

Current Concerns

The international journal for independent thought, ethical standards, moral responsibility,
and for the promotion and respect of public international law, human rights and humanitarian law

English Edition of Zeit-Fragen

Cyclic processes in political life

A hardly known and seldom discussed text by Jean-Rodolphe von Salis from the year 1971 – Part 3

From the standpoint of methodology the above mentioned examples serve to indicate how a casuistry of political science would have to be understood. In medicine and law, casuistry is an indispensable aid to gain insight in what is typical and comparable; in political science based on the historical and sociological experience casuistry is still in its early stages. A reliable casuistry must be based on a classification of the different variables of political events and on the effort to link these variables to each other. This theoretical concern can be exemplified in a particularly useful way by looking at cyclic processes. It is hard to deny that the various stages of a cyclical process can be supported by a comparative casuistry; it would prove that the typical comparable stage in social and historical reality shows numerous and in some detail divergent variants. However, by linking these stages with a cyclic sequence, we realize that they represent a certain level in a political process despite their differences. They attain typical significance.

The alterable, the incessant change, the never static current of political action must be taken as the basic phenomenon par excellence; therefore we can only try to recognize and record the outlines and the movements of this constantly changing creature we call politics of which there is no image. It is those political forms and structures we denote by the name of certain forms of government, corporations, offices, constitutions, legal institutions, social forces that come to our aid. These stages of a process are expressed in the arts and fashions in a meaningful and formulaic manner.

Returning to our consideration of cyclic processes – from which we can only pick out a few examples in this brief study – we once more state that both the political microcosm of small states and city states as well as the macrocosm of large states and power states undergo the change of forms in several stages. There is an analogy between these different stages which need to be considered as the steps of the cyclic process: they are not identical, but similar, because they belong to the same type.

Not only the replacement of one form of government by another is of cyclic



(picture thk)

character; the outside relations of a state ascending to power are subject to a cyclic sequence of steps as well: they range from a community's claim of the bare right to exist to its struggle for independence and further on to the expansion of its territory, then the defense of the newly acquired against those who begin to fear this expansion. Usually internal and external crises of growth proceed in a parallel way, not otherwise, because at their peak the consolidation of the state authority in the interior and the positioning of power towards the outside world run simultaneously whereas internal decline and decay symptoms of the often crucial external crisis, which will break the power of a state or the empire, precede.

It is worth noting the parallels between what is commonly called domestic policy and foreign policy while no primacy of one side or the other – as one historical school has claimed – can be stated, only mutual dependency. Again, in typical, i.e. comparable cases, a particular inner situation, some crisis situation can encourage the authorities to change their foreign policy; on the other hand a foreign policy issue can lead to a change in the construction of the state or its laws. It would also not be difficult to demonstrate through a

reliable casuistry this interference and interdependence of internal and external policy, including changing influence of the one by the other. In other words, there is a mutual dependency between the cyclic processes inside the states and their relationships to each other.

The cyclic nature of government crises and revolutions has often been referred to. The fall of what has become weak and inadequate is initially greeted with almost unanimous hope of better conditions. In this euphoria the future is looked at with confidence; there is talk of freedom and justice, bread and peace, and the people hail the new men. But the dichotomies won't be long in coming. Moderate and radical forces are fighting for power. The revolution breaks the chains, a huge internal pressure breaks new ground, shatters the familiar surface, and from now on the political and social events are like a natural disaster, a flood, a fire, the eruption of a volcano. The forces of chaos can only be tamed by the terror from above, a terror claiming to be the only one that can embody the revolution, interpret its meaning correctly, lead it to its goals, which includes the disempowerment, the expulsion, and the physi-

The long march into the EU – to step back into the ranks is imperative for the Swiss Federal Council!

We leave it at that: No foreign law and no foreign judges

by Dr iur Marianne Wüthrich

On 26 June 2013, Federal Councillor Didier Burkhalter presented the proposal of the Federal Council on the so-called “institutional question” to media representatives. It was worked out jointly by representatives of the EU and representatives of the Federal Department of Foreign Affairs (FDFA). According to his proposal Switzerland should be prepared in order to conclude more bilateral treaties with the EU, to adapt its law to EU law and to follow the judiciary of the European Court of Justice. Also with regard to the existing bilateral agreements, EU law and EU judiciary is to be binding in the future.

It has been known for quite a while that the Federal Council is contrary to his constitutional mandate prepared to pave

the supposedly indispensable continuation of the bilateral way sacrificing the independence and sovereignty of Switzerland. Readers of *Current Concerns* have known since January: Even before the EU Commission had cracked the whip towards Switzerland – a blatant violation of international duties in dealing with a sovereign state – the Federal Council had already started to eat the the humble pie. In June 2012 Eveline Widmer-Schlumpf most humbly offered to push takeover of EU legislation into the Swiss legal system. Barroso graciously accepted this genuflection, offered some sugar lumps and insisted for the rest that Switzerland had to kindly take over the entire EU rules including judiciary, if she want-

ed to conclude or continue intergovernmental agreements with the major power in Brussels. He ended with the blunt request to shell out further billions for Croatia and other countries (cf. *Current Concerns* No. 4 of 21 January).

In the meantime representatives of the Federal Department of Foreign Affairs (FDFA) – as Barroso announced at that time – teamed up with a EU delegation in order to smoothly settle the “institutional question” as determined by the Brussels dictates. This is just what the version looks like which the head of the (FDFA) revealed on 26 June in Berne.

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“Cyclic processes in political life”

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cal destruction of the enemy. These phenomena are known, there are many events in the Greek and Roman history that give evidence; there are sufficient examples of these outbursts of collective madness and gruesome violence existing in *Cromwell's* England, in *Robespierre's* France, in *Lenin's* and his successor's Russia, in *Hitler's* Germany, temporally close to us in *Mao Tse-tung's* China, but also in local upheavals at the end of the Middle Ages – in Italian city-states, in the German *Anabaptist's* city of Munster, etc.

A comparative study of these reigns of terror, whose victims are not only old traditions and practices, institutions and laws, but in the course of which the norms of law and morality, the dictates of humanity and cultural values are disregarded, would bring to light how even these apparently chaotic and destructive processes follow an internal regularity – as they undergo similar stages, which together add up to a cycle of obsession, their excesses and their inner exhaustion. We must again be reminded of the pathological nature of such operations and of science's task to examine those phenomena which can be subsumed as “social pathology” and which science has not undertaken so far. They can be recognized by their symptoms. *C.G. Jung* said that there were mental diseases whole nations were afflicted with. But no less worthy of attention is the cycle of recovery with its restorative tendencies, its rehabilitation of certain apparently indispensable norms of social life, its new respect for the institu-

tions and laws, a good administration and court practice, which takes proper proceedings all the more seriously because it does no longer want to be reminded of arbitrary acts, revolutionary tribunals and mass executions.

A special attention is required for the analysis of cyclic processes in the body politic, whose institutions have remained stable over long periods of time and give the impression of being unchanging. One would think that in England not much has changed since its Glorious Revolution because no new revolution, no coup, no civil war has shaken the stability of the state structure. And it is tempting to equate the almost religious loyalty to the constitution and the devotion to the principles proclaimed by the fathers of the republic that characterize the political life of the United States of America with immutability of the political reality in this state.

An English historian once called the parliamentary practice of his country, which gives all state power to that party which emerged victorious from free elections, a “legalized civil war”. Considering the often passionate vehemence of parliamentary or presidential elections in states with liberal democratic institutions, this expression is justified. The election campaigns, especially when they are done with the technical means of modern mass media, may then have something of a civil war in itself. But the laws of democratic states protect this form of political struggle, under the assumption that the outcome of the elections is respected by everybody, which means that the form of government itself and its procedural rules are not questioned. What constitutes the stability of the Anglo-Saxon democracies is precisely this consensus, i.e.

opposition is only permitted within the existing institutions, but not in a revolt against these institutions.

On the European continent, in almost every major state there is an opposition against the prevailing political and social system apart from the opposition within the government; hence it happened more than once in the past and always has to be expected as a latent threat that the liberal democratic electoral process is only used as a means of bringing about a different political and social structure by revolutionary parties. The cyclic processes in the continental European countries become more apparent because they periodically tend to change their government institutions, so that a different political regime expresses a new level of development, whereas in Anglo-Saxon countries the cyclic process happens within the constitutional and institutional framework. The American political science has then to determine cyclic processes, as for example by pointing out that – without touching the Constitution – under certain administrations, a “Presidential Government”, and under other administrations a “Congressional Government” take place. There are, however, apart from these variants of political practice, also much deeper reaching processes in politics, legislation, relationships with the outside world, economic and social structure of both Britain and America whose impact on the meaning of the constitution and tradition is much greater. •

Source: J.R. von Salis. *Geschichte und Politik. Betrachtungen zur Geschichte und Politik. Beiträge zur Zeitgeschichte*. Zurich 1971, Orell Füssli publishing house. Part III, pages 138–143. Part IV will be submitted to discussion in a further edition of our newspaper.

(Translation *Current Concerns*)

"The long march ..."
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"Solution of the institutional question" equals submission under EU-law and EU-judges

To "consolidate" the bilateral approach in the relations between Switzerland and the EU the institutional structure of the relationship Switzerland-EU must "be renewed", as the Federal Council states in its media release.

The "renewal of the institutional structure" planned in the FDFA looks as follows in concrete terms:

Quote according *Didier Burkhalter*: "four open points need to be settled:

- To align the law: Which procedures allow to take over new law, i.e. how can adjustments of treaties be done, which may result from any new legal developments (so that our agreements stay up to date guaranteeing full access to the market and keeping the legal framework consistent)?
- Interpretation of this EU law: How to interpret a legal act in a specific case?
- Monitoring on Swiss territory: Are the agreements applied correctly?
- Settlement of disputes: By which procedures should disagreement between the EU and Switzerland with regard to the application of the agreements be settled?" (European policy of Switzerland: Institutional questions and medium term strategy of the Federal Council, speech ("speaking points" in German Newspeak) by Didier Burkhalter at the press conference on 26 June 2013)

1. Legal adjustment

"Contract adjustments as a result of new legal developments" means in plain "English: international treaties, which Switzerland and the EU have concluded, signed and ratified, would suddenly no longer apply, but would have to be "adapted" to the EU-internal legislative changes.

However much the Federal Council asserts that it was not an "automatic", but "dynamic" takeover of EU law, that the "principles of direct democracy and the independence of the country would be respected": the fact is that Federal Councillor Burkhalter is already anticipating what we would be in for in case of a NO by the Swiss sovereign: We have to nod, so that "our agreement is up to date, full access to the market is given and the legal framework remains consistent." To talk no mince matters: If we say NO (that is that we prefer the Swiss legal system to a "concerted [EU] framework"), the EU would cancel its agreements with Switzerland (as they would be "out-of-date") and cut off access to the market for our com-

panies (market access would no longer be "complete").

We Swiss know the Federal Council's tactics from earlier decisions only too well: If the parliament or (in the case of a facultative referendum) the people do not nod, the "guillotine" from Brussels will threaten us, they say, which means that all bilateral treaties would expire and we are in an unregulated condition.

It's all right then! Let them cancel the contracts – then we could finally limit the passage of trucks again in accordance with our Alpine Protection Article in the Federal Constitution and can organize the immigration according to our own laws. The Aviation Agreement is a waste anyway thanks to the unilateral massive restrictions of air traffic from and to the Zurich airport by Germany (covered by the ECJ!), and we'd love to do without the Tax Savings Agreement. The global companies, whose businesses run more profitable without state frontiers, will find a way without bilateral agreements, we mustn't worry about this.

2. Interpretation of EU-law

If now the EU changes its law in future, the Joint Committees (commissions, consisting of Swiss and EU representatives) as defined in the bilateral treaties would have to agree on the adaptation of the relevant treaty. If there is disagreement, both parties could request "an interpretation of relevant EU law by the European Court of Justice". The joint committee would be obliged "to implement a solution based on this interpretation." The Swiss Federal Court as well could demand "a legal interpretation by the European Court of Justice before it passes a judgment". (Speaking points).

In plain English: the Supreme Court of Switzerland, the Swiss Federal Court, would have to apply EU law rather than Swiss law and would have to ask the European High Court like each EU member, how to interpret EU law! Everyone who has ever heard anything about Political Science understands that this would sound the bell for the end of the sovereignty and independence of the Nation State Switzerland.

It is downright cynical if Federal Councillor Burkhalter talks this "solution" up as the best and even claims he has figured it out together with the EU at the request of the Federal Assembly: "any new national or supra-national independent monitoring body will be waived. This is a wish that the parliamentary commissions (APK), which are rather skeptical about a new national monitoring authority, had expressed in the context of the consultations in spring 2012." (Speaking points)

Yes, okay: It takes actually no new court, because Switzerland and its Su-

preme Court are subordinated to the interpretation of the law by a court that already exists: the European Court of Justice. The Federal Court is still allowed to execute the implementation of the foreign judgments, degrading it to an auxiliary troop of external judges – Swiss sovereignty is not ensured as a result! This is for sure not meant by the APK of the National Council and Council of States: that instead of a new monitoring body the European Court of Justice will be set above Switzerland instead!

3. Monitoring of the employment of EU-law in Switzerland

According to the Federal Council the monitoring of the enforcement of the concluded agreements will be done by national authorities – after the ECJ has been asked for its interpretation of the law, mind you! In the press release as well as the verbal statements by Burkhalter in front of the media on 26 June remarks of the Federal Councillor on this point were extremely sparse.

Whether the EU instances addicted to centralism would tolerate that the Swiss authorities monitored the implementation themselves, remains open. Let's rather not wait and see, what happens!

4. Disputes in the event of disagreement between Switzerland and the EU

Burkhalter asserts that the European Court of Justice cannot sentence Switzerland in the event of a dispute. It could "only" do just an interpretation of the law binding the joint committee with regards to the interpretation of internal market legislation in a specific context." (Speaking points)

Does the Federal Council think we are fools? Switzerland loses its sovereignty if a foreign power will commit us to take over their future legislation – which we do not yet know and whose construction we are not involved in – and if a foreign court tells us how we have to apply this law. No sophistry can downplay this. It is definitely not "calming" us down, that "the Supreme Court in its interpretation of the agreements is largely based on the judiciary of the European Court of Justice already now." (Speaking points) The Supreme Court has to bloody-well stick to Swiss law, not to EU-law!

Conclusion: We leave it at that: no foreign law and no foreign judges

In spite of all the attempts to hide and to calm down by the Federal Council, one thing is clear: Switzerland would be placed under foreign law and foreign judg-

We Swiss need no further agreements with the EU – and certainly not at this price

mw. “First of all there will be no more new market access agreements with the EU without any institutional superstructure.”

Here it should be noted that it is very questionable if the Swiss electorate ever wants and needs more agreements with the EU. According to previous experiences (floods of immigrants and trucks, education blessings such as *Pisa* and *Bologna*, so-called free air traffic with more and more restrictions by our northern neighbors, constant pressure on the Swiss financial center despite very generous savings income tax agreement etc.) it is not Switzerland which makes the big gains from the previous treaties. The interests of global corporations do not coincide with the interests of Switzerland.

Here are some of the most momentous agreements that the Federal Council wants to tie as a package Bilaterals III:

Energy agreements: In accordance with the Federal Council and according to the international energy companies the boundless liberalised electricity transport is most urgent of all so that according to daily newspapers Switzerland could “strengthen its role as an electricity hub in Europe” (“*Neue Zürcher Zeitung*” of 27 June 2013).

No thank you, we better keep our water castle and the many plants in the Alps and on the rivers in the hands of cantons and communes. Power companies such as *Axpo* or *BKW* would do better to remember the words of the great Swiss *Niklaus von Flüe* “Machet den zun nit zu wit!” (Don’t make the door too wide open!).

Expansion of the savings tax agreement: Due to this agreement Switzerland already unilaterally delivers large sums into EU tax coffers. The expansion of these payments would certainly not be to our advantage.

Common Security and Defence Policy (CSDP) framework agreement: In the media declaration of the Federal Council dated 26 June it was probably “accidentally forgotten”? In the “Speaking Points” Federal Councillor *Burkhalter* mentions the agreement quite incidentally in an enumeration in brackets. In reality it represents the closer integration of Switzerland into the *Common Security and Defence Policy (CSDP)*, more precisely: the fellow marching of Swiss troops in military EU missions abroad under EU command. The Federal Council complains that in recent CSDP operations (Bosnia-Herzegovina and Kosovo) “the conditions of Swiss participation [...] had to be arranged in ad hoc arrangements. [...] In a CSDP framework agreement the general modalities of this cooperation – status of Swiss staff, funding and handling of classified information – could be set for future missions. This would ease the administrative burden.”

Administrative effort or not: We Swiss provide no mercenary troops for the EU. And we do not need a framework agreement which “would facilitate” such operations, either. The National Council already made it clear at the planned piracy combat mission off Somalia (EU mission *Atalanta*): On 24 September 2009 it clearly rejected the use of Swiss troops under foreign command with 102:81 votes. The Federal Councillor *Micheline Calmy-Rey* already had the CSDP framework agreement up her sleeve at that time; it disappeared quietly in the drawer after the rejection of *Atalanta*. Does *Didier Burkhalter* try today to stow the mercenary agreement as inconspicuously as possible, hoping that it will be less noticed in a package? Far from it, Mr Federal Councillor, we citizens do realize such thing quite

easily and will take you into the responsibility.

Cohesion contribution: And last but not least: As reward for submitting itself to foreign law and foreign judges and entering into agreements from which primarily the EU will benefit, Switzerland should once again be presented the bill: the Federal Council is considering a remake of the enlargement contributions for the 12 most recent Member States. Moreover, the EU has already expressed the demands for the new member country of Croatia.

In the press, these payments are labeled as “lubricant for negotiations” (“*Neue Zürcher Zeitung*” of 27 June 2013). Where it is right, it is right. However, there isn’t anyone in the whole world who smears without getting something for it. And all this with our taxes.

Pacta sunt servanda – the Federal Council has to demand that the EU complies with international law principles

One of the essential principles of international law is the duty of every State to meet its contracts with other States (*pacta sunt servanda*). It is well known that the EU (as well as its model overseas) does not care about its obligations towards Switzerland agreed upon in treaties and constantly expresses new claims that lack any legal basis in the existing treaties. To our astonishment Federal Councillor *Burkhalter* communicates this behavior of the EU, which is contrary to the contracts, in the press release of 26 June 2013 in a manner as if it were legal: “Secondly, and even much more serious, also the legal basis of the existing agreements will erode which will basically put the bilateral approach in question.”

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“The long march...”

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es by the proposed institutional framework agreement.

Once and for all, the Federal Council must openly put on the table that the EU leaves no other choice, if Switzerland wants to conclude additional bilateral agreements further on. Instead, he pretends to have chosen this way to go under the foreign yoke voluntarily, because it is “best suited to safeguard the interests of Switzerland”.

Every connoisseur of the superpower EU would have predicted Mr *Burkhalter* & Co. in advance that for Brussels nothing else is acceptable than Switzerland’s subjugation under EU law and judiciary or interpretation of the law of the European Court of Justice. But for us, the citizens this is out of the question! “*The people will be able to voice their opinion*”, said Federal Councillor *Didier Burkhalter* at the press conference of 26 June 2013. *Nice to hear that the elected representatives remember the existence of the sovereign. As it is tradition in Switzerland, we citizens take the right, at any time – at best right now – to voice our opinion.*

In whose interests, actually, is the Federal Council acting? Do we have to remind him that he has to protect and to uphold the interests of Switzerland and of the Swiss people in accordance with the Constitution? Do we have to place him once more under the obligation to fulfill his constitutional mission, to do everything possible to ensure the sovereignty and neutrality of Switzerland? (Article 185 paragraph 1 BV)

We as citizens are asked to speak clearly: Not this way, Mr Federal Councillor! Back into the ranks! •

Russia – our best ally

by Guy Mettan, President of the Chamber of Commerce Switzerland-Russia & CIS

Our difficulties with the United States and the European Union keep us busy to such an extent that we tend to forget that Switzerland not only has enemies but also friends in the world. As strange as it may seem, and by a strange turn of the situation, China and Russia are now our most faithful allies, first and foremost: China with the imminent signature of the first free trade agreement and Russia with inviting Switzerland to participate in the preparatory work of the G-20 Summit, which will be held on 5/6 September this year in St. Petersburg.

Given the difficult times Switzerland is going through at the moment, it would be wise not to forget this and to take care to these precious friendships with all due caution.

After the fatal relations of the 90s, the exchange with Russia has developed favorably for some ten years and has taken another step with the Swiss mediation of the conflict with Georgia in the summer of 2008 and the Russian decision to invite Switzerland to the preparations of the G-20 meeting in 2013. Russia had even invited Switzerland to take seat at the official negotiating table at the summit itself, but the other members did not want to pay us this compliment. Switzerland will now have to be content with the starter and the dessert. An event that is not at all insignificant.

Thus since December 2012 Switzerland may participate in numerous meetings and working groups, and particularly in the quarterly meeting of the Finance Ministers and Central Bank Governors. For our country this means to be recognized on the global financial market as one of the major players, and provides the opportunity to satisfy an old ambition. It is also an opportunity to reaffirm the very good relations with Russia and to continue the dialogue on financial matters initiated with the signing of the September 2011 memorandum.

The G-20 provides Switzerland with an opportunity to make known her assessment and her views on various topics: for example concerning the implementation of the banking regulation standards (*Basel III*), and regarding the consolidation of public finances (the Russians are

very interested in our model of the debt brake), as well as regarding the measures to be taken to revive economic growth or energy sustainability. Finally, Switzerland has the opportunity to participate in the debate on the current issue No. 1, the cross-border taxation, and to ensure that the criteria (for example automatic exchange of information) will be the same for all.

The cooperation between the two countries is also very vivid with respect to the OECD. Now after Russia's accession to the WTO, it has stood for the Organization for Economic Cooperation as a candidate. The entrance examination is a rather stern one, in particular regarding the fight against corruption, the transparency of capital markets, legal security and independence of the judiciary. Switzerland supports this candidacy and provides her expertise in these areas. Regarding tax transparency Berne is also very active in the *Global Forum on Transparency and Exchange of Information for Tax Purposes and in the fight against tax erosion (Base Erosion and Profit Shifting, BEPS)*, a phenomenon which begins to occupy the Russian government seriously as a result of the mandate, which the G-20 gave the OECD by last year.

This outstanding institutional cooperation is evident also in two initiatives coming from the business world in the last two weeks. On 28 May Switzerland conducted an international conference on transparency in commodity markets in Geneva and on 18 May a forum for Swiss-Russian innovation of high quality could be held in Lausanne for the first time.

In business, the Cyprus crisis and distrust of Russia towards the Anglo-Saxon financial markets may have presumed a massive Russian financial transfer towards the Swiss financial market place. This indeed takes place, but all in all to a modest degree. The banks remain cautious and are, due to the bad experiences with America, much more vigilant as to the origin of capital. Singapore, and to a lesser extent Dubai now serve as an offshore hub for Russian assets. But the trend remains favorable, Geneva is attractive due to its neutrality, its close ties to Moscow, the importance of the Russian-

speaking management team and its tourist attractions.

What has changed in recent months is the decline of the nomenclatura's foreign travel fever and raging real estate purchases. The recent measures taken by the Russian government have put an end to countless study- and pleasure trips of the deputies, the leaders of the government and the provinces and senior officials, and have prohibited the purchase of second homes abroad. The capital movement is not yet affected by this. It would be wise also to envisage the latter, because the state, as anywhere else, is looking for new revenue, as oil and gas cannot guarantee these to a sufficient extent. The permanent capital flow out of the country also starts to cause worry at the highest level.

At the level of business the climate remains positive and the exchange continues to take place. In early September a business delegation of western Switzerland will travel to Kazan in Tatarstan following the contacts established in 2009 on the occasion of the Vaud week in Moscow. In October a business trip to Turkmenistan in the CIS is provided, an exotic Republic but rich in oil and gas, the President of which was received last year during an official visit in Berne.

Switzerland must not be disturbed in the present situation, as it remains a privileged partner of Russia, may it be only because she is not a member of the European Union, and therefore stands apart with respect to geopolitical challenges.

This also means that Switzerland has to assess future developments, such as the fact that Moscow will want to sign also an agreement on the automatic exchange of information as part of future bilateral agreements and that the time is very favorable for promoting the negotiations for a free trade agreement with Russia, or rather the Customs Union Russia-Belarus-Kazakhstan – despite the difficulties of four-way negotiations.

Under the current circumstances and despite some foreseeable medium-term limitations Russia remains by far the best ally of Switzerland on the international stage.

Source: *Le Temps* on 24.6.2013
(Translation *Current Concerns*)

"We Swiss need no ..."

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The legal basis of the existing agreements, in particular the Bilateral Agreements I and II are written down in the agreement texts, Mr Federal Councillor. Without the

consent of Switzerland no iota is done about this, whether EU law is eroding or not.

In plain language, Burkhalter's comment says: Whether Switzerland wants to conclude new contracts with the EU or not, we will be forced in any case to take over future EU legislation and to submit to

the jurisdiction of the European Court of Justice, also in relation to the existing Bilateral Agreements.

Once again: Must we remind the members of the Federal Council that they have to serve Switzerland and the Swiss people, and not a foreign power?

Undermining the militia army would mean the downfall of Switzerland!

by Marie-Hélène Miauton

On 22 September the Swiss people will vote on the the *GSoA's* (*Group for Switzerland without an Army*) umpteenth initiative, which this time is battling in favour of the abolition of compulsory military service, that is the liquidation of the obligatory militia army. Just as the wolf who shows its white paw, the GSoA has recognized that its goal to abolish the army would not be achieved so quickly and neither would it be clever to directly attack the militia structure of the army. It therefore argues that the army should be stood on a merely voluntary basis. Their ridiculous argumentation is that it would be much nicer if people could freely decide for themselves. So why not advocate voluntary school, voluntary work, voluntary tax? The initiators obviously reckon with the young Swissmen's' renouncement of the military service. As a result the army would disappear which is the GSoA's real goal, anyway. Let us not forget that. Many citizens might fall into this trap.

The GSoA claims that with this step Switzerland would follow the tendency of most European countries that have abolished compulsory military service. It does

not mention, however, that these countries are maintaining professional armies now. The initiative pretends to abolish the compulsory military service by maintaining the militia army which is unrealistic. If the number of volunteers is insufficient one will have to promise a considerable pay to attract volunteers. And this would equal a professional army. Far too expensive! Even worse: the example of France, England and the US shows that they have such great difficulty with the recruitment that they have to resort to fringe groups. In contrast to today, when all professional competences are represented in the army making it highly efficient, the military training would then take up the basic training of the soldiers. At what price? Our neighbours are doing it. But the personnel turnover is so high that this task is endless. And do not forget the danger of a *Rambo*-army.

The initiators falsely claim that the citizens will encounter a future without conflict and risk, whereas everything is indicating that the world is, on the contrary, in a highly conflictual situation. For example, it is naive and criminal to leave Swit-

zerland without protection and a task force in the case of uncontrolled immigration, terrorist actions or natural catastrophies. It is shocking, that this is signed by the SP as a government party. The more so as with the abolition of the obligatory military service the civil defence service and alternative civilian service, which are both committed to peace, would vanish.

Finally, let us not forget that the compulsory military service in which the citizens engage themselves for the common good is integral part of the Swiss set of values which defines that rights are bound to duties. Thus the compulsory military service promotes the spirit of the militia which then stimulates the whole Swiss system and the spirit of its society. All in all, the compulsory military service is not an insignificant issue which one could easily divest oneself of.

It has become evident to you now that this fall is going to be hot. This may not hinder you to spend excellent holidays! •

Source: *Le Temps* of 5.7.2013

(Translation *Current Concerns*)

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The introduction of the veto in the Canton of Baselland

An important step in the development of direct democracy in Switzerland

by PhD René Roca

As a historian, the author has been dealing with the issue for quite some time as part of his research focus on "History of direct democracy in Switzerland". In September 2006, he founded the "Forum zur Erforschung der direkten Demokratie" (Forum for the Study of direct democracy) which since 2008 has been hosted at the Centre for Democracy Studies (ZDA) in Aarau. In this context, the author organizes a workshop at least once a year with the aim of consolidating the history of democracy in Switzerland.¹

On 9–10 September 2010 the author conducted the scientific conference "Ways towards direct democracy in the Swiss cantons" in cooperation with the ZDA. The objective of the conference was to determine the status of Swiss democracy research. Since the end of 2011 a conference volume has been published.² Now the task is to conduct further detailed cantonal studies and a theoretical discourse to deepen the findings. To this end, the author has recently published a first research volume.³

With the Canton of Baselland another example will now be examined more closely.

Formation and development of direct democracy in the Swiss cantons

During the time period between 1798 and 1848 Switzerland laid the foundation for the emergence and development of direct democracy based on three theoretical elements, namely on modern natural law, the cooperative principle and the idea of people's sovereignty.⁴

1. Although from the 18th century on the processes of change in the political system and the political culture of Switzerland have emanated from partially different conditions in the Confederate places (cantons), the results were similar in terms of democratic institutions. In the European context, there are indeed similar initial conditions, but virtually no comparable political processes.
2. As for some time in France, but in contrast to other European countries, liberal representative constitutional systems based on natural law developed very early in the Swiss cantons in the wake of the French Revolution and Helvetic Revolution. The Canton of Ticino was the first to introduce a liberal constitution. In the course of regeneration ten other cantons followed from 1830 on, in which liberal representative constitutions were implemented.⁵ In the context of the

Swiss Confederation, the sovereignty provided the cantons with scope for internal reforms which from 1815 on were also promoted by the permanent neutrality recognized by international law.

3. The cantonal constitutions – in 1832 also the one of "Baselland" (Basel-Country) – were supplemented since the 1830s in the context of the Swiss Confederation and in contrast to England and France (individual states in the United States followed not before the end of the 19th century), with direct democratic instruments, first with the veto; later they were extended by a mandatory or optional referendum and as such also transferred on to the national level. This created – in addition and together with the development of legislative and constitutional initiative – a democratic model that is unique in Europe and in the world until today.
 4. In the historical and geographical area of Switzerland, it was especially the rural population as a real people's movement in this process of democratization who constituted and sponsored liberal and direct democratic concepts and claims. The rural people's movements ultimately implemented direct democracy – also in Baselland. The decisive factor was the temporary connection and / or the mutual stimulation of early socialist, progressive approaches and Catholic conservative ideas that both pursued the same goal in different theoretical ways: to create more direct democracy and thus to realize the political concretization of people's sovereignty. This was in contrast to liberal concepts, which preferred a representative democracy. Thus, a longue durée of political and cooperative culture was continued, renewed and strengthened in the 19th century referring back to the late Middle Ages. We also have to consider the cooperative democracy of the "Landsgemeinde"⁶ in this context, which met with great interest particularly among the Swiss rural population. The "Volkstage" (cantonal assemblies), carried out in different cantons from 1830 on, were explicitly called "Landsgemeinden". Also in Baselland various public meetings were designated as "Landsgemeinden" and in 1832 – in the course of the debates of the Constitutional Council – several voters suggested introducing a "Landsgemeinde" in Baselland.
- In recent years, the research on direct democracy in Switzerland has been promot-



Liberty tree of Binningen (1832)

ed by some detailed studies.⁷ Although these studies provide illuminating answers to detailed questions, many research fields are still lying idle. What the studies clearly demonstrate is that the genesis of direct democracy took place historically in very different ways and that the cantonal context, i.e. the respective cantonal political culture was responsible for this variety. Subsequently, the Canton of Basel is considered in more detail. The text is going to be expanded later to a more detailed study.

3. The introduction of the veto in the Canton of Baselland

Prior to its introduction in Baselland, it was the Canton of St. Gallen that implemented the veto in 1831. This happened in the context of the debate of the Constitutional Council in St. Gallen which must be referred to as a real compromise between the introduction of a representative democracy (as in other regenerated cantons) and the demand for a mandatory referendum for decisions of the legislature.⁸

Approximately one year after St. Gallen, the founding fathers in Baselland introduced the veto. Paragraph 40 of the Constitution of 27 April 1832 reads as follows:

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"The 'Landrath' (Cantonal Council) is the highest authority of the Canton of Baselland, and as such it exercises the legislative power and the overall supervision of all authorities.

*A law, however, becomes only valid if within 14 days of the publication it is not rejected by at least two-thirds of the sovereign people stating the reasons in letters to the Landrath (veto)."*⁹

It then took nearly ten years until in 1841 the veto was embodied in the Canton Lucerne's totally revised constitution.¹⁰ The veto in Baselland differed in its refinement from the one in St. Gallen (and also from that in Lucerne), but nevertheless it had a great effect for the development of direct democracy in Switzerland in the course of the Regeneration. How did that come about?

The lawyer *Stephan Gutzwiller* (1802–1875) born in Therwil, a Catholic parish in Birseck, made a start. He was a member of the Grand Council in Basel and wrote – unhappy about the conditions in his canton – a petition to the communal leaders. It was decided upon on 18 October 1830 by about 40 rural citizens, who had gathered secretly in Bad Bubendorf, and was handed in with 810 signatures to Mayor *Wieland*'s office on 26 October.¹¹ The petition contained a request for a new constitution:

*"[...] we cherish the intimate conviction that the very same principles of equality which in 1798 were accepted and sworn by the people and government will be reconstituted through purposeful introduction of a people's constitution – strictly according to the principles of the equality document, and in the next extraordinary meeting, thus setting once again an example for the entire Confederation of the recognition of the most sacred rights of the people, which our most respectful request is aiming at."*¹²

The petition was based on the fact that as early as in 1798 the authorities of Basel City had granted the rural citizens full freedom and equality rights. Now for Gutzwiller and his supporters it was simply a matter of reclaiming the rights that the countryside had been gradually deprived of after 1798. To emphasize these claims, Gutzwiller read out the "equality document" of 20 January 1798 to the assembly in Bad Bubendorf and the authors attached a copy of this document to their petition. The "equality document" based

on the "Liestal four-point-demands" of 13 January 1798 and taking all formulations literally, already included all democratically relevant contents:

*"Accordingly, the entire communes of the 'Landschaft Basel' (Basel-Country), inspired by their feeling for human dignity and by their intimate commitment to true freedom, whose pure pleasure we want to share as honest Swiss men with all our citizens who we represent, feel inclined to call to heart of everyone the principles of happy freedom and equality [...]"*¹³

The concept of "human dignity" as such is a key indicator of modern natural law (*Pufendorf*) and a foundation to the idea of people's sovereignty. The reference to the churches – "the entire communes of the Landschaft Basel" – all of which were constituted in a cooperative way, was a further step in the democratization process in Switzerland.

In an appeal on 15 January 1798, "committees" of the rural areas had already emphasized the relation to modern natural law even more clearly: "Citizens! You know that the rural people demand their natural liberty, a right that is God-given and inherent in the nature of every human being."¹⁴

The four claims of the "equality document" were:

- 1. That they [all the communes of the Landschaft Basel, author's note] are determined to remain Swiss.*
- 2. That they want freedom, equality, the holy imprescriptible rights of man, and a Constitution, for which representatives are elected from among the people.*
- 3. Close association of urban and rural citizens, as belonging to one body, who enjoy equal rights and freedom, and*
- 4. immediately demand a public meeting, to which from city and country, according to rules that are to be determined, for example one in fifty citizens would be chosen who might attend the law making process in future for the time being."*¹⁵

Gutzwiller and his colleagues appealed to these equality rights that had then been granted to the countryside. Although the "equality document" said that "the previous relations between city and country have well been destroyed in a way that in eternal times the same would never come to light again"¹⁶, it took only a few years until the aristocratic form of government in the city and the unequal relationship to the countryside found their way back. This was due to the failure of the Helvet-

ic Republic in 1798 and the de facto restoration of the pre-revolutionary conditions from 1815 on.

In this sense, the revolution of 1798 in Baselland, as in other cantons (eg, in the Canton of Lucerne), marked a central point of reference for the revolutions of Regeneration Time in 1830. So Gutzwiller and his associates continued where "the patriots" had stopped in 1798.¹⁷ The "petition" reads as follows:

*"In this repeal of equality and the unlawful way it was done, we see the utter annihilation of the sacred rights, ensured to us and sworn by nature, by documents and by the solemn oath sworn to God; and we see in it the abolition of the bond, which earlier united the city and the countryside into one body; and we finally see in it the seeds of discord between city and countryside, which are expressed on every outer and inner occasion, and will sooner or later lead our common fatherland towards destruction."*¹⁸

So that was a clear signal that the people were willing to renew the common bond with the city, but not at any price.

Due to this pressure the Grand Council agreed upon a revision of the constitution, whose beginnings had already been discussed since 1829. The common denominator of the resistance on the territory of the Baselland was not from the start to strive for a separation from the city, but included the demand for a representation in the Grand Council. The inadequate representation of the countryside in the Grand Council – a major criticism of political circles around Gutzwiller – was, however, not resolved with the proposed revision of the Constitution. As a result, the countryside was indeed granted a bit more freedom but no equality. It was intended that the countryside could now claim a majority of the seats, but only 79 of 154 seats, although twice as many people lived there as the city. That did, however, not meet the equality granted to the countryside in the "equality document".

The people from the countryside did not easily give in and organized a "Landsgemeinde" on 4 January 1831 in Liestal with 2,000 to 3,000 people, which made the popularity of direct democratic approach of the "Landsgemeinde" obvious, even in Baselland. The list of demands was: Representation in the Grand Council according to the number of people, equal rights, political and civil ones, a directly elected Constitutional Commission (Constitutional Council), and referendum on the revised constitution.¹⁹



(picture ma)



(picture gbh)

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When on 6 January a provisional government was elected in Liestal this was the first revolutionary act of the countryside. Since July 1830 there had been similar initiatives in the context of so-called "Volkstage" in other cantons of Switzerland. The municipal government in Basel decided to suppress any rebellion by force of arms. Binningen, Allschwil and later Liestal were therefore occupied by the military, the provisional government fled to Aarau.²⁰

The Swiss Diet tried to exert a moderating influence on the conflict in Basel, but even an amnesty law of the city, however, excluding the members of the provisional government in Liestal, could not calm the souls. The Grand Council adopted the revised Constitution on 12 February 1831. The key provisions were: direct election of the Grand Council, census, privileges of the capital, freedom of labor and also the request that the majority of both urban and rural areas were necessary for the adoption of the Constitution. The moderately liberal constitution was finally adopted on 28 February 1831 by the majority of the urban and also the rural citizens.

However, the provisional government did not accept the result and issued a day-order a few months later in Liestal, which released the countryside from obedience to the urban government. Again urban troops moved against Liestal and cut down the Liberty Tree again, but again quit the field soon. The Diet interfered more directly in this second uprising of the countryside, had the Swiss Federal Military occupy the Basel countryside and tried to convince the city to make concessions to the countryside. However, the urban leaders were not willing to make a move and only ordered a vote with which the Basel countryside communes should show whether they wanted to stay with the city or not. During the referendum campaign famous

Basel countrymen criticized the issue and recommended abstention. With the vote of 23 November 1831 a majority of the countryside spoke out against the separation of the city, however, with strong abstention.²¹

This democratic decision – even with only a moderately revised constitution – would have been a good foundation to tackle the remaining problems together. But the urban elite reacted stubbornly and decided to take action against oppositional communes of the countryside. On 22 February 1832 the Grand Council decided to deprive those communes, which on 23 November 1831 had not given their consent with a majority of the votes to remain with the Canton of Basel, of their public administration by 15 March, unless they previously professed by majority decision to remain with the Canton of Basel. This decision affected 46 (of 75) communes: four, because a majority had spoken in favor of separation and 42, because in the wake of a call for abstention no absolute majority of the electorate had voted to remain with the city. With this magisterial very clumsy action on the part of the city the way toward complete separation had been marked.²²

On 17 March 1832 a people's assembly of the 46 "punished" communes in Liestal declared themselves sovereign and thus laid the foundation for the new Canton of Baselland:

*"The separated communes of the countryside Basel do no longer recognize the Constitution of 28 February 1831 and the subsequently elected authorities. They form a sovereign part of the canton independent of the city of Basel named: Canton of Baselland."*²³

In the center of the decision was the definition of "people's sovereignty" as Jean-Jacques Rousseau (1712-1778) had described it in his "Contrat social" (1762). The countryside then chose a constitutional council, which was to rapidly draft a constitution for Baselland. The popula-

tion of the countryside was invited to submit proposals to the Constitutional Council with the help of petitions. Similar to St. Gallen several petitioners demanded the establishment of a "Landsgemeinde". For Baselland the proposal of a single central "Landsgemeinde" was to the fore, which would have made legislative business necessary. The petition was rejected in the Constitutional Council, and on the grounds that the city could try with unfair means to prompt such a public meeting to reconnect and thus lose the hard-fought independence. This showed that a majority of the Constitutional Council was well aware of the disadvantages of a single, central "Landsgemeinde" and could easily imagine possible attempts at influencing from the city.²⁴

As a consequence, a tough struggle for the introduction of the veto began in the Constitutional Council. The negotiations of the Constitutional Council lasted from 18 to 27 April 1832. During the negotiations petitions were continuously handed in, requiring a concretization of people's sovereignty – especially through the use of the veto. Petitions on the topics "veto" – i.e. the right of citizens to accept or reject the law – and "Landsgemeinde" were submitted by Binningen, Bottmingen, Münchenstein, Muttentz and Pratteln. Of these, four explicitly demanded the veto, two of them referring expressly on the model of the veto in St. Gallen.²⁵ It must be emphasized that the Constitutional Council set up a special commission for the review of petitions, which reported to the Board about the petitions. Based on the submissions, the Commission stated as a principle: "If the concept of people's sovereignty is to apply in its original clarity, the people must be considered as the highest authority in the state."²⁶

On the one hand a vote for a "Landsgemeinde", on the other hand, the proposal of the veto emerged as a minority opinion of the Commission. The majority of the

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Commission wanted to maintain the representative system – as in most regenerated cantons – and only allow the Cantonal Council to publish a draft bill before the final vote, so that the people could introduce their possible wishes.²⁷

Many liberals – including Gutzwiller and his supporters – considered the veto an unnecessary and even dangerous institution. The liberals called the opportunity to give the people a legislative power unnecessary, unimportant and unsystematic. Many liberals advocated a theory of representation with an air of authority which declared the representatives sovereign and thus – for the duration of the legislature – removed them from any control.²⁸ Such liberals were represented in about equal numbers in the Constitutional Council as radicals who advocated for more direct democracy.

One reason that in the end the veto still found a majority in the Constitutional Council might have been that the petitions with their reasoning, submitted to the Constitutional Council, obviously impressed most of the members. This must, however, remain a conjecture, since the protocol of the crucial meeting of the Constitutional Council of 27 April 1832, which finally favored the veto, is unfortunately missing.²⁹ We have to state, however, that the Constitutional Council – like a year earlier in the Canton of St. Gallen – had realized that despite all the guarantees a law could meet with resistance among the people after the final vote in the Cantonal Council. The principle of people's sovereignty required a correction to the system of representation, which would have far-reaching consequences for the political culture.³⁰

The veto established in Baselland was shaped differently from the one in St. Gallen, but also equipped with very high barriers:

*"A law will only then become valid, however, if not within 14 days of the publication at least two-thirds of the sovereign people, stating the reasons, reject the same in letters to the Cantonal Council (veto)."*³¹

As for the veto in Baselland, the process could not be called a proper one. The only possibility was to submit substantiated objection in letters to the Parliament within 14 days after the publication of a law. In the Canton of Baselland there were no single successive stages of the procedure as in the Canton of St. Gallen. At first glance, this seemed an advantage, but logistically and due to a lack of political experience the required fast

and reasoned submission had some disadvantages.

On 27 April 1832 already, the Constitutional Council of Baselland adopted the above-mentioned constitution, which apart from the legislative veto included the separation of powers and universal suffrage for men over 20 years. The Constitution was submitted for vote to the 54 communal assemblies on 4 May and clearly accepted by the voters (with 3996 votes against 157).³²

This clear declaration of sovereignty then escalated the conflict with the city. But the new Canton of Baselland was able to assert its independence after bloody clashes with urban troops. The Swiss Diet finally sealed the total separation on 26 August 1833, "subject to a voluntary reunification".³³

The barriers for the veto were lowered as early as 1838 with the partly revised Constitution. In the first Constitution a so-called rigidity period of six years had been fixed. This meant in practice that during this time the Constitution could



Stephan Gutzwiller

not be subject to any changes and only after this time the Constitution could be revised. Again, a Constitutional Council was elected, which decreed with respect to the veto that an absolute majority of the votes was sufficient for now, and that the veto letters were to be submitted to open communes.

The first two constitutions of 1832 and 1838 subordinated legislation to the veto, but did not exactly determine what was meant by "law". In the course of the veto practice, it therefore repeatedly happened that veto moves were directed against actual "regulations". Neither were the terms clearly defined in the legal sense.³⁴

After another twelve years, the barriers for the veto were further reduced, and the Constitutional Council extended the scope of the veto and prolonged the submission deadline:

*"A law, a generally binding decision and agreement will (but) only become valid if not within 30 days of the publication an absolute majority of the sovereign people object through signatures handed in in letters to open communes and stating the reasons for the rejection to the Cantonal Council (veto)."*³⁵

"Order" and "motion": two liberal factions between representative and direct democracy

The construction work from 1832/33 in the new Canton was anything but simple. Soon, two political movements emerged. Real parties did not exist back then.

Head of the so-called "order movement" was Stephan Gutzwiller, who had set the ball rolling with his petition in October 1830 (see above). Gutzwiller considered a direct democratic state only little functional and he took the view of representation in terms of a small liberal leadership.³⁶ The principle of the people's sovereignty was to be confined to the election of the legislature and not to be substantiated by other people's rights. Gutzwiller tried to stabilize the revolution after the establishment of the independent Canton of Baselland and help enforce a certain order.

The so-called "motion people", gathering around *Remigius Emil Frey* (1803-1889), became Gutzwiller's opponents, who wanted to go on with the revolution. Frey originated from an ancient Basel family of officers and as a lecturer at the faculty of law sided with the countrymen during the turmoil of separation. He did this under abandonment of his Basel citizenship, obtaining the honorary citizenship of Münchenstein instead. He also had to give up his position at the University of Basel, and hence possibly a brilliant university career. Frey became a member of the provisional government of Baselland instead and took a seat on the Constitutional Council. He was a radically-minded liberal and supported further people's rights in the debates due to a Jacobean early socialist conviction. So Frey tried to concretize the sovereignty of the people, and accordingly rejected the representative system.³⁷

When it came to give the new Canton a constitution, Frey wanted to introduce a "Landsgemeinde" in Baselland first. But he could not get this proposal passed in the Constitutional Council. Therefore, he advocated the veto, which was finally established in the Constitution.³⁸

Frey had close relationships with the professors *Wilhelm Snell* (1789-1851)

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and Ignaz Paul Vital Troxler (1780–1866), who both taught at the University of Basel for some time and who influenced him greatly with their understanding of democracy and their views on modern natural law. Frey adopted Troxler's direct, blunt language and the fighting spirit which was necessary for the development of democracy. In a speech as President of the High Court in 1834 he argued as follows:

*"For two years, you have had the freedom but you did not enjoy it because you have too much respect for the authorities. When local councils, the governor, and especially the governing council meet, you show your respect with deep compliments. You do not need to do so; they are your servants, and you are the masters; watch them carefully, and if they do something you do not like, so take them by the collar, then they will have respect for you, then you are free!"*³⁹

The contrast between "order" and "motion" marked the beginnings of the canton. Both groups published their political ideas to the public by making use of newspapers. Especially with Frey, the influence of the press became obvious. He became editor of the new radical newspaper "Baselland's Popular Paper" which was redacted by the Appenzell Pastor Ulrich Walser.



Emil Remigius Frey

The barriers to a veto were, as I said, rather high. Frey tried to facilitate the veto practice after the first experiences. So in 1836, he suggested to establish "veto rules" to facilitate the procedures in a report:



Soldanella alpina (picture wikimedia)

*"The experience of the past one and a half years has made clear to everyone the necessity of a certain standard to ease the cumbersome and tedious procedures of a repeated veto vote for the citizens, but on the other hand to make the production of a result easier for both the audience as well as for the controlling authority."*⁴⁰

Through the cooperation of the authorities, an official and reliable character would most likely be attributed to the vote and the difficult task of a veto, particularly the collection of votes during the short period until the deadline, could be facilitated. Frey continued, generally emphasizing the importance of the veto:

*"If one of the principal provisions of our Constitution shall come to life, the rightly praised veto institution should receive an organic development and effectiveness corresponding to its spirit."*⁴¹

For the time being, Frey did not succeed with his proposals. But later they were taken up again, as was for example the provision that the communes should assist in the transfer of the veto votes.

Conclusion

The idea of the veto – despite all the barriers – was most consistently carried out in the Canton of Baselland. The veto was not split in a veto initiative and a veto referendum (as in the Canton of St. Gallen or from 1841 in the Canton of Lucerne), but consisted of the pure statement of objection by the opponents. The veto in Ba-

selland was both initiative and referendum. In the later optional referendum the procedure was again divided into two parts: the signature collection in the entire canton was followed by the vote at the ballot box in the communes.⁴²

The only canton that explicitly demanded that reasons were given for the veto was Baselland. This was, however, never understood as a long report, although there were also lengthy discussions. They mostly just noted which provision was the reason for rejection and not why it was dismissed. If such a justification was missing, the veto vote was not valid. Again and again, committees appeared for important votes, which distributed printed and reasoned veto objections, which was perfectly acceptable, as an individual justification had never been asked for.⁴³

Until 1862, there were 14 "veto motions" (at about 200 decrees), but only four acts (two in 1835, in 1847 and 1849 one each) were dismissed by the active citizenship. For example, the veto against the discriminatory act on Jews was not successful.

Christoph Rolle (1806–1870) continued the veto practice in the Canton of Baselland in 1861 and initiated a grassroots movement that set the goal to improve the direct democratic system with a constitutional revision. He turned against the ruling Liberals around Stephan Gutzwiller and immediately found support with Emil Remigius Frey. Rolle wanted to replace the laborious veto process and together

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with his colleagues he demanded that in future all laws should be mandatorily submitted to the electorate for approval or rejection. 52% of voters signed a petition for constitutional revision launched by Rolle. In the later elected Constitutional Council the mandatory referendum actually succeeded over the veto. § 46, paragraph 2 of the revised Constitution of 1863 provided:

*"All laws, generally binding decisions and agreements are to be submitted to the people in communal assemblies for acceptance or rejection after a 30-day publication in the official gazette. Hereby the majority of voters will decide. However, such meetings may not be summoned more than twice a year (spring and late autumn)."*⁴⁴

The voters adopted the revised constitution after an intensive debate with a relatively narrow majority. In addition to the mandatory legal referendum, further provisions such as the constitutional initiative, the legislative initiative, the popular election of government, popular election of the chief magistrate and the people's right to dismiss the cantonal parliament granted the population in Baselland more control options on the government and the cantonal parliament than in any other canton in Switzerland. The Canton of Baselland was a real pioneer for the development of direct democracy in Switzerland, first with the right to veto and then particularly with the mandatory referendum. What Frey had always envisioned, namely the realization of direct democracy, was now realized by the democratic movement of the 1860s. The veto had thus yielded long-term fundamental effects and the positive experience induced other cantons to enshrine direct democratic instruments in their constitutions, as well.⁴⁵

Author's address:

PhD René Roca

Rüslersstrasse 37

5452 Oberrohrdorf-Staretschwil

- ¹ cf. www.zdaarau.ch/Forschung *Forschungsschwerpunkt 5: Geschichte und Theorie der Demokratie/Geschichte der direkten Demokratie/Forum zur Erforschung der direkten Demokratie*.
- ² cf. Roca, René; Auer, Andreas (eds.): *Wege zur direkten Demokratie in den schweizerischen Kantonen, Schriften zur Demokratieforschung*, Vol 3, Zurich-Basel-Geneva 2011.
- ³ cf. Roca, René: Wenn die Volkssouveränität wirklich eine Wahrheit werden soll ... Die schweizerische direkte Demokratie in Theorie und Praxis – Das Beispiel des Kantons Luzern, *Schriften zur Demokratieforschung*, Vol 6, Zurich-Basel-Geneva 2012.
- ⁴ cf. Roca, René: Souveränität und Demokratie – Der Weg zur naturrechtlich begründeten Volkssouveränität und zur direkten Demokratie (16. bis 19. Jh.), in: Roca, *Volkssouveränität*, pp. 7–94.
- ⁵ These were the cantons Aargau, Bern, Fribourg, Lucerne, Schaffhausen, Solothurn, St. Gallen, Thurgau, Vaud, Zurich, cf. Schaffner, Martin: Direkte Demokratie. "Alles für das Volk – alles durch das Volk", in: *Eine kleine Geschichte der Schweiz. Der Bundesstaat und seine Traditionen*, Frankfurt a/M 1998, pp. 189–226.
- ⁶ The "Landsgemeinde" or "cantonal assembly" is one of the oldest forms of direct democracy. [...] Eligible citizens of the canton meet on a certain day in the open air to decide on laws and expenditures by the council. Everyone can debate a question. (Wikipedia).
- ⁷ cf. Roca, *Volkssouveränität*, pp. 3–5.
- ⁸ cf. Wickli, Bruno: Ländliche Volksbewegungen und der Durchbruch der direkten Demokratie im Kanton St. Gallen 1814–1831, in: Roca, *Wege*, pp. 203–220.
- ⁹ §40 of the constitution for the Canton Baselland of 27 April 1832, quoted after www.verfassungen.de/ch/basel/bl-verf32-i.htm (as of 14/02/13).
- ¹⁰ cf. Roca, *Volkssouveränität*, pp. 95–208.
- ¹¹ cf. Klaus, Fritz: *Basel-Landschaft in historischen Dokumenten*. 1. Teil: Die Gründungszeit – 1798–1848, Quellen und Forschungen zur Geschichte und Landeskunde des Kantons Baselland, Volume 20, Liestal 1982, p. 38.
- ¹² Ehrerbietige Bittschrift an den grossen Rath des Kantons Basel (18 October 1830), Begleitschreiben an den kleinen Rath und die Gleichheitsurkunde, of 20 January 1798, quoted after Klaus, *Basel-Landschaft*, p. 40.
- ¹³ Gleichheitsurkunde, quoted after Klaus, *Basel-Landschaft*, p. 22.
- ¹⁴ Aufruf der "Ausschüsse" vom 15. Jenner 1798: Eintracht macht unser Glück, quoted after Klaus, *Basel-Landschaft*, p. 18.

- ¹⁵ Gleichheitsurkunde, quoted after Klaus, *Basel-Landschaft*, p. 22.
- ¹⁶ Gleichheitsurkunde, quoted after Klaus, *Basel-Landschaft*, p. 22.
- ¹⁷ cf. Schaub, Alfred (ed.): *Baselland vor 150 Jahren. Wende und Aufbruch*, Liestal 1983, p. 186.
- ¹⁸ Bittschrift, quoted after Klaus, *Basel-Landschaft*, p. 40.
- ¹⁹ cf. Blum, Roger: Chronologie der Regeneration und der Basler Wirren 1830–1833, in: Schaub, *Baselland*, p. 215.
- ²⁰ cf. Fridrich Anna C.; Epple, Ruedi: *Nah dran, weit weg. Geschichte des Kantons Basel-Landschaft*, Volume 5, Liestal 2001, p. 172f.
- ²¹ cf. Blum, *Chronologie*, p. 217–223.
- ²² Fridrich/Epple, *Geschichte*, p. 175–177.
- ²³ Beschluss der am 17. März 1832 in Liestal versammelt gewesenen Ausschüsse aller von der Stadt Basel getrennten Gemeinden der Landschaft Basel, quoted after: Klaus, *Basel-Landschaft*, p. 53.
- ²⁴ cf. Kölz, Alfred: *Neuere schweizerische Verfassungsgeschichte. Ihre Grundlinien vom Ende der Alten Eidgenossenschaft bis 1848*, Bern 1992, p. 317.
- ²⁵ cf. Blum, Roger: *Die politische Beteiligung des Volkes im jungen Kanton Baselland (1832–1875)*, Liestal 1977, p. 68–81.
- ²⁶ Bericht der engern Verfassungskommission vom 27. IV. 1832, quoted after Dietschi, Urs: *Das Volksveto in der Schweiz. Ein Beitrag zur Geschichte der Volksgesetzgebung*, Thesis. Bern 1926, p. 81.
- ²⁷ Schefold, Dian: *Volkssouveränität und repräsentative Demokratie in der schweizerischen Regeneration 1830–1848*, p. 286.
- ²⁸ cf. Schefold, *Volkssouveränität*, p. 289.
- ²⁹ cf. Kölz, *Verfassungsgeschichte*, p. 317f.
- ³⁰ cf. Schefold, *Volkssouveränität*, p. 286.
- ³¹ §40 of the Constitution of the Canton Baselland of 27 April 1832, quoted after www.verfassungen.de/ch/basel/bl-verf32-i.htm (as of 14/02/2013).
- ³² cf. Dietschi, *Volksveto*, p. 80.
- ³³ cf. Blum, *Chronologie*, p. 225–229.
- ³⁴ cf. Dietschi, *Volksveto*, pp. 84.
- ³⁵ Constitution of Baselland of 2 February 1851, §43, Par. 2, quoted after Dietschi, *Volksveto*, p. 83.
- ³⁶ cf. Roca, *Volkssouveränität*, pp. 63–73.
- ³⁷ cf. Blum, Roger: Frey stritt für direkte Demokratie, in: *Basler Zeitung*, 9 October 2003, p. 34.
- ³⁸ cf. Blum, *Frey*, p. 34.
- ³⁹ Frey, Emil Remigius, quoted after Klaus, *Basel-Landschaft*, pp. 102.
- ⁴⁰ Frey, Emil Remigius, quoted after Dietschi, *Volksveto*, p. 87.
- ⁴¹ Frey, Emil Remigius, quoted after Dietschi, *Volksveto*, p. 87.
- ⁴² cf. Dietschi, *Volksveto*, p. 91.
- ⁴³ cf. Dietschi, *Volksveto*, p. 92.
- ⁴⁴ §46, Par. 2 of the Constitution of Baselland 1863, quoted after Dietschi, *Volksveto*, p. 95.
- ⁴⁵ cf. Blum, Roger: Die Wiege der direkten Demokratie im Baseltiet, in: *Basellandschaftliche Zeitung*, 4 August 2011, p. 18.

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General Henri Guisan in his last army report

“Imagination is a fairly rare gift. The majority of our people will not want to think about it in the coming years – not more than in 1920, 1930 and even later – about whether and how the country could again be at risk today. What we have done to arouse them – especially since 1933 – to appeal to their conscience and to their vigilance will always have to be done anew.”

General Guisan in 1945 in his last army report in Berne about the active duty period 1939-1945 before the united Federal Assembly

.....
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The authors (in alphabetical order)



Judith Barben. Dr phil., Psychologist, author and publisher. Psychotherapist in her own private surgery, former teacher at a primary school and special needs teacher, Thundorf, TG

Franz Betschon. Colonel in the General Staff, retired, recently as Assistant Chief of Staff Logistics of aeronautical- and anti-aircraft units and then in the army staff responsible for the Intelligence Service, 1985–2005 Member of the International Institute for Strategic Studies (London), Dr sc. techn. ETH Zurich (Federal Institute of Technology Zurich) and Harvard Business School (USA), career in industry and administration, author of several books on security policy, Heiden, AR

Heinz Häslar. Corps Commander (Lieutenant General), retired, former Chief of the General Staff, in former times Commander Field Army Corps 2, Field Division 3, Assistant Chief of Staff Planning, Gsteigwiler, BE

Carlo Jagmetti, Lieutenant Colonel in the General Staff, retired, Dr iur., lawyer, Ambassador of Switzerland in Seoul, Paris and Washington and other cities, for the duration of five years head of Swiss EU representation in Brussels, Zollikon, ZH

Willy Schlachter. Lieutenant Colonel, retired,

Prof. em. Dr sc. ETHZ, industrial career at Sulzer (globally active Swiss industrial group headquartered in Winterthur) and BBC (Brown, Boveri & Cie, a Swiss group of electrical engineering, based in Baden) / ABB (Asea Brown Boveri Ltd.), instructing and management positions at the colleges Aargau and Northwest Switzerland, Hausen, AG

Willy P. Stelzer. Major, retired, industrial career, founder and longtime owner of the company “Stelzer & Partner Consulting AG” (now “EMA Partners Switzerland AG” – specialized executive search firm for the systematic and targeted search and selection of executives in key positions at home and abroad), businessman and Executive Search and Management Consultant, Volketswil, ZH

Hermann Suter. Lieutenant Colonel, retired, Dr phil., President of the Group Giardino, for many years history teacher at a grammar school and principle of the Teachers’ College Lucerne, later head of the Cantonal Office of Civil Defense and Chief of the crisis team in Lucerne, Greppen, LU

François Villard, Lieutenant Colonel, retired, expert for security issues and crisis management, owner of a company for air safety named Air Safety Security Services, Vessy, GE



The Patrouille Suisse was founded in 1964 as a flagship of the Swiss Army. It is currently flown with the aircraft type F-5E Tiger II. Due to the significantly lower cost of flying hours of the Tiger aircraft the flight training of F/A-18-pilots can be realized more cost-effective. (picture Air Force)

Comments on the book

Rolf Dubs, Professor em. Dr oec. Dres h.c. at the University of St. Gallen, a former militia brigade commander and member of many Federal commissions

“Those who know the current global situation and who served in the army during the nineties are alarmed about the current state of the army. The material is not even operational for all the troops, and in political circles as well as in the army leadership there is no consensus about the security doctrine and strategy. There is a lack of a timely analysis of the situation and a holistic and modern security concept, which is clearly stated and supported by the entire Federal Council with all its Departments. The result is an aimless activism and a growing feeling of unease among the population. This is the starting point for the presented book.

It not only shows the weakness of Swiss security policy and refers to the political responsibilities, but it also presents a practicable eight-step plan that provides for a gradual reconstruction of a modern army. This part of the book is preceded by considerations on the worldwide political situation and a courageous analysis of the Swiss security policy in recent years. The open presentation of the authors' political stances and their clearly defined basic attitudes facilitate an objective discussion. Many largely unknown interrelations and decisions are revealed. A remarkable book which deserves many readers!”

National Councillor and police officer Andrea Geissbühler

“In 2011, the Western Swiss General Henri Guisan was elected Swiss person of the 20th century. Why him? In a time of greatest need, when some representatives of the political elite were ready for the “Anschluss” (German annexion), Guisan gave back their dignity and self-respect to his fellow citizens with his clear messages “steadfastness!” and “resistance!”. This commitment for Switzerland made him a role model for loyalty and courage. These are qualities that are important and necessary today, as well.

In this sense, the authors of this book have taken on the task of strengthening the will towards the Swiss people's military self-defense. The alarming result is that the military defense capability of Switzerland was largely reduced – and this is happening at a time when the external threats are rapidly increasing rather than decreasing. Based on a realistic situational assessment and thorough knowledge the book reveals how this capability can be rebuilt. The book is an energetic plea for a credible and strong militia army.

Particularly, it is up to us women to share and spread these concerns. There is already a new generation taking leave from the too often reckless thoughts of the 1990s. This generation stands by the Swiss State Model and the Swiss institutions and wants their country and people to be protected.”

(Translation *Current Concerns*)

We congratulate Professor Dr Albert Stahel Our suggestion for his birthday: the reintroduction of the 1945/46 Swiss national anthem

From 1980 to 2006, *Professor Dr Albert Stahel* was full-time lecturer in Strategic Studies at the Military Academy, FIT, Zurich (Milak) and from 1986 until 2010, he was honorary professor at the University of Zurich for political sciences. From 1989 to 1992 he was a lecturer for international relations at the Department for Political Sciences at the University of Geneva.

In 2006 he founded the Institute for Strategic Studies in Wädenswil, Switzerland. The Institute regularly publishes articles and contributions on strategy and current wars. Since 2006, Professor Stahel has been the general manager and vice-president of the forum for a "Humanitarian Switzerland". On 31 January 2010, he was elected into the Wädenswil communal government as a member of the Swiss People's Party. In May 2011 he changed over to the Green Liberal Party of Switzerland (GLP).

Amongst others Stahel is a member of the International Institute for Strategic Studies in London and of the Clausewitz-Society in Hamburg. Since April 2011 he has been the president of the Wädenswil Reading Society. He is married and has two adult children.

Johann Rudolf Wyss, born on 4 March 1782 in Berne, died on 21 March 1830, was a Swiss poet and a professor of Philosophy.

Following his studies in Berne, Tübingen, Göttingen and Halle, he worked as a private tutor in Yverdon.

In 1805 he was appointed full professor at the Berne Academy, where he worked as the senior librarian from 1827 to 1830. During this period he was also a teacher to *Jeremias Gotthelf*.

He was the editor of the folkloric *Alpenrose Almanac*, which he had established together with Gottlieb Jakob Kuhn and Ludwig Meisner, and together with Rudolf Emanuel Stierlin he edited *Valearius Anshelm's Bernese Chronicle*.

In the year 1811 *Johann Rudolf Wyss* wrote the text for the Swiss national anthem "Rufst du, mein Vaterland" (When you call, my fatherland?), which was in force until 1961. •

Source: *Historisches Lexikon der Schweiz*

(Translation *Current Concerns*)

Rufst Du, mein Vaterland (When you call, my Fatherland)

1st verse

When you call, my Fatherland?
See us with heart and hand
All devoted to you.
Hail to you, Helvetia!
You still have sons,
Like Saint Jacob saw them,
Joyfully hasten to the battle!

2nd verse

There where the circle of the Alps
Does not protect you,
Rampart made by God,
There we stand like rocks,
Never turn pale, facing the danger,
Happy even in the lethal stroke,
Pain be their mockery.

3rd verse

Free and forever free!
This be our battle cry!
Re-echo our hearth!
Free lives, who is ready to die,
Free, who ascends the hero's path
Ahead like a Tell,
Never withdraw.

4th verse

But where peace smiles,
After the raging battles
Crowding game;
O, there be more beautiful in store,
Far from the weapon's horror
Home, to build your fortune,
Be our goal!

Text: *Johann Rudolf Wyss*

Source: http://en.wikipedia.org/wiki/Rufst_du,_mein_Vaterland

Farewell, Gyulsary!

by *Chingiz Aitmatov*

An old man was riding along on an old wagon. His pacer, Gyulsary, a golden chestnut horse, was old too. Very old.

The road winding up to the plateau was tediously long. In winter, the ground wind swirled incessantly among the bleak grey hills; in summer, it was scorching hot.

For Tanabai this climb had always been an ordeal. Slow riding irked him. In his youth, when he had frequently ridden to the district centre, he had always galloped his horse up this rise on the way back, whipping it on. If he hitched a ride on a wagon, especially an ox-drawn one, he would jump down without a word, pick up his coat and set off on foot. He would stride ahead furiously, as though rushing to the attack, and stop only when he had reached the plateau. Then, breathing hard, he would wait for the lumbering wagon crawling along down below. His heart beat fast and painfully from the rapid pace. No matter, it was better than dragging along in the wagon.

When Choro was alive he would often tease his friend about his odd ways, saying:

"Want to know why you're unlucky, Tanabai? It's because you're so impatient. Honestly. Everything has to be done fast to please you. You must have the world revolution this minute! Why talk about the revolution when you haven't even got the patience for an ordinary road like the climb from Alexandrovka. You can't drive quietly like other people, can you? No, you have to jump off and go racing up the hill as if wolves were after you. And what do you gain by it? Nothing. You still have to wait at the top for the others. And you can't rush into the world revolution alone, you know, you'll have to wait for everyone else."

But that was long ago. Very long ago.

Today Tanabai didn't even notice when they passed the Alexandrovka Rise. Age and its ways had become habit. He drove neither fast nor slowly. He let the horse go at its own pace. Now he always set out alone. The crowd that had once accom-

panied him in the thirties along the noisy road was gone. Some had been killed in the war, some had died, some never left their homes any more and were just living out their days. The young people drove around in cars now. No one would creep along with him behind a miserable nag.

The wheels bumped along the ancient road. They would bump along for many a mile yet. Before him lay the steppe, and beyond the canal was a stretch along the foothills.

He had noticed some time before that the horse was getting tired, his strength seemed to be failing. But, sunk in his own cheerless thoughts, he was not too disturbed. So what if a horse got tired on the road? Worse things had happened. He'd get home all right.

How was he to know that his old pacer Gyulsary, named so for his rare golden coat, had climbed the Alexandrovka Rise

continued on page 18

"Farewell, Gyulsary!"

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for the last time in his life and was marking off his last miles? How was he to know that the horse was dizzy, that the earth whirled in coloured circles before his dimmed eyes, tilting from side to side, touching the sky now with one edge, now with the other, that the ground before Gyulsary fell away into blackness from time to time and a reddish mist or fog swirled where the road ahead and the mountains should have been?

The horse's old, strained heart ached dully, the collar made breathing more difficult. The breeching had slipped and cut into his rump, something sharp kept pricking him under the collar on the left side. Perhaps it was a thorn, or the tip of a nail which had pierced the felt padding of the collar. The little wound on his old shoulder callus burned and throbbed unbearably. And his feet dragged heavily, as though he were plodding across a wet, ploughed field.

But the old horse strained onward, and old Tanabai encouraged him now and then with a word or a slap of the reins, while deep in his own thoughts. He had much to think about.

The wheels bumped along the ancient road. Gyulsary kept up his usual gait, that special pacing trot he had had from the time he first struggled to his feet and wobbled across the meadow after his mother, a big shaggy-maned mare.

Gyulsary was a natural pacer, his famous pacing gait had brought him many good days and many bad ones, too. There was a time when no one would have dreamed of harnessing him to a wagon, it would have been sacrilegious. But, as the saying goes, if trouble comes to a horse, he'll drink bridled, and if trouble strikes a man, he'll ford a river in his boots.

All this had been long ago, now it was only a memory. Now Gyulsary was struggling valiantly to reach his last finish line. Never before had he approached a finish line so slowly, never before had it rushed at him so quickly. The white line was always but a single step away.

The wheels bumped along the ancient road.

The feeling that the ground was shaky beneath his hooves aroused a vague memory in his dimming consciousness of far-off summer days, a soft wet meadow in the mountains, an amazing, incredible world in which the sun whinnied and leaped over the mountains and he, so young and foolish, would chase it across the meadow, across the stream and through the bushes until the herd's stallion, his ears laid back angrily, would overtake him and turn him round. In those far-off days the herds had seemed to move upside-down, like reflections in a lake, and his mother, the big shaggy-maned

mare, would turn into a warm milky cloud. He loved the moment when she suddenly became a tender, snorting cloud. Her teats were firm and sweet, the milk frothed on his lips and he choked on its abundance and sweetness. He loved to stand thus, nuzzling

[...] And now, for the very last time, after the pacer had been returned to Tanabai and after he had seemed to have put him back on his feet again. Now, for the very last time, Gyulsary had taken him to town and was now dying on the roadside.

Tanabai had been visiting his son and daughter-in-law, who had just had a son, their second child. He had brought them a gift of a lamb, a sack of potatoes and homemade bread and other goodies Jaidar had prepared. Jaidar had not come along, saying she was ill. Though she never spoke about it, she did not like her daughter-in-law. Their son was a weakling, and the wife he had chosen was hard and despotic. She stayed at home, ruling her husband with an iron hand. There are people who think nothing of hurting or insulting others just to get the upper hand, just to show who's the boss.

This was the case now. His son was to have been promoted but was by-passed for the job and another man got it. Now she flew at her innocent old father-in-law.

"What was the use of your joining the Party if you never got above being a shepherd or herdsman? They kicked you out in the end anyway, and now your son can't get ahead because of you. He'll spend his whole life in his job now. You live up there in the mountains. You don't care, but we have to suffer because of you."

And so on, and so forth.

Tanabai was sorry he had come. He tried to calm her by saying uncertainly:

"Well, if that's how it is, maybe I'll ask them to let me join the Party again."

"As if anyone wants you! Do you think they're sitting around waiting for you? That they can't do without an old wreck?" she said scornfully.

If it were anyone else and not his daughter-in-law, the wife of his own son, Tanabai would not have stood for it. But there's nothing you can do about your own kin, good or bad. The old man said nothing, he did not argue, he did not say that it was not he who was keeping her husband down, but it was because his son was worthless, and the wife he had chosen as the kind of woman any man in his right senses would run away from. The old saying was very true: "A good wife will make a middling husband of a bad one, a good husband of a middling one, and will bring glory to a good one." But the old man did not want to shame his son in front of his wife. Let them go on thinking he was to blame.

That is why Tanabai was in such a hurry to leave. He could not bear staying with them.

his mother's belly. How intoxicating it was, that milk! The whole world, the sun, the earth, his mother were contained in a single mouthful of milk. And even when sated, he could still take another gulp, and another, and another. [...]

"What a fool you are!" he scolded his daughter-in-law as he sat by the campfire now. "Where do people like you come from? You've neither honour nor respect, nor a kind word for anyone. All you think about is yourselves. You judge everyone else by yourselves. But you won't have it your way. They still need me. I can still be of use."

Morning was upon them. The mountains rose above the earth, the steppe was coming into view, stretching away into the distance. The ashes of the dead fire at the edge of the ravine barely smouldered. A grey-haired man stood beside it, his coat thrown over his shoulders. There was no need to cover the pacer with it now. Gyulsary was in the next world, running with Allah's herd.

Tanabai looked at the dead horse and could not believe it was his Gyulsary. He lay there on his side with his head thrown back in a last convulsion. There were deep ridges on his cheeks left by the bridle. His legs were stiff, extended; the shoes were worn thin on his cracked hooves. Never again would they carry him anywhere, never again would they leave their marks on the roads.

It was time for him to go. He bent over the horse for the very last time, closed his cold lids, picked up the bridle and walked off without a backward glance.

He was crossing the steppe to the mountains. And as he walked he picked up his unhappy trend of thought. He was thinking that old age was upon him, that his days were numbered now. He did not want to die as a lonely bird that has dropped behind its swift-winged flock. He wanted to die on the wing, he wanted those with whom he had shared the nest and life to circle over him, to hear their farewell cries.

"I'll write to Samansur," Tanabai decided. "I'll write and say: 'Do you remember the pacer Gyulsary? You must remember him. I rode him when I took your father's Party card to the District Party Committee. You were the one who sent me on that mission. Well, I was returning home from town last night and my fine pacer died on the way. I sat by him all through the night, I had time to review my whole life. Soon my time may come, and I will die along the way like the pacer Gyulsary. My son Samansur, you must help me return to the Party. I have not long to go. I want to be as I was always. I know now that there was a reason why your father Choro's last wish was for me to take his Party card in to the District Party Committee. You're his

The German “Länder” constitutions have set clear goals to educational policy

by Karl Müller

Faced with the whole lot of *PISA*, *IGLU*, *TIMSS* and *IQB*, faced with all the influence OECD and EU are taking, because of all the “rankings” and “competitions”, because of the whole measurability mania (i.e. evaluation) and permanent school reforms with always new (but then again not so new) experiments, transforming children and youngsters into a kind of guinea pigs at their schools ... the questions concerning the meaning of education and formation and the sense of state school go down the drain in all this turmoil.

This is the simple explanation for the fact why books written today by experienced educators, entitled i.e. “Stop the education gossip”, receive a lot of approval – so much that even the German “Bundeszentrale für Politische Bildung” has reprinted the booklet in large circulation. This does not mean that one has to quit thinking about education. On the contrary, the author criticises the spellbound staring at a “reform” inflation that has lost track of the essentials and is permanently running after new ministerial regulations and decrees.

Must therefore the wheel of pedagogy be re-invented for Germany? By no means, a look into the constitutions of the German “Länder” can not only give orientation, but must even be a landmark, for what is at stake with our schools. Because it is

the constitution which specifies – for the legislator, all schools and also teachers – to which extent and for which basic goals they have to organize the school system and school life. Some German “Länder” constitutions have even a plus of legitimacy compared to the federal constitution, the German “Grundgesetz”, because the citizens of the “Länder” were allowed to vote for these “Länder” constitutions directly.

The constitutions of twelve of the 16 German “Länder” contain paragraphs about education, formation and the school system (see table). There are no such provisions in the German “Grundgesetz”. This is so for good reasons: After the Nazi dictatorship and centralisation of political power and political decisions as their consequence, the new Federal Republic – and further on after the reunification of Germany – the decision was taken for a return to federalism, to a federal state order with federal states which are autonomous in many respects.

Public authority over the schools has been referred to the “Länder”. The German federalist reform in 2006 adopted this decision which in the meantime had been perforated by mingling the competences of “Bund” and “Länder”; after long and violent debates it was confirmed again. With *Pisa* and similar number games, they were further shaken, not least by the attempt at querying the school au-

tonomy of the “Länder”, by means of so-called uniform training standards. It is a blessing that some federal states opposed this measuring and equalising mania and its slogan “output orientation”.

He who reads the regulations on the goals of education and formation of the different “Länder”-regulations which can mostly be found equally-worded and even more detailed in the school laws of the “Länder” and hereby are binding directly for every teacher – will easily recognise the enormous differences to present school reforms.

Obviously no evaluation sheet can measure the “competence” of a student to what extent he has achieved “the reverence for God”, “Christian love of one’s neighbour”, “respect of human dignity”, “love of peace”, “love for people and home”, “ethical and political responsibility”, “liberal-democratic attitude”, “formation of heart and character” and many others more which are listed in the constitutions of the “Länder”. No student can “tick” this “off” as “task performed” on whatever sheet calling itself “competence grid”. However, no reasonable human being will doubt that those are exactly the prior goals which schools should and must be concerned about. It is the goal of this compilation to induce a renewed reflection – followed by the necessary steps. •

“Farewell, Gyulsary!”

continued from page 18

son and you know old Tanabai Bakasov well.”

Tanabai walked through the steppe bridle slung over his shoulder. Tears ran down his cheeks, wetting his beard. He did not wipe them away. He was weeping for the pacer Gyulsary. The old man looked at the new morning through his tears, at the

lonely grey goose flying swiftly over the foothills. The goose was hurrying, it was catching up with the flock.

“Hurry! Catch up with your kin before your wings give out,” Tanabai whispered. Then he sighed and said, “Farewell, Gyulsary!”

As he walked along an ancient, haunting melody came to his ears.

... The mother camel roamed for many days, searching for her baby, calling to him. Where are you, my dark-eyed baby?

Answer me! The milk runs from her udder, from her overflowing udder, trickling down her legs. Where are you? Answer me! The milk runs from her udder, her overflowing udder. Her pure-white milk •

Translation into English by Progress Publishers, © 1973

Source: <http://www.angelfire.com/rnb/bashiri/Stories/Gyulsary.html>

Educational objectives in the German "Länder" constitutions

State	Constitutional Provision
Baden-Wuerttemberg	<p>Article 12 The youth is to be educated in reverence for God, in the spirit of Christian charity, to brotherhood amongst all men and to love of peace, in love for their native country and its people, to moral and political responsibility, to professional and social probation and liberal democratic convictions.</p> <p>Article 21 At school the youth is to be educated to be free citizens willing to accept responsibility [...].</p>
Bavaria	<p>Article 131 (1) Schools are not only intended to impart knowledge and skills, but also form the heart and character. (2) Major educational objectives are the reverence for God, respect for religious beliefs and for the dignity of man, self-control, responsibility and willingness to take responsibility, helpfulness and openness to all that is true, good and beautiful and sense of responsibility for nature and the environment. (3) The students are to be educated in the spirit of democracy, in love for their native Bavaria and the German people and in the spirit of reconciliation. (4) Moreover the girls and boys are to be instructed especially in infant care, child education and housekeeping.</p>
Berlin	The state constitution does not formulate educational objectives.
Brandenburg	<p>Article 28 Education and training have the task to promote the development of the personality, independent thought and action, respect for the dignity, faith and the beliefs of others, recognition of democracy and freedom, the will to social justice, peacefulness and solidarity as a basis for the co-existence of cultures and peoples and the responsibility towards nature and environment.</p>
Bremen	<p>Article 26 The education of youth essentially has the following tasks:</p> <ol style="list-style-type: none"> 1. The education to a community ethos that is based on respect for the dignity of every man and the will to social justice and political responsibility, that leads to objectivity and tolerance towards the opinions of others and calls for peaceful cooperation with one's fellows and other peoples. 2. The education towards the willingness to work that submits itself to the common good, as well as the equipment with the knowledge and skills necessary for entry into professional life. 3. The education to independent thinking, to respect for the truth, the courage to confess it and to do what one has recognized as right and necessary. 4. Education to participating in the cultural life of one's own people and of other peoples. 5. Education to the sense of responsibility for nature and the environment.
Hamburg	The state constitution does not formulate educational objectives.
Hessen	<p>Article 56 Goal of education is to mold the young people to moral personalities, to prepare their professional ability and political responsibility for independent and responsible service to the people and humanity through charity and reverence, respect and tolerance, honesty and truthfulness.</p>

Educational objectives in the German "Länder" constitutions

State	Constitutional Provision
Western Pommerania	Article 15 School education is to aim at the development of the free human character who, out of reverence for life and in the spirit of tolerance, is willing to take responsibility for the community with other human beings and peoples as well as towards future generations.
Lower Saxony	The state constitution does not formulate educational objectives.
North-Rhine-Westphalia	Article 7 (1) It is the primary purpose of education to awaken the reverence for God, respect for the dignity of man and willingness to act socially. (2) The youth should be educated in the spirit of humanity, of democracy and of freedom, to tolerance and respect for the beliefs of others, to responsibility for animals and the preservation of the natural foundations of life, in love for the people and the home country, to the international community and to a conviction of peace.
Rhineland-Palatinate	Article 33 The school has to educate the youth to reverence for God and neighborly love, respect and tolerance, honesty and truthfulness, to love of people and one's home country, to the responsibility for nature and environment, to moral attitude and professional ability and in a free, democratic attitude in the spirit of the reconciliation of peoples.
Saarland	Article 30 The youth is to be educated in reverence for God, in the spirit of Christian love of one's neighbor and of the reconciliation of peoples, in the love of the home country, the nation and the fatherland, to a careful way of dealing with the natural resources, to moral and political responsibility, to professional and social probatation and to a liberal democratic attitude.
Saxony	Article 101 The youth is to be educated to respect of all living creatures, to the love of one's neighbor, to peace and the preservation of the environment, to the love of one's home country, to moral and political responsibility, to justice and to the respect of the belief of others, to professional skills, to social action and to a liberal democratic attitude.
Saxony-Anhalt	Article 27 The public education and training of the youth and that under state control shall aim at the development of a free personality, who, in the spirit of tolerance is willing to take responsibility towards future generations for the community with other human beings und peoples.
Schleswig-Holstein	The state constitution does not formulate educational objectives.
Thuringia	Article 22 Education and training shall aim at the promotion of independent thought and action, respect for human dignity and tolerance towards the beliefs of others, recognition of democracy and freedom, at the will to social justice, peacefulness in the coexistence of cultures and peoples, and the responsibility for the natural foundations of human life and for the environment.

A plea for “old” values and traditional learning

by Hans Fahrlander

Neuropsychologist Lutz Jäncke fascinated 600 teachers with a brilliant speech – and with surprising findings about the brain and learning.

Was it because the institution *Cantonal Conference (KK)* regained new strength – or because of *Lutz Jäncke's* reputation, professor of neuropsychology at University of Zurich? Anyway, the great hall was well filled when *KK-President Roland Latscha* welcomed over 600 teachers at the Culture and Congress Centre in Aarau on 16 May, 7 minutes after the final whistle of the icehockey game. (One recalls the sometimes half-empty small halls after the abolition of the obligatory participation.) No one regretted coming. Rarely have you received complex information on the brain and learning in such an enjoyable and understandable way. The professor's presentation was long but never boring. And he received a long applause – although some of his findings did not seem to fit into today's school and learning environment.

Repetition, repetition ...

The speaker cautioned against the widespread opinion: “Let the children learn in a playful way and let them make mistakes, the crooked ones will finally bend themselves straight.” “No!” Jäncke called into the room, “According to the psychology of learning this is completely wrong.” What

finally sticks in the brain of children must be crystal clear, interference-free and taught correctly right from the start. And a frequently repeated take-home message of Jäncke was: “Repetition is the mother of learning!” Because the brain sorts out: frequently used information is important, selectively conveyed messages are less important. The decisive factor is the will.

Moreover, man differs from the monkey by the fact that he does not have to give in to any temptation, but may wait for a treat until later. This characteristic, however – to remain master over the many stimuli – must be trained by children and adolescents painstakingly.

In general: the outmoded word self-discipline! Neuropsychologists studied the components of the influencing factors of good school grades. The results: 10% intelligence, 40% motivation, self-control and discipline. 50% still remain unexplained. But – according to Jäncke: “The decisive factor is the will!” And the ability to focus and concentrate. This can be promoted by acknowledgement, a good learning environment, et cetera. Oh, how very outdated all that sounds!

Multitasking does not work

Also this: Today's children boast about their skills to record information simultaneously. Laptop, *iPhone*, *iPad*. And maybe there is even somebody in the front talking about something else. Jäncke:

“This has been investigated: it does not work.” Whoever plays on various media, is slower, faulty, and floats on the surface. The limited resources of the brain are to blame.

Finally: the ability to concentrate, to control yourself and your emotions are developed in the frontal cortex. This is the centre of your personality. In teenagers, however, this part of the brain has not yet completely matured. That means: If young people lose control, they are not “evil”. But according to the professor: “We must not leave them alone with their troubles. We, parents, teachers need to help, lead and guide them.” Jäncke did not understand why in many cantons important tests, which decide on future careers, take place during the most delicate phase of the structuring and restructuring of the brain.

Learning is painstaking

Jäncke's specialty is the “functional plasticity” of the human brain, its plasticity through processes of learning. The human brain is a complex system of neural networks, it contains 100 billion neurons, each connected with 10,000 others. “Learning is difficult and takes time,” Jäncke concluded. He has been repeatedly awarded at the University of Zurich and ETH Zurich with an “Award for Best Teaching”. If you listen to him, you understand why. •

Source: “Aargauer Zeitung” of 17 May 2013
(Translation *Current Concerns*)

Literature for the young: separating the wheat from the chaff

by Nicole Duprat* France

Much has been written about the ethics and values of civilisations transmitted by adults in literature intended for children and adolescents. Every year as teachers we have to decide which books to order for reading in class and for filling school bookshelves.

The *Ministry of National Education* produces a list of recommendations. When we study the list we find some worrying tendencies in the subject matter of some of the stories, in the use of language, the defiance of parental authority, praise of vulgarity, infatuation with witchcraft, disparagement of good manners, ugliness of illustrations, ideologies encouraging laxity, poverty of style and vocabulary, and so on...

On the pretext of “It does not matter what children read from the time they start to read”, a viewpoint summarized by *Bernard Friot* in an article published n° 211 of the “Review of books for children”, literature for children has become a target of

a market economy in full expansion, for the best and for the worst.

Thus side by side we find *Grimm's* and *Andersen's* tales, *La Fontaine's* fables, the poems of *Victor Hugo*, the novels of *Rudyard Kipling* with others books called “moderns” containing dubious language when not promoting or using slang. With “*Harry Potter*” (though well written) the child is initiated to into witchcraft. With the collection “*Chair de Poule*” he identifies himself to monsters and the series “*Ti-toeuf*” has no ambition then encase him in his primary instincts. “*Dlires*” from *Bayard Press* delights in using a “street jargon”. To improve the level of the orthography as lexical rather than grammatical is the least of their concerns.

Some indignant parents have signed a petition in reaction to “*The Clone spy*” in the collection “*J'aime lire*”. “*Gare au Carnage. Amédée Petitpotage*” by *Jean-Loup Craspeau* and *Christophe Rouil* is full of coarse words (les clodos, le pyj, tu piges,

t'imagines, la canaille de Lacana...) and the drug world is revealed to the child by bags of heroin found in dust bins. You have to ask if the term literature has a meaning and what the *Ministry of National Education* understands by the word “Education”.

What can we say about the book “*The Joker*” by *Susie Morgenstern* which is supposed to convey the atmosphere of school by telling the story of a teacher who deals cards to each of his pupils on which is written some permissions – one joker for not doing his work, one joker for not learning his multiplication tables, one joker for copying from his neighbour, one joker for staying in bed, one joker for not carrying of his punishment, one joker for telling a lie, one joker for dancing in class, one joker for a break without end and so on.

Children's literature must not to sink into a pseudo-pedagogism which only gives a tasteless approach of reality. Fur-

"Literature for the young: ..."

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thermore we cannot put on the same level a "ghotic polar" and "Adventures of Pinocchio" or the "Travels of Marco Polo".

Some authors maintain that in order to be open-minded about the world, children have to question their parents value systems. So, instead of enriching and completing the educative responsibility of parents, books ought to have the function of cutting children off from the family's influence. A worrying approach, since many psychologists and educators insist on the primary role of the family. We should remember that the *International Convention of Children's Rights* passed by the United Nations in 1989 was inspired by the Convention of Geneva which already stated the basic principles of the protection of childhood – in Article 14: "The signatory States respect the right and duty of parents to guide the child in his exercise of freedom of thought, of conscious, of religion, in a way which correspond to the development of his capacities." Some parents and child specialists reacted again the book "I have two mums" by *Ophélie Textier*, intended for children under three years old and distributed in public libraries.

The child is not an adult in miniature and we have the duty to respect his world. When we try to do too much with a so-called concern for realism, we imagine that we have to inform young children about the violence endemic in cities, drugs, class struggle, crime, alcoholism. Young children have not the maturity or the power of analysis to face up to these. There are matters for older adolescents and adults.

Society now tends to treat children like adults, at least encouraging them to try to behave like adults. Children have the right to blossom radiantly with wisdom and to live in peace without being subjected to adult's interpretation of life. It is by healthy reading appropriate to their mentality than children structure their thoughts and widen their vocabulary by learning

and mastering their native tongue. Children don't read the same way at six, eight or ten years old. It is with the dimension of spirit that they perceive and understand the meaning of analogies and metaphors.

A book is a tool of learning, maturing, a privileged means of awakening, represents a support of socialisation. As a result of *Gutenberg's* invention of printing, the publication of books in great quantities could be achieved.

Children's literature was born with pedagogical practice. *Fénélon* was the tutor of the Dauphin and it was for the Dauphin he wrote "The Adventures of Télémaque". *Erasmus of Rotterdam* studied the general question of education as well as the education of princes (like the future *Charles V*) and all men of reason. In his "Treaty of Puerile Activity" of 1530 he composed a veritable small manual of good manners for the use of children in general.

Children have the right to have access to both serious and humorous books, authors' universes. Reading is a wonderful tool for opening the mind to new horizons, to an infinite world of literature, to unique atmospheres. The first aim of an educator is to protect the child ; the second to free his spirit. The aim of children's books should be to liberate children from their ignorance, from their fear of growing up, without portraying for them a stupid and inconsistent universe which doesn't exist.

Unfortunately a number of people call themselves writers when they are not. In this category, "Ugly – Dirty – It's In", a number of stories have been published whose illustrations and texts only impoverish the language. There so may badly conceived books that adults should watch over children's choice of reading. Pictures and texts should be passed through a filter of parents and teachers who are alert to the dangers of the world of unreal resemblances. Care is required – not nowadays a very common attitude.

A good book is a well written book. What is well thought out is clearly expressed. Grammar, vocabulary and syntax are sometimes butchered, mangled, even destroyed. "We sometimes reward writers

for their work. Why do we never punish them?" asked *Jules Romain*.

A good book is a book which doesn't turn children in themselves, which helps them to reflect, which allows them to develop interests and to be linked to other people, to stimulate their imagination. •

* *Nicole Duprat* is a teacher who studied international law and relations at the "Institut d'Etudes politiques" in Aix-en-Provence.

Current Concerns

The international journal for independent thought, ethical standards, moral responsibility, and for the promotion and respect of public international law, human rights and humanitarian law

Publisher: Zeit-Fragen Cooperative

Editor: Erika Vögeli

Address: Current Concerns,

P.O. Box, CH-8044 Zurich

Phone: +41 (0)44 350 65 50

Fax: +41 (0)44 350 65 51

E-Mail: CurrentConcerns@zeit-fragen.ch

Subscription details:

published regularly electronically as PDF file

Annual subscription rate of
SF. 40,-, € 30,-, £ 25,-, \$ 40,-
for the following countries:

Australia, Austria, Belgium, Brunei, Canada, Cyprus, Denmark, Finland, France, Germany, Greece, Hongkong, Iceland, Ireland, Israel, Italy, Japan, Kuwait, Liechtenstein, Luxembourg, Netherlands, New Zealand, Norway, Qatar, Singapore, Spain, Sweden, Switzerland, United Arab Emirates, United Kingdom, USA

Annual subscription rate of
SF. 20,-, € 15,-, £ 12,50, \$ 20,-
for all other countries.

Account: Postscheck-Konto: PC 87-644472-4

The editors reserve the right to shorten letters to the editor. Letters to the editor do not necessarily reflect the views and opinions of *Current Concerns*.

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How can school contribute to values-based education

cc. The mandate of elementary school is laid down in the education articles of the cantons (see "Current Concerns" No 6 of 11 February). All cantons essentially require in various formulations that the children are brought up to be "life-affirming, efficient and socially competent people according to the principles of democracy, freedom and social justice under the rule of law to become responsible human beings and citizens", as defined e.g. in Article 3 of the elementary school law of the Canton of St Gall, and that the elementary school educates towards a behavior, "that is oriented at Christian, humanist and democratic values", as defined in

Article 2 of the "Volksschulgesetz" (school law) of the Canton of Zurich.

The contributions of this educational supplement are examples of how this task can be implemented at school, from primary school up to the gymnasium. It must be provided, however, that the selected contents convey real values, and the form of their mediation is also very important. It is striking to what an extent students can be stimulated to independent thinking by jointly working on the school tasks; especially reading together in class can be highly significant in this context. The reading, in connection with the discussion about what was read in class pro-

vides manifold opportunities: Reading as well as listening is being practiced, making the contents accessible, training empathy and compassion for one's fellows and forming a class community out of the individual students in a natural way are some of the many advantages. There is no need for artificially inserted communication exercises to enhance the "social competence" – one of those a neo-German empty terms – which try to correct a form of teaching that aims at individualization and isolation. While jointly working on the learning material in classroom teaching (direct instruction) community and cohesion develop.

"Strengthening the Values of Peace"

Looking back at a school project and an exhibition on Albert Schweitzer's ethics on the occasion of "100 years of Albert Schweitzer Hospital in Lambaréné, 1913-2013"

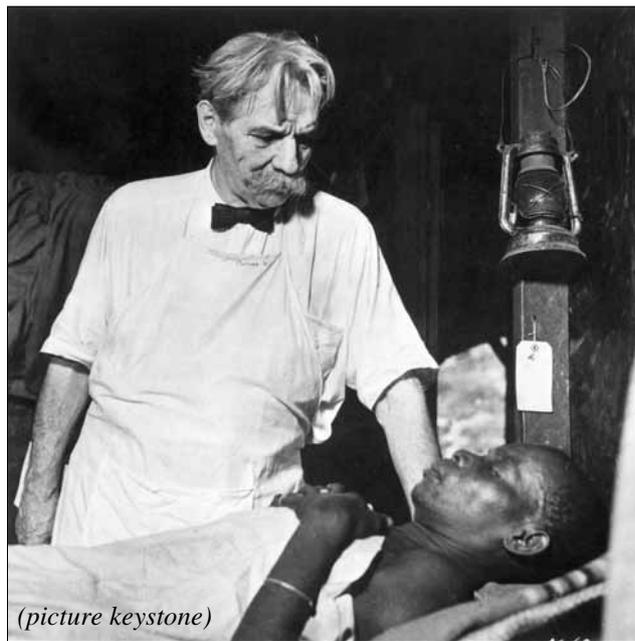
by Urs Knoblauch, gymnasium teacher and visual artist, Fruthwilen TG

Albert Schweitzer's ethics and work include valid values of humanity, social justice, the responsible handling of the treasures of nature and a culture of peace. The challenges of our time require a reflection of the fundamentals of Western Christian culture, the richness of our cultural diversity and the fundamental values of our living together. People want to live in equality and peace – in the sense of international law, the UN Charter and the common good – and they want to contribute to them. The here-presented review is to be understood in this context.

Contributing to the bonum commune

In my long, beautiful and rich activity as a teacher and an artist it was always my great concern to anchor the Values of Peace and humanity in my artistic work and in my drawing and art lessons (visual arts) within the framework of the curriculum. This work is the best task for a teacher in a human sense. The school, the students and parents appreciated this commitment very much.

In the last few years I noticed that at school, as well as in the world of art, important supportive cultural traditions and values – morals and ethics – i.e. the fundamentals of the European Christian culture and democracy, had broken away. Many organizations and humanitarian agencies are lacking the young. Rational thinking and emotional intelligence were increasingly overshadowed by superficial entertainment, propaganda and consumption, fun, violence, sexualization, relativism and postmodern arbitrariness. However,



(picture keystone)

challenging tasks lie ahead. The human being was and is capable of quite another achievement! Rethinking and reorientation in all respects are urgently needed.

Our school became a UNESCO-associated school. Thereby, peace education, moral education, and the UNESCO goals that connect the peoples with each other in the field of education were to be strengthened in our school program. The 100th Jubilee year of Albert Schweitzer's work in Lambaréné had been prepared for the schools to convey his ideas to the young generation; since unfortunately there was hardly a student of our school, who had heard about Albert Schweitzer or Henry Dunant, at all.

At our school I designed the project "Everybody his own Lambaréné." Beautiful drawings, paintings and colored linoleum prints were created. The students got a good insight into the work of the great jungle doctor by the joint reading of Albert Schweitzer's texts, an older documentary, photographs, and interviews. In the subject music eight students created and performed the musical program "Bach meets Africa" in honour of Albert Schweitzer. The quotes from Albert Schweitzer's texts which the students integrated and presented showed how well they had understood the respective concerns. Some of these quotes are therefore mentioned here: "Humaneness means that a human being is never sacrificed to a purpose", or: "The beginning of all valuable intellectual life is the unflinching belief in the truth and the open commitment to it." Very appropriate for our times: "Modern man is kept in a work frenzy so that he does not arrive at reflecting the meaning of his life and the world," or, "The most important thing in life are the traces of love we leave behind when we go."

“Strengthening the Values of Peace”

continued from page 24

A considerable donation to the “Schweizer Hilfsverein für das Albert Schweizer-Hospital in Lambarene” (Swiss Benevolent Society for the Albert Schweizer Hospital in Lambaréné (SHV)) was collected and remitted.

In another school project, a school-and-family book entitled, “Nahrung, Bildung und Gesundheit für alle (Food, education and health for all)”, which presented and documented the general and important political, economic and humanitarian foundations of the United Nations Charter, the UNESCO, the *World Agriculture Report* and of numerous aid organizations for the development of the cooperation of ICRC and Deza, one hundred works of students were contributed to the book. It became an important part of my exhibition and received a great deal of attention.

The art exhibition

“Strengthening the Values of Peace”

My artistic activity is related to my educational work. In my artistic work I am looking for a combination of painting, photography and text. As part of my concept in art “DEEPER UNDERSTANDING” dedicated to a specific theme or location I focus on valuable literature as well, such as *Gottfried Keller’s* “Grüner Heinrich”, *Meinrad Inglin’s* “Schweizerspiegel” and *Schiller’s* “William Tell”. Much of this heritage is no longer taught with due respect and weight in schools, and thus is at risk of sinking into oblivion. That cannot be! Thanks to my ongoing educational and cultural-historical training I could always contribute important issues to the discussion and explain the context of my journalistic cultural work and my lectures in the Adult Education Centre at the University of Zurich.

In the following I want to give an insight into my exhibition at the Cantonal Hospital Frauenfeld. It was reviewed on 13 March in the “St. Galler Tagblatt” and in the “Thurgauer Zeitung” under the title: “Interest in the world is important.” Already other exhibition organizers are interested in my exhibition.

This exhibition has been one of my best experiences. It was a great pleasure for me as an artist, to experience how much the patients, visitors, the hospital staff and the management were interested in my joyful-

ly colored flowers pictures and my appreciation of Albert Schweitzer’s work. The numerous references to the present also drew great interest, as they provided an insight into today’s development work. The hospital was the ideal location for this exhibition.

A group of images and an installation of Albert Schweitzer’s work (1875-1965) was at the center of the exhibition. His ethics was subsumed in the “reverence for life”. He fought for social justice and world peace. Food security, clean water, sanitation, and education were then, as now, the existential future tasks for the whole human family. Albert Schweitzer’s credo is: “I believe in the future of this time, but it is us who must shape it.” More “Values of Peace” were presented with the images referring to today’s development work, to “help for self-help”, to the “UN Year of Cooperatives” 2012 and to the *World Agriculture Report* 2008. They point to the importance of mutual support, the promotion of local, small and medium-sized farms and the strengthening of local industry.

Until his death Albert Schweitzer worked for peace in numerous appeals, lectures, conferences and writings. In 1952 he was awarded the Nobel Peace Prize. In 1957 more than 1,1000 scientists from 49 countries submitted a petition to the UN against the armament with nuclear weapons. With the title “Strengthening the Values of Peace” value education was deliberately stressed. Unfortunately, the word “peace” is presently abused for so-called “military peace operations”. However, peace involves everlasting values such as honesty, human dignity, justice, humility, consideration, respect and gratitude – and also for the achievements of our ancestors – willingness to do good, the attitudes of the Christian European culture and the strengthening of the common good. For Albert Schweitzer peace meant “Reverence for Life”. In this sense, the theologian, who later studied medicine, realized his practical pastoral care as an aid for body and soul in Lambaréné. War is the greatest violation of ethics! Albert Schweitzer was convinced. “Only to the extent that by way of the spirit a sense of peace arises in the nations, the institutions that have been set up for the preservation of peace can achieve, what is required and expected of them”.

In a second part of the exhibition Albert Schweitzer’s concern, the peace ed-

ucation, was presented with the pictures “Pass the flowers of peace”. The stylized flower pictures have personal and art-historical references to *Ferdinand Gehr* (1896–1996) and to the painters of the school of “Zurich concrete artists”. In addition to their abstract and geometric images, color and form concepts, I made a connection between rational, emotional, figurative and ornamental images. A cultural trip to Iran (2008) and another one to Andalusia provided the inspiration for this work. A central message was also integrated with the text “Flowers of peace”.

In the third part of the exhibition, Albert Schweitzer’s relationship to Switzerland was presented. The Swiss people have contributed a lot to Albert Schweitzer’s work and will also remain committed to him. Our country, as a nation established by the will of the people, makes an important contribution to peace and the protection of the population with its direct democratic form of government and armed neutrality. It is obliged to work for the observance of international law, the *Geneva Conventions* and for the ideals of the *Red Cross*.

The exhibition intends to encourage, to deal with Albert Schweitzer and his ethics, because, as Albert Schweitzer said: “The great helper in our efforts to return to humanity is the ethics of the Reverence for life.” In 1919, a year after the end of the First World War, he put down his philosophy of Life in a sermon in Strasbourg as follows: “It is good to preserve and promote life; it is bad to inhibit and destroy life. We are moral if we step out of our obstinacy, drop the strangeness towards other beings and witness and sympathize with everything that happens as part of their experience around us. Only in this quality are we truly human, in it that we possess our own unalienable morality that orients itself and develops further and further”. •

The above-mentioned school book “Nahrung, Bildung und Gesundheit für alle (Food, education and health for all)” can be ordered for CHF 10.- (plus postage) from *Current Concerns*.

Another valuable publication, “Albert Schweitzer – Leben und Wirken. Unterricht und Informationsmaterial für Pädagogen (Albert Schweitzer – life and work. Teaching and information material for teachers)”, by a group of historians and educators from Weimar can be ordered from the Albert-Schweitzer-Komitee e.V., Albert-Schweitzer-Gedenk- und Begegnungsstätte, Kegelplatz 4, D-99423 Weimar. E-Mail: asgbweimar@online.de

“I did what my conscience told me”

Literature in the classroom, a successful example of teaching values

by Danièle Beringer

If one compares the school laws of the different cantons, one finds the same basic thoughts and teaching requirements all over, which is that the schools have the responsibility to teach the children “to be persistent in life, to be competent and social people according to the basic rules of democracy, freedom and social fairness in the framework of a government based on rights, to become responsible people and citizens” (“Volksschulgesetz des Kantons St. Gallen”, school law of the Canton of St Gallen, Art. 3) and “the grade-school teaches a behavior which is based on Christian, humanitarian and democratic values.” (“Volksschulgesetz des Kantons Zürich”, school law of the Canton of Zurich, Art. 2)

The teacher has the responsibility towards the state, to lay the corner stone for Christian-humanitarian values such as standing up for one’s neighbor, responsibility for the commonwealth of society in small circles as well as greater ones, willingness to perform and a sense of his duties. He should guide his pupils to think and react individually but include the sense of humanity and tolerance. Briefly: His mandate, in cooperation with his pupils’ parents, is to take on the task of raising the pupils as competent, persistent and socially oriented people who will later in life as reliable adults and citizens take on responsibility for the family, the community and the state.

“The teacher is at the center of his class”

Assuming that the human being is a social being, capable of responsibly and socially empathizing, thinking and reacting, I see it as my personal obligation, along with the importance of teaching knowledge and competences, to lay the corner stone for empathy and the search for truth, openness and freedom and the guiding of the pupils towards educating themselves.

Alfred Adler, the founder of Individual Psychology, formulated this educational goal in the following way: “It’s not enough to be born as a person, one has to learn to live as a social being.”

The teacher is at the center of his class because human nature is social. The pupil doesn’t come to school as an isolated individual. He or she is naturally oriented towards other human beings and wants to get together with them and at the bottom of his heart, to be in a *good cooperation* with his teacher and classmates. The teacher has the demanding responsibility of making this primary desire of

each child blossom. This can be done in any situation, whether it in the math, German, or sport lesson, during the break, during a classtrip, etc. The teacher always has thousandfold opportunities to lay the foundation of the pupil’s becoming a social person.

Example of literature in the classroom

Taking the example of literature in the classroom, I would like to demonstrate how I worked with my class and tried to get every pupil where he stood at that moment, – embedded in the classroom community – to bring across this foundation of becoming a social person.

I have to add that I teach at a private school. In this school, many children are enrolled due to the school’s psychologist or through the community because they are no longer “tolerable” in the public school and caused too much trouble or didn’t get along with the other pupils or were bullied or had other difficulties. Or they were enrolled by their parents because they didn’t want their child to drop to a lower level where they wouldn’t want their child to be.

I have always liked to read a book together with my pupils. In today’s times, where already the youngest pupils have their own smartphone, with which they play during a greater part of their freetime, many have never developed an idea how to grow from it, how enriching and fulfilling reading is, how many emotions, information and joy reading can bring when one reads a book during his free time and how much one can learn about culture by digesting good literature. Whenever I see a child reading, the book is usually one of fantasy such as “Harry Potter” or other fantasy figures. In today’s children and teenage literature one finds mainly fantasy stories about witches, wizards, vampires and monsters or about people with extremely exaggerated capabilities. The children who are reading will no longer be prepared for real life, their empathy is no longer appealed to, but an imaginary world is presented in which hate, violence and magic fog the thoughts of the children and bring them away from reality.

I saw myself put in front of a challenge, to find a book for my colorfully thrown together school children. A book which would capture their enthusiasm and at the same time give the children a value orientation in the sense of christian and occidient culture.

Then I came across the wonderful book by *Werner Laubi*, “Albert Schweitzer, the

Doctor of the Jungle”. I read it first myself with increasing fascination. His whole lifestory is appropriate for teenagers. It is described in a simple, impressive and well readable language. The events and consequences which add to one’s character, out of which little Albert was formed, what he became as an adult are so relevant and authentic in this book that each pupil could get something out of it.

Reading as a shared experience and encouragement towards individual thinking

First I asked the pupils whether they knew the name *Albert Schweitzer*. No one knew an answer. Then I began to tell who he was, what he did, how he, at the time of my childhood, was known to all and how everyone admiringly and highly respectfully spoke of this man and that I would now like to introduce this man and his lifework. The pupils noticed immediately my personal engagement and high respect for Albert Schweitzer. They gave me their fully undivided attention. My enthusiasm reached out towards the class and they were happy as I gave them each a book. To begin reading this way – what an enriching experience –, in the class, with all – pupils and teacher together. Reading becomes a shared experience in which feelings and thoughts can be exchanged. The experience, how a classmate is moved because of a scene, how he speaks of it, the thoughts which he expresses motivates each pupil to reflect upon the exchange. Each child is brought along whether he be a good or a bad reader. Sometimes he reads along, sometimes he only listens but each child has read and can participate in the common exercise of reading, through which he comes to his own experience that reading can be wonderful and open a whole new world.

Before we began with the literature, I gave the pupils a research assignment. “Try to find out at which time in Albert Schweitzer’s childhood one can recognize that he would do something good as a man.” They were excited and began to read.

Already, in the middle of the first chapter, *Werner Laubi* describes how Albert – he was not yet in school – was stung by a bee. He began to scream. And as he realized how all pitied him, this really made him feel good. And so he went on crying even though the sting no longer hurt. The author continues: “You only

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"I did what my conscience told me"

continued from page 26

want to make yourself important, Albert!' a voice said to him. There Albert was really ashamed of himself." (p. 4)

At the end of the first chapter I asked the pupils if they had already discovered something on which one can recognize that Albert Schweitzer would once do a lot of good work. Immediately the arms were thrown in the air. Yes, they confirmed, that with the guilty conscience because he exaggerated so much about the sting, and there was already something to it. We spoke a while about this theme. Some pupils reported how they themselves had also exaggerated because the caring response was so nice and how this exaggeration actually is not acceptable. I was more than satisfied with the pupils' answers and looked forward to further lessons.

Each chapter of this book hid at least one such pearl as in the first chapter and my pupils found all the pearls. It was not necessary to give hints to any of them. They read this book with enthusiasm and couldn't get enough of it.

**Learn to listen
to what my conscience tells me**

An event is described in the fourth chapter that many who were informed about Albert Schweitzer would have known. Albert was challenged by a classmate to come with him to a hill and at the top shoot at birds with a slingshot. Albert had an inner resistance to this plan, however, he felt uncomfortable saying no because he was afraid to be considered a coward as he had a difficult position as a comfortably situated son of a pastor among poor farm boys. So he went along. Once having arrived at the hill he was requested to take out his slingshot and to shoot at the birds who were sitting on the leafless branches and singing their morning song. Despite an inner voice, which strongly advised Albert not to shoot at the birds, he took his slingshot out of his pants pocket. At this moment, the churchbells of Günsbach began to ring. That was a "ringing symbol" for Albert. He jumped up, scared away the birds and ran down the hill. His heart pounded till it almost burst. But Albert was happier than ever before: "I didn't do what someone ordered me to do! [...] I did what my conscience told me." (p. 27)

Every time I read this section I find it wonderful, rich, moving. I have already read this book with different classes. All, without exception, all were positively in-

terested. The pupils became bubbly that everyone of them wanted to tell the class of his own experience where he had not dared to listen to his inner voice or of an experience where he trusted in himself. We discussed each example right into the school breaks, the conversation couldn't be stopped.

**Strengthening one's own
personal value orientation**

I keep a special memory of a girl. She came to me during the break: "Mrs B. do you remember how you asked me a year ago why I broke up the friendship with Dominic so abruptly? I contested then that I broke something off but, you know, actually you were right. Many boys laughed at me because of my friendship with Dominic. And there I was not as courageous as Albert Schweitzer. I didn't trust myself to listen to my inner voice." "That is very good that you come back to it now", I said to her. "Each of us makes a human mistake sometimes, one which really hurts the other. When one dares to look at the mistake and learns from it, then one doesn't make that mistake again, and that is very important. Then one can think about how one can correct the mistake and give the other a signal that one recognizes the mistake and that one is sorry. What did you think, what will you do?" "I want to take a walk with him and explain my behavior and apologize. You know, I'm really sorry." Then she went off and looked for the boy and they both left the school together.

As they returned, the girl was relieved. She told me: "It didn't undo the mistake but at least he knows now that it didn't have anything to do with him rather that it was my cowardice which made me behave in such a way."

If we hadn't read this book in the classroom, such a reaction would not have occurred. This girl was seized by the entire lessons, by the talks and from the content of the book and she was infected by my enthusiasm and respect for Albert Schweitzer and entirely accepted the meaning of the text we read together. She assimilated it according to her age and used it as an example for her life. She thought about it on her own and developed her orientation of values. And so she was in the position to think about her mistake and correct it.

Education for peace

Albert Schweitzer knew that the war problem extremely preoccupied him. He didn't want to simply accept that people kill each other. His Christian ethics, his deep love

for people, animals and nature didn't allow for that. So he looked for the particular phrase to which people would listen and reflect upon and which could reduce suffering and wars around the world. One day he came up with the phrase "Reverence for life". With each class there was much to discuss about it. At the end of the discussion, I let the pupils each write an essay regarding the theme "Reverence for life". The pupils commendably made an effort towards this theme.

With each class, with which I read Albert Schweitzer's life story I could through reading this book make many moving experiences. I would like to include one last thing. At the end of the book, I tell each of the pupils what is not in the book. At the time of the Cuba crisis in 1962, Albert Schweitzer wrote a letter to *Nikita Chruschtchow* (former state and party leader of the Soviet Union) as well as to *John F. Kennedy* (former President of the USA) in which he demonstratively warned of the beginning of an atomic war. I read sections of these letters to the pupils and they were always deeply impressed of what they heard.

A girl – she went to the secondary school in the following year – came to visit me in the first school term. Her history teacher gave her class the assignment of finding a name of a person, who did something important for humanity, for each letter of the alphabet. "You can have three guesses to find out which name I picked with the letter S," continued the girl, "Albert Schweitzer of course. And do you know what?" She looked at me disappointedly. "He didn't even know who Albert Schweitzer was. And then I told him that he was the man who helped to avoid an atomic war."

This literature in the classroom is an example for lessons in ethics, for teaching values. Teaching values can be done only when exchange and interaction in personal relation between teacher and pupils occurs, only then can the pupilship take in and entrench those values emotionally. The pupil needs the example of the teacher, it orients itself on him. He needs the teacher's support. And he needs his classmates. When he hears how his classmates think and feel, then he trusts himself to develop his own ideas and to share them with the others in a classroom discussion in which the thoughts develop and become concrete. Each pupil, regardless if he is good or weak, would be encouraged through a thought exchange with his classmates, his values will be formed and with these, as an inner yardstick, he can assess further actions, reflect and influence the common good.

(All quotations translated by *Current Concerns*)