

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 [<i>Armenpolizei</i>], 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

6. Supplementary Laws and Further Development Down to the First World War	61
a) Protective Labor Law	63
b) Labor Law	66
c) Social Insurance Law Down to 1914	69
d) The Municipal Level	73
References	74
IV. The First World War	83
1. Adjustments	83
2. The <i>Vaterländischer Hilfsdienst</i> [Patriotic Auxiliary Service] and Collective Labor Law	84
3. War Relief and Unemployment Benefits	85
4. Provisioning	87
a) Civil Service, General Conscription, War Victims	88
b) The Legal Development	88
c) Maintenance of Soldiers and the Law on the Consequences of War	89
References	92
V. The Weimar Republic	95
1. Welfare [<i>Fürsorge</i>]	97
2. Youth Welfare	104
3. Housing Policy	108
4. Social Insurance and Labor Law Confront New Challenges	112
a) Dealing with the Fallout from the War and the Further Development of the Classic Branches of Social Insurance	112
b) From Social Assistance for the Jobless to Insurance Against Unemployment	119
5. Labor Courts	126
6. Crisis Management Without Parliament	128
References	130
VI. The Nazi State	135
1. Ruptures and Continuity	135
2. Race and Population Policy	138
3. Job Creation and Labor Law	141
4. Social Insurance	144
a) Sickness Insurance	147
b) Accident Insurance	147
c) Pension Insurance	148
5. Welfare and Provisioning	149
6. Social Policy in the War State	151
References	153

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 <i>Wiedergutmachung</i> (“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 (<i>Einheitsversicherung</i>) 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

X. 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