

7. Reactions by experts and government authorities

Once Lenz's suspicions were made public, the media turned its attention to the issue. That forced the authorities, which had initially taken a relatively passive stance, to act. The Interior Ministry of the state of North Rhine-Westphalia established an expert commission tasked with assessing Lenz's suspicions, which it described as "sufficiently probable" in its first session. In its work, the commission pursued a widely accepted authoritarian approach according to which the job of finding a solution to the problem was to be left entirely to medical experts. The need to warn the public against the consumption of Contergan, which could still be found in numerous home medicine cabinets, was considered less important. The commission did not draft a report, however, as its work was hindered by disagreements between medical experts and government authorities, coupled with pressure brought to bear by Chemie Grünenthal. Yet by early 1963, when the commission held its last session, most medical experts were convinced that the teratogenic effects of thalidomide had been proven.

Following the withdrawal of Contergan from the market, medical experts and government authorities faced a huge problem, namely that they did not know how many victims had been effected, since the obligation to report neonatal malformations had been eliminated in view of the experiences of the Nazi regime. Initial estimates ranged from a few hundred to several thousand. Thus both state and federal health authorities made an effort to identify the cases in question. The figures remained unreliable, however, because many of those affected were mistrustful of government involvement in the matter, because more than a few physicians cited their obligation to maintain confidentiality and because there was no agreement about which cases should or could be identified. By the fall of 1963, an approximate total of 2,300 to 2,400 living victims had been identified. Of those, roughly 1,000 cases were classified as severe and requiring "prosthetic treatment." Due to the limited visibility of the defects in some cases (especially in cases of damage to internal organs) and the difficulty involved in distinguishing them from other types of damage, the number fluctuated during the following period as well. A rough idea of the total number

of victims can be gained from the figures published by the Conterganstiftung für behinderte Menschen (Contergan Foundation for the Disabled), which cited a total of 2,646 persons suffering from damages caused by thalidomide in the Federal Republic in 2016. Other sources put the figure at over 3,000, however.

A major focus of press reporting was the Federal Ministry of Health, which had not been established until November 1961 and was headed by Elisabeth Schwarzhaupt, the first female Minister in the Federal Republic of Germany. The authorities received numerous submissions from the general public following the withdrawal of Contergan from the market and especially since the spring of 1962. The standardized notifications sent to the victims reflected a defensive attitude on the part of the government, which was meant above all to reduce its vulnerability to attack and offered no effective help. The frequently observed practice of referring victims from one authority to another (which was practically unavoidable for administrative reasons), sometimes evoked the impression that the authorities simply wanted to “get rid” of them. The behavior of the authorities drew harsh criticism in the press, which peaked in the summer of 1962 and was directed primarily at Schwarzhaupt herself, who, as a woman, was indirectly accused of being incapable of performing the duties of a federal minister.

Beginning in the fall of 1962, this public pressure prompted a slight change of course, which failed to overcome the authorities’ defensive stance completely or immediately, however. Only gradually did the behavior of politicians and government officials towards victims change, especially in cases of direct contact. In the mid-1960s, both state and federal ministers began, for example, to sign letters sent to victims in response personally or to take part in personal discussions with victims’ representatives. Although more attention was gradually paid to victims’ associations and their interests (in the form of financial support and inclusion of those organization in deliberations regarding political measures, for example), such contacts were always marked by a certain amount of tension, especially since the victims’ associations were forced to cope with divergent currents that were vehemently opposed to one another and often engaged in legal battles. As a consequence, especially the ministerial

bureaucracy deliberately maintained a certain distance from these associations.
That would change only in the course of the following decades.