I AM PLEASED TO HAVE this opportunity of thinking through with you one of the Germany's most perplexing problems — the reform of the German civil service. I have no concern about the final decision on a problem when it is freely discussed with the decision freely arrived at. If more groups of citizens were to follow your example, the struggle for democracy would be well on the way to success. However, I have been sad to see many past efforts encounter opposition from some who close their minds and emotionally cling to the past for no other reason than that it is traditional.

I wish to make it plain at the outset that I am telling of conditions and tendencies in Western Germany as a whole and not with particular reference to the State of Wurtemberg-Baden. If anything, prospects for a healthy public appear brighter within Wurtemberg-Baden than in many other states. A number of worthwhile steps have already been taken. In a recent controversy in the state legislature, the Wurtemberg-Baden government defended the need for the maintenance of an impartial personnel authority to observe the uniform, fair administration of the state personnel program.

In the present day, to a large degree one's attention is pulled to events in Korea and to tendencies in other areas. There is a natural concern among Germans that the new Germany and other freedom-loving peoples remain free from the threat of authoritarianism — a rule which recognizes neither the dignity of the individual nor the ethics associated with the religions of the peoples of the world.

BUT DESPITE THIS CONCERN and the attention it requires, I caution you that within even Western Germany authoritarianism has not yet been completely eradicated — democracy has not yet been won. It is true that constitutions have been adopted and certain broad basic laws have been passed which provide the legal basis for a democratic government. But the citizen who criticized recently the quality of his local police at a community meeting was a few days later tried and fined some 75 marks for "insulting" the police.

In at least some of the states, it is still proper under the law for a minister to levy a fee up to 2,000 marks against a citizen who may file a complaint which, in the judgment of the minister, is unfounded. It is still possible in at least part of Western Germany that a fine up to 1,000 marks or imprisonment up to three days be levied against a person who commits contempt through improper behavior or utterance against government agencies; this punishment is levied by the minister or mayor or government official concerned and not by a court.*

The German people have before them a difficult task. On the one hand, they wish to live under a democratic government and social structure, enjoying their individual, rights and their duties and responsibilities as citizens. On the other hand, their own experience and the experience of those serving them in public office, is that acquired under authoritarian control.

When I talk of experience the word is synonymous with tradition. Much of this experience has been excellent and has been emulated in the United States and other countries over the world. Other traditions have been the cause for concern in that they violated the dignity of the individual and therefore indirectly constituted a threat to the peace-loving peoples in much the same way as does the struggle which goes on in Korea today.

I wish to emphasize that Germany cannot become a democratic nation and still retain all of its past traditions. Had this been fully recognized in the Weimar period perhaps the history of the past 20 years might have been different. The German people have the task of examining and re-evaluating each of their traditions with a view to retaining those which are compatible with democracy and relegating to history those which tend to hinder.

I AM CONVINCED that the reactions of ordinary Germans are fundamentally the same as the reactions of people the world over. Thus the German people will achieve the democratic way of life they desire and their neighboring countries will have no cause for suspicion or alarm if the policies of the new Germany mirror clearly the composite judgment of the German people as a whole. This means that instrument of government must be continually accountable to the German people.

This factor of accountability will be found useful as a standard to evaluating many German traditions. It is of help in reviewing the system of elections, in deliberations on a free press, in strengthening the self-administration of the local governments and in many more. It is particularly significant in considering the civil service where so many of the practices and traditions, coming down almost unchanged from the days of the empire, continue to obstruct the development of accountability.

A German civil servant is not a mere underling occupying a subordinate post in government. He sits in the legis-

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This article was adapted from the text of an address delivered by General Gross before the Evangelical Academy's Conference on the German Civil Service, held Sept. 9 in Bad Boll, near Geoppingen, Wurtemberg-Baden.
lature, helps to control the political parties, holds all key
government positions below cabinet level, and may make
up a majority of the cabinet itself.

It is perfectly evident that this powerful group is better
trained in the processes of German government than
anyone else in Germany. They have a tradition of edu-
cation, of honesty and efficiency. Unfortunately, they
have also a tradition of authority. They hold the view
that the expert can best run the government. What they
do not realize is that in a democracy the important poli-
cies of government must in the final analysis be determined
not by the expert but by the common citizen. It is this
tradition of authority inconsistent with the principle that
all government is accountable to the people which
needs to be re-examined.

IN PRINCIPLE EVERYONE agrees today that the public
servant is to be the servant of the people, not their
master, and the constitutions so provide. But the elimina-
tion of the old tradition of authority and the establishment
of the principle of accountability will not be realized merely
by decree.

It is true that the Occupation Authorities have hoped
to see reforms in the German public service. But their
objectives and objections have been gravely misunder-
stood. We have never attempted to transplant to Ger-
many personnel systems as they may exist in the United
States or other countries nor do we attempt it today. We
have never required that the good features of the former
system be destroyed nor do we seek it today.

We have, however, been concerned that the German
people themselves effect the reform of their public ser-
vice. We have asked that they re-assess their traditional
practices and procedures with a view to incorporating
certain minimum principles so as to bring the public
service into harmony with democratic principles in
public service the world over and thereby within the
control of the German people.

These basic principles are in essence the freedom of
access for every citizen to the public service, the uni-
form impartial administration of the personnel program,
and a restriction on the active participation of public
servants in politics. These apply to all public servants
and not just to the officials.

IT IS SELF-EVIDENT that every citizen who is loyal
to democratic principles should have access to the
public service with appointment and promotion being
based solely on the relative fitness of the individual to
discharge the responsibilities of the particular post and
without discrimination on account of creed, social ante-
cedents, race, sex or politics. The employing authority
is and should be interested in obtaining the services of
the person who possesses to the highest degree the skills
and abilities actually needed on the job to be filled. The
method by which the individual applicants have acquired
these skills and abilities should be of little concern to the
employing authority.

In Germany, however, it has been the tradition to rely
almost exclusively on certificates of schoolroom instruc-
tion, a tradition which excluded from practical considera-
tion persons who may have acquired the skills and abili-
ties in business and other ways. Through the public an-
nouncement of job opportunities and through a competi-
tive measurement of the applicant’s possession of needed
skills and abilities, each German citizen would have the
right of access to the public service. The result would be a
public service more representative of all German citizens.

It seems necessary that there should be maintained an
impartial and appropriate personnel authority responsible
under the law for the application and enforcement of the
law relating to the public service and every public serv-
ant should have the right to appeal to this authority from
any decision affecting him which he considers to be
unjust. Of course, the public servant must obey valid
instructions from his office superior but he must not be an
unthinking Roboter (robot); he must recognize his
responsibility to the public. When the individual public
servant is treated as a respected individual by his own
superiors, it will be natural for him in turn to deal with
the public as respected co-equals.

THE PARTICIPATION of a public servant in political
activity should be restricted and ought not to be such
as to represent him to the people at large as an active
supporter of a specific political party or program. The
public servant must serve impartially all freedom-loving
citizens and must hold himself above the suspicion that
he may be giving special attention or privilege to a
particular political group or program.

It is incompatible with the separation of the exercise
of legislative and executive powers for a public servant
to continue in his public post after accepting election to
a legislative body. Frequently have I read in legislative
proceedings where a Beamte (professional public serv-
ant) member was asked whether he was speaking as a re-
presentative of his ministry or as a member of the legis-
lature.

In the past five years some of these concepts have
found their way into legislation, but it has been an uphill
battle. The opposition from many well-meaning, honorable
people has been motivated by clinging to tradition at

General Gross, US state commissioner for Wuerttemberg-
Baden, spoke at Bad Doll Sept. 9, when he delivered the
address from which this article was adapted. (US Army photo)
all costs without really realizing what the tradition they defend implies.

Today at least some of the states are in a position to serve as examples of the benefits that can accrue from such a reform and can demonstrate that these reforms are not something merely visionary and theoretical but do in fact have practical benefits.

Originally there was only dissatisfaction with conditions, but the people had no idea how to correct the situation. Then there developed within the citizenry a self-confidence in their right to publicly discuss the problem and the conviction that a change could be effected. The newspapers of Germany were highly public spirited in presenting the pros and cons of the argument. The German trade unions added their voices.

Resulting from this, one can observe the transition from the point where the people were merely being against something, to the situation today where a majority of the people seem to be for certain rather definite reforms. These forces, although they worked hard on the federal law, fell just short of being successful in influencing a change in the system as represented in the federal provisional civil service law.

Since the Allied High Commission also is concerned in the eradication of authoritarianism, it was able to counteract a complete reversion to the traditional civil service system. There is no point in closing our eyes to the fact that the opposition to change in the civil-service system came from the ranks of the civil servants, especially of the higher level.

It is understandable that an individual’s first reaction would be that of loyalty to a system with which he is well acquainted and it is likewise understandable that he might fight to protect such status, power and advantages which he may enjoy. But the fact that there is a cohesive organized group which because of the strategic location in government possesses power out of all proportion to its size, emphasizes the need for appropriate counter-measures. It points out the need for stronger public organization in order to overcome this obstacle.

The fight for the reform of the civil service goes on. In the Federal Assembly in the next few months a new civil service law will be debated. In Wurttemberg-Baden certain aspects of the administration of the state civil service law are being discussed. Other states are likewise giving attention to their public service.

It will be a major triumph for democracy in Germany when the German people are successful in eradicating authoritarian practices from their governments and thus in making them truly accountable to the will of the citizenry.

(Continued from page 40)

New Status of Germany

 vincinal jealousies. It is interested in wider horizons and in healthy co-operation with all who are attempting to solve the world’s great problems.

The West can face the future with confidence. Its strength lies not only in its greater resources and industrial capacity but in the faith of free peoples whose energies are not sapped by constant fear. With this faith a strong Western Europe can help to revive a democratic and free Western Europe. And the same faith can speed the day when Germany will become united in democratic freedom.

Europe has many memories yet to be overcome, many wounds that have yet to heal.

We are moving toward a community of interest built on strength and democratic ideals. In this direction lies the best hope for the future — the future of Germany, of Europe and indeed of the entire world.

Meteorological Service Set Up

An Allied Meteorological Board has been established by the Allied High Commission to co-operate with German authorities in the creation of a central federal meteorological service. This action, the result of a study, will merge all such official agencies in the Western zones.

At present, in the US Zone the meteorological service is established as a public corporation controlled by an official Kuratorium (council or directorate) of the states. It has a budget of DM 6,500,000 for this year.

In the British Zone the service is financed by the federal government on a budget of the Ministry for Transportation, amounting to approximately DM 4,000,000.

In the French Zone, each state has its individual service, with no administrative link connecting the various services. Each is financed by a ministry of the state government while the total budget of the three French Zone states for these services is approximately DM 1,000,000.