

# Current Concerns

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

English Edition of *Zeit-Fragen*

## “Where there are conflicts, we have a very important role” The long Swiss humanitarian tradition

Interview with Ambassador Martin Dahinden



Martin Dahinden  
(picture thk)

*thk. At the end of the month September the Director of the Swiss Agency for Development and Cooperation (SDC), Ambassador Martin Dahinden, is leaving Switzerland and is new Swiss Ambassador to the*

*USA. Despite his big workload and his planning of the move to the USA he gave “Current Concerns” the opportunity for an interview in which he answers questions about his work with SDC and more generally about development cooperation.*

*Current Concerns: After 6 years you will be leaving the SDC and will be Swiss Ambassador to the USA. To me it seems a big step from the commitment in developing countries to Ambassador in an economically advanced country. How do you feel about that?*

*Martin Dahinden:* The work in the USA will be quite different from the work here at the SDC, that is quite clear. But given my background I am a diplomat and I have had a lot of different missions. That's the one side, the other is, of course, that I was concerned with the USA in different situations, they played a big role in all regions where we were working. Also, many issues that have preoccupied me as Director of SDC, will occupy me in the future, including financial market issues, free trade, etc. As a director I did not “just” have to deal with the projects and programmes. But obviously, it is a different task.

*What did you perceive as the greatest challenge in the last 6 years with SDC?* There were a number of different challenges. One of the bigger ones was to prepare the SDC for two new core themes, which we are pursuing now. One is the greater engagement in fragile contexts, and the other is to make a contribution

to global challenges such as food security, water scarcity or climate change. Furthermore, there are many events that have shaped this time. In 2008, the financial and economic crisis began, and we saw the great humanitarian catastrophe in Haiti, the Arab spring and the outbreak of the conflict in Syria. These were all important events in this period. A milestone that I particularly like to remember was the 50<sup>th</sup> anniversary of the SDC. During one year, namely 2011, we have reflected the history of our organisation in 50 to 100 events. There I talked to different people who played a role in different stages in the history of the SDC. This was also the occasion to think about half a century, where we came from, what we've accomplished and where we want to go.

*After 6 years you have certainly drawn a balance. What was successful, what wasn't? What have been the important steps in the development of the SDC for you? What has given you the most satisfaction?*

What I take with me and what I like to remember, these are especially the many encounters I had on site with different people. I have come to places where you do not get otherwise: To the slums in Latin America, to regions of disaster such as Haiti immediately after the earthquake, Afghanistan, etc. In addition, there are the many encounters with the people there, the conversations, the disputes. This sticks in my memory. It is important when working in Berne that you always stay in contact with the afflicted people in the countries and ultimately see and visualize why our work is useful. The second, and this is very obvious, are all the colleagues here. We are working in this framework, in a team. It is a very big team. This is also what troubles me most, leaving all the staff behind. I was very impressed by the professionalism and above all by the great dedication of the staff who were able to adapt to difficult environments. The people at the SDC work out of conviction. This is not just some job. This has influenced the culture of the entire organisation. I appreciated that very much.

What we have accomplished is that we are now more broadly supported than before. Today, there is less criticism on the development cooperation. The Parliament has increased the credits. This is an acknowledgment of our work and the improvements we have made. For me personally, it is also a success that we have done well in the examination of the OECD countries. The OECD has acknowledged that the two bodies, the *SECO* and the SDC, which operate the Federal Government's development work, do a very good job.

*You had previously mentioned the work in fragile contexts. I think, this is an accent that was developed during your tenure. What has caused the SDC to engage in such a difficult environment? This is something unique, I do not know any country that engages in such contexts.*

There are two main reasons. In the past few years we saw in conflict regions, in fragile contexts, that no progress has been made as to curbing poverty. If your mandate is to overcome poverty, you come to the conclusion that the commitment must be intensified. The second is that Switzerland does not pursue any power politics and thus has opportunities at its disposal that other countries do not have. Take Afghanistan: When a country is engaged in a military conflict, it certainly has fewer opportunities to act in a humanitarian context simultaneously. But there is also fragility that has nothing to do with conflicts of this latter type, such as in Haiti. But where there are conflicts, we have a very important role to play. This builds on the long Swiss humanitarian tradition, of course.

*This is also a plea for neutrality, against embedding Switzerland in a power block. The neutrality gives us room for manoeuvre. We are perceived as a country that has no hidden agenda and pursues no power politics. This is an important scope of action and should be exploited.*

# Making the world more humane

by Thomas Kaiser

What started with the desperate cry “Tutti fratelli” – “all brothers” and the spontaneous care for the wounded after the bloody battle of Solferino in 1859 found its literary and humane reflection in the book “A Memory of Solferino”, published by the Swiss travelling salesman *Henry Dunant* in 1862. In his writing, the author suggested the foundation of an international aid organisation providing relief for the unspeakable sufferings of the wounded on the battlefield, with the help of volunteers. Any wounded soldier, friend or foe, should be considered a human being who should receive the necessary aid, for the sake of charity and compassion. To realize this vision, Dunant founded, as early as 1863, an organisation, the International Committee for Relief to the Wounded which later entered history as the “International Committee of the Red Cross”, short ICRC. It were the founders of this now largest international aid organisation – including Henry Dunant and the renowned Swiss General of the Sonderbund War, *Henri Dufour* – who, together with like-minded persons, set up the rules that should be respected in case of war. They were convinced that, in order to guarantee them international respect, internationally accepted norms were needed which would be respected by all belligerent nations. On 22 August 1964, the founding stone for the first Geneva Convention and hence for international humanitarian law was laid in a dedicated session of the Swiss Federal Council in Geneva. All these efforts are the result of one man who, out of human concern, embarked on a path which led to the creation of a global humanitarian movement. It was a milestone in the development of mankind because it required a new view of things and changed people’s way of thinking. The suffering of the wounded and the combatants impaired by war suddenly became central; human suffering was no longer perceived as an unchangeable fact. For some this seemed a contradiction, but in consequence it was an attempt to put an end to war.

On the same day, but 150 years later, in the Landesmuseum Zurich, the parting Director of the Swiss Agency for Development and Cooperation, SDC Ambassador *Martin Dahinden*, in his speech on the opening ceremony of the photo exhibition – “Krieg aus der Sicht der Opfer” (War from the Victims’ Perspective) photographs by the renowned photographer *Jean Mohr* –, called to mind the importance of the small country Switzerland for the development of and respect for international humanitarian law. He pointed out: “For the first time in history, the convention stipulated that wounded and sick soldiers, independent of their origin, should be cared for. Hence the first Ge-

neva Convention reflects the first attempt to set limits to war by rules. This is still an important humanitarian cause today, but also a corner stone for the rule of law.” Thus *Martin Dahinden* outlined the close connection between the rule of law principle and the humanitarian commitment of Switzerland. Switzerland was the leading nation in working out the next three Geneva Conventions; it has convened the corresponding diplomatic conferences and it has a special obligation as depositary state. Federal Councillor *Didier Burkhalter*, OSCE Chairperson-in-Office, in his speech at the NATO summit in Newpoint, demanded that a solution of the Ukraine conflict may never be a military one but one based on negotiations which can only be found “with Russia” and may not be directed “against Russia”. This is just the spirit in keeping with the Swiss humanitarian tradition which is oriented towards peace and negotiations and not towards war and confrontation.

In his book “A Memory of Solferino”, *Henry Dunant* gave suffering a voice which should be heard in the world and should induce change. Something alike can be said about *Jean Mohr*’s photographs. In his compassionate way, he captured the human suffering, in particular of the civil population in the war regions. Doing so he did not strive for effects but aimed at depicting humans in this extraordinary situation, when life has to go on somehow, even while facing the worst hardship and misery. He would never violate human dignity.

On 22 August this year, the Vice President of the ICRC, *Christine Beerli*, honoured the creative energy of *Jean Mohr* who “never abused the trust of his fellow beings and did not additionally expose the suffering people”. “His intention was to spread a sense of humaneness, to arouse us, who have the privilege to live in peace, to incite us to think and to act.”

The opening event was started by the director of the Swiss National Museum, *Andreas Spillmann*, who paid tribute to the works of *Jean Mohr*. The actress *Heidi Maria Glossner* added a special note to the whole event. Between the speeches she recited poems by *Erich Fried* and other prominent artists who had expressed the misery of the poor and the suffering of the war-stricken people with well-placed words. Her musical and literary performances got under the skin and forced the audience to reflect. After all, it has always been individual personalities who contributed to positive changes through their inner conviction and their resulting commitment. *Henry Dunant* or *Jean Mohr* are shining examples for this. Thus it was *Heidi Maria Glossner*’s intention to call attention to the fact

that peace and justice can only be attained if the people want it and also demand it. Hence everyone is needed, we all can contribute to the realisation of this great goal, if we want to. Just as *Wilhelm Tell* said in the desperate situation of the people of Uri in *Friedrich Schiller*’s drama: “Hands built it; hands can tear it down”. Which simply means that humans can decide their own fate: what humans have created, humans can change. This conviction determined the commitment of *Jean Mohr*, who at almost 90 years of age can now look back at an impressive work, in which he touches humans with his pictures and inspires them to act.

The exhibition is impressive and especially recommendable in the context of peace education at school. On its homepage, the Swiss Federal Department for Foreign Affairs FDFA provides concepts for how to work on the subject with students. It is worthwhile to have a look at the exhibition. In these times, when manipulation and disinformation are daily determine our media, it is of huge importance for us to align ourselves with human constants which provide a starting point for us when trying to carry more humaneness and desire for peace into our world. •

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**“Where there are conflicts ...”**

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*On SDC events I noticed that your opinions, your votes, your editorials in “Eine Welt” (One World) express a great humane commitment. Where does this strong humanitarian concern that you have and that you radiate as a personality come from?*

At each stage in this field you have to be personally convinced of what you are doing. That is what I was the last 6 years. Working with SDC was not just a job like many other jobs. It is a great opportunity if you can work in such a field. When you can say in case you are successful: that’s what I want politically and ethically. This has been very important to me. You mentioned the editorials. I always wrote them myself, that is what one senses probably. That was very important for my work.

*I assume that you had this strong commitment, even before you came to SDC.*

It is of course not always possible in all spheres of activity to the same extent. But between 2000 and 2004 I was Director of the Geneva Mine Centre. This was immediately after the period when the Mine Ban Convention was adopted. In a way that is comparable. But it was a much smaller and specialized organisation.

*If you look backwards at your life history, do you remember something that shaped your personality, that pointed the way to this humanitarian commitment?*

With regard to the work of the SDC it was important to me to be working in Africa, but also that I could run a big department in the FDFA (Federal Department for Foreign Affairs) before that. It’s just a major management task. To be incited with enthusiasm is not enough to move mountains.

*Your work for the poorest of the poor is impressive and also characterized by many setbacks. How do you maintain your optimism and faith, to bring something about in situations that are extremely difficult and complex?*

I am convinced that we can make further progress. It is impressive, how we could drive poverty back in recent years. Even with regard to violence, all studies suggest that this is generally getting less in the societies. There are setbacks, that’s clear, but I am optimistic and believe that there is a civilized development of mankind, going in the right direction. But we must take care of those people, who are cut off from this development. It is also an obligation for us, who have a different standard of

living and live in excellent conditions. Therefore, it is important not to show only the horror pictures, but also to show wherever progress has been made. This motivates people to act, because they see that progress is possible, that to achieve improvements is realistic.

*Hunger in this world is still very big and in some countries one has the impression that no significant improvement has been made despite great support. How do you assess that? What are the factors that these countries – in spite of the progress you have spoken of – do not make significant headway?*

The reasons are manifold; it’s a matter of food security. Today, the situation is different from even a few decades ago, when huge masses of people literally starved to death. That time is past. But the basis of nutrition is often too weak and many people lack purchasing power. Climate change and environmental degradation are another reason. Another cause is the lack of transport routes, missing storage facilities, especially in the countries of the South. This means that we must try to improve these basic services with wise policies. Despite all this, today we see that famines and tragic situations occur especially in connection with conflicts. In stable countries, it hardly happens that people starve to death, because they are too poor. We have left this historical stage behind us.

*We have addressed that earlier, and I want to come back to it once again, to the humanitarian tradition of Switzerland by means of the ICRC and I would like to include the SDC here. This year we celebrate the 100<sup>th</sup> anniversary of the first Geneva Convention, which represented a major breakthrough at that time. How do you judge the significance of international humanitarian law in the world’s political situation today?*

I’m sure that the basic principles are still valid. But we are challenged to actually enforce international law. Clearly, this is most important to me. There are new issues that are not explicitly regulated. For example the legislation concerning Cyber Warfare and similar developments. However, the main problem is still the need to enforce international law. The pictures from the Middle East, where the norms are being called into question in a completely new way; the beheading of this journalist for instance hopes for a military advantage, whenever one employs armed force disproportionately, or one does not distinguish between military and civilian targets. But this afore-mentioned staging of a brutal violation of international humanitarian law has touched me very much. This is a new dimension in a negative sense. So we have to concern ourselves with that.

*Wouldn’t it take a global initiative that aims at declaring war obsolete with regard to today’s arms and the destruction capabilities of modern war and the human misery that they cause. Don’t we have to work in this direction?*

What you mention is actually the old debate between the representatives of the peace movement and supporters of the international humanitarian law. People, who focus on peace, maintain that this is crucial and more important than to regulate the conflicts and to set certain limits to the conflicts. That’s true of course; one has to move forward in both directions. However, international humanitarian law is still very important, as it can avoid human suffering or reduce it. In fact, we have a very comprehensive legislation in both areas. So, the UN Charter has prohibited offensive warfare since 1945. And the UN Security Council is responsible for the protection of international peace. International humanitarian law in turn is very important, because it can avoid human suffering or reduce it, if peace cannot be kept. Unfortunately, wars are a fact of life.

*I completely agree with you. International humanitarian law must not be neglected or diminished. How could we ensure that these principles will be considered?*

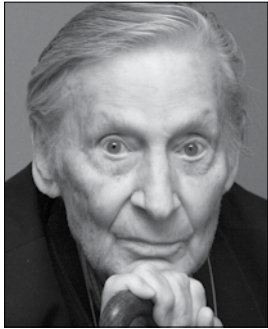
Of course arms are used in conflicts, but there are people using them. Therefore, all changes must start in the society and in people’s minds. That finally forms the limits for what can be achieved by disarmament activities. As already mentioned, I have been involved very much in disarmament activities.

*Recently in a speech you highlighted the special responsibility of Switzerland as depositary state of the Geneva Convention for international humanitarian law. In what do you see Switzerland’s responsibility?*

There are two levels. As a depositary state, you have certain duties related to international law, to the Geneva Conventions. This is mainly an administrative, formal role. We almost act as administrator of the conventions and in this context we are servicing the international community. In this before-mentioned speech I drew attention to the consultations concerning Gaza, Switzerland is presently conducting. Since the Geneva Convention has its origin in Switzerland, the International Committee of the Red Cross is based in Geneva – as well as the Federation of the Red Cross- and the Red Crescent society – there is in a sense also an obligation, a moral obligation to promote respect for international humanitarian law. Switzerland does this. It sup-

## “Good contact to people who live in extremely difficult conditions”

Interview with Jean Mohr



Jean Mohr (picture thk)

*Current Concerns: How did you come to take photographs in this responsive human way?*

**Jean Mohr:** I graduated at Geneva University in (the study of) Economics with

a Master's degree and then worked for a year in the advertising industry. I did not like this at all. I often spent my free time with friends in the mountains at that time. One of my friends was working with the ICRC and asked me how I was doing at my new job. I told him that I was not happy. Then he asked me if I could imagine to go to the Middle East for the ICRC, more specifically to Palestine. I agreed immediately, and two months later, I was first in Beirut, Lebanon and then in Jericho and Hebron in Palestine.

*Is it there then that you got into photography?*

No, at this time, I dreamed of becoming a painter. I absolutely did not think about photography. But I had the opportunity to purchase a camera for little money.

*You were still young, did your parents support this move?*

My father, who was able to translate 16 languages, worked with the ILO, the International Labour Organisation. After the Second World War he first was 15 years with the Red Cross. We were six children at home, and he never had the opportunity to travel to other countries. That's why he very much supported my desire to go to the Middle East, actually he was delighted. But I had to promise him to write a letter to him every week in which I would tell him about my experiences in the Middle East. For a year I did. But after I had purchased this camera, I told myself that it would be so much easier to make one or two photos and then send them. For me, it was only a diary then without artistic interest.

*What did you do after your stay in Palestine?*

When I returned to Switzerland, I had saved up some money, which I used to attend a school for art painting in Paris for almost two years. There I learned a lot, but I also found out that my works of art were technically very good, but not the way the painting school thought they should be.

When I had to go back to my parents in Geneva, because I had no money, I started on photography.

*Your images have a powerful aura, they touch people's minds.*

That was done very unconsciously at first. But I have found over time that I am able

to get into contact with people well. Especially, with people who are living in very difficult conditions.



*What caused this insight?*

I started to work for international aid organizations and simultaneously wrote books together with a friend. His name is *John Berger*. We published three or four books together. I published with *Edward Said*, as well.

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“Where there are conflicts ...”

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ports the dissemination of the idea of the Red Cross and the dissemination of international humanitarian law.

*Couldn't Switzerland take a still more neutral position in conflicts, for example in connection with the Ukraine, to defend an independent own position?*

No, I don't think so. This is an area of Swiss foreign policy, which plays an extraordinary role. There is certainly no country that deals with these issues on a similar scale. But it is of course good to envisage even more initiatives.

*The neutrality and humanitarian tradition are determining the foreign policy of Switzerland in a sense. How can you make more*

*young people familiar with this? Are the young people less sensitive to these questions due to the information flooding them every day or have they had different experiences? Where do you see starting points, to win the young generation over even more for these humanitarian thoughts?*

I am convinced that the young people of today are interested in these topics. Young people very often write that they are interested in working in this field. It is not difficult to find young people for a deployment. Today's young people, as I see it, have a different approach to these topics than my generation, which has had lots of long-winded political debates. That's actually not the way. But it would be wrong to conclude that they don't care anymore about politics, humanitarian issues or development issues. They express themselves in a different manner. We are living in a different world today.

*Finally one more question, which goes back to the beginning again. You mentioned that you were confronted with the policy of the United States during the work of the SDC. The role of the United States in world politics caused much of what subsequently had to be alleviated again by humanitarian organisations such as the SDC with a lot of passion. Isn't this a difficulty?*

I'm going to Washington to represent the Swiss foreign policy. It is not my task to represent somebody else's foreign policy. I stand behind the Swiss foreign policy. I have no trouble to comprehend it.

*Mr Ambassador Dahinden, thank you very much for the interview.*

(Interview Thomas Kaiser)

(Translation Current Concerns)

## Gold means independence

**A “Yes” to the initiative strengthens the stability of Switzerland and thus our political direct democratic system, so also the economy and last but not least the banking centre Switzerland**

*Interview with National Councillor Luzi Stamm*



National Councillor Luzi Stamm (picture thk)

because if it is adopted it will give back a very important sphere of sovereignty to our country. National Councillor and initiator Luzi Stamm explains the particular impacts on our country and our economy in the following interview.

*Current Concerns: What was the occasion for the Gold Initiative which will be voted on in November?*

*National Councillor Luzi Stamm:* The idea was born when we noticed that the National Bank began to sell gold at an incredible pace. The people have never been asked! By the beginning of 2000 Switzerland still had 2,590 tons of gold. From May 2000 on the National Bank sold a full ton of gold per day. As the sales continued we said to ourselves that we must stop these headless gold sales by all means.

*Do we know why the National Bank considered these sales necessary or was it forced to do so?*

That was a genuflection to the pressure from abroad. In the late 1990s there was immense pressure from North America, eventually we paid billions. I also note that the managers at the National Bank have miscalculated on a gigantic scale because their predictions were totally wrong. But the main reason for the sale

thk. After the Gold Initiative came about in March 2013 with over 100,000 signatures, it will already be voted on 30 November. The initiative is of enormous significance, be-

at the time was this blackmail from North America.

*Where does the gold actually originate?*

It is a long story. The National Bank was established in 1907. During the war Switzerland had to make the bitter experience that all gold abroad was blocked. The United States, Canada, the United Kingdom, they all blocked it, also fearing the gold could fall in the hands of the Germans in an attack. After 1945 Switzerland had the 2,590 tons which were available until the end of 1999. Although the Federal Council said shortly before the sale that it was our family silver which we may never sell. In 1995, the Director of the National Bank said it was “in no way” planned to sell the gold. In stark contrast to all the promises more than half of the gold was huckstered only some time later.

*What does it mean for our country that we have sold so many tons of our gold reserves?*

Gold is an issue of independence. The higher the gold backing of a currency, the more a country is independent. The more the National Bank pursues the strategy to simply print money and buy foreign currencies, the more the country is dependent. Gold means independence, you cannot be put under pressure in financial issues from abroad.

*Again, one hears the argument that the 20 percent gold coverage intended by the Initiative would restrict the National Bank’s freedom of action. Is this a foul argument against the Gold Initiative? How do you see that?*

This is a completely inconsistent argument. On the contrary, the independence of the National Bank will be strengthened. The National Bank can still print new money at discretion what is not my

idea though. But it can always still freely print money and buy for example German or American State bonds; it has no restrictions at all. However: If it prints money, it must invest at least a small part of it in gold.

*Why must it be 20 percent? Why not more? The largest security would be if one covered the entire currency with gold. But that does not seem to be opportune today at the permanent expansion of the money supply?*

20% of assets would fairly be the stock prior to 1999, of which we already have sold a large part; with a yes to the Initiative we would return to the status quo ante. The consideration is that it was a serious mistake to sell more than the half of the then existing 2,590 tons.

It was sold after May 2000 without any political debate. The people were not questioned in any way, but even in the Parliament there has never been a vote on whether we want to sell the gold or not. The discussion went off only when the question was raised how to distribute the money after the gold was sold.

*Who is actually responsible for the decision of the gold sales?*

The Federal Administration and the National Bank, where working groups were established.

*A third point in the Initiative is the issue how to store the gold. There was suddenly a reply shortly after submitting the Initiative.*

The gold must absolutely be kept in Switzerland. Just the present and the last two or three years have shown that boycotts and extortion increase even in times of peace. Who seriously believes that we could get our gold back to Switzerland in

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“Good contact to people...”

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*Your books are well-known and are still read today.*

The first book was about a country doctor. The second about immigrants. People who leave their countries for economic reasons. A third book is still being published as well in China. It’s about the life of mountain farmers in

China. I am of course pleased that it is still being read 40 years after the publication.

*That is impressive. But back to your photos once again. They appeal to the human feeling and incite the viewer to thinking. One senses your humanitarian concern and your human ethos ...*

Yes ... I hope, I hope that a lot. That’s what I want to achieve. During 40 or 50

years I have worked for international organizations such as the Red Cross, WHO, UNRWA, etc.. But that was more or less anonymous. By the pictures I did not become known, only by the books and that gave me a name in the field of photography.

*Mr Mohr, thank you for the interview. •*

(Interview: Thomas Kaiser)

# Neutrality must not be put at risk

## Reflections on the 200 years of diplomatic relations between Switzerland and Russia

by Jean A. Mirimanoff, former judge, citizen of Geneva

The Vienna Peace Treaty of 1815 has guaranteed the independence and neutrality of our country for almost two centuries. Neutrality has permanently protected us from war and on the other hand allowed us to offer our mediation services to the international community in many conflicts. The Ukrainian crisis is the latest of these conflicts.

In recent times, Switzerland is the last neutral state in Europe, since the other countries preferred to condemn the Russian Federation together with NATO and EU<sup>1</sup>. In Switzerland, our President wholeheartedly performs his task inside and outside OSCE (Organisation for Security and Cooperation in Europe) by mediating and standing up for the restoration of peace.

Is it really necessary to make it harder for him to perform his job? Who is behind these obstructions?

Three approaches and their compliance or non-compliance with our neutrality must be discussed publicly, because neutrality is a Swiss value. It must not be put at risk without consulting the sovereign people.

1. The decision not to receive the Russian squadron in Switzerland would be understandable if it had equally applied to the NATO countries. This organisation is as much involved in the Ukrainian crisis as Russia, namely by sending military advisers and other military support. Why apply double standards?

2. Understandably, the withdrawal of the invitation of the President of the Duma [Russian parliament] was perceived as an affront. Barely concealed, this act was justified with the argument to avoid disapproval of NATO and European Union member countries, since the Duma President is said to stand on a blacklist there. Is this compelling for us? What a concession, what a lack of courage. This time it was our independence, which received a blow.
3. Finally, the way, how many Swiss parliamentarians want to punish the Crimean population for their decision to sep-

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### "Gold means independence"

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a real situation of crisis? Therefore, this is also a very important point of our Initiative.

*The Initiative has obliged the Federal Council to tell where the gold is stashed away.*

For decades the Federal Council officially answered the question where the National Bank gold was by saying "We don't know, we don't want to know, and we don't need to know, too." Only at the very moment when we submitted the 100,000 signatures with great effort, the SNB at last brought itself to tell where the gold is supposedly stored (there are no external controls). A large part of our gold is located in Switzerland, 20 percent in Britain and 10 percent in Canada. It should be mentioned as an afterthought that the SNB has concealed where they had stocked the 1,550 tons of gold which they have sold in recent years. It could be that the already sold gold was stored in the United States, and Switzerland did not get it back from there. Thus, they probably had to sell it under pressure; at least it was sold off at a miserable price. Nobody knows whether it had still been available. Hectic discussions are under way all over the world. Many Germans believe e.g. that their 3,700 tons, of which the major part is supposedly abroad – in the United States – even does no longer exist. If the gold were in fact gone (already sold or pledged) that would be extremely serious.

*How credible is the information provided by the authorities that the gold is still available?*

Ultimately, everything is an assertion as long as there are no external, truly independent investigations. If for example the Canadians would show us the gold how should we know whether they did not show the Germans the same gold bullion and tell them that this was the German gold? The gold could also be leased or already pledged. We absolutely need certainty which gold physically still exists and who owns it. I hope at least that the 1,040 tons reported today as Swiss Gold are still available.

*What strategy might be behind the behavior of the United States?*

I hesitate to speculate about possible motives because you never know. But it is a fact that the pressure from the United States has increased quite dramatically. Just remember how the United States have blackmailed 10 billion Swiss francs (!) from a French bank. These are incredible developments. The more boycotts and international pressure are increasing, the more cautious and certain we must be that the gold is in our country and cannot be sold any more.

*It is quite amazing what one has to face by so-called friendly states.*

Yes, on the basis of the experience of the recent years you must consider carefully with which state you want to get into closer relations. I note that even with states which not long ago we could call our best friends, great mistrust should be the order of the day. We are treated in a way that I

would not have imagined five years ago. We definitely need to make every effort that we can maintain our independence: the laws within our borders are our affair. We need to keep our gold, and of course in our own country.

*What will it mean if the Initiative is accepted in autumn?*

A "yes" to the Initiative will strengthen the independence of our country and provide more protection of the National Bank against pressure from the outside. Internally, the National Bank can do what it wants. A "yes" invigorates the stability of Switzerland and thus our direct democratic political system, so the economy and last but not least the banking centre Switzerland.

*National Councillor Luzi Stamm, thank you very much for the interview.* •

(Interview: Thomas Kaiser)

### Popular initiative "Save our Swiss Gold" – Therefore vote YES on 30 November 2014!

The foundation of every stable currency are valuable reserves. Especially in today's uncertain times, it is of vital importance for the future of the Swiss Franc that the gold reserves are taken care of. That way we may secure our national wealth even in tough times.

This is what the initiative wants:

- No more selling of gold!
- Gold reserves are to be stored in the Switzerland!
- The gold allotment of National Bank assets must be at least 20%!

## Genscher criticizes sanctions against Russia

*Hans-Dietrich Genscher* (FDP) criticized the European Union's and US sanctions policy towards Russia. "I have my doubts as to whether we will once say that this was a very successful operation," said the former German Foreign Minister in the *Phoenix* program "Im Dialog" with *Alfred Schier*. "Sanctions are something like a ladder, one can escalate step by step, but then, suddenly, there are no more steps and you step out into empty space. Then one is faced with the question whether to climb back down or to jump down. I would rather spare us this effort."

Genscher considers *Putin's* indignation about stationing troops and weapon systems on Russia's western border justified: "Russia accepted, that the newly independent states became members of the European Union. If, however, in addition to the NATO membership, agreements are not met, as is the case with the NATO declaration of 1997, which ruled out perma-

nent military stationing – whereas now defense positions are being built up – this is a fundamental shift." This has also caused reactions in Russia. It's certainly not true that they are only built against Iran, as is alleged, of course, they can also be used towards other targets. It doesn't lead us any further to blame each other, Genscher says. "We have reached a point where we are asked for an honest word in a small circle, as to avoid conflicts and attrition of our forces". Additionally, Genscher called on to go on pursuing the idea of a common free trade area including Russia, as it was also mentioned positively by Putin in 2001, in his speech at the German Bundestag.

"It would have been nice if it had worked. Maybe the question of the Ukraine's association with the EU would have been evaluated differently". To understand Putin, it was important to deal with his motivations, according to Genscher: "Putin is a man who has the clear

objective to create a position completely different from the weakness known from *Yeltsin*. Doing politics with this big country is worth while. There will be no stability in Europe without Russia, and certainly not against Russia. Due to that it is as well worth while to take seriously what Russia's representatives think."

To Genscher's mind the current language use in dealing with Russia and Putin is dangerous, and he calls for a moderation: "I am of the opinion that we should first disarm the language itself [...]. Using strong words has never helped us. I can only repeat that military built ups have often begun with the built ups of the words. Every nation expects to be duly respected by its neighboring nations. This also applies to the Russian people". •

Source: [http://presse.phoenix.de/gespraeche/2014/09/20140919\\_Dialog\\_Genscher/20140919\\_Dialog\\_Genscher.phtml](http://presse.phoenix.de/gespraeche/2014/09/20140919_Dialog_Genscher/20140919_Dialog_Genscher.phtml)

(Translation *Current Concerns*)

### "Neutrality must not..."

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arate from Ukraine, stands in sharp

contrast to the enthusiasm that was expressed at the time when it was about recognizing the secession of Kosovo as

one of the first countries. Does self-determination of people differ depending on the region of the world they live in? Have double moral standards which are very common in western policy now infected our parliamentarians, too?

Neutrality often requires silence. The leaders of a country who wants to act as a intermediary must learn to be silent, not to judge and – sometimes – to displease. This is simply a question of courage, dignity and independence. This also applies to the members of our Parliament. A double-tracked neutrality is not a deceit, since it deceives no one here, neither the Swiss people, nor our friends on both sides! It is worse: Behind the form of an oxymoron (contradiction) there is the rejection of a fundamental national value: neutrality! •

<sup>1</sup> EU's intervention in Ukraine can not be described as "mediation", because EU is neither independent (of NATO), nor neutral (it has taken sanctions against Russia), nor impartial (it is involved in the fate of Ukraine).

Source: *Tribune de Genève* on 5 September 2014

(Translation *Current Concerns*)

### Federal President Didier Burkhalter on neutrality

cc. After the traditional speech of the Swiss Federal President at the annual meeting of the "Association de la Presse Etrangère en Suisse et au Liechtenstein" (Association of the foreign press in Switzerland and Liechtenstein, APES) on 8 September 2014, *Didier Burkhalter* answered some questions of journalists. The answer to a question on our country's neutrality is documented here.

Question by a journalist: Don't you have the impression that too much neutrality may compromise neutrality?

*Didier Burkhalter*: Quite the opposite. I just see it the other way round and that is my inner conviction. You know, we are convinced that it is beneficial to the world to encounter someone a little different from time to time. It is not of great interest to have a Switzerland, which is the 29<sup>th</sup> state of the European Union. The EU already consists of 28 states, so there is no need of a 29<sup>th</sup> member. Neutrality, which does exist no more, is of no use to anyone. What

is needed in the world is true neutrality and there doesn't exist much of it any longer. Thus, the question is quickly answered: I am convinced that with our neutrality we hold a very good position because it is beneficial to everyone, not only to us. Of course, certain contradictions may emerge, which we must deal with. In Switzerland, we have a high level of security, we also have an economic environment that has been very stable – currently a bit less – but compared with the rest of the world, our economy is still very stable. Thus, we are quite attractive, which can always cause some envy. There will always some faults to be found, for which we will be criticized, and that's a good thing. We will further improve our model and that will make us even stronger in the future. With that we have got no problem – quite the opposite.

Source: [www.radiozones.com/rep\\_conf\\_didier-burkhalter.php](http://www.radiozones.com/rep_conf_didier-burkhalter.php) of 8 September 2014

World Economic Forum

## Geneva Ukraine Initiative

### Business leaders from Ukraine, the Russian Federation, Europe, and the United States worked out common basic principles to solve the Ukraine conflict

In the spirit of dialogue and in the search for common ground to find solutions for the conflict in Ukraine, sixteen prominent business leaders with equal representation from Ukraine, the Russian Federation, Europe, and the United States gathered privately on the invitation of *Klaus Schwab*, Founder and Executive Chairman of the World Economic Forum, on Sunday, 14 September, in Geneva. While acknowledging the complexity of the situation and the different viewpoints, the participants successfully agreed on a common approach. The ten points summarized below are considered by all to help resolve the conflict. All participants recognize that the implementation of these proposals in the present context is challenging given the many complexities. They trust the political leaders involved and their ongoing dialogue, and hope that these proposals can support their initiatives for resolving the Ukraine conflict. The participants also hope that the political leaders can meet soon to bring an end to the conflict, and they pledge their full support for such a political process.

1. Build on the 12 point ceasefire plan elaborated under the OSCE. Ensure a sustained truce, supporting the immediate end of violence and further loss of life. Acknowledge the primacy of the value of human life.
2. Refrain from using provocative and belligerent language, recognizing that

it is only through dialogue conducted in an honest and collaborative spirit that progress, security and sustainable peace can be achieved.

3. Intensify the process of comprehensive dialogue on a national Ukrainian level, between Ukraine and the Russian Federation and between Europe, the Russian Federation, Ukraine and the United States with the commitment to establish shared objectives and identify key milestones for the solutions to the present challenges.
4. Maintain a security framework in Ukraine's eastern region under the oversight of the OSCE, to last until the territorial security is guaranteed.
5. Initiate an inclusive political process towards the decentralisation of power in Ukraine, where additional rights are delegated from the central government to the regions, while also supporting guarantees for minority and language rights.
6. Guarantee the security and sovereignty of Ukraine by the international community. Recognize the supremacy of international law above national interests. Recognize the right of self-determination but encourage to consider a policy of military non-alignment for Ukraine, comparable to the status of other European countries (i.e. Finland, Sweden, Switzerland).

7. Identify how sanctions and counter-sanctions can be avoided and rolled-back in accordance with key milestones achieved in the process of reconciliation, as part of a process of re-establishing normal business dialogue and relations.
8. Put in place an economic recovery plan which addresses the devastation created by the conflict, the need for humanitarian assistance and the rehabilitation of infrastructure required. Establish for this a multistakeholder process and encourage all actors, particularly business, to jointly invest.
9. Coordinate and establish special association and trade agreements for Ukraine as well with the European Union as with the Russian Federation, and later possibly with the Eurasian Economic Community, to stabilize Ukraine's economy, allowing Ukrainian companies to boost job creation, to improve long-term growth prospects and to reach international levels of competitiveness.
10. Organize a summit for the top political leaders from Europe and European countries involved, the Russian Federation, Ukraine and the United States in Geneva within a short timeframe to advance the reconciliation process.

Source: [http://www3.weforum.org/docs/WEF\\_GenevaUkraineInitiative\\_CommonPrinciples\\_2014.pdf](http://www3.weforum.org/docs/WEF_GenevaUkraineInitiative_CommonPrinciples_2014.pdf)

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# “Expansion of the EU and NATO towards Russia must be perceived by Putin as a threat”

## Panel discussion in Berne

*thk.* On 15 September, an event entitled “Impact of the crisis in the Ukraine for Europe and Switzerland’s contribution to a peaceful solution” took place in the *Hotel Kreuz* in Berne. Speakers were the US-American *James George Jatras*, Vice Chairman of the American Institute in the Ukraine and former political adviser to the Republicans; the State Councillor *Filippo Lombardi*, President of the Parliamentary Friendship Association Switzerland Ukraine, and Valais State Councillor *Oskar Freysinger*. The event was organized and moderated by the cooperative *Current Concerns*.



*James G. Jatras*  
(picture ug)

In his presentation James Jatras emphasized that the crisis in Ukraine had been initiated from the outside. The influence of the United States and the EU countries, which Jatras called “vassals of the world power”, contributed significantly to the escalation of the situation in the Ukraine. As an example he mentioned *Victoria Nuland*, Deputy Foreign Minister, who had played an active role in the coup d’état in February. The demonstrations on the Maidan had reached a level of escalation, in which the police was attacked massively, in the end even with firearms. If in the United States the police had been attacked in this way, the security forces would have immediately shot at the demonstrators. American foreign policy, which according to Jatras has been determined by the same small political clique for decades, is pursuing a regime change in Damascus, Tehran, and finally in Moscow. Only from this perspective is the crisis in Ukraine understandable. Jatras fully understands Russia’s policy. The EU’s and NATO’s ongoing expansion towards Russia must be perceived by Putin as a threat.

### Turning Russia into a vassal state

Jatras assessed the sanctions against Russia extremely critically. They will not contribute to a constructive solution of the conflict. The United States will hardly be at disadvantage, however, the European economy will have considerable losses. Even if there is a ceasefire at the moment,

the United States will have hardly abandoned their plan to make Russia a vassal state to which the land was degraded under the *Yeltsin* government. Ukraine is only a means to an end.

Mr Jatras showed a lack of understanding of Switzerland’s attitude as a neutral state which is neither a member of NATO nor does it support the EU sanctions, but at the same time is taking measures to prevent circumvention transactions via Switzerland and thus supports the sanctions indirectly. To his knowledge, Russia has never before exerted pressure on Switzerland, e.g. with respect to financial issues, in contrast to the USA, that threatened Switzerland with sanctions in case they would not apply American law.

### The United States want to maintain their position as the only world power



*Filippo Lombardi*  
(picture ug)

State councillor *Filippo Lombardi* showed concern about the situation in Ukraine, a country he had visited a year ago for the last time. Then you noticed nothing of these great tensions between ethnic groups. Although there were some points of disagreement – as also occur between the West and East of Switzerland, sometimes called the “*Röschigraben*”, – there was no hatred, but intensive debate. For him, it is also clear that the whole disaster must be attributed to the influence of foreign powers. There is no Russian or Ukrainian family, which has not got relatives in Russia or the Ukraine. The country is literally torn apart due to geo-strategic interests.

The whole thing reminded *Filippo Lombardi* of the beginning of the First World War a hundred years ago. There was as well the conviction that one would win something with a short military campaign, something that later ended in a terrible war. He saw similar dangers in the current crisis in Ukraine. The opportunity that had been available after the end of the Cold War, was not seized, namely to establish a truly peaceful world. We see the consequences today in Ukraine. However, it is an asymmetrical fight, because whereas the United States want to maintain its position as the only world power, Russia strives at becoming a re-

gional power, respectively at holding this position. Therefore it is incomprehensible that such a mood is being generated and spread against Russia. He believes that the EU is not able to carry out reforms at home, so they have resorted to expanding to the countries in Eastern Europe. Their stance in policy towards the East is still characterized by the years of the Cold War and of communism, as these countries were under the control of the Soviet Union. He expressed some criticism concerning the role of Switzerland. It was the thinking of the Cold War, if Switzerland wanted to show solidarity with the West; this belonged to the past, since it was not a struggle between good and evil, but a struggle for interests. He appreciated the attitude of the Federal Council towards Russia, because this had remained true to its neutral standpoint in general – despite the pressure that was exerted by the United States and the EU. Especially at present when Switzerland held the chairmanship of the OSCE, it was important, he said, that Switzerland remained neutral and sided with neither party, but always provided a platform for negotiations. That was achieved best, if it was and remained strictly neutral. In this current situation, that was the only possible position for Switzerland. Especially in the conflict over Georgia, Switzerland had offered both the Russian and the Georgian side its good offices and has mediated between the two countries for many years. State Councillor *Filippo Lombardi* pleaded vehemently that neutrality must have a greater weight in the policy of Switzerland again; that was not only important for our own country, but for all other countries in the world.

### The sanctions of the EU and the United States have no legal basis



*Oskar Freysinger*  
(picture ug)

For National and State Councillor *Oskar Freysinger* the state sovereignty and thus the rule of law were of utmost importance next to neutrality. And here things were terribly wrong! He pointed out that the EU- and US-led sanctions have no legal basis and are therefore il-

## The humanitarian crisis in Ukraine

### Event during the session of the Human Rights Council in Geneva

ef. On 16 September a parallel event to the 27<sup>th</sup> session of the Human Rights Council took place. The topic was: "The humanitarian crisis in Ukraine in 2014" in the 'Palais des Nations' in Geneva. The organizers were the NGOs *International Educational Development* (IED) and the *Association of Humanitarian Lawyers* (AHL), the *American Institute in Ukraine* (AIU) and the newspaper *Zeit-Fragen/Current Concerns*. Speakers were the Deputy Director of the AIU Dr *James George Jatras* and the Austrian political scientist and historian of Eastern Europe-Austrian-Belarusian Society Professor Dr *hc Peter Bachmaier* from Vienna.

Chaired by the international law expert Dr *Karen Parker* from San Francisco, the two speakers gave insight into the country and the political context. They illustrated the influence of the Western powers, especially the US government and the EU; they also shed light on the current disastrous humanitarian situation in Ukraine.

James Jatras emphasized that the United States didn't have any real interest in resolving the crisis in Ukraine, instead of that mere power-political goals determine the influence. The aim of the officials in Washington was the strategic defeat of Russia, he said; the Ukraine merely served as a catalyst for "regime change" in Moscow. However, most people in the United States did not share this view and did not agree at all with the aggressive policies of their government.

The participants present – representatives of the ICRC, the embassies of Russia, Denmark, Brazil, the UK, Lithuania, the EU, Poland, Estonia, Ireland, Luxembourg and Sweden – listened attentively. In the ensuing discussion, the representative of the Russian Embassy raised the question to the international community what humanitarian aid they were actually able to grant with regard to the disastrous humanitarian situation, especially in eastern Ukraine: Many people there die in the streets, especially children; they are faced with a completely destroyed infrastructure, no water, no electricity, no food, no medical care, almost everything was destroyed. In the other parts of the country the situation was equally disastrous: Oppression of the media, censorship, killing of journalists, persecution of media and opposition political parties.

During the discussion the full investigation was demanded of what had really happened: There is still no progress in the investigation of the humanitarian tragedy in Odessa, of the crimes on the Maidan and the crash of the plane MH 17. The people had a right to learn the truth. It was pointed out that most Western media did not report truthfully.

Professor Bachmaier from Vienna expressed that Austria was supporting eastern Ukraine with humanitarian assistance, for example by way of church institutions – but this was not sufficient. The Austrian media published an extremely one-sided view of things. How-

ever, the people in Austria think differently, as can be seen on the Internet and in comments: They are against sanctions and against the intervention of the Western powers.

There were also strong forces in Hungary, the Czech Republic, Germany, Slovakia, who were against the aggressive policy of the Western countries and demand diplomatic and political solutions to the crisis towards a peaceful development: dialogue instead of weapons.

At the end of the discussion Karen Parker concluded: The event should open doors. Governments and civil societies should be encouraged to deal with the crisis in Ukraine. On the basis of the joint efforts a solution should come up. It should be the responsibility of the civil society to tackle the spreading "Russo-phobia".

The ICRC's support from a neutral country should be essential. An independent international commission of inquiry could be mandated by a special session of the Human Rights Council to investigate the situation in Ukraine. Time was ripe for an independent review of the situation in the country, she said.

In place of all participants she expressed her compassion for all the victims of the crisis. She emphasized how important it was in this situation to support the people of Ukraine and fully respect human rights and international humanitarian law.

### "Expansion of the EU..."

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legal. There is not even a UN resolution, which could justify the sanctions imposed by the EU and the United States or the lists of people who were punished with entry restrictions and freezing of bank accounts. The fact that Switzerland was indirectly involved in the sanctions, was completely unsupportable for Freysinger. With sharp words, he criticized the state of lawlessness into which Switzerland had voluntarily entered by sanctioning people, who had not been punished in legal proceedings for a crime of any kind. Instead, a party to the conflict, whose relationships had deteriorated to a dominant power was punished. These sanctions were merely political ones without any legal validity, Freysinger said.

Furthermore, Freysinger criticized the behaviour of Switzerland which constituted the violation of neutrality. These offenses include the disinviting of Russian State Duma President, *Sergey Naryshkin* and the rejection of the Russian aerobic team Russian Knights, which

were disinvited for the military air show Air14 in the short term. Freysinger spoke of three "slaps in the face" that Russia had received from Switzerland. These events led him, among other things, to launch a petition to show the Swiss government that the population does not agree with the adopted policy of sharing the EU sanctions. Today's condemnation of the Crimea peninsula's secession was in stark contrast to the in 2008 completed and immediately recognized independence of Kosovo, said Freysinger. This was measuring with different standards, for if the secession of Kosovo was considered legitimate under international law, that of the Crimea should as well be considered legitimate.

### United States no longer a state under a rule of law

Switzerland's neutrality could play an important role as a mediator (good offices) in such sensitive situations, and the country needed to protect its sovereignty in order to remain credible and independent. Freysinger also believed that people needed to be aware that Russia was no longer our enemy as was the case

in the Cold War, and that the friendship of the United States had become questionable. The impertinent way the United States had behaved towards Switzerland in the past 10 years, was anything but amicable. Their objective was clearly the weakening if not destruction of the Swiss financial center. As Mr Jatras said Russia had never exerted any pressure whereas Switzerland acted as if it was an enemy. For Freysinger the United States was no longer a state under the rule of law, but an empire that consisted of three circles; the first circle being its own country, the second circle being the more or less allied states, with which there was no armed conflict at present, and finally, the third circle, where there was war. Depending on these circle different laws rule. Finally, this behaviour would have a negative effect on the USA's own state, because the law there would be going to become arbitrary. For this reason Freysinger advocated the preservation of the rule of law by all means. It was imperative, he said, that the law applied equally to all people living in that state. When

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# TTIP – What we should consider in the Transatlantic embrace

by Professor Dr Wohlmeyer

*Immanuel Kant* has left us Europeans the enlightened *Sapere aude! Have the courage to use your own reason.*

On 14 July 2014 the new (sixth) round in the US-EU negotiations on a comprehensive economic agreement began, which in its hitherto known dimension is more a societal agreement. Since so far only leaked details have been discussed, it seems necessary to give room for a broader view. In the sake of brevity, however, only some basic points can be addressed here, especially since the latest agreement text is still not available.

It is part of general common sense that you scrutinize a transaction partner closely, his overall situation, his particular interests, his past and current behavior as well as his socio-political and geopolitical basic attitude, in other words: his “philosophy”.

This first investigative step, however, gives already cause for suspicious concern:

The United States is de facto bankrupt and keep the wolf from their door only by their uncovered money-printing. For every dollar they spend, they must procure 50 cent from somewhere. (How they do it has been revealed in my book “Empörung in Europa – Wege aus der Krise” [Outrage in Europe – Ways out of the crisis].) This will last as long as the dollar is still accepted as the world’s reserve currency. Their position, however, is dramatically desintegrating and cannot be stopped even by economic and military “sanctions”. Many states are starting to trade in national currencies (for example, China, Japan, India, Iran, Russia and lately even the loyal vassals Germany and South Korea).

In addition, the IMF-WB system that has so far safeguarded the financial supremacy of the United States (blocking minority of the USA), is being increasingly undermined. The Latin American and Asian countries are about to establish their own development banks and analogous IMF relief funds.

The resulting situation is desperate. The USA’s non-repayable debt is already at over 17 trillion dollars, and their current arms upgrading all over the world can no longer be financed to this extent. There only remain three ways out for the United States: A debtor-generating war, a radical devaluation of the dollar (equaling a de facto world fraud) or a restart on a world currency agreement following the example of the *International Clearing Union*, proposed already in 1944 by *J.M. Keynes*, which was, however, rejected by the United States as the then dominant financial power. Such a balanced restart would have to go hand in hand with a world debt cut.

In the short term, the United States can get themselves a respite only by plundering the rich countries in Europe (see the US-induced financial crisis and debt in Europe in favor of the US financial elite) and by instigating an armed conflict.

Looking at the TTIP negotiations in this context, one would first of all demand an internal reorganisation of the US financial regime and the global financial system, before sharing the bed with a partner that is broke and needs wars. If you want to save a sinking friend, he must accept your rescue strategy or you will both be lost in deadly embrace. However, the USA currently behave like a violent addict denying his addiction, and the EU behaves like the mouse in front of the snake. A di-

alogue of equals is required if we want to act sustainably.

In a second step, the essential interests of the United States must be considered:

The US economy is military- and oil-based. They invested massively in these sectors and defend them. Three other key areas are finance, the media and agriculture. In all these areas, they are trying to enforce conditions that strengthen their interests and profits, to the detriment of the Europeans. Next there is the understandable interest to buy up real assets with (worthless in the long term) “paper dollars” in Europe and to hedge this dishonest property. The latter brings us to the topic of “investment protection” which is planned to be institutionalized in the ISDS (*Investor-State-Dispute-Settlement*).

If you add to the above mentioned the third step of analysis, which illuminates the USA’s previous activities and their basic socio-political and geopolitical attitude, the result is even more explosive. The United States have behaved consistently domineering in the postwar period and unilaterally asserted their interests as “legal position”. An interview with the US Legal Adviser at the TTIP negotiations and former US Ambassador to the EU (1993–1996), *Stuart Eizenstat*, which I had the chance to overhear, may illustrate this: When asked about the different quality standards – particularly for food – he said: “What was good enough for the American people, must also be good for the Europeans.” A clearly unilateral message ... enforcing the application of US law in the form of the compulsory takeover of the FACTA Act (*Foreign Account*

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## “Expansion of the EU...”

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borders were dissolved there would be the risk that the greatest world power imposed its own right on all others and thus a global dictatorship would emerge.

### The dialogue with the citizens

In the following discussion, it became clear that the majority of those present was relieved to hear a clear and unambiguous voice from the United States. The western jumble in the media scarcely allows a different view, so that here in Europe we are informed in a completely one-sided and anti-Russian

manner. One participant raised the question of what the citizens can do against this misinformation and the failed policies of their own governments. The two parliamentarians agreed that especially in Switzerland by the direct-democratic elements there were very many ways to influence this policy. They themselves would also try to exert influence within their possibilities. The dialogue with the citizens, with members of organizations and associations was an important process in the political opinion that could not be overridden by “great politics”. The citizens must mutually engage in dialogue and so achieve clarity about the situation.

The rule of law, the perpetual neutrality and sovereignty can only unfold its meaning and effect, if Switzerland can also defend its independence and sovereignty. Therefore, the country needs a powerful and well-prepared army that deters to the outside and guarantees inward security. This view was shared from the podium. The fact that Switzerland had the chairmanship in the OSCE, was seen by all as an opportunity that can be taken by a neutral state in the current situation. Federal Councillor *Burkhalter* had acknowledged by this Presidency, how power politics worked and how important the role of a neutral Switzerland is. •

**"TTIP – What we should ..."**

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*Compliance Act*), according to which the European banks must report all account movements of US citizens, and the recent "sanctions" against European banks and other companies without legal basis should also give rise to consider whether it is wise to approve further agreements that may offer "legal" approaches for similar procedures.

Those who know the "American type of agreement" from practical economic life will be even more careful. Namely, whereas according to the European legal culture the main rules are recorded in the statute books (trade law and general civil law) and only the special circumstances are regulated in the agreements, almost every major US contract quasi establishes many pages of a special legal system with a lot of pitfalls. Therefore, the legal fees are extremely high in and with the United States or US companies and the legal uncertainty in case of disputes as well. It is estimated that legal transaction costs in the United States amount up to 10% of GDP.

Particularly serious are the differences in the risk assessment and the classification of the burden of proof. While we Europeans act according to the principle of prudence (cease at a plausible threat), the US jurisprudence requires "scientific evidence", which means "scientifically demonstrable harm". In my lectures I used the fictitious example of a physician who presumed physical damage during use of *Thalidomide* and therefore advised against the use of this drug. He would have been sentenced to pay for damages, as long as the damage had not been statistically and significantly evident – hence greatest human suffering has occurred. It is similar with the burden of proof: It is the mostly financially weaker victim that must give evidence of the damage and not the potential tortfeasor who must prove the harmlessness. This applies, among other things, to household chemicals on the market.

In the field of social policy completely different "philosophies" collide: While we in Europe have developed and largely implemented the model of a solidary welfare state, the same is largely blocked in the United States, because the rich systematically escape a contribution to the common good. Thus, there are lower taxes and wage costs. Hence follows a locational competition that keeps the social standards down.

In the field of geopolitics, in which we would even be cramped in tighter, the US dream of a world power in the wake of the British Empire is still alive, and there are attempts to secure it militarily and by financial colonialism. The fear of a common economic area between Western Eu-

ropeans and Russians with high reserves of raw materials plays an important role. This also explains the currently initiated Ukraine crisis, into which Europe has been dragged.

However, the future must lie in a solidary world structure, in which the United States and Europe are wished for partners and helpers.

If in this context we look at the genesis of the TTIP project, the following facts are striking:

As early as in 1941, the later Secretary of State *J.F. Dulles* wrote that one should organize Europe centrally after the war and remodel it into a promising market for the USA. This proposal was mainly countered by *Charles de Gaulle's* resistance.

As early as in 1973 the *Trilateral Commission*, mainly made up of high finance representatives pleaded for unifying market regulations. In 2007, the TEC (*Transatlantic Economic Council*) was set up, whose primary task was to "harmonize market regulations". As part of the TEC a "High Level Working Group on Jobs and Growth" (HLWG) was installed in 2011 (note the mealy-mouthed title), whose final report was submitted in February 2013. This final report was to be followed by a *High Level Regulatory Cooperation Forum*. It is interesting (significant) that the EU Commission was and is not willing to make the composition of the HLWG known to the *Corporate Europe Observatory*, whose task it is to deal with lobbying within the EU. The same applies to the detailed results ("The large number of documents makes it impossible to release the necessary information."). The final report is practically a not democratically legitimized road map for further negotiations. It talks about the enormous advantages of an "integrated transatlantic marketplace". This is to be achieved mainly through breaking down all trade barriers and by making the legal rules compatible (enhancing compatibility of regulatory regimes). The "strengthening of the extraordinarily close strategic partnership between the United States and Europe" is to cause the global adoption of rules due to the sheer size of the market (approximately 50% of the gross world product). The report is full of hopeful, but not very secure positive announcements. If an expected GDP growth of 0.5% in the EU is assigned to 400,000 jobs and at the same time in the USA and in Europe, the future of robotics (*Wealth Daily and Word Future Society*) is touted and predicted, then there will be more unemployment despite or because of GDP growth, since the economic effect of the investment is usually higher than the capacity expansion effect. It should be added that according to the relied forecast of the *Center of Economic*

*Policy Research* this growth is expected by 2027, equivalent to an annual rate of 0.034%, and that with an EU unemployment rate of over 26 million this glimmer of hope with "business as usual" causes no solution to the problem. Rather, it requires a fundamental change in the overall policy. The former World Bank economist *H. Daly* has already pointed out to the perils of free trade (*Scientific American*, Volume 269, Number 5, November 1993), in case it suppresses local, customized, and socially innovative solutions. The proposed de facto US economic sovereignty in Europe would make the European social model collapse – as was already announced by the US-adept, *Mario Draghi*, currently President of the ECB. The enormous income divergence in the United States and the fact that currently almost 15% of the population must be kept afloat with food stamps (Supplemental Nutrition Assistance Program), expressly underlines this concern. The unions on both sides of the Atlantic are therefore determined opponents of TTIP, because it would sanction the current momentum.

In its published expectations the Austrian *Federal Ministry for Science, Research and Economics*, FMSRE, is more enthusiastic than the HLWG and the studies they have ordered. According to a study mandated by the FMSRE the following thrusts are expected from TTIP: GDP up 1.7%, wages up 1%, employment up 0.5%, commercial insurances up 3.7%, textiles and clothing up 3.7%, and even cars up 12.4%. How these assessments, which will of course lead to a positive opinion on TTIP, were achieved is difficult to understand.

The leaked guidelines for the negotiations of the EU Council on 17 June 2013 depend largely on the report of the *High Level Working Group*. The 18 pages are acceptable at first glance. If, however, we read passages such as "the highest level of liberalization ... wherein substantially all sectors and modes of supply are recognized", "unrestricted transfer of capital and payments by the investors" and "complete liberalization of current payments and movement of capital" and "establishment of transatlantic institutions for regulatory cooperation", this reminds of "turbo-capitalism" without any social and ecological brakes, an abandonment of European public service tradition and limitation of popular sovereignty in favor of institutionalized corporate interests, despite all claims to the contrary.

Added to this is the crucial point of the SIDS (*State Investor Dispute Settlement*). According to the available *European Parliament/Legislative Observatory 2012/0163* (COD) the EU Parliament has

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President of the Federal Chamber of Economy Austria

## Searching reasonable compromises with Russia

km. In an *Österreichischer Rundfunk* (Austrian Radio) interview broadcast on 10 September by ORF with *Christoph Leitl*, President of the *Federal Chamber of Economy Austria WKÖ*, he was asked why he had called the sanctions against Russia “unreasonable”. Christoph Leitl responded: “Look, I have just been in Switzerland, I just spoke to the Swiss head of the Federal Department of Economic Affairs, yesterday, who is very skeptical about the sanctions. And today, the President of the Swiss Federation as chairman of the OECD, *Organisation for Security and Cooperation in Europe*, openly doubted whether it makes sense to operate with economic sanctions in this fragile situation. So, I really could not feel more supported”. On demand Leitl cited the OSCE Chairman President *Didier Burkhalter* more precisely: “He said: Let’s focus on a diplomatic solution. And I am of the opinion that this is a political crisis that must be solved by political means, and not by mutually using the economy as a combat instrument, as economy should connect people, to benefit, to serve, to contribute to peace”.

So Christoph Leitl proposed to solve the crisis, “by sitting together. The parties concerned should sit together. Putin has proposed seven points. The European Union has its own ideas. Coming together only once in Minsk, is not enough. You must sit together continually, talking: What do we want economically – a large free trade area – what do we want in the country itself, with autonomy for the minority. It is a European value to protect also minorities, giving them autonomy, perhaps even autarky.”

Leitl expressed opposition to Ukraine’s accession to NATO. Such an accession was contrary to fundamental security interests of Russia, he said.

At the beginning of such talks, as Leitl demanded them, everyone expresses his position. “In the end reasonable compromises are made. But in between, there has to be discussion, and that is essential. What way do we get on? By threatening each other? Or by trying to talk to each other?”

There was “no alternative to negotiations”, Leitl said. “What alternative do you have? If we continue to increase

sanctions and threats, I doubt that it will move Mister Putin anywhere. Quite the contrary.”

Asked about Angela Merkel, Leitl said: “Angela Merkel has to look out that the 28 [EU states] will find a line – and there are quite different opinions – and behind her she has other countries that may also take influence ...” On demand Leitl mentioned the United States.

Merkel “certainly is in good faith that they will get out of the problem by using them (the sanctions).” But he himself had massive doubts and added that he could “only repeat [what] the Swiss [say] who have really followed a wise, policy of neutrality for centuries, who are a bit experienced in the world. If they say, please be careful, now, focus on diplomacy, rather rely on negotiations, I am taking that very, very seriously. No one can convince me he [the Swiss minister] says so merely because of economic interest; but these are the Swiss, who have political experience.” •

(Translation *Current Concerns*)

## Politicians of the Visegrád Group criticize EU sanctions against Russia

km On 10 September the “Frankfurter Allgemeine Zeitung” reported that the EU sanctions against Russia would split the Visegrád Group. While Poland was prepared to accept economic losses, the Czech Republic, Slovakia and Hungary tried to reduce and to delay the sanctions. The Czech diplomats had rejected the imposition of further sanctions in the negotiations of EU ambassadors in Brussels. *Tomáš Prouza*, the Czech Secretary of State for European Affairs, had justified this with recent “positive devel-

opments” in the Ukraine conflict. The newspaper continues: “President *Miloš Zeman* expressed himself less diplomatically. He principally doubted the officially prevailing assessment of the situation in the Ukraine by the EU and NATO. The statement of the Russian Foreign Minister *Lawrov* that there were no Russian troops on Ukrainian territory, he took very seriously”. With the words: “The sanctions are counterproductive and solve nothing,” the Slovak Prime Minister *Robert Fico* is quoted. “The ‘terrible tragedy’ in

Ukraine is abused by a ‘terrible political game’ on an international level, in which the (Western) media had a fateful role,” so the newspaper cites him, adding: “In the EU, Fico criticized, it is only the representatives of the Ukraine who are getting a chance to speak, the international public should, however, be informed by neutral observers on the spot.” And about Hungary we read: “Hungary continues a manoeuvring course in the Ukraine. [The Prime Minister of Hungary] *Viktor Orbán* called the EU sanctions self-defeating.” •

### “TTIP – What we should ...”

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remitted the draft to the Trade Committee on 23 May 2013. This draft essentially acknowledges the SIDS, calls for more information and contains a passage remarkable to me, namely that for the pending of a dispute on behalf of the EU Commission advance payments of arbitration costs can be charged. This is practically a deterrent to bring a case before the arbitral tribunal. Such is the plutocratic tradition of US case law, which is hereby brought to Europe.

Just as the currently known proposed design of arbitration looks like, it means nothing else than special jurisdiction for corporate interests at the expense of the general public, clad into glossy words. Considered that at present there are several arbitration proceedings in progress worldwide amounting to about 14 billion dollars and that according to the previously known TTIP text corporations can file suits for damages on anticipated profits as well as against unpopular (profit restrictive) laws and decisions of national authorities, the red flags should be raised even by US-friends.

The NAFTA case “*Elli Lilly & Co.* against Canada” shows some of the danger: As part of the *North American Trade Agreement* (NAFTA) that was settled with the United States, the US pharmaceutical company sued the state of Canada for damages amounting to 500 million dollar, because the Canadian Patent Office that tests more strictly had revoked the patents on two psychotropic drugs. These were advertised medications

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# Homo familiaris – human beings and their families according to natural law and personalist psychology

In commemoration of Dr Annemarie Buchholz-Kaiser

by Prof Dr Hideshi Yamada, Kumamoto, Japan\*



Hideshi Yamada  
(picture uk)

We had to bid farewell to the great, caring and social-ethically committed Dr Annemarie Buchholz-Kaiser. It is a overwhelming loss for all of us. In view of that it is hard to find the right words. The article published in *Current Concerns* of

11 June 2014 summarized what is most crucial about Dr Buchholz-Kaiser's life-work in a very appropriate way.

Mrs Dr Eva-Maria Föllmer-Müller suggested to me that I should commemorate Annemarie with my presentation. Being a philosopher of (natural) law I decided to honour her by a presentation of human beings in their reality, focusing

on their nature as personalist and family beings who can develop their personalities only within and in relatedness to their families.

## Arguments against natural law

An important question poses itself immediately: How can natural law guide us today in order to analyze and solve ethical problems? Throughout history, periods of natural law were followed by periods of positive law (i.e. law as defined by man) and vice versa – quite roughly speaking, just to make the crucial point.

In the post-war period – after the catastrophe of the Second World War – people used to refer to natural law very often. Today, however, the theory of natural law seems to be not so popular any more. Why should that be the case? Is it non-scientific to talk about natural law? As early as 1932, Johann Sauter had laid down one of the sharpest attacks against natural law: “Quite contrary to the established teachings we thoroughly hold and maintain that natural law is by no means evident. Those supreme principles such as: ‘Bonum est faciendum, malum vitandum’ or ‘Quod tibi non vis fieri etc.’ or ‘Suum quicque tribuere’ or ‘Honeste vivere’ may be evident, but they are merely formal sentences about natural law. We don’t learn from these sentences ‘what’ this Bonum, Honestum etc. actually is, neither ‘in itself’ nor ‘for us’. In order to learn that, we have to take the hard way through the ontologies which we are situated in, as aristotelic-scholastic idealism already had pointed out.”<sup>1</sup>

There are some grains of truth in his assertions. Firstly: Insight into the ontologies, the “nature of things”, is indispensable for a “concretizing” of natural law principles, i.e. their applicability in concrete situations. And secondly: The supreme principles of natural law are sentences “about” the obligatory essence of natural law. However, *he is wrong in his assumption* that all other principles of natural law, all simple truths which constitute the core of natural law, were merely formal, too. This error, which many writers succumb to, is based on the assumption that the process of knowledge-gaining starts with the recognition of formal principles which is then illustrated by ontological knowledge in order to achieve relevant obligations of law. So we have to pose two questions which have to be answered.

The first one is: How do we gain insight into the evident formal principles? The second one is: How does the correspondence come about between those evident formal principles and the ontology-derived, concrete factors which influence their applicability? The first question is psychological-epistemological in nature, the second one ontological-epistemological. According to Johannes Messner<sup>2</sup>, the counter-arguments such as those of the above-mentioned Sauter are usually based on the axiom that the evident principles of gaining knowledge were somehow “in-born” and unaffected by experience.

The way, Johannes Messner challenges this axiom, makes sense. He writes: “Sim-

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against attention deficit hyperactivity and schizophrenia.

It is denotive that, prior to the elections, the allayed EU Parliament with its conservative majority agreed on the regulation of the financial responsibility for investor-state disputes before arbitral tribunals since it did not want to delay the TTIP negotiations. The fact that it took place despite a current online consultation process – apparently introduced only as a sop –, must make every democrat suspicious. Such an approach is simply a mockery of the interviewed citizens.

The general procedure is obviously applied to the effect of creating a fait ac-

complé within a small group of “stakeholders”, and then explaining the parliamentarians that one cannot reject the negotiated rules without facing massive damage and dangerous political disgruntlement on the other side of the Atlantic. The public, and even the administrators appointed by the local constitutional body were and are excluded from the flow of information. Thus the German EU Commissioner Hans Jürgen Blinn has publicly complained that he has not been informed about the negotiations and that he never before experienced such a procedure. The EU’s chief negotiator, the Spaniard Ignatio Garcia Bercero, admitted in Vienna, that only the authorized law firms have access to intermediate results, especially since “a certain degree of confidentiality” was required. Howev-

er, the law firms are the henchmen of the “stakeholders”. Free trade is thus not so freely negotiated.

In addition to the tactics, to circumvent the Lisbon Agreements (“EU Constitution”) and the national constitutions by treaties (classic example is the ESM), another tactic of creating faits accomplis must be revealed in the present case: Unknown to the public the CETA agreement was negotiated with Canada, which is now awaiting ratification. It is partly a blueprint for the TTIP. If the CETA is accepted, the argument will be that one cannot deny the United States what one already granted Canada.

Since the revelation of the US espionage by NSA, we know that the EU nego-

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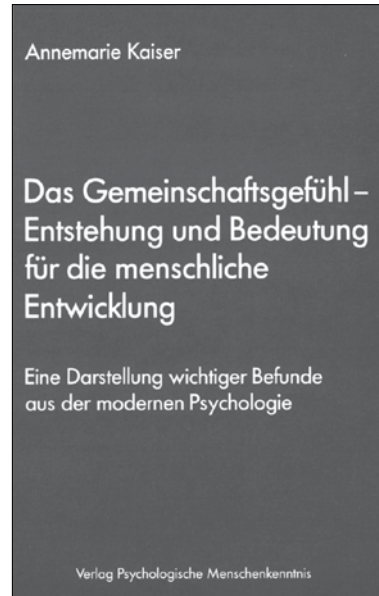
**"Homo familiaris – human..."**

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ilar to all other areas of knowledge, the supreme principles of ethical and legal issues are by no means inborn or genetically inherited properties of reason." And he continues: "What is indeed inborn, does not consist of complete items of knowledge, not even about the most primitive ethical and legal truisms, but *only in the genetically determined capacity to gain this knowledge.*"<sup>3</sup>

Messner goes on to state, "that in human nature there are inborn mechanisms working as frameworks enabling the individual to gain these items of knowledge as part of the overall process towards the development of a full mastery of reason."<sup>4</sup>

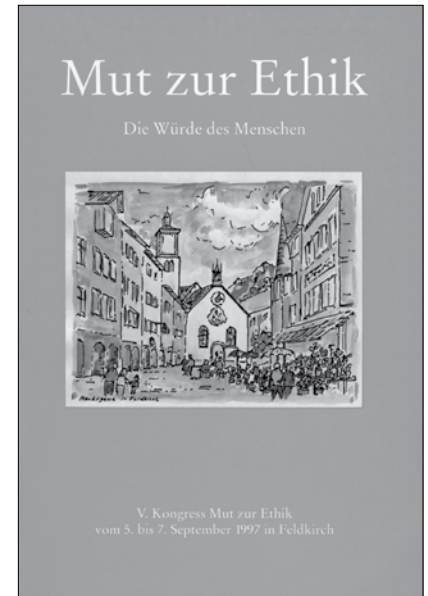
Now we have to deal with the question, how does the human individual gain insight into the most crucial legal principles. *Thomas von Aquin* answered it in his *Summa Theologiae*, I–II, qu. 91, art. 2 as follows: "Unde patet quod lex naturalis nihil aliud est quam participatio legis aeternae in rationali creatura." (Therefore it is clear, that natural law is nothing else but participation of the reasonable creature in the eternal law.) While the middle ages might have been satisfied with this statement, our contemporary times may not. So we have to rely on experience. By means of experience we conclude that counter-arguments such as those of *Sauter*, *Karl Bergbohm* and *Ernst Topitsch* "rest on futile questions paving the way towards wrong answers".<sup>5</sup>



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**Challenging the counter-arguments by means of our experience**

Natural law is established in human beings both as *knowledge* of reason and *will* of reason. *Knowledge* of reason serves a double purpose, namely as "insight into values" and "insight into facts". The *will* of reason serves a double purpose as well, namely as "commandment of conscience" and "desire of values". "This desire towards a complete human existence is first experienced *within the life of the family* as a community (highlighted by the author) with its respect and love for one another instilled by the vital relationships between its members. As soon as they have achieved full



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mastery of reason human beings will recognize the accordant behavior as the truly human behavior, that way knowledge of the supreme ethical principles and judgemental power to make ethical decisions in concrete situations are gained." This reasonable insight may be referred to as the psychological-subjective aspect of the "system of reason" in the sense of natural law. "The ontological-objective aspect is as important, namely the basic system of vital rules of conviviality within the family community ("ontology", because derived from the instinct aspect of human nature); both sides

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tiating papers are fully known to the US negotiators. Therefore, the continued secrecy by the Commission and the negotiating team can only be directed against their own people, to whom they do not want to be read the sentence. "In the context of the ratification processes, the texts of the agreements will be made available to the public". Hence a *fait accompli* ...

If pressure was to be put on the negotiators in the public interest, the procedure would run just the other way: "Friends! We are committed to the democratic Europe to fully inform the public, especially the parliamentarians about all negotiation phases. If we make these arrangements obvious, you can write off the envisaged agreement, because we will never get the consent of the parliaments." I am not speaking here as a theorist, because I once used this procedure successfully even in the GATT negotiations.

A notice of the recent Trade Commissioner, *Karel de Gucht*, shows that the risk

of rejection or correction by the national parliaments is seen by the compliant Commission; de Gucht wanted to invoke the ECJ to decide whether the national parliaments had to be asked at all.

Finally, one should refer to the repeated reassuring statements that the guidelines and the future agreement would include the independent right to regulate and the labor clause, which allow independent standards to protect workers, consumers and citizens in general (health, safety, environmental protection): If goods are introduced into a free trade area, which have been authorized for consumption in a member state, they have market entry anywhere. Those providers that have to expect higher costs due to higher environmental and social standards, will be priced out and ousted from the market. There will be a race to the bottom, in which the level of protection must be adapted to the lowest level existing in the free trade area.

What should now be the conclusion?

Considering the above mentioned it must be: Back to the democratically legitimized start! What was concocted at group

level does not automatically correspond to the benefit of the society as a whole. Above all, the partner must be requested (and the time is ripe for this purpose) to do his welfare-oriented homework because otherwise he is no suitable partner. Who in fact shares the bed with one who is terminally ill, will not be healthy, but infected. Namely, in case the United States do not reform their financial order together with their social system towards the common good, there is a danger that they will increasingly export their own problems to Europe by means of the proposed "comprehensive economic partnership".

The question should be raised, why the WTO is continuously being bypassed by bilateral agreements. The WTO's complex of rules, which is accessible to all states (and which is currently also under reform), would in fact be sufficient to achieve the stated objectives, and would have the advantage that there would be desirable results to the benefit of all states worldwide. •

(Translation *Current Concerns*)

**"Homo familiaris – human..."**

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together as a framework of human nature constitute the accordant law of nature."<sup>6</sup>

We have talked about wrong axioms about natural law. Contrary to those, it has to be stressed that formal *and* factual insights always work together in human nature and cannot be separated even in the process of gaining knowledge of the supreme principles of natural law – right from the beginning, that is.

*"Human beings don't learn the supreme principles of natural law as abstract, formal sentences, but he or she learns to live according to them in concrete application within the community of the family.* What he or she learns are truthfulness, respect, justice (suum cuique), honesty (pacta sunt servanda), in other words a life according to the principles of natural law. The human being learns to *understand* them as the rules of behavior, enabling the family to lead their lives in a community of *peace and satisfaction for all*, at the same time comprehending their general validity for human conviviality and how to apply them to the various concrete situations."<sup>7</sup>

This is not merely a process of thought, but our every-day, concrete, universal experience which everybody has to go through. Otherwise we could not understand the universal efforts towards the common good and their ethical, legal and political implications.

**Family as primordial community**

In any case, homo familiaris has to fulfill a certain minimum of his or her physical and psychological needs, by means of contributing to and benefitting from the common good through communication and co-operation. That defines the human being as a person. Therefore it is *"human nature in itself urging towards a system of conviviality which enables all members to lead truly human lives in the family community.* It is not brought about by theoretical insight into human nature but by experience about what he or she needs to fulfill the most basic needs of body and soul."<sup>8</sup>

Johannes Messner was always ready to acknowledge facts of other disciplines which would make it easier to understand natural law. He liked to refer to the biologist *Adolf Portmann*, a well-known Swiss zoologist and anthropologist.<sup>9</sup> It has been accepted knowledge for a long time from a biological or zoological perspective that homo sapiens as a family being takes much longer than other "family oriented" species until adulthood. But Portmann went further. He was able to show, that unlike other animals human beings are *defined by tradition.*<sup>10</sup> Without culture, homo sapiens wouldn't be human. And culture is passed on from generation to generation. This creates tra-

dition. The human being receives "all that is necessary for complete personal development from social tradition, thereby accepting what it takes to achieve his true nature as a cultural being from outside his or her physical nature."<sup>11</sup> In this sense we can even refer to "culture as the natural state of humanity". "Family life is the framework and mediator of that tradition which is so important in Portmann's theories."<sup>12</sup>

Had I more time I should also mention recent research about primates, however, I have to do without that.

Annemarie Buchholz-Kaiser has made fundamental contributions to the question of homo familiaris from another perspective; namely from the standpoint of developmental and personalist psychology.<sup>13</sup> She refers to "some results of modern developmental psychology" by *John Bowlby* and *Mary Ainsworth*. Without being able to go into details at this point, I fully agree with her considerations. As Buchholz-Kaiser describes precisely, developmental psychology has contributed immensely to our knowledge of human nature. With regard to Bowlby she writes: "In this human interplay the whole development of soul, intellect and morals takes its roots. *Emotional bonding* remains [...] crucial for the whole human life".<sup>14</sup> Her investigation shows that "stability and security in the emotional bonding with the mother is the *basis for a healthy development of the child's personality*".<sup>15</sup> By the mother's "appreciation and respect for the child as an independent, individual personality she lays the *foundations for what will later be referred to in a more abstract way as the respect of human dignity*".<sup>16</sup> With regard to Ainsworth the term "reliable basis" is mentioned, which is of utmost importance for the baby. I could cite many passages here. Just to mention a few which seem to be important to me from the viewpoint of natural law: "*Morality is nothing that has to be forced upon human beings...: It takes its roots in the empathy, which develops out of a positive bonding of the child to its first attachment figures*".<sup>17</sup> "*The courage to remain loyal to one's self, the ability to defend him- or herself appropriately and act according to personal convictions and values without false considerations of social consequences* grows out of the experience of sustainable human bonding."<sup>18</sup> This is followed by remarks about the contributions of *Alfred Adler*.

Finally I would like to cite the summary of Dr Annemarie Buchholz-Kaiser. She writes:

"In conclusion it may be said: provided his or her upbringing went well, human beings as social beings will like to commit themselves to urgent problems and – guided by human compassion – search together for dignified solutions. In this sense personalist psychology provides important answers about how social responsibility and

connectedness with fellow human beings may be developed."<sup>19</sup>

**Conclusion**

The aim of this presentation was to clarify natural law in its reality by considering the counter-arguments that have been put forward against natural law. This seems to be necessary to me, as it appears to be difficult to comprehend for many if not most people today. Natural law is what we live and experience every day. This experience is "evident" together with the existence of all the others (together). And the place where this experience is made is the primordial community, namely the family. Annemarie Buchholz-Kaiser concludes with the following sentence:

*"The protection of the family and its task for education and development of future generations becomes a main obligation of our time."*<sup>20</sup>

\* presented as part of the annual conference "Mut zur Ethik" under the topic "Living the social bonds more fully" 29 – 31 August 2014 in Switzerland.

Dr *Joachim Hoefele* was so kind as to provide linguistic comments on the first version of my presentation, sent to him by e-mail in advance. It is my duty and pleasure to thank him for that.

<sup>1</sup> J. Sauter, *Die philosophischen Grundlagen des Naturrechts*, Vienna 1932, pp. 222. Quoted from *Johannes Messner Ausgewählte Werke* edited by Anton Rauscher and Rudolf Weiler in cooperation with Alfred Klose and Wolfgang Schmitz, Verlag für Geschichte und Politik Vienna and Verlag Oldenbourg Munich. Volume 6: *Menschenwürde und Menschenrecht: Ausgewählte Artikel*, introduced by Anton Rauscher and Rudolf Weiler, Vienna-Munich 2004, p. 57. Cf. also J. Messner, *Das Naturrecht*, 7<sup>th</sup> edition, Berlin 1984, p. 313.

<sup>2-5</sup> J. Messner, *Das Naturrecht*, p.314.

<sup>6</sup> J. Messner, *Das Naturrecht*, p.56.

<sup>7</sup> J. Messner, *Menschenwürde und Menschenrecht*, p.58.

<sup>8</sup> J. Messner, *Das Naturrecht*, p.315.

<sup>9</sup> Messner estimates Portmann highly. "Portmann's works, the works of this zoologist of Basel University, are exemplary with respect to science, since he sticks to the facts in all his conclusions unswervingly, quite contrary to not a few of his colleagues on the field on zoology, biology and anthropology." (J. Messner, *Kulturethik mit Grundlegung durch Prinzipienethik und Persönlichkeitsethik*, Wien 1954, p. 341 note 10.)

<sup>10</sup> Adolf Portmann, *Biologische Fragmente zu einer Lehre vom Menschen*, Basel 1944.

<sup>11</sup> J. Messner, *Kulturethik*, p.346.

<sup>12</sup> J. Messner, *Das Naturrecht*, p.349.

<sup>13</sup> Annemarie Buchholz-Kaiser, *Personale Psychologie – Der Beitrag von Psychologie und Pädagogik zur Menschenwürde*, in: *Mut zur Ethik. Die Würde des Menschen*, 1998 Zürich.

<sup>14</sup> Annemarie Buchholz-Kaiser, *Personale Psychologie*, p.83.

<sup>15</sup> Annemarie Buchholz-Kaiser, *Personale Psychologie*, p.84.

<sup>16</sup> Annemarie Buchholz-Kaiser, *Personale Psychologie*, pp.84

<sup>17</sup> Annemarie Buchholz-Kaiser, *Personale Psychologie*, p.87.

<sup>18</sup> Annemarie Buchholz-Kaiser, *Personale Psychologie*, p.87.

<sup>19</sup> Annemarie Buchholz-Kaiser, *Personale Psychologie*, p.89.

<sup>20</sup> Annemarie Buchholz-Kaiser, *Personale Psychologie*, p.89.



# Language as a bridge towards other humans

by Dr Eliane Gautschi, special education teacher and psychologist, Zurich

The human being, from the perspective of a personalist concept of man, connects to other humans by means of language. Language is much more than giving information about one's needs in framing one's daily life. In the first half of the last century, the Vienna psychologist, *Alfred Adler* emphasized this: "This is a connection between two or more people to communicate what they mean. This work of art we owe to all, and it develops only where interest in others exists."<sup>1</sup> Our language builds the bridges to other humans and enables us to express and to inform others of our thoughts, feelings and intentions. Terminologies provide us with the possibility to grasp our thoughts internally and structure them. The more we know a language in detail, the more we are able to express something exactly as we mean it. We are also capable of understanding, in a differentiated manner, other human beings' oral and written expressions. It enables us to have a profound dialogue with people. Language and language capability are therefore very important for the development of one's entire personality. For the quality and sense of life in a human, it is important that he perceives himself as mastering the language and is capable of using it. If one disturbs a child in the development of these capabilities, one robs him of an important tool of the soul for developing his personality. This aspect refers to the fact that language lessons – be it in the mother tongue or in a foreign language – help to build up the foundation of human relationships – as long as they are based on this goal.

## Relationship: a foundation

Language acquisition is complex. Even though the biological prerequisites are all available in a child, without a language-oriented environment it would be impossible for him to learn a language. It takes other people for this. The mother<sup>2</sup>, through dialogue, creates the first shared world of experience with the child. She builds a bridge and shows him the way into the world. She interprets his behaviour and reacts to it. Through this she lays in her infant the foundation for language acquisition. In the foreground, the primary goal is not to teach the child the language rather, the mother provides a positive, emotional relationship and makes the mutual understanding possible. A first distinction between different social roles which a child can learn is, for example, that his father speaks differently with him. With language as well, the child increasingly begins to develop roots in his or her culture and to identify with it.

Around the third and fourth year of the child's life, the mother takes on the task of a "language teacher". She repeats for example, the child's sentence in a more correct form. This way, she enables him to use the already available sentence patterns and transform them into correct ones. It is the interpersonal relationship that enables language acquisition which can never be replaced by media (for example, by learning programs on the computer or by television films).

## The mother tongue – an emotional home

The mother tongue has a special importance. It is more than just a language because it contains the relationship to one or more people, who provide an emotional home for the child. To master the mother tongue in its most detailed aspects therefore means more than just realising its communicative function. It is part of the personal development of the speaker. It is also interesting that children who are raised bilingually often prefer and learn easier the language spoken by the parent to whom the positive emotional ties are closer.

It is obvious that the mother tongue needs special care and should be mastered as well and as differentiated as possible. It has a distinguished meaning in the educational process of children and must be especially cared for at school.

## A demanding learning process

In the last decades, the areas of language and language acquisition have been intensively researched into.<sup>3</sup> Much of which was considered to be known fact was questioned or opposed. Despite all efforts made, one knows today more about how language is not acquired than how it is acquired. So it is perceived as sure that a small child learns its language not only by imitating rather by the very complicated continuous process in the course of which the child examines the structures of the language and constructs it. With a small child, this is not a conscious learning process.

Children are capable of solving complex tasks whereas they are not able to do such complex performances in other areas of thinking. Witnessing the language acquisition of a child belongs to the most impressive experiences of its developmental processes. It is most evident for the person to whom the child is attached, which words he or she knows, how he or she uses them and which new words are added to this. And that is amazing! At the age of 2 years, the child knows already 200 words; it acquires close to 9 new words on a daily basis.

At the age of 6, a child knows already approximately 2500 words. It has internalized rules and begins to use them and, however, makes mistakes. It recognises falsely formulated sentences and corrects itself without being aware of why it needs to be emphasised differently. During the length of his or her childhood and teenage years, the vocabulary grows astoundingly. At the age of 16, a teenager commands a passive vocabulary of approximately 60,000 words.

The accumulation of a differential vocabulary is only one part of language acquisition, which in its comprehensiveness is more multi-layered. The child must learn to understand the language in order to reproduce it. A child is born into a speaking environment. Nowadays, it is not only surrounded by the language of the parents, siblings and other people, but by the language which emanates from the radio and television as well. Out of this stream of sounds of the language which is being listened to, words need to be isolated by the child and connected to meanings. He must recognise in which way the words are connected in sentences and which meaning endings and emphases are contained. He needs to get to know the structure of texts and experiences the situation-dependency in language usage. In order to be able to speak well, a child must be able to abstract the categories and regularities of the spoken expressions, which lie in the foundation of a language and construct a table of rules according to which the language is built. "If children knew about the complexity of their language-acquisition task, they would surely not begin learning it at all", said the language acquisition researcher *Rosmarie Tracy*. And this act is essentially connected to its relationship to its fellow human beings.

The most important requirement for learning foreign languages is the secure command of one's mother tongue.<sup>4</sup> •

<sup>1</sup> Adler, Alfred. The Meaning of Life. 1931, chapter 24 in: The Collected Clinical Works of Alfred Adler: Volume 6.

<sup>2</sup> Or another related person, who takes over these responsibilities in case the mother for whatever reason is not available.

<sup>3</sup> A summarised overview of the current research can be read in: Rolf Oerter & Leo Montada. *Entwicklungspsychologie* (Developmental Psychology). Basel/Weinheim 2002.

<sup>4</sup> Compare to Kübler, Markus et al. *Fremdsprachenunterricht in der Volksschule. Ein Überblick über die Argumente und den Forschungsstand* (Foreign Language lessons in the elementary school. An overview of the arguments and current research.) [www.lehrerverein.ch](http://www.lehrerverein.ch)

# Foreign languages, competences and societal consensus

by *Elsbeth Schaffner*

The question whether to teach a foreign language to very young children is mainly answered by the insight that the theory of “the sooner the better” falls short of what it promises. So there is no reason to worry about inner-Swiss cohesion and even less reason for centralized federal intervention in this matter.

Pro memoria: Contrary to the will of the teachers, the concept of teaching a foreign language to young children – first foreign language in the third grade, second foreign language in the fifth grade of primary school – was forced on the Cantons by the CDIP (Conference of Cantonal Ministers of Education). It was enforced although teachers – but not only them – emphasized that the “didactics” of teaching a foreign language to young children does not lead to the desired results.

Perhaps there is a way to teach the early French from the 5<sup>th</sup> class onward in a didactically sensible manner – for example together with geography. However, there is no justification whatsoever for the postulation to learn English at an early age in primary school.

By introducing foreign language lessons for young children, valuable lessons in basic subjects such as mathematics, German, handicrafts, drawing and science were taken away from the primary school children’s lesson-plan. The consequence is a heightened pressure to achieve, which many children can no longer measure up to. Since the introduction of teaching English to young children, pupils in the first years in the Canton of St Gallen have only one drawing lesson per week, the third graders only four maths lessons and the fourth and fifth graders only four lessons of German. Today teaching English to young children has already led to widening the gap between high and low performing pupils to such an extent that in many places level groups (streaming) had to be formed. This despite the fact that the missing basics in German and mathematics are very grave.

By maintaining the exchange of ideas across the different parts of the country and by thoroughly turning them over – by all those involved – it may well be that one agrees on giving priority to teaching a second national language instead of teaching fashionable early English to young children.

In Switzerland we have a high-quality, innovative and fairly manufacturing industry. Especially in the French-speaking areas, our value-creating economy has various production sites with high-tech products in the medical and energy sector.

Already today, a lack of qualifications in mathematics and physics unfortunately led to a lack of sufficient skilled personnel. Education is our only natural resource. The aims of the primary school must therefore be increasingly considered again in connection with the values significant for our community and our country.

Now the Cantonal Teacher Organizations want to replace the teaching of English to young primary school children by English as an optional subject. This sounds like a good compromise in a proper Swiss manner, but is this the solution?

The consequences of a concept with elective and optional subjects should be comprehensively reflected and thoroughly and objectively discussed. Where does it lead, if primary school children are free to choose certain subjects and reject others? Does this not jeopardize primary school’s basic mission to provide comprehensive basic education to all? The impact on the children’s welfare must be carefully analyzed. Proposals are made by the pedagogical colleges that even primary school children have to keep their personal learning diary (portfolio), documenting their individual learning pathways and their competencies. This means that every child will be equipped with quite different skills and performance levels. What does this mean for the upper grades and the recipients of primary school leavers?

Does now the hunt for credit points start even for the little ones?

The analogy to Bologna can easily be drawn: In the leaving certificate at the latest the school-leavers have to give evidence of the performance level they have achieved in the respective school subject. As already established in the European Language Portfolio, the leaving certificate registers what competency levels have been achieved in each subject. By analogy with the credit points (Bologna) the qualification for and admission to further educational pathways are hereby determined.

In relation with these issues, the principle underlying Curriculum 21 has to be reconsidered: The competences therein are described in such a way that it becomes possible to individually capture, control and to measure the pupils’ performance. The competence-based Curriculum is “output-controlled”. This may mean that the final result for each child might be completely different. Among others outdated concepts from the seventies (Robert F. Mager, inventor of programmed teaching) serve as theoretical foundations for the “operationalized learning objectives”. The competence levels of Curriculum 21

are almost completely congruent with the “Taxonomy of Educational Objectives” by *Benjamin S. Bloom* (classification scheme for learning objectives: By means of this classification it should be possible to rate any learning objectives on a coefficient scale for difficulty or complexity.) Curriculum 21 has obviously integrated theories corresponding to the Anglo-Saxon origins of curriculum development (Saul B. Robbinsohn)<sup>1</sup>.

In the light of day, this principle ultimately leads to the situation that, most of the time, the students work by themselves (or just waste their time) without any connection to the teacher. To find a way out of today’s educational crisis, it is also necessary to critically question those idealized notions of constructivism or the application-oriented and digitized learning.

Introduced in the seventies in our country, the “permanent education reform” is well advanced: the subjects of history, natural science (biology, physics, chemistry) and geography were watered down and devalued by interdisciplinary subjects and non-binding exemplary learning objectives. Individualizing teaching methods have contributed to the dissolution of class teaching and to the devaluation of the educational importance of the teacher’s personality. The introduction of early foreign languages along with all the other reforms, as well as the organizational innovations (new curricula and the NPM – new public management) seem to contribute to the complete conversion of our traditional understanding of education and to the reduction of our Swiss school’s high quality.

However, we need not put up with this fait accompli – being not very democratic!

More and more citizens, parents and teachers do not want to simply accept the misguided reforms in schools. The consequences of such a development are devastating for any social cohesion. No solidary attitude – neither towards the sick and weak nor towards people from other cultures – will be developed if our children are trained to be lone fighters. Under the impact of PISA and Bologna, processes were hastily set in motion and programs of the OECD were transferred to Switzerland, which are not in the interest of our students. Children need classroom teaching that connects them to each other and where they can experience community. Only a school oriented towards coexisting with others in solidarity can meet the mandate of the elementary school that is enshrined in the school laws of the can-

# The sooner the better?

## The debate of foreign language teaching at elementary school level

by Dr Eliane Gautschi

The Canton of Thurgau wants to remove French from the elementary school curriculum. Federal Councillor Berset wants to establish French as the first foreign language in our schools “from above”, if necessary. These announcements were widely taken up in the media in the recent weeks and prompted a number of articles, comments and letters to the editor. Thus a debate about early foreign language teaching in elementary schools, which was already conducted when it was introduced about ten years ago is being renewed now. Recently an expertise, commissioned by the Schaffhausen Teachers Association, was published; its title is “Fremdsprachenunterricht in der Volksschule. Ein Überblick über die Argumente und den Forschungsstand“ (Foreign language teaching in elementary school. A summary of the arguments and the state of research)<sup>1</sup> This could now be the basis for an objective debate.

Even though the question of early foreign language teaching is important, the debate about the “Lehrplan 21” (Curriculum 21), linchpin of our future education system, should not fade into the background: Curriculum 21, by which the whole of our educational landscape is to be turned upside down according to OECD guidelines and Anglo-American requirements. However, the debate about foreign language teaching could be a model of how decisions should be taken in a direct democracy: The pros and cons of substantiated arguments that bear an objective review, are weighed in an open and honest discussion; In this process the federal structure and the principle of subsidiarity, which pervade our political culture, must be accounted for. There is no room for propaganda concepts elaborated by spin doctors, hidden agendas, per-

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tons. Therefore, it requires the connection between the generations to share the common cultural foundations. Diversity requires togetherness in a community, otherwise we will end up in a disoriented, detached mass one day. A social consensus can not just be imposed from above, but it must grow from below.

sonal attacks or mud-slinging. This applies to both the debate about Curriculum 21 and the discussion about foreign language teaching: For our country and our children’s sake!

### Pro memoria – a flashback

Ten years ago, the question of early foreign language teaching already created a stir in several cantons: In the Thurgau cantonal parliament at that time a motion was filed that demanded at most one foreign language in elementary school. This attitude was supported by the Eastern Swiss Teacher Associations. In the Canton of Zurich an initiative was launched which claimed to postpone the beginning of teaching French until secondary school in case Early English was introduced, in order to provide sufficient time for German and handicraft /technical subjects in elementary school. In secondary school all students should have at least two years of obligatory in-depth lessons of French to secure the important connection to the language and culture of our compatriots. The Canton of Appenzell-Innerrhoden had already implemented this schedule some time ago. In the Canton of Zug a non-partisan interest group for holistic education was established at the time. Its members wanted to defend themselves against the introduction of a second foreign language at elementary school level in case the consultation results from the communities would not be taken into account by the government. In the Canton of Schwyz, the result of a survey conducted by the local teachers association showed that 85% of teachers voted for a second foreign language not before secondary school level. However, it was the education boards’ consensus that in the future both English and French should be taught at elementary school – and so it happened!

### Sobering results

With a lot of effort of personnel and cost, timetables of elementary classes were revamped in order to introduce foreign language teaching already in grade three, English or French being the first foreign languages, depending on the canton. In grade five the second foreign language was to follow.

Since then experiences have been gathered and evaluated; they largely confirmed the fears expressed in advance. The research of the Schaffhausen Teacher Association spotted the most important analyses. They show:

- “Early starters have no decisive advantage compared to late starters.
- Late starters learn a foreign language much more efficiently than early starters – they require less studying time to reach the same performance level.
- The most important factor (predictor) for the mastery of a foreign language is the performance in the first language (who achieves well at German, is better at learning a foreign language).
- Children have fun with early language learning.
- Children growing up *bilingually*, who learn a foreign language early and in a natural setting [i.e. in a natural environment, such as in the family, E. G.], have significant and lasting benefits (exposure at least >30%) [i.e. the children have to speak the second language at least one third of the time, E. G.].
- Migration background is not per se a disadvantage or an overextension; non-Indo-European mother tongue, educationally disadvantaged family background, underachievement in combination are problematic.”<sup>2</sup>

*Conclusion:* The results are sobering, children who start early with language learning have no advantage over those who start later. The whole teaching of foreign languages could thus easily be transferred to secondary school. Only with difficulty are schools able to provide the conditions necessary for successful language teaching at an early age. Millions of tax franks for training teachers and teaching materials have been wasted!

### False theories

The first experiments with early foreign language teaching soon showed that the usual two hours per week were not sufficient.<sup>3</sup> In order to make early language teaching successful, the children would have to be taught this language in at least a quarter of all lessons. Other lessons would have to be sacrificed. This led to the idea of immersion, i.e. to teach a non-language subject in a foreign language. Again, a certain blindness to the facts must be cured here, today. First of all: immersion the holistic language learning of the mother tongue, – as happens in the family’s “language bath” in which the children are “immersed” – is being transferred to school without taking into account the fundamen-

<sup>1</sup> see. “Bildungsstandards – ein Innovationsprogramm aus historischer Perspektive” (educational standards – an innovation program from a historical perspective). in “Beiträge zur Lehrerbildung”, 26 (3), 2008 by Lucien Criblez, Professor of History of Education and Monitoring the Education System, University of Zurich)

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tal differences of these situations. The sciences lessons were chosen for this "language bath" (man and environment, man and his contemporaries, etc). Issues of general knowledge were to be taught in the foreign language; teaching materials were designed accordingly.<sup>4</sup> Since then factual topics have been taken as an occasion for talking without aiming at a deeper elaboration of concepts and basic contexts. In the Schaffhausen expertise it is commented as follows: "It can not be that children learn 'Brother Sun and Sister Moon' and this is called teaching astronomy. This causes a double damage. The children do not learn the right (new) German terms for the solar system and the universe correctly, and they do not profit from the English content, because they do not understand the matter."<sup>5</sup> However, neither did the sobering results of the Schaffhausen study suggest another subject for "immersive" language learning.

**Important subjects were and are neglected**

The introduction of early foreign language teaching was also accompanied by a momentous intervention in the classroom by reducing lessons in other subjects (for example, needlework and technology). This, too, must be reconsidered. Today there is significant criticism that the interest of our graduates for handicraft and technical apprenticeships has decreased. Well-designed handicraft lessons lay important foundations and arouse interest already in small children. Such instruction introduces them in craft activities from which they can develop their desired career and it gives them the tools to cope with their daily lives later on. Especially in our days in which many children are often only little involved in those activities in their domestic environment and get little insight into these professions, school could provide important incentives. Instead of being degraded onto a theoretical level as shown in Curriculum 21, the craft lessons (textiles and non-textile work, home economics and cooking) should again be given more significance in the classroom. As the results of the Schaffhausen expertise suggest abandoning the teaching of foreign languages at the primary level, the corresponding lessons would again be available.

**Changing the line of argument**

Ten years ago, the recommendation to introduce early foreign language learning was primarily motivated by results in neurophysiologic research. There was talk of "time frames" that had to be used, which would close irrevocably in children at the age of about 10 years. "Young minds learn better!"<sup>6</sup> And similar to the

justification of further education reforms they spoke of the internationalization of living environments that we must meet, of labour mobility and communication skills, which were becoming increasingly important. Therefore they called for acquiring language skills as early as possible: *Efficient learning based on neurophysiologic research results* was the decisive factor why children should begin learning a foreign language as early as in the third grade of primary school.<sup>7</sup> However, the neurophysiologic research findings have been examined more closely since then. Those theories of neurologists that complete language proficiency would be no longer possible after puberty<sup>8</sup> are outdated today. Interestingly, the line of argument for early foreign language learning has changed since then. It is the cohesion of the country (for example, Federal Councillor Berset) and the arousing of the curiosity for lifestyles and cultures of neighbouring and distant people living in our country are being stressed, instead.<sup>9</sup> This argument comes unexpectedly from a political side which so far has stressed internationalism and the compatibility of our education system with the European Union. Do they now change the line of argument instead of entering into the long-overdue discussion? Or is the debate about foreign languages supposed to distract from the discussion about Curriculum 21? Equally peculiar is Federal Councillor Berset's threatening gesture, who talks about taking the decision of French as a first foreign language "from above". Is this a warning how to pass federalist structures over by uniform regulations to meet some higher interests (e.g. those of OECD)?

**Creating the necessary prerequisites**

Language skills are important and have had a long tradition in our quadrilingual country. Swiss citizens are generally happy to learn foreign languages. However, the necessary prerequisites must be given. The Schaffhausen expertise indicates that a solid foundation in the first language is crucial for foreign language learning. This fact alone indicates a challenging task for the schools. Improving the knowledge of German requires appropriate time in class. Many children, even those with German mother tongue, now have essential difficulties in expressing themselves in a differentiated and refined manner. So-called developmental language delays are found in more and more young children and they need support by language therapy. Honestly seeking the causes of this lack of linguistic rootage would be the first requirement for a real improvement of the situation.

The discussion about the introduction of a second foreign language in primary

school hardly considers that the children in the German speaking part of Switzerland have to learn a second language, i.e. Standard German, when they enter school. Swiss German is an important factor to connect Swiss children to their numerous foreign comrades and to help them to feel at home in our country and integrate into our culture. To learn Standard German is challenging for many Swiss children, because it differs considerably from their dialect in vocabulary, sentence structure and grammar. Not coincidentally, it was part of the subject matter of the primary school in former times, to translate texts from the dialect into Standard German and to learn the many different terms. Many children do not get really familiar with Standard German throughout their whole school time.

The lack of mastery of the German language in its spoken and written form today is an obstacle for many school leavers in their professional lives. There is a need for action!

**Requirements for modern labour slaves?**

An often mentioned reason for early language acquisition is the alleged increased mobility of today's people. It remains an open question whether this is indeed so, because previously it was part of many young people's career that they gathered professional experience abroad, wanted to get to know other countries and acquired the necessary language skills beforehand or on-site – shaping their own lives, self-determinedly. Today's foreign language teaching aims at enabling children and young people to learn to communicate in different situations. Sentences as we know them from the tour guides with whom we can learn the most rudimentary language phrases for holidays. So far, so sensible – but if matters remain as they are today, educational goals will also remain at a low level. Should this form of language teaching only create the prerequisites for people to be sent here or there, serving global corporations? Do they just have to learn how to move around in their daily lives and within the corporate environment of the foreign country? Competence-based language teaching against the background of a utilitarian view of man? Education for modern labour slaves? Such instruction is missing the target of an in-depth understanding of the language associated with culture and history. This could awaken the children's and adolescents' joy and interest for people in other language areas and create social bonds. The respect for others, as set out in the *Universal Declaration of Human Rights* as the basis of

# The dual vocational educational system – a blessed achievement for society as a whole and for the individuals living in it

by Dr iur Marianne Wüthrich, former vocational education teacher

Swiss economist, former National Councillor and price supervisor *Rudolf H. Strahm* has written a new book, “Die Akademisierungsfalle” (“The Academization Trap”, Strahm 2014), which deserves as much attention as his earlier work, “Warum wir so reich sind” (“Why we are so rich”, Strahm 2010). In both works the main focus is on the invaluable importance of dual vocational and educational

training for the state of a country and for the quality of life of its inhabitants – and that not only economically: “the vocational training system of a country is a key factor of its productivity and competitive power. And it is also the most important momentum for social integration, for social and national cohesion and for the prevention or at least the limitation of poverty.” (Strahm 2010, page 43) The author, who has himself undergone a range of professional trainings ranging from an apprenticeship to a university degree, gives the reader an insight into the problem in both books – in a comprehensiveness that is unparalleled, and he supports his theories by means of numerous graphics.<sup>1</sup> In 2012, youth unemployment in the EU countries reached an average of 23 percent, in the southern European countries even up to 55 percent! At the same time, the matriculation rate is 75% in Italy and 53% in France, to name only two examples. Youth is well-educated, but has no work – how does this go together? As opposed to these countries, Switzerland has a record low matriculation rate: In the year 2011, only 20% of all teenagers passed

the matura (Final examinations, A-levels), a further 10% left the vocational matura schools with a high-school diploma. How can it be explained that nonetheless, the rate of youth unemployment is nowhere lower than in Switzerland? Why do we discern significantly low youth unemployment rate in all five European VET countries, namely 8% in Germany and Switzerland, a very little higher in Austria, the Netherlands and Denmark? (Strahm 2014, pages 14–16)

## The author Rudolf H. Strahm introduces himself

“I’ve absolved an apprenticeship as a laboratory, an engineering school education as a chemist and a university education as an economist. Five years of industry practice, twenty years of leading positions in organisations, seven years of management consulting, thirteen years in the Federal Parliament as a political economist and four years in the administration as a price regulator inspired my desire to align the basic economic knowledge to the practice of economic policy and the world of work in the real economy.” (Strahm 2010, p. 8)

“In the VET countries, fewer people were forced out of the production process because they could be retrained or went on to obtain better or different qualifications.” (Strahm 2014, page 54)

It is known that major western corporations have for a long time been outsourcing a large part of their production of consumer goods to Asia, reaching from clothes and shoes to household and electronic equipment, with the result that the emerging industrial nations of Asia have

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international understanding, would get an emotional dimension.

### Close learning relationships

Another argument in the debate is the demand for native-speaking teachers. Even though the linguistic foundation for teaching would thus be better secured, there are other factors that play a decisive role. Recently, a pilot project was started in the Canton of Zurich named “Close learning relationships”. The background was that too many teachers were engaged in a class and the children were lacking the binding authority of one teacher. For all children, for the high-achieving and for the weaker ones the affective basis as an integral part of the learning process is missing this way. A problem whose sustainable consequences should urgently be investigated in detail! It is therefore hard to understand why yet another teacher is to be added for early language learning.

### Questions that need to be clarified

These are only some issues that need to be addressed in an honest discussion. The debate on early foreign language teaching must be performed on a professional level

and without ideological blinders. Not least because it is to be definitely introduced by Curriculum 21.<sup>10</sup> The Schaffhausen expertise would provide a good basis. Guideline? Facts rather than ideology! The time for it has come!

<sup>1</sup> Kübler, Markus et al.: *Fremdsprachenunterricht in der Volksschule. Ein Überblick über die Argumente und den Forschungsstand.* www.lehrerverein.ch (as of 23 August 2014).

<sup>2</sup> Kübler, Markus. *Präsentation Expertise* www.lehrerverein.ch (as of 23 August 2014).

<sup>3</sup> An example of this is the School Project 21, with which among others English was introduced at the lower level in the Canton of Zurich. In the pilot phase already the evaluations showed that learning results were very modest and a significantly higher number of lessons should be taught for a successful teaching. English was nevertheless introduced nationwide.

<sup>4</sup> This does not only affect the English teaching materials, but also maths and language teaching materials, in which underlying factual issues serve as a hanger and are dealt with superficially. A deeper understanding of contexts is not provided respectively.

<sup>5</sup> Kübler, Markus et al.: *Fremdsprachenunterricht in der Volksschule. Ein Überblick über die Argumente und den Forschungsstand.* p. 11. www.lehrerverein.ch (as of 23 August 2014).

<sup>6</sup> The Swiss Conference of Cantonal Ministers of Education EDK argued at the time that “Early language learning is particularly important and profitable for neurophysiologic reasons, especially for the acquisition of languages: early language learning is more efficient, creates favourable conditions for learning other language-

es and promotes the development of strategies for language learning.” “Swiss Conference of Cantonal Ministers of Education (EDK) 2004 Sprachenunterricht in der obligatorischen Schule: Strategie der EDK und Arbeitsplan für die Gesamtschweizerische Koordination. Beschluss der Plenarversammlung vom 25. März 2004.” [http://edudoc.ch/record/30008/files/Sprachen\\_d.pdf](http://edudoc.ch/record/30008/files/Sprachen_d.pdf) (as of 23 August 2014)

<sup>7</sup> The basis for the decision to introduce a second foreign language in the canton of Zurich in primary schools, for example, was a report by Professor Dr Otto Stern, a lecturer at the College of Education in Zurich. The report was commissioned to him by the Zurich Department of Education. In his work Stern pursued the argumentative line, “which is the purpose of this report, to oppose critical objections to the planned school reforms [meaning the introduction of Early English] with solid arguments.” The objectivity of the expert opinion of Professor Stern was soon questioned by other colleagues as being an insider report.

<sup>8</sup> Cf. Böttger, Heiner. In: Kübler, Markus et al. *Fremdsprachenunterricht in der Volksschule. Ein Überblick über die Argumente und den Forschungsstand.* pp. 4 and 9. www.lehrerverein.ch (as of 23 August 14).

<sup>9</sup> Cf. Böttger, Heiner. In: Kübler, Markus et al. *Fremdsprachenunterricht in der Volksschule. Ein Überblick über die Argumente und den Forschungsstand.* p. 5. www.lehrerverein.ch (as of 23 August 14).

<sup>10</sup> One reason for the introduction of Curriculum 21 often mentions the task of harmonization laid down in the Federal Constitution. It should be noted that the curriculum fails exactly where it could harmonize by stating which foreign language should be taught first.

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taken over a large part of industrial production, and that at the same time industry in Europe has sharply declined. (Strahm 2014, pages 48–51) Strahm indicates that a structural change has indeed taken place towards more jobs in service occupations, admittedly also in the five states with a dual vocational training system. "But here, in the VET countries, fewer people were forced out of the production process because they could be re-trained or go on to obtain better or different qualifications." (Strahm 2014, page 54) When production was converted to produce high-tech products such as textile machinery, robots and medical technology, or niche products, in these countries, the skilled workers, who had been accustomed to studying and learning in the course of their apprentice years, acquired the necessary additional skills and knowledge so that most of them were able to find a suitable work place. Students who have completed a course of vocational and educational training will have less difficulty in tackling a career change involving correspondingly necessary further training. According to Strahm, 35% of all Swiss workers no longer practise the profession they had first learnt at the age of 24 (Strahm 2010, page 182).

By contrast, in countries with a one-sided formal education system there are far too few jobs for the young people who come from high schools and colleges. In the end, many of them find a job – if they ever do – in fields which have no connection with their former studies, often even in low-wage occupations. This is shown by the example of a Greek student of political science (Strahm 2014, pages 52f.). And even in Switzerland, graduates, especially in the fields of the humanities and social sciences, have more difficulty in finding a job than graduates of a senior technical college, who started by completing a specialized course of vocational training, and so could profit from thorough practical training in addition to their theoretical knowledge. (Strahm 2014, pages 160f.)

*"There is no more important factor in order to get workers included in the employment market and for reducing and preventing unemployment than vocational education."* (Strahm 2010, page 46; see also Strahm 2014, pages 20ff.).

For the dual vocational and educational training system is the "key to employment," says Strahm.

From my own thirty years of experience as a vocational education teacher, I can only agree: Whoever has had to exert

him- or herself as early as at the age of 15 or 16 in order to find an apprenticeship position, who has to prove him- or herself on each working day (three to four days per week) during the two-to four-year apprenticeship, who must also perform creditably at the vocational school, and who finally completes his or her apprenticeship by passing the theoretical and the practical final examinations, this person will then in all probability be "fit for the market". That is, he or she will have been confronted with the realities of life at an early age and will have learned that professional life often confronts you with situations, which you can only master by a special effort and dedication. It is not only that the relationship between vocational and educational training and fitness for the labour market can be quantified statistically – it goes much deeper, indeed, the development of one's personality as such is significantly influenced by the chapter in the life of a young person from leaving school to the successful completion of an apprenticeship. How to promote fitness for the labour market? What makes a young person practice diligence, accuracy and adherence to schedules – or to say it in the most modern terms, what makes him exert himself in order to master "Swissness"? How to encourage a love of work or of the profession one has learned? Or in other words: Why do so many people in Switzerland define themselves so strongly by their work and by their position in professional life?"

Strahm answers these questions quite unambiguously: "It is obvious that the historically developed system of vocational training in Switzerland (and predominantly in the German-speaking part of Switzerland) has played and is still playing a crucial role in the development of these factors. This system leads to an early introduction to the world of work at the age of 15 or 16 years, and it helps even adolescents with weaknesses get on in their school performance or from disadvantaged backgrounds to develop craft skills outside school. It leads to young people being confronted early with the competitive harshness of the labour market. [...] But in the face of all these hardships [...], the result is a higher fitness for the labour market and a higher standard of quality and 'State of the Art' in any occupational line." (Strahm 2010, pages 68–69)

**Apprenticeship as a basis  
for the reduction of poverty and for  
the integration of foreigners**

Strahm establishes that vocational training is the best insurance against poverty and unemployment, because trained professionals have much less difficulty in finding a job than unskilled workers, on average they earn more and are less likely

to be unemployed. That is why he warns the state authorities: "Society bears the social burden subsequent to the lack of vocational training in the form of social assistance, unemployment insurance, loss of premiums and taxes. [...] Every young person who is able to complete an apprenticeship reduces the potential social burden." (Strahm 2014, page 72)

60 percent of welfare recipients in Switzerland are people or families with a migration background. According to Strahm this is no "foreigner problem", but first and foremost a "training issue", (pages 206f.) as a large proportion of immigrants from the Balkan countries or from southern Europe came to Switzerland with no vocational training. In case of losses of jobs and restructuring it is difficult for these immigrants to find a new job. 60 percent of their children, however, already complete their basic vocational education (for children with Swiss parents the corresponding number amounts to 68 percent, which is only slightly higher; page 209).

Strahm comes to the logical conclusion that poverty reduction and integration policy must first and foremost be education policy: vocational training for the young, further training projects for the older people. (pp. 222). What this can look like in practice is illustrated by the example of a Kosovar woman who came to Switzerland at the age of 18 without any knowledge of the German language and who, after taking several language courses, was able to complete her apprenticeship as a florist; or by the example of a Macedonian father of a family, who worked as an unskilled labourer for 12 years and was then, with the support of his employer, able to tackle a course of vocational training to become a production engineer. (pp. 36 and pp. 210).

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**"The dual vocational..."**

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**Vocational education is one of the most important locational factors**

The dual vocational education is not only advantageous for the individual and for the social services, but also for the existence and the international competitiveness of Swiss businesses. Only thanks to the high labor productivity of their professionals, the Swiss export industry can compete on world markets – despite its high wages compared to international standards. (Strahm 2010, p. 127 and p. 132) In a survey of 3,000 international managers "the quality of professionally trained specialists available [...] comes second after the political stability of the Swiss institutions," it ranges even before the low taxes! (Strahm 2014, pp. 31)

Another prove of the high educational standard is the fact that in international professional competitions Swiss professionals are in the top group, regularly: At the World Skills Competition 2013 in Leipzig with 1,000 participants under 24 years from 54 countries the Swiss gained 17 medals and 18 diplomas. (Strahm 2014, p. 32)

Furthermore, the Swiss economy does, of course, not only consist of export-oriented enterprises. At least two thirds of all sectors are working for the domestic economy, such as bakers and butchers, policemen, hairdressers, nurses, car mechanics, and many more. A large part of these enterprises train apprentices.

**The shortage of skilled labor in Switzerland is homemade**

Very interesting is the information in chapter 5 "Skills shortages and education policy", also substantiated by a large number of graphics (Strahm 2014, pp. 170–200). At this point only a few facts will be chosen:

- On the much-lamented *shortage of doctors* in Switzerland, the author expresses succinctly: "The reason for the medical gap is one hundred percent homemade, by the 'numerus clausus' [...]" (Strahm 2014, p. 175) From 4,000 Swiss high school graduates, who had wanted to enroll for a medical degree, only 1,173 obtained an admission to study in 2011!
- The *lack of nursing staff* in hospitals is, also homemade, as the author shows. By centralizing nursing professions (Vocational Training Act of 1996), the cantons and the Swiss Red Cross were forced out of nursing training programs which they had previously coped well with on federal level. As a result there was a large gap in the training, which was tackled only ten years later by the introduction of new apprenticeships FaGe (health assistant) and FaBe (care assistant), but very slowly indeed. In 2013/14 around 4,500 young people did not find an apprenticeship in health and social care. (Strahm 2014, pp. 179–183)
- Everyone is talking about the *lack of skilled MINT experts* (mathematicians, information technology, natural scientists, technicians-engineers). This too, is homemade according to Strahm. This year, 500 Swiss adolescents, who would like to be computer experts, could not start an apprenticeship. (Strahm 2014, p. 184)

**Solutions for the shortage occupations**

- *Lack of General Practitioners*: "17 percent of primary care physicians and 50 percent of hospital doctors have been trained abroad. [...] For years we have tried to close our indigenous training gap by recruitment of doctors abroad." (p. 175) As an antidote, more university places are to be created especially for general practi-

tioners, rather than easily filling the gaps with foreign doctors.

- *Care Professions*: In the future, hospitals must offer far more apprenticeships and catching up trainings (for example, for women returners and migrants), instead of putting the nursing profession on an academic level, as is common, particularly in the West of Switzerland. (p. 181)
- *Technical Jobs*: The shortage of engineers cannot be solved by more A-levels and university degrees, but e.g. by more apprenticeships in polymechanics and computer sciences with professional maturity and subsequent post-secondary education. For professionals with an apprenticeship and an ensuing technical college degree in a technical area are much more sought for on the job market than university or FIT graduates without a profound practical experience. (Strahm 2014, pp. 147, and p. 171) According to Strahm the ICT companies would have to offer many more apprenticeships in the future. Employers and employees, the Cantons and the Confederation must make preparations for a full school year teaching the basics in the vocational schools, so that young people have already had an elementary training when they enter the 2<sup>nd</sup> year of training in these demanding technical professions. (Strahm 2014, p. 185) Vocational school graduates who want to add a college degree, should easily obtain a scholarship. (Strahm 2014, p. 189)

The Social Democrat Strahm makes a particularly interesting comment on the mass immigration initiative, which was adopted by the Swiss on 9 February. The fact that not all professional gaps will be able to be comfortably covered in the future by foreign personell, has led to a productive debate, says Strahm. He suggests that the allocation of foreigners' quotas could be connected with an obligation for training, for example, eight apprenticeships for 100 full-time positions in hospitals, in order to obtain a corresponding contingent. (Strahm 2014, p. 196)

**Synopsis**

The two books by Rudolf H. Strahm are urgently recommended to any socio-politically interested reader, but especially to every educational politician. Many things could only be outlined in this article, which can be read in more detail in the respective context, supported by the wealth of statistical graphics. In the light of my decades of work as a Swiss professional school teacher I hope for the presentation of the inestimable value of the dual VET system of vocational education in this newspaper so that it will be heard

**"Why we are so rich"**

Of course, because of the banks – some contemporary – not only one of foreign origin – will respond. The author corrects this error at the very beginning of his book with the same title: Only 9.2% of the gross domestic product (GDP) were generated by the Swiss banks before the financial crisis in 2008, after the crisis the rate was even only 7.6%. For the Swiss economy consists of a variety of industries. The small and medium enterprises (SMEs), i.e. companies with less than 250 employees, are of central importance for the strength of the location. 99.6% of all Swiss companies are SMEs, they represent the "backbone of employment in Switzerland" and provide about two-thirds of all jobs. And – particularly impressive – 80% of all apprenticeships! (Strahm 2010, p. 25 and p. 152)

Switzerland's wealth is based – according to Rudolf Strahm – primarily on the fact that

so many young people absolve their apprenticeships here – around 70% of school leavers in German-speaking Switzerland! (Strahm 2010, p. 54) Therefore, Switzerland has the highest employment rate and the lowest unemployment rate of all OECD countries, and Switzerland has, above all, the lowest youth unemployment. Thanks to the high labour productivity – that is, thanks to the top performance of the professionals – the Swiss export sector can also exert itself on the international market, despite the high wages. (Strahm 2010, pp. 126)

"The high-wage country Switzerland is extremely competitive," the author confirmed his findings in 2014, and he rejects vigorously the "global stereotyped perception of Switzerland as a country of banks and tourism ('banks, Matterhorn and Toblerone')." (Strahm 2014, pp. 34–35)

# The dual vocational training has to be preserved as an equal opportunity beside the academic way – rejection of the “Bologna system”

*mw. Rudolf H. Strahm* sharply criticizes the ignorance of the Swiss economic and educational elite, who for years have simply overlooked the essential significance of the dual vocational training (apprenticeship) for the quality of Switzerland as an economic location and – disregarding reality – demanded a rise of the very low rate of general qualification for university entrance (“matura”, “baccalaureat”) in Switzerland, compared to other countries. (Strahm 2010, p. 90 and p. 116; 2014, pp. 80) The greatest danger that is threatening the dual vocational training system, is according to Strahm, “Bologna” which is a “self-imposed constraint in order to adjust to international systems of education”. (Strahm 2010, p. 117) Rightly, the author complains that the Bologna-Declaration was neither presented to the federal nor to the cantonal parliaments for ratification, but was simply imposed on the Swiss educational system. (Strahm 2014, pp. 140) By these proceedings the special Swiss educational course starting with an apprenticeship and going on to a “Fachhochschule” (Senior Technical College) has gone to rack and ruin: It is not compatible with educational systems of other OECD-countries, or in other words: The Bologna-System favours the purely school-orientated educational course. (Strahm 2014, pp. 120) All the years of valuable professional experience during apprenticeship and af-

terwards in the professional world are not appreciated. This way a Swiss academic title from the Senior Technical College is “put at one level with the European University-Bachelor which does not at all qualify for a profession.” Thus Bologna promotes a “levelling down which means an adjustment to countries which just do not know this educational course of practical, labour-market-oriented vocational training”. (Strahm 2010, p. 119)

## The Bologna university reforms have failed altogether

Better mobility (first Bologna-goal): not achieved, at least not for Swiss students! Only a few Swiss students partially study at universities abroad – whereas 27 per cent of the master students and even more than 50 per cent of the doctoral candidates at Swiss universities are foreigners! (Strahm 2014, pp. 154)

International competitiveness of universities (second Bologna-goal): “The selection of university professors is preliminary carried out by assessing the amount of publications” rather than scientific or didactical skills. The Bologna-ranking leads to a ‘flood of publishing scrap’.” (Strahm 2014, pp. 155) The author exemplifies this by the way how German academics achieve a position at Swiss universities: “Within the selection procedure such applicants present a much longer list

of publications (which is classified as researching-performance) than for example a Swiss assistant of the same age does who had to carry out seminars and corrections for his Professor [...]” This inequality of opportunities leads to the situation, that “about 50 per cent of all professorships at Swiss Universities are taken by foreigners [...]”. (Strahm 2014, p. 156)

Employability (third Bologna-goal): The deficiencies described above as much as the credit-system “have made universities less relevant for the labour market”. (Strahm 2014, p. 157) The certifications of the university graduates are more prestigious, but many of them do not find a suitable employment. (Strahm 2014, pp. 157–163)

Conclusion: According to Strahm the Swiss university rectors have recognized these deficiencies and want to reform the credit-system, raise the hurdles and tuition fees for foreign students among other things. Strahm comments on that: “It is not possible to predict [...] which of these (intended) reforms will be compatible to the EU and which are feasible at all.” (Strahm 2014, p. 165)

The author of this article comments: Our universities are not obliged to meet standards that neither have appeared to be suitable nor have been adopted by the sovereign. •

## “The dual vocational...”

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especially by educational policy makers and employers in other countries and that in a joint effort they will initiate – which will not take place as soon as necessary! – a gradual entry into a training with enterprises and vocational schools. Every willing heart can find help in the third chapter of the book “Akademisierungsfalle”, where the VET system Switzerland is shown in detail.

From my own professional I can fully support from experience what Rudolf H. Strahm proves with a lot of personal commitment: There is no better introduction of teenagers into their lives as responsible, courageous professionals and citizens than the dual vocational education. Many, many of my former students, especially from families in which the parents themselves had little education and understood little German would perhaps have shipwrecked if they had not been in-

involved in a professional training and vocational school in the crucial phase of their lives between 15 and 20. And also a lot of very good and efficient young people gained new confidence in their apprenticeships and then attended upper secondary schools.

From the bottom of my heart I must say that the youth of Europe and the world deserve that responsible adults in their countries make the benefits of a dual vocational training available to them. •