

# Current Concerns

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## **“In 1848, the founders of the new Confederation have designed a phenomenal system”**

**“The president of the National Council is a regular person, not someone on an ivory tower”**

*Interview with the former president of the National Council, Ruedi Lustenberger*



*National Councillor Ruedi Lustenberger  
(picture thk)*

*thk. From the winter session 2013 to the winter session in 2014, Ruedi Lustenberger presided the National Council. During his time as the highest Swiss he had to direct the parliamentary debates in the National Council next to taking care of representative tasks and chairing the Federal Assembly. A challenging but also satisfying task, as Ruedi Lustenberger is explaining in detail in the following interview. The conversation with him was made on the very day when the President of the European Court of Human Rights delivered his speech to the Federal Assembly in the National Council Chamber on the occasion of the celebrations “Switzerland’s 40 years membership to the ECHR”. Inspired by this speech, National Councillor Ruedi Lustenberger addressed the issue of state sovereignty, as well.*

*Current Concerns: In the year that is coming to an end you were the highest Swiss representative. You have chaired the National Council. What does this mean to you and what does this office demand from the President?*

*National Councillor Ruedi Lustenberger:* You cannot aspire this office actively by seeking to acquire it. The constellation has to be right, then you are entrusted with it. I freely admit that I joyfully accomplished this task. I had the necessary time, I received a very good support from

my family and from the Secretariat of the Parliamentary Services. Looking back, I must say that it was a very, very good year with many good encounters with fellow citizens from all regions of Switzerland and from all walks of life. That is the amazing thing: You are not only in your constituency with your own voters from the canton, but you are with the entire population of Switzerland. You are invited everywhere and you are very welcome, everywhere. If you can take the necessary time – and I could do so – it is a great enrichment. You do not make policy for your own party and you do not hold the office for yourself, but you are representing an institution to the outside, the Federal Assembly, which is the legislative authority of the Confederation. This is how the Federal Constitution and the Act of Parliament have intended it. Based on the institutions that is good, and it is in the broader sense also a part of direct democracy as we know it in Switzerland.

*Other countries do not know this.*

Yes, it is a state-political fact for which we are probably envied a bit around the world. Although you are Parliamentary President, you are just an ordinary citizen of the Confederation. You attend an event, and people know that you are a regular person, not someone on an ivory tower. This is the direct contact on site, at home, among the citizens. This is the fascinating side.

*During the time in office you had to fulfill different tasks and mediate between the different points of view. How did that go?* You are more a referee than a player during that year. In this role you are independent, neutral and committed to the rules of Parliament, hence the institution, and not to any party or group. This is a new role, of course. I am known as a politician with a ready tongue. It now and then appealed to me to say something, to comment events; but I let it go, and that was a good thing. As a result, the President meets with a good acceptance in the Council.

*How did you perceive this acceptance, which is something very important?*

Looking back, I believe I can say, without lapsing into a self-praise, I was well accepted in the Council as a whole. I also benefitted from having presided over the Lucerne Cantonal Parliament in 1999. This experience has helped me. Then there is another important factor: Prior to your presidency you are Vice President for two years, and *Hansjörg Walter* and *Maya Graf* were two good teachers. I listened to them well and copied a lot. That, too, is a good federal practice. You have two years of “presidential apprenticeship” during which you are well introduced into the office. All this has contributed to my presidential year running so smoothly.

*As citizens and listeners we could realise your sincerity, your presence and the focus on your task very clearly.*

Then I did all right. A job – this is the case everywhere in life – becomes routine when you do it often. Presiding a council or a meeting becomes routine. This should certainly be the case. I have always told the apprentices in my profession as a carpenter, if someone liked to do a job, he usually wouldn’t do it badly. This applies both to the carpenter apprentice and the President of the Council in the National Council Chamber.

*You mentioned various aspects of Swiss democracy. I would like to dwell a little upon this topic. Swiss democracy is a consensus democracy, which is also reflected in the concordance system of the Federal Council. Even in Parliament, there are always changing coalitions. What is your assessment of the political system in Switzerland?*

This topic would not only fill newspapers but books. We have to distinguish between a concordant government work and a concordant parliament work. Let us start with the executive. More than three-fourths of the voting Swiss citizens feel directly represented in the Federal Council.

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cil by a member of their party having a seat in the Federal Government. There collegiality is added to the concordant governance. The result is that, while different positions and opinions prevail in the Federal Government, one opinion will be presented to the outside in the end. This is generally supported by all seven members of the Federal Council. The concordance is based in the election procedures for the Federal Council, that is when the Federal Assembly elects the Federal Government.

*And Parliament?*

The Federal Assembly with its two chambers is the legislature, which drafts the legislation during the legislative period. Here the concordance is, logically, not exactly the same as in the government, but there is competition. This leads to shifting coalitions sometimes even of those parties which are involved in the government concordance. Forming changing coalitions has a lot to do with strategy and tactics. And this in turn is relative to the referendum in which the people actively or passively have the last say.

*This is a very well-balanced system.*

Yes. Legislation with the two-chamber system and the method of resolving differences, which can culminate in a conciliation conference is a very sophisticated system. Once you have understood it, it is also fundamentally simple. In 1848, the founders of the new Confederation created a phenomenal system. It has been refined over time and enriched with the concordance. It is not easy to explain to a stranger, but it is extremely proof-resistant and durable in its impact.

*I would like to come back to the stability in our country. What are the main components of Switzerland? What makes us different? What is the most important thing with respect to our finely elaborated system?*

The direct democratic instruments of initiative and referendum, the two-chamber system with two absolutely equal chambers. Then the concordance which is not explicitly codified in the Constitution. And finally, federalism, the subsidiary division of powers at the three levels of government and a relatively high degree of stability in the party-political balance of power. Political landslides, as they are known abroad, have not occurred in Switzerland during the last 60, 70 years. Clearly, the political right wing has increased, which happened continuously over the last 20 years. In contrast, the political centre has lost a bit, but that never happened in a landslide. Thus, politics as such



*The Parliament Building in Berne. (picture thk)*

are predictable. And something must not be underestimated: We have a high level of legal certainty. This also has to do with the fact that the three powers in the state face each other with respect and that the separation of powers is lived and does not only exist on paper.

*You mentioned federalism as an important factor. Why is it so important?*

Federalism has developed historically. The transition from a loose confederation to the federal state of 1848 would not have been possible if not federal instruments – the Council of States, for example, is a child of federalism – had been integrated in the Federal Constitution and thus into our political system. Since 1848, federalism has never been touched in principle. It has been reformed. There are tasks that are now located within the federal government, which were earlier taken on by the cantons. There was also a return movement by giving back some of the federal government responsibilities to the cantons. In principle, federalism has been left as it is. One can say that federalism has prevailed in the Confederation for more than 700 years. Without it, as controversial as it sounds, we would not have the consensus in Switzerland. We are a country that is incredibly diverse. Since it is so diverse and no one has the majority, everyone is a little dependent on the other. This is the recipe for success. Parallel to federalism we must always mention subsidiarity. Federalism only works if a subsidiary division of tasks and responsibilities takes place at the three levels of government. Those who have the responsibility in the state must claim the appropriate authority, whether in the commune, the canton, or the Confederation. We need at least as much concern for subsidiarity

as for federalism, because they are twin sisters.

*You mentioned the communes. What does subsidiarity mean for a commune?*

We have about 2,300 communes in Switzerland. With the municipal assembly or a parliament, they dispose of the foundations of direct democracy. In the communes the executive work is often done even in the militia system. I assess it, although I never held such office, very highly. I have great respect for people who take over executive responsibility in a commune. It is important that the communes not only bear responsibility, but also have the freedom to live this responsibility to the same degree. You cannot delegate responsibility and at the same time refuse to hand over authority. We note – for example, with the new law for the protection of children and adults – that the federal government has given the communes an extra large additional task. The task is not a new one, but it has to be reorganised. Thus, the communes have to struggle, because the whole thing is connected to a lot of bureaucracy and a lot of jurisprudence. It also costs quite a bit more than before. I understand, when the communes say with some justification that the federal legislature sold them a pig in a poke. If the federal legislature prescribes tasks again to the communes in the future, we will have to be more aware of the cost implications. The same also applies to the cantons. And these in turn are under an obligation to care for their communes and not only ascribe them additional tasks, but also assign the appropriate authority.

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*Where do you see the future challenges of Switzerland?*

With all the self-criticism that we Swiss are quite accustomed to – and that is a good thing – it must be noted that the biggest challenges for our country lie beyond our national borders. Firstly, the whole issue of migration. It is a phenomenon, actually a modern migration of peoples. Secondly, our relationship with the EU. This has been as unresolved as ever since 9 February, and thirdly – and that is why I am referring to today's speech of the President of the *European Court of Human Rights* – the impact of international courts of justice. I think the issue of foreign judges will occupy our country and our people even more and give more incentives to debate than we want to admit it today.

*Why?*

The delegation of a significant part of the third force beyond our national boundaries is a difficult situation for the Confederation. This will cause us some stomach ache. The average Swiss has been accustomed to sovereignty over centuries. Thinking of the institutional issues in connection with the EU, they will issue a big debate. The question is how far Switzerland is willing to hand over part of the judicial sovereignty to Strasbourg.

*Do you think of the ECHR as well?*

Yes, the ECHR [*European Convention on Human Rights*] is often the subject of discussion. Not the ECHR as a convention is the real problem, but the judges who interpret it. I have not heard anyone who could explain to me that everything the ECHR includes basically, was bad. But sometimes, the assessments of the judges who interpret it, are questionable, since Strasbourg has the tendency to conceive of the ECHR not only as a single human right but as a unified general state law.



*The chamber of the National Council: Here National Councillor Ruedi Lustenberger presided the National Council for one year. (picture thk)*

This is leading to some problems. I have the impression that the human rights judges are trying, the longer, the more, to obtain a unification of state law, and they do so beyond the fundamental human rights issues. Federal Judge *Hansjörg Seiler* recently brought it to the point when he spoke of the sacralisation of law instead of the primacy of politics. The judicial interference from Strasbourg into national sovereignty has probably exceeded its limits in some cases.

*The issue of sovereignty is but our future issue. If you hand it over, it will be gone.*

Yes, this question was and is a constant one. Each state contract that a state concludes and which is based on reciprocity, hands over a fragment of sovereignty. But this is not one-sided, because the opposite side usually also hands something over when jointly negotiating an agreement. That is not bad per se. The question is not only how much we hand over and what do we get for it in return. It is more crucial in which area we hand over something. If you harmonise commercial law between two states, then this is probably not as crucial for sovereignty. If, however, you hand over

the judiciary in an area in which it creates a big impact on real domestic affairs, this is something very, very different.

*Where will you put your priorities after the year as president?*

Our system provides that you step back in the ranks after the presidential year and that is a good thing. That is what I have become used to in the winter session. The state policy will increasingly pull me back into its spell. I have already handed in a parliamentary initiative, which is no longer to allow retroactive clauses in popular initiatives. I was motivated by the initiative on the inheritance tax, which, should it be adopted, would cause considerable legal uncertainty precisely because of the retroactive effect.

*What do you wish your successor in the office of the highest Swiss representative?* *Stephane Rossini* does an excellent job. I wish him as much joy and enthusiasm in his office as I had.

*National Councillor Mr Lustenberger, thank you for the interview.*

(Interview *Thomas Kaiser*)



## More social bonding

by Dr Annemarie Buchholz-Kaiser\*

When the Iron Curtain was opened and Russia was forced to its knees with an economic "shock treatment", none of us knew then the effects that arrogance and megalomania would have in the Western alliance. Horrified, physicians had realized in 1985 the "appearance" of a new virus, which was composed of two parts incompatible in nature. In no time, the number of infections rose which eventually led to the painful death of the infected people. First, the figures came from Africa. "There, they had to do something about the overpopulation", an accomplished senior chemist openly said in an interview. Then the book "And the Band Played on" revealed yet another dimension of using entire population groups in our countries of the first world. Then came the open drug scene – to the dismay of parents, teachers and citizens in general. *Thomas Zeltner* still defends this "paradigm shift" to this day.

At that time, in the late 1980s, Dr *Franziska Haller* and I contacted parents' organizations in the US, which faced the same development and were depressed and full of grief about the loss of sons and daughters. They were already developing educational programs for schools and youth organizations.

In the course of this joint effort of searching for ways of improvement and in the course of further cooperation with UN and ECOSOC bodies (*Economic and Social Council of the UN*), we got to know our own generation from the 60s anew. As civil rights campaigners, as educators, and also in the march through the institutions they had become different – more mature. Only part of them had been taken in completely and had henceforth kept silent about all the destructive developments. However, most of them were still active as private persons outside their professions. They knew now about the difficulty of sustainable improvement in the face of a military-industrial complex, which was not willing to give in. Part of them was committed to religious thinking; many devoted to a more secular worldview. But they all had these objectives in common: they wanted to end the wars, improve the education of lower-class children, and begin to take care of the environment.

It was such a broad spectrum as well that had had to join hands in the century before. Realizing that steamrolling all cultural differences could not be enforced by Napoleonic decrees, it had taken longstanding fundamental de-

### "Gemeinschaftsgefühl"

To know with the mind of the other;  
To hear as he hears;  
To feel with the heart of the other,  
His hopes and his fears.

To walk with his step,  
To see with his eyes,  
To breathe with his breath,  
To weep with his cries.

To feel a second heart like his in yours,  
To know what he needs and to seek it with him.  
"Gemeinschaftsgefühl", communion of heart,  
"Gemeinschaftsgefühl", communion of soul.

To know yourself well, now that's a good start,  
And then know the other.  
To sense what he needs, before he can tell  
Like a child with his mother.

To stand in his shoes,  
To see from his past,  
You must learn how to lose –  
That's the first and the last.

To Annemarie Buchholz-Kaiser

Joe McCarroll

bates in Switzerland until in 1848 a single state could emerge from the loose confederation of states: This was the beginning of a really systematic way towards a nation forged by the will of the people with religious, linguistic, mentality-based, even intellectual and spiritual differences. One generation after another worked on transferring political life into an open, fact-based and viable communality.

Whether we take *Pestalozzi's* pedagogy and political attitude as a model, or *Niklaus von Flüe* who as Chief Judge retired from the politics of the day in order to do more basic advisory work, or *Gottfried Keller*, who with his more secular and liberal thinking provided the basis for upright citizenship – the concern for moderation, inner humility and mutual respect was sacred to all of them.

The fact that we (for the first time in the Diet of 1796, and then in 1832) decided on the Federal Thanksgiving Day, the Day of Repentance and Prayer at the end of the summer season, when nature has given what she could, was not due to the risk of famine but meant working on our own inner peace. Other countries have a Thanksgiving Day or the like: This day of reflection includes the importance of their commitment to a caring, peaceful development of the world for them all – even more so after the German-French War.

You hardly know now where to start explaining the differences in the history not only between our European countries, but also of our Swiss Confederation. However, the time until the end of the Second World War has taught us one thing: more war, more delusion on the part of the victorious powers, even more destructive weapons – this will no longer work.

In today's world, as well, we come from different fields, different cultures and religions – but our common No to further wars is shared by the majority. The poem that *Joe McCarroll* wrote over 10 years ago and gave as a sign of solidarity shall therefore be passed on to this whole open human field. It may connect and encourage – not least our friends in the USA in the heart of the war power. England, Canada, Australia and New Zealand have no reason to continue this war, which has only led the world to the edge of the abyss in economic terms. In 1965, the post-war policy was settled in agreements for the next 50 years. They will expire in two years. The fiasco could not be greater for a modern world that had all the science and communication at its disposal.

Now the game is over. The multipolar, networking world must pursue more social and democratic paths, and it will do so. Each country on its own, the world must take over responsibility and begin to work on repairing the damage. Let us join hands whatever our worldview may be. "Be magnanimous", *Brother Klaus* recommended the city of Constance. Forget everything petty, divisive – it makes no sense. "Join us to work for peace. War is obsolete in today's world", *Doug Rokke* called out to us across the Atlantic a few years ago at the conference "Mut zur Ethik" (Courage to Take a Moral Stance) – knowing about the infinite damages of the uranium disaster not only in Somalia, but also after the War on the Balkans. That in Fallujah, in Lebanon and in Gaza even more fatal weapons were employed in a field test makes the whole thing even more urgent.

\* On 21 May 2014, the historian and psychologist Dr Annemarie Buchholz-Kaiser died against all expectation. She was the founder of *Current Concerns* and decisively involved in the content review of this journal. The article "More social bonding" was written by her in September last year and published in *Current Concerns* No 28 of 18.9.2013. As this article includes basic ideas and concepts and takes an ethical position that is based on a profoundly humane ethos, we decided to once again submit these thoughts to our readers in memory of Annemarie Buchholz-Kaiser at the turn of the year.

## Russia and the West

# Building bridges through honest negotiations

*by Karl Müller*

2014 was a year of increasing tensions between the Governments of the United States, the other NATO allies and the EU-states on one side and the Government of Russia on the other side.

Western governments accuse Russia of quite a few things and the voices in the Western media range up to monstrous pictures of Russian politics in the past and the present.

In this year there were those in the West, who warned that a further escalation of the conflict creates a danger for all people in Europe to be sucked down in the whirl of events.

Already now it is evident how closely intertwined the economies of the affected states are and that probably every nation that wants to go its own way these days should watch out to remain as sovereign as possible, not only on paper, but also in fact.

There are personages to be reckoned with in the West, who say: our governments have decided to continue their path of confrontation with Russia disregarding the voices of opposition. Anyone who raises his voice against this path is being attacked and ostracized.

In fact, those who demand a different policy than the one our governments are pursuing are in a difficult position, today. This became obvious by the way the spokesmen of the *Petersburg Dialogue* and the *German-Russian Forum* were treated, who argued for a different approach than the one the German Government had chosen. It became also obvious in the echo of the German transfer media to the public appeal of the 64 personalities "War in Europe again? Not in our name!" (cf. *Zeit online* of 5 December and *Current Concerns*, No 30 of 16 December).

More than ever it remains essential to make an effort at reducing the tension in Europe: to build new bridges, rather than to deepen rifts – also, by taking those responsible by their own words and by requesting that what is said is also done, truthfully.

Shortly before the Summit of Heads of State and Governments the European Union in Brussels took place, German Chancellor *Angela Merkel* gave a governmental statement to the German "Bundestag" on 18 December, which may offer some points, to start from.

In her speech, Mrs Merkel stressed the right of self-determination of the countries of Central and Eastern Europe. She turned down "a new organisation of Europe along spheres of influence, in particular a division of Europe" and said, "cooperation in Europe" is "founded on partnership, on law and respect". She wanted to preserve the "principles of partnership, rights and respect [...] also in the relationship with Russia" and searched for an "unchanged and unabated dialogue with Russia". The goal of action is and stays "to implement the strength of law against the supposed right of power politics". The goal is and stays "European security together with Russia, not against Russia." She wanted "to deepen the contacts between the [two] societies". Together one should face "the challenges of international security, of which there are more than enough around", she said.

However, as the Chancellor stated, it "depended on Russia, whether it referred to our offer of dialogue on the basis of the values of the European order of peace".

Reading in parallel to this speech statements of responsible Russian politicians, for example an interview of the French broadcaster *France 24* on 16 December by the secretary of foreign relations of Russia *Sergej Lawrow* ([www.mid.ru/bdomp/brp\\_4.nsf/191dd15588b2321143256a7d002cfd40/4a291cd28bdeef4fc3257db30023fd88!OpenDocument](http://www.mid.ru/bdomp/brp_4.nsf/191dd15588b2321143256a7d002cfd40/4a291cd28bdeef4fc3257db30023fd88!OpenDocument)), one finds very similar considerations from the Russian point of view and thus a good basis for dialogue.

For citizen seeking information in Western and Russian media, it is indeed remarkable that the values, to which each side is referring, are not so different. The details, however, scenarios and analyses of the facts are very different.

Shouldn't it be possible then to set up a commission which is neither at Western nor at Russian disposal, a historical and political "fact-finding mission", for example in the framework of the OSCE, to the members of which both sides must agree? Under the Swiss presidency, the OSCE showed that it can act impartially and fact-oriented. This Commission would be trying to get onto the facts and to answer the questions that had been differently answered so far in a scientifically proven, reliable way or to determine that certain questions might not be

answered for sure in the foreseeable future.

Questions, which naturally must be formulated in a much more scientific and accurate way would for example be:

- How have the Western Russian relations developed since 1991, since the end of the Soviet Union? What has been the policy of the United States, NATO and the EU towards Russia? What has been the policy of Russia towards the United States, NATO and the EU?
- What is the role of the Ukraine in these relations?
- What political and economic impact does the EU Association Agreement with the Ukraine have – for Ukraine, the EU and Russia? Why did the EU initiate this agreement? Why did the *Yanukovich* government hesitate to sign the agreement? Why did Russia criticize this agreement?
- What has happened in the Ukraine since its existence as an independent State and in particular since Autumn 2013 until 22 February 2014? What has happened since 22 February?
- What plans and activities of the United States, NATO, the EU and Russia have taken place with regard to the Ukraine and with regard to the bilateral relations in recent years and in the past few months?
- How did the media report in the West, in Russia and in other regions of the world on these issues?

One might even call such a commission of scientists, who would tackle this research, *Truth Commission*. It is not about condemning either side, but above all, about finding out the truth, and making it accessible to all citizens.

Everyone knows that such a thing will not happen overnight. For sure, there are also some of those responsible, who don't want to hear the truth. The past year has also shown how quickly prejudices are proclaimed as presenting the truth.

Note that in case the idea was spread that taking important political decisions concerning these issues would no longer be possible without informing all citizens about them beforehand and making them transparent, a lot would have been gained – and all of Europe's citizens would be able to start the coming year with confidence. •

## Austria

## EU withdrawal referendum

*cc. On 17 December 2014, the action group "Referendum for the withdrawal from EU" submitted a petition for Austria's withdrawal from the EU to the competent state authorities in Vienna. Below we document the official rationale of the referendum, which is the core part of the documents that had to be submitted to the Ministry of the Interior.*

## Rationale of the initiation request

Practically all the promises given before joining the EU 20 years ago, which then led to a majority of "yes"-votes in favour of the EU membership, have been broken. Instead of an economic recovery, there has been a huge downturn in Austria in almost all fields: rising unemployment, increasing government debt, a loss of purchasing power for the majority of the people, rising crime up to a large-scale decline of farming and a massive change for the worse in the environmental sphere. What many believe is that the EU decision-making levels are being dictated by nuclear, genetic-engineering and pharmaceutical corporations as well as by internationally operating retail chains, which do not leave a chance to medium-sized, crisis-proof and nature-friendly local suppliers.

In particular, the peace policy is severely threatened by the EU membership. The EU is increasingly violating the right of the peoples to self-determination as the basis for freedom and peace; supporting the economic sanctions against Russia is incompatible with the statutory permanent neutrality of Austria. We want a free and neutral Austria again instead of "colony" of Brussels or Washington, and definitely we do not want to be drawn into international conflicts that are none of our business and are jeopardising peace in the extreme, also in the military sense. Resist the beginnings, otherwise it might be too late!

The safest way to render the Transcontinental Free Trade Agreement TTIP or CETA ineffective – representing endeavours that have been promoted for years by EU and USA/Canada in secret negotiations – is the withdrawal from the EU. It is also the only way of escaping the annual net contributor membership fees that Austria has had to pay to the EU for the last 20 years. Of these yearly fees – billions, if converted in Austrian Shillings – Austria only gets back a part, which is

– propagandistically – labeled "EU sponsoring". And Austria is not even allowed to decide on the spending of these "funds" – money that we have paid from our own pockets! On balance this has been a twenty-year-long annual loss-making business for Austria which is also a cause of social cuts and of cuts in government funding in general.

The withdrawal from the European Union is legally protected in a separate withdrawal clause in the EU Treaty, the Art. 50 TEU. It states

- in paragraph 1: Any member State may decide to withdraw from the Union in accordance with its own constitutional requirements.
- Paragraph 2 states: A Member State which decides to withdraw shall notify the European Council of its intention. In the light of the guidelines provided by the European Council, the Union shall negotiate and conclude an agreement with that State, setting out the arrangements for its withdrawal, taking account of the framework for its future relationship with the Union. That agreement shall be negotiated in accordance with Article 218(3) of the Treaty on the Functioning of the European Union. It shall be concluded on behalf of the Union by the Council, acting by a qualified majority, after obtaining the consent of the European Parliament.
- Paragraph 3 reads: The Treaties shall cease to apply to the State in question from the date of entry into force of the withdrawal agreement or, failing that, two years after the notification referred to in paragraph 2, unless the European Council, in agreement with the Member State concerned, unanimously decides to extend this period.

This withdrawal clause is explained in more detail in the standard textbook "The Law of the European Union" by Grabitz/Hilf/Nettesheim (published by CH Beck Verlag oHG, 2014) explained in the commentary I by Dörr on 13 pages. Which states, inter alia: "The essential feature of the new Article 50 is in particular the creation of legal clarity. Article 50(1) establishes the right of withdrawal as a unilateral option right of each Member State. That it is a one-sided right of states, results from the scheme of that article altogether: It implies that the negotiated withdrawal agreement is not relevant for the effectiveness of the with-

drawal, so that the legal basis for the termination of membership is only the one-sided declaration of intent by the withdrawal state itself. This reflects the current legal situation under general international law (para. 13). Going beyond the wording of para. 1, the Member State willing to withdraw can of course not only 'decide', but also put to work."

And also in the expert comment by Dörr: "The exercise of the right of withdrawal as defined in Article 50 is not attached to any substantive conditions, so it is a free right of termination. The withdrawal state is not bound by the requirement to explain its motives, neither towards the EU institutions nor to the other Member States."

Nothing can be found about any payment obligations in the event of withdrawal, quite the contrary. Austria would thus not only save the annual net payer membership fees, but also all the payments for the so-called "Euro-bailouts". Both the multi-billion dollar deposit obligations of Austria in the ESM and the horrendous warranty for the EFSF would cease to exist. Austria could bring back into use its own currency, the shilling, and operate a monetary policy serving the Austrian economy, in the first place.

The National Council has every right to decide on Austria's withdrawal from the EU! Even more so as such a decision is to be subjected to a mandatory referendum, so that in any case the citizens – EU supporters and opponents of the EU alike – have the final say and thus no one can be "passed by". The purpose of this referendum is therefore a deeply democratic one, to which no one should close their minds.

All in all, through Austria's withdrawal from the European Union further damage for the population shall be averted. The EU is perceived by many people as a crippling, centralistic and patronising instrument with more and more dictatorial traits and not fit for the future. Smaller, independent states offer much better chances for a nature-friendly, sustainable lifestyle and an economy that leaves more „breathing space“ – in the broadest sense – to the coming generations! •

*Inge Rauscher,  
authorized person for the  
EU withdrawal referendum*

(Translation Current Concerns)

# “We appeal to the conscience of the governments and the civilian populations”

*Interview with Dr.h.c. Hans-Christof von Sponeck regarding the petition “Stop torture!”*

*Current Concerns: Mr von Sponeck, together with Denis Halliday you published the petition “Stop torture” in reaction to the recently released US Senate Torture Report. What drove you to publish this petition and what effect do you hope this petition to have?*

*Hans-Christof von Sponeck:* This must be seen in connection with the work of the *War Crimes Commission*, which was created in Kuala Lumpur in 2005. From the beginning it was about gathering evidence, interviewing witnesses and victims of torture and war crimes. This was done to determine whether and how the Convention against Torture of the United Nations and the Geneva Conventions were violated by those in charge of key organizations and governments, particularly in Washington and London.

The petition is in response to the statements of the US California Senator *Diana Feinstein*, Chairman of the US Senate Intelligence Committee. She presented a report on practices of torture by the CIA. The report results in the imperative claim that all who were involved in torturing must be brought to justice. There have not yet been promises to do so, neither by the US Congress nor the US government nor by President *Obama*.

*What are the options of other countries if the US do not respond to this claim?*

US authorities have every opportunity – if they have the courage – to implement what has been laid down (about universal jurisdiction) in the constitutions of the various countries, especially European countries. The *Kuala Lumpur War Crimes Commission*, to which my predecessor in Baghdad, *Denis Halliday*, and I belong, have painstakingly interviewed many torture victims who were imprisoned in Bagram, Abu Ghraib and Guantánamo. These interviews revealed the brutality to which they were exposed and their cruel fate. The detailed evidences<sup>1</sup> was personally sent in two volumes by the former Prime Minister of Malaysia, *Dr Tun Mahathir* to the President of the International Criminal Court in The Hague. The answer was shocking. He received a letter: “Dear Sir/Madam. Unfortunately, the International Criminal Court has no jurisdiction in such a case.” The ICC did not even give due respect to *Dr Mahathir* by addressing him properly as a former head of state. They simply sent a standardized letter.

It is a critical challenge to commit ourselves to safeguard that the material which

proves so obviously what crimes have been committed is finally considered.

Who can forget the photo of the hooded man, *Satar Jabar*, tortured with electric shocks in Abu Ghraib? We interviewed this man, we talked with him for a long time. We know first-hand how he was tortured. And we also know that this torture was not only the humiliating act of one ordinary soldier. These procedures were approved at the highest level.

We know from documents that people like the former US Vice President *Dick Cheney*, Defence Minister *Donald Rumsfeld*, *George W. Bush* himself, *Condoleezza Rice*, *Paul Wolfowitz*, the whole cabal of war criminals – as they must be identified – were indeed involved. We also know much more convincingly now, after reading this report, that US officials did not stick to the truth even towards their “friends”. Who can forget what *Dick Marty*, MP to the European Council, reported. They ridiculed him, saying that it was all nonsense. *Condoleezza Rice* visited Chancellor *Merkel* in Berlin, and Mrs *Merkel* said: “If you tell me that the US government has nothing to do with the rendition flights<sup>2</sup> and torture, I believe you.”

It was a lie, and the lies were accepted. It was also known in Berlin, Brussels and London. It was known around the world, even people who were at the sidelines as observers knew that things were odd, that blatant lies were being told. The existence of this report is a ray of hope now. The report on CIA torturing methods shows that at least there are some small groups – their motives aside – who are at least willing to give insight into the truth. This is of great encouragement to us. We appeal to the conscience of governments, but especially to the conscience of the civilian population, to say: “We will not go along with impunity.”

*How can we ensure that not only the “small guys” at the end of the chain of command will be held accountable?*

Our wish is that people like *Bush* and *Blair* will be sent, where an ordinary citizen who has committed such crimes, is sent, namely to jail. This is very unlikely. But I think that *Bush* and *Blair* and the minions around the two, have been sitting in a moral prison, for a long time already. Even if they are not really aware of it. The freedom of movement of people such as *Henry Kissinger*, *Tony Blair* and *George W. Bush* is actually quite limited. They know what can happen to them if

they move too freely in the world. This is a partial success.

I believe that even these people still have pieces of conscience. They realize the public reaction is not what they expected and I think that is a big step the world conscience has taken. We must continue to work to ensure that somewhere in the world, a court is willing to hear these cases. The international community needs to be aware that this crime is not only (one) for the history books. We hope that the new Chief Prosecutor at the International Criminal Court, *Fatou Bom Bensouda* of Gambia will seize upon what her predecessor failed to do or prevented doing, namely to deal with these cases and to finally make this Criminal Court to become what it should be, namely an instrument of objective justice.

*Among others the petition is sent to the UN General Assembly. What are the options at the UN level?*

The General Assembly can respond to that report. They can pass a resolution stating that the majority of the 193 Member States conclude that this report is important and necessary steps should be taken. But this will only be accomplished if all those responsible at all levels are held accountable. That would be a desirable and practical response of the General Assembly on this and the other reports. I would like to point out once again what personalities like *Dick Marty* and others like the *Kuala Lumpur War Crimes Commission*, in which we also participate, have done. For years, they have pointed to these crimes and we can present it now in a more convincing and reinforced manner, because there has been an official internal US voice. The General Assembly, the Security Council, especially the Human Rights Council in Geneva can and must react.

*What options does the civilian population, do the citizens have to lend force to the petition? And what further options do they have?*

They have the power of knowledge, and through the power of knowledge they have the power and the responsibility to express themselves, to respond, and thus they have the opportunity to inform all those responsible that they no longer agree and thereby no longer want to be part of this policy of double standards, the policy of

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## Stop torture! Accountability: Yes – Impunity: No

This petition will be delivered to:

- US Government
- International Criminal Court
- President of the UN General Assembly
- President of the Human Rights Council
- European Court of Justice

The petition was initiated by two former deputy UN Secretary Generals and Coordinators of Humanitarian Affairs of the United Nations for Iraq, Hans-Christof von Sponeck and Denis Halliday.

On 9 December 2014, the US Senate released its CIA torture report.

The investigation confirmed what globally has been known for many years: The US Central Intelligence Agency and US-outsourced national authorities in Europe, the Middle East and elsewhere have been involved in an extensive range of torture applications.

Compelling evidence has become available, especially since 2001, the beginning of the Afghanistan war, through investigations by the European Parliament and national judicial authorities, as well as two major reports presented by Swiss Senator *Dick Marty* in 2006 and 2007 to the Council of Europe, on secret CIA detention centres in Europe, the Middle East and elsewhere.

The US Senate report makes it clear that cruel, degrading and inhumane treatment of captives by the CIA and its collaborators have been carried out on a continuous basis. Such treatment can not be justified in any manner, even if the US Government reservations with which it signed the *UN torture convention* in 1994 were to be taken into account.

CIA personnel and others wilfully participated in following executive orders and directives thereby violating the *UN torture convention* and the *Geneva Con-*

*Hans-Christof von Sponeck and Denis Halliday are former Assistant Secretaries-General and UN Humanitarian Coordinators for Iraq. Both long-standing UN employees resigned because of the economic sanctions imposed on the Iraqi people*



*Hans-Christof von Sponeck, left, and Denis Halliday, right, (picture [www.brussellstribunal.org](http://www.brussellstribunal.org))*

*by the UN. Both belong to the Kuala Lumpur War Crimes Commission, established in 2007 by the former Prime Minister of Malaysia, Dr Tun Mahathir, as an alternative to the International Criminal Court in The Hague. The Commission*

*was established to oversee and investigate complaints from victims of wars and armed conflict in relation to crimes against peace, war crimes, crimes against humanity and other like offences as recognized under International Law.*

*vention III.* In this way they have committed serious crimes for which they must be held accountable.

The UN Special Representative on Counter-Terrorism and Human Rights, *Ben Emmerson QC* has reminded us that "torture is a crime of universal jurisdiction".

The U.N. high commissioner for human rights, *Zeid Raad al-Hussein*, said it is "crystal clear" under international law that the United States, which ratified the U.N. Convention Against Torture in 1994, now has an obligation to ensure accountability. He further added: "If they order, enable or commit torture, recognized as a serious international crime, they cannot simply be granted impunity because of political expediency".

US President Obama must be aware that not holding the perpetrators accountable is a victory for impunity and will have far-reaching implications for global security.

We, signatories from all parts of the world, therefore urge the US Government and its Attorney General, to start a judicial process with a sense of urgency in compliance with principles of equality before the law.

If they fail to do so, other international bodies, such as the *International Criminal Court*, will have the obligation under international law to assure that justice is done.

Source: [www.brussellstribunal.org](http://www.brussellstribunal.org)

The address to sign the petition is: <http://diy.rootaction.org/petitions/stop-torture-accountability-yes-impunity-no>

### "We appeal to the conscience ..."

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lying, the policy of self-interest, the policy of alliance formation, the policy against UN multilateralism.

The informed citizen holds an instrument of peace in his hand. He merely has to use it by pointing out again and again that the double standard will no longer be accepted. You cannot use a double standard when measuring the policies of Syrian President *Assad* and of other dictators such as King *Hamad Al Khalifa* of Bahrain. You cannot (only just) point the finger only at those whom you consider as enemies.

The citizen may point to torture in regions where up to now such crimes have been hidden. All Gulf Arab dictatorships must be held accountable together with others. Citizens are demanding that much more attention be paid to the prevailing double standards and the obligation for ac-

countability. And this especially in those countries that have the obsession to continuously telling others how to live, but do not themselves set a moral example to practice what they preach. This is a great opportunity for the global peace movement.

*Thank you very much, Mr von Sponeck, for this interview.*

(Interview *Eva-Maria Föllmer-Müller*)

<sup>1</sup> Further information about the Kuala Lumpur War Crimes Commission can be found on <http://criminalise-war.org/>

<sup>2</sup> Renditions are extraordinary transfers of persons in the "war on terror", who were arrested on suspicion of terrorism. Here, prisoners are transported to another state without any due process of law of a state. The term "extraordinary rendition" (or short rendition) has become known by the respective program of the CIA, which began in the mid-nineties to track terror suspects abroad, to capture them and to fly them out secretly in private aircraft. The victims of such renditions cannot hope for a fair trial.



# About the mandate of state schools – Knowledge, skills and democratic values

by *Elsbeth Schaffner, primary school teacher*

Having been revised almost privately, *Curriculum 21* was handed over to the cantons by the German-Swiss Conference of Cantonal Ministers of Education (D-EDK) on 7 November of this year. Thus it has reached the level of the cantons' educational sovereignty. Now is the time for each canton to decide whether it wants to implement Curriculum 21. It is common knowledge that there are many critics from the practical, academic and economic spheres, who already pointed to the curriculum's weaknesses while it was being developed, and who were, however, very little heeded. Parliaments and citizens would be well advised to deal objectively with the contents of the review. A great deal is at stake:

Curricula implement the mandate given to state schools. Here it is a question of our children's future. Will they be able to cope with the tasks of young adulthood on a professional and a personal level? Will they take a stand for a life-affirming society on our western Christian and democratic foundations?

Clarification of these issues is certainly due. Even today we can sense some disorientation. Reforms introduced in recent years, such as "*Altersdurchmisches Lernen*" (AdL, age-mixed learning) and integrative school models, have changed the situation in our schools. New and sometimes contradictory claims keep teachers, parents and communities busy. There are currently many unresolved problem areas, which should be addressed with expertise, benevolence, and a sense of reality. Many of today's school children show conspicuous behaviour – they are either too quiet or too rough. In the classrooms, hidden and overt vi-

olence as well as bullying are increasingly observed. In addition, a lack of basic school knowledge such as reading, writing, arithmetic and those practical skills that make a person fit for life has been noticeable for some time now in spite of full lesson plans and numerous supportive measures.

A curriculum to replace the existing one is required to find answers to controversial questions and to remedy shortcomings which are being complained about.

The serviceableness of the Curriculum 21 must therefore be measured by whether it fulfils the mandate society has given to state schools, taking into account the current situation. Thanks to our federalist system of direct democracy, parents' practical experience can provide for a direct input into the substantive debate, and the risk of a central decree of unrealistic educational goals can be met appropriately. Several popular petitions demand that annual objectives and the content of individual subjects are to be re-defined clearly in the new curriculum. Due to the current risk of a dramatic deterioration of elementary school, approval of curricula by Parliament is also being demanded in an increasing number of cantons.

What mandate has society given to state schools? The central purpose is the comprehensive education of all children, so that they they will later be able to actively participate as responsible citizens in direct democracy. This kind of education is always geared for the common good. This is the purpose for which state elementary school was created, and this is still validly codified in the purpose-defining clauses of cantonal laws.

Our educational system, which was excellent not so long ago, not only created the best conditions in the area of knowledge and skills, but also laid the foundations of social connectedness. It also promoted the appreciation of beauty and the delight in all that is alive, to which well-trained teachers and shared learning processes in age-group classes have contributed notably.

The pedagogic foundations of our proven educational system continue a fine tradition. This is based on an open cooperation of all persons responsible and on the social consensus that we uphold a democratic coexistence.

However, the Curriculum 21 springs from a completely different kind of thinking. It implements the OECD model of a standardized education and to this end imports concepts such as competence orientation, which remains unclear, from school systems in other European countries. As a result, academic content is fragmented and reduced to

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## Curriculum 21 for vote to the people of the Canton of Schwyz

*rl.* In the canton of Schwyz, voters will decide on the implementation of Curriculum 21. On 16 December the People's Initiative „No to Curriculum 21“ was filed with 3,038 signatures. 2,000 signatures would have been sufficient.

The Primary School Law is to be changed on three counts. One paragraph, which allows school experiments, should be deleted, annual goals and school subjects should be explicitly stated. A new passage is to codify that voters will have a say concerning basic education issues. According to the initiative inter-cantonal agreements concerning curricula would be subject to the optional referendum. The govern-

ment would have to present basic curriculum changes to the people.

The initiators are criticising the planned great reduction of the minimum syllabus in the subjects of German and mathematics and the outright disappearance of many other subjects. As learning content is fragmented into skills and competences and annual goals are no longer stipulated, there will be a lack of structured, solid imparting of basic knowledge. Moreover, the introduction of Curriculum 21 would entail huge expenses for the re-training of teachers, for new teaching materials, assessment systems and school infrastructure.

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# "Eleven friends you must be" by Sammy Drechsel

by Reinhard Koradi



*Sammy Drechsel*, a well-known radio reporter in the 50s, succeeds in taking the reader back into these times. It is definitely more than a book for football fans. In his story about a pupils' team of a second grade at the fifth elementary school in Berlin-Wilmersdorf, the author sketches an impressive portrait of school life, of the relations between the pupils and their teachers that were not always easy as well as of the daily life in a normal family in Berlin. Sammy Drechsel's descriptions give an impression of a time when modesty, sacrifice and efficiency were part of normal life in order to overcome shortages. Thus, the young football friends combined forces in order to raise the money for their team dresses. Since his parents hadn't got money, *Heini* worked as a ball-boy on the tennis ground, during the school holidays earning the money for new football shoes. A number of his team-mates joined him in order to pool together the lack of funds for gauntlets, pants and jersey for all team members. Remarkably, in the end, one of the teachers supplied the missing money out of his own pocket.

Also one of the game scenes stays in our memory: "In a decisive game,

Heini, the centre forward of the Wilmersdorf pupils' team, scored the first goal. A player of the opposing team protested because Heini had used his hand to score the goal which the referee had already accepted. The referee asked: 'Who scored the goal?' Hesitatingly, Heini raised his hand. 'How did you score the goal? With your head or...?' 21 players waited anxiously for the answer. Heini was fiddling with the elastic band of his pants. For a moment, his eyes rested on the ball. Then he pulled himself together, took the ball under his arm, walked to the opponents' goal and put it down where it had jumped at him. Then he returned to the referee and said with a tearful voice: 'Free kick for the others!'" A congenial plea for fair sports.

The presumption created by the superiority of their team and the loss of concentration caused by it is vividly recounted, just like the defeats which they suffered due to having underrated their opponents. This caused discord in the team and the chances to win the Berlin school championship were falling rapidly.

But the players stopped themselves, realizing that quarrelling within the team were a danger for success. When their teacher pointed out to them the inscrip-



*Sammy Drechsel. Elf Freunde müßt ihr sein ...*, Thienemann Verlag Stuttgart.  
ISBN 978-3-522-10170-7

tion on the prize cup engraved on the German Men's Football Championship: "Eleven friends you must be for success

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## "About the mandate of state schools..."

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digitalisable learning objectives (operationalized). Classroom instruction in which the teacher works on the annual targets appropriate to the students' age with all the children in his or her class would thus be a thing of the past. The paradigm of heterogeneity (diversity) is used to declare the class community of peers to be an obstacle to personal development. On the grounds that no child should be over- or unchallenged, an individual learning program suitable to his or her stage of development is to be created for each of them. Students have to learn on their own, which is called self-organized learning – often in so-called learning environments that are set up as open-plan offices. The teachers are called "coaches" or "classroom managers" and have to provide didactic material and give their students advice about learning tasks from time to time. Instead of from a class teacher, children may then get information or help from the computer or from their colleagues. This type of individualisation leads to a gross lack of relatedness, and so to dis-

couragement, self-centredness and isolation. In this way, many children would be deprived of their chances in life, because they would lose the joy of learning or never get to know it at all. Therefore, practitioners and scientists are already warning of an increasing Americanisation of education.

Many teachers understand the importance of a solid class community for the individual child. Under their teacher's benevolent guidance, students grapple with learning content together, and at the same time they learn to respond to each other like-for-like. This is an unparalleled practice situation for their subsequent democratic coexistence.

Needless to say, teacher training must fulfill the mandate given to state schools by the people from a subject-specific as well as from a pedagogical view. Nothing less than the communication and impartation of our common cultural basis lies in the hands of our teachers. In our multifaceted country this notably includes the respect for and interest in anything or anyone foreign or unfamiliar. To enable our children to connect to our culture this way, teachers urgently need again more structured teaching material with a more valuable content.

The careful design of good teaching materials must not be left neither to theoreticians out of touch with the real world nor to commercially-driven "educational" corporations. Good teaching material is shaped by the expertise of the authors and the awareness of how important the content is for the common good. Teaching must be adapted to the age and the comprehensive faculties of students. The kind of internet-based, independent, self-organised learning by making use of the laptop ("google-learning"), which is being propagated today, will not meet such demands.

Many half-baked reform projects have turned our state school into an endless construction site, the architects of which want to keep their plans and themselves concealed. The opposition against Curriculum 21 now forces them to face the democratic debate. To hold this debate objectively and realistically means to seek agreement in open dialogue with other citizens on what achievement we expect of our elementary education. If anyone wants to suppress this objective debate, they will have to face questions about their conception of democracy.



# “Die Leuenhofer” – a heartwarming children’s book by the Zurich author Ida Bindschedler

by Dr iur Marianne Wüthrich

The “Leuenhof” in Ida Bindschedler’s novel for young people is a former monastery outside the town of Heimstetten. It hosts the classroom of Mr Schwarzbeck who endows his 37 fifth- and sixth-graders with the necessary qualifications for their further lives: a solid foundation of scholastic knowledge and skills, a deeply human education of the mind and a moral guide for the tasks they already face during adolescence. The children’s joint tackling of tasks in a stable relationship of trust with their teacher enables them to grow into the community of their class and their village as fellow human beings and later responsible citizens.

One year at the school in Leuenhof is the content of this sensitive and touching novel for young people, narrating a year with its changing seasons, with its pleasures at school and during leisure activities, but also with many touchstones which life bears and which the young people master with their teacher’s and their parents’ help. If you know the novel “Die Turnachkinder”, you might remember that humor gets its fair share in Ida Bindschedler’s books.

It is a wonderful book not only for a class reading or for being read out to young people, but also an educational treasure for parents and educators to recover.

By the way: The ‘68 generation and their successors – who lined up against “poisonous pedagogy” and the “accumulation of knowledge through the funnel” and, based on this questionable foundation, brought our youth their unspeakable school reforms – are proved to be wrong by this booklet which is almost 100 years old. This does of course not mean that our schools should be restored to the conditions of that time since many features have evolved in a positive way.

## Lessons and mastering life

For the children at the turn of the 19<sup>th</sup> to the 20<sup>th</sup> century confrontation with serious prob-

lems was a more natural part of their lives than it is for the majority of today’s young people who grow up with an unrealistic idea of the world and then are often caught unprepared by the harsh wind of reality later in life. So the chapter “Floods” describes the dangers that the day-long rains brings to the village: the inhabitants fear that the Illig river could break through the dam, swamp entire neighborhoods and wash away the bridge. Teacher Schwarzbeck refers quite naturally to what is bothering the whole village and integrates it in his lessons:

“At school the children from the lower town recounted that people from the Riedau began to move out and that the water had already flooded the basement of shoemaker Burnlich’s house.

Since Mr Schwarzbeck noticed that all the thoughts of his boys and girls were with the rising water only, he got hold on them and included them in his plan. He spoke to pupils of the strong summer rains and about the Illig and where it came from and where it went and what damage it had previously done. The children were allowed to say what they knew and then they wrote an essay about the discussion.” (p. 24)

In the afternoon, the teacher realized that his pupils have not yet understood the gravity of the situation. They find it funny that a classmate could row in a washtub in the flooded basement of his grandmother’s house.

“But then Mr Schwarzbeck persuaded the children to understand the seriousness and the horror of a real flood. He told them about the brave Johanna Sebus who saved her mother out of the water and once again waded through the roaring, terrible water to save the neighbors with their three young children. And then Mr Schwarzbeck opened his book and read the poem in which Goethe described this feat. [...] How scary that sounded:

‘The dam breaks down, the ice-plain growls, the floods arise, the water howls.’

And then Johanna’s mother asks full of anxiety: ‘Wilt venture, thou rash one, the billows to brave?’



And Johanna firmly responds: ‘They shall, and they must be preserved from the wave!’

But how terribly the ballad by Goethe continued. [Johanna Sebus could not save the family and drowned with them.]

That was sad and glorious at the same time; one would like to be so courageous, so heroic!”

An impressive example of how a teacher supports his class in their compassion and their concern – he does not need to arouse their concern, since much concern already exists! – and thus contributes to strengthen their minds.

In the following art lesson the pupils asked eagerly whether they could not draw Johanna Sebus and the drowned family’s home. Again the teacher shows them how to do it – not to make great designs, but to go into the reality of their everyday life: “‘Wouldn’t it be a pity for the beautiful poem and the great deed if you tried with your small art?’, Mr Schwarzbeck replied. ‘Try to draw the bridge of

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## “Eleven friends you must be” ...”

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and victory”, the players recollected themselves, united again and success returned.

At that time it was often the case that neither parents nor teachers were friends of football. The returning playing capability takes the team into the final round and they also gain many sympathies for the school team. Even the rector, hith-

erto not a friend of the school team, developed an interest in the school championship and the success of “his team”. Supported by their optimistic trainer who also passed some responsibility on to the players and by the maths teacher Peters, the team unexpectedly won the title. At the end of the victory celebration, team captain Heini heartily thanked their faithful companions, sports teacher and trainer Bernburg and math teacher Peters. Peters

was very happy for this and asked Heini if he could read the secret of his success once again.

And Heini read with a clear voice: “Eleven friends you must be for success and victory”.

The book “Eleven friends you must be” has delighted me when I was a boy of 13 years. I read it several times and when I was a grandfather I gave it to one of my grandsons as a present. •



### “Die Leuenhofer” – a heartwarming...

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*Ferlikon. You all know the bridge of Ferlikon? – Now you put some carts on it.’ – ‘Yes, and below the water’, the boys and girls shouted. ‘Or how the water floods the bridge! The blue pencil for the water. No, of course greyish brown!’ Full of enthusiasm the pupils began the depiction of the weighted bridge of Ferlikon. [...] Mr Schwarzbeck went along the rows and helped here and there. But he liked most of the sheets. The children almost felt sorry when the clock struck four.” (p. 25–26)*

#### The pupils’ share of responsibility for their learning together

We can hardly imagine the following situation in many of today’s primary school classes: Teacher Schwarzbeck has to leave the classroom for an educational matter and will not be back before ten o’clock. He urges the two classes to remain calm and to continue with their math tasks. In each class one of the pupils is the “warden of the week” and keeps order. In year six the pupils calculate quietly. When some fifth-graders disturb the peace for a longer time, the elder warden assists his younger colleague, so that everyone can work in peace.

The visit of a young man who wants to wait for Mr Schwarzbeck’s return causes new trouble. The children think he is a substitute teacher, and the more mature sixth-graders try to introduce him to the course of their math lessons. Being left without any guidance, the pupils in year five start some fuss. The visitor does not intervene, so that some of the elder pupils rush to his

aid because they feel responsible for what happens in the classroom. The children remain polite and decent, although the supposed teacher does not take the lead, but takes the matter rather easy and merrily:

“‘You have to give them a task’, Ernst Hutter said, when the unknown teacher came round to his place. He had wondered whether he was allowed to speak like that. But the noise would start again, when the fifth-graders had nothing to do. ‘With Mr Schwarzbeck they sometimes have to do calligraphy while we are calculating.’ ‘Calligraphy? Well, then write neatly!’ the foreign teacher casually said to year five.

Martin Imbach took the notebooks out of the cabinet, and the children rapidly sallied forth to take their pen. Actually, they were accustomed to working and accepted that they were not allowed to spend a nice long morning hour making nonsense.” (p. 60)

On Mr Schwarzbeck’s return they realize that the visitor is not a teacher at all, but a former pupil, who was a real rascal then, not caring much about arithmetics and writing, but having experienced the love of music with Mr Schwarzbeck. He has come around, because in the neighboring town he played the solo violin in a concert.

“‘Do you still have your old violin, Mr Schwarzbeck? Do you remember how happy I was when you showed me the first fingerings?’ – Mr Schwarzbeck took his violin out of the cabinet: ‘Indeed, I still know it.’ Then a thought struck him: ‘What, if you played something to us, Hans – ?’ [...] Mr Mössner took the violin and tuned the strings. Then he began to play. [...]’

*How on earth could someone play like that! With a few broad strokes across the strings, ringing full of jubilation, the young gentleman concluded. The children took a deep breath and looked at him numbly and reverently. He now seemed completely different to them, and they did not understand how they could have been so cheeky before.*

Mr Schwarzbeck, however, who had been listening in the corner by the window, grabbed the young man’s both hands: ‘That was beautiful!’ he said, and his voice was moved, ‘Wonderful! What kind of tones have you elicited from my poor violin!’

‘Children’, he addressed his pupils, ‘you will not yet really understand that; but you have listened to an artist. [...] Later on, when someone mentions his name, you can be proud that he has played to you here in our old school-room.’

‘And above all, that he taught you the rule of three and calligraphy’ – the young musician added – again winking merrily at the children.

‘Yes, you cannot do everything with the same skill’, Mr Schwarzbeck answered, laughingly. ‘The one using the bow in such a masterful way is forgiven a wrongly applied rule of three and a slightly imperfect capital T – but only that one, you know,’ he addressed his boys and girls. ‘For the moment, such a thing is not allowed to you.’” (p. 63–64)

#### Delight in small things and satisfaction

When reading the book “Die Leuenhofer” we are reminded that children in earlier times grew up much more modestly and without making less demands than today and nevertheless – or because of that! – they were much more satisfied and were able to feel real joy in the simple pleasures of life.

With the Leuenhof children there is no boredom: With great interest they breed silkworms, ensure their food and under Mr Schwarzbeck’s guidance and with his information they experience, how the caterpillars pupate and finally become butterflies. (p. 66–67) They extensively enjoy their school trip from the beginning – none of them is late, they all arrive at the station much too early. On their hike they enjoy nature, for example, as they pass a waterfall: “It was magnificent to watch the white foam in his fall until it dissolved below. Then a new one came and another one, incessantly; like wild white veils which became denser and dissolved again. Unconceivable to think that it continues falling like that throughout the day and the night and for years and years, never-end-



Ida Bindschedler (1854–1919)

For some generations the Zurich Youth writer Ida Bindschedler has been known as the author of the “Turnachkinder”. She lived from 1854 to 1919, was a primary school teacher in the Canton of Zurich and in ripper years, she wrote the two

books, “Die Turnachkinder im Sommer” and “Die Turnachkinder im Winter”, in which she relates her childhood experiences in Zurich. While the “Turnachkinder” are reprinted again and again up to this day, the author’s third youth book “Die Leuenhofer”, which was published in 1919 – being the year she died – got unfortunately forgotten. Especially with this work Ida Bindschedler proves what an excellent teacher she had been – like probably many other teachers of that time.

The Hamburg Publisher tredition GmbH recently made thousands of out-of-print books available again. The original works were scanned and digitized, but also published in book form. When scanning errors occur in spelling, which were not completely eliminated in the “Leuenhofers”, but here and there still to be found – a good opportunity to track them down together with the young readers and to connect reading with language training.

Ida Bindschedler: *Die Leuenhofer*, Publisher Tredition Classics, ISBN-10: 3-8424-0357-7

### “Die Leuenhofer” – a heartwarming...

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*ing! – But then one of them tried to get as close as possible to the beautiful miracle of nature over the stone blocks of the riverbed and breathed in the fine drizzle, sparkling in all the colors of the rainbow, and – whoosh! how funny was it to let their faces being splattered by the foam, again and again until they were dripping wet.”* (p. 82–83)

The children enjoy the plants and the animals in the forest, they rejoice about the broad view from the lookout tower. In the castle ruins they play knights and dames, then they are delighted at the bacon and plum cakes which are served to them in the inn as an afternoon snack (p. 82–85). For the Leuenhof children it is a special festival, when in autumn they are invited by their classmates Eva and Martin for the pear harvest. There they help to pick the cider pears from the ground and carry them to the cart and then they are allowed to fill their backpacks and little baskets with pears. (p. 106–107)

Of course, we now live in a different time and we cannot turn the clock back. But it does no harm to remind ourselves now and then of a time when branded clothes and video games were not an issue, but when a basket full of Züri-Tirggel (honey cake with stamped-in images) caused a cheer.

And the teacher shares the children’s joy, for example, when it is snowing for the first time in the year: *“And then there was already the first snow in the middle of December, just as is right and proper for a Heimstett winter. Mr Schwarzbeck was just about telling the story of Berchtold of Zähringen, the founder of cities, while year six was taking notes. Then a murmur went through the rows. ‘It is snowing! It is snowing!’ one heard them whispering. [...] Everyone turned his head towards the window. Actually, it was snowing. The white light flakes slowly floated down. The Leuenhof children pressed their clenched hands to their chest; that meant: How nice! How nice! And they looked at Mr Schwarzbeck whether they were allowed to look out, or even to stretch up a little bit, for those who were sitting a bit away from the window. At first, Mr Schwarzbeck shook his head: ‘It will certainly snow during break, too!’ But then he smiled, remembering how he also had got wild with pleasure as a boy when the first snow was falling. ‘Well, just look out for three minutes’, he said, and he also looked at the flakes, how they were falling now even more densely, and had his little people cheering their Ahs! and Ohs!. But then they bravely took up again their Duke Berchtold and the outline of Europe.”* (p. 161)

### Value-based education

Particularly impressive are the many events in the children’s lives that Ida Bind-schedler takes as an occasion to show how a teacher can give his pupils guidance and support for humane and considerate solutions. Whether it comes to situations with peers or with other people – the children ask Mr Schwarzbeck for advice, or he takes on his own position. Due to the close relationship of trust between teacher and pupils, he is able to address the many positive approaches in the personalities of the young people and strengthen them. The children pick up his suggestions and they jointly master their caring tasks in life by having wonderful talks during the breaks or after class. Those pupils who are most mature and whose character is already amazingly consolidated set the tone among the Leuenhof children. After some discussion the other children join in. In this way a community with shared values develops that will leave formative traces in the mind of each child for his entire life.

In the chapter “The new child” Mr Schwarzbeck teaches his pupils how to integrate and introduce a parentless and nowhere domiciled child from a circus into their community. The teacher leads the way in his welcome: When Nuschka reacts defensively to his outstretched hand, he kindly says, *“Well, yes, the child must get accustomed and find her way [...] She has already experienced much sadness. But we will see to us becoming good friends”* (p. 148). Then he makes her sit next to his “most sensible fifth-grader”. During break, the teacher calls some of the sixth-graders and tells them that they should accept Nuschka and be friendly to her. But Nuschka puts her classmates’ patience to the test: She looks at them angrily and makes faces when they try to start a conversation with her in a friendly way. Reacting to an invitation for playing along during break she says: *“No, that’s a silly game.”* The teacher does not react to his pupils’ complaints about how difficult it is to be nice with Nuschka: *“Just do not lose good will and patience; do not subside right away”*, he warns. (p. 152)

Nuschka is far behind the other fifth-graders in arithmetic and language because she never attended school continuously in one place. The children are astonished at her faulty orthography and her level in arithmetic: *“Still not knowing the multiplication tables at the age of eleven!”* (Small side note: What the eleven-year-olds could learn 100 years ago – and apparently all! – would be possible for each individual child today if it could attend properly structured lessons.)

During break, a couple of boys make fun of Nuschka’s poor school knowledge, who in turn scratches and bites the mock-

ers. The teacher intervenes and gives the compass for both sides, *“Mr Schwarzbeck was quite angry when he heard what had happened. He scolded the boys and girls: ‘It’s not nice to stand all against one and to make fun of her. If Nuschka had gone to school regularly for as many years as you did, she could probably count and write like you!’ Then he also went over to Nuschka and told her that she would never again be allowed to scratch and bite. An eleven year old girl! That was not a custom nowhere in the world, neither in Vienna, nor in Prague, Budapest or Timisoara!”* (p. 154)

But he also trusts the child that she could catch up under proper guidance and with good will, and he gives his view to the president of the school board – the vicar, *“I’ll help her to catch up”, said Mr Schwarzbeck to the vicar while the two men were walking up and down counseling in front of the rectory. ‘I could help her with some extra lessons, when she has become accustomed here at Leuenhof and when she is up for learning and school.’”* (p. 155) But Nuschka remains defensive and unwilling for several weeks. Until one day when the children discover her walking a tightrope and juggling, and they then fetch the teacher. Everyone is very impressed by the high level of her tricks, they clap and shout *“Bravo!”* And the teacher encourages this new positive impression.

*“Yes, you really may applaud your mate”, said Mr Schwarzbeck. ‘What difficult things she has accomplished! And now I do not fear any more that Nuschka is going to be a very brave fifth-grader. What perseverance, what eagerness she has applied to learn all that. The balls and the knife fell to the ground a hundred times, and a hundred times she had to start from the beginning. And the steps on the rope! What amount of courage this requires! How much you must brace yourself! Clench your teeth and think I will and I will! The most difficult task in arithmetic is just a walkover compared to that. And yet I know people who say right away, Mr Schwarzbeck, I don’t understand! Mr Schwarzbeck, I don’t know how to do that!’”* (p. 159) Nuschka then looks quite happy, and as the teacher outstretches his hand and says, *“Well, let’s try it together, Nuschka. Will you?”*, she gladly accepts.

*“From that day on Nuschka was a different child; not that her letters stood by like soldiers and for quite a while she did not know the multiplication tables as steadily as she could juggle the colourful balls. But Nuschka showed her goodwill.”* (p. 160)

The teacher’s and the school authorities’ attitude that it is their job – and that it

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### “Die Leuenhofer” – a heartwarming...

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is also possible – to take along every child, has to be written into the family register of some of today’s so called “educational experts”: to leave our youth to their own devices and to their “competences” and then grade them into a 20:80-society – that cannot be true!

Another example of how the teacher can introduce his pupils to their fellow human beings is their encounter with the elderly residents of the hospital (today it would be a retirement home). Mr Schwarzbeck gets to know that some children laugh at the old people. He reprimands them and asks them to bring flowers and make friends with the elderly people. The teacher is happy about every step in this direction and teaches the girls to continue. And really, after initial difficulties friendship develops gradually between the children and the residents. During their visits in the hospital the girls help to cast on the stitches in the needlework, read out stories and tell poems. Some of the residents, who have difficulties in writing, get help from the children who write letters for them. The boys only show interest when they get to know that one of the residents can tell about his experiences with Indians and buffaloes. When the Leuenhof children hear that the hospital residents will indeed get a good dinner for St. Catherine’s Day, but that another festivity programme is missing, they organize a programme entirely of their own accord: From round dance to choral singing and a theatre performance. The teacher takes much pleasure in the work of his pupils: “Mr Schwarzbeck promised to come and set the tone and the beat quite unremarkably. ‘Would you rather like us to tell them how we do everything, or would you prefer a surprise?’ ‘A surprise, of course!’ said Mr Schwarzenbeck amused. ‘I wonder what your performance is going to be like!’”

But also the board of education, some parents and other villagers appear, and – to the particular pride of the fifth- and sixth-graders – a number of high-school pupils, first acting condescendingly, but in the end showing their recognition: “You have done well. We have to admit.”

After the successful performance, which all people appreciate, the children catch a scent of the roasted goose and say goodbye: “‘Alright then: good night!’ This way they said goodbye to the elderly. ‘Good night! Enjoy your meal!’ They raised their little noses: ‘It smells so good!’”

*At home there might be only some gruel or some semolina pudding. Which tasted good as well. Especially good that day. It had been nice! Everything had turned out well; and the fame! And the hospital people, they were so delighted!’” (p. 141)*

### How do I become a citizen?

During advent season the teacher tells the Christmas story to the class and says: “At Christmas people should remember anew to follow God’s will and to bring joy and peace wherever and however they can, everybody wherever and however he can.” (p. 168)

On their way home some girls pick up that thought and talk about how they could help Anneli, one of their classmates. Anneli’s father had died during spring and the mother had to take on a job as a chef in Münsterau. Now the three children live with their grandmother in Heimstetten; never have seen their mother since. (Despite Münsterau being fairly close, in these days people could not go home just for the weekend: On the one hand they had to work at the weekends, on the other hand most of them could not afford the travel expenses.) Anneli is very homesick for her mother. One classmate: “‘Every time I want to look forward to Christmas, Anneli’s situation comes to mind.’” (p. 169)

While they are discussing what to do, one of the boys shouts:

“‘One should submit a mass-petition’, [...] ‘A- what?’ The girls turned around. ‘A mass-petition’, Walter Kienast repeated. ‘That is used to advance something. You collect lots of signatures and then the government gives in.’”

‘The government – !’, said the girls and laughed. ‘Or Mrs Breitenstein [the employer of Anneli’s mother]. Just try it!’ ‘Yes, yes, we’ll try it!’ the girls shouted enthusiastically. ‘We’ll send a mass-pe – What is the name, Walter? How do you do it? Signatures – that is when you write down your name. On what, Walter?’ they were all shouting at the same time. ‘It has to be a letter in which everything about Anneli Hertig is written down and why it is necessary for her mother to come home. The letter has to be lengthy, so that Mrs Breitenstein will realize that it is a serious matter for you – .’” (p. 169–170)

To have as many signatures as possible on the petition, the girls call for the boys to participate. The boys agree.

To organize the petition the children elect a committee with two boys and two girls from each class, that holds a first meeting this very evening and decides to prepare the letter jointly the next even-

ing. One of the good pupils is nominated as the writer, the schoolgirl with the most beautiful handwriting ought to do the fair copy. The matter is top secret. “Only Mr Schwarzbeck was told about it. ‘Well’, he smiled and did not say much more. He gladly let his boys and girls act freely, when he saw they knew how to help themselves. In the evening though they would have been glad to have Mr Schwarzbeck with them. ‘The beginning – if we only knew the beginning’, the eight sighed and nibbled on their fingers, whilst the writer sharpened his already sharp pencil for the third time.” (p. 171)

Despite long discussions on the content of the letter, the draft of the letter is finished on the same evening. Already on the following evening Hedwig comes to the committee meeting with the beautifully decorated fair copy and at the door all other Leuenhof children are waiting patiently until it is their turn to sign the letter under strict supervision of the committee.

Here, too, today’s teenagers could learn many things: There was no indecision. Every evening they were working on the matter until it was finished.

The letter is successful and the Leuenhof children receive a sincere reply from the innkeeper, where Anneli’s mother is employed. Among other things it says: “‘Dear boys and girls! – I don’t have much time to write. But I have to tell you that your letter gave me great pleasure. It is nice that you thought of Anneli and that you want her to be happy on Christmas Eve, too. So I’ll send you Mrs Hertig. It appeals to me to come with her and visit you at your Leuenhof.’”

On Christmas Eve a welcoming committee picks up Anneli’s mother at the station and the whole class is delighted at Anneli’s great joy: “The children parted, towards their own Christmas delight; it had almost disappeared behind Anneli’s pleasure for a while.” (p. 184)

One hundred years ago, Swiss children became citizens, who as adults would be willing and able to take their responsibility in the family, the profession, the community and the state.

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Today we can withdraw from this rich treasure that Ida Bindschedler, together with many other authors and pedagogues from older generations, has left behind.

Let us use this beautiful work as a guide to introduce our youth into life. •

(Quotations translated by Current Concerns)



# Syrian families seeking refuge – Hiding is not a game

by Isabel Rutschmann (text), Anton Toshkov (photos)

*An estimated three million people have fled Syria since the war began. After a risky journey in secret they are waiting to return once again to their normal lives. In Bulgaria, the Swiss Red Cross (SRC) is helping to ensure food and accommodation for refugee families.*

"I am hiding now, will you look for me?" The four-year old *Haya*, a small whirlwind, casts a pleading look at her big sister *Sara* (12) and tugs at her sleeve until she nods with a sigh. Sara covers her eyes and slowly counts to ten. Haya has not many opportunities to hide. The only room she currently lives in with her family on the outskirts of Sofia is sparsely furnished and quickly manageable. There are only three bunk beds, a wardrobe and a table with a few kitchen utensils. The little one quickly pulls a blanket in front of one bunk bed and her dark curly hair disappears behind the improvised hideout. "... Eight, nine,

## Family on the run

Carefree moments like this were inconceivable for the sisters in the past few months. Hiding out was no game but the bitter struggle for survival. The five-member family of Sara and Haya is on the run. On the run from bombs, fighting, rape. In order to escape the civil war in their homeland Syria. When the danger became too great to stay in their house near Aleppo the family parted to escape the war leaving behind all their belongings. Their goal: Europe. Father *Zacharia* (34) and mother *Budur* (32) thought there would be a better life, security, work, training for the two daughters and the son *Mustafa* (10), in short, a better future for the family. At a high price muggers took the family through Turkey to the Bulgarian border, the nearest entrance to the EU accessible from Syria by land. The father, mother and three children covered the last stretch to the border walking through a forest until they reached Bulgaria in October after a long, arduous odyssey. Just like more than 12,000 Syrians since the outbreak of the civil war.

"I want to work and my children shall go to school."

## Wait and hope

Hence, the hope for a better life in Europe soon became an illusion. Bulgaria, being one of the poorest countries in the EU is totally flooded by the sudden influx of refugees. There is a lack of accommodation, food and medical treatment. "We do not speak the language, there is no work, we feel being left alone," Zacharia says. In an old school building on the outskirts of the capital, Sofia which was quickly converted into a refugee camp, the family was assigned one room. Here they have lived now for several months five to a



*When playing hide and seek, Haya forgets what she went through during the war and seeking refuge. (picture Anton Toshkov)*

## 2 x Christmas

Needy people in Switzerland and Eastern Europe receive one half of the goods of the campaign "2 x Christmas". The other half goes to the Syrian refugees in Bulgaria. From 24 December 2014 to 10 January 2015 you can post your goods package labelled 2 x Christmas for free at any post office. Or you donate a virtual package via website. With this money, the Swiss Red Cross SRC can buy particularly necessary items. Next to the SRC 2 x Christmas is made possible by the Swiss Post and the SRG (Swiss Radio Company). The goods distribution is supported by Allianz Suisse. The SRC is grateful to the insurance company for the long-term partnership. Severin Moser, CEO of Allianz Suisse, "It is a matter of heart for me and my staff to support the SRC. With the campaign 2 x Christmas we breathe life into this commitment through active participation, because here we provide concrete help to people in need."

*For virtual packages: 2xweihnachten.ch*

ten, where are you?" Sara calls while she pretends to look for her sister in the closet. Haya giggles happily and peeks from behind the blanket. "I saw you," Sara plays along with the game giving her little sister a moment of carefree childhood.

room. With a hundred other refugees they share a toilet and a cooking stove on the same floor, they have no privacy and no more money to move on to a country that offers more prospects for the future. The children cannot attend school, because they do not understand anything in class. On the spot there are no integration programmes or language courses. "I do not want to stay here. I want to work in order to support my family. My children shall have access to education", the father says.

## The Red Cross in Bulgaria

In the near future, the desire for work and education is likely not to be fulfilled for the refugees in Bulgaria. Too big are chaos and problems that the country has already had without the immigrants. But at least no one should go hungry or have to be sick. The SRC supports the Bulgarian Red Cross emergency relief locally with

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**"Syrian families on the run ..."**

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an amount of 200,000 francs and with the amount of 100,000 francs from payments for virtual packages of the action *2 x Christmas*. With this, mostly food and medicine are financed as well as the essential household items, school supplies or toys. Each camp resident may obtain three warm food rations daily per family member.

In the camp-internal medicine practice each person may be treated without cost and can get the appropriate medication. "I am eternally grateful that we at least do not have to go hungry in our hopeless situation and that medical care is guaranteed", the mother says softly, squeezing the small Haya tightly. Haya sees that her mother fights her tears and tries to comfort her. "You must not be sad, Mom. Will you help play hide and seek?"

Source: Magazine Humanité, No. 4/2014;

Redcross.ch/syrische-fluechtlinge

F: redcross.ch/refugies-syriens

I: redcross.ch/rifugiati-siriani

(Translation *Current Concerns*)

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For father Zacharia, Mustafa, Sara, mother Budur and Haya (front) there is only the hope for a new beginning. (picture Anton Toshkov)



Refugees have no income and certainly no health insurance: The Red Cross therefore provides for the sick and injured in the camp. (picture Anton Toshkov)

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