

EDINBURGH CAMPAIGN COMMITTEE AGAINST THE BERUFSVERBOT

Newsletter Number 6 Feb/March 1980

Berufsverbot Victim visits Scotland

The Campaign was fortunate in having a visit from Lothar Letsche, who discussed Berufsverbot in three public meetings and to the Trades Council mid-February. The following is an excerpt from his speech.

'I come from Stuttgart in the Federal Republic of Germany. I went to University there to study English, History and Politics until 1975. I was active in student politics and held several positions in the Students Union. I have also been an active member of the Trade Union movement since 1968. In 1970, I spent two years in Britain, working as a language assistant in Comprehensive schools in Glasgow and Oxfordshire. I received excellent testimonials from them. In 1977, I applied to be a trainee teacher but was refused on political grounds. It was alleged that in 1972, I stood for student elections supported by a marxist student group; that in 1969 I had signed and distributed leaflets published by socialist youth organisations; that in 1972/74 I attended meetings of the local communist party and that I was a member of the Communist Party. This last allegation has never been substantiated, yet in my court hearing, the court ruled that not only was I 'unfit' to teach in the public sector, but that this ban should extend to the private schools. Thus, if I want to teach, I must emigrate.'

'My case is fairly typical of a policy that has become known as BERUFSVERBOT. Literally it means occupational ban or career ban. In practice, it means screening or vetting people who are applying for all jobs in the public service, and also employees in the public services. They are put through some sort of political loyalty test, on the basis of computerised information from the security service agencies. If anything turns up, they are questioned at formal hearings that can last for hours. It has been estimated that 3½ million people in our country have gone through the computers of the political police (that's over half the population of Scotland), and over 4,000 public servants have been victimized.'

'In my home town alone, victims include a civil engineer who had a job as a hydraulics engineer; a clerk at the Post Office girobank; a postwoman from a part-time job; an architect who was barred from completing his preparatory training; a commercial artist fired from the University's Architecture Department; a pig-breeding expert who had difficulty completing his Doctoral dissertation and a linguistics lecturer who was barred even though he had worked there for three years. Two of the most vicious cases involve telephone engineers who had worked for 29 and 20 years each.'

Lothar Letsche(cont)...

'In a similar case on the railways, one 48 year old victim, actually received a document thanking him for 25 years loyal service. Four months later, disciplinary action is now being taken solely because he belonged to an anti-berufsverbot committee. In Tübingen, my birthplace, there is the absurdity that a communist town councillor is barred from teaching although the town council controls municipal services. In Marburg, a Communist councillor gets time off from his employer, the Post Office, to attend council meetings, is at the same time subjected to disciplinary action by the Post Office because he is a communist. But there are even more absurdities. When the authorities suspect someone to be a communist but can't prove it, they hold against them that their name has been mentioned in a 'communist' circular, or they signed an appeal for communists, or - as happened in Stuttgart - that they attended a communist May-Day social or garden party.'.....

'If people are led into believing that some kind of big brother computer will file everything they say or do, the sooner or later they will cease to say what they think, the sooner will they refrain from going to meetings of , or joining organisations that appeal to them. Many people in Universities and Teacher Training Colleges have complained that real discussions in lectures or seminars is sometime impossible because students refrain from critical opinions for fear of jeopardizing future careers. And obtaining signatures for any type of petition or appeal can sometimes be very difficult in the Federal Republic of Germany.'

'Pro Trade Union politics can lead to Berufsverbot, as in the case of Christian Planar. The judgement from the court states ... Herr Planar characterizes wage negotiations like strike and lockouts in the metal and printing industries as conflicts between different social classes. He does not consider wage negotiations simply as a matter of arithmetic, where pay rises and pay cuts would be considered on equal terms, but as a sort of struggle on behalf of the working class. There is no difference between his views, and the views of people who talk about employers dictating wages, but who never would describe actions by workers organisations as blackmail.'

If you want to support Lothar Letsche, write a letter of protest to the German Embassy and Consulate in Edinburgh(addresses given on page 3), and send a copy to the court Verwaltungsgerichtshof Baden-Württemberg; Schubertstrasse 11; D-6800 Mannheim; FGR quoting the case ... "AktENZEICHEN 1 IV 2903/78" ..Also, messages of support to Lothar would be appreciated ... via .. STUTTGARTER AKTIONSKREIS GEGEN BERUFSVERBOT; c/o Herber Bader; Waiblinger Strasse 20A; D-7000 STUTTGART 50; Federal Republic of Germany

Current Victims (see Newsletter 5)

In our last newsletter, we mentioned the cases of Thomas Spohr (Teacher), and Gerlinde Fronemann (Teacher of Educationally sub-normal children). We have heard that both these teachers have been dismissed. Peter Singer won his case, solely because of the international solidarity shown. At a meeting of Cologne's Town Council it was decided that Peter's dismissal should be put into effect. However, such was the protest that the Council held another meeting within a week of the previous meeting and reversed the decision. The Campaign would like to thank those who supported Peter. However, we have reprinted further information on HANS PETER, because his case is going to be an important test case. So, if you can, please support him, by writing to the addresses shown below. The case is being held on the 24-26 March. A three day 'hearing'!

HANS PETER (Telephone Engineer of 29 years experience with the Post Office)

Hans Peter is aged 49, and joined the Post Office in 1951. He has been promoted several times. Throughout, the Cold War period, even though it was known that Hans was a member of the Communist Party, there has been no attempt to victimize him. The initiative comes from the Social Democratic Minister, and therefore this case will be heard by the Federal Court specialising with 'disciplinary' measures against public service workers who have tenure. As this is the first such case, its outcome is important.

Since 1977, Hans Peter has attended eight hearings. The 'findings' concerned DKP (Communist Party) membership; publication of DKP newsletters and leaflets; attendance at functions and standing for elections; attending a meeting of a broad left alliance in 1969 and visiting East Germany in 1974. In later 'hearings', the charges were extended to 'passing current disciplinary proceedings to an anti-berufsverbot committee.' One of the allegations is that Hans Peter had been nominated as DKP candidate in local elections. The law stipulates that there is freedom of expression and opinions, and that elections are open to all legal parties. However, in Nov 1979, the SPD minister wrote to Hans stating that 'membership in a party or organisation can be taken into account (for assessing loyalty to the constitution) but this does not necessarily have priority over other criteria.' In this case, by taking action, the minister has decided that membership of the DKP does have priority. If substantiated by the courts, the effect on all democratic involvement in West German politics will be severe. YOUR protest can help. Protests should be sent to the following addresses:-

- 1) Bundesdisziplinargericht Kammer III; Dr. Schmachtenberg; Oberlindau 80; D-6000 FRANKFURT 1; Federal Republic of Germany
- 2) Bundesminister für Verkehr, Post und Fernmeldewesen Kurt Gscheidle; Kennedyallee 72; Postfach 8001; D-5300 BONN 1; Federal Republic of Germany
- 3) Bundeskanzler Helmut Schmidt; Bundeskanzleramt; Adenauerallee 141; D-5300 BONN 1; FR

Also send protests to:-

- 1) The West German Embassy; 23 Belgrave Square; LONDON SW1
- 2) The West German Consulate; 16 Eglinton Terrace; EDINBURGH EH12 5DG

Further information on other cases etc, from....

- 1) Scottish Campaign Committee against the Berufsverbot; c/o Graham Dane; 2 Stevenson Court; LIVINGSTON EH54 5NW .. and from C.N.M. Pounder; Edinburgh Campaign Committee; 29 Falcon Gardens; Morningside; EDINBURGH 10

The 'Radicals' decree and evidence of holding 'hostile' opinions.

Below is the formal statement of the decree, and actions that leads to evidence that allows the state to suspect you of having opinions that are 'hostile' to the constitution, or 'incompatible with the free democratic order'.

"The requirement of political loyalty demands more than a formally correct, disinterested, cool, inwardly distanced attitude to the state and it's constitution. It specifically demands of officials that they unequivocally distance themselves from groups and tendencies which attack, combat, demean the state, its constitutional bodies, and the existing constitutional system The requirement of political loyalty is most tested in periods of crisis and situations of crisis, when the state has demonstration of the active loyalty of it's officials".

Do you do any of the following?

- 1) Attending a meeting of the communist party
- 2) Candidature in an election on a communist or radical platform
- 3) Signature on a 'radical' campaign leaflet
- 4) Distributing a 'radical' leaflet
- 5) Living or having lived in the same house as a 'radical'
- 6) Parking near a communist party office when a meeting was being held
- 7) Signing a petition against the close down of a hospital
- 8) Participation in an anti-nuclear group
- 9) Participation in a socialist song group
- 10) Working in an organisation such as prisoners' aid, community organisations, where a 'radical' is known to be active.
- 11) Visiting somebody arrested for alleged 'anarchistic' sympathies
- 12) Criticising the practice of Berufsverbot
- 13) Being on the mailing list of a 'left' publishing house
- 14) Signing a resolution against the Berufsverbot
- 15) Sticking up posters for a 'radical' group
- 16) Protesting in an anti-vietnam demonstration
- 17) Protesting against the pro Vietnam film 'The Green Berets'
- 18) Parking of a car at the start of a demonstration
- 19) Conscientious objection to conscription
- 20) Protesting against the increase in bus fares
- 21) Informing the public of your own Berufsverbot (seeking refuge in the public)
- 22) Protesting against the abortion laws
- 23) Contributing a picture to an exhibition organised by the communist party
- 24) Inviting a political theatre group to a school or university
- 25) Passing in class, the address of an attorney defending a terrorist
- 26) Drawing and publishing a politically critical cartoon.

This incomplete list demonstrates above all else, the depth of surveillance that modern technology brings, and what constitutes "disloyal behaviour".