

Behind the Headlines : Freedom of Opinion and Terms of Employment for Government Employees

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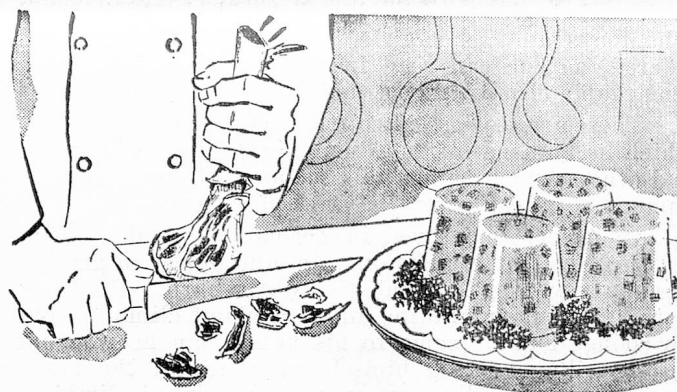
Freedom of Opinion and Terms of Employment for Government Employees.

By Dr. HERMANN BÖSCHENSTEIN.

On September 5th, the Federal Council published an Order according to which Government Employees, who can no longer be considered trustworthy, will not be eligible for a renewal of their engagement contract, nor will they be transferred to some temporary term of employment. According to the Federal Law on Government Service, officials and employees are nominated for a period of three years; the Selection Board is free, after the termination of this period either to re-appoint them or not. In any case their claims to a pension are to be withheld and the change in their terms of employment will be made known to them formally, at least three months before the end of the year. This new Order is aimed more particularly at Communists, who have sworn blind obedience to the Soviet watchword. It could not be avoided that this matter should come before Parliament, for as soon as the Order appeared accusations were levelled against the Federal Council, not only in the Communist but also in the Right-Wing Press of French-speaking Switzerland, that by this Order it was violating the right of Freedom of Opinion. This accusation sprang from the fact that as the Communist Labour Party is not forbidden in this country, it would only appear logical that Government officials and employees could not be forbidden from belonging to this accepted Party. There were other things also which, although admissible for a private person, were prohibited to a Government employee, and the Federal Council very quickly established the fact that it was not membership of this Party which was to be the decisive factor, but the person's trustworthiness. And the particular kind of cases which have come under consideration and deserve the appellation of untrustworthiness were described in a very clear statement made by the Head of the Department for Justice and Police in answer to a question put in Parliament; an example of untrustworthiness may be found in a Public Servant who occupies a leading position in the Communist Labour Party and whose wife works in a foreign Legation; in a Government employee who takes part in the direction of courses for training in Communism, the aim of which is to train those taking part in them in acts of sabotage and disruption of Public Services; in an official who possesses dual nationality and who tries to wriggle his way into a foreign Legation; in an organiser of Communist work-cells in the Federal Post, Telephone and Telegraph Services. In all such cases, an end must be put to the good-nature of a tolerant Democracy, and this is all the more justifiable as those particular States whose directives are so faithfully followed by these untrustworthy elements, do not allow the slightest freedom of opinion or any opposition. What was of decisive importance, was the authoritative statement made, that it was not the convictions of an individual which would come into question, but solely concrete and proved acts, the possession of all the facts of cases of manifest untrustworthiness. Moreover, the Government employee has no legal claim to re-appointment, and there happen to be quite a number of officials who will terminate their present work at the end of the year and will not be re-

appointed, either because they have quite simply not proved to be very satisfactory in their job, or who can no longer carry it out satisfactorily, or who are engaged in work which, as a result of technical development has now become superfluous, as for instance in the Army, where the Cavalry is now in the state of being supernumerary as a result of mechanisation.

The Communist Leader, Léon Nicole, demanded that the Order in question should be repealed; his demands were, however, rejected by the Swiss National Council, only the five Communist votes being in favour. From this it becomes quite evident that, after a certain amount of uncertainty as regards this Order and the measures it implements, an impressive majority of parliamentary representatives realised the necessity for State Protection against the Fifth Column, and the cry of alarm raised by the Communists regarding the existing menace to Switzerland's ancient freedom, found no echo among the Swiss people and their representatives. The Socialist member who put the question, made it very clear that this political group, that is to say the Communist Labour Party, had not the slightest right to pose as the defenders of freedom, in view of the fact that in the régime which they worshipped every vestige of freedom had been destroyed in the most brutal manner. Besides, the Civil Service was well aware of the fact that every individual case had been examined with scrupulous care and no arbitrary decisions had been taken.



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