



"Active members of the German Communist Party will be fired. This is the situation."

KURT GSCHIEDLE,  
Minister of Transport,  
Postal and Telecom-  
munications Services  
of the Federal Republic  
of Germany,  
Social-Democrat

IN THE FEDERAL REPUBLIC OF GERMANY:

# BERUFSVERBOT

IN THE POSTAL SERVICES -  
FIVE CASES FROM STUTTGART

Postal services in the Federal Republic of Germany are run by a federal ministry. The present minister KURT GSCHIEDLE (who is also Minister of Transport) is a Social-Democrat. He is a member of the Social-Democratic/Liberal coalition government of Chancellor HELMUT SCHMIDT. According to the Constitution of the FRG, all federal ministers work on the basis of directives from the Chancellor on fundamental questions of policy.

The authorities claim that political "screening" or "vetting" of all their employees and applicants is necessary "to protect the constitution". Even temporary part-time staff is "screened" by a "Referat 311" of the federal Ministry of Postal and Telecommunications Services. Applicants for "civil servant" status are told that "activity for a party which the federal government regards as hostile to the Constitution" will lead to dismissal, and a list of prohibited organisation - all of them legal, of course - is read out to them. The German Communist Party (DKP) is the main target.

Under Herr Gscheidle's responsibility more than 50 employees have been affected of Berufsverbot measures of one type or another. This documentation describes five cases - all from one city. Particular attention should be paid to that of Hans Peter where disciplinary proceedings are now reaching the final stage and which must be regarded as a pilot case (see page 4).

Hans Peter has served in the postal service for 29 years, Hans Meister for 20 years. Their excellent work, impeccable conduct and personal integrity are recognised and respected. They are active members of their union and have committed themselves to work for the implementation of the anti-fascist and democratic principles of the Constitution. Branding people like them as "enemies of the constitution" or "security risks" is politically slanderous.

Berufsverbote violate basic human rights and the Constitution of the Federal Republic of Germany. The situation in the postal services shows that the policy of Berufsverbot is being continued - not only by Christian-Democratic state administrations, but also by a Social-Democratic minister of the federal government, despite all resolutions of SPD Congresses, despite promises and all the talk about "liberalization". Violations of the Constitution cannot be "liberalized", least of all by pseudo-legal procedures like "hearings", "preliminary enquiries" etc. BERUFSVERBOT MUST GO - ONCE AND FOR ALL.



HANS PETER is 49 years old.

He is a telephone technician, joined the Post Office in 1951 and was promoted four times. He has always been known as a Communist. The Head of his telephone exchange wrote: "Herr Peter has been able to advertise the legal aims of his party very effectively simply through his personal integrity and conduct." Between 1971 and 1974 Hans Peter was in the branch committee of his union.

Throughout the Cold War era, when successive Postal Ministers came from Herr Strauss's party, no one ever harmed this Communist at work. The idea to victimize Hans Peter came from a Social-Democratic Minister - KURT GSCHIEDLE.

Since 1977, Hans Peter has been subjected to eight "hearings", each of which took hours. The "findings" concerned DKP membership, various functions and candidacies, publication of a local DKP newsletter on community issues, attendance at a meeting of a broad left election alliance in 1969, and a journey to the German Democratic Republic in 1974. Later the charges were extended to "having passed on information on current disciplinary proceedings" to an anti-Berufsverbot committee.

One of the allegations was that Hans Peter has been nominated as a DKP candidate in a forthcoming (!) City Council election. The laws stipulate free elections with equal chances for all parties ...

When a vacancy occurred in the fault-clearing department of his telephone exchange, Hans Peter was selected as the most suitable candidate. But then he was refused - for "security reasons".

In June 1978 the chairman of the "hearing commission" came to the conclusion that "no facts could be established" that Hans Peter "has actively opposed the free and democratic constitutional order".

Nevertheless, Herr Gscheidle formally initiated disciplinary proceedings in December 1978. Hans Peter's case is the first one that will be heard by the Bundesdisziplinargericht (Federal Disciplinary Court), an institution in the system of special disciplinary regulations that apply for "civil servants" (Beamte) in the FRG.

On 15 Nov 1979 (before the Social-Democratic Party Congress) the minister wrote on the Hans Peter case that "membership in a party or organisation can be taken into account (for assessing an employee's "loyalty to the Constitution"), but it does not necessarily have priority over other criteria. This applies also to using civil rights which are guaranteed by law, such as standing for elections..."

Now the Minister himself could easily put an end to this whole business of giving "membership in a party or organisation" "priority over other criteria". All he would have to do is to terminate disciplinary proceedings against Hans Peter.

A three-day session of the Bundesdisziplinargericht has been announced for 24-26 March, 1980. If it rules dismissal of Hans Peter, Herr Gscheidle will have a free hand to continue with Berufsverbot (again having put the blame on others). Very severe consequences for all state employees and for democracy in the FRG would have to be expected. On the other hand, defeating Berufsverbot in the postal services would be a milestone in the struggle for the restoration of democratic liberties in this country.

Protests have already in the past helped to obtain some re-instate-ments. Protests should now be sent to:

1. Bundesdisziplinargericht Kammer III, Dr. Schmachtenberg  
Oberlindau 80, D-6000 Frankfurt 1, Federal Republic of Germany.
2. Bundesminister für Verkehr, Post- und Fernmeldewesen KURT GSCHIEDLE  
Kennedyallee 72, Postfach 8001, D-5300 Bonn 1, F.R.Germany.
3. Bundeskanzler HELMUT SCHMIDT, Bundeskanzleramt,  
Adenauerallee 141, D-5300 Bonn 1, Federal Republic of Germany.