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NNA-N E W S

Anthroposophical Society likely to decide next week on further steps in legal action over constitution

By Christian von Arnim

Dornach, 26 March (NNA) – The executive council of the General Anthroposophical Society (GAS) in Dornach, Switzerland, is likely to decide next week whether or not to appeal against a court ruling in the dispute over the existence of the reactivated “General Anthroposophical Society (Christmas Conference)”.

The Dorneck-Tierstein municipal court last month ruled that the so-called Christmas Conference Society no longer existed and should be removed from the commercial register. This has put the planned fusion of the GAS with the Christmas Conference Society on hold until the case is finally settled.

The GAS council has not yet reached a final decision as to its further action because it wants to discuss the situation with representatives from the national anthroposophical societies from around the world who are meeting in Dornach next week.

A press release from the Society said that currently no decision had been taken as to “whether or not to proceed with the appeal which we lodged with the Solothurn superior court within the required deadline on a precautionary basis.”

“We do not want take a premature decision. We are, of course, working hard on the matter but also feel the need to take the time to discuss it with the general secretaries,” council member Paul Mackay told NNA.

In a letter to members, to be published in the next issue (28 March) of the members’ newsletter “Was in der Anthroposophischen Gesellschaft vorgeht”, the council sets out the background to its deliberations. The conclusions of the Dorneck-Tierstein municipal court could not be accepted from the perspective of the executive council because “too many factual and legal questions” remained unresolved.

Referring to the resolutions adopted at several general meetings of the GAS and the Christmas Conference Society with overwhelming majorities to resolve the constitutional issue, the executive council writes: “We

feel obliged as the executive council to maintain the direction on which we are embarked and which has been affirmed by members – unless a change of direction is unavoidable, historically and spiritually justified and supported by the members. But such a change of direction requires a firmer basis than the present ruling by the municipal court.”

The lengthy letter adds: “That is our obligation in respect of the Anthroposophical Society, which was given a form by Rudolf Steiner appropriate to meeting the needs of the anthroposophical movement. This form, which combines the esoteric element with full accessibility, is unique; it is not something historical or static but in a constant state of development with an orientation towards the future. It is therefore also our endeavour to establish a connection to this form with regard to the legal status of the society under association law.”

Furthermore, not just the executive council but the whole of the membership had been dragged into this court case due to the fact that a few members refused to accept the decision of the general meeting of December 2002 reactivating the Christmas Conference Society and had initiated legal action against it: “We, for our part, wish to make clear beyond a shadow of doubt that it is not our wish to engage in this dispute through the courts.”

If the executive council decides against pursuing an appeal, it can expect to have to pay total costs of 116,400 Swiss francs (CHF75,000; US\$92,100). Should it appeal and win, the plaintiffs will be responsible for costs.

According to the press release, the executive council intends make special provisions to cover any costs arising in the event that the Solothurn superior court confirms the judgement of the lower court. Overall, provision is being made in 2004 for possible costs in the order of 150,000 Swiss francs (CHF96,700; US\$118,700).

In the end, however, the executive council does not want to make money the key factor in deciding whether to proceed with the appeal. “We are very much aware and in agreement with many members that these legal proceedings do nothing to support the life within the Anthroposophical Society. But we are also aware that the time has come to find a solution to the issues connected with the constitutional process which is in harmony with the nature of our society. In this way we wish to lend vigorous support to future developmental opportunities in the spirit of the impulse of the Christmas conference,” the executive council said in its letter to members.

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