Friends House held under the auspices of the German Embassy, at which Senator Lipschitz (Berlin) spoke on indemnification.

In his introductory speech His Excellency, the German Ambassador, welcomed the audience and also thanked the organisations which had assisted the Embassy to prepare the meeting.

Addressing the meeting, Senator Lipschitz stressed that whilst he himself was also a victim of Nazi persecution, the decisive reason for his fighting for adequate restitution and compensation was the urgent desire to re-establish the good name of Germany, which had been despoiled by a barbarous régime. He could well understand that after all that had occurred, many victims of the persecution did not wish to have any dealings whatsoever with Germany, not even with the protagonists of what might be called "the other Germany." However, everybody abroad should strengthen those sections of the German population who were trying to undo the wrongs of the past, as far as this is humanly possible.

Dealing with the practical work of the Berlin Indemnification Office, Senator Lipschitz stated that in accordance with the general principle laid down in the Indemnification Law, it had always been the attitude of the Office to interpret the law in favour of the victim, in cases of doubt. The need for adequate indemnification was recognised by all political parties in Berlin. The Office at present dealt with the cases of 120,000 applicants, of whom 45 per cent lived in Germany and 55 per cent lived abroad. There were regular meetings between the leading officials of the Indemnification Office and the representatives of the persecuted organisations. This exchange of views had proved most beneficial because questions often arose, in the light of practical experience, for which a solution could be found by discussion.

It was the aim of the Berlin Office to settle all the claims before the time limit of 1962 laid down in the Indemnification Law. The staff of the Office comprised altogether 800 members. As to the order in which the applications should be dealt with, the regulations laid down in the Indemnification Law 1953, had been abolished by the new Law of 1956, and a large degree of discretion was given to the Indemnification Offices. On the other

hand, it was indispensable for each Office to lay down certain basic rules. This was not easy in view of conflicting interests. Though there were certainly arguments in favour of dealing with younger applicants first, thus enabling them to make use of the payments whilst they were still actively occupied in businesses or professions, it was felt that priority should be given to old people who otherwise would not live to receive compensation for the sufferings they had experienced. Whilst this general principle had led to a rough working schedule, further divisions had proved necessary; thus claims submitted by the applicant in his own right were given preference to those submitted by heirs. Furthermore, the date on which the application had been submitted had also to be taken into account.

To indicate the difficulties involved in the latter principle, Senator Lipschitz gave one striking example. There were certain types of claims not covered by the former Law of 1953 but only by the new Law of 1956. Nevertheless, some applicants had already submitted such claims after the enactment of the 1953 Law. Others had waited until the legality of the claim had been established by the provisions of the new Law. If such claims were dealt with in the order in which they had been received, those who had been disciplined enough not to submit their claims whilst there were no legal grounds, would be punished. It was also a new principle of the Berlin Indemnification Office, even in cases of urgency, to refrain as a rule from making advance payments and rather to settle them by final decisions.

In his concluding remarks Senator Lipschitz stressed that material indemnification, important though it was, was not sufficient. It was even more essential to try and repair the damage done by the Nazi régime in the political field. "We have to face the fact," he said, "that the present younger generation does not know anything about the contribution of German Jews to the cultural upbuilding of pre-Hitler Germany. Names like those of Heine or Paul Ehrlich, to quote only two examples, are hardly, if at all, known to them." A large-scale educational programme was necessary to make the youth aware of the barbarous actions of the Nazi régime and to give them a clear picture of German history up to 1933. Among the examples of methods by which the Berlin authorities were trying to work towards this goal, Senator Lipschitz mentioned the performance of "The Diary of Anne Frank" to groups of students.

There was a particularly close contact between the speaker and the audience, which was glad to obtain this first-hand information on the indemnification problems from a leading Berlin politician. It was only to be expected that the remarks on the relationship between Germany and the emigrated victims of Nazi persecution could not be uncontroversial. But in this respect, too, it seemed that the majority were convinced by the arguments. This may have been due to a number of reasons: firstly, the personality of the speaker established a close rapport with the audience. Furthermore, the listeners could not but be impressed by the Senator's obvious sincerity and by his understanding of the feelings of many of them towards Germany. Above all, the audience was sensitive to Senator Lipschitz's urgent desire to help build up a democratic Germany and his passionate love for the City of Berlin which he represented on the occasion.

### SOLIDARITY WITH ISRAEL

At its meeting on February 10, the Board of Deputies of British Jews appealed to the conscience of humanity "to desist, at the eleventh hour, from a grave act of injustice against one of the smallest, the most ancient of nations." The Board deplored the recommendation of the Assembly of the United Nations which weighted the scales against Israel.

The Chairman of the Board's Erets Israel Committee said that it was not Israel which was on trial but the United Nations, as it was now constituted.

The resolution was cabled to Mr. Hammar-skjoeld, Mr. Ben-Gurion, Mr. Abba Eban, and the British U.N. delegate, Sir Pierson Dixon.

## NEWS IN BRIEF

### BERLIN ENTSCHAEDIGUNGSAMT

All internal and external consultants (Gutachter) of the Berlin Entschädigungsamt will have to undergo an examination of their political past. Medical consultants also must have a clean political sheet.

### SETTLEMENT WITH IG-FARBEN

The negotiations between the Conference on Jewish Material Claims and the IG-Farben Combine have resulted in an agreement according to which the IG-Farben has set aside DM 27 million for payments to Jewish victims of Nazi persecution who were forced labourers at the IG-Farben plants in the vicinity of the Auschwitz concentration camp. The sum will be made available to a legal Trust in Germany, which will administer payments to Jewish claimants. The Agreement is still subject to ratification by the stockholders of the IG-Farben Combine in liquidation. The negotiations had been initiated by a test case in the German Courts filed by Norbert Wollheim of New York—a former forced labourer at the IG-Farben plant.

It is understood that announcements will be issued in due course, giving information on the procedure to be followed in the filing of claims with the Trust to be established. If the number of claimants is not more than is anticipated, it is envisaged that DM 5,000 per person can be paid to Jewish labourers of six months duration or longer; lesser sums will be payable for shorter periods, with a minimum of DM 2,000 per person.

### DEFAMATION OF ANTI-NAZIS PUNISHABLE?

The C.D.U. Parliamentary Party moved in the Bundestag that a paragraph should be added to the Penal Code, making a punishable offence the defamation of resistance-fighters or groups of people having the same origin and belonging to the same faith. A sentence of at least three months or one month respectively, is proposed.

### PENSIONS FOR FORMER NAZI INTERNEES

The Bundessozialgericht has decided that people who were interned after the war because of their Nazi activities, are not excluded as such from the benefits of the Bundesversorgungsgesetz. But they must not have been "Hauptschuldige" or "Belastete."

### TRIALS OF NAZIS

#### Sachsenhausen Guards

The trial of Gustav Sorge and Wilhelm Schubert who, under the names of "Eiserner Gustav" and "Pistolenschubert," were notorious for their brutality, will probably take place in Bonn. Seven hundred Germans and foreigners have agreed to be witnesses. The defendants were repatriated from the Soviet Union without being pardoned. But the Soviet Government, it is reported, has not kept its promise to send the Federal Government the relevant incriminating documents.

The Court in Traunstein has opened the investigation against the former S.S.-Oberscharführer, Martin Knittler, who was a Blockführer in Sachsenhausen. He is charged with murder. Former inmates are asked to come forward as witnesses.

#### Gauleiter Koch

The trial against the former Gauleiter of Eastern Prussia, Erich Koch, who is in a Polish prison, has been indefinitely postponed as he is said to be seriously ill. One of the charges against Koch concerns the murder of 200,000 Jews in Poland and the shooting of hostages.

#### Hitler's Photographer

The West Berlin Spruchkammer has suspended its Sühneverfahren against Heinrich Hoffmann, Hitler's photographer. In 1956 the Hauptspruchkammer in Munich ruled that, apart from other measures, his fortune was to be confiscated up to the sum of 350,000 DM, for restitution purposes.

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## AGAIN—JEWISH REFUGEES

### Geneva Executive Session of High Commissioner for Refugees

Only a few months ago there were some Jewish circles which were under the impression that Jews need no longer take much interest in the refugee work of the United Nations, because refugees had ceased to be a Jewish problem. True, there were but few Jews among the refugees under the mandate of the High Commissioner for Refugees. However, the view that Jews should no longer take an interest in solving the remaining problems was wrong, morally and politically. Jews, with their experience of themselves being refugees and their experience in helping refugees, are morally bound to give what help they can to non-Jews in this unfortunate position. And who could know when the day would come when there would again be Jewish refugees?

That day arrived sooner than many expected. Today there are again Jewish refugees—some 16,000 among the refugees from Hungary and already 11,000 Jewish refugees from Egypt. Certainly, the Jews form only a percentage of the total of about 200,000 refugees from Hungary and there are also a considerable number of non-Jews among the refugees from Egypt. However that may be, Jewish refugees are, alas, again in the news.

When the Executive Committee of the High Commissioner for Refugees met at Geneva at the end of January for its Fourth Session, many Jewish organizations were represented by observers. It was the first session at which Dr. August Lindt, the Swiss diplomat who only a few months ago had been elected High Commissioner as successor to the late Dr. van Heuven Goedhart, was present. Would he follow in the footsteps of his illustrious predecessor and prove a leader and a fighter for the cause of the refugees? Would he show the same courage? He showed his mettle in his first speech when he spoke of the grave new problems—the mass flight of Hungarians to Austria and Yugoslavia and the problem of the refugees from Egypt.

#### Persecutees From Egypt

With regard to the latter the United Nations had hitherto kept ominously quiet. Whatever he may or may not have done behind the scenes, Mr. Hammarskjöld had never mentioned that there were refugees from Egypt. Did he fear to offend Colonel Nasser if he implied that there was persecution in Egypt? Dr. Lindt had no such scruples. He bluntly stated that, in his view, all those refugees from Egypt who had no Government to protect them came under his mandate, and he would give them diplomatic and legal protection and any emergency aid required. By stating that they came under his mandate, Dr. Lindt also implicitly said that they had "well-founded fears of persecution on the grounds of race, religion, nationality or political opinion." For only refugees who have such "well-founded fears" come under his mandate. The delegates of France, the Holy See and the Netherlands, at once asked for this matter to be placed on the agenda, and this was done without opposition (neither the Arabs nor the Communist States are members of this Committee).

The High Commissioner, a few days later, submitted an interesting paper in which he gave some figures at his disposal. At that time over 5,000 refugees from Egypt had arrived in Europe and over 2,000 in Israel. Of the 5,000 in Europe, 2,370 came under his mandate. The remainder were citizens of European countries and, as citizens enjoying the protection of their Governments, they did not come under his mandate. Those who had emigrated to Israel were also not under his mandate, as they at once became Israeli citizens. He further expected that within the next six months 13,800 more refugees would leave Egypt, and as 7,000 of these are likely to go to Israel, altogether about 5,000 would remain under his mandate. These figures appear to have been underestimated, as already 11,000 Jews have fled from Egypt, apart from a few thousand non-Jewish refugees (mostly British and French citizens). But whether the figures are absolutely correct is of less

concern than the principle that the High Commissioner and his Executive Committee have recognized that these people are victims of persecution.

There was, of course, never any doubt about the Hungarian refugees. Numerically they contribute a much graver problem. Although the number of Jewish refugees from Hungary may ultimately be smaller than the number of Jews from Egypt, they constitute a greater problem for Jewish welfare bodies too, because most Egyptian Jews are willing to go to Israel and cease to be refugees while only a comparatively small percentage of the Hungarian Jews want to go to Israel. For the world, too, the Hungarian problem causes more concern. Austria and Yugoslavia have urgently appealed to the Committee to ease the burden they are carrying. In Austria nearly 70,000 Hungarian refugees are still in camps; in Yugoslavia about 20,000. Austria, in addition, still carries the burden of the post-war refugees. A new appeal went out from the Executive Committee to all countries to help Austria and Yugoslavia by accepting more refugees and by providing more funds. The British delegate was able to announce Great Britain's generous response to the appeal of the United Nations Association. But all that is not enough and, moreover, there are still the "old" refugees, *i.e.*, those who were still unsettled when the Hungarian and Egyptian crisis broke. Schemes for permanent solutions for them are going forward, but much too slowly. Will the world—after so many fine words—at last rise to its responsibilities? This question was posed at the session in Geneva but not answered.

#### GOETTINGEN SHUNS EINSTEIN AND MANN

In Goettingen the Socialist members of the Town Council moved that two public squares should bear the names of Albert Einstein and Thomas Mann respectively. Town Councillor Adolf von Thadden, the former Deutsche Reichspartei member of the Bundestag, objected and said that the two men had not deserved this honour. Einstein, he said, had furthered the atom bomb and Mann had, after the bombardment of Luebeck, declared that it served the inhabitants right if they had to live in huts. The Town Council decided to pass on the motion to the committees concerned.

## HONOURS TO FORMER GERMAN-JEWS

### GERMAN AWARDS

#### Dr. A. Leschnitzer

The German Order of Merit was awarded to Professor Dr. Adolf Leschnitzer. In his student days, Professor Leschnitzer was a member of the Zionist Fraternity "KJV." After working as a schoolmaster until 1933, he was appointed as head of the School Department of the Reichsvertretung; in this capacity he took a leading part in building up more than sixty Jewish schools caring for the education of German-Jewish youth.

After the war, Professor Leschnitzer was appointed Guest Professor for the history of German Jewry at the Berlin Free University. He spends several months of each year in Berlin, and his lectures have proved most beneficial in promoting understanding of the problems of Jewry and Judaism amongst the post-war German academic youth.

At the ceremony in New York, tribute was paid to Professor Leschnitzer by the German Consul, Dr. Adolph Reifferscheidt, by Professor Sol Liptzin, head of the Germanic and Slavic Department of the New York City College, and by Rabbi Dr. Joachim Prinz.

#### Professor Kurt Marcuse

Professor Kurt Marcuse, Director of the Higher Medical Testing Bureau in Berlin, has been awarded the Cross of Merit, First Class.

### 80th BIRTHDAY OF PROFESSOR A. NUSSBAUM

On January 31, 1957, Professor Arthur Nussbaum celebrated his 80th birthday and, though belatedly, we desire to express our good wishes and pay tribute to a German-Jewish scholar of great distinction.

For a generation Professor Nussbaum taught law at the University of Berlin. At the same time he was the most prolific of legal writers. Several standard works on a variety of subjects and numerous learned contributions to law reviews stand to his credit. In 1933 the Columbia University in New York readily offered him hospitality and enabled him to continue his research and, to some extent, his teaching activities. Three important books secured wide recognition for him from the Anglo-American legal world. One of these books was on a subject which had not previously attracted his attention; another was recently translated into the German language.

#### Fighter for Law and Justice

This, however, is not the place to write an appreciation of Professor Nussbaum's academic achievements. Rather is it our privilege to speak of him as a personality. He did not devote his life solely to the analysis, clarification, and presentation of the law, but always was and still is an indomitable fighter for law and justice. It is this aspect which, at the suggestion of his teacher, Franz von Liszt, caused him in his early life to engage in the unmasking and disproving of the myth of ritual murder. It was this feature which led him to membership of the Board of the Central-Verein and, in another sphere, induced him to take up the cause of arbitration, company law reform or legal realism. In his ripe old age his love of justice allowed and, indeed, compelled him to put in its rightful place a subject such as the Catholic influence upon the history of the law of nations. An independent, original, and stimulating mind but, above all, an unblemished heart, filled with a deep sense of moral responsibility, characterise Professor Nussbaum, not only as a lawyer but also as a man of real eminence.

We hope that for many years to come he will have the will and the strength to instruct and to interest the large number of lawyers who, though they may not always know it, are his pupils.

F. A. MANN.

#### Dr. Reinhold Ruedenberg

Dr. Reinhold Ruedenberg, Professor Emeritus, has been appointed Honorary Senator of the Berlin University of Technology. He thus becomes an honorary member of the governing body of that University.

Dr. Ruedenberg is the inventor of the electron microscope. Prior to his emigration, he was a lecturer at the Berlin Institute of Technology and chief engineer of the Siemens-Schuckertwerke in Berlin.

#### Professor Max Born

Professor Max Born, the famous atom-scientist who is acting professor of physics at Goettingen University, celebrated the Golden Jubilee of his doctorate.

#### TRIBUTE TO DR. L. GUTTMANN

At question time in the House of Commons, Mr. George Isaacs, M.P., referred to the Fearnley Cup for 1956, awarded to the Stoke Mandeville Hospital by the International Olympic Committee in recognition of the Hospital's work in promoting amateur sports among the seriously disabled. He described the award as a tribute to the British authorities concerned and to Stoke Mandeville and Dr. Ludwig Guttman, who had made it possible.

In his reply, the Minister of Health expressly associated himself with the tribute his predecessor had conveyed to Dr. Guttman.

H. W. Freyhan

## ARTURO TOSCANINI

In 1943, after a concert which he had given in aid of the U.S.A. Foundation for Infantile Paralysis, Toscanini received the following letter from President Roosevelt:

"The magnificent contributions you have made to the world of music have always been highlighted by your humanitarian and unyielding devotion to the cause of liberty. Like all true artists you have recognised throughout your life that art can flourish only where men are free. Once again your baton has spoken with unmatched eloquence on behalf of the afflicted and the oppressed."

In his reply, Toscanini said: "As for myself, I assure you, my dear Mr. President, that I shall continue unabated on the same path that I have trod all my life for the cause of liberty—liberty that, in my opinion, is the only orthodoxy within the limits of which art may express itself and flourish freely—liberty that is the best of all things in man, if it is to be all one with wisdom and virtue."

This is something more than a conventional utterance. The year was 1943 and Toscanini must have felt the significance of being thus addressed by the foremost leader of the free world. He

## PICTURES FOR THE COLLECTOR

## Alfred Brod Gallery

Sometimes I wonder why everybody living in this hurried, harassed, frightful "age of plenty," does not flock to exhibitions of Dutch paintings. At the exhibition in the Alfred Brod Gallery at 36 Sackville Street, we enter a world of tranquillity and pleasure, meditation and even profundity. An example of this is the two landscapes by Aert van der Neer, which form part of the 30 pictures now on view. I know they are not directly observed from nature and they have not the beguiling freshness of the Impressionists; yet a great quietness emanates from them. Then there are, of course, the still-life paintings. One I particularly liked is not Dutch at all, but is by the eighteenth-century French painter, Mlle Anne Vallayer-Coster, who has had the distinction of being mistaken for the great Chardin, to whom, as Diderot said, "she fell a victim."

If you are a collector or a would-be collector, you might be interested in the prices. They vary from about £160 to £5,000. But the pleasure of looking at the pictures is free of cost.

A. ROSENBERG.

## JULIUS ROSENBAUM EXHIBITION

A memorial exhibition of the works of the late painter, Julius Rosenbaum, will be held from March 18th until April 11th, at the Ben Uri Art Gallery, 14 Portman Street, London, W.1.

## ZION HOUSE LECTURES

A series of six lectures on "Aspects of Jewish Migration" will be held at Zion House, 57 Eton Avenue, N.W.3, from March to May, under the auspices of the Theodor Herzl Society, in conjunction with the University of London (Extra Mural Department). The lecturers will be Mr. Israel Finestein, Rabbi Dr. Alexander Altmann, Dr. Julius Isaac and Dr. Walter Schindler. The first lecture ("The Medieval Routes" by Mr. Israel Finestein) will be held on Thursday, March 28, at 8 p.m. Further information may be obtained from the Secretary, Theodor Herzl Society, Zion House.

## BERTHOLD GOLDSCHMIDT ON B.B.C.

A 'cello concerto, composed and conducted by Berthold Goldschmidt, was twice performed on the B.B.C. Third Programme last month by the Royal Philharmonic Orchestra. On March 8 and 9, at 6.45 p.m. and 9.15 p.m. respectively, performances of the composer's clarinet concerto will be given by the B.B.C. Symphony Orchestra.

## RECITAL BY ILSE WOLFF

A chamber concert was held at the Wigmore Hall, in aid of the children's village, Beer Yaacov. Ilse Wolf, soprano, sang songs by Schumann and Schubert with an ease, a purity of tone and subtlety of interpretation which places her among the leading exponents of the Lieder-tradition.

rose to the occasion with this statement of his beliefs which, one cannot help thinking, might have come from Beethoven or Verdi. . . .

Liberty, wisdom and virtue—here speaks the heir of the tradition of Italy, even of ancient Rome. His father had fought in Garibaldi's ranks; the parental home had little to offer, but it did endow him with a fierce patriotism and a proud sense of freedom. At one time, shortly after the First World War, Toscanini lent his support to a young left-wing journalist, Benito Mussolini. But just as Beethoven's early admiration for Napoleon turned to contempt when his hero became Emperor—and dictator—so Toscanini adopted an uncompromisingly hostile attitude towards the Duce of Fascism, maintaining the true tradition of Italian patriotism and Mussolini had betrayed. It is well known how his adamant refusal to conduct the Party hymn eventually led to his ill-treatment at the hands of Fascist toughs and to his emigration to the U.S.A. Till the outbreak of war, however, he spent his holidays in his native country, unafraid even of talking with resistance leaders. It is reported that Hitler criticised his fellow-dictator's leniency in dealing with the obstinate musician.

Toscanini's patriotism remained unshaken; while he rejoiced in Mussolini's downfall and the ultimate defeat of the Axis powers, he nevertheless felt so bitter about the cession of Italian territory to France in 1945 that, for a time, he refused to conduct in either France or England.

## Stand Against Nazism

It is obvious that he could not but hate Nazism as much as he hated Fascism. He had conducted in Germany in the years before 1933; first in 1929, when he took all the forces of La Scala to German opera houses, then in 1930 on a tour with the New York Philharmonic Orchestra. The climax came with the invitation to conduct at the Bayreuth Festival in 1930 and 1931. He, who had introduced "Götterdämmerung" in Italy as early as 1895, felt so honoured by this call that he refused to accept any fees. He was due to return to Bayreuth in summer, 1933, and Hitler, in a personal letter, urged him to do so, hinting that this might make things easier for him in Italy. Toscanini's answer consisted in his signature to a telegram of protest against racial persecution which famous musicians sent to Hitler (he even asked that he be allowed to head that list) and he enlarged upon the subject in his personal reply to Hitler's letter. Later, he cold-shouldered artists like Furtwängler who continued to work in Nazi Germany. He refused to make any allowances whatsoever—the issue was clear to him. The temporary triumph of Nazism in 1940 depressed him so much that he was unable to eat for two days. On the occasion of another Allied setback, he even made the bitter remark of how futile it seemed to wave one's arms while civilisation was going down the drain.

But Toscanini also found a positive way of showing where his sympathies lay. In 1936 he went to Palestine to conduct the inauguration concert of the all-Jewish orchestra founded by Huberman and consisting largely of refugee musicians and, in 1938, he went again. He declined all fees, and he was deeply touched by the tremendous response of his audiences and by what he saw of Jewish life and Jewish effort. It makes strange reading today that he actually took this orchestra to Cairo! Significantly, he insisted on playing Wagner to his Jewish public; he would not make concessions where great music was concerned.

We cannot attempt here to sum up Toscanini's unique musical genius. But we may recall what he said about the master whom he had met in person, whom he worshipped and whose music he interpreted as nobody else could: "Verdi was great. He was also a good man. His music is like his character, strong and honest." This is true of Toscanini himself. He was often extremely difficult and irritable—not unlike Beethoven—but he upheld the highest standard both as regards his art and the great issues of mankind. To the man who remained true to his beliefs, who stood fast where others faltered, who set an example for all times—to him we are no less indebted than to the supreme artist.

## Old Acquaintances

**Ten Years of German Films:**—Among those who ten years ago, immediately after the end of the war, started rebuilding the German film industry, are two outstanding personalities: Walter Koppel and Arthur Brauner, a German and a Polish Jew respectively. Walter Koppel was responsible for the refilming of Carl Zuckmayer's "Hauptmann von Koepenick" directed by Germany's gifted Helmut Kaetner, and Arthur Brauner has such productions as Gerhart Hauptmann's "Ratten" and "Vor Sonnenuntergang" to his credit, films not only box-office successes but lauded by the critics too. As the former Ufa studios in Neubabelsberg are in the Eastern sector of the town, Brauner had to create facilities out of nothing in Spandau, and Koppel had to do the same in Bendsdorf because Hamburg had no studios at all. Brauner especially provided opportunities to many who returned from exile: Robert Siodmak, Gottfried Reinhardt, Max Nosseck, P. H. Rameau and Jochen Huth, to name only a few. The two producers have helped to put German films on the map again and can rightly now celebrate the tenth anniversary of the new German film industry.

**Obituaries:**—Claire Waldoff died at the age of 72 years in Reichenhall, near her home at Bayrisch-Gmain, after a stroke. The great old lady of the German cabaret, discovered by Paul Schneider-Duncker once in "Roland von Berlin," lived half-forgotten in retirement for the last few years, with her life-long friend Olly von Roedern. Her name meant very little to the new generation. Like so many artistes who represented everything Berlin stood for, Claire Waldoff was not born in the former capital. She was equally at home on the stage, in variety or in cabaret, and appeared all over Germany and even in London before the First World War. She disliked the Nazis as much as they disliked her because they thought her famous song, "Herrmann heest er," was directed against Goering. Claire was a character out of a Zille drawing and had many personal friends among writers and artists. Only a few records remain of her inimitable voice.—Ludwig Trautmann, the German cinema darling of yesterday, died in Berlin aged 71.—Erich Ponto, the actor who was the first Mr. Peachum in Brecht-Weill's "Dreigroschenoper," died in Stuttgart at the age of 72.—Margarete Hauptmann, widow of Gerhart Hauptmann, died in Ebenhausen at 81 years of age.—Viggo Larsen, Danish-born star and partner of Wanda Treumann in the early days of the cinema, died in Copenhagen at the age of 76.

**The Blonde from the Jungle:** When London's *Sunday Dispatch* lately ran the series "Liane, the Blonde from the Jungle" with such success, nobody could suspect that a refugee couple were the authors of that adventure story. Germany's largest daily, *Bildzeitung*, published it first and has already ordered three more "Liane" novels. The film based on that book is the biggest box-office draw and, so popular is the fictional heroine, that "Liane" puppets and "Liane" suits can nowadays be bought in Germany. "Liane" in story form is sold in many countries, and is a best-seller everywhere.

The pen-name, Anne Day, conceals the identity of Anne and Fred Lothringer, who met and married in Nice and now live near Locarno. He is the son of the co-founder of Berlin's "12 Uhr-Blatt," and she hails from Vienna. Anna Helveg, as she was then, belonged to the set which frequented Rolli Gero's "Sonja's Plueschsofa" where Sonja Wronkow, the singer, entertained. In those days she wanted to become a dancer. When she was an exile in Paris she wrote her first story and sold it to a producer, who turned it into a film starring Erich von Stroheim. Since then, she and her husband have collaborated on twenty-five novels, knowing full well that they are doing little for literature as such, but are only entertaining their readers with wonderful and clean escapism. A little bewildered at their success, the writing couple enjoy their work and have remained unassuming and modest.

PEM

## Letters to the Editor

## "BASIC MORAL VALUES"

Sir,—On receiving the February issue of the paper, I may say I was shocked. The leading article "Basic Moral Values" was out of time and place. Not only is the matter of the 47 Arabs killed sub judice and it might be more reasonable to wait till the circumstances are investigated by the Court, but more important, the Editor of such a paper should not publish articles of this nature at a time when Israel is fighting for her life, and the world, especially the great powers, is on the side of her enemies. Egypt and Nasser have another weapon against the little Israel which is fighting for its existence, threatened by all. It might be wise to have second thoughts as to whether such arguments do not put weapons in the hands of Israel's enemies.

Nobody condones evil deeds but one may expect an Editor to know the consequences of a leader appearing in his paper. I do not deny the

## DR. I. N. STEINBERG

Sir,—In your obituary on Dr. Isaac Steinberg published in your February issue you state that, for a short time, Dr. Steinberg was a member of the Bolshevik Government after the Russian Revolution.

As an old friend of Dr. Steinberg's, I should like to correct this statement. He never was a member of the Bolshevik Government and never a member of the Bolshevik Party. He was one of the leading figures of the Left Social-Revolutionaries (SR). The error in this report, which you have obviously taken over from the daily press, arises from the fact that after forty years most people have forgotten the origins of the U.S.S.R.

The October Revolution led to a coalition government, established on November 15, 1917, headed by Lenin, consisting of Bolshevik and Left SR Commissars. Steinberg was one of the three Left SR members, taking over the Commissariat for Justice. But after the Constituent Assembly, in which the Bolsheviks had only a minority of the seats, had been forcibly dissolved by the Executive Committee of the All-Russian Soviet in January, 1918, after a provoking speech by Lenin, the SR Commissars resigned from the Government. Subsequently the SR were expelled and outlawed—the second phase of the civil war had begun.

I met Steinberg in Berlin in the early twenties. He had always been a strong opponent of the Bolshevik praxis of a dictatorship upon the proletariat and, in those days, believed in the traditional slogan of the dictatorship of the proletariat based on the majority vote—for him identical with "proletarian democracy."

Yours, etc.,

BERNHARD REICHENBACH.

London, N.W.3.

right of the writer of the article to feel indignation at the sad event, but he certainly does not take into account the dangers of the young State surrounded by revengeful Arabs, sending murderers into a country of peace-loving farmers and workers in order to kill children, bus passengers and other law-abiding citizens. The event occurred when a war was imminent and a curfew order was issued which had to be implemented. Mistakes may occur and Ben-Gurion has said and done what should be said and done.

It is certainly easy to live in secure Britain and to give vent to moral indignation, but this should not have been done publicly and in a Jewish paper read by people who wholeheartedly sympathise with Israel in her fight to survive the crisis of today.

Yours, etc.,

(Dr.) LEO LOEWENSOHN.

11 Woodlands Drive,  
Glasgow, C.A.

Sir,—I should like to commend you most warmly on the brave stand in your February editorial "Basic Moral Values—A Test for Judaism." Knowing your paper's sympathies with Israel, it is most encouraging to find that supporters of the country, themselves loyal Jews, yet have the courage to criticise the chauvinistic tendencies which sometimes evince themselves and which can be so dangerous to progress.

Yours, etc.,

(Miss) A. RABIN.

12 Belsize Park, N.W.3.

## BOOKS ON RUSSIAN JEWRY

Sir,—The Berl Katznelson Institute—the higher educational centre of the Israel Labour Party (Mapai)—has recently started to add to its library an extensive section on Russia (mainly post-revolutionary) and Soviet Jewry. This extension will facilitate studies and research at the Institute and will also be accessible to all students and others in Israel interested in these subjects.

During my short stay in this country as a student, I have volunteered to help realise this project. I am appealing to all who are willing to help by donating books, pamphlets, periodicals and newspapers in any language which have a bearing on these subjects (or by other means) to do so.

We devote special interest to assembling Yiddish publications from Soviet Russia of which we already have a unique collection, and would deeply appreciate it if those who have such items would consider adding them to it.

Further information concerning the Institute and the new extension would be gladly supplied. Please send your books to me at 7 Lyndhurst Gardens, London, N.W.3, or to St. Antony's College, Oxford.

Yours, etc.,

YAAKOV SHARETT.

(The signatory is the son of Mr. Moshe Sharett.—Ed.)

## A PLEA FOR TOLERANCE

## Annual General Meeting of the Council of Christians and Jews

The impact made by the late Dr. Leo Baeck on Jewry, and his services in the fostering of understanding between the adherents of Judaism and Christianity, was repeatedly recalled at the General Meeting of the Council of Christians and Jews, held under the Chairmanship of the Archbishop of Canterbury on February 12, at Church House.

In presenting the report, the Chairman of the Executive, Canon C. E. Raven, stated that the past year had been marked by the Anglo-Jewish tercentenary, and that one of its outstanding functions had been a garden party under the Council's auspices at Lambeth Palace. It was the basic task of the Council to draw together groups with different creeds and beliefs. This object was not necessarily to be restricted to co-operation between the various denominations; nations and members of different ethnic groups had to be drawn together in a similar way.

The main speakers at the function were Lord Gorell and Professor Norman Bentwich, both of whom addressed the meeting on "The Refugee—the Symbol of Our Time."

Lord Gorell, who was the legal guardian of the children who came to this country as refugees from Nazi oppression under the auspices of the Movement for the Care of Children, stated that the refugee problem had been a symbol of our time, from the Balkan wars to the present. It had always been the outcome of tyranny and intolerance, and was to be regarded as the most dreadful condemnation of the period we live in.

Professor Bentwich called the refugee problem a symptom of the great world revolution through which we have gone during the past decades. It was particularly tragic that, in spite of the experience of the World War, nationalism had grown strongly during the post-war period. He also referred to the refugees in the Gaza Strip, for whom social workers and educationists were required. Whilst for obvious reasons this work could not be carried out by Jews, Professor Bentwich pointed out that it might be worth while to consider whether it should be the task of the Council to arrange for Christians to be sent there. In concluding, Professor Bentwich also referred to the contributions which refugees had made to their countries of adoption.

The vote of thanks was moved by the Chief Rabbi and seconded by the Moderator of the Free Church Federal Council.

The audience included distinguished Christian and Jewish clergymen and public workers.

## AWARD FOR JEWISH FAMILY NOVEL

The Albert Schweitzer-Buchpreis, founded by the Kindler-Verlag, was awarded to the French novelist, Roger Ikor, for his novel "Les fils d'Avrom," which in 1955 was chosen for the Prix Goncourt. The book describes the life of a Jewish family from their emigration from Russia to France at the beginning of the century to their persecution under the Third Reich.

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## THANKS AND GOOD WISHES

Should one publicly mention a person whose entire life has been devoted to helping needy people in the most unobtrusive way? This is the question which arises on the occasion of an event referring to one of the most devoted servants of our community.

It would, however, be a grave omission on our part if we did not use the occasion of her 60th birthday on March 19th to express our appreciation for her past work and our good wishes to Dr. Adelheid Levy. She has been associated with the work of the AJR since its inception in 1941. In those days when, labouring under seemingly insurmountable organisational and financial difficulties, we started building up the Association at 279a Finchley Road, Dr. Levy was in charge of the welfare work. At that time, questions regarding our legal and political status were a more important aspect of our work than individual welfare, for which other organisations were then in existence. Nevertheless, it was felt by the founders of the AJR that a representative body of the community would not live up to its vocation if it did not also provide social services of various kinds. In the course of time the stress on the various aspects of our work has changed, and the Social Services Department has become one of the most important sections of the AJR.

It is Dr. Levy's unstinting work which has created the nucleus of that Department, and

## PERSONALIA

Mr. Kurt M. Hirschland, formerly a partner of the well-known banking firm, Simon Hirschland (Essen), died in New York at the age of 74 years. Mr. Hirschland was, for some time, Chairman of the Jewish community in Essen and he also took an active part in the municipal life of that city. At the same time, he was the patron of many artistic and scientific ventures.

Dr. Otto Neuburger died in Washington at the age of 66 years. He emigrated from Munich, where he was Chairman of the Central Labour Office. He was the author of several standard works on unemployment, insurance and other labour problems. After 1933, he was one of the editors of the "Philo-Lexikon." In Washington, he was on the staff of the Library of Congress.

because from the very beginning she had the experience necessary to meet the specific needs of people in our midst, she has gained their confidence, and the number of those who are grateful for the help she has rendered to them grows daily.

Her desire to assist her fellow-men springs from her deep religious feelings. She has retained her youthful vigour and outlook towards life, and her warm-hearted devotion know no limits.

Dr. Levy's colleagues and the honorary officers of AJR, look forward to many years of continued co-operation with Dr. Levy, and convey their best wishes to her on the occasion of her birthday.

## GOLDEN BOOK CERTIFICATE FOR DR. BIENENFELD

A reception was held on Wednesday, February 6, under the auspices of the Jacob Ehrlich Society, to mark the presentation of a Golden Book Certificate to Dr. F. R. Bienenfeld on the occasion of his 70th birthday.

The Certificate was presented to Dr. Bienenfeld by Mr. J. Fraenkel, Honorary Secretary of the Jacob Ehrlich Society, who expressed appreciation for the services Dr. Bienenfeld had rendered, not only to the Austrian Jewish community and to the World Jewish Congress, but also to mankind in general, in his fearless fight for human rights.

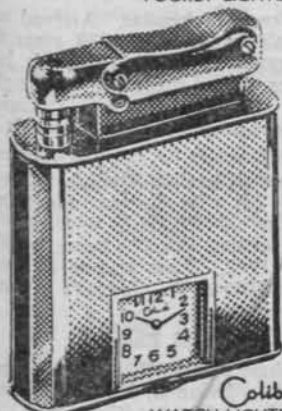
Representatives of the organisations with which Dr. Bienenfeld co-operated associated themselves with this tribute and expressed their respect and affection for him. The good wishes of the AJR, on the Executive of which Dr. Bienenfeld had served since its inception, were conveyed by Dr. W. Rosenstock, the General Secretary of the AJR.

In his response, Dr. Bienenfeld said that the achievement of the State of Israel was decisive for the position of Jews all over the world; he therefore considered it particularly gratifying that his friends had marked the occasion of his birthday by presenting him with a Golden Book Certificate, thus helping to build up the State of Israel.

Dr. H. Tauber, Chairman of the Jacob Ehrlich Society, was in the chair.



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## 70th BIRTHDAY OF DR. WALTER BERLIN

Dr. Walter Berlin's 70th birthday on March 11 offers a welcome opportunity to convey German Jewry's gratitude to a man who, in times of great distress, proved himself to be a fighter of outstanding courage and tenacity.

He is the descendant of a family which for many generations not only enjoyed considerable standing in Northern Bavaria, but was also particularly deeply rooted in national and local traditions, cultural and professional activities. At the same time, Judaism remained for them a living force, a source of moral strength and the mainspring of a pronounced sense of responsibility and dignity. It was this background which determined Walter Berlin's personality and work.

Shortly before the outbreak of the First World War, in which he served as an officer with great distinction from beginning to end, he was admitted to the Nürnberg Bar. Thus began a career which, by 1932, carried him to a leading position among Bavarian lawyers. Soon he also became a prominent figure of the Central-Verein and its Executive, but it was Hitler and his accomplice, Streicher, who brought forth the best in Walter Berlin's character. He became the temporal centre which emanated what may be described as a spirit

of angry resistance. Cheerfully and selflessly he afforded advice, help and protection to his Jewish flock. None of his adversaries, not even Streicher himself, whom he had successfully fought in the Courts, dared to attack him. To defend the persecuted Jew in criminal cases, to fight for such of his rights as the "law" had left to him, to intervene on his behalf with the oppressors, to prepare his emigration, to solve his manifold problems—these were the tasks which filled Dr. Berlin's life and which he discharged at the expense of his and his family's own interests.

A few days before the outbreak of the Second World War he arrived in England, where he faced difficult years. But he has made good: he qualified as a Certified Accountant and re-established himself in practice. And again he served his community. He became a member of the Executive Council of the AJR. In this capacity he has taken an active part in the preparation and improvement of the Restitution and Compensation Laws. All who have been associated with him on these and other problems have come to value and respect his counsel, his wit, and the wealth of experience he has acquired in the course of a full life. We wish him many years of good health, vigour and happiness.

### FAMILY EVENTS

Entries in this column are free of charge. Texts should be sent in by the 18th of the month.

#### Birth

Levy.—Twin daughters were born to Hanna (née Holzer) and Otto Levy, 164 Kimberley Rd., Leicester, grandchildren of Dr. and Mrs. Martin Levy and Rabbi Dr. and Mrs. Paul Holzer.

#### Birthdays

Mr. Alfons Kalitzki (born in Chemnitz, Saxony), of 5 Donnington Court, London, N.W.10, celebrated his 60th birthday on February 26, 1957.

Mr. Ludwig Loewenhaupt (formerly Kitzingen a.M.), of 28 St. Martin's View, Leeds, 7, will celebrate his 80th birthday on March 14, 1957.

#### Golden Wedding

Dr. med. Max and Mrs. Regina Isserlin (née Ber), formerly Bad Soden, Taunus, of 20 Hallgate, Cottingham, Yorks, will celebrate their Golden Wedding on March 12.

#### Deaths

Dr. med. M. M. Bloch (formerly Breslau) died suddenly on January 22, 1957. Beloved husband of Fanny Bloch, of 5 Carregamman, Ammanford, Carmarthen, South Wales, and step-children Helmut and Lily Masur, Kampala-Uganda, Br. East Africa.

Mrs. Kate Garfunkel (née Frank), formerly Hamburg, passed away on February 4, 1957. Mourned by her children, relatives and many friends.

Mrs. Henny Lewent, of 32 Christchurch Avenue, London, N.W.6 (formerly Berlin), passed away peacefully after a short, serious illness while on a visit to the United States. We mourn the untimely death of our good mother. Herta and Hans Loeser, Cambridge, Mass., Waltraut and Helmut Lewent, Cambridge, England.

Mrs. Miriam Radbil passed away on January 26, aged 69. Deeply mourned by her children and grandchildren, Otti, Ernst, Sarah Fabian, 42 Hertford Str., Cambridge, and Joachim, Fridel, Michael Radbil, 8b Daleham Gardens, London, N.W.3.

Mrs. Toni Dienstfertig (formerly Berlin) passed away peacefully at Newlands Nursing Home on January 25. Deeply mourned by her brother, sister-in-law and friends. W. Dean, 24 Belmont Court, Finchley Road, N.W.11.

### In Memoriam

Weiss. In ever loving memory of our only child Tommy, who left us so suddenly on 30.3.56 not quite 11 years old. To the world he was only a grain of sand, to us he was the whole world.

### CLASSIFIED

#### Situations Vacant

REQUIRED, experienced German-English telephonist/receptionist, also filing clerk, not over 40. Box 133.

ELDERLY LADY, part-invalid, wants help for flat and nursing for morning hours. GUL. 4538.

#### Situations Wanted

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EDUCATED PENSIONER, perfect German, English, knowledge Spanish, French, Hebrew, seeks part-time occupation (abt. 12 hrs. per week); best ref. Box 143.

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QUALIFIED ACCOUNTANT, Egyptian refugee, previous owner of import/export firm in Cairo, knowl. English, French, Italian, Arabic, some German, can take charge of accounts dept. corresp. section or act as Assistant Export Manager or Office Manager. Box 145.

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CLERK, 66, healthy, former agent, wants part-time work N.W.3 district. Correspondence English and German, invoicing, own typewriter. Box 147.

#### Women

HUNGARIAN OPERA SINGER, 4 years Dresden, 2 years Vienna, 6 years Budapest, just arrived, prepared give lessons in singing and piano; also work for children, sick and invalids considered. Speaks German, French, English. Box 136

CHEMIST wants congenial work, pref. scientific translations, chemical or medical. Box 137.

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CLERK, 61, wants part-time job for filing or similar work. Box 140.

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### OBITUARY

It is learned, with great regret, that Dr. Georg Chaim of 36 Hill Rise, N.W.11, passed away at the age of 52 years. He leaves a wide circle of friends who were deeply attached to him. Modesty and extreme helpfulness were amongst his outstanding qualities.

Dr. Chaim worked as a dental surgeon in Berlin. After many years of frustration he had reason to expect that he would soon be able to take up his profession again and he had just started the preparatory work necessary to resume his career. It is particularly tragic that these hopes did not materialise, especially as he had gained the confidence and friendship of professors and colleagues in the hospital to which he was attached.

From his student days onwards Dr. Chaim took an active interest in Jewish affairs and always displayed sympathy to the AJR, of which he was a member throughout the years. We extend our deepest expressions of sympathy to his widow who, as a devoted wife, did everything possible to care for him during his last illness.

### IN MEMORIAM—ERICH SALOMON

The famous photographer and reporter at the time of the Weimar Republic, Erich Salomon, was honoured by a memorial exhibition in the Schoenberg Town Hall. Salomon died in Auschwitz.

NEAR VICTORIA STATION. Luncheon in private home wanted by engineer, daily in this district. Write, English or German to 22 Fairway, Leigh-on-Sea, Essex.

#### Personal

ATTRACTIVE WIDOW, 40, with daughter of 17, well educated, with good income, own house, wishes to meet cultured gentleman in comfortable position. Object matrimony. Box 135.

TALL LADY, single, wishes to meet gentleman 45-50, residing London, object matrimony. Box 150.

WIDOW, 52 years old, all alone, own home, means, attractive, well educated, wishes to remarry. Box 151.

### MISSING PERSONS

#### Enquiries from AJR

Mr. E. J. Rosenthal, building material dealer, last known address: 165 Highbury New Park, London, N.5, member of an Orthodox congregation.

Miss Ursula Nehemias, Arrived with children's transport in 1939, went first to Islington Isolation Hospital, later to Esher, stayed there with an English family. Maybe she went to Tunbridge Wells or to a hostel for girls in Willesden.

Mr. Carl (Charles) Daniel, born in Krefeld, his wife Regina (née Baum) born Krefeld 2.6.1902, Bruchstr. 10, child Gordon Daniel, born London March, 1942. Last known address: Duncan House, St. George's Avenue, Northampton.

#### Personal Enquiries

Mr. Robert Bright (Werner Leipziger), last known living in London, wanted by Walter Grant (Grönhem), 20 Dodgson Avenue, Leeds, 7.

Mr. Werner Weissenberg, joined 69th Company, Royal Pioneer Corps. Studied mathematics; 1943 was transferred to the Royal Medical Corps as Radiographer and later on was teacher at a high school in England. Last known address in 1946: Hardraw Vicarage, Hawes, Yorkshire. Reply to AJR.

Mrs. Valerie Eichner (née Halpern), formerly Prag, later London, for Miss Traute Guthertz, John Erikssonsvaeg 84 B. Malmoe, Sweden.

Mr. Fritz Gutfeld, from Berlin, and wife Marlene, for Elise Sanders (formerly Muenzer), née Gutfeld. Reply to AJR.

## AJR GENERAL MEETING

At the AJR General Meeting on February 18, Dr. H. Reichmann, who was in the chair, paid tribute to the memory of Dr. Leo Baeck; it was a particular honour for us, he said, that Dr. Baeck had always felt so closely connected to the AJR. Dr. Reichmann also recalled the work of deceased members of the AJR Executive and Board, Mr. Louis Schurmann, Mr. Leo Ulmann and Dr. Max Bergenthal. A message of good wishes from Mr. A. Schoyer for the further success of the Association was read.

Describing some of the current activities of the organisation, Dr. W. Rosenstock, the General Secretary, stressed the wide range of long-term tasks facing the AJR, which would necessitate enlisting the active support of an increasing number of people.

Reporting on the schemes for Homes for the aged the Vice-Chairman, Mr. A. Dresel, pointed out that it was one of the aims of the Homes to give residents as much privacy as possible. The schemes at present in preparation included the establishment of a Home for the infirm, which would be an adjunct to the proposed Home at Hampstead Garden Suburb. (The contents of the reports are described in the article appearing on the front page of this issue.—Ed.)

Mr. M. Pottlitzer, Treasurer, submitted the financial report and pointed out that the financial policy of the AJR had undergone a decisive change during the past three years. Whilst until then that part of the expenditure which could not be covered by subscriptions had been raised by advertisement drives in conjunction with concerts or special publications, it was now covered by

allocations out of the heirless German-Jewish property. However, as previously, it was essential that the funds necessary for the AJR accomplishing its tasks as an independent organisation should be raised amongst the community; it was therefore gratifying that the voluntary rise in subscriptions, decided at the previous General Meeting, had met with a good response.

After a brief discussion, the members of the Executive and the Board were elected according to the proposals published in last month's issue of AJR Information.

Dr. F. Goldschmidt, Chief Legal Adviser of the United Restitution Office, who had just returned from Germany where he had made representations regarding two forthcoming legislative measures (the Third Implementary Order of the Federal Indemnification Law and the Bundesrueckerstattungsgesetz) gave a report on the results achieved.

In concluding the meeting Dr. Reichmann stressed that, in spite of the past holocaust, the surviving Jews from Germany had had the strength to build up their lives anew and also to care for the needy and the aged in their midst.

### GENERAL MEETING OF YOUTH ALIYAH

"Youth Aliyah is a symbol of our time, tragic in meaning, but hopeful in result," said Mr. Eliahu Elath, Ambassador of Israel, when he addressed the annual meeting at the County Hall, Westminster, on February 4. The gathering was welcomed by the Vice-Chairman of the London County Council, Mr. O'Neill Ryan.

The guest speaker, Mrs. Mary Stocks, spoke of her own impressions during her two visits to Israel.

### AJR CLUB INVITES GABRIELE TERGIT

Gabriele Tergit read extracts from her work before an audience which filled the Eli Selinger Room in Zion House, Eton Avenue, to capacity on Sunday, February 10. It was an opportunity to glimpse quickly the fine humour and maturity of the well-known authoress. "Zeitgeist" and characters emerge from a few strokes of her deft pen, as the excerpts from "Die Effingers" prove. Reflections on the history of the bed—"Das Buch vom Bett"—were highly enjoyable and, not least, instructive. This also holds good for the still-unpublished book on people and flowers.

A grateful audience thanked Gabriele Tergit for a delightful afternoon. L.K.

### FOURTH ANNUAL DINNER AND BALL OF "K.J.V."

The K.J.V. (Kartell Juedischer Verbindungen) in Great Britain celebrated its 4th annual dinner and dance at the Washington Hotel, London, on Saturday, February 2. There was a record attendance of almost 200 guests, including provincial representatives and fraternal delegates from other student bodies, such as the K.C., the F.W.V., and the Igul. On behalf of the Executive, Dr. Richard Appel (Chairman), welcomed those present and conveyed the greetings of the Presidium. Dr. Paul Chapp (Chairman, K.C.), Dr. E. L. Gould (Chairman, F.W.V.), and Dr. Eugen Felix (President, Igul) responded to the Chairman's toast. Drs. E. J. Norton and Harry Stern greatly contributed to the success of the evening, which concluded with an all-star floor show. A bumper tombola, organised by the ladies, raised a substantial sum for the support of needy members of the organisation, of which Mr. R. J. Friedmann is the Hon. Treasurer and Secretary.

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## DRITTE DURCHFUEHRUNGSVERORDNUNG

zum Bundesentschaedigungsgesetz (3. DV/BEG)  
vom 20.3.1957 (BGBl. vom 23.3.1957 Nr. 9, S.269)

### SCHADEN IM BERUFLICHEN FORTKOMMEN

dargestellt von

K. Friedlander (London)

Die Bundesregierung ist in § 126 Abs. 1 des Bundesentschaedigungsgesetzes (BEG 1956) ermächtigt worden, zur Durchfuehrung der §§ 65 bis 98 BEG sowie der §§ 110 bis 122 BEG Rechtsverordnungen zu erlassen.

Sie hat von dieser Ermächtigung Gebrauch gemacht und die oben genannte Durchfuehrungsverordnung erlassen. Da die Verordnung nur eine Ergaenzung der Bestimmungen des BEG ist, so muss sie zusammen mit dem BEG oder dem Aufsatz ueber den Inhalt des BEG 1956 (Sonderbeilage zu "AJR Information" August 1956) gelesen werden. Soweit es zum Verstaendnis notwendig ist, sind die Bestimmungen des BEG 1956 wiederholt.

Die 3. Durchfuehrungsverordnung hat so lange auf sich warten lassen, dass einzelne Entschaedigungsbehoerden auf Grund der vorliegenden Entwerfe der 3. DV Entscheidungen gefaellt haben, sich aber vorbehalten haben, diese Entscheidungen nach Erlass der 3. DV zu ueberpruefen. In der Einleitung zur Durchfuehrungsverordnung ist bestimmt, dass, soweit vor ihrer Verkuendung Ansprueche von Berechtigten durch Bescheid oder rechtskraeftige gerichtliche Entscheidung *vorbehaltlos* festgesetzt worden sind, es hierbei zu Gunsten des Berechtigten sein Bewenden behaelt.

Es ist ferner bestimmt, dass die 3. DV nicht im Saarland gilt. Diese Bestimmung war notwendig, da auch das BEG 1956 vorlaeufig im Saarland keine Geltung hat.

Die in der folgenden Darstellung gewaehlten Ueberschriften sind aus der Verordnung selbst entnommen.

## I. SELBSTAENDIGE BERUFE

Der selbstaendige Beruf steht im Gegensatz zum unselbstaendigen Beruf. Der Unterschied zwischen selbstaendiger und unselbstaendiger Taetigkeit ist wichtig, da fuer beide verschiedene Bestimmungen bezueglich der Entschaedigung gelten. Bei der Entscheidung dieser Frage kann als Anhaltspunkt gelten, ob Einkommen-oder Lohnsteuer gezahlt wurde oder ob Beitrage zur Sozialversicherung geleistet worden sind.

### 1. BESONDERE ANSPRUCHSVORAUSSETZUNGEN

*Abgrenzung gegenueber dem Schaden in der Nutzung des Eigentums und Vermoegens (§ 1 DV, § 65 BEG)*

Das BEG bestimmt, dass ein Schaden im beruflichen Fortkommen vorliegt, wenn der Verfolgte in der Nutzung seiner *Arbeitskraft* geschaedigt worden ist.

Die DV erlaeutert dies dahin, dass der Ausfall an Einkommen aus der Land- und Forstwirtschaft und aus Gewerbebetrieb insoweit als Schaden in der Nutzung der Arbeitskraft gilt, als es sich um Ausfall fuer die *Taetigkeit* des Verfolgten als *Betriebsinhaber* handelt.

Der vom Gesetzgeber gemachte Unterschied zwischen Einkommen aus der Arbeit des Verfolgten und Einkommen aus der Betriebssubstanz ist von grosser Bedeutung. Es sei daher die Begrueendung des Entwurfs zu dieser Bestimmung im Wortlaut wiedergegeben.

"Die Bestimmung ergaenzt § 65 BEG insoweit, als sie den Schaden in der Nutzung der Arbeitskraft gegenueber dem Schaden in der Nutzung des Eigentums und des Vermoegens abgrenzt. Diese Abgrenzung ist vor allem im Hinblick auf die Neuregelung des § 56 BEG notwendig geworden, nach der dem Verfolgten auch eine Entschaedigung fuer die Beeintraechtigung in der Nutzung seines Eigentums oder seines Vermoegens geleistet werden kann.

Die Bestimmung des § 1 DV geht davon aus, dass ein Unternehmer, der einen Betrieb der Land- und Forstwirtschaft oder einen Gewerbebetrieb betreibt, Einkuenfte nicht nur aus der Nutzung seiner Arbeitskraft, sondern auch aus der Nutzung seines Geschaeftsvermoegens erzielt. Da der Unternehmer fuer den Schaden, den er durch den Ausfall an Einkuenften aus der Nutzung seines Geschaeftsvermoegens erlitten hat, bereits eine Entschaedigung wegen eines Vermoegensschadens nach § 56 BEG erhaelt, bestimmt § 1, dass er als Berufsschaden nur den Ausfall an Entgelt fuer seine Taetigkeit als Betriebsinhaber geltend machen kann. Eine strenge Abgrenzung zwischen diesen beiden Nutzungsschaeden kann in der Praxis zwar zu Schwierigkeiten fuehren. Es ist aber davon auszugehen, dass als Nutzungswert des Geschaeftsvermoegens der fiktive Pachtwert des Unternehmens gilt, so dass der Differenzbetrag zwischen diesem Pachtwert und den gesamten Einkuenften aus dem Unternehmen das Entgelt fuer die Taetigkeit als Betriebsinhaber (Unternehmerlohn) darstellt. Bei der Regelung des § 1 ist bewusst nicht auf das fiktive Geschaeftsfuehrergehalt abgestellt worden, da dieses kein angemessenes Entgelt fuer die Unternehmertaetigkeit ist.

Aus der Regelung des § 1 folgt, dass das Tragen der unternehmerischen Verantwortlichkeit und die Ausuebung der Unternehmerinitiative von der Nutzung der Arbeitskraft mitumfasst wird. War daher der Unternehmer durch die Verfolgung nur gehindert, in seinem Betrieb selbst mitzuarbeiten, waehrend er die unternehmerische Verantwortlichkeit getragen hat, indem er seinen Betrieb durch Angestellte oder seinen Ehegatten weiterfuehren liess, so liegt insoweit nur ein Beschraenkungsschaden und kein Verdraengungsschaden vor. War der Unternehmer dagegen genoetigt, auch die Verantwortlichkeit fuer die Fuehrung des Unternehmens aufzugeben, z.B. den Betrieb zu verpachten, so handelt es sich um einen Verdraengungsschaden."

Zu der Substanz eines Unternehmens gehoeren z.B. die Ausstattung einer Klinik, der Maschinenpark einer Fabrik, der Good Will, Patente und Lizenzen eines Unternehmens. Auch die aertzliche

Praxis kann einen selbstaendigen Vermoegenswert darstellen (siehe Entscheidung des Bundesgerichtshofes vom 12.12.1956, Neue Juristische Wochenschrift, Rechtsprechung zur Wiedergutmachung, Heft 3, 1957, S.83).

*Selbstaendige Erwerbstaetigkeit (§ 2 DV, § 66 BEG)*

Selbstaendige Erwerbstaetigkeit ist jede berufsmaessig ausgeuebte und auf Erzielung von Einkuenften gerichtete Taetigkeit von nicht nur voruebergehender Dauer, die nicht auf Grund eines Dienst- oder Arbeitsverhaeltnisses ausgeuebt worden ist.

Es faellt unter diese Bestimmung jede Art von Taetigkeit, die beruflich ausgeuebt worden ist, also auch Nebentaetigkeit.

*Verdraengung aus selbstaendiger Taetigkeit (§ 3 DV, § 66 BEG)*

Eine Verdraengung aus selbstaendiger Erwerbstaetigkeit liegt vor, wenn dem Verfolgten die Fortsetzung dieser Taetigkeit durch nationalsozialistische Gewaltmassnahmen unmoeglich gemacht worden ist. Die Ausuebung eines gegen den Verfolgten selbst gerichteten Zwanges ist nicht erforderlich.

Voraussetzung ist nach § 64 BEG, dass die Schaedigung nicht nur geringfuegig ist. Die vollkommene Verdraengung aus der beruflichen Taetigkeit ist aber nie geringfuegig, da sie die Vernichtung der gesamten Lebensgrundlage des Verfolgten herbeifuehrt. Durch die Verdraengung ist der Schadenstatbestand des Schadens im beruflichen Fortkommen gegeben.

*Beschraenkung in der Ausuebung der selbstaendigen Erwerbstaetigkeit (§ 4 DV, § 66 BEG)*

Nach § 66 BEG wird nicht nur die Verdraengung, sondern auch die wesentliche Beschraenkung in der Ausuebung der selbstaendigen Erwerbstaetigkeit entschaedigt. Nach der DV ist diese Beschraenkung jede Behinderung der Taetigkeit nach Art und Umfang durch nationalsozialistische Gewaltmassnahmen. Wesentlich ist in der Regel die Beschraenkung, wenn sie in der Gesamtzeit der Schaedigung zu einer Einkommensminderung von mehr als 25% gefuehrt hat.

*Mehrere selbstaendige Erwerbstaetigkeiten (§ 5 DV)*

Hat der Verfolgte gleichzeitig mehrere selbstaendige Erwerbstaetigkeiten ausgeuebt, und ist er nicht aus jeder dieser Taetigkeiten verdraengt worden, so liegt eine Beschraenkung in der Ausuebung der selbstaendigen Erwerbstaetigkeit vor. Diese Bestimmung hat fuer verfolgte Juden nur sehr geringe Bedeutung, da sie in der Regel aus allen ihren Taetigkeiten verdraengt worden sind. Es kann sich hier nur um einen sehr kurzen Zeitraum handeln, wenn die Verdraengung aus einer Taetigkeit spaeter als aus der anderen erfolgt ist.

Wenn jemand aus mehreren selbstaendigen Taetigkeiten gleichzeitig verdraengt ist, so muss seine gesamte Taetigkeit als eine einheitliche angesehen werden.

## 2. DIE GESETZLICHEN ANSPRUECHE

### (a) Darlehen

Nach §§ 67—73 BEG kann der Verfolgte ein Darlehen erhalten, wenn er dies zur Wiederaufnahme seiner fruheren Taetigkeit benoetigt. Die Hoechstgrenze ist DM 30 000; wenn die Aufnahme unter besonders erschwerten Bedingungen erfolgt, so kann ein Zusatzdarlehen bis DM 20 000 gegeben werden.

Die Durchfuehrungsverordnung bringt hierzu erlaeuternde Bestimmungen. Diese Bestimmungen haben aus tatsaechlichen Gruenden fuer im Ausland lebende Verfolgte nur geringes Interesse.

### (b) Kapitalentschaedigung

Die Bestimmungen ueber Kapitalentschaedigung und die spaeter eroerterten Bestimmungen ueber Rente sind der Kernpunkt der Regelung des Schadens im beruflichen Fortkommen.

Diese Regelung ist so kompliziert, dass es notwendig erscheint, mit einer zusammenfassenden Darstellung zu beginnen und erst dann die einzelnen Bestimmungen der 3. DV (Ausreichende Lebensgrundlage, Berechnung der Kapitalentschaedigung, Einreihung in eine vergleichbare Beamtengruppe, erreichbare Dienstbezuuge eines vergleichbaren Bundesbeamten, Alters—und Hinterbliebenenversorgung, Beruecksichtigung anderweitigen Arbeitseinkommens, Umrechnung der Kapitalentschaedigung) zu erlaeuern.

Die Kapitalentschaedigung wird fuer die Zeit des *Entschaedigungszeitraums* gezahlt. Der *Entschaedigungszeitraum* beginnt bei einem Selbststaendigen mit der Schaedigung, also mit der Beschraenkung in der Ausuebung des Berufs, bei einem Angestellten mit der Entlassung oder Aufgabe seiner Stellung oder mit dem Zeitpunkt, in dem er aus Verfolgungsgruenden keine Beschaeftigung finden konnte.

Der *Entschaedigungszeitraum* endet mit dem Zeitpunkt, in dem der Verfolgte eine Erwerbstaetigkeit aufgenommen hat, die ihm eine ausreichende Lebensgrundlage bietet. Auf jeden Fall endet der Zeitraum der Kapitalentschaedigung mit dem Zeitpunkt, in dem der Verfolgte tatsaechlich nicht mehr arbeitsfaehig ist. Es wird vermutet, dass dies der Fall ist, wenn der Verfolgte das 70. Lebensjahr vollendet hat. Die Arbeitsunfaehigkeit fuehrt das Ende des *Entschaedigungszeitraums* nicht herbei, wenn sie um mindestens 50% verfolgungsbedingt ist.

Die *Hoehe* der Entschaedigung ergibt sich nicht unmittelbar aus dem Einkommen vor der Verfolgung. Dieses Einkommen unter Beruecksichtigung der vorberuflichen Ausbildung und Weiterbildung bildet lediglich die Grundlage fuer die Einreihung in die Tabelle 2. Der Verfolgte wird auf Grund seines Einkommens unter Beruecksichtigung der vorberuflichen Ausbildung und Weiterbildung in die Gruppe des einfachen, mittleren, gehobenen oder hoeheren Dienstes eingereiht, und zwar entsprechend seinem Lebensalter.

Fuer die *Lebensaltersstufen* ist massgebend der Zeitpunkt der Schaedigung.

Die Berechnung der Kapitalentschaedigung auf Grund der geschilderten Regelung sei an folgendem Beispiel erlaeuert:

Ein Verfolgter war zum Zeitpunkt der Schaedigung am 30.6.1938 38 Jahre alt und hatte ein Jahreseinkommen von RM 4.500. Er hat eine Erwerbstaetigkeit, die ihm nachhaltig eine ausreichende Lebensgrundlage bietet, am 1.7.1956 aufgenommen. Dann ist seine Kapitalentschaedigung auf der Grundlage von Tabelle 2 auf folgende Weise zu berechnen:

Zunaechst erfolgt seine Einordnung in eine *vergleichbare Beamtengruppe*. Es sei unterstellt, dass in unserem Falle die Einreihung in die Gruppe des mittleren Dienstes erfolgt. Seine Entschaedigung ist demnach, da er zur Zeit der Schaedigung zwischen 35 und 45 Jahre alt war, auf der Grundlage eines vergleichbaren Beamten mit einem Dienstseinkommen von jaehrlich 4.000.— zu errechnen (Tabelle 2, Nr. 2a, Spalte 2). Der *jaehrliche Entschaedigungsbetrag* belaeuft sich auf  $\frac{2}{3}$  dieser Summe, also 3.000.— (Tabelle 2, Nr. 2b, Spalte 2). Soweit fehlende Altersversorgung zu beruecksichtigen ist, tritt ein *Zuschlag* von 20% hinzu. Dies ergibt einen jaehrlichen Entschaedigungsbetrag von 3.600.— (Tabelle 2, Nr. 2c, Spalte 2). Zur Errechnung der *Gesamtentschaedigung* ist dieser Betrag fuer die Zeit vor dem 1.7.1948 im Verhaeltnis von 10:2 umzurechnen, d.h. durch 5 zu dividieren; vom 1.7.1948 gilt der Betrag als DM.

Die Entschaedigung betraegt also vom 30.6.1938 bis zum 30.6.1948

10 Jahre je 3.600.—: 36.000.—, dividiert durch 5 DM 7.200.— vom 1.7.1948 bis zum 30.6.1956

8 Jahre je 3.600.—

DM 28.800.—

Gesamtentschaedigung DM 36.000.—

Auf diese Gesamtentschaedigung wird das *Arbeitseinkommen* seit dem 1.7.1948 angerechnet, wobei als *Freigrenze* verbleibt die Differenz zwischen dem in der Tabelle 3 angegebenen *erreichbaren* Dienstseinkommen und der Gesamtentschaedigung (§77 BEG, §17 DV).

#### *Ausreichende Lebensgrundlage* (§ 12 DV, § 75 BEG)

Die Kapitalentschaedigung wird nach § 75 BEG nicht ueber den Zeitpunkt hinaus geleistet, in dem der Verfolgte eine Erwerbstaetigkeit aufgenommen hat, die ihm nachhaltig eine ausreichende Lebensgrundlage bietet.

Nach dem klaren Wortlaut des Gesetzes kommt es nur auf die eigene Erwerbstaetigkeit des Verfolgten an. Es kommt nicht darauf an, ob eine ausreichende Lebensgrundlage auf andere Weise gesichert ist, z.B. durch Einkommen aus Vermoegen oder Verdienste von Familienangehoerigen. Es wird daher auch durch Heirat ein Ende des Entschaedigungszeitraums nicht herbeigefuehrt. Es gilt hier der gleiche Grundsatz, wie er im § 1 der 3. DV zum Ausdruck gekommen ist (siehe die Ausfuehrungen zu dieser Bestimmung).

Die nachhaltige Lebensgrundlage muss zur Zeit der Entscheidung noch vorhanden sein. Dies ergibt sich daraus, dass in § 75 Abs. 1 BEG gesagt ist "die ihm eine ausreichende Lebensgrundlage bietet." Nur wenn der Verfolgte seine Taetigkeit mutwillig aufgegeben hat, koennte nach allgemeinen Rechtsgrundsuetzen eine andere Beurteilung gerechtfertigt sein. Nach § 75 Abs. 2 BEG ist ausreichend "eine Lebensgrundlage, die dem Verfolgten und seinen unterhaltsberechtigten Familienangehoerigen nachhaltig eine solche Lebensfuehrung einschliesslich einer angemessenen Vorsorge fuer sein Alter und seine Hinterbliebenen ermoeglicht, die Personen mit gleicher oder aehnlicher Berufsausbildung in der Regel haben."

Die Auslegung dieser Bestimmung hat den Entschaedigungsbehoerden grosse Schwierigkeiten bereitet. Um die Grundlage fuer eine einheitliche Praxis zu schaffen, hat die 3. DV daher eine Tabelle aufgestellt (Tabelle 1), in der gesagt ist, was als eine *ausreichende Lebensgrundlage* in der Regel anzusehen ist. Die in der Tabelle genannten Saetze muessen als Mindestsaetze angesehen werden und muessen auch dann gelten, wenn das fruhere Einkommen unter diesen Saetzen gelegen hat. Eine Abweichung von diesen Saetzen ist aber zu Gunsten des Verfolgten moeglich, wenn sich aus der Anwendung der Tabelle Haerten ergeben, z.B. bei kinderreichen Familien, da in der Tabelle der Familienstand nicht beruecksichtigt ist. Die fruhere Fassung des BEG (BEG 53) sah ein Zurueckgreifen auf die fruhere Taetigkeit in dem Falle vor, in dem der Verfolgte sie wieder aufgenommen hatte. Diese Bestimmung ist fortgefallen. Auch hieraus folgt, dass es nur darauf ankommt, ob die jetzige Taetigkeit objektiv eine ausreichende Lebensgrundlage bietet.

Besondere Schwierigkeiten ergeben sich, wenn das anzurechnende *Einkommen im Ausland* verdient ist. Eine Umrechnung nach den amtlichen Devisenkursen vorzunehmen, kann zu keiner zufriedenstellenden Regelung fuehren, da in diesen Kursen die *verschiedene innere Kaufkraft* und die *verschiedene Lebenshaltung* der einzelnen Laender nicht zum Ausdruck kommt.

Die 3. DV erkennt dies auch in § 12 Abs. 3 an und bestimmt:

"Ergibt sich aus der Umrechnung der Einkuenfte nach den amtlichen Devisenkursen waehrend des gesamten Zeitraums, fuer den die Einkuenfte zu beruecksichtigen sind, zu Ungunsten des Verfolgten eine Abweichung von mindestens 10% gegenueber der Umrechnung der Einkuenfte nach der Kaufkraft der auslaendischen Waehrung, so soll die Kaufkraft angemessen beruecksichtigt werden."

Eine dem Sinne der Wiedergutmachung entsprechende Regelung muss den besonderen Verhaeltnissen Rechnung tragen, in denen

sich die im Ausland lebenden Verfolgten des Nationalsozialismus befinden. Es sind vom Statistischen Bundesamt in Deutschland Statistiken ueber das Verhaeltnis der Kaufkraft in den einzelnen Laendern aufgestellt. In diesen auf allgemeiner Grundlage gefuehrten Statistiken kann aber die besondere Lage der Refugees nicht zum Ausdruck kommen. So sagt auch das Statistische Bundesamt in der Einleitung zu Nr. 9 seiner Schriftenreihe "Einzelhandelspreise im Ausland" (Kohlhammer Verlag, Stuttgart-Koeln), dass die von ihm errechneten Preisrelationen nach der Verteilung der Ausgaben im Haushalt einer bestimmten Verbraucherschicht zusammengewogen worden sind. Die Ergebnisse seien deshalb streng genommen nur fuer diese Verbraucherschicht zutreffend. Es bliebe zu pruefen, inwieweit eine analoge Anwendung fuer andere Schichten vertretbar sei.

Einen Anhaltspunkt fuer die Umrechnung koennen die Zuschlaege bieten, die Beamte der Deutschen Bundesrepublik im Ausland erhalten. Diese betragen in England 50%. Auch die Bundesversicherungsanstalt beruecksichtigt bei Zahlung von freiwilligen Beitrageen von im Ausland lebenden Verfolgten die verschiedene Kaufkraft; fuer England ist sie damit einverstanden, dass das englische Pfund mit DM 6.20 berechnet wird.

Waehrend bisher nach der 3. DV 1953 die Umrechnung nach der Kaufkraft nur auf Antrag vorgenommen wurde, ist jetzt von Amts wegen zu pruefen, ob sich bei der Umrechnung nach der Kaufkraft eine fuer den Verfolgten guenstigere Regelung ergibt. Die Entschaeidungsorgane werden sich also in jedem Fall mit der Frage der Umrechnung nach der Kaufkraft auseinanderzusetzen haben.

#### **Berechnung der Kapitalentschaedigung und Einreihung in eine vergleichbare Beamtengruppe (§§ 13 und 14 DV, § 76 BEG)**

Nach § 76 BEG erfolgt die Berechnung des jaehrlichen Betrages der Kapitalentschaedigung auf der Grundlage von drei Vierteln des Diensteinkommens eines vergleichbaren Bundesbeamten. Hierbei ist gemaess § 13 DV die der DV beigefuegte Tabelle 2 zugrunde zu legen, die das durchschnittliche Diensteinkommen dieser Beamtengruppen, nach Lebensalterstufen, ausweist. Fuer die Einreihung ist die Berufsausbildung des Verfolgten und seine wirtschaftliche Stellung vor der Verfolgung massgebend. Auf seine soziale Stellung kommt es nicht mehr an. Berufliche Entwicklungsmoeglichkeiten des Verfolgten, der erst am Anfang seiner Laufbahn steht, sind angemessen zu beruecksichtigen. Es ist in diesem Falle das Einkommen zugrunde zu legen, das der Verfolgte voraussichtlich erreicht haette. Laesst sich dieses nicht feststellen, so bemisst sich die wirtschaftliche Stellung nach dem Durchschnittseinkommen, das im gleichen Beruf Erwerbstaetige in der Regel erzielt haben.

#### **Erreichbare Dienstbezuuge eines vergleichbaren Beamten (§ 15 DV, § 76 Abs. 2 Satz 2 BEG)**

Diese Bestimmung bezieht sich nur auf verfolgungsbedingte Beschraenkung der fruerehen Erwerbstaetigkeit, ist also fuer Juden nur von geringem Interesse, da diese aus allen ihren Taetigkeiten verdraengt worden sind. Die Bestimmung ist aber von Bedeutung fuer die Beruecksichtigung des anderweitigen Arbeitseinkommens.

#### **Alters- und Hinterbliebenenversorgung (§ 16 DV, § 76 Abs. 3 BEG)**

Zu der auf der Grundlage von  $\frac{3}{4}$  der Dienstbezuuge des vergleichbaren Beamten errechneten Entschaeidigung tritt als Ausgleich fuer fehlende Altersversorgung nach § 76 Abs. 3 BEG ein Zuschlag von 20%. Bei vorgeruecktem Alter des Verfolgten kann dieser Zuschlag von 20% erhoehrt werden.

Der Zuschlag nach § 16 DV wird nicht gewaehrt, wenn der Verfolgte Anspruch oder Anwartschaft auf lebenslaengliche Versorgung nach beamtenrechtlichen Vorschriften der Grundsuetzen oder auf Ruhe-lohn sowie auf Hinterbliebenenversorgung hat.

#### **Beruecksichtigung des anderweitigen Arbeitseinkommens nach § 77 BEG (§ 17 DV)**

Von dem fuer den gesamten Entschaeidungszeitraum errechneten Betrag ist das waehrend des gesamten Entschaeidungszeitraums durch anderweitige Verwertung der Arbeitskraft erzielte Einkommen abzuziehen, soweit es zusammen mit der Entschaeidungssumme die erreichbaren Verdienste eines vergleichbaren Beamten uebersteigt. Dabei ist das Einkommen, das vor dem 1. Juli 1948 erzielt worden ist, nicht zu beruecksichtigen (§ 77 BEG). Es sind das seit dem 1. Juli 1948 erzielte Einkommen und die Entschaeidungssumme fuer den gesamten Entschaeidungszeitraum gegeneuberzustellen.

Fuer die Bewertung eines im Ausland erzielten Einkommens gelten gemaess § 17 Abs. 2 die gleichen Grundsuetze wie bei der Erreichung einer ausreichenden Lebensgrundlage.

Wie hoch das erreichbare Einkommen ist, ergibt sich aus der Tabelle 3. Fuer die Einreihung in die Lebensalterstufen ist massgebend das Ende des Entschaeidungszeitraums, und wenn dieser noch fortbesteht, der Zeitpunkt der Entscheidung.

Es wird also nicht angerechnet die Differenz zwischen der Entschaeidigung und dem erreichbaren Dienstehkommen.

Hieraus ergibt sich der eigenartige Zustand, dass der Zuschlag von 20% wegen fehlender Altersversorgung wieder weggenommen wird, da er in die Entschaeidungssumme eingerechnet ist. Das Gesetz laesst aber keine andere Auslegung zu. Es handelt sich hier um einen offenbaren Fehler in der Formulierung des Gesetzes.

#### **Umrechnung der Kapitalentschaedigung (§ 18 DV, § 80 BEG)**

Fuer die Zeit vor dem 1.7.1948 ist der Betrag der Kapitalentschaedigung in Reichsmark zu berechnen und im Verhaeltnis von 10 zu 2 in Deutsche Mark umzurechnen.

#### **Weiterleistung der Kapitalentschaedigung (§ 19 DV, § 80 BEG)**

Bestehen nach Festsetzung oder nach rechtskraeftiger gerichtlicher Entscheidung die Voraussetzungen fuer die Leistung der Kapitalentschaedigung fort, so wird der der Berechnung zugrunde gelegte Jahresbetrag in monatlichen Teilbetrageen solange weitergezahlt, bis der Hoechstbetrag der Kapitalentschaedigung von DM 40 000 erreicht ist oder der Entschaeidungszeitraum endet. Da das Gesetz hierueber nichts sagt, ist auf diese Teilbetragee anderweitiger Verdienst nicht anzurechnen.

#### **Anzeigepflicht (§ 20 DV, § 80 BEG)**

Der Verfolgte ist verpflichtet, der zustaeendigen Entschaeidungsbehoerde die Tatsachen unverzueglich mitzuteilen, die zu einer Beendigung der Weiterzahlung der monatlichen Teilbetragee fuehren wuerden.

### **(c) Rente**

Nach § 81 BEG kann der Verfolgte an Stelle der Kapitalentschaedigung eine Rente waehlen. Die Rente wird ohne Ruecksicht auf die Hoehe der Kapitalentschaedigung auf Lebenszeit geleistet. Nach dem Tode des Verfolgten steht der Witwe unter den im Gesetz angegebenen Voraussetzungen eine Witwenrente und den Kindern, solange fuer sie nach Beamtenrecht Kinderzuschlaege gewaehrt werden, eine Kinderrente zu (§§ 85, 86 BEG).

#### **Voraussetzung fuer das Rentenwahlrecht (§ 21 DV, § 82 BEG)**

Voraussetzung fuer das Wahlrecht ist, dass der Verfolgte im Zeitpunkt der Entscheidung keine Erwerbstaetigkeit ausuebt, die ihm eine ausreichende Lebensgrundlage bietet, und dass ihm die Aufnahme einer solchen Erwerbstaetigkeit nicht zuzumuten ist. Die Aufnahme einer solchen Erwerbstaetigkeit ist dem Verfolgten insbesondere dann nicht zuzumuten, wenn er im Zeitpunkt der Entscheidung das 65. Lebensjahr vollendet hat; bei Frauen tritt an Stelle des 65. das 60. Lebensjahr. Der Ausuebung einer Erwerbstaetigkeit, die dem Verfolgten eine ausreichende Lebensgrundlage bietet, ist eine Versorgung aus einer fruerehen ausgeuebten Erwerbstaetigkeit gleichzuachten (§ 82 BEG).

Bei der Bestimmung ueber das Ende des Entschaeidungszeitraums war alleinige Voraussetzung, dass der Verfolgte eine ausreichende Lebensgrundlage erreicht hat. Bei der Rente tritt als weitere Voraussetzung hinzu, dass er eine zumutbare Taetigkeit nicht ausuebt.

Fuer die ausreichende Lebensgrundlage gelten die gleichen Voraussetzungen wie bei der Kapitalentschaedigung.

Fuer die fehlende Altersversorgung ist zu dem Durchschnittseinkommen der in der Tabelle 1 vorgesehene Zuschlag von 20% hinzuzurechnen. Eine Erhoehung dieses Zuschlages bei vorgeruecktem Alter, wie es bei der Kapitalentschaedigung vorgesehen ist, findet nicht statt. Als Versorgung aus einer fruerehen ausgeuebten Erwerbstaetigkeit gelten die laufenden Leistungen einschliesslich der Leistung aus der gesetzlichen Rentenversicherung, die der Verfolgte auf Grund eines Dienst- oder Arbeitsverhaeltnisses erhaelt, sofern sie nicht ausschliesslich auf seinen eigenen Geldleistungen beruhen.

Der Ausuebung einer Erwerbstaetigkeit, die dem Verfolgten eine ausreichende Lebensgrundlage bietet, ist eine Versorgung dann gleichzuachten, wenn die laufenden Leistungen den nach § 83 BEG zu errechnenden Rentenbetrageen entsprechen.

Die Bestimmung bei Kapitalentschaedigung fuer Bewertung von Verdienst im Ausland findet entsprechende Anwendung.

**Berechnung der Rente (§ 22 DV, § 83 BEG)**

Die Rente wird auf der Grundlage von zwei Dritteln der Versorgungsbezüge eines vergleichbaren Bundesbeamten errechnet. Der monatliche Höchstbetrag der Rente beträgt DM 600. Hat der Verfolgte die Rente gewählt, so erhält er für die Zeit vor dem 1.11.1953 eine Entschädigung in Höhe der Rentenbezüge eines Jahres.

Die Berechnung der Rente ergibt sich aus der der DV beigefügten Tabelle 4. Die Einreihung ist die gleiche wie bei der Errechnung der Kapitalentschädigung mit der Massgabe, dass für die Einreihung in die Altersstufen von dem Lebensalter des Verfolgten am 1.11.1953 (Inkrafttreten des BEG) auszugehen ist. Die Renten sehen entsprechend der inzwischen erfolgten Erhöhung der Gehälter der Bundesbeamten vom 1.1.1956 eine Erhöhung von 12% vor. Die Umrechnung bisher festgesetzter Renten erfolgt von Amts wegen.

**Entschädigung vor dem 1.11.1953 (§ 23 DV, § 83 Abs. 3 BEG)**

Hat der Verfolgte die Rente gewählt, so erhält er, wie schon gesagt, für die Zeit vor dem 1.11.1953 eine Entschädigung in Höhe der Rentenbezüge eines Jahres. Diese Entschädigung wird in Deutscher Mark berechnet. Der Anspruch auf diese ist im Rahmen der allgemeinen Bestimmungen des BEG vererblich und übertragbar (§§ 13 u. 14 BEG).

**Rente für den überlebenden Ehegatten und die Kinder (§ 24 DV, § 85 BEG)**

Nach § 85 BEG steht der Witwe bis zu ihrer Wiederverheiratung und den Kindern, solange für sie nach Beamtenrecht Kinderzuschläge gewährt werden können, der Anspruch auf Rente zu. Kinder sind die ehelichen Kinder und die diesen nach den Vorschriften des bürgerlichen Rechts gleichgestellten Kinder.

Die Rente der Witwe beträgt 60% und die Rente für jedes Kind 30% der Rente, die dem Verfolgten zugestanden hat.

Auf die Rente sind andere Versorgungsbezüge aus deutschen öffentlichen Mitteln anzurechnen, soweit diese den Betrag von DM 150 übersteigen.

Hierzu sagt § 24 Abs. 2 und 3 DV:

(2) Versorgungsbezüge aus öffentlichen Mitteln im Sinne des § 85 Abs. 2 Satz 2 BEG sind insbesondere

1. Versorgungsbezüge nach beamtenrechtlichen Vorschriften oder Grundsätzen oder Ruhegehalt,
2. Leistungen aus der gesetzlichen Rentenversicherung, sofern diese nicht ausschliesslich auf eigenen Geldleistungen des Verfolgten oder Berechtigten beruhen,
3. Leistungen nach dem Bundesversorgungsgesetz,
4. Rentenleistungen nach BEG, sofern diese Leistungen nicht bereits nach §§ 120, 121 BEG berücksichtigt werden.

(3) Steht mehreren Berechtigten eine Rente zu, so wird die Rente des einzelnen Berechtigten nach § 85 Abs. 2 BEG nur insoweit gekürzt, als er selbst Versorgungsbezüge von mehr als 150 Deutsche Mark im Monat erhält.

**Beginn der Rentenzahlung für den überlebenden Ehegatten und die Kinder (§ 25 DV, § 85 BEG)**

Ist der Verfolgte nach Ausübung des Wahlrechts verstorben, so beginnt die Zahlung der Rente an die Witwe und die Kinder mit dem Ersten des Monats, der dem Monat folgt, in dem der Verfolgte gestorben ist. Im übrigen wird die Rente vom Ersten des Monats an gezahlt, in dem der Verfolgte gestorben ist.

**Anzeigepflicht (§ 26 DV)**

Der Berechtigte ist verpflichtet, der zuständigen Entschädigungsbehörde die Tatsachen unverzüglich anzuzeigen, die gemäss § 85 und 86 BEG zu einer Beendigung der Rentenzahlung oder zu einer Minderung der Rente führen (Verheiratung, Wegfall der Voraussetzungen der Kinderrente, Anrechnung von anderen Versorgungsbezügen aus deutschen öffentlichen Mitteln).

**Aenderung der Verhältnisse (§ 27 DV)**

Die Rente wird, wenn eine nachträgliche Aenderung der Verhältnisse eintritt, vom Ersten des Monats neu festgesetzt, der dem Monat folgt, in dem die Verhältnisse sich geändert haben.

Es sei bemerkt, dass sich diese Bestimmung nur auf die im § 26 DV erwähnten Aenderungen der Verhältnisse der Hinterbliebenen bezieht. Dafür, ob die Voraussetzung der Rente beim Verfolgten gegeben ist, ist lediglich der Zeitpunkt der Entscheidung massgebend. Wenn der Verfolgte nach der Entscheidung eine ausreichende Lebensgrundlage erlangt oder eine ihm zumutbare Tätigkeit nicht ausübt, so ist dies ohne Einfluss auf den Anspruch auf Rente.

**II. UNSELBSTAENDIGE BERUFE**

Die Durchführungsvorschriften erläutern die Bestimmungen des BEG über privaten Dienst, Angestellte und Arbeiter des öffentlichen Dienstes, die keinen Anspruch auf Versorgung haben, und über Schaden in der Berufsausbildung.

**1. PRIVATER DIENST**

Der Verfolgte hat Anspruch auf Entschädigung, wenn er im privaten Dienst, also als Angestellter oder Arbeiter in der Privatwirtschaft, durch Entlassung, vorzeitiges Ausscheiden oder durch Versetzung in eine erheblich geringer entlohnte Beschäftigung geschädigt worden ist (§ 87 BEG).

Als Leistungen sind hier, wie bei den selbständigen Erwerbstätigen, Darlehen, Kapitalentschädigung und Rente vorgesehen.

**(a) Darlehen (§ 28 DV, § 90 BEG)**

Hat der Verfolgte eine selbständige Erwerbstätigkeit aufgenommen oder weist er nach, dass er die Voraussetzungen für die erfolgreiche Aufnahme einer solchen Tätigkeit erfüllt, so kann ihm ein Darlehen gewährt werden. Die Bestimmungen für Darlehen für früher selbständige Erwerbstätige finden entsprechende Anwendung.

Diese Entschädigungsleistung hat für im Ausland Lebende aus tatsächlichen Gründen nur geringes Interesse.

**(b) Kapitalentschädigung**

Für die Berechnung und die Einreihung in eine vergleichbare Beamtengruppe gelten im wesentlichen die gleichen Bestimmungen wie für die in einer selbständigen Erwerbstätigkeit Geschädigten. Dagegen ist für den Zuschlag von 20% für die fehlende Alters- und Hinterbliebenenversorgung eine abweichende Regelung getroffen.

**Berechnung (§ 29 DV, § 92 BEG)**

Es gelten die gleichen Bestimmungen wie für den selbständigen Erwerbstätigen mit der Massgabe, dass der Verdrängung die

Entlassung oder das vorzeitige Ausscheiden und der wesentlichen Beschränkung die Versetzung in eine erheblich geringer entlohnte Beschäftigung gleichzusetzen ist.

**Einreihung in eine vergleichbare Beamtengruppe (§ 30 DV, § 92 BEG)**

Auch hier gilt die gleiche Regelung wie beim selbständigen Beruf. War der Verfolgte mit Rücksicht auf seine familienrechtlichen Beziehungen zum Unternehmer nicht gegen Entgelt oder gegen ein unverhältnismässig geringes Entgelt tätig, so ist die tarifliche oder sonst übliche Vergütung zu Grunde zu legen.

In der 3. DV 1953 war nicht von familienrechtlichen, sondern von verwandtschaftlichen Beziehungen gesprochen. Durch diese Aenderung ist klargestellt, dass auch die Tätigkeit des einen Ehegatten im Unternehmen des anderen Ehegatten zu berücksichtigen ist.

**Alters- und Hinterbliebenenversorgung (§ 31 DV)**

Hier bestimmt die DV im Gegensatz zu der Regelung für selbständige Berufe:

Hat der Verfolgte Anspruch oder Anwartschaft auf lebenslange Versorgung nach beamtenrechtlichen Vorschriften oder Grundsätzen oder auf Ruhegehalt sowie auf Hinterbliebenenversorgung, so entfällt der Zuschlag von 20%.

Ansprüche auf Rente aus der gesetzlichen Rentenversicherung wegen Vollendung des 65. Lebensjahres bleiben insoweit ausser Betracht, als sie ausschliesslich auf eigenen Geldleistungen des Verfolgten beruhen.

**Berücksichtigung anderweitigen Einkommens (§ 32 DV, § 92 BEG)**

Es gilt die gleiche Regelung, wie sie für den in seiner selbständigen Erwerbstätigkeit Geschädigten getroffen ist.

### (c) Rente

Die Rente ist abweichend von den Bestimmungen ueber Verlust eines selbstaendigen Berufes geregelt.

Voraussetzung fuer das Wahlrecht ist lediglich, dass der Verfolgte im Zeitpunkt der Entscheidung das 65. Lebensjahr vollendet hat oder in seinem Beruf nicht mehr als 50% arbeitsfaehig ist; bei Frauen tritt an Stelle des 65. das 60. Lebensjahr. Es kommt also nicht darauf an, ob der Verfolgte eine ausreichende Lebensgrundlage gefunden hat.

Waehrend beim selbstaendigen Beruf die Hoehe der Rente unabhaengig von der Hoehe der Kapitalentschaedigung ist, ist die Hoehe der Rente bei dem Verfolgten, der in einer unselbstaendigen Taetigkeit geschaedigt ist, von der Hoehe der Kapitalentschaedigung abhaengig. Die Tabelle 4 findet hier keine Anwendung. Ferner erhalten die in einem unselbstaendigen Beruf Geschaedigten nicht die Entschaedigung fuer die rueckliegende Zeit in Hoehe eines Jahresbetrages der Rente.

#### Berechnung der Rente (§ 33 DV, § 93 BEG)

(1) Die Rente, die der Verfolgte anstelle einer Kapitalentschaedigung waehlen kann, wird als Jahresrente durch Teilung der festgesetzten Kapitalentschaedigung unter Anwendung der in Absatz 2 fuer die jeweilige Lebensaltersstufe bestimmten Teilungszahl errechnet.

(2) Lebensaltersstufe:	Teilungszahl:
Bis zum vollendeten 55. Lebensjahr	6
ab vollendetem 55. Lebensjahr	4.

(3) Fuer die Einreihung in die Lebensaltersstufen ist das Lebensalter des Verfolgten in dem Zeitpunkt massgebend, in dem die Voraussetzungen fuer den Anspruch auf Rente erfuellt waren.

(4) Die Rente wird mit Wirkung vom Ersten des Monats an gezahlt, in dem der Verfolgte das 65. Lebensjahr vollendet hat oder in seinem Beruf nicht mehr als 50 vom Hundert arbeitsfaehig ist, fruehestens jedoch vom 1. November 1953 an. Bei Frauen tritt an Stelle des 65. das 60. Lebensjahr."

Die Regelung sieht eine Verbesserung gegenueber der DV 1953 vor, bei der Teilungszahlen von 8, 7, 6, 5 und 4 vorgesehen waren.

#### Mindestrente (§ 34 DV, § 95 BEG)

Da sich bei der Division durch die Teilungszahlen bei einer hohen Kapitalentschaedigung ein sehr hoher Betrag, und bei einer sehr niedrigen Kapitalentschaedigung ein sehr geringer Betrag ergeben koennen, sieht das BEG Hoechst- und Mindestrenten vor.

Fuer den Geschaedigten ist der Hoechstbetrag DM 600 und der Mindestbetrag DM 100 monatlich. Fuer die Witwe oder den Witwer ist der Mindestbetrag DM 60 und fuer jedes Kind DM 30 monatlich.

Nach § 95 BEG wird der monatliche Mindestbetrag insoweit gekuerzt, als er zusammen mit Versorgungsbezuegen und wiederkehrenden Leistungen aus deutschen oeffentlichen Mitteln den Betrag von DM 300 im Monat uebersteigt. Dieser Betrag erhoehrt sich bei verheirateten Verfolgten um DM 60 und fuer Kinder, denen nach Beamtenrecht Kinderzuschlaege gewaehrt werden koennen, um je DM 20. Hierzu sagt die Durchfuehrungsverordnung, dass Versorgungsbezeuge aus oeffentlichen Mitteln die gleichen sind, wie die in § 24 der DV aufgefuehrten. Hierauf sei verwiesen.

#### Rente fuer den ueberlebenden Ehegatten und die Kinder (§ 35 DV, §§ 97, 98 BEG)

Es gelten die gleichen Bestimmungen wie bei den selbstaendigen Berufen.

Wenn Versorgungsbezeuge oder wiederkehrende Leistungen aus oeffentlichen Mitteln bezogen werden, bestimmt § 35 DV folgendes:

"Der monatliche Mindestbetrag der Rente fuer die Witwe oder den Witwer wird im Falle des § 97 Abs. 2 BEG insoweit gekuerzt als er zusammen mit den Versorgungsbezuegen oder wiederkehrenden Leistungen aus deutschen oeffentlichen Mitteln im Sinne von § 95 Abs. 3 Satz 1 BEG den Betrag von 260 Deutsche Mark im Monat uebersteigt. Der Betrag von 260 Deutsche Mark erhoehrt sich fuer jedes Kind, fuer das nach Beamtenrecht Kinderzuschlaege gewaehrt werden koennen, um 20 Deutsche Mark im Monat. Haben nur die Kinder Anspruch auf Rente, so wird der monatliche Mindestbetrag der Rente fuer jedes Kind insoweit gekuerzt, als er zusammen mit den Versorgungsbezuegen oder wiederkehrenden Leistungen aus deutschen oeffentlichen Mitteln den Betrag von 120 Deutsche Mark im Monat uebersteigt."

## 2. ANGESTELLTE UND ARBEITER IM OEFFENTLICHEN DIENST

§ 110 BEG bestimmt, dass auf Angestellte und Arbeiter im oeffentlichen Dienst *ohne vertraglichen Anspruch auf Versorgung* die Bestimmungen ueber unselbstaendige Taetigkeit in der Privatwirtschaft Anwendung finden.

Die 3. DV definiert in § 36 den vertraglichen Anspruch auf Versorgung wie folgt:

"Ein vertraglicher Anspruch auf Versorgung nach beamtenrechtlichen Grundsuetzen oder auf Ruhelohn liegt vor, wenn dem Angestellten oder Arbeiter durch Dienstordnung, Ruhelohnordnung, Satzung (Statut) oder Einzelvertrag eine Anwartschaft auf eine vom Dienstherrn zu gewaehrende lebenslaengliche Versorgung bei Dienstunfaehigkeit oder bei Erreichen einer Altersgrenze oder auf Hinterbliebenenversorgung auf der Grundlage des Arbeitsentgelts und der Dauer der Dienstzeit zugesichert war."

## III. SCHAEDIGUNG IN SELBSTAENDIGER UND UNSELBSTAENDIGER ERWERBSTAETIGKEIT

Das Gesetz (§ 113 BEG) und die 3. DV (§§ 37 und 5) regeln sehr eingehend den Fall, in dem ein Verfolgter mehrere Taetigkeiten ausgeuebt hat und nur in einer dieser Taetigkeiten geschaedigt worden ist. Diese Regelung ist fuer Juden nur von geringem Interesse, da diese aus allen Taetigkeiten, die sie ausgeuebt haben, verdraengt worden sind. Die Verdraengung aus mehreren selbstaendigen Taetigkeiten und die Verdraengung aus einer selbstaendigen und einer unselbstaendigen Taetigkeit ist dahin geregelt, dass fuer Berechnung der Kapitalentschaedigung und der Rente die Taetigkeit massgebend ist, aus der nicht nur voruebergehend das hoehere Einkommen bezogen wurde. Ist das Einkommen aus einer selbstaendigen und unselbstaendigen Taetigkeit gleich, so finden die Bestimmungen ueber selbstaendige Taetigkeit Anwendung. Dies gilt auch, wenn die Verdraengung nacheinander erfolgt ist.

Fuer den Fall, dass die Verdraengung aus zwei unselbstaendigen Taetigkeiten erfolgt ist, trifft das Gesetz keine ausdrueckliche Regelung. Um zu einer zufriedenstellenden Regelung zu kommen, muss auf den Grundgedanken des Gesetzes zurueckgegangen werden.

Das Gesetz und die DV gehen von folgendem aus: Es soll vermieden werden, dass bei mehreren Taetigkeiten verschiedene Schadenstatbestaende zur Anwendung kommen. Die gesamte Taetigkeit des Verfolgten ist als eine einheitliche Taetigkeit anzusehen.

Hieraus folgt:

Bei Verdraengung aus mehreren selbstaendigen Taetigkeiten, die nebeneinander ausgeuebt wurden, ist fuer Berechnung der Ent-

schaedigung das Gesamteinkommen aus beiden Taetigkeiten zugrunde zu legen.

Ist die Verdraengung aus einer selbstaendigen und einer unselbstaendigen Taetigkeit erfolgt, die nebeneinander ausgeuebt wurden, so ist von der Taetigkeit auszugehen, aus der nicht nur voruebergehend das hoehere Einkommen erzielt wurde. Bei gleichem Einkommen kommen die Bestimmungen ueber selbstaendige Taetigkeit zur Anwendung. Als Einkommen ist das Gesamteinkommen aus beiden Taetigkeiten zugrunde zu legen. Ist die Verdraengung nacheinander erfolgt, so ist die Taetigkeit massgebend, aus der das hoehere Einkommen erzielt wurde. Bei gleichem Einkommen ist die selbstaendige Taetigkeit zugrunde zu legen.

Bei der Verdraengung aus mehreren unselbstaendigen Taetigkeiten muss das gleiche gelten wie bei der Verdraengung aus mehreren selbstaendigen Taetigkeiten.

Die 3. DV bestimmt in § 37 Abs. 1, dass unselbstaendig auch die Taetigkeit im oeffentlichen Dienst und bei Religionsgesellschaften ist. Hat ein unter diese Vorschrift fallender Verfolgter eine Nebentaetigkeit ausgeuebt, so wird das Einkommen hieraus immer geringer gewesen sein als das aus der Haupttaetigkeit. Es kommen also die Bestimmungen ueber oeffentlichen Dienst oder den Dienst bei Religionsgesellschaften zur Anwendung. Als Dienstehloer muss in diesem Fall das gesamte Einkommen aus beiden Taetigkeiten gelten.

## IV. SCHADEN IN DER AUSBILDUNG

Der Schaden in der Ausbildung ist im BEG in den Paragraphen 115-119 geregelt. Die §§ 115-118 BEG behandeln den Fall, in dem das Kind selbst Verfolgter gewesen ist. § 119 BEG behandelt den Fall, in dem nur die Eltern, nicht aber auch das Kind verfolgt worden ist. Die DV erlaeutert nur den § 119 BEG, der wie folgt lautet:—

“Kinder, die wegen der Verfolgung ihrer Eltern ihre erstrebte Berufsausbildung oder ihre vorberufliche Ausbildung nicht haben aufnehmen oder beenden koennen, haben, solange fuer sie nach Beamtenrecht Kinderzuschlaege gewaehrt werden koennen, Anspruch auf Beihilfe zu den notwendigen Aufwendungen, die bei der Nachholung ihrer Ausbildung erwachsen. Der Anspruch besteht nur,

soweit die Eltern wegen der Verfolgung nicht in der Lage sind, die Kosten der Ausbildung aus eigenen Mitteln zu bestreiten.”

Hierzu sagt § 38 DV:

“Die Voraussetzung, dass fuer die Kinder nach Beamtenrecht Kinderzuschlaege gewaehrt werden koennen, gilt auch dann als erfuehlt, wenn sich der Abschluss der Schul—oder Berufsausbildung infolge der gegen die Eltern gerichteten nationalsozialistischen Verfolgungs-oder Unterdrueckungsmassnahmen verzoeigert hat.”

Es sei darauf hingewiesen, dass sich diese Bestimmung nur auf den Fall bezieht, in dem die Eltern verfolgt und die Kinder nicht verfolgt worden sind.

## V. ZUSAMMENTREFFEN VON BERUFSSCHADEN UND KOERPERSCHADEN

§ 121 BEG bestimmt:

“Hat der Verfolgte fuer denselben Entschaeigungszeitraum Anspruch auf Kapitalentschaedigung oder auf Rente fuer Schaden im beruflichen Fortkommen, sowie Anspruch auf Rente und auf Kapitalentschaedigung fuer Schaden an Koerper oder Gesundheit, so erhaelt er die Entschaeigung fuer den Schaden, auf den sich der hoehere Anspruch gruendet, in voller Hoehe und 25 vom Hundert der Entschaeigung fuer den Schaden, auf den sich der niedrigere Anspruch gruendet.”

Hierzu sagt die DV in § 39, dass Renten fuer Schaden im beruflichen Fortkommen auch die Renten der Witwe, des Witwers und der Kinder sind.

Nach § 83 BEG hat der aus einem selbstaendigen Beruf verdraengte Verfolgte, der die Rente gewaehrt hat, einen Anspruch auf eine Entschaeigung fuer die Zeit vor dem 1.11.1953 in der Hoehe der Rentenbezeuge eines Jahres. Diese Entschaeigung ist nach der DV nur mit der Kapitalentschaedigung fuer Schaden an Koerper oder Gesundheit zu verrechnen, die auf die Zeit vom 1.11.1952 bis 31.10.1953 entfaellt.

## VI. SCHLUSSBESTIMMUNGEN

§ 10 BEG bestimmt, dass auf die Entschaeigung aus deutschen oeffentlichen Mitteln gewaehrte Leistungen anzurechnen sind, die im Zuge der Entschaeigung fuer Opfer der nationalsozialistischen Verfolgung bewirkt worden sind. Nach der DV (§ 40) soll der anzurechnende Betrag derart verteilt werden, dass dem Berechtigten mindestens die Haelfte des Monatsbetrages der Rente verbleibt.

Die Auszahlungsbetraege der Kapitalentschaedigungen und der Rente sind auf volle Deutsche Mark aufzurunden (§ 41 DV).

Die DV schliesst mit der sogenannten Berlin-Klausel und der Bestimmung, dass die 3. DV mit Wirkung vom 1.10.1953 in Kraft tritt (§§ 42 und 43 DV).

Fuer Schaden im beruflichen Fortkommen, den im Ausland lebende Verfolgte erlitten haben, ist es von ausschlaggebender Bedeutung, dass die Umrechnung des auslaendischen Einkommens in Deutsche Mark in einer Weise erfolgt, die den besonderen Lebensverhaeltnissen dieser Verfolgten Rechnung traegt. Die Umrechnung ist von Bedeutung 1. fuer die Bestimmung des Endes des Entschaeigungszeitraums, 2. fuer die Moeglichkeit der Rentenwahl bei selbstaendigen Berufen und 3. fuer die Hoehe der Entschaeigung bei einem anzurechnenden Arbeitseinkommen. Nur wenn hierbei den besonderen Lebensverhaeltnissen Rechnung getragen wird, ist eine angemessene Wiedergutmachung im Rahmen der gesetzlichen Bestimmungen moeglich.

**Tabelle 1**  
(zu §§ 12 und 21)

## EINKOMMENSUEBERSICHT

### 1. Einfacher Dienst

Lebensalter	Bis zum vollendeten 35. Lebensjahr		Bis zum vollendeten 45. Lebensjahr		Bis zum vollendeten 55. Lebensjahr		Ab vollendetem 55. Lebensjahr		
		+20%		+20%		+20%		+20%	
bis 30. 9. 1953	Jahreseinkommen	3 000,—	3 600,—	3 300,—	3 960,—	3 600,—	4 320,—	3 900,—	4 680,—
	Monatseinkommen	250,—	300,—	275,—	330,—	300,—	360,—	325,—	390,—
ab 1. 10. 1953	Jahreseinkommen	3 600,—	4 320,—	3 900,—	4 680,—	4 200,—	5 040,—	4 500,—	5 400,—
	Monatseinkommen	300,—	360,—	325,—	390,—	350,—	420,—	375,—	450,—

### 2. Mittlerer Dienst

Lebensalter	Bis zum vollendeten 35. Lebensjahr		Bis zum vollendeten 45. Lebensjahr		Bis zum vollendeten 55. Lebensjahr		Ab vollendetem 55. Lebensjahr		
		+20%		+20%		+20%		+20%	
bis 30. 9. 1953	Jahreseinkommen	3 600,—	4 320,—	4 050,—	4 860,—	4 500,—	5 400,—	4 950,—	5 940,—
	Monatseinkommen	300,—	360,—	337,50	405,—	375,—	450,—	412,50	495,—
ab 1. 10. 1953	Jahreseinkommen	4 500,—	5 400,—	4 950,—	5 940,—	5 400,—	6 480,—	5 850,—	7 020,—
	Monatseinkommen	375,—	450,—	412,50	495,—	450,—	540,—	487,50	585,—

### 3. Gehobener Dienst

Lebensalter	Bis zum vollendeten 35. Lebensjahr		Bis zum vollendeten 45. Lebensjahr		Bis zum vollendeten 55. Lebensjahr		Ab vollendetem 55. Lebensjahr		
		+20%		+20%		+20%		+20%	
bis 30. 9. 1953	Jahreseinkommen	4 800,—	5 760,—	5 700,—	6 840,—	6 600,—	7 920,—	7 500,—	9 000,—
	Monatseinkommen	400,—	480,—	475,—	570,—	550,—	660,—	625,—	750,—
ab 1. 10. 1953	Jahreseinkommen	6 000,—	7 200,—	6 900,—	8 280,—	7 800,—	9 360,—	8 700,—	10 440,—
	Monatseinkommen	500,—	600,—	575,—	690,—	650,—	780,—	725,—	870,—

### 4. Hoherer Dienst

Lebensalter	Bis zum vollendeten 35. Lebensjahr		Bis zum vollendeten 45. Lebensjahr		Bis zum vollendeten 55. Lebensjahr		Ab vollendetem 55. Lebensjahr		
		+20%		+20%		+20%		+20%	
bis 30. 9. 1953	Jahreseinkommen	7 200,—	8 640,—	8 400,—	10 080,—	9 600,—	11 520,—	10 800,—	12 960,—
	Monatseinkommen	600,—	720,—	700,—	840,—	800,—	960,—	900,—	1 080,—
ab 1. 10. 1953	Jahreseinkommen	8 400,—	10 080,—	9 600,—	11 520,—	10 800,—	12 960,—	12 000,—	14 400,—
	Monatseinkommen	700,—	840,—	800,—	960,—	900,—	1 108,—	1 000,—	1 200,—

Tabelle 2  
(zu § 13)

## Besoldungsuebersicht

## KAPITALENTSCHAEDIGUNG

## 1. Einfacher Dienst

Lebensalter im Zeitpunkt der Schaedigung	Bis zum vollendeten 35. Lebensjahr	Bis zum vollendeten 45. Lebensjahr	Bis zum vollendeten 55. Lebensjahr	Ab vollendetem 55. Lebensjahr
a) Dienstehkommen jaehrlich .....	2 700,—	3 000,—	3 300,—	3 450,—
b) $\frac{1}{12}$ des Dienstehkommens jaehrlich (monatlich) .....	2 028,— (169,—)	2 256,— (188,—)	2 484,— (207,—)	2 592,— (216,—)
c) Kapitalentschaedigung zuzueglich Zuschlag nach §§ 76 Abs. 3, 92 Abs. 2 BEG jaehrlich ... (monatlich) .....	2 436,— (203,—)	2 712,— (226,—)	2 976,— (248,—)	3 108,— (259,—)

## 2. Mittlerer Dienst

a) Dienstehkommen jaehrlich .....	3 400,—	4 000,—	4 600,—	4 900,—
b) $\frac{1}{12}$ des Dienstehkommens jaehrlich (monatlich) .....	2 556,— (213,—)	3 000,— (250,—)	3 456,— (288,—)	3 684,— (307,—)
c) Kapitalentschaedigung zuzueglich Zuschlag nach §§ 76 Abs. 3, 92 Abs. 2 BEG jaehrlich ... (monatlich) .....	3 072,— (256,—)	3 600,— (300,—)	4 152,— (346,—)	4 416,— (368,—)

## 3. Gehobener Dienst

a) Dienstehkommen jaehrlich .....	4 800,—	6 000,—	7 200,—	7 800,—
b) $\frac{1}{12}$ des Dienstehkommens jaehrlich (monatlich) .....	3 600,— (300,—)	4 500,— (375,—)	5 400,— (450,—)	5 856,— (488,—)
c) Kapitalentschaedigung zuzueglich Zuschlag nach §§ 76 Abs. 3, 92 Abs. 2 BEG jaehrlich ... (monatlich) .....	4 320,— (360,—)	5 400,— (450,—)	6 480,— (540,—)	7 032,— (586,—)

## 4. Hoeherer Dienst

a) Dienstehkommen jaehrlich .....	7 100,—	9 300,—	11 500,—	12 600,—
b) $\frac{1}{12}$ des Dienstehkommens jaehrlich (monatlich) .....	5 328,— (444,—)	6 984,— (582,—)	8 628,— (719,—)	9 456,— (788,—)
c) Kapitalentschaedigung zuzueglich Zuschlag nach §§ 76 Abs. 3, 92 Abs. 2 BEG jaehrlich ... (monatlich) .....	6 396,— (533,—)	8 376,— (698,—)	10 356,— (863,—)	11 352,— (946,—)

**Tabelle 3**  
(zu §§ 15 und 17)

## BESOLDUNGSUEBERSICHT

### 1. Einfacher Dienst

Lebensalter		Bis zum vollendeten 35. Lebensjahr	Bis zum vollendeten 45. Lebensjahr	Bis zum vollendeten 55. Lebensjahr	Ab vollendetem 55. Lebensjahr
Erreichbare Dienstbezüge	bis 30. 9. 1951	2 700,—	3 000,—	3 300,—	3 450,—
	bis 31. 3. 1953	3 132,—	3 480,—	3 828,—	4 002,—
	bis 31. 12. 1955	3 564,—	3 960,—	4 356,—	4 554,—
	ab 1. 1. 1956	3 888,—	4 320,—	4 752,—	4 968,—

### 2. Mittlerer Dienst

Erreichbare Dienstbezüge	bis 30. 9. 1951	3 400,—	4 000,—	4 600,—	4 900,—
	bis 31. 3. 1953	3 944,—	4 640,—	5 336,—	5 684,—
	bis 31. 12. 1955	4 488,—	5 280,—	6 072,—	6 468,—
	ab 1. 1. 1956	4 896,—	5 760,—	6 624,—	7 056,—

### 3. Gehobener Dienst

Erreichbare Dienstbezüge	bis 30. 9. 1951	4 800,—	6 000,—	7 200,—	7 800,—
	bis 31. 3. 1953	5 568,—	6 960,—	8 352,—	9 048,—
	bis 31. 12. 1955	6 336,—	7 920,—	9 504,—	10 296,—
	ab 1. 1. 1956	6 912,—	8 640,—	10 368,—	11 232,—

### 4. Hoherer Dienst

Erreichbare Dienstbezüge	bis 30. 9. 1951	7 100,—	9 300,—	11 500,—	12 600,—
	bis 31. 3. 1953	8 236,—	10 788,—	13 340,—	14 616,—
	bis 31. 12. 1955	9 372,—	12 276,—	15 180,—	16 632,—
	ab 1. 1. 1956	10 224,—	13 392,—	16 560,—	18 144,—

## Besoldungsuebersicht

**RENTE****1. Einfacher Dienst**

Lebensalter am 1. 10. 1953		Bis zum vollendeten 35. Lebensjahr	Bis zum vollendeten 45. Lebensjahr	Bis zum vollendeten 55. Lebensjahr	Ab vollendetem 55. Lebensjahr
1. Dienst Einkommen jaehrlich	bis 31. 12. 1955	3 564,—	3 960,—	4 356,—	4 554,—
	ab 1. 1. 1956	3 888,—	4 320,—	4 752,—	4 968,—
2. Versorgungsbeuege jaehrlich	bis 31. 12. 1955	1 604,—	2 574,—	3 267,—	3 416,—
	ab 1. 1. 1956	1 750,—	2 808,—	3 564,—	3 726,—
3. Jahresrente (§ aus Nr. 2)	bis 31. 12. 1955	1 080,—	1 716,—	2 184,—	2 280,—
	ab 1. 1. 1956	1 164,—	1 872,—	2 376,—	2 484,—
4. Monatsrente	bis 31. 12. 1955	90,—	143,—	182,—	190,—
	ab 1. 1. 1956	97,—	156,—	198,—	207,—

**2. Mittlerer Dienst**

1. Dienst Einkommen jaehrlich	bis 31. 12. 1955	4 488,—	5 280,—	6 072,—	6 468,—
	ab 1. 1. 1956	4 896,—	5 760,—	6 624,—	7 056,—
2. Versorgungsbeuege jaehrlich	bis 31. 12. 1955	2 020,—	3 432,—	4 554,—	4 851,—
	ab 1. 1. 1956	2 203,—	3 744,—	4 968,—	5 292,—
3. Jahresrente (§ aus Nr. 2)	bis 31. 12. 1955	1 356,—	2 292,—	3 036,—	3 240,—
	ab 1. 1. 1956	1 464,—	2 496,—	3 312,—	3 528,—
4. Monatsrente	bis 31. 12. 1955	113,—	191,—	253,—	270,—
	ab 1. 1. 1956	122,—	208,—	276,—	294,—

**3. Gehobener Dienst**

1. Dienst Einkommen jaehrlich	bis 31. 12. 1955	6 336,—	7 920,—	9 504,—	10 296,—
	ab 1. 1. 1956	6 912,—	8 640,—	10 368,—	11 232,—
2. Versorgungsbeuege jaehrlich	bis 31. 12. 1955	2 851,—	5 148,—	7 128,—	7 722,—
	ab 1. 1. 1956	3 110,—	5 616,—	7 776,—	8 424,—
3. Jahresrente (§ aus Nr. 2)	bis 31. 12. 1955	1 908,—	3 432,—	4 752,—	5 148,—
	ab 1. 1. 1956	2 076,—	3 744,—	5 184,—	5 616,—
4. Monatsrente	bis 31. 12. 1955	159,—	286,—	396,—	429,—
	ab 1. 1. 1956	173,—	312,—	432,—	468,—

**4. Hoeherer Dienst**

1. Dienst Einkommen jaehrlich	bis 31. 12. 1955	9 372,—	12 276,—	15 180,—	16 632,—
	ab 1. 1. 1956	10 224,—	13 392,—	16 560,—	18 144,—
2. Versorgungsbeuege jaehrlich	bis 31. 12. 1955	3 280,—	6 752,—	10 626,—	12 474,—
	ab 1. 1. 1956	3 578,—	7 366,—	11 592,—	13 608,—
3. Jahresrente (§ aus Nr. 2)	bis 31. 12. 1955	2 196,—	4 512,—	7 092,—	7 200,—
	ab 1. 1. 1956	2 388,—	4 908,—	7 200,—	7 200,—
4. Monatsrente	bis 31. 12. 1955	183,—	376,—	591,—	600,—
	ab 1. 1. 1956	199,—	409,—	600,—	600,—

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