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Sender: NEWS from NNA <NNA-NEWS@LISTSERV.ANTH.ORG>
From: Christian von Arnim <christian@CVA-COMMUNICATIONS.COM>
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Anthroposophical Society loses appeal

SOLOTHURN/DORNACH (NNA) - In the legal challenge to the existence of the "General Anthroposophical Society (Christmas Conference)" (CCS), reactivated in December 2002, and its proposed merger with the General Anthroposophical Society (GAS), the superior court of the Swiss canton of Solothurn has found against the defendants. In its judgement, the court ruled that the CCS could not be reactivated.

"The court found that the General Anthroposophical Society (Christmas Conference), which was to have been reactivated, does not exist," a court spokesman said in response to an enquiry from NNA. With the finding that something cannot be reactivated which does not exist in the first place, the judges confirmed the ruling a year ago of the lower Dorneck-Thierstein court that the CCS did not exist and should be removed from the commercial register because the two societies which had originally existed had merged through conduct at the time.

In a first reaction Paul Mackay, member of the executive council of the Anthroposophical Society, told NNA the judgement, which was delivered to the defendants this morning, would now have to be carefully examined. The important thing was to bring clarity into the whole issue. The question whether the Society would appeal to the highest Swiss court, the federal court, depended on whether the ruling of the appeal court was sufficiently convincing.

"The point is not whether we are right or wrong, yes or no, the point is that the matter should be clarified once and for all. If the ruling presents a clear and convincing case, then no further appeal is necessary, but if too many things have been left open, then we would have to consider a further appeal," Mackay said.

In a separate statement, the Anthroposophical Society said that the purpose of the members and the executive council to give the society a legal garment appropriate both for the internal and external tasks of anthroposophy had not changed.

"The Anthroposophical Society currently faces many different cultural, artistic and scientific tasks and thus wishes to bring the process of renewing its legal garment to a conclusion," the statement added. The next steps would be announced in the course of the annual general meeting of the

"General Anthroposophical Society" on 19 March 2005 at the Goetheanum in Dornach.

There were signs even before the appeal hearing that the court would rule against the defendant when the court suggested to the Society that it should withdraw its appeal because the ruling of the lower court was convincing. But Paul Mackay, acting on behalf of the Society, rejected this suggestion because a clear legal basis for the non-existence of the CCS, which had been asserted by the plaintiffs, was required.

The Anthroposophical Society is a worldwide society with approximately 50 regional societies and 50,000 members on all continents.

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