

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*

“We would like to avoid war – that is the most important thing!”

About the difficulties of overcoming prejudices

Interview with *Pyotr Olegovich Tolstoy**, Deputy Chairman of the Russian State Duma



Pyotr O. Tolstoy
(picture vk)

cc. In *Current Concerns* No. 9 of 17 April, we reported on the conference “Never forget – peace and prosperity instead of wars and poverty” in Belgrade.

Pyotr O. Tolstoy, Vice-President of the Russian State Duma, was one of the speakers within a large Russian dele-

gation. On the sidelines of the conference, *Current Concerns* conducted the following interview with him.

Current Concerns: What is your personal relation to the NATO war of aggression against the Federal Republic of Yugoslavia?

Pyotr Olegovich Tolstoy: Twenty years ago, I worked as a journalist for Russian television. When the bombings began, I was in direct contact with Belgrade every day. For example, I remember very well that from the studio in Moscow I was directly connected in a live broadcast with my friend *Yevgeny Baranov*, also a journalist and also present at this conference, when the bombs were dropped on the building of the Serbian television. Suddenly, the sound was gone and the line was dead.

For me this was also a serious professional challenge, because at that time Rus-

sian television worked without a substitute programme. So I had thirty minutes of broadcasting time ahead of me, I had lost the sound and the connection to Belgrade and had to fill out this half hour live as a presenter. Finally, we discussed the situation and in particular, the consequences of this NATO attack for Russia and for international politics with various Russian guests who are also present at the conference today. It was a very clear lesson for the whole country and for most Russian citizens. This attack deeply changed their view, their view of the West, both before and after the aggression against Yugoslavia. This was the first breach of trust between Russia and the West. Then there was *Yevgeny Primakov*, who returned in his plane¹ – rightly in my opinion – which had a negative impact on relations between the West and Russia. This

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“There is no sovereignty and no resistance without identity” Supplement to the conference in Belgrade from the end of March 2019

by *Fulvio Grimaldi**



Fulvio Grimaldi
(picture ma)

the background of the wars of EU and NATO against Yugoslavia and Serbia. He also describes the media propaganda campaign in the run-up to the bombing as a model for all the other wars that the American empire has waged since 1990. We document some thoughts from the last

jp.v. After attending the international conference “Never to Forget – Peace and Prosperity instead of War and Poverty” (Belgrade, March 2019), *Fulvio Grimaldi** published a comprehensive article on this subject. He gives an overview of

third of this detailed analysis by the author.

The beginning of the second millennium False-flag Operations

[...] Terrorism began with the betrayal of Račak, the catalyst of the NATO attack, when *William Walker*, head of the OSCE, an allegedly mediating organisation, attributed a few dozen mutilated civilian bodies to a massacre committed by the Serbs. Finnish coroners examining this find were able to show that the bodies were KLA [Kosovo Liberation Army] militias who had been killed in battle and mutilated after their deaths. Then came *Saddam’s* weapons of mass destruction, *Osama bin Laden*, 9-11 2001, *Gaddafi* and *Assad*, who bombed their people ... In short, the False-flag operations as the mother of all crimes against humanity.

Deceptions can be revealed, blame assigned, bridges, buildings, railroads, hospitals, homes, schools, factories can be rebuilt. However, when an identity is violated and mutilated, it never stops bleeding – until death. This is the strategic goal of the gravediggers who are equipped with the scythe of globalisation. Identity is wiped out or imprisoned by war and suffocated in the cage of political and economic structures, such as NATO or the EU. Martial terrorism aims at destroying the habits and structures of coexistence, culture, testimonies, roots, works that express a community and its history. Its purpose is to destroy the soul, erase the names. The effect of war through annihilating what a people needs to recognise itself as such, what unites it with its history and territory,

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* *Fulvio Grimaldi* was born in Florence in 1934. He is an Italian journalist, war correspondent for the Italian radio station RAI from 1986 to 1999, publicist, blogger and documentary filmmaker.

“There is no sovereignty ...”

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is terribly underestimated. [Apart from *Pyotr Olegovich Tolstoy*, Vice-President of the Duma of the Russian Federation,] nobody else spoke about it at the Belgrade conference, but the subsequent approval and support for this issue proved that it was present among various participants.

**Not only homes, hospitals,
monasteries, bridges, schools**

The first thing the Americans did in Iraq (I was present myself) was to have the National Library and the Museum – the two of which contained 4,000 years of a civilisation that had spread from there to the rest of humanity (not the whole, to be honest) – destroyed by workers imported from Kuwait. In Ur, *Abraham’s* homeland, they demolished the first manmade asphalt with the chains of their tanks. They wrecked Babylon, Nineveh, Hatra, Nimrud, Mosul with their bombs, and handed them over to their Islamist mercenaries. As in Syria with Palmyra, Aleppo, Raqqa. As in Libya with Cyrene, Leptis Magna, Ghadames ...

In terms of Serbia, we know about 150 orthodox monasteries which were destroyed in Kosovo and another 100 under the eyes of the KFOR troops. Deliberately and precisely, Pancevo’s refineries and chemical tanks were destroyed to release dangerous fumes. But we know nothing about the destruction or damage of museums, cathedrals, the Belgrade Fortress, old cemeteries, Byzantine and medieval monuments, churches, mosques and synagogues, the Memorial Park in Kragujevac, the National Park Fruška Gora, where trees and monasteries burst before our eyes, the old city centres and thus important forms of coexistence. All this to eliminate, level and standardise roots, identities, souls. Without identity, there is no sovereignty – or only that of the globalisers, levelers, de-owners, hate-filled enemies of culture. Where from can one still take the strength, the sense of community, to fight?

Identity is the main enemy

The work of globalisers does not end with war and bombs. Proof of this can be found in the worldwide campaign with migrants, a new edition of slave trade and colonialist racism of past centuries. This is covered up with the hypocrisy of the good souls who advocate an unconditional welcome for all while aiming at depriving countries of their young generation in order to rob their resources more easily. This leads to a destruction of the awareness for identity among those who leave their countries and, at the same time, among those who host them. The universalisation of gentrification¹ in the metropolises is evidence of this. That means the arrival of rich families and business leaders and tourist groups standardised by uniform scenarios between Tokyo, Chicago, London, Lisbon and Milan. At the same time, there is the displacement of the vital, simple population to the outskirts of the city and its replacement by shopping centres, B&Bs, hotel chains, restaurants and franchise shops, after the small shops, cafés, small restaurants and squares with their walls, dance events and fountains for Saturday evening communion have been snatched away forever from the community of yesterday and today. [...]

In Belgrade, the *Zara & Co* shopping centre in place of the Central Committee building is a bad sign. The same applies to the new quarter of the very rich, the “Waterfront” (in the English style) on the banks of the river. The city centre seems to have been preserved so far.

The *Belgrade Forum for a World of Equals* was a conference of remembrance, and it had to be so given the ignorant oblivion of the leaders and their scribes. But from *Živadin Jovanović* to the last delegate on we were aware that memory alone is useless if consisting only of a gallery of ancestors and landscapes – an atmosphere in which too many people become sleepy. The memory of the Serbs accuses and warns without interruption; for the gravediggers, Serbia must have become the model of humanity: either we resist the sirens of

USA, NATO and EU, or we all are going to die. If memory brings charges, it becomes resistance. It is about the fight against those who now return to bring the streets into a state of turmoil. Illegitimate demonstrations are being organised to bring down a president who may not be following a very clear line, however, in a trend-setting way he said no to NATO. This Nato – pursuing the project of bringing all Albanians together in a single state under the control of international and local crime – wants to push forward the unfinished destabilisation of the Balkans and finally put an end to the Serbian resistance that once defeated the Nazis and now refuses to play the role of bridgehead for the war against Russia.

The conclusions of *Živadin Jovanović* underline the commitment to keep alive and spread internationally the memory of the crimes and their perpetrators in order to strengthen the opposition to NATO and EU in the name of international law and national sovereignty to be restored. It is also necessary to develop increasingly close relationship with the traditional Russian ally and, with the power of experience and suffering, to work for self-determination of peoples in an international alliance. We have in mind the motto of the conference: “Peace and prosperity instead of wars and poverty”.

I finished my contribution in Belgrade with the promise that all of us 500 delegates will gather here again for the 30th anniversary and even for the 60th. Since we are committed to a just, good and important cause, we will never die. We are immortal. From time to time one must also be able to smile a bit ... •

Source: *Le Grand Soir* from 6 April. www.legrandsoir.info/oublier-pardonner-jamais.html
Extracts from the article to the international conference “20 ans après l’agression contre la Yougoslavie” – “Oublier? Pardonner? Jamais.” by Fulvio Grimaldi

¹ Gentrification (gentry) means the process of displacing residents from urban neighbourhoods because they are rebuilt or rehabilitated for the benefit of more affluent residents.

(Translation *Current Concerns*)

“We would like to avoid war ...”

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is a great pity, but unfortunately, it is so. And it seems impossible to change that in the short term.

You mentioned that there are lessons we can learn from this war. What are you thinking of?

Firstly, I am convinced that nothing justifies military intervention – to avoid the word aggression – in a sovereign country: neither humanitarian reasons, nor the protection of human rights, nor protection against ethnic conflicts. Our international policy is based on this principle. And I can tell you that the vast majority of the members of the *Inter-Parliamentary Union* (IPU, United Nations body) supported a resolution introduced by Russia. It said, that it is forbidden to interfere in the internal affairs of a sovereign country in this way. We do not insist on this because we ourselves would be threatened by such interventions. No, because, fortunately, thanks to the legacy of the USSR, Russia has nuclear weapons, so we are not exposed to this threat.

However, we have all seen the changes that have taken place in several European countries, but also in Afghanistan, Iraq and Libya, where democracy has not improved. When such interventions are initiated, they are always based on good principles, which we also support: Freedom, human rights, democracy and so on. Do we have democracy in Afghanistan today? Or in Libya? Or in all the other countries that have been attacked?

I believe that this situation has motivated President *Putin* to comply with Bashar al-Assad's request for engagement in Syria. The reason was not that a dictator *Putin* wanted to support a dictator *Assad*. Not at all. Rather, Russia wanted to support the state structures on Syrian territory. Their dissolution would have had much worse consequences than those in Libya today. The most important thing – regardless of *Assad's* fate – was to preserve state structures in order to repel international terrorism.

I also think that people in Europe are not aware that this is the reason why today there are no YouTube videos showing people in orange clothes being beheaded. The international terrorists were driven out of Syrian territory by the Russians, Iranians and *Hizbullah*. This does not please the coalition of sixty Western countries, which had started with this in Iraq. However, I am quite sure that it was the right decision for Syria and for the whole world, because that is the way out of such crises.

Syria is the first country where the terrorists were able to be stopped ...

... to push them back, one cannot say to stop them, because they have gone to Africa, they are almost everywhere. But at least we've managed to limit their activities. I would like to point out that the Russians went to Syria at the request of the Syrian Government. Regardless of what one thinks of *Assad* and his government, it is the government recognised by the UN and thus by the international community that has officially requested support from Russia. The Russian armed forces did not come in the same way as the NATO planes that left their base in Aviano, Italy, to drop bombs on Serbia in the name of democracy.

Do we still have to explain that today?

That's the way it is! I stress all this because in public opinion and in the Western press unrealistic stereotypes are conveyed about the situation in Syria and Ukraine in relation to Russia, about gas, and about various other issues... This irresponsible spread of silly stereotypes distorts public opinion considerably.

As a result, it is necessary to explain realities to people from the very beginning. I myself often talk to members of other European parliaments. My Dutch colleagues, for example, did not know that Ukraine used to belong to Russia. They believed that it had always been independent and that Russia had annexed part of it. They did not know that twenty million Russians live on the territory of Ukraine. They also knew nothing about the history of the country. When I began to explain them step by step, they were very surprised and they said: “But that changes everything!”

Of course, as guests from Switzerland, which is not a member of NATO, we are also very interested in how your relations with Switzerland develop.

We have very good relations with Switzerland. During a breakfast I met Mr *Yves Rossier*, the Swiss Ambassador to Moscow. Switzerland is still trying to act as a mediator between the West and Russia.

Also with the sanctions?

Yes, but politically I can tell you that, despite the mutual visits in which I have participated – the Presidium of the Swiss Parliament in Moscow and the Presidium of the Russian Parliament in Switzerland – currently we have no interparliamentary work between the two parliaments. The reasons for this are the sanctions against Russia and the political restraint of our Swiss colleagues. But we understand them well. Switzerland's attempts to maintain the status of neutrality are interesting. Switzerland is a country that in the past has often been the scene of difficult negotiations in which fundamen-

tal agreements on international security were signed.

Of course, we in Switzerland are also concerned about the termination of the INF contract.

Since the withdrawal of the United States from the Treaty on Intermediate-Range Nuclear Forces (INF), safety in Europe has deteriorated significantly. And unfortunately the NATO military bases are today located near the Russian border in Bulgaria, Romania, Poland and soon also in the Baltic States. The flight time of a rocket sent from Romania to Moscow is ten minutes ... With this eastward expansion of NATO we already feel a little deceived ...

In your opinion, what can be done to improve this situation?

That is very difficult. We need to be able to correct the stereotypes in public opinion, overcome them, bring everything back to zero and return to the negotiating table. Sometimes it is proposed to renew the Yalta Agreement. However, before Yalta there was war. We would like to avoid war, avoid any military conflict. That is the most important thing.

Returning to the negotiating table is by far the best solution.

We are ready! We are open to that. Russia emphasises this, *Putin* says it at every opportunity, the Foreign Minister and I as a member of the Presidium of Parliament emphasise it at all our international meetings. At the parliamentary level, for example, we are debating it with the Americans, who like to meet the Russian delegations at the OSCE in Vienna. We are discussing many things, but the difficulty is to overcome the wave of stereotypes that we are confronted with today in most media, in international politics and among many politicians.

So we hope that sooner or later this will change, otherwise a military conflict is inevitable. And we don't want that to happen.

Germany plays a major role in the conflict between NATO and Russia. How do you perceive German-Russian relations?

We have very good relations with Germany. It is our most important economic partner in Europe. Together we are implementing a very important project for the whole of Europe, the North Stream 2 gas pipeline, which incidentally is being treated by some as a political weapon. They tell us it is the *Molotov-Ribbentrop Pact* in the gas sector and other such nonsense. In my opinion, this pipeline will make the German economy more competitive, because our gas is

Military expenditure at its highest level

1.82 trillion US dollars were spent last year on military purposes worldwide. This is the highest level since the end of the Cold War.

The result, says SIPRI Director *Aude Fleurant*, did not surprise her. "This was indicated by the international constellations, by the crises in many regions of the world. At the same time, many states are modernising their arsenal of weapons. This increases the cost of new weapon systems and global warfare."

Not surprisingly, the USA is once again at the top by far. Last year, Americans spent \$ 649 billion on their military. This top position is not only due to the trump effect, says Fleurant. Trump's modernisation efforts have, of course, contributed to the high expenditure, but: "Some plans go back to the period before *Donald Trump* and were made by the *Obama* administration. In addition, of course, the many modernisations that have recently been decided play a major role in the growth of expenditure." It is now much about development costs for new systems.

In second place is China with \$ 250 billion. According to Fleurant, the Chinese would always adhere to the policy of not spending more than two per cent of the gross national product on military purposes. "If there is strong growth in China, military spending will rise accordingly – and vice versa."

Saudi Arabia, India and France follow in the ranking of global military expenditure. Germany is in eighth place with \$ 49.5 billion. According to SIPRI, Ger-

The globally active development and relief agency of the Protestant Churches in Germany "Bread for the World" criticises high military expenditure

"Bread for the World" has sharply criticised the federal government in view of rising military expenditure. "The states leading the world ranking in military expenditure today should finally change course and spend more money on development cooperation, prevention and dealing with the causes of violent conflicts," *Martina Fischer* of the Protestant relief agency told the "Neue Osnabrücker Zeitung".

"Bread for the World" reacted to the report of the peace research institute SIPRI, which was published in Stockholm. Therefore, global military expenditure reached a peak in 2018. According to the Institute, the states invested a total of 1822 billion US dollars (about 1635 billion euros) in their armed forces last year. This is the highest level since 1988 and an increase of 2.6 per cent compared to 2017.

According to SIPRI figures, Germany ranks eighth in the international comparison of military expenditure. Higher military expenditure does not make the world a safer place, Ms Fischer of "Brot für die Welt" (Bread for

the World) added. If the Federal Government wants to meet its own requirements, "much more must be invested in civil crisis prevention and peacebuilding than in the military sector".

While the Federal Chancellery and the Ministry of Defence have announced that German military expenditure will continue to rise until 2024, from 1.24 per cent to 1.5 per cent of economic output, the German government has decreed a zero round for development finance in its benchmarks for the 2020 budget, Fischer criticised. If the medium-term financial planning is implemented, the share of development and humanitarian aid expenditure in German economic output will fall in the following years, the "Brot für die Welt" advisor warned.

Fischer continued: "Germany will not meet its commitment to provide 0.7 per cent for development. Here, completely wrong political priorities are being set in favour of the military sector"

Source: <https://www.ekd.de/brot-fuer-die-welt-kritik-militaerausgaben-45663.htm> from 29 April 2019

man military expenditure rose by nine per cent between 2009 and 2018. The SIPRI Director is not too optimistic about the future. "There are so many conflicts in the world, dangerous conflicts. The

growth in military expenditure will certainly continue." •

Source: <https://www.tagesschau.de/ausland/ruestungsausgaben-sipri-101.html> from 29 April (Translation Current Concerns)

"We would like to avoid war ..."

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40% cheaper than American liquid gas. I therefore hope that Russian gas will have a positive long-term effect on the economy of the whole of Europe.

What role do direct contacts play between the citizens of our countries, for example in the form of town twinning, in view of the above-mentioned communication difficulties?

We follow the principle the more contacts, the better. Hundreds of thousands of people came to Russia during the 2018 FIFA World Cup. They realised it is not a country where you can only find bears

playing the balalaika, which is one of the stereotypes. That was very effective. We are therefore open for all possible and conceivable exchange possibilities and of course also for every exchange between cities.

We are currently developing a project for electronic visas that can be ordered via the home computer. I hope that this plan will be implemented next year. Russia is open to any exchange. The problems arise because there are some differences between reality and stereotypes circulating in public. People think our country is very far away, and if you tell them that Moscow is three hours flight from Geneva, they find it hard to believe.

Well, we will see. We always invite everyone. Come and see how we live. We have many problems within the country, we are aware of that. It is a huge country. However, let us not add international tensions at the level of international politics. I hope that sooner or later the situation will improve – in favour of exchange.

Mr Tolstoy, thank you for this interview. •

¹ *Yevgeny Primakov*, Prime Minister of the Russian Federation, was on his way to the United States on 24 March 1999 to make an official visit to Washington. When he was informed about the first NATO bombs in Belgrade, he ordered the captain of his plane to return to Moscow immediately as a sign of protest.

(Translation Current Concerns)

Protection of free will formation in direct democracy

Federal Supreme Court repeals a federal vote for the first time

by Dr iur. Marianne Wüthrich

Many citizens rightfully complain about the Federal Council's voting information on some of the bills: unobjective, one-sided, false statements, concealment of important facts, discrediting of opponents' arguments, up to deliberate influencing of the voters – all these methods have already been used by Federal Councilors to get the majority of the voting population to make the “right” decision. In the case of particularly important bills, the Federal Council resp. its administrative team begins “laying a carpet of opinion” long time before a vote, a clearly manipulative procedure. For example, the Federal Council's “Explanations on the Swiss-EU institutional framework agreement” of 16 January 2019¹ already contain the entire construct of disinformation that we are very likely to find in the voting booklet before the referendum (unless the whole thing is stopped by politics!).

With such controversial information, the executive violates a fundamental right of the citizen, which is indispensable in the direct democratic state: the free formation of opinion. This fundamental right is enshrined in Article 34, par. 2, of the Federal Constitution: “The guarantee of political rights protects the freedom of the citizen to form an opinion and to give genuine expression to his or her will.”

How can we demand the protection of this fundamental right? In the case of cantonal and municipal votes with voting complaints, which, if justified, are protected by the competent cantonal authorities, sometimes also by the Federal Supreme Court of last instance. This is more difficult against state disinformation at the federal level because the Federal Court has only limited powers here.

Nevertheless, on 10 April the Federal Supreme Court, for the first time in its history, declared a federal referendum void, the voting on the initiative “For marriage and family – against the marriage penalty”. Thus, the supreme court has demonstrated, as it were, that the citizens should have a claim on protection of their free formation of will even in federal votes. Yes, of course – but how and by which institution?

First, a few words on the plebiscite involved: What the initiative was about, why an appeal was lodged against the result of the vote and on what preliminary grounds (the written reasons for the ruling are still pending) the Federal Supreme Court overturned the vote.

Cancellation of the vote because of massive wrong number in the voting booklet

The federal popular initiative “For marriage and family – against the marriage penalty” was launched by the CVP (Christian democratic people's party). It argued that married couples vs. unmarried couples should not be penalised by the state, for example by double taxpayers paying more taxes or by giving retired married couples less Old-age and survival's insurance (OASI) than two individuals. In the referendum of February 28, 2016, the initiative was narrowly rejected, with around 55,000 more no-votes (50.8% against 49.2% yes); 16 1/2 against 6 1/2 cantons voted for it.²

Two and a half years later, it turned out that one number in the voting booklet was not correct: While some 80,000 affected double-earner couples were mentioned here, the Federal Council informed in the summer of 2018 that it was actually around 454,000, i.e. over five times more. Individual citizens in several cantons then complained to the respective government council and demanded that the vote be repealed. After refusing their complaints, they appealed to the Federal Court.

The Federal Court endorsed the complaints and justified the cancellation of the vote in its press release of 10 April as follows: “The incomplete and non-transparent information of the Federal Council has violated the voting rights of the voters. Given the tight rejection of the bill and the gravity of the irregularities, it is possible that the result of the vote could have been different.”

The Federal Supreme Court relied on Article 34, par. 2 of the Federal Constitution, which protects freedom of formation of will and unaltered voting.

Position of the Federal Court in the Swiss state framework

Unlike in most states, we have no constitutional jurisdiction at the federal level. In direct democratic Switzerland, the highest authority is not the Federal Court, but the sovereign (people and estates). Federal referendums are in principle not legally voidable except in the case of clear procedural errors. Anyone who does not agree with this must continue to try politically to assert his or her opinion.

Thus, Article 189, par. 4 of the Federal Constitution states: “Acts of the Federal Assembly or the Federal Council may not be challenged in the Federal Supreme Court. Exceptions may be provided for by law.” According to the “Federal Law on

the Federal Supreme Court (BGG)”, the Federal Supreme Court can judge complaints concerning the political voting rights of citizens as well as popular elections and votes (Article 82 c.). However, this only applies “in cantonal matters”, while at the federal level, voting rights complaints are only made against “decrees of the Federal Chancellery” (Article 88, par.1 BGG).

However, the example of the popular initiative against the marriage penalty shows once again that this lack of protection can be very scandalous. Rainer Schweizer, professor on constitutional law, justifies in the interview on page 6 his legal opinion that the protection of fundamental rights of Art. 34 Federal Constitution against false voting information must also apply at the federal level, because it is not about rights of the Federal Council and Parliament, but about the protection of citizens. •

¹ https://www.eda.admin.ch/dam/eda/de/documents/abkommen/InstA-Erlaeuterungen_de.pdf

² Federal Chancellery. Referenda. Template No. 596. <https://www.bk.admin.ch/ch/d/pore/va/20160228/det596.html>

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An extraordinary Federal Supreme Court decision

A discussion with Professor Dr Rainer J. Schweizer



Prof. Dr Rainer J. Schweizer

Current Concerns: Professor Schweizer, what do you think about the decision of the Federal Supreme Court to invalidate the referendum on the marriage penalty initiative?

Professor Rainer Schweizer: I would not allege the Federal Council of any intention, but if, on the basis of information from the administration, it provides such fundamentally false information that one gets the impression that it affects only a small part of the population, about 1%, then that is a fundamental mistake. Voting does not simply mean: It is decided. The decision must be based on the right foundations, on the correct information, it must be comprehensible in this sense. Since there was no clear majority in this vote, but only a small difference between yes and no votes, the Federal Supreme Court declared it invalid.

There were cases in the cantons – you probably know the famous example when Laufental voted on whether or not to remain with Berne after the canton of Jura was founded. [In 1978 the voters of three French-speaking districts of the Canton of Berne had voted to separate from Berne and found the new Canton of Jura, a decision confirmed by the Swiss sovereign in 1979]. At the time the Canton of Berne illegally advertised, and did so massively, and it did not disclose this. The Federal Supreme Court then overturned the Laufental vote. Then the voters in Laufental said: “We don’t want to stay with the Canton of Berne, which deceived us. I therefore believe that it is essential that we have such possibilities for correction in exceptional cases, in the case of grave, obvious mistakes.

Yes, I agree, and of course I do not agree if the Federal Council gives false information either. But this is not a matter of a cantonal vote, but of a federal vote, and according to the Federal Constitution the Federal Supreme Court is not competent to overrule federal votes.

That is not what the Federal Constitution says. If the vote is based on the wrong foundations or on serious misinformation, then it is possible.

However, the constitution states that acts of the Federal Assembly and the Federal Council may not be challenged before the Federal Supreme Court (Art. 189 par. 2 BV). This must apply all the more to referendums at the federal level. And up to now the Federal Supreme Court has never annulled a federal decision, it is for the first time.

But we also have the possibility to appeal against the voting booklet if something is misrepresented. What is written there is an act of the Federal Council following a decision by the Federal Assembly. Your argumentation does not work insofar as it is about protecting the interests of voters. It is not about the rights of Parliament or the Federal Council, it is about the constitutional rights of voters. The Federal Consti-

tution does not say that voters have no right to protection at the federal level.

Yes, that is true.

Nor can this be derived from any provision of law. Once again, it is not a question of Parliament and the Federal Council, but of protecting a fundamental right, namely the free formation of will in a vote. This is guaranteed in the Federal Constitution, Article 34, par. 2.

Yes, the Federal Supreme Court bases its present decision on Article 34.

Article 34 is an expression of the fact that democracy has its root in fundamental right, in human right. Namely the free

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Open question: What next?

mw. Professor Schweizer’s position is clear: voters are entitled to correct information before a vote. How often have we not been outraged by the manipulative voting campaigns conducted by the Federal Administration with the generous use of our taxpayers’ money?

In our opinion, however, there is a serious objection to leaving the decision on the correctness of the Federal Council’s information to the Federal Supreme Court. In the case of a purely domestic political proposal such as the initiative against the marriage penalty, we could do this without hesitation. But as far as foreign policy issues are concerned, for example in connection with the EU, we have had bad experiences with the Federal Supreme Court in recent years. We have the impression that some Federal Judges secretly find direct democracy in foreign affairs just as annoying as their colleagues in the Federal Administration.

Let us come back to the example of the Federal Council’s explanations of the Framework Agreement. They were drafted within the Federal Administration, which is faithful to the EU, and which decisively triggers and steers the course in federal Berne. These explanations will later be found more or less identically in the voting booklet. If we were to give the Federal Supreme Court the competence to decide whether or not this “information” impairs the free decision-making of the citizens, we would not be able to count on an impartial judgement, and the free decision-making of the citizens would be even more undermined.

But also, many apparently domestic political proposals are linked to foreign policy goals. For example, the Tax and

OASI (Old age and survivors’ insurance) bill, on which a vote will be taken on 19 May (see article by Dr Werner Wüthrich in this issue, “The crux with the black and grey lists ...”) and whose connection to a single voting question is rightly criticised by Professor Rainer Schweizer.

Voting proposals of recent times, such as the three popular initiatives to promote sustainable and self-sufficient food production, have been cleverly handled by the Federal Council and its team in the Federal Administration because each of them would have prevented various planned free trade agreements.¹ For example, those with Indonesia and Malaysia, fought by the Green Party because of the import of cheap palm oil contained therein, which is produced under incomparably worse working conditions than the more expensive Swiss rapeseed oil.²

What next? How can we protect free decision-making from the grip of administrative power and preserve our direct-democratic freedom of choice? This is a really urgent question that we must continue to address. Professor Schweizer’s committed statement makes this clear to us.

¹ See “Produce regionally what can be produced in the region”. Press conference on food security and food sovereignty in Berne, by Dr iur. Marianne Wüthrich. In: *Current Concerns* No. 22/23 from 23.9.2017 and “Food security must be ensured. No to the counter-contrary proposal “Food Security” by Dr iur. Marianne Wüthrich. In: *Current Concerns* No. 19 from 15.8.2017

² see “Preservation of Swiss agriculture – neither nostalgic nor unworldly, but a requirement of time” by Dr iur. Marianne Wüthrich, with an interview with Maja Graf, National Councillor GP and organic farmer. *Current Concerns* No. 7 from 3.4.2018

* Prof. emeritus Dr Rainer J. Schweizer, is retired professor of the University of St. Gallen (HSG) for Public Law including European Law and International Law

Federal referendum of 19 May

The crux of the black and grey lists ...

... recently also in the EU

by Dr rer. publ. Werner Wüthrich

With its tax proposal on 19 May, the federal government intends to adapt Switzerland's tax system to international standards. Tax privileges for predominantly internationally active companies would be abolished. Many cantons would be affected, as special regulations for foreign companies would no longer be permitted. The Confederation wants to help the cantons to reduce corporate taxes in general, so that differences to domestic companies will no longer exist. This is the short version of the voting booklet. – On the face of it, one could agree with it. We all want the economy to flourish and no jobs to be lost. However, those of us taking the trouble to explore the historical background begin to doubt.

OECD Code of Liberalisation of Capital Movements of 1961

In 1961, 17 Western European industrialised countries, together with the USA and Canada, founded the OECD (Organisation for Economic Cooperation and Development) as the successor to the OEEC.

Other countries joined later. Today, the OECD has 36 members, who are committed to the market economy. Today, the OECD employs about 2,500 people. Its headquarters are at Muette Castle in Paris. The Council, to which each member state delegates its minister of economics, acts as executive board. The principle of unanimity applies, so that every country has the right of veto. Switzerland was there from the very beginning and today has a permanent delegation in Paris with its own house.

Only months after its foundation, the OECD Council adopted the OECD Code of Liberalisation of Capital Movements. Capital movements are deemed:

- Direct investments abroad, i.e. when a new company is founded, a subsidiary is acquired or a branch is opened.
- Pure financial investments abroad without entrepreneurial activity.
- Purchase and sale of foreign companies and the like.

Why is this Code so important? In the post-war years, initially the economist *J.M. Keynes* critical assessment the free

movement of capital pertained: “The free movement of capital is an essential part of the old *laissez-faire* system [...]. Controls of capital movement [by the nation states] are necessary accompanying measures.” The 1961 Code, however, set the course for globalisation as we know it today. The OECD took on the role of a thought leader and acted as a pace setter. But the OECD is more than just a think tank whose committees deal with agricultural and regional policy, education issues, development cooperation, fiscal and financial policy and many other issues, as well as draft reports on these topics and define standards. Its work is always related to practical policy. Its standards are incorporated into bilateral and international treaties. The OECD participated in the GATT and later WTO negotiations and prepared the G 8, G 9 and G 20 meetings.

The OECD Code has facilitated the movement of capital for the benefit of transnational corporations. The Internet revolution created further undreamed of possibilities – for example, making it

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“An extraordinary Federal ...”

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formation and expression of will in elections and votes. This can only be protected by the Federal Supreme Court. Otherwise the authorities could manipulate the voters. In my opinion, the forthcoming vote [on 19 May] on the tax bill and the OASI pension bill is also a manipulation because the voters are “bought”: Their approval of the tax advantages for companies, the effects of which are very uncertain, is made palatable by a contribution to the pension for all. Voters want to be convinced by arguments, not by advantages. It would be correct to say that two decisions are at issue which entail considerable costs for the confederation.

You think that a complaint could have been filed with the Federal Chancellery because two completely unrelated bills were combined here to form a single voting issue?

That would have been the question of whether one could not and should not have done this. Because the voters always have the last word on constitutional amendments – and because they have the last word on laws following a referendum request – this does not mean that

the Federal Council and the Federal Assembly, which prepare these bills, are incontestable.

Yes, that is true, but it is written in the constitution. Then we have to change the constitution.

I am of the opinion that we have to change that anyway. In the confederation, business control and above all financial control are very well developed, but legal control is completely lacking. The Federal Administration, the Federal Council and the Federal Assembly know that they can violate the Federal Constitution with federal laws and that disregarding Switzerland's obligations under international law hardly has any consequences, unless the Strasbourg Court or the EU institutions disapprove of this. The Federal Constitution lacks effective protection. Not least for this reason, there are many errors in federal law; they must actually be able to be corrected.

That makes sense. – But I still have a question. My worry is that the Federal Supreme Court increasingly assumes a role towards restricting direct democracy. It has been doing that for some time now. Don't you get the impression from this decision that it is going in this direction?

That is another problem. What you say is, of course, a serious issue. We really do have the problem of how far the quality of the Federal Supreme Court is guaranteed. I have recently seen a number of cases where the Federal Supreme Court has contradicted itself or rejected complaints, even though there have been considerable restrictions on democracy or fundamental rights. I am by no means enthusiastic about the inconsistent and fluctuating practice of the Federal Supreme Court.

There are many very earnest and highly qualified persons at the Federal Supreme Court, but there are repeatedly cases in which a political bias or the desire for quick settlement is discernible.

But in principle you are not of the opinion that the Federal Supreme Court does not have the power to overrule federal referenda.

No, I do not think so. It is a matter of protecting voters from false information and from errors in the voting procedure. That is crucial.

Thank you very much for your explanations, Professor Schweizer.

(Translation *Current Concerns*)

"The crux of the black ..."

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possible to transform the fundamentally sound *Swiss Bank Corporation* into the unstable global corporation named UBS. The Code also laid the foundations for the numerous financial and economic crises of recent decades. The list is long. In the 1990s, *George Soros* had "successfully" attacked the English currency; then followed the Asian, Russian and Argentine crises. The collapse of the hedge fund LTCM should be mentioned, as should the crisis in US securitised mortgage bonds, the collapse of *Lehman Brothers*, and the debt and euro crises of recent years. This also includes the new policy of the central banks to continue expanding the money supply many times over, of which nobody knows the outcome.

In the eye of the cyclone

It was clear in the OECD from the outset that it would not be enough just to open national borders to the movement of capital. It is equally important to harmonise national legal and tax systems. This purpose is served by the numerous standards defined by OECD committees over the decades, and incorporated into laws and agreements.

Pivotal for Switzerland was the year 2000, when an OECD committee conducted an inquiry into "potentially harmful tax regimes in OECD member states" and asked the Council to adopt the automatic exchange of information as a binding OECD standard.

Switzerland, Austria and Luxembourg (in all of which the principle of bank client confidentiality was effective) resisted, but relented when they were assured that instead of the exchange of information, a withholding tax on capital gains would suffice. However, this turned out to be not enough. The attacks went on – and came mainly from countries with high taxes such as Germany, France and the USA. Switzerland soon found itself on grey or, alternatively, on black lists, and this fact served as justification for shaping politics with the help of illegal or stolen material. So, for example, martial expressions were used in a hearing in the German "Bundestag": "The cavalry should march up to form a scenario of intimidation". Or "...the Swiss must be shown the tools of torture." The media headlines were no better. In 2009, the Federal Council gave in and declared its willingness to adopt the AIA, i.e. the automatic exchange of

information, as standard – and the USA finally did not participate in this at all. However, a popular initiative ensured that in Switzerland, bank client confidentiality was maintained domestically as a protection of privacy.

**Black and grey lists –
now also in the EU**

Many believed that black and grey lists would now finally be off the table! But the relief of 2009 was premature. After the OECD, also the EU introduced black and grey lists. In 2017, the EU published a list of 29 countries worldwide that did not meet its standards. With it comes a further list of countries monitored by the EU Commission. (EU member states are controlled separately and do not belong to this list.) Today there are 15 countries on the black list, and 34, that have promised improvements, on a grey list. Switzerland is once again one of them. It is noticeable that almost exclusively small and very heterogeneous countries can be found on these lists. There are, for example, very rich countries such as the United Arab Emirates (which charge almost no taxes) and some poor African countries. These include many small countries from the British Commonwealth.

Switzerland is being watched by Brussels – especially on 19 May, when a federal bill aimed at implementing the EU Commission's standard will be put to the vote.

**The questionability of
"international standards"**

Having its own tax system is part of the sovereignty of every country. This can vary from country to country and in Switzerland from canton to canton, resulting in a competition that helps to dampen tax pressure. Especially high-tax countries such as France and Germany are striving for harmonisation, because they want to prevent companies and private individuals from looking around for tax alternatives. At first glance, such a policy seems obvious, for example when one reads about well-earning sports stars relocating their tax domicile to Monaco. For internationally active corporations, however, taxes are not the only criterion for settling in a particular location. The Zurich region, for example, is not known for low taxes. Nevertheless, many international corporations have their headquarters here, because the pulsating economic life, well-trained workers and specialists, political stability and

a trustworthy currency form the basis for legal security and economic prosperity. They also have an international airport right on their doorstep. Economically weaker cantons in Switzerland cannot compete with such an offer. However, they profit from the fact that they have a more favourable tax system, and within the framework of their cantonal tax sovereignty they can offer special regulations for a few years, if a domestic or foreign company comes to settle there. This is not unusual. Many smaller countries all over the world are in a similar situation. – Who would want to hold it against them? But, according to the standards of the EU Commission, such special regulations are now to be eliminated.

How to vote on 19 May? Professor *Christoph A. Schaltegger*, Professor of Political Economics at the University of Lucerne, points out the disadvantages of the federal proposal, which are hardly ever discussed. It disrupts the financial equalisation between the cantons and creates false incentives that weaken the federal tax system. Schaltegger sees no danger of losing jobs: "There is no reason for us to lose our heads. Even without a federal legal basis, the majority of the cantons have already begun to offer an internationally accepted transitional solution to companies that are currently subject to privileged taxation. With a so-called step-up, the companies in question will be introduced to the new tax world during a transitional period. If the tax deal [i.e. the proposal of 19 May] fails, one could go further along this path and take the appropriate time for a coherent tax reform" "*Finanz und Wirtschaft*" (Finance and Economy) from 22 November 2018).

The current policy of the EU is to define "international standards" in step with the OECD and to pillory countries that "are wired" differently. This cannot please a liberal-minded citizen. Such processes must be included in the assessment of the planned framework agreement with which the EU wants to even more involve Switzerland politically. The current example shows that the strongly federal tax system, supported directly by the population (in which "anything and everything" is voted on), in no way corresponds to a centralist world view that wants to enforce its standards transnationally and globally. Switzerland must live with these differences and remain steadfast – even if repeatedly rubs opponents up the wrong way with its well-ordered house. •

Cultural depravity – the core problem of mass shootings

by Bob Barr, Georgia (USA)*



Bob Barr
(picture ma)

ef. Again and again we receive shocking reports of mass shootings from all parts of the world, most recently from the small town of Poway in San Diego county, California. On 27 April, a 19-year-old armed attacker shot one person and injured three others in a synagogue. According to FBI statistics, hate crime in the USA increased by 17% in 2017 compared to the previous year. The question of the causes of such acts is controversially discussed. It is often claimed that the cause is the easy availability of weapons. But there are also strong counterarguments to this thesis. Bob Barr, lawyer, lecturer in constitutional law and longstanding congressman from Georgia (USA), has sent Current Concerns his fundamental considerations on this issue, which we publish below.

In the wake of last week's tragic shooting at a Jewish temple outside San Diego, California, attention is once again focused largely on the instruments used in the murder, rather on the root causes of the incident; especially the depraved internet community in which this and other recent murderers live.

Except for the victims of these murderous rampages and the brave public safety first responders, we citizens are largely insulated from the actual horrors of mass murder. We are spared the horrendous visuals of bodies torn apart from bombs and bullets; the stomach-churn-

ing screams of victims as they're stalked and murdered at point blank range; the stench of death mixed with ammunition propellant. These details are far too unsettling for public consumption (properly so), which is why conventional wisdom leads many to believe such violence is more common than it really is; as if picking up a gun and shooting-up a church is as easy as playing a video game. It is not.

The mass killings of strangers is not a normal act for a human being; even for most hardened criminals. We simply are not programed for emotionless, indiscriminate killing; that is, unless we cease to view other people as human. This is how the Holocaust occurred in a highly educated, industrialized nation; or how a 19-year-old from San Diego could walk into a synagogue with a single goal in mind – to kill other people.

By focusing our emotional attention after such tragedies debating (as we do with excruciating predictability) the type of firearm used, or whether the First Amendment should protect hate speech, we fail to address the greatest danger of all, and the root cause of these crimes – social isolation.

Wherever you look in today's society, examples of increasing social isolation are apparent. Many examples can be considered benign – digital customer support and kiosks for ordering everything from fast food to medications. Other examples are more sinister – children preferring online gaming with strangers to team sports with friends, or worse, adult men who prefer sex robots to actual human relationships.

The cumulative collateral effect of such social isolation is a growing detachment from other people; and, as we have seen recently, it can be deadly.

Many of us are fortunate to find and join social groups at work, school, or church to help keep us firmly grounded. But increasingly, many of our fellow humans do not, and have instead turned to the internet for a sense of worth and belonging, even a new personal identity.

Not surprisingly, both the San Diego and Christchurch killers belonged to the same internet message board; an online ecosystem with equal parts political ex-

tremism and internet machoism. Here, political incorrectness is lauded in proportion to the offensiveness of the statement. Before long, the hatred becomes less a joke than a conviction; a radicalization process encouraged along the way by nameless "friends" on the other side of the digital connection, who are similarly detached from the real faces they mock and on which they prey.

When the San Diego killer announced his murderous plan to his digital "community," instead of dissuading him, those on the message board urged him to "get the high score" – sickening slang for the number of victims. This was his new "family," and this was their form of love; just as it was for the Christchurch shooter and other recent mass murderers such as the Charleston killer.

Disturbing as it may be, this phenomenon will continue to worsen as cultural and social institutions increasingly are belittled and undermined. The two-parent nuclear family and the support it provides is becoming all too rare. Religious institutions constantly are under attack, with church membership at an all-time low. Greek Life at colleges is swiftly becoming a relic of the past as fraternities and sororities clash with the P.C. campus movement that declares any group activity encouraging bonding based on common ideals, be declared "discriminatory" and therefore banned.

Politically we operate now in a climate in which "punching" other people is the new norm, and even Members of Congress openly call for the stalking and harassment of opponents. No opportunity is passed up to ruin an opponent's professional and personal life because of a political disagreement. Laws are debated, enacted, and then glorified – such as in New York and Virginia – according to which newborn babies can be left to die after birth. Clearly, nothing that debases life or values is beyond the pale.

And still, in such a depraved and forlorn environment, we somehow seem surprised when an internet junkie carries out in real life what he and his faceless cohorts practice daily on their laptops computers.

Source: *Townhall.com* from 2 May 2019

* Bob Barr, born 1948, is a practising lawyer in Atlanta and a lecturer in constitutional law. A few years ago, he initiated a citizens' movement in Georgia (U.S.-state). He represented the 7th District of Georgia in the U. S. House of Representatives from 1995 to 2003. After September 11, 2001, Barr broke with the Republicans in protest against mass surveillance under the Patriot Act and the violation of civil liberties. In 2006, he became a member of the Libertarian Party and was its candidate for the 2008 presidential election. In 2006, he was awarded the Civil Liberties Award in Switzerland by the European working group „Mut zur Ethik“ for his courage and work in preserving civil rights and freedoms.

Not a single problem is solved by marginalising the Germans as right-wing

Many questions arise based on the study of the political centre commissioned by the Friedrich-Ebert-Stiftung

by Karl Müller

On 25 April the German *Friedrich-Ebert-Stiftung* presented a new study comprising more than 300 pages. The study's title can be translated "Lost centre. Hostile conditions. Extreme right attitudes in Germany 2018/19".¹ It presents the results of a survey of 1,890 representatively selected Germans. The study was carried out by the *Institut für Interdisziplinäre Konflikt- und Gewaltforschung* (Institute for Interdisciplinary Research on Conflict and Violence) at the University of Bielefeld. The Friedrich-Ebert-foundation itself is a German political foundation associated with the Social Democratic Party of Germany (SPD).

According to the summary² the study is intended to provide "information on the stability and instability of the democracy" in Germany. It continues: "The majority of Germans support democracy [...]. At the same time, however, one third also expresses non-liberal attitudes towards democracy [...]. Negative attitudes towards asylum seekers have even increased: Every second person interviewed agrees with negative opinions about asylum seekers. This is an increase compared to 2016, although the number of asylum seekers declined during the survey period. [...] Also conspiracy myths generally find great approval among the population. 46% believe that secret organisations influence political decisions, and every second respondent trusts their own feelings rather than the experts, almost a quarter of respondents assume that media and politics are in cahoots. [...] Ostensibly, the study makes it clear that there is a high degree of support for democracy, but is also accompanied by anti-democratic and anti-pluralist convictions. *The centre is losing its solid ground and its democratic orientation*". [Emphasis by the author; translation of all quotes by *Current Concerns*]

Wide politics and media response to the study

The study has generated a broad yet varied response in the media and politics. The majority of private and public mainstream media have uncritically adopted the tenor of the study, but there are exceptions (e.g. the daily newspaper "Bild"). *Anton Hofreiter*, leader of the parliamentary group of *Bündnis 90/Die Grünen* in the German Bundestag, and *Franziska Giffey*, Federal Minister for

Family Affairs and SPD politician, responded uncritically to the study, making political demands such as a "Democracy Deepening Promotion Act", while *Sigmar Gabriel*, former SPD chairman, criticised the study in a lengthy article for the Berlin "Tagesspiegel"³ and questioned the findings of the study. Also, federations such as the teachers' federation VBE did not wait for a critical analysis of the study but immediately made demands which are correct in principle but have little to do with the study.⁴

Questionable labelling

If the judgments in the summary formulated by the Friedrich-Ebert-Stiftung itself were correct, one would indeed have to be concerned. Right at the beginning, one of the authors of the study, *Andreas Zick*, is quoted as follows: "When misanthropic prejudices, right-wing populist as well as right-wing extremist or new-right attitudes, the belief in conspiracies, mistrust and illiberal democratic attitudes, are widespread [...], the centre of the society is reduced and democracy becomes unstable. However, SPD member *Sigmar Gabriel* has convincingly argued that it is inadmissible to associate key findings of the study with "right-wing extremism", "right-wing populism", "conspiracy theory" or even "inhumanity". And the following questions arise: Does the use of such adjectives and labelling prevent an objective discussion of the opinion of the interviewed Germans? Is it not rather the case that the results of the study, which found that 86% of respondents consider it essential that Germany be democratically governed, and 93% that dignity and equality should take precedence, are very much in line with the results, which the study defames as "right-wing populist", "illiberal" or "conspiracy-theoretical"?

Not "right-wing populist", "illiberal" or "conspiracy-theoretical", but very well comprehensible

The study considers the fact that 54% of the Germans interviewed have reservations about asylum seekers to be "misanthropy". *Sigmar Gabriel* writes: "That for quite a few, the "loss of trust in the ability of 'politics' to act" includes the loss of control in the years of mass immigration of refugees. [...] Is it really so astonishing that there is a feeling of in-

security regarding immigrants? Why are we actually afraid to say openly that 'too many have come in too short a time' and that integration into German society has therefore not succeeded sufficiently? And further into the article: "It is unbelievably stupid to associate someone with xenophobes just because he thinks that law and order must also apply to asylum law and that too many rejected asylum seekers remain in the country". Like many other German media, the weekly newspaper *Die Zeit* has fully agreed with the tenor of the study. The photograph selected by the newspaper is interesting: an AfD (Alternative for Germany) member in a T-shirt inscribed: "Our country. Our rules".⁵ Why is this considered objectionable nowadays?

Because politicians and the media repeatedly take the same stance as if they are in enforced conformity with each other, many citizens no longer see themselves represented. Is it so surprising that many of those questioned said that the "government conceals the truth from the population" (more than 30%), "The ruling parties cheat the people" (22%), there is an opinion-dictatorship in Germany (55%), that "almost a quarter of the interviewees assume that media and politics are in cahoots", and 46% believe that there are secret organisations that influence political decisions? Is all this "right-wing populist", "illiberal" and "conspiracy-theoretical"?

What about the Deep State?

It was explicitly left-wing authors who edited – in German language – two extensive volumes about the Deep State: a now empirically investigated theory that the politicians, who are elected every few years, are not free to make important political decisions because of pressure from long-term oriented forces in the background (like the military-industrial complex which even the former US President *Eisenhower* had warned against) which exert their influence.⁶

Who today is so naive as to believe that our parliamentarians, adhere to the German Constitution completely free from foreign influence? It stipulates in Article 38: "Members of the German "Bundestag" [...] shall be representatives of the whole people, not bound by orders or instruc-

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Germany faces the social question again

The high price of global economic disorder

by Werner Voss, Wiehl, Germany

cc. When the Germans look at the Yellow Vest protests in France, a common reaction is: "Here, in Germany, that would be impossible. We have the social market economy. In Germany there is a welfare state. We have got social security and social justice. We have strong trade unions and good wage rates. There is no need to protest like in France." All this is not completely wrong. After the Second World War, Germany, guided by concepts such as Rhenish capitalism or social market economy, actually built up something

"Prosperity for all", that is Ludwig Erhard's credo in the economic wonderland Germany, the old Federal Republic of the late fifties and early sixties of the last century. The philosophy of the social market economy was: "Live and let live", which meant nothing more than letting broad sections of the population participate equally in the overall created economic wealth. Erhard did not touch the unequal distribution of wealth and income, but the growth of the economy was to be distributed equally between employers and employees. But what is it like today, 60 years later? While in Germany the gross domestic product (GDP) – that is the annual value of all goods and services produced in a country – rose by more than 40 % from 2.301 trillion euros in 2005 to 2017 to 3.277 trillion euros in real terms (price-adjusted) (<https://de.statista.com/statistik/daten/studie/1251/umfrage/entwicklung-des-bruttoinlandsprodukts-seit-dem-jahr-1991/>), the share of those at risk of poverty has risen from 14.7% to just below 17 % in the same period (Graphic "Armutquote und BIP im Zeitvergleich" im Armutsbericht des Paritätischen Wohlfahrtsverbandes 2018, S. 13) [diagram "Poverty rate and GDP over time" in the poverty report of the "Paritätischer Wohlfahrtsverband" 2018, p. 13]. This is a record high since German reunification. People whose monthly net income is less than 60% of the average income are considered of being at risk of poverty. According to the Socioeconomic Panel (SOEP) of the "Deutsches Institut für Wirtschaftsforschung" DIW (German Institute for Economic Research), that threshold is reached by a single person at 1086 Euros net per month.

The real situation of the labor market

The official unemployment rate in Germany was 5.3% in February 2019. This are 2.37 million people (<https://>

that had gained worldwide recognition and prestige. But also in Germany times have changed. As will be elaborated in the following analysis.

The author is an engaged citizen who has collected neuralgic points of today's social question in Germany. Not because everything is so bad, but because it is time to name the problems that actually exist and to tackle them resolutely. It becomes clear: The main problem is not the lack of expenditure on social services by the state or by social security funds. On the contrary, annual social expendi-

ture has reached enormous heights. Almost a trillion euros flowed into this area in 2018, and millions of people are supported by the state.

The main problem is an exuberant globalised economic disorder and an associated social mis-orientation in individual values and behaviour patterns, a lack of orientation towards the common good. This problem disallows too many people to be able to work well anymore, to earn a decent livelihood from good work and also to make provision for a dignified life in old age.



Queue in front of a food distribution place of the Munich food bank. (picture keystone)

de.statista.com/statistik/daten/studie/1239/umfrage/aktuelle-arbeitslosenquote-in-deutschland-monatsdurchschnittswerte/). This is already being celebrated as a success at the present time. In 1982 after unemployment in the then smaller Federal Republic exceeded the 1 million mark, there was still a huge outcry, and the old SPD/FDP government with Chancellor Helmut Schmidt was voted out of office. A new government with Helmut Kohl (CDU) as Chancellor was implemented.

The current calculation of unemployment figures does not include people over 58 who have not been offered a job for more than a year. This group of 162,600 people is subject to a special regulation and is automatically excluded from the statistics (*Zeit online*, 11.3.2017). However, the standard retirement age is 67 years, which is almost 10 years higher. Likewise, not being considered in any statistic are people who are in employment agency measures or unemployed people for whom unemployment benefit I ("Ar-

beitslosengeld I") expires and who first have to consume their assets in order to receive unemployment benefit II ("Hartz IV"). Then the misery of unemployment continues, due to the large number of recipients of unemployment benefit II known as "Hartz IV", which currently accounts for around 4 million people capable of work. In addition there are about 2 million other persons (for example children) who are dependent on this transfer payment (<https://de.statista.com/statistik/daten/studie/1396/umfrage/leistungsempfaenger-von-arbeitslosengeld-II-jahresdurchschnittswerte/>). According to a study by the "Allgemeine Ortskrankenkasse" AOK, (a local Health Insurance), the state of health of this group of people is also appallingly poor compared to that of people earning their living. 10.5 % of "Hartz IV" recipients who are capable of work suffer from a narrowing of the coronary arteries, whereas "only" 6.8 % of the gainfully employed persons are af-

"Germany faces the social ..."

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fects ("Oberbergische Volkszeitung" of 9 March).

In spite of the empty words in the media, talking of the labour market boom or the job miracle, Germany remains even in a booming economy a country with mass unemployment of well over 6 million people, not even counting the number of unreported cases. On the other hand, many companies complain of a shortage of skilled workers, which is to be remedied by immigration of employees from abroad. Instead, would it not be more appropriate to bring education, which has been destroyed by decades of educational reforms, back to a serious and good level in order to enable German adolescents by learning basic skills such as reading, writing and arithmetic, to start training in sought-after occupations and to be successful in doing so?

In addition to the more than 6 million unemployed, 7.718 million people are in precarious or atypical employment (<https://de.statista.com/statistik/daten/studie/161608/umfrage/atypisch-beschaeftigte-in-deutschland-nach-erwerbformen-seit-1999/>). This is 17% of a total of 44.79 million people in employment. Precarious employment occurs, among other things, when workers can only live

"The scarcity of living space with ever more immigrants means this basic human need is becoming a luxury good."

poorly or not at all on their income (low-wage sector/working poor). This includes 1.09 million people as so-called "Aufstocker" who receive supplemental money from the administration (ZDF, WISO of 28 January) to cover their subsistence minimum (currently 424 euros after deduction of the amount for rent including heating).

Precarious employment also means work that is not permanent. This includes temporary work, involuntary part-time work, mini-jobs or subsidised work opportunities. The self-employed can also be in precarious employment if, for example, they are pseudo-self-employed and dependent on only one client (<https://www.dgb.de/++co++82df733a-28ca-11e2-b661-00188b4dc422/@/glossary.html>).

Effects of Schröder's Agenda 2010

The development is the result of a market-radical policy in Germany that is driving globalization forward; at the beginning of the 21st century, social standards (Hartz IV reforms) were significantly reduced. Contrary to the official statements, these reforms had and have no positive effect on employment. The number of recipients of Unemployment Benefit I was only pushed

down by changes in statistical methods. In addition, this resulted in a large number of precarious employment relationships.

Real wages fell by 1.6% between 1992 and 2012. In 2016, real wages rose by 2.6% for the first time since 1992. It was only after 24 years that working people had a little higher net income (Hofbauer, Hannes. "Kritik der Migration", p. 189). It should be noted that out of ten income groups, especially in the two lowest in this period, real wages in 2016 were lower than 25 years (1991) before (poverty report of the "Paritätischen Wohlfahrtsverband" 2018, p.13). The gross domestic product, on the other hand, almost doubled in real (price-adjusted) terms during this period (1991–2016) from 1.7 trillion euros to 3.3 trillion euros (<https://www.statistik-bw.de/VGRDL/tbls/tab.jsp>).

Labour market and free movement of EU workers

In the wake of the free movement of workers as a result of the eastward enlargement of the EU in 2004, the labour market came under considerable pressure, initial-

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"Not a single problem is ..."

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tions, and responsible only to their conscience." On 29 April even the semi-official *Deutschlandfunk* reported: "A report published in Berlin [...] on the five-year term of office of the leaving President of the EU Commission Juncker stated that the Commission and the European Parliament now indeed had the highest lobby transparency in Europe. However, corporations could still literally hijack laws and political processes. The reason was that the nation states repeatedly asserted the interests of their domestic industries through the European Council. For example, the German government was watering down or delaying effective emission tests and improved rules in the fight against tax avoidance and evasion."

Sigmar Gabriel:**A reason to praise the Germans**

The study itself has to admit that right-wing extremist ideas are of negligible importance in Germany – both in the West and in the East, and have continued to decline markedly⁷ in recent years, while in the East – in contrast to the propaganda against East Germany – they are just as ab-

sent as in West Germany. What is the point of constructing a "right-wing populist", "illiberal" and "conspiracy-theoretical" danger, although this construct has nothing to do with law and order, the German Constitution and a fortified democracy? On the contrary! Who should this serve?

It is an open question what will the citizens of Germany turn to if politics continues as before? It is no secret that we Germans, too, are not without prejudices and unacceptable generalisations. But this cannot be remedied by confronting Germans with prejudices such as those in the new study by the Friedrich-Ebert-Stiftung. Wouldn't it be better to adopt an attitude towards Germans like Sigmar Gabriel? He wrote about the study: "This debate cements the 'you' and the 'us' instead of overcoming exactly that. In case of doubt, the nature of the debate has a polarising effect and does not promote 'democracy' in particular". Already at the beginning of his article he had written that the study actually offered "extraordinarily positive findings", which could be a reason to "praise the Germans [...]".

¹ <https://ec.europa.eu/migrant-integration/library/doc/verlorene-mitte-feindselige-zustanderechtsextreme-einstellungen-in-deutschland-2018/19?lang=en>

² <https://www.fes.de/index.php?eID=dumpFile&t=f&f=39654&token=236577bc09c9b857c261ae1599fb1578551f9e6> (retrieved on 25 April 2019)

³ <https://www.tagesspiegel.de/politik/von-wegen-verlorene-mitte-eine-studie-und-ihre-bewusste-fehlinterpretation/24263736.html>

⁴ VBE (German Association for Education and Training) chairman Udo Beckmann demanded: „The increasing brutalisation of manners in our society and anti-democratic and antipluralistic tendencies must be countered already at school by a more intensive education in values and democracy“. (<https://www.vbe.de/presse/pressemitteilung-2019/es-braucht-mehr-werte-und-demokratieerziehung-an-schule/?L=0>)

⁵ https://www.zeit.de/gesellschaft/zeitgeschehen/2019-04/rechtspopulismus-friedrich-ebert-stiftung-fremdenfeindlichkeit-extremismus?utm_medium=sm

⁶ Mies, Ullrich; Wernicke, Jens (eds.). *Fassaden-demokratie und Tiefer Staat. Auf dem Weg in ein autoritäres Zeitalter. (Facade Democracy and Deep State. On the way to an authoritarian age.)*, Wien 2017; Mies, Ullrich (ed.). *Der Tiefe Staat schlägt zu. Wie die westliche Welt Krisen erzeugt und Kriege vorbereitet. (The Deep State is striking. How the Western world creates crises and prepares wars.)*, Wien 2019

⁷ Even here, criteria are applied that have nothing to do with the concept of unconstitutionality as defined by the German Constitution. According to the study, right-wing extremist attitudes include what is known as national chauvinism. This should be substantiated by the consent to the statement: "The primary goal of German politics should be to give Germany the power and prestige it deserves". (Translation *Current Concerns*)

"Germany faces the social ..."

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ly due to the accession of Poland, Hungary and other countries and later in 2007 due to the accession of Bulgaria and Romania. The wage levels in these countries are many times lower than ours. Bulgaria's wages, for example, are eight times lower than in Germany (Hofbauer, p. 185). Logically, this triggers a strong pull towards the German labour market and other countries in Central Europe. The extremely large supply of virtually cheap and understandably willing workers creates wage pressure and also reduces workers' rights and their social standards. At the end of 2015 there were an estimated 2 million workers, most of them from Eastern Europe, sent to the West (Hofbauer, p. 200). An estimated 15–20% of the Romanian working population earn their living abroad (Hofbauer, p. 201).

The unregulated clash of completely different economies not only leads to distortions in Germany, but also to the bloodletting of workers in their countries of origin, where it hampers the economic progress that these countries desperately need. As a countermeasure, the IMF called on Romanian state agencies to liberalise the Romanian labour market and to attract even cheaper labourers from East Asia or Ukraine. Many companies followed the advice of the international financial organization. After Romania's accession to the European Union in 2007, the Romanian sewing factory "Mondostar" in Sibiu had only 350 employees of initially 1200. They contacted a Philippine agency and promptly Philippine women worked there for a monthly wage of 235 US dollars on a 60-hour week (Hofbauer, p. 203).

The situation described above is aggravated by the enormous increase in immigration to Central Europe, especially to Germany, from Muslim countries since 2015. According to economist Conrad Schuler's calculations, this migration has cost us 47 billion euros (direct and structural costs) annually since 2015, in addition to wage dumping and the weakening of social standards. This corresponds to 15% of the current federal budget (Hofbauer, p. 171).

Old-age poverty, need of care, housing shortage and food banks

The number of pensioners receiving basic pension has doubled since 2003 to 500,000. This corresponds to 3% of pensioners. In 2036 it will be 20% and thus affect 4.8 million pensioners (<https://www.ndr.de/themenwoche/gerechtigkeit/Ueber-500000-Rentner-beziehen-Grundversicherungsleistungen,altersarmut268.html>). Already today, 48% of pensioners receive a pension of less than 800

vv. Unemployment benefit I ("Arbeitslosengeld I") is paid because all workers and employees pay into a compulsory insurance scheme on a monthly basis, with a contribution rate of currently 2.5% on the wage or salary. This 2.5% is paid half by the employee and half by the employer. If you become unemployed and have been employed for 12 months within 2 years, you are entitled to benefits. It is usually valid for a maximum of 1 year. The maximum duration of 2 years is reached for persons over 58 years of age. The benefit amount is 60% of the last net income for childless beneficiaries and 66% for beneficiaries with at least 1 child.

Unemployment benefit II or Hartz IV is not a social benefit, but a benefit which serves the integration into the labour market. It is paid when the unemployment benefit I expires and all the assets of the person concerned, with the exception of a small amount of protective assets (150 Euros per year of life/7,500 Euros at the age of 50), are used up and the needs of the person

are thus fulfilled as a legal requirement. The amount is at present 424 Euros per month for a single person after rent including heating, but excluding electricity, telephone. It is financed from tax revenues.

Basic security is a social benefit in the old age, if the pension is insufficient or non-existent, in order to cover the subsistence minimum. (Minimum subsistence level currently means 424 Euros per month for a single person after warm rent excluding electricity, telephone). It is financed from tax revenues.

The legal pension is financed as a right in the course of the working life of the workers and employees by a statutory compulsory insurance with a contribution rate of currently 18.6% on the wage or salary - of which half is paid by the employee and half by the employer - and paid out directly to the current pensioners according to the pay-as-you-go system. The standard age limit was gradually raised from 65 to 67.

"The number of pensioners receiving basic pension has doubled since 2003 to 500,000. This corresponds to 3% of pensioners. In 2036 it will be 20% and thus affect 4.8 million pensioners. Already today, 48% of pensioners receive a pension of less than 800 euros a month. That are 8.6 million with a total number of 18 million pensioners."

euros a month. That are 8.6 million with a total number of 18 million pensioners (<https://www.tagesschau.de/inland/altersrente-103.html>).

According to an AOK study, pensioners who have less than 800 euros per month require nursing care already at the average age of 74 years, 800 to 1600 euros only at the age of 77. Those who receive a monthly pension of more than 1600 euros will become a nursing patient only at the age of 81 („Oberbergische Volkszeitung“ from 9 March).

It should be noted that according to the Federal Employment Agency the proportion of mini-jobbing pensioners almost doubled from 587,046 to 1,074,689 between 2003 and 2017. Persons over 65 make up the largest part of the marginal workforce.

It is also not fair when selected experts of an independent pension commission want to further raise the retirement age because of increasing age. A data analysis commissioned by MP Sabine Zimmermann (*Die Linke*) states that one in five pensioners does not even reach the age of 70 in the first place. In Germany, 135,000 people die every year before the age of 66. More than 185,000 per year did not reach the age of 71 (22%). An answer given by the Federal Government to

MP Zimmermann's question shows that between 2005 and 2014 around 1.4 million people (16%) died before the age of 65.

Nonetheless, it should be noted that in the next few years the baby boom generation, i.e. the generation born in the late 1950s and early 1960s, will retire and the total number of pensioners is expected to rise to 24 million by 2040.

Since 2000, the need for care for the elderly has increased from 1.9 million to 3.3 million today and will be 5 million by 2045. Costs will rise from 38.5 billion euros today to 145 billion euros in 2045 (<https://wize.life/themen/gesundheit/92875/aktuelle-studie-5-millionen-pflegebeduerftige-bis-2045---altenpflege-drohen-enorme-kosten>).

Half of the 592,000 recipients of housing benefit are over 65 now („Oberbergische Volkszeitung“ from 15 January). In 1987 there were still 3.9 million social housing units in the old Federal Republic. In 2015, after reunification, there were only 1.4 million (Hofbauer, p. 171). As the latest development shows, this leads to above-average rent increases, especially in the metropolitan areas. This is likely to become a problem for the baby boom-

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ers, who will soon be retiring, because an entire generation with significantly lower pensions will face rising housing costs. A further aspect is the age-appropriate conversion of apartments. This will hardly be affordable for a growing number of pensioners. According to *Matthias Günther (Pestel Institut Hannover)*, 3 million additional flats would have to be built or converted by 2030. This would cost 50 billion euros, but could only be realised with state subsidies of 6 billion euros, according to Günther ("Oberbergische Volkszeitung" from 15 January).

The scarcity of living space with ever more immigrants means this basic human need is becoming a luxury good. The rising number of homeless in North Rhine-Westphalia alone, where since 2015 the number has risen by 15-30% annually and stands at 32,000 now, illustrates this misery („Oberbergische Volkszeitung“ from 7 February). Nationwide, the number of homeless people rose by about 25 % between 2014 and 2016. In absolute figures this means from 335,000 to 420,000. Another 440,000 refugees living in shelters (*Zeit online*, 11/14/2017) are not included.

"The more than 940 food banks (non-profit, charitable organisation) in Germany paint a gloomy picture of the welfare state," said Jochen Brühl, chairman of the association, on the occasion of the World Day of Social Justice on 20 February. The number of people in need at the food banks has doubled in the past 10 years. In 2005, 500,000 people were regularly supported by the food banks. In 2007 there were 700,000. Since 2014 the number has been 1.5 million people per year. And the demand was still much higher, according to Brühl ("Oberbergische Volkszeitung" from 21 February).

Financing

Who's financing all this? The entire tax revenue (federal, state and community) is generated primarily from wage and income tax (45%) as well as from turnover tax (30.8%). In addition to tax, the production factor labour also generates social security contributions for the unemployed, pensioners (on a pay-as-you-go basis), people in need of long-term care and the sick.

In addition to the wage pressure described above, which leads to lower income from taxes and social security con-

"A welfare state is understood to be a democratic constitutional state having as goal the social justice and security of its citizens according to the constitution and realising the goal through appropriate legislative measures and material support services. These constitutional principles are to be demanded on behalf of all citizens."

tributions, it should not be forgotten that increasing automation and digitisation will generate more and more added value with ever fewer workers in future. *This raises the question of the extent to which this job-destroying process, which is even intended to increase productivity, can still be used for the common good.* One proposal is taxation that starts directly with the creation of value, i.e. at vending machines and digital systems. An investment tax on the commissioning of job-destroying technologies such as artificial intelligence/automation (robots), digitisation, industry 4.0 would also be a possibility.

The statutory tax rate for large corporations is 30 %, but in fact only 20 % is paid („Oberbergische Volkszeitung“ from 23 January). *Internationally active companies have more opportunities to evade tax liability (income tax on profits) via intra-group accounting and profit transfers abroad (low-tax countries) – in contrast to medium-sized companies or the dependent employee.* A new instrument, Country-by-Country Reporting, which is based on information collected from the Orbis database and discloses the figures (turnover, profit, taxes) of multinational companies broken down by country, would make it easy to determine the statutory taxes to be levied. The corporations, however, resist and, incomprehensibly, have found an ally in the person of the Federal Minister of Finance, *Olaf Scholz (SPD)*. Also his predecessor *Wolfgang Schäuble (CDU)* did not want to know anything about this instrument („Oberbergische Volkszeitung“ from 23 January).

Last year, the German billionaires were able to increase their assets by 20%. The richest percentage of Germans has as much as 87% of the total population ("Oberbergische Volkszeitung" from 21 January).

Conclusion

On the basis of the facts described above, despite the SPD's recent push for a „renewal of the welfare state“, politics has

so far failed to identify any possible solutions.

It is a disgrace to have to watch how, despite the enormous increase in the national product in recent decades and despite the bubbling tax sources in Germany, broad sections of the population have become downright impoverished. According to *Ursula von der Leyen*, the Bundeswehr budget is to be increased from 38.5 billion euros at present to 1.5% of GDP by 2025, and to more than 60 billion euros in absolute figures. This will contribute to even more wars, kill people or drive them to flee to us. The refugees will be robbed of their homeland, exploited in the destination countries of the northern hemisphere, and their countries of origin will become desolate and the „playground“ of the great power fantasies of some.

Taxpayers' money flowed into the rescue of the banks. *ESM (European Stability Mechanism)* means liability for foreign national budgets with our taxpayers' money. Target 2 balances result in irrecoverable claims against other states where we citizens are likely to remain stuck with. Additional money goes into the EU corruption in Brussels and Strasbourg.

The constitution (basic law of Germany), article 20 paragraph 1, specifies: „The Federal Republic of Germany is a democratic and *social* federal state.“ [official translation of the German Bundestag, emphasis by author]. Article 28, paragraph 1, sentence 1 of the constitution states: "The constitutional order in the Länder must conform to the principles of a republican, democratic and *social* state governed by the rule of law within the meaning of this Basic Law." [official translation of the German Bundestag, emphasis by the author].

A welfare state is understood to be a democratic constitutional state having as goal the social justice and security of its citizens according to the constitution and realizing the goal through appropriate legislative measures and material support services.

These constitutional principles are to be demanded on behalf of all citizens. •

VW under US control

Professor Dr Eberhard Hamer

For more than half a year now (of a planned total of three years) a US troop of inspectors under *Larry Thompson* has been living in a noble hotel in Wolfsburg (Ritz-Carlton). The reason for this is VW's billion-dollar settlement with the American judiciary. VW made an admission of guilt in the Diesel dispute. After the billion-dollar settlement, the US judiciary is now investigating further possibilities to tap VW. For this purpose, the VW supervisors under Thompson are to intensively investigate VW. "I have access to every room", "at Volkswagen there was a corrupt corporate culture among some employees" (Thompson), and the controller is supposed to track this down, report it to the US judiciary and thus ensure punishment.

In addition to NSA's total espionage of VW computers and telecommunications, Thompson is also supposed to bring about a "cultural change at Volkswagen". Since US authorities formally have no say in Germany, international law firms will now, in the event of conflicts with US justice, be instructed to investigate the companies and report the results to the USA, at the expense of the accused (VW). So far no case has become known in which the USA have sent direct supervision to a large company to remain there for years, as is the case with VW. VW has apparently totally surrendered itself to the US judiciary.

Other observers also see a connection between Thompson's total control of VW and the mass lawsuits brought against

VW by US lawyer *Michael Hausfeld*. A few weeks ago, these international class action plaintiffs (called "legal action vultures" in Germany) blackmailed VW with 500 class action lawsuits for a settlement of 14.7 billion dollars in the USA, and they now want to continue these proceedings on a broad scale also in Germany, in the same way.

Ever since *Gerhard Schröder* prevented the declining US company *General Motors* from being able to restructure itself by taking over the powerful VW, the latter has been under a relentless financial and legal flack from the USA. But above all this has been the case since VW has become the largest car manufacturer in the world. •

Letter to  the Editor

Topic uranium ammunition – no longer taboo

A fact that can no longer be denied is gradually finding its way into the press and the general public. Twenty years after the war against Yugoslavia, the people of Serbia and Kosovo are confronted with a very unpleasant truth. Increasing cancer rates, especially in southern Serbia, but also in the area around Novi Sad and in Belgrade, as well as in Kosovo, especially Prizren, bear witness to a type of weapon used in the war, the lethality of which does not end with the war. *André Gsponer*, the Swiss physicist who unfortunately passed away early, published a comparison between uranium ammunition and nuclear weapons of the fourth generation in 2002. His hypothesis is that the use of

these radioactively toxic ammunition was intended to accustom humanity to nuclear-contaminated theatres of war. This hypothesis is not absurd, since in Iraq, Afghanistan, Yemen, etc. we are dealing with very similar, if not identical, clinical pictures, which became apparent very soon after the first bombardments: for example, multiple cancers, which until then had hardly been known to oncologists. The infertility of women also increased strongly there, the young married couples are confronted with unavoidable childlessness. A tragedy. Some time ago, the Italian government had already paid compensation to soldiers suffering from leukaemia, for example, who were deployed

in Kosovo. Today, the Italian government wants to assist the people in Serbia suffering from leukaemia in a lawsuit for compensation against the Nato states involved.

Switzerland has accepted many emigrants from Serbia and Kosovo. They were all aware of the problem, many of them have lost relatives and will continue to lose them. Talking about the coherences, however, was taboo – lately it has been broken up. The book by *Frieder Wagner* and the review by *Dr Hunziker* are a valuable contribution to this. The path to genuine and comprehensive help is thus cleared.

Dr. phil. Barbara Hug

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One for all – My life as a shepherd

A book by Ruth Häckh

by Margrit Burch



Ruth Häckh has been a shepherd with her flocks of up to 800 sheep for over 30 years. She spent four weeks on the road for the 200 kilometres that lie between the summer pastures on the German Swabian Alb and the winter quarters on Lake Constance.

Ruth Häckh was born in 1962, and her father was already a shepherd with passion. As she was a very good student, the teacher came to her parents and told them that the girl had to attend grammar school. After graduating, she was looking for a possible career. At that time she loved to deal with animals. After a 15-month internship as a keeper in the Zoological Garden of Stuttgart, she knew that she didn't want to work in a zoo. She decided to study archaeology because she had been allowed to work on excavations during her school years. After two years she decided to become a shepherd like her father, since the university was too theoretical for her. She became the first wandering female shepherd in Germany. First she completed her apprenticeship in her parents' agricultural business and later she worked on farms in Australia and New Zealand. However, she was always drawn back to her Swabian homeland.

In her book¹ Ruth Häckh describes impressively and in detail her work as a shepherd. This profession is more a matter of vocation: above all, closeness to nature, a great love for the animals, sheep (merino sheep) and the old German herding dogs, and a special perseverance. The extent of the closeness to nature becomes apparent when it is pouring down all day long, when walking through mud and puddles all day long, when the wind is whistling in your ears and the rain is whipping your face, when the thermometer is falling below zero, your nose is turning red and your toes are threatening to freeze. Nevertheless, she wants this book to be understood as a declaration of love to the shepherd's profession. She has never regretted her career choice. It is the most beautiful profession in the world, but it is also laborious, exhausting and sometimes nerve-wracking. Many people would think it was a romantic job when they are watching sheep grazing peacefully in fine weather. But it is less romantic for the shepherd who stands there and bears all the responsibility.

The work with the dogs is the most demanding. The shepherd must learn to train his dogs himself. A well-trained herding dog must understand exactly what



Ruth Häckh with her herding dogs Sammy und Joey and her sheep.
(picture from the book)

the shepherd wants it to do and it must also be willing to obey the shepherd. He should be able to walk many kilometres a day with a herd of sometimes up to 1,000 sheep and other herding dogs, and sometimes even cross busy roads. The training of a herding dog requires great patience, empathy and a firm stance.

Today the shepherders have other problems on top of that: There is less and less grazing land. In addition, there are always new, absurd EU regulations. In 2013, Ruth Häckh demonstrated with shepherders from all over Germany in front of the European Court of Justice in Luxembourg. The aim was to be present when the court negotiated a complaint by German shepherders against the individual electronic identification. Throughout Europe, shepherders had bottled up resentments against this bureaucratic monster conceived by the EU. The German shepherders had travelled from all over Germany in their traditional shepherd's clothing. Shepherders from France and Scotland also came to carry the message of the German shepherders back to their region. This was the beginning of a union of the European shepherders.

Shepherders of all countries, unite! It started with the trip to Luxembourg. Since then, Ruth Häckh, representing the German association of professional shepherders, has been exchanging ideas with shepherd and shepherders all over the world. Conferences, fairs and meetings were organised and she met shepherds from many parts of the world. Her travels have taken her to France, Italy, Kenya and India.

She lectured and listened to lectures and noted that colleagues from everywhere are struggling to survive. The threatening reasons are similar everywhere: the low income that pasture farming generates. The shrinking habitat of their herds. A bureaucracy that complicates and disrupts the work of shepherds and shepherders with absurd regulations. And finally predators, of which the wolf causes the greatest damage in Europe.

Conclusion: Ruth Häckh's book is wonderful. It is entertaining, funny, very informative and heartwarming intimate. I was also impressed by her respect for humans and animals. There are many beautiful photos in it, and the reader can imagine a shepherd's life a little more realistically.

¹ Häckh, Ruth. *Eine für alle. Mein Leben als Schäferin.* (One for all – My life as a shepherd) München 2018



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