

Washington Conference on Holocaust-Era Assets Draft for the Pink Triangle Coalition, 1998

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In Fall 1998, the Magnus Hirschfeld Society prepared a report for the International Gay and Lesbian Human Rights Commission ([IGLHRC](#)) on the still insufficient restitution for the loss of the Berlin Institute for Sexual Science. The IGLHRC acted as a representative for the [Pink Triangle Coalition](#) at the Washington Conference on Holocaust Era Assets.

Abstract ↑

Magnus-Hirschfeld-Gesellschaft e.V. (1982-)

The Magnus Hirschfeld Society (MHS) was established in 1982 for the purpose of keeping alive the legacy of the Institute for Sexual Science that was founded by Dr. Magnus Hirschfeld in 1919 and destroyed by the Nazis in 1933. Other objectives include researching the work and impact of the institute and making this information accessible to the public. Through the efforts of the Magnus Hirschfeld Society, a memorandum was published in 1986 supporting the establishment of a new Berlin Institute for Sexual Science ("Für ein neues Berliner Institut für Sexualwissenschaft", West Berlin, edition sigma). Another one was submitted in 1991 to the academic senate of the Humboldt University of Berlin by leading gender scholars, in support of setting up an institute for research on gender and sexuality at the Humboldt University of Berlin. The MHS has also prepared several exhibitions, on Magnus Hirschfeld (1985), on the Institute for Sexual Science (1994 German, 1997 Spanish, English), and on the gay movement since 1897 (1997 English, 1998 German).

Institute for Sexual Science (1919-1933) ↑

The Institute for Sexual Science, which had been sponsored by the Magnus Hirschfeld Foundation since 1924 was, for its era, as outstanding as it was unique. It included medical, psychological, and ethnological divisions, and a marriage and sex counseling office; its Scientific-Humanitarian Committee was one of the pioneering institutions to call for civil rights for homosexual men and women. Other significant issues in which the Institute was involved included the demand for equal rights for women, family planning, and sex education.

The institute was pillaged and closed on 6 May 1933. The leading physicians on staff, most of whom, including Hirschfeld himself, were persecuted as Jews by the Nazis, were either forced to go into exile or were murdered.

The institute had the legal form of a nonprofit foundation, the assets of which included the buildings, which were misused by the Nazis (and destroyed in the war). Years of research proved unable to recover the extensive library, and irreplaceable collections and archives of the institute must be regarded as lost.

The Legacy of Dr Magnus Hirschfeld ↑

According to the founder's wishes, the Institute's resources were to be used to establish a chair for gender and sexuality at Berlin University. Both West and East Germany failed to follow this bequest after 1945. There was no restitution according to the terms of the foundation statutes, since West German courts found that the Dr. Magnus Hirschfeld Foundation had been legally (!) dissolved by the Nazis in 1934. In view of the fact that the Nazi version of §175a retained validity in the Federal Republic of Germany, it was not possible for surviving homosexuals to claim restitution for the destroyed cultural center. With this paper, the Magnus Hirschfeld Society would like to emphasize the fact that up to now there has been no restitution for the destroyed Institute for Sexual Science. The MHS would like to encourage support for the proposal to found an Institute for Research on Gender and Sexuality, as described in the June 1991 memorandum.

Background ↑

1. On the significance of Hirschfeld and the Institute for Sexual Science for the Gay and Lesbian Movement ↑

A gay American active in the movement once referred to Hirschfeld as "the Martin Luther King of the Gay Movement"; contemporary newspapers called him "the Einstein of Sex."

During the Weimar Republic, homosexual women and men developed an extensive subculture, especially in the major cities. Berlin was the epicenter and attracted many foreign guests (as Amsterdam did in the 1960s) [1] The homosexual emancipation movement had already been established in 1897 by the Scientific-Humanitarian Committee (SHC), also founded by the physician Magnus Hirschfeld. In the 1920s there were other homosexual organizations in Germany in addition to the SHC, including the Human Rights League and the Community of the Special [Gemeinschaft der Eigenen], as well as publishing companies connected with these two associations. Since this paper is limited to the Institute for Sexual Science and its significance for the homosexual emancipation movement, these organizations will not be discussed here in detail; it is difficult to quantify the material losses suffered by these organizations through their destruction by the Nazis. In nonmaterial terms, their existence and thus the loss due to the Nazis can hardly be overestimated.

After the founding of the Institute for Sexual Science in 1919, the SHC moved into its own offices within the Institute and remained there until 1930. During this time, the Institute was more or less the **headquarters of the gay movement**. Hirschfeld saw his research as the prerequisite and condition for the acceptance of homosexuals in society; "per scientiam ad justitiam" was the motto of the SHC, and the Institute for Sexual Science was committed to it as well.

Corresponding to the scientific understanding of the times, Hirschfeld sought a universal truth, independent of the individual researcher. In the tradition of the

Enlightenment, his scientific writings made use of the instruments of the empirical natural sciences, whose maxim is objectivity. But Hirschfeld's actions were also enlightened in the sense of a popular sex education and spreading his truths. [2]

Hirschfeld's institute was closely connected to the important social and (sexual) political movements of the Weimar period, in terms of both personnel and subject matter. They were the driving force behind his research. The interaction between the Institute and the "consumers" of his findings was one of the conditions for his success and significance. This force of science was borne of the diversified and mass experience of "sexual distress" and a degree of ignorance about sexual matters would be incomprehensible today. To a large extent the research of the Institute was oriented toward the scientific, "objective" support of emancipation efforts.

Predecessor to Gay and Lesbian Studies ↑

The scientific research done in the early years of the Institute was initially and primarily dedicated to the biological paradigm that prevailed at the time. The objective was to describe as precisely as possible the physical constitution of "sexual transitions" and to determine the significance of sex hormones for the development of personality. The Institute's "psycho-biological questionnaire" also gave it a detailed instrument through which to conduct a survey of personality diagnosis. Finally, there were also sociological research projects that used modern forms of methodology characterized today as "participatory observation," such as Richard Linsert's study of male prostitution.

Hirschfeld's institute was also a sort of home, a refuge for sexual minorities, especially homosexuals, transvestites, and transsexuals (using today's terminology); in other words, it was a unique subcultural center. The constant everyday proximity to the research "subjects" also guaranteed that they retained their individuality, despite all the attempts to measure and categorize. On this point, Hirschfeld's Institute for Sexual Science definitely seems modern - science and daily life were not treated as two totally separate spheres; instead, they enriched and controlled each other directly and mutually.

Pioneers of Sex Education ↑

In the public eye, the most important thing was that the Institute for Sexual Science was the first institution to make human sexuality in all its forms the subject of research efforts and counseling services. The exclusivity of heterosexuality as the only "healthy" form was effectively broken. Everyone could see that many other options also existed.

The Institute was known for its sex education lectures and the so-called "question-and-answer evenings" as well as continuing education events for physicians, lawyers, care providers, and related professional groups. An entire generation of working class youths from socialist and communist youth organizations passed through the Institute.

First Counseling Center ↑

It was known throughout the city that anyone with sexual problems of any kind could

go to Hirschfeld's institute for advice. Two examples shall serve to speak for many others:

A lesbian reported, "I heard of the Magnus Hirschfeld Institute . . . and got up the courage to go there. There were psychologists, doctors, and lawyers there, and anyone could consult with them. . . . If you went for counseling you were asked if you would fill out a questionnaire. There was no pressure, it was voluntary. . . . At lectures in the Institute I learned that it was possible to change your first name. So I got the idea of changing my first name to a boy's name, and I wanted to get permission to wear men's clothing. (That was so I could finally go to a dancehall, ball, or something like that with my girlfriend without making a fuss. Back then I didn't know of any places for homosexuals.)" (Käthe Kuse in an interview with Ilse Kokula)

A transsexual man (male-to-female, using today's terminology) who grew up in a suburb southeast of Berlin reported that he bought some of the homosexual magazines circulating at the time, in order to gain some clarity about himself. When his mother caught him with them, she went with him (still "her" at the time) directly to Hirschfeld in the Institute, so that he could drive the "nonsense" out of the child's head. Instead Hirschfeld arranged for the young girl to receive police permission to wear men's clothing and gave a referral about options for sex reassignment surgery. Later on the young man was often asked to come to the Institute for demonstration purposes, appearing before groups of parliamentarians or high-ranking police officers.

The Invention of the Self-Help Group ↑

Even before World War I, Magnus Hirschfeld had developed a totally innovative concept for therapy for homosexual women and men. It could be referred to as the invention of the self-help group. His institute offered the ideal environment for applying this method.

"Adequate milieu therapy attempts to put patients in an environment corresponding to what they are." That is the most concise description, by Hirschfeld himself, for his method of treating homosexual women and men. He did not try to provide therapy for their homosexuality, and he certainly did not attempt to eliminate it; instead, he wanted to help the homosexual learn to accept him or herself as a person and be able to live as a homosexual in a hostile society. The essential element of this "therapy" was to transport the patient to a different, less hostile environment and to arrange social contact with other homosexuals. In doing this, according to Hirschfeld, the doctor must initially function as a confidant, but then a separation must take place, replacing the doctor ". . . with persons who also bring understanding and tolerance to the patient, with whom the patient can speak as openly as with the doctor. Particularly appropriate in doing this are 'fellow-sufferers' who have already achieved a higher level of consciousness." The internal organization of the Institute facilitated a casual coming-together with "highly intellectual like-minded people," as apparent in descriptions by Christopher Isherwood, among others.

Pioneers of Penal Reform ↑

The Institute was involved in the debate on reform of the Reich Criminal Code. One example shall suffice here: Together with other organizations, the Institute submitted a draft for sexual criminal code reform that received much attention - *Counter-draft to the penal provisions of the official draft for a General German Criminal Code on sexual actions and actions dealing with sexual activities (sections 17, 18, 21, 22, and 23) including justification*. Issued by the Cartel for Reform of the Sexual Criminal Code, Berlin.

The basic idea behind this draft was so progressive that it was not put in force in the Federal Republic of Germany until the penal code reforms of 1969 and 1972. It stated that the legal interest to be protected by the state is (sexual) self-determination, not morality or propriety.

The Institute's forensic practice was extensive. Magnus Hirschfeld, Arthur Kronfeld, Arthur Weil, and other members of the Institute staff often submitted expert reports for well-known trials before courts in Berlin and elsewhere.

The specific history of what was actually done in and by the Institute for Sexual Science is yet to be written. The Magnus Hirschfeld Society exhibition "The First Institute for Sexual Science 1919-1933" can offer an initial impression. Plans exist for it to appear at a number of universities in the United States in 1999.

The nonmaterial loss of the research facility and the center of the homosexual movement is immeasurable. In concrete terms, however, the loss can only be approximated through the value of the buildings, the inventory, the library, and the collections. A restitution to its past form is virtually impossible. This could only be imaginable, very much in keeping with Hirschfeld's original foundation charter, by founding a new institute for research on gender and sexuality in Berlin (cf. [memorandum](#)).

2. Status of Assets and Property Rights ↗

The Dr. Magnus Hirschfeld Foundation was the sponsor of the Institute for Sexual Science. After the inflation of 1923, the foundation assets consisted of the two pieces of real estate, the buildings, and the inventory of the Institute. In the case of the dissolution of the foundation, any remaining wealth was supposed to be given to the Berlin University.

After extensive preparations, the Dr. Magnus Hirschfeld Foundation was founded on 4 December 1918 and approved by the Prussian state on 21 February 1919. Its objectives were the following:

- a. "to support the scientific exploration of all aspects of sexual life, especially its variants, disorders and anomalies
- b. to disseminate educational information in a suitable manner about the results of scientific research in this subject area." ([Exerpts from the Charter of the Dr. Magnus Hirschfeld Foundation](#))

The original assets of the foundations amounted to 30,000 marks. However, (anonymous?) donations had also been received, since a short time later a total worth of 105,000 marks was mentioned.

Hirschfeld purchased the building at the corner of *In den Zelten 10 and Beethovenstrasse 3* [3] on 12 November 1920, after having already opened his Institute for Sexual Science there in summer 1919. Files mention a purchase price of 400,000 marks. On 15 February 1921, the adjacent building at *In den Zelten 9a* was also purchased at a price of 625,000 marks. After the foundation was granted nonprofit status in a decree of the Prussian state government of 19 December 1923, Hirschfeld transferred the buildings from his private assets to the foundation (deed of donation of 6 March 1924). [4] The recognition of nonprofit status was a prerequisite for the foundation's exemption from donation tax, and neither real property acquisition tax nor real estate tax was charged. Nonprofit organizations were (and are) also exempted from having to pay corporate income and turnover taxes.

The foundation assets invested in the Reichsbank had lost all value following inflation; [5] the only remaining assets were the two pieces of real estate and the buildings. In 1924 they were worth 670,000 Reichsmarks, "according to the real estate tax calculation." [6] This figure does not take the value of the inventory (furnishings, collections, library) into consideration.

Little is known about other funds of the Institute for Sexual Science, since the foundation's annual reports have not been found to date. In addition to income from the physician's practice, there was considerable income starting in 1927 from licenses for a potency medication developed in the Institute, sold worldwide under the names Testifortan and Titus Pearls. [7]

In the foundation charter, Hirschfeld had clearly laid down what should be done if the foundation were some day dissolved.

"§10: If the foundation is dissolved . . . or if it comes to an end in some other way, the foundation's assets should be donated to the University of Berlin, or, if it refuses to accept the assets, to another institution of higher education to be determined by the German Prussian ministry of education and the arts or the central authority on university affairs which takes its place. This donation is given with the condition that it is to be used as the basis for establishing a full **professorship in sexual science.**"

After his life work was destroyed by the Nazis, Hirschfeld wrote a personal will while in exile in Paris, wherein he stipulated that the objects returned to him (see below) and the remainder of the assets, left to his students and heirs Karl Giese and Li Shiu Tong, were to be used for the continuation of his work ([excerpt from his will](#)).

Neither stipulation was carried out. A West Berlin court ruled that the dissolution of the foundation and the misuse of the property by the Nazis were lawful. Karl Giese committed suicide in 1938 when the Germans invaded Czechoslovakia and his heir, lawyer Karl Fein, was murdered in 1942 during deportation. Li Shiu Tong (Tao Li) lived in Switzerland and the United States until 1956, but as far as is known, he did not attempt to continue Hirschfeld's work.

3. Pillaging and Destruction ↑

The Institute was pillaged and closed in 1933. Under the pretext of fabricated tax debts,

the real estate and buildings were confiscated, as was the income from royalties for medications developed in the Institute. Nazi offices moved into the buildings, which were destroyed in 1943 in the course of the war.

On 6 May 1933 the Institute was pillaged and part of the library was burned four days later at the book-burning on Opera Square.

On 14 June 1933 the chief of police informed the Ministry of the Interior of the closing of the Institute. He suggested that the Interior Minister retroactively strip the Dr. Magnus Hirschfeld Foundation of its nonprofit status in order to retroactively declare the tax-exempt status unlawful from the very beginning and to collect the resulting back taxes. That is what was done. The tax office demanded payment after the fact of almost 140,000 Reichsmarks for corporate income and turnover taxes. [8] In payment of this "tax debt," objects were auctioned "from the property of the well-known sex researcher Dr. Magnus Hirschfeld . . . , including a 3000-volume comprehensive library of scientific and belletristic works, as well as medical equipment, instruments, furniture, etc," according to the Neue Wiener Journal daily of 15 November 1933. These auctions were publicized only abroad, not in Germany. Hirschfeld apparently managed to buy back part of the collection through third parties. [9] In this way, property that previously belonged to the foundation once again became part of Hirschfeld's private assets.

Furthermore, the two pieces of real estate were mortgaged by the Hansa tax office in Berlin and the mortgages were cancelled after the land titles were transferred to revenue authorities. This served to give the appearance of a legal basis to the property seizure. [10] The forced sale of the real estate that had been instructed and entered in the land register on 12 October 1933 never took place, since the building was used by several organizations close to the Nazi party, e.g., the Nibelungen publishing house, the Reich Union of German Anti-Communist Associations, the League of National Socialist German Lawyers, etc. The next entry was the notice about the confiscation order by the office of the Secret State Police (Gestapo) of 18 November 1933, [11] entered in the land register on 31 March 1936 together with the name of the new owner, "the Prussian state, represented by the Prussian Minister of Finance in Berlin." The Dr. Magnus Hirschfeld Foundation was already "officially" dissolved on 3 July 1934 and the provisions of the foundation charter on use of the assets were not complied with. Instead, the Institute buildings were used to house the State Medical Academy, under the direction of Arthur Gütt (1891-1949), who, together with Ernst Rüdin (1874-1952) and Falk Ruttke (1894-1955), wrote a commentary on the Law for the Prevention of Genetically Unsound Offspring. The managing director of the Academy in 1937-38 was the psychiatrist and notorious "homo-hunter" Carl-Heinz Rodenberg. [12]

The considerable income from licenses for the two potency medications, Titus Pearls and Testifortan - to the extent Hirschfeld or the Institute was entitled to them - was also confiscated.

On 22 November 1943 the buildings were extensively damaged in air raids. Almost all that remained were the outer walls. These were torn down in early June 1950 because they were no longer stable and impaired the safety of road traffic, according to the building commission of the district of Tiergarten. [13] The site was cleared in spring 1956.

4. Restitution proceedings [14] ↑

The General Trusteeship Organization (Allgemeine Treuhand-Organisation, or ATO) was named the entitled party for restitution for the foundation assets. The dispositions made by Hirschfeld and in the foundation charter were not considered in regard to restitution. Only a superficial search for capital assets was conducted.

Distant relatives of Hirschfeld had already filed claims for return of assets with the restitution offices (*Wiedergutmachungsämter*, or WGA) in Berlin in 1950. [15] Since it was quickly determined that these private individuals had no claim to the assets of the Dr. Magnus Hirschfeld Foundation, the ATO [16] continued to pursue the restitution claims of the foundation after the Jewish Restitution Successor Organization (IRSO), which had been initially called in, withdrew its claims. Interior designer Werner Rewald was also involved in the proceedings. After extended disputes, he was appointed emergency director of the foundation in late 1953 by the local court for the Tiergarten district. He had also previously served as authorized representative of the heirs. The assignment of an emergency director was not seen as sufficient for the revival of the foundation; the claims filed were thus rejected and the ATO was viewed as the sole party entitled to make a claim. [17] According to the decision of the WGA of 25 April 1955, the ATO was made owner of the premises. The state of Berlin, which had an interest in retaining ownership of the property, protested the decision. In the subsequent settlement of 12 October 1955, the ATO relinquished its claim to restitution of the property in exchange for a payment of DM 70,400 (minus DM 13,271 for outlayed costs for securing and clearing the ruins) by the state of Berlin. Additional claims of the ATO regarding compensation for use in the years 1933-43 continued to be fiercely debated for three years. The ATO finally received DM 7916. [18] Another fourteen claims originally filed by Hirschfeld's relatives were still open (and largely unresolved) as of 1965 in proceedings before the restitution division of the Berlin regional court (Landgericht). The wording of the final letter from the regional court clearly shows that research was conducted only superficially, if at all, with respect to most of the assets mentioned. [19] This refers especially to the bank deposits and insurance policies.

When it was dissolved, the ATO distributed the money received for the real estate "among non-Jewish victims of Nazi persecution and for other charitable purposes, in 1980, according to section 7 of implementation regulation (DVO) no. 4, which referred to section 9 of directive BK/O (49) 180. . . . The General Trusteeship Organization (ATO), as administrator of the restitution assets, has obviously assumed that with respect to said restitution assets, an obligation to the stipulations of the foundation charter no longer existed." [20] With these words in 1985, then-Science and Research senator for West Berlin Wilhelm Kewenig rejected once and for all the years of political efforts of the Magnus Hirschfeld Society to direct the foundation assets to their original purposes. [21] In 1991, leading scholars submitted a [memorandum](#) for the establishment of an institute for research on gender and sexuality at the Humboldt University of Berlin as a successor to the Hirschfeld institute.

Ralf Dose

Translated from German by Allison Brown



[1] See the recent work: Norman Page, *Auden and Isherwood: The Berlin Years* (London, Macmillan, 1998).

[2] See Rainer Herrn, "Magnus Hirschfeld (1868-1935)," in *"Meinetwegen ist die Welt erschaffen": das intellektuelle Vermächtnis des deutschsprachigen Judentums*, Hans Erler, Ernst Ludwig Ehrlich, and Ludger Heid, eds. (Frankfurt/M. and New York, Campus, 1997).

[3] Land register (*Grundbuch*) of Berlin, Brandenburg Gate district, vol. 3, p. 62.

[4] Nazi authorities later declared that the nonprofit status had been wrongfully granted and thus demanded that corporate income and turnover taxes be paid for the years 1925-1932. They calculated a total amount of RM 139,610.85 in back taxes.

[5] See the letter of 3 October 1924 from the trade control agency (*Handelsüberwachungsstelle*) to police headquarters; Brandenburgisches Landeshauptarchiv, Pr. Br. Rep 30 Berlin C, Polizeipräsidium Berlin, tit. 122, no. 17625, p. 64. With virtually the same message: "Like almost all assets in Germany, this too was lost to inflation. Its present value is probably not worth much more than one hundred rentenmarks." (Institut für Sexualwissenschaft, *Unsere Arbeit*, 2nd report [1924], 13).

[6] *Ibid.*, p. 65; see also *Unsere Arbeit*, 2nd report (1924), 13.

[7] It still needs to be verified whether Titus Pearls were indeed exported to the United States after 1933, as was stipulated contractually, and if the royalties to be paid in dollars were largely paid directly into the Nazi treasury.

[8] According to a letter from the Berlin finance senator to 144th WGK (restitution division of the Berlin regional court) of 17 November 1955, p. 4.

[9] In a letter to former Institute staff member Max Hodann, Hirschfeld's friend Karl Giese mentioned the Brno lawyer Dr. Karl Fein as the person who organized the purchases. At least some of the repurchased items were still in France in 1936, but their later whereabouts are not known.

[10] According to §144 of the then-valid Reich tax law, a large portion of the claims was already statute-barred in the summer of 1933 (cf. ATO letter of 21 June 1957 to the Berlin regional court [*Landgericht*]/WGK [restitution division]). Hirschfeld himself was also construed to owe trade tax, in payment of which Hirschfeld's royalties from the contract for Titus Pearls (probably also from Testifortan) were supposed to be used. (Cf. Landesarchiv Berlin [Berlin state archives], rep. 57, no. 161, p. 3).

[11] The confiscation order applied to all the assets of the foundation.

[12] Dr. Karl-Heinrich (or Carl-Heinz) Rodenberg, born 1904, was a physician. Starting in 1937 he was director of the Department for Hereditary and Racial Hygiene in the Reich Ministry of the Interior's Committee for National Health. From 1942 he was in the Reich Security Main Office of the SS, in charge of sexual-psychological matters starting in mid-1943. His particular field of expertise were studies on predisposed homosexuality. He was a vehement proponent of officially ordered forced castration for offenses violating §175 and §175a (cited in *Homosexualität in der NS-Zeit*, Günter Grau, ed. [Frankfurt/M, Fischer, 1993], 22-23; cf. Claudia Schoppmann, *Nationalsozialistische Sexualpolitik und weibliche Homosexualität* [Pfaffenweiler, Centaurus, 1991], 198f, 203f, 215ff).

[13] Landesarchiv Berlin rep. 202, acc. 1559, no. 2161, pl 37.

[14] Information in this section is based on copies from the restitution files made available to us by courtesy of Manfred Baumgardt. See also Manfred Baumgardt, "Das Institut für Sexualwissenschaft und die Homosexuellenbewegung in der Weimarer Republik," in *Eldorado. Homosexuelle Frauen und Männer in Berlin 1850-1950. Geschichte, Alltag und Kultur* (Berlin, Frölich & Kaufmann, 1984), 31-41, here p. 38.

[15] This included: Georg Tobias, M.D., son of Hirschfeld's sister Recha; sister-in-law Emma Hirschfeld, Berlin-Charlottenburg (her husband, Dr. Emanuel Hirschfeld, died on 4 April 1925); Hermann Hirschfeld, St. Paul, MN (son of Hirschfeld's brother Eduard); nephew Günter Rudi Hauck, Australia (son of Hirschfeld's sister Jenny Hirschfeld Hauck); and great nephew Franz Mann, Tanga, Tanzania (grandson of Hirschfeld's sister Franziska). These relatives of Hirschfeld would have been entitled to inheritance of Hirschfeld's personal assets if there had been no will. (Information about the individuals was taken from the land register of 6 November 1950 and a WGA letter of 24 August 1953). See below on Hirschfeld's inheritance.

[16] The General Trusteeship Organization (Allgemeine Treuhand-Organisation, or ATO) was installed by the military government as a restitution trusteeship organization in the British zone of Germany and in the British sector of Berlin. Its purpose was "to acquire assets for which no claims had been raised or for which no heirs existed, and which used to belong to persons who were not Jews or to non-Jewish organizations and these persons or organizations had their assets wrongfully confiscated in the period from 30 January 1933 to 8 May 1945 for reasons of race, religion, nationality, political opinion, or political opposition to the National Socialists" (emphasis in original). Weltzien, Senate director and president of the state tax office, was the Berlin representative on the board of trustees. The ATO was dissolved in 1980.

[17] Decision of 25 April 1955, 8 WGA 1276/50. Werner Rewald apparently tried several times to have the original purpose of the foundation be enforced, but to no avail. He wrote to the WGA on 11 January 1954, for example, "... these are indeed assets of a foundation and any inheritance claims would be unjustified. I will assert my influence to see that the assets are used to serve their original purpose, that

is, sexual-scientific research, and not be used for nonintended ideas. I am thinking of the medical department of the Free University" [of Berlin].

[18] (144 WGK) 8 WGK 1276/50 (115/55), decision of 2 October 1958.

[19] Berlin regional court to ATO and IRSO, 25 January 1965. [See](#)

[20] Response (final report) by Wilhelm A. Kewenig, Berlin Senator for Science and Research, 10 July 1985 to small inquiry no. 70 of 6 May 1985, from Berlin representative Dr. Hilde Schramm of the *Alternative Liste* party. The description of the use of the funds is taken verbatim from the DVO and says nothing about how the funds were actually used.

[21] See *Mitteilungen der Magnus-Hirschfeld-Gesellschaft*, no. 1 (1983); no. 3 (1984); no. 6 (1985), 4, and no 14 (1989), 17-19.

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