

# 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

## “The defense of the sovereignty of nation states is today’s profession of those who are not willing to give up the freedom of citizens as human beings”

by Professor Dr Karl Albrecht Schachtschneider

cc. A few weeks ago, a new book by the German professor and teacher of constitutional law Karl Albrecht Schachtschneider was published. The book is entitled “Die Souveränität Deutschlands. Souverän ist, wer frei ist” (The sovereignty of Germany. Sovereign is he who is free). On about 350 pages, the book clarifies basic terms in the context of sovereignty with respect to legal history and legal systematics. It presents, in particular, political freedom as incompatible with the rule of man over his fellow men. The book explores the different sovereignty doctrines that have been formulated and also put into practice in the course of the centuries and how the triumph of the idea of the people’s sovereignty started with the European Enlightenment. Starting off from a historical view, a liberal concept of sovereignty is being developed in order to address the question, how sovereign Germany is, on this basis. The last 150 pages of the book firmly demonstrate

why the European Union, the Monetary Union and in particular the ESM are violating sovereignty and therefore represent an attack on the dignity of man, on political freedom, on the “humanness of man”. Professor Schachtschneider’s book describes the situation in Germany, in particular; however in its fundamental elaborations it is of great importance for every country. With the kind permission of the publisher, we reprint the preface and the introduction to the book in the following.

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“Sovereign is the citizenry, not their representatives in the bodies of the state. For their dignity’s sake sovereignty as freedom cannot be taken away from the citizens.”

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Everybody is talking about sovereignty. Defending national sovereignty against the post-national world domination is the current vocation of those who do not want to give up the freedom of the citizens as human beings. Sovereignty is freedom. It can only become reality in states based on the rule of law, in democracies and welfare states, hence in republics.

European and global integration are trying to abolish the sovereignty of European peoples. For the Federal Constitutional Court Germany’s sovereignty means the limit to integration. However, it considers this reservation widely reduced by the “Grundgesetz” (Basic Law). The republican concept of sovereignty is not clarified and not even sufficiently discussed. A groundwork of liberal sovereignty has to be compiled.

The German constitutional doctrine has not taken the revolution of 1918 seriously. It still conceives sovereignty as the state’s rule but separates it from society. It treats the citizens as subjects to the authorities, endowed with merely small civil rights and liberties.

## Editorial

The topic Professor Karl Albrecht Schachtschneider takes up in his new book, from which we are publishing an excerpt below, is not only a highly topical discussion, but also concerns a fundamental debate about power and justice in man’s living-together. The manner in which he understands sovereignty as a fundamental principle of freedom in human communities and develops it as an essential term for constitutional and international law issues, is of importance for all states and peoples. This applies to the countries of the European Union that are faced with a governing council under construction that is equipped with dictatorial powers, that stands above all law and should as ESM allegedly lead out of the debt crisis, but in reality incapacitates the peoples and the states and delivers them to a clique of finance potentates. Of equal importance is the question of sovereignty for all those countries whose resources have aroused the greed of those in power and whom the capacity to sovereign self-determination is denied and robbed due to political calculations.

What Karl Albrecht Schachtschneider takes up here, is the old and current debate on power and right: sovereignty in the sense outlined by him is undividable, as undividable as the dignity of man. Do we want to base our living together on power or on right? On violence or on cooperation? Cooperation, compromises honest agreement are only possible for a free individual: Otherwise, the right of the mightier applies, and thus injustice rules.

The same should apply in the co-existence of peoples. Sovereignty as a category of freedom of the people and citizens as a community, as Schachtschneider defined it, is not dividable. Honest cooperation of nations and states requires the respect for the sovereignty of their citizens – both internally and externally. Switzerland’s history should be an example for us: The debate of the cooperative state, that united in defense of the freedom of its members and stood up as a free union against the centrally led state ruling from above. For Switzerland sovereignty always has always meant sovereignty of the citizens.

Erika Vögeli



Karl Albrecht Schachtschneider.  
Die Souveränität Deutschlands. Souverän ist, wer frei ist. ISBN 978-3-86445-043-3

### “The defense of the sovereignty...”

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#### The citizenry are sovereign

People’s sovereignty is usually limited to the *pouvoir constituant*. However, sovereign is he who is free, hence the citizen. He shapes his life and his state together with all other citizens, and he is politician in his life and state. Sovereign is the citizenry, not their representatives in the bodies of the state. For their dignity’s sake sovereignty as freedom cannot be taken away from the citizens. Neither can it be transferred to the European Union. It is limited both at home and abroad. It can be violated and is being deeply violated by the European Union in its current form, especially by the economic and monetary union. He who wants to take the Germans’ sovereignty away must create a new nation and a new government, the Union people and the Union state. This cannot be done against the will of all the peoples of the Union, neither against the will of the Germans. However, this will is what the political class fears and therefore they are gradually undermining sovereignty. The citizens must put up resistance for the sake of their dignity and their freedom.

All my legal proceedings concerning European constitutional policy have attempted to defend the freedom and the law of the Germans, their sovereignty; not without, however with moderate success. This book submits a free, democratic and constitutional, a civil doctrine of sovereignty, which is part of the doctrine of the Republic. It is also about the violations of Germany’s sovereignty.

#### The German Finance Minister bows to borderless capitalism

“Since 8 May 1945 [Germany] has not been completely sovereign at any time”, declared *Wolfgang Schäuble*, Federal Minister of Finance, addressing the assembled bankers of the *European Banking Congress* on 18 November 2011. That almost meant the state’s bow to the new sovereign of borderless capitalism. It seemed as if he wanted to justify the fact that the Germans would have to put up with the further restriction of Germany’s sovereignty by a European fiscal union, which he hoped to achieve within 24 months. In “Europe” sovereignty had already long been “reduced to absurdity”. The sovereignty of Germany is a central problem of Germany’s integration into the European Union, but still a controversy about Germany’s position in the world of states.

In contrast, on 27 February 2012, shortly before his re-election as President of Russia, *Vladimir Putin* wrote in the Russian newspaper “*Moskovskie Novosti*” on the subject “Russia and the World in Transition”: “The recent series of armed con-

flicts started under the pretext of humanitarian goals undermines the centuries-old sacred principle of state sovereignty, creating a moral and legal vacuum in the practice of international relations. It is often said that human rights take priority over state sovereignty. This is undoubtedly true – crimes against humanity must be punished by the International Court. However, when state sovereignty is too easily violated in the name of such pretexts, when human rights are protected from outside and only selectively, and when the same rights of a population are trampled underfoot in the process of such “protection” of rights including the most basic and sacred right – the right to one’s life – in this case it is not about a noble mission but rather about outright demagoguery.”<sup>1</sup> The Russian jurist apparently understands more about sovereignty than the German one.

The concept of sovereignty – always as momentous as litigious – has been since centuries more of a constitutional political battle cry than a subsumable constitutional term, always changing with the political situation; at one time the supreme power, better power authority, of the prince as a representative of God on Earth, or as a representative of the people (Prince’s sovereignty); at another time the power of the people themselves (people’s sovereignty), usually limited by natural law, international law, constitutional law or by agreements, but often completely unrestricted.

A comprehensive and useful description of the history of the sovereignty concept – and thus the history of sovereignty itself – was presented by *Hans Boldt*, *Werner Conze*, *Görg Haverkate*, *Diethelm Klippel* and *Reinhart Kosseleck* in *Historisches Lexikon zur politisch-sozialen Sprache in Deutschland* (Historical dictionary of the political and social language in Germany), Volume 6, Basic Historic Concepts, St-Vert, 1990, keyword “State and Sovereignty”, pp. 1–154, (hereinafter *Historic Concepts*). The foundations were laid by *Helmut Quaritsch*, *Staat und Souveränität* (state and sovereignty), Volume I. *Die Grundlagen* (The foundations) in 1970, who revised the history of the concept in *Souveränität. Entstehung und Entwicklung des Begriffs in Frankreich und Deutschland vom 13. Jahrhundert bis 1806*, 1986 (Sovereignty. Formation and development of the concept in France and Germany from the 13<sup>th</sup> century until 1806).

The concept of sovereignty accordingly experienced an alternating history. Its matter has always been attached to the power situation, but also to the legal situation, and it changed together with them. The legal doctrines themselves are largely committed to the respective conditions of life and power relations. The paradigm shift of the lived-in world, triggered by religions, philosophies, techniques, sciences, politics,

coups or revolutions have effects as well and particularly on the concept of sovereignty. However, man’s right to be human – the right that every person is endowed with from birth – the freedom which is inseparable from human rights, is above all conditions, above the situation. As little as it determines reality, as much it should this law, this idea of the humanness of man, guide people’s actions and their realities. It is the eternal task of legal doctrine to serve man. Most of the time, however, it is serving the power (elites) in which all too many law professors like to participate.

Like no other term sovereignty conceptualizes the constitutional situation of human communities. Thus the theism of Christianity and the centuries of lived religiosity with the spiritual and secular power of the Church have brought forth a different theory of sovereignty as atheism did or the deism of the Enlightenment, who shaped the lifeworld more or less laicistically.

#### The concept of sovereignty of the modern state

With the development of the modern state the concept of sovereignty has become a central concept of politics and constitutional doctrine, which is characterized by the territoriality of the political system as opposed to the personal character of the political situation. Accordingly, the modern doctrine of sovereignty developed primarily in France, the first actual state, marked by territorial sovereignty after the medieval empire where the rule of personal feudal lords prevailed. The pacification of the sectarian civil war calls for a strong man, the sovereign Princeps, Principe or Prince, who determines what is right and what is wrong and who is able to enforce the law he adjudicates. The technical requirements of territorial domination suffice for such sovereignty.

The most influential teacher of this pacification doctrine was *Jean Bodin* – moved by the bloody civil war between the Catholics and the Protestants in France – and his work *Les six livres de la république* of 1576. His teaching remains bound to religion, although it was directed against the political influence of the estates, especially the Church. The limit to sovereignty as the *suprema potestas* of the Prince is the natural law, the divine law, and hence all agreements. The Prince must respect this limit in order not to fall victim to God’s wrath. No one can force him. Separation of powers is repugnant to sovereignty.

#### The sovereignty doctrines of Jean Bodin and Thomas Hobbes

With the development of territorial states in Germany after the Thirty Years War, Bo-

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din’s sovereignty doctrine prevailed also in Germany and, finally, in all over Europe. Monarchical absolutism developed. 75 years after Bodin in 1651, *Thomas Hobbes* wrote his “Leviathan”, again as a response to the horrors of the civil war in England between *Charles I* and Parliament and *Oliver Cromwell*. His work dogmatically supported absolutism as a contract dogma and it has justified for many the lordliness of the state, until today. Even *Niccolo Machiavelli*, being a Republican himself, justified the reason of state, enforced by all means in the Italian city-states, in his *Il Principe*, 1513, published posthumously in 1532, as a necessity of pacifying rule. Machiavellianism still characterizes the methods of many politicians today.

The Renascimento, the Renaissance, the rebirth of antiquity and thus the Greek Enlightenment transitions into the modern era of the Enlightenment, which was critical to religion. It propagated the freedom of man and changed the political world. Rule could no longer be justified by God’s will, the monarch was no longer God’s representative on earth; even with Hobbes he had no longer held this position, since Hobbes’ Leviathan was the representative of the people. More and more the body politic was liberally conceived as a republic.

#### Freedom and sovereignty in the age of Enlightenment

The great teachers of freedom are *Jean-Jacques Rousseau* with his “Contract Social”, 1762, and *Immanuel Kant* with his “Critique of pure reason”, 1781/87, the “Grounding for the metaphysics of morals”, 1785/86, the “Critique of practical reason”, 1788, the “Metaphysics of morals”, 1797/98, his “Perpetual peace”, 1795/96, but also the other critiques. *John Locke*, too, (“The Second Treatise of Government”, 1690) and also *Charles Montesquieu* (“De l’esprit des lois” – The spirit of the laws, 1748) have essentially contributed to a theory of the republic, shaped by freedom.

After *Napoleon* had perverted “liberté, égalité, fraternité” – meaning liberty, equality, brotherliness – into a new caesarism and conquered Europe, the idea of freedom and the principle of the nation state stood their greatest test in the wars of liberation. However, *Metternich*-style restoration and romanticism succeeded in subduing political freedom and people’s sovereignty along with it. The delicate revolution in Germany was crushed in 1848.

#### From Hegel to Carl Schmitt against freedom

*Georg Wilhelm Friedrich Hegel* was to become the philosopher of restorative consti-

tutionalism. His Lectures on *Natural Right and Political Science*, in short: “Philosophy of Right”, 1821, teach a historical-metaphysical dogma of the state which regards the state as the reality of reason and morals, which is separated from society as the system of necessities. The state is an inwardly and outwardly self-aware and self-ruled authority. Not only is its will rational, emanation of the world spirit, but also right. Political freedom of the citizens in the Kantian sense is ridiculed by Hegel for “shallowness of thought”. He places external sovereignty above right. Right or wrong will be determined by victory. To this very day, Hegel has rendered the enlightened doctrine of freedom impotent in Germany, and declared the power state as right. Despite all devastating effects, Hegel remained the essential philosopher of Germany in the 19<sup>th</sup> and through the first half of the 20<sup>th</sup> century. All constitutional texts of Germany though, the Weimar Reich Constitution and even more so the “Grundgesetz” are Kantian. Hegel had, and still has, many followers.

The most eye-catching one is *Carl Schmitt*, whose theory of sovereignty is not only existentialist, but also authoritarian and dictatorial. Apart from his “Constitutional theory”, 1927 and “Dictatorship”, 1923/1927, his most important publication is “Political Theology. Four chapters about sovereignty”, 1922. The first sentence of this text is frequently quoted: “Sovereign is he who decides on the emergency rule”. This position is far from right/alien to any right. However, Carl Schmitt still attracts many followers in Germany and worldwide. Today’s state doctrine still copies some of Schmitt’s crucial terms, in particular the ruling term of “representation”.

Out of his ivory-tower *Hans Kelsen* turns against sovereignty, arguing from the standpoint of his “Pure legal doctrine”, mainly in „The problem of sovereignty and the theory of international law. Contribution towards a pure legal doctrine“, 1920, 2<sup>nd</sup> edition 1928. *Hermann Heller* has also intensively dealt with sovereignty, namely in “Sovereignty”, 1927, and before that in “Hegel and the concept of the national power state in Germany”, 1921. Despite his harsh criticism of Hegel, his theory of sovereignty doesn’t really go beyond Hegel and remains a doctrine of dominance.

#### Questionable attitude towards sovereignty among state doctrine teachers in the Federal Republic of Germany

Under “Basic Law” no noteworthy doctrines of sovereignty have been developed so far. Various texts dealing with the topic are usually determined by a more or less subcortical Hegelianism, at least all of

them are power-oriented in nature. Whereas accepting the people’s sovereignty only as *pouvoir constituant* in his “Theory of state. Historical foundations of legitimacy in constitutional democracy”, 1975/2003, *Martin Kriele* rejects sovereignty as *pouvoir constitué* in the constitutional state since he conceives sovereignty merely as a legitimacy to rule without division of powers. A liberal doctrine of sovereignty in the spirit of Rousseau and Kant hasn’t been attempted yet. Neither has *Werner Mäder* tried to achieve this in his “Critique of the German constitution. Hegel’s legacy 1901 and 2001“, 2002, nor in “On the essence of sovereignty. A German and European problem”, 2007, although he measures Germany’s sovereignty in justified caution mainly by the sovereignty definitions of Bodin, Hobbes, Hegel, Heller and Schmitt and rightfully criticizes European integration as a loss of sovereignty.

The “*Bundesverfassungsgericht*” (German Federal Constitutional Court) uses the term of sovereignty correctly and materializes it by certain caveats regarding sovereignty, however so far it hasn’t provided a definition of the term. Generally speaking, the current debate lacks a sufficient definition of what should be understood by “sovereignty”. Sovereignty has degenerated into a word of polemics. However it actually is a legal term, the definition of which has consequences both in international law and state law. Right can only be understood as the reality of freedom. Therefore sovereignty is a category of freedom, the freedom of people and citizens that is, namely the freedom of the people as citizenry. This needs to be elaborated before the limitations and violations of internal and external sovereignty and the particular aspects of Germany’s sovereignty are being discussed.

#### Liberal Sovereignty

I have elaborated all the above-mentioned theories of sovereignty in my essay “Liberal sovereignty”, where in particular the governmental doctrines of Bodin, Hobbes, Hegel, Heller and Schmitt, but also Kriele, are criticized. I base my considerations on Rousseau and Kant. While I recommend to read this text, I cannot but include a couple of sentences on these doctrines of sovereignty at this point because of their consequences up to the present time. This text is concerned with Germany’s sovereignty, its limitations and violations, in particular those in connection with the integration into the European Union. The doctrine of liberal sovereignty, i.e. the sovereignty of citizens, has to be presented as a fundament though. In and for the republic – the state form of common liberty – sovereignty continues to be a central concept for

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## The fascist structure ...

Where can you find another such a regulation: All employees of the ESM enjoy absolute judicial immunity, no one may sue the ESM or its employees. On the other hand, the ESM can sue everyone and has incredible rights: At any time it may demand as much money as it wants from all signatory member states; and all of that without giving any reasons. Without any possibility of contradiction, members must serve these financial demands within seven days. If a state can't pay (Greece, Ireland, Portugal, Spain, Italy, Slovenia, Cyprus), the other Member States automatically adopt the debt and must settle it within seven days, on their part. It is planned to hold the citizens of the Member States liable with their private assets for the debts of their own state. The ESM is the taking of power by the international high finance with the approval of our elected representatives of the people.

According to information available so far, the ESM treaty design was worked out by the US law firm *Freshfields Bruckhaus Deringer*. This Anglo-American contract elaborate is far away from any European legal culture. The original was drawn up in English and then translated into German. For simplicity, the immunity rules of the ESM treaty were copied from the statutes of the BIS (Bank for International Settlements, Basel, Rothschild) respectively from the Articles of Association of the US ESF (Exchange Stabilization Fund). The German Ministry of Finance has 1900 employees and could have easily worked out the ESM treaty according to German-Roman law in their own house. But what did *Schäuble* do? He commissioned a US law firm – with direct line to the big creditors of Europe and Goldman Sachs – with the working-out of the treaty.

Chancellor *Merkel* also aims at handing over the budgetary sovereignty of the Federal Republic of Germany to the fiscal

authority of the European Stability Mechanism (ESM). Thus, all states that decide to do so, by putting the end to their states' fiscal sovereignty simultaneously put an end to the liberal and democratic state. Mrs Merkel also clearly breaks her oath of office. The planned "fiscal union" bears the mark of dictatorship. Although in Germany "all state authority is derived from the people" (article 20 German Basic Law), under the ESM citizens are not allowed to vote on taking on the debt of corrupt foreign states. Increasingly the impression is created that Mrs Merkel is pushed by the financial industry to take such decisions.

The Austrian representative in the ESM will be *Harald Waiglein*, former spokesman of Finance Minister *Maria Fekter* (ÖVP). As a former journalist for the ORF and the "Wiener Zeitung" he is not a qualified expert. After his promotion within the Austrian People's Party (ÖVP) he was last head of section III "Economic policy and financial markets" in the Ministry of Finance in Vienna and he has experience only as a journalist and press officer at European and international level. As an ESM Executive Board Member Harald Waiglein is immune, must pay no income tax and will manage assets of initially 700 billion euro with his colleagues.

With a looming collapse of the euro Germany would have to pay up to 771 billion euro, calculated by the ifo Institute. With a State budget of 306 billion euro a sum that "makes you wince". In case there will be bail-outs for Spain and Italy (bailout = assumption of debt and redemption by third parties). This sum will rise to 2.8 trillion dollar. No question that Germany would collapse under this burden of payment at the latest. In this context, the newspapers "Bild" and "Süddeutsche Zeitung" brought an "appeal" by the former British Prime Minister *Tony Blair*, who sent an ultimatum

to Germany they kindly should save the euro. Also the United States expect Germany to bail-out the euro, even if it endangers Berlin's existence, as US Treasury Secretary *Geithner* declared to the Finance Minister during his stopover at *Schäuble's* vacation home in Sylt. He indicated that the US will not allow Germany an euro exit. Because a return to the DM would quickly create a currency, which would soon establish itself again as the strongest currency in the world – and that is definitely not the intention of Germany's allies and the financial industry. The elimination of the DM was an important reason to introduce the euro.

Angela Merkel received the Medal of Freedom in the US because she obediently cooperates at the implementation of the US post-war goals for Germany, namely the so-called 5D for Germany (demilitarization, denazification, decentralization, democratization and disassembly) decided at the Potsdam Conference of 1945. In order to implement these goals more easily, Germany still has no peace treaty and only a ceasefire agreement and the enemy state clause of the UN Charta applies to Germany until this day. So the German Army is subordinate to NATO, and Germany is still occupied by 68,000 US soldiers and 30,000 British soldiers. Berlin pays the costs of occupation and continuously pays for the occupiers' new facilities, residential buildings, hospitals, airports and military training areas. The occupation forces and their intelligence can do in Germany whatever they like and whenever they want, they are not subject to German jurisdiction and their barracks and facilities are extraterritorial area. For example in Landstuhl a new US hospital will be built for 900 million euro, of which Germany pays 600 million.

Source: *Inter-Info* from October 2012  
(Translation *Current Concerns*)

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both state law and international law. However, crucial discriminations have to be made between sovereignty as dominance and sovereignty as freedom as well as sovereignty as power and sovereignty as right – but also between the people's sovereignty – with "people" being understood as an entity distinguished from citizenry – and the citizens' sovereignty. While the chapters, which appear in both texts for reasons of argumentation, have been enriched by several original citations (including foreign ones) and by many sometimes critical, references in "Liberal sovereignty" (published

at *Duncker & Humblot*, Berlin), these additions will be omitted here since they might only interest readers who want to get at the bottom of the doctrine of sovereignty but are not absolutely necessary for the line of argument, presented in this essay. Rich supportive material serves scientific immunity, but may impair readability.

In order to prevent the terms which I use differently depending on the political and legal context from being misunderstood, especially since because of their political weight they tend to be heavily ideologized, I will introduce the most important ones before developing my theory of sovereignty which will then serve as the starting point from which to elabo-

rate on the limitations of internal and external sovereignty as well as their violations. These terms of mine are derived, by the way, from the Basic Law, which as the constitutional law of the Germans corresponds to the mentioned constitution of the humanity of man and the core of which is therefore not subject to political considerations.

<sup>1</sup> Documentation in English see *Current Concerns* No 14 of 2 April 2012, <http://www.currentconcerns.ch/index.php?id=1694>

Extract from Karl Albrecht Schachtschneider, *Die Souveränität Deutschlands. Souverän ist wer frei ist*. Kopp Verlag, 2012, ISBN 978-3-86445-043-3, pp.9-16

(Translation *Current Concerns*)

## The Vienna Manifest

of 26 October 2012, about the exit of the permanently neutral Republic of Austria from the European Union and all of its follow-up contracts

1 We, Austrian women and men from all provinces of our republic have peacefully gathered in Vienna, the capital of our republic, on the Austrian National Day, to call for the word-for-word enforcement of our National-Day Law<sup>1</sup>. We are here because of the fact “that on 26 October 1955 Austria declared, by the Federal Constitutional Law on Austrian Neutrality<sup>2</sup>, its will to maintain its independence and to defend it with all the means at its disposal, for all time to come and under all circumstances, and decided on its permanent neutrality in the very same Federal Constitutional Law” and that Austria thus expressed its will, “to be able to make a valuable contribution to peace in the world as a permanently neutral country.” We are aware of the fact that it was this neutrality<sup>3</sup> – always understood as modelled on the Swiss neutrality – which brought (with the Vienna State Treaty of 15 May 1955) the departure of the Allied victorious and occupation powers of the Second World and their military combat forces from our country – and therefore granted us full freedom within the family of nations under international law.

57 years later this freedom, which has been lost to the EU in the meantime, must be *fully* restored!

2 Today we demand from the supreme state organs of our republic, the Federal President and the members of

the National Council and the Federal Council to immediately induce the exit from the “European Union” *with all its follow-up contracts* for the purpose of the Austrian people’s regaining their self-determination as defined in Article 1, paragraph 1 of the two UN Covenants on Human Rights from 16 December 1966.<sup>4</sup> According to these articles, all peoples have the right to self-determination, and by virtue of this right they are free to decide upon their political status and can freely pursue their economic, social and cultural development.

Article 1 of Austria’s Federal Constitutional Law reads as follows: “Austria is a democratic republic. Its law emanates from the people.” But what has become of the EU – referendumless for us Austrian people – since a part of the Austrians placed their trust in it on 12 June 1994, which was the last time they were given the opportunity to vote on that issue? Elsewhere: in France (29 May 2005), the Netherlands (1 June 2005) the EU “Constitution for Europe” failed, in Ireland the Lisbon Treaty failed (12 June 2008), because of its intention to do away with the neutrality in its constitution – by virtue of those peoples’ verdict. Meanwhile in Austria our state officials allowed the EU to continue their way without hindrance – up to a “debt union” and an ESM that puts a severe strain on the living conditions of Eu-

ropean people for many future generations. Yes, our state officials even supported the EU this way.<sup>5</sup> As not even top officials of the EU were allowed to speak openly of a comprehensive “European fiscal union”, i.e. not just of a “Federal European state”, but of a collective that is devouring statehood of European peoples as such.

3 We believe that enough is enough and that we as citizens of a permanently neutral state owe a sign of solidarity to our many comrades-in-misfortune in the other European countries, which we are setting hereby.

Also outside of the EU we Austrians will remain Europeans – in peaceful solidarity with all people on earth!

*For the many participants in the all-Austrian demonstration:*  
Dr Eva Maria Barki, Barrister Vienna  
Klaus Faissner, Vienna  
Univ. Prof Dr Hans Richard Klecatsky,  
Former minister of justice, Innsbruck  
Univ. Prof Dr Karl Socher, Innsbruck

<sup>1</sup> Preamble to the Federal Law of 28 June 1967. Gazette No. 63

<sup>2</sup> Federal Law Gazette No. 211/1955

<sup>3</sup> Moscow Memorandum of 15 April 1955

<sup>4</sup> Federal Law Gazette No. 1978/590, 591

<sup>5</sup> Openly by the federal constitutional law Gazette I 2008/2 to the “rescue shield” and the “ESM” anyway.

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# Why a new war on Gaza?

by Thierry Meyssan

On the 14 November 2012, Israeli armed forces launched the operation “Pillar of Cloud” against the administrative and military installations of Hamas in the Gaza Strip. On the first day of the attack, they assassinated *Ahmed Jaabari*, the number 2 of the armed branch of the Palestinian organisation. They also destroyed the underground launch-pads of their surface-to-surface Fajr 5 missiles.

“Pillar of Cloud” quickly expanded, as Israeli aviation multiplied its bombing raids. The Israeli military command proceeded with the call-up of 30,000 reserve troops, and rapidly increased that number to 75,000 men, at the risk of destabilizing the economy. In this way, Israel has given itself the capacity to invade the Gaza Strip with ground troops.

This situation calls for several explanations.

## Why now?

Tel-Aviv is taking the initiative in the midst of the partial power vacuum reigning in Washington. We are awaiting the nomination of new Secretaries of State and Defense. The new nominations may be ambassador *Susan Rice* and Senator *John Kerry*. However, a bitter struggle is currently being played out in the Press in an attempt to disqualify Mrs Rice. In any event, the position of the exiting Secretaries of State and Defense are weakened, and their successors have not yet been named.

In identical fashion, Tel Aviv had taken a similar initiative with the operation “Cast Lead” during the period of transition between Presidents *Bush Jr.* and *Obama*. Certain commentators are also evoking the proximity of the Israeli legislative elections, and suggest that *Benjamin Netanyahu* and *Avigdor Lieberman* are attempting to polish their image as hard-line hawks.

This is improbable, since in fact, they are launching this attack without being sure of the result in advance. In 2008–2009, the failure of “Cast Lead” was fatal for *Ehud Olmert*’s government.

## What’s the aim?

Traditionally, Israeli armed forces adapt their war objectives to the occasions that arise.

At the least, the aim is to weaken the Palestinian Resistance by destroying infrastructures and administrations in the Gaza Strip, just as they do at more or less regular intervals. However, the weakening of Hamas will automatically profit Fatah in the West Bank – and Fatah will not miss the opportunity to push a little

harder in its demand for the recognition of a Palestinian state by the United Nations.

At most, “Pillar of Cloud” might open the way for an old Zionist plan – the proclamation of Jordan as a Palestinian state, the transfer of the population of Gaza (perhaps also that of the West Bank) into Jordan, and the annexation of the territories thus evacuated. In this case, the military operation must not target all Hamas leaders indiscriminately, but only those who oppose the former political head of the organisation, *Khaled Mechaal*, since he is slated to become the first President of a Palestinian State in Jordan.

## Is this attack linked to the disturbances in Jordan?

The war in Syria has strangled the Jordanian economy. The Kingdom has rapidly fallen into debt. On 13 November (in other words, the day before the start of “Pillar of Cloud”) the government announced energy price rises as high as 11% for public transport, and 53% for domestic gas. This announcement fed a movement of protest which has been smouldering since the beginning of the year. Immediately after the announcement, about half of Jordan’s 120,000 public school teachers went on strike.

On Friday 16th, more than 10,000 people demonstrated in the heart of Amman, shouting – “Liberty comes from God!”, “Abdallah, your time is over!”, “The people demand the fall of the regime!”. The procession started from the Husseini mosque, and was supervised by the Muslim Brotherhood.

The Muslim Brotherhood, who have concluded an agreement with the US State Department and the Cooperation Council for the Arab States of the Gulf, are already in power in Morocco, Tunisia, Libya, Egypt, and Gaza. Apart from this, they control the new Syrian National Coalition. Their ambition is to govern Jordan with or without King *Abdallah II*.

The best-known member of the Jordanian Muslim Brotherhood is *Khaled Mechaal*, the ex-chief of the political branch of Hamas. *Mechaal* lived in exile from 2001 to 2012 in Damascus, under the protection of the Syrian state. In February 2012, he suddenly accused *Bashar al-Assad*’s government of repressing his own people, and chose to move to Qatar, where *Emir Hamad al-Thani* showed him great generosity.

## Is there a link to the unrest in Syria?

Last June, a peace agreement was concluded in Geneva by the major powers.

This was immediately sabotaged by a US faction, which organised leaks to the Press concerning Western implication in the events, thus forcing the resignation of mediator *Kofi Annan*. This same faction then twice attempted to end the situation militarily, by organising two massive attacks on Damascus, on 18 July and 26 September. When these attacks failed, the Obama administration returned to the initial agreement and resolved to implement it after the Presidential elections and the change of Cabinet.

The agreement calls for the deployment of a United Nations Peace Force, mainly composed of contingents from the Collective Security Treaty Organisation (SCTO). This force would be tasked with separating the belligerents and arresting the foreign jihadists present in Syria. By allowing Russia to re-enter the Middle East, Washington hopes to relieve itself of the burden of Israel’s security. Russia would protect the Zionist state from attack, and would also prevent it from attacking anyone else. The US military retreat from the Middle East would then be able to continue, and Washington would once again enjoy the freedom of action it has lost due to its permanent privileged relationship with Tel-Aviv.

From this perspective, the partisans of Israeli expansionism have to act in Gaza, and perhaps also in Jordan, before the Russian deployment.

## What are the first conclusions that can be drawn from the current war?

The war has tested Israeli anti-air defences. The Zionist state has invested several hundred million dollars in the creation of the “Iron Dome”, a system capable of intercepting rockets and missiles fired from Gaza or Southern Lebanon.

This system did not seem to function correctly when Hezbollah sent a drone to fly over the Dimona nuclear reactor, or when it tested its surface-to-surface Fajr-5 missiles.

During the first three days of “Pillar of Cloud”, Hamas and the Islamic Jihad retaliated to Israeli bombardements, with salvos of rockets and missiles. The “Iron Dome” managed to intercept 210 of the 800 shots fired. However, this statistic doesn’t mean very much – the system only seems capable of intercepting fairly primitive rockets, like the Qassam, and does not seem to be adapted to any more sophisticated form of armament. •

Source: [www.voltairenet.org](http://www.voltairenet.org), 19 November 2012

(Translation *Pete Kimberley*)

# A “humanitarian intervention” in Syria – 150 years ago

by Pascal Herren\*

*In 1860 a French expedition corps set off for Syria, where a horrifying massacre had occurred among the different communities. Peace is restored quickly, the intervention is a success. But its true intentions are not quite as honest as it seems ... A case that tragically sounds like the situation today.*

A humanitarian intervention in Syria is recurrently demanded; it should put an end to the suffering which the population has been exposed to since 2011 due to the struggles between the regime and the armed opposition. The main responsibility for these fights is attributed – rightly or wrongly – to the government. So, this relief effort would involve overthrowing the current regime. It is suspected to have indirectly started several months ago, when the insurgents were armed and also agents and foreign troops were deployed into the area. However, the use of force on the territory of a foreign country without the consent of the competent authorities contradicts the principle of state sovereignty enshrined in the UN Charter. Use of force between states is prohibited with the exception of the case of legitimate defense or a joint action decided by the Security Council. The International Court of Justice has condemned the military support, which the *Reagan* administration gave to the insurgent Nicaraguan *Contras*, struggling to overthrow the Sandinista government in 1986. The Court of Justice had even specified that such support was not suitable to secure the respect for human rights, even though Washington accused the regime of having committed atrocities.

These legal obstacles have not prevented a unilateral practice from developing, officially reasoned with altruistic motives, as for example the bombing of former Yugoslavia during the Kosovo crisis in 1999, or the invasion of Iraq in 2003. The most recent example in this series represents the action in Libya in 2011, where some States have admitted that it went far beyond the means the Security Council’s resolution of 1973 had admitted. A norm of higher, universal type is cited as justification for these unilateral interventions: the obligation to protect the life of

any population against oppressive massive threats. But this principle, perfectly legitimate in itself, depends exclusively on the goodwill of the intervening. How can you make sure that somebody uses this arrogated, immense power and uses violence against another State to pursue other reprehensible targets? The history is full of “just” wars, which turned out very badly for the affected populations. The great jurist from Neuchâtel, *Emer de Vattel*, had already condemned the subjugation of the Indians of America by the conquistadores in 1758. This subjugation was also done under the pretext of freeing them from tyrants.

The experts in this question were always looking out for a precedent, showing that an intervening power led such an action in an irreproachable style. For long they believed to have found it in the expedition carried out in 1860, which concerned the Ottoman province of Syria, also including the area of today’s Lebanon. From May to August 1860 between 17,000 and 23,000 people, most of them of Christian faith, were massacred in the mountains of Lebanon and Damascus in battles that took place between different tribal communities. When this message arrived in Europe it raised a public shock. The Ottoman authorities were accused of having encouraged the abuse of power by the Druze militias in the Lebanon Mountains and by the insurgents in Damascus; they were even accused of having lent a hand. *Napoleon III* decided to send an expedition corps of 6,000 men on site to put an end to the “carnage”, and with the approval of the other European powers. The French troops stayed in the area for less than a year. After peace had returned and they had reorganized the authorities which resulted in maintaining civil peace up to the First World War, they withdrew. Still today some lawyers who are totally opposed to the right to humanitarian intervention, concede that this action in 1860 has perhaps been the only “real” humanitarian intervention of the 19<sup>th</sup> century.

Looking closer, however, the disputes that erupted between the various communities in 1860 had also been fomented by the “clientelism” practiced by the European powers towards the local minorities at that time. It should be noted here that huge

interests were at stake. They concerned the distribution of the disintegrating Ottoman Empire, which was bitterly disputed among the major powers of Europe. Syria is located at the strategically important road to India, the jewel of the British Kingdom. France did not hide its interest in this area that promises many opportunities for trade. Russia had already sought to extend its territory to the South for long. To reach their aims, everyone based on a local community, which he exploited: the French were protectors of the Catholics; the Russians defended the Orthodox, the British acted as a sponsor of the Druze.

During the period following the intervention of 1860, France extended its economic influence on Lebanon so much that 50% of the active Lebanese population were working in the French silk production in 1914. This whole sector of the economy perished when the French industry decided to give up the Lebanese suppliers. As a result they lost their basis of life. A year later, in 1915, the British and French allies organized the blockade of the Syrian coasts by preventing food deliveries for this region into the country, which was highly dependent on grain imports, the aim was to encourage the Arab provinces to rise against the Central Government in Istanbul, which was an ally of Germany’s *Wilhelm II* in the First World War. The result was an unprecedented famine: 200,000 deaths in the Centre and in the North of the Lebanon Mountains and 300,000 in the rest of Syria.

As early as in 1840, *François Guizot*, former ambassador of France in London, had summed up the geopolitical considerations prevailing in the European courts, which in his eyes followed the policy of the British foreign minister *Lord Palmerston*, as follows: “There, in the depth of any valley, on top of any mountain in the Lebanon Mountains, there are husbands, women, children, who love each other, who enjoy life and who will be massacred tomorrow, because Lord Palmerston, while travelling on the train from London to Southampton, will have said to himself: ‘Syria must rise, I need an uprising in Syria, if Syria does not rise, I am a fool.’” •

Source: *Le Temps* of 6.11.12  
(Translation *Current Concerns*)

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# The Sahara, a smoldering tinderbox?

## Economic and political power games

by Ines Kohl\*

*The territorial borders of the Sahara between Mali, Niger, Algeria and Libya have always been permeable, and the Tuareg use them for their strategies of trading, trafficking and migration. But since the war in Libya a lot has changed. In addition, new players have come to the playground Sahara, who are interested in the region's resources.*

"Agence de Voyage: Arlit-Djanet, Arlit-Libya" is written on the lovingly hand-painted sign that embellishes the small mud hut in the middle of Arlit, the Uranium City in northern Niger. Inside the hut, there is an old desk covered with lists of passenger names. On the wall paneled with dark red fabric there are some photos – resembling an advertisement for tourism – showing how the agency carries its passengers to Algeria or Libya: 30 people sitting neatly piled on a Toyota pick-up and driving through the desert, each of them with a 5-liter water can in their hands.

Outside the hut *Osman* is sitting, nicely dressed in an orange Bazin, wrapped with a black Chech around his head. Osman is the one in charge whenever the head of the agency, *Murtala*, visits his office in Tahua. He is also a Kamosho, "passenger recruiter", and a guide who walks passengers the way from Algeria to Libya.

Osman tells me that before the war in Libya, cars drove to Djanet and dropped the passengers off in the gardens in front of the oasis. But when in the course of the war Tuareg military and mercenaries began to bring half of *al-Gaddafi's* arms arsenal out of the country, controls by Algerian and Nigerian security forces were tightened. Since then, hardly a chauffeur has the courage to take his illegal cargo all the way to Djanet, but drops his passengers at about 70 kilometers before the city, in the middle of the Sahara. Thus, a new profession has emerged, that of the guide, a locally qualified guide, who walks the passengers directly across the green border into Libya.

### EU intentions and local strategies

The border business is only partly illegal, because here in Niger, a member of CEDEAO (*Communauté Economique des Etats de l'Afrique de l'Ouest, the Economic Community of West African States*)

founded in 1975, it is perfectly legal to load a Toyota with "Sans-papiers" [illegal immigrants without passport or other identification, the translator] and bring them to the borders of Algeria and Libya. The *Gendarmerie Nationale* issues a permit for a small fee. So up to the Nigerian border convoys of Toyotas are legal. Across the border the situation changes completely: Legal transportation turns into illegal migration.

The European Union is exploiting the North African countries as a pre-post of the fortress Europe to ward off potential-EU migrants. Whereas Libya under Gaddafi did not take any real action to protect its southern external borders and since the country was dependent on the labor of illegal immigrants, Algeria has pursued transnational actors with utmost severity, and has tried at the same time to get the fuel smuggling under control. The Tuareg<sup>1</sup>, who have successfully carried on both the fuel and the human trafficking for years and who are transnational border crossers par excellence, are always discovering new strategies to circumvent the government's hurdles (Kohl, 2007, 2009, 2010).

"What should we do otherwise," one of the chauffeurs tells me. "We all have family, our children are hungry, what are we supposed to live on? On air? There's no work in Niger. The state does nothing to help us. Either we all turn into rebels or bandits, or we load our Toyotas with passengers and fuel. Iban eshughl – no work, that's our problem!"

During the Libya war, traffic between Niger, Algeria and Libya came to a complete stop. Slowly the first Hausa are beginning to return to Libya and hope to find work. Tuareg are returning very cautiously, they are still too afraid of the new Libya.

### Arlit, a center for trade, smuggling and migration

Arlit is a center of trade and smuggling within the Sahara between Niger, Mali, Algeria and Libya. At the same time, the city is the starting point of illegal migration of sub-Saharan people on their way to Libya to find work or to continue to enter Europe.

The Nigerian government knows that it cannot stop "human trafficking" strategies. Thus a bilateral solution between the actors, the Tuareg and the state, has been found: The drivers must register their passengers. This is to the advantage of the passengers, who can be traced in the event

of an accident or breakdown, and it protects them from unscrupulous chauffeurs who are only interested in the money and might abandon passengers in the middle of the Sahara deliver them to death. It also serves the chauffeurs as during military checks they can show permits, which distinguishes them from bandits, rebels or drug smugglers, and who are therefore not prosecuted and punished.

Osman can tell us many stories about the border business. Until the war in Libya he worked as a guide between Djanet in Algeria and Ghat in Libya, and on the three-day hike through the mountains he walked numerous potential EU migrants, Tuareg and job seekers from and to Libya. With the beginning of the fighting in Libya, he fled the country like many Tuareg did. Back in Arlit, the chances of finding a job are very small. Especially for those without any school qualification. However, also those who can present diplomas, hardly find a job.

### Uranium – blessing or curse?

But Arlit is the city where since the 1960s the French Nuclear Group Areva has been running the biggest Uranium mines in the world, *Somair* (exploration since 1971) and *Cominak* (since 1978). Areva, largely owned by the French state, is the global market leader in nuclear technology. At the same time, Niger is ranking second to last in the 2011<sup>2</sup> *Human Development Index*. Two thirds of the country are desert or semi-desert. The economy is based on agriculture and livestock farming which are permanently at risk due to droughts that recur every few years, lack of rain or, lately, torrential rains. There is no social security, no work and, in spite of a national school system, the rate of analfabetism is shockingly high, particularly among women and nomads (over 80 percent). *Ibrahima*, 12 years old, visits one of the state schools in Arlit. He attends the fifth grade and describes the situation in his school: "We are 93 students in total, boys and girls. We have two teachers and there are five students per table." The level of education is correspondingly low.

A large part of Niger's population is constantly threatened with hunger, hoping for charities and is depending on European aid and development projects. Especially the north, inhabited by the Tuareg, is affected by social and political marginalization and economic mismanagement. This is bizarre in face of the fact that the

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**"The Sahara, a smoldering..."**

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largest employer is located there. Nearly all the workers in the Uranium mines come from the southern parts of the country while the Tuareg living there are still hardly employed.

A few years ago, Areva has caused negative media reports. *Greenpeace* was able to prove that uranium mining is not only affecting the health of the miners but that actually the whole surroundings of the mine suffer from radioactive contamination.<sup>3</sup> An artificial mountain range of spoil, the rock from which the uranium has been washed out, has been created around Arlit. Contaminated scrap metal from the mine is being sold on the market in Arlit and the sand in many houses is contaminated with radioactivity by up to 500 times the normal level as I was told by Moussa, a member of the staff of the local NGO *Aghirin Man*.<sup>4</sup> Meanwhile, the small NGO has been able to achieve the replacement of contaminated sand by clean sand in parts of the city.

*Moussa*, who has worked as translator for tourists in Libya and who has fled back to Niger from the fighting, is hoping to find a job in the new Imouraren mine, 80 miles south of Arlit. *Moussa's* dossier with school certificates and diplomas has now been in the community administration for one year, hitherto without a response. "Without connections or corruption", he says resignedly, "Tuareg have no chance to get in."

**A new uranium mine evokes tribal differences, but hope as well**

In particular local Tuareg are hired now to do the preparing work in Imouraren, where the uranium exploration will start beginning 2013<sup>5</sup>. Thus, Areva hopes to satisfy the local population and prevent another rebellion or extended banditry.

Explicit participation in the revenues of the mine was claimed among other things in the last two rebellions (1990 to 1997 and 2007 to 2009).

However, the favorable integration of the local population in the new mine triggered a partial rise of tribal rivalry. In recent decades tribal rivalries were pushed even more and more to the background by local groups. The social and political-economic inequalities between the pre-colonial dominant "upper class" (imajeren/imujar/imuhar), the descendants of former slaves (iklan) and the once tributary groups (imrad) faded in everyday life. The preferential endogamous marriages were relieved of their traditional importance especially by the younger generation (ishumar). In times of capitalist market economy, there are also descendants of former slaves who have surpassed their former masters in terms of economic wealth. Tribal rivalries are being exploited by the upcoming job opportunities at Areva. Those tribes (tawsit), who live around Imouraren, primarily *Ikazkazen* and *Kel Agharus*, are in competition to nominate for the position of the speaker for the entire region. Since the rebellion (2007-2009), the tribes living on the same

territory are additionally involved in a dispute which was triggered by the kidnapping of a tribal elder of the *Ikazkazen* by the *Kel Agharus* and further intensified in the course of the competition. On a higher level, however, both tribes are trying to prevent the employment of other groups coming from the East of the Air Mountains, denouncing them as potential rebels and bandits. Thus they vigorously try to place their own people, even if they don't have appropriate diplomas.

But Imouraren is the new hope for all Nigerien Tuareg. Many Tuareg who fled from Libya don't want to go back because they fear that the situation in post Gaddafi's Libya is nowhere near stabilizing. More than eight months after al-Gaddafi's death his spirit is still hovering over the country. Especially those who have never been in Libya believe that a Libya without al-Gaddafi could not exist or as a skeptic expresses it: "Libya will need another 42 years to become well again!"

**Chaos in free Libya**

Indeed, the south of the country is not doing well. Although there are no inter-tribal clashes and all oases – except the small *Al Barkat* located on the Algerian border that even after al-Gaddafi's death still hoisted the green flag – have rapidly freed themselves of the remnants of the old regime. All federal agencies and offices, also schools, were destroyed and looted. Furnishings and office supplies

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can be found either in diverse households or have been transported out of the country by Tuareg to be offered for sale in Algeria, Mali and Niger. *Mukhtar* for instance captured five copying machines and carried them by foot to Djanet, where they all are still waiting for buyers. Stolen vehicles from Libya like brand-new Toyota landcruisers and pickups, different car brands and a large part of ornaments from Chinese construction firms are waiting on giant parking lots in Agadez, Niger.

In Ghat, Libyans and migrants quickly moved into Chinese company-owned apartments. *Ajebu*, a Niger Targia has since long been living in a half-decomposed clay building in the old town together with her five children and her husband. They had never seen anything of al-Gaddafi's social benefits. Without further ado, they occupied an empty apartment in a residential house owned by a Chinese construction company. Beaming with joy, she told me on the phone, "Imagine! We have water and electricity, a real kitchen with tiles on the floor!"

Shortly after al-Gaddafi's death and the general power-vacuum in Libya, everyone tried to grapple as much as possible. Especially, the Office of Homeland Security (*maktab hars ad dachiliy*) dreaded in Ghat by everyone which at al Gaddafi's time aimed at keeping the population under control via a elaborate spying system, was completely looted and destroyed. – On grounds of being unique and having been founded by al-Gaddafi alone (finally!) it had no longer any legitimacy. The seized items, including brand-new Kalashnikovs and pistols, still originally packaged were distributed among the looters or sold. The relevant ammunition can be bought at the cigarette shop around the corner. Bullets for Kalashnikovs are approx. 50 gersh, for pistols 25 gersh. Ammunition cost as much as chewing gum. Correspondingly high is the violence in South Libya. Young boys now stage their pubertal conflicts with guns in their hand. *Zeinaba*, a Niger Targia who has lived in Libya for 15 years is shocked. She says: "Our children will all become bandits! Yesterday again, they shot a man in the neighborhood. For money. It happens every day now! I barely dare to go out on the street." Her son *Elias* confirms this and adds, "Alcohol is added to this in enormous quantity. People are drinking in the street and drunk they shoot volleys into the air, hollering 'Libya is free!'"

### Consequences of the war in Libya

The freedom in Libya has a capital price which, however, has to be paid not only by Libyans: the costs of which were distrib-

uted across the entire Sahara and Sahel region. The smuggled weapons from Libya have turned the entire Sahara into a smoldering tinderbox. The major part of the immense al-Gaddafi weapons arsenal has been taken out of the country and now serves several rebels in Mali, Chad and Sudan. Extreme terrorist groupings such as AQMI (*al-Qaida du Maghreb Islamique*) also benefited from it.

Meanwhile, almost every nomad is armed in Niger. Whereas in the past, Tuareg nomads carried swords and knives as aid and protection against jackals, they carry Kalashnikovs from Libya today, for self-protection and self-justice, because the police and military undertake little against the numerous bandits who attack their own people, as *Bala* says. He adds, "Since the war in Libya a lot of weapons are bought at the animal market; and they are not expensive. Since then, all of us have a Kalashnikov at home in order to protect ourselves against the bandits." The bandits' problem, however, is a direct result of the last rebellion. In the course of the peace negotiations led by al-Gaddafi, the former rebels were promised integration into the military and compensation payments which had not been adhered to by the Niger government. These poorly or not at all paid and still armed ex-rebels turned into an uncontrolled banditry in recent years which have also destabilized the Sahara.

### Fabricated uncertainty in the Sahara and the Sahel

This growing phase of instability and insecurity throughout the region is not home-made. It has been initiated from abroad, when the US under *George Bush* proclaimed the war on terror since 2001/2002 and the Sahara and Sahel were branded as potential terror zone and also defined as a safe haven for extremist militants from Afghanistan. The first kidnapping of tourists in Algeria in 2003 solidified the rumor of the Sahara as a terror zone. Therefore, in 2004, George Bush created the *Pan-Sahel-Initiative* (PSI) and fought, together with the local governments against the alleged terrorism. According to *Jeremy Keenan*, it is clear that the abductions were in fact committed by Islamic extremists of the GSPC (*Groupe Salafiste pour la Combat*), but planned by Algerian and American intelligence to strengthen the suspicion of the Sahara as terror zone. For what reason?

According to Keenan, the US goal is to establish an ideological basis for the militarization of Africa in order to primarily gain access to natural resources.<sup>6</sup> Algeria's motivation to participate in the staged fight against terror was its desire of political re-establishment in the EU and NATO.

Moreover, Algeria needed military assistance from the United States in order to achieve political and hegemonical goals in West Africa and to stand their ground against Libya. The US in turn needed an ally in Africa in order to enforce its militarization (Keenan, 2006/2009). As of 2005, a decrease of US propaganda is recognizable, although there are still kidnappings going on in the Sahara and the Sahel which are now attributed to the renamed AQMI (*al-Qaida du Maghreb Islamique*) group.

Since the kidnapping of Areva employees in Arlit (Niger) in September 2010, Niger-Tuareg have also been suspected of being in contact with AQMI. The majority of the local population vigorously rejects such contacts and accuses the government of Niger to operate such amalgam in order to receive funds from the EU for the fight against terrorism. Some argue, however, that there could be Tuareg who cooperate with AQMI for money. If, however, there exists any contact, it is of economic rather than ideological nature.

A whole generation of young Tuareg has been deprived of their basis of life through the staged fight against terror. Desert tourism collapsed, border crossings became more difficult and strategies of trading and smuggling were criminalized. The war in Libya tightened the situation and left behind a large number of unemployed refugees from the Sub-Saharan. A large number of young people were deprived of their life basis. There are hardly any strategies remaining to them to get out of their critical economic and social situation.

### Escape from the crisis – rebellion and separation?

In Mali, where a new rebellion started on 17 January 2012, the cooperation between a Tuareg fraction and AQMI, is obvious. The Ansar Din-leader, *Iyad ag Aghali*, cooperates with a fraction of AQMI.<sup>7</sup> The majority of the Mali Tuareg rebels, however, who have united in the MNLA<sup>8</sup> (*Mouvement National de Libération de l'Azawad*), explicitly distance themselves from any contact to these extremist groups. The traditionally liberal Islam practiced by the Tuareg does not conform with Salafist ideas.

The Mali rebels, however, are no more concerned with decentralization, economic participation and social support, as was the case during earlier rebellions. Since their previous claims to the national state were always turned down, they now fight for autonomy and separation from the Mali government. With the present rebellion they are quite successful, not least because they are well-linked and organized. Above all, they

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are extremely well-equipped with weapons from Libya.

**Neo-colonialization of the Sahara**

While the Mali Tuareg fight for the recognition of their new state, Niger Tuareg continue to hope for employment in the new uranium mine and many West Africans want to return to Libya in hope of work, the Sahel is haunted by another famine. Previously, Libya was one of the first states to support relief supplies to impoverished nomads. Today, there is the lack of a fast acting partner; for the actors in the Sahara and Sahel, notably France, the US and China, but also India, Korea, Canada and others, are neither interested in the humanitarian help nor in the support of democratization, but rather in resources. Crude oil, gas, uranium and phosphate have brought new actors onto the scene. And above all, the Tuareg have now landed on the playground of global economic and political interests. Nonetheless, the re-colonialization i.e. neo-colonialization (Claudot-Howard, 2012) of the Sahara and the Sahel neither brings peace nor the granting of minority rights, but instead new fuel to the already smoldering tinderbox. •

Source: *International. Die Zeitschrift für internationale Politik II/2012 (Magazine for international politics): www.international.or.at*

1. Tuareg is a foreign name which has, however, entered the European use of language. The emic terms vary by region and dialect, Imuhagh in Algeria and Libya, Imushgh in Mali and Imajeghen in Niger. The gh used in many transcriptions is pronounced as an r, spoken in the throat. Because of the broad readership of this magazine, I use the European term Tuareg (PI): Sgl. fem. Targia, Sgl. mask. Targi. To me it is important here to mention that Tuareg is already the plural. There is no TuaregS!
2. Niger ranks on place 186, followed by the Democratic Republic of Congo. <http://hdr.undp.org/en/statistics/>
3. *Greenpeace International* (6 May 2010) Areva's dirty little secret, [www.greenpeace.org/international/en/news/features/ArevaS-dirty-little-secrets060510/](http://www.greenpeace.org/international/en/news/features/ArevaS-dirty-little-secrets060510/)  
*Greenpeace International* (2010), Left in the dust: Areva's radioactive legacy in the desert town of Niger, [www.greenpeace.org/international/Global/international/publications/nuclear/2010/Areva\\_Niger\\_report.pdf](http://www.greenpeace.org/international/Global/international/publications/nuclear/2010/Areva_Niger_report.pdf)
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5. [www.aveva.com/EN/operations-623/a-top-ranked-deposit-trir-longterm-minmg.htm](http://www.aveva.com/EN/operations-623/a-top-ranked-deposit-trir-longterm-minmg.htm)
6. Until 2015, 25 percent of the crude oil and gas consumption in the US will have to be delivered from West Africa (mostly from the Gulf of Guinea) (Keenan, 2009: 125 according to CIA Global Trends 2015).

7. As of its establishment, the Salafist terrorist movement has splintered into different groups with different strategies and goals. At present, there are three fractions lead by Abdul-Hamid Abu-Said, Moktar of(?) Mokhtar and Yahya Abu-Hammam, also known as Yahya Juani. (Interview with Jeremy Keenan at France24 on 4 April 2012, [www.youtube.com/watch?v=BseudPITb6U](http://www.youtube.com/watch?v=BseudPITb6U))
8. [www.mnlamov.net/](http://www.mnlamov.net/)

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Letter to  the Editor

**Prevention starts before vaccination**

Within short spaces of time, new epidemics have appeared and have been artificially inflated as to be life-threatening pandemics. Avian influenza, Swine Flu, Blue tongue and now the Schmallenberg Virus is heading our way! Because unknown viruses or bacteria seem to be harmful, many new vaccines have been produced and provided. Due to the fact that the new substances must be available very quickly, serious examinations concerning possible side-effects and long-term effects are hardly possible. If single Swiss cantons don't react as urgently with vaccination coverage and show better understanding of people and farmers who disagree with vaccination, the federal authorities fear the failing of their campaign. Therefore the revision of the Epizootic Diseases Act (Tierseuchengesetz, TSG) includes the plan to empower the Federal Veterinary Office by authorizing it to define, whether any infectious disease is a dangerous epidemic and whether compulsory vaccination coverage has to be performed.

Whereas in Zurich the law allows for a commission composed of veterinarians, directly affected animal keepers, animal welfare groups and consumers who are allowed to participate in decision making, the revised TSG will only allow for complaint. The TSG, on which we are going to vote on 25 November, includes a serious mistake: it is the same institution, that will check any complaint and that will have the power to enforce vaccination!

Prevention does not start with vaccination. It begins with species-appropriate keeping, feeding and breeding of the animals. Only this way the immune system can be strengthened as to become robust against the new threats of the modern world. Naturally-mating animals reject animals which are genetically-immunologically weakened. Due to the prevalence of artificial fertilization and the cultivation on one-sided performance features this natural protection from illnesses and epidemics is going to be turned off. The immune defense of animals can be weakened if they become vaccinated with vac-

cines, that have not been tested seriously enough for long-term consequences. With a NO to the revised TSG on 25 November you can open up paths to improve the TSG in direction of the above-mentioned law in Zurich. Therefore vote NO on the revised TSG!

Bird Flu and Swine Flu turned out to be harmless flu infections – but not because of intensive vaccination! Due to the fact that the majority of the population refused vaccination, vaccines that had been provided for many million Swiss francs had to be discarded. Blue-tongue could not be detected in any farm which refused vaccination. After many years of compulsory vaccination, the vaccination against the Foot-and-Mouth Disease was forbidden because the EU stopped the import of meat and animals from countries with compulsory vaccination against the disease.

*Ernst Frischknecht, Tann, Switzerland*

## A new law on epizootic diseases – outdated

*The new Epizootic Diseases Act is the authorities' response to the struggle of many farmers against the mandatory Blue tongue vaccination.*

According to the new Epizootic Diseases Act the Federal Council and the *Federal Veterinary Office* (Bundesamt für Veterinärwesen, BVet) can determine what is an epidemic. They can transform diseases into epidemics, operate vaccine banks and decree vaccination programs. This means, they can do as they like, and whoever counteracts is to be punished. The whole is sold to us as prevention against epidemics and diseases. To put it plainly, theoreticians who neither have ever held a pitchfork in their hands nor have they worked with animals for a few hours, have assumed all the power to decide on how to provide for the health of animals in the future. We have already witnessed such a thing during the difficult period of our struggle against the compulsory blue tongue vaccination. Now, these practices are to be permanently codified in a law. As a farmer I cannot allow this.

These practices are outdated in some respects, which means they are no longer contemporary.

First: we live at a time when diversity quite has justly become a big word. In a globalized world there is only one way to address problems: Everybody need to be involved, all roles are important. Only through cooperation are we going to survive. It follows that, for example that the-

oreticians learn from the farmers, the teacher's role may change from the college-men to farmers, etc. The new law goes the opposite way, it goes the way of concentration of power, it is almost a dictatorial way. Does this fit our times? The answer is clearly: NO. There are many new ways for the health maintenance of animals. They deserve attention and research. However, this is rejected by the authorities, because these ways do not fit the old paradigm of science and are not interesting for the pharma-industry. Appropriate? No!

Secondly: the history of epidemics of the last years – Bird Flu, Swine Flu, Blue tongue – have always used the same script: scaremongering, scampered purchase of vaccines, endless loops in the media. Then, the remaining vaccines worth millions are disposed of in poor countries or in the garbage. The final step is always to take the public into believing that it is just because of the vaccines that the situation didn't become worse.

The authorities keep on asserting how important the health of the animals is. Fact is that many animals had been vaccinated with the same needle on a inter-company basis. Fact is also that the first vaccines against Blue tongue were not sufficiently tested and that the vaccinations have caused immense vaccine damage. Until today, these facts are consistently denied by the authorities. This behavior does not build confidence in the cooperation with the farmers. It represents an old mental-

ity that always creates new problems and conflicts.

The opponents of the new law are neither esoteric, as it was unfortunately claimed; nor are they dreamers out of touch with the real world. They are farmers with highly trained faculties of reason, they are consumers who have been looking closely at things for years and have lived and shopped responsibly. They are our customers who visit us on the farm and exchange experience with us. They see us as their advisors in agricultural issues. These people are one step ahead of the authorities. They appreciate the knowledge of practically working people and take them seriously, regardless of their social rank. These people are able to penetrate the mind of the new law on epizootic diseases, and they perceive that it does not fit the future. People fit for the future will vote NO on the new Epizootic Diseases Act!

*Magdalena Schatzmann, Musician, Farmer, Diemtigen, Switzerland*

*I am a musician and a farmer and with my partner I run a farm with cultural offerings. Together with a group of farmers questioning vaccinations we fought against the bluetongue vaccine mandatory. Besides my work, I studied at the International Deep Democracy Institute and worked there in a working group on the subject "food, farming and cultural changes."*

## Referendum against the revised version of the Epidemics Act

The new version of the Epidemics Act, which was adopted by the Senate and National Assembly in September 2012, is a paradigm shift in the treatment of diseases of man. The idea is to convert the *Swiss Federal Office of Public Health* (BAG) into a centralized, absolutely controlling power structure without participation of the Confederation, the Cantons, let alone the citizens. In future it is to be not only responsible for the health of the citizens, but also for sex education of children already in kindergarten!

With this – by the way – sovereignty will be handed over to the *World Health Organization* WHO (see *Current Concerns* No 45, 29 October 2012).

The citizens are made believe that this wrong path was going to grant them health security at times of epidemics, but also at normal times. The troupe, which has concocted this law, knowingly ignores the entire history of medicine, diseases and human nature. It is based only on power and the control of men. Such a plan contradicts human reason and the entire scientific basis of medicine.

The troupe is acting as if the human race had never dealt with improving the highest good, the human health, in a hard struggle for truth.

The great German scientist and physician of the 19<sup>th</sup> century, *Rudolf Virchow*, in the face of epidemics at his time – such as cholera, typhus and tuberculosis, with

many thousands of dead: "Education, prosperity and freedom are the only guarantee for the long-term health of a nation." This sentence is still true today in the face of AIDS, Swine Flu, Bird Flu, Malaria and Tuberculosis. To cut down the health of the citizens, of an entire people by centralist measures and forced vaccinations, appears to be a plan of power-crazed and imperious individuals, who misinterpreted *George Orwell's 1984*.

The ability to put a halt the intrigues of a small minority by means of a referendum should be used by every Swiss citizen who is fond of his liberty and his health.

*Dr Andreas Bau, Doctor for Child and Adolescent Medicine, Schweizersholz*

# “If the risks are not assessed *prior* to admission, we will be the feeding trial”

## On Séralini’s long-term study on genetically modified maize NK603

by Eva-Maria Riester, biologist

In September 2012 one of the rare long-term studies on genetically modified NK603 maize from Monsanto, which has been admitted as food- and feedstuff in the European Union since 2004/2005, was published in the prestigious journal “Food and Chemical Toxicology” 50 (4221–4231)<sup>1</sup>. Since then this study has been evaluated in various ways by authorities, scientists and organizations; media reports were alarming on the one hand, and soothing on the other. On the part of official agencies such as the European Food Safety Authority (EFSA)<sup>2</sup>, which is responsible for the certification in the EU, the study was showered with criticism, so that the research results might seem almost absurdly exaggerated. The statement of the Federal Institute for Risk Assessment (BfR)<sup>3</sup> follows this assessment – sometimes verbatim. The Federal Office for Consumer Protection and Food Safety (BVL), stated similarly.<sup>4</sup> If a study is first of all dismissed as “controversial”, it could easily fall into oblivion as if by chance. But too many people have already taken notice.

The contradictory representations create a problem for the consumer, what statements he should believe, whether the criticism of Séralini’s study is justified, or whether serious health violations might actually occur by transgenic corn as feed or foodstuff. A difficult question.

What did Séralini and his scientific team study at the University of Caen? They conducted a 2-year long-term experiment using 200 rats. An experimental group consisted of 20 animals (10 female, 10 male). Three groups were given GM maize NK603 in three different concentrations as feed; for three other groups this corn had previously been treated with glyphosate (herbicide). Another three groups were given glyphosate at three different concentrations in their drinking water but not – as usual – as an isolated active ingredient, but in a commercial herbicide mixture. Moreover, there was also a control group that was given conventional corn as feed.

“Conclusion: Up to 50 percent of male rats and 70 percent of females that had eaten GM corn died early. In the con-

trol group there were only 30 or 20 percent. The intake of the herbicide mixed with water led to similar negative effects. The males often suffered from liver and kidney damage, while breast cancer had spread among the females. The researchers attribute this to hormonal imbalances by the herbicide *Roundup* or to metabolic processes that are triggered by the newly introduced gene. Further long-term studies are to follow in order to investigate possible toxic effects accurately.”<sup>5</sup>

The European Food Safety Authority (EFSA), however, criticized the study design in many ways: the planning, the lack of focus on *OECD* standards, the lack of statistical analysis in the first part, which relates to the tumor incidence; the incompleteness of the data presented. Given the authority attached to those institutions we could easily feel inclined to mark off the study as unfounded.

Meanwhile, however, researchers such as *Christoph Then*<sup>6</sup> not only bothered to work through the original study,

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Publication	Duration of study	Number of animals per group	Number of applied dosages	Dosages using isogenic line as control information	Test material
Sakamoto et al., 2007	One year	10	1	Yes	No information on glyphosate mixture sprayed on plants
Sakamoto et al., 2008	Two years	50	1	Yes	See above
Brake & Evenson (2004)	Four generations but the tested animals lived less than 90 days.	18, but the animals were divided into smaller groups of three animals. There were only male animals	1	No	See above
Hammond et al., (2004)	90 days	20	2	Yes	See above
Steinke et al., (2010)	Two years	9 (originally 18, but half of the animals were exchanged)	1	Yes	Not relevant
Séralini et al., (2012)	Two years	10	3	Yes	Used glyphosate mixture is specified

Some data on feeding trials with genetically modified plants that were accepted by EFSA in comparison to Séralini et al., 2012 (Source see footnote 8)

### “If the risks are not ...”

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but also investigated the assessment criteria of the EFSA. In his report he points out that EFSA uses double standards.<sup>7</sup> The Séralini study obviously has to meet other criteria than earlier feeding studies. He summarizes his assessment of the EFSA criticism as follows: “On the basis of these publications we can conclude that *to this day* there have not yet been any long-term studies with genetically modified plants to which the standards were applied that the EFSA (2012a) now requesting from the French scientists. Moreover, the comparison with those long-term studies listed by *Snell et al.* (2011) show that this study Séralini et al. (2012) is based on relatively higher academic standards (see opposite table).”<sup>8</sup>

In case the feeding trial certifies safty standards are accepted at pleasur, even if they are not consistent with the OECD guidelines. This bias of judgment ought to make us think twice in how far important experimental results are being withdrawn from further scientific discussion. According to Christoph Then there is of course reason for criticism of Séralini’s methodology. Yet he considers the results important. The wide-ranging examinations of organs and tissue samples under the electron microscope raise serious questions. Séralini’s thesis that in female rats the hormonal system (among others the changed estrogen levels) shows pathological disorders, which may facilitate the development of breast cancer, would be worth another detailed study. The *Federal Institute for Risk Assessment* affirmed positively: The BfR has taken note with interest that for the first time a long-term feeding study with a glyphosate formulation [mixture of herbicide and formulants, editor’s note] was performed. So far, there have not been any long-term studies, since such studies in regulatory toxicology are only requested for the agent alone worldwide.”<sup>9</sup> So it is important approach since the toxicity of an active ingredient (here: glyphosate) can be greatly changed by formulants. (e.g. the may change the ability of an active agent to enter a cell.)

If a study design is as meticulously criticized, a clear idea on how to get reliable scientific data is obviously present. Therefore the question is all the more: Why have these tests not been performed for decades or requested by authorized bodies such as EFSA?

The fact is that so far in the EU there are no legally binding guidelines which prescribe mandatory feeding studies. Although there are OECD guidelines, they have no legal character. Currently, only certain data have to be submitted. Basis for the standard of data is the concept

of the so-called substantial equivalence, which is based on the material representation of the transgenic plant with the natural plant. From a scientific point of view this concept is outdated (it was introduced in 1993 by the OECD)<sup>10</sup> and in urgent need of correction. Today we know that the assumption that a gene produces the same gene product in another organism is incorrect. The processes are much more complex and the result of incorporation of foreign genes cannot be assessed. Besides, the data as the basis of assessment may be produced by the companies themselves. Any comment is superfluous.

There are other reasons why compliance with OECD standards does not guarantee reliable assessments, since, according to Christoph Then, “[...] the development of the OECD guidelines was not free from influence by interested parties. The guidelines, inter alia, mention the *International Life Sciences Institute (ILSI)*. ILSI is an institution that is funded among others by the food industry and biotech industry. There are general doubts that the OECD standards for 90-day feeding trials are sufficient to investigate the health risks of genetically modified crops. Therefore, these standards are to be revised in the coming years, according to the European Commission (EU Commission, 2012) [...]”<sup>11</sup>

In order to produce meaningful studies, the following requirements must be implemented politically:

Binding guidelines for the study of transgenic organisms are to be developed in accordance with scientific findings.

Accordingly, laws are to be formulated and adopted which – among others – prescribe binding feeding trials and methodological standards.

The health and regulatory authorities need to be politically independent; there should be no “revolving doors” effects be-

tween those authorities and the boards of interested companies, as is impressively documented for the US.<sup>12</sup>

Independent research should be enabled and financed.

Scientific honesty must be the general guideline.

If the risks of transgenic plants are not assessed prior to admission, we will be the feeding trial ourselves. Since there is no subsequent accompanying research at all in Europe, statements about the alleged safety of transgenic plants are nothing but political appeasements. •

<sup>1</sup> Long term toxicity of a Roundup herbicide and a Roundup-tolerant genetically modified maize, *Food and Chemical Toxicology* 50 (4221–4231), journal homepage: [www.elsevier.com/locate/foodchemtox](http://www.elsevier.com/locate/foodchemtox)

<sup>2</sup> [www.efsa.europa.eu/de/faqs/faqseralini.htm?wtr=01](http://www.efsa.europa.eu/de/faqs/faqseralini.htm?wtr=01)

<sup>3</sup> [www.bfr.bund.de/cm/343/veroeffentlichung-von-seralini-et-al-zu-einer-fuetterungsstudie-an-ratten-mit-gentechnischveraendertem-mais-nk603-sowie-einer-glyphosathaltigen-formulierung.pdf](http://www.bfr.bund.de/cm/343/veroeffentlichung-von-seralini-et-al-zu-einer-fuetterungsstudie-an-ratten-mit-gentechnischveraendertem-mais-nk603-sowie-einer-glyphosathaltigen-formulierung.pdf)

<sup>4</sup> [www.bvl.bund.de/DE/06\\_Gentechnik/04\\_Fachmeldungen/2012/Rattenstudie\\_Seralini.html](http://www.bvl.bund.de/DE/06_Gentechnik/04_Fachmeldungen/2012/Rattenstudie_Seralini.html)

<sup>5</sup> [www.transgen.de/aktuell/1686.doku.html](http://www.transgen.de/aktuell/1686.doku.html)

<sup>6</sup> [gutesaat.kielimwandel.de/wordpress/](http://gutesaat.kielimwandel.de/wordpress/)

<sup>7</sup> [www.testbiotech.de/sites/default/files/die%20doppelten%20Standards%20der%20EFSA\\_0.pdf](http://www.testbiotech.de/sites/default/files/die%20doppelten%20Standards%20der%20EFSA_0.pdf)

<sup>8</sup> [www.testbiotech.de/sites/default/files/die%20doppelten%20Standards%20der%20EFSA\\_0.pdf](http://www.testbiotech.de/sites/default/files/die%20doppelten%20Standards%20der%20EFSA_0.pdf) (emphasis by the author)

<sup>9</sup> [www.bfr.bund.de/cm/343/veroeffentlichung-von-seralini-et-al-zu-einer-fuetterungsstudie-an-ratten-mit-gentechnischveraendertem-mais-nk603-sowie-einer-glyphosathaltigen-formulierung.pdf](http://www.bfr.bund.de/cm/343/veroeffentlichung-von-seralini-et-al-zu-einer-fuetterungsstudie-an-ratten-mit-gentechnischveraendertem-mais-nk603-sowie-einer-glyphosathaltigen-formulierung.pdf)

<sup>10</sup> [www.pflanzenforschung.de/wissenalphabetisch/detail/substantielle-aequivalenz](http://www.pflanzenforschung.de/wissenalphabetisch/detail/substantielle-aequivalenz)

<sup>11</sup> [www.testbiotech.de/sites/default/files/die%20doppelten%20Standards%20der%20EFSA\\_0.pdf](http://www.testbiotech.de/sites/default/files/die%20doppelten%20Standards%20der%20EFSA_0.pdf)

<sup>12</sup> Jeffrey M. Smith, *Trojanische Saaten*, Riemann-Verlag, München 2004()

## Hungary eliminated all genetically modified maize fields of Monsanto and Pioneer

Hungary’s Prime Minister Viktor Orban expelled the chemical and biotech giant Monsanto from the country. Patenting nature and intervening through genetic engineering is an act against creation and will not be accepted by nature. Despite chemical companies’ manipulation, the first dangerous effects have now been publicized in the media. Hungary eliminated all the genetically modified maize fields of Monsanto and Pioneer before pollen were released, the Deputy Minister of Rural Development

Lajos Bogнар confirmed. Unlike many other EU countries Hungary prohibited genetically modified seeds. In return the United States are about to start trade wars against nations who oppose Monsanto and genetically modified plants. On 09/06/2012 Orban also cancelled the cooperation with the IMF as its conditions for credit agreements with Hungary were unacceptable. He renounced the 15 billion euro credit.

Source: *Inter Info* of October 2012 (Translation *Current Concerns*)

## “And yet he seems to be the normal one”

### “In this bank you can sense the spirit of old Friedrich Wilhelm Raiffeisen. The spirit of solidarity. The spirit of service”

by Bernhard Honnigfort

The smallest bank of Germany is located in the village Gammesfeld. It has no internet connection, there is only one single clerk and it offers a careful safekeeping of your money which is not so bad these times.

There he is, Mr bank manager, a broom in hand. “High time to sweep the bank” Peter Breiter says. Then he sweeps the mud and dust from the floor in the lobby of his bank, pushes everything on a dustpan. He does his job thoroughly, bends down, and finds something underneath the radiator. “Ok, ready.”

Breiter, 41 years old, wearing jeans and a baggy sweater, does this once a week. He is the accountant, the bank executive board, the cleaner, he is one and everything. Breiter works at the *Raiffeisenbank* in Gammesfeld. Gammesfeld, a small village located in the southern German state of Baden-Württemberg in the administrative district of Schwäbisch Hall, lies between hills and small roads with apple and pear trees along the edges. This Raiffeisenbank is the smallest bank in Germany and Peter Breiter is its only clerk.

There is still such a thing! The bank is not only small. It is – seen from the financial centre Frankfurt – somewhat behind the moon. It is a museum; it does not even have an internet connection. But probably there are thousands of people in Germany who would wish to have such a bank. A bank which they could entrust their money. Something respectable, something which people understand. It is an island in the blustering ocean of the finances. A quiet place in the mess around euro and Greece, bank rescue and national debts.

#### A beacon of thrift

Why are this bank and its manager so different, almost peculiar? A small story will explain it a bit. The story is about incredible thrift and it happened twelve years ago in winter. At night three men had broken into the Raiffeisenbank. They put a big board in front of the window, so that nobody could see them from outside, and they began to cut open the wall safe. This took quite a while, but then the safe door was open, the grey small petty till lay before them, containing about 2,000 DM, coins and notes, properly sorted. They took the money and disappeared.

Such a raid on a bank occurs, this is not the important point. It was however noteworthy how the small Raiffeisenbank handled it. At that time *Fritz Vogt* was still the

manager. Other bankers in Nuremberg, Würzburg or Stuttgart would have probably installed a modern, better and more expensive safe after the burglary, one made of firm steel and with thicker walls, so that such a thing would not happen again.

However, Fritz Vogt went down the Landwehrstrasse to farmer *Albert Pfänder* because he knew that Pfänder had the same old safe. However, it had stood unused in the barn for many years, nobody needed it. Vogt dismantled the door and fit it in his bank’s safe. The repair cost nothing. Farmer Pfänder had given him the door as a present.

The old safe with farmer Pfänder’s door is still there today. It stands to the right of the entrance. The grey colour of the safe door is brighter than the grey of the safe itself, but this bothers nobody, and least Peter Breiter. It also does not bother anybody that the bank is tiny, three-by-nine metres, looking like film scenery from the 60s.

In the small waiting room there are four old red chairs, a small table, on it a few brochures and a game, a farm roulette with wooden spinning top. Alongside the wall is a shelf on which a farmer from the neighbourhood displayed his honey for 3.50 euro a glass, 15 euro the small bucket. The front office: Brown-yellow-orange curtains, ancient beechwood shelves, a mechanical *Adler* typewriter, a hand calculating machine of *Walther*, the old safe, two desks, the desk chair of Peter Breiter, scuffed and worn.

#### Nothing is thrown away

In the shelf there are old envelopes, big brown and small white ones. Nothing is thrown away. The post is opened carefully; the envelopes are stacked and reused. Once a year the windows are cleaned, this is done by Breiter’s girlfriend. People in Gammesfeld do not say “bank” when they talk about their bank, they affectionately call it the “Kässle” (tiny savings bank).

Expenses for smart furnishings, modern computers, a fine espresso maker? Splendour and swank? The bank, a temple of money? Not in Gammesfeld. There they economize to the utmost. Nothing is purchased, nothing is thrown away. It is a service company. Modesty has been a firm principle and business maxim since 1890. “We are really very extreme”, Peter Breiter says. He had worked at the Volksbank in Rothenburg. “In ten years that bank has been altered four times. Now they even

have a visitor’s lounge. Let us be honest: Do they really need it?” While doing so, he laughs because he finds strange that everybody finds him and his bank strange.

And yet he seems to be the normal one. For five years he has run this minibank. Gammesfeld has 522 inhabitants; the small cooperative bank has 310 members and 811 customers. The only way to become customer is to be known by Breiter and to live in Gammesfeld. There are 811 customers because some have moved away but kept their account. Last year the bank made a turnover of 26.4 million euro and a profit of 43,081.15 euro. The cooperative’s members from the village are given eight percent interest per cooperative certificate. Breiter’s annual salary, which everybody in the village knows, amounts to 65’146.78 euro. He gets no bonuses, has no company car, not even an official bike.

Everything is modest, everything is easily understandable. People know each other and trust each other. “Profit maximisation is not everything”, Breiter says. “We are working differently. A pompous bank, what for? We rather take care of the people.”

That morning, before Peter Breiter opens the counter at 12.30, outside Gammesfeld it is all go in the financial world which is once more getting out of control: In Brussels EU-central bank experts have met under the direction of the Finn *Erkki Liikanen* to think about how classical bank business and risky investments can be separated, so that savers must not fear for their savings in case of emergency.

The *Deutsche Bank* in Frankfurt has dismissed employees who supposedly have co-operated with a gang and are said to have cheated the state out of hundreds of millions of euros with trading emission certificates. Nobody knows what will happen to the euro or to Greece or Spain. Times have gone off the rails, banks and states stagger and must be saved. Millions have become billions, billions have become trillions.

In Gammesfeld Peter Breiter has now finished sweeping the front office. “If the whole financial system is a row of dominoes”, he says and rests on his broom, “then here we will be the very last domino to fall.”

**“And yet he seems ...”**

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His bank is not striving for rapid growth. It very simply works because it offers just three things: Current accounts, savings, and credit. It is small give-and-take, not more. The cash transactions which everybody understands. Nothing risky, no adventures.

**No junk, no poison**

So no stocks, no option warrant, no derivatives, no certificates, no turbo option warrants. When in 2008 the *Lehman* bank crashed in the USA, when *Deutsche Bank* boss *Josef Ackermann* was still aiming at 25 percent of income return, when the shivering began in Europe because of the American toxic papers, Breiter remained calm. He invests the money of his bank as call money at the *DZ Bank*, the company headquarter of the cooperative banking institutions. He did not have to fear toxic papers.

There is no cash dispenser in Gammesfeld, there is also no internet connection or dedicated line to the DZ headquarters in Stuttgart. Transfer forms are still filled in by hand and are sent by ordinary post to Stuttgart. There everything is typed in and processed, and the result is returned on a disk by post to Gammesfeld. Peter Breiter who was given a laptop three years ago, inserts the disk and sorts out his customers' accounts by Excel file. “A dedicated date line to the company headquarter costs 50,000 euro a year”, Breiter says. “It does not pay off.” Anyone who wants to know his account balance, must sometimes wait for three to five days. But this bothers nobody.

The door opens: Fritz Vogt, the predecessor, enters. A wiry grey man, 82 years old, full of life. Qualified farmer and financial autodidact. Sometimes he calls in with pleasure and sits down on the second red office chair. If Breiter takes a vacation, he takes over the business. His grandfather *Fritz Vogt I* founded the “Kässle” in 1890 and managed it until 1911, his father *Fritz Vogt II* managed it from 1929 to 1967 and he, Fritz Vogt III, from 1967 to 2007. “In this bank you can still sense the spirit of old *Friedrich Wilhelm Raiffeisen*”, he says. His

voice slightly thunders. “The spirit of solidarity, the spirit of service.”

Fritz Vogt III is an old fighter. “The upper class battens and the lower classes pay for it. Things cannot be like this.” He rants like *Sahra Wagenknecht* or *Gregor Gysi*. “We have always been an anti-capitalistic bank”, he shouts. Then he talks about the greed which has also seized the ordinary people.

**“Is it again the beginning of the month?”**

The “Kässle” does work differently. It does not matter whether somebody deposits a euro or 50,000 euro, because the same interest and conditions apply to everybody. “Why should we waste our money for the benefit of the rich?”, Vogt says. And because the bank keeps house extremely economically, nobody pays fees for anything. “We do not want to fit in these times”, Vogt roars from the second office chair. “That is to say, we do not like these times.”

It buzzes. It is 12.30 and customer service starts now, Peter Breiter quickly eats up his sandwich, then he pushes the door opener. Mrs *Zumbroich* wants to withdraw some of her pension. “Ah, Mrs *Zumbroich*. Is it again the beginning of the month?”, Breiter welcomes her. Then he shells out the money to her.

She tells a story. For sixteen years she has been a customer of the bank, she has seen Fritz Vogt working here and she sees “the Peter” working here and most certainly she will see his successor. Breiter laughs. He says that he also wants to work in this bank for forty years, hence another 35 years.

Fritz Vogt had to fight some battles for his “Kässle”. The *Federal Financial Supervisory Authority* wanted to close his village bank in the 80s. They said it was impossible to have one single man, because it offended against the four-eye principle common in banks. Every accounting transaction needed two signatures. Vogt requested a decision from the Federal Administrative Court and he won. “After all, the entire village checks me all the time”, he told the judges. He got into trouble with the financial supervision *BaFin* and the German *Central Bank* be-

**Current Concerns**

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

Publisher: Zeit-Fragen Cooperative

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Subscription details:

published regularly electronically as PDF file

Annual subscription rate of  
SFr. 40,-, Euro 30,-, £ 25,-, \$ 40,-  
for the following countries:

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

Annual subscription rate of  
SFr. 20,-, Euro 15,-, £ 12,50, \$ 20,-  
for all other countries.

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

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cause Vogt did not want to pay 250 euro of annual fees for the concession to be allowed to trade with stocks. A concession which he did not need because he did not trade with stocks. So he did not pay, and neither did his successor Breiter.

This is what the village people like their “calculators” for, as they call the bankers in Gammesfeld. And, therefore, they also like “the Peter”, Vogt’s successor, who is very much alike.

“Nevertheless, it is a dream job. I can sleep wonderfully and with a quiet conscience”, Breiter says. The door buzzes. Breiter presses the door opener button. A customer. “Hi there, it’s *Christoph*. How are you?” •

Source: *Berliner Zeitung* of 6/7 of October 2012

(Translation *Current Concerns*)