## **Contents**

I.	Introduction	1
	1. The Cultural Conditioning and Changeability of Social Protection	1
	2. Chronological Parameters	2
	3. The Formation of Society and Social Protection	5
	References	8
II.	Social Protection in the Middle Ages and in the Early Modern State: Alms, Poor Relief [Armenpolizei], Care, Social	
	Help	11
	1. Christian Poor Relief	11
	2. The Early Modern State and the Church	12
	3. The Transition to the Nineteenth Century	17
	References	24
III.	Social Policy in the Empire: The Insurance Solution	29
	1. The Idea of Insurance	29
	2. Old Forms of Security and the Industrial Revolution	30
	3. Reform Attempts	36
	4. Bismarck's Social Insurance	39
	a) The Political Background	39
	b) "Idea" and Motive	40
	c) The Constitutional Situation and the Social Question	43
	d) Modernity and Traditionalism	44
	e) The Decision in Favor of Compulsion	46
	f) Bureaucracy and Parties	49
	g) Self-Administration	51
	h) State Subsidy	52
	5. Sickness, Accident, Disability	53
	a) Sickness Insurance	54
	b) Accident Insurance	57
	c) Disability Insurance	59

vi Contents

	6. Supplementary Laws and Further Development Down to the First World War	61 63 66 69 73 74
IV.	The First World War  1. Adjustments 2. The Vaterländischer Hilfsdienst [Patriotic Auxiliary Service] and Collective Labor Law 3. War Relief and Unemployment Benefits 4. Provisioning a) Civil Service, General Conscription, War Victims b) The Legal Development c) Maintenance of Soldiers and the Law on the Consequences of War  References	83 83 84 85 87 88 88 89 92
V.	The Weimar Republic  1. Welfare [Fürsorge]  2. Youth Welfare  3. Housing Policy  4. Social Insurance and Labor Law Confront New Challenges  a) Dealing with the Fallout from the War and the Further  Development of the Classic Branches of Social Insurance  b) From Social Assistance for the Jobless to Insurance Against  Unemployment  5. Labor Courts  6. Crisis Management Without Parliament  References	95 97 104 108 112 112 112 119 126 128 130
VI.	The Nazi State  1. Ruptures and Continuity  2. Race and Population Policy  3. Job Creation and Labor Law  4. Social Insurance  a) Sickness Insurance  b) Accident Insurance  c) Pension Insurance  5. Welfare and Provisioning  6. Social Policy in the War State	135 135 138 141 144 147 147 148 149 151

Contents

VII.	The Post-War Period, the Federal Republic, and the German	
	Democratic Republic	157
	1. "Zero Hour" or Continuity?	157
	2. From Welfare to Public Assistance	160
	a) The Occupation Period	160
	b) Eligibility for Welfare	162
	c) Church-Based and Non-statutory Welfare	164
	d) The Federal Social Assistance Act	164
	e) The Law in Practice	167
	f) Social Welfare in the SOZ and the GDR	170
	3. The Long Road to the Children and Youth Services Act	171
	a) Youth Welfare After 1945	172
	b) From the Reich Youth Welfare Act to the Child and Youth	
	Welfare Act	.172
	c) Youth Welfare and Youth Aid in the SOZ and the GDR	175
	4. Internal and External Burdens from the War	176
	a) Provision for War Victims, Provision for Soldiers	177
	b) Prisoner of War Compensation, Integration of Expellees	
	and Evacuees	179
	c) Compensation of Burdens	180
	d) So-Called Wiedergutmachung ("Restitution")	182
	5. Social Support and Promotion	184
	a) Classification Issues	184
	b) Disability Law	186
	c) Child Allowance	188
	d) Housing	189
	e) Purpose-Orientation and Adversities of the System	191
	6. Social Insurance After 1945	191
	a) Setting the Course: Omnium Insurance (Einheitsversicherung)	
	or "Tried-and-True System"?	191
	b) Social Court and Labor Court Jurisdiction	194
	c) Institutional Rebuilding of Social Insurance	196
	d) Pension Insurance	199
	e) Health Insurance	208
	f) Accident Insurance	215
	g) Job Placement and Unemployment Insurance	217
	h) Nursing Care Insurance: The Fifth Pillar	219
	References	221
VIII.	Social Law as a Scientific Discipline	229
,	References	232
IX.	Europeanization of Social Law	235
	1. National Social Systems and International Cooperation	235
	2. European Law and the Emerging European Constitution	237
	References	239

Χ.	Long Term Perspectives for Social Protection	241
	1. Changing Societies and Social Protection	241
	2. Slowness in Responding to Economic Crisis	242
	3. The German Model	244
	4. Social Protection and the Legitimation of Democracy	247
	References	253
XI.	Index	255