

Chronology of the Constitution Process in the General Anthroposophical Society

Background

At the Christmas Conference of 1923-24, together with about 800 of approximately 12,000 members, Rudolf Steiner founded the General Anthroposophical Society (GAS). His main goals were to unify the anthroposophical initiatives scattered all over the world and to unite the society and the movement, the exoteric and the esoteric aspects of Anthroposophy, in one body.

To unite the society in this way, several anthroposophical institutions were to be integrated into the GAS, among them the “Society of the Goetheanum of the Free School of Spiritual Science,” “Building Society” for short. In future, it was to be the GAS alone which dealt with the public – no longer the individual institutions.

To make this possible, the GAS had to be entered in the commercial register, and the Building Society, which was already registered, had to be deleted.

At the 3rd Extraordinary Meeting of the Building Society on June 29, 1924, Rudolf Steiner introduced this plan, the Building Society decided to become a subdivision of the GAS, and the necessary steps were taken to bring this about.

Right after this meeting, the responsible law clerk, Herr Altermatt, declared the GAS statutes agreed on at the Christmas Conference unsuitable for registration. It also turned out that if the Building Society were integrated into the GAS, large sums would have to be paid in taxes to transfer the financial holdings of the Building Society to the GAS.

The solution was this: The legal body of the Building Society, no longer needed because the Building Society was to become a subdivision of the GAS, was used for the GAS. The GAS was transferred into it and completely took over its identity. Thus, substantial transfer taxes were saved, because there was no transfer of funds, and the registered statutes could be used as the basis for new GAS statutes; **# 3 of which clearly states that the original statutes, now called principles, would continue to guide the GAS; though not registered, they would be in full force and legally binding.**

Chronology of Constitution Controversy

Note: **the “one-society position”** is what practically all members and boards of directors of the GAS took for granted from 1923 until the nineties. The **“two-society theory”** – the belief that not all of the 1923 society found its way into the GAS founded in 1925, but lives on outside of it in a dormant state only recently recognized – is what the Board of Directors now espouses, along with the belief that our familiar GAS is incomplete and deficient. This, in the Board of Directors’ eyes, makes necessary the fusion of the GAS with the alleged second, “real” society, which the Board of Directors has been calling the **“General Anthroposophical Society (Christmas Conference)” (GAS (CC))**. In the course of this proceeding,

the existing, 80-year-old GAS would be dissolved and members would be without a society, since the society the Board of Directors intends to revive has no spiritual or even legal reality (court judgment of February 3, 2004).

April 10, 1998

The Board of Directors declares at a members' meeting that it does not support the "two-society-theory" recently developed and states its belief that there is only one society.

August 15, 1999

The Board of Directors refuses to invoke the extraordinary members' meeting that LIVING THE CHRISTMAS CONFERENCE (*GELEBTE WEIHNACHTSTAGUNG*) members requested for study of the constitution issue.

November 7, 1999

In "News for Members" (*Nachrichtenblatt*) Paul Mackay gives his full support to the legal opinion of Swiss legal expert Dr. H. M. Riemer, which is, **that there is only one GAS and that this GAS is in direct and complete succession to the 1923 society**.

November 13 and 14, 1999

New proposed statutes prepared by Board of Directors members and others, which drastically curtail members' rights, are withdrawn because of massive member protest. The Board of Directors declines to discuss the subject.

April 2, 2000

The Riemer legal opinion stating **that there is only one society** is published in the "*Nachrichtenblatt*" and explained and supported by Paul Mackay.

April 7 and 8, 2000

At the members' meeting, GAS functionary Rembert Biemond presents a motion to end the members' unrestricted right to present motions. It never comes to a vote but is later retracted because of member resistance.

May 3, 2001

The "*Nachrichtenblatt*" publishes the "Mannheim Conclusion," (*Mannheimer Ergebnis*) signed by, among others, Paul Mackay and Bodo von Plato. This document, which contains several obvious errors, claims the existence of two anthroposophical societies. **On the basis of this sudden, unexplained "conclusion", the Board of Directors suddenly changes direction and begins to espouse the two-society theory.**

May 23, 2002

At the members' meeting, to the members' surprise, Paul Mackay reads a "Board of Directors' Statement Regarding the Current Constitutional Process." For the first time, the Board states its plan to revive an alleged inactive second society and dissolve the existing GAS. The Riemer legal opinion, which the Board itself had ordered and supported, and which shows that only one society exists, is presented in a totally distorted fashion and the Board endorses instead the later legal opinion of Furrer and Erdmenger, which supports the Board's plans. (But whereas the Riemer opinion is independent, both Furrer and Erdmenger, especially Furrer, the Board's attorney who lost the lawsuit in February of 2004, are closely involved with the Board of Directors' plans.)

April to December 2002

Widespread resistance to the Board's plans forms among the members. The Board refuses to discuss its plans and arranges the sparse members meetings so as to allow as little time for discussion as possible. Several members declare they will take legal steps to prevent the Board's constitution plans.

October 2, 2002

Several members of the LIVING THE CHRISTMAS CONFERENCE (*GELEBTE WEIHNACHTSTAGUNG*) are threatened with expulsion unless they stop trying to influence members against the Board's constitution plans.

December 28 and 29, 2002

The Board calls a meeting of its claimed inactive second society, the "GAS (CC)". At this meeting, the suggested statutes, which are even more restrictive than the new statutes suggested in 1999, are voted in by the members. Cautions and strong objections cannot be freely voiced or substantiated since members are only allowed to speak for three minutes. Moreover, only members who had written a statement declaring themselves to be in agreement with the Board of Directors' plans in advance are allowed to vote.

- ▶ See: *Reconstitution of the Christmas Society – Other Views Society Constitution Proceedings*

(There were so many violations of members' rights and repressive measures involved in this meeting which, moreover, was a meeting of a society without legal basis that is spawned numerous lawsuits. See below.)

Events Taking Place After the Dec. 28 and 29, 2002 Meeting

January 24, 2003

A group of members represented by Lawyer Dr. Paul Thaler of Zurich asks the court to establish that the Board's alleged "GAS (CC)" does not exist, is not a society according to Article 60 ff of the Swiss Book of Civil Law. (Members won this lawsuit in February, but the Board of Directors is appealing.)

January 27, 2003

Three groups of members ask the court to establish that their rights as members of the GAS were violated in the December meeting. (These suits are still pending as of November 2004.)

February 4, 2003

An unsuccessful reconciliation attempt between the Board of Directors and the plaintiffs takes place at the Dorneck-Thierstein district court. The judge suggests that the three rights violation cases be rested until the first case is settled.

February 6, 2003

The judge orders a temporary injunction on all activities of the "GAS (CC)" until the main lawsuit is settled.

April 12 and 13, 2003

General Meeting of the GAS. The “GAS (CC)”, the Board of Directors’ proposed new society, could not meet because of the temporary injunction on all of its activities. **The injunction also prevented the Board of Directors’ planned fusion of the two societies and thus the dissolution of the GAS.**

July 6, 2003

In spite of the fact that the injunction is in force again, in “*Anthroposophie Weltweit # 6*” the Board of Directors issues an invitation to **two** general meetings, including, on November 16, the regular meeting of the “GAS (CC)”, the society that is still legally disputed.

October 4, 2003

In the “*Nachrichtenblatt*” 40/2003 the Board publishes the two separate invitations to the November meeting, including the one above. Also published: a document announcing the fusion of the “GAS (CC)” and the GAS dated September 16, 2003.

October 21, 2003

The judge sets the date for the main hearing on the first lawsuit: February 2, 2004.

November 15 and 16, 2003

Meetings of two societies take place (Extraordinary Members’ Meeting of the GAS and Regular General Members’ Meeting of the Board of Directors’ hypothetical GAS (CC)). In the course of the first meeting – that of the regular GAS – **members vote to dissolve the GAS** (But only 543 members cast this vote, out of a worldwide membership of 52,000, and at this meeting, too, only those were allowed to vote who had previously signed a statement declaring themselves to be in favor of the Board’s plan). The members also voted to let the Board determine when the fusion should be completed.

December 28, 2003

Since, as a result of the past year’s events, the existence of the GAS is seriously threatened, a “Society for the Preservation of the GAS of 1923 and 1925” is founded in Horgen near Zurich.

February 2, 2004

Court hearing of member lawsuit. Twelve hours of hearings and questioning.

February 3, 2004

Judge Markus Christ of the Dorneck-Thierstein District Court hands down his judgment that the “GAS (CC)” **does not have any legal existence, that it is not a society according to Article 60ff in the Swiss Book of Civil Law**. The members thus won their case.

► See: *Members Win Lawsuit Against Vorstand*

February 12, 2004

The Board of Directors’ attorney, Dr. Andreas Furrer, hands in his provisional decision to appeal the judgment.

February 20, 2004

Members of the “Society for the Preservation of the GAS of 1923 and 1925” decide to add “LIVING THE CHRISTMAS CONFERENCE (*GELEBTE WEIHNACHTSTAGUNG*)” to the new society’s name.

February 21, 2004

The “*Nachrichtenblatt*” publishes **two** invitations – one for the Regular General Members Meeting of the GAS for Sunday morning, April 4, 2004, and one for the “Yearly Meeting” of an “**Anthroposophical Society**” for the afternoon. (Asked at the morning meeting why there were two invitations to bodies with different names, a Board member replied, “The afternoon meeting is one everyone can go to.”)

March 9, 2004

The Dorneck-Thierstein District Court issues a 21-page explanation of the judge’s decision.

April 3, 2004

First public Meeting of LIVING THE CHRISTMAS CONFERENCE (*GELEBTE WEIHNACHTSTAGUNG*).

- ▶ See: *First Meetings of a New Society for Anthroposophists and GAS Members’ Meeting in Dornach*

April 4, 2004

At the morning session of the members’ meeting in Dornach, Board member Paul Mackay announces the Board’s decision to appeal the February 3, 2004 judgment, on the grounds that it leaves open too many questions and does not give the members the clarity they deserve.

- ▶ See: *Response to an Attack*
The Christmas Conference Lives on in Our Society
The Pending Appeal

The Costs of the Lawsuit

The Board of Directors owes the court 120,000 Swiss Franks, and the lawyer’s fee, which is not included, will likely double that amount. In addition, the higher court requires a 25,000 Swiss Frank advance for the appeal. Members of the LIVING THE CHRISTMAS CONFERENCE (*GELEBTE WEIHNACHTSTAGUNG*) have so far put up 170,000 Swiss Franks to save our society, and donations will be gratefully accepted. The parties have until May 21 to hand additional material in to the court. When the appeal is heard on January 11, 2005, it will be up to the appellant, the Board of Directors, to show where the existing judgment is lacking.

LIVING THE CHRISTMAS CONFERENCE (*GELEBTE WEIHNACHTSTAGUNG*)

Christiane Marks