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**Subject:** Interim injunctions on General Anthroposophical Society (Foundation Meeting) lifted

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NNA-N E W S

Interim injunctions on General Anthroposophical Society (Foundation  
Meeting) lifted

By Christian von Arnim

Solothurn/Dornach, 31 May (NNA) - In the dispute about the existence in  
law of the "General Anthroposophical Society (Foundation Meeting)",  
which was newly recorded in the Swiss commercial register in January of  
this year, the Society has regained its capacity to act in law.

Following the appeal by the executive council of the Society, called the  
Foundation Meeting Society (FMS) for short, against two interim  
injunctions preventing the FMS from undertaking legal transactions until  
the substantive case had been decided, the Solothurn Superior Court  
lifted the injunction earlier this month.

The injunctions had been lifted "because they have no basis in  
Solothurn's code of civil procedure," the court said in a press release.

The interim injunctions - which for the duration of the substantive  
proceedings in the dispute over the constitution of the Anthroposophical  
Society had banned any kind of activity such as the holding of general  
meetings, adoption of resolutions on fusion or extensions of the  
association - prevented the fusion of the Foundation Meeting Society  
with the General Anthroposophical Society which was to have taken place  
in Dornach at Easter 2003.

The substantive case is concerned with the issue whether or not the  
society which was founded at the Christmas Foundation Meeting in 1923  
exists under the law governing associations.

The decision of the superior court was welcomed by the executive council  
of the Anthroposophical Society. But whether, when and to what extent  
the FMS will make use of its newly regained capacity to act has not yet  
been decided: "We have yet to discuss that in the council," executive  
council member Paul Mackay said, speaking on behalf of the council.

It is also not clear when judgement will be delivered in the substantive  
case. Final written submissions have been made, but it is thought that  
the judge may not produce a ruling until the autumn.

According to the judgement of the superior court, there was no basis in  
law for the interim injunctions - either with regard to the declaratory  
application that the FMS did not exist as an association or the  
application to have decisions of the association quashed. The  
declaration that the FMS did not exist could not be the subject of an  
interim injunction in accordance with the relevant articles of Swiss  
law, the superior court judges ruled.

But if the plaintiffs had not intended a declaratory application but had  
intended to have decisions of the association quashed, the first  
requirement was that they should be members of the association whose  
decisions they were challenging. "But members of the defendant is  
precisely what the plaintiffs are not according to their own argument,"  
the ruling said. Hence this challenge also had to be rejected due to  
incapacity.

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