

# Current Concerns

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English Edition of *Zeit-Fragen*

## In the case of Syria Germany has exposed itself as a would-be great power The German UN Ambassador agitating against Russia and China

by Karin Leukefeld

*In case you want to learn something about German and European foreign policies towards Syria, you should follow-up the UN Security Council debates. The Se-*



(Picture ma)

ef. Independent journalist *Karin Leukefeld* was born in 1954 in Stuttgart and has studied ethnology, islamology and political sciences. She has been reporting from the Extended Middle East for daily and weekly journals as well as German state sponsored radio programmes since the year 2000. She was accredited in Syria in 2010 and has been reporting on the Syria conflict since then. Since the beginning of the war in 2011 she moves back and forth between Damascus, Beirut, other places in the Arab world and her hometown Bonn. She has published several books, such as "Syrien zwischen Schatten und Licht – Geschichte und Geschichten von 1916-2016. Menschen erzählen von ihrem zerrissenen Land" (Syria Between Light and Shadow – History and Stories 1916–2016. People Narrate about their War-torn Country.) (2016, Rotpunkt edition Zurich); "Flächenbrand Syrien, Irak, die Arabische Welt und der Islamische Staat" (Surface Fire Syria, Iraq, the Arab World and the Islamic State.) (2015, 3<sup>rd</sup> edition 2017, PapyRossa edition, Cologne). Her new book will be released soon: "Im Auge des Orkans: Syrien, der Nahe Osten und die Entstehung einer neuen Weltordnung" (In the Eye of the Hurricane: Syria, the Middle East and the Rise of a New World Order (2020, PapyRossa edition, Cologne).

*curity Council is the UN's highest political decision-making body, in which five states – Russia, China, France, Great Britain, the USA – are permanent members having the right to veto, whereas another ten states take a seat for two years as non-permanent members. Germany has attended the Security Council as non-permanent member until the end of 2020 starting in 2019.*

Most member states make an effort to take their tasks seriously given the great significance of the Security Council. They behave deferentially and appeal to the solidarity and unity of the Security Council in order to find solutions for the many international wars and crises. The so-called P3 (Permanent 3) France, Great Britain and the USA ever more frequently perform some non-dignified spectacles. In case a debate does not take the direction desired by Western capital cities, the UN ambassadors act in allotted roles in order to manipulate or frankly offend those who hold deviating views. In that case the debate is no longer about the matter but about how to degrade the contrahent, expose and hinder him, obstruct his cause. The P3's favourite target of such endeavours has been Russia in particular since the beginning of the Syrian war.

"To increase the pressure on Russia, if it does not surrender the regime, as we hoped for, we should go on with what we have been doing so far", reads a protocol by the "small Syria-Group" that came to light after their meeting on 11 September in Washington, it had taken place on initiative of *David Sauerfeld*, state secretary for Near-East issues in the US State Department. "We have to emphasise Syria's terrible humanitarian situation and Russia's involvement in the bombing campaign on civil objects," the British minute taker had written.

At that time the USA, Great Britain, France and Saudi-Arabia and Jordania were members of the so-called P3. Shortly afterwards the group took on German and Egypt as new members. This knightly accolade might explain the behaviour of Germany's representative and his depu-

ties when it comes to debating Syria in the UN-Security Council. "Germany's man" at the UN is *Christoph Heusgen* who had been Chancellor *Angela Merkel's* foreign policy consultant and international crisis manager for 12 years. In 2017 he changed posts and became ambassador at the United Nations in New York. Heusgen and his deputies never miss an opportunity to denounce "Russia's complicity" in Syria.

The latest example is the 8764<sup>th</sup> Meeting of the UN Security Council on 5 October 2020 in New York.

### A lesson in diplomacy

"Progress in the elimination of the Syrian chemical weapons programme" was the issue on the agenda – in accordance with the UN Security Council resolution 2018. Ms *Izumi Nakamitsu*, High Representative for Disarmament Affairs, was invited to deliver her report. The Russian Federation holding the chair in October had also invited *José Bustani*, first director-general for the Organisation for the Prohibition of Chemical Weapons (OPCW).

One would not agree with that, the British UN ambassador *Jonathan Allen* declared in an objection. "The United Kingdom, together with Belgium, Estonia, France, Germany and the United States of America, would like to raise an objection to the briefer," Allen said. Someone to speak about the "progress in the elimination of the Syrian chemical weapons programme [...] must be relevant to and knowledgeable of the topic under discussion." Neither of these is the case with Bustani, although he is a distinguished diplomat, Allan said. While he had left the OPCW many years before the issue of Syrian chemical weapons was discussed in the Security Council, he was unable to "to provide relevant knowledge or information". Therefore a procedural vote must be taken about the proposed briefer.

What followed was a 20 minutes cross-talk on the question whether José Bustani was qualified to speak or not. Great Britain, France and Germany negated the right of the Russian ambassador *Neben-*

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# Confused territorial conditions in Nagorno-Karabakh

by Gerd Brenner

Since 27 September 2020, the fighting for the Nagorno-Karabakh region in the South Caucasus has been raging with a ferocity not seen for years. Azerbaijan apparently intends these days to solve the problem of Nagorno-Karabakh unilaterally by military means.

The Republics of Armenia and Azerbaijan gained independence in 1991, after the break-up of the Soviet Union. In the same year, the Nagorno-Karabakh autonomous oblast declared itself independent of Azerbaijan, of which it had been a part since 1921. At that time, the Central Committee of the Communist Party of the Soviet Union put an end to a long dispute that had been accompanied by pogroms and expulsions on both sides. The territory of Nagorno-Karabakh was allocated to the Republic of Azerbaijan as an autonomous oblast.

The internationally unrecognised Republic of Nagorno-Karabakh has been calling itself Republic of Arzach since 2017. It consists of the actual heartland of Nagorno-Karabakh and a number of areas which are de jure the territory of Azerbaijan. The advancing Armenian and Karabakh troops conquered these areas in

1994, expelled the Azerbaijani inhabitants living there and established a kind of buffer zone. This zone is still largely deserted today. The city Ağdam, for example, once had almost 30,000 inhabitants, mostly Azerbaijani. Today Ağdam is a ghost town. Another part of this buffer zone is the so-called Laçın corridor, which lies between the heartland of Nagorno-Karabakh and the territory of Armenia.

An attempt by the OSCE's Minsk Group, led by Russia, France and the US, to find a solution was to leave the heartland of Nagorno-Karabakh in its current form and to have a referendum on affiliation there. The surrounding Azerbaijani areas of the aforementioned buffer zone would be returned to Azerbaijan, with the exception of the Laçın corridor. An OSCE peacekeeping mission will be stationed in the region as a guarantee of the international community. This attempt to find a solution was elaborated at the OSCE Foreign Ministers' Conference in Madrid in 2007 and has since been called "Madrid Principles".

In three resolutions the UN Security Council condemned the occupation by Armenia of the Azerbaijani districts of Zangelan, Ağdam and Kelbadjar in the buffer zone. The Republic of Arzach itself

is not internationally recognised, not even by Armenia. The latter has so far reserved the right to recognise the Republic of Arzach, knowing that such a step would definitely close the door to a negotiated solution with Azerbaijan. In the course of the ongoing fighting in recent days, Arzach now called on the international community to recognise the republic, because, according to the calculations in the capital Stepanakert (Azerbaijani: Khankendi), consideration for the Azerbaijani side no longer needs to be taken.

Various principles of international law compete in Nagorno-Karabakh: While Azerbaijan insists on its territorial integrity, Armenia refers to the right of self-determination of peoples. In the light of the atrocities of the past, a reintegration of the territory of Nagorno-Karabakh into the Republic of Azerbaijan and a return of the Azeris, who were expelled over 25 years ago, to their old homeland is hardly conceivable. The conflict cannot be understood with categories of good and evil, nor can it be solved simply by diplomatic and military means. The reasons for the conflict are too complex and the connections with other conflicts too numerous. •

(Translation *Current Concerns*)

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zya to issue the invitation. Bustani had been invited by the chairman of the Security Council who was entitled to do so in accordance with rule 39 of the Council's provisional rules of procedure. The British-French-German rejection front, however, attacked the chairman as representative of the Russian Federation. Nebenzya repeatedly had to switch roles from chairman of the Security Council to UN ambassador of Russia. This was provoked ever and again with great pleasure by the ambassadors of Great Britain, France and Germany.

The Chinese UN ambassador *Geng Shuang* defended the chairman's decision as being legitimate and declared that he did not understand the British proposal. "Mr Bustani, former director-general of the Organisation for the Prohibition of Chemical Weapons (OPCW), has rich experience, unique insights and knowledge of the working methods and procedures of the OPCW". Furthermore Mr Bustani was very knowledgeable about the chemical weapon issue and was therefore definitely qualified as a briefer about the topic. The Security Council in the past had frequently invited speakers to give briefings who had not been merely as professional

as Mr Bustani was. United Kingdom's behaviour was regrettable, said Geng Shuan. He proposed to take a procedural vote on the British proposal.

Great Britain however stressed that the chairman had invited Mr Bustani and so this invitation should be put to the vote. Either he withdrew his proposal or he needed 9 votes to back the briefer.

The Russian chairman, UN Ambassador Wassili Nebenzya proposed a vote on the phrase: "Who is opposed to Mr José Bustani briefing today's meeting?" The British ambassador objected. The Russian Federation had invited the speaker and should hold a vote on who agreed to this invitation.

The Chinese ambassador criticised that Great Britain and the others were provoking the Chairman. In his role as the President of the Security Council he had the right to invite a speaker. If there should be a vote it had to be on Britain's proposal.

The French UN diplomat *Nicolas de Rivière* referred to the "standard format" for dealing with the topic. According to the latter the Security Council dealt with the issue of Syrian chemical weapons every month and everybody was happy with that. Russia had organised Arria Formula meetings outside the Security Council

with invitees whom it chooses. Mr Bustani could well speak at that meeting. In the Security Council, however, Russia would have to put to vote the question whether one wanted to hear Mr Bustani.

The German UN ambassador Heusgen reminded the Russian Chairman of an event in the year 2018. At that time Russia had prevented the Security Council's meeting about the topic "Human Rights in Syria", in which the High Commissioner was to speak about human rights. "That was a scandal", Heusgen said. And now it was to turn the tables.

The Chinese ambassador finally reproached Great Britain and the others to apply "a double standard". Why is it that other briefers can be invited, but not Mr Bustani? Great Britain and the other colleagues "simply do not want to listen to differing views. They say that they are objective and fair, but that is simply not the case".

The chairman Ambassador Nebenzya put the matter to vote: Three representatives decided in favour of Bustani as briefer (Russia, China, South Africa), six against (USA, Britain, France, Germany, Belgium and Estonia) and six abstained. (Dominican Republic, Vietnam, Indone-

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sia, Niger, Tunisia, St Vincent and the Grenadines). José Bustani was disinvited, a scandal.

**Why was José Bustani not allowed to speak at the UN Security Council?**

Probably quite unintentionally, the German UN ambassador had given a hint at the background story behind the P3's (+ Belgium + Germany + Estonia) rejection front against the chairman's invitation.

The meeting from March 2018, which Heusgen referred to – probably after consultation with Great Britain, France and the USA – had been demanded then by France and seven other states. Russia had requested a vote on the agenda, not on the presence of the High Commissioner. The voting resulted in only 8 and not as necessary 9 votes in favour of the proposition. (France, Kuwait, Netherlands, Peru, Sweden, UK, USA). Four countries voted against the meeting (Bolivia, China, Kazakhstan and the Russian Federation) and three countries abstained (Ivory Coast, Equatorial Guinea and Ethiopia).

Completely in agreement with the shortly before assembled "Small Syria Group" France had planned to put forward the topic "Human Rights" to the Security Council, in order "to accentuate the horrible humanitarian situation and Russia's complicity in the bombing campaign on civil targets", as they had agreed upon in the protocol. In March 2018 it was about the region south of Damascus. There, the armed militias (Jaysh al-Salam, Ahrar al-Sham, al-Rahman Legion, Tahrir al-Sham, Free Syrian Army and Jaysh al-Ummah) in the Eastern environment of Damascus (Ghuta) had come under hard pressure, and their withdrawal was negotiated. The civilian population was evacuated out of Douma and other suburbs. After they had consented to their withdrawal to Idlib Al Bab and Jarabulus situated in the northern environment of Aleppo near the Turkish border, a quarrel broke out allegedly within the Jaysh al-Islam and Damascus was bombarded again.

Since the author of this article happened to be on site, she remembers the fighting as well as the fact that the Syrian Army fired back. However, these new ambushes lasted only one day. The next day, on 7 April 2018, the disputed *White Helmets* declared that the Syrian Army had used poison gas in Douma.

Syria objected to this as a lie and requested that the inspectors of the OPCW were deployed in order to examine the charges. The USA, Great Britain and France instantly blamed the Syrian Army and bombed Syria on 14 April 2018 "as retaliation for the chemical weapons attack on Douma". Germany welcomed the

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bombardments. At that point of time, the OPCW team was in Beirut, on its way to Damascus.

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**Bustani: Concerned about the OPCW**

The OPCW investigation in Douma and its official final report was exactly what José Bustani wanted to talk about. Having served as the first director-general of the OPCW from 1997-2002 he may also be called its architect in a way. "Following a US orchestrated campaign in 2002", Bustani had been removed from his post not long before the invasion of Iraq by the USA and their allies in 2003, as he explained in a statement at the UN Security Council: "... ironically [for] trying to uphold the Chemical Weapons Convention." "I took immense pride in the independence, impartiality, and professionalism of its inspectors", Bustani said about the OPCW. "No state party was to be considered above the rest and the hallmark of the organisation's work was the even-handedness with which all member states were treated regardless of size, political might, or economic clout."

But now it seems that these very standards have been "severely compromised, possibly under pressure from some member states." For him as former director-general "... the circumstances surrounding the OPCW's investigation of the alleged chemical attack in Douma, Syria, on 7 April 2018" were "... of particular con-

cern". "These concerns are emanating from the very heart of the organisation, from the very scientists and engineers involved in the Douma investigation." In the autumn of 2019 he had been invited to a meeting with one of the inspectors involved, where eye-witness accounts and evidence had been presented. What he had seen and heard on that day had been so disturbing that he had gone public with a statement immediately, Bustani recalled in his angry speech at the UN Security Council. He and several other figures from various countries had demanded a public hearing of the inspectors involved in the Douma investigation. The OPCW had not responded to the increasing controversy regarding the Douma final report. Rather the organisation chose to dig itself in "hidden behind an impenetrable wall of silence and opacity, making any meaningful dialogue impossible".

Bustani emphasised: "The work of the Organisation must be transparent, for without transparency there is no trust. And trust is what binds the OPCW together." The Brazilian diplomat then addressed his successor as director-general, *Fernando Arias*, directly:

*"It would be inappropriate for me to advise on, or even to suggest how the OPCW should go about regaining public trust. Still, as someone who has experienced both rewarding and tumultuous times with the OPCW, I would like to make a personal plea to you, Mr Fernando Arias, as Director General of the OPCW. The inspectors are among the organisation's most valuable assets. As scientists and engineers, their specialist knowledge and inputs are essential for good decision making. Most importantly, their views are untainted by politics or national interests. They only rely on the science. The inspectors in the Douma investigation have a simple request – that they be*

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*given the opportunity to meet with you to express their concerns to you in person, in a manner that is both transparent and accountable."*

This should be the minimum that they can expect, Bustani said.

*"At great risk to themselves, they have dared to speak out against possible irregular behaviour in your Organisation, and it is without doubt in your, in the Organisation's, and in the world's interest that you hear them out."*

The inspectors did not claim to be right in all points, they just called for a fair discussion.

*"As one Director General to another, I respectfully request that you grant them this opportunity. If the OPCW is confident in the robustness of its scientific work on Douma and in the integrity of the investigation, then it has little to fear in hearing out its inspectors. If, however, the claims of evidence suppression, selective use of data, and exclusion of key investigators, among other allegations, are not unfounded, then it is even more imperative that the issue be dealt with openly and urgently."*

Bustani concluded expressing his confidence that the OPCW was capable of self-correction.

*"The world needs a credible chemical weapons watchdog. We had one, and I am confident, Mr Arias, that you will see to it that we have one again."*

So much for the speech by José Bustani. But why would the United Kingdom France, the USA and Germany not listen to this? Because the statements of the inspectors suggest that the pressure and intimidation they were subjected to came directly from at least one of these states, even by sending a delegation to OPCW headquarters in The Hague. "They did not introduce themselves but threw a brochure on the table and said: This is the Douma report, if you want to know what happened there just read this", recalls "Alex", one of the inspectors who was present at the meeting in October 2019 in which the author of this article participated. As is the third largest financial contributor to the OPCW and a member of its executive council until 2021 Germany was bound to notice the intimidating behaviour and the pressure on the inspectors of the Douma team. Still they stay loyal to the "permanent 3" – despite knowing better, one might suppose. Why?

**Hypocrisy**

Back again to German diplomacy in the UN Security Council. The chairman am-

bassador Nebenzya used his national function – as permanent representative of the Russian Federation to the United Nations – to read the report of José Bustani aloud after the report of disarmament commissioner Izumi Nakamitsu.

British UN ambassador Allen formally protested. The chairman had proven his disdain for the members of the Security Council, he alleged, by inviting a speaker whom the majority did not want to listen to. When he (the chairman) had "ignored the decision of this council", "it is perhaps not a surprise that Russia chooses to ignore the rules that it wants others to abide by", Allen polemicised.

France and the US both criticised Russian UN ambassador Nebenzya in the usual harsh manner before they commented on the report of the High Representative for Disarmament Affairs Izumi Nakamitsu.

Then German UN ambassador Heusgen took the stage and addressed the presiding Russian ambassador directly, as follows:

*"Mr President, in the introduction of your long citation, you said that those who questioned the presence of Mr Bustani here, that we were bringing 'shame and disgrace to the Council,'"*

the ambassador opened his attack, which will be reproduced here as follows:

*"So let me ask you, who brought shame and disgrace to the Council? Was it the 12 countries in this Council who did not vote with you, who tried to prevent a former OPCW official who was not in a position to provide relevant information today? Or was it Russia and China? [...] Russia and China prevented that Zeid Al Hussein briefed the Council. This brought shame and disgrace to the Council. Who brought the shame and disgrace to the Council? Was it the 13 countries around the table who in July were in favour of opening three crossing points in northern Syria to allow humanitarian aid into the country? Or was it China and Russia, who vetoed that and, according to UNICEF, put into danger the lives of 500,000 people, including many children?"*

*Who brings shame and disgrace to the Council? Is it the members here who adhere to the Chemical Weapons Convention, or is it Russia, which in 2018 launched a cyber-attack on OPCW in The Hague?"*

*Who brings shame and disgrace to the Council? Is it all the members of the international community who defend the Chemical Weapons Convention and who try to prevent that chemical weapons are used? Or is it Russia,*

*who uses chemical weapons even on its own citizens – on Mr Navalny, on Mr Litvinenko, on Mr Skripal and his daughter?"*

*In your Russian capacity, when will we hear one word from you mourning the victims of the chemical attacks on the Syrian population? More than 1000 people have died. When will we hear mourning about the victims of Assad's regime, those that the witness in the Koblenz trial described – thousands and thousands of people who are killed in the prisons of Assad, who are buried in mass graves. When will we hear mourning from you about this? When will you finally support accountability on these crimes committed by the Syrian regime and therefore allow for reconciliation in that country, which we urgently need?"*

Eager as he was to attack Russia and China and blame them for all perils in Syria the German ambassador totally forgot why he was attending the meeting on that day. He did not even mention the report of High Representative for Disarmament Affairs Izumi Nakamitsu.

Chinese ambassador Geng Shuang pointed that out. He expressed his regrets that Mr Bustani had been denied the opportunity to speak to the Security Council and that several countries including Germany had actively blocked him from doing so, the Chinese representative emphasised. This revealed the hypocrisy shown by these countries that only want to hear what they would have to say themselves. He went on as follows:

*"I must say that, in his remarks, the German representative did not raise the question of chemical weapons in Syria at all,"*

so Geng Shuang went on.

*"His statement consisted entirely of attacks on other members of the Council."*

The German representative had treated the Council as a venue for venting his sentiments and dissatisfaction. Such practices was not at all constructive.

*"At least the representative of the United Kingdom, after expressing his disagreements, stated his position on the question of chemical weapons in Syria. If countries come here to attack other countries rather than discuss the issue at hand, how can we talk about solidarity in the work of the Council? How else can the Council play a role?"* •

(Translation Current Concerns)

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# Germany, the EU and Russia – a cacophony?

by Karl-Jürgen Müller

*Germany's policy towards Russia, but also that of the EU, is driven back and forth between its own interests, traditional ties, foreign, above all Anglo-Saxon claims and enemy image ideologies. This is becoming ever more apparent and ever stronger. As a result, Germany and the EU are increasingly losing credibility and peace-promoting creative power. Recent developments prove that.*

Gerhard Schröder, during his time as German Chancellor, has done many objectionable things. For example, in spring 1999 he was responsible for the German participation in NATO's war of aggression against the Federal Republic of Yugoslavia, which was against international law. But he has also expressed his opposition to war – with his “No” to direct German participation in the internationally illegal war of aggression against Iraq of the US and its “Coalition of the Willing” in spring 2003. At that time, together with French President Jacques Chirac and Russian President Vladimir Putin, he tried to prevent this war – there was talk of a “Paris-Berlin-Moscow axis”.<sup>1</sup> At the time US Secretary of Defense Donald Rumsfeld created the terms “old” and “new” Europe, thus qualifying the opponents of the war as “old” Europe and the supporters of the war as “new” Europe.

## Gerhard Schröder, the war in Yugoslavia and the Navalny-campaign

Looking at the governments of the European NATO states today, one sees above all that there is no longer any “old” Europe. Former Chancellor Schröder, on the other hand, has gone his own way with at least two comments. In March 2014, when all the NATO states accused Russia of having occupied the Crimean peninsula “in violation of international law”, Schröder warned against the raised forefinger in an event of the weekly newspaper *Die Zeit*<sup>2</sup>. He said, he himself as German Chancellor had participated in an internationally illegal war against the Federal Republic of Yugoslavia. Schröder was right. There have been few reactions to this. Now he spoke again in the *Navalny* campaign, again warning against hasty conclusions and measures and saying: “What is currently being done these are essentially speculations, because ... there are no hard facts.”<sup>3</sup> Schröder is right about that too. Even the SPD politician Gernot Erler, who had sharply criticised Schröder for his statements, formulated in an interview with radio *Deutschlandfunk* on 8 October: “If you look at it from a purely legal point of view, a purely juridical

## War and Peace – from the new encyclical of Pope Francis

75 years after the end of the Second World War, Pope Francis, in his new social encyclical published on 3 October 2020, entitled “Fratelli Tutti”, warned against the danger of war and spoke out for peace. He writes in his Encyclical:

*“War is not a ghost from the past, but a constant threat. Our world is encountering growing difficulties on the slow path to peace upon which it had embarked [after 1945] and which had already begun to bear good fruit. [...]*

*War can easily be chosen by invoking all sorts of allegedly humanitarian, defensive or precautionary excuses, and even resorting to the manipulation of information. [...]*

*Since conditions that favour the outbreak of wars are once again increasing, I can only reiterate that ‘war is the negation of all rights and a dramatic assault on the environment’. [...]*

*At issue is whether the development of nuclear, chemical and biological weapons, and the enormous and growing possibilities offered by new technologies, have granted war an uncontrollable destructive power over great numbers of innocent civilians. [...]*

*We can no longer think of war as a solution, because its risks will probably always be greater than its supposed benefits. In view of this, it is very difficult*

*nowadays to invoke the rational criteria elaborated in earlier centuries to speak of the possibility of a ‘just war’. [...]*

*Every war leaves our world worse than it was before. War is a failure of politics and of humanity, a shameful capitulation, a stinging defeat before the forces of evil. [...]*

*Let us ask the victims themselves, [...] and it will not trouble us to be deemed naive for choosing peace.”*

## War and hunger in the world

In view of the award of this year's Nobel Peace Prize to the United Nations World Food Programme – a UN organisation which has been dealing with a growing problem of hunger in the world since 2015 and whose resources are far from sufficient, so that its food rations have had to be cut in recent weeks – let us add a final quote from the encyclical:

*“With the money spent on weapons and other military expenditures, let us establish a global fund that can finally put an end to hunger and favour development in the most impoverished countries, so that their citizens will not resort to violent or illusory solutions, or have to leave their countries in order to seek a more dignified life.”*

Quelle: Libreria Editrice Vaticana

«Germany is supposed to worsen its relations with its neighbour Russia, is supposed to spend about 30 billion euros more per year on armaments (already more than 45 billion euros today), the pressure is growing to spend two per cent of the gross domestic product on the military. For 20 years now, step by step one has worked towards rebuilding an impermeable wall between West and East. The plan was formulated in the Slovak capital Bratislava at the end of April 2000.»

point of view, that is correct ...”, but then to add immediately: “... but not politically, of course”. What exactly Erler meant remained in the dark. Only this much could be guessed: Russian President Putin is said to be “politically” responsible if anyone uses a poisonous substance, whose origin is assumed to be that of state authorities in Russia. It had already become known during the investigations into the 2018 *Skripal*-campaign that more than likely not only the Soviet Union (and then

Russia) were (are) in possession of poisons from the Novichok group, but also secret services of other states.<sup>4</sup>

However that may be: If you search on *Google* for what Gerhard Schröder actually said, you will have a hard time finding it; because the first ten *Google* pages (and more) are full of the very sharp and polemical attacks that took place after 1 October against former chancellor Schröder

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("Schroder is an errand boy for Putin, protecting murderers") – a real "shitstorm".

#### Remembering George Friedman

Pro memoria: *George Friedman*, the former director of the US private intelligence agency *Stratfor*, had said in a lecture in February 2015 at the *Chicago Council on Global Affairs*: "The primordial interest of the United States over which for a century we have fought war, the first, second, and Cold War has been the relationship between Germany and Russia, because united they're the only force that could threaten us, and to make sure that that doesn't happen."<sup>6</sup> So, a voice like Gerhard Schröder's is disturbing. George Friedman's lecture passages are widely known, but they should be remembered from time to time.

To this day, attempts are still being made time and again to adapt German policy to the "main interest of US foreign policy". Newspaper articles such as the one in the "Neue Zürcher Zeitung" of 8 October 2020 entitled "German policy on Russia on trial" have not least the task of working precisely in this direction. For example, when it says: "Diplomats in Berlin stated in confidence that after 15 years the chancellor is now 'on the verge of the shambles of a German policy on Russia that is too trusting'. At the presentation of a study of the *Munich Security Conference*, the request was recently made that Germany must finally abandon the 'life lies' of its foreign policy and find a clearer and more coherent policy on Russia". This is the way to create facts.

#### How high should the new wall be?

Germany is supposed to worsen its relations with its neighbour Russia, is supposed to spend about 30 billion euros more per year on armaments (already more than 45 billion euros today), the pressure is growing to spend two per cent of the gross domestic product on the military. For 20 years now, step by step one has worked towards rebuilding an impermeable wall between West and East. The plan was formulated in the Slovak capital Bratislava at the end of April 2000.<sup>7</sup>

On 12 October 2020, the Council of EU Foreign Ministers, as it is known, "launched" new sanctions against Russia because of the Navalny case. The Council had followed proposals of the French and German Foreign Ministers. These two politicians justified the move by stating on 12 October in the public news programme *tagesschau.de* that "Russia has not yet complied with calls for a complete investigation of the crime. So far, Russia has not provided a credible explanation for the cruel murder attempt [...]. Therefore, it is considered that 'there is no plausible explanation for the poisoning of Mr Navalny other than Russian involvement and responsibility'". A scandalous reasoning from a rule of law perspective.

#### Sanction-circus

It is interesting to note, however, that this alone corresponds to the formulations of the German and French foreign ministries. The official decision document of the Council of EU Foreign Ministers of 12 October only briefly stated: "There was

also political agreement to take forward the [Franco-German] initiative to propose restrictive measures against those linked to the attempt to assassinate Alexei Navalny." On 12 October, the public law broadcaster *Deutsche Welle* sounded somewhat different from *tagesschau.de*. It was stated there: "German EU diplomats hope that the latest decision [of the EU foreign ministers] will also ease the pressure on the German government to stop the German-Russian *Nord Stream 2* pipeline project in the Baltic Sea." The German government, it was said, was "adhering to its view that this economic project had nothing to do with poisoning an opposition member". EU foreign affairs commissioner *Joseph Borell* is quoted as saying "The whole world cannot be reduced to this unhappy event of the poisoning of Mr Navalny". Then Borell is quoted in indirect speech: "The EU would have to continue working with Russia because Moscow plays an important role in many conflicts".

Nevertheless, on 14 October the EU concretised its sanctions plans against Russia. A few Russians, mainly members of the security apparatus, are to be subject to entry bans into the EU and asset freezes. The Russian State Research Institute of Organic Chemistry and Technology is also to be sanctioned. That is where the poison found at Navalny is said to come from. But once again it is stated, this time on *tagesschau.de*: "It was above all the German government that speeded up the sanction decision, not least because it hopes that it

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## The Circular Logic of Sanctions

by Professor Dr iur. et phil. Alfred de Zayas, Geneva School of Diplomacy

The international community contends that it is genuinely interested in advancing the enjoyment of all human rights by all persons in all countries.

The Office of the *High Commissioner for Human Rights* has shown that its Advisory Services and Technical Assistance are effective in strengthening the rule of law and state institutions that promote and protect human rights. The opening of an OHCHR bureau in Caracas, Venezuela, in 2019 is a significant step in coordinating the assistance of UN agencies including UNDP, UNHCR, WHO and FAO.

On the other hand, when a country is subjected to economic sanctions and financial blockades, the result is not an expansion of human rights, but exactly the opposite. Experience shows that when a country suffers a national emergency, when its economy is being asphyxiated, when it is suffering from a siege or non-conventional hybrid warfare, it usually

closes ranks and tries to regain stability through the temporary restriction of certain civil and political rights – for the duration of the crisis.

Article 4 of the *International Covenant on Civil and Political Rights* does allow for certain temporary restrictions, e.g. the derogation from Art. 9 (detention), Art. 14 (fair trial proceedings), Art. 19 (freedom of expression), Art. 21 (freedom of peaceful assembly), Art. 25 (periodic elections).

No one wants these derogations, nor do we think derogations are a good thing, but every state has a certain margin of discretion in determining the level of risk to law and order posed by military incursions, paramilitary activities, sabotage – or by non-conventional hostile methods such as sanctions, blockades, embargoes, which have been condemned both by the General Assembly and by the *Human Rights Council* on repeated occasions.

Thus, instead of facilitating the improvement of the human rights situation in a given country, sanctions result in emergency domestic measures that aim at reestablishment stability and public order. In other words, sanctions are counter-productive.

If the international community really wants to help a country improve its human rights performance, it should endeavor to lift all foreign threats, sabre rattling, sanctions and blockades – because they constitute significant obstacles to the proper functioning of any state under a democratic constitution and under the rule of law.

In the light of the continuing threats by *Trump* and *Pompeo*, it would seem that an old French adage has perfect application – *la bête est très méchante, lorsqu'on l'attaque, elle se défend*.

The beast is very nasty – when you attack it, it defends itself.

# Shares are not tangible assets

by Prof. Dr Eberhard Hamer



Eberhard Hamer  
(Picture ma)

The financial sciences agree that the current unrestrained multiplication of money, credit multiplication and debt explosion must destroy the value of money in the medium or long term. Actually an inflation of 5 to 10 %

should have occurred long ago. But so far it has been prevented with a worldwide counter policy (inflation backlog) by zero interest rates of the central banks, unrestrained financing of highly indebted states and companies by these very central banks and by “rescue packages” in the trillions, even by – according to the understanding of high finance – “perpetual loans” (Soros), which are never to be repaid.

## “Germany, the EU and Russia ...”

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will put an end to the debate on the German-Russian *Nord Stream 2* gas pipeline.”

The Russian Foreign Minister *Sergey Lavrov*, so it was said there as well, had announced counter sanctions to those of the EU. This was diplomatic practice, said Lavrov. Lavrov again accused the German authorities of not having presented any evidence of *Navalny* being poisoned. The country was thus violating international law. Earlier, Lavrov had already warned the EU of a temporary halt of all dialogue. The officials in charge of foreign policy in the EU did not understand the need for a dialogue characterised by mutual appreciation. “Maybe we should just stop for a while talking to them,” said Lavrov. •

<sup>1</sup> Three years later, it was said of the new Chancellor *Angela Merkel*: “Chancellor does not want a Paris-Berlin-Moscow axis” (*Frankfurter Allgemeine Zeitung* of 21 September 2006)

<sup>2</sup> see <https://www.youtube.com/watch?v=ydLINQBOFIU>

<sup>3</sup> To be listened to in a podcast of about 25 minutes on 1 October 2020; <https://www.a-b-communication.de/podcasts/>

<sup>4</sup> cf. for example <https://www.heise.de/tp/features/Wusste-die-Bundesregierung-dass-es-Nowitschokin-Labors-von-Nato-Laendern-gab-4060347.html> [Did the Federal Government know that there were Novichokin laboratories of NATO countries]

<sup>5</sup> This is the headline with which the German newspaper *Bild-Zeitung* reproduces an interview statement of *Alexei Nawalny* on 7 October 2020.

<sup>6</sup> Excerpts from this speech can be read at <https://www.zeit-fragen.ch/archiv/2017/nr-21-29-august-2017/us-hauptziel-ist-ein-buendnis-zwischen-russland-und-deutschland-zu-verhindern.html>

<sup>7</sup> see <https://de.wikipedia.org/wiki/Bratislava-Konferenz>

At some point, however, like in a dammed river, masses of continuously flowing water will wash over every dam. The same is true for the flooding of money and the inflation dam that has worked so far. We only know that eventually, the inflation backlog will no longer stay intact. We do not know when this will be the case.

At the latest when people realise how (their) money is being devaluated by multiplication, they will react: they will try to exchange their money for material assets, thereby increasing the velocity of circulation of money once again and in this way accelerating the inflation process ever more (up to a galloping inflation).

The real estate bubble and the stock market peaks as well as the rising gold price are already signs that clever investors are fleeing from money into tangible assets. Gold brings security, but no interest. The ongoing devaluation of money will therefore cause the price of gold to rise further – but only as a “flight currency”, not as a yield investment.

Real estate, on the other hand, is profitable (rents, leases). However, the currently exaggerated price bubble of real estate reduces this profitability. With prices meanwhile at twenty times the annual rent, the investment in real estate points more to an escape movement than to income-producing investment. In addition,

the investor in residential property must expect our policies to not only put the brakes on rents, but also to introduce burden-sharing as soon as a crash bursts the money bubble and monetary assets melt away. It is true that in earlier currency reforms only 50 % of the value of real estate was devalued by burden-sharing, while money was devalued by 90 % – so it is still more profitable to stay in real estate than in money; but even the real estate investor will not get out of the coming debt correction unscathed – due to a would-be “justice”. The funds therefore recommend shares as the best investment. They refer to the fact that in inflation times the stock exchanges go up and aver that shares represent the real value of an enterprise.

Both these statements are superficially correct, but too narrowly considered:

- The rise of prices on the stock markets is not so much due to an increase in the value of the shares themselves as to the fact that a flood of liquidity is seeking real investments in the stock market, and this will in itself push up the prices of company shares. It is therefore not the value of the companies that is responsible for the price fireworks on our stock exchanges, but the excess liquidity of the money created by the central

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cc. Eberhard Hamer has been publishing, either as author or editor, for many decades much-read books on a variety of socio-political, while primarily focusing on economic and financial policy issues. The two books shown here are only a small selection: His volume “*Visionen 2050*” (ISBN 978-3-86445-332-8), published in 2016, presents the research results of various working groups. His “classic”, in which he was one of the few to predict the financial crisis of 2007/2008, is the book “*Was tun, wenn der Crash kommt?*” (What to do when the crash comes?), which was published in its 10th edition in 2008. (ISBN 978-3-7892-8261-4).

**"Shares are not tangible assets"**

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banks. The surplus money will first seek financial investments in the financial cycle and thus inflate stock market prices.

- The fact that rising stock market prices do not necessarily represent increases in the value of the corresponding companies is also related to the fact that in most cases prices are determined by speculation.

Take the example of *Wirecard*: the price fireworks of the worthless *Wirecard* was pure speculation; the bubble burst and left the investors as losers.

Or take the example of *Tesla*: *Tesla* is also likely to be a huge speculation bubble, but has so far only gained in price because it has become more and more gigantically indebted. This is not based on sustained economic strength, but on speculative investments and state subsidies (in Germany). Profits for the investors should not be expected. As soon as the bubble is discerned, the share price will collapse like a house of cards – and perhaps even the whole dummy company as well.

Take the example of start-ups: 90% of all start-ups fail. Yet few sectors of the economy currently carry as much hope as start-ups, as many reckless loans are invested in this hope and even more money will be burned in start-ups than in existing companies. The disillusionment will be short-term in the crisis that has already begun.

- As far as stock market prices are concerned, it is also more a question of statements by central bank heads than of the value of companies. Positive hints from central bank governors generally make stock markets rise, negative ones make them fall. Positive

company news, on the other hand, at best affects the share price of the company in question. Speculation focuses less on the value of individual companies than on changes in global financial data.

- The examples of digital companies and companies carrying out research on a corona vaccine show just how unrestrained international speculation is in its lust for share price opportunities. It is not company values that attract big business, but the speculative trend. Most digital companies have little or no real capital; all they have is hope. They therefore have no security of substance to offer, but only speculative hopes.

The times when our industrial sector worked with high investment capital and thus collected money from the stock markets for tangible assets (investment capital) are over. In the meantime, hope-inspiring companies collect most capital; they create speculative hope but no tangible assets for it. In this respect, the company shares today are less a material asset than a speculative value.

The author also knows from his own experience, how banks and corporations manipulate shares on the stock exchange according to their purposes. Investors do not realise this. They do not know that many a sensational report about a company only serves to sell its shares, or that some loss reports are only intended to manipulate the share price, so that these shares might be bought at a lower price. Investors do not know which price is manipulated by which company through legal (naked sales), illegal (insider trading) or semi-legal (cum-ex transactions).

Shares are therefore not only objects of speculation for major currency and financial movements as well as changes in the value of money, but in detail they are also

objects of speculation for the profit manipulation of major shareholders and funds. Since 70% of our DAX shares are owned by international – mainly Anglo-Saxon – funds, these funds manipulate the share prices of their holdings for their own benefit, not according to firm value.

Even *Donald Trump* recognised this when he transferred two trillion dollars to *Blackrock* in the USA a few months ago, so that it might be used to manipulate stock market prices upwards against the danger of the economy crashing due to the corona virus.

Therefore, the financial sciences myth about shares being tangible assets is wrong. Shares are only speculative values. The material value of companies and even their profit prospects are secondary, and usually irrelevant for their shares' market value.

So whoever believes that he can escape the disintegration of monetary value by buying shares will soon be forced to notice that in a crash the stock markets - like all financials, and unlike gold and real estate – fall apart, that the alleged material values of the stock market evaporate to perhaps 20% (as in 1930), that whoever banked on shares did not build on real value, but on quicksand.

It is not only our financial policy, with European debt assumption, debt explosion, "perpetual loans" and unrestrained money multiplication by the central banks, that is fraud; also the stock exchange, as a financial sector, is not secure in terms of real value, but is predominantly built on hope and fraud. If a greater number of investors realise this and sell, the stock bubble will collapse, the hope values will fall to the low real residual value of companies. Mind you, unlike bond investors, equity investors do not lose everything, but only almost everything. •

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# Switzerland-EU framework agreement: Better end the negotiations with dignity ...

by Dr iur. Marianne Wüthrich

After 27 September (rejection of the “initiative for a moderate immigration” or “limitation initiative” by the sovereign), the framework agreement, which had been put on ice, should move forward rapidly. The Brussels grandees spent an evening applauding the Swiss people for their “good understanding of democracy”, but are now impatiently insisting on an early signature again. The strategy of the EU turbo-boosters in Federal Bern and elsewhere in the country was: let us first floor the initiative, then go through with the conclusion of the framework agreement. They were relying on the million-dollar carpet of information against the limitation initiative: “No to the destructive attack on the bilateral route” and similar lurid and untrue sayings should be instilled in the minds of voters and remain there at least until the agreement with Brussels is ratified, because there is no way around the Swiss people / Swiss voters. But first of all, things will turn out differently, and secondly, never as you think! The fundamental criticism of the “InstA” (Institutional Agreement) that has been voiced in the last two or three weeks is overwhelming. And it is even more astonishing to see which persons/personalities are heard about all this.

Obviously the long period of silence, which was further prolonged as a result of the Corona shutdown, also had its good points. One had more time to think the whole thing through.

## Current situation

Following an “internal consultation”, which the Federal Council conducted with the cantons, political parties and social partners in early 2019, a number of points emerged on which the Federal Council had to insist: Retention of the accompanying measures on wage protection, exclusion of some provisions of the EU Citizenship Directive (UBRL) from “dynamic development” (immigration into social assistance, right of residence for social assistance recipients even in the event of prolonged unemployment), restriction of the EU ban on state aid.

The latest plan – which has apparently already been jaded with Brussels – is the so-called “immunisation” of Swiss wage protection and the EU Citizenship Directive, i. e. their exclusion from the further development of EU law. The *SonntagsZeitung* comments: “In the federal administration, the immunisation strategy is seen as an elegant way to preserve as much sovereignty as possible. On the other hand, it is con-

sidered impossible to remove the principle of automatic adoption of EU law and of the EU court as a dispute settlement body from the treaty. These were core elements of the European market.”<sup>1</sup> [emphasis mw]

After all, the Federal Council wants to send a new negotiator to Brussels. The current negotiator, Roberto Balzaretto, is too soft, according to the *Sonntags-Zeitung*. What was needed was someone “who will signal greater firmness” and “make it clear to Brussels that it is not just a matter of clarifying a few points, but in fact of renegotiating the agreement.”<sup>2</sup> [emphasis mw] On 14 October the Federal Council appointed the current ambassador in Paris, Livia Leu Agosti, to succeed Balzaretto. We shall see ...

## The fundamental issue of state sovereignty must be addressed

Already one week before the voting Sunday, former Federal Councillor Johann Niklaus Schneider-Ammann raised objections in principle to the framework agreement.<sup>3</sup> This is astonishing not only because his party, the business party FDP, is the most stubbornly committed to the rapid signing of the agreement. But also because Schneider-Ammann was a member of the Federal Council from 2010 to 2018 and, in accordance with the principle of collegiality, had to support the entire negotiations with the EU.<sup>4</sup>

According to Schneider-Ammann, it is not enough for Switzerland to address the three problems mentioned. “In the (post-) negotiations, it is imperative that the fundamental question of state sovereignty is also addressed. The balance found in the bilateral agreements between state sovereignty and access to the internal market has been lost in the draft of the InstA [framework agreement] at Switzerland’s expense.” Switzerland could neither accept that it would have to adopt future law, which is unknown today, nor that the rulings of the ECJ would be binding on the arbitral tribunal. Nor should Switzerland accept the extension of the guillotine clause (in the event of termination of the InstA, Bilaterals I and all new market access agreements would be terminated), as this would give the EU a great threat potential. Addressing some of the major players of the large corporations, the former Federal Councillor added: “If market access is given much greater importance than questions of state sovereignty, this may work out. But there is a risk that the people cannot be convinced of the need for such a radical transformation. A no-

vote by the people would benefit nobody – not even the EU”.

## No other country is better integrated into Europe than Switzerland

Schneider-Ammann calls on the Federal Council to defend itself against the pinpricks and threats from Brussels: “Bern must not accept this.” According to Schneider-Ammann, Switzerland does not need this “unbalanced draft” at all, because “the movement of people and goods between the EU and Switzerland is impressive in international comparison and still strongly in favour of the EU. [...] No other European country, including the EU member states, is demographically and economically better integrated into Europe than Switzerland.” Schneider-Ammann concludes: “In summary, this means that Switzerland is not a takeover candidate. We are scientifically and economically fit and, thanks to good relations between the social partners, we have social peace. We do not need to join the EU, nor do we need to be prepared for it with an unbalanced InstA”.

In a similar vein, the chief economist of the *Federation of Trade Unions, Daniel Lampart*, argues: “The reality is that in many cases the EU benefits more from its ties with Switzerland or that Switzerland has adapted many regulations in favour of the EU. [...] No other country in Europe has as many foreign service providers as Switzerland (measured by the resident population). Conversely, there are hardly any Swiss companies that go abroad. [...] Switzerland has a deficit with the EU in both goods and services (tourism, banking, insurance, etc.). This deficit is likely to become even larger with Brexit.”<sup>5</sup>

## CVP party officials go one step further: Better a terrible end ...

The statement made by former Federal Councillor Schneider-Ammann made many politicians and association leaders speak out who until then had not made such a clear statement. Already on the evening of voting day (27 September), the editors of the “*Neue Zürcher Zeitung*” had to admit: “How an agreement with Brussels can still be reached is a mystery. Parties, trade unions and industry are defining rigorous conditions.”<sup>6</sup>

On this evening, Council of States member *Pirmin Bischof* (CVP Solothurn) took the following position: “We also need improvements in the issues relevant to sovereignty policy [adoption of legislation, guil-

**"Switzerland-EU framework ..."**

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lotine clause, ECJ], otherwise the treaty will fail in the referendum if not before." Especially the direct influence of the ECJ on legislation and jurisdiction in Switzerland "is difficult to reconcile with our direct democratic and federalist system". On 25 September, Bischof had already submitted an interpellation with a series of concrete questions to the Federal Council (interpellation 20.4255 "Institutional Framework Agreement. Adjust it now"). For example: "What is the procedure if the EU rejects substantial Swiss requests?" Bischof's own answer to this: In this case, it would be better for the Federal Council to terminate the negotiations itself.<sup>7</sup>

On 28 September, CVP President Gerhard Pfister also intervened, warning, among other things, that it should not be allowed for a biased European court to decide on the relationship between the EU and a non-member.<sup>8</sup>

A further surprise – and rightly so! – the warning of the editor-in-chief of the *SonntagsZeitung* ("Tages-Anzeiger"), *Arthur Rutishauser*: if the EU was willing to compromise on the three points at issue (protection of wages, Citizens Right Directive, state subsidies), "the Federal Council would not really have much choice but to sign". But there were also the fundamental questions of dispute settlement and the guillotine clause [...]. "From the Swiss point of view, signing such a clause would simply be stupid."<sup>9</sup>

**SP party leadership: "EU euphoria has almost disappeared"**

Let us look at the statements made by the Social Democratic Party. In their party agenda, Swiss accession to the EU remains a goal to be pursued. It is therefore very encouraging to hear the clear

words of former party chairman, Council of States member *Christian Levrat*, and the new co-chairman, National Councillor *Cédric Wermuth*, who took office on 17 October. Cédric Wermuth: "We want to advance European integration of Switzerland. But it isn't our task to save this failed treaty at any price."<sup>10</sup> Christian Levrat says it even more clearly: "A breaking-off is not the end of the world. Negotiating is always associated with the option of failure". Levrat adds: "The EU euphoria that prevailed at my beginnings has almost disappeared, even in the SP. We're interested in a strong and successful EU. But obviously, there is currently no ground for further steps towards rapprochement. This is understandable. *The EU is no more as progressive as we are in the social field.*"<sup>11</sup> [emphasis mw].

**Swiss Confederation of Trade Unions: ECJ places freedom of corporations above the protection of workers**

Daniel Lampart, head of the secretariat and chief economist of the *Swiss Confederation of Trade Unions SGB*, uses the example of Swiss wage protection to explain what the concrete meaning of Switzerland's subordination to the jurisdiction of the European Court of Justice would be. If Switzerland had to adopt the EU Posting of Workers Directive, the ECJ would assess whether Swiss wage protection is proportionate according to the meaning of this directive. However, according to Daniel Lampart, the ECJ doesn't primarily want to protect the interests of employees, but rather to enforce the "four basic freedoms" for corporations: "In various rulings since 2007, the ECJ has repeatedly concluded that wage and employee protection provisions are contrary to the internal market, and it has regularly placed the freedom of the employer to offer his services above the right of employees to be protected in their rights".<sup>12</sup> And this

is the court to which we should subject our affairs?

In the same statement, the SGB clearly points out that the Swiss way of ensuring that working conditions and wages are respected does not fit into the EU pattern. For in our country the social partners themselves carry out the controls, not the state authorities – in the spirit of the direct democratic Swiss state structure based on mutual trust. Such a thing is unthinkable for Brussels bureaucracy. In Switzerland, the minimum standards are laid down in collective agreements, according to the SGB: "Compliance with these standards is monitored by joint commissions of employers and trade unions and enforced by means of sanctions (contractual penalties). This method of enforcement is unique in Europe. There's a very great danger that the EU Commission or the ECJ would forbid Switzerland to do so in whole or in part."

**Social partners stand united in their criticism of the Framework Agreement**

The head of the Swiss trade association *Economiesuisse* has for years been unequivocally in favour of signing the framework agreement because it creates "a stable and sustainable basis" for economic relations with the EU (*economiesuisse.ch*: Institutional Agreement Switzerland-EU). *Economiesuisse* is strongly supported by the think tank *Avenir Suisse*. Both are primarily concerned with a "stable basis" for the globalised large corporations and are less interested in preserving the Swiss state model and the concerns of the social partners in companies. According to the Federal Statistical Office, however, SMEs (with fewer than 250 employees) account for over 99% of Swiss companies, namely (in 2018) 591,016 firms with more than 3 million employees! This makes it all the more gratify-

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**Alternatives to the Framework Agreement**

- Suspend negotiations until the end of the brexite negotiations: "Negative reactions from the EU are foreseeable", said Council of States member Pirmin Bischof. But it is probably interested in stable relations with Switzerland for purely economic reasons. "After the brexite negotiations, the EU can probably talk to us again in a more open, objective and non-ideological way". (Council of States member *Pirmin Bischof*, CVP)
- Interim Agreement: "This would confirm Switzerland's will to support the EU with a generous contribution to cohesion, and Bern and Brussels would within the course of the daily business continue the process of updating the Treaties". (former Federal Councillor *Johann Niklaus Schneider-Ammann*)
- "Plan B would probably be a return to the old situation: individual bilat-

eral agreements are developed where there is mutual interest. That is not optimal, and it is not my preferred scenario. But it would not be a drama either." (resigned SP president *Christian Levrat*)

- Generous cohesion payments for the absence of needsticks: Switzerland could participate in the EU's Corona Reconstruction Fund with "a contribution that would go well beyond its current cohesion payments. In return, the EU would have to refrain from punishing Switzerland with pinpricks for the failure of the framework agreement". (SP Co-President *Cédric Wermuth*)
- "Actually, we have no problems with the EU; Switzerland implements many of the guidelines from Brussels more dutifully than some member states. If, after the failure of the negotiations, the

EU were nevertheless to harass us as it had threatened to do, this would be a violation of the principle of good faith in the Bilateral Agreements I, which is enshrined in international law. But it would be bearable. I know from good sources that the Swiss Confederation is prepared for such a case. Several departments have drawn up a list of countermeasures that Switzerland could take". (SVP parliamentary fraction leader *Thomas Aeschi*)

- Switzerland as a true and solidary partner of the EU: "It should make its financial contributions and cohesion payments. Not because we are being punished. But because we want to be a genuine partner of the EU in solidarity [...]. But we do not want to automatically adopt EU law". (*Entrepreneurial initiative of the Partners Group*)

### "Switzerland-EU framework ..."

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ing that other exponents of the Swiss economy have recently also taken the floor.

Only recently it became known that the *Swiss Employers' Association* (Schweizerischer Arbeitgeberverband, SAV), the *Swiss Trade Association* (Schweizerischer Gewerbeverband, SGV), the *Swiss Federation of Trade Unions* (Schweizerischer Gewerkschaftsbund, SGB) and the umbrella trade union federation *Travail.Suisse* addressed a joint letter to the Federal Council on 14 August 2020.<sup>13</sup> These four weighty umbrella organisations of the social partners are proposing various solutions. These range from the mere exclusion of the three "elements considered to be incapable of winning a majority in domestic politics" to the exclusion of the entire Agreement on the Free Movement of Persons (which was only just defended tooth and nail by the EU turbo-speeders up to the vote on 27 September!) and a model with a classical bilateral mechanism of dispute settlement (i.e. without ECJ power of decision).

It is also interesting to note that the Framework Agreement "is likely to be subject to a mandatory referendum and will therefore require both a popular majority and a majority of the cantons". [emphasis added] The Federal Council has so far given this question a wide berth. However, in view of the fact that the similarly far-reaching EEA proposal was made subject to a compulsory referendum, the answer is clear under constitutional law.

#### At last a non-partisan business network against the Framework Agreement!

The three entrepreneurs *Urs Wietlisbach*, *Alfred Gantner* and *Marcel Erni*, owners of the successful financial company *Partners Group* in Baar (Canton Zug), are in the process of building up an entrepreneurial network with hundreds of entrepreneurs who want to breast the Framework Agreement with the EU. These three entrepreneurs stress that they have nothing to do with the SVP. It is regrettable that the tone in Swiss politics is often so sharp that it is necessary to dissociate yourselves from others – but it is nevertheless gratifying that, in addition to the SVP, which has always been opposed to Switzerland's closer integration into the EU, other groups of citizens and entrepreneurs are emerging who want to preserve Switzerland's liberal and direct-democratic way. For there are numerous entrepreneurs in Switzerland, such as former Federal Councillor *Johann Niklaus Schneider-Ammann* (who previously ran a company in the engineering industry for decades), for whom Swiss sovereignty comes first.

The entrepreneurs of *Partners Group* say that Switzerland needs good relations with the EU. But with the dynamic adoption of EU law, the Framework Agreement "endangers federalism and the core of direct democracy". After all, the right of initiative and referendum would effectively be abolished: If in the future someone wanted to take the referendum against a further legal development of the EU, "it would be said that this would cost too much in the context of the EU's retaliatory measures".<sup>14</sup> *Alfred Gantner* emphasises that *economiesuisse* and the think tank *Avenir Suisse* "certainly do not represent the concerns of Switzerland, but those of the multinationals". For him, a future for Switzerland on the basis of the Framework Agreement is "not the development I would like to see for my grandchildren. Any state which automatically adopts foreign law gives up being a state".

*Gantner* points out that there are good reasons against the agreement for both left and right. The trade unions' concerns are justified: "If we automatically adopt European law, we can no longer keep under control all the neo-liberal ideas inflowing from Europe. For labour law, for example, this would not be good at all".

#### Synopsis

When we read the statements made from the various political perspectives and by management as well as labour, and when we then combine them intellectually, we can only rejoice: at the down-to-earthness, the sense of democracy, the taken-for-grantedness that for the Swiss people, our understanding of the state is not subject to negotiations. The Bernese negotiators, but also the authorities themselves, may well act a little more confidently. Instead of being cowed by the Brussels bureaucrats or trying to curry favour with them, they could try to give them a better understanding of the Swiss state.

Finally, let me present three Swiss who draw the line from their own point of view to the ensemble:

*Carl Baudenbacher*, former president of the *Efta Court*, says: "For about twenty years, a network of bilateral agreements has been in existence between Switzerland and the EU, administered by joint committees. In case of conflict, they sit down together and try to find a negotiated solution. It is undisputed on both sides that this cooperation is very successful. Nevertheless, the EU is trying to shift in its favour the balance that, in the opinion of both sides, has characterised bilateral relations up to now. [...] The denial of stock market equivalence in the summer of 2019 was discriminatory, and the constant threats of economic and political disadvantages in the event that the InstA is not signed are unacceptable."<sup>15</sup>

SVP faction leader *Thomas Aeschi*: "Legal certainty will decrease because we can no longer define our law alone. We do not know what regulatory ideas the EU will come up with - and yet we commit ourselves to adopting everything. That is absurd." "We can regulate much more cleverly with our political system which is closer to the people than a colossus like the EU with its backroom deals. Apart from that, the free movement of persons alone is about very sensitive areas such as the regulation of the labour market or access to social security. It would be absolutely negligent to make the EU the legislator here."<sup>16</sup>

*Pierre-Yves Maillard*, President of the *Swiss Confederation of Trade Unions*: "For us trade unions, it is crucial that we have binding exceptions in wage protection and public service. But politically, of course, the problem remains: In the other areas concerned, Switzerland would commit itself to always adopting EU law in principle. This is not about 'foreign judges', but about democracy. Such a construct would be very difficult to achieve in a referendum, especially since it would also require the majority of the cantons. Diplomatic circles have misjudged the mood among the people. The people basically want more democratic influence on their future, not less."<sup>17</sup>

- <sup>1</sup> von Burg, Denis. "Rahmenabkommen mit der EU. Der Bundesrat will einen neuen Unterhändler nach Brüssel schicken" (Framework Agreement with the EU. The Federal Council wants to send a new negotiator to Brussels), in: *SonntagsZeitung* of 11 October 2020
- <sup>2</sup> von Burg, Denis; Aebi, Mischa. "Beziehung Schweiz-EU. Immunisierung: So soll der Rahmenvertrag gerettet werden" (Switzerland-EU relationship. Immunisation: How to save the framework agreement), in: *SonntagsZeitung* of 3 October 2020
- <sup>3</sup> See for the following: *Schneider-Ammann, Johann Niklaus* (Gastkommentar). "Rahmenabkommen: Drei Klarstellungen reichen nicht aus. Die Souveränitätsfrage muss angesprochen werden" (Framework Agreement: Three clarifications are not enough), in: *Neue Zürcher Zeitung* of 19 September 2020
- <sup>4</sup> "The Federal Council is a collegial authority, which means that all members of the Federal Council must represent its decisions externally, even if they personally disagree." (*eda.admin.ch. Federal Council*)
- <sup>5</sup> *Lampart, Daniel*. Head of secretariate and chief economist of the Swiss Federation of Trade Unions. "Professionelles Verhandlungspowerplay der EU beim Rahmenabkommen – die Schweiz muss hier noch stark zulegen" (The EU's professional power play in the framework agreement negotiations - Switzerland still has to make significant progress) of 3 October 2020
- <sup>6</sup> *Schäfer, Fabian*. "Die Bilateralen sind vorerst gerettet, aber für den Rahmenvertrag sieht es schlechter aus denn je" (The bilateral agreements have been saved for the time being, while things look worse than ever for the framework agreement), *NZZ online* of 27 September 2020
- <sup>7</sup> *Schäfer, Fabian*. "Die Bilateralen sind vorerst gerettet, aber für den Rahmenvertrag sieht es schlechter aus denn je" (The bilateral agreements have been saved for the time being, while things look

# The resistible rise of simplicity

by Marco Polli\*

*“Our country is based on the principle of diversity in unity, and diversity is always better than simplicity”.*

Brigitta Gadiant

I was born in Geneva, the son of an Aargau and a Ticino native, who had settled there shortly before my birth. My mother’s mother tongue was German, my father’s Italian – more precisely: Aargau dialect and Ticino dialect. Both were trilingual. At home we spoke only French. In those post-war years, the Italian and German languages were frowned upon in Geneva, and we, my brother and I, resisted my mother’s attempts to initiate us into her mother tongue.

Yet somehow I understood my father’s and my mother’s languages. The prejudice that languages were not a problem had taken root in me. For a long time it was not clear to me that by means of their knowledge, I held a treasure within me that connected me with my quadrilingual homeland. For me, Switzerland was an abstraction, a paper thing: Brusino-Arsizio is listed as my home town in my identity card. There is no trace of Dottikon.

As a young intellectual I was floating in higher spheres. I was homeless, not anchored anywhere. It took me a long time to feel Swiss and dare consider myself

lucky with this. This insight was not ideological, had nothing to do with nationalism, but with emotions, images and the sounds of my parents’ native languages from my childhood. Dottikon, Brusino-Arsizio and Les Eaux-Vives form a triangle that encircles my multilingual identity.

When I was twelve I entered grammar school, the venerable *Collège Calvin*. I hardly saw my former playmates any more. They went to other schools and started working at an early age. Our paths diverged. It so happened that I became friends with a group of German students, learned their language in a flash and then spoke it fluently; and soon it took on the role of a second mother tongue, in which I learned to express my newly experienced feelings such as love.

At Collège Calvin, I was a stranger, a kind of fare dodger, because of my origins. Much later I learned that my mother had experienced the same thing in Ingenbohl as a worker’s daughter among princesses in the making. But in the last two years at Collège Calvin I discovered – with enthusiasm – *Goethe* and *Schiller* and a wealth of contemporary Swiss and German authors. And also *Camus* and *Diderot*. At long last, there were teachers who recognised and encouraged my zeal. I wanted to study philosophy and decided to study German and French as my second and third subjects. And so I became a teacher of German, French and Philosophy.

My interest in Swiss history was awakened by the debate about the teaching of foreign languages. As President of the Commission for Modern Languages of the Association of Swiss Grammar School Teachers, I followed the debates in the National Council on the creation of a language law, which were delayed for seven years from the turn of the millennium. Opinions increasingly diverged between supporters of the status quo, i.e. the primacy of the national languages, and advocates of English as an entry-level foreign language. Summing up, *Brigitta Gadiant*

from Graubünden briefly ironised the situation: “Our country is based on the principle of diversity in unity, and diversity is always better than simplicity”. On 21 June 2007, the declared battle of the manyfold against the simple was decided in favour of the manyfold, and the so-called Language Law<sup>1</sup> was passed by 87 votes to 68. Its Article 15 gave priority to the second national language as the entry language. Three months later, the Federal Assembly took a different view. Two early languages (the first at the age of eight, the second at ten) were introduced as a “compromise solution”, with the cantons being free to choose the starting language: English or the second national language. Today, nearly all German-speaking Swiss cantons start with English. (Exception: the cantons of Basel-Stadt, Basel-Land and Solothurn)

So this, then, was the kernel of the brute.

Linguistic diversity is one of the cornerstones on which our identity and our culture are based, a great opportunity. But multilingualism cannot be taken for granted; it must be nurtured and encouraged. Switzerland’s quadrilingualism has a history and a status. In 1798, *Napoleon* granted legal equality to the three language communities of the time. It was abolished by the Restoration in 1814 – at a time quite similar to our epoch since 1989. In 1848 it was restored in the Federal Constitution. Finally, in 1938, a fourth Rhaeto-Romanic language with a special status was added.

The cultural and linguistic diversity anchored in the Federal Constitution (Articles 2 and 69) is our best trump card. It has made Switzerland the most modern state in Europe and has ensured the unity and internal peace of our country for 168 years. The consequences of abolishing this status are indeed unforeseeable. •

<sup>1</sup> Federal Act on the national languages and understanding between the linguistic communities (Languages Act)

## “Switzerland-EU framework ...”

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worse than ever for the framework agreement), *NZZ online* of 27 September 2020

<sup>8</sup> Birrer, Raphaela; Fellmann, Fabian. Interview mit Gerhard Pfister. “Gopfriedstutz, dafür sind die Bundesräte doch gewählt!” (Gopfriedstutz, that’s what the Federal Councillors are elected for!), in: *Tages-Anzeiger* of 28 September 2020

<sup>9</sup> Rutishauser, Arthur. “Streit ums Rahmenabkommen. Der Bundesrat sitzt in der Europafalle” (Dispute over the Framework Agreement. The Federal Council is caught in the Europe trap), in: *Sonntags-Zeitung* of 4 October 2020

<sup>10</sup> Schäfer, Fabian. “Die Bilateralen sind vorerst gerettet, aber für den Rahmenvertrag sieht es schlechter aus denn je” (The bilateral agreements have

been saved for the time being, while things look worse than ever for the framework agreement), *NZZ online* of 27 September 2020

<sup>11</sup> Friedli, Daniel; Kučera, Andrea. “Christian Levrat: ‘Die EU-Euphorie ist weitgehend verfliegen, auch in der SP’” (Christian Levrat: ‘The EU euphoria has largely evaporated, even in the SP’), in: *NZZ am Sonntag* of 4 October 2020

<sup>12</sup> “Rahmenabkommen und Flam: Die Position des SGB” (Framework Agreement and Flam: The Position of the SGB) of 23 September 2020. “Das vorliegende Rahmenabkommen ist eine Gefahr für Löhne und Arbeitsplätze” (The present framework agreement is a threat to wages and jobs)

<sup>13</sup> *sgv(f)usam 6BIUSS-RTR*

<sup>14</sup> von Matt, Othmar. “Neue Attacke gegen das Rahmenabkommen: Milliarden schwere Unternehmer nehmen den Kampf auf” (New attack on the

Framework Agreement: Billionaire entrepreneurs take up the fight), in: *Luzerner Zeitung* of 7 October 2020

<sup>15</sup> Andenas, Mads; Baudenbacher, Carl. “Das InstA – ein ‘EWR des armen Mannes’ (The InstA – a poor man’s EEA). Guest commentary in the *Neue Zürcher Zeitung* of 12 October 2020

<sup>16</sup> Interview by Fabian Schäfer with Thomas Aeschi, fraction leader of the Swiss People’s Party. “Vermutlich wird die EU uns mit schwammigen Zusatzklärungen abspeisen.” (The EU will probably fob us off with vague supplementary statements), in: *Neue Zürcher Zeitung* of 14 October 2020

<sup>17</sup> Interview by Fabian Schäfer with Pierre-Yves Maillard, President of the Swiss Federation of Trade Unions. “Es geht hier um Demokratie” (Here it is all about democracy”), in: *Neue Zürcher Zeitung* of 14 October 2020

# “Cancel Culture” promotes ideological conformism

## A letter on justice and open debate

ef. On 7 July 2020, “A letter on justice and open debate” was published on the American Harper’s Magazine website and signed by 150 prominent authors, scholars and intellectuals. The wide range of co-signatories includes, for example, Noam Chomsky, Daniel Kehlmann, Salman Rushdie, Francis Fukuyama, Michael Ignatieff ... They are all criticising the massive restriction of public debate spreading across society.

The Freie Deutsche Autorenverband (Free German Authors’ Association, see box) has translated and published the letter for the German-speaking countries. On the website it says: The letter “was also discussed in the German-language arts section – but often without translating the English text. We, the Freier Deutscher Autorenverband, would like to address this shortcoming and translate the wording of the letter. The publication does not necessarily mean that we as an association share the contents of the letter and the views of the signatories – but we want to give everyone the opportunity to form their own opinion by knowing the text”.

The term “Cancel Culture” describes a supposedly new phenomenon, a form of ostracism. For example, certain people or their statements on the Internet are deleted (cancelled) by another person; however, it also includes the removal of statues or monuments or the cancellation of events. This is by no means just an American phenomenon. There are enough examples in Europe: people who have experienced Cancel Culture first hand: These include the Swiss peace researcher Daniele Ganser (event cancellations), the Austrian cabaret artist Lisa Eckhart (because of criticism of the “Me Too” movement), the cabaret artist and author Dieter Nuhr (e.g. because of his criticism of Greta Thunberg), and an increasing number of journalists from the media on both sides of the Atlantic. There are many examples, even from more distant times, including renowned academics who have been “sidelined” like the former darling of the left, the historian Ernst Nolte (isolation after the Historikerstreit 1986/87), or the historian and researcher on violence Jörg Baberowski (since 2015) – the list is long. Since July, resistance has been rising in the USA. Reason enough to publish the full wording of the letter.

By the way: in Switzerland, Milosz Matuschek (lawyer and until recently columnist for the “Neue Zürcher Zeitung”) and Gunnar Kaiser (writer) have published an appeal against “Cancel Culture” on the “Intellectual Deep Web Eu-

### Free German Authors Association (Freier Deutscher Autorenverband, FDA)

The Free German Authors Association (FDA) is a professional association for German-speaking authors and authors of any nationality. The FDA is not affiliated with any ideological, economic, trade union or financial groups, political parties or governments.

Its origins go back a long way. In 1909 the *Schutzverband deutscher Schriftsteller* (SDS) (Union for the Protection of Authors) was founded. Its task was to provide legal protection against state interference in literary work. The FDA continues the tradition of the “Schutzverband Deutscher Schriftsteller”. It also follows the tradition of the “Deutsche Akademie der Künste und Wissenschaften im Exil” (German Academy of Arts and Sciences in Exile). This academy was founded in 1935 in New York by Hubertus Prince zu Löwenstein, who was elected the first president of the FDA in 1973 at its founding and was re-elected until his death in 1984. The long-standing chairmen of the authors’ council were Golo Mann and Erwin Wickert. Among the founding and honorary members of the FDA were exiled and persecuted persons of the Third Reich such as Martin

Beheim-Schwarzbach, Margarete Buber-Neumann, Cornelia Gerstenmeier, Hans Habe, Gerhard Löwenthal, Hans Sahl, Wolfgang Stresemann, Volkmar Zühlsdorff. They decided to be free in the true sense of the word, joining neither a party nor a trade union. A special feature was that they showed solidarity with the GDR authors across borders and accepted expatriate artists without hesitation.

In 1973, the FDA split up, with some of its members joining the *Industriegewerkschaft Druck und Papier* (Printing and Paper Union) and now being members of the *Verband deutscher Schriftsteller* (VS) (Association of German Writers).

The FDA was newly founded on 25 February 1973. Today, it works non-partisan for the intellectual unity of Europe in the cultural diversity of its regions and opposes any kind of extremism from the right or left as well as intolerance of religion, race, origin or gender (preamble of the FDA statutes of 22 October 2004).

(Compiled from the self-portrayal of the association, Translation Current Concerns)

“This stifling atmosphere will ultimately harm the most vital causes of our time. The restriction of debate, whether by a repressive government or an intolerant society, invariably hurts those who lack power and makes everyone less capable of democratic participation. The way to defeat bad ideas is by exposure, argument, and persuasion, not by trying to silence or wish them away. We refuse any false choice between justice and freedom, which cannot exist without each other.”

rope” website on 1 September 2020. So far, more than 17 000 people have co-signed the appeal.

“Our cultural institutions are facing a moment of trial. Powerful protests for racial and social justice are leading to overdue demands for police reform, along with wider calls for greater equality and inclusion across our society, not least in higher education, journalism, philanthropy, and the arts.

But this needed reckoning has also intensified a new set of moral attitudes and

political commitments that tend to weaken our norms of open debate and toleration of differences in favor of ideological conformity. As we applaud the first development, we also raise our voices against the second. The forces of illiberalism are gaining strength throughout the world and have a powerful ally in Donald Trump, who represents a real threat to democracy.

But resistance must not be allowed to harden into its own brand of dogma or coercion – which right-wing demagogues

**“Cancel Culture’ promotes ...”**

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are already exploiting. The democratic inclusion we want can be achieved only if we speak out against the intolerant climate that has set in on all sides.

The free exchange of information and ideas, the lifeblood of a liberal society, is daily becoming more constricted. While we have come to expect this on the radical right, censoriousness is also spreading more widely in our culture: an intolerance of opposing views, a vogue for public shaming and ostracism, and the tendency to dissolve complex policy issues in a blinding moral certainty.

We uphold the value of robust and even caustic counter-speech from all quarters. But it is now all too common to hear calls for swift and severe retribution in response to perceived transgressions of speech and thought.

More troubling still, institutional leaders, in a spirit of panicked damage control, are delivering hasty and disproportionate punishments instead of considered reforms. Editors are fired for running controversial pieces; books are withdrawn for alleged inauthenticity; journalists are barred from writing on certain topics; professors are investigated for quoting works of literature in class; a researcher is fired for circulating a peer-reviewed academic study; and the heads of organisations are ousted for what are sometimes just clumsy mistakes.

Whatever the arguments around each particular incident, the result has been to steadily narrow the boundaries of what can be said without the threat of reprisal. We are already paying the price in greater risk aversion among writers, artists, and journalists who fear for their livelihoods if they depart from the consensus, or even lack sufficient zeal in agreement.

This stifling atmosphere will ultimately harm the most vital causes of our time. The restriction of debate, whether by a repressive government or an intolerant society, invariably hurts those who lack power and makes everyone less capable of democratic participation. The way to defeat bad ideas is by exposure, argument, and persuasion, not by trying to silence or wish them away. We refuse any false choice between justice and freedom, which cannot exist without each other.

As writers we need a culture that leaves us room for experimentation, risk taking, and even mistakes. We need to preserve the possibility of good-faith disagreement without dire professional consequences. If we won't defend the very thing on which our work depends, we shouldn't expect the public or the state to defend it for us.” •

Source: “A Letter on Justice and Open Debate”, [www.harpers.org/a-letter-on-justice-and-open-debate/](http://www.harpers.org/a-letter-on-justice-and-open-debate/) of 7 July 2020

**Signed by:** Elliot Ackerman, Saladin Ambar, Rutgers University, Martin Amis, Anne Applebaum, Marie Arana, author, Margaret Atwood, John Banville, Mia Bay, historian, Louis Begley, writer, Roger Berkowitz, Bard College, Paul Berman, writer, Sheri Berman, Barnard College, Reginald Dwayne Betts, poet, Neil Blair, agent, David W. Blight, Yale University, Jennifer Finney Boylan, author, David Bromwich, David Brooks, columnist, Ian Buruma, Bard College, Lea Carpenter, Noam Chomsky, MIT (emeritus), Nicholas A. Christakis, Yale University, Roger Cohen, writer, Ambassador Frances D. Cook, ret., Drucilla Cornell, Founder, uBuntu Project, Kamel Daoud, Meghan Daum, writer, Gerald Early, Washington University-St. Louis, Jeffrey Eugenides, writer, Dexter Filkins, Federico Finchelstein, The New School, Caitlin Flanagan, Richard T. Ford, Stanford Law School, Kmele Foster, David Frum, journalist, Francis Fukuyama, Stanford University, Atul Gawande, Harvard University, Todd Gitlin, Columbia University, Kim Ghattas, Malcolm Gladwell, Michelle Goldberg, columnist, Rebecca Goldstein, writer, Anthony Grafton, Princeton University, David Greenberg, Rutgers University, Linda Greenhouse, Rinne B. Groff, playwright, Sarah Haider, activist, Jonathan Haidt, NYU-Stern, Roya Hakakian, writer, Shadi Hamid, Brookings Institution, Jeet Heer, The Nation, Katie Herzog, podcast host, Susannah Heschel, Dartmouth College, Adam Hochschild, author, Arlie Russell Hochschild, author, Eva Hoffman, writer, Coleman Hughes, writer/Manhattan Institute, Hussein Ibish, Arab Gulf States Institute, Michael Ignatieff, Zaid Jilani, journalist, Bill T. Jones, New York Live Arts, Wendy Kaminer, writer, Matthew Karp, Princeton University, Garry Kasparov, Renew Democracy Initiative, Daniel Kehlmann, writer, Randall Kennedy, Khaled Khalifa, writer, Parag Khanna, author, Laura Kipnis, Northwestern University, Frances Kissling, Center for Health, Ethics, Social Policy, Enrique Krauze, historian, Anthony Kronman, Yale University, Joy Ladin, Yeshiva University, Nicholas Lemann, Columbia University, Mark Lilla, Columbia University, Susie Linfield, New York University, Damon Linker, writer, Dahlia Lithwick, Slate, Steven Lukes, New York University, John R. MacArthur, publisher, writer, Susan Madrak, writer, Phoebe Maltz Bovy, writer, Greil Marcus, Wynton Marsalis, Jazz at Lincoln Center, Kati Marton, author, Debra Mashek, scholar, Deirdre McCloskey, University of Illinois at Chicago, John McWhorter, Columbia University, Uday Mehta, City University of New York, Andrew Moravcsik, Princeton University, Yascha Mounk, Persuasion, Samuel Moyn, Yale University, Meera Nanda, writer and teacher, Cary Nelson, University of Illinois at Urbana-Champaign, Olivia Nuzzi, New York Magazine, Mark Oppenheimer, Yale University, Dael Orlandersmith, writer/performer, George Packer, Nell Irvin Painter, Princeton University (emerita), Greg Pardlo, Rutgers University – Camden, Orlando Patterson, Harvard University, Steven Pinker, Harvard University, Letty Cottin Pogrebin, Katha Pollitt, writer, Claire Bond Potter, The New School, Taufiq Rahim, Zia Haider Rahman, writer, Jennifer Ratner-Rosenhagen, University of Wisconsin, Jonathan Rauch, Brookings Institution/The Atlantic, Neil Roberts, political theorist, Melvin Rogers, Brown University, Kat Rosenfield, writer, Loretta J. Ross, Smith College, J.K. Rowling, Salman Rushdie, New York University, Karim Sadjadpour, Carnegie Endowment, Daryl Michael Scott, Howard University, Diana Senechal, teacher and writer, Jennifer Senior, columnist, Judith Shulevitz, writer, Jesse Singal, journalist, Anne-Marie Slaughter, Andrew Solomon, writer, Deborah Solomon, critic and biographer, Allison Stanger, Middlebury College, Paul Starr, American Prospect/Princeton University, Wendell Steavenson, writer, Gloria Steinem, writer and activist, Nadine Strossen, New York Law School, Ronald S. Sullivan Jr., Harvard Law School, Kian Tajbakhsh, Columbia University, Zephyr Teachout, Fordham University, Cynthia Tucker, University of South Alabama, Adaner Usmani, Harvard University, Chloe Valdary, Helen Vendler, Harvard University, Judy B. Walzer, Michael Walzer, Eric K. Washington, historian, Caroline Weber, historian, Randi Weingarten, American Federation of Teachers, Bari Weiss, Cornel West, Sean Wilentz, Princeton University, Garry Wills, Thomas Chatterton Williams, writer, Robert F. Worth, journalist and author, Molly Worthen, University of North Carolina at Chapel Hill, Matthew Yglesias, Emily Yoffe, journalist, Cathy Young, journalist, Fareed Zakaria

# Marvellous hen's egg

## The only animal product pre-packaged by nature

by Heini Hofmann

*Farm animals provide us humans with food such as meat, milk and honey, but we have to obtain, portion and package them ourselves. It is different with the egg: The egg is conditioned by the chicken and delivered ready for transport in a distinctly coloured shell, a bio-packaged design product of nature, so to speak, around which many myths have grown.*

Of over 1.59 billion eggs (shell eggs and egg products) consumed in Switzerland in 2019, more than half are domestically produced, increasing the degree of self-sufficiency to 63%. Per capita consumption in 2019 was an astonishing 184.4 eggs. Reason enough to think about this food miracle, which has become an integral part of our diet, when you hit the edge of the frying pan or tap it on the egg cup.

### How an egg is made

The process of egg formation takes about 24 hours, which also means that a hen cannot lay more than one egg per day. The “biological production line” leads from the hen’s ovary, where the egg cell of the yolk is deposited in a spherical form, through the fallopian tube or “laying gut” to the egg outlet via the cloaca, with the vagina being pulled over it to keep the egg clean. At the top, in the fallopian tube funnel, the egg would be fertilised by the sperm of the cock, if it was about breeding and not, as here, about consumption eggs.

In the fallopian tube, the egg albumen (vernacular: “egg white”) is attached to the



*Breeds with white ear discs lay white-shelled eggs, breeds with red ear lobes lay brown-shelled eggs. (On the left Appenzeller Spitzhaube, on the right Schweizerhuhn). (Picture Aviforum, Kleintiere Schweiz, ABT)*

developing egg, which occurs evenly because the egg rotates around its own axis in the fallopian tube. At the same time, the contractions of the fallopian tube give the egg its shape with a pointed and blunt end. This trick of nature was not invented for Easter egg tapping, but for a problem-free laying process and a space-saving arrangement during incubation. It also prevents the eggs from rolling straight ahead, which can prevent disaster for birds breeding on cliffs.

### Fragile shell?

In contrast to reptiles, whose eggs are enclosed by a leathery skin, evolution has provided a solid calcareous shell for birds’ eggs, through whose pores – thanks to the protective, waxy shell skin – oxygen but not germs can enter the egg. Are eggs fragile structures? Depending on your point of view: The shell thickness is only 0.3 to 0.4 mm (compared to 2 mm for ostriches), which makes the egg clearly vulnerable. That is why *Christopher Columbus’* boyish trick of putting an egg on its tip by tapping it worked out.

However, the layered structure of the egg shell and the crystal structure of the calcium (94% calcium carbonate) guarantee unexpected firmness of the seemingly fragile construction.

This is because to push in an egg from the tip, a load of two to three kilo-newton is necessary. It can also withstand an artificially generated internal pressure of 2.5

atmospheres. Therefore, before hatching, a chick can only open the shell from the inside with a trick, by scratching the shell with the egg tooth sitting on the tip of the upper beak – like a diamond – and then prying it open with the body thanks to the notch effect.

### Brown eggs are not healthier

The usual quiz question “Who lays white, who lays brown eggs?” is answered wrong again and again. Because with the plumage colour, as one could assume, there is no connection. It is rather a genetic whim of nature, in that the colour of the egg shells is combined with that of the ear discs (ear lobes) of the chicken: Breeds with white ear discs lay white-shelled eggs, breeds with red ear lobes lay brown-shelled eggs.

In contrast to the yolk colour, the shell colour has little connection with the feeding, since the shell colorants are not absorbed from the feed. Because the hereditary factor for brown shells is not dominant, there are shades of colour from deepest brown to lightest cream colour. Also at the beginning of the laying activity and with increasing age of the hens the shells become lighter. Consumers generally prefer the darker shade of brown-shelled eggs. However, the widespread opinion that brown eggs are healthier or even more ecologically produced is based on a fairy tale.

### The cholesterol myth

*HH.* The egg came under criticism because of its relatively high cholesterol content. But recent research shows that there is little correlation between dietary cholesterol intake and blood cholesterol levels in humans, even if you eat several eggs a day per person. Cholesterol in eggs is only found in the yolk fat and can only be influenced marginally by breeding and feeding. And contrary to a repeatedly spread opinion, which is occasionally misused for misleading consumer information, eggs of the tailless Araucana hens (the only “green-layers” among the breed hens) or those of quails (speckled eggs) do not have a lower, but sometimes even higher cholesterol content. This seemingly ineradicable wishful thinking can easily be refuted: Chicks could not hatch out of cholesterol-free eggs, which would automatically make such breeds extinct.

**"Marvellous hen's egg"**

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**Yolk and egg white**

Contrary to widespread belief, the colour of the yolk has no relation to the nutritional value, taste or husbandry system of the chickens; it depends on the feed. While the Swiss and most Europeans prefer intensive yellow-orange yolks, the Americans (also with health considerations) want it pale yellow. With the begin of laying, double-yolk eggs appear occasionally with young hens. They develop if two egg-follicle loosen simultaneously with the ovulation and are enclosed together by egg albumen and bowl.

The egg albumen or vernacular "egg white" consists of a lot of water and protein fractions. (However, more protein is present in the yolk than in the egg white. The egg white envelops and protects the yolk in four layers: The first, viscous coating of the yolk (about 3% of the egg white) runs out into spirally twisted strands, the so-called hail strings. This is followed by a thin layer (about 17%), a thick layer (about 57%) and again a thin layer (about 23%) of egg white. Of the whole egg, the egg white makes up 60%, the yolk 30% and the shell 10%. The nutrient content in the yolk is significantly higher than in the egg white.

**Quenching reduces shelf life**

Eggs stored in a cool and correct way keep an optimal quality for weeks, whereas if temperatures are too high, the minimum requirements are undercut after only a few days. As the natural enzyme protection in the egg against germ growth lasts for three weeks, we recommend buying fresh Swiss eggs that are no more than 20

days old. Optimum storage with the tip pointing downwards is in the refrigerator or cool cellar (beware, freezing point is around -2.2 °C).

The fact is that boiled eggs last longer if they are *not* quenched, apart from the fact that this does not lead to easier peeling, as is often propagated. This depends on the age of the egg; the older the egg, the easier it is to peel. However, as bacteria from the water can get into the egg during quenching (creation of negative pressure), such eggs should be consumed within a few days. Without quenching, boiled eggs can be kept for several weeks.

**Egg freshness test**

On freshly broken eggs, thick and thin egg whites are easy to distinguish. When the eggs are stored, especially at high temperatures, the gelatinous egg white also liquefies and becomes watery and transparent. The yolk bulges up in the freshly broken egg, is shiny and tense; in the old egg, on the other hand, it is flat, weak and wrinkled. In an old boiled egg, the yolk lies on the shell instead of in the middle.

With the whole egg, there is a trick with the swimming test and the specific weight (whereby the air chamber acts as a "float"): fresh eggs remain, immersed in water, horizontal on the bottom or at most slightly lifted at the blunt pole, while old eggs (because the air chamber becomes larger during storage) stand vertically in the water or even float on the surface.

**Nutritious, versatile**

Eggs are a valuable basic nutrients. An egg covers around ten per cent of the daily protein and mineral requirements and a quarter of the vitamin A and D requirements. It also has ideal kitchen

qualities: foam formation and stability (beaten egg white), emulsion stability of the egg yolk (mayonnaise), baking and cooking properties (emulsifying, stabilising, coagulating, binding liquid), not forgetting the colouring effect of the egg yolk (pastries and pasta). The protein content of three eggs corresponds to that of 110g beef steak (with a significant price difference).

In Switzerland, a good one and a half billion eggs are consumed annually, well over half of them from domestic production, i.e. almost 200 per capita and year; of these, almost a third are "hidden", and the trend is rising, in other nutrients (here mainly imported eggs). All this justifies thinking once again about those who lay these eggs: the hens.

**Superlative performance**

The laying performance of hybrids (commercial poultry) is almost über-henly. To satisfy our consumption hunger, they perform piecework: the average laying performance of a hybrid hen today is 320 eggs per year, which is a good double of the best laying breeds among the traditional poultry. The hen only has a break from laying during moulting (feather change). Compare this with the trend towards shorter working hours for us humans!



*Brown and white eggs: that brown eggs are healthier than white eggs is nonsens. In the case of brown-shelled eggs, consumers generally prefer the dark shade, although there is virtually no difference. (Picture Aviforum, Kleintiere Schweiz, ABT)*

**Current Concerns**

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