

Current Concerns

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

English Edition of *Zeit-Fragen*

VIPS: Extradition of Julian Assange threatens us all

Memorandum for the governments and people of the United Kingdom
and the United States from Veteran Intelligence Professional for Sanity (VIPS)

Retaliation against Julian Assange over the past decade plus replicates a pattern of ruthless political retaliation against whistleblowers, in particular those who reveal truths hidden by illegal secrecy, VIPS says.

On 11 April London police forcibly removed *WikiLeaks* co-founder *Julian Assange* from the embassy of Ecuador after that country's president, *Lenin Moreno*, abruptly revoked his predecessor's grant of asylum. The United States government immediately requested Assange's extradition for prosecution under a charge of "conspiracy to commit computer intrusion" under the *Computer Fraud and Abuse Act (CFAA)*¹.

Former U.S. Government officials promptly appeared in popular media offering soothing assurances that Assange's arrest threatens neither constitutional rights nor the practice of journalism, and major newspapers like "The New York Times" and "The Washington Post" fell into line.

Not so fast

Others found reason for concern in the details of the indictment. *Carie DeCel*, a staff attorney for the *Knight First Amendment Institute*, noted that the indictment goes beyond simply stating the computer intrusion charge and "includes many more allegations that reach more broadly into typical journalistic practices, including communication with a source, encouraging a source to share information, and protecting a source."

In an analysis of the indictment's implications, the *Project on Government*

Oversight (POGO) observed that it includes an allegation that "Assange and *Manning* took measures to conceal *Manning* as the source of the disclosure [...] including by removing usernames from the disclosed information and deleting chat logs between Assange and *Manning*," and that they "used a special folder on a cloud drop box of *WikiLeaks* to transmit classified records."

"These are not only legitimate but professionally advised journalistic practices for source protection," notes POGO. It is worth noting that *Manning* had Top Secret clearance and did not need Assange's assistance to gain access to databases, but only to hide her identity.

The indictment's implied threat thus reaches beyond Assange and even beyond journalists. The threat to journalists and others does not vanish if they subsequently avoid practices identified in the government's indictment. The NSA's big bag of past communications offers abundant material from which to spin an indictment years later, and even circumstantial evidence can produce a conviction. Moreover, the secret landscape – a recent and arbitrary development – continually expands, making ever more of government off limits to public view.

When politician and U.S. Secretary of State *Mike Pompeo* labeled *WikiLeaks* a "non-state hostile intelligence service," he was describing the oft-stated duty of newspapers, "to comfort the afflicted, and to afflict the comfortable."

The devil in the big picture

One can look so closely at the indictment details that one misses the big picture and with it vital truths. Standing back for a broader view, a long-running campaign of harassment by U.S. authorities and former officials focused on *WikiLeaks*' publication of embarrassing secrets becomes visible. The *Project on Government Oversight* observes:

"Even if the motives for Assange's indictment are entirely legitimate, the litany of high-ranking government officials who called for Assange to be prosecuted for publishing classified documents have likely already irreparably harmed the free-

dom of the press. It will be virtually impossible to fully disentangle the government's desire to prosecute Assange for his publishing activities from the government's current prosecution of him, and as a result there will to some degree be an unavoidable chilling effect stemming from his prosecution."

Standing back still further, a crowd of similar cases comes into view: other truth tellers subjected to similar persecution. These are not journalists but another species of truth teller – national security whistleblowers – who have warned for years that this day would come.

A pattern of reprisal

Opinions of Julian Assange's character and methods vary wildly but what is relevant to First Amendment² freedoms is how the U.S. government perceives him. The big picture reveals that Assange, a publisher of whistleblower disclosures, is viewed the same way as whistleblowers: unwelcome lights shining on official wrongdoing who must be dimmed, deflected and shut off. What government bodies are doing to Assange they routinely have done to whistleblowers – *Thomas Drake*, *Jeffrey Sterling*, *John Kiriakou*, *Thomas Tamm*, *William Binney*, *Daniel Ellsberg*, *Chelsea Manning* and others – who disclosed for public benefit information the government finds politically troublesome.

Once the government develops animus toward a truth teller, it fishes indefinitely until it finds some means to retaliate – some pretext to punish that individual. A pattern of retaliation against high-profile national security whistleblowers includes the following tactics:

1. relentless campaigns of character assassination and misinformation about facts of the case;
2. hostile, lengthy government investigations, often for minor, never proven or circumstantial offenses;
3. terrorization of the whistleblower and associates with threats (see here and here), solitary confinement and armed home invasions for non-violent, alleged offenses;

cc. *Veteran Intelligence Professionals for Sanity (VIPS)* is a coast-to-coast group of current and former officials of the United States Intelligence Community, including some from the Central Intelligence Agency (CIA), the US State Department's Intelligence Bureau (INR), and the Defense Intelligence Agency (DIA).

The group has a long history and has since added many new members. It was actively anti-iraq-war in 2003 and its members have published copiously. They are ex-intelligence officers from all branches, with extensive insider contacts among their peers.

"VIPS: Extradition of Julian ..."

continued from page 1

4. pre-trial declarations of guilt from influential officials, such as *Barack Obama's* declaration (as the military's Commander-in-Chief) that Army Private *Bradley* (now *Chelsea Manning*) "broke the law" – potentially influencing the Army court that heard her case.
 5. a Balkanized judicial process that restricts most such cases to onejudicial venue cherry-picked by prosecutors for speedy deference to government, a venue sealed off from public scrutiny and, some say, justice;
 6. prosecution under the Espionage Act, a "vague" and "draconian" law, similar in those respects to the CFAA;
 7. continuing persecution–isolation, marginalization, blacklisting, and more–after time has been served (see here and here) or after charges are dropped.
- Reportedly, British and U.S. intelligence are interrogating Assange, possibly employing torture tactics, without access to legal counsel at a prison reserved for terrorists. U.S. officials apparently charged Assange as "a terrorist" in order to dodge

"The U.S. indictment of Julian Assange tests our ability to perceive a direct threat to free speech, and tests our will to oppose that threat."

the problem of the statute of limitations for conspiracy or computer intrusion by extending (via the Patriot Act and/or other terrorism laws) the normal statute of limitations from 5 to 8 years.

Not for insiders

Even if charges against a whistleblower are later dropped, governments still win because the tactics used damage the truth teller professionally, financially, socially and psychologically, and foreseeably chill other whistleblowers.

Importantly, virtually all of the retaliatory actions described above are carried out or instigated by the elite political establishment – current and former political appointees and elected officials. Equally important is the fact that tactics used against whistleblowers are rarely if ever applied to political insiders who fail to protect classified information. Even actual spies who give or sell secrets directly to foreign governments have fared better

than some well-meaning whistleblowers. In contrast to whistleblowers, political insiders who mistreat government secrets are publicly praised by the establishment, face lesser charges (if any), are treated with dignity by investigators, receive presidential pardons and move on to prestigious and lucrative positions.

The takeaway

Retaliation against Julian Assange over the past decade plus replicates a pattern of ruthless political retaliation against whistleblowers, in particular those who reveal truths hidden by illegal secrecy. U.S. law prohibits classifying information "in order to conceal inefficiency, violations of law, or administrative error; to prevent embarrassment to a person, organization, or agency."

Whether U.S. authorities successfully prosecute Assange, accept a desperate

continued on page 3

For the Steering Groups of Veteran Intelligence Professionals for Sanity and Sam Adams Associates for Integrity in Intelligence:

William Binney, former Technical Director, World Geopolitical & Military Analysis, NSA; co-founder, SIGINT Automation Research Center (ret.)

Richard H. Black, Senator of Virginia, 13th District; Colonel US Army (ret.); Former Chief, Criminal Law Division, Office of the Judge Advocate General, the Pentagon (associate VIPS)

Marshall Carter-Tripp, Foreign Service Officer & former Division Director in the State Department Bureau of Intelligence and Research (ret.)

Thomas Drake, former Defense Intelligence Senior Executive Service and NSA whistleblower

Bogdan Dzakovic, former Team Leader of Federal Air Marshals and Red Team, FAA Security (ret.) (associate VIPS)

Philip Giraldi, CIA, Operations Officer (ret.)

Mike Gravel, former Adjutant, top secret control officer, Communications Intelligence Service; special agent of the Counter Intelligence Corps and former United States Senator

Katherine Gun, former linguist and Iraq War whistleblower in UK's GCHQ (affiliate VIPS)

Matthew Hoh, former Capt., USMC, Iraq; former Foreign Service Officer, Afghanistan (associate VIPS)

James George Jatras, former U.S. diplomat and former foreign policy adviser to Senate leadership (Associate VIPS)

Michael S. Kearns, Captain, USAF (ret.); ex-Master SERE Instructor for Strategic Reconnaissance Operations (NSA/DIA) and Special Mission Units (JSOC)

John Kiriakou, former CIA Counterterrorism Officer and former Senior Investigator, Senate Foreign Relations Committee

Karen Kwiatkowski, former Lt. Col., US Air Force (ret.), at Office of Secretary of Defense watching the manufacture of lies on Iraq, 2001–2003

Clement J. Laniewski, LTC, U.S. Army (ret.) (associate VIPS)

Linda Lewis, WMD preparedness policy analyst, USDA (ret.) (associate VIPS)

Edward Loomis, NSA Cryptologic Computer Scientist (ret.)

Annie Machon, former intelligence officer in the UK's MI5 domestic security service (affiliate VIPS)

Ray McGovern, former US Army infantry/intelligence officer & CIA presidential briefer (ret.)

Craig Murray, former British diplomat and Ambassador to Uzbekistan, human

rights activist and historian (affiliate VIPS)

Elizabeth Murray, former Deputy National Intelligence Officer for the Near East & CIA political analyst (ret.)

Todd E. Pierce, MAJ, US Army Judge Advocate (ret.)

Coleen Rowley, FBI Special Agent and former Minneapolis Division Legal Counsel (ret.)

Peter Van Buren, U.S. Department of State, Foreign Service Officer (ret.) (associate VIPS)

J. Kirk Wiebe, former Senior Analyst, SIGINT Automation Research Center, NSA (ret.)

Larry Wilkerson, Colonel, U.S. Army (ret.), former Chief of Staff for Secretary of State; Distinguished Visiting Professor, College of William and Mary

Sarah Wilton, Commander, U.S. Naval Reserve (ret.) and Defense Intelligence Agency (ret.)

Robert Wing, former U.S. Department of State Foreign Service Officer (Associate VIPS)

Ann Wright, U.S. Army Reserve Colonel (ret) and former U.S. Diplomat who resigned in 2003 in opposition to the Iraq War

What future for Brexit?

by Nicola Ferronato, Swiss political scientist

In June 2016, the British people voted to leave the European Union in the single biggest democratic exercise of the United Kingdom's (UK) history. The two main political parties, the Conservatives as well as Labour, both declared they would do all they can to implement the people's decision. Yet, the Kingdom was due to leave the EU at the end of last March, which never happened, so much so that it is still a member of the EU and even participated in the European elections last May.

Alas, the sinister hotchpotch of the British Government's incompetence and the vindictive and destructive spirit of the EU pushed the negotiating parties to postpone Brexit many times and jeopardised British democracy. As for now, the official divorce date is 31 October, well chosen to concur with the day of the Dead, also known as Halloween. For sure, negotiations were not advancing steadily with Theresa May's Government in place, with the Prime Minister being herself a "remainer" at the time of the referendum. The more negotiations made progress, the more the hopes of a real departure from the EU were vanishing. Things have nevertheless changed recently: Brexit's dy-

namic took a totally different dimension at the end of last May.

Brexit is particularly interesting to tackle at the moment indeed and deserves a vivacious attention for quite a few reasons. First of all, Prime Minister Theresa May has admitted to have failed to attain her objectives and quit in a tearful declaration. The head of Government will leave her function on 7 June. Second, we already know that her replacement is expected to be in place in the week 22 July and the candidates are pretty well known. Furthermore, the equilibrium of power within the EU was shaken up after the EU elections of 26 May: Eurosceptic parties gained important power. More over, Nigel Farage's Brexit Party became Britain's first political party. And finally, high EU Commissioners and other high-ranking EU staff will leave office in 2019, including the current President of the Commission, Jean-Claude Juncker. How can one interpret these events? And what does it mean for Brexit's future?

Theresa May's departure

May ends in June – the quibble was tempting. Her departure signifies a major shift in Brexit's dynamic. It is fair to remind here

that she took office during a time of uncertainty and crisis and that she worked really hard and courageously to defend her ideas. But the few major mistakes she made lead her directly to the abyss. Among these mistakes, her lack of resoluteness and perhaps harshness in negotiations with the EU; and her stubbornness to push her dreadful deal to pass in Parliament three times in a row. Indeed the "deal" she concocted with the EU was nothing else than another EU treaty that would have put Great Britain in the state of vassalage for a long time. Only a country having to surrender after a war defeat would have signed such a flawed agreement. Another major mistake has been the exclusion of the "no deal" option: because in a difficult negotiation, one should always keep all options open. But Theresa May has been so desperate to find an agreement and avoid disagreement that the EU representatives blatantly took advantage of her. If she had put more pressure on them and played the no deal option, she would perhaps have got a better deal. And finally, she did not manage to keep her word as she said – 108 times in total! – that Brexit would happen on 29 March, and not one day later. The

continued on page 4

"VIPS: Extradition of Julian ..."

continued from page 2

plea deal or keep him tied up with endless litigation, they will succeed in sending the same chilling message to all journalists that they send to potential whistleblowers: Do not embarrass us or we'll punish you—somehow, someday, however long it takes. In that respect, one could say damage to journalism already has been done but the battle is not over.

This extension of a whistleblower reprisal regime onto a publisher of disclosures poses an existential threat to all journalists and to the right of all people to speak and hear important truths. The U.S. indictment of Julian Assange tests our ability to perceive a direct threat to free speech, and tests our will to oppose that threat. Without freedom of press and the right and willingness to publish, whistleblowers even disclosing issues of grave, life and death public safety,

will be like a tree falling in the forest with no one to hear. The great American writer Henry David Thoreau wrote, "It takes two to speak the truth—one to speak and one to hear." Today, it takes three to speak the truth—one to speak, one to hear, and one to defend the first two in court. If the U.S. Government has its way, there will be no defense, no truth. •

Source: www.consortiumnews.com from 30.4.2019

"Truth, ultimately, is all we have"

Letter from Julian Assange to the independent British journalist Gordon Dimmack

Thanks Gordon. You are a good man.

I have been isolated from all ability to prepare to defend myself: no laptop, no internet, ever, no computer, no library, so far, but even if I get access it will be just for half an hour, with everyone else, once a week. Just two visits a month and it takes weeks to get someone on the call list and a Catch-22 in getting their details to be security screened. Then all calls except lawyers, are recorded and calls are max 10 minutes and in a limited 30-min window each day in which all prisoners

compete for the phone. And credit? Just a few pounds a week and no one can call in.

The other side? A superpower that has been preparing for 9 years with hundreds of people and untold millions spent on the case. I am defenseless and am counting on you and others of good character to save my life.

I am unbroken, albeit literally surrounded by murderers, but the days when I could read and speak and organize to defend myself, my ideals, and my people are over until I am free! Everyone else must take my place.

The US government, or rather, those regrettable elements in it that hate truth liberty and justice, want to cheat their way into my extradition and death, rather than letting the public hear the truth, for which I have won the highest awards in journalism and have been nominated 7 times for the Nobel Peace Prize.

Truth, ultimately, is all we have.

Julian P. Assange, 13 May 2019

Source: <https://defend.wikileaks.org/2019/05/26/julian-assange-writes-a-letter-from-belmarsh-prison/>

"What future for Brexit?"

continued from page 3

confidence she enjoyed quickly dilapidated after that date.

Her departure also signifies that her "deal", on which she worked during her entire mandate, will be consigned to oblivion, and so much the better. The United Kingdom will hence leave the EU on another basis that the text negotiated by 10 Downing Street: it will either be a win-win free trade agreement between the two parties or a "no deal" exit. The first option would of course be better, although an exit without deal would mean that the relations between the EU and UK would automatically be based on *World Trade Organisation (WTO)* terms. Unfortunately, it is unlikely that the successor of Ms May will be able to negotiate a free trade agreement as the EU formally rejected any new negotiations, hammering home that "the withdrawal agreement remains the best and only deal possible (...) the withdrawal agreement will not be renegotiated". Taking into account that British Parliament rejected the aforesaid text three times in a row, the disagreement on the agreement seems total. The conclusion that most Tory candidates make, and rightly so, is that serious preparations for a no deal scenario should be mad.

Towards a new Prime Minister

The mission of the next Prime Minister is already very clear: to deliver an unambiguous and clean Brexit. If he/she fails to deliver Brexit on 31 October on favourable terms for the UK, it might mean the end of the Conservative party. Although most candidates who came forward seem very competent, one can separate them into two different groups.

The first group includes the heirs of Theresa May; people who have repeatedly supported her deal, like for example *Michael Gove*, *Kit Malthouse*, *James Cleverly*, *Matt Hancock*, *Rory Stewart*, *Jeremy Hunt* or *Sajid Javid* – note that amongst the last cited were some "remainers". What is certain is that if one of them is elected, he will have to avoid implementing the same strategy than Ms May.

The second group is composed out of those who clearly detach themselves from the heritage of Ms May. Amongst them, *Dominic Raab*, former Secretary of State for Exiting the European Union, having quit his Government position because he could not support Ms May's strategy. In his capacity of chief negotiator with the EU, he was the one who lead the talks with the European Commission in 2018. For many months, the EU was "bullying and bossing around", he said in a recent interview to *Good Morning Britain*. During the negotiations, the EU led an arrogant campaign of "blackmailing", according to the terms of Mr Raab. He supports

a free trade deal with the EU and sees a "technological" solution to the Irish border issue. Furthermore, he would support a no deal in the case of failure of negotiations, as he would refuse to postpone Brexit beyond the date of 31 October: "we don't need more time, we need more decisions", he says. One can also name *Esther McVey* in this group, who worked as Secretary of State for Work and Pensions in Ms May's Government, and also resigned due to disagreements with its management of Brexit. Another lady, *Andrea Leadsom*, defends similar ideas. And finally, we have the widely known *Boris Johnson*, who is prepared to negotiate with the EU using his peculiar sense of diplomacy, or leave the EU without deal.

European elections

Political faces will not only change in the UK but also in continental Europe, and more specifically in Brussels. The ballot was closed on Sunday 26 May and immediately announced a succession in the equilibrium of power within the EU. The 2019 EU elections enjoyed the highest turnout in twenty years, although it was declining steadily since the late nineties (over 50% in 2019). But higher turnout is not necessarily synonymous with higher consent, on the contrary: the Eurosceptic movements have vigorously gained in power, whilst the traditional left and right wing parties have suffered great losses. Certain alternative parties, like the Green party or the Lib Dems, are also victors of the contest. In this context, the Socialists lose 40 seats and the centre right loses 37 seats, whilst the Eurosceptic movement gains 37 seats. The Greens gain 17 seats and the Lib Dems conquer 41 additional seats. It is not possible to determine at this point the influence these changes will have in the dynamics of European politics, but it will surely be interesting to observe. One should also keep an eye on imminent changes of high profiles within the EU commission.

Nigel Farage and his Brexit Party

On the national level, however, the results of the elections indicate one can take a realistic glimpse at the future of Brexit. The reason for that is very simple: *Nigel Farage's* Brexit Party became the first political party in the UK just six weeks after its creation. Having secured close to 32% of the votes, the 45 days old party sent a clear message to the Government and mainstream media: it seems like a majority of the people still wish to leave the EU and did not change its mind, in spite of all the apocalyptic prophesies of media, who try to reverse the course of Brexit. It is also interesting to note that electors voted for Brexit Party for only one single reason: Brexit. One can have many reasons to vote for the Green

party or the Lib Dems as they have a vast and varied political programme. But one votes Brexit Party for one reason: people want to leave the EU, they said it in 2016 and are repeating it now. In the improbable event in which the UK would not leave the EU on 31 October, one can expect Mr Farage's party to enjoy huge success in the general elections. The Conservatives play for high stakes in the coming months: either the party delivers Brexit and will survive, or it will be overtaken by alternative political movements.

The EU will have to renegotiate or face a no deal

All candidates for the Tory leadership are ready – officially or unofficially – to renegotiate an agreement with the EU. The EU Commission will hence have the choice either to go back to the negotiating table with its neighbour from across the Channel, or face a no deal scenario, which would be as problematic for the British than for the EU.

What is certain, however, is that the punitive strategy of the EU towards the UK has not worked. It is now improbable that the Kingdom will sign any surrender agreement in favour of the EU. It is really much more probable that Albion [old term for British Isles or Great Britain, editor's note] will renew itself, open up to the world successfully and enjoy a long standing and stable economic growth, whilst Old Europe, prisoner of her own bureaucracy, goes on "United in mediocrity". •

Current Concerns

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

Publisher: Zeit-Fragen Cooperative

Editor: Erika Vögeli, Eva-Maria Föllmer-Müller

Address: Current Concerns,

P.O. Box, CH-8044 Zurich

Phone: +41 (0)44 350 65 50

Fax: +41 (0)44 350 65 51

E-Mail: CurrentConcerns@zeit-fragen.ch

Subscription details:

published regularly electronically as PDF file

Annual subscription rate of

SFr. 40,-, € 30,-, £ 25,-, \$ 40,-

for the following countries:

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

Annual subscription rate of

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

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

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

© 2019. All rights reserved. No reproduction, copy or transmission of this publication may be made without written permission.

The “good guys”, the “bad guys” and the war

A brief review of the EU parliamentary elections

by Karl Müller

EU Europe is indeed deeply divided. At least if one uses the judgements of the German-speaking mainstream media and mainstream politicians as a basis. These divide the political forces in EU-Europe into “good” and “bad”. The “good” are those who want to give even more political power to the institutions of the EU that have distanced themselves from democracy, while the “bad” are those who don’t want to.

According to this classification, the “good guys” won the EU Parliament elections in Germany. The good guys now are mainly the Greens. Even if they still lag behind the CDU/CSU in percentage terms. The CDU/CSU lost 6 out of 29 seats. 20.5% of the voters voted for the Green party. Actually, this number is not so high. But the first reactions on election night were as if all “good” parties had to adopt the Green agenda, above all climate protection (or what the Green party imagine it to be), as quickly as possible in order to be successful again (i.e. to achieve 20% of the votes?). In addition, the younger the voters, the higher the proportion of Green voters: among the 18-24-year olds, the figure was up to 34%¹ which shows, that the Greens got the most votes from this age group. ... And all of them are vying for the “youth”.

But why did so many young people choose the Greens? This needs to be investigated. To criticise the youth or to look down on them does not lead to understanding. Surely the media productions of the

past months (the crazy hype about “Fridays for Future” etc.) and the YouTube video of Rezo (played up by the media) shortly before the election date are partially to blame.

But don’t forget: Only 17% of the Germans surveyed think that the Greens have the best answers to the questions of the future. The leader who is named more than twice as often as all parties: no party – 37% of the interviewees have indicated this. One forgets too quickly: although voter turnout has increased significantly, almost 40% of voters still did not vote at all.

To come back to the topic of “climate protection”: The Greens are being used as a political platform to implement the agenda of certain interest groups (who do the Greens serve? – see *Jutta Diefurth*: “War, atom, poverty. What they say, what they do: The Greens”, Berlin 2011; especially the chapter “In steel thunderstorms”, page 135ff.). Don’t these groups need the Greens as a strong moral platform to achieve their goals? Did we not have the same situation with *Fischer’s* “Never again Auschwitz” before the Yugoslavian war, which was contrary to international law? Fischer and the German Greens provided the moral justification for the murder of a few thousand people and the destruction of a country. Since 1999 one US NATO war after the next followed ... against the “bad guys” in the world ... with millions of victims ... and since 1999 repeatedly with German participation.

Apropos Greens: Only 8% of the interviewed Germans trust the Greens to represent German interests in the EU.

In today’s EU Europe, the “bad guys” in Hungary, Poland, Italy, France (and the UK) now have won the elections with the relative (or even absolute) highest number of votes. 52.3 % in Hungary, 45.6 % in Poland, 34.3 % in Italy, 23.3 % in France (and 31.7 % in the UK). Even in Germany there are federal states in which the “bad guys” achieved the most votes in relative terms: in Saxony with 25.3% and in Brandenburg with 19.9% ...

If things weren’t so serious, the events would fit well into a ironic commentary. But one must not underestimate the consequences of this Manichaeic division into good and evil. This is the spirit of war that was let out of the bottle: war within and war against the supposed enemies (“evil”) in other countries. This spirit of war is directed not least against Russia (and against the political forces in EU-Europe that seek “normal” relations with Russia), and the result will also be hardened fronts throughout Europe. Cui bono?

The framework of international relations is binding international law. Those who are no longer prepared to accept that varying peoples and states want to go in different directions and can also approve very differing policies, and those who no longer want to see that politics does good to respect election results and to treat each voter and all

continued on page 6

How political culture suffers in Germany

km. Freedom of expression, i.e. the right to express one’s opinion publicly in words, writing and pictures, is an essential component of a free and democratic political culture and is also guaranteed in German Basic Law. But the spirit of war destroys this fundamental human right.

A well-known and established German opinion research institute, the *Institut für Demoskopie in Allensbach*, has made it clear in its monthly report in May 2019 (published in the “Frankfurter Allgemeine Zeitung” from 23 May) that this fundamental right is also being undermined in Germany. Or how else is it to be assessed if two thirds of the respondents are convinced that today we have to “be very careful about which topics we express ourselves and how”? Because there are many unwritten laws about what opinions are acceptable and permissible.

“Patriotism” and “patriotism” are just two examples. 41% of respondents say that confessing patriotism is a taboo area today. 20 years ago, only 16% of respondents found this to be the case. Today, many respondents fear that they will be regarded as “right-wing outside” if they profess patriotism. One third of respondents believe “that a politician should beware of expressing national pride if he does not want to expose himself to harsh attacks”. Another example: 71% of those questioned say that they should be cautious about refugee issues today. The monthly report from Allensbach adds – almost 4 years after the summer of 2015: “What remains is the impression that the elites do not take the concerns of the population seriously enough and even suspect them”.

In their circle of friends, most respondents have no trouble expressing their opinions openly. The situation is completely different in public, the actu-

al place of freedom of expression. Here, only 18% of the interviewees see comparable freedom. The main reason for this is the concern that the dispute may become rough.

In principle, the monthly report from Allensbach states that many people have the impression “that when opinions are expressed in public, social control is increased and individual expressions and behaviour are increasingly under observation”; that “freedom spaces in the public sphere are becoming smaller” and that there is “rigour with which certain language regulations are demanded”.

At the end of the article it says: “At the moment there is much talk of respect in the political debate [...]. Many citizens miss respect in the sense that they want to be taken seriously with their concerns and positions, that essential developments are openly discussed and that they are spared educational rage.

Summer session – 14 June in the Council of States / 20 June in the National Council

Squaring the circle

Parliamentary commissions call for additional negotiations on Framework Agreement with EU

by Dr iur. Marianne Wüthrich

So far, with its “internal consultation” among the “most important actors”, the Federal Council has tried to prevent an open and honest discussion with the population about the Framework Agreement called for by Brussels. Fortunately, the Economic Affairs and Taxation Committees EATC of the Council of States and the National Council are now intervening and submitting motions to their respective councils to put the most crucial points on the table. The Federal Council is called upon to “improve” the institutional agreement with the EU in ad-

ditional negotiations. The catch in the matter is that the EU bodies will have little interest in additional negotiations on any subject whatsoever. This is precisely why the EU wants to push through the Framework Agreement, so as to settle the eternal discussions with insubordinate Swiss once and for all. The Framework Agreement is intended to introduce a mechanism for this purpose, based solely on EU law and EU court rulings, not taking side into account any special requests of the Swiss. Our members of parliament are thus trying, so to speak,

to square the circle with their motions: they are calling for a discussion about the contents of this agreement, which from the EU’s point of view are not up for debate. For Brussels there is only the acceptance or the refusal of the complete structure, or rather: there is only acceptance. The fact that a concept of this kind does not fit into the structure of the Swiss state (direct democracy, federalism, decentralised and small-scale organisation, preservation of as much sovereignty as possible) is clearly expressed in the two motions.

Motion 19.3416 – Additional negotiations on the Institutional Framework Agreement with the EU (submitted by the Economic Affairs and Taxation Committee of the Council of States (EATC-S) to the Council of States on 9 April 2019)

“The Federal Council is instructed to conduct additional negotiations with the EU or to take other appropriate measures to improve the institutional agreement with the EU as follows:

- *Wage protection*: wage protection must be ensured at the current level and further developed as required. The social partners must be involved in any required improvements.
- *Citizens of the Union Directive*: This is not acceptable for Switzerland and must be explicitly excluded. An indirect adoption for Switzerland by way of individual cases brought before the ECJ must be precluded.
- *State aid*: It must be ensured that the subsidies currently known in Switzerland will not be excluded and that the necessary scope is maintained for the future.

– *Follow-up legislation*: It must be ensured that Swiss voters continue to have the final say despite dynamic adoption of law. This must be ensured either by the institutional agreement itself or by national follow-up legislation.

– *Dispute resolution*: It must be clearly defined which elements of current and future EU law may lead to consultation of the ECJ by the arbitral tribunal. Indirect cancellation of Swiss court rulings by the ECJ must be precluded. Provision must be made for periodic reporting on pending disputes and their settlement. [...]”

Motion 19.3420 – Additional negotiations on the Institutional Framework Agreement with the EU (submitted by the Commission for Economics and Taxes of the National Council (EATC-N)

The (EATC-N) motion has the same wording as that of the Council of States Commission, but is limited to the first three points (wage protection, Citizens of the Union Directive, state aid).

Statement by the Federal Council: Draft agreement criticised from many sides

It is true that in its statement of 22 May, the Federal Council requested that these two motions be rejected: A decision by the Federal Council on further negotiations with the EU was said to be premature because the evaluation of consultations with the parliamentary commissions (EATC and Foreign Affairs Committees FAC), the cantons, parties and social partners on the draft agreement was still in progress.

Nevertheless, the Federal Council notes that the Commissions for Economic Affairs and Taxes of both councils are not the only critics of the agreement content:

“The concerns mentioned in the motion were also raised by many other participants in the consultations, in particular the guarantee of wage protection, the question of the adoption of the Citizens of the Union Directive and the question of the rules on state aid effects.

The Federal Council itself had therefore refrained from initialling the agreement for the time being: “In particular due to open points with regard to the accompanying measures and the Citizens of the Union Directive [...]”.

As is well known, Swiss Federation of Trade Unions and the Social Democratic Party of Switzerland continue to insist on those strong accompanying measures which they had made a condition for their approval of the free movement of (Bilateral I, referendum of 21 May 2000).¹ Strong resistance also comes from the cantons against the expected massive restriction of state (above all cantonal and communal) subsidies. In a radio interview, attorney *Simon Hirsbrunner*, who advised the cantons on the Framework Agreement, among other things expresses his fear of serious consequences for cantonal economic development.²

Conclusion

We can look forward to the debates in both councils on the numerous controversial points and imponderables that would sweep across us as well as across our understanding of law and state with the adoption of the Framework Agreement. It is plainly impossible to make a square out of a circle. This may be illustrated with a statement made by Director of the Swiss Association of Small and Medium-Sized Enterprises and National Councillor *Hans-Ulrich Bigler*: “The question is not

“The ‘good guys’, the ...”

continued from page 5

elected equally, have not learnt the lessons of history.

The globalist imperialism still believes to be able to spread in the world and to defeat it according to its taste. The EU should be its vassal. That is the challenge facing Europe and its citizens today. •

All figures refer to the survey results of infratest-dimap of 26 May which can be viewed at www.tagesschau.de from 27 May.

continued on page 7

Border cantons demand reinforcement of Border Guard Corps

mw. On Tuesday, 11 June, the National Council will vote on whether to endorse two state initiatives from the Cantons of Grisons and Valais, which call for an increase in personnel and better equipment for the Border Guard Corps (GWK). The people of Valais and Grisons are not the first to call on the Confederation to improve security at national borders: Other border cantons such as Basel-Stadt, Basel-Landschaft and St. Gallen have already submitted similar state initiatives, and another one is currently being outlined in Ticino.

Protecting the security of Switzerland is a central task of the Confederation. Its optimal fulfilment is a must and must not be capped for financial reasons (end of 2018: 2107 full-time jobs). It is therefore incomprehensible that the Council of States – which would have to be particularly committed to urgent matters put forward by the cantons (!) – wants to sink the two professional initiatives, albeit with a relatively small majority.

The National Council now has the opportunity to take countermeasures and go with its Security Policy Committee SPC-N, which clearly approved the initiatives on 8 October 2018. This would give the Council of States the opportunity to reconsider its decision of 6 March.

"Squaring the circle"

continued from page 6

whether the registration deadline for foreign companies can be reduced from eight to four days. It is a question of whether Switzerland will in the future have to dynamically adopt the EU's posting of workers and enforcement directives. This is out of the question for trade unions and employers alike.³

It is to be hoped that the National Council and the Council of States will refer the motions to the Federal Council. The reactions of the EU Commission and the EU Council to the Swiss Parliament's demands will be revealing. Let us wait and see. •

¹ See "Framework Agreement with Brussels or self-determination of Swiss citizens?" in: *Current Concerns* from 10 September 2018

² "What exactly does the Framework Agreement comprise?" *SRF 4 News*, 13 December 2018. Interview with lawyer *Simon Hirsbrunner*: Oliver Washington. Transcript in: "State economic development would be jeopardised" in: *Current Concerns* from 11 January 2019

³ "This result must be further negotiated." Interview with SGV Director *Hans-Ulrich Bigler* in "*Neue Zürcher Zeitung*" of 21 January; also see "Institutional Framework Agreement as an instrument of European state-building – Prominent Swiss figures on the Framework Agreement". in: *Current Concerns* from 12 February 2019

According to the Federal Constitution, each canton has the right to submit initiatives to the Federal Assembly (Article 160 paragraph 1). Cantonal initiatives are decided by the respective cantonal parliament and then submitted to the Federal Assembly.

Text of the state initiative of the Canton of Grisons

"On the basis of Article 160(1) of the Federal Constitution, the Canton of Grisons submits the following state initiative:

1. Border guards must at all locations be staffed in such a way that they can perform their duties in accordance with the existing security situation and the security needs of the population.
2. There may be no staff cutbacks in the Border Guard Corps but its staff is to be increased and reinforced with materially up-to-date equipment and infrastructure, so that the Border Guard Corps can satisfactorily meet the growing challenges today and in the future, in the area of its customs and security tasks as well as that of illegal migration".

The Valais state initiative makes the same demands in terms of content as the Grisons one.¹

Excerpts from the reasons given for the initiatives

Increasing dangers and risks at our borders require a reinforcement of the Border Guard Corps.

"Ensuring security is one of the most important core tasks of a state. The Border Guard Corps is the Confederation's largest civilian security body and has established itself as a proven component of Switzerland's security architecture. From the point of view of the cantons and the population, it ensures security and stability, not only on Switzerland's external border, but also in the neighbouring inland regions. With its controls of imported goods, the GWK also prevents serious offences such as smuggling (of drugs, weapons, people, etc.). Due to the massive increase in migration, especially illegal migration, in recent years in most border regions of Switzerland, the GWK and its employees are repeatedly being pushed to their limits. [...] The Canton of Grisons can only deal with the current and future dangers and risks in the areas of cross-border crime and irregular migration, as well as the latent threat of terrorism, in partnership with the GWK." (17.318 Grisons)

It should be added that the GWK's tasks also include participation in *Frontex's* activities at the EU's external bor-

ders, where around 40 GWK members work around 1200 days a year.²

No cost-cutting exercises at the expense of internal security!

The Canton of Valais points out that the Federal Government also intends to save jobs in the area of internal security with its 2017-2019 stabilisation programme: "This will also put the GWK in the focus of a personnel reduction. This at a time when migration flows from the South are increasing, the situation in the Middle East is fragile, terrorist attacks are becoming everyday occurrences, cross-border crime shows no sign of abating and the need for security among the population is growing. For these reasons, the GWK must not continue to reduce its staff. Rather, new jobs must be created, so that the GWK may continue to master its core tasks, taking into account the increasing risks and a constantly changing situation" (18.307 Wallis).

The concerns of the two initiatives have also been brought forward by other cantons.

Both initiatives refer to earlier proposals from other cantons (BL, BS, SG). This demonstrates the urgency of the situation and strengthens the weightiness of the cantons vis-à-vis the Confederation.

Parliamentary debates to date

- Summer 2018: A majority of the Council of States Security Policy Committee (SPC-S) rejects the two initiatives.
- 25 September 2018: Council of States joins the Commission minority and endorses the initiatives (25 votes to 19).
- 8 October 2018: Security Policy Committee (SPC-N) requests the National Council to follow the recommendation of the Council of States.
- Winter session 2018: In the budget debate, both councils approve the creation of 44 additional full-time jobs in the GWK.
- 11 February 2019: SPC-S thus considers the concerns of the two state initiatives to be fulfilled and unanimously requests the Council of States to scrap them.
- 6 March 2019: Council of States narrowly adopts the Commission's proposal (20 to 17 with 1 abstention) and scraps the initiatives.³

The National Council Commission maintains its support for the two initiatives

On 8 April, the SPC-N decided by 15 to 9 votes not to approve the decision of the

Switzerland has not become safer by Schengen

Interview with National Councillor Barbara Keller-Inhelder



Barbara Keller-Inhelder
(picture ma)

mw. *National Councillor Barbara Keller-Inhelder (Swiss People's Party, Canton of St. Gallen) is rapporteur of the National Council Security Policy Committees (SPC-N) for the state initiatives of the Cantons of Graubünden and Valais to increase the Border Guard*

aimed at border cantons - also with regard to the tragedies that this always means for those affected.

We would therefore do well to continue improving the protection of our borders and to ensure that the agreed measures are implemented. The Security Commission of the National Council considers the main concern of the two cantonal initiatives to be still unfulfilled and therefore requests the National Council not to approve their scrapping. A minority is of the opinion that the approval of 44 additional posts in the Border Guard Corps fulfils the requirements stipulated by the cantons.

Before the vote in July 2005, the Schengen/Dublin Agreement was recommended to us voters as advantageous for Switzerland's security. Has Switzerland become more secure thanks to Schengen?

Overall, Switzerland has not become more secure. It is true that the Schengen Information System includes perpetrators, criminals or potential terrorists. But due to the inadequate security of the Schengen external borders and the abolition of internal controls, many people cross our borders unhindered. And if authorities such as the State Secretariat for Migration decide that highly dangerous persons who have been detected by the Federal Intelligence Service may remain in Switzerland because they may be threatened with trouble in their country of origin, the system's registration is of no use to us. As long as terrorists cross our borders unhindered, as long as peo-

ple in our country become victims of seriously criminal foreign offenders who cross our borders unhindered, there is a need for action. And in this context, strengthening the Border Guard Corps is particularly imperative and urgent.

Let us speak about another important topic of this summer session, the institutional agreement between Switzerland and the EU: the National Council and Council of States Economic Affairs and Taxation Committees EATC have submitted a motion each to their respective Councils with which they intend to commit the Federal Council to additional negotiations with the EU. The aim of the motion is for Switzerland to incorporate conditions and reservations into the agreement in important areas, in order to be able to maintain its sovereignty over EU law and the European Court of Justice to some extent. Is this demand realistic?

It is, unfortunately, hardly realistic. By losing its sovereignty in the areas of immigration, social partnership, labour market, economic and trade policy or energy policy through the agreement, and also losing tax sovereignty and having to expose itself to the Citizens of the Union Directive, Switzerland relinquishes direct democracy. And as long as the Institutional Agreement would be the cause of all this, it is unacceptable for Switzerland. Unfortunately, I can hardly imagine that all this can be renegotiated and improved.

Thank you very much for the interview, Ms Keller-Inhelder.

Corps.

Current Concerns: On 11 June, your Commission ask the National Council to follow the initiatives, even though the Council of States considered that their concerns had already been met. Why does your Commission take a different view?

Barbara Keller-Inhelder: The problems at the border, such as gang crime, smuggling, irregular and illegal migration, smuggling of drugs or weapons, have not suddenly disappeared, and they have certainly not disappeared forever. The fact that there have been few recent terrorist attacks in Europe is also primarily due to the excellent work of the international intelligence services, which have repeatedly been able to intervene in good time. Of course, it is not the case that all new potential assassins have miraculously melted away. We cannot even disregard downright burglary raids originating from foreign countries and often

"Border cantons demand ..."

continued from page 7

Council of States, but to continue to support the state initiatives of Valais and Grisons. Excerpts from the considerations of the SPC-N:

"The majority [of the commission] criticises the fact that the Federal Council overrides the Parliament's resolutions to compensate the increase of the GWK above department lines, and that it is too tardy in boosting the staffing of the GWK. After the parliamentary decision in favour of an increase of personnel in December 2018, the SPC-N wants to see the Federal Council's multi-year concept for the re-enforcement of the GWK finally realised. The problems at the border, as e.g. migration pressure and criminal tourism, are still present. Against this background, the SPC-N considers the

main concern of the state initiatives 17.318 and 18.307 to be still unfulfilled. It therefore requests its Council [...] not to agree to the depreciation of the initiative" (Report by the Security Policy Commission of the National Council of 8 April).

It is to be hoped that on 11 June, the National Council will say no to the depreciation of the initiatives by the Council of States, so that it can re-examine the matter.

¹ State initiative 17.318 of the Canton of Grisons, Re-enforcement of the Border Guard Corps, submitted on 15 November 2017; State initiative 18.307 of the Canton of Valais, submitted on 26 March 2018.

² www.ezv.admin.ch/ezv/de/home/themen/auslandeinsaeetze/einsaetze-gwk0/frontex.html (In German)

³ Report of the Security Policy Committee of the National Council on the cantonal initiatives 17.318 GR and 18.307 VS from 8 April



The Swiss militia system – a historical outline

by Dr phil René Roca, Research Institute for Direct Democracy¹



René Roca
(picture ma)

The Swiss Association of Communes (SGV) has declared 2019 the “Year of Militia Work”. The aim is to raise awareness of the importance of the militia principle for the Swiss state and to anchor it more broadly in the pop-

ulation. The SGV supports this concern with events and information (see www.chgemeinden.ch). The following text appeared in a shortened version in the May issue (2019) of the magazine “Schweizer Gemeinde”.

Definition of “militia system”

The term “militia” refers to a common organizational principle in public life in Switzerland. Every citizen who considers himself capable of doing so can take on public duties and responsibilities on a part-time or voluntary basis. Militia work, however, involves far more than a part-time or honorary post in the sense of community service. Rather, it points to a republican identity, which – if internalised – is one of the most important pillars of our Swiss political culture. In this sense, the militia principle is still firmly anchored in Switzerland’s political culture and closely linked to direct democracy.



A communal assembly outside: photographed in 2013 in Oberrohrdorf–Staretschwil (AG)
(picture ma)

The term “militia system”, which is only used in Switzerland, originates from the warfare (lat. militia). “Militia” is actually the term used to describe a vigilante or people’s army, in contrast to a standing army. The term was borrowed in the 17th century from the Latin militia “military service; totality of soldiers” and was initially used primarily in the military sphere, later also in the political sphere.

Historical roots

The historical origins of the militia principle go back to ancient Greece, more precisely to Attic democracy and the early Roman Republic. Even then, the term was used to describe the exercise of civil office. In the ancient polis, the free and independent landowners discussed and decided every single matter personally in

continued on page 10

ETH study – Neutrality at all-time high

rt. As every year, the ETH Zurich study “Security 2019”, published in May, records the current attitudes of Swiss citizens in a representative survey of 1,213 voters in the major language regions of the country. Despite many current events and changes in the general political climate at national and international level (trade conflict between China and the USA, EU Framework Agreements, etc.), the survey results are stable compared with previous years. Some results are briefly presented below:

- The near future of Switzerland is viewed optimistically by 86% of those surveyed. The overall good economic situation and confidence in the country’s political system (with direct democracy, the Federal Council, a good education system, well-developed social systems and Swiss neutrality) play a key role.
- Trust in authorities and institutions has increased slightly in relation to the 8 institutions surveyed (police, courts,

Federal Council, economy, parliament, army, media and political parties) in the above list.

- According to the editors Dr *Tibor Szvircev Tresch* (Military Academy MILAK) and Professor Dr *Andreas Wenger* (Center for Security Studies), the advocacy of neutrality is at an “all-time high” with 96% approval. This is linked to the provision of good services and mediation in international conflicts (94%). For 85%, neutrality is inextricably linked to the Swiss idea of the state, and 64% see neutrality as a reason why Switzerland is not drawn into international conflicts. However, since 2017 the interviewees have been divided as to whether neutrality can still be credibly protected militarily.
- The global foreign and security situation is viewed more critically than in 2018. A total of 73 % of respondents are pessimistic about the situation.

The fear of the current power politics of the major powers USA, Russia and China, but also of Turkey and North Korea, plays a role in this assessment. US President *Trump* is often cited as the reason.

- On the other hand, relations between Switzerland and the USA are viewed more positively than before.
- Four fifths of those surveyed still see the need for the army. The militia army is clearly in favour of a professional army.
- A rapprochement with the EU is only seen positively in economic terms (85%), while political rapprochement is hardly desired any more (35%).

All in all, a stable and conscious understanding of the state among the interviewees also shows itself over the years of the surveys of the “Security” study series.

Source: www.css.ethz.ch/content/dam/ethz/special-interest/gess/cis/center-for-securities-studies/pdfs/Si2019

"The Swiss militia system – ..."

continued from page 9

the People's Assembly. In addition, political offices were usually determined by lot on a short-term rotation basis. This was based on the conviction that every citizen was obliged and qualified to temporarily assume public functions (which would be worth considering again today with the appropriate political education ...).

In addition to ancient roots, old Germanic institutions such as the Thing, which were based on old Germanic law ("He who is honourable is defendable"), are certainly also important. Since the late Middle Ages, one legacy of these approaches to the idea of militia has been the pre-modern cooperative cantonal assembly democracy (Landsgemeinde) of the Old Swiss Confederacy. But there are also clear indications of the militia principle in the federal city cantons.

Niccolo Machiavelli (1469-1527) saw in the old Swiss Confederation the return of the Roman principle of the unity of citizen and soldier, and in his ground-breaking book "Il Principe" he noted the principle that a republic like the Swiss Confederacy must rely on its own troops and not on foreign troops. For the old Confederation he therefore stated: "The Swiss surpass all others in forcibility and freedom" ("armatissimi e liberissimi").²

Militia Army

The principle of the People's Army in contrast to the standing army in Switzerland goes back to the late medieval orders of the individual federal states. Jean-Jacques Rousseau (1712-1778) had the federal principle of the citizen army in mind when, in 1772, after returning from exile in Switzerland, he wrote in his expert opinion on the total revision of the Constitution of Poland: "Tout citoyen doit être soldat par devoir, nul ne doit l'être par métier. Tel fut le système militaire des Romains; tel est aujourd'hui celui des Suisses; tel doit être celui de tout État libre [...]"³ (Every citizen should be a soldier by duty, he should not be a professional soldier. Thus was the Roman military system; such is the Swiss system today; this should be the case for all free states) Rousseau thus establishes the positive connection between citizen and soldier, between militia army and liberal state.

Following the example of the French and American revolutionary armies, the first national constitution, the Helvetic Constitution of 1798, laid down the militia principle in Article 25, among others: «Every citizen is a born soldier of the fatherland.»⁴ The regenerated cantonal con-

stitutions then adopted this principle as from 1830. The federal constitutions of 1848 and 1874 recognised the general military service and prohibited the Confederation from holding standing troops. It was not until 1999 that the military militia system was explicitly enshrined in the Federal Constitution in Art. 58: "Switzerland has an army. It is basically organized according to the militia principle."⁵ This reference in the Constitution is, by the way, the only reference to the militia principle. The political militia principle is thus largely part of the unwritten constitutional customs. This is probably why so little attention has so far been paid to it in the state constitution.

Militia system in politics

Since ancient times there have been indications that the militia system has also been transferred to the political sphere. Since the 13th and 14th centuries respectively, the above-mentioned federal cantonal assembly towns and communes have anchored the militia idea in the population, read for example the Federal Letter of 1291 or other founding documents of the Swiss Confederation.

The political roots of the militia system are therefore certainly to be found in the Ancien Régime. The principle of voluntariness and gratuitousness flowed into numerous forms of cooperative organisation in the territory of present-day Switzerland. Thus the cooperative relied on the "most able", on their willingness to swear an oath and make material sacrifices for the community. In addition, the Christian principle of "Caritas", i.e. the obligation to help the sick, the handicapped, the poor and the failed, undoubtedly also had an effect, and this was reflected in various charitable militia organisations (e.g. Samaritans).

The Bernese early Enlightenment philosopher *Beat Ludwig von Muralt* (1665-1749) and the Enlightenment philosopher *Isaac Iselin* (1728-1782) from Basel demanded that Switzerland create its own republican identity. Within this framework they emphasized the militia idea and the cooperative principle and thus promoted a discussion of virtue with their philosophical writings. Republican values such as courage, thrift, mutual help, trust in one's own judgement and contempt for courtly splendour were necessary to build a national self-image and a Swiss communal republic. *Heinrich Pestalozzi* (1746-1827) and *Philipp Albert Stapfer* (1766-1840) then developed these ideas further and thus created links between modern republicanism based on the militia idea and Swiss early liberalism.

The regenerated cantonal constitutions from 1830 onwards then explicitly transferred the militia system to the communes and their self-administration. In all public affairs, citizens had to assume their responsibility for the community. This was the basis on which the republican form of government was founded and from which it drew its constant vitality. It was therefore customary that the important state offices were not occupied by permanently employed magistrates or civil servants, but by citizens for terms of office.

Together with the associations, which received a boost in the 19th century, the militia principle still represents an essential feature of our federalist direct-democratic state in political terms at municipal, cantonal and federal level.

Thoughts on strengthening militia work in Switzerland

At present, the militia idea is under pressure because fewer and fewer people want to make themselves available for militia activities. Finally, a few thoughts on how the militia principle can be preserved and better anchored in the population:

1. The clarification of the meaning and value of the militia principle must begin at elementary school and be embedded in the teaching of Swiss history.
2. As a solution to strengthen the militia principle in society again, community mergers are proposed. These, however, destroy the militia system. Community mergers mean that fewer people are actively involved and want to help shape society. Scientific studies show that this weakens the bonum commune in the long term.
3. The militia principle is important for an ethical foundation of our democratic society: "The creative, life-affirming and responsibility inherent in the militia idea was a breeding ground on which material and spiritual human impoverishment could not grow. Is it not still the case today that a society shaped by the militia spirit is needed to create and develop cultural values?"⁶

¹ www.fidd.ch

² Machiavelli, Nicolo. *Der Fürst (Il principe)*, 1513, XII.

³ Rousseau, Jean-Jacques. *Considérations sur le gouvernement de Pologne et sur sa réformation projetée*, 1772, XII.

⁴ Verfassung der helvetischen Republik vom 12. April 1798, in: Kötz, Alfred (Hg.). *Quellenbuch zur neueren schweizerischen Verfassungsgeschichte*, 1992, S. 133

⁵ Swiss Federal Constitution, 1999, Art.58

⁶ Röösl, Leonhard. Introduction, in: *Der Geist des freiwilligen Dienens, Jahrbuch der Neuen Helvetischen Gesellschaft (NHG)*, 1986, 2

Children and youth and direct democracy

by Rita Brügger

Accomplishment democracy

Our ancestors created something valuable for us and our country: direct democracy. This accomplishment enables us to have a high degree of participation and, at the same time, to share responsibility for politics in our country, at municipal, cantonal and state level. Not statesmen, kings, emperors or sultans determine the fate of our state. In Switzerland, the sovereign, i.e. the citizens, determines laws and taxes. Other countries envy us for these opportunities, and in many places we see efforts to extend the right of participation there as well and to achieve greater freedom.

For some time now, however, in our country there have often been complaints about a lack of interest on the part of the younger generation. “Jungbürgerfeiern” (Junior citizens’ celebrations) have to be cancelled due to absences, or they are promoted by making the celebration similar to a party, instead of addressing the young people in such a way that they meet the start into maturity as citizens with the necessary seriousness and a certain pride. Then perhaps young parties would have more growth, and the new voters would not be conspicuous by their absence in upcoming votes and elections.

Lately pupils and students are taking to the streets for climate protection. How-



Young people from German-speaking Switzerland help the winegrowers in Romandy to harvest grapes during their holidays. (picture keystone)

ever, what their broad commitment to a better world and their campaigning for a good policy and a sustainable future will look like in the longer term, remains to be seen.

What the young one learn

Democracy does not come by itself. In sometimes arduous struggles, past gen-

erations have achieved the rights and duties we have today. Oligarchs do not like to give up privileges. Freedom fighters had to learn that, too. Quite often they were in danger because of their opinion. But do we not underestimate the importance of these freedoms and take them

continued on page 12

Power outage

Power outage in Switzerland – big emergency exercise in Austria

rt. On 25 May, a total power outage could be narrowly avoided with the help of the European energy agencies. According to information from the “Tages-Anzeiger”, an enormous surge of electricity suddenly flowed to Switzerland’s northern border. As a result the systems were under extreme pressure and the grid company *Swissgrid* declared the critical alert level. If the situation had not been brought under control, some regions would have had to be taken off the grid. It becomes apparent just how closely Switzerland is interwoven with the European electricity grid and how important effective cooperation across European borders is.

In Austria, from 13 to 15 May, around 100 representatives from the federal ministries, the federal states as well as various emergency organisations and infrastructure facilities exercised a blackout – a total power cut. On the third day, the Austrian Federal Government was also

involved in the “Helios crisis exercise”. *Robert Stocker*, head of the *State Crisis and Emergency Management Authority* SKKM, outlined the aim of the emergency exercise: “There is hardly any area of life that does not depend on electricity, and in this exercise we want to anticipate how we can deal best with an electricity shortage, especially at the federal level” (“Der Standard” from 12 May). For some time, Austria’s authorities have been working hard on precautionary measures for an emergency.

Only in Januar, a dangerous situation had emerged which almost led to a blackout all over Europe. In this context, in the “Standard” from 15 January, *Herbert Saurugg*, major in the Austrian Armed Forces and proven blackout specialist, pointed out how important it is to make appropriate provisions and to take precautions. Especially in weather conditions like in January, it does take some

time before everything functions again. Therefore citizens should store up sufficient water and food supplies. We recommend long-life milk, sugar, tin vegetables or legumes as well as food that can be prepared by cooking in water – ideally you also have a gas cooker available. Because a blackout does not only have an immediate effect on the power supply, but also leads to longer lasting consequences. For example, frozen food can spoil if the cold chain is interrupted. (For Switzerland, refer to the excellent website www.alert.swiss.ch).

In this context, it was objectionable for the grid agency *Swissgrid* to claim that such incidents could only be effectively prevented by an electricity agreement with the EU – which allegedly is a precondition of the Framework Agreement with the EU.

"Children and youth and ..."

continued from page 11

for granted? It is still true that every man, every woman should grow into the political practices, that they undergo and experience what direct democracy means and what it means to continue cultivating and not sacrificing it to the zeitgeist.

It should be noted that from an early age children can be introduced in many ways to the precious accomplishment of our form of government. This applies for coexistence in the family, in kindergarten and school as well as for society in general. Also in the field of democracy is valid: What the young ones learn, they will take along for later life.

Family, school, society

Jeremiah Gotthelf has written: "At home must begin, what shall shine in the Fatherland." How true is this saying. If the child in the family is introduced into the coexistence where everyone has his or her place, if it is also introduced to take and fill its own place, if it listens and participates, then this is the first step to living democracy. Children can also take responsibility according to their age. They do their part to make life pleasant in the small community: they carry out small tasks, think along, empathize with others, experience solidarity.

The kindergarten offers further opportunities to practice living together. After the parents and siblings, teachers with their own personalities and other children, mostly of the same age, come on board. There are different characters and people of different origins. The child's field of vision is broadened. The child listens, learns to know otherness and diversity, represents his opinion. Also there, as later in

school, it takes over tasks and more and more responsibility.

At school the child is introduced to the cultural techniques of reading, writing and arithmetic. They are the basis for the future citizen. At the end of his school years the child should have the necessary equipment to deal with political issues. This includes: knowing the history of the region and the country, reading and understanding voting documents (which, incidentally, was also a reason for compulsory schooling in Switzerland in the 20th century) and discussing and debating with others in order to form one's own opinion as a responsible citizen.

In addition to family and school, society also has an obligation to ensure that children grow up to become citizens. Factual, balanced information, especially in textbooks, but also in other media, can help the young person to develop values that enable him to strengthen his interest in others and in the common good. In doing so, he can develop his own identity and, with a view to his environment, contribute more and more to the well-being of the community and thus also to the preservation of direct democracy.

Conveying knowledge, developing empathy

Of course, books, stories, narrations and the immediate experience contribute a lot to strengthening people's awareness. Often you don't think much about how something comes into being in your immediate vicinity. How much knowledge and human strength were and are due for something to emerge and to remain. What happens for example in the municipality? Where does the water come from? What about the wastewater? Who monitors the wastewater system? What do we

do if it does not rain for a long time? Who is building the roads, who is scrubbing them? And who pays for the many public buildings like the schools, the swimming bath and much more? Some things are taken for granted to us, and one can leave litter anywhere without any worries. Recently there was a report on the radio that they are in the process of producing recyclable tents made out of cardboard for open-air festivals, because plastic tents left behind after the parties are a burden on the environment. There are better solutions.

A society based on solidarity takes care of all aspects of living together and also has nature in mind. But this does not develop overnight. A child that is urged from an early age to take care of his or her own belongings and those of family members and comrades, will later have a better understanding of the environment than a child that only is asked to decide whether this or that food would suit him or her. Maybe now and then a little renunciation would be quite appropriate instead of living up to a fun society that puts the fulfilment of wishes first.

You can talk about such things also with children. They should realise that mothers cannot buy everything that is on offer. They can understand that the fruits already in house are eaten before fresh ones are bought. And that also the older, not very modern clothes can still be worn.

Later they learn that there are taxes that everybody has to pay, also their parents. For example, taxes are paid to enable every child to go to school and learn. This opens the eyes of some boys, especially when they hear that in certain countries only the rich or only boys are allowed to attend school today. This knowledge may enable the children to really appreciate the value of our education system available to everyone.

According to their age, children and adolescents are growing more and more towards the idea of democracy. Firstly they are focused on their families, nature, neighbours and comrades. Increasingly, their knowledge is being expanded. Starting from their own neighbourhood, their community, their canton and then the state, they learn about the world.

About the value of joining associations

Today there are countless possibilities for children to spend their leisure time. Very valuable are youth groups that can pave the way for children to grow into direct democracy. In smaller or larger groups, the children experience living together. They get used to the rules and customs of their association. A regular, punctual appearance is in demand. If they can not



Two girls sell "Schoggitalers". Teachers can now order "Schoggitalers" for the campaign from 2 to 30 September 2019. (picture Schoggitaler)

continued on page 13

A new reading book for family and school

Awaking joy of reading – With what and how?

by *Elsbeth Schaffner, primary school teacher*

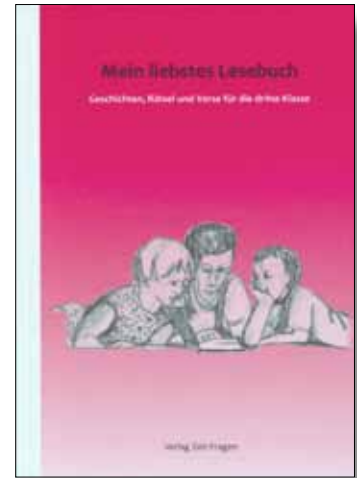


With joy I hold the new edition of “Mein liebstes Lesebuch” (My favourite reading book) in my hands. As an experienced teacher I am always looking for suitable reading material for my 7–9 year old schoolchildren, for nieces and nephews and the children of friends and acquaintances. Already the first volume of the reading book for the second class is a rich seam of information. It is the same with the second volume, bound in fresh red. Stories, riddles and verses for the third class can be found between its book covers.

While browsing and reading, I encounter many experiences with children and memories from my own childhood, on traditional and current examples of living together, how it used to be and how it is today. The successful compilation enriches the child’s mind with contributions about humans and animals and contains a lot of interesting facts about nature and

technology. You can feel the enthusiasm of the collectors and authors for reading and reading aloud. In their effort to pass on positive content to the next generation, they are once again making a great treasure available to us.

I can also warmly recommend this reading book to all fellow teachers, parents, grandparents and anyone who reads with and to children. The contributions in the book inspire to joint reflections and initiate conversations about rejoicing and pleasure giving, about crying and comforting, about thinking and helping. They arouse interest in today’s world, convey positive role models and give insights into history. With anticipation, I imagine a grandfather sitting in the kitchen with his grandchildren and reading with them the story “The Bee Sting” by Elisabeth Lenhardt about the life of Albert Schweitzer. The reading book makes it possible to take part in everyday and unfamiliar things. You can learn a lot about professions,



ISBN 978-3-909234-22-6

transport and leisure. Some things are also new to me, for example details about stockpiling or about the construction of the Gotthard Base Tunnel.

continued on page 14

“Children and youth and ...”

continued from page 12

join, an apology must be made. Friendships are forged and mutual accountability develops. If *Nora* can not participate in the exercise of the choir, a voice is missing. When doing artistic gymnastics *Tim* is standing by to help. Older, more experienced youths act as trainers for the younger ones. Young Samaritans take on their own job at the monthly training, or young firefighters learn how to regularise traffic. Such action takes responsibility and the boys can become mature and finally they are proud in a sound way, because they feel that they are needed in real life. They are trusted to do something. Everyone is important.

Anyone who has already attended such association events knows about the democratic way decisions in an association are made. The programme is discussed and approved mutually at the General Assembly. In a musical society the question is to be discussed whether its 50 years old flag is to be restored or replaced. There is a lively discussion in which every opinion is appreciated, and often the reasons for the decision are justified. Then the vote takes place. Interestingly, it is mainly the young members who decide to preserve the traditional flag. This majority now makes it possible to commission the restoration, which

may be financially more expensive than the acquisition of a new flag.

When associations give young members the opportunity to participate in important functions early on, this is a further incentive to support this association and to contribute with the best of one’s knowledge and conscience to make it work.

Standing up for the common good

On the night before 1 November, children ring the doorbells in their neighbourhood to beg for “sweet or sour” things. They ask for themselves and their friends. Around the Epiphany there is the custom in many places to go singing from door to door and to ask a contribution for a charitable purpose from the inhabitants, for example against child labour in India or for a school for the disabled in Peru. With the latter, the children learn to look beyond the tip of their noses and to work for a fairer world.

The same applies when pupils sell “Schoggitalers” (chocolate coins). The sale of these chocolate coins is always under the theme of conservation of local history and nature. This year, for example, it is about the preservation of insects’ worthy of being protected. When schoolchildren on the street offer these chocolate coins in shiny gold foil with a wonderful design, they learn to commit themselves to a certain purpose. But they not only learn to stand up just for this. They approach

people, greet them friendly, present the project to them and answer questions.

They also have to accept disappointments. Not all people passing by will react with enthusiasm to the children. There may be rushed, frustrated people who do not show any interest. This is also a school of life and belongs to direct democracy. Because each person is free in its opinion. The child can try to inform people, but how everyone reacts is his own business. The rule there is: stay friendly anyway and address the next person passing by.

Who knows, maybe one or the other citizen will remember these first experiences of democracy later when he or she approaches somebody on the street tries to win his or her fellow citizens for an initiative, a referendum or an upcoming ballot.

Let us come back to the young people’s citizen celebration mentioned at the beginning, which had to be cancelled due to a lack of interest. In the meantime, that community has entrusted its apprentices with the task of contacting all the young people personally by phone and motivating them for the upcoming young citizen celebration.

Apparently this approach has worked. So there are countless ways to win the young for direct democracy. They are happy to respond if they can understand its meaning and are trained in it from an early age. We must not miss the opportunity to grant this to them!

Through the Gotthard Base Tunnel

Excerpt from the reading book "Mein liebstes Lesebuch". Poems, puzzles and verses for the third grade"

7:20 a.m., track 7, Zurich main station – that's the appointment. Gabriel and his godmother get on the train at 7:32 a.m. in the direction of Lugano, travelling through the Gotthard Base Tunnel. It is the first time for both.

After the stop in Arth-Goldau, the train travels along the beautiful Lake of Uri. On the other side lies the Rütli meadow, where with the Rütli oath the foundation for Switzerland was laid more than 700 years ago. Watch out at the end of the lake near Flüelen: Now it does not go much longer until the tunnel entrance in Erstfeld. Both have their mobile phones ready. They want to measure the time the train takes to travel the 57 kilometres through the tunnel. Attention! ready, steady, go, start button pushed. It's getting dark, and you can feel the train going faster. It takes 21 minutes and 21 seconds until daylight reappears in Biasca. Now they are already in Ticino. Italian is spoken here, one of our four national languages.

They reflect upon a few words:
 buon giorno – good day
 il treno – the train
 buona sera – good evening
 la stazione – the train station
 grazie – thank you

la galleria – the tunnel
 prego – please

Counting to ten? Gabriel tries it: uno, due, tre, quattro, cinque, sei, sette, otto, nove, dieci – bravo! Maybe they can use their Italian language skills?

On the way back they measure the time again. Now the train needs 17 minutes and 51 seconds. Why is it faster now? They ask the conductor. He explains that often several trains run in the tunnel at the same time and therefore safety distances must be abided. That is why sometimes the train is not allowed to travel at maximum speed which is 250 km/h. This is twice as fast as driving on the motorway! He also explains that there are two tubes, because at these speeds it would be far too dangerous for two trains to pass close. Aha! that's why there was no oncoming train on the entire tunnel route.

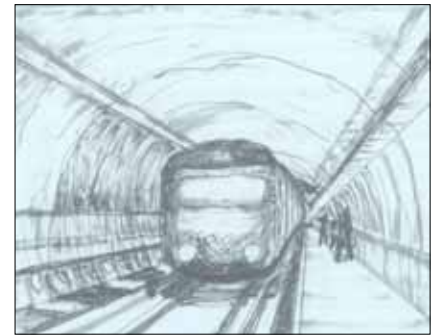
At the end of their beautiful journey they play "Stadt-Land-Fluss" (city, country and river). Gabriel asks in the entire coach: Do you know a country starting with an F or a city with a P? Everyone is happy to help. Gabriel always returns to his place with good solutions. Suddenly a man from the next compartment turns his laptop into their direction and,

visible to Gabriel only, PARIS appears in large letters on the screen. Just this was all he needed. Now he can shout "stop" and wins the round.

This is how the trip to Zurich passes by in a flash. Both agree: That was a beautiful day!

Do you know the geography game "Stadt-Land-Fluss"?

The game: One person recites in his head the entire alphabet. At some point the other one calls: "Stop!" Which then is the first letter for the word you are searching for. The first person who has filled in all fields of the line again calls stop! Now points are given: two points for single entries, one point for double words, zero points for an empty field. ●



"We have tried walking on our heads, but the children with behavioural problems show us that this will not work"

by Dieter Sprock

One out of five children is disturbing lessons. Today even kindergarten children can be aggressive or violent – pupils with behavioural problems are pushing the school system to its limits, the "Sonntags-Zeitung" headlines from 28 April. The article alerts and raises questions. The increase in ever younger children whose behaviour thwarts teaching and learning is alarming. We are talking about four-year-olds ignoring instructions of kindergarten teachers and insulting them, provoking other children, constantly starting arguments, destroying their drawings

"A new reading book ..."

continued from page 13

More is not betrayed ... I hope, however, that I have also awakened interest of many other Current Concerns readers in the distribution of the reading book. I would like to thank everyone who contributed to the making of "My favourite reading book". You certainly do not only encourage my enthusiasm to read with children. ●

and handicrafts and beating them. "The children", says Ursula Zindel, President of the "Verbands Kindergarten Zürich," "cannot accept a 'No', wilfully destroy things, refuse to obey the rules and pester other children, verbally and physically". Teachers report of children "spending the day under the desk, swearing, giving cheeky answers, paralysing lessons with annoying constant noise, constantly babbling, throwing a chair through the room because of a bad mark or simply running away if something doesn't suit them".

According to a survey by Reto Luder, professor at the Zurich University of Teacher Education, 950 of 4,300 students in Zurich and Winterthur were rated as problematic by their teachers. For 60 per cent of the class teachers, pupils with behavioural problems were the greatest stress factor. Similar difficulties are reported from the cantons of Geneva and Basel. The number of incidents involving children with behavioural problems has risen sharply in recent years, says the President of the "Baseler Schulsynode", confirming the Zurich findings. From teachers in Ger-

many, Austria and other countries we are receiving similar reports. This raises questions, questions about the development of our schools, but also about education in general. We need to think honestly about causes and solutions.

Readers demand small and introductory classes

The article in the "SonntagsZeitung" has triggered a flood of letters to the editor. Most of them demand a return to a larger number of small classes, especially introductory classes, because this was the only way for the school to do justice to the behavioural problems as well as to the majority of the children. Today, due to the demand for "inclusion" in the regular classes, more and more children with behavioural problems are being individually cared for by a whole army of school psychologists, school social workers, experts in violence prevention and curative teachers, while small classes are being closed.

continued on page 15

"We have tried walking on ..."

continued from page 14

However, the ideologically supported abolition of the small classes did not at all lead to more integration, writes a former small class teacher and current director of a boarding school with internal and external special school places for children with "emotional and social support needs". "On the contrary, increasingly difficult situations for the overchallenged pupils, teachers and parents have increased the need for places at special needs schools (and thus the costs)."

A now 91-year-old special class teacher and curative educator for the senior classes has been wondering for almost 40 years now, why the "care industry including its ideological undertone" already "did away" in the eighties in a short time with all the experience previously collected. He writes: "The small class concept at that time worked. The resources to look after the 'difficult' pupils were in balance with the challenges, and each individual young person could be accompanied. Accompaniment in the sense of promoting the strengths of a person which promise him a future." From today's point of view, the approach was very successful. Many of his special class

B students later became entrepreneurs. He has meticulously written down his experiences with small classes for pupils with behavioural problems and would be highly interested in not seeing them lost. "It would make me very happy," he writes, "if, at the end of my life, younger people trying to follow this path again could work with this information." ("*SonntagsZeitung*" from 12 May)

And what about education?

Thinking about the causes of behavioural abnormalities and looking for solutions, we cannot avoid including education as well. This is not about assigning blame. But a child sticking out his tongue at the teacher, stating "It's not your business to tell me what I should do!", kicking and biting the kindergarten teacher and pestering other children, was not born a child with a conspicuous behaviour. From what they find at the beginning of their lives, children develop their own lifestyle, which in the cases described includes behavioural abnormalities as a strategy for the implementation of their own will. Explanations such as declaring such children as overchallenged are not sufficient because an overchallenged child might also just ask

for help and inquire if he or she has trouble understanding. Not only in schools, but also in many families, wrong theories are leading to chaotic conditions. Today, parents and teachers are often equally forsaken.

It must give us food for thought when, despite all the wealth of knowledge and beautiful ideas – recorded in countless books and libraries – by far the majority of people today still have no idea of the development of the human psyche and the success of education is largely left to chance. How can it be explained that, a hundred years after psychology was able to establish itself as a science, fathers and mothers are still failing in education because they do not understand themselves nor their children, even though there have already been numerous attempts in the last century to make psychological knowledge of human nature usable for education and accessible to all people?

By criminally neglecting the question of education in the last thirty or forty years, we have ignored the natural sequence of life and tried to walk on our heads. Today, children with behavioural problems give us the answer. They show us that this is not how it works. •

Current Concerns

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

Subscribe to Current Concerns – The journal of an independent cooperative

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

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

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

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

Please choose one of the following ways of payment:

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

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