

# Current Concerns

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## Reflections on Pre-implantation genetic diagnosis

by Erika Vögeli

We are faced with a complex question when we are called to the ballot box on 14 June in order to decide on the submission regarding pre-implantation genetic diagnosis. Specifically this involves the amendment of Article 119 of the Federal Constitution, so that genetic testing – the so-called pre-implantation genetic diagnosis (PGD) – can be carried out in embryos produced in vitro. The PGD shall be allowed in the Reproductive Medicine Act. The original proposal of the Federal Council wanted to allow PGD only for those sets of parents who are aware of the risk of passing on a serious genetic disease. In order not to abandon the wish for a child from the outset, PGD should allow to exclude a possible inheritance of such diseases.

The process as such already raises a number of ethical questions. With the new wording of the law by a parliamentary majority, these questions are raised anew and in quite a different urgency. Each of the embryos artificially produced should be tested for inherited diseases and supernu-

merary or missing chromosomes by the “Preimplantation Genetic Screening”. And upon acceptance of the amended Constitution article it would allow that “as many human egg cells can be developed into embryos outside the body of the woman than are needed for medically assisted reproduction.” (BV Art. 119 para. 2 c) What does that mean? Why this vague extension

and disconnection of women and pregnancy? Today, the embryo may be protected even before it is implanted in the uterus. How much longer? And what lies ahead?

The discussion about human breeding in the sense of genetic selection has already been launched in our media (see “Only the

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### Genetic engineering: “...so far nothing therapeutically applicable ...”

“Despite considerable investments into the research of gene therapy from both the state and the private sector as well as the distribution of venture capital worth billions to countless biotech start-ups, so far, nothing therapeutically applicable could be developed.” (p. 32)

“Where has the proclaimed genetic revolution gone”, wonders medical ethicist and philosopher Urban Wiesing as well in a Spiegel interview. “It was [...] predicted that in 15 to 20 years the majority of medicine would

be consisting of gene therapy. So far, however, to my knowledge, there is no study examining gene therapy with respect to its therapeutic usability or its broader applicability. In summary, the predictions resulting from the newest discoveries in the field of genetics were exceeding real-life developments by far.” (p. 32)

“One has no idea where to run, but does so even faster”. (p. 34)

Felix Hasler, *Neuromythology*  
Bielefeld 2012

Federal referendum on 14 June 2015

## A clear “No” on pre-implantation genetic diagnosis

by Dr med Susanne Lippmann Rieder

On June 14, 2015, the Swiss people will vote on the question whether Art. 119 of the Federal Constitution should be amended, so that in future embryos can be produced in an undefined number outside the mother's womb, without having to be implanted immediately after their creation. This constitutional amendment provides the basis for the approval of pre-implantation genetic diagnosis (PGD), which is currently prohibited in

Switzerland. The amendment, which at first glance seems to be insignificant, is vaguely formulated and concerning the Implementing Law of Art. 119, the Reproductive Medicine Act (FmedG), it includes a large scope for the selection of life “worth living” and “not worth living” and the possibility of unlimited production of embryos. On 14 June, we can and must stop this dangerous trend with a No!

– Bans the cryopreservation (deep-freezing) of embryos

### Proposed constitutional amendment – Art. 119 para. 2c and proposed amendment to the Reproductive Medicine Act

The constitutional amendment of Art. 119 para. 2c and the change of the Reproductive Medicine Act were discussed in Parliament at the same time, aiming at the permission of pre-implantation genetic diagnosis in Switzerland. With respect to the two bills there is only one message of the Federal Council: “13,051. Message on the amendment of the constitutional provision on reproductive medicine and genetic engineering in human medicine (Art. 119 BV) and of the law on reproductive medicine (pre-implantation genetic diagnosis) of 7 June 2013.”

Federal Constitution Art. 119, par. 2c

Yet: “[...] no more human egg cells may be developed into embryos outside a woman's body than are capable of being immediately implanted into her”.

Proposed amendment: “[...] no more human egg cells may be developed into embryos outside a woman's body than are necessary for medically-assisted reproduction”.

Valid:

Art. 119 BV is constitutional basis

- For artificial insemination (in vitro fertilization, IVF)
- For the ban of pre-implantation genetic diagnosis

The Implementing Law, Reproductive Medicine Act

- Governs the IVF in detail
- Limits the production to a maximum of 3 embryos

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### "Thoughts about pre-implantation ..."

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best for the offspring", *Neue Zürcher Zeitung* of 17 April 2015). In the 1930's, this was referred to as eugenics – the term raises appalling memories of master race selection. That is why the discussion of "technological enhancement" travels under the label "trans-humanism" today. In essence, nothing has changed, though: Authorized by reason and science an obligation to progress is postulated which supposedly includes an "enhancement" of human nature by technological means, towards the "post-humane" or "trans-humane". But who will show the direction? Which "humankind" should we aim for? Who will define what real "progress" is? Who aspires to design such an artificial "evolution"? Besides, after a world-wide hype about "Dolly" the cloned sheep, there is a silence today which is almost deafening. Despite billions of investment not a single method of so-called gene therapy has materialized as routine medical practice as yet. And also in the area of the Human Brain Project all new discoveries just deepen the conviction that there is so little we really know and understand. That means, of course, that we might go ahead and "make" something – but we would indeed not be able to foresee the consequences of such interference with nature. (cf. box)

With due respect for the capabilities of scientific knowledge and technological developments, neither the creation of the cosmos, of our planet, nor life and the "design" of human nature is what we are in charge of with our human tasks and skills. It goes without saying that medical research, for instance, has achieved real blessings for us, without which many of us or our nearest and dearest and many more people on earth would not be with us any longer or would have to endure severe hardships. Medicine has made our

lives easier, may offer healing where there used to be hopelessness and ease pain and suffering that used to be unbearable. We are all grateful for that. But suffering, disease and impaired range of activities will never be completely avoidable, they belong to our lives and have to be faced by everybody in one way or another at some point. Therefore we have to consider not only what is practically feasible, but also what all these discussions of *Human Enhancement* are doing to us – to the way we view life and humankind in its eternal and inevitable imperfection.

It is rarely articulated in that debate that things in the genomic field are obviously not as easy as we had hoped for a couple of years ago. For a start, there are not just genes to be found in the genome and to explain and make available all phenotypic properties. And it is not enough considered what various researchers have recently contributed from the perspective of epigenetics that genetic information may even change during lifetime due to the interplay of biological and social influences from the environment, challenging the certainty of some prognoses that had appeared rock solid.

From a psychological perspective one might add: Here experience shows, perhaps more clearly than anywhere else, that every human being communicates and interconnects with society from the first day of his or her life, developing a unique, distinctive personality in the process. Equal as all humans may be in principle, this simple fact challenges every attempt to explain character and personality traits – including intelligence, for that matter – by genetic heredity alone. This does not mean that we cannot define optimal conditions for the promotion of a healthy physical, psycho-spiritual and social development. People have been searching for those as long as humankind has existed, and our generation

benefits from the achievements and traditions of countless predecessors who contributed to this knowledge.

After all we can't help being social, unable to survive without our fellow human beings and to fully develop our humanness disconnected from others. We are not just a pool of genes, designed as desired, and then automatically turning into the intended product. We are embedded into a stream of human history, part of a historical, cultural and social string – born and raised here and today in a specific humane context.

In order to explain and understand many diseases and patho-mechanisms these interactions have to be considered much more carefully. Our tunnel vision of focusing on genetic data alone has in fact distorted our views in many aspects over the recent years. Another remark: *No Human Genome Project* and *No Human Enhancement* will ever abolish the consequences of all those bombs and missiles, this radioactive dust they left behind which keeps spreading over the attacked countries – but is also traveling to us – and maybe disrupting the lives of people inhaling it with malignant (multiple) tumors, birth defects and other diseases due to DNA molecule fractures and other gene defects. Efforts have been made to quell the discussion of these problems for years and decades now. Nevertheless, it will surface one day.

Should "Human Enhancement" make any sense, it would be our effort to gain insight into our nature and direction of development towards more empathy, humanness, justice and peace for all humankind, but certainly not the "ascension" of some individuals to a top position in their competition quarrels. All experience shows: Rather than by competition and selection, the most stable and sustainable successes are achieved by dialogue and cooperation, which open the gates for the contest of diversity. •

**"A clear 'No' on ..."**

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On 12 December 2014, the Parliament adopted the Federal Council's alternative to the constitutional amendment. We will explain in more detail below, what the amendment of this nondescript half-sentence means.

However, when *changing the Reproductive Medicine Act (rFMedG)*, the Parliament opened the barrier originally set

### What is pre-implantation diagnostics?

Pre-implantation genetic diagnosis (PGD) is the genetic profiling of an embryo formed by in vitro fertilization prior to implantation into the uterus. For this, 1-2 cells are taken by biopsy from the embryo in the 6-8 cell stage and subsequently examined in a laboratory. Thus it is possible to find out if the embryo is carrying a congenital disease or some modification of the chromosomes. This facilitates the selection of the child's sex or other inherited features. PGD can also be used for the creation of a so-called "saviour sibling", a genetically compatible donor of stem cells for an existing affected child.

by the Federal Council: In its draft law, the Federal Council wanted a restriction of pre-implantation genetic diagnosis for couples with hereditary handicap; i.e. PGD only for hereditary diseases (50 to 100 couples per year), not for chromosomal abnormalities. And he set a limit for the production of embryos outside the woman's body: 3 embryos, if the genetic material of the embryos is not being examined, 8 embryos if the genetic material of the embryos is being examined. The rFMedG, now adopted by Parlia-

ment, goes far beyond the practice in our neighboring countries:

- It allows genetic testing for the examination of hereditary diseases and chromosomal abnormalities for all couples making use of IVF (today more than 6,000 per year).
- It increases the scope for embryos produced outside the body to 12 per cycle (an open number upwards was still rejected).

The ban on cryopreservation was revoked according to the proposal of the Federal Council. This is essential for the so-called storage of embryos.

*This means: In the future, in principle all embryos created outside the mother's womb could be examined and selected in the test tube by means of all technically available genetic tests! And a huge number of so-called supernumerary embryos would be created. What for?*

The parliamentary debate was marked by a huge commitment in favour of the constitutional amendment and the revision of the law on the part of *Felix Gutzwiler*, responsible President of the Commission for Science and Education of the Council of States. Considering the controversial debate, it is amazing how rapidly this "business" has been adopted, namely after ¾ years and already after the second round. It remains an open question, what has been the reason for the Council of State's change of mood, that, as premier legislative body, voted against an expansion of FMedG. What is certain is that the committees were repeatedly visited by advocates of a so-called liberal regime of reproductive medicine and that also the opinion of the National Advisory Commission on Biomedical Ethics has contributed to this change of mood.

### What happens to the tested embryos?

Only the "desired" embryos will be implanted into the mother's womb after the genetic tests (in most cases on the 5th day after fertilization) or frozen as spare. The deep frozen spare embryos can be used for another pregnancy. Or they can, according to the "Stem cell research law" (originally "embryo research law"), be used for the isolation of embryo stem cells – that is, also for research – if the affected couple has approved this in writing. "Undesired" embryos are destroyed – we are not aware of any legal foundation for this.

If the people and the Council of States say No to the constitutional amendment, the changes of the FMedG, as already adopted by the Parliament, will not enter into force, that is, that the ban on pre-implantation genetic diagnosis will persist. Thus, all those who work for a reproductive medicine à la "liberal eugenics" or those who want to especially gain commercial benefits, would not be supported by the Constitution. If the constitutional amendment was accepted, the Federal Council would enact the revised Reproductive Medicine Act (rFMedG), unless the referendum would be taken up against this amendment. Several organizations have already announced that the referendum would be taken up. We can not allow to have a law in our country that would allow the eugenic selection and destruction of unwanted embryos! *Therefore, with a No to the constitutional amendment of Art. 119 on 14 June, you will also say No to one of the most far-reaching laws on reproductive medicine in Europe.* •

## Arguments against the constitutional amendment

### Constitutional amendment reaches beyond the original purpose, the immediate implantation

The constitutional amendment reaches beyond the original purpose, namely to induce a pregnancy by immediate implantation of the embryo in the womb of the mother. In the applicable constitutional article the action addresses the mother, the woman. In the planned article a change of addresses takes place: The formulation is newly addressed towards the biomedical procedure "medically-assisted reproduction". The mother, the woman does not even occur any longer.

The legislator could have formulated "than are necessary for her medically-assisted reproduction". These two missing

As a physician I am warning of the usage of genetic tests, be they for prospective parents, interested singles or unborn children: there is an error rate, both for so-called false positive and for false negative results. And the tests are misleadingly supporting the idea of having everything under control. In Great Britain, for example, there are so-called assay kits searching for 250 or even 448 diseases. Which of them should "justify" elimination? And the list is growing and growing.

words show that it is about producing supernumerary embryos and it might even be about further interests.

### Blurred expressions

The Constitution does not clarify what is meant by "medically assisted reproduction". The legislator might alternately have formulated "than are necessary for achieving pregnancy."

With this wide formulation, the decision concerning the number of embryos to be produced is left to reproductive medicine, respectively to the Reproductive Medicine Act. It would even open the way to permit further conceivable reproductive processes in future, solely via amendments at the legislative level.

**"Arguments against the ..."**

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**Unclear embryo protection:  
Constitutional amendment  
is a contradiction in itself**

By the constitutional amendment, the selection of embryos with "wanted" and the rejection of embryos with "not wanted" genetic material is possible. The first one would be implanted, others would be destroyed and countless would be left to an uncertain fate by cryopreservation.

The constitutional amendment undermines the Protection given by the Constitution (BV Art 119 para 1): "The human being is protected against the misuse by reproductive medicine and gene technology", since it is a contradiction in itself.

However, the legal system as well as medicine should aim at healing ill human beings including ill embryos and not at their elimination. Only such a legal system allows to use the limited human knowledge at the best, that is to help man to lead fulfilling lives.

**Paradigm shift: production of so-called  
"supernumerary" embryos**

The new possibility to develop as many embryos as necessary for medically assisted reproduction would lead to a *fundamental change in dealing with the human life in its origin*. The constitutional amendment allows the production of supernumerary embryos without limits! And these "might be" selected, freezed, supplied for research. And: the genome of all those tested would be known.

This amendment of the constitution is a paradigm shift and throws the gates to eugenics wide open! Human life must not be distinguished as a life worth living and an unworthy life. Where shall the limits be and who will decide about them?

**Right to life – a non-negotiable  
human right**

We as voters are called upon to determinedly reject the delusion that man could plan a society without handicaps and illnesses – which is the ideology of eugenics. Such an attitude violates the most fundamental of all human rights, the *right to life*. It's origin is the ideology of eugenics.

**The step on to the slippery slope has  
already been taken**

Fact and crucial point is that there are exponents in our country, as well, who are campaigning for medically assisted reproduction without limits and pursue this target with salami tactics. These exponents have indeed "won" a first goal in Parliament with the immense extension of the Reproductive Medicine Act. The adopted expansion surpasses by far the practice in our neighbouring countries and has even

In principle, the rFMedG law already passed by the parliament would allow to examine and select all in vitro fertilized embryos with all available genetic tests. Thus there would be embryos with "desired" genome which are either implanted into the mother or deep frozen. And there would also be embryos with "undesired" genome who are singled out and discarded (?) in a laboratory.

not been proposed by the majority of the responsible commission's members, the Swiss National Advisory Commission on Biomedical Ethics. In Parliament Federal Councillor *Berset* even still warned against the possibility of eugenic selection. In the Swiss National Council he said: "(...) because as a consequence of this significant extension arises the question of selection, – and by the screening – the question of a certain tendency to eugenic selection."<sup>1</sup>

In the Swiss Council of States: "So this is about an active choice, a selection which in fact allows us to use the term 'eugenics', as Mr Bieri reminded us; we cannot easily dismiss this."<sup>2</sup>

An expansion of the scope of application is technically possible. There is great danger that in future everything that is technically possible is likely to be applied, initially probably step by step. The necessary legislative changes could be enforced at the parliamentary level. To initiate a referendum with every change coming by means of such salami tactics, might indeed be tiring.

Professor Maio, medical ethicist, in his textbook "Ethics in Medicine" warned explicitly against this step – which our parliament already has carried out.

**Further liberalisation measures  
can be expected**

Further liberalisation measures are subject of the public debate, even now. Thus, the Swiss National Advisory Commission on Biomedical Ethics already declared itself in favour of egg donation by its majority, embryo donation, surrogate motherhood or suspension of the maximum number of embryos allowed to develop. Even a request for the creation of "saviour siblings" was discussed in Parliament, but did not receive the support of a majority

**What is eugenics?**

Eugenics is the ideology of improving the genetic endowment of human population through the selection of supposedly healthy and valuable humans.

this time. It is merely a matter of time that this request will be repeated after a possible approval of pre-implantation genetic diagnosis PGD.

Looking abroad shows what else is possible: In USA and Great Britain the production of designer-babies is possible: Selection of sperms and eggs according to sex, hair and eye colour or as well as specific character traits and physical abilities. A successful carrier by "social egg freezing" is promised to women. Genetic tests are unrestrictedly available for PGD. Recently the first "three-parents-baby" was born in Great Britain.

Last week was published that Chinese researchers modified a gene in the genetic material of human embryos. A procedure which is forbidden in Switzerland at constitutional level and creates the risk of dangerous mutations. How long will it take in Switzerland until the existing limits set by human rights will be exceeded?

**Who profits from this harmless sounding  
amendment of the constitution?**

Commercial interests of pharmaceutical industry, stem cell researchers, manufacturers of genetic tests and institutions for medically assisted reproduction cannot be denied.

Such a law serves those sick brains who plead for genetic improvement of children with the argument to do "just the best for the offspring".<sup>3</sup> •

<sup>1</sup> "Amtliches Bulletin" (Official Bulletin), National Council, 3.6.2014, page 29

<sup>2</sup> "Amtliches Bulletin" (Official Bulletin), Council of States, 8.9.2014, page 10

<sup>3</sup> "Nur das Beste für den Nachwuchs", Markus Hofmann, *Neue Zürcher Zeitung*, 17 April 2015

**Via homepage of the national committee "No-to-PGD", [www.nein-zur-pid.ch](http://www.nein-zur-pid.ch), you can order flyers and posters or join one of the cantonal committees or the doctors committee "No-to-PGD".**

# Pre-implantation genetic diagnosis: Where do we set the limits?

## The medically feasible urges society as a whole to answer fundamental ethical questions

by Christa Schönbächler and Stefanie Dadier, *insieme* Switzerland, Berne (excerpt)

### From the exceptional to regular selection

Misleadingly it is often attempted to equate PGD with prenatal diagnosis. But the argument that the same diseases or chromosomal changes can be detected by both methods, falls short. With prenatal diagnosis the parents-to-be, in particular the pregnant woman, have to decide whether the embryo will be held in the womb of the woman and live. They do not select the “best” embryo of several. They are faced with the question of whether they want to keep the one child and are able to opt for a life with a disabled child. For PGD, however, a sample of embryos is artificially produced, the couple or medical staff decide which embryo is to be implanted due to its genetic disposition.

### Little-known facts

As a motive for the introduction of PGD the main argumentation is that it helps couples with fertility problems. Medical studies show, however, that PGD does not increase the chance of getting pregnant with IVF (cf. Harper among others 2010). In addition hormone stimulation puts a considerable strain on the woman’s body, as up to 12 eggs and more are required for PGD. The possibility of PGD in combination with “Social Egg Freezing” raises false hopes on problem-free motherhood at an advanced age (cf. *insieme* 2014 a). It should further be noted that the introduction of PGD is also going to entail huge economic benefits. In Austria and in Italy,

PGD is still banned entirely, in France and in Germany it is regulated restrictively. In case of a liberal legislation Switzerland becomes an attractive place of treatment for infertile couples from surrounding countries. [...]

### Referendum 2015:

#### Chance for a public discussion

On 14 June 2015 the Swiss people will vote on whether Article 119 of the Federal Constitution will be changed so that in future, embryos in greater numbers can be developed and stored outside the womb. This constitutional amendment is a prerequisite for the modified Reproductive Medicine Act to become effective.

*Insieme* Switzerland and other organisations for the disabled see the referendum as an opportunity for a public debate about preconceived value judgements about people with disabilities.

They want to introduce considerations and warnings from the perspective of people with disabilities into the debate (*insieme* 2014 b):

“• disease and disability belong to life, but they do not determine its value. PGD entails an evaluative selection of life. For people, who are genetically impaired in a way that is regarded as undesirable, this selection will inevitably have an impact on their perception of themselves and of others.

• Most disabilities come into existence during or after birth and are not genetic. PGD gives rise to the mislead-

ing notion that disabilities and diseases could be prevented by using prenatal diagnostics.

- Should chromosome screening be allowed, all prospective parents would be under progressively increasing pressure as a result of people’s expectations that they undertake everything that is technically feasible to prevent the birth of a child with a disability. Thus it would become increasingly difficult to decide in a free and autonomous fashion.
- We must avoid a situation where parents are exposed to pressure to justify their actions or, in extreme cases, have to bear negative consequences if they decide against prenatal diagnostic or if they deliberately decide in favour of a child with a disability.”

For centuries, people with a trisomy were part of our society. If the development of PGD continues unreservedly, this may change. Is that what we want? Things will not stop at the testing for hereditary diseases and trisomies. There will be a demand for screening and eliminating further “undesirable” dispositions and characteristics. Imagine: Which ones will that be? What image of humanity will we let ourselves be guided by?

[http://insieme.ch/wp-content/uploads/2015/04/Präimplantationsdiagnostik\\_wo-setzen-wir-die-Grenzen\\_vhn.pdf](http://insieme.ch/wp-content/uploads/2015/04/Präimplantationsdiagnostik_wo-setzen-wir-die-Grenzen_vhn.pdf)

(Translation *Current Concerns*)

## One cannot select one’s children

*The Federation of Swiss Protestant Churches’ opinion on the Constitutional revision of Article 119 of the Federal Constitution*

*In the referendum on Article 119 of the Federal Constitution is a mere seven words in a nondescript sentence of paragraph 2, letter c, and sentence 3. It will specify how many embryos can be produced artificially. Today, the following applies: There may be so many embryos produced outside the mother’s womb, “as she can immediately be implanted with”. New, this sentence part should read: “as are necessary for the medically assisted reproduction”. The revision of Article 119 BV is a prerequisite for the lifting of the ban on pre-implantation genetic diagnosis (PGD) in reproduction medical law.*

Lawmakers want to enable parents, who have a hereditary disposition, to have a possible genetic investigation in the scope of artificial fertilization. The Federation

of Swiss Protestant Churches can understand this concern. However, the genetically based selection of embryos penetrates the highly sensitive and problematic area of eugenics, i.e. the artificial selection and control of human reproduction. Therefore, a clear and strict legal regulation must be established. The revision presented does not fulfil this condition. Therefore, the Federation of Swiss Protestant Churches rejects the constitutional amendment.

The Federation of Swiss Protestant Churches’ reasons for its rejection are as follows:

1. *Problematic change of purpose:* Under current law, only as many embryos from a woman’s eggs shall be produced, as “she” will in fact have implanted. The amended Constitution Article no longer

has the woman in mind, but merely the necessary medical measures. This change of purpose focuses exclusively on biomedicine and its interests. The real purpose, enabling a pregnancy, is no longer mentioned.

2. *Retraction of the legislature:* With the revision of Article 119 BV, the decision on the number of embryos produced is relinquished solely to the reproductive medicine. The legislature omitted in fact a legal limitation of the PGD, and opened a new practice of reproductive medicine field from which it at the same time withdraws itself. Surplus embryos might in future – because they are already there – also be used for research or for so-called “saviour babies”.

# If the people decides otherwise – or might decide otherwise

## Small tutoring session for administrative officers and other “experts”

by Dr iur Marianne Wüthrich

*In Switzerland, the people are the highest state authority. The sovereign authority decides on any amendment to the Federal Constitution. With the means of the popular initiative and the optional referendum, citizens can engage in political debate and determine how our political system is to look like and in which direction it should develop. However, for some time now this has appeared to no longer please certain people. Apparently in some cantons and at the federal level, the executive and its administrative apparatus urgently need some tutoring sessions regarding direct democracy.*

Approximately twenty years ago it was still clear to every politician and to every administrative authority: As soon as the sovereign authority has decided, there is nothing more to add to or to detract from the decision. Until recently the high respect of the authorities towards the directly democratic political system allowed the Federal Council or the cantonal governments with their administrators to implement the decision resulting from the referendum, even if they themselves had wished differently.

Among the indispensable prerequisites of direct democracy is the one that the population may at any time inform themselves about a planned legislative process and about ongoing negotiations with other countries. Because only complete transparency by the government allows the citizens to form an opinion that deserves this label in a direct democracy.

### Relationship of trust must be restored between the people and the authorities

A special relationship of trust between the population and the authorities was tradition in Switzerland. In dealing with each other they met on equal footing and adhered to the principle of good faith. Many citizens are also members of administrative bodies or commissions. For example, some hold a mandate in the canton and the city council simultaneously, or are Mayor and National Councillor or cantonal and federal parliamentarian, etc. The separation of powers applies in Switzerland only at the same state level; it is highly desirable, that for example a local elected official can have a say in the canton or the federal government, too. This refined interaction is based on the shared high democratic awareness and is a magnificent achievement in the history of Switzerland. But this interaction works only if all parties are willing to contribute to the preservation of the Swiss model.

Since the beginning of the nineties, the respect for the will of the people has crumbled with many law enforcement agencies and party politicians. As a result many dedicated, down-to-earth citizens have lost confidence in “the state” to a certain extent, especially at the federal and partly at the cantonal level. This has become especially evident since 6 December 1992, when the Swiss people said “No” to the EEA accession. But the ex-

ponentially increasing interference of the OECD and the United States with the internal affairs of Switzerland, tolerated by the Federal Council without having consulted the people, does not contribute to the citizens’ trust in the state.

As a consequence of the people’s “No” to the EEA, the Bilateral Agreements I and II have been negotiated between Switzerland and the EU. A majority of the citizens voted for these agreements, since they were mistaken to believe the assurances of the Federal Council and “the economy” (read: the large corporations that have their headquarters in Switzerland, but have long been abroad operating their production and business there): The citizens were deceived into believing that the Bilateral Agreements were essential for the economy and would not curtail our independence from the EU and the citizens’ political rights.

Meanwhile, many citizens have realized that the bilateral agreements primarily serve the EU and its corporations. For example, the floods of trucks pouring through our county and polluting our air, hardly contribute to the benefit of our population. And the annual net influx of more than 80,000 immigrants is simply no longer acceptable for a small and densely populated country like Switzerland. The voters have acknowledged this with their

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### “One cannot select ...”

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3. *Unclear Embryo Protection:* The genetic engineering developments prompted the legislature, to include an article on the “dignity of creation” in the Constitution (Article 120 BV). Is there an analogous protection of dignity for human embryos? The current version of Art. 119 BV does not explicitly include it, but it is understood to give such protection. This protection would, however, be void with the adoption of the proposed amendment. Therefore, the Federation of Swiss Protestant Churches calls for an article that explicitly places the dignity of the embryo under the protection of the Federal Constitution.

4. *From the exception to the rule:* Human life – whether born or unborn – must be protected. The embryo selection collides with the fundamental duty to pro-

tect human life. Therefore, PGD occurs only as an exception to the basic life protective in question and not as a freely selective alternative. At the same time an ethical consultation is required *before* the decision to use PGD. Because in the decision, to apply PGD, the Yes to use embryo selection is already included. The consequences and impositions of a conscience decision must therefore be clarified and weighed before the decision for a PGD. The danger that exceptions to the rule become self-evident is great, especially in the context of the new biotechnologies. To counteract this is a task for the whole of society.

5. *The specification of God’s Yes to every human:* freedom of choice is a valuable asset that requires a willingness to take on responsibility. How much responsibility should be imposed on people, and when does it become an unbearable burden? Should the choice of human life re-

ally become an everyday decision? The Bible knows about the dangers of excessive human demands and therefore has the story of God’s Yes to every human prominently placed at the beginning: Every human is the divinely willed creature. Because for the creator no life is condemnable (1 Tim 4:4), no human life must be revised and selected. This basic decision to life must be reflected in societal conditions in which every child is welcome, and parents get all the support and every possible reason to accept their child happily and also bravely. •

A detailed 12-page opinion of the SEC found in [www.kirchenbund.ch](http://www.kirchenbund.ch) under Publications. Swiss Protestant Churches Sulgenauweg 26, CH-3000 Berne, Tel +41 31 370 2525, e-mail: [info@sek.ch](mailto:info@sek.ch)

(Translation *Current Concerns*)



**"If the people decides otherwise ..."**

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"yes" to the Mass Immigration Initiative on 9 February 2014.

**Attacks on the political rights of Swiss citizens must be fended off**

Given the insidious attempts to disempower the sovereign people, it is a pleasure for any active citizen to witness how many fellow citizens there are who let themselves not be defeated. 53 federal popular initiatives have been conducted at the federal level alone between 2002 and 2014, ten of which were accepted at the ballot box! A remarkable result!

However, the would-be constitutional reformers of Switzerland are not particularly pleased with the success of direct-democratic instruments. For example, *Lukas Rühli*, executive member of the think tank *Avenir Suisse* demands reforms of the right of popular initiative, as an initiative will "[...] rarely be implemented in accordance with the desire of its founders." (Media communiqué from 7 April 2015) True, neither the Initiative on Preventive Detention, nor the Deportation Initiative, neither the Second Home Initiative nor the Mass Immigration Initiative have been implemented so far. However, bringing the right of popular initiative in line with Rühli's desires – not to let it "degenerate into a farce" (Lukas Rühli) – would mean putting the cart before the horse.

Among other things, he makes the following suggestions: A substantial preliminary examination of popular initiatives by the Federal Chancellery – however, its introduction, as you already know, recently flunked with timpani and trumpets as early as in the consultation proce-

dure. Another suggestion was to increase the number of confirmed signatures from 100,000 to 210,000 (4% of the electorate).

Did the perpetrators of such ideas ever take part in collecting 100,000 signatures? If so, it would be clear to them: To collect 100,000 signatures, the collectors need exactly the same amount of time – regardless of the current number of citizens entitled to vote.

Not the right of popular initiative is to be brought into line but the Federal Council, including its administrative bubble. The Federal Assembly and the Federal Court have to adjust. In fact, by the will of the people the texts of the initiatives adopted at the ballot box are to become articles in the Swiss Federal Constitution, the supreme legal institution of our country. The authorities and their officials are responsible for ensuring that the Constitution is implemented in accordance with its wording in laws and then applied, even if this does not suit some people in Brussels or overseas. The Swiss popular initiative "Swiss law instead of foreign judges (self-determination Initiative)" was launched recently to remind the "servant" and "representative" of the people of their duty.

**Canton executives – more or less capable of democracy**

The surreptitious method does not quite work with respect to Curriculum 21. As reported earlier, the so-called "legal basis" of this unspeakable construct rests on a mere administrative arrangement of Cantonal Governments. Hoping that nobody would notice anything about it during three years, the *Swiss Conference of Cantonal Ministers of Education* EDK hatched its odd ideas behind closed doors.

(see *Current Concerns* No 31/32 from 31 October 2013)

But the Swiss population is not going to tolerate this approach; many parents and teachers have already spoken out and will continue to do so. In the cantons popular initiatives are sprouting from the ground, requesting the withdrawal from *HarmoS* or demanding that voters can vote on the curriculum of the elementary school.

And how do the cantonal governments act? Some behave correctly as the Canton of Aargau, where the introduction of the curriculum has been postponed for a few years, so that the population can decide on the popular initiative "Yes to a good education – No to the Curriculum 21" before its implementation. Other cantons push ahead and implement the controversial curriculum rapidly. For example the Canton of Basel-Stadt has indeed literally implemented it without the so-called "adjustments to cantonal circumstances". "Coincidentally," the Basel Education Director *Christoph Eymann*, also the president of the EDK, as such, behaves as if he were the boss of the country: "We are not afraid that we remain the only ones. All cantons will take this path," Eymann said arrogantly on 4.12.2014 on television SRF.

However, he might be tremendously mistaken! The Councillor of State of Basel-Stadt, the Social Democrat *Anita Fetz*, in any case has a very different view of this matter: "Let the school alone! Curriculum 21 has failed", says Fetz in an interview. (*Die Zeit*, No 44/2014 of 23 October 2014)

By the way, in October of this year Christoph Eymann (Liberal Democratic Party LDP) plans to run as Council candidate and to take Fetz's seat. The people of Basel have it in their hands to choose either him or her as their Councillor. •

**TiSA – a secretly negotiated agreement with secret content**

by *Dr iur Marianne Wüthrich*

Next, what will happen to Switzerland – if we don't do anything about it – is our slipping into the so-called Free Trade Agreements (TTIP and TiSA). They will, in no way, be concluded for the benefit of the citizens, neither for the benefit of any other involved countries' citizens. Everything is planned and controlled by the transatlantic Big Brother.

Only a few months ago, the interested citizens learned by some well-informed Internet user that the United States was planning a comprehensive agreement on trade in services, named "Trade in Services Agreement", short TiSA. By this treaty, they wanted to include as many countries of their choice as possible – the "Really Good Friends". Understandably, in anti-globalization circles, this name pro-

vokes suspicion. The 23 TiSA countries would dominate about 70% of the global service sector. But not only within the left and green circles are the TiSA negotiations arousing discomfort. Recently, the former European Commissioner and Luxembourg Christian Social politician, *Viviane Reding*, said about TiSA: "This is a time bomb ticking, only nobody detected it, yet." (Radio SRF, 17.4.2015, *Echo der Zeit*)

By the way, Switzerland is also among the propitiously elected countries whose service market the United States would like to take over. Since February 2012, the secret negotiations are underway in Geneva, led by the United States, Australia and the EU.

It seems that also our parliamentarians learned rather late about the Swiss partic-

ipation in the TiSA negotiations – doesn't the system of non-disclosure work well, indeed! Anyway, the Green Parliamentary Group was active in 2014: By three interpellations, National Councillor *Aline Trede* (GP BE), representing 11 co-signers, wanted the Federal Council to disclose, on what legal basis the participation of Switzerland was founded, how TiSA differed from GATS, why the negotiations were kept secret and finally: What consequences would the signing of TiSA have on the public services (planned liberalization) and which jurisdiction Switzerland would be subjected to? (14.3102, 14.4160 and 14.4295 Interpellation Trede)

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**"TiSA – a secretly negotiated ..."**

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Replies by the Federal Council:

The legal basis was the Doha mandate of 2002 (!), because TiSA would "not fundamentally" differ from GATS (*General Agreement on Trade in Services*). – Is it different or isn't it?

The rest is drowned in spongy versions as well: Secret negotiations were permitted by law [sic!], everything else is in the stars, for example: "The question of a possible dispute resolution mechanism in TiSA is open and will be the subject of negotiations in due course" (interpellation Trede 14.3102). This means in plain text: We'll see each other next in front of a US-American so-called "arbitration court", completely impartial of course!

Further the Federal Council refers to the written submissions of Switzerland in its answer: 14 in number, to be found on the home page of the SECO (<http://www.seco.admin.ch>), all exclusively in English, as well as two press releases.

How did that go again with the three official languages in Switzerland? Each "baloney" is diligently translated by the federal administration; TiSA documents – which are very complex even in German! – can only be read by those citizens who are so "open to the world" that they are able to read the documents in English without any effort?!

**Critical citizens put the matter straight**

Fortunately, the Swiss are not so easy to deceive. A fine example of the population's critical opinion is found in an information event of VPOD (*Swiss Association of the Staff in Public Services*) in front of 30 Basel bus and tram chauffeurs, commented by the Swiss Radio. (SRF 17.04.2015, 6.00 p.m., *Echo der Zeit*) The union members, speakers and listeners, as well as SRF-editor Massimo Agostinis get to the heart of the matter and explain why they are rightly suspicious about Switzerland's participation in an agreement initiated by the US and largely concealed to the public.

Because TiSA is not only planned to liberalize the private services sector, i.e. the banking or insurance industry, but also public services could be deregulated, said VPOD-Central Secretary *Stefan Giger* in his presentation. This would include health care, education or public transport. These are all sectors in which the VPOD has a strong presence. Therefore, it currently is the loudest voice against the TiSA agreement in Switzerland. One of the here present tram drivers voiced his

concern over the fact that GATS had already been the starting point for the expansion of liberalization. It is favourable neither for the employees nor for the consumers, i.e. the taxpayers.

*Christian Etter*, in charge of the foreign trade sector in the State Secretariat for Economic Affairs (*SECO*) rejects the VPOD's allegation that clandestine negotiations were taking place about state services, as well, such as education or health care: "Well, this statement is based on wrong ideas". However, he is not allowed to put the cards on the table, for the negotiating nations promised each other strict secrecy. Christian Etter points to the homepage of *SECO*, where all aspects are listed about which Switzerland is not willing to negotiate. They include all of today's public services like post, public traffic, health care and education systems among others.

Stefan Giger of VPOD replies that it is true that *SECO* (State Secretariat for Economic Affairs) did not want to negotiate, but additionally to the actual text of the agreement the annexes would include several aspects which Switzerland does not want to have. *SECO* also says here: "Wrong! An annex applies only if it has been adopted by all."

TiSA will further restrict the sphere of political action in favor of private enterprise, critics of globalisation insist. The problem is: No one knows whether these cases will actually become more with TiSA, since only very few people know what exactly has been negotiated. And that's probably the biggest blind spot.

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Comment: Let us once more reflect the statements made by *SECO*, the State Secretariat in charge of TiSA, (taking into account the hints by the SRF business section that Christian Etter may not lay his cards on the table):

"[...] Unnecessary, unjustified barriers to trade are to be reduced and planning security for the international services business is to be increased".

This refers to trade barriers that have been erected by the legislation of the national states to protect their own economy: The interests of multinationals are to be given preferential treatment to national laws; planning security means that the globalized multinationals can plan their investments for several years in advance without running the risk to be hindered to realize them by appropriate national legislation.

As to the union VPOD's suspicion that through the back door also state services

**Motion "TiSA. Service public is non-negotiable"**

With the Motion "TiSA. Service public is non-negotiable" (No. 14.3368 of 8 May 2014, which has not yet been negotiated in plenary) the Green Parliamentary Group made submitted two very clear requests to the Federal Council a year ago:

"1. The Federal Council must guarantee that no services of the public service will be offered in the TiSA negotiations.

2. The Federal Council is mandated to disclose the negotiation mandate of SECO concerning TiSA at least to the relevant committees [of the National Council and the Council of States, note by *Current Concerns*]."

The response of the Federal Council gives rise to the highest concern: After repeating the above-mentioned strategies of obscuring the facts the lapidary sentence follows: "The Federal Council requests the rejection of the motion."

In plain English: First the Federal Council refuses to ensure the protection of the public service against liberalization / privatization.

Secondly the Federal Council insists on its claim that it had received the mandate for its secret TiSA negotiations 12 years ago by the parliament, not for TiSA negotiations, but for something similar.

It is now up to the National Council and the Council of States to put the Federal Council in its place.

such as education or health might be negotiated; the answer: "Well, this idea is based on misconceptions."

Since the *SECO* cannot or does not want to put its cards on the table, the question which of the above-mentioned "ideas" are correct or false, remains unanswered.

Neither do the Basel VPOD members nor do we know what is right or wrong. The citizens have to speak out together with the Green Parliamentary Group in Berne and the Basel, bus and tram chauffeurs and must request a stop of these negotiations which would certainly enable a run of the large global corporations onto the service business in Switzerland and in many other countries, but which would also be much to the detriment of our SMEs, employees, consumers and our high-quality public service. •



## “A hopeful beginning for all Tamils”

Interview with Professor Dr S. J. Emmanuel, President of the Global Tamil Forum



Prof Dr. S. J. Emmanuel  
(picture thk)

*In May 2009, the Civil War between the Tamil Liberation Army LTTE (Liberation Tigers of Tamil Eelam) and the government of Sri Lanka ended after bloody and extremely forceful battle, a devastating civil war which had been the ultimate result of the colonial policy of the British.*

*Before the colonial period, the Sinhalese majority and the Tamil minority had had their own kingdoms. Afterwards the British created a centralized state and handed power over to the Sinhalese, who abused it to dominate the Tamils.*

*After the departure of the British, a painful history began for the Tamil minority that took decades of discrimination with partly violent action on the part of the Sinhalese majority. In several waves of refugees many Tamils came to Switzerland and found refuge against the pogroms, triggered by the Sinhalese. The Tamils' resistance intensified after having tried from 1948 to 1976 to improve their situation in a peaceful, non-violent way, however, without success. When repression became increasingly brutal and violent, the Tamils built up an armed resistance that was very successful initially. After 11 September 2001, the situation of Tamils worsened because their struggle for human rights was labeled terror. All Tamil organizations in 27 countries were declared terrorist organisations, consequently they were prohibited and paralyzed.*

*The government of Mahinda Rajapakse was uncompromising and took ruthless action against the military arm of the LTTE and ended the fight with a cruel massacre, which has not been shed light on to date. In January of this year, there were elections in Sri Lanka, and a new government came to power. It appears to be more moderately-minded towards the Tamils and is working towards reconciliation between the two peoples. Professor S. J. Emmanuel, Catholic priest and the President of the Global Tamil Forum, explains in the following interview, what this means for the Tamil people.*

*Current Concerns: Almost six years have passed since the official end of the civil war. What happened to the Tamils after the Civil War?*

*Professor Emmanuel: The period after the Civil War was marked by an ultragenocide. Genocide is defined as the*

*mass murder of a people. With “Ultragenocide” I mean the government's attempt to eradicate the existential root of the people and to eliminate their cultural and national identity. Immediately after the war, all Tamil war graves were leveled with bulldozers and the government built military buildings on them. The commemoration of the victims on the Tamil national holiday on 27 November was prohibited. It is an attempt by the government to erase the memory of the war and the war victims from the memory of the people!*

*That certainly severely hurt the people.*

*Yes, they are not allowed to visit the graves of their relatives. Also it is not allowed to name streets after the names of deceased people who were esteemed among the Tamil nation. The plan is to make the people forget about the LTTE, their memory is to fade away.*

*What did the government do to attain that goal?*

*There were enforced Sinhalese settlements in the Tamil areas. I do not mind about Sinhalese and Tamils living together in one area, but if this is a planned procedure and Sinhalese are forced to live there, I do reject it.*

*What else has the government of the previous president Rajapakse done?*

*They have disowned Tamils and taken their land. The Tamils were helpless since the government has enforced that with military presence. Tamil villages were renamed Sinhalese. Street names were also changed. This demographic change is tantamount to genocide.*

*Did the Sinhalese population support these operations?*

*This is something we need to understand. Rajapakse was the one who won the war against the terrorists. For this he was admired like a god by the Sinhalese population. After 60 years he finally succeeded in defeating the LTTE. This is why the people supported everything he did.*

*Has anything changed for the Tamils after the January elections?*

*Yes, they have given the Tamils a bit of freedom and hope. I had recommended the Tamils to vote in order to obtain some change, a change of regime. A new government was urgently needed in the country. The new president has been elected because Tamils and Muslims voted and voted for him; otherwise he would not have succeeded.*

*Is the new president aware of this?*

*Yes, he said this in public and he travelled to Jaffna and Trincomalee to thank the Tamils. This is a different situation than the one with Rajapakse who had been voted for by the majority of the Sinhalese. The Tamils had run the risk of electing him without previous concessions.*

*Why?*

*After the war, the new government had only talked but not acted positively. On the contrary: The Tamils' life became even wearier. Also the promised compensation and reconciliation after the civil war was not realized. This is why the Tamils are now impatiently waiting for an improvement of the situation.*

*Is this realistic?*

*Well, let's say there is hope. In the first 100 days the government wanted to improve their international relations. Before the war came to an end, the government had received weapons and financial support from 20 western governments. But after the victory in May 2009, they turned away from the US and the West, building up friendship with China, Russia, Pakistan and Iran. Thus the new government intends to improve its relations with the western world and India. In order to improve the relations, the new president has sent his foreign minister to many countries and international organisations. He himself has visited India, England, China and Pakistan. Secondly it intended to take some measures against the corruption by the Rajapakse family and its clans. And thirdly it wanted to change some parts of the constitution. For the Tamils this did not have a big effect except the facts that a part of the land was returned and that a civil government was installed instead of the military governor in the north and east of the country, so that the provincial governments could start working again. We Tamils are still awaiting a political solution.*

*Is there any hope?*

*The new president is not an unknown. He has political experience. Under Rajapakse he was minister of health and during the last days of the Civil War he was even deputy president since Rajapakse was staying in Jordan. Thus he was also head of the army, but he had no say there. The power was exclusively in the hands of the military, commanded by the [president's] brother Gotabhaya Rajapakse.*

**"A hopeful beginning..."**

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*Then he has defeated his party colleague in the elections?*

With a coalition plan, the former president Mrs Chandrika Bandaranaike and the former prime minister Ranil Wickremesinghe stealthily snatched the current president from his former party and made him the candidate of the opposition party in the presidential elections. He had left Rajapakse's party and joined the opposition. Other ministers also did this. They are now again in government.

*Is there only one party governing?*

No, it is a coalition of several parties, Sirisena had aimed for. That resulted in a different character of the government. That was a wise decision.

*Is there already any sign that it is taking effect?*

The new government has a program that promises to reduce the power of the President within the first 100 days. Now, the government tries to change the Constitution. Probably, there will a new election of the Parliament be taking place at the end of June 2015.

*Did the President stick to it?*

The President supported the decision and began to address the problem of corruption. For example Rajapakse has built a huge palace and an airport to prove his power to the Tamils in Jaffna. Sirisena, the new President, has changed it to a hotel and opened it to the general public now.

*Where did the huge amount of money come from, with which Rajapakse could fund his projects after the civil war had driven the country almost in ruin?*

You must see that from the geo-strategic viewpoint. China has a great interest in good relations with Sri Lanka due to its strategic location. Agreements with Sri Lanka have been concluded, and lots of money and aid came into the country. Thus, China had always some influence in Sri Lanka. One has begun to build a new port city in Colombo with funding from China. The new government has stopped the construction. The people were very unhappy about these projects.

*Does his policy contribute to the improvement of the Tamils' living conditions?*

President Sirisena is seeking a reconciliation. He was in Jaffna and Trincomalee, as mentioned before, and promised an improvement of their situation to the people, still nothing concrete, but he encouraged the coming together of people.

*Do the people of Sri Lanka feel the impact?*

For the people who are affected by the years of civil war, there are still no direct improvements, but the situation has eased somewhat. For instance, the land the military had taken from them has been partially returned. One has reduced the military government in the province of Jaffna and handed over the operations to the elected provincial government. Thus the civil government and the provincial council can resume their activities. This is a hopeful start for all Tamils.

*Who is that Sirisena?*

In contrast to Rajapakse, who comes from the upper class and grew up in a political dynasty, Sirisena comes from a modest background. When Pope Francis visited Sri Lanka, he called him a person "rooted to his native soil". Sirisena has rural roots, he is a man of the people.

*Since the end of the Civil War Sri Lanka has refused to allow an UN Inquiring Commission to visit the country, in order to examine the potential war crimes that have been committed at the end of the Civil War. Is there any chance of change under the new President?*

One will see. The geo-strategic position of Sri Lanka is of great importance with regard to this.

*In what way?*

In the final stage of the war nearly 20 states participated in the fight against the Tamil Tigers, which Bush described as a war against terrorism. After the end of the war these States expected gratitude by the Government, but Rajapakse focused more on China and Russia, which was perceived by the Western states as a great humiliation. Even worse – he had promised to the West to reconcile with the Tamils and to find a political solution. But immediately after the war, he started genocidal measures against the Tamils.

*Who expressed particular dismay?*

Since the United States with regard to the competition against China would like to control the trade routes of the Chinese, they tried to gain more influence on the situation, and wanted to make use of the UN Human Rights Council to this end.

*How that?*

They wanted to get a resolution passed that would have allowed to investigate into the activities during and after the Civil War. But the resolution was rejected by the majority of the Council with the argument that the United States and the former colonial powers would interfere with the internal affairs of Sri Lanka.

*Did the United States give up after that?*

No, they issued another resolution, which also was not agreed upon. One wanted to take Sri Lanka to the International Criminal Court, which was, however, vetoed by China and Pakistan. But then, a third attempt was successful. An investigation of crimes against humanity in the last phase of the war of 2009 is now to be executed.

*It's an interesting question, why the West took action against the government only after the war. Crimes against the Tamils, and the strong discrimination have existed many years before.*

Yes, this is indeed interesting. The former High Commissioner for human rights, Louise Arbor, and her successor have travelled to Sri Lanka during the Civil War and after the war and were in contact with Tamil victims of the war at that time. Moreover, they created a report which caused great displeasure at the UN, and they were labeled "white Tamil Tigers". The Western States did nothing against the catastrophic situation in Sri Lanka.

*How does the new High Commissioner for People's rights, Zaid Ra'ad Al Hussein, perceive all this?*

Zaid is interested in moving on and contributing to reconciliation between the peoples. He had wanted to come to Sri Lanka during the times of the former government but his entry was denied. In addition, the former government made a resolution which enacted an evaluation and a humanitarian rescue of the Tamils would be done first before the LTTE. That government did not want to cooperate with the Council of People's Rights.

*How does the current government behave?*

It began to renew relationships to the west. The first visit, Sirisena made together with the exterior minister, was made to India. Later the President of India came to Sri Lanka and visited Colombo and Jaffna. The international situation for the governing of Sri Lanka is not bad in general.

*How will the Resolution be carried forward, which was accepted by the Council?*

Its implementation was postponed until September. The High Commissioner Zaid Hussein wants to travel to Sri Lanka first and make his personal observations. According to this argumentation, one wanted to give the government more time, initially. The new Sri Lankan government wanted to gain more time in order to make its own evaluation. It accepted, just as the former government did, no international evaluation. They wanted to have international help for appointing their own evaluation

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# Security Council Resolution on war in Yemen not conducive to peace

*Professor Dr Hans Köchler, President of International Progress Organization, addresses expert meeting at Peoples' Friendship University of Russia*



*Prof Dr Hans Köchler (picture ef)*

*Moscow/Vienna.* In a televised speech on 17 April 2015, Professor Hans Köchler, President of the *International Progress Organization (I.P.O.)*, told a seminar on the theory of international conflicts in Moscow

that Security Council resolution 2216, adopted on 14 April 2015, has further exacerbated the conflict in Yemen. Instead of imposing an inclusive arms embargo on all warring parties, the Council chose to ban the sale and transfer of arms to only one party to the conflict, namely the Houthi insurgents. As in any situation of domestic strife, such partisan support will make peaceful settlement between the adversaries much more difficult. Calling upon neighboring states to inspect all cargo to Yemen (operative para. 15 of the resolution<sup>1</sup>), the Council has, though unintendedly, provided a further excuse to those who are responsible for a de facto humanitarian embargo that has caused even more death and suffering among the civilian population.

In his remarks on “War and Geopolitics in the Arabian Peninsula” Professor Köchler further explained that the armed intervention of a Saudi-led coalition of Sunni Arab states could make this domestic social conflict a sectarian war along the Sunni-Shia divide – with ramifications in the entire Muslim world, including repercussions in Saudi Arabia with its sizable Shia population. The unilateral war of the Kingdom and her allies, not authorized under international law, has further contributed to the conflict becoming a proxy war between regional powers, making the initially local dispute even more intractable. Logistical and intelligence cooperation of the Saudi military with the United States in the conduct of aerial attacks in Yemen has given the conflict a geopolitical dimension along the blueprint for a “Greater Middle East” drawn up by an earlier U.S. administration. It is regrettable that – after the infamous Libya resolution 1973(2011) – the United Nations Security Council has created the framework for another failed state scenario.

At the wider regional and global level, the question *cui bono?* (to whose benefit?) cannot be avoided. The old colonial maxim of *divide et impera* (divide and rule) seems again to be applied in the setting of the 21<sup>st</sup> century’s interventionist policies.

Responding to a question from the moderator, Professor Köchler said that

the old regional order, established after World War I, is crumbling and the political disintegration will be reflected in the changing political map of the region. In a post-Sykes-Picot environment, where the status quo is simply untenable, a long period of instability may be ahead for the entire Middle East, with serious implications for the security in neighboring regions, including in Europe.

Looking at the experience in Afghanistan, Iraq, Syria, and Libya, among others, the intervening powers – from within and outside the Middle East – may again come to regret the “unintended consequences” of their actions. •

<sup>1</sup> “[...] 15. [The Security Council] Calls upon Member States, in particular States neighbouring Yemen, to inspect, in accordance with their national authorities and legislation and consistent with international law, in particular the law of the sea and relevant international civil aviation agreements, all cargo to Yemen, in their territory, including seaports and airports, if the State concerned has information that provides reasonable grounds to believe the cargo contains items the supply, sale, or transfer of which is prohibited by paragraph 14 of this resolution for the purpose of ensuring strict implementation of those provisions;” Source: Security Council Resolution from 14 April 2015 (extract); [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/RES/2216%20\(2015\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2216%20(2015))

Source: [www.i-p-o.org](http://www.i-p-o.org) from 17 April 2015

## “A hopeful beginning...”

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commission. The Tamils and the victims of war, because of their painful experience, have no confidence that such an international commission would be able to judge fairly.

*Recently, Didier Burkhalter was in Sri Lanka and met with the new government. How would you judge this visit?*

I estimate this very positively. Switzerland has helped the Tamils in difficult times. Even today, politics regarding the Tamils, is good. In my opinion, it is a sign of hope when *Didier Burkhalter* travels to Sri Lanka.

*Professor Emmanuel, thank you sincerely for this interview.* •

*(Interview: Thomas Kaiser)*

# Colonial territory

by Willy Wimmer



Willy Wimmer  
(picture ma)

In case the new findings laid out in the press with relish, about the sleaze cooperation between the German “Bundesnachrichtendienst” BND and the American intelligence services on the intense spying upon German and European industry,

are true – if only a little – Ms Chancellor should draw the consequences. Why should the black-red-gold flag still fly over the Federal Chancellery? The poster with the three monkeys “hear nothing – see nothing – say nothing” would be much more fitting, instead. However, something was actually said: that was in the summer of 2013, when the NSA wiretapping scandal was declared closed and things were sent down the wrong tracks.

But the problem lies deeper. This becomes evident by many citizens worried questions. They are directed at the issue of German sovereignty and at the question whether there might be a so-called “chancellor dossier”. If one investigates, it

seems that statements of this kind go back to a former MAD\* chairman. They allege that a candidate for the German chancellorship has to confirm by “loyalty oath” in “the oval office” of “the White House”, before he can take office in Germany. Of course, one runs a risk in using a former MAD chairman as a key witness for such bold assertions. Actually, the MAD has never been known for being able to judge things of state political importance. But the uneasiness is there and is being nourished by publications by the dozen.

It is not only the knowledge of many citizens about the influence of American financiers on the German press that contributes to this suspicion. Fact is, after all, that in the United States different rules apply for a financial or any other commitment of foreigners in the press sector than those that are applied for American financiers in the German press. There may be historical reasons that the principle of reciprocity is being applied differently on both sides of the Atlantic, although it concerns the treatment of the very same issue. Such differences are, however, not appropriate today.

Most people in the country are vehemently displeased to notice murderous activities such as drone operations from German bases under US control. This has nothing, absolutely nothing to do with common defense. For the highest consti-

tutional organs, such as President, President of the Bundestag, President of the Constitutional Court and the Chancellor, it would be a state-political obligation to stop these criminal activities. Thereby they would serve the world peace. This is explicitly postulated in their own constitution, however, nobody cares about that.

Precisely, the things that became known about the interception practices at the expense of one’s own German or European industry by one’s own intelligence service makes us indeed not only think about a “state within the state”, but also about the fact that a foreign state has usurped German state authorities and uses them with or without the knowledge of the Federal Chancellery against the German citizens.

The crux of the matter is probably that via the contracts, as they have been concluded on the occasion of the reunification of Germany by the dozen – in order not to jeopardize the intrinsic goal of the reunification from a German perspective – occupational law provisions that had nothing to do with the common NATO defense were imposed on reunified Germany. Today we see the consequences thereof, as even highest court judgments make clear. Ms Chancellor should seize any opportunity to stop this situation. •

\* MAD (Military Counterintelligence)

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# Legend – Truth – oral tradition

by Gotthard Frick, Bottmingen



Gotthard Frick  
(picture ma)

In the current debate about Swiss history, the role of oral tradition is not appreciated. Should historians not deal with this issue?

Without commenting on the question of whether “Rütli”, “Morgarten” and other historical images are myths or ac-

tual events it is worth remembering that few people were literate in those days. And only a few of those people wrote down the events. And even those rapporteurs of former events were very rarely eye-witnesses of what happened. They relied on oral information which had in some cases been given them long after the event.

This applies to all civilizations. Over thousands of years, people have orally passed on the knowledge of their tribe’s history, of water sources, hunting grounds, flint sources for their spearheads, etc. This awareness of the importance of remembering was, for example, given expression in former times in the East of Africa by calling the dead “those that still have being” as long as they were still alive in the memory of living people.

When *Jesus* walked the earth, he was not accompanied by any secretary who drew up a report of his teachings, his parables and his images. What he said at the Last Supper, was passed on orally and not recorded in writing until hundreds of years later as part of the Bible.

One of the author’s acquaintances, being very familiar with New Zealand, pointed out to him that the Maori, who had long ago migrated to those territories from the Pacific, had no written language but passed on their whole history orally from generation to generation. So there are many families who still know today

on which ship their ancestors rowed from Polynesia to New Zealand hundreds of years ago.

Why did Iceland have such a significant literature? It is located in the sea in the far north and its harsh landscape structure corresponds well to that of Europe millions of years ago. During the long hard winters with their nights lasting up to 24 hours there was almost nothing to do. There were no news and no distractions. The extended families lived under their earth-covered roofs in their far-flung houses which were buried halfway in the ground and told each other the story of their ancestors, and the younger generation later passed them on to their children and then some were written down. In this way literature and history developed.

Here is a typical case of a true oral tradition: in 1819, a boy was born in Zurich, whose last name began with an “E” and who still stands before the main station of Zurich today. The family name of his half-brother, born in 1829, who later became a clergyman, however, began with an “F”, although both had the same father. Much later, in the mid-20<sup>th</sup> century, a descendant of the clergyman named “F ...” was made guild master in Zurich. In the speeches at the “Sechseläuten” it was often pointed out more or less wittily that the guild master should actually be called “E ...”. But in 1829 and also later it was unthinkable to record in writing anywhere that the clergyman “F...” had a biological father who was not the one whose name he bore. Even when he died, and the “Neue Zürcher Zeitung” of 22 November 1911 dedicated more than the whole front page to him, his biological father was not even hinted at. But thanks to oral tradition and despite of all the written documentation to the contrary, the society of Zurich was up to date even 150 years later.

There is another important argument for not underestimating the veracity of oral lore stemming from the distant past. Today we are all distracted from close and careful listening, from thinking for ourselves and from the reliable storage of in-

formation in our minds by the incessant bombardment of mostly utterly unimportant messages. On the other hand, life used to be very boring for the vast majority of people despite their struggle for survival. When 700 years ago, a grandmother told the young people at night, by the light of a little oil lamp, what had happened in former times, they probably remembered the details more easily and more accurately than we would today, when the TV stays turned on during our conversations and we constantly type our mobile phones. •

(Translation *Current Concerns*)

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# An Eastern German commune and its citizens fight for their rights

## Seifhennersdorf teaches a lesson in German democracy

*Interview with Karin Berndt, Mayor of the town Seifhennersdorf/Saxony*



*Seifhennersdorf Secondary School. The Free State Saxony has got two kinds of secondary schools following primary school: the middle school and the gymnasium. The parents of the village put up posters in front of the school, on which they protested against the plans of the Saxonian government to close this school down. (picture dpa)*

*In January 2015 (No 2 of 27 January 2015), Current Concerns reported a ruling of the German Federal Constitutional Court in which the communes were granted the right to decide for themselves whether a school was to be closed or not.*

*The ruling came on the basis of a suit filed by the town of Seifhennersdorf. The district, which includes the town Seifhennersdorf had decided to close down the local secondary school in 2010. The town's opposition, however, remained unheard. Therefore, the town filed a lawsuit at the competent administrative court in Dresden against the ruling of the district administration aimed at closing down the school. And this court decided to check the school closure and the underlying Education Act with respect to constitutional law before it formed a judgment.*

*The court stated inter alia: "The administration of primary and secondary schools, which have been regularly organized as independent 'Elementary Schools' (ages 6–14) in the past, is a communal task that has historically developed and thus a matter in the authority of the local commune. The tasks associated with the school administration particularly include the decision – usually to be taken by the state's participation – whether a school is to be built or closed down."*

*This judgment has been largely hushed up so far. Nevertheless, the following applies: Following this ruling, all other federal states have to revise their existing legislative and political practice. More than that: There is every reason to think about the necessary consequences resulting from the Constitutional Court's ruling and about a political culture in Germany, that focuses on the citizens, their will and their living environment.*

*In our interview, the mayor of the town Seifhennersdorf, Karin Berndt, reports*

*about her experiences in dealing with the authorities of the Free State of Saxony and the background to the dispute over the rights of the commune's decision when it comes to closing down schools.*



*Mayor Karin Berndt (picture tsr)*

*Current Concerns: Mrs Berndt, how did it happen that you decided to take legal action?*

*Karin Berndt: In 2008, our participation in the decision threatened to be withdrawn for the first time.*

*What does that mean?*

*The Free State of Saxony cannot simply close down schools, but it may withdraw the "participation" in maintenance when school authorities refuse to give up their school voluntarily. This means that the school will no longer be allocated any teachers, and thus no teaching is possible. The classes or grades may not be formed, and thus the number of pupils enrolling at the school quickly shrinks. Once a school site will be classified as "insecure of continuation", all promotional aids, such as the money for school refurbishment, will be cancelled. This usually happens when no 40 new pupils enroll! In that case you are in trouble.*

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**“Democracy is work, quite hard work from the bottom, and no one should say ‘I will leave that to others to take care of.’ Our people in Eastern Germany have longed for and fought for freedom. Now they have to learn to deal with it and not see it as a one-way street with self-running character. Sometimes you get the impression that what constitutes freedom is hidden. That freedom is not only fun, but means enormous responsibility and hard work. I want to be able to experience and live democracy every day ...”**

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### "An Eastern German commune ..."

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#### *How was this number 40 fixed?*

It is the legally required number, at present. The Saxon school law requires at least 40 applications for new fifth graders in secondary schools. Especially many rural schools did not reach the necessary quantity and were thus made closure candidates resulting in their trying to poach pupils from each other. The word "school cannibalism" was en vogue, and only a few schools could work peacefully as so-called "safe school sites". Many schools were given the status "under observation" and constantly had to fear for their existence. Who wants to lose the school site? Everyone can imagine the adverse effects that all this uncertainty and unrest had on education, on the school climate, on teachers and students, and we can report some wretched experience. The secondary school in Seifhennersdorf has been "under observation due to insecure continuation" since 1994.

Through all these years authorities and politicians had known that you cannot decide on school closures from top down, since this is basically only possible by the municipal council's or town council's decision. Therefore, the Education Act was amended in 2001. The legislature then shifted the power of decision to close schools onto the district level. Since then, a school network has been established at the district level, and there you find the sites earmarked for closure. The district council decides and the Ministry of Education then approves of the school network (if it meets the requirements). Thus they virtually disenfranchised the communes, undermined their say, and this is why the Constitutional Court in Karlsruhe has to decide now.

#### *This means that since 2001 schools have been closed in Saxony on the basis of an unconstitutional law?*

Yes, unfortunately! Of the approximately 1,000 closed schools in Saxony, all primary and secondary schools, the biggest part, was affected. However, since 2002 the "Landtag" has had a legal opinion on its desk expressing doubts about the legality of the amendment of the Education Act. Even then, there was evidence that parts of the Education Act might be inconsistent with the "Grundgesetz" – unfortunately the legal opinion was put into cold storage. Obviously, no one wanted to know about that. During our 2011 lawsuit that we filed against the adverse school network, I learned about this paper. I remember talking to our lawyer, who said, "This has already been said in the 'Landtag's legal opinion at the time." At first that really shocked me: Well-known peo-

ple in state government, the Ministry of Education and the state parliament as the legislative apparently had knowledge of the illegal character of their actions.

#### *How did things continue in your commune in 2008?*

In 2008 and 2009, our running the secondary school in Seifhennersdorf was still tolerated. From 2010 on, the commune's participation has been withdrawn by the then Ministry of Education and Culture. The town and some parents took action to court against this decision. As of 2011, the number of pupils' registrations rose again slightly. Without undue influence and constant boycotting we would even have reached the required number of 40 registrations (in 2012, 42 children were enrolled). Finally, after the town had taken the liberty to sue the school network, they agreed that in the case of Seifhennersdorf "measures had to be taken". So over the years the school conflict has developed beginning in 2009 into a bitter war between the authorities responsible for the maintenance of the school, the town Seifhennersdorf, and the families on the one hand and politicians and authorities of the Free State of Saxony on the other.

#### *When did you decide to go to court?*

In 2010. Thanks to the good preparatory work, the administrative court in Dresden, also decided in our favor in the first lawsuit. On 4 August 2010, we received the judgment, ruling that the children were allowed to go to school in Seifhennersdorf beginning on 9 August. We were all too pleased, but only three days later, on the very first day of the first school year, the town literally sank beneath the waves. Like many other places, Seifhennersdorf was devastated by a terrible flood. The damage was huge, a few families had lost everything, home furnishings, clothes, they even had no shoes left. For some pupils, the school year began without any school material, it was bad, the whole place was in a shock, and for many weeks there was nothing but crisis management. In this situation, we got the message: The Ministry of Education and Culture had appealed the case. Christmas and the New Year passed in great worries and constant fear, no one knew how things were going to turn out. Then, the Higher Administrative Court in Bautzen overturned the Dresden decision at the beginning of the year 2011, and suddenly it was said that the children had to go elsewhere after the winter holidays, that is they were allocated to other schools!

The lawyer advised the parents to file a lawsuit against this decision, to represent the interests of their children and to fight back. The town can only sue in the interest of the school's administration but the chil-

dren's interests must be represented by the parents themselves. Thus the parents filed lawsuits as well, for the first time.

#### *About how many parents did so?*

For cost reasons, only five families sued. However, they all wrote petitions, organized protest demonstrations and asked politicians for help, and went to the district council and to Parliament. "What will happen with the children now? All that stress is not reasonable – the welfare of children is being damaged!" Those were their messages and criticism. We were all stunned, but none of the responsible politicians reacted. I, as mayor, was accused of "not negotiating on a par", of rather cooperating with the mob on the streets, instead. This referred to a protest action in front of the Ministry of Education and Culture in which over 200 parents, grandparents and students from Seifhennersdorf participated.

Although the actions of the parents bore little success, there was a happy coincidence. At the time of the dissolution of the 5<sup>th</sup> grade in Seifhennersdorf and Kreischa (a secondary school also concerned), the Higher Administrative Court had not yet ruled on the parents lawsuits, and therefore the then Minister of Education, Mr Wöller, had to announce in a press statement that the classes were not to be dissolved at half-term and the children were allowed to stay in their schools for the entire school year. That meant rescue for the secondary school in Kreischa.

#### *There was another happy coincidence which allowed you to support parents financially ...*

We owe it to the former headmaster, Dr Matitschka, that we have got that far because he had published a remarkable article about the impending closure of schools in our local newspaper in 1999, which helped us unexpectedly to obtain the necessary money. The article was read by Mr Kühnel, a former inhabitant of Seifhennersdorf, who as a child had attended our school and had been living in Grossbottwar near Ludwigsburg in southern Germany ever since 1945. For local affinities, he always had the newspaper sent to him, although he had left the region just after graduating from high school. This article caused him and his wife to spontaneously donate half of their assets to the schools of his former home town of Seifhennersdorf. Thus, the commune was to be enabled to offer the best possible education and the school be spared closure. Mr Kühnel was very grateful because due to a good education he had been able to be an architect. This allowed him to live in prosperity, which he appreciated a lot.

### "An Eastern German commune ..."

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I got to know about it only in 2008, so eight years later, when the Kühnel couple had died and their will was opened by the notary. The surprise was so great that I just could not believe it and suspected a joke on the radio. Of course, you would be happy with any amount and hope for a sum X, but when we learned that all three schools in Seifhennersdorf had inherited 330,000 EUR each, we were all speechless. At that time we had no idea that a large part of this money would have to be used for lawsuits on the school's continuation. Without this inheritance all our efforts would not have been possible, so we were very, very lucky.

*What else was important for your perseverance?*

In the first place you need unity in the town council. The main basis was that the town council had always taken decisions in favour of the school confidently and courageously. This requires the community in place, parents and pupils, the many families who, despite negative propaganda, enrolled their children over and over again, and many sympathizers who trusted, helped and donated. Add good lawyers and money! If we had not inherited the money, the suit marathon would not have been affordable. The legal supervisory authority would probably have found ways to protect the town's budget from such expenditure. For obvious reasons, disciplinary proceedings were initiated against me in 2012, and that way all the details of the school-combat were checked and X-rayed, which has still not been completed.

*Did the state of Saxony initiate the proceedings?*

The rural district of Görlitz has acted. Probably there were some agreements, just like in case of the action against the "school rebels". To my surprise, certain structures work perfectly. In former times you would have called them cliques, now they are just networks. The declared intention of the Free State is "Closure of school in Seifhennersdorf!" This message comes over clearly, and any opposition to it should be in vain and must be prevented by almost any means. What has happened here in five years goes far beyond the tolerable and permitted level. It is bad when positions have become entrenched like that, and when nothing but arbitrariness and arrogance of power can be felt.

Thus, for example, the fining authority of the county has litigated a fining system with two to four penalty notes per family against the "school rebel parents". The parents were accused of truancy. Several consecutive decisions with penalty notes



*The posters in front of the school read: "We fight for our school, for our future – our school is alive!"*

of 528.50 euros and more were supposed to take effect and discipline the parents. The parents litigated against them. During the four days of trial before the district court in Zittau, all decisions were declared illegal not only for their content but also formally. Nevertheless, the families were still seen as lawbreakers, and the children were denied government certificates. Even the Minister of Education publicly called us "disturbers of social peace" during a parliamentary debate.

*How did you treat the parents who were intimidated or wanted to give up or could no longer follow the path of action and resistance on other grounds?*

Everyone has his own situation either professionally, privately, financially, denominationally and as a supporter of a political party. The policeman, the teacher, the independent dealers, the employed educator, craftsmen and many others. Everyone needs to think out of his own position, what he will do when he or she is asked whether he really wants to enroll his child

in the Seifhennersdorf school and whether he has carefully reflected this decision. The message not to support the resisters were partially made very clear to the people. Those who did not want any stress and trouble preventively chose the quiet way. It was even difficult for couples with different opinions whether the child should remain in the rebel class or change to another school. We hope that we managed as good as possible not to bring the people in too great moral conflicts. Any decision of the parents is accepted, even if it is not understood by everyone. It always had to be prevented that conflicts arise in the group. Although some lacking registration or re-registration had bitter consequences, no one was allowed to say reproachfully "You leave us here out in the cold, and when the strain is over, everyone will return happily as if nothing had happened."

It was always important to me that everyone was responsible for himself and

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"I am very grateful to my parents and my teachers for a healthy, happy childhood which I was able to enjoy. At the time, agitation and propaganda did not play such a great role as later in the 70s and 80s. We had great teachers, for whom it was just normal to have a good general education and decent education in compliance and good cooperation with parents. We grew up freely, safely, responsibly and self-confident with the best possible educational opportunities. I become increasingly aware of the importance of this foundation for life. Every child has a right to it, and it is our prime duty to provide all children with a decent childhood and quality education for a perfect start in life."

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**"An Eastern German commune ..."**

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must know what he can cope with. It is just like in a marathon race: A large field starts, but not all runners reach the end. For parents, it was always painful when someone withdrew, could go no further, but that is part of the whole thing. The burden was enormous, permanent doubt, concern for the children, the organization of lessons, permanent press requests, petitions and finding a solution to the problem. No one had the time and energy for a sideshow, or nobody wanted to create additional trouble with internal quarrelling.

*How did you summon the strength to carry on?*

I am very grateful to my parents and my teachers for a healthy, happy childhood which I was able to enjoy. At the time, agitation and propaganda did not play such a great role as later in the 70s and 80s. We had great teachers, for whom it was just normal to have a good general education and decent education in compliance and good cooperation with parents. We grew up freely, safely, responsibly and self-confident with the best possible educational opportunities. I become increasingly aware of the importance of this foundation for life. Every child has a right to it, and it is our prime duty to provide all children with a decent childhood and quality education for a perfect start in life.

Of course, I am suspicious when I notice deficits and distortions, but I am not allowed to respond. Criticism and a different opinion must be allowed and conflicts should generally be resolved by discussing the matter. I want to be able to believe in democracy and the rule of law and I do not want to be labeled troublemaker, rebel and criminal, as it did happen to us. No one opposed the authorities in civil disobedience, here! Town and parents just demanded their rights with the help of democratically approved means.

*Your struggle to decide for the right of the commune to take the decision could also be a model for many other communes!*

Now you are talking about something very important. We have indeed frequently been asked during these five years, Why does it happen this way? Why this hardness, why this exaggerated arbitrariness, why this stubbornness? The wounded ego of an official alone may not be the only reason. Obviously, the signal "resistance is worth it" must not make the rounds, because it represents a threat to consolidated ruling structures. It has always been the case in the history of mankind, no matter what kind of society, what kind of party, what kind of time there was. We have also noticed it in public relations with cer-



*View to Seiffhennersdorf in the Saxonian Oberlausitz. (picture ma)*

tain things. Again and again the question: Why is that? Why does no one relent? Why is no compromise to be found? Why this hard stance? We have come again and again to the decisive point.

Many sensational speeches and good weather slogans are hard to bear, once you closely experienced such processes. For example, when in 2011 new 5<sup>th</sup> grades were stopped and the class that had enrolled in 2010 was dissolved. The Minister of Education announced at the beginning of the school year, he wished that parents would take greater responsibility for the needs of their children. You have to be iron-clad in order to stay calm. However, it was always extremely important to remain factual, polite, kind and correct, and not to lose one's temper when provoked. Some parents, including the school's Chairman of the Parents' Association and Chairman of the Children and Youth Association who had cared so much, fell ill and suffered mentally and physically under these circumstances. The experience has changed us all, I realize even many effects on myself. You really have to be careful that the disappointments and negative experiences do not take too much vitality, power and idealism out of you, but cost "only" time, money and nerves.

Democracy is work, quite hard work from the bottom, and no one should say "I will leave that to others to take care of." Our people in Eastern Germany have longed for and fought for freedom. Now they have to learn to deal with it and not see it as a one-way street with self-running character. Sometimes you get the impression that what constitutes freedom is hidden. That freedom is not only fun, but means enormous responsibility and hard work. I want to be able to experience and live democracy every day, it is not enough to convince the ever-growing non-voters with their boredom in politics

with the argument "After all, we live in a democratic state based on the rule of law!" I grew up with propaganda about the "evil West German imperialist class enemy" or "Socialism wins" and I have felt and experienced the ever-growing doubt. It forms and raises doubt when suddenly patterns occur that are so well-known. The "all-round educated socialist personality" had to internalize, with or without party apprenticeship, what was intended for her, and had to function as conformly as possible and without contradicting. Bold ideas, even rebellious speeches or inconsistent behavior disturbed, endangered socialism and had to be brought "in line". If disciplinary action unfolded no effect, examples were set. Conformity and line loyalty were rewarded, all dissenters and trouble makers were suspect, and quickly became misfits. Inevitably, this increasing political drill in the GDR destroyed many people's belief in a just society. Now again worries and fears emerge and force people to protest in the streets, in niches, into resignation and apathy. On the one hand the events surrounding our school conflict are inconsistent with normal, democratic thinking and acting, because the whole thing would have never happened the way it did. On the other hand, one can also consider them a victory of democracy when a judgment based on the rule of law succeed in putting things on their feet again in the end.

*Mrs Berndt, thank you very much for the interview.* •

*(Interview Karl Müller, Klaudia and Tankred Schaer)*