

Current Concerns

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

English Edition of *Zeit-Fragen*

Israel's assault on the foundations of international law must have consequences: UN experts

Press release from a group of UN Special Rapporteurs* of the Human Rights Council, Geneva, 30 December 2024

Israel must face the consequences of its campaign to undermine the legal framework for the protection of civilians in armed conflicts, a group of independent human rights experts said today, as the full-scale armed assault on Gaza and forced displacement of its population continues unabated.*

"As we have repeatedly reminded Israel, international humanitarian law comprises a set of universal and binding rules to protect civilian objects and persons who are not, or are no longer, directly participating in hostilities and limits permissible means and methods of warfare," the experts said.

"Israel's continued impunity sends a dangerous message suggesting that parties to other conflicts around the world need not comply with their obligations under international humanitarian law. We cannot afford to lose the force of the multilateral system. Israel and its leaders must be held accountable."

"Rather than abide by these rules, Israel has openly defied international law time and again, inflicting maximum suffering on civilians in the occupied Palestinian territory and beyond."

Citing Israel's most egregious violations, the experts highlighted crimes against humanity including murder, torture, sexual violence, and repeated forced displacement amounting to forcible transfer, war crimes encompassing indiscriminate attacks on civilians and civilian objects, including objects indispensable to the survival of the civilian population and educational institutions and cultural heritage, the use of starvation as a weapon of war, the targeting of healthcare workers and health facilities, attacks on humanitarian workers, arbitrary restrictions on access to humanitarian aid, and attacks on journalists, collective punishment and perfidy.

"Political and judicial actors must consider the totality of such acts against the entire civilian population under Israeli occupation, who are protected persons and do not constitute military objectives under

international law," the experts said. "Acts aimed at their destruction in whole or in part are genocidal."

The experts were particularly alarmed over events in northern Gaza, where they said Israel had grievously violated its obligations as an Occupying Power.

"Indiscriminate attacks, including on shelters for displaced persons and the Kamal Adwan Hospital and its vicinity, and the intensification of siege conditions on northern Gaza for the last three months run contrary to Israel's legal duty to ensure the protection of the civilian population," the experts said. "We are disturbed that this siege, coupled with expanding

evacuation orders, appears intended to permanently displace the local population as a precursor to Gaza's annexation in further violation of international law."

"The *International Court of Justice* has recognised the unlawfulness of and made clear that Israel must unconditionally end its ongoing presence in the occupied Palestinian territory and imposed binding provisional measures on Israel to prevent the commission of genocide in Gaza, while Israel's Prime Minister and former Minister of Defence are wanted by the *International Criminal Court*," the experts said. "Nonetheless, Israel continues to face no real consequences, largely due to protection offered by its allies, who have gone so far as to join Israel in delegitimising international institutions and besmirching Special Procedures mandate-holders."

The experts reiterated the urgency of allowing independent and thorough investigations of serious violations of international law.

"Israel's continued impunity sends a dangerous message suggesting that parties

The signatories

Paula Gaviria Betancur, Special Rapporteur on the human rights of internally displaced persons; **Francesca Albanese**, Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967; **Irene Khan**, Special Rapporteur on the right to freedom of opinion and expression; **Alexandra Xanthaki**, Special Rapporteur in the field of cultural rights; **Tlaleng Mofokeng**, Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; **Fariha Shaheed**, Special Rapporteur on the right to education; **George Katrougalias**, Independent Expert on the promotion of a democratic and equitable international order; **Morris Tidball-Binz**, Special Rapporteur on extra-judicial summary or arbitrary executions; **Michael Fakhri**, Special Rapporteur on the right to food; **Ben Saul**, Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism; **Margaret Satterthwaite**, Special Rapporteur on the independence of judges and lawyers

to other conflicts around the world need not comply with their obligations under international humanitarian law," they said. "We cannot afford to lose the force of the multilateral system. Israel and its leaders must be held accountable."

* The Special Rapporteurs are part of what are known as the Special Procedures of the Human Rights Council. Special Procedures, the largest body of independent experts in the UN Human Rights system, is the general name of the Council's independent fact-finding and monitoring mechanisms that address either specific country situations or thematic issues in all parts of the world. Special Procedures experts work on a voluntary basis; they are not UN staff and do not receive a salary for their work. They are independent from any government or organisation and serve in their individual capacity. (footnote of the editor)

Source: <https://www.ohchr.org/en/press-releases/2024/12/israels-assault-foundations-international-law-must-have-consequences-un> (The original text includes the evidence in full, with the corresponding links.)

Stop the genocide in Gaza!

An Open letter to the Swiss Federal Council

3 January 2025

Dear Federal Councillors.

On the last day of 2024, the “Neue Zürcher Zeitung” published an article on the Gaza war on its front page entitled “Last hospital must cease operations”. In it, the Rewert Hoffer reports on conditions in the northern Gaza Strip that would make any sane person shudder and shake them to the core. It is reported that the Israeli army has ordered the evacuation of the *Kamal Adwan* Hospital. This means that there is no longer a functioning hospital in North Gaza. The hospital was the last port of call for the wounded and sick.

According to Hoffert, the “living conditions are becoming more unbearable every day”. According to the Israeli army, the hospital was a “*Hammas stronghold*”, although just under a year ago it claimed to have “*liberated*” the entire north of Gaza from *Hammas*. Five hospital staff were also killed in the fighting in and around the hospital.

Israel became embroiled in a grueling war. The enemy, which operates in a decentralised and flexible manner using a tunnel system, can never be defeated. And this despite the fact that the Israeli government has had all the leading members of *Hammas* massacred. Israel has still not grasped the nature of this war or the internal structure of *Hammas*. The brute force on both sides continues unabated and is taking on ever worse proportions. The human rights covenants and all international conventions and international humanitarian law are being completely ignored. The situation has long been precarious. How much longer do we want to stand by and watch?

The people in the Gaza Strip are the ones who are suffering. Hardly any aid supplies or medical care are being delivered there. 90 per cent of Gaza’s 2.2 million inhabitants have been displaced during the war and are now living in tents. Satellite images show in an alarming way that almost the entire Gaza Strip has been completely destroyed, agriculture is in ruins, and nothing can be grown. Even in the so-called humanitarian zone in the south of the coastal strip, there are repeated attacks – and now winter cold is adding to the problem. In the past week alone, six small children have died of hypothermia.

The “*Neue Zürcher Zeitung*” reports:

At the moment, temperatures in the Gaza Strip regularly drop to below ten degrees at night, and there are

strong winds and rain. Hundreds of thousands have to endure these miserable conditions in makeshift tents. According to the UN, at least one million people have to spend the winter without adequate shelter.

And further:

According to the World Food Programme, since the beginning of the major Israeli offensive in the northern Gaza Strip on 6 October [2024], only 3 of 101 requested aid deliveries to the area were approved by the end of December. The city of Beit Hanun was therefore completely cut off from aid deliveries for 75 days.

Why is Israel stopping this aid?

For us, this is further clear evidence that a large-scale genocide is being planned and is now being carried out. The intended genocide is confirmed by official statements from members of the Israeli government. “*Doctors Without Borders*” emphasise: “*The attack on the Kamal Adwan clinic resembles a pattern of repeated attacks by Israeli troops on health infrastructure.*” And always with the excuse that they are pursuing and fighting terrorists.

In Gaza, a second Vietnam is unfolding before our eyes, a war without fronts. After the Vietnam War, analysed sources revealed that the My Lai massacre was not an isolated incident, but that the US army, led by the highest military and political authorities, was committing systematic genocide against the Vietnamese population, as the Israeli army is now doing in Gaza.

Frozen to death infants, the starvation of civilians, the targeted destruction of houses, fields, and infrastructure, and the deliberate prevention of humanitarian aid. How much longer must this genocide continue before Switzerland finally raises its official voice and is shaken out of its diplomatic lethargy?

We must not enter the new year like this and remain silent about such atrocities. The Swiss parliament’s ban on *Hammas* is one thing, but when will it be followed by a clear condemnation of Israel and the arms-supplying USA? Switzerland must act! As the depositary state of the *Geneva Conventions*, it has a compelling mandate to intervene with the ICRC as a humanitarian institution. As Federal Councillors, it is time you openly criticise the Israeli government, even if it immediately swings the anti-Semitism cudgel and tries to squash any reasonable discussion.

The hostages will be returned alive only if serious negotiations finally take place. A self-confident demand by Switzerland within the framework of the UN, to immediately stop all US arms deliveries to Israel and finally allow the necessary comprehensive humanitarian aid for the civilian population, would enable Switzerland to regain its battered reputation in the eyes of the world.

We urge you as Federal Councillors to make an unequivocal commitment to peace. Have the courage to stand up and raise the voice of reason and humanity clearly and unambiguously, even if this means swimming against the tide of the powerful. Take Ireland or South Africa as an example and become a role model yourself. Switzerland must not choose “one side”, but as a credibly neutral country in the face of the madness of war, it must stand up for a ceasefire and peace, now!

Elfy and René Roca, Oberrohrdorf-Staretschwil, Switzerland

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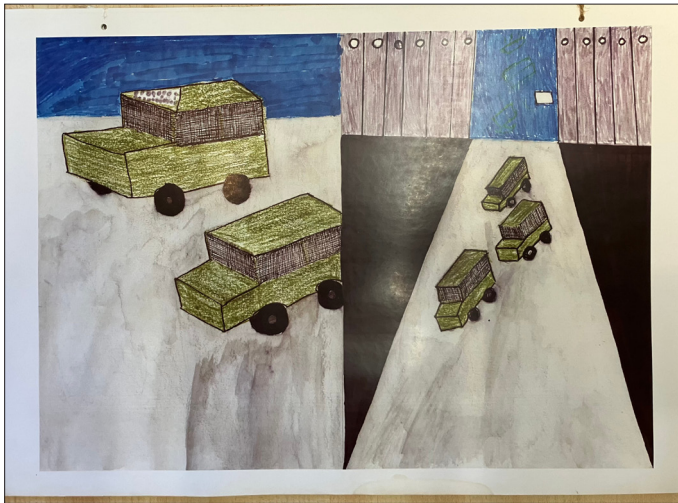
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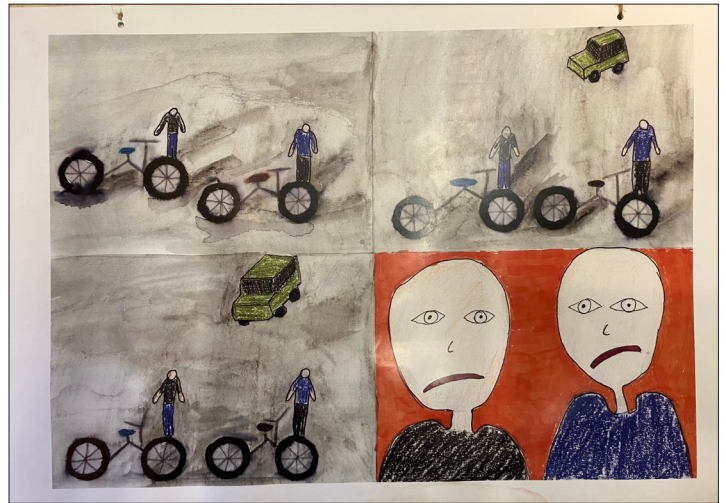
“Art Theft”

Stealing the future of Palestine

by Cara Marianna*



The blue gate: I.O.F. armored vehicles raid Aida camp. Stolen art by anonymous child. (picture Cara Marianna)



I.O.F. soldiers steal a boys bike. Stolen art by anonymous child. (picture Cara Marianna)

Ramallah, 6 December – I met *Saed* in Aida refugee camp in the first week in November when he gave me a tour of the crowded community in which he grew up. A young man still in his twenties, Saed works at one of several cultural centres located in Aida camp. He holds a degree in psychology from the University of Bethlehem, where he is a part-time lecturer in Arabic.

Aida is the smallest of the refugee camps in the West Bank. It is densely populated, and its narrow streets are crowded with buildings huddled together like people seeking shelter from a storm. Surrounded on two sides by the apartheid wall, Aida is also the most frequently raided camp.

Down a narrow street near the entrance to the camp a large blue gate is set into the concrete wall. It is from this gate the I.O.F. launches its raids into the camp. Farther along the same street, a watch tower and gun turret stand guard over the camp. From there, snipers frequently shoot into the streets and apartment buildings bellow.

After the tour, I spent another hour in Saed’s office. Among the many things we discussed was the art therapy program the centre runs for children. As we talked, he pulled out a stack of drawings that the

children had done – all of them prior to 7 October of last year.

Each child had drawn and coloured a series of large storyboards depicting a difficult experience and showing how it was eventually resolved with the help of others – a teacher, a therapist, family, friends. The storyboards were bound into simple books with twine.

Saed pulled out three or four of these from the stack and talked me through the drawings. They were remarkable for their emotional impact. Many of them were equally remarkable for their artistry. These drawings were fresh and powerful,

objects of art worthy of a gallery display. So I thought at the time and still do.

This afternoon, wrapping up my work on this sojourn in the West Bank, I texted Saed. “Hi. How are you?”

His response arrived two hours later. “Hi. *Alhamdulillah*, I’m doing good.”

I smiled when I read his reply. I know the word *alhamdulillah* well and have written about it previously. Frequently used among Muslims and Christians in the West Bank, it is an Arabic phrase giving thanks to God for all that is good – and all that is difficult – in a person’s life. Any

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Art theft. I.O.F. stealing children’s artwork. (Anonymous 2024)

* Cara Marianna is the author and co-editor of *The Floutist*, an online newsletter she publishes with her husband Patrick Lawrence (<https://thefloutist.substack.com/>). Cara Marianna also publishes her own newsletter called *Winter Wheat* (<https://winterwheat.substack.com/>). She is an artist and has a PhD in American Studies. In spring and autumn 2024 she travelled to Palestine and started her series “Voices from Palestine”. Support her work with a subscription to *Winter Wheat* or with a donation (*paypal*). Contact: winterwheat7@gmail.com.

Realising what has been happening in Israel and Palestine for a very long time

by Dr Matin Baraki

“The ethnic cleansing of Palestine.” If a person of non-Jewish faith had written such a book, he would inevitably have been branded anti-Semitic and anti-Israeli. But the Haifa-born historian Ilan Pappé is the son of German parents of Jewish faith who fled from the German fascists. He studied in Jerusalem and was a professor at the University of Haifa until 2007.

The ethnic cleansing of Palestine and the expulsion of the Arab people of Palestine from their homeland was conceptualised at the first Zionist congress in Basel in August 1897, where *Theodor Herzl* presented his strategy for a “Jewish state”.

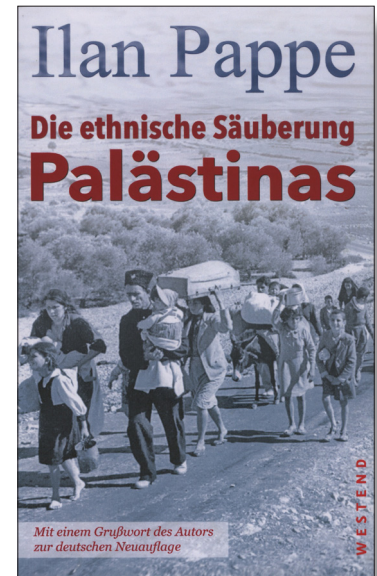
On 10 March 1948, *David Ben-Gurion*, Israel’s first Prime Minister, met with eleven Jewish immigrant officials in Tel Aviv and decided to ethnically cleanse Palestine. Although the country was still under the British mandate, they began to attack the Arab-Palestinian settlements under the leadership of *Moshe Dayan*, later Minister of Defence, *Menachem Begin* and *Yitzchak Rabin*, both later Prime Ministers and the latter even a Nobel Peace Prize winner. In a short space of time, eleven neighbourhoods and totally 531 Palestinian settlements were evacuated or cleansed, numerous villages were razed to the ground and 800,000 people fled to save their lives. This is the quintessence of the book – briefly summarised on the back cover. “The mission was successfully accomplished” (p. 103), emphasised the Jewish fighters. On 7 February 1948, Ben Gurion visited the evacuated and destroyed village of Lifta and stated: “When I come to Jerusalem now, I have the feeling of being in a Jewish (Jvrit) city.” (p. 103) Ben Gurion even said: “If we continue undeterred, it is quite possible that in the next six to eight months there will be considerable demographic changes, very considerable changes in our favour.” (p. 130 f.)

It was time to act “vigorously and brutally” (p. 105). He called for “merciless” ac-

tion against all families, “including women and children”. During the operation, “it was not necessary to distinguish between guilty and innocent” (ibid.), he emphasised. *Fahim Zaydan*, a boy of twelve at the time, later recalled the murder of his family. The Jewish murder squad had taken people out of their homes one by one, murdered an old man, then his daughter, then his own brother. “When my mother bent over him screaming – she was still holding my little sister *Hudra*, who she was breastfeeding – they shot her too.” (p. 130) In Deir Yassin, the Jewish troops carried out a massacre with up to 170 fatalities (p. 131) and another massacre in Khirbat (p. 132). In Haifa and the surrounding area, the “ethnic cleansing” had assumed such a “deadly speed” (p. 154) that people were expelled from 15 villages in a short time. Ilan Pappé describes that 300 people lived in some of these villages and 5,000 in others.

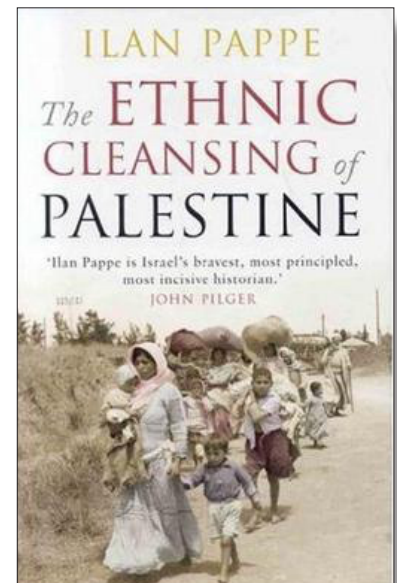
These are just a few examples from the prehistory of the Palestine-Israel conflict. The entire book is riddled with countless brutalities and crimes committed by the Israeli occupiers against the Palestinian people. At the end of the book, I asked myself: How can the descendants of people whose grandparents and parents experienced Auschwitz treat another people so cruelly, as has been happening in Palestine since 1948 and is currently happening in Gaza? Anyone who reads the book carefully will also find an appropriate answer to this question in Ilan Pappé.

If you want to understand today’s Palestinian resistance and the Israeli war, you should definitely read this excellently researched, extremely interesting and informative work and consider the facts it documents. This book is particularly recommended for people who consider even the slightest criticism of Israeli government policy to be anti-Semitic. The author and publisher are to be thanked for the new edition that has now been published. •



ISBN 978-3-86489-258-5

New German edition: Pappé, Ilan. *Die ethnische Säuberung Palästinas*. Westend Verlag, Neu-Isenburg, 4. Aufl. 2024; English Original: Pappé, Ilan. *The ethnic cleansing of Palestine*, Oneworld, 2007; ISBN 978-1-85168-555-4



“Art Theft”

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good news in the West Bank is always to be celebrated.

And then his next message arrived – with a photograph. My heart fell when I saw the military uniforms. “The I.O.F. invaded the centre,” he texted. “They stole the art of the kids that I showed you.”

During my first visit to the West Bank this kind of news would leave me in tears. Now I’m nearly cried out. Many perfectly lovely days in the West Bank go suddenly and terribly sideways because the

soldiers and settlers who illegally occupy this land are sociopathic. They delight in terrorizing Palestinians. They delight in sadism.

Now, in my final week in Palestine, at least for the time being, the grief and anger pass more quickly and I’m actually starting to laugh. It’s a dark humour to be sure. Stealing children’s art?! Really?! If you will pardon my language: How fucked up do you have to be to steal children’s art?

Think about it: They are dressed for combat, armed to the teeth, and stealing

children’s art. There’s something darkly humorous about that. Perhaps because it’s so irrational.

But this irrationality is rooted in fear and is also deadly. They are indeed afraid of children’s art. Because they are afraid of children. They’re afraid of what these children represent: The future of Palestine. This is why they shoot boys who throw rocks in the West Bank. And why they are killing so many children in Gaza. •

Source: *The Floutist* of 10 December 2024. Previously published on *West Bank Alerts*, *The Floutist’s* associated publication.

Journalists between war and peace

by Karin Leukefeld, Bonn



Karin Leukefeld (picture Tilo Gräser)

This is an edited version of a lecture given at the conference of the Mut zur Ethik working group in the Swiss town of Sirnach on 30 August 2024. The theme of this conference was “Respect for equality and the equivalence of all people and nations. Despotism, wars and abuses of power must be confronted”. A part of the lecture relating to the history and development of the Al Jazeera television station will follow in a separate text.

“Karin Leukefeld is a peace journalist, she is an expert, or rather committed to this kind of journalism, which ensures that here in this country, we can take on those in power, that we can communicate internationally and will fight for peace.”

This is how I was introduced by a student in Hamburg a few months ago. An “International Solidarity” working group has been in existence for many years at the university there, and this group uses films to explain what is happening in the world. They invite speakers to give an introduction to the selected film and take part in the subsequent discussion after watching the movie together. The film shown on this occasion was titled “Control Room”.

According to the student, the government wanted to wake up the population from “war fatigue” and make them “fit for war”. But every war starts with propaganda and lies. Anyone who listens every morning to *Deutschlandfunk*, German radio, as I do, gets an impression of how partial truths and one-sided reports are used to legitimise war preparations and armament.

The war in Iraq also began with a lie

“Control Room” concerns the 2003 Iraq war, which actually began with a lie – the now-infamous lie that Iraq produced and possessed of weapons of mass destruction that could hit targets in London within a very short time. The relevant report by the British secret service soon turned out to be “exaggerated”. No weapons of mass destruction were ever found, of course. The late *Colin Powell*, serving as the American secretary of state at the time, later admitted to having lied in his incendiary

speech against Iraq in the UN Security Council on 6 March 2003.

Years later, “Control Room” still conveys how important committed truth-finding is for a free debate and for the formation of public opinion. It is March 2003 and the scene is set in Doha, the capital of the Gulf emirate of Qatar. The main characters are a US army media officer and journalists from the *Al Jazeera* news channel.

U.S. Army ‘Control Room’

The US Army has set up a “Control Room” in which journalists the American military provides information to journalists from all over the world. *Al Jazeera*, based in Doha, also has a “Control Room” through which the recordings and reports of the correspondents from Iraq are channeled for the channel’s reporting. As the name suggests, the U.S. Army’s Control Room is intended to control the flow of news. The media officer on duty goes to great lengths, according to the motto: “Every West Point graduate knows that wars are not won with bombs, but with information. Whoever controls the facts controls the battlefield.”

Al Jazeera, founded in 1996, broadcast what its correspondents reported from Iraq. The core question of the dialogues and discussions in the film is how the war should be reported. For *Al Jazeera*, the focus is on the humanitarian situation; gruesome images are inevitably a feature of its coverage. The U.S. Army wants to control what is happening and therefore also the images and information that should reach the public.

In preparation for the event, I had watched the film twice and was initially confronted with something completely different.

Media ‘reality’ ...

In my mind’s eye, in my memory, a movie was playing about what I had experienced in Iraq in the weeks and months before the war began. I had travelled to Baghdad in December 2002 and left Iraq just a few days before the US bombing began. I was struck by the huge difference in how I had experienced Iraq while the troops were deploying to attack the country, and how the US army and journalists looked at Iraq from the outside and reported on the war.

While in December 2002 I had been almost alone with a handful of journalists in the Ministry of Information in Baghdad, at the beginning of 2003 more and more journalists came and opened offices there. Most of them were television journalists, and shortly before the war began there were more than 200 of them. A col-

league said to me at the time that it was as if the vultures were gathering and waiting for their prey to die so that they could disembowel the carrion.

... and what was not reported

What the cameras focused on was shown and perceived as reality in global media. But what happened beyond the cameras, in the side streets, in the small craft businesses, was not shown and seen. Because you cannot see those in the dark, you cannot hear them. No camera, no microphone, documented the fears, hopes, and worries of the population before the war. And nothing has changed to this day.

Given the huge demonstrations that took place all over the world at the time, the Iraqis living in the shadow of US troop deployment had hope. But in our memories today – in general – these images are no longer as present as burning oil fields, advancing tanks in the desert sand, bombs on Baghdad, and the falling statue of Saddam Hussein.

This stood in Ferdoz Square, in front of the Palestine Hotel. I had often sat there in the evening with colleagues from all over the world and talked long into the night. And we sat there with people who had come from peace groups to protect the country from attacks. So there were many discussions.

International media reported on these people derisively and disparagingly. They were called “puppets of the Saddam regime”. Their aim, however, was to act as “human shields” to protect hospitals, water treatment plants, museums, and kindergartens from attack.

‘Time to break the silence’

On the banks of the Tigris, they recalled *Martin Luther King* and his speech at Riverside Church in Upper Manhattan in 1967. It was “time to break the silence”, these activists told the correspondents who were watching them with their cameras – only then to write derisive comments.

The peace activists recalled the bombing of the Amiriyah shelterbunker in Baghdad during an earlier US war against Iraq, on 13 February 1991, when the US Air Force bombed the bunker, killing 408 people. Today, reports can be found on the Internet detailing the planning and which bombs were used. To find out the names of the victims, you have to go to the bunker itself.

I met a young man there, *Ahmad*, who had survived as a child with severe burns and had been flown out by German doctors and rescued in a special clinic in

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"Journalists between war and peace"

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Hamm. When he heard that I was a German journalist, he asked me to visit him a few days later, because he wanted to give me a present for the doctor who had saved his life.

I still have gifts at home from many of the people I met back then: a smile for the camera, a scarf, a portrait painted with charcoal at a market, signed books, addresses, a picture and thoughts written in haste in a notebook.

"There will be no war" – so wrote one of the peace activists in my notebook. But the war came, and after it came other wars. Some of the companions from my time in Iraq are no longer alive. Others have left the country and found new homes far away. They have started families. They have started professional careers. One young man is highly qualified and lives with his family in England. It is particularly his wife who is unhappy with all that has happened – I had conducted a long interview with both of them before the war. A Christian family lost its father, who died of cancer. The mother first moved to Aleppo with her son and daughter; then they lived in Turkey for a long time, between Istanbul and Izmir. At the end of last year, the son told me, that they had moved to Australia with a United Nations resettlement programme.

All of these stories – and many more – played no role in the media back then and they certainly play none today. The "media vultures" have moved on. From war to war, they count the dead, the bombs, the money that is burned in the wars and makes arms companies rich and influential. They have disembowelled the dead carrion.

'When politics fails in such a disgusting way'

Today, the term "human shields" has been turned into its opposite. When Israel kills more than 43,700 Palestinians in the Gaza Strip [as of the end of August 2024; the figure as we publish is according to a new Lancet study 64,260; the editors] – almost half of them are children and a quarter are women – local media report that the " Hamas terrorists" are using these people as "human shields". And German Foreign Minister *Annalena Baerbock* declared in the German Bundestag (14 October 2023) that the Israeli state's right to self-defence in the Gaza war not only meant "attacking terrorists, but also destroying them". If " Hamas terrorists" hid behind the population, behind schools, "then civilian places lose their protected status, because terrorists abuse it".

Francesca Albanese, the UN Special Rapporteur on the observance of human rights in the Occupied Palestinian Terri-

tories, said the minister should provide evidence for her claims that Israel's attacks (on schools, hospitals and shelters) are legal. She, Albanese, pointed out that Germany's political decision to ally itself with a state that commits international crimes will have legal consequences. She hoped "that justice will prevail when politics fails in such a disgusting way".

Reporting war – Reporting for peace

In view of the brutalisation, the disregard for international law, the reversal of right and wrong – how should journalists report on war today? About this "war on terror" that has been devastating countries between Afghanistan and Libya and in Africa for more than 20 years, driving millions to flee their homes, leaving behind countries where death has survived the wars, while the people have died? How should we report on a war that is being waged with state-of-the-art weapons and artificial intelligence – on the battlefield and in the media? What is "peace journalism" when "getting in good trim for war" and the stockpiling of armaments dominate the headlines? When the warring military controls the news and – not infrequently – think tanks and media companies in warring or war-fuelling states disseminate reports and coverage, perhaps also under a different name?

If we compare Arab and European media coverage of the Gaza war, the absence of images and eyewitness accounts (which are prominent in Arab media – and in media in the Global South) is particularly striking in the latter.

The 'human cost of war'

The "human cost of war" must be the journalist's focus, says the studio manager of *Al Jazeera* in "Control Room". It is the Arab perspective on the war to which the station commits itself. "As a journalist, you can't think abstractly," he says. Every journalist is "a human being first. He has his own mentality, his convictions or beliefs, and then come the requirements of his station".

But what does this mean for media professionals in the Western world? In Germany and other countries that support the state of Israel in the war against the Palestinians in Gaza and Lebanon, Syria or even in Yemen? They adopt the language and the rules laid down by the Israeli military censor and occasionally supplement them with their own rules. News generated by Palestinians may be reported, but at the same time it is characterised as untrustworthy propaganda because it "comes from the Palestinian Ministry of Health, which is controlled by the terrorist organisation Hamas". Every target that the Israeli army bombs in Gaza, Lebanon, Syria,

Iraq, or Yemen is, according to the Israeli narrative, a command centre, a weapons depot, a weapons production site or a rocket launching pad. If there is a denial from a concerned party, this may be included in the report but also characterised as implausible.

Is there a critical debate among journalists and media professionals about this narrative? Presumably there is one among them, internally, but if there is, they make efforts to avoid making this public. Journalists who initiate a public debate are quickly dismissed as "puppets of foreign interests" in Russia, China, or Iran. Or they are labelled "anti-semitic" and isolated.

The director of "Control Room", *Jehane Noujaim*, describes how she first viewed and edited her footage in Egypt and later in the US In Egypt – her home country – it was a matter of course for her to shoot footage of the dead and injured, of wounded children in hospital for the film. When she was in the U.S. and switched on the television, something strange happened to her: "You see how everything is put together neatly, cleanly, and flawlessly. And then you look at your footage and think that the images are extremely violent. And you ask yourself, 'Is it even important to show these images?'"

Why images of reality are so important

The answer is: Yes. The images from Gaza and Lebanon are important because they show us what is being done to people. They show that these people are not in a position even to defend themselves, but that they are fleeing again and again, trying to bring themselves, their children, and the survivors of their families to safety with the belongings they have left.

These pictures are just as important as the selfies that thousands of Israeli army soldiers send out into the world. The latter are important, certainly but for a very different reason. They show how these men and women make fun of the Palestinians they have expelled, how they destroy their property, blow up their schools and universities, how they perform obscene dances with their weapons and in front of the ruins. A new chant of derision is making the rounds on "social media", shouted by football hooligans who supported Maccabi Tel Aviv in Amsterdam last November: "There are no schools in Gaza because there are no more children in Gaza."

All these images and sounds correct the "neat and spotless" narrative of those who think they are the winners and are in the right. However, they are only part of the reality until eyewitness accounts, evidence, and voices for a just future for the Palestinians reach the public. •

(Translation Current Concerns)

A public voice for humanity, law and peace is needed

Civil courage in Germany in 2025

by Karl-Jürgen Müller

It is no longer easy for me to write about Germany today. So much is in a mess. No quick solutions are in sight. Glossing things over and giving false hope does not make sense.

Elections for the Bundestag ...

On 23 February, Germans who are eligible to vote can elect a new parliament and thus indirectly also the new government. Polls¹ currently indicate that the CDU and CSU together would win the most votes with 31 per cent (but short of an absolute majority). The AfD is in second place with 20 per cent. However, the AfD is treated as a political pariah and the party will not be part of the government despite a large share of the vote. The FDP and Die Linke are currently running below 5 per cent and it is uncertain whether they will return to the Bundestag. The SPD (17 per cent) and Bündnis 90/Die Grünen (12 per cent) must reckon with serious losses compared to the elections three and a half years ago. The Bündnis Sarah Wagenknecht (BSW, currently 7 per cent) is very likely to enter the Bundestag for the first time. Most likely, Friedrich Merz from the CDU will provide the next Federal Chancellor. With whom they will form a coalition remains to be seen.

... promise no improvement

Are improvements in sight with the newly elected parliament and the new government? I am highly doubtful. The German party state is leading a life of its own, with very special dependencies – and not on the citizens. It has become far removed from them.

In Switzerland, citizens have more opportunities to shape politics. That would mean hope for Germany. Werner Wüthrich has analysed this in his comprehensive book “Wirtschaft und direkte Demokratie in der Schweiz. Geschichte der freiheitlich-demokratischen Wirtschaftsverfassung der Schweiz” (Economy and direct democracy. History of the liberal-democratic economic constitution of Switzerland, ISBN978-3-909234-24-0), Werner Wüthrich explains the blessing of the responsibility of all voters for the country, its economic development and its social peace.

But there is hardly any talk of direct democracy in Germany anymore.

Nevertheless, Germany is still officially called a democracy. The principle of democracy is enshrined in Article 20 of the German constitution, the Grundgesetz. It stipulates: “All state power emanates from the people.” In addition to the

principle of democracy, there are other constitutional provisions that cannot be abolished according to Article 79, paragraph 3: the principles of the rule of law, social state and federal state. And the guarantee of fundamental rights as well as the division and control of powers are an indispensable part of the rule of law. This is all very good, even if direct democracy is lacking.

Not least because of its history, Germany has also expressly committed itself to peace in its constitution. The preamble states that the “German people” had decided to “serve the peace of the world”. Article 25 declares “the general rules of international law” an “integral part of federal law. They take precedence over the laws and create rights and obligations directly for the inhabitants of the federal territory.” And Article 26 stipulates: “Acts which are suitable and carried out with the intention of disturbing the peaceful coexistence of peoples, in particular the waging of a war of aggression, are unconstitutional.” They are even “to be made a criminal offence”. That is also very good.

They no longer adhere to the Grundgesetz

The problem in today’s Germany is that the party state no longer adheres to what the Grundgesetz has formulated very well. There is currently (see above) no prospect of a remedy via elections. The established parties (CDU, CSU, FDP, SPD, Bündnis 90/Die Grünen), together with the media serving them and other politically influential lobbies, have created this mess. Redress through the courts has become a lottery. Sometimes the citizen gets justice, often not.² The various forms of political expression are increasingly restricted. The question is justified: Has Germany in its current state already reached a point for which the Grundgesetz has provided Article 20, paragraph 4? In order to protect the constitutional order, it states: “All Germans have the right to resist anyone who endeavours to abolish this order if no other remedy is possible.”

That is an important paragraph in the Grundgesetz. But in practice, invoking it would be a risk, more foolhardy than courageous.

So, what should we do?

Doing nothing is unworthy. But staying power will be necessary. At the beginning of 2025, I hope that the country will see the emergence of a public voice of humanity, justice and peace. Germany needs citizens with civil courage.

Here are four proposals for discussion.

Freedom of expression and freedom of information

One, to make 2025 the year of freedom of expression and information. This fundamental right, guaranteed in Article 5 of the German Grundgesetz, is of vital significance for political participation and a dignified life. In recent years, the state’s questioning of freedom of expression and information has increased significantly. Representative surveys now find that a majority of people in Germany state that it was no longer possible to openly express one’s opinions on certain topics. Alarm, alarm! should be the outcry of all citizens with civil courage.

Fit for peace, not for war

Two, the political goal of being “fit for war” must be questioned more resolutely and replaced by the goal of being “fit for peace”. The plan to make Germany fit for war is linked to massive threats against other countries, namely Russia. The “Operationsplan Deutschland”³ of Boris Pistorius’ ministry, publicly announced in March 2024, is intended to gear all of Germany’s political, economic and social life towards war. Russia is explicitly declared the enemy.

The claim that Russia was threatening Germany is a propaganda lie. There is a great danger that this propaganda lie and its aggressive consequences will become a self-fulfilling prophecy. Anyone who takes an increasingly attitude towards another country should not be surprised if at some point the other country actually defends itself. The consequences for Germany would be catastrophic. Before the end of the Cold War, it was clear that the Federal Republic of Germany had an army to prevent a war. In a hot war, West and East Germany would have been the battlefield, which in the end would have been completely destroyed and probably become uninhabitable. War was not an option for most political leaders in Germany at the time.

However, there is another reason why war is unacceptable: Not only the war itself, but even the preparations for war mean brutalisation in the feelings, thoughts and actions of the soldiers, but also of the population as a whole. In war, all values are turned upside down. In war, people lie, cheat and steal, destroy and murder. The “citizen in uniform” is no longer in demand. The fate of the severely injured war veterans of the US Army, but also of the German Bundeswehr today, bears eloquent witness to what “fitness

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Germany is being ruined But there is silence about the causes

by Wolfgang Bittner

It's amazing what's happening before our eyes. 22,400 corporate insolvencies in 2024, mass redundancies, short-time working, companies moving to other countries. The parties have now published their election programmes, and their main aim is to revive the economy. But there is silence about the actual causes of the economic downturn; the same applies to trade unionists and entrepreneurs.

There is also silence about the perpetrators of the threatening wars and crises. As if the USA did not exist, which has been scheming, igniting, dividing and intervening all over the world for decades and is in the process of igniting a third world war. Not a word about the fact that Germany is being systematically deindustrialised, that it has been cut off from a reliable, inexpensive energy supply from Russia by blowing up the Baltic Sea pipelines.

In September 2022, when many people were demonstrating in favour of the commissioning of *Nord Stream 2* to escape a threatening emergency, the pipeline was rendered largely unusable by blasting at the same time as *Nord Stream 1*. After extensive research, the well-known American investigative journalist *Seymour Hersh* has come to the conclusion that the USA carried out this attack on the German energy supply. The Berlin government, which in all probability knew about it, remains silent; instead, this criminal attack on the German infrastructure is being covered up with ever new tall tales.

The Berlin government is wasting billions on the proxy war in Ukraine, which did not just begin in 2022, but already started with the Kiev government's attack on the Donetsk and Lugansk oblasts, which were merely demanding more autonomy within Ukraine after the coup. After British Prime Minister *Boris Johnson*, in agreement with the US government, boycotted the Istanbul peace efforts, the war in Ukraine escalated, Germany was left to its own devices and increasingly positioned against the Russian Federation.

It can be assumed that neither the USA nor the UK have any interest in a rapprochement between Germany and Russia or a revitalisation of the German economy. On the contrary, they will do everything in their power to prevent this. Germany has been under curatorship in a permanent state of emergency since 1945 and it is high time to end this tutelage.

The most important goals of a sensible policy for Germany must include:

- Withdrawal from Nato, which has long been in breach of its own statutes,
- Cancellation of foreign military deployments on German territory,
- Resumption of cheap gas supplies from Russia,
- Cessation of arms deliveries, especially to warring parties,
- resumption of normal relations with states with which relations are currently disturbed.

"A public voice for humanity ..."

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for war" does to people. "20 suicides of US veterans every day"⁴ is just one of the many headlines that make it clear what is at stake.

A register for the rule of law

Three, Germany needs a public register of state breaches of the law and denied legal protection. In an interview in December 2024⁵, *Helmut Roewer*, former President of the State Office for the Protection of the Constitution in Thuringia (1994–2000), explained in detail why, in his opinion, Germany is no longer a constitutional state. Helmut Roewer has been sharply attacked for many years. This type of campaign against politically contrary people has become typical of Germany. Shouldn't we instead listen to what a person has to say and think for ourself?

Compassion and community building

Four, compassion and forming of genuine communities arm us against inhuman-

ity, injustice and warmongering. A public voice of humanity, justice and peace becomes stronger when people with these concerns come together in many places on an equal and equal footing and speak out publicly.

Two years after the adoption of the *Helsinki Accords* in 1975, prominent citizens of Czechoslovakia, including the country's future president, *Václav Havel*, formed a group and published a text they called *Charta 77*. This charter listed the human rights that had been guaranteed to all citizens of Czechoslovakia by the *Hel-sinki Accords*. The Charter contrasted this with the political reality in the country – a reality that often violated people's rights. The group was persecuted by the state but remained active until the collapse of the socialist regime – civil courage.

40 years later, well-known German personalities, including civil rights activists from the final phase of the GDR, wanted to pick up where they left off. Following the exclusion of so-called right-wing publishers from the Frankfurt Book Fair, they



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Achieving these goals will require a fundamental change in policy, but this is not possible with the established parties. Therefore, the elections scheduled for next February are merely a deception of the population, which is being lied to and deceived.

Wolfgang Bittner's book *Niemand soll hungern, ohne zu frieren – So wie es ist, kann und wird es nicht bleiben* (No one should go hungry without freezing – The way things are, it cannot and will not remain) was published in 2024 by publishing house *zeitgeist*.

See also: <https://www.youtube.com/watch?v=jMvwn947Jxc&t=2402s>

formulated a petition called *Charta 2017* and pleaded "for freedom of expression, for democratic coexistence, for respectful debate".⁶ The group was fiercely attacked. Unfortunately, it is no longer active.

Today, invoking once again what is a guaranteed right, but is repeatedly disregarded in political reality, would be an expression of civil courage and could lay the foundations for a public debate. It doesn't take much, just measured action, wisdom and a little courage.

¹ <https://www.wahlrecht.de/umfragen/insa.htm>

² For example, the success rate of appeals to the constitutional court is currently around 1.5 per cent (see <https://de.statista.com/statistik/daten/studie/1412487/umfrage/bverfg-erfolgreiche-verfassungsbeschwerden/>).

³ <https://www.bundeswehr.de/resource/blob/5761202/5101246ca9de726f78c4d988607532fc/oplan-datta.pdf>

⁴ <https://www.friedenskooperative.de/friedensforum/artikel/taeglich-20-suizide-von-us-veteraninnen>

⁵ <https://apolut.net/im-gespraech-helmut-roewer/>
⁶ <https://www.openpetition.de/petition/online/charta-2017-zu-den-vorkommissen-auf-der-frankfurt-er-buchmesse-2017#petition-main>

Recalling Who We Are as Humans

by Moritz Nestor

Thirty-five years ago, following the end of the Cold War, the United States, as the “sole superpower” proclaimed that with the victory of the US democratic ideology over the “Evil Empire” – the USSR – “the end of history” had arrived. A new era was purportedly dawning, one in which US democracy and the Anglo-Saxon, neoliberal variant of the market economy would reign supreme and perpetuate globally.

However, the harsh reality of the past 35 years tells a different story. The neoliberal version of the market economy has proven to be predatory capitalism. The “democratisation” of the world along with associated “nation building” has meant 35 years of war against other peoples and states bringing nothing but death, destruction, and human suffering: in Somalia, in Yugoslavia, in Afghanistan, in Iraq, in North Africa and also in Ukraine.

In March 2022, Volodymyr Zelensky promised: We will be neutral! A peace agreement with Russia was initialled. Europe could have had at peace then. But America sent the “postman” Johnson and halted the peace treaty and neutrality that had been driven within tangible reach. Hundreds of thousands have died pointlessly since then, millions are fleeing.

Regrettably, not entirely “pointless”. While it may be deemed senseless for the people of Ukraine, as the Ukrainian populace reaps only death and insurmountable debt from the billions spent on weapon shipments to their nation, these billions in turn fill the coffers of American arms manufacturers.

The postman later commented in a rather “correct” manner on his murderous act: “We” could not sign it, as it was about maintaining Western hegemony.

This stance is devoid of compassion and empathy. This attitude knows no mercy or compassion. It ridicules humanity as touchy-feely and indulgent towards “evil”.

Ethics, as a pre-political, overarching, and immutable principle enshrined in international law, is supplanted by stark expediency driven by power politics. Boris Johnson epitomises a particular Western nihilistic archetype: on guided by ruth-

less insensitivity, unbridled self-interest, and boundless greed, which continues to aspire to extend US dominance across all nations, regardless of the cost.

This practice of absolute state control is a form of nihilism masquerading under the guise of “democracy”.

This nihilism represents a greed for power and money: exploiting nations through global dollar dominance and reaping unearned and yet not self-earned wealth. To confuse and suppress the sovereign power of nations, to impose total denationalisation and the removal of sovereignty from the nation state through economic, military and cultural aggression. States lose their fundamental purpose of serving the people and become offices of international power and financial centres. Alongside this disempowerment of states comes a cultural struggle against traditional values and cultures. The nihilists cultivate and employ generations of intellectuals who proliferate countless theories and “studies” wherein humanity is dehumanised and rendered invisible, and they infuse these into cultures. Their aim is to debase us into “drives,” “instincts,” “brains,” “nerve impulses,” “hormone levels,” “genes,” “algorithms,” “machines,” “evil egoists,” – and the devil knows what. Since the 1970s, Western intellectual elites have produced more such materialist “theories” than have been produced in a thousand years.

Yet it is merely 5–10 per cent of humankind engaging in such actions. The vast majority of billions cherish their children, guide them into life, care for their elderly parents, and toil honestly and diligently throughout their lives to ensure that the succeeding generation has a promising future. Such is the essence of humanity. The delusions of American power have sought to make us forget our true identity! Amidst the haze of Western nihilism, we too often lose sight of who we truly are and what the richly endowed humanistic tradition of Europe has accomplished over two and a half millennia.

The engagement with the daily madness of wars also necessitates an inner counterbalance: A daily inner resistance

– namely, mankind is different! We are different! Within us lies this free realm of empathy and reflection, from which an awakening and resistance can emerge.

The number of humanists produced by the European cultural sphere since ancient Greece is so astonishingly vast, and their contributions to a humanistic conception of humanity are so profound, that one is deeply shaken when considering where we might stand today if this cultural substance of Europe had been able – or perhaps more aptly, had been allowed – to take political effect after the Second World War.

The thread that unifies humanists across the centuries up to the present day is the fundamental attitude of human solidarity, which Annemarie Kaiser described in her 1977 dissertation: “That humanity should come to understand its own nature and begin to live in accordance with its requirements – that is the endeavour by which Adler takes his place among the humanists of all time.”¹

This tradition, represented here by Alfred Adler, the founder of Individual Psychology, is intended to serve as a guiding star for a series of contributions published in loose succession. These articles aim to reclaim the most valuable contributions of our European culture for the benefit of humanity form the clutches of ideological amnesia. This series continues from the two articles “Defense of Man” (Current Concerns No. 8 of 23 April 2024 and No. 12 of 18 June 2024). Today we publish “The School of Salamanca – The forgotten nascence of modern international law”, which was delivered at the 2024 Pedagogical Inservice Training Week of the Institut für Personale Humanwissenschaften und Gesellschaftsfragen (Institute for Person-Oriented Human Sciences and Societal Issues).

¹ Kaiser, Annemarie. *Das Gemeinschaftsgefühl – Entstehung und Bedeutung für die menschliche Entwicklung. Eine Darstellung wichtiger Befunde aus der modernen Psychologie*, (Community Feeling – Origins And Significance For Human Development. A Presentation of Important Findings from Modern Psychology), Verlag Psychologische Menschenkenntnis Zurich, 1981, page 31f.

The School of Salamanca – the forgotten nascence of modern international law

by Carola Irsiegler, Silvia Nogradi, Moritz Nestor

In 2024, the world could have celebrated the 75th anniversary of the *Geneva Conventions*. All states signed them on 12 August 1949. Together with other texts, they form the modern international humanitarian law. One year earlier, in 1948, the *Universal Declaration of Human Rights* was proclaimed, which is now part of customary international law and, for the first time in the history of Europe, guarantees freedom, equality and fraternity for all people:

“All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should treat one another in a spirit of brotherhood.”

The creators of the conventions had experienced the nights of bombing, the mass murders and the nuclear deserts first hand: never again. The graves of millions of their relatives were still fresh. And the terrible crime of the first atomic bombs gave them an idea of what could come after Auschwitz. How much heart and soul they put into it! How much hope the world drew from these promises of the natural rights of all. A consolation for the mourning of the millions murdered.

And today?

With over 120 wars raging around the world, it seems like a mockery to want to celebrate the 75th anniversary of *international humanitarian law*.

In the horrific rampage of genocide against the Palestinian people, to name but the worst, the belligerent Western elites have forgotten that we are human beings and act only according to the principle: “Anything goes.”

500 years of the history of modern international law in Europe have been erased from public life in the West. Unlike in the vast majority of the rest of the world.

Nevertheless, the 75th anniversary of international humanitarian law should be commemorated by recalling its 500-year history.

Against the arbitrariness of the sheer power state

It was the natural law that, especially since the early modern period, brought about a human and international legal order in long disputes that since the early modern period in European history has resisted the sheer power state and its dogma that utility is the only and true reason for law.

With the late Roman Empire, Europe’s first imperial power state collapses due to



Main portal of the University of Salamanca. (picture Wikipedia)



Lessons at the University of Salamanca. Painting from Martin de Cervera of 1614. (picture Wikipedia)

its sick delusions of power and grandeur, scattering a “deadly seed”, as the great poet Reinhold Schneider from Baden-Baden writes in his essay “Macht. Die Rechtfertigung der Macht” (Power. The justification of power): Up to the present day, over the course of one and a half millennia, Europe has repeatedly experienced new attempts to copy or even surpass the “Caesarian power” of the Roman state – whose collapses brought and bring unending suffering to the peoples. Reinhold Schneider has described this impressively:

“Over a period of one and a half millennia, Europe offers the sight of empires blossoming and withering with tremendous speed; the aura of power that one after the other casts over the globe seems to be little more than a flash of lightning; after the disintegration of the empire [...] the change of supremacy takes place with ever more dangerous speed; the highest power: the empire, i.e. the legacy of Rome, comes alive as an impulse in all peoples; it is as if the long vanished Roman empire had still scattered deadly seeds in its decline: all peoples, even those whose natural habitat mocks such a succession, strive for Caesarian power. [...] Lisbon at the time of the Portuguese Empire [...] [claimed] to surpass Rome, which appeared to be both the city of the

*Caesars and the Pope. The architectural forms of Rome, which appear in almost all the centres of power in Europe and even America, express a succession not only in the artistic sense: they express the adoption of a dangerous legacy whose demonic compulsion the peoples could not resist as soon as their consciousness of power grew. [...] And Rome, however meagre are the remains of the walls left behind in the London area, did indeed grow through the English capital, re-emerging the forms that once expressed world domination [...].” (Schneider, 1977, pp. 16-17)**

Resistance of the Dominicans

In the first third of the 16th century, the history of modern international law begins as a fierce confrontation with the bloody conquest and colonization of America by the Spanish and Portuguese empires. At the time, Spain was the only nation in which a group of influential Christians from the Dominican Order publicly opposed the injustice of colonialism: the *School of Salamanca*. It was primarily within its ranks that early modern international law emerged, which from the outset was applied natural law.

The Spanish legal scholars of this school of natural law confronted their Christian compatriots in the Central and South American colonies with the revo-

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"The School of Salamanca ..."

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lutionary demand that all people, including the pagan Indians, were born free and equal simply because they belonged to the human species (see *de Vitoria* 1952 and *Fisch* 1984). The right to life and liberty, they formulated around 200 years before the Enlightenment of the 18th century, was not dependent on whether one was baptized, but was a universally valid natural right.

The "new rights" fought for by the natural law scholars of the *Salamanca School* applied to the Indians from 1542, but failed in 1545 due to resistance from the Spanish colonialists (cf. *Neumann* 1990). But it must be seen: With the resistance of the *School of Salamanca* against the injustice of emerging colonialism, the basic features were created which the Enlightenment of the 18th century only needed to implement politically, without adding anything fundamentally new to what Salamanca had created.

Alongside old legal structures such as constitutions, the right of succession to the throne, feudal law and canon law, "early modern international law" subsequently emerged as an *independent special law* between the independent secular and clerical ruling structures in Europe, the "early modern states" (cf. *Oestreich* 1969).

"Man – State – Community of Nations"

In 2011, *Iris Glockengiesser's* book was published by *Stämpfli-Verlag* Bern: "Mensch – Staat – Völkergemeinschaft. Eine rechtsphilosophische Untersuchung zur Schule von Salamanca" (Man – State – Community of Nations. A legal-philosophical study of the School of Salamanca), in which she sheds new light on the historical significance of the *School of Salamanca*, namely as the founder

"of modern international law and a new concept of the community of nations – always based on the teachings of Thomas Aquinas and Aristotle – but adapted to the requirements of the dawning modern age, the discovery of new peoples and the issues associated with this. Within the framework of their basic Christian understanding of the world, the scholars of the School of Salamanca attempted to give the people of the newly discovered America the status they deserved as free and equal human beings." (*Glockengiesser*, p. 1)

This necessitated a new concept of the world community, which was no longer limited to the Christian world, "but a *totus orbis* [...], that is, the world community as a moral person that encompasses all peo-



Cloister of the University of Salamanca. (picture ma)

ples on the basis of natural law." (*Glockengiesser*, p. 1)

The scholars of the *School of Salamanca* were universal scholars: they had studied theology and also dealt with law and philosophy. The most important Spanish theologians and jurists of the *siglo de oro*, Spain's "Golden Age" (beginning 1492, cultural heyday 1550–1660), were associated with the University of Salamanca, the intellectual centre of Spain at the time. This resulted in the name "School of Salamanca". The founder of this school was *Francisco de Vitoria* (1483–1546), a Catholic moral theologian and teacher of natural law. Another important representative was *Francisco Suárez* (1548–1617), Jesuit, theologian and philosopher. *Hugo Grotius* and *Samuel Pufendorf*, in particular, referred to him in their work. The concept of the *School of Salamanca* dealt with the triad of man – state – community of nations, which are closely linked in terms of content.

The encounter with previously unknown cultures

The *School of Salamanca* founded modern international law and formulated a new concept of an international community, a world community that encompasses all peoples on the basis of natural law. The discovery and conquest of South America provides the historical background for the reasoning and formulation of the basic ideas of human rights. The encounter of Christians with the Indians and their previously unknown cultures changed the medieval world view by raising completely new questions:

Are these beings, the Indians, human beings like us? What legitimacy do the Indian tribes have? Are these genuine state communities? Is it right to enslave these people, to simply take possession of their

land? Do non-Christians/non-believers have full human rights?

Undoubtedly, the primary intention was to evangelise the Indians, and there was even a supposed duty to do so; at the same time, economic profit was also expected, whereby the Indians were at least expected to be treated humanely by the royal house.

The basic assumption of *Francisco de Vitoria* and *Francisco Suárez* is the innate equality of all human beings. They have the ability to reason, have a natural freedom and stand out as human beings by their community-building social nature.

I. Reasoning ability

It is fundamentally his reasoning ability that characterises man and marks him as the image of God, regardless of whether he believes in God or not. The differences in his ways of life, his belief, the forms of his coexistence and his customs are exclusively a matter of education and teaching.

The humanity of the indigenous peoples was fully present even before their discovery. They belong to the community of all peoples and they have human dignity by nature. The orderly forms of their coexistence also prove the fundamental rationality of the indigenous peoples.

The right to property is derived from the ability to reason. Accordingly, the Indians have the right to have full control over their own lives and everything that goes with it.

At the same time, however, there were also representatives of a counter-position who claimed that the Indians were not capable of reason and therefore, by nature, not equal, but inferior. Therefore, they claimed, they had the right to rule over them; indeed, they even needed to be sub-

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jected to the superior, higher-value (Christian) people.

II. Natural freedom

Man has a freedom that is given by nature and is therefore natural. By nature, there are no slaves, so there is no natural right to enslave people. In fact, a great debate arose at the time about the circumstances under which it might be possible to enslave people for their own good, or as a result of culpable behaviour or military conflict. It was said that there are certain situations in which there are legitimate reasons to enslave a person. But the claim of a *natural slavery* is denied here.

III. The social nature of man

Man is essentially characterised by his social nature. This entails the necessity of forming communities. Man seeks and needs community, on the one hand because he cannot survive alone, and on the other hand because he can only fully develop his abilities by living together.

"Just as man surpasses the other living beings in intellect, wisdom and language, has he been denied much of the guiding providence that has been granted to the remaining living beings. Right from the start, in fact, Nature, as mother, immediately assigned all other living creatures their protective clothing at birth, so that the integrity and protection of the animals would be taken care of [...] But man, even though endowed with reason and virtues, was left by Nature vulnerable, weak, destitute and unprotected, completely without means of support, in need everywhere, naked and hairless [...]. So that in such emergencies, relief was provided, it was now necessary that people did not wander around restlessly and scatter like wild animals in solitude, but that they provided each other with mutual assistance by living together in society." (Vitoria, quoted from Glockengiesser, p. 31)

It is only within the human community that man can develop to his full potential, to all the possibilities of his existence. This in turn leads to the necessity of forming state communities.

"Since human communities were founded with the aim that one should bear the burden of the other and because of all societies, the state society is the one in which people most comfortably confront their emergencies, it follows that a community is, so to speak, the most nat-



Francisco de Vitoria (around 1483 in Burgos or Vitoria; † 12 August 1546 in Salamanca). (picture Wikimedia)*



Francisco Suárez (5 January 1548 in Granada; † 25 September 1617 in Lisboa). (picture Wikimedia)*

ural form of mutual exchange and most appropriate to nature." (Vitoria, quoted in Glockengiesser, p. 32)

Part of the whole human community

His social nature corresponds to his rational nature and his freedom; in this, man is part of the community of all people from birth, which he cannot escape from as the original social being. Man needs the counterpart both to perfect the spirit and to form friendships,

"Even if life were safe and sufficient unto itself, it could still only be unpleasant and unenjoyable in solitude." (Vitoria, quoted in Glockengiesser, op. cit.)

"The social nature of man, which forms society, is consequently based on the pursuit of the satisfaction of his material needs, but also on the acquisition of language and intellectual education, as well as justice and friendship. The latter are an ornament of the human will, which, outside of a community, would remain completely uneducated and, so to speak, mutilated. Since even justice and friendship are always oriented towards the existence of fellow human beings; consequently, the human will also shows man is a 'creature related to his fellow human beings'." (Glockengiesser op. cit., p. 33)

Man therefore unites in (national) communities in order to be fully human. This is to be understood as an act of free will and does not mean that he thereby loses his freedom. But he does incur duties that arise from life in a community. Individual freedom requires integration into a state community, which at the same time entails the necessity of duties.

The purpose of sociality: the common good

In addition to the purpose of mutual aid and the development of all forces, another purpose can be attributed to the formation of human communities: the preservation of social and political peace. Without the peaceful coexistence of people and thus also of nations, mutual aid is difficult to maintain.

The creation of the state is intended to serve this goal, and thus the overall purpose of the state is to enable people to live together peacefully in accordance with their nature. (cf. Glockengiesser op. cit. p. 35)

Communitas perfecta never demands that individuals submit to one another, but it means integration into the obligation of a community striving for perfection, i.e. a community of life that strives for the highest degree of justice and perfection.

Man is not a self-referential ego; he always has a social part within him that connects people with each other and obliges them to respect others. This respect obliges us to help and defend others. The good of man can only flourish in and through communities; accordingly, the individual good cannot be ascertained without considering the common good of all. (cf. Glockengiesser op. cit. p. 37)

The purpose of the state: the perfection of man in peace and security

According to the idea of the *School of Salamanca*, the foundation of a politi-

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cal community, a state, is a combination of man's social nature, his natural disposition to form a community and his free will: According to Vitoria, man joins together with others of his own free will and in knowledge of his nature in order to achieve his perfection and to be able to live in peace and security. A state therefore has two duties: the perfection of man and the promotion of the common good, the *bonum commune*. The state should guarantee the peaceful co-existence of the members of the community and establish unity and order. The state provides the conditions and the means by which citizens can achieve the common good. The laws of a state must be aimed at the common good, otherwise they cannot be just.

Thus, the state is no more than the best organized community of human beings. Since the citizens always remain the maintainer of state power, the basis of the state is democratic. The question of the best form of government – a ruler or a group of rulers – remains secondary as long as rule does not turn into tyranny. This is clearly detrimental to the common good. This means that all possible states or forms of government are equal (in value), and above all they are sovereign. No state is above another, just as no human being is above another: no nation can claim to be the ruler of another nation.

Children of their time ...

On some issues, the scholars of the *School of Salamanca* remained children of their time:

- on the question of slavery, although they did not accept it as natural; no human being comes into the world as a slave,
- on the question of the best possible form of government, they were in favour of monarchy; the idea of direct democracy seemed impossible to them because it would be too unstable.

It has remained a task for subsequent generations to develop this further. However, the view that all people – Spaniards, Christians and the people of the New World – were born equal and free was a revolutionary idea at the time. Just as revolutionary were the thoughts on the state and the community of nations: a universal international community forms the basis in which all states, regardless of their religious or cultural orientation, are seen as part of a whole, as part of the international community, which must ensure the promotion of the common good of all people. In this sense, we agree with the closing words of Iris Glockengiesser:

"Peace, security and the granting of human rights as the supreme goals of every individual, but also of every state and the entire community of nations, can only be achieved together. But only if we are all ready to contribute to the bonum commune and the bonum totius orbis – in the spirit of the School of Salamanca." (Glockengiesser, p. 110)

Natural Law –

'Basic science of social life'

Since the *School of Salamanca*, modern natural law had been emerging from Christian culture in Europe in the early modern period. It was based on human social nature, i.e. anthropology, and culminated in the mid-17th century with Hugo Grotius and Samuel Pufendorf in the pro-



Hugo Grotius (* 10 April 1583 in Delft, Republic of the United Netherlands; † 28 August 1645 in Rostock). (picture Wikimedia)



Samuel Pufendorf (* 8 January 1632 in Dorfchemnitz, Stollberg; † 26 October 1694 in Berlin). (picture Wikimedia)

ject of a 'basic science of human social life' (Wolf, p. 260). Not in opposition to Christian doctrine or in a clash with it. Nor as an application of the new physical or mathematical methods of the emerging natural sciences. It is an independent empirical science that derives inherent principles of social coexistence from human social nature. Samuel Pufendorf formulated this more concisely than almost anyone else:

"Man is therefore the creature that is most concerned with self-preservation. However, he is completely helpless on his own. He is unable to survive without the support of his own kind, but is also ideally suited to mutual support. [...] From this follows that man, in order to survive, must lead a life in community, i.e. he must unite with his fellow men and behave towards them in such a way that they, for their part, do not seize every pretext to harm him, but are instead prepared to protect and promote his advantage. The rules of this community life, or the teachings on how everyone must behave in order to be a useful member of human society, are known as natural law. This leads to the following basic rule of natural law: everyone must protect and promote the community to the best of their ability. According to the principle: 'Anyone who pursues a goal necessarily also wants the means without which the goal cannot be achieved', it follows that the commandment of natural law is everything that is necessary and useful for life in community; what disturbs and harms is forbidden. All other rules, the correctness of which is immediately obvious in the light of the natural reason given to man, are only deductions from this supreme principle. [...] The nature of man is such that humanity cannot exist without life in community. And man is also capable, with the help of his reason, of recognising the commandments that belong here." (Pufendorf, 1994, Chapter 3)

Christians within Christianity in accordance with the Bible have developed this project of a science of man. However, it is *not* considered to be theology, but rather the *application of reasonable rational thought and concluding on the nature of man*. There grew what emerged in the 18th century as political enlightenment: natural law. Pufendorf outlines it somewhat simplified as follows: "Theology teaches us about life after death, natural

Letter to  the Editor

Thank You, Julian Assange!

Dear Mr. Julian Assange

Fortunately, in a media landscape that is largely dominated by the mainstream, there are also media that have made it their mission to promote and support the free formation of opinion, as well as respect for human rights and international humanitarian law.

For several decades I have been a subscriber to one such medium, namely the newspaper *Current Concerns*, which is published on a voluntary basis by a co-operative in Switzerland and appears every fortnight in German, English and French – without commercial advertising.

In the 10 December 2024 edition of this newspaper, I was able to read your speech translated into German that you, dear Mr. Assange, gave to the Parliamentary Assembly of the Council of Europe in Strasbourg on 1 October 2024.

Your words touched me deeply. For years, I have repeatedly informed myself

about your great commitment and your fate, to a large extent through articles in *Current Concerns*. Among other things I learnt about the report and commitment of then UN Special Rapporteur on torture, *Nils Melzer*. A few years ago, I took part in a solidarity event at Cologne University with some of my friends, at which your father was present, as was German MP *Sevim Dagdelen*. My friends and I also took part in a solidarity demonstration in front of Cologne Cathedral.

I was touched to learn how actively your wife *Stella* and other personalities, including the Spanish lawyer *Baltasar Garzón*, stood up for your personal freedom and freedom of expression. Perhaps you can imagine how relieved and happy I was to learn of your release in June this year and your opportunity to travel to Australia, where you can now be with your family.

I think it is great that you are now coming out into the open again after the intol-

erable and infamous conditions imposed on you by the US government on the occasion of your release. I have high regard and respect for your unwavering but hard-won strength and that you will not silently endure this injustice by the US government.

Thank you for informing and educating us in clear language.

Your voice is for me, as it is for many of my friends, one of the voices that helps me not to lose faith in upright humanity committed to the pursuit of truth.

I would like to do what I can to help these voices to be heard and – if possible – to increase their number.

It is urgently needed!

Thank you, Julian Assange.

With great respect
Annelene Neuhaus
(77-year-old German citizen, retired
teacher living in Cologne, Germany)

"The School of Salamanca ..."

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law gives us the rules of community life on this earth before death."

The development of modern international law with its natural law concept of human rights began with the *School of Salamanca*. Around 250 years before the declarations of human rights in the Age of Enlightenment of the 18th century. It referred to the innate freedom and equality of all people and developed – within Christianity – into a movement against the oppression of foreign peoples by Christian nations, among other things.

* Translation of all quotes by *Current Concerns* Literature

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The co-operative principle as the basis of direct democracy and political culture in Switzerland

by Dr phil. René Roca, Research Institute for Direct Democracy (www.fidd.ch)

The co-operative principle is a central foundation of the Swiss federal state. As an economic organisational form of self-help, the cooperative is not just a mere legal form, but an actual form of society. It is always anchored locally and embedded in Switzerland's federalist-subsidary political system. The members of the co-operative decide democratically on all issues that arise; everyone has a vote. This is a central root of the later development of direct democracy. The purpose of a co-operative is always to optimise the use of a common cause for all members and for the association. The forms of utilisation can vary, but the purpose should always serve the common good – the *bonum commune* – enshrined in natural law.

Dominion and co-operative

The Swiss historian *Adolf Gasser* (1903–1985) particularly emphasised the importance of the co-operative principle. For him, European history was strongly characterised by the contrast between two different attitudes, namely domination and cooperative society. In these phenomena, Gasser emphasised, there are two opposing worlds that are subject to completely different laws of development: the world of state systems built from above and the world of state systems built from below, or in other words: the world of communal unfreedom and the world of communal freedom. In his main work “*Gemeindefreiheit als Rettung Europas*” (1947), he explains:

“The contrast between rule and co-operative society is perhaps the most important contrast known to social history. The contrast between the authoritarian state and the social state is about absolutely fundamental things: namely the elementary foundations of human community life.”

Gasser goes on to emphasise that it is the co-operative principle of order that leads to a communal community ethic:

“Whereas in the authoritarian-bureaucratic state politics and morality are on fundamentally different levels, in the social-communal state they belong inseparably together. Accordingly, the co-operative principle of order, as it underlies the bottom-up structure of the community, is appropriately referred to as ‘communal community ethics’.”

The importance of the co-operative principle

The co-operative principle has not only applied in Switzerland since the founding of the federal state in 1848, but has been



The “*Ring zu Ibach*” in canton Schwyz. Annual meeting of the *Oberallmeind-auf Grund*, one of the oldest co-operatives in Switzerland. (picture *Elfy Roca*)

an integral part of the Swiss ethos for centuries. This attitude is characterised by the three “selves”: self-help, self-responsibility and self-determination.

In most cases, the co-operatives emerged from the medieval land constitution or, in other words, from the “medieval commons”. These early references to the co-operative system are central to understanding the Swiss state. The Swiss historian *Wolfgang von Wartburg* (1914–1997) wrote about this in his “*History of Switzerland*” published in 1951:

“These small, natural, self-governing communities have become the school and breeding ground of Swiss freedom and democracy and still are today. However, the most extensive and viable market co-operatives existed in the mountains, where the common alpine and livestock farming encompassed entire valleys.”

In Switzerland, the commons were central to the general spread and organisation of co-operatives. These were areas of pasture, forest and wasteland that had to be open to all. Allmenden were established in such a way that the inhabitants of a settlement association – one or more villages, hamlets or groups of farms – set aside a certain area for collective economic use. This created a threefold division for a farming family: In addition to the arable land and the residential area with farmsteads and gardens, the commons represented a third zone that was man-

aged collectively. From the early Middle Ages onwards, the European nobility attempted to determine or at least influence the constitution of the commons. However, in many places, including in what is now Switzerland, the co-operative principle was able to survive. Due to the diversity of local conditions, a variety of co-operative forms developed over time.

The formation of the citizens' communes

In the Middle Ages, the commons created an important foundation for communal activity in the geographical area of present-day Switzerland and ensured order and security with their rules. In addition to the commons, which were generally available to all agricultural villages until the 18th century, special forms of co-operatives emerged that served certain other communal purposes.

In this way, the co-operatives developed a community-building force without which Switzerland could not have become a nation of the will. In the course of the late Middle Ages and the early modern period, village and valley co-operatives took on other community tasks in addition to their traditional areas. These included the maintenance of roads and footbridges, hydraulic engineering, water supply, the construction of church buildings and the duty to care for the poor. The village and valley

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“The co-operative principle ...”

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co-operatives thus slowly developed into village and valley communities, the foundation of the later federal state.

Von Wartburg writes about this process:

“The Swiss ideal of freedom stems from this human reality, not from an abstract idea [...] Thus the formation of the Swiss state stands in contrast to all other state formations in Europe. It is not based on the will to political unity, but on the contrary on the will to preserve the original uniqueness and freedom of the members, and thus to preserve diversity. Its unity does not come about through superior power or uniformity, but through free co-operation on common tasks.”

The co-operatives thus became village citizens and the previous village co-operatives developed into village communities. By 1798, this led to the creation of the burgher communities that still exist in many cantons today.

The Helvetic period (1798–1803) led to the division of the commune into a residents’ commune and a citizens’ commune. This intensified the division of the commons. Some commons became leased or privately owned, others were claimed by the residents’ communes, or private-law commons were formed. The commons and civic communes are still an important traditional asset in Switzerland today and create human links to the history and culture of a community.

Without the tradition of the commons and the “co-operative spirit” described above, the founding of the federal state in Switzerland in 1848 would not have taken place. This “co-operative spirit” is always rooted in the small area, i.e. in the small, clearly organised spatial unit of the municipality, which is based on the co-operative principle. Only in such a spatial unit can a lively co-operative self-administration develop. This historical dimension of Swiss municipalities is always ignored in current merger discussions or dismissed as a “soft factor” in an ahistorical manner.

The co-operative movement of the 19th century

Building on the Swiss traditions of the commons and cooperatives described above, a broad cooperative movement developed in the course of the 19th century, particularly with increasing industrialisation. Trade unions, workers’ associations (*Grütliverein*) and left-wing parties were often its main supporters. This movement – in Switzerland as in Europe – penetrated new areas, including industrial ones, but not without preserving the basic co-opera-

International Year of Cooperatives 2025

gl. On 19 June 2024, the UN General Assembly once again declared 2025 the Year of Cooperatives, for the second time since 2012. The UN Year of Cooperatives 2025 was launched in New Delhi at the end of November at the world conference of the international cooperative movement ACI (*Alliance Coopérative Internationale*) under the motto “Cooperatives build a better world”. Around 3000 representatives of cooperatives from 100 countries were present. UN Secretary-General António Guterres took part, as did the Indian Prime Minister Narendra Modi and the Director-General of the *International Labour Organization* (ILO), Gilbert F. Houngbo. The event was organised by the *Indian Farmers Fertiliser Cooperative Limited* (IFFCO) and 18 other cooperatives in India. The conference brought together global leaders in the cooper-

ative movement to explore the challenges and opportunities facing the co-operative movement with the aim of building a fairer and more sustainable world. The globally important cooperative movement of the Spanish Basque Country was also present with a large delegation, including government representatives, the Institutes for Cooperative Studies of the three Basque universities Lanki (University of *Mondragón*), Gezki (EHU/UPV) and Deusto, and the world’s largest cooperative Mondragón.

This year, the idea of cooperatives is to be strengthened worldwide. Already, 12% of the world’s population are members of a total of three million cooperatives. The aim is to promote a fairer and more equal business model that can also achieve the UN’s sustainability goals for 2030.

Source: TULankide 631 Mondragón

tive principles. In addition to the traditional agricultural co-operatives, production, consumer, housing, credit and savings co-operatives emerged.

The co-operative as a legal form was enshrined in the Swiss Code of Obligations in 1881 and became increasingly popular. The number of co-operatives in Switzerland rose massively around the turn of the century (1883: 373; 1890: 1551; 1910: 7,113). The main reason for this was the recurring crises in the capitalist economy. With the great crisis of the 1930s, the number of new co-operatives rose sharply again, reaching a peak of over 12,000 in 1957. Just under half of the co-operatives were agricultural in nature, with new additions in service sectors such as the electricity industry. After the Second World War, building and housing co-operatives were founded and promoted particularly frequently.

In the 1980s, the US political scientist *Elinor Ostrom* (1933–2012) analysed the “constitution of the commons” in a fundamental global study. She was the first woman to receive the Nobel Prize in Economics for her work in 2009. Based on historical examples from various continents, she demonstrates the significance of the co-operative principle for the present day. Using the commons as an example, she demonstrates how people organise themselves in the face of scarce natural resources in order to solve complex problems collectively. Ostrom concludes from her comprehensive studies that, in many cases, cooperation between those directly affected is better than state control or privatisation for the good management of local commons resources. She thus impressively honours the cooperative principle.

Future of the co-operative

In Switzerland, the co-operative principle continues to enjoy a high level of trust, although the number of co-operatives has fallen in recent years. In addition, the original co-operative concept is coming under increasing pressure from large-scale co-operatives. It is important to discuss the co-operative approach more widely again and to teach it at schools and universities. Ostrom found examples of the commons as a form of co-operative all over the world, in many cultures and countries. The co-operative thus proves to be a sensible economic model based on natural law, which democratically involves the participants and thus also represents a model for the development of a self-determined political culture.

Together with the militia system¹, the three “selves” ensure that a special democratic culture is practised. In many respects, the cooperative idea has thus historically been the central point of reference and foundation for the emergence and development of direct democracy and the organisation of the Swiss federal state. Switzerland is the only country to have this important historical reference in its name in the form of the “Swiss Confederation”.

Co-operatives can be “schools for democracy” in a broad sense. These are all reasons why the cooperative idea has been part of UNESCO’s intangible world cultural heritage since 2016. This recognition also supports the research findings of Elinor Ostrom. •

¹ The term militia system refers to a widespread organisational principle in Swiss public life that is based on the republican idea that every capable citizen should take on public office and duties on a part-time or voluntary basis. (Historical Dictionary of Switzerland, own translation)