

Current Concerns

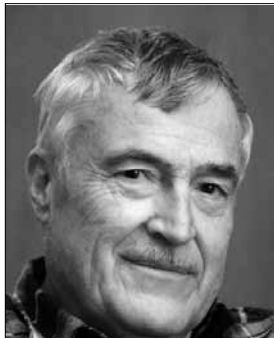
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English Edition of *Zeit-Fragen*

How Switzerland can defend its independence in a changing environment

“Abandoning state sovereignty means degenerating into a vassal state”

Interview with Professor Dr Albert Stahel, Institute for Strategic Studies, Wädenswil



Prof Dr Albert Stahel
(picture thk)

thk. In September it seemed as if a hot war in the Middle East was due since the Syrian army had allegedly made use of poison gas – while the evidence of who had actually used the poison gas is still missing – and had crossed President Obama’s “red line” which he had announced in February this year. Threats of war by the western powers were heard every day, especially from France, but also from Turkey, and before anything was proven the United States sent an aircraft carrier to the Middle East. Signs were pointing to a war. Today, just three months later, the situation is somewhat different. The conflict in Syria has completely disappeared from our media, except for a few reports particularly telling about the plight of refugees. President Assad agreed to the destruction of his poison gas stocks and gave in to the demands of the West; at present a military intervention on the part of NATO seems to be no longer an option. The situation has, however, not become more peaceful.

For years, the sword of Damocles has been hovering over the Middle East, the threat hovering whether Israel would attack Iran and thus triggers a wildfire, intended to prevent Iran from becoming a nuclear power. Although still an outlaw this summer, Iran is now taken more seriously as a partner in the negotiations with the UN veto powers, EU and Germany. The situation seems to relax slowly there. A consensual solution is more likely. However, nothing has changed fundamentally.

A few weeks later in the Ukraine a pro-

test movement has stepped into the lime-

light, resembling down to the last detail the US-controlled “colored revolutions” about 10 years ago, this time obviously backed by European powers – which have learned useful methods for the retention of power from the US. This is happening in the face of a crisis in the Pacific between China, Japan and the United States whose outcome is uncertain and which is probably no joking matter.

These developments make us sit up

and take notice and ask for an explanation. Professor Stahel is an acknowledged expert in the field of geo-strategy and defense policy. Current Concerns had the opportunity to ask him some questions and to have a joint look at the situation of Switzerland in a changing environment.

Current Concerns: Professor Stahel, I would like to talk to you about the changing power relations in the global context. In different regions of the world we face new developments, either in Eastern Europe, the Middle East, Africa or the Pa-

“Switzerland must concentrate on its roots and orient itself towards them. We must decide again how we want to live. If we give up this determination, we live as others want us to live. We must bear this in mind. Up to the present day, our political and social system was unique in this world.”

cific. As these developments are certainly not all coincidental, I would be very interested in your assessment of the geopolitical weather situation and what they mean for our country.

Professor Dr Albert Stahel: In the Middle East and particularly in the Persian Gulf a new development has been emerging for a long time: The US wants to withdraw from this area for two reasons: First, due to shale oil and shale gas along with supplies from Canada and Mexico

“Officially terrorism is feigned such as by Al-Qaeda in Mali, but basically it is about something quite different, namely to provide raw materials, about economic considerations and how one can influence the states and influence them, to make them stop cooperating with China.”

they are almost self sufficient and no longer dependent on oil supplies from the Persian Gulf. Second, they want to address the new challenge, namely China. We have to include these two factors, if we want to assess the overall international situation. The so-called rapprochement between the US and Iran plays a role, recognizing that Iran has become a regional superpower, which has also taken responsibility for this region. The

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agreement, signed in Geneva with Iran, is precisely part of it.

What does the rapprochement mean for this region?

This rapprochement does not imply, for example, that the area will now immediately be peaceful. We have the civil war in Syria, and the United States has, as it seems, procrastinated a solution or termination of the conflict. They seem to leave it to the other countries, while the Russians are playing an important role. This situation, withdrawing not only from Syria, means that they no longer want to control the events in Libya which – left to its own device –

If the US are now slowly retreating, questions concerning Germany will arise. The German government, the *Merkel* government as well, has a positive attitude towards relations with Russia. It also prevented Ukraine under its former President from being admitted to NATO in 2008. This is also true for Georgia, by the way. In this whole game France and the UK are in fact the only reliable actors.

Reliable seen from the US perspective?

Yes, the US will no longer be active in Europe, and no longer invest as much. The Europeans are supposed to see for themselves how to cope. To what extent the Americans want to leave it to the Russians or the Germans, is an open question. As far as Europe is concerned, we are in a very diffuse situation. We do no

can perspective. In future, the US will not accept any well-matched rival, that is for sure. The US will now solve the problem with China in different ways. One way is the containment policy. You rope in the so-called allies, for example Japan, and establish a military-political barrier. However, they also rope in the economic competitors, the East Asian countries, which are increasingly important for production. These include Thailand, Indonesia, etc. These are not only sub-producers, but also competitors for the Chinese.

Then, of course, this includes all of Central Asia. Here Afghanistan with its military bases plays a crucial role. The US want to continue to be stationed in Afghanistan and via the Wakhan Valley threaten China in the northeast. In addition there is still something we have always underestimated, namely riots such as the ones in the Uyghur region. Certainly the United States have their fingers in the game there. It is also no coincidence that the Uyghur exile representation is based in New York. This is how we have to imagine the big debate.

"But the US is still an actor. Although they have lost much of their power, especially in the Arab world and in Europe, they are putting up with it, because their interests are clearly in the Pacific."

will sink into complete chaos. In Egypt, they seem to leave the situation as it presents itself at the moment. However, not in an endorsing sense as far as the generals are concerned. With regard to Turkey, they are increasingly turning away their attention from the Caucasus and Europe as well.

What will happen in Europe then?

This is something that many people do not realize. If a great power like the US exfiltrates from a region a new situation emerges. Turning away from Europe includes, of course, a changed situation in Central and Eastern Europe, where Russia's influence is spreading more and more, either financially or with raw material supplies. One example is Ukraine, which has turned away from the EU. And here the question arises, how the US will act. Will they continue to be present in Poland or Romania? Of course, the missile defense is a significant factor which plays an important role. Previously, this was officially justified by the Iranian threat. This argument applies probably no longer. Not least, this is due to Russia's commitment. Basically, this has of course not been done because of Iran, but to highlight presence in Europe, to be active in Poland, the Czech Republic and Romania. The future will show whether the US give up or want to push through their interests, which will probably not be so easy, because it will lead to serious conflicts with Russia.

What does this retreat mean for the old allies?

longer have the constants that we once had. I do not mean the constants during the Cold War, but we have had such constants in the period thereafter. At the moment we have a very unclear situation in which other actors play a role: Russia and Germany. For Europe, this includes,

"A state that has no army moves towards 'failed state'. This state gets in a dependency, it gives up, and isn't worth anything."

of course, the great issue of the southern belt: Portugal, Spain, Italy, and Greece. Where do we go from there?

You have now outlined the upheaval on the Eurasian continent. In which region will the US relocate their activities?

To understand the situation, we need to go beyond Europe, where the Pacific region plays a major role: This concerns Japan, South Korea, the Philippines, Singapore, Indonesia, Australia, etc. They are currently in the strategic focus of the United States. This is due to the fact that Russia is no longer a challenge for Washington; although *Putin* does everything he can to be one. But Russia is not a military challenge to the United States. Except for its nuclear weapons, Russia is a "negligible quantity". China is of course very important due to its potency in the economic, financial, and other sectors. China's dynamics are a problem for the US and they would like to have this problem solved from an Ameri-

Are there any other regions that cause trouble to the US?

Yes, other powers still play a role, often in step with the US. Here we have to mention South America. There, the United States would like to edge out the Chinese, who play an increasingly important role. In this region, China is a demanding

power for raw materials, but also provider of goods. Furthermore, there is the situation in Africa. This is where the United States plays on various keyboards. Officially terrorism is feigned such as by Al-Qaeda in Mali, but basically it is about something quite different, namely to provide raw materials, about economic considerations and how one can influence the states and influence them, to make them stop cooperating with China.

Are there already some concrete examples?

Yes, a classic example is the separation of South Sudan from Sudan. The aim was to disconnect the access to the oil in southern Sudan for the Chinese. This is the current situation briefly summarized.

This shows that we are really in very unpredictable global conditions.

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But the problem is that we do not really realize them here in Switzerland. We face big changes with powerful actors such as the US, China, in a sense also Russia or India, etc. It is a complex situation. As it has once been, it will not be for eternity. For example, in the EU there might one day be an EU-light or an EU-North or an EU-Germany; everything can change. In the Middle East, the Arab winter has arrived, but certainly no Arab Spring. In the Arab world, the problems are not solved. The stability of Saudi Arabia or Egypt is not as it used to be. In the Middle East, Iran plays an increasingly important role. In a sense, Iran is a stabilizing power today. On the one hand it is very interesting to see what will develop from this situation, but also frightening because you do not know what will be the outcome. The great solid guidelines that we had during the Cold War and its aftermath, this unipolarity is no longer possible today.

But the US is still an actor. Although they have lost much of their power, es-

This can be no alternative!

Right, but those are the realities. What we have offered in the past 10 years, and I am not talking about the little things, such as the issue with the Zurich airport, which is only a part of it, is a decline and abandonment of our own foreign and security policy. We are delivering ourselves to a great power, which will then not only determine our foreign and security policy, but also our interior and social policy. In that case we would be a vassal state. We have to keep that in mind. Germany does no longer allow other states to conduct their own foreign and security policy, for example in their behavior towards the Czech Republic or Slovakia, and partly towards Hungary. We must not underestimate this danger.

Yes, I understand what you mean. A certain naivety prevails with many people, here.

But it ultimately depends on us. If we no longer want to be independent, then we will move into the lap of Great Germany. Then they will determine what is to be done. As blatant as the alternative is, you will have to face it. There are two pos-

ing to lay the cards on the table is no longer possible.

That would be the complete loss of sovereignty.

Yes, but that is exactly the point at issue. Abandoning sovereignty means that we oblige ourselves to such a degree and become so dependent on others that they determine what is done and what not. Historically well conceivable. But we must be honest because we have lost honesty, the honesty towards ourselves, we must openly and honestly say: we want the sovereignty. But I must confess, with the government and the administration we have in Berne, I very much doubt that the will to sovereign action is mustered. We always talk of Brussels. In Brussels there are representatives that want their office hours, who are not relevant. Policy in Europe is made in three places, and if we include Russia and the US, it is made in five places. These are Paris, London, Berlin and Washington and Moscow. There, European policy is operated. Brussels is absolutely irrelevant. The EU is an institution that was founded like the UN and is a fiction like the UN. It is an institution as well and thus a bureaucracy. European politics does not take place in Brussels.

We have now talked about the loss of sovereignty, but what does it take so that we can keep our independence.

Sovereignty concerns the entire foreign policy, economic policy, fiscal policy, social policy, education policy and of course defence policy. These are the key elements that you have to think through. The best example is our monetary policy. Our Swiss franc has so to speak become the substitute of the Euro, and only because everybody always complained about of the over-valuation of the Swiss franc. This is complete nonsense. The other countries have inflation, we don't, and the Euro is still losing its value. All these are factors that are very troubling.

What about our national defence?

Generally considered, we need army forces which are able to meet all orders, which are able to defend the country, to provide a service for the benefit of the population and to address other challenges which do not have to do with the classic situation of threat.

To achieve this, we must strengthen the army.

Yes, they have been weakening the armed forces...

... for 20 years.

"Generally considered, we need a credible army which is able to meet all orders, which is able to defend the country, to provide a service for the benefit of the population and to address other challenges which do not have to do with the classic situation of threat."

pecially in the Arab world and in Europe, they are putting up with it, because their interests are clearly in the Pacific.

What does this global upheaval mean for our country's security, and how can we ensure it? This raises the question with whom we should join forces. Would it not be a viable way for Switzerland to approach China and Russia more?

In a nutshell: The Confederation has two options. One possibility is the one that you mentioned, namely to pursue an active security and foreign policy. That includes looking for allies. Searching for powers that can offer something, either militarily like Russia or economically or financially like China. This is the active side. There are efforts to maintain what the Confederation has always been since it began and what it has always done. We try to be active. We have not always succeeded, but it would have been possible. The other scenario would be degenerating onto the level of a vassal state. That would be the abandonment of ourselves, and then only Germany will remain.

sibilities: either we pursue an independent foreign and security policy, and that means to remain flexible and to find out where the opportunities are, with whom we make arrangements and where we can gain something for our country. This is possible, for example with China, not only with Russia and perhaps also with Iran, where we could be much more active. Especially in the Middle East, we could play a much more active role if we wanted to. If we have become more anxious and fearful and prefer not to do so, it is our decision. Not the others will dictate a priori, but we determine our fate ourselves. When we enter into such a total dependence on Berlin, we will have given ourselves up. Then we will no longer exist as an independent state, and the issue of our own protection is then off the table. We might say: "Okay, now you will do it." This is the ultimate consequence. Mrs Merkel would have a lot more opportunities ...

... but that is no option at all for Switzerland ...

... Of course not, but you have to think it through. We are at a turning point, avoid-

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It started with the GSoA-initiative. That was even before the fall of the Berlin Wall. At the time, Switzerland had in particular the most powerful potential in Europe with respect to the army. In Europe, we had the largest fleet of tank howitzers *M-109*. Everything was available for an effective defence. The airforce was the weak point of the armed forces. Throughout the 20th Century, Switzerland had always trouble with the development of an air force. The vote of 1993 concerning the procurement of the *F/A-18* could have led to a course correction. According to the message a second tranche of *F/A-18* was planned. If we had bought them we would have an excellent air force today. Unfortunately, Federal Councillor *Ogi* took over the Military Department in 1995. Adolf *Ogi* cancelled the planned second tranche together with the air force Chief *Carell* because they were afraid of a renewed vote.

What did our air force consist of in 1995?

At that time, we still had the *Mirage* reconnaissance planes, although not the newest of the newest, but still very usable. Unfortunately, after the abolition of the *Hunter* fleet *Ogi* and *Carell* also eliminated the whole fleet of the *Mirage* aircrafts. The two gentlemen at that time weakened our air force in a culpable manner.

You spoke of additional errors that were made.

Yes, then came the "splendid" reform *Army XXI*. Not only the entire inventory was reduced and entire units were disbanded, but also the training of the officers was deteriorating and the duration of the service obligation massively reduced. At the age of 34 soldiers, non-commissioned officers, and subaltern officers were to be released. The entire wealth of experiences as well as the close relationship between the armed forces and the local authorities, the municipalities and cantons and thus to the population were removed. This reform was supposed to lead to an "combat troops". The goal was the integration into NATO. Combat forces for the United States, this was the driving force behind this reform. There were people at work who had been trained and thus indoctrinated in the United States. They pushed the reform in this direction, to serve at the same time Adolf *Ogi*. In the time of Federal Councillor *Schmid* it showed that the army had an enormous amount of deficits, in particular in training, and more importantly, with regard to the assistance to the civil authorities, as well with respect to the maintenance of material.

The great storms of 2005 showed then that we had almost no more rescue troops. The situation was precarious. The army had too few dredger men. There was a saying at that time that *Schmid* and *Keckeis* were looking for dredger men. Imagine this disastrous situation. We had sunk so low. On the basis of this experience, *Schmid* wanted to perform a half U-turn with the *Step 08/11* to correct the deficit particularly with respect to the rescue troops.

It is quite sobering that we no longer have much of what makes and distinguishes a good militia armed forces.

This was intended. With the aim to form combat forces, the essence of our militia armed forces was destroyed. When we look back on our history before 1848, Switzerland had two types of army: the territorial militia to defend Switzerland and the professional troops of the regiments in the foreign service. The foreign services were banned with the founding of the Federal State. The militia with its territorial defence was gradually expanded. *Schmid* wanted to correct the deficits caused by the reform with the *Step 08/11* but it failed.

Now we have a new Federal Councillor, *Ueli Maurer*, and instead announcing "Stop – the other way round" he creates an armed forces report where it becomes obvious that he follows almost the same trend as his predecessors in the office. The *WEA* report (*development of the army*) runs in the same direction. On and on important weapons and operational material – including the Armored Personnel Carriers *63/89*, the basic model is still in use in other armed forces – is scrapped. Everything is being liquidated, and the stocks will be further reduced. So, the part of the armed forces which is intended for the defence will be reduced to less than 25,000 men. A better police force is created for the emergency of a war.

What is changing with "WEA"?

What is now abandoned are also real estate and caverns at the military aerodromes which half of the world had admired us for during the Cold War. Important material will be destroyed. This is terrifying, and one wonders who makes such decisions.

What does this mean for the defense of our country?

A state that has no army moves towards "failed state". This state gets in a dependency, it gives up, and isn't worth anything. How to defend Switzerland with 25,000 men? It's simply impossible. Even if there is no military challenge at the moment, we have, with regard to Europe, so many instabilities in this part of the continent that no man can tell us, what it will look

like in 5–10 years. In the next few years Russia will presumably not be a real military challenge for Europe with respect to conventional weapons. But Russia can put other countries under pressure due to its gas supplies. Also the increasingly closer cooperation with Germany must be considered, which was never that close as it is today. Cooperation with Germany was always an old dream of the Czars. A state can't escape its geographical location. Geopolitics means studying the maps. The two states walk increasingly towards each other, as at the time of *Czar Peter III.*, who was a fervent admirer of Prussia during the Seven Year's War. All Russian Czar's have been Germans starting with *Catherine the Great* up until 1917. This is overlooked today. Regarding Germany, it always has been a powerful land power adjacent to the even more powerful land power Russia. *Bismarck* wanted to maintain good relations to Russia. *Hitler* was determined to conquer Russia. Britain has been a seapower for centuries. In its history France wanted to be a seapower as well as a land power and it failed on this claim.

In the very fuzzy situation, where Europe is in today, the Federal Council decides that Switzerland doesn't need any capability of defence. Important armament material is simply destroyed. But, what do we need? On what should we spent 5 billion per year? For a few armored personnel carriers of the type *DURO*?

From this point of view, one had actually a say that the greatest threat is in the country itself. We can't say that here or there we have to expect an "attack", but the steady reduction of the capability to defend is the greatest threat.

Yes, that's so. Not the citizens are the greatest threat to Switzerland. The real threat to Switzerland is the Swiss Federal Council in Berne. The Federal Council pursues the dismantling of the armed forces and a reckless financial and economic policy.

What do you think about the fiscal policy?

A concrete example was the proposed treaty with the United States on the exchange of data. Why the Minister of Finance is not able to communicate to the United States: "this agreement is superfluous; you do know anyway all this thanks to your NSA spying already. You should only tell us what you still don't know. This would interest us." This would be the diplomacy of a sovereign State. The Federal Council would pass a message on to the US Ambassador towards his Government, which is clear and unambiguously formulated. If necessary, the Federal Council could still send a telegram to *Obama*.

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What is to be done? You have set out to describe what the outer, the global situation is like but what are things like inside the country. You have mentioned alliances where Switzerland could join forces with other countries, including Russia, China, or even with certain States in the Middle East. That would demonstrate sovereign action and strengthen our country. The threats are not really concrete, but we are living with a latent threat. We do not know in what way all this will develop. We are confronted with cyber war all over the world. More than ever the question arises to us citizens where do we actually want to go to, and how do we get there?

The armed forces must be equipped in such a way that it can respond to a real military challenge. The present military challenges – and all experts agree here – are no longer the tank battles of the Second World War. With the exception of the war in 2003 against the Iraq the wars of the last decade were different. Elite units were used in particular by the United States backed by massive air strikes against key persons and objects. This means that we must adjust to defend against operations of such elite units and air strikes. In particular we have to be able to protect our infrastructure against operations of this kind. We have to have a quite different concept of defence compared to the Cold War. We need means and weapons able to pro-

tect our infrastructure, such as nuclear power plants, electricity works, communication, command headquarters, stations, airports, etc.. To defend our infrastructure in this way, 100,000 men as mentioned in the WEA report (report on further development of the army) are not enough. For a broad-based protection of infrastructure, we need at least 200,000 men. Only this way, we can get survive long lasting challenges. With 200,000 men, the armed forces must be ready to assist civil authorities and the population during natural disasters. This must be the second but not the first priority of the army.

In the 1970s we had the old point-to-point links of the SBB (Swiss Railway) at our disposal in case of emergency. In the event of war the SBB was integrated into the defence concept. Thus, we had a redundant system. A similar redundancy should be restored. This is in particular valid with respect to the Cyber-War. Cyber-War does not only mean intercepting, but also the manipulation of bank accounts, obstruction of the command structure, etc.

This means we would be easily able to protect our country, but there should be a common consensus that we definitely want to protect our country.

If the political will exists again, this should be possible.

That means, it is on us as citizens to ensure that the necessary political will is being enforced.

Yes, in two directions: politically, but also for the society. In the elections one should safeguard that the right people are elected for parliament and not such wax figures, who act as entertainers and talk about the defence and armed forces in a way that does not reflect reality.

During the Cold War left and right we were able to reach a consensus in our country concerning the defence. In 1973, one could achieve a rapprochement between the right and the left in the "General Defense Concept 73". In 1989, there were only helpless attempts at finding a consensus under Councillor Adolf Ogi. The polarization increased. Federal Councillor Ogi had still the so-called support of the SPS (Social Party of Switzerland) for carrying out his Reform of the Army XXI, but his own party silently accepted the fiasco of the reform for opportunistic reasons. FDP and CVP were increasingly irrelevant regarding defence matters.

What are the consequences for our country?

Switzerland must concentrate on its roots and orient itself towards them. We must decide again how we want to live. If we give up this determination, we live as others want us to live. We must bear this in mind. Up to the present day, our political and social system was unique in this world.

Professor Stahel, thank you very much for the detailed discussion.

Interview: Thomas Kaiser

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FATCA: “The real victims will be national sovereignty and citizens’ and consumers’ rights”

Interview with James George Jatras*, J.D., Washington D.C.



James George Jatras
(picture ma)

ef. In the US, too, monster-tax law FATCA increasingly arouses opposition. There is a storm brewing: Six US bankers associations have filed suits against the Internal Revenue

Service (IRS). China, Russia and other countries refuse to accept FATCA, a law that wants to impose US-legislation upon other countries. US Treasury has already had to postpone the date (for the third time) because many countries do not want to join in – rightly so. James Jatras, a lawyer and specialist in international relations, took initiative three years ago and with setting up his website “Repeal Fatca” he founded a forum that reports about the resistance against FATCA in his own country but also in foreign countries.

Current Concerns made an interview with the Washington based lawyer.

Current Concerns: How do you assess the political importance of FATCA – national and international?
James Jatras: It would be difficult to overestimate the importance of FATCA. Disguised under the inaccurate notion that FATCA is a “tax enforcement” law is the fact that it represents a massive and unprecedented expansion of extraterritorial overreach committed by any country, ever. The most amazing thing is that, as even the United States Department of Justice (Tax Division) conceded in a recent court filing, the U.S. lacks jurisdiction to require foreign (i.e., non-U.S., including Swiss) financial institutions’ compliance with FATCA,

* James George Jatras is a lawyer and specialist in international relations, government affairs, and legislative politics. For many years (1985–2002) he served as a policy adviser and analyst for the Republican leadership in the U.S. Senate; before that (1979–1985) he was an officer with the US Department of State. He is a member of the U.S. Supreme Court Bar and the Pennsylvania and District of Columbia bars. Jatras is a frequent speaker and contributor on numerous topics to print and online publications. He writes and speaks on FATCA from a legislative and political perspective and has established the site www.repealfatca.com. James Jatras is married, with two grown daughters and two grandchildren.

“In the end, the purpose is obedience for obedience’s sake. That’s the most important aspect of FATCA (or the DOJ banking demand): we have given you an order, you must obey.”

“If obedience is the end, surveillance is the means.”

and for that reason resorts to what amounts to the threat of extrajudicial reprisal (euphemistically termed “a withholding tax”):

“Beginning in 2014, FATCA requires foreign banks to report to the [U.S. Internal Revenue] Service, among other things, the amount of interest that they pay to U.S. citizens and residents. . . . To incentivize foreign banks otherwise outside the United States’ jurisdiction to comply with these reporting requirements, FATCA imposes a 30 percent U.S. withholding tax on many payments made by U.S. institutions to noncompliant foreign banks.”¹

Nonetheless, institutions in many countries have convinced themselves (or have been convinced by consultants, lawyers, accountants, and software firms that expect to make huge profits selling FATCA compliance – costs that will be passed on to consumers) that they have no choice but to comply, based on the threat of reprisal. As damaging as FATCA would be for the principles of privacy and information security, the biggest casualty globally would be the concept of state sovereignty. That’s why the Russian Foreign Ministry is correct in terming FATCA is correct in asserting that FATCA is of “extraterritorial essence and is at odds with the principle of sovereign equality. It demands that foreign lending-financial institutions comply with American law.” Under Article 2 of the United Nations Charter, the “the principle of sovereign equality” is fundamental to mutual respect between states. FATCA would in effect abolish it.

How do you explain the passive attitude of many states towards the FATCA agreement?

As noted, the compliance industry has done a lot to convince their clients (banks

and other financial institutions) that they have no choice except falling in line with FATCA, and in turn these institutions have pressured governments to sign *Intergovernmental Agreements* (IGAs) to “facilitate” the inevitable. But that defective “strategy” is based on false assumptions. First, it assumes that the U.S. Treasury Department can proceed with unilateral enforcement of FATCA without the IGAs. However, this is not the case. As the Treasury Department conceded in an April 2013 request to Congress:

“In many cases, foreign law would prevent foreign financial institutions from complying with [FATCA] [...] Such legal impediments can be addressed through intergovernmental agreements under which the foreign government agrees to provide the information required by FATCA to the IRS.”²

In short, Treasury knows it cannot directly enforce FATCA against hundreds of thousands of institutions that would be prevented from complying by local privacy, data protection, nondiscrimination, and other laws. These protections need to be abrogated, which is the true purpose of the IGAs. Without the IGAs, even FATCA’s supporters concede that the law as written is “wholly unachievable.”

Second, many foreign states, and foreign industry, don’t seem to understand the fact that the United States does not have a parliamentary system. There is no “parliamentary majority” in the United States determined to enforce FATCA. Talking to Treasury about concerns with FATCA is a waste of time and money. Yet no industry has deployed resources to educate Congress and the public about what’s wrong with FATCA. Meanwhile, I doubt one Sen-

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“.. in the whole FATCA law there’s not one provision that targets actual tax evasion activity.”

"Freedom, Democracy and ..."

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ator or Congressman in ten could tell you what FATCA was if he were asked about it.

Third, Swiss and other non-American institutions that are begging their governments for an IGA under the false belief it would protect them seem unaware that under U.S. law the IGAs are not treaties and they provide no protection from FATCA costs or data invasion. While the non-U.S. government would be required to lock into domestic law its compliance with FATCA, the U.S. side is required to do [...] nothing.³ In particular, the United States will *not* honor the Treasury Department's promises of reciprocal information, since Treasury does not have the legal authority to force U.S. financial institutions to provide reciprocal reporting, and Congress will not grant such authority.⁴

Fourth, financial institutions (and governments responding to their concerns) don't seem to understand they have another, more realistic (and cheaper) option: to work for FATCA's repeal. In my experience of more than three decades at the U.S. State Department, the U.S. Senate, and in the private sector as a lobbyist, I have rarely seen an initiative that would be so vulnerable to a coordinated government relations and media strategy as getting rid of FATCA entirely. Such a strategy would cost a tiny fraction of what already has been spent on compliance and what would be spent in the future. Yet, it has not been tried.

To what extent is such an approach compatible with the liberal constitution of the US?

A noted conservative once said that the nice thing about our Constitution is that it presents no threat to our current form of government.

Of course FATCA is not compatible with any sense of U.S. constitutionalism. That's a main reason why Senator Rand Paul of Kentucky, who in May 2013 introduced a bill to repeal FATCA also has been blocking amendments to the tax treaty between the United States and Switzerland, on the grounds that they allow private information to be transferred between governments on only a Suspicious Activity Report (SAR), not "probable cause" that a crime has been committed, which is the standard for a search warrant under the 4th Amendment to our Constitution. FATCA, of course, requires no warrant, no SAR, nothing at all: just "indicia" of being a "U.S. Person," which is far broader than citizenship. It includes many people who are citizens of other countries (for example, perhaps a million or more Canadian citizens), most of whom don't even know the U.S. expects them to file tax returns.

Unfortunately, though, over the past few decades the mentality of the "compliance state" that has come into being has little to do with traditions of U.S. constitutionalism, which if not completely dead are in very bad health. The mentality now is: "You are all under surveillance of being a tax cheat (or terrorist, whatever); we want to know everything about you, and you will be expected to prove your innocence. If you're not guilty of anything, you have nothing to hide."

Of course anyone who may not approve this "logic" – such as Swiss banks that had the insane idea they were bound by Swiss law, not American law – need to be taught a lesson. Hence the *Department of Justice* (DOJ) "deal" that in effect places this entire Swiss industry under U.S. regulatory control because some few people were engaged in evasion.

Is the whole issue an attempt to get private information from citizens through a "legal" agreement without having to build up a big surveillance machinery?

In the end, the purpose is obedience for obedience's sake. That's the most important aspect of FATCA (or the DOJ banking demand): we have given you an order, you must obey. They are counting on the fact that you, the Swiss, are so terrified of being ruined that you will do as you are told and not even consider resisting. They are also working in expectation that your restrained "Swiss style" will prevent you from energetically defending your rights. That's because if you did decide to resist,

the non-reciprocal version, even those flimsy assurances are missing.⁶

Besides being an instrument of financial espionage, is FATCA also an instrument of economic espionage?

Suggestions have been made that the real purpose of FATCA is to crush foreign competitors of U.S. banks and establish the United States as the world's foremost tax haven. I have difficulty believing this, if only because American bureaucrats don't think in terms of "economic patriotism." I think they accurately consider financial information the key datum for mapping, and ultimately controlling, people's behavior. That's an end in itself. To that extent, I don't think stopping "tax evasion" is really the motivation, since according to the official Congressional projection, FATCA would only "recover" some \$900 million a year – enough to our government for about two hours. FATCA will probably in the end cost more to administer than it would raise. Meanwhile, it is estimated by the U.S. Chamber in Switzerland that FATCA compliance worldwide would cost some \$1 to 2 trillion. That's not tax money going into the U.S. treasury, that's costs to consumers going into the pockets of the same compliance industry that's inaccurately telling banks that FATCA is "inevitable."⁷

What was the reason to initiate a movement against FATCA in your country?

I first learned about FATCA from some German lawyers in September 2011. Like almost everyone else here, I had never

"As a rational human being, and as an American, it doesn't make sense to impose billions and billions of dollars in costs for no real public benefit, to violate the privacy of innocent people (while the truly guilty will of course slip the net, ...)"

these people – who are not "the Americans" in the broad sense, but just a handful of bureaucrats – would have a difficult time enforcing their edicts.

If obedience is the end, surveillance is the means. Under U.S. law, financial information supplied in direct compliance with FATCA would not be considered privileged tax return information but would be shared with intelligence agencies, such as NSA, CIA, etc.⁵ In principle, under terms of the supposedly "reciprocal" version of the IGAs signed by the United Kingdom, Germany, and other countries, information supplied on a government-to-government basis is supposed to be kept confidential (though those assurances are not convincing, and I believe smart lawyers would get around them). Since Switzerland signed

heard of it.

I started *repealfatca.com* for two reasons. First, as a professional lobbyist and media specialist, I saw a business opportunity to offer a better professional service to impacted industry that would save them an incredible amount of money. It would be much, much, much cheaper to get rid of FATCA than to try to comply with it. The key is the fact that FATCA still has almost no public profile in the U.S. and the need to educate centers of influence about what I call "the worst law most Americans have never heard of." But in Washington that takes money, but so far those companies who could expect to save the most if FATCA goes away are still fixated

"In Favour of a Culture of Life"

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on compliance – and the false sense of security of an IGA.

Second, I couldn't believe that such an absurd and wasteful project could actually be moving forward. As a rational human being, and as an American, it doesn't make sense to impose billions and billions of dollars in costs for no real public bene-

hardest for the IGA.) The question that ordinary Swiss citizens and perhaps smaller institutions need to ask themselves is, will they stand up for their own interests, and that of their country? In Switzerland, citizens need to sign the referendum petition and vote the IGA down. Swiss financial institutions need to help the referendum drive, reject the DOJ ultimatum, and help us here in Washington to get rid of FATCA.

"Financial institutions (and governments responding to their concerns) don't seem to understand they have another, more realistic (and cheaper) option: to work for FATCA's repeal."

fit, to violate the privacy of innocent people (while the truly guilty will of course slip the net, since FATCA is not designed to catch them – in the whole FATCA law there's not one provision that targets actual tax evasion activity), and perverts the principles of U.S. constitutionalism and national sovereignty in the process.

How are the responses to FATCA in your country and in other countries? Is the Swiss Referendum of support for your movement?

In many countries there are citizens who feel much as I do, perhaps even more strongly, since it is their rights as citizens and consumers, and their countries' sovereignty, that are being most directly targeted. Right now, I would say the two most crucial battles are in Canada and Switzerland. In Canada, our largest trading partner, which has not yet signed an IGA, the government is under increasing fire from the opposition about their secret negotiations with Washington to finalize an IGA that would sell out the country's sovereignty and abrogate the rights of a substantial portion of the population.

In Switzerland, if the IGA is overturned by referendum, it would be a major injury to Treasury's attempt to fasten IGAs on other countries. It is clear that the Swiss government rushed to sign an IGA (the version that doesn't even bother to promise reciprocity, which the U.S. won't honor anyway) because they had been so terrified by DOJ already. At this point, they see no "strategy" – if you can call it that – but complete and total capitulation, and begging for mercy. It's no secret that this policy reflects the calculations of the bigger banks, who reckon that they will be better able to bear the costs (compared to smaller competitors) and whose "bankers' morals" don't necessarily include patriotism. (The same pattern exists in other counties, like Canada, where the big banks are pushing

Elsewhere, the pace of IGA signings – which, remember, are absolutely essential for FATCA to succeed at all – is (for Treasury) disappointingly slow. Unfortunately, since impacted institutions are spending millions of dollars (and in the case of the biggest banks over a hundred million dollars) each to comply with FATCA – but no money at all to try to get rid of it – the long-term outlook is not good. It's unfortunate the extent to which the "information well has been poisoned" by compliance sellers who often know little about the U.S. political system and have assured their clients that FATCA's repeal is not an option – so they haven't even tried. If they were the only victims, I suppose one might say it serves them right for taking bad advice. But the real victims will be national sovereignty and citizens' and consumers' rights.

Global espionage of NSA and of other secret services (not only in the US) – how is this discussed in your country?

As you might expect, the NSA spying scandal is huge news in our country. The public is very divided about it, with those who believe the intelligence services are "only trying to keep us safe" versus those who believe (as I do) that if you want to catch real terrorists (or tax cheats), then you should go after them – and leave everyone else alone.

Back to FATCA, another real disappointment – and another indication of why resources are needed to help with information and education – is that even the "privacy watchdog" groups active on the NSA problem have not taken notice

of FATCA. Perhaps because it doesn't target Americans inside the U.S. (and hardly anyone here even knows what an expatriate is), and because it's been sold by the compliance industry as a tool against "tax evasion," it's been hard to get people to understand that FATCA is the identical mentality of the NSA program: capture the data on the innocent and maybe the bad guys might be in there somewhere. Unlike the big companies that got paid millions for turning over phone and email records to the NSA, foreign banks will have to pay lots of their own money for the privilege of subjecting themselves and their clients to invasion of privacy.⁸

Because there is so much ignorance in the U.S. about FATCA, it's been difficult to make people understand that an individual's financial information is personal information. In terms of intrusive agencies' monitoring – and perhaps soon, controlling – of the lives of people who used to consider themselves free and independent citizens of their respective countries, financial information is far more significant in content than most of the fluff and narcissism on Internet forums, weblogs, social blogs, microblogging, wikis, social networks, podcasts, facial recognition, and other electronic content we've gotten used to thinking of as defining "personal."

Mr Jatras, thank you for the interview. •

Interview Dr Eva Maria Föllmer-Müller

¹ *Florida Bankers Association and Texas Bankers Association v. United States Department of Treasury*, et al., 1:13-cv-00529-JEB, United States District Court for the District of Columbia, Defendants' Motion for Summary Judgment, November 8, 2013, p. 8; emphasis added.

² *Analytical Perspectives to the Fiscal Year 2014 Budget*, page 202

³ For more on this, see under www.repealfatca.com "FATCA Intergovernmental Agreement Exposed as Bad Deal for 'Partner' Countries."

⁴ For more on this, see under www.repealfatca.com "It's Official: There Will Be No American FATCA 'Reciprocity'."

⁵ Cf. www.repealfatca.com: "FATCA: a Tool of the Electronic Surveillance State".

⁶ "Agreement Between Switzerland and the United States of America for Cooperation to Facilitate the Implementation of FATCA", www.admin.ch/ch/f/fgg/pc/documents/2330/FATCA-Implementation_Agreement_en.pdf

⁷ Cf. www.amcham.ch/members_interests/p_business_ch.asp?s=7&c=1

⁸ Cf. "The US Surveillance Dagnet Extends to Foreign Bank Data, Too.", <http://motherboard.vice.com/blog/the-us-surveillance-dagnet-extends-to-foreign-bank-data-too>

Sign the referendum!

After the bill had passed in both chambers, the referendum was taken on 8 October. A Swiss committee including all parties and cantons is committed to ensure that the necessary sig-

natures are collected. **The deadline for the referendum is the 16th January.** More information, a set of arguments and signature cards can be found at:

www.stop-fatca.ch

The US legal system cannot be compared with the European concept of the rule of law

Interview with National Councillor Pirmin Schwander, SVP (Swiss People's Party)



National Councillor
Pirmin Schwander
(picture thk)

thk. Today, the issue of state sovereignty is more urgent than ever. Ever and again the larger states try to put the smaller ones under pressure and to blackmail them. Knowing the history of Switzerland, we are well aware that such tests are not new and that resistance is required, so that the supposedly more powerful ones realize the limits. Switzerland has proved that many times in history.

The FATCA agreement with the US is exactly such an attempt at repression, as was shown in the interview with the US-American Jim Jatras. We are to adopt US law, which has nothing, absolutely nothing to do with our interpretation of the law, but is a result of US tyranny. Since the US legal system has nothing to do with the European or Swiss interpretation of law and judiciary, adopting foreign law into ours is not acceptable.

If in Switzerland – and this is the big advantage of direct democracy – anxious political representatives go along with everything demanded from them, the people are asked to ultimately defend their freedom and independence, i.e. the sovereignty of our state. The referendum against the FATCA agreement is as much a part of this resistance, which the citizens can muster. National Councillor Pirmin Schwander supports the referendum, and explains the background of this ineffable agreement.

Current Concerns: Why is Switzerland currently facing the question of adopting foreign law? Why did Parliament not prevent it? The vote was quite different in the summer session.

Pirmin Schwander: Correct. In the summer session we rejected the tax agreement between Switzerland and US in the National Council by a majority of 126 votes to 67. That is, we rejected the agreement which was finally abandoned.

What was this agreement about?

This agreement was about abrogating our own right, hence Swiss law, for a limited period of time.

Is that different from FATCA?

A few weeks later we in Parliament have a bill for the FATCA agreement on our tables. In the same Council this agreement is now approved with a large majority, I think with 112 to 51, although it is much more far-reaching than the tax agreement with the United States that we rejected and it interferes much, much more deeply with Switzerland's sovereignty. FATCA means nothing else than adopting foreign law in our country, in our judiciary as well as implementing it, for an unlimited time, indeed. We would indeed have done so with the tax agreement, too, but only temporarily and in individual cases, and that is why we had to refuse it. With FATCA, we adopt foreign law for an indefinite period. Whether such authorization will once be revoked, is as much in the lap of the gods as with many other international treaties.

How should we understand this process?

This is a kind of double standard to me that the same Parliament refuses a temporary and only selectively binding agreement with great clamor, perhaps in order to score off the US or perhaps to defy them; next, however, we are ready to accept a much more far-reaching and devastating agreement for our country and our sovereignty from this very US.

What will the consequences of the adoption of FATCA be?

Next to the direct adoption of FATCA, hence a law that has not the least to do with our Swiss legal system, we will have to accept and implement even any further developments. We must implement everything that the US dictates, without even a millimeter's say.

Does the counter law apply? What do we get in return from the US?

Nothing, you provide the United States with a far-reaching insight into the data of not only US citizens in Switzerland, but also of Swiss citizens who have connections to the US.

Will the US equally demand this information from their own citizens in their country?

It is completely unclear whether the United States will ever implement FATCA in the country itself, but until then we will

have delivered all the data to the US. We had the very same situation in 2009. Again, we have agreed to the supply of customer data, while the US did not do so in their own country.

That is absurd.

Yes, we keep to our own decisions and enforce the law to the benefit of a foreign state, whereas the state, which demanded that of us, does not enforce the law in their own country. Actually incredible.

How sovereign is a state when he goes and takes over foreign law?

We should ask the United States this question. I do not think they would let that happen in their own country. What they ask of the other states is a global claim for power. I do not think that China or Russia would ever accept such a thing. The proof must be provided first that other major powers are accepting it.

It cannot be that the United States dictate other states what they have to do and what they must not do. The same right would then apply to Russia and China, which could thus interfere with the national legislation of other countries. Would we accept that just as easily? Probably not.

Those are the repeatedly denounced double standards.

Yes. There are always claims that international law is to be applied and the sovereignty of each state is guaranteed. In the realpolitik that is, however, the great powers do as they please and the little ones are being blackmailed and pilloried. As for the rule of law and democracy, there is yet the difference between Russia and the US?

What do you mean?

We cannot compare our democracy and the associated rights of the people with that of the United States. The US legal system can not be compared with the European conception of the rule of law anyway. We have totally different ideas of right and justice.

This aspect is often simply concealed.

You do not really think that by making a deal with the US everything would be okay. However, in case of a free trade agreement with China or Russia, there is a big outcry – however, when it comes to the US, you will not hear a sound.

US and Russia are fighting about Ukraine

by Prof Dr Eberhard Hamer, Germany

An association agreement was to be signed between the EU and Ukraine on the East summit in Vilnius. Such association agreements were concluded, for example, with Turkey in order to prepare for closer cooperation, in direction of EU membership. In these agreements, third countries promise certain "reforms", for example privatising state enterprises, so that international corporations can buy them up. On the other hand, the EU commit itself to regular payments to the associated countries, allegedly to finance the "reforms", in reality to bribe the ruling elites into gaining their goodwill for the EU.

A second step in addition to the association agreement is usually the admission of the associated countries to NATO. Usually the military integration is part of the political integration.

This, however, sheds light upon the background before which the EU actually operates these associations that *Brzezinski*, in his book "The Grand Chessboard", described as steps for the expansion of the global empire. In particular, the European vassals must be kept under control by keeping a good US grip on Germany, the central state of Europe. That is why the strongest US occupation forces are stationed in Germany. The EU and NATO serve the purpose of encircling Russia, still regarded as the main opponent, to reduce its sphere of influence and to turn the vassals towards Europe and NATO by

means of "coloured revolutions" and unrest.

In this game, the Ukraine has been the centre of attack for five years. The "Orange Revolution" of the Ukraine was directed by the former US Secretary of State *Albright* together with CIA agents and paid by the CIA. President *Ms Tymoshenko*, then brought to power, was a creature of the British high finance and tried to buy up Ukraine's big economy for her clients. That the entire Western press continually urges freedom for this criminal is related to her clients, but is also part of the subversive US campaign for Ukraine.


The method to get the desired coalitions under control of the US empire by means of CIA – directed revolts, has become a series: the Baltic States, Georgia, Egypt, Libya and especially the border states under Russia's influence. The fact that the CIA was also active within Russia became clear with those "Pussy Riots" and similar protest demonstrations, which though, *Putin* managed to control.

One wonders in what way the EU would benefit from an association with Ukraine. So if the EU already transfers bribe money and is going to agree on stronger financial assistance in an associ-

ation agreement, the Europeans' benefits remain relatively low, because the production capacity in Ukraine focuses on the Russian market, and would hardly endure western competition and because Ukraine as a mainly agricultural country would exacerbate the problem of EU subsidised agriculture.

Whether an association would be useful for Ukraine is also controversial. Ukraine is in fact economically linked to Russia. Would this relationship be abandoned in favour of a closer relationship with the West, Ukraine would not only fall into a sort of limbo in terms of its energy needs, but also – like the GDR – in terms of its foreign trade, enter into a development from which it could not recover in the short term. Moreover, the substantial aid from the EU would have to surpass Russia's, which means that Ukraine could only make a turn to the West if it were not only remitted 1.6 billion a year, but more than 10 billion. Since the EU offer was too low in this competition of corruption, it did not win the bid, and Ukraine remained in its proven and tested Russian bonds.

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LESER  BRIEFE

"Curriculum 21" and reforms' merry-go-round

"The US legal system ..."

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No, violations of human rights are then no issue.

The death penalty is denounced only in China but not in the US. Apparently that is not the same.

It is beyond me why our Leftists present themselves so US-friendly, not to say capitalism-friendly.

I have the impression that the Left is always involved when it comes to kicking the Swiss banks in the shins without considering who actually kicks and why.

It is thus clear that this agreement may not be ratified.

Yes, we must avoid it if we want to safeguard our sovereignty.

Mr National Councillor Schwander, thank you for the interview.

Interview: Thomas Kaiser

The "Curriculum 21" is ready for the legislative process by consultation. It encompasses 557 pages and contains among others 463 competences and 4754 competence grades, which are considered necessary for our students. The aim above all is to change and harmonize the education system in the desired direction. Partially this is conducted with means of a pedagogical terminology that shows foreign sounding neologisms. This competence-overcharged new Curriculum makes little contribution towards meeting with common approval which would be a precondition to harmonize the Swiss educational system. It would be worth considering whether a framework curriculum which contains a certain free space for cantonal solutions wouldn't be more suitable.

The "pedagogical merry-go-round" and the work at the "green tables" receive additional impetus by the Curriculum 21 and the obligatory transition to a so called "integratives Schulangebot" (provision of in-

tegrative teaching). However, it has not been proved that an offer of integrative teaching which evokes a larger administrative expense and a variable variety of resources is cheaper or more efficient than a moderate "differenziertes Schulangebot" (provision of differentiated teaching) which was denoted as an essential advancement compared to the "integrative Gesamtschule" (integrative comprehensive school).

During the hectic period of school reforms the integrative-express can't be stopped, because no emergency break is implemented. Also the unclear definition of the term "competence" has become an often used magic-word which determines the development of our school-system. Newly "competence-managers" are being assigned. Professional school-reformers ensure never to get laid off and the "reforms' merry-go-round" keeps on running.

Karl Frey, Olten

“Shadow CIA” Stratfor on Ukraine: drive back Russia and look on Germany

km. On 10 December, one of the leading private US intelligence agencies, *Strategic Forecasting, Inc.* (Stratfor), posted a short report on the events in Ukraine on his website. The text entitled “Ukraine’s Demonstrations Heat Up” portrays the events and influences in Ukraine, commenting them and giving recommendations for US politics.

Stratfor is an agency purporting to provide analyses and forecasts on geopolitics and international conflicts. According to a benevolent commentary, the reports are “concise and precise, getting quickly to the point”. It goes on: “Stratfor analyses are popular as profound and quick information on conflict situations, regional and country developments, not only among journalists but also with government institutions, companies and scientific institutes.” Referring to its function as a secret service, the US magazine *Barron’s* labeled Stratfor a “Shadow CIA” in 2010.

Stratfor was founded in 1996 by George Friedman. He is president and CEO of the company. In Germany he is also known as an author of books. He has written “The Next 100 Years: A Forecast for the 21st Century” which appeared in 2009 also in German language. The main proposition is that, in spite of some setbacks, the 21st century will be the US-American century, that Russia (as well as Germany) are on the decline and that a new World War is unavoidable en route towards a “new world order”. Critics of the book say that the forecasts presented there were not so

much a reliable view into the future – this is hardly possible anyway – but rather the wishful thinking of the author. Equally, the so-called analyses, the so-called prognoses rather represent the plans of certain US circles than logical developments: After all, it is eventually the people who decide how the world is going to develop – and not Stratfor. And they are very well able to decide deviating from what Stratfor prefers.

A view into the Stratfor analyses can, however, provide interesting insights into US American ways of thinking. They are indeed revealing also in view of the current events in Ukraine. Below we are citing the main paragraphs:

“Outside Ukraine, there is substantial interest in what will happen in future. For Russia, Ukraine’s future is closely connected with its own future. Ukraine is an area reaching deeply into Russia’s heartland. If it lost Ukraine from its sphere of influence, Russia could no longer be defended. The main transit route for Russian energy carriers towards the West, the basis of Russian economy, runs through Ukraine. This implies that Russia will fight bitterly for keeping the greatest influence in Ukraine.

For the United States, the support of certain Ukrainian political forces is the most efficient means to push Russia back. Recently, Mos-

cow has repeatedly outmaneuvered Washington, most prominently with respect to Syria and the Edward Snowden affair. US support for the protest movements in Ukraine are a means to restrict Russia’s attentions to its own region and to keep it from an offensive against the United States.

The dominant actor in this game is Germany which in the past has strived to keep a balance within Ukraine – e.g. by declining a NATO membership of Ukraine – in order to maintain relations to Russia, Berlin’s most important partner in the energy issue. The reportedly tight relationships with one of the most important opposition protesters in Kiev, however, raise the question: What will be Germany’s position regarding Ukraine’s future? And: What really is Germany’s position regarding its relationship with Russia?

This is why the protests mark a turning point not only regarding Ukraine’s future but also regarding one of the most important aspects of the future relationships between the West and Russia and regarding the direction that Central Europe will take.”

Indeed, German politics massively supports the Ukrainian opposition and,

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“US and Russia are fighting ...”

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To briefly describe the situation:

- For Ukraine it is about who pays more and who is going to develop its economy better, in the long run.
- For the EU it is about pulling Ukraine out of the economic bloc of Russia into their sphere of influence.
- For NATO it is about expanding further into the Russian sphere of influence.
- But for the US it is primarily about expanding its global financial empire and its military world power by payments from the EU and about further encircling and weakening Russia.

The USA and Brussels, however, have probably underestimated the Russian President Putin. For the second time he

has beaten off a United States’ attack. The first time he managed to prevent the already determined war against Syria by taking up an idea of the American Foreign Minister – the destruction of the chemical weapons – which had not been taken seriously, to reach Syria’s approval and thus to prevent the official US attack on Syria. At present the US only fight under cover in Syria by means using CIA and Mossad.

And in the case of Iran, Putin has so far prevented an attack by Israel and the United States by attaining Iran’s concessions to restrict itself to peaceful nuclear use.

Now once again Putin succeeded in keeping Ukraine steer the Russian course, since he obviously threatened *Yanukovich* with more economic disadvantages than the United States were able to offer.

However, according to Brzezinski’s advice the US will try to bring more and more

states in debt bondage financially and to occupy them militarily. And even war is not a calamity but just business (as usual) for the US Republicans and the US high finance, taking into account that the US economy can only start booming again with war production (70 % of production capacity).

But that Brussels and Berlin let themselves be roped in to the plans of the US-world empire, is not only expensive, but also dangerous.

Anyway, we should not go along with US subversion to such an extent that we keep describing Putin as an unwanted dictator. He is not only the German-friendliest president since one century, but has also become a peacemaker against American war plans. Our interest is not US wars but peaceful development – not only in the West, but also in the East. •

(Translation Current Concerns)

Comment by the Information and Press Department of the Russian Ministry of Foreign Affairs, regarding the European Union's statement about Ukraine on the 25 November 2013

Moscow noted the joint statement of the President of the European Council *Herman Van Rompuy* and the President of the European Commission *José Manuel Barroso* about Ukraine on the 25 November 2013, which "strongly disapproves of the Russian position and actions" in the context of the Ukrainian decision to temporarily suspend preparations for signing the Association Agreement and Deep and Comprehensive Free Trade Area Agreement with the EU.

This and other statements made by European politicians and EU leaders of late, leave us puzzled and disappointed. We call it "unfairly shifting the blame" in Russian. They are evidently caused by an aspiration to make Russia responsible for the problems in Ukrainian society due to the policy of explicit pressure used by the European Union against Ukraine and other countries, within the framework of the Eastern Partnership initiative.

Russia has talked about the harmfulness of such an attitude many times, including at the level of its President *Vladimir Putin*. We have always highlighted that the choice of economic unions is a sov-

ereign affair of our neighbours and we will respect it. Russia only proposed counting the economic consequences of the EU Association Agreement for our trade and economic relations, taking into account that the European Union openly warned Ukraine about the impossibility of its existence in two customs unions with different levels of customs regulation at the same time. Many experts drew attention to the fact that the dividends from the promoted European Union Association Agreements are evident for the European Union only. For Ukraine and our other neighbours the entry into force of trade and economic sections of association agreements would lead to many years of economic disarray, de-industrialisation, the ruining of farms and, as a consequence, the growth of unemployment and a reduction in the level of life of the population. [...]

To that end, we understand the causes which have motivated the Ukrainian government "to take a break" in the process of European integration, to think over the mechanisms of compensation of losses for the Ukrainian economy as a consequence of entry of the

EUAA into force. A proposition to study this issue jointly was addressed to the European Union and Russia. However, in response to this step by Kiev, Brussels started to press the Ukrainian government even harder, trying to convince it to agree to sign this agreement by any means. At the same time, it is impossible that the EU could not understand that such interference in the internal affairs of a sovereign country provokes the opposition part of Ukrainian society to protest and wrongful actions against the lawful Ukrainian authorities.

We are convinced that we all need to try to avoid the creation of new dividing lines in Europe, and to build the European economic space on an equal basis, with predictable rules, which are understandable to all our countries, and which correspond to the task of modernisation of our economies, implementation of advanced technologies and innovations in them, and support of mutually beneficial industrial cooperation.

Source: http://www.mid.ru/bdcomp/brp_4.nsf/e78a48070f128a7b43256999005bcbb314ab87f04a8a652d744257c31005d31e81?OpenDocument
26 November 2013

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most prominently, the possible candidate for presidency *Vitali Klitschko* and his UDAR (Ukrainian Democratic Alliance for Reform) party. And this has been going on for a few years. The party was founded in April 2010 and was built up with help from the German *Konrad-Adenauer Foundation* which is related to the CDU. Until just a few days ago, the internet page of the German CDU politician *Werner Jostmeier* posted a text dated 12 December 2011 containing the statement that Klitschko "had been commissioned by the *Konrad-Adenauer Foundation* to establish a Christian-

Conservative party in Ukraine." Around the beginning of 2012 the *Konrad-Adenauer Foundation* published a 40-page comprehensive "analysis" of possibilities of military cooperation between the EU and Ukraine: "Potentials for the cooperation between Ukraine and the European Union in the sphere of security". Currently the foundation's website is posting a note that a party delegation invited by the foundation has been visiting Berlin during the last week of November 2013. The foundation itself has also commented the visit with the sentence: "It is an important concern of the *Konrad-Adenauer Foundation* to consult the party also in its parliamentary work." Why? "Until end of

this year, important taxation regarding the EU integration of the country is to be initiated." Party foundations in Germany are mainly financed by taxpayer money. In 2011, the party foundations received more than 400 million Euro of tax money.

Finally we would like to draw your attention to a press release by the Russian Ministry of Foreign Affairs dated 26 November (see box below) which presents a view of the events different from what is generally reported in the "West". We should at least take note of it to fulfill our "audiatur et altera pars" duty and we should take it serious. It raises questions which have not been discussed sufficiently. •

The way of peace

Direct Democracy and Security

by Dr phil René Roca, “Forschungsinstitut direkte Demokratie” (Research Institute of Direct Democracy)

Direct democracy and security are closely linked and interdependent.

Owing to its direct democracy Switzerland has developed a security system that has been continuously adapted and improved in response to the historical situation since the foundation of the federal state in 1848. Whether changes were needed regarding the security system had to be discussed and determined by the sovereign, i.e. the voters, as a general rule. In principle the federal state thus developed a system which is characterized by freedom, order and security like no other country.

How fragile a democratic system is, especially if it is merely a representative one, i.e. an indirect democracy, is demonstrated by the current economic and social crisis in the euro area. In many European countries, the people as sovereign usually have no possibilities to correct, adjust or change by vote the course of the government or the parliament. Only through elections is a change of course possible, but also in this respect the possibilities are limited. Thus, the population often resorts to the streets and public places to express their displeasure. Such conditions can quickly deteriorate into social unrest and political extremism, which may gradually disrupt a democratic society. Only upgrading the police force or even planning a European intervention force will not solve the core of democracy deficits.

In Europe we are facing a situation that resembles the period after the First World War. At that time, the great majority of European countries had been democratic states for the first time in history. However, the socially and economically miserable situation in the interwar period had the consequence that the majority of these countries turned into dictatorships. In addition, the 1929 global economic crisis, which started in the United States, just like the present crisis ended, paved the way to totalitarianism, which found its sad and barbaric climax during the Second World War. Switzerland was also affected by these events, but it was able to preserve its democratic system and even continued to expand it. A look into the history of direct democracy is worth while.

Switzerland as a case apart

Direct democracy developed in Switzerland during the 19th Century in a tedious and difficult political process. Important fundamentals, which partly refer back to the Middle Ages, were the co-operative principle, the Christian and modern natural law and the idea of sovereignty of the



(picture thk)

people.¹ Starting from these foundations, political movements formed a state that can only be described as a special case. In the following three aspects will be presented that demonstrate how the security aspect was an issue over and again:

1. As was the case in England (and also in the US) and for a time in France, however, in contrast to other European countries, *liberal-representative constitutional systems, based on the principles of natural law* were developed in the Swiss cantons in the wake of the French and Helvetic Revolution very early in the 19th Century. In the context of the Swiss confederation of states the sovereignty of the cantons gave room for internal reforms that were promoted by the permanent neutrality, recognized by international law in 1815. Due to its neutrality there were only isolated foreign attempts to blackmail Switzerland or to force reprisals in a restorative way. On the contrary, many political refugees found asylum in Switzerland, who in turn actively supported the Swiss democratization.

2. Since the 30s of the 19th Century, cantonal constitutions incorporated *direct democratic instruments*, starting with the veto, in contrast to England and France (individual states in the United States followed until the end of the 19th Century). Later the veto was expanded to a compulsory or optional referendum. Almost parallel to this, the *initiative* (constitutional and legislative initiative) was introduced at cantonal level. The fact that the new political instruments were also transferred to the national level in the second half of the 19th Century made Switzerland a demo-

cratic model unique in Europe and worldwide to this day.

3. It was ultimately the *rural people's movements* in the individual cantons which established direct democracy in the 19th Century. The popular movements were influenced by various political trends. Without using violence, they were always able to cooperate for longer times in order to challenge the cantonal governments and wrest democratic rights from them. More and more the sovereignty of the people was made concrete with the help of popular rights. This caused the development of a political culture in Switzerland, which – together with federalism and the concordance – was characterized by continuity and security in the political process.

Direct democracy and federalism lead to an “ethical collectivism”

In connection with his research on “municipal freedom”, historian *Adolf Gasser* (1903–1985) from Basel highlighted the aspect that direct democracy is a model of peace. Direct democracy is the political system which grants the greatest freedom, and you might say that in doing so, it takes the edge off power politics. In a directly democratic system, the individuals must, by means of upbringing and education, be made aware of their ability – within certain limits – to freely shape their lives according to their own ideals: “*If this is the case, then their interest for collective display of power will automatically be weakened.*”² However, in Gasser’s opinion

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the urgent need to anchor the free individual in the community by means of ethical codes and bonds remains:

*"The more a community is animated by a bipartisan willingness to trust, by an 'ethical collectivism', the more effectively it can therefore merge freedom with order and thus establish a maximum of social justice, and the more certainly will the individual be politically satisfied and find the desired emotional security."*³

From this, Gasser draws the conclusion that in this kind of community, people become constructive participants in the political process. Thus, this kind of community is characterized by a peaceable basic order. According to Gasser, there is only one political form qualified to merge freedom and order in a virtually organic way. *"This institution is communal freedom, decentralized management structure or, understood in a broader sense of the word: federalism."*⁴

You can hardly describe more aptly the political culture in which direct democracy – based on communal freedom – can be implemented – vital, peaceable, embedded in a safe environment. Any such community of people will not allow their state to resort to war to enforce its economic and political interests: *"All those present democracies which are federal at the communal level and built from the bottom up are characterized by the non-militaristic disposition of their people. [...] The general tendency towards pacifism which belongs today to the world of communal freedom and of the vivid will to maintain self-government, is, so to speak, rooted in the nature of things."*⁵

Wherever the population of communities *"is held together by bipartisan powers of conscience and by the collective spirit of law-abidance, trust, and tolerance, there they prove themselves as solid moral units and have no need of strengthening their sense of community by friction with the outside world. Under such domestic political condition, Christianity was able to play its part more effectively than elsewhere in helping to repel military aggression and the will to conquer."*⁶

With his point of view Gasser designs baselines for an ethical conception of history which confers new dimensions precisely to aspects such as democracy and security.

Defence against war and violence on the home front and outside

The further exploration of the emergence and development of direct democracy and federalism in Switzerland is urgently needed, as well as a deeper probing into the question of what safety aspects this political form has to offer. Direct democracy provides for widely backed political solutions that are supported by a political majority. The minority generally accepts a decision, knowing that they had many chances to expound their point of view in the course of the discussions preceding the vote. Often this political culture of dialogue makes for the inclusion of the minority's concerns in the solution of the problem. Thus, the minority's concerns are taken seriously, and unnecessary frustration or future voting abstinence can be avoided. In addition, the minority have the right to re-introduce their concern into the political discussions after a while, using the instruments of direct democracy. Such processes take a long time, but they do lead to secure political processes. Also, there is generally an increase in public safety.

Speaking in terms of security policy, direct democracy and federalism thus establish a bulwark against war and militarism. It's no coincidence that the militia army of neutral Switzerland is confined to securing national defence since, so Gasser: *"Non-militaristic nations [such as Switzerland], which see their soldiers as armed civilians and not as aloof beings, can hardly ever be corrupted to wage offensive or pre-emptive wars on a grand scale."*⁷ Citizens can participate directly and sustainably in the political process on the national, cantonal and local level. This leads to their developing a true inner resistance against war and violence and to the state's developing political continuity and stability marked by peace, internally as well as externally. Switzerland is a model with its democratic system and has a high degree of responsibility to Europe and the world. ●

First published: *Allgemeine Schweizerische Militärzeitschrift* (ASMZ, General Swiss military journal), No 12, December 2013, pp. 22.

- ¹ Cf. Roca, René. *Wenn die Volkssouveränität wirklich eine Wahrheit werden soll ...* (If the sovereignty of the people is really to be a truth ...) "Die schweizerische demokratische direkte Demokratie in Theorie und Praxis – Das Beispiel des Kantons Luzern" (Swiss direct democracy in theory and practice – the case of the Canton of Lucerne), *Schriften zur Demokratieforschung*, Volume 6, Zurich -Basel -Geneva 2012
- ² Gasser, Adolf. *Gemeindefreiheit als Rettung Europas* (Communal freedom to the rescue of Europe). "Grundlinien einer ethischen Geschichtsauffassung" (Outlines of an ethical conception of history), second, strongly enlarged edition, Basel 1947, p 244
- ³ *ibid.*
- ⁴ *ibid.*
- ⁵ *ibid.*, p. 245
- ⁶ *ibid.*
- ⁷ *ibid.*, p. 254

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Strengthening the ties between the generations

Strengthening humanity and social connectedness – one of the comprehensive tasks of school

by Dr Eliane Gautschi, remedial pedagogue and headmistress

“The elementary school educates to a behavior that is oriented towards Christian, humanist and democratic values. [...] It promotes the respect for fellow one’s human beings and the environment and strives for a holistic development of the children to independent and socially competent human beings [...]”. By this formulation of the Zurich Canton’s purpose article of the “Volksschulgesetz VSG, February 2005” (Elementary Schools Act) a central task is assigned to the teachers. It is to be found in a similar form in other cantonal purpose articles for the elementary school. This task has to be taken seriously, and it must not be subordinated to utilitarian competence formulations. Just this task makes the teaching profession so rich and comprehensive and does not allow the latter to be degenerated into a short time job. It is to be wished for all fellow citizens working at school that they do not allow themselves to be deprived of this task. The following example is representative of many others which enable teachers today to perform this task.

An idea begins to live

A few years ago I got in touch with the nearby old age and nursing home with the idea of a joint project with the elderly people and my primary school class (4th to 6th grade). In my special class I had eight pupils, all of which, for behavioral and learning difficulties, could not be promoted enough or who were no longer acceptable in the regular school. Therefore, after school psychological check-up they had been referred to us by the local school authorities. Various newspaper reports about attacks from younger on older people had deeply worried me. How was it possible that a helpless woman was knocked down for the purpose of robbing her handbag with a few francs in it, or why was it that a man’s kindness and confidence was exploited and betrayed in order to wangle several thousand francs from his savings out of him? But also young persons being brutally beaten up by other youths of the same age was a thing that got really under my skin. As a teacher, how could I



Picture, painted by a child who contributed to the project.

help to address this problem? A complex question! I thought about the way how to strengthen my pupils’ emotional connectedness between the older and the younger generation, between people in general and how to develop the respect and the esteem for one’s fellow human beings. They should build up an inner defense against such unspeakable acts.

Open doors and joy in the project

At the old age and nursing home I was welcomed with open arms. Already for a long time they had been considering such a project, I was told. Soon the plan was clear: In the home, the elderly people met on a voluntary basis every morning and afternoon to play common games, to play music, to cook, to read and to do handicrafts. We could join and fit into these activities.

Preparing the children for the task

At school, I prepared my class for their new task. Many of them had grandmothers and grandfathers. Some of them lived far away, in Sri Lanka, Bosnia, Portugal, Italy, etc. They knew that some of them were frail or ill and needed compassionate care, others were still sprightly and independently coped with their daily lives. Some children also knew the life stories of their grandparents. Some knew a lot about the way how, several decades ago, one had coped with one’s daily life. Some grandparents had experienced situations of war and discrimination and were living today in a country scarred by war. Through the children’s stories I realized that there was

a promising starting point to strengthen the respect and the esteem for the older generation’s life performance and the emotional connectedness with it. So we started our project. We tried different possibilities and finally delved into doing handicrafts together, because here, both old and young with their faculties got a good chance and the children had to contribute actively while dealing with a counterpart.

Caring for the fellow human beings

Since then, some years have passed. Meanwhile, our visits to the old age and nursing home are part of my class’ everyday school life.*

Let us accompany such a visit: It’s Tuesday morning, it is our handicrafts lesson today. *Rajan*** asks: “Do we go to the nursing home today?” He already knows that at least once a month we relocate our handicraft lesson to the home. And he is happy because there he will meet Mrs Lehner; they have become friends during the last visits. He will do something with her. *Demir* says regretfully: “I have a slight cold, therefore I cannot go with you today.” The children know that they must be completely healthy, because we do not want to risk carrying an infection to the old people. This might have serious consequences for them, under certain circumstances even result in a loss of life. We do not want to take such a risk, we take care for our fellow human beings and defer our own wishes. *Demir*, however, has already asked the primary school teacher if he may help her. He could read with *Meranda* or test the multiplication tables with *Fabian*. He is welcome; so he too has a useful task.

Careful and prudent preparation

The rest of us are preparing. Today’s project is already clear. It is almost Christmas. We want to make a table lantern. The elderly can take it to their rooms then. But this is our secret. We have considered in advance how we might go about it. This preparatory work is an important part of the project. There are several factors to consider, whereby the children learn to empathize

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with their counterparts and to adapt their own ideas and wishes to the other one. This requires my guidance and experience. For example, many older people can no longer use their hands as well as they used to be able to formerly. They have worked hard, suffer from osteoarthritis, and their fingers have become a little stiff or ache. Accordingly, the work must be adapted. Today the cutting will be a little more difficult, but we will bring cutting-dies with which you can cut out stars and other things. It only requires the pressure of the whole hand. That should go smoothly, we think. We would then glue the forms on the semi-transparent film, that is the idea. But there is one problem left: Burning candles are not permitted. This can also be solved. Today one can buy LED candles, which admittedly do not glow as vibrantly as real candles, but they will stir no fire and may be taken along to the room. All this had to be thought of and had to be provided beforehand. Now we are packing everything and set out.

Forming suitable working groups

Even in the retirement and nursing home several things need to be prepared. Around the big table there are quite a few comfortable chairs with armrests. They are for the seniors. The kids push their simpler chairs in between and prepare the workplace. The activation therapist reminds them that they should be careful to get the older people something to drink, if they wish so. Soon the first old people arrive, accompanied by some nursing staff. Some have a walking aid, others use a wheelchair. The children help them, supported by the nursing staff, to sit on the chair. The children and the elderly greet each other warmly. Some know each other by name, they have already worked together several times. Others have forgotten the names like so much else. An now we begin. We demonstrate what we want to do today, and soon you can hear them talk cheerfully. *Johanna* works with Mrs *Wintsch*. She is a shy girl who has great difficulty at school and has little confidence in her own capabilities. However, suddenly there's a cheerful young lady at work. "What color should we take for the candles?" "Do you want to cut? Just try!" *Johanna* is in the reverse role than she is at school: It is not her who needs help, but Mrs *Wintsch*. They both laugh and their faces are relaxed. *Jan* is sitting next to Mr *Eisler*. Mr *Eisler* looks sullen. *Jan* shows him what we are doing. "Well, do it all just as you want, it's alright!", he receives as an answer. *Jan*, who easily becomes angry and has little stamina and diligence, stays tuned. He begins

to work, always stubbornly including Mr *Eisler* in his thinking and planning, and after some time a dialogue develops even here. Mr *Eisler* was an engineer and is well versed in many aspects. But he does not want to work today, since he has done enough work in his life. But he gives *Jan* some advice what color to select and corrects him when he does not work accurately enough. *Jan* swallows hard and improves his way of working.

Gianna is sitting next to Mr *Döbeli*. He always looks forward to the arrival of the children. He has no grandchildren and is rarely visited. *Gianna* and he are a good team. She is spontaneous and committed. Venomous remarks, which usually come on her tongue rather quickly, are missing. Both are engaged in the work, they often laugh. *Leila* is sitting next to them, she is working with Ms *Kuhn*. Again and again we hear Mrs *Kuhn* asking: "What did you say?" *Leila* speaks too quietly, even at school a problem. *Gianna* tells her, softly: "You have to speak louder. Mrs *Kuhn* does not understand you, you know she has a hearing aid!" She does not want to embarrass her classmate, but speaking up is necessary for all of them. And *Leila* brings herself to do so, as well. This is another way to overcome a hurdle, isn't it!

Giving pleasure

The time goes by in a flash. A relaxed chatter can be heard. "You have a good taste in color!" "You can really cut well!" "Would you like something to drink?" "What did you do for your living in former times?" "What do you want to be when you grow up?" Before the morning ends lot of little glowing lanterns are on the table. We still have some time and could even sing a song. "S'isch mer alles ei Ding!", (famous folk song) is the proposal, which most of us know. Children's voices chime beside some older fragile voices. Mrs *Rutishauser* knows all the verses, she is 102 years old. The children are amazed, it's good if you can memorize the songs, that remains. Then you can still enjoy it in very old age.

Now it is eleven o'clock, time for lunch. The children tell their working partners that they are giving them the lanterns. "No, that's really nice! Yes, can I take it with me?" The light in the eyes is on both sides. You forget that you perhaps would have liked to keep it yourself.

Thinking of others, too

Now, when the morning is ending, the children are allowed to take their "people" back to their rooms. They love to do that. They push the wheelchair carefully or support them. But we are not taking any risks, no one must fall, in case of doubt they work two by two. There is no misguided self-responsibility, but only a clear

assessment of skills by us adults. One lantern is still on the table. Who was to get it? Mrs *Meierhans* has not come for some time. She has been crafting for a long time and as a former children's home manager she had liked being together with the children. "We will bring her the lantern to her room!" *Gianna* and *Jan* are going right away. Soon they come back, beaming. "She was very happy," is the reply. We are on our way back to school, the mood among the children is relaxed and caring. This can also be observed in the following lessons.

Adhere to the requirements of life

The children learn a lot in this cross-generational project. Some of them are accustomed to assert themselves and to put their own wishes at top priority. Some have little perseverance and sometimes give up in the case of smallest challenges. Others are afraid to take responsibility, retreat to attitudes no longer appropriate to their age and rely on the assistance of others. Many are extremely ambitious, but without possessing the necessary endurance and diligence. This gets in the way of learning and cooperating with one's fellow human beings, and was ultimately also an important reason for their introduction to the special school. Being together with the elderly people, many of these attitudes are corrected gently by the real requirements. The wealth of personalities and life maturity, which the children encounter in the residential and nursing home is an important experience. Thus a relation between the generations is put up and the children are familiarized with living together with their fellow human beings. There are also sad moments, for example, as a candle and a photo on a small table tell, that Mrs *Rutishauser* has died. I watched the tears in the eyes of the "cool" *Matteo*. "We could write a condolence card to Mrs *Rutishauser's* family," he suggested later at school and took on this task. These are also realities that need to be coped with. Therefore all of us don't want to miss the visits to the nursing home, and that is also what we hear the echo from there. The seniors are always very happy about our visiting, and also the departments report that they are subsequently "changed", they are more cheerful and more confident. For my part, I hope that the emotional connection of my students to the elderly people will last beyond school and that it will lay a foundation to let them abhor all forms of violence. •

* Such projects can also be made with larger classes. It then takes a slightly different organization, which can be solved thanks to creative ideas and experience.

** All names have been changed.