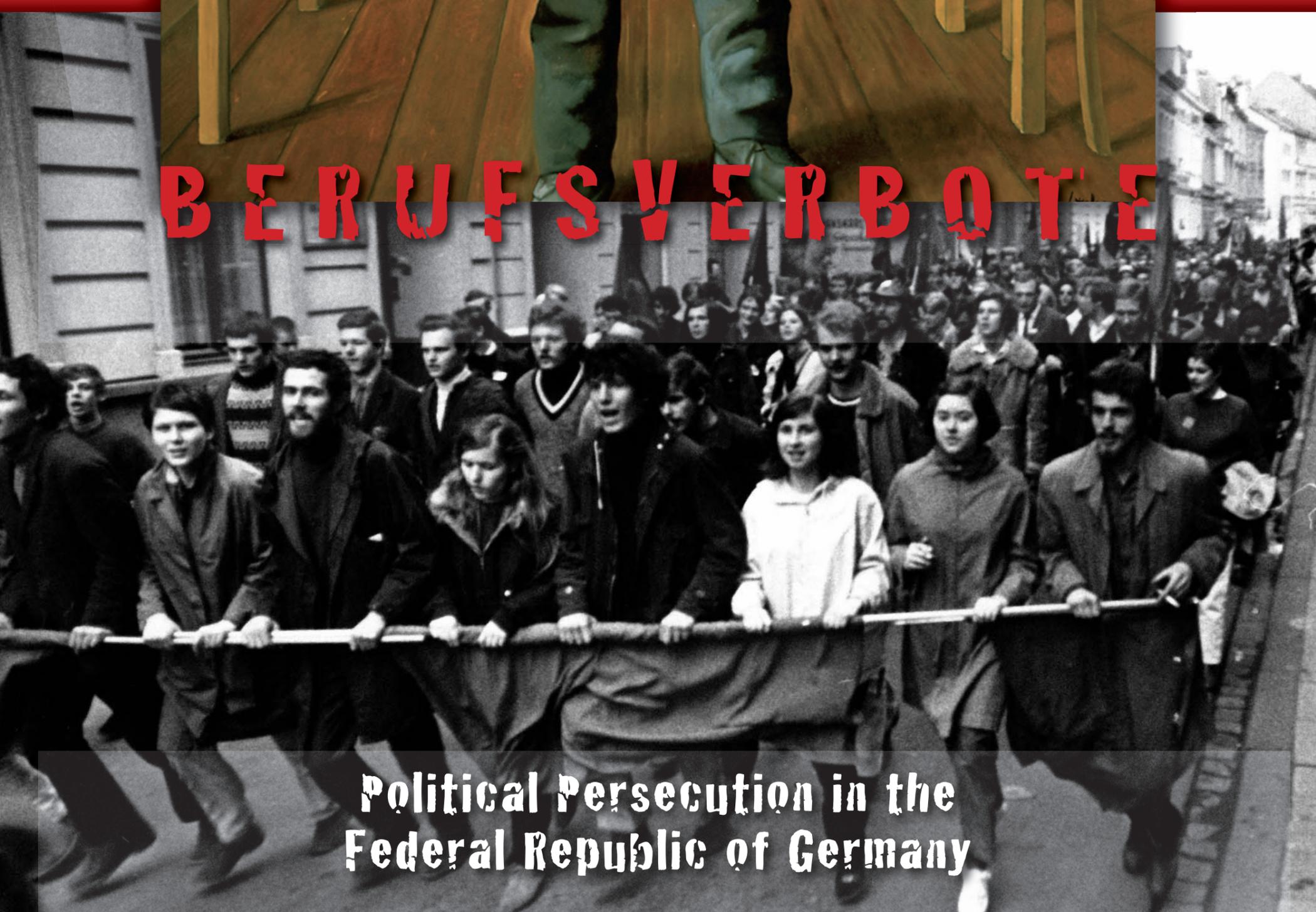


"Forgotten" History

# BERUFSVERBOTE



Political Persecution in the  
Federal Republic of Germany

# Berufsverbot? What Is That?

## Aim of Berufsverbot: Intimidation by Threatening to Destroy Livelihoods

Political repression and political persecution has happened and is still happening in many areas of society.

What was so special about the "Radikalerlass"? Its aim was to abolish the material existence of the affected people in the workplace. Those affected either could not complete their education or could not practise their professions, because these were monopolised by the state. Therefore, Berufsverbote have lifelong existential consequences for those affected.

## The "Radikalerlass" Violated Essential Basic and Human Rights:

1. The principle of equality and the non-discrimination rule (Basic Law, article 3)
2. Freedom of religion, conscience and ideological beliefs (Basic Law, article 4)
3. Freedom to choose a career (Basic Law, article 12, paragraph 1)

At the end of the 1960s, politicians, lawyers, police and secret services considered how to contain mass protests at universities and work places. The forms of repression practised so far – surveillance, police raids, political trials and imprisonment – didn't seem to be sufficient anymore. In particular, the state authorities were concerned that a new generation with left-wing leanings could permeate the governmental structures and change them from the inside. A working group commissioned in 1971 discussed possibilities to keep left-wing critics out of the civil service. The measures to be taken were meant to be intimidating and deterrent. On the basis of this, the Prime Ministers of the Länder under the chair of Chancellor Willy Brandt on January 28, 1972 passed what became known as the "Radicals Decree" (Radikalerlass).

Jetzt aber schnell,  
meine Herrn,



da vorne will  
schon wieder ein Radikaler  
in den öffentlichen Dienst.

Text of Poster: *Hurry up, gentlemen, here is another radical who wants to get into the civil service.*

Anti-Berufsverbot poster from the 1970s

From a student demonstration in the late 1960s – the security authorities asked themselves how political and social movements could be weakened efficiently.



## 2. AUTHORITARIAN STATE

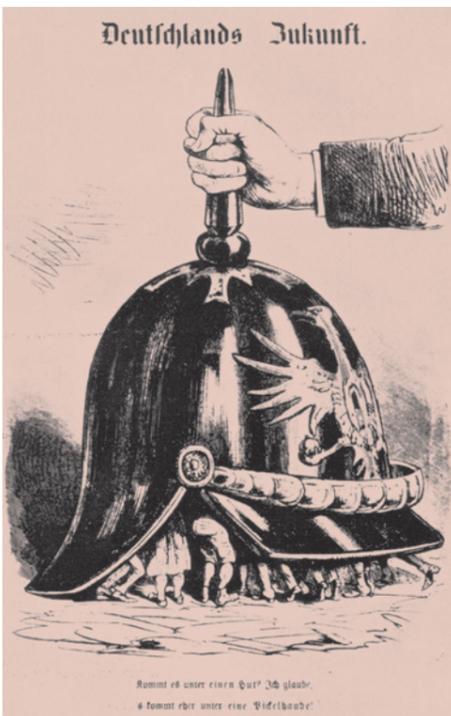
# Berufsverbot for "Radicals"

Since the emergence of a German state in the 19th century – first as a loose federation then as the Wilhelminian empire – people on the left wing, be it democrats, republicans or socialists, were persecuted by removing them from their work.

These policies spanned from the Carlsbad Decrees of 1819 against "revolutionary plots, demagogical associations und intellectual preparation of upheaval" to the Prussian emergency decrees against "untrustworthy elements" after the violent suppression of the 1848/49 revolution. In 1878, after the founding of the Second Reich in 1871, followed the "Anti-Socialist Law" against "social democratic, socialist and communist plotting" and the persecution of pacifists by the military judiciary during the First World War. To avoid repression, people could hardly do anything but retreat into the privacy of the Biedermeier period or go into exile.



The Club of Thinkers, contemporary cartoon commenting on the censorship and restriction of freedom of speech by the Carlsbad Decrees in 1819. These contained measures of surveillance and control of liberal and national movements within the German Confederation created at the Vienna Congress. Using four laws, they put into effect the ban on the Burschenschaften (student organisations), the closure of athletic grounds, press censorship and surveillance of universities. On grounds of the "measures against the ailments of universities, grammar schools and schools and against the teachers employed therein", many teachers in the whole of the German Confederation were affected by Berufsverbot. As a surveillance body, a Central Investigation Commission was set up in Mainz in 1819. This "Black Commission" built up a confederation-wide system of informers and surveillance, which was developed further in the Federal Secret Services.

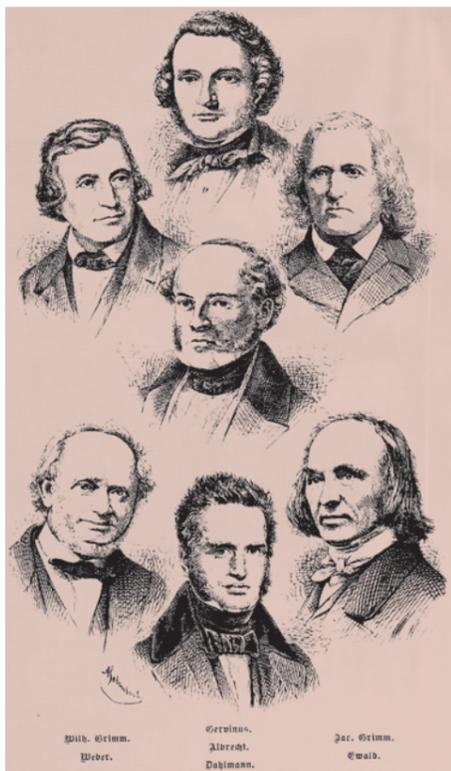


### From the "Ten Articles" Passed by the Convention of the German Confederation on 5th July 1832:

All associations which have political aims, or under other names are used for political purposes, have to be banned in all States of the Confederation, and action has to be taken against their originators and participants with proper punishment.

### Contemporary Cartoon: All Under the Prussian Spiked Helmet

After the foundation of the Reich under Prussian rule in 1871, domestic politics turned mostly against the left-wing opposition. The law against the "social democratic tendencies which are a danger to the public", passed under Bismarck in October 1878, banned any "social democratic, socialist or communist" activity outside the social-democratic faction of the Reichstag. Again, Berufsverbot against teachers and university professors, but also printers, booksellers, owners of cafés and restaurants, and small business owners were a means of repression. 900 social democrats were exiled and many sentenced to jail for several years.



The "Göttingen Seven" – a group of university professors – protested against the suspension of the constitution of the Kingdom of Hanover. On 12th December 1837, King Ernest Augustus I fired the professors and sent three of them into exile.



In the area in front of the Parliament of Lower Saxony, a bronze monument of the "Göttingen Seven" was erected in 1998. The picture shows part of Floriano Bodini's monument in 2015.



Hoffmann von Fallersleben (1798–1874), author of the "Song of the Germans" (national anthem), got a Berufsverbot from the Prussian Government on the grounds of his commitment to a unified Germany and his liberal attitude, which was expressed through his freedom-leaning "Unpolitical Songs". He not only lost his professorship, but also his Prussian citizenship and was exiled. Hunted and spied upon by the police, he lived illegally for many years.

# 3. WEIMAR REPUBLIC

## The Beginning of the End: The Kaiser Left, the Generals Stayed

The revolution of 1918 failed because the structures of the Prussian militaristic and authoritarian state were not removed. German national monarchist troops, launched by the new social democratic government under leadership of Friedrich Ebert and Gustav Noske, suppressed the republican and council-democratic labour movement. In Berlin alone, counterrevolutionary troops and the Freikorps (right-wing voluntary corps) murdered more than 1000 civilians. In 1919 in Munich, the Reichswehr (the army of the Third Reich) were using a man called Adolf Hitler to combat the leftists. The republican movement was crucially weakened by the massacres and deeply disappointed by the representatives of the republic. As early as 1920, right-wing military and politicians felt strong enough to revolt against the republic. The "Hitler Putsch" followed in 1923. In the following years, right-wingers, conservatives and economic elites worked systematically on ultimately destroying the republic and establishing a dictatorial regime.



Suppression of the Council Movement in Berlin in March 1919 by Right-Wing Terrorists, the Freikorps. The photographer of this photo reported that the imprisoned worker shown was taken round the next corner and shot.



The "Kapp Putsch" 1920: With swastikas on their steel helmets and vans, as well as the imperial German Reich war flag, anti-republic, anti-Semitic military drove through Berlin. The putsch failed due to the opposition of the labour movement.



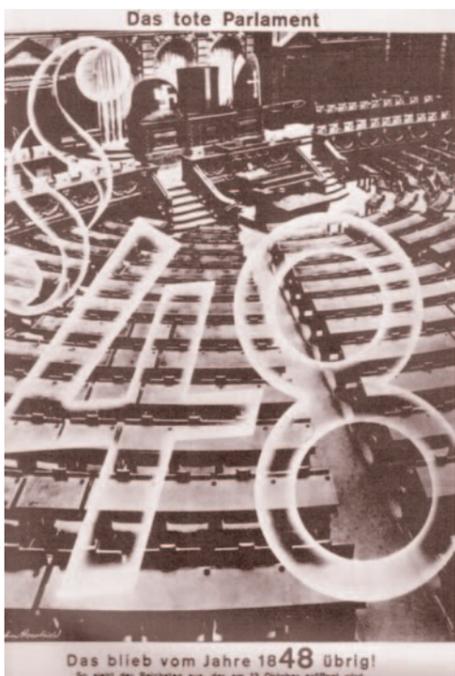
Hitler's Troops with the Imperial German Reich War Flag, Munich 1923. Many of the later Nazi mass murderers began their careers in the Freikorps.



In 1925, the anti-Republican, Hindenburg, was voted for as president of the German Reich. Through him, the continuity of Prussian militarism was embodied. The picture shows Hindenburg with Senior President, Gustav Noske, when leaving Hannover to take up his position in May 1925.



With the fall in shares in 1929 began the global economic crisis. Through defence programmes and cuts in social services and wages, the political and economic elites tried to overcome the crisis. These politics failed. Instead, the number of unemployed and poor people, who often didn't have enough to eat, grew. Drawing from the social democratic newspaper, "Volkswille" (Will of the People) from 2<sup>nd</sup> October 1929.



In March 1930, the last parliamentary-legitimised government was overthrown. From then on, President Hindenburg, in accordance with Article 48 of the Weimar Constitution, set the Emergency Decrees into operation.

Photo montage: John Heartfield, 1930



On 20<sup>th</sup> July 1932, Hindenburg decreed the dismissal of the social democratic government in Prussia – effectively a coup in favour of the right-wing. Goebbels, Nazileader of Propaganda, noted in his diary: "Now the army of the Third Reich is marching into the capital of the Reich. With tanks and machine guns. A wonderful, pleasing sight."



President Hindenburg and Chancellor Hitler, Who Was Appointed by Hindenburg, on 21<sup>st</sup> March 1933, the "Potsdam Day" – Demonstration of Solidarity Between Prussian Militarism and German Fascism.

Like a smiling murderer, Spring goes through Germany. Whoever didn't die in the barracks, whoever escaped torture, was not struck by the bullets of the national citizens' league or by the sticks of the swastika, whoever did not go hungry at home, whoever was forgotten by the police spies – they died along the way, and a big, black group of ravens circled over their corpse.

Joseph Roth: *Das Spinnennetz (The Spider's Web)*, 1923  
(shortly before the Hitler putsch)

## 4. NAZI-DICTATORSHIP

# Jews and Opponents of the Nazis Dismissed from Civil Service: The Destruction of Existence

Germany in 1933: One of the first legal measures after the National Socialists' seizure of power was the "Law for the Restoration of the Professional Civil Service". It was decreed on April 7, 1933, with the aim "to remove civil servants who, judging from their political activity so far, cannot be trusted to champion the national state without reservations" from civil service. The law applied to more than 2 million state or municipal employees. It was applied in the law system, schools and universities. Later, salaried and unsalaried workers, including those within the national railways and the national bank, were affected by implementing regulations.

With this law, the "bringing into line" of state bureaucracy was associated with race-political aims. It was aimed at Jewish civil servants, as well as political opponents of the Nazi regime, and had effects far beyond the civil service.

From the "Law for the Restoration of the Professional Civil Service" of April 7, 1933

§ 1 (1) In order to restore a national, professional civil service and in order to simplify the administration, civil servants can be dismissed from their office in accordance with the regulations mentioned below, even if the conditions of existing law for this are not met.

§ 3 (1) Civil servants of non-Aryan descent are to be pensioned (§§ 8ff.); honorary civil servants have to be dismissed from their offices.

§ 4 Civil servants who, judging from their political activity so far, cannot be trusted to champion the national state without reservations, can be dismissed from service.

Based on the "Law for the Restoration of the Professional Civil Service",

a total of 901 university teachers were dismissed from 1933 on.

This corresponds to a percentage of 18.6%. Taking into account those who left of their own "free will", this corresponds to 20%.

38 university teachers fell victim to the Nazi annihilation politics, 36 committed suicide, and about two thirds of those fired emigrated, including 12 Nobel Prize winners.



**James Franck** (1882–1964)  
Nobel Prize winner in 1924, of Jewish descent, professor of Physics at the University of Göttingen, resigned on April 17, 1933 in protest against the "removal of Jews from state service". Since he had been active in World War I, he would have been exempted from the law, but he nevertheless emigrated to the USA where he was later active against the use of nuclear weapons.



**Emmy Noether** (1882–1935)  
First female German mathematician to qualify as a professor and the first to get a professional chair (but not as a civil servant), Jew and burning pacifist, member of the USPD (German Independent Social Democratic Party) 1919–1922, and of the SPD (German Social Democratic Party) 1922–1924. In 1933, the Nazi regime revoked her teaching licence as a guest professor in Frankfurt on Main, whereupon she emigrated to the USA.



**Theodor Lessing** (1872–1933)  
Philosopher and journalist, who with his wife founded the adult education centre in Hanover in 1919, was dismissed from his position as a private lecturer at the Polytechnic of Hanover and fled to Mariánské Lázn in (then) Czechoslovakia. After hate articles were published about him in several Sudeten German newspapers and a price was put on his head, he was shot by three Nazi assassins through the window of his study.



**Dr. Annemarie Morisse** (1877–1942)  
In 1919, she was one of the first female city council members elected for the left-liberal German Democratic Party (later State Party). Teacher in Bielefeld and school principal in Herford. Was engaged in the fight for women's rights, for the socially disadvantaged and better education for girls. In 1933, she was denounced and lost her work and her means of living in a dishonoring procedure.



**Martin Gauger** (1905–1941)  
Lawyer and pacifist, working for the District attorney of Mönchengladbach. In 1934, he was the only lawyer known to have refused to swear an oath of allegiance to Hitler and had no choice but to leave the law service. He was active in the protestant Confessing Church (anti-Nazi organization), fled to the Netherlands and was arrested and brought to the Buchenwald Concentration Camp. He was murdered on June 12, 1941, in the gassing plant of Sonnenstein, near Pirna.

# Post-War Years: Article 131 of the Basic Law and the Return of the Nazis

After the end of the war in 1945, the victorious Allies wanted to establish and secure democratic order. Therefore, about 220,000 people were released from the functionary elites of the Nazi dictatorship, initially from the civil service, from ministerial bureaucracy to the Gestapo to high court jurisdiction.

These politics were withdrawn step-by-step with the developing of the Cold War. After the forming of the Federal Republic of Germany in 1949, Article 131, above all, of the Basic Law of 1951 allowed former Nazis to once again occupy central positions in the state. The "Law for Regulation of Legal Relations of People Who Come Under Article 131 of the Basic Law" followed on 11<sup>th</sup> May 1951. With this law, eventually all public employees, who had been classified as neither "Hauptschuldige" (main culprit) nor "Belastete" (charged) after the denazification proceedings, were reemployed. Then as a follow-up in 1955, their claims for classification (of what grade they were on within the civil service) and their aligning retirement pensions were legally verified. In the 1970s, former Nazi lawyers were still involved in making fundamental decisions regarding the Berufsverbot.



**Wolfgang Immerwahr Fränkel** (1905–2010), was a prosecutor for political criminal cases in Kassel and at the Imperial Court of Justice in Leipzig during the Nazi period, a member of the NSDAP (Nazi Party) from 1<sup>st</sup> May 1933, Regional Court Director in Leipzig in 1939, converted at least 50 court decisions into death sentences, was from February 1947 a judge in Rendsburg, worked at the head of the federal prosecution service in 1951 and was appointed as Chief Federal Prosecutor in 1962. However, shortly afterwards he was forced to temporarily retire because of pressure from the public. Also, investigative proceedings initiated against him for murder, accessory to murder and attempted murder were stopped, as well as disciplinary proceedings because of "employment fraud".



**Hubert Schrübbers** (1907–1979), prosecutor in proceedings against political and "racial enemies of the state" in the Third Reich, initially had a Berufsverbot after the Second World War, senior prosecutor in the British Zone in 1948, Federal Public Prosecutor at the Federal Court of Justice in 1950, Chief Public Prosecutor in Düsseldorf in 1953, President of the Federal Office for the "Verfassungsschutz" (Federal Office for the Protection of the Constitution) from 1955 to 1972.

## An Example:

### The Federal Ministry of Justice

1950: 47% of all leading civil servants in the Ministry of Justice had formerly been members of the Nazi party; nine years later it was still 45%.

1966: Still, 60% of heads of departments and 66% of heads of sub-departments were former members of the Nazi party.

Excluded here were government officials who were not in the Nazi party but were, for example, involved in carrying out death sentences.



In a commissioned investigation, one of the former ministers of justice, Leutheusser-Schnarrenberger, revealed that 77% of judges in the Federal Court of Justice (BGH) in 1962 came from the Nazi justice system. In 1956, this court decided, in connection with the (re-)employment of Nazi public servants, that the Nazi state was "essentially a constitutional state".

Photo: People's Court During the Nazi Dictatorship



**Hans Globke** (1898–1973), as Senior Legal Secretary in the Reich Interior Ministry responsible for the legal bases of the persecution of Jews, e.g. by the "Law for the Protection of German Blood and German Honour from 15<sup>th</sup> September 1935", Assistant State Secretary after 1945, State Secretary and Head of the Chancellor's Office from 1953 until his retirement, and thereby Chancellor Konrad Adenauer's closest confidante. In 1963, he was awarded the Federal Cross of Merit by Federal President Lübke, who was himself charged for the use of prisoners from concentration camps as forced labourers.

**Kurt Behnke** (1899–1964), formulated and commented on the Imperial Service Criminal Procedure of the Nazi regime, whereupon contact with Jews is "serious misconduct", significantly involved in the development of the "Adenauer-Erlasses" as leader of the Civil Service Legal Department of the Federal Ministry of the Interior, President of the Federal Disciplinary Court from 1953 to 1964. A photo of Behnke could not be found.

## An Example: Civil Servants in Bavarian Civil Service in 1958

Out of approximately 77,596 posts in the civil service in the Bavarian government, 15,518 were occupied in accordance with Article 131 of the Basic Law. That was 20% of all civil servants in the Bavarian Civil Service; that is in parliament and senate, in ministries and state authorities.

## 1950s and 1960s: Remilitarisation and Repression



With the First Criminal Law Amendment, new political criminal offences, besides treason and high treason, arose: "treasonable subversive activities", "subversive cooperation with foreign countries" and "subversion". Many were so vague that anyone protesting against the rearmament of the newly-formed Federal Republic and the government politics towards the East and Germany, or who protested against the reintegration of former Nazi officials, could be prosecuted. Special courts, which were set up especially for these proceedings, ruled from the beginning to the end. Until the mitigation of the laws in 1968, no less than 125,000 people were investigated and approximately 7,000 were convicted in part to several years in prison.

Cartoon by Rainer Hachfeld from the 1970s



**Gustav Heinemann**, Federal President from 1969–1974, resigned as Federal Minister in 1950 because "the remilitarisation will result in renazification". He was one of the fiercest opponents of the nuclear armament of the German armed forces. As a lawyer he represented communists before court. He was, therefore, informed about the "Verfassungsschutz", the protection of the constitution, until his takeover of the Federal Minister's office in 1966. Diether Posser, later the minister of justice in North Rhine-Westphalia, was also on the list of potential public enemies and was kept under surveillance. Under the leadership of Heinemann, substantial parts of the political criminal law could have been revoked.



The lawyer **Alphonse Kahn** (1908–1985), doubly threatened as a communist and Jew, emigrated to France in 1933 and was involved in the anti-fascist resistance movement, "Résistance", for which he received French awards. After the end of the war, he carried out various operations as a civil servant in the administration department and as a judge. Whilst he was the leader of the State Office for compensation in Rhineland-Palatinate in 1950, he received a Berufsverbot because of his membership in the KPD. He was the first victim of the "Adenauer-Erlass". Photo: With this fake passport, Kahn lived in France during the Nazi occupation.

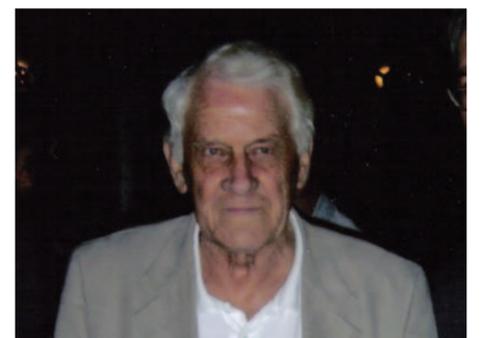
After the Second World War, there was a widespread pacifist movement in Germany. Shortly after the Federal Republic of Germany was founded, the Government, under Chancellor Adenauer (CDU, the Christian Democratic Union Party), conducted the remilitarisation of West Germany and divided society. With the so-called "Adenauer-Erlass" (Adenauer Decree) in 1950, it became possible to constrain critics of these politics, who worked in the civil service, with a Berufsverbot. With the First Criminal Law Amendment in 1951, people could even be punished just for their views. Before the ban of the KPD (Communist Party of Germany) in 1956, the members of the public who opposed Adenauer's politics were ostracised from public life and criminalised.



The Wolfenbüttel prison was a Nazi Justice place of execution until 1945. 516 people were killed here by the guillotine or by hanging. Until 1947, the British military administration had executed primarily war criminals here. At the height of the Cold War, about 100 members of the "Freie Deutsche Jugend (FDJ)", the socialist youth organisation, and the KPD were detained in this jail. Photo 2015



**Klara Marie Faßbinder** (1890–1974) worked as a teacher in 1936 after the Saarland was integrated into Germany. She was constrained by a Berufsverbot by the Nazis because of her commitment to the International Women's and Peace Movement. After the Nazi dictatorship, she became a professor of Geschichtspädagogik (studies into how history is taught) in Bonn, and a co-founder of the West German Women's Peace Movement which refused the rearmament of the Federal Republic. She was therefore suspended due to the "Adenauer-Erlass". International pressure prevented her from getting a Berufsverbot. In 1955 she was "only" sent into early retirement. In 1966, the Federal Minister, Lübke, forbade her to accept a medal from France. Painting by Gustav Mattar



**Walter Timpe** (1931–2008) joined the Freie Deutsche Jugend (FDJ), the socialist youth organisation, and the Kommunistische Partei Deutschlands (KPD), the German communist party, in 1949. After training to be a journalist he worked for the KPD newspaper "Die Wahrheit" ("The Truth"). In 1955, a special court sentenced him to one year in prison, a three year Berufsverbot and revoked his driving licence because of one of his newspaper articles. Both the senior prosecutor and the presiding judge were former Nazi judges. He served the complete sentence in the Wolfenbüttel jail. Walter Timpe received the Federal Cross of Merit in 2001 because of his voluntary work as a judge in the Higher Labour and Federal Labour Court from 1972 to 1996. Until the end of his life he was an active trade unionist. Photo 2008

# "... Neither Information nor Facts" – Totalitarian Ideology

As early as the 1920s, Italian liberals were labelling the merging of state and fascist party structures as "totalitarian". Later critics used this term to label both fascist regimes and the Stalinist dictatorship. The varying economic conditions of both regimes remained largely ignored. During the Second World War, the alliance of the Western powers with the Soviet Union left little room for such equalizations. Totalitarian ideology experienced its peak after 1945 when the conflicts between the Western Allies and the Soviet Union escalated into the Cold War. Domestically, totalitarianism served to combat the left-wing opposition. Now fascism and Stalinism or communism – in short: "right and left" – became equated. This ideology was needed less in the course of the "Entspannungspolitik", the policy of détente, between the east and west since the 1960s. Academically, it is regarded as unreliable. Since the 1990s the ideology experienced a revival: it now serves to delegitimize the GDR (German Democratic Republic) and again, denounce the left-wing opposition.

## Weimar Republic: Right Equals Left?



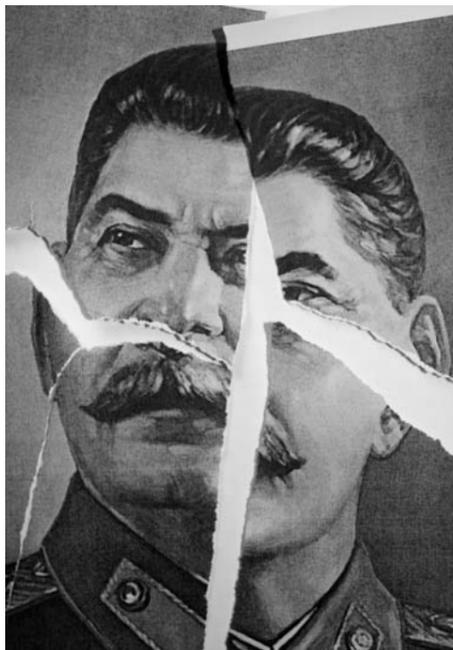
Twisted Fist, Twisted world: drawing from the social democratic newspaper "Volkswille" (Will of the People) from 13<sup>th</sup> March 1932, in which Nazis and communists are equated, and which appeals for votes for the anti-republic militarist, Hindenburg. The communists labelled the social democrats as "social fascists". The destructive potential of the Nazis and their conservative allies is misjudged in this comparison of right-wing and left-wing parties.

### Hannah Arendt Talks about the Ideology of Anti-Communism in the Time After the Second World War

One needed neither information nor facts here; one had a "theory", and whatever did not fit to it was denied or ignored.

From: *Die Lüge in der Politik* (The Lies in Politics), 1971

## Stalinism: Right Equals Left?



During the Stalinist terror in the Soviet Union from 1936–1938, around one million members of the KPdSU (Communist Party of the Soviet Union) were murdered, including – with the exception of Stalin – all the leaders of the Revolutionary period. Furthermore, many foreign communists were murdered, including several hundreds who had fled from Germany from the Nazis. A large proportion of the KPD leaders from the Weimar Republic fell victim to Stalin's purges.

## Nazi Dictatorship: Left Equals Right?



Communists resisted the Nazi dictatorship from the beginning. Between 1933 and 1945 around 150,000 of 360,000 KPD members were arrested and about 20,000 communists were murdered. In contrast, conservative parties forged pacts with the NSDAP (the Nazi Party).

## Federal Republic: Left Equals Right?

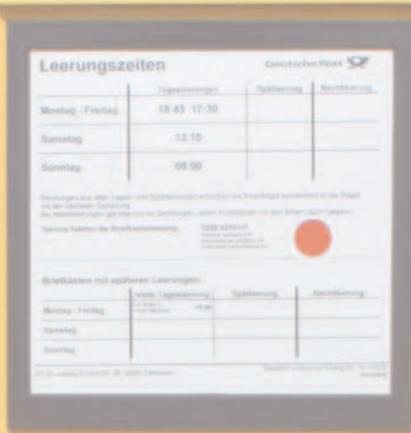


In the Federal Republic of Germany, totalitarian ideology alleviated the belittlement of Nazi crimes, the rehabilitation of Nazi offenders and simultaneously the renewed political prosecution of left-wingers. Anti-democratic tendencies in Western society were ignored. Since the 1990s, the "Verfassungsschutz" (the protection of the constitution) promoted political scientists and projects which researched into "extremism". At the same time the Federal Secret Service paid for the setting-up of right-wing parties and underground organisations. Photo: Neo-Nazis present themselves with SS symbols without being punished by the police. Bad Nenndorf, 4<sup>th</sup> August 2012



# Nationwide Surveillance of Post and Telephone

One of the "forgotten" chapters of West German history is the mass post and telephone surveillance by the Allies and the West German secret services in the 1950s and 1960s. At the centre of the intelligence's interests was the communication between the two German states. Even inside the Federal Republic, telephones were tapped and postal correspondence was opened to monitor the opposition. The historian Joseph Forschepoth presumes that until the beginning of the 1970s around 100 million items of post from the DDR were confiscated, opened and in most instances destroyed. In addition, an unknown number of postal correspondence to and from West Germany was withdrawn from circulation: estimated at 100,000 per year on average.



Lorries transported the mail, which was certain to be destroyed, almost daily into the Hanover court jail (photo from 1960), where a shredder was installed for reasons of secrecy. Secret services and the Federal Post Office provided the required technical support to monitor telephones and post, although this represented a serious violation of Article 10 of the Basic Law which guarantees privacy of post and telecommunications as a basic right. Basic rights – so it said – were only allowed to be modified if a law was passed. However, there was no such law to modify the privacy of post and telecommunications. On 30<sup>th</sup> May 1968, the Bundestag (the German Federal Parliament) first adopted the "G 10 Law", through which the privacy of post and telephone would also be legally controlled for the first time. From then on the West German secret services were responsible for day-to-day surveillance measures. At the same time the parliament passed the "Notstandsgesetze" (German Emergency Acts).

The Main Post Office in Hanover in the 1950s. Around 55% of all mail with allegedly anti-state content was withdrawn in Hanover and was given to the "Zollamt Post" (customs office) for further examination. One branch office of the Crown Prosecution Service in Lüneburg, housed at the customs office, obtained court orders to destroy any disputed mailings.

## Allied Inspection Agencies in West Germany

### British Locations

Hamburg	Post/Telephone
Hanover	Post/Telephone
Düsseldorf	Post/Telephone
Cologne	Post/Telephone
Mönchengladbach	Post/Telephone

### French Locations

Coblenz	Post/Telephone
Mainz	Post/Telephone
Baden-Baden	Post/Telephone
Tübingen	Telephone
Freiburg	Telephone

### American Locations

Oberursel	Head Office
Bremen	Post/Telephone
Bremerhaven	Post/Telephone

Frankfurt	Post/Telephone
Rhine-Main	Post/Telephone
Bad Hersfeld	Post
Mannheim	Post/Telephone
Stuttgart	Post/Telephone
Heidelberg	Post/Telephone
Karlsruhe	Post/Telephone
Kaiserslautern	Post/Telephone
Nuremberg	Post/Telephone
Würzburg	Post/Telephone
Hof	Post/Telephone
Coburg	Post/Telephone
Munich	Post/Telephone
Regensburg	Post/Telephone
Augsburg	Post/Telephone
Passau	Post/Telephone

Why should they monitor us? Who knows, he said. Nowadays, no-one believes that anyone would have been monitored in the good old Federal Republic.

*From the book "Rot" (Red) by Uwe Timm*

# Worsening of Political Repression

In the mid-1960s protest movements developed in universities and industrial companies. Young people – especially students and apprentices – increasingly conflicted with the dated, authoritarian affairs of the Federal Republic. The scarce educational opportunities for working-class children, the threat to the freedom of the press, the rehabilitation of former Nazi offenders, the support from the Federal government for fascist regimes in Spain, Portugal and Greece, the

escalating war (of bombing) of the USA against North Vietnam and the formation of a major government coalition between the CDU and the SPD on 1<sup>st</sup> December 1966 were all criticised. These things led to the drawing-up of a "Notstandsverfassung" (emergency constitution). With this it became possible to restrict significant democratic rights and constitutional principles in times of crisis, or to override them.



Protest Against the Vietnam War, 1965 in Bonn



2<sup>nd</sup> June 1967: Benno Ohnesorg was shot by police officer Kurras, from West Berlin, during a demonstration against the dictatorial regime of the Shah of Persia. After this first death of the student movement, the fear of a police state grew and the movement became more radical. The Springer Press Group's hate campaign against the student movement was especially criticised. In 1968, a Neo-Nazi shot and seriously wounded the student leader Rudi Dutschke.



Mourning Demonstration for the Murdered Benno Ohnesorg on 9<sup>th</sup> June 1967 in Hanover



The repression by the police was not only directed towards the student movement, but also towards critical journalists. The photographer Günter Zint was beaten up in Berlin and his camera equipment was destroyed during a demonstration after the shooting of Rudi Dutschke in 1968. He had photographed how a policeman had kicked a young man in the groin.



Poster Against the "Notstandsgesetze" (emergency law), Munich 1968. The main themes of the poster are the covered-up Nazi history, the participation of former Nazis in legislative procedures and the possibility of a new dictatorship. In fact, the strengthening of protest movements played an important role in the passing of the "Notstandsgesetze" on 30<sup>th</sup> May 1968.



Text of Poster: *Everyone talks about the weather. We don't.* SDS Socialist German Students' Association  
Poster, Berlin 1968

# The "Radikalenerlass" (Radicals Decree)

On 15<sup>th</sup> December 1970, the Federal Constitutional Court passed a sentence about the so-called "Abhörgezet" (wiretap law), which had been adopted shortly after the "Notstandsgesetze": "In the present context, it is of particular importance that the Constitution of the Federal Republic has opted for the 'streitbare Demokratie'. "Streitbare Demokratie", or militant democracy, means that the government, parliament and the judiciary are given extensive powers and duties to defend the liberal democratic order against those who want to abolish it.

With the verdict on monitoring, the Federal Constitutional Court of the Executive issued a charter for dealing with "Verfassungsfeinden" (enemies of the constitution).

On 28<sup>th</sup> January 1972 at the conference of prime ministers of the federal states for "matters of internal security" under leadership of the Chancellor at the time, Willy Brandt (SPD), the declaration shown below was drawn-up. The text was oriented towards the Nazi "Law for the Restoration of the Civil Service System" from 1933.

At the same time the prime ministers adopted the "Principles Concerning the Anti-constitutional Powers in the Civil Service". This was in fact the "Radikalenerlass" and the basis for the later imposed Berufsverbote. All of this blatantly contradicted the motto of the social-liberal coalition: "Dare more democracy!" Indeed, in the following years tens of thousands of political opponents were tracked down in an authoritarian way and were reprimanded with a Berufsverbot. These proceedings were denied domestically and externally.



Text of Poster: *Everybody talks about the Berufsverbot. We don't. (We implement it.)*

Poster Against the Berufsverbote from the 1970s. From left to right, the portraits of Helmut Kohl (CDU, leader of the opposition in the Bundestag), Franz Josef Strauß (CSU, Prime Minister of Bavaria), Hans-Dietrich Genscher (FDP, Home Secretary under Chancellor Willy Brandt, from 1974 Vice Chancellor and Foreign Minister under Schmidt), Helmut Schmidt (SPD, Chancellor).

#### From the "Radikalenerlass" of 28<sup>th</sup> January 1972

- 2.1.1. An applicant who develops anti-constitutional activities will not be appointed in the civil service.
- 2.1.2. If an applicant belongs to an organisation which pursues anti-constitutional aims, this membership causes doubt as to whether the applicant will advocate the liberal democratic order at any time. As a rule, these doubts justify the rejection of the application for employment.

#### From the Declaration of the Prime Ministers of the Federal States on 28<sup>th</sup> January 1972

In accordance with the "Beamtegesetze" (Laws for Civil Servants) of the German federal state and the state governments, and those for salaried and non-salaried workers, members of the civil service are obliged to positively recognize the democratic basic order laid down by the Basic Law and to support its observation.

# Process of Berufsverbot Proceedings

Often only a few days before their employment, applicants for the public service were told that there were objections against their employment. Standard enquiries at the "Verfassungsschutz" had resulted in "findings". In the following informal – not legally defined – "hearing", the applicant had to clear these political objections which the employing authorities held. This interrogation was already part of the proceedings. The applicants were in the position of defendants, without any means to defend themselves. They were confronted with allegations from reports unknown to them, which had come about by way of secret observation. If their statements were unsatisfactory, they were used against them. There was no possibility of a lawyer having any influence. Subsequently, officials of the administration decided on employment or rejection. Often, further interrogations were scheduled. Throughout the proceedings, the evidence was reversed and personal suitability for the job had to be proven by the victim. A rejection was valid for all the sectors of the public service. These proceedings were also applied to people already employed in the civil service.

Court proceedings against Berufsverbot could last for up to 10 years. In most cases, the courts followed the decisions of the administration. The victims had to pay all the costs of the court proceedings. If they were expelled from their union, they did not get any legal protection and recovery or any other financial support.

#### Reasons for Non-Employment Were, Amongst Other Things:

- being a member of a socialist or communist group or party
- suspicion of membership in case of refusal of testimony, lack of distancing oneself from group/party, membership of spouse or partner, or because of a letter to the editor
- standing as a candidate for these groups/parties
- attending meetings of these organisations, parking nearby
- possession, distribution or selling printed matter of these groups
- travelling to the GDR, to the World Youth Festival in Helsinki in 1962, solidarity with Cuba
- living in or visiting leftist flat shares, former activities with APO (extra-parliamentary opposition)
- statements concerning Vietnam, the emergency laws, anti-war initiatives, taking part in demonstrations
- statements concerning Berufsverbot and civil service law
- critical portrayal of Franz Josef Strauß (CSU politician), putting up posters
- affinity to squatters, singing in a leftist choir, criticising the school system

At the end of the 1970s, unemployment of teachers increased. Often, non-employment for political reasons was covered by giving "lack of demand" as a reason.

From 1979 onwards, most of the German Federal States refrained from the standard enquiry at the "Verfassungsschutz". In many cases, the "hearings" gave way to secret checking and extensive job interviews.

The picture is from 1975 when, in Dortmund, Spanish and German democrats demonstrated against Franco-fascism. Taking part in demonstrations against the Persian Shah, the Junta in Chile and its support from the FRG and the USA were also reasons for non-employment in the Berufsverbot proceedings.



Text of Poster: *On the (Upper) Floor of the Free Democratic Basic Order / Freedom of Speech / Free Choice of Occupation / Freedom of Association*  
Political views and activities were the main interest in the Berufsverbot proceedings. Definite criteria for non-employment were not given; the reasons given lay seldom in the professional activities of the candidates. What was decisive was the non-conformist attitude and way of thinking, the opposition to the existing order of society and proprietorship.



# Individuals Were Afflicted – Many Were Suspected, Part I

## Silvia Gingold / Charges: Membership of and Activities in the DKP (German Communist Party)

- Daughter of Ettie and Peter Gingold, who were persecuted by the Nazi regime as Jews and Communists, emigrated to France in 1933 and fought in the Résistance against Hitler; relatives were murdered in Auschwitz.
- In 1971 first teacher's examination, start of traineeship at the Comprehensive School in Neukirchen (Hesse)
- After the second teacher's examination repeal of status as a civil servant because of "doubts as to her loyalty to the constitution". "Hearing" at the regional council in Kassel; "findings" of the "Verfassungsschutz", collected since she was 17, among others: taking part in demonstrations against the Vietnam War, travelling to the GDR, publishing an article dealing with the unequal educational chances of girls in the FRG in Marxistische Blätter
- In 1975 dismissal after 4 years of teaching
- Lawsuit against the State of Hesse; in 1976 court proceedings at the administrative tribunal in Kassel, partially successful; the verdict: membership of the DKP alone is no sufficient reason for dismissal; the authorities have to make a new decision. The administration lodged an appeal.
- In 1977 court proceedings at the next higher instance (Higher Administrative Court) with great attention of the public and participation of members of the international press; the verdict: Silvia Gingold is not permitted to be a civil servant in Hesse.
- Against the background of the history of the family there are enormous protests, especially from France and other European countries. President to be, Francois Mitterrand, criticises the practice of Berufsverbot and campaigns for the reinstatement of Silvia Gingold.
- Because of the pressure, especially from abroad, she is reinstated as a teacher in 1976, but as an employee, not as a civil servant. She teaches at the Comprehensive School in Spangenberg (Hesse) until 2008.
- An enquiry at the "Verfassungsschutz" in 2012 revealed that she is recorded in the category "extreme left-wing" and is still under observation. She is accused of activities together with anti-fascist organisations as well as public readings from her father's biography. She sued against the "Verfassungsschutz" of Hesse.



Silvia Gingold, Born 1946, Teacher,  
Antifascist

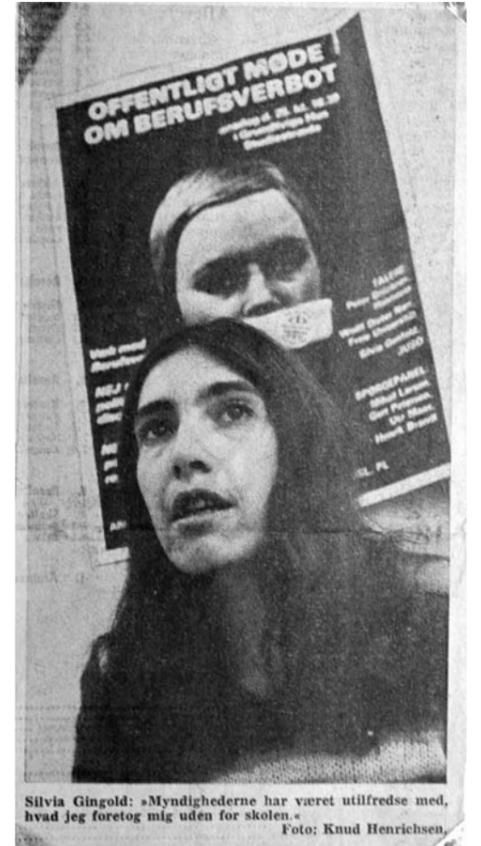


Photo of Silvia Gingold in a  
Danish Newspaper from the 1970s



Professor Dr. phil. Peter Brückner  
(1922–1982), no party membership, social  
psychologist, university teacher, defined  
himself as anti-authoritarian socialist



In 1985, the University of Hanover  
forbids displaying a picture of the painter  
Detlef Kappeler (title: Theodor Lessing)  
in its rooms. The picture also contains  
a portrait of Peter Brückner. Both were  
given Berufsverbot in Hanover. Today  
this picture is presented in the foyer of  
the Volkshochschule Hanover (adult  
education centre named after Lessing).  
Photo 2015

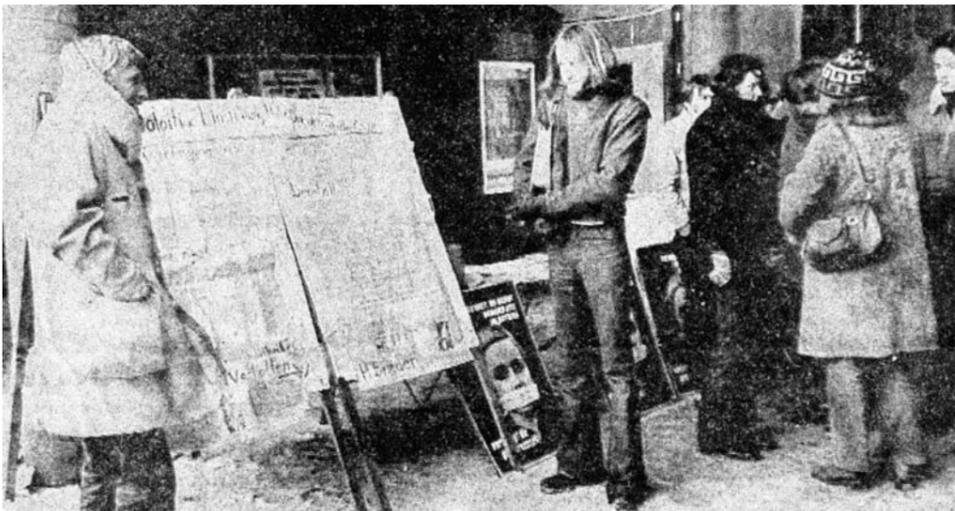
## Peter Brückner / Charges: Support of the Students' Protest Movement, Authorship of Critical Texts

- His Jewish mother emigrated to England, together with her elder sons. P.B. stays in Germany, is recruited to the army and establishes contacts to NS adversaries.
- After the war he studies psychology; from 1967 teacher at the university, director of the Institute of Psychology of the Hanover University; he sympathises with the students' protests and becomes a figurehead of a critical science.
- In January 1972, he is suspended for the first time because a crown witness in court proceedings against the RAF (Rote Armee Fraktion, extreme left-wing organisation committing terrorist attacks) claims that he has supported this organisation. The district attorney investigates because of "support of a criminal organisation". In 1973, the suspension is repealed. What remains is the charge that he is said to have given Ulrike Meinhof (leading figure of RAF) a place to stay in November 1970. He has to pay a fine. Because of the charges, he writes several critical texts on the topic of the function of governmental and anti-governmental force.
- Because of his essay "The Mescalero incident – a didactic play of political culture", published in September 1977, Brückner is suspended again. After the terrorist attack against general attorney, Buback, an anonymous student from Göttingen calling himself Mescalero, looked self-critically at the attack and his own attitude towards it. In a hysterical public debate, the essay is falsely interpreted as a statement of support. Brückner insists on discussing the essay publicly. He transfers his lectures to the Hanover Club Voltaire.
- The Berufsverbot of Brückner evokes numerous protests in Germany and abroad.
- In 1981, all disciplinary measures are suspended.
- In 1982, Brückner dies from a heart attack.

# Individuals Were Afflicted – Many Were Suspected, Part II

## Hubert Brieden / Charges: Anti-Militarism, Anti-Fascism

- Had two hearings after his second teacher's examination in 1978, and after starting to work at the comprehensive school (KGS) in Herten in 1978. Charges: standing as candidate for the Germanistic Red Cells, taking part in a demonstration of the KPD (Communist Party of Germany) in Dortmund, signing as editor for the anti-militarist magazine "Rührt euch" of the Democratic Soldiers' and Reservists' Group Münster. The charge of his participation in the demonstration is pure fabrication.
- The focus is on his activities as a journalist. The authorities want to know names of colleagues of the magazine, which he does not reveal. By means of a copious synopsis of quotations from the magazine and texts of the KBW (Communist Union of West Germany), his membership in this organisation is said to be proven. Hubert Brieden comments on this in written form, a third hearing is cancelled.
- Following this, the authorities demand political reports from his teachers during his traineeship. Members of the CDU (Christian Democratic Union Party) present denunciations, the only member of the SPD (Social Democratic Party) gives a positive statement.
- Charge given in hindsight: Hubert Brieden allegedly disturbs the peaceful atmosphere at the school because he talked about his case in front of the staff after being asked to do so. His contract is not handed out and lawsuits at the industrial tribunal are dismissed.
- In 1980, he moves to the Hanover area at the adult educational centre for the county (KVHS). He starts research on the topic of the Nazi-dictatorship. After his first publications and the intervention of former Nazis, he is not allowed to continue his teaching at the KVHS. Consequence of his Berufsverbot: a retirement pension of about 550 Euro (pre-tax).



Herten February 1979 (from a newspaper): Protest against two Cases of Berufsverbot  
 Left: Jürgen Hoffmann (DKP), employee of the Bundesbahn (German Railway)  
 Centre: Hubert Brieden, staff, director and parents of the KGS Herten  
 Trade unionists and teachers' trainees campaign for his employment



Hubert Brieden, born in 1950, teacher of History and German, no party membership, works as a historian and freelance author on the topics "anti-Semitism" and "militarism"

Infostand „Berufsverbote“

### Kein Arbeitsplatz an Gesamtschule: Lehrer „jobt“ als Lkw-Fahrer

Bitten um Einstellung von Lehrern und Eltern

Herten. Der „Gewerkschaftliche Arbeitskreis gegen den Abbau demokratischer Rechte und Freiheiten in der BRD“ informierte am Samstag mit einem Stand auf der Hermannstraße über zwei Fälle von „Berufsverbot“ in unserer Stadt. Einmal geht es um den Bundesbahn-assistenten Jürgen Hoffmann aus Westerbil (wir berichteten bereits darüber), der am 21. März dieses Jahres laut Information des Arbeitskreises entlassen werden soll (DKP-Mitgliedschaft), zum anderen um Hubert Brieden, der ab 21. August 1979 als Besoldungslehrer an der Gesamtschule Herten unterrichten sollte, aber diese Stelle nicht an-treten durfte und zur Zeit als Lkw-Fahrer arbeitet.

**GEWERKSCHAFT ERZIEHUNG UND WISSENSCHAFT**

**Solidarität mit Hubert Brieden**

„Überlassung werden alle alle...“

## LEHRVERBOTE

**BEMERKENSWERTE PROTOKOLLE**

4 Dozenten - Hubert Brieden, Heidi Dettlinger, Hans Hergt und Dieter Ströge - Herausgeber/in der Dokumentation „Heustadt 1933 - 45“ sind mit Lehrverbot im Bereich politischer Bildung an der Kreisvolkshochschule Heustadt beauftragt. Möglicherweise kam dieses politische Arbeitsverbot auf Grund des Druckes, den der Beirat der Kreisvolkshochschule auf die Geschäftsstelle derselben ausübte.

„Ich gehi ihre auszu sätze gehö...“

### In Herten zwei „Berufsverbot“

Herten. Eine „Dokumentation Eisenbahner unter Berufsverbot“ hat der Gewerkschaftliche Arbeitskreis in Recklinghausen gegen den Abbau von demokratischen Rechten und Freiheiten in der BRD zusammen-gestellt.

Die Dokumentation behandelt zwei Fälle, einer ist der West-erholter Bundesbahnassistenten z. A. Jürgen Hoffmann, „dessen Großvater an den Folgen der KZ-Haft gestorben ist“, wie es in einer Pressemitteilung des Arbeitskreises heißt. Wie wir bereits mehrfach berichteten, wird Jürgen Hoffmann die Mitgliedschaft in der DKP von der Bundesbahn zur Last gelegt.

In einer Mitteilung führt der Arbeitskreis zehn Personen auf, die im Kreis Recklinghausen vom „Berufsverbot“ betroffen oder be-droht sind. Neben Jürgen Hoff-mann auch den Lehrer Hubert Brieden aus Münster, der, wie der Gewerkschaftliche AK schreibt, „an der Hertener Gesamtschule trotz Unterrichtsausfalls seinen Dienst nicht antreten durfte“.

Texts of Newspapers: *No Employment at the Comprehensive School: Teacher Works as a Truck Driver / Two Cases of Berufsverbot in Herten*  
 Newspaper Headlines from 1979 and 1984. In 2012, the "Verfassungsschutz" states that there are no files or dates of their deletion concerning the case of Brieden. The secret service has purged its history and that of the Federal Republic.

## Eva Mellert-Hartling / Charges: Standing as a Candidate for University Parliaments and Suspected Membership in Communist Organisations

- First state examination in 1970, Educational Studies with a degree in education (diploma) in 1974
- Application for employment as a teachers' trainee and hearing: doubts as to her "engagement at all times for the free democratic basic order" are justified because of her suspected membership in two communist students' groups (KHG – communist university group, and KSB – communist students' union ) and standing as candidate for these groups for the university parliament.
- Denial of traineeship because of suspected membership in the KSB, candidature for students union bodies, lack of willingness to distance herself from communist organisations (KSB, KHG, KBW) and from the demand to end the ban of the KPD
- Work as graduate assistant, then as administrative officer in Oldenburg
- In 1981, she is admitted as a trainee to become a teacher
- After the second teacher's examination in 1982, she applied for a teacher's job without success, therefore she continued working as an administrative officer.
- Besides her work in the administration, she took up Educational Studies for Foreigners (1982–1984) which she concluded with an examination, and interdisciplinary studies of France in Freiburg and Paris (1992–1994) which she concluded with a diploma.
- In 1994, she went to Hamburg still working as an administrative officer. She retired in 2009.
- Consequences of the Berufsverbot: Substantial reduction of retirement pension.



Eva Mellert-Hartling, born 1946, studied to be a teacher in the subjects Protestant Theology/Religious Instruction, German, Art, no party membership, work as an administration clerk, now retired



# Consequences of Berufsverbot

The expansion of the Berufsverbot from schools to universities and, from 1977 onwards, the German Federal Railway and Federal Mail, signalled that everybody had to anticipate that their political activities would be recorded and sanctioned.

The length of the Berufsverbot proceedings, often dragging on for years, wore many victims down. In the end, 70% of the lawsuits were refused admittance. Often, the extreme strain of the Berufsverbot proceedings led to mental-health problems.

Discouraged by these examples, thousands of politically active individuals abstained from applying for a job within the civil service. Others refrained from voicing opinions or engaging in activities that might make them victims of persecution. The consequences, not only for the civil service but for society as a whole, were often distrust, conformism and abstinence from any engagement criticising the political system.



The Berufsverbote were aimed at the victims' livelihood, they often meant having menial jobs or unemployment. Because of the special kind of education and training, there was no possibility of finding adequate employment with equivalent pay. Spouses were also endangered: in some cases they were refused employment in the public sector or with private companies because of their partner's Berufsverbot.

## The Role of the Trade Unions

The trade unions supported the restrictions of basic laws, imposed by the "Radikalenerlass", by ruling the incompatibility of union membership and communist or extreme left-wing activities. Already from 1949 to 1955, 654 members of the DGB (Federation of German Trade Unions) were expelled because of "communist activities", between 1972 and 1975, the ÖTV (union organising employees in the public sector) expelled 148 members because of "support of extreme left-wing organisations". Up to May 1977, the GEW (teachers' union) expelled 204 members because of the above-mentioned incompatibility rulings. In some cases, the expulsions were even the reason to start Berufsverbot proceedings. Those expelled could not even risk filing a lawsuit without defence and recovery from the unions because of the immense costs of the proceedings. Several regional associations of the GEW, however, refused to take on the "incompatibility decisions" – West Berlin until the end. This led to the expulsion of this regional association with 13,000 members in 1975. Later, the GEW denounced the "Radikalenerlass" and supported the victims in public as well as in court proceedings. In 2012, the general council of the GEW apologised officially to the victims and demanded their rehabilitation and financial compensation.

"The effect of the 'Radikalenerlass' and the standard enquiry (at the 'Verfassungsschutz') extended the purge of the public sector from so-called 'adversaries to the constitution': What was at stake was further extension of the offices for the Protection of the Constitution, intimidation, prevention of radical controversial dispute, pre-emptive compilation of protest movements and effects on non-government organisations and occupational areas (e.g. unions, private educational institutions, publishers)."

Wilma Ruth Albrecht, *Westdeutscher Staatsschutz*, 2013

Poster from the 1970s by Ulrike Evezard



Text of Poster: *We have Information about You ...*

# "Abolish the Berufsverbot!" – Solidarity with and Opposition to the Berufsverbot in Germany and Abroad and Two Important Court Decisions

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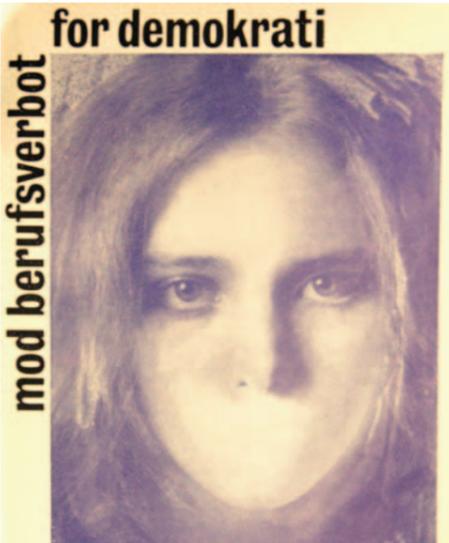
From the beginning, the Berufsverbot was met with immense criticism. There was a first protest demonstration in Dortmund with 20,000 participants in April 1973. After that, the nationwide initiative "Abolish the Berufsverbot" constituted itself, coordinating numerous local committees for years to come. Already in 1979, 350 of these committees were at work, in part also supporting the victims financially. Public figures from the arts, politics, sciences and the churches, as well as several social organisations, voiced their protest against the Berufsverbot.

In 1987, after examining the matter for several years, ILO (International Labour Organisation), a subsidiary organisation of the United Nations, on request of the International Trade Union Council, made it clear that the Berufsverbote are incompatible with "Agreement No. 111 on Discrimination in Occupation and Profession, from 1958", which was ratified by the Federal Republic of Germany in 1961 and which therefore also applies to German law. They advised Germany to end all Berufsverbot proceedings and rehabilitate the victims. However Germany has not followed these recommendations.

In all neighbouring countries, the media reported critically and in detail about the Berufsverbot, and committees were founded to support the victims. Numerous international organisations, like the International Federation of Trade Unions, the International Peace Council and the International Association of Democratic Lawyers, criticised the Berufsverbot and organised international conferences. European countries reacted unanimously with incomprehension and disapproval.

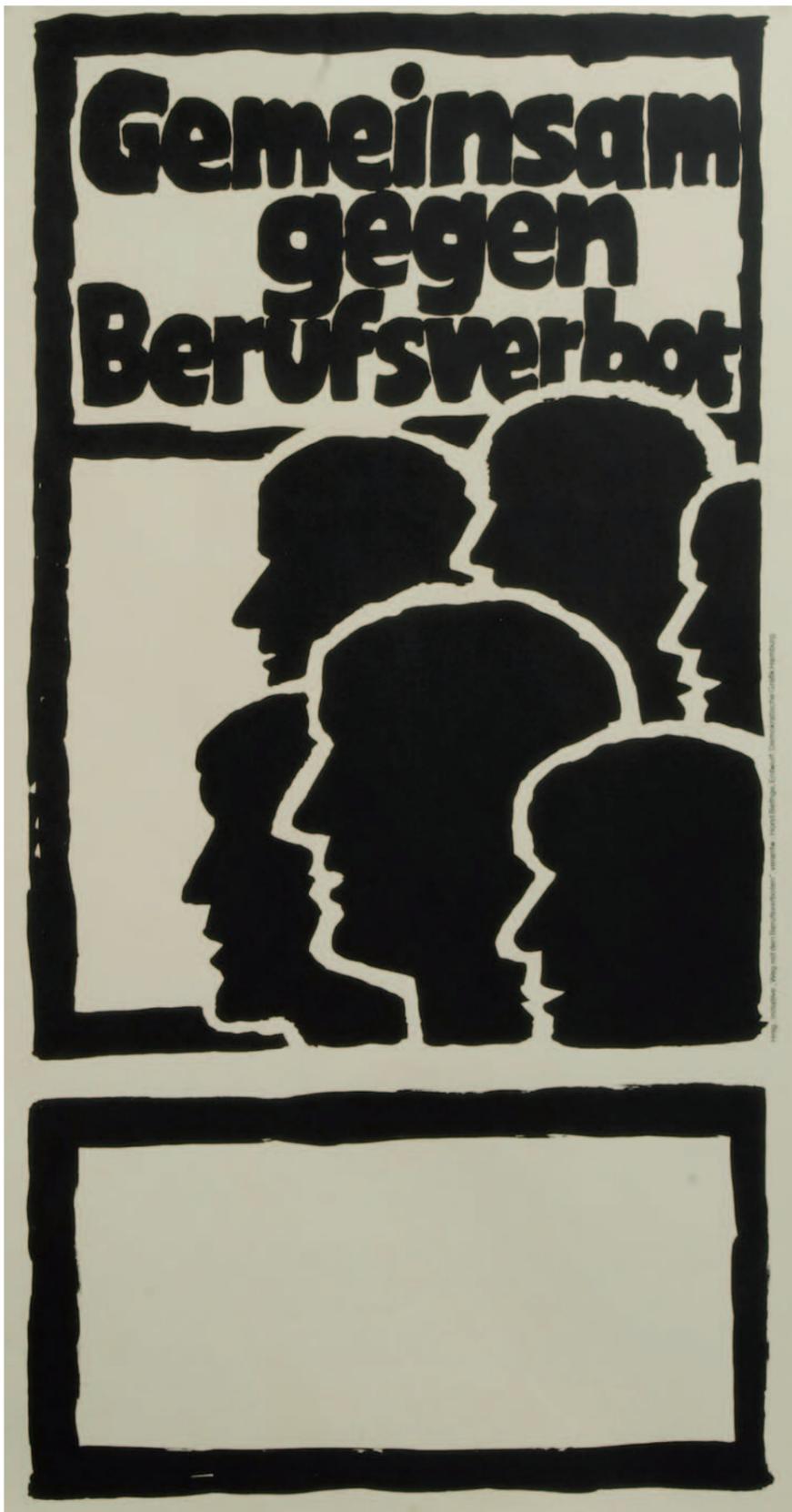
In 1985, the European Court for Human Rights in the case of Vogt versus Germany delivered the verdict that the so-called "Radikalenerlass" violates Article 10 (freedom of speech) and 11 (freedom of association) of the European Convention of Human Rights from Nov. 4, 1950. Consequently, the Federal State of Lower Saxony had to re-employ the teacher Dorothea Vogt and compensate her. This verdict remains a singular case.

**From the Speech of German-French Prof. Alfred Grosser When Awarded the Peace Prize of the German Publishing Companies on 12<sup>th</sup> October 1975**  
... If I got it right, young people are to be excluded pre-emptively because they will not change their conviction anymore and possibly violate their duty towards the constitutional state, whereas the Federal Republic of Germany could get away with giving individuals who had completely failed as defenders of the constitutional state important government positions. Someone who had interpreted the Nuremberg Laws against the Jews as regular law could become an undersecretary of state in the new constitutional state. Someone who had justified the Gestapo (secret political police of the Nazi-regime) as legitimate police was allowed to become a president of a university or a minister for education in the free democratic order. ... Perhaps I am too much of a Frenchman, or I am still thinking too much of the period of 1933, but it seems to me as if, in the Federal Republic of Germany, concern lies more and more with the defence of the basic order by the government, and less and less with the defence of the basic democratic rights against the government.



# Abolition of the "Regelanfrage" (Standard Enquiry at the Secret Service) – The Role of the Secret Services

Since the end of the 1970s, the decrease of extra-parliamentary opposition and social protest movements made the rather elaborate checking of all applicants for the public service – die "Regelanfrage" (standard enquiry at the secret service) – redundant. Rather, it seemed to be more effective to the employment authorities and the secret service to check only those who were already under suspicion. As there was increasing unemployment for teachers at the same time, it became possible to disguise political reasons for not employing unwanted applicants by telling them there were no jobs.



Text of Poster: *Together Against Berufsverbot*



Text of Poster: *There Aren't Any Berufsverbote with Us*

Because of the "Regelanfrage" and the extensive imposition of Berufsverbot, the general public realised how comprehensive the surveillance by the secret service was in West Germany. Therefore, it was in the interest of the secret services to organise surveillance more effectively and less obviously. Recently, several Berufsverbot victims have requested to see their files at various secret service agencies and the "MAD" (Militärischer Abschirmdienst – German military intelligence section). The answers of the "Verfassungsschutz": There are no "findings" and no files, neither are there any records of deletion of dates. The answers of the "MAD": no information is given. The Federal Government denies the existence of Berufsverbot. Poster from the 70s.

Everything dissolved in haze. The past had been erased, and even the fact of erasure was forgotten, the lie had become the truth.

*George Orwell, 1984*

Tens of thousands of people in Germany and abroad campaigned against the Berufsverbot – activities that sensitized large parts of the public to how threatened the democratic society was by government activities. However, the movement against the Berufsverbot remained politically divided. Despite all the success it had, it did not succeed in abolishing the practice of Berufsverbot which – through spreading uncertainty and fear – was able to unfold a devastating, long-term effect. Poster from the 1970s.

# Repression and Secret Services Today – Political Consequences and the Demands of the Victims



The politics of Berufsverbot have been forgotten and are being denied. In fact, so far only two federal states have abolished the Berufsverbot officially: Saarland in 1985 and Bremen at the beginning of 2012. There are, however, efforts in Lower Saxony, Baden-Württemberg, Hamburg and North Rhine-Westphalia to take up this disreputable chapter of German post-war history again and bring it to an end. But: the so-called "Radikalenerlass" still exists and takes its effect.

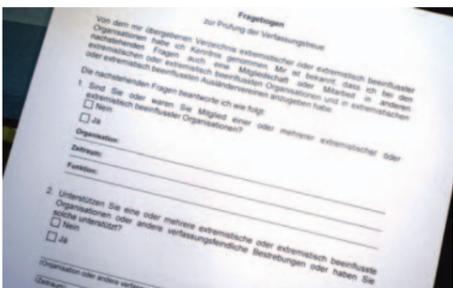
In **Michael Csaszkozy's** case (Berufsverbot in 2004), the "Verfassungsschutz" stated that they had to continue to observe Csaszkozy in order to fulfil their assignment. In particular, the fact that he fought against his Berufsverbot and continues to campaign against Berufsverbot was seen as an indication for his adverseness to the constitution. Thus the campaign against a violation of the constitution – stated by the courts – is in itself taken as proof for an alleged adverseness to the constitution.

**Silvia Gingold** (Berufsverbot in 1975) has been spied on because of – among other things – a public reading from her father's autobiography (anti-fascist Peter Gingold) and speaking about 40 years of Berufsverbot in the FRG at a demonstration in Frankfurt/Main in 2012 under the general motto "Stop government support for Nazis – abolish the 'Verfassungsschutz'".

Comment of the Federal Ministry of the Interior on a Petition of the Victims on the Occasion of the 40<sup>th</sup> Anniversary of the So-Called "Radikalenerlass" in 2012:

"... Against this background, the dismissal from the position of a civil servant is no Berufsverbot. It is merely a measure taken to maintain the proper functioning of the public service" and "... the allegation of spying on critical political opposition has to be denied."

Even as late as 2004, Berufsverbot was imposed on the teacher Michael Csaszkozy from Heidelberg in Baden-Württemberg on the basis of the so-called "Radikalenerlass". It was, however, repealed as unlawful by the court of the highest instance in 2007.



In Bavaria, applicants for the public service have to complete a form which breathes the evil spirit of the so-called "Radikalenerlass" where, amongst other things, the party "Die Linke" (The Left) and the VVN (Association of the Victims of the Nazi-Regime/Union of Anti-Fascists) are listed as problematic "extremist" organisations.



In 2014, victims are still being spied on by the "Verfassungsschutz" and are fighting with legal means against this.



Victims in Front of the Federal Chancellery of Germany in 2012; Their Demands:

- complete abolishment of the "Radikalenerlass"
- apology for the injustice they had to suffer, and complete rehabilitation
- rendition of their files at the "Verfassungsschutz" and their destruction
- repeal of discriminatory court decisions
- financial compensation
- end of spying on critical political opponents by the "Verfassungsschutz"



Victims of Berufsverbot in Front of the Memorial of the "Göttingen Seven". Presently, there is a motion on the "Radikalenerlass" and the rehabilitation of the Berufsverbot victims in the Lower Saxony Parliament.

After more than 40 years, victims of Berufsverbot, politically persecuted individuals of the Bonn Republic, have networked since 2012. Beyond their own issue as victims, they campaign for a Federal Republic that adheres to its own post-war history – in the west as well as in the east – and where there is a clear understanding that politically motivated Berufsverbot, spying and suspicion can never again be instruments of a democratic government.

**"Forgotten" History**  
**BERUFSVERBOTE**  
**Political Persecution in the**  
**Federal Republic of Germany**

**An Exhibition by the Lower Saxony Initiative Against Berufsverbote**

**Concepts, Research and Documentation**

Cornelia Booß-Ziegling, Hubert Brieden, Rolf Günther,  
Bernd Lowin, Joachim Sohns, Matthias Wietzer

**Layout and Design**

Tanja Beck

**Used Archives**

Archive of the Hamburg Institute for Social Research  
Federal Archives of Coblenz  
HAZ-Hauschild Archive in the Hanover Museum of History  
Hanover Museum of History  
Panfoto – Günter Zint

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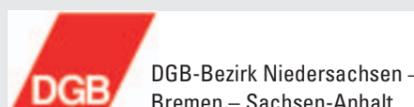
**Painting on the Title Board**

Jürgen Waller: The Damaged Identity of the Art Teacher  
H. J. Schreiber, Affected by the Berufsverbot, Oil, 1976

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