

Current Concerns

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

English Edition of *Zeit-Fragen*

France — Revolt of the common people

jpv. Since mid-November there has been a lot of talk about the “yellow vests” (“*gilets jaunes*”) in France and the surrounding countries. The term is derived from the yellow warning vests, which must be carried in every car, and which the protesters wear as identification marks.

The demonstrations, initially organized nationwide via social media, began as a protest against additional fuel levies planned by President Emmanuel Macron to finance and implement the energy turnaround in France; prices had already risen by 18% in the course of the year. This was the drop that broke the camel's back.

For several weeks now, and still today, people, many of whom have never voted or demonstrated, have been gathering at countless roundabouts throughout France to draw attention to their situation. The

“*Ronds-Points*” have become the heart of a French revolt of the common people from the rural regions, mostly from the lower middle class, who is not represented by any party, feels marginalized by the globalized economy and despised by the Parisian elites.

On the first weekends – before violent attacks by organised groups of thugs took over – they also travelled to Paris to express their “*Raz-de-bol*” to the government and especially to the president.

Historically, the *Ronds-Points* are no accidental arena. They are an expression of an urban sprawl that has been going on since the 1960s, with disastrous ecological and social consequences that the current malaise has helped to cause. The old village, the industrial estate, the social housing estate, the owner-occupied housing estate, all this

is scattered and far apart – and somewhere in between the *Rond-Point*. The metropolises in which the winners of globalisation are thinking about ecology and the future of transport are often more than a hundred kilometers away. There is also little left of rural agriculture. The local farmers have largely disappeared, as have the grocery stores and craftsmen, post offices and railway stations, bakeries and cafés. Without a car, neither the workplace nor the shopping facilities nor the doctor can be reached. New are the industrial agriculture, the single-family house in the countryside, the “*Hypermarché*” (giant supermarket), which all result in a large land consumption.

The following two articles deal with the future of the yellow vests and the need for re-industrialisation in France.

Yellow Vests: Future scenario

by Myret Zaki, editor-in-chief of the business magazine “*Bilan*” of French-speaking Switzerland



Myret Zaki
(picture wikipedia)

After the violent clashes of the last weekends, Emmanuel Macron's announcements and the shooting in Strasbourg – what does the future of the Yellow Vest movement look like in the medium and long term? What are the political and economic options?

Who is currently the enemy of the French: Emmanuel Macron or Cherif Chekatt? Macron's concessions, Strasbourg assassination? Will these events weaken the yellow vest movement? Many of us suspect that the Yellow Vest movement is in danger of scattering. Women, the elderly, peaceful demonstrators – after the sometimes very harsh violence suffered by some demonstrators and made visible by social networks – will be little inclined to jeopardise their physical integrity in the face of increasingly harsh, armoured and well-equipped security forces. Then, as the Christmas holidays approach, fathers and mothers will hesitate to let their children travel to Paris to demonstrate.

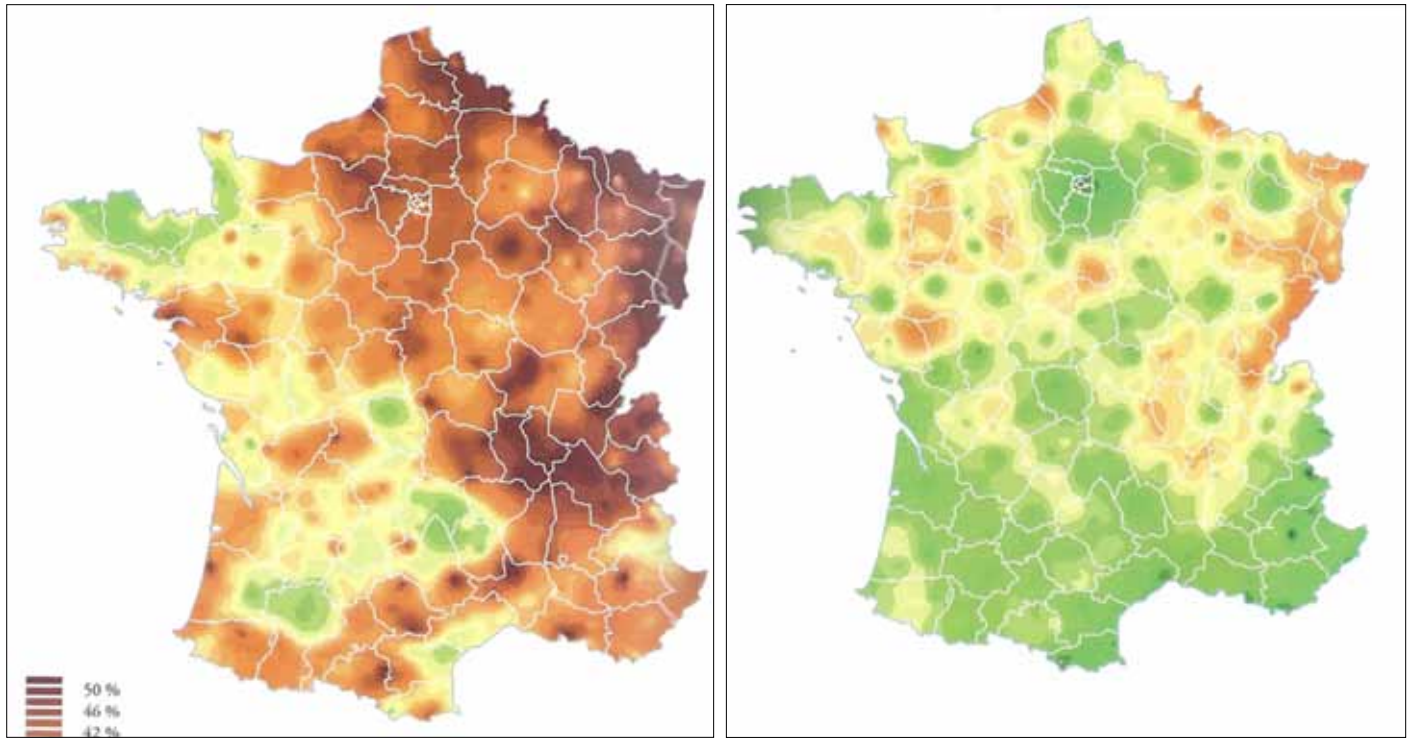
The expectations of most motivated, young, less anxious people, dedicated to opposition and activism, go far beyond the president's concessions, which they call “*peanuts*”. But they too will hesitate to escalate the conflict – for lack of resources and in view of the mass arrests that took place before the 4th weekend on December 8th. The demonstrators from the regions, who are still prepared to occupy passages and roundabouts, also remain, because President Macron has by no means “found the way back into their hearts”, as his press spokesman had hoped. But even these demonstrators know that their activities, already demanding a lot from them, will only be met with repression, since the government has already agreed to everything it was prepared to accept. A more coordinated mobilization to paralyse the country's economy is currently highly unlikely, as it would cost its initiators – at a time when the general movement is weakening – too much in economic and human terms. Effective joint action can only take place in a concerted lightning fast action, otherwise it will become too expensive in the long run.

The movement will undoubtedly continue to remain vivid in the social networks, as a permanent opposition. In this respect, *Facebook* is an opponent of the

Elysée. The real sanction against Macron will take place at the ballot box: For the European elections in May 2019, *Marine Le Pen* leads the polls with 24% of the votes, ahead of *LREM/Modem* [centre-right] with 18%. But the real counter-reaction will be felt when the invoice for Macron's announced measures is delivered to the French lower and middle classes, since Macron has not recognized the “social” nature of the difficulties and the necessary rebalancing and he has not prepared reserves at the expense of the richest for this account. This 10 billion Euro account will therefore inevitably reappear in the form of savings in social benefits and the purchasing power of the workers. It will soon be clear to the public that what was given with one hand will be taken away by the other under the pretext of the 3% Maastricht deficit rule. Then the anti-EU mood in France will reach its peak, transforming itself into an Italian-style scenario that could well lead to a victory for the “*Rassemblement national*” (party of *Marine Le Pen*).

In reality *Marine Le Pen* is by no means inevitable. At the moment she seems to be the only one who can benefit at the ballot box from the yellow vest movement, but

continued on page 2



The industry of France in 1968 (map left) and 2008 (map right) – part of the active population in secondary branch (Industry and building trade) (maps ma)

“Yellow vests: Future scenario”
continued from page 1

that’s for lack of better things. Because it is said everywhere (whether by supporters or opponents of the Yellow Vests) that one has little idea who could take over the presidency after Macron. There would therefore be no valid substitute because the demands of the Yellow Vests were so different. “They have no programme”, they say.

That is completely wrong. The “programme” of the Yellow Vests is clear, the message is precise: the French want to possess purchasing power. In which language should this be expressed? A candidate would have every chance who would say today that he wants to support small and medium-sized French workers, giving them back their purchasing power and quality of life, protecting them from excessive immigration and

social and economic dumping and that he is willing to save wherever there is waste (excessive state centralism, military spending abroad). But would the electoral process allow this? This depends on the extent to which France has transformed itself into an oligarchic-plutocratic system. In 2008, the US republican political scientist *Francis Fukuyama* showed that the USA had transformed themselves into such a system.

This trend also awaits the old Western democracies: the inequality of riches is at its highest level since the beginning of the last century. And since the 1980s, public assets have been massively transferred into the private sphere, mainly through privatizations. States are becoming poorer and they have no longer sufficient resources to protect citizens at the lower end of the scale. While France’s national wealth has increased considerably, public wealth

has fallen sharply and is reflected in a record debt [2018: 2,300 billion euros, editor’s note]. In concrete terms a plutocratic system means that the financial elite governs the country and that the preferences of the richest – whether in domestic or foreign policy or with regard to an elected presidential candidate – clearly predominate. In this system, political decisions are indeed a question of financial and personnel support. In France, would a candidate – who, unlike Emmanuel Macron, does not receive 14 million euros from investors and bankers and could therefore benefit from little personal and financial support from the richest – also have a chance today?

• Source: <https://www.bilan.ch/opinions/myret-zaki/cette-fois-le-krach-est-social?fbclid=IwAR31WgbhKA3vRo2dRQjSLLoL564xlq6lqHm637RjOYcVjAz0Yh14NeBpyCgo> from 19.12.2018
(Translation: *Current Concerns*)

Urgent search for an industrial policy!

by Jacques Myard, political scientist, French politician, Mayor of Maisons-Laffitte, France



Jacques Myard (picture wikipedia)

The crisis of the yellow vests movement is a deep crisis, largely the result of the country’s internal devaluation policy. This had become necessary in order to comply with the notorious 3% deficit limit imposed by Brussels; it is impossible to change external currency exchange rates,

within the framework of the single currency.

Wages, pensions, allowances, etc. are limited in order to reduce public spending. In the social field, the consequences are dramatic, as the example of Greece has shown; and France is taking the same road!

However, the crisis of the yellow vests should not make us forget another important issue: the sharp competition policy of Brussels, introduced by the European Treaties - in other words, the lack of a genuine national and European industrial policy to protect our businesses.

Several recent cases recall this sad reality:

- Ford’s refusal to allow another company to take over its plant in Blanquefort (F), because it prefers a social plan with permanent closure of the plant. The icing on the cake: the managers of Ford refuse to talk to French Minister Bruno Le Maire, whom they consider a negligible figure.
- The activism of the notorious [US] *Elliott Fund*, which “creeps in” to compa-

“The Italians would like to decide for themselves how to live”

Direct democracy of Switzerland is a landmark for the new Italy

To the north of the Alps, the policy of the new Italian government is almost always severely criticised. But there are also exceptions. On 21 November 2018, for example, the “Basler Zeitung” gave the Genoese legal philosopher Paolo Becchi the chance to speak in a detailed interview (“The enemy is no longer in Rome, but in Brussels”; <https://bazonline.ch/ausland/europa/Der-Feind-sitzt-nicht-mehr-in-Rom-sondern-in-Bruessel/story/28267401>). From 2006 to 2017 Becchi taught philosophy of law in Lucerne. With Italy’s new government he sees “an opportunity for more federalism in Europe and a reform of the EU”.

km. The new government cannot be classified in a left-right scheme, as it is widely tried. Instead, the election results show: “In southern Italy people are fed up with the old parties that simply managed the decline. Moreover, in the north, citizens wanted more autonomy, more federalism.” [all quotes translated by *Current Concerns*]

Paolo Becchi hopes that with the new government Italy “can regain its national identity externally and reform itself internally”. Becchi: “The new distinction is between sovereignists and globalists. [...] The Italians want to decide for themselves how to live. They defend themselves against foreign rule by the global financial markets and globalised politics, above all by the bureaucrats from Brussels – and they defend themselves against their pro-consuls in Rome.”

Becchi replies to the accusation that peace is endangered by a more nationally oriented policy: “It wasn’t the idea of the nation that was to blame for the terrible wars of the 20th century. Who has instigated these wars, the nation states or the empires?”

Nationalism can indeed “increase in dangerous imperialism”. But sovereignty has nothing to do with nationalism at the expense of other countries: “It does not mean an absolute, centralist state, but a self-determined country with a federalist state structure from below – just as I got to know it in Switzerland.”

Becchi adds: “This genuine federalism, coupled with direct democratic elements, is a model for the future Italy.”

Not just for Italy it is about “people needing an identity and a home in which they are at home and where as citizens they [can] help determine their fate.”

The Italians want a federal and direct-democratic state where power is shared, distributed and thus limited. This has nothing to do with the catastrophes of the 20th century.

The euro – a disaster for Italy

The euro, on the other hand, is a real disaster for countries like Italy. With the euro, the countries of the South are “taken hostage economically”. It is a “visible sign of Italy’s foreign rule”.

With regard to the EU, Becchi said that the idea of “United States of Europe” should be abandoned and “a Eu-

rope of Fatherlands” should be reverted to. After 1990 it was believed that „with the fall of the Iron Curtain the ‘end of history’ had been reached and the idea of the nation state was over, and everything would dissolve in globalisation. But that was a fallacy.“

Most people “need roots, a home and a state that takes them seriously and where they can have a say”. Switzerland, with its extensive autonomy of the cantons and its citizens’ direct codetermination, is a model for the sovereign state of the 21st century. The EU, on the other hand, is “an undemocratic, leviathanic entity”.

Switzerland shows how even difficult times can be overcome: “with federalism and direct democratic co-determination”.

Democracy and federalism need “sovereignty of the country, independence from transnational bodies that are always undemocratic”.

The new government in Italy has the potential to go down this road to more sovereignty and federalism – “and Switzerland should support Italy in this”.

At the end of the interview Becchi talks about the EU’s obvious crisis: “I believe the crisis can only be solved if the nation states experience a renaissance. I am Genoese first, then Italian, and I feel culturally European. But Europe is not the EU. The latter must respect national identities, traditions and political cultures if it is to survive.”

“Urgent search for ...”

continued from page 2

ny shareholders and then “blackmails” the managers to obtain immediate dividend gains, which are often contrary to corporate development policies.

- The announcement of corruption lawsuits of the US Department of Justice (DOJ) against *Airbus* should not obscure the very purpose of this manoeuvre. The aim is to destabilise a European competitor of *Boeing* by applying extraterritorial sanctions.
- US sanctions against Teheran, which force French and European companies to cease all activities in Iran.

The fault is certainly also with the Americans and the multinational corporations, which operate unhindered in a completely deregulated economic and, above all,

financial world. But the French Government and the other European governments are even more decisive, permeated by a liberal ideology, that is anchored in the marble of the European Treaties and desperately defended by the powerful “Directorate-General for Competition” of the European Commission!

It should be pointed out that the *Treaty on the Functioning of the European Union* glorifies competition in nine articles (Articles 101 to 109) of Title VII and deals with industry only in Title XVII in a single article, Article 173. It states that state measures for industry must be compatible with “a system of open and competitive markets”.

Only the European Union believes that “free competition” is at the heart of the international economic and financial world, while all states (led by the US,

China and India) monitor their industrial enterprises to protect them, if necessary, by sovereign measures against foreign threats aimed at eliminating or taking control of competitors.

By the way, it is symptomatic that France has no industry minister!

France must act independently, create sovereign means to defend our companies, but also apply the principle of reciprocity in our trade relations without fear of retaliation.

In order for this to take place, we must stop following the Brussels ideology of “free competition”; it is a question of sovereignty and national independence!

Source: www.voltaire.fr/recherche-durgence-politique-industrielle/?mc_cid=0bea85fe21&mc_eid=4edb9980d5 from 22 December 2018

(Translation: *Current Concerns*)

The United States refuse to fight for the transnational financiers

by Thierry Meyssan, Political consultant, President-founder of the Réseau Voltaire (Voltaire Network), Damascus



Thierry Meyssan
(picture
voltairenet)

The US withdrawal from Syria and Afghanistan, as well as the resignation of General Mattis, attest to the upheaval that is shaking the current world order. The United States are no longer the leaders, either on the economic or the military stage.

They refuse to keep fighting for the sole interests of the transnational financiers. The alliances that they used to lead will begin to unravel, but without their erstwhile allies admitting the powerful ascension of Russia and China.

On 19 December 2018, the announcement of the partial withdrawal of US troops from Afghanistan and the total withdrawal from Syria sounded like a thunderclap. It was followed the next day by the resignation of Secretary for Defense, James Mattis. Contrary to the affirmation of President Trump's opposition, the two men hold one another in high esteem, and their difference of opinion has nothing to do with the withdrawals, but with the manner in which the consequences should be managed. The United States are facing a choice which will mark a separation and transform the world.

Before anything else, in order to avoid barking up the wrong tree, we should re-

member the conditions and the aim of the collaboration between Trump and Mattis.

As soon as he entered the White House, Donald Trump was careful to surround himself with three senior military officers with enough authority to reposition the armed forces. Michael Flynn, John Kelly and especially James Mattis, have since left or are in the process of leaving. All three men are great soldiers who together had opposed their hierarchy during Obama's presidency¹. They did not accept the strategy implemented by ambassador John Negroponte for the creation of terrorist groups tasked with stirring up a civil war in Iraq². All three stood with President Trump to annul Washington's support for the jihadists. Nonetheless, each of them had his own vision of the role of the United States in the world, and ended up clashing with the President.

The storm whipped up by the mid-term elections has arrived³. The time has come to rethink international relations.

Syria

When in April, as he had promised, Donald Trump mentioned US withdrawal from Syria, the Pentagon persuaded him to stay. Not that a few thousand men could turn the tide of war, but because their presence acted as a counterweight to the Russian influence and a backup for Israel.

However, the transfer of Russian weapons of defence to the Syrian Arab Army,

particularly the S-300 missiles and ultra-sophisticated radars coordinated by the automated command and control system *Polyana D4M1*, changed the balance of forces⁴. From that moment on, US military presence became counter-productive – any ground attack by pro-US mercenaries could no longer be supported by US aviation without the risk of losing aircraft.

By withdrawing now, the Pentagon avoids the test of power and the humiliation of an inevitable defeat. Indeed, Russia has successively refused to give the United States and Israel the security codes for the missiles delivered to Syria. This means that after years of Western arrogance, Moscow has declined the sharing of control of Syria that it had accepted during the first Geneva Conference in 2012, and that Washington had violated a few weeks later.

Apart from this, Moscow recognised a long time ago that US presence is illegal in terms of International Law, and that Syria can legitimately act in self-defence.

The consequences

The decision to withdraw from Syria is loaded with consequences.

1. Pseudo-Kurdistan

The Western project for the creation of a colonial state in the North-East of Syria

continued on page 5

The purchase decision

How Macron became president ... or why to prefer a reading lamp

rt. The use of PR campaigns that link messages with unconscious feelings in milliseconds has been perfected over the past ninety years. Based on the US American and nephew of Sigmund Freud, Edward Bernays¹, the PR industry has developed increasingly sophisticated methods of influencing with the help of social sciences. It has become an everyday business to influence an addressee to certain behaviors far away from rational considerations. For example, positive feelings are awakened, but aversions can also be generated. Products are linked to these emotions. Sales figures show success: "Who bought another hair dryer even though he still has one at home?"

These techniques are used not only in the consumer sector, but also in the political and pre-political area PR agencies are hired.² Not only products are sold, but also attitudes or political preferences. Think of the short and networked presence of that young, dynamic and sympathetic troop *Operation*

Libero, who told us that it was good for others to determine our very own concerns.

Or think of the meteoric rise of the so-called movement *En Marche* by the youthful newcomer Emmanuel Macron. He surrounded himself with the aura that anything would be possible with him. A PR campaign had succeeded in selling him as a savior, although his track record was not elaborate and his background was modest and his program promised nothing new. His campaign was actively supported by financial circles on the other side of the Atlantic,³ as it often is the case.

After only a few months, the disillusionment began. Reality returned to France. As if after an intoxication, one rubbed one's eyes in amazement. How could that happen? Once again it had been hoped that everything would change with the next president, chancellor, king, member of parliament, senator, and so on. At least a bit. Perhaps. As so often ...

While you can bring back or exchange the hair dryer, which you have admired so much in the advertisement and acquired in a touch of buying frenzy, the damage caused in politics may be immense. A type of product testing or liability, the right to return or exchange could perhaps be desirable and considerable in politics as well.

It is even better to postpone your own decision to buy the hair dryer for a short time, to think it over again or discuss it with your spouse. Maybe buying a reading lamp would be more sensible after all? •

¹ compare Bernays, Edward. *Propaganda. Die Kunst der Public Relations*. Berlin 2013 (Erstausgabe USA 1928)

² compare Becker, Jörg. *Krieg an der Propagandafont: Wie PR-Agenturen und Medien die Öffentlichkeit entmündigen*, in: Mies, Ullrich; Wernicke, Jens. *Fassadendemokratie und tiefer Staat. Auf dem Weg in ein autoritäres Zeitalter*. Wien 2017

³ compare. Meyssan, Thierry. "Who does Emmanuel Macron owe?", in: *Current Concerns* Nr. 29/30 from 7 January 2019

"The United States refuse ..."

continued from page 4

which would be attributed to the Kurds will not happen. Indeed, fewer and fewer Kurds give it their support, considering that this conquest would be comparable to the unilateral proclamation of a state Israel by Jewish militia, in 1948.

As we have often explained, Kurdistan would only be legitimate within the boundaries which were recognised by the Conférence de Sèvres in 1920, in other words, in what is now Turkey, and nowhere else⁵. Yet only a few weeks ago, the United States and France were still considering the possibility of creating a pseudo-Kurdistan on Arab land, and having it administered under a UN mandate by the French ex-Minister for Foreign Affairs, *Bernard Kouchner*⁶.

2. The Cebrowski strategy

The Pentagon project for the last seventeen years in the "Greater Middle East" will not happen. Conceived by Admiral *Arthur Cebrowski*, it was aimed at destroying all the state structures in the region, with the exception of Israel, Jordan and Lebanon⁷. This plan, which began in Afghanistan, spread as far as Libya, and is still under way, will come to an end on Syrian territory.

It is no longer acceptable that US armies fight with taxpayers' funds for the sole financial interests of global financiers, even if they are US citizens.

3. US military supremacy

The post-Soviet world order based on US military supremacy is now dead. This may be difficult to accept, but that changes nothing. The Russian Federation is now more powerful, both in terms of conventional weaponry (since 2015) and nuclear weaponry (since 2018⁸). The fact that the Russian armies are one third less numerous than those of the US, and have only isolated troop presence overseas, cancels out the hypothesis of Russian imperialism.

The victors and the vanquished

The war against Syria will end in the moths to come for lack of mercenaries. The delivery of weapons by certain states, coordinated by *KKR funds*, may drag the crime on for a short time, but does not offer the hope of changing the course of events.

Without any possible doubt, the victors of this war are Syria, Russia and Iran, while the vanquished are the 114 states which joined the "Friends of Syria". Some of these have not awaited defeat to correct their foreign policy. Indeed, the United Arab Emirates have just announced the forthcoming reopening of their embassy in Damascus.

However, the case of the United States is more complex. The *Bush Jr.* and Obama administrations shoulder the entire re-

sponsibility for this war. They were the ones who planned it and realised it within the framework of a unipolar world. On the other hand, as a candidate, Donald Trump accused these administrations of having failed to protect US citizens, but instead having served the interests of transnational finance. As soon as he became President, Mr Trump persistently cut his country's support for the jihadists and withdrew his men from the Greater Middle East. He must therefore be considered as one of the victors of this war, and could therefore logically avoid the US obligation to pay for war damage caused by the transnational companies implicated⁹. For him, it is now a question of reorienting the armed forces towards the defence of US territory, ending the whole imperial system, and developing the US economy.

Afghanistan

For the last few months, the United States have been discreetly negotiating with the Taliban for the conditions of their withdrawal from Afghanistan. A first round of contact with ambassador *Zalmay Khalilzad* took place in Qatar. A second round has just begun in the United Arab Emirates. Apart from the two US and Taliban delegations, Saudi Arabia, the United Arab Emirates and Pakistan are also participating. A delegation from the Afghan government has also arrived, in the hope of joining in.

It has been seventeen years since the United States and the United Kingdom invaded Afghanistan, officially in retaliation for the attacks of 9/11. However, this war followed the 2001 negotiations in Berlin and Geneva. The invasion was not aimed at stabilising this country in order to exploit it economically, but to destroy any form of a state in order to control its exploitation. So far, this has worked, since every day the situation is worse than the day before.

Let's note that Afghanistan's misery began during the *Carter* presidency. National Security Advisor, *Zbigniew Brzezinski*, called on the Muslim Brotherhood and Israel to launch a campaign of terrorism against the Communist government¹⁰. Terrified, the government appealed to the Soviets to maintain order. The result was a fourteen-year war, followed by a civil war, and then followed by the Anglo-US invasion.

After forty years of uninterrupted destruction, President Trump states that US military presence is not the solution for Afghanistan, it's the problem.

The place of the United States in today's world

By withdrawing half of the US troops legally stationed in Afghanistan and all of those illegally occupying Syria, President Trump is keeping one of his electoral promises. He still has to withdraw the 7,000 men and women who remain.

It is in this context that General Mattis asked a fundamental question in his letter of resignation¹¹. He writes: "[...] One core belief I have always held is that our strength as a nation is inextricably linked to the strength of our unique and comprehensive system of alliances and partnerships. While the US remains the indispensable nation in the free world, we cannot protect our interests or serve that role effectively without maintaining strong alliances and showing respect to those allies. Like you, I have said from the beginning that the armed forces of the United States should not be the policeman of the world. Instead, we must use all tools of American power to provide for the common defense, including providing effective leadership to our alliances. 29 democracies demonstrated that strength in their commitment to fighting alongside us following the 9-11 attack on America. The Defeat-ISIS coalition of 74 nations is further proof. [...]"

In other words, James Mattis does not contest the logic of the withdrawal of US troops from Afghanistan and Syria, but what will probably follow – the dislocation of the alliances around the United States and finally, the possible dismantling of NATO. For the Secretary for Defense, the United States must reassure their allies by giving them the impression that they know what they are doing and that they are the strongest. It matters little whether this is true or not, the point is to maintain the cohesion between the allies, whatever the cost. However, for the President, there is a clear and present danger. The United States have already lost their first economic status to China, and now their first military place to Russia. It is necessary to cease being the one-eyed man leading the blind, but first to look after one's own.

In this affair, James Mattis is acting like a military man. He knows that a nation without allies is lost from the start. Donald Trump thinks like the CEO of a company. He must first clean up the deficient affiliates which are threatening to sink his enterprise. ●

Source: Voltaire Network from 25 December 2018

(Translation *Pete Kimberley*)

¹¹ *Cobra II: The Inside Story of the Invasion and Occupation of Iraq*, Michael Gordon & Bernard Trainor, Atlantic Book, 2006.

² *ISIS is US: The Shocking Truth Behind the Army of Terror*, George Washington's Blog, Wayne Madsen, Webster Griffin Tarpley, Syrian Girl Partisan, Progressive Press, 2016.

³ "International relations: the calm before the storm?", by Thierry Meyssan, Translation Pete Kimberley, *Voltaire Network*, 9 October 2018.

⁴ "Why is the United States suddenly withdrawing from Syria?", by Valentin Vasilescu, Translation Anousha Boralessa, *Voltaire Network*, 21 December 2018.

Time to get out of Syria

by Eric Margolis*



Eric Margolis
(picture
ericmargolis.com)

President Trump has done the right thing with regard to America's troop deployment in Syria. Trump ordered the 2,000 US troops based in Syria to get out and come home.

Neocons and the US war party are having apoplexy even though there are some 50,000 US troops spread across the rest of the Middle East.

The US troops parked in the Syrian Desert were doing next to nothing. Their avowed role was to fight the remnants of the ISIS movement and block any advances by Iranian forces. As a unified fighting force, ISIS barely exists, if it ever did. Cobbled together, armed and financed by the US, the Saudis and Gulf Emirates to overthrow Syria's regime, ISIS ran out of control and became a menace to everyone.

In fact, what the US was really doing was putting down a marker for a possible US future occupation of war-torn Syria that risked constant clashes with Russian forces there.

We will breathe a big sigh of relief if the US deployment actually goes ahead: it will remove a major risk of war with nuclear-armed Russia, whose forces are in Syria at the invitation of the recognized government in Damascus. The US has no strategic interest in Syria and no business at all being militarily involved there. Except perhaps that the war party wants nev-

er-ending wars abroad for arms production and promotions.

Trump's abrupt pullout from Syria has shocked and mortified Washington's war party and neocon fifth column. They were hoping reinforced US forces would go on to attack Damascus and move against Iranian forces. It was amusing to watch the anguish of such noted warlike chicken-hawks as Sen. *Lindsay Graham* and the fanatical national security advisor *John Bolton* as their hopes for a US war against Syria diminished. Israel was equally dismayed: its strategic plan has long been to fragment Syria and gobble up the pieces.

The venerable imperial general and defense secretary, *Jim Mattis*, couldn't take this de-escalation. He resigned. Marine General Mattis was one of the few honorable and respected members of the Trump administration and a restraint on the president's impulses. To his credit, he opposed the reintroduction of torture by US forces, a crime promoted by Trump, Bolton and Chicago enforcer *Mike Pompeo*.

What really mattered was not a chunk of the Syrian Desert. Mattis's resignation may have been much more about Afghanistan, America's longest war. The US has been defeated in Afghanistan, rightly known as the 'Graveyard of Empires.' Yet no one in Washington can admit this defeat or order a retreat after wasting 17 years, a trillion dollars and thousands of Americans killed or wounded. Least of all, Gen. Mattis, Bolton or Pompeo who bitterly opposed any peace deal with the Taliban nationalist movement.

According to unconfirmed media reports, the US has already thinned out its Afghan garrison of 14,000 plus soldiers. These soldiers' main function is to guard the corrupt, drug-dealing Afghan puppet government in Kabul and fix Taliban forces so they can be attacked by US airpower.

Taliban insists it won't begin serious negotiations until all US and 8,000 foreign troops are withdrawn. In fact, Taliban, which has been quietly talking to the

US in Abu Dhabi, may agreed to a 50% western troops cut in order to begin peace talks.

The Afghan War has cost the US \$1 trillion. Occupying parts of Iraq and Syria has cost a similar amount. Resistance against US rule continues in both nations. Mattis and his fellow generals really like these wars, but civilian Trump does not. As a candidate he vowed to end these 'stupid' wars. Let's hope he succeeds over the bitter objections of the Republican war party, neocons, and military industrial complex.

Syria is an ugly little sideshow. By contrast, Afghanistan is a dark blot on America's national honor. We watch with revulsion and dismay as the US deploys B-52 and B-1 heavy bombers to flatten Afghan villages. We watch with disgust as the US coddles the opium-dealing Afghan warlords and their Communist allies – all in the spurious name of 'democracy.'

If Trump wants to make America great, he can start by ending the squalid Syrian misadventure and the butchery in Afghanistan. ●

Copyright Eric S. Margolis 2018

Source: www.ericmargolis.com
from 22 December 2018

Current Concerns

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

Publisher: Zeit-Fragen Cooperative

Editor: Erika Vögeli

Address: Current Concerns,

P.O. Box, CH-8044 Zurich

Phone: +41 (0)44 350 65 50

Fax: +41 (0)44 350 65 51

E-Mail: CurrentConcerns@zeit-fragen.ch

Subscription details:

published regularly electronically as PDF file

Annual subscription rate of
SFr. 40,-, € 30,-, £ 25,-, \$ 40,-

for the following countries:

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

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

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

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

© 2013. All rights reserved. No reproduction, copy or transmission of this publication may be made without written permission.

"The United States refuse ..."

continued from page 5

- ⁵ "The Kurdistan projects", by Thierry Meyssan, Translation Pete Kimberley, *Voltaire Network*, 5 September 2016.
- ⁶ "Bernard Kouchner enters Syria illegally", Translation Anousha Boralessa, *Voltaire Network*, 14 December 2018.
- ⁷ The Pentagon's New Map, Thomas P. M. Barnett, Putnam Publishing Group, 2004. "The US military project for the world", by Thierry Meyssan, Translation Pete Kimberley, *Voltaire Network*, 22 August 2017.
- ⁸ Vladimir Putin Address to the Russian Federal Assembly, by Vladimir Putin, *Voltaire Network*, 1 March 2018. "The new Russian nuclear arsenal

restores world bipolarity", by Thierry Meyssan, Translation Pete Kimberley, *Voltaire Network*, 6 March 2018. "Les moyens russes de Défense hypersonique", par Valentin Vasilescu, Traduction Avic, *Réseau Voltaire*, 28 mai 2016.

- ⁹ "Seize the transnational corporations to rebuild Syria?", by Thierry Meyssan, Translation Pete Kimberley, *Voltaire Network*, 14 August 2018.
- ¹⁰ "Brzezinski: 'Oui, la CIA est entrée en Afghanistan avant les Russes ...'", par Zbigniew Brzezinski, *Le Nouvel Observateur* (France), *Réseau Voltaire*, 15 janvier 1998. Charlie Wilson's War: The Extraordinary Story of the Largest Covert Operation in History, George Crile III, *Atlantic Monthly Press*, 2003.
- ¹¹ "Resignation letter from James Mattis", by James Mattis, *Voltaire Network*, 20 December 2018.

US President wants to pull out troops ...

... but Germany, France and Great Britain insist on continuing the war effort

by Karl Müller

It should not come as a surprise that the responsible German, French and British politicians are vigorously criticising the decision of the US government to withdraw its troops from Syria and to cut the US troop contingent in Afghanistan by half. They are not yet focused on peace – do they still believe in a final victory?

On 18 December 2018 the German *Nachdenkseiten* (<https://www.nachdenkseiten.de/?p=47919>) again called attention to the source of final victory fantasies by publishing extracts of two speeches by US Americans in German translation: one by the former US general *Wesley Clark* (commander-in-chief for the NATO troops during the Kosovo War in 1999), given on 3 October 2007 in San Francisco, the other by *George Friedman* (former head of the private news agency *Stratfor*), given on 4 February 2015 in Chicago. Both speeches have been well known for a long time – but we tend to forget so fast.

Here we will only refer to the former US general's speech. More than ten years ago, Wesley Clark spoke about his experiences when visiting the Pentagon while he was still an active US general. Clark explained that after 11 September 2001 there had been a "policy coup": "Some hard-nosed people took over the direction of American policy [...]" He illustrated this statement with the example of the war plans contrived 2001 in the Pentagon, citing an officer working there he had talked to: "I just got this memo from the Secretary of Defence's office and it says we're going to attack and destroy the governments in seven countries within five years. We're going to start with Iraq and then we'll move on to Syria, Lebanon, Libya, Somalia, Sudan and Iran."

Paul Wolfowitz: "The Soviets won't stop us"

Clark realised that these plans had a long lead time. He remembered talking to *Paul Wolfowitz* in 1991 after the Second Gulf War. Wolfowitz was disappointed that *Saddam Hussein* had not been overthrown. Still he was satisfied with the result of the war: "We have learned that we can use our military in the Middle East region and the Soviets won't stop us."

And then Clark summed up, putting it straight: "This country was taken over by a group of people with a policy coup. Wolfowitz and *Cheney* and *Rumsfeld* and you could name a half dozen other collaborators from the 'Project for a New American Century'. They wanted us to destabi-

US withdrawal from Syria is overdue

"The withdrawal of US troops from Syria is right and necessary. The anti-IS operation led by the USA with the participation of the German armed forces (Bundeswehr) is in Syria, whether in Syrian airspace or on Syrian soil, contrary to international law. This is also the opinion of the Scientific Service of the German Bundestag in a report commissioned by me, among others. But the withdrawal is not only to be welcomed from a legal perspective, but also from a political point of view", said *Alexander Neu*, for the parliamentary group *Die Linke*, chairman in the Defence Committee.

Neu continues: "Anyone who regrets the USA's withdrawal from Syria or regards it as a mistake overlooks the fact that the chaos in the Middle East region was essentially created by the USA and its allies. The USA openly pursues

its geopolitical and geo-economic interests – sometimes more and sometimes less. The IS is the result of the USA's illegal war of aggression against Iraq in 2003 for the purpose of overthrowing the government. The fact that the IS could also spill over into Syria also has to do with the regime change fantasies of the West. To this day, there is a strong desire in the western capitals to install a pro-Western regime in Syria. The Western 'engagement' in Syria was never problem-solving but aggravated the conflict and was carried out on the backs of the people of Syria. [...]"

Source: Extract from a press release by *Alexander S. Neu*, 21.12.2018; <https://www.linksfraktion.de/presse/pressemitteilungen/detail/us-abzug-aus-syrien-ist-ueberfaellig/>

(Translation *Current Concerns*)

lise the Middle East, turn it upside down, and make it under our control."

The war in Syria

Many are aware that the US have fostered the war against the Syrian government and the Syrian state from the beginning, that is since 2011, with various means and that troops have officially been stationed in Syria for a while now. But the official narrative about the war of an international coalition against the IS is, if at all, only reflects a small part of the truth. More than ten years ago Wesley Clark spoke about the real plans. Today it is necessary to add: Unfortunately, the US American war party has extended beyond the Neo-Conservatives. The narrative of the "War on Terrorism" was meant to conceal the fact that operation of all military and non-military forces in Syria, which had been active there without an invitation by the Syrian government, violated and still violate valid international law so that the withdrawal of all these foreign forces is nothing but a legal matter of course – not to mention the legal prosecution of these acts and the justified claims for compensation. After all, as a consequence of this foreign intervention, never approved by the Syrian government, the war in Syria has claimed the lives of hundreds of thousands of people.

The US plan has not worked out

But the US plan has not worked out. Russian and Iranian support for the Syrian government and for Syria has thwarted it. The US President's attempts to explain

the now planned withdrawal are debatable. But it is a fact: The US government's decision to withdraw US troops from the country is not only a logical consequence from a military defeat but also a first step towards restoring law. We can agree with the reaction of the Russian Foreign Minister *Lavrov* who reservedly welcomed the US American announcement: "Any withdrawal of troops illegally present in a country is a step in the right direction." It remains to be seen if the US American handing over the baton to Turkey will find a legally permissible route. The minimum prerequisite would be an agreement between the Turkish and Syrian governments. The responsible persons, who are resigning and protesting loudly, however, have to explain their position in all this.

The parting US Secretary of Defence *Mattis* has already done so. For him the US withdrawal is a setback relative to "countries whose strategic interests are increasingly in tension with ours." (Source: *New York Times*, 21 December 2018), explicitly mentioning China and Russia. Interestingly the exact same tenor is coming from Germany. Is it concern for the welfare of Syria and the Syrians? Hardly!

Germany, France and Great Britain present themselves as a war party

Yes, the official reactions from Germany, France and Great Britain have put transatlantic relations upside down. In face of an ongoing breach of international law, what

continued on page 8

Right to self-determination, sovereignty, Lisbon treaty

by Professor Dr iur. et phil. Alfred de Zayas, Geneva School of Diplomacy

“The right to one’s homeland is not only the most important collective human right but creates the preconditions to the enjoyment of many individual human rights.”

Prof. Otto Kimminich, *Das Recht auf die Heimat*, 1989, S. 201

“There is a right to one’s homeland and it is a human right.”

Prof. Robert Redslob, *Académie de Droit Internationale*, *The Hague*, 1931



Alfred de Zayas
(picture ma)

Ladies and Gentlemen,

Democracy means sovereignty of the people. For its fulfilment education and comprehensive information are required, truthful reporting and freedom of opinion and expression among other things. Sovereignty of the people is founded on history, culture, language, identity and the idea of one’s homeland. Its ways of expression

are opinion polls, people’s initiatives, referendums and elections.

“Democracy entails the self-determination of peoples to decide about their status as independent, federal, associated social entity, it means free choice of the form of government and societal order the people want to adopt for themselves.”

Democracy means free self-determination of the people

Democracy entails the self-determination of peoples to decide about their status as independent, federal, associated social entity, it means free choice of the form of government and societal order the people want to adopt for themselves.

Democracy is dynamic and needs to be exercised and brought to life daily. It will not just happen like a “big bang”. Self-determination is no singular event either but needs to be consciously practised and stay flexible so that people may shape their future themselves, so that they have real options to choose from, so that politicians act transparently and are held accountable.

Obviously, free self-determination applies, first of all, to the current generation which exercises this right, but it does not restrict the right of future generations to modify its model and define themselves differently. Indeed, the right to self-determination is so fundamental in its individual and collective dimensions that it is indispensable – like the right to life – because it belongs to the ontology of humankind. A people’s future is based on their origin, homeland, identity, culture and continuity. Human beings shape their own future in free solidarity and mutual respect with their fellow human beings. This is neither mere phraseology nor “populism”, but human dignity. Europe has experienced several blends of totalitarianism including several that actually call themselves “democratic”. Pseudo-facts, pseudo-history, pseudo-justice and pseudo-diplomacy, will, however, corrupt democracy in the long run. Therefore, we are called to remember the essentials and join in with Immanuel Kant, saying: *Sapere aude!* We should be courageous enough to live our convictions and prove this courage in daily routine, stand up for open debate and the establishment of democratic institutions, for the freedom of information and opinion, for open debate without a priori. Far from being merely a question of law and order, upholding values like decency, honour, sense of justice,

love of truth and reliability is an ethical issue and obligation. When discussing the right to self-determination in our times, we should go beyond the historical perspective of *Woodrow Wilson’s* 14 Points, his ideas about autonomy and secession. Basically, the right to self-determination is already laid down in natural law, in the thoughts of Greek and Roman philosophers, in the treatises of *Cicero* and *Seneca*, in the writing of *Francisco de Vitoria* in the 16th century, *Hugo Grotius* in the 17th century, *John Locke* and *Jean-Jacques Rousseau* in the 18th century. Our conviction that peoples’ sovereignty is inseparable from ethics is relevant for us in the 21st century. We need to take the human rights seriously as they were defined in the UN Covenants, in the European Convention on human rights and in several other treaties and resolutions so that we can demand from governments and institutions, including the European Commission and the European Parliament, to proactively promote all human rights including the peoples’ rights to self-determination and to their homelands instead of merely paying lip service to democracy and rule of law.

Demophobia – the undemocratic attitude of Brussels

The European Union laid down the principles of freedom, democracy, human rights and fundamental freedoms as well as the rule of law in the *Maastricht treaty* of the EU in February 1992. Moreover, according to article 2 of the *Lisbon treaty* of 2009 the European Union is bound to actively promote these values. However, we witness a growing threat by an undemocratic spirit taking hold of the Brussels bureaucracy which can be described as demophobia – fear of the people and referendums. This totalitarian attitude challenges the sovereignty of their own member states and the rights of all European citizens.

The treaties of Versailles and St. Germain

Let us go back to the armistice of 11 November 1918, for a moment, to the negoti-

* Professor Alfred de Zayas was UN-Special Correspondent for the promotion of a democratic and fair international order from 2012–2018. He presented the text printed here at the conference of the Desidenias Erasmus Foundation in Berlin on 10 November 2018. The theme of the conference was: “100 years after the end of World War one: The European peace order since 1918 and the right of self-determination of people”.

“US President wants to pull ...”

continued from page 7

kind of “argument” is French President *Macron’s* criticism of the US withdrawal: “An ally must be reliable.”? In light *Macron* demands nothing other than “the honor between crooks”. On 21 December the “*Neue Zürcher Zeitung*” ran the headline “Paris and London want to continue the fight in Syria”. How is this different from the “return of the gamblers”? The German parties in the Bundestag – with the exception of *Die Linke* and the *AfD* – have formed a grand coalition of “let’s move on”, targeting *Donald Trump* in particular. But obviously the opponent is not just a person but a policy rejecting the current globalisation-imperialism.

Where, I am wondering and appalled, is the German contribution to law and peace? Where is respect for the *Grundgesetz*? – And once again the German speaking mainstream media are seconding like puppets. ●

"Right to self-determination, ..."

continued from page 8

ations in Paris 1919, to the *treaties of Versailles, Saint Germain* and *Trianon* and the violation of the right to self-determination by the dictates of the "Principal Allied and Associated Powers". The right to self-determination of 3,5 million German Austrians from Bohemia, Moravia, Silesia and Slovakia, their right to live within German or Austrian borders was denied and they were forcefully made citizens of Czechoslovakia, without the opportunity to hold a plebiscite. Two hundred thousand German Austrians from South Tirol were treated similarly, forced under Ital-

the Germans and Austrians to hold peoples' referendums about a unification and establish it if a majority had voted in favour? However, this was exactly what the "Principal Allied and Associated Powers" did not want to happen, because their goal was to weaken Germany and Austria and remove them as economic and commercial competitors.

Right to self-determination ignored by the Victors

On the eve before the treaty of St. Germain was signed the Austrian parliament passed the following declaration: "The National assembly solemnly declares its protest to the world against the peace trea-

world war. For instance the Sudeten question. In their report of March 10th 1919 the American expert commission under Harvard Professor *Archibald Cary Coolidge* had warned that the Germans would prove "hard to swallow" and should not be put under foreign rule: "Assigning the whole territory which they claim to the Czechoslovaks would not only mean injustice for millions of people who don't want to be put under Czech rule but it might also be dangerous or even fateful for the future of the new state. [...]" Coolidge therefore suggested to unite some of the German territories with Germany and some with Austria. When the German-Bohemians and German-Moravians demonstrated peacefully for their right to self-determination throughout Czechoslovakia 54 of them were killed. Afterwards Professor Coolidge wrote: "The blood that was shed on March 4th when Czech soldiers opened fire in several cities on the German crowds was shed in a way which will be hard to forgive [...]"

Theory and practice of the right to self-determination

Allow me to proceed now to theory and practice of the right to self-determination. This had been the topic of my report to the UN General assembly in October 2014 in which I defined clear rules for its exercise. (UN Doc. A/69/272). As we know, international law is dynamic. We witness the right to self-determination constantly developing further, from the early ideals of Woodrow Wilson via the Estonian declaration of independence 1918, the communiques of the League of Nations, the minority protection treaties, article 3 of the *Atlantic charter* 1941, article 1(2) of the *UN charter*, chapters XI and XII of the Charter, resolution 1514 of the General Assembly regarding decolonisation (1960), the decolonisation process in Africa and Asia, the failed struggle of the Igbo of Biafra for their self-determination and independence from Nigeria 1967–1970, resolutions 2625 of 1970 and 3314 of 1974, the declaration of independence of Bangladesh in 1971 and the Indian-Pakistani war, the Advisory Opinion of the *International Court of Justice* on West Sahara in 1975, the implementation of the *International Covenant on Civil and Political Rights* and the *International Covenant on Economic, Social and Cultural Rights* (both in 1976), the joint article 1 of which lays down the right to self-determination of peoples, the *Vienna Declaration* and Programme of Action of 1993, the referendum on independence of Quebec in 1995, the referendum on independence and secession of Nagorno Karabach in 1988 and the resulting wars against

"Indeed, too many wars have been started because of violations to the right to self-determination. Therefore, the exercise of the right to self-determination should be understood as politics to promote or maintain peace. It also serves as a preventive strategy to avoid armed conflicts."

ian rule, despite point 9 of Wilson's 14 Points which stipulated: "A readjustment of the frontiers of Italy should be effected along clearly recognisable lines of nationality." (joint session of Congress on January 8, 1918). The way the borders of Poland were drawn left another two million Germans on the territory of the newly established Polish state where they, too, were basically unwanted and discriminated against. Sure enough, Germany, Austria, Poland, Czechoslovakia and Italy were all bound by the *League of Nations* minority protection treaty. But thousands of petitions in the archives of the League at Geneva testify that minority protection did not really work. Both as historian and as expert on international law, I am convinced that the systematic injustice in the legal framework of Versailles and St. Germain considerably contributed to the tensions leading to the outbreak of the Second World War, together, of course, with other geopolitical and economic factors.

Allow me now to explain this in more detail: We all know that the peoples' right to self-determination includes not only the rights to autonomy and secession but also the right to unification or reunification. Article 80 of the Versailles treaty read: "Germany acknowledges and will respect strictly the independence of Austria [...]" Article 88 of the treaty of St. Germain read: "The independence of Austria is inalienable[...]. Consequently Austria undertakes [...] to abstain from any act which might directly or indirectly or by any means whatever compromise her independence." Would the spirit of Wilson's 14 Points not have suggested to leave it to

ty of St. Germain which denies the German-Austrian people their right to self-determination [...] under the pretext of protecting the independence of German-Austria. [...] The National assembly testifies to their hope that the league of nations will no longer deny the same right to unity and freedom to the German people which is granted to all other nations, once peace will have overcome the spirit of national hatred and hostility created by the war." Ten years later the German and Austrian governments decided to form a customs union which was certainly a legitimate idea during the world economic crisis and expression of the right to self-determination of the Germans and Austrians. Even *Winston Churchill* thought so, who endorsed the project as a means of strengthening the democratic German government of *Heinrich Brüning*. The *British Foreign Office* on the other hand voiced their concern about tensions resulting from the opposition to the customs union by the governments of France and Czechoslovakia. Noteworthy though, Britain did not doubt the political-legal legitimacy of the customs union. French prime minister *Pierre Laval's* rejection of the German-Austrian customs union was formulated on the basis of the treaties of Versailles and St. Germain. The ensuing diplomatic debacle considerably weakened the democratic government of Heinrich Brüning and eventually contributed to its downfall in May 1932. Barely 8 months later *Adolf Hitler* seized power.

The unjust regulations of the Versailles and St. Germain treaties also lead to conflicts which later culminated in the second

"Right to self-determination, ..."

continued from page 9

Azerbaijan 1992–1994 including the OSCE mediation efforts, the dissolution of the Soviet Union into 15 republics and the resulting wars 1991–1992, the unilateral declarations of independence of Abkhazia and Southern Ossetia, the unilateral declarations of independence of the separatist regions of Yugoslavia and the resulting wars, the separation in mutual agreement of the Czech and Slovak Republics in 1993, the Eritrean referendum of 1993, the NATO bombardment of Serbia in 1999 and the subsequent dissolution of its territorial integrity, the referendum of independence of East Timor in 1999, the failed war of independence of the Tamils in Sri Lanka 1983 to 2009, the unilateral declaration of independence of Kosovo in 2008 and the Advisory Opinion of the International Court of Justice in 2010, the referendum of South Sudan in 2011, the referendum of Crimea in 2014 and its reunification with Russia, the factual separation of the Donetsk and Lugansk regions from Ukraine in 2014, the Scottish referendum of 2014, the referendum in Iraqi Kurdistan in 2017, to the referendum in Catalonia 2017 and in New Caledonia 2018 and so on.

Obviously, there are different ways to exercise the right to self-determination. Internal self-determination may be exercised as autonomy or federalism. External self-determination is exercised by secession or unification with another state. According to the Advisory Opinion of the International Court of Justice on Kosovo (2010) a unilateral declaration of independence does not violate international law. Perhaps the most important statement in this Advisory Opinion of the International Court concerns the principle of "territorial integrity" and stipulates that it does not restrict the right to self-determination or secession because all cases where the principle of territorial integrity has been defined in international law – be it in Article 2(4) of the UN charter, in resolution 2625 of the General Assembly, in the declaration of Helsinki 1975 etc. – deal with the protection of territorial integrity of a state from external use of force, or the prohibition of invasion or occupation of the territory of a state by another. No state can invoke it against its own people. Never can the principle of territorial integrity invalidate the higher value of the right to self-determination of the people. As the court put it: "The scope of the principle of territorial integrity is confined to the sphere of relations between States." (paragraph 80). Undoubtedly the secession of Kosovo from Serbia has set an important precedent in international law which cannot be ignored since international law

is universal per definition and cannot be applied selectively. While Kosovo is no member of the UN, it still is a factual state today. Although international recognition of states is only declaratory and no defining attribute of statehood, it is in the interest of the international community to integrate factual states into the UN as soon as possible to enable them to sign the Covenants of the United Nations, especially those concerning the human rights.

Self-determination – binding international law

In the hierarchy of international law the right to self-determination is considered as binding (*ius cogens*). Still the execution of this right is not always easy. In other words, it is not self-executing. Just like the illegal bombardment of Yugoslavia 1999 and the invasion and bombardment of Iraq 2003 violated the prohibition of use of force, another norm of *ius cogens* (article 2/4 of the UN Charter), as General secretary *Kofi Annan* pointed out when he referred to Iraq as an "illegal war", violations of the right to self-determination have occurred many times without repercussions against the violators. Yet, it is important to recognise that violations of the right to self-determination or the prohibition of use of force do not nullify or reduce the continued legal validity of these international norms. They just testify yet again to the lack of implementation mechanisms in the UN system as well as to the fact that all too often there are no enforceable penalties for war crimes and crimes against humanity.

Too many wars because of violations of the right to self-determination

Territorial integrity is a central principle of international law and international relations and it is especially important when it strengthens peace and stability of the international community. The same is true for the right to self-determination of the people. Indeed, too many wars have been started because of violations to the right to self-determination. Therefore, the exercise of the right to self-determination should be understood as politics to promote or maintain peace. It also serves as a preventive strategy to avoid armed conflicts. The best way to find out whether a group of people want autonomy or independence is to hold a plebiscite. The United Nations organized such plebiscites in Ethiopia/Eritrea, East Timor and in South Sudan, but only after tens of thousands of people had lost their lives in preventable wars. It would have been better had the United Nations acted before the wars started, with mediation and the organization of plebiscites, with all necessary guarantees and monitoring mechanisms. In future the United Nations, the European Union the

Organization of American states, the African Union, the OSCE and other international organizations should develop alerting mechanisms and offer mediation and good services to solve self-determination issues before they grow into violent confrontations.

Even after decolonisation the right to self-determination remains valid

With the completion of decolonisation the right to self-determination has by no means become superfluous. The right is more vivid and necessary today than ever before. Allow me now to briefly allude to the UN Covenant on Civil and Political Rights. Its article 1, paragraph 1 rules: "All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development." That means the subjects of this law are the peoples – all peoples, that is, not only the former colonialised ones. The Vienna Convention on the Law of Treaties does not allow another interpretation. Paragraph 3 rules: "The States Parties to the present Covenant [...] shall promote the realization of the right of self-determination [...]" This means that all states parties need to take positive measures to enable people to exercise their right to self-determination. This means not only refraining from creating obstacles to self-determination, but an obligation to actively help the peoples to implement their rights. However, even though as *ius cogens* the right goes beyond "hard law", we see it all the time that the right to self-determination is invoked selectively – international law à la carte, that is. For example, Slovenians, Croats and the Albanian population of Kosovo gained independence from Yugoslavia. But the Serbs from the Krajina, the Republika Srpska, from Northern Mitrovica, Leposavic, Zvecan, Potok and Zubin were not granted unification with Serbia which they were striving for. Year after year the Secretary General of the United Nations presents his annual report about the implementation of the right to self-determination to the General Assembly. For many years, however, there have not been many achievements to report. The issue is not off the table though, and many non-government organizations such as the Unrepresented Nations and Peoples Organization (UNPO) provide solid reports to enhance the debates in the UN.

On the topic of sovereignty

As we all know, in a democracy the sovereign in the state are the people. Heads of state and parliaments may only refer to themselves as democrats so long as they

continued on page 11

"Right to self-determination, ..."

continued from page 10

really represent the people. Therefore, the model of semi-direct democracy in Switzerland may be the best one. In 2017 I became a Swiss citizen - and I value our democratic model which provides as much participation of the people as possible. Just in the year 2018 alone I have already voted in 5 elections or referenda and I like that, since the feeling of community and security depends to a certain degree on a sense of being taken seriously, that politicians are our servants and not the other way around. There are, nevertheless, obstacles to the execution of peoples' sovereignty. Some international treaties hamper the execution of peoples' sovereignty. So-called free-trade agreements imply grave dangers for the sovereignty of the States parties. As I warned in my report to the Human Rights Council and to the General Assembly, some parts of these treaties are "*contra bonos mores*", against public policy, because they corrupt crucial functions of the state, as the *United Nations Conference on Trade and Development (UNCTAD)* has pointed out several times. Especially the so-called *Investor-State-Dispute-Settlement (ISDS)* Mechanisms turn the rule of law upside down. For 200 years Europeans have been developing and perfecting the model of rule of law characterised by public and independent courts, which need to be not only competent but also transparent and accountable. This is seriously undermined by the creation of a parallel system which empowers three arbiters to ignore national laws and even the judgments of the highest state tribunals. To make matters worse, there is no right to appeal against the decisions of those arbiters. The ontology of the state is, however, to care for the common good, to create laws for the protection of the citizens and the environment and to regulate the activities of investors or corporations and ensure that they do not violate state rules and regulations. Now the investors demand compensation if they make less profit from their investments than they expected. But the ontology of capitalism entails that investors need to take risks in order to gain profits. The risk needs to stay with the investor instead of being shifted on to the state. ISDS cannot be reformed but must be abolished. Treaties such as CETA, TTIP and TiSA interfere

"As for the European Union, the initial idea of economic co-operation between the European states, abolition of customs etc. is excellent for trade and may contribute to the common good. But this co-operation must not be conducted to the detriment of the less wealthy states or hamper the social rights, culture and identity of the European peoples."

with the sovereignty of the states, too, and also with their obligation to honour their human rights commitments and especially the economic, social and cultural rights.

As for the European Union, the initial idea of economic co-operation between the European states, abolition of customs etc. is excellent for trade and may contribute to the common good. But this co-operation must not be conducted to the detriment of the less wealthy states or hamper the social rights, culture and identity of the European peoples. I observe with concern that the European Union interferes more and more with the internal affairs of their member states, ignoring the peoples' will (and right!) to preserve their homelands and identities. That is the reason why resistance is growing not only in England but also in Italy, Poland, Hungary, The Czech and Slovak republics etc.

Some remarks about the Lisbon treaty

The member states of the European Union have been bound by the Lisbon treaty according to international law since December 2009.

Article 2 of the treaty reads:

"The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.

Should a EU member state violate the human rights or the principles of the rule of law penalties may be imposed under article 7 of the Lisbon treaty. Article 7 reads in paragraph 1:

"On a reasoned proposal by one third of the Member States, by the

European Parliament or by the European Commission, the Council, acting by a majority of four fifths of its members after obtaining the consent of the European Parliament, may determine that there is a clear risk of a serious breach by a Member State of the values referred to in Article 2. [...]."

Paragraph 3 rules:

"Where a determination under paragraph 2 has been made, the Council, acting by a qualified majority, may decide to suspend certain of the rights deriving from the application of the Treaties to the Member State in question, including the voting rights of the representative of the government of that Member State in the Council. In doing so, the Council shall take into account the possible consequences of such a suspension on the rights and obligations of natural and legal persons.»

As pointed out in the beginning, all too often international law is implemented selectively and arbitrarily – for instance by the European Commission when they sue Hungary and Poland under article 7 but not Spain, despite severe violations of the right to peaceful demonstration and the suppression of self-determination by economic and physical force, systematic violations of the rights to freedom of opinion and independence of the courts, imprisonments of politicians simply for their endorsement of the right to self-determination – expressed exclusively in a peaceful and democratic way. For sure, all this constitutes more severe violations of the human rights as compared with Poland and Hungary. But Spain is spared and Brussels keeps silent on political prisoners who have been jailed for more than a year and harassed by what we might refer to as "lawfare". Just imagine how the EU would have reacted had England persecuted Scottish separatists as criminals. There are good reasons to believe that right now articles 3, 5, 6, 8, 9, 10, 11, 13, 14 of the *European convention on human rights* and articles 1, 7, 9, 10, 12, 14, 19, 21, 22, 25, 26 and 27 of the *international Covenant on civil and political rights* are

"The ontology of the state is, however, to care for the common good, to create laws for the protection of the citizens and the environment and to regulate the activities of investors or corporations and ensure that they do not violate state rules and regulations."

continued on page 12

"Right to self-determination, ..."

continued from page 11

being violated in Spain, but Brussels has neither started an investigation nor an article 7 procedure. Such discrepancies are supposed to be politically investigated by the European commission but should also have legal consequences before the *European court on human rights* in Strasbourg and the *Court of the European Union* in Luxembourg. Such impunity or indemnity should not be suffered gladly with indifference in Europe today. The ruling of the Luxembourg tribunal is interesting in this regard, which confirmed in its sentence of 27 February 2018 in the case C-2767/16 that the right to self-determination of the people is part of European legislation. Therefore, the economic treaty between the EU and Morocco must not be applied in the occupied West Sahara because this would violate the right to self-determination of the people who live there, the so-called Saharaouis.

Without any doubt the right to self-determination of the peoples belongs to those human rights which the European Union is obliged to positively promote. Measures should be taken, according to article 1 of the UN Covenant on Civil and Political Rights, to better protect the human rights – not only the minority rights – of many

peoples in Europe, including the Basques, the Catalans, the Bretons, the Corsicans, the South Tyrolians, the Germans in East European countries. Apart from its selective application there are of-course several other concerns about the Lisbon treaty, for-instance the way it was set up.

Some will remember that initially a European constitution had been proposed and that in plebiscites in France and the Netherlands it was rejected. Then the politicians, notably Nicholas Sarkozy of France proposed an un-democratic manoeuvre to impose a treaty similar to the European Constitution without submitting it to referendum but simply by forcing it through the Parliaments without participation of the European citizenry. This was the Lisbon treaty – almost identical to the declined draft constitution – adopted by European parliaments and bypassing the people. In this process, many parliaments violated the will of the people they were supposed to represent. This sheds light on a crucial problem even in the initial phase of the treaty – its incompatibility with democracy and the rule of law. This is reminiscent of the Maastricht treaty which in a similar manner had been ratified by the parliaments without plebiscites. Rightfully, it was challenged before the German Constitutional Court (Bundesverfassungsgericht)

because the treaty amounted to a partial loss of state sovereignty. In my opinion the ruling of the Bundesverfassungsgericht was purely political and legally flawed. Other significant threats to democracy in our days are conformism, political correctness, self-censorship and resignation. Moreover, we must resist both government and private media sponsored manipulation of public opinion, because democracy and self-determination will only work if we have access to truthful and comprehensive information in the right context instead of being constantly lied to by politicians and media.

In conclusion I would like to appeal to the European *ordre public*, because the three main principles of the European Union remain valid. Even if its institutions apply these basic principles arbitrarily, even if there are many problems with the Union, it is up to us to find solutions, solutions which should secure a better future for all Europeans, solutions which should overcome the tragedies of the First and Second world wars and guarantee democracy and self-determination for all of us. After all, democracy is an expression of self-determination, as self-determination is inseparable from democracy. Both are our heritage and our ethics

Thank you for your attention. •

Current Concerns

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

Subscribe to Current Concerns – The journal of an independent cooperative

The cooperative *Zeit-Fragen* is a politically and financially independent organisation. All of its members work on a voluntary and honorary basis. The journal does not accept commercial advertisements of any kind and receives no financial support from business organisations. The journal Current Concerns is financed exclusively by its subscribers.

We warmly recommend our model of free and independent press coverage to other journals.

Annual subscription rate of
CHF 40,-; Euro 30,-; USD 40,-; GBP 25,-
for the following countries:

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

Annual subscription rate of
CHF 20,-; Euro 15,-; USD 20,-; GBP 12,50
for all other countries.

Please choose one of the following ways of payment:

- send a cheque to *Current Concerns*, P.O. Box, CH-8044 Zurich, or
- send us your credit card details (only *Visa*), or
- pay into one of the following accounts:

CH:	Postscheck-Konto (CHF):	87-644472-4	IBAN CH91 0900 0000 8764 4472 4	BIC POFICHBEXXX
CH:	Postscheck-Konto (Euro):	91-738798-6	IBAN CH83 0900 0000 9173 8798 6	BIC POFICHBEXXX
D:	Volksbank Tübingen, Kto. 67 517 005, BLZ 64190110		IBAN DE12 6419 0110 0067 5170 05	BIC GENODES1TUE
A:	Raiffeisen Landesbank, Kto. 1-05.713.599, BLZ 37000		IBAN AT55 3700 0001 0571 3599	BIC RVVGAT2B

Framework agreement Switzerland-EU

Union Citizens' Directive and ban on state aid as next heavy load

by Dr iur. Marianne Wüthrich

As soon as the institutional framework agreement – at least in its French version – was on the table, the Federal Council could forget its consultation, which was only planned in a small circle (cantons, parties, social partners). In Switzerland, citizens are accustomed to dealing with draft laws or treaties, informing themselves about their contents and taking part in the discussion. Most of them cannot be dissuaded from doing so, even in the face of rough headwinds. This applies in particular to documents such as the framework agreement, the effects of which would be serious in many respects: for the political rights of citizens, for the direct democratic and federal state system, for the protection of employees, for the public service carefully maintained by the commune. One could almost get the impression that certain forces are interested in lowering the high standard of living, the right and responsibility of citizens to participate in shaping the state and society, the cultural and economic strengths of multilingual and small-scale Switzerland to a poor level that is not worthy of the other European peoples either.

Although the majority of the Swiss population cannot even read the draft treaty in their mother tongue for an indefinite period of time (see box), numerous hard to digest lumps have already appeared in the public debate. And the trick: despite all the Cassandra calls, Switzerland would probably do much better without a framework treaty – and would even retain its sovereignty as an equal contracting party to Brussels. More about this clou in a later article.

Arbitration Court as “pass-through” of the ECJ

In *Current Concerns* of 7 January 2019 it has already been clarified: The creation of an arbitral tribunal is only intended to conceal the fact that it would always have to comply with the case law of the *European Court of Justice* when it came to the interpretation or application of EU law – i.e. practically in any case, since the incorporation of EU law into Swiss law is precisely the purpose of the framework agreement.¹ This close connection of the arbitral tribunal to the European Court of Justice was recently confirmed by experts in a radio contribution. According to Professor *Benedikt Pirker* (University of Fribourg), future agreements, such as the electricity agreement, would “certainly be modelled on

Framework agreement Switzerland-EU in consultation – only in one national language!

mw. The draft framework agreement, which the Federal Council negotiated with Brussels for four years behind closed doors, was published on 7 December, 2018, but only in French. The Federal Chancellery is responsible for the timely translation of the texts: “The Federal Administration is in the service of a multilingual population and therefore provides its publications and the official texts in German, French and Italian.” (Federal Chancellery homepage, translation).

Since the Federal Council wants to provide information on the results of its “internal consultation” in the spring, I asked the Federal Chancellery about the German and Italian translations, with the comment: “After all, it is a document of great interest to the whole population, which should be read in all official languages.” The Federal Chancellery forwarded my re-

quest to the Directorate for European Affairs DEA. Their answer: “All important information can be found on the website of the Directorate for European Affairs (DEA)”, indicating the already known links to the French draft and the German short version of the Federal Council. Closing remark by the DEA: “The German translation of the draft text of the institutional agreement will probably be online in January 2019.”

“Probably” – although the French version is already available since 23 November 2018 – and in the Federal Parliament building legions of translators romp about, but are presumably occupied, primarily, with the transferring of EU right in “autonomous” assumed Swiss decrees.

So we wait patiently for the German version – or put our time in the autonomous translation of the French text ...

EU law, which is the point of the matter. And in these cases, the arbitral tribunal will also refer the questions to the ECJ so that the rules can be interpreted in the same way.” The same applies to the five previous agreements underlying the framework agreement, said State Secretary *Roberto Balzaretto*, Swiss negotiator in Brussels, at the media conference on 7 December 2018. Moderator *Philipp Burkhardt* summed up the matter in a nutshell: “To put it bluntly, in almost all disputes the arbitral tribunal would not be much more than a pass-through without its own decision-making authority.”²

EU law over Swiss law: Example Union Citizens Directive

The Union Citizens Directive is a vivid example of how EU law would marginalise Swiss law in many areas. It extends the right of citizens of the EU member states and their family members to residence and social assistance far beyond the rules in the Switzerland-EU Agreement on the Free Movement of Persons: permanent right of residence after five years of residence for the Union citizen and his family members (Art. 16), right of residence for social assistance recipients “as long as they do not unreasonably claim the social assistance benefits of the host member state” (Art. 14), expulsion “only for serious reasons of public order or public security” (Art. 28).³

At the beginning of the negotiations on the framework agreement, it was stated that

the Union Citizens' Directive was not even up for discussion, later Federal Councillor *Cassis* declared that it was a “red line”, but in the present draft the directive is not mentioned, so it is not a “red line”, at least not for the EU. The EU Citizens' Directive is part of the “dynamic development” of the free movement of persons. If, for example, the arbitral tribunal had to decide whether the social assistance of an EU citizen living here was appropriate or inappropriate or whether a convicted offender may or may not be expelled, for example, the regulation in the Swiss Federal Constitution – decided by the sovereign a few years ago – would no longer be decisive.⁴ Only recently, the Swiss Federal Supreme Court stated with regard to the expulsion “that the legislator wanted to regulate exceptions to the obligatory expulsion restrictively and to restrict the judicial discretion in individual cases as far as possible”.⁵

However, the arbitral tribunal provided for in the framework agreement would not have to comply with the case law of the Swiss Federal Supreme Court in its rulings, but would have to follow the case law of the European Court of Justice. In this way, for example, the Union Citizens Directive would suddenly become part of Swiss law without having been adopted by the people, and our own law would be ineffective, at least vis-à-vis EU citizens.

State economic development would be jeopardised

Interview by Oliver Washington with lawyer Simon Hirsbrunner (SRF 4 News of 13 December 2018)

The draft framework agreement with the EU has been known in detail since the beginning of December. The Federal Council has made the draft public so that it can be widely discussed. And there is actually a lot to discuss: the role of the European Court of Justice, for example, or Switzerland's compliance with the accompanying measures, but also the rules as to when and how the state may support companies; all these topics will also have to be assessed. Together with an expert, Oliver Washington has examined all these regulations on state aid. His assessment is not very positive.

Oliver Washington: Simon Hirsbrunner is Swiss and works as a lawyer at a law firm in Brussels. During the negotiations on the framework agreement he advised the cantons, and wrote an expert assessment of what consequences would accrue to them for adopting the EU state aid rules. About what is now laid down in this framework agreement, especially in the passages on state aid he personally says:

Simon Hirsbrunner: I'm surprised, and I'm also a bit disappointed. In the communication with the public, we've always heard that it's all only about adopting certain guidelines. But in fact the basic EU rules have been adopted in a way that is binding for Switzerland.

States can support companies in various ways. They can subsidise them, they can grant tax relief, they can accommodate them regarding social security contributions, and so on. This is generally prohibited in the EU, although there are exceptions, for instance in the case of companies situated in regions where unemployment is particularly high. Strikingly, the European rules have been incorporated almost verbatim into the framework agreement, including bans and exceptions.

"Framework Agreement of the EU"

continued from page 13

Those who have not yet understood ought to see clear by now at the latest: That is why the EU turbos had to persuade the Swiss electorate to reject the self-determination initiative! If they had said yes, the framework agreement would have been off the table. •

¹ See "Terrain for EU Framework Agreement is levelled", in: *Current Concerns* of 7 January 2019

² "Controversial Framework Agreement". *Radio SRF, Echo der Zeit*, 14 December 2018

³ *Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of*

Framework agreement between Switzerland and the EU: prohibition of state aid

Article 8a, 2. (a) Any aid granted by Switzerland or the Member States of the European Union or through state resources in any form whatsoever which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods is incompatible with the proper functioning of the internal market in so far as it affects trade be-

tween the parties under the [...] agreements referred to above.

(Agreement to facilitate bilateral relations between the European Union and the Swiss Confederation in areas of the internal market in which the European Union participates, 23 November 2018 – final version)

(Translation *Current Concerns*)

Yes, that would be mandatory under the agreement.

Of the existing agreements, only the air transport agreement is to be subject to these rules. This is a success for Switzerland. It is, however, no success that the EU rules would apply to all future agreements, for example a new electricity agreement, and: If Switzerland and the EU were also to update the 1972 free trade agreement, as it has been announced, then the new rules would also apply to these.

This would be a complete paradigm shift. We currently have a very much more relaxed approach to the state's economic development activities.

In concrete terms, for example a canton wishing to support a certain company would have to report this to a new supervisory authority. This authority would then decide. The same applies to our parliament, if it wanted to create new subsidy regulations in the energy sector. Under certain circumstances, these would also have to be approved by a parallel authority. All this would have a massive impact, if also the free trade agreement would be covered by the framework agreement [...]. Industrial production would be affected because the free trade agreement has

an extremely wide scope of application. In the future, the free trade agreement is also to cover services, which could, for example, lead to all promotion of economy and trade at cantonal level being put to the test. I am not saying that this would no longer be possible afterwards, but the corset that we would have to observe would be much tighter.

You, Simon Hirsbrunner, are afraid that measures to promote economy and trade at cantonal level in order to attract companies would practically no longer be possible – tax relief, for example, or the cheap transfer of building land to companies. [...] It will principally be up to the Federal Council to present an analysis of the impact they expect, so that we will be able to have an open discussion.

It is interesting to note that the Federal Council has already presented a similar analysis once, before the EEA referendum in 1992. At that time, the Federal Council saw no major problems between European law and Swiss practice. But this past analysis must be questioned. The EU has always justified its attack on Swiss corporate taxes by stating their opinion that these were illegal state aid. The consequences are well known. Switzerland is about to give in to the pressure. So it will be very interesting to see what effects the Federal Council will expect today in the case of Switzerland saying yes to the framework agreement. •

"Was genau steht im Rahmenabkommen? (What exactly does the framework agreement involve?)" *SRF 4 News* of 13 December 2018. Interview with the lawyer Simon Hirsbrunner: Oliver Washington

(Translation *Current Concerns*)

citizens of the Union and their family members to move and reside freely within the territory of the Member States [...].

⁴ Article 121(3) of the Federal Constitution, adopted in the referendum of 28 November 2010: "Irrespective of their status under the law on foreign nationals, foreign nationals shall lose their right of residence and all other legal rights to remain in Switzerland if they:

- a. are convicted with legal binding effect of an offence of intentional homicide, rape or any other serious sexual offence, any other violent offence such as robbery, the offences of trafficking in human beings or in drugs, or a burglary offence; or
- b. have improperly claimed social insurance or social assistance benefits."

⁵ Media release of the Federal Supreme Court of 20 December 2018. Judgment of 23 November 2018 (6B_209/2018). Criteria for hardship assessment in the case of expulsion from the country

Traditionally and generous Switzerland's immigration policy – determined by the people

Historical background

by Dr rer. publ. Werner Wüthrich

The UN migration pact, the free movement of persons and the institutional framework agreement with the EU (which aims to further expand the free movement of persons) are high on the political agenda in Switzerland. The question of immigration is central to all these issues. – A brief historical review is worthwhile here. All so-called “Überfremdungsinitiativen” (popular initiatives against foreignisation) submitted since the 1960s have so far been rejected.

In the decades before the founding of the federal state in 1848, Switzerland was rather a poor emigration country, where poor harvests often still led to famines. Many of the young men had earned their living abroad as soldiers until the 19th century. We find traces of emigrants from mountain cantons such as Glarus, Valais or Grisons all over the world. The actual industrialisation had only just begun in 1848. The country was still many years behind Great Britain, France and Germany, especially in railway construction. But that changed. Already at the beginning of the 20th century, Switzerland was a typical country of immigration and tourism and benefited in many ways from the skilled newcomers who founded companies. These included pioneers such as *Henri Nestlé* and the British *Charles Brown* (BBC).

Before the First World War, the proportion of foreigners in the population was a high 14.7 per cent – much higher than in other European countries. Belgium ranked second in these statistics with 3 per cent. The borders were largely open. Everyone could come, but had to look for himself.

In the interwar period, the number of foreigners fell again – especially in the 1930s (economic crisis). In 1945, only around five per cent of the population were foreigners. However, this figure rose sharply during the boom of the post-war decades, reaching around 13 per cent at the beginning of the 1960s and 15 per cent in 1968. These statistics do not include seasonal workers that only worked for a few months and then returned home (seasonal workers' statute).

1960s: strong increase in immigration during the boom – attempts to contain it

In the course of the 1960s, the parliament repeatedly adopted measures to limit immigration by initially fixing a ceiling of the number of staff in the individual companies. These and other measures were

not aimed specifically at foreigners, but were intended to cool the heated economy in general and prevent entrepreneurs from making further investments and creating more jobs. There were no more unemployed. Those who lost their jobs found a new one within hours. Soon, however, a number of initiatives came from the population, which went down in history as “Überfremdungsinitiativen” (popular initiative against foreignisation) and demanded that the authorities directly limit immigration and reduce the total number of foreigners.

The *Democratic Party* of the Canton of Zurich successfully launched a federal popular initiative in 1965. It demanded that foreign permanent residents and temporary residents be limited to one tenth of the resident population. Until this population is reached, it should be reduced by 5 per cent each year (Hofer 2012, No. 89; Linder 2010, p. 303). The Federal Council and parliament rejected the initiative.

The fate of the first “Überfremdungsinitiative” was unusual. The Federal Council and individual parliamentarians appealed to the initiators to withdraw their initiative. The Federal Council had taken a whole package of stabilisation measures, fixing a ceiling of the number of employees in the companies and also limited the total number of foreign workers. A referendum would only fuel the mood, lead to unpleasant disputes, create tension in the companies and cause great damage to Switzerland's reputation. Federal Councillor *Schaffner* (FDP, liberal party) invited the initiative committee to a personal meeting – and was successful. The initiative was withdrawn in 1968 (Linder 2010, p. 303).

1970s: the “Schwarzenbach-Initiative” and other popular initiatives against foreignisation are refused

The “Nationale Aktion gegen Überfremdung von Volk und Heimat” (National Action against foreignisation) was against this retreat. One of its representatives, National Councillor *James Schwarzenbach*, therefore launched the second “Überfremdungsinitiative” a little later and founded his own party – *the Republicans*. It demanded a fixed ceiling of the number of foreigners, which could not exceed 10 per cent of the population. 17 cantons would have had to reduce their residents with annual permits by more than half. A withdrawal was not possible this time because the initiators had deliberately not includ-

ed a withdrawal clause in the text. In parliament, the initiative was almost unanimously rejected. A fierce and emotionally charged voting battle began. From today's point of view, some will think: What is a mere 10 per cent, today we have almost 25 per cent – and Switzerland has not perished. But the conditions were quite different back then. The unresolved problems of the boom were great: About 30 per cent of the workforce came from abroad. However, the entire infrastructure was massively overburdened not only by immigration, but above all by the heated economy: The school buildings were too small, the canalisation inadequate, modern refuse incinerator and wastewater treatment plants were almost completely lacking. Water and environmental pollution was alarming. It was no longer allowed to bathe in the lakes of Lugano and Zurich. The road network was no longer sufficient, the motorways were still under construction, residential construction was hopelessly in arrears and rents and prices in general were rising. The unemployment rate was 0.0 per cent and economists no longer spoke of full employment but of overemployment. Wages were appropriate, but the constant overtime at the workplace was annoying. An atmosphere arose that was not harmless.

Politicians had reacted late. Some politicians still had in mind the images of the economic crisis of the 1930s – such as the oppressive unemployment, which was fought with numerous emergency measures. They were completely unaccustomed to the phenomena of the boom. Emergency law existed again – but this time quite differently. In 1949, emergency law was democratised on the basis of a popular initiative (Linder 2010, p. 217). In the 1960s and 1970s, the people voted eleven times individually on emergency laws, i.e. urgent federal decrees, which all had the aim of dampening the economy and solving or alleviating the pressing problems – particularly in the monetary area. The sovereign has always said yes and strengthened the backs of the government and parliament (Rhinow, R.; Schmid, G.; Biaggini, G.; Uhlmann, F. 2011, p. 36 f.).

The “*Schwarzenbach-Initiative*” was to become one of the most important post-war votes: Almost 75 per cent of those eligible to vote went to the polls on 6 July 1970 – a figure that had not been reached since 1947, when the revised economic articles and the AHV (old-

“Traditionally and generous ...”

continued from page 15

age pension) were put to the vote. 54 per cent rejected the initiative – despite the pressing problems on the economic front – and to the great relief of the Federal Council and the majority in parliament who had fought for a no. But the yes vote was high. Large cantons such as Berne and Lucerne had also accepted the initiative. The atmosphere was tense and remained so because the next popular initiative on immigration had already been submitted before 6 July 1970. This primarily demanded that the population of foreign residents be reduced to 12.5 per cent of the Swiss population within 10 years. Another popular initiative called for a tightening of naturalisation practice (Linder 2010, pp. 303, 331, 355).

In 1977, both popular initiatives were voted on simultaneously. However, the conditions were quite different this time: A large part of the homework had been done. It was possible to swim again in the lakes of Zurich and Lugano. The construction industry had even built far too many new flats, so that finding a flat was no longer a problem and rents fell again. The economic upswing that had lasted since the Second World War came to an end in 1975, and many jobs were cut again in the ensuing recession. – The referendum on immigration in 1977 did not cause much of a stir. Only 45 per cent of those eligible to vote went to the ballot box – this time also female voters. (In 1971 the Swiss men introduced the women’s right to vote.) The result was clear: A large majority and all the cantons rejected both initiatives. Switzerland had adjusted itself somewhat to being a popular immigration country, and it had also succeeded in integrating many immigrants well – at that time mainly from countries such as Italy, Spain and Portugal. Modern Switzerland could not have been built without the skilled craftsmen from the South. They had already made a major contribution in the 19th century, for example in the construction of the Gotthard tunnel, other bold infrastructure projects and later also the many hydroelectric power stations and dams in the mountains.

1980s – more popular initiatives

As reaction to the so called “Überfremdungsiniciativen” (popular initiatives against foreignisation) the “Katholische Arbeiter- und Angestelltenbewegung” (catholic worker- and staffers movement) 1977 had launched the “Mitenand-Initiative” (Together-initiative) – with the aim to bring about a new, “human” national policy on immigration. Social security and family reunification should be regulated in a better way and the statute for seasonal workers (work permit only for one season) should

A short history of parties

ww. The *Democratic Party* of the Canton of Zurich, which launched the first of the so-called “Überfremdungsiniciativen” (popular initiatives against foreignisation), can boast of a proud history. It arose out of the broadly based and powerful democratic movement of the 1860s that opposed the liberal “Escher system” and advocated people’s rights. (Alfred Escher was an outstanding business leader, founder of the *Schweizerische Kreditanstalt* (now Credit Suisse) and the *Nordostbahn* (North-eastern-Railway). As a liberal politician, he dominated the Canton of Zurich almost at discretion and defended its purely representative democracy. His statue now stands in front of Zurich’s central station.) The year 1867, in which popular rallies demanded a new constitution ensuring direct-democratic people’s rights, were held in Winterthur, Bülach, Zurich and Uster, is commonly seen as the founding year of the Democratic Party. Democratic parties, calling for people’s rights, also arose in other cantons. In the Canton of Zurich the editors of the Winterthur gazette “Landbote” were the Democratic Party’s intellectual vanguard. In 1869 the party won the vote on the new constitution by a majority of 65 per cent and subsequently also the elections. The new constitution would last for 135 years – until it was revised in 2004. It guaranteed both the obligatory legislative and constitutional referendums (including the finance and taxation referendums) and the constitutional and legislative initiatives. Moreover, it ensured communal autonomy in a broad sense and provided for innovative social policy measures and improvements in the protection of labour, the establishment of a canton-

al bank and the promotion of cooperatives – a veritable democratic revolution which took place without the firing of a single shot! This constitution would become the basis for hundreds of popular votes in the Canton of Zurich in the decades that followed. The outcome is impressive. Zurich (and Switzerland at large) has become one of the most attractive locations worldwide. Not street protests and riots brought the “Escher system” down, but peacefully held popular rallies, the collecting of signatures, the election of a constitutional convention and finally a popular vote on the new constitution. (Today’s “motley revolutionaries” could learn a great deal from this.) In other cantons and nationwide the Democrats likewise made an important contribution to the establishment of today’s popular rights. When the Swiss Liberal Democratic Party (FDP) was founded in 1894, Liberals and Democrats joined together (which is why they called themselves “Freisinnig-Demokraten”). In the Canton of Zurich the Democrats to some extent maintained their independence within the FDP and pursued their own agenda. In 1941 they seceded again and formed a party of their own, which in 1965 submitted the first national popular initiative against foreignisation. The party failed to reach its former strength, however, and in 1971 rejoined the FDP. In the same year, the Grison and Glarus Democrats combined with the “Bauern-, Gewerbe- und Bürgerpartei – BGB (Swiss Farmers, Tradesmen and Citizens Party) to form the “*Schweizerische Volkspartei SVP* (Swiss people’s Party) – now the largest party in Switzerland –, in whose programme the people’s rights are still of central importance.

be abolished. The Federal Council recommended to the ongoing revision of the Swiss Federal Law on the Temporary and Permanent Residence of Foreign Nationals (ANAG) as indirect counter-proposal. This new law would be more appropriate and would substantially improve the legal situation of foreigners. The people followed 1981 the Federal Council and his representatives in parliament and refused the popular initiative clearly with more than 85 per cent (Linder 2010, p. 400).

In the 1980s the economic situation improved again and the foreign residential population increased again proportionally. Consequently the *Nationale Aktion* again launched a popular initiative which wanted to lower the rate of foreign nationals. The number of immigrants allowed should be maximum two thirds of the emigrants during 15 years – as long as the population transcended 6.2 million (today 8.4 million). – 1988 another time more than 70 per cent

of the voters and all cantons said no to numerical limits. (Linder, 2010, p. 460).

1990s: inflow as consequence of the Yugoslav wars

The per centage of foreigners in the population still increased in the 90s. Countries of origin were mainly Yugoslavia and in recent times Germany. 1991 it added up to 17,1 per cent, 1994 to 18.6 per cent and anew a popular initiative was launched. The so called 18-per cent-initiative surprisingly came from within the ranks of the Swiss Free Democratic Party (FDP): member of the National Council *Philipp Müller* (later president of the FDP *Schweiz*) demanded that the per centage of the foreign population may come to maximum 18 per cent of the entire population. Müller followed here the democratic line within the FDP which has a long tradition

continued on page 17

"Traditionally and generous ..."

continued from page 16

(see box). Federal Council and parliament refused the initiative – but in comparison to former times much more relaxed. There were problems with integration, indeed, but many of the problems of the sixties were solved or defused. Also the integration of the many southern Europeans had proceeded faster than many thought – 64 per cent of the voters and all cantons voted with no this time, too (Linder, 2010, p. 460, 593).

After 2000:**Free movement of persons with the EU**

After 2000 the situation was different again: 1999 the people had agreed to the Bilateral treaties I with the EU with a relatively narrow majority. Thereto belonged the free movement of persons. With this something new was added: the Free movement of persons belongs to the core of EU Policy, which since the foundation of the *European Economic Community* (EEC) 1957 pursues the political goal to build a supranational union getting closer and closer with open borders and a population gradually mixing up. There was the risk that the Swiss people would reject the whole package because of the free movement of persons. Therefore the Federal Council had beaten the big drum and argued that not more than 8,000 to 10,000 persons per year would immigrate. This is no problem, many might have thought, we have seen quite

different things before. – But this was not reality. Times came with an immigration of more than 100,000 per year – as many as during the times of booming economy of the sixties.

2014 the people agreed to the "*Stop Mass immigration popular initiative*". In contrast to earlier popular initiatives it didn't demand to reduce the already very high per centage of 25 per cent of foreigners. It solely wanted to restore the right of Switzerland to decide for itself about immigration – as it did since decades repeatedly. But the authorities (Federal Council and Parliament) hesitated and at last refused under the pressure of Brussels to implement the verdict of the people. Now we have a veritable national policy problem. – Another popular initiative which definitively demands to terminate the free movement of persons with the EU is already submitted. (The high amount of immigration probably is the main reason of the Brexit in Great Britain, too.)

Today the UN migration pact is on the table which wants to make political pressure to regulate the matters of immigration internationally and top down. It contradicts as well to the time-proven tradition of Switzerland to settle its affairs by its own and in its own way. Switzerland has a lot of experience and success with its politics directly supported by the population – even in complex issues like immigration which happened altogether generously and in dignity. The interplay between

population and authorities ordinarily works even in delicate issues and contributes substantially to the political stability of the country. The free movement of persons demanded by Brussels and its further development, the political pressure of a UN migration act and the institutional framework agreement which wants to incorporate Switzerland even more into the EU, however, are not useful and only can cause trouble.

Today 700,000 Swiss people live abroad. Swiss enterprises have created about three million jobs abroad. The inland per centage of foreigners amounts to a record high of 25 per cent. With this Switzerland is more cosmopolitan and liberal than many other countries and still a popular country of immigration. The repeatedly launched popular initiatives which intend to regulate immigration in one or the other way are more a reaction to this openness and sometimes an overpressure valve for conflicts and issues which parliament doesn't address – but under no circumstances a sign of isolation or even of xenophobia which sometimes is suggested. ●

Sources:

Hofer, Bruno. *Volksinitiativen der Schweiz – laufend aktualisiert. Dokumentation aller lancierten Volksinitiativen auf Bundesebene von 1891 bis heute*. Dietikon 2013

Linder, Wolf; Bolliger, Christian; Rielle, Yvan. *Handbuch der eidgenössischen Volksabstimmungen 1848–2007*. Berne 2010

Rhinow, R; Schmid, G; Biaggini, G; Uhlmann F. *Öffentliches Wirtschaftsrecht*. Basel 2011

Letter to  the Editor

It is not only about the "yellow vests" in France – Germany also faces a social question

A few weeks ago, the Grand Coalition of the German governing parties debated fiercely on the future of old-age security through the statutory pension insurance for all workers and employees in Germany who are subject to social insurance contributions. Particularly *Federal Minister for Labour and Social Affairs, Hubertus Heil*, tried to score points for his party, the SPD (Social Democrats). However, the citizen was deceived here, and the actual facts were suppressed.

Mr Heil talked about wanting to stabilise the pension level at 48% of the average wage up to 2025 or even up to 2040. This is, however, a deceptive pack, since this per centage does not refer to the amount paid out, but to the gross pension. Missing are, on the one hand, the deductions for health and long-term care insurance, which currently account to around 11%. Added to this is the steadily rising share of pension taxation, which already stands at 76% today and is rising by 1%

or 2% annually until it will finally reach 100% in 2040.

In plain language, this means that after the deduction of various lump sums, pensions are already taxed at a gross monthly rate of 1,200 euros today. We owe this to the red-green *Schröder/Fischer* government, which introduced the Retirement Income Act in 2005. At this time, the share of taxation was already 50%. If we add to this the slow but steady rise in prices, which pension adjustments are lagging behind, then we find that creeping inflation is an additional, namely secret, tax.

It is anachronistic that old-age provision is still linked to the factor of work and the demographic change that goes with it, and not to performance, namely the productivity of our economy. Our economic output (gross domestic product GDP) in Germany has almost doubled over the last 25 years in real terms (adjusted for price changes), from around

1.7 trillion euros in 1992 to around 3.3 trillion euros in 2017. So I wonder where this astonishingly large surplus has gone. It has by no means reached the working people or those who worked formerly over many decades (pensioners). The gross domestic product is also commonly called national income. It is probable that this word has no longer anything to do with the reality of today.

Thus in the past decades more and more goods and services have been produced with less and less labour. This trend will continue by means of further automation and digitisation (industry 4.0). Thanks to technological progress, which in turn has been driven by the spirit of research and innovation of working people over generations, people should benefit equally from this progress, both in active working life and in old age. There is clearly a misdistribution. I think the debate should

continued on page 18

Against confusion and “desertification”

by Friedrich Romig

In 1930, that is in the chaotic time that followed the collapse after the First World War, the writer Fritz Eberling wrote an essay containing the sentence “Wir gehen durch die Gegenwart wie durch eine Wüste” (We go through the present as through a desert). The renowned German scholar, philosopher, historian and political scientist Dr Michael Rieger derived the title of his book from this sentence.

Both the Weimar and the Austrian republics spiritually resembled a dreary desert which was perceived as “largely as soulless, culture-less and heartless”. This is largely what we feel today.

The “socialist levelling of all differences and the negation of our own human culture” was, as *Anabel Schunke* aptly points out, turned into a *raison d’être* of the state. “Liberal thinking” in the form of relativism has strongly contributed to the emergence of “the inner and outer desert”, which goes hand in hand with destructive losses of tradition, community orientation and sense of responsibility. The “harassed modern people” (*Franz Xaver Kroetz*) have lost the standards and counter-images that could put a stop to these destructive forces.

“It is not only about the ...”

continued from page 18

be approached from a completely different angle, based on these thought-provoking ideas. I am sick of hearing all that talk about demographic development and retirement at 70.

To complete my argument, I would like to add: If an employee has ensured him- or herself privately, for example by means of direct insurance, or receives a company pension, a double contribution (employer and employee contributions) of health insurance and long-term care insurance contributions is made when these two forms are paid out. This reduces the amount paid out by about 20%. The contributions are collected in instalments over 120 months. This has been the case since the introduction of the law on the modernisation of the health care system in 2004 under Health Minister Ulla Schmidt (SPD).

By the way, according to the Federal Employment Agency the proportion of mini-jobbing pensioners has almost doubled from 587,046 to 1,074,689 between 2003 and 2017. The over-65s represent the largest proportion of marginally employed persons.

Werner Voss, Wiehl (DE)

(Translation Current Concerns)

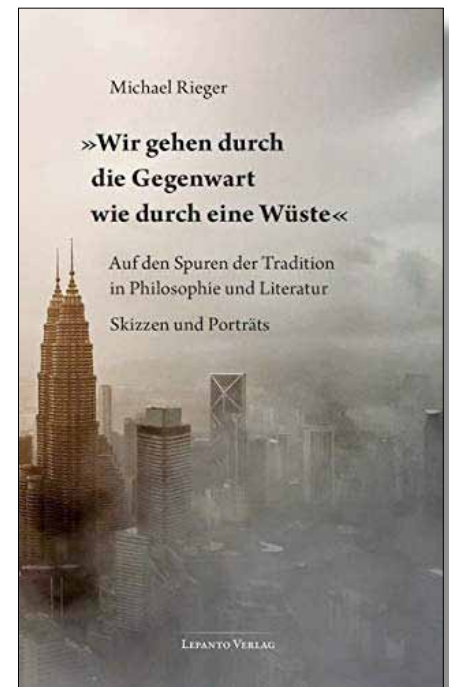
When browsing through his bookshelf, *Michael Rieger* wants to remind us of those important benchmarks and counter-images. There he for instance finds “the crown guards” (die Kronenwächter) (*Achim von Arnim*), who “preserved the eternally sacred patterns of true familiarity and ideals”. They have always been there, at all the times when spiritual devastation threatened. This already celebrated its Saturnalia in the French Revolution, and it does so today under the brand of political correctness.

Quite rightly, in his introduction Rieger already refers to *Kleist*, *Droste-Hülshoff*, to *Peter Rosegger* and, quite extensively, to *Adalbert Stifter*, who with his “gentle law” wants to reestablish custom and justice. What this “gentle law” means, that was expressed prophetically and concisely in four lines by no other than the also explicitly appreciated *Reinhold Schneider*, shortly before the assumption of power by the National Socialists:

“For perpetrators never will force heaven:
What they unite will turn to rubble.
What they renew, will overnight deteriorate,
And what they institute, bring misery and trouble.”

The poem in which these four lines appear bears the title: “Now only prayers may still succeed ...” *Schneider* included it in a meditation volume published under samizdat conditions in the middle of the Second World War, and many a soldier carried this volume with him in his knapsack, finding consolation in his inescapable fate, his expectation of death.

Rieger gives the title: “Catholicism versus Modernism” right to the first chapter of his little anthology of conservative thought. He thus suggests the theme that runs through the entire volume. This first chapter pays tribute to the Brazilian *Plinio Corrêa de Oliveira*, who is largely unknown to us. With his books “Revolution and Counterrevolution” and “Noblesse”, which have been translated into most of the world’s languages, *Plinio Corrêa de Oliveira* has sparked a movement for “family, tradition and private property” (TfP), which is even institutionally anchored in many countries. His thesis, that order in culture, civilisation and state “depends on the observance of the teachings of the church” is now accepted by virtually all the more important conservative thinkers. After all, it is not by chance that *Ernst Jünger*, *Caspar von Schrenck-Notzing* and *Russell Kirk* converted from Protestantism to the Roman Catholic Church, not to mention their



ISBN 978-3-942605-17-5

predecessors such as *Adam Müller*, *Friedrich Schlegel*, *Carl Ludwig von Haller* and many others.

And last but not least, it is significant that writers of the rank of *Peter Handke*, *Martin Walser*, *Thomas Bernhard* or *Botho Strauss* are increasingly quenching their “thirst for truth” from the “spouting well” that religion provides.

In his wanderings through tradition, Rieger repeatedly refers to *Othmar Spann*. Also *Armin Mohler*, probably the best connoisseur of the conservative revolution, comes to the conclusion that *Othmar Spann* “has supplied the conservative revolution with the best-grounded system”. In the seventies of the last century, *Spann*’s comprehensive oeuvre was summarised and reprinted in a 21-volume complete edition. To *Michael Rieger*’s delight, *Spann*’s teachings are being continued today by his pupils and their children, and are emphatically championed in science and politics.

With his sketches and portraits, Rieger has not presented a scientific book, but one that prepares the reader for a “healing bath” that is pleasant and beneficial and contributes to mental hygiene.

Rieger, Michael. “Wir gehen durch die Gegenwart wie durch eine Wüste” – Auf den Spuren der Tradition in Philosophie und Literatur – Skizzen und Porträts. (“We walk through the present as through a desert” – On the traces of tradition in philosophy and literature – sketches and portraits.) 240 pages, paperback. Rückersdorf near Nuremberg, Lepanto-Press 2018

(Translation Current Concerns)

Pewter figures – filigree craftsmanship

Oldest German tin dynasty with Swiss roots

by Heini Hofmann

There are not only health resorts and places of power, but also places of art. The Bavarian village Diessen at the Ammersee (lake Ammersee), southwest of Munich, is such a place. The picturesque market town has always been home to painters, musicians, sculptors and writers, but especially to craftsmen who have passed on their skills for generations. The most famous are the pewterers.

If you walk up from the lakeside road to the baroque cathedral Marienmünster, passing the old town hall one is lead into the Herrenstrasse with its colourful domestic houses. Two pretty buildings with façade paintings, a yellow-white and a blue one, are particularly striking because they both show the same Swiss pewterer dynasty name on an artistic figurehead, namely House No. 7 (Pewter Figures *Wilhelm Schweizer*) and House No. 17 (Small Pewterware Foundry *Babette Schweizer*).

The Tin Dynasty Schweizer

The family can be traced back to the 15th century. And the family emblem in the façade painting of both houses shows a Papal Swiss Guard on a silver-red shield. The dynasty's country of origin is said to be Switzerland. The first pewterer in the family's history was *Adam Schweizer*, born in 1774. The trained goldsmith founded the Small Pewterware Foundry in 1796.

In contrast to the large pewterware foundry, where cups, mugs and plates are produced, one has specialised in Diessen in the small pewterware, i.e. flat figure casting. *Adam Schweizer* produced figures of saints and devotional objects for pilgrims, but also ecclesiastical toys for children "playing priest", crosses, candlesticks and incense boats. Then later profane pewterware was added: Rings and buckles, but also token – motifs such as Bavarian dragoons, Hungarian pandurs or a rococo hunt.

Diessen at Lake Ammer

HH. The artists' village on the western shore of Lake Ammersee, in the district of Landsberg, can be found in the so-called Pfaffenwinkel, where people used to "live under the crosier", as can be seen from the many baroque churches, chapels and monasteries. Besides the art of tin casting, ceramics and Faience also have a long tradition here. (www.diessener-kunst.de).



Older motifs such as the Swiss Guard and William Tell still remind us of the origins of the Swiss tin foundry dynasty. (Picture small tin foundry Babette Schweizer)

When Adam Schweizer died in 1848, his son *Anton* continued the flourishing business. He optimised and rationalised the production process. After his death in 1867, his widow *Babette* took over the responsibility. Their son was again named *Adam* (1855–1914) and he spent his years of wandering and learning with famous engravers in Munich and Leipzig and used to created filigree pewter Christmas tree decorations for the royal household in Munich. After his death it was his widow *Wilhelmine* who, together with her children *Anny* and *Wilhelm*, managed to preserve the business through two world wars.

Upper and lower place called "Schweizer"

In 1972, as is so often the case in family businesses, there was a split. Daughter *Anny* continued her business under the name "Babette Schweizer" at Herrenstrasse 17 (called upper Schweizer), while *Wilhelm* continued his business under his own name at Herrenstrasse 7 (called lower Schweizer). Both companies together represent today the oldest German pewterer dynasty, notabene with Swiss roots (see box).

When *Wilhelm* died in 1976, it was again a woman, his widow *Ottillie*, who took care of the business until her daughter *Annemarie* and her husband *Jordi Arau* took over the company in 1981. *Annemarie Schweizer* learned engraving, but then passed on her knowledge to her husband, because later she studied medicine and works as a doctor now. *Jordi Arau*, a mechanical engineer and native Spaniard, was enthusiastic about the small pewter art and continues it with artistic success. The

old workshop of the lower Schweizer at Herrenstrasse 7 is now used as a museum, while production takes place in the building behind it - in bright rooms, but still in the traditional manner.

The upper Schweizer at Herrenstrasse 17 is now managed by *Adam Schweizer's* grandson, the master pewterer *Gunnar Schweizer* and his wife *Karin*. In the Tin-Café, integrated into the exhibition rooms, you can enjoy the diverse fabulous world of pewterware over coffee and cake. It should be noted that the founder of the dynasty had already worked in this house called the upper Schweizer. Today, hardly a visitor leaves Diessen without a souvenir from one of the two Schweizer pewter foundries. And the filigree and precious items are being sent all over the world.

Engraving and casting

Pewter casting is one of those crafts that are still practiced today as they were over 200 years ago. These days, only the casting furnace operates electrically with temperature control. But everything else is done manually. With a lot of creativity and dexterity, tin bars are turned into small works of art that please the eye and heart. At the beginning of a tin figure there is a pencil sketch. But there is a long way from the draft sketch to the finished bijou.

First, the sketched motif is worked out by hand from a flat slate slab as a negative mould using a graver and scraper. The front and back of the plate must fit perfectly, which is checked by means of a test casting. The engraving is comparable with the work of the sculptor, but with

continued on page 20

"Pewter figures – filigree craftsmanship"

continued from page 19

the difference that the mould is shaped as a negative.

The hot phase in the double sense during the creation process is the casting process. Using a casting spoon, the tin, heated to around 400 degrees, is poured by hand into the double-sided slate mould. The air can escape through engraved fine channels. The heated metal fills all cavities, cools and solidifies. Just seconds after casting, the shiny silver blank can be removed from the mould and freed from the thick sprue pins and thin air trumpets.

Finishing and painting

Each tin figure is then further processed in small batches. Possible misshapen castings, which happen rarely in this precision work, are returned to the crucible. The successful end products are grouped thematically for the finish, i.e. they are deburred and polished. Then another highlight awaits the newborn figurines: Handpainting awakens a soul in them and each individual piece becomes unique.

Painting these jewels requires patient precision work: the tin figures are painted individually with ultra-fine brushes, enamel lacquer or oil and acrylic paints, usual-



The 400 degree hot tin is filled into the double-sided mould with the casting spoon, while the air escapes through fine channels in the model.
(Picture pewter figures Wilhelm Schweizer)

"I'm a poor Swiss"

HH. The oldest proof of the name Schweizer from the 15th century refers to a *Hanns Sweytzer* from Unter-Peissenberg, whereby the spelling has changed over time to *Schweytzer*, *Sweitzer*, *Schweitzer* – up to the present *Schweizer* (Swiss). A family branch has been documented in Diessen since the 17th century. Swiss people also appeared earlier in Schongau, Peiting and Swabia.

"Since 1450", wrote Dr *Bruno Schweizer* (the father of *Gunnar Schweizer*, today's master of pewterer) in 1930, "a 'Swiss' was generally understood to mean a mercenary, a soldier. The old sod of their home floe forced many Swiss people to earn money in faraway countries in this way." The same Diessen

chronicler also refers to an old carnival verse by Peissenberg: "I bin a armer Schweizer / I bitt en um an Kreuzer." (I am a poor Swiss / I ask for a kreuzer)

In addition to the Swiss mercenaries in foreign military service - a relic of which is the papal Swiss Guard in Rome - there were also cattle breeders, cheese-makers and confectioners who carried their skills to other countries. For example, the senior melker in the Tsarist Empire was called "Oberschweizer" (senior Swiss). The jungle doctor *Albert Schweitzer* also has his genealogical roots in Switzerland (the father of the writer researched his origins at his request), except that he kept the old Tz in his name.

ly in a homework system. It goes without saying that women's hands are better suited for such miniature art. These are ladies who have, for example, completed a training as a porcelain painter.

But there are also decorative objects that are not painted, such as door wreaths and window pictures; these are given a patina by blackening and brushing, which gives them a more contrasting and three-dimensional appearance. Other objects require special treatment. For example, with Advent wreaths in miniature form, the flat

cast parts have to be soldered together and the whole thing bent using a suitable template. And finally, about one third of all articles are produced as blanks for self-painting and sold together with matching paints and brushes. Because there are art-conscious customers, who still want to set their hand to the parts.

Boom at Easter and Christmas

The palette of pewter figures is immense and varied; it includes ecclesiastical and profane. The former is particularly popular at Christmas and Easter, while the latter is popular all year round. In former times, when many children's fathers were still soldiers, tin soldiers were very popular; today they have gone out of fashion or have to come along peacefully, in historical uniforms or as Papal Swiss Guard (nomen est omen!).

At Christmas, angels, Santa Clauses, nativity scenes, Christmas trees and Christmas tree decorations are popular. At Easter, rabbits in all variations hobble through the window displays. Other motives are: Customs and family celebrations, fairytale scenes, traditional costumes and May poles, horse and sleigh teams, ships, sailing boats and railways, castles and churches, exotic and farm animals, old and new professions, sports and much more.

And one keeps up with the times: For the World Cup, a wall picture with a goal scene was created in which the players in the penalty area can be painted in the desired national colours. The pewter figures can also be viewed on the Internet (www.schweizerzinn.de = upper Schweizer and www.zinnfiguren.de = lower Schweizer). In short: even if the profession of the pewterer was abolished by amending the list of crafts and it was integrated into the profession of metal designer: It lives on in Diessen at Lake Ammer!