

*Rudolf Menzer*

## The General Anthroposophical Society of Christmas 1923

What happened to it?

And why may the truth not be  
disclosed?

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## Was in der Anthroposophischen Gesellschaft vorgeht

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Das Abonnement des „Goetheanum“ wird durch das Mitteilungsblatt erhöht auf jährlich 18 Fr., halbjährl. 10 Fr., vierteljährl. 5.50 Fr. Die gleiche Betragserhöhung kommt zu dem Abonnements-Preis für das Ausland hinzu. Das

Abonnement für „Was in der Anthroposophischen Gesellschaft vorgeht“ ohne „Das Goetheanum“ beträgt jährlich 10 Fr., halbjährl. 5.50 Fr., vierteljährl. 3 Fr., wobei für das Ausland entsprechend der Postgebühr eine Erhöhung eintritt.

**Die Bildung der  
Allgemeinen Anthroposophischen Gesellschaft  
durch die Weihnachts-Tagung 1923**

Rudolf Steiner

schienen zur „Grundsteinlegung“ der „Allgemeinen anthroposophischen Gesellschaft“. Was sie getan haben, soll in dieser Beilage zum „Goetheanum“ nach und nach geschildert werden.

Die Eröffnung und Leitung der Versammlungen oblag

Facsimile from the first issue of the Newssheet of 13<sup>th</sup> January 1923; cf. also Rudolf Steiner's handwritten draft on p. 6.

Translation by Graham B. Rickett of: „Die Allgemeine Anthroposophische Gesellschaft von Weihnachten 1923. Was ist aus ihr geworden? Und warum darf der Schleier nicht gelüftet werden?“

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## The General Anthroposophical Society of Christmas 1923 – What happened to it? – And why may the truth not be disclosed?

### Part One: Basic Facts

We are seeing today a steady increase in the attacks on Rudolf Steiner and the Anthroposophically-oriented spiritual science which he inaugurated. But the so-called General Anthroposophical Society (Reg. Association) in Dornach, Switzerland and the 'Free High School for Spiritual Science, Goetheanum' contained within it are neither willing nor able to counter these attacks effectively. On the contrary, one of the worst attacks on Rudolf Steiner is made by the G.A.S. itself in connection with the Constitution question.

It is asserted that on the 8<sup>th</sup> February 1925 the association "Goetheanum Association of the Free High School for Spiritual Science" (referred to in these articles by the letters **VDG** for "Verein des Goetheanum" - originally founded in 1912/13 as the 'Johannesbauverein') was changed into the association "General Anthroposophical Society of Christmas 1923" (referred to in these articles as **AAG/WT23**). However, this is not correct. What actually took place on that date was, that the name 'VDG' was changed into 'AAG' and the AAG/WT23 was tacitly abandoned. With the intention to mislead, it has been asserted that this whole arrangement was the "wish and will" of Rudolf Steiner.

On the basis of the insufficient or false information passed on to it by the contending parties the Swiss Supreme Court in Solothurn decided on 12.1.2005 that on the **8<sup>th</sup> Feb. 1925**, as a result of a "conclusive fusion", the Christmas Conference Society (AAG/WT23) had "ceased to exist", but that the "spirit of the Christmas Conference lived on in the VDG which had been renamed (the AAG) and altered" for this purpose.

The whole question is extraordinarily complex. In my book<sup>1</sup> I have tried to give a clear presentation of it. The articles that follow are intended as a guide to the historical sequence of events. Anyone wishing to study the

problem in greater depth can do so with the help of the book. As always, I am grateful for factual and constructive criticism.

At Christmas 1923, on the initiative of Rudolf Steiner and under his guidance, the association "General Anthroposophical Society" (AAG/WT23) was founded by the members of the Anthroposophical Society of 1912/13 (AG/1913). It was intended to be an "association of human beings" and not of juristic persons (§ 1). The latter should be autonomous groups, whose members have come together freely (§ 11/13), and which needed only to recognize and comply with the Statutes of the central association. Otherwise they were to remain independent. The AAG/WT23 was also a 'group' in this sense. (It follows from this, that the AAG/WT23 can be regarded as the "Anthroposophical Society in the narrower sense" and all the groups together as the A.S. in the wider sense.)

In his introduction Rudolf Steiner had set out his condition that he should be the President (Erster Vorsitzender) of the Association, and this was unanimously accepted. He also required that in future "absolute truthfulness" should prevail internally and externally, and that the "greatest possible openness to public life" should be combined with "the most inward esotericism". Esotericism was guaranteed in §§ 5/7 ff. of the Statutes in that they declare Rudolf Steiner alone responsible for esoteric matters. In the Statutes he reserved the right to name his successor (which he did not do, however).

The Statutes were conceived by Rudolf Steiner. At the Christmas Conference 1923 they were read out and explained by him - every member had been given a printed copy -; they were discussed in detail over the course of several days, and when they had been worked through three times they were accepted by voting in each case. They constitute the heart of the newly-founded 'AAG' and "express outwardly what is living in the souls" of those present (Rudolf Steiner's words in the opening lecture of 24.12.1923, GA 260). They were and still are described as a "social work of art", and they conformed with legal requirements, so that it was possible for the AAG/WT23 to be entered as an association in the Trade Register. This registration was explicitly asked for by Rudolf Steiner, and was an official requirement if the AAG/WT23 was to be an officially recognized legal person. Swiss association law (Art. 60 ff. ZGB) does not stipulate that

<sup>1</sup> Rudolf Menzer, *Die Allgemeine Anthroposophische Gesellschaft von Weihnachten 1923 und ihr Schicksal*, 2006, ISBN 978-3-906712-31-4.

the name made known publicly has to be used internally - not even in the Statutes. If, instead of 'AAG', only 'AG' or 'Gesellschaft' (Society) were to be used, it was the AAG/WT23 that was meant. From the way Rudolf Steiner acted after the Christmas Conference it is quite evident that he held to the decisions made then by the members and wished to put them into effect.

With regard to the events of 8<sup>th</sup> Feb. 1925 one fact is of decisive significance - namely, that the entry in the Trade Register was not carried out. The question is, why did this entry fail to take place? Günther Wachsmuth stated in the Newsheet of 30.4.1950 that after Christmas 1923 the Registrar, Notary Altermatt, had refused to allow the entry on the grounds that the Statutes were "too extensive and longwinded". However, this reason is without foundation, because in Switzerland association statutes can be formulated as one wishes. It is unthinkable that the (Swiss) notary should have been unaware of this fact. An official statement, against which one might have lodged an appeal, appears not to have been made. In all probability the fact was also known to the legally-trained Günther Wachsmuth, so that one cannot but ask why he did not carry out the entry in the Trade Register, and why he described in this way the events outlined above.

*Die Bildung der Allgemeinen Anthroposophischen Gesellschaft  
durch die Weihnacht-Fagung 1923.  
I.  
Rudolf Steiner.*

Facsimile of Rudolf Steiner's handwritten draft for the first issue of the Newsheet of 13<sup>th</sup> January 1924; cf. also p. 2 and back page of this brochure.

## Part Two: The Year 1924

After the Christmas Conference 1923/24, "Statutes of the General Anthroposophical Society" were printed (in Vienna on 5.1.1924),<sup>1</sup> and on 13.1.1924 Rudolf Steiner reported in Newssheet Nr. I on the laying of the Foundation Stone, the founding of the "General Anthroposophical Society" and the Statutes that had been passed on this occasion.

On 29.6.1924 there first took place the 11<sup>th</sup> ordinary General Meeting of the "Association of the Goetheanum, Free High School for Spiritual Science" (VDG). Here, Rudolf Steiner explained that in the 3<sup>rd</sup> extraordinary General Meeting which was to follow, "decisions are to be made about changes to the Association of the Goetheanum, about its relation to the General Anthroposophical Society and its place in public life" (GA 260a, p. 497).

The 3<sup>rd</sup> extraordinary General Meeting shows unmistakably Rudolf Steiner's intention to put into effect the decisions taken during the Christmas Conference 1923, also with respect to its relation to the VDG. In his introductory address he explained in outline what was to form the basis for the restructuring of the VDG: "It will therefore be necessary for the 'AAG' [WT23] to exist as an association that is registered with the Trade Registry. Within this AG four sub-sections will need to be established" (GA 260a, p. 503).<sup>2</sup> Rudolf Steiner was aware of course that, where 4 legally independent institutions were concerned, the common will-direction required for realization of the overall plan was a problem. At Christmas 1923 he had indicated with regard to the VDG, that the necessary shared will-direction could be achieved through forming a connection, on the level of the individuals involved in them, between the executive Councils of the AAG/WT23 and the VDG. Rudolf Steiner found a way that is surprising and has hardly been understood to this day, whereby the Council members of the AAG/WT23 have a seat and a voice in the Council of the VDG and are entrusted with the management of its affairs without

<sup>1</sup> They are missing in Documentation GA 260a, despite the fact that they coincide with Rudolf Steiner's formulation in the Newssheet of 13.1.1924. (Unlike the "Statutes of the Anthroposophical Society", which were printed at a later date and called 'Principles' after Rudolf Steiner's death).

<sup>2</sup> The Anthroposophical Society itself (in the narrower sense); the Philosophical-Anthroposophical Press; the Goetheanum Association itself; the Clinical-Therapeutic Institute in Arlesheim.

being members of the VDG. To make this possible, additions were made to the Statutes of the VDG (given here in bold type):

§1. "Under the name 'Verein des Goetheanum der Freien Hochschule für Geisteswissenschaft' **there exists as a constituent part** (Glieder) **of the General Anthroposophical Society** an Association ..."

That is to say, the VDG was to be an autonomous "group" of the AAG/WT23 (in accordance with §§ 11/12 of the Statutes of Christmas 1923);

§3.b. "the Council, which includes within itself the entire Council of the AAG".

That is to say, the Council of the AAG/WT23 is statutorily incorporated in toto into the Council of the VDG (and is thereby distinct from that part of the Council which is to be 'elected', as before, from the assembly of the VDG members);

§12. "The Council, **with the exception of the Council of the AG**, is elected by the meeting." Rudolf Steiner stressed the fact that: the Council of the AAG/WT23 "is there by definition (eo ipso)", in accordance with §3.b.).

§14 "The constitution of the office by the Council is such that the President and the Secretary of the AAG are at the same time the President and Secretary of the VDG..."

That is to say: Rudolf Steiner holds the office of President of the VDG, only in his 'capacity' as President of the AAG/WT23. (He was not, and did not become, a member of the VDG.)

The VDG remained, in complete agreement with the decisions of Christmas 1923, the owner and administrator of the Goetheanum estate. No decision was made, such as has been asserted in certain quarters, regarding a "change of name" or a "removal" of the VDG from the Trade Register. Equally, no "transfer of assets" took place. The designations "sub-section" or "constituent part" (Glieder) are synonymous with the "groups" referred to at Christmas 1923 in §§ 11/13. Rudolf Steiner said in conclusion that "the whole matter as we have it now before us is quite clear". The Notary, when asked explicitly whether he had any objections or additions to make, said he had not, so that Rudolf Steiner declared the 3<sup>rd</sup> extraordinary General Meeting of the VDG closed.

The Notary's minutes of 29.6.1924 largely coincide, so far, with Frau Finckh's shorthand notes and with the intentions of Rudolf Steiner.<sup>3</sup> However, an "Item 2, Re-election of the Council" was **later added** to his minutes. According to this, the 6 Council members of the AAG/WT23 plus E. Grosheintz and R. Geering-Christ had been 'elected' as Council of the VDG (GA 260a, supplement, p. 27f.). But according to the shorthand report and Item 1, the Council of the AAG/WT23 had been incorporated statutorily and in toto into the Council of the VDG (see above, §3.b.). An 'election' cannot have taken place after the event! The minutes are also not signed as they should be,<sup>4</sup> and the Notary kept them back until 3.3.1925, the day when he entered in the Trade Register the unauthorized change of name of the VDG into AAG (see: The 8<sup>th</sup> February 1925).

It can therefore no longer surprise us that the decisions of 29.6.1924 were not made public through entry in the Trade Register. Günther Wachsmuth did not carry out the task assigned to him by Rudolf Steiner, namely, to make the entry (see 'Necessary Defence', Newsheet of 30.4.1950, p. 207ff. in my book).<sup>5</sup> As a lawyer he doubtlessly saw through the manipulations that were opposing the intentions of Rudolf Steiner, but he accepted without protest the dubious actions of the Notary. These facts are very important for an understanding of what happened later, on 8.2.1925 – because here the Council members of the AAG/WT23 are again, in opaque fashion, 'elected' to the Council of the VDG that has been (unlawfully) renamed the AAG. The 'ordinary' Council members forfeit, without explanation, their exclusive voting rights and their Council functions. The autonomous 'subsections' of 29.6.1924 continue to exist only in appearance. The question arises: Was this already prepared, maybe, from behind the scenes?

With regard to a General Meeting of the VDG on 3.8.1924, we can only refer the reader to the detailed account in my book, owing to the sparsity of documentary material. On 5.9.1924 Rudolf Steiner still holds stead-

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<sup>3</sup> The minor differences have a certain significance only with respect to the 8.2.1925.

<sup>4</sup> The minutes conclude as follows: "The correctness of the minutes, which are not a public document, is attested by: the President"; Signed: the Keeper of the minutes. – However, it was only signed by the Notary (not by Emil Grosheintz as the former President, or by Rudolf Steiner as the new President).

<sup>5</sup> G. Wachsmuth does not say directly which "entry" he is referring to. But there is no doubt that Rudolf Steiner gave him the task of entering in the Trade Register both Christmas 1923 and 30.6.1924.

fastly to the decisions of Christmas 1923. He signs on behalf of the VDG, as its President, the contract for the purchase of the Clinic property from Ita Wegman. He purchases for the VDG and thereby affirms at the same time that, according to his will and intention, the VDG should remain an independent legal person: that is, a "group" of the AAG/WT23 in the sense described in §§ 11/13 of its Statutes.

On 31.12.1924 Rudolf Steiner wrote as follows to Felix Heinemann: "The whole structure of the Goetheanum administration must remain as it is now ... The financial administration, in particular, must retain the same form – i.e. it must be my responsibility alone. I could not work in any other way..." We would remind the reader that at the end of September 1924 Rudolf Steiner had fallen ill and was confined permanently to his bed. In the "Atelier", surrounded by a wall of protection, he was inaccessible to all but a few select personalities.

## Part Three: The 8<sup>th</sup> February 1925

On 1.2.1925 a notice appeared in the Newssheet of the AAG/WT23:

INVITATION to attend on Sunday, 8<sup>th</sup> February 1925  
at 10.30 a.m.

### the 4<sup>th</sup> extraordinary General Meeting.

AGENDA: 1. Revision of Statutes; 2. Restructuring of the Council;  
3. Matters arising

The Council of the Association of the Goetheanum, Free High School  
for Spiritual Science.

At 9.00 a.m. a preliminary meeting will take place for members of the  
Anthroposophical Society.<sup>1</sup>

The fundamental question arises, why an (extraordinary) General Meeting of the VDG was convened at all on the 8<sup>th</sup> February 1925, in view of the fact that, at the 3<sup>rd</sup> extraordinary General Meeting on 29.6.1924, the VDG had been structured in accordance with the Christmas Conference 1923 (see article 2 of this series, p. 2-3). Evidence that Rudolf Steiner wished to continue with this arrangement is shown in the contract of purchase of 5.9.1924, signed by him on behalf of the VDG,<sup>2</sup> and by his reply to Felix Heinemann of 31.12.1924 (GA 260a, p. 558), just a few weeks before the invitation to the 4<sup>th</sup> extraordinary General Meeting: "The whole structure of the Goetheanum administration must remain as it is now ... The financial administration, in particular, must retain the same form - i.e. it must be my responsibility alone. I could not work in any other way..."

Judging by the outcome, the answer to this question is abundantly clear: The AAG re-founded on Rudolf Steiner's initiative at Christmas 1923 was to be led to its demise as a legal body (no longer a legal person, no material assets, no new members, and no more members' meetings – the association as a whole condemned to extinction). To achieve this end, the

<sup>1</sup> The "Members of the Anthroposophical Society". These are members of the AAG/WT23 who, as extraordinary members of the VDG, take part in its meetings, but were not entitled to vote.

<sup>2</sup> As announced by Rudolf Steiner on 29.6.1924, the VDG takes over from Ita Wegman 2 parcels of land from her property in Arlesheim (GA 260a).

naivety and credulity of the majority of members was exploited to the full. Members were informed either falsely or with half-truths, critics were expelled with no decision on the part of the membership.<sup>3</sup>

The wording of the invitation in the Newssheet of the AAG/WT23 of 1.2.1925 did not make it clear to what meeting of what association the members were being invited. Only someone with inside knowledge or with legal expertise could infer from the ordinal number **fourth** and from the signature, that it was an extraordinary General Meeting of the VDG. The fact that a deed was being carried out which had to shun openness and therefore scrupulously avoided any precision, can be seen in certain 'formal' aspects.

Dr. Grosheintz first stated who were the members with the right to vote in this matter: Dr. Steiner, Albert Steffen, Frau Dr. Wegman, Frau Dr. Steiner, FrI. Dr. Vreede, Dr. Wachsmuth, Dr. Grosheintz, Graf Lerchenfeld, Dr. Unger, Frau Hirter, Frau Schieb, Frau Prof. Bürgi, Dr. Peipers, Herr Geering, Kommerzienrat Molt. These were the members with voting rights on 29.6.1924, plus the Council of the AAG/WT23. However, on 29.6.1924 the Council of the AAG/WT23 was incorporated statutorily and in toto into the Council of the VDG. These six personalities were, neither before nor afterwards, "ordinary members" of the VDG and were therefore not entitled to vote! Dr. Grosheintz continues:

I note that the invitation to this extraordinary Meeting has been sent out in accordance with statutory and legal requirements. It was published long enough in advance in 'Das Goetheanum' and in the Newssheet and, in addition, all ordinary members received an invitation.

The Statutes (Satzungen) of the VDG stipulate that invitations to General Meetings must be posted off five days in advance.<sup>4</sup> For the VDG there was sufficient notice given, but not for the members of the AAG/WT23 scattered throughout the world – for how could they have travelled to Dornach so quickly?<sup>5</sup> From the invitation one could not tell **who** had invited members to the preliminary gathering. But the members of the

<sup>3</sup> The Statutes of Christmas 1923 made an exclusion possible only by way of a decision of the members, in contrast to the VDG where, only the Council – with no reason given – could exclude a member.

<sup>4</sup> In Switzerland at that time one could count on post arriving on the following day.

<sup>5</sup> The Statutes of Christmas 1923 required in §10 that notice of a meeting be given six or three weeks in advance.

AAG/WT23 did not really belong at all in a General Meeting of the VDG, and in effect had only been invited to a "preliminary gathering",<sup>6</sup> with no indication given whatever as to who was inviting them and what was the purpose of the meeting (namely – to deliver a mortal blow to the AAG/WT23!). No minutes exist and no-one could later remember what exactly had been discussed during this "preliminary gathering". Dr. Grosheintz continues:

"We now come to the first Item on our agenda: a change in the Statutes. These Statutes are known to all ordinary voting members **who are present here.**"

This was no more than an empty show of respect for formal procedure, as G. Wachsmuth had corrected the Statutes again one or, at most, two days before 8.2.1925.<sup>7</sup> A thorough prior study of these Statutes with their far-reaching consequences was impossible and clearly not intended. – Correct procedure would have required the Statutes to be printed and distributed beforehand, or at least that the changes to those of 29.6.1924 should be explained in detail. Rudolf Steiner had demonstrated this convincingly at Christmas 1923 and on 29.6.1924. But Rudolf Steiner was not present; he was confined to his bed with a severe illness and access to him was controlled by a small number of people. I doubt whether he was shown these Statutes!

Those present at the 4<sup>th</sup> extraordinary General Meeting were not informed of the nature of the "change in the Statutes" until the very last moment. Presumably they did not wish to know so exactly, because they believed implicitly that it was all the wish and intention of Rudolf Steiner. In any case, no objections or critical questions appear to have been raised in the meeting. According to the minutes taken, the proceedings, leading to unanimous approval of the Statutes, can only have lasted a short time. It is recorded in the shorthand notes that Emil Grosheintz read out the "Statutes of the General Anthroposophical Society" only once:

§1. Under the name "Allgemeine Anthroposophische Gesellschaft" there

<sup>6</sup> J. W. Ernst asked all the Feb. 8<sup>th</sup> 1925 participants he could reach, but to no avail. This included Prof. Hans Locher, who affirmed only later that everything had taken place as described by G. Wachsmuth (in the Newssheet of 30.4.1950 in 'Necessary Defence'), who makes no mention, however, of the preliminary gathering.

exists as legal successor to the Association of the Goetheanum... an association...

This cannot have been the AAG/WT23, and up to that date there was no knowledge of any other AAG. There can be no question of the founding of a second association AAG, because the Association of the Goetheanum continued to exist as a legal person, though under the name AAG.<sup>8</sup> It was in fact a "covert change of name" which was, however, unlawful because there was no mention of it in the invitation. Admittedly, any association whatever had the right to change its name to 'AAG' and be entered in the Trade Register, but only on the basis of an effective 'decision'. According to the shorthand report and the minutes, however, no proposal to this effect was put forward on 8.2.1925, nor was an effective 'decision' made. Both the lawyers, Notary Altermatt and G. Wachsmuth, knew very well that this "change of name" was a flagrant violation of elementary legal principles. The Notary, in order to maintain a semblance of legality, simply added the following to his minutes:

The President announces to the Meeting that the association will henceforth bear the name General Anthroposophical Society.

This was clearly no substitute for a concrete decision, and of this there is no mention at all in the shorthand report. The Notary, obviously aware that a "change of name" was impermissible, composed this sentence in order to give at least the appearance of legality. The "change of name" of the VDG into AAG was a legally unacceptable manipulation, even if those present did not see through the verbal sleight of hand and 'believed' that the AAG/WT23 was now entered in the Trade Register.<sup>9</sup> The VDG did not become the AAG/WT23 on 8.2.1925 and, because the members were victims of a deception, no "conclusive fusion" (see part 6, p. 17ff.) can have taken place. Moreover, the phrase "as legal successor of the VDG" was nothing more than an empty formula (the legal successor of itself, so to speak), because the legal person of the association remained the same.<sup>10</sup>

<sup>7</sup> On the basis of a recommendation of T. Binder (not Rudolf Steiner!) dated 6.2.1925 (GA 260a, Supplement p. 49).

<sup>8</sup> See the 'Company Book' of the VDG in the Trade Register (GA 260a, Supplement p. 58-59).

<sup>9</sup> Albert Steffen wrote in his diary on 9.2.1925: *On the 8th the entry in the Trade Register took place.*

<sup>10</sup> See the 'Company Book' of the VDG in the Trade Register (GA 260a, Supplement p. 58-59).

Those present and all the members of the AAG/WT23 were thus led to believe that the VDG had been "transformed" into the AAG/WT23. On 8.2.1925 the VDG took over, not the Statutes of the AAG/WT23 but, instead, a kind of caricature of the Statutes intended by Rudolf Steiner for the VDG on 29.6.1924.

On 22.3.1925 there appeared in the Newssheet of the AAG/WT23 an "Announcement of the Council" undersigned: **The Council of the General Anthroposophical Society** (GA 269a, p. 567f.) The announcement began as follows:

We wish herewith to inform friends of the decisions taken by the General Meeting on the 8<sup>th</sup> February 1925 with the aim of leading further, in the spirit of the new structure given to the Anthroposophical movement at the Christmas Conference 1923, the institutions grouped around the Goetheanum in Dornach. We will first bring an extract from the words spoken on these questions by Rudolf Steiner at the General Meeting of June 29<sup>th</sup> 1924 ...

Instead of indicating in detail the "decisions" and quoting the Statutes verbatim, the Council now gives the "extract from the words of Rudolf Steiner". Comparison with the whole of Rudolf Steiner's address on 29.6.1924 (GA 260a, p. 501 ff.) shows clearly that through the way the words are selected the intentions of Rudolf Steiner are presented in a distorted form: the "suitable" passages were used and "unsuitable" ones omitted or misquoted. Any indication of the fact that on 29.6.1924 a General Meeting of the VDG took place is carefully avoided. The members of the AAG/WT23 are thus led to believe that on 8.2.1925, not the VDG, but the AAG/WT23 had altered its Statutes and now had, according to the Trade Register, "four sub-sections":

§2. The General Anthroposophical Society comprises four sub-sections:<sup>11</sup>

The word 'sub-sections' was already misleading: Rudolf Steiner had spoken on 29.6.1924 of four autonomous sub-sections (constituent parts [Glieder]; groups) **of the AAG/WT23** (these included the AAG and the VDG "as such"), but he had said **nothing of administrations**. On

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<sup>11</sup> The Administration of the Anthroposophical Society, the Philosophical-Anthroposophical Press; the Administration of the Goetheanum Building; the Clinical-Therapeutic Institute in Arlesheim.

29.6.1924 the VDG remained **an autonomous constituent part of the AAG/WT23**,<sup>12</sup> whereas on 8.2.1925 it became the "holding (umbrella) association" and "proprietor" of the four initiatives. The AAG/WT23 was degraded to the no longer legally independent "Administration of the AG", whereby on 8.2.1925 the relation of the AAG/WT23 to the "sub-section VDG" was turned literally upside-down! In addition, what were hitherto known as the "Satzungen" of the VDG were from then onwards always referred to as "Statuten", so that the members would associate them with the AAG/WT23.<sup>13</sup>

From today's standpoint it is hard to understand why no participant began to "sit up" – especially the Council members of the AAG/WT23. All present, however, either understood nothing or tragically kept silent. But if Rudolf Steiner had really wanted to radically "turn inside-out" the constitutions of the AAG/WT23 and the VDG while first not asking the members and then lying to them, he would not merely have overstepped his authority, he would also have lost his moral integrity.

The unauthorized "change of name" was an unscrupulous manipulation. Even if those present did not see through the deceptive play with words, but believed that the AAG/WT23 had now been entered in the Trade Register,<sup>14</sup> the VDG still did not become the AAG/WT23 on 8.2.1925. From a purely legal point of view there was nothing to prevent adoption of the name AAG: the VDG could quite lawfully take the name 'AAG', because the AAG/WT23 had not been entered in the Trade Register and had thus not been made public.

§5 Members of the association are: a) the ordinary and b) the contributing members.

The extraordinary members who had existed hitherto were now abolished and the exclusive voting right of the "ordinary members" of the VDG was thereby annulled.<sup>15</sup> However, only the members of the VDG obtained the right to vote - not the members of the AAG/WT23, as the latter were not

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<sup>12</sup> Statutes (Satzungen) of 29.6.1924, §1 (GA 260a, p. 506).

<sup>13</sup> Later the Statutes of Christmas 1923 were given the name "Principles", ostensibly for the sake of avoiding confusion.

<sup>14</sup> Albert Steffen wrote in his diary on 9.2.1925: *On the 8th the entry in the Trade Register took place.*

<sup>15</sup> Albert Steffen goes on to observe in his diary: ... *Every member now has the right to vote* (GA 260a, Supplement p.71).

affected by the meeting of the VDG of 8.2.1925.

§13. ... Legally binding signatures on behalf of the association are given by the President, the vice-President, the Recorder and the Secretary/Treasurer, each of them individually.

From 29.6.24. onwards, only Rudolf Steiner and Emil Grosheintz would have been able to sign for the VDG.<sup>16</sup> The consequences in the light of Rudolf Steiner's approaching death are not hard to imagine, as Rudolf Steiner did not want to appoint a successor (in accordance with § 7 of the Statutes). § 13, as altered on 8.2.1925, handed over the power of administering the Goetheanum estate, in effect, to the Treasurer Günther Wachsmuth.

The new "Statutes" were only decided by the hitherto ordinary members of the VDG and the Council Members of the AAG/WT23. The Council of the VDG was neither dismissed nor discharged and in its place the six Council members of the AAG/WT23 – each individually and not in toto as Rudolf Steiner had wished – were appointed to the new Council.<sup>17</sup> With this change in the Statutes Rudolf Steiner's intentions of Christmas 1923 and 29.6.1924 were nullified. The AAG/WT23 as an association was neither continued nor dissolved, but tacitly abandoned.<sup>18</sup>

It remains the secret of the five ordinary VDG members present whether they really did not understand what they were having to vote upon. It seems that they blindly accepted Günther Wachsmuth's word that this was all according to the will and intention of Rudolf Steiner. The many extraordinary VDG members present, who were also members of the AAG/WT23, were unable to understand – for the simple reason that they had not seen the new "Statutes". Presumably they also accepted blindly that the VDG had been "transformed" into the AAG/WT23 and, as a consequence of the legal succession, had been entered in the Trade Register as the AAG/WT23. A question that could cause one considerable torment is the following: What did Günther Wachsmuth "report" to Rudolf Steiner before and after 8.2.1925?

<sup>16</sup> 29.6.1924, Statute (Satzung) §15: The President and vice-President are each entitled to represent the association independently

<sup>17</sup> With their own votes, Emil Grosheintz (with no power of attorney) on behalf of Rudolf Steiner and Ita Wegman.

<sup>18</sup> The juristically absurd interpretation of what took place as "conclusive fusion" in the judgements of 12.2.2005 will be discussed later.

It only appears to be the case that the "**official minutes**" of the "fourth extraordinary General Meeting of the Association of the Goetheanum were typed out by Notary Altermatt himself on that same Sunday, 8<sup>th</sup> Feb. 1925. He also attested them, but left them undated.<sup>19</sup> It is therefore impossible to establish with certainty when exactly they were written.

The "**Application to the Trade Registry**" also appears to have been written and attested on Sunday, 8.2.1925. But this is also **undated** and agrees neither with the shorthand report nor with the minutes. The pages are neither numbered nor legally attested, and the same applies to the numerous corrections, including a sentence that has been inserted later and is also added in the Trade Register.<sup>20</sup> The extraordinary General Meeting of the VDG which allegedly preceded that of 8.2.1925 is the one on 12.8.1920. Thus the second is mentioned and the third is thereby dropped. The signatures of the 6 Council members are identical with those of the AAG/WT23 and are attested by the Notary, but are only dated "**8<sup>th</sup> February**" (**no year given**). Again, the true time of signing cannot be established. No-one was later able to vouch for the fact that the Notary had been to Rudolf Steiner's sickbed. Rudolf Steiner would certainly have seen through the deception and refused to sign. As a legal document, the "Application of 8.2.1925" is not worth the paper it is written on.<sup>21</sup>

One must reckon with the possibility that the Council of the AAG/WT23 had signed one year earlier – i.e. on 8.2.**1924** – an "Application to the Trade Registry", which was not entered in the Register<sup>22</sup> but used for a different purpose on the "8<sup>th</sup> February" [1925]. This would explain why the meeting had to be held on an 8<sup>th</sup> February and why both the "official minutes" and the "Application to the Trade Registry" are either undated or only partially dated. Notary Altermatt, as a friend of Rudolf Steiner's arch-

<sup>19</sup> Even the "President" Emil Grosheintz and the "vote-counter" Ehrenfried Pfeiffer confirmed the "correctness" of the minutes and overlooked the fact that the "document" was undated and thus open to legal challenge.

<sup>20</sup> The signatures of the previous Presidents Dr. Emil Grosheintz and Hermann Linde are no longer valid.

<sup>21</sup> For a more detailed account of the dubious character of the Applications in the Trade Register, see the book by R. Menzer.

<sup>22</sup> Günther Wachsmuth's assertion that the Notary had refused to allow the entry because the Statutes of Christmas 1923 were *too complicated and longwinded* is not credible. Besides, there does not exist a "notice of refusal" which would have had to be issued by the Notary in such a case. It would have been possible to challenge this decision in court.

enemy Kully (the local Priest) was certainly willing to cooperate in all this. It is not difficult to see that, with the deficiencies we have pointed out, he was leaving himself an 'escape route', so to speak: if he were charged with an offence he could simply declare everything invalid.

In the 75 years and more since 8.2.1925 it was first asserted that on 8.2.1925 the VDG was "transformed" into the AAG/WT23; then outsiders claimed that on 8.2.1925 the "real AAG" was founded; and finally, that the AAG/WT23, as the result of a "conclusive fusion" (see part 6, p. 17ff., had ceased legally to exist on 8.2.1925, but that its spirit lives on to this day in the renamed VDG.<sup>23</sup> On 8.2.1925 nothing of all this was stated, nor was it decided in a legally binding form. Thus the goal we formulated at the beginning was attained: Through the downfall of the AAG/WT23 the Anthroposophical movement was robbed of its earthly and legal foundation.

The sequel to this tragedy is to be outlined in a future article. But already at this stage I would like to express my deepest gratitude to all who have helped with their legal and publishing expertise, for their valued cooperation.

#### A SUMMARY OF THE ARGUMENT SO FAR:

**Part 1:** At Christmas 1923 the Association 'GAS' (AAG/WT23) was founded as a legal person in accordance with Art. 60ff. of the Swiss Code of Civil Law (ZGB). The 'esoteric' element was assured in §§ 5/7 of the Statutes, as was also the formation of any kind of "autonomous group" in §§ 11/13. The large number of members (around 10,000 throughout the world), the wish for the "greatest possible openness to public life" and protection of the name "General Anthroposophical Society" made its "entry in the Trade Register" absolutely essential. In spite of this, it did not take place or was actively prevented, contrary to the intention of Rudolf Steiner.

**Part 2:** On 29.6.1924 the "Goetheanum Association, Free High School of Spiritual Science", Reg. Assoc. (VDG) underwent a change of Statutes, whereby it became "a component part (Glied) of the AAG" (§1) and incorporated the Council of the AAG/WT23 in toto into the Council of the VDG

<sup>23</sup> See the judgement of the Supreme Court in Solothurn of 12.1.2005, to which we will return later.

(§3.b.) The VDG remained, under Rudolf Steiner's leadership, as a legally independent "group" of the AAG/WT23. However, in this case also, the absolutely necessary entry in the Trade Register inexplicably did not take place.

**Part 3:** On 8.2.1925 the VDG was renamed the 'AAG', with no prior announcement and no formal decision made!<sup>24</sup> Those present, and later the entire membership, were led to believe that a legal fusion of the VDG (loosely referred to as the 'Bauverein') with the AAG/WT23 had taken place.<sup>25</sup> In § 2 of the 'Satzungen' (statutes) four sub-sections were introduced,<sup>26</sup> and thus Rudolf Steiner's concept of W23, of a central AAG/WT23 with exclusively autonomous "groups" was turned completely "upside-down". The Notary's minutes are attested, but not dated. The application to the Trade Register also has no date, the signatures of the Council are inadequately "attested", with the date "8<sup>th</sup> February" given, but no year. No single witness has yet come forward to vouch for the fact that the Notary and the Council had assembled at Rudolf Steiner's sickbed. The signatures are identical with those of the Council of the AAG/WT23 and were in all likelihood given on the 8<sup>th</sup> February 1924, for the registration of the AAG/WT23 at the earliest possible opportunity.

<sup>24</sup> §1. Under the name General Anthroposophical Society there exists, as legal successor of the Association of the Goetheanum, an association ... (GA 260a, p. 560)

<sup>25</sup> The AAG/WT23 did not make decisions which would have been necessary pre-conditions for this; it did not officially take part in 8.2.1925. According to the minutes the Council of the AAG/WT23 was not representing the AAG/WT23 at this meeting.

<sup>26</sup> The Administration of the Anthroposophical Society; the Philosophical-Anthroposophical Press; the Administration of the Goetheanum Building; The Clinical-Therapeutic Institute in Arlesheim.

## Part Four: The Year 1925 after the 8<sup>th</sup> February

On 3.3.1925 Notary Altermatt entered in the Trade Register the "change of name" of the VDG into 'AAG', enclosing the undated "minutes" and the invalidly attested "official application", both of which he nevertheless described as "public documents".<sup>1</sup> (Details can be found in my book.) The "entry in the Trade Register", which was an affront to any healthy sense of legal propriety, could only have been challenged by the (relatively few) members of the VDG, but not by those of the AAG/WT23.<sup>2</sup>

♦

On 19.3.1925 Rudolf Steiner and Ita Wegman signed a letter to be sent to seven different addressees:<sup>3</sup>

Now that the entry of the General Anthroposophical Society in the Trade Register has been carried out, the President Dr. Rudolf Steiner has appointed the following (seven) personalities to the leadership of the Administration of the Goetheanum Building ... We request that you let us know whether you are in agreement with this appointment.

The Goetheanum, Free High School for Spiritual Science –

*Dr. Rudolf Steiner     Dr. Ita Wegman*

A subtle formulation, which could not but lead anyone who was unaware of what lay behind 8.2.1925 to believe that the AAG/WT23 had been entered in the Trade Register and that Rudolf Steiner wanted to entrust these seven personalities with the leadership of the rebuilding project.<sup>4</sup> Which would have corresponded entirely with Rudolf Steiner's intentions of Christmas 1923 and 29.6.1924.

In reality, however, it was not the AAG/WT23 that had been "entered in the Trade Register", but only a "change of Statutes of the VDG"! The 'Ad-

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<sup>1</sup> Altermatt made serious errors in all the documents drawn up by him for 8.2.1925. Could this have been intentional, so that if necessary he would be able to revoke everything and evade responsibility?

<sup>2</sup> The association name 'AAG' was not protected, because the entry of the AAG/WT23 in the Trade Register had not taken place.

<sup>3</sup> On stationery of the "Goetheanum, Free High School for Spiritual Science" (GA 260a, p. 572).

<sup>4</sup> Including the professional builder Ernst Etienne, who understood the request no differently from this.

ministration of the Goetheanum Building' was not a section of the AAG/WT23 but of the VDG which had been unlawfully renamed on 8.2.1925. It is unthinkable that Rudolf Steiner would have signed so **ambiguous** an appointment if he had seen the minutes and the Statutes of 8.2.1925. Günther Wachsmuth must have withheld them until at least 19.3.1925.

Rudolf Steiner would then have read the Announcement of the Council in the Newssheet of 22.3.1925. As we already described in Part 3, neither the *entry* of 8.2.1925 in the Trade Register is mentioned there, nor its publication in the Trade Registry Journal. The Newssheet of 22.3.1925 contained only the Council's Announcement, whose intention was to lead the members of the AAG/WT23 to believe (which they did) that the AAG/WT23 had been entered in the Trade Register.

The nagging question continues to arise: How much of these manipulations and the whole intrigue involved did Rudolf Steiner get to know of while on his sickbed? After reading the Newssheet of 22.3.1925, however, he had the entire deception clearly before him. But what should or could he do? Apparently, he did not give in to a mood of resignation, because he gave instructions that the room should be prepared in which he intended to continue carving the 'Group' (wooden sculpture).

But then he died, unexpectedly to the members, on 30.3.1925.

♦

In the Newssheet (of the AAG/WT23) of 15.11.1925 an invitation to a Christmas Conference 1925/26 and to the "first ordinary General Meeting of the AAG" on 29.12.1925 was undersigned: The Council of the Allgemeine Anthroposophische Gesellschaft. The invitation included the following remarks:

The Council of the AAG most cordially invites all members to this Christmas Conference. As the Christmas Conference is only for members of the AAG, friends are requested to bring with them their membership and Class membership Cards. The General Secretaries or Council Members of the national Societies are requested to report from their countries in the members' meeting, on their current activities, progress and experiences.

In very small print and with no explanation given the following sentence is added:

Before this meeting a preliminary gathering will be held for members of the Anthroposophical Society.

Many a speculation has been provoked by this statement.<sup>5</sup> In this "preliminary gathering", however, nothing different was dealt with than in the "main meeting" that followed.

In the consciousness of the members of the AAG/WT23 there lived only the AAG of Christmas 1923. And the request "to bring membership cards" with them removed any doubt that some other association might be meant, because there **were** only membership cards of the AAG/WT23!

♦

The shorthand report of the "preliminary gathering" for members of the AAG on 29.12.1925 includes the following items:

Agenda, Point 1: "Report from the Council".

Albert Steffen welcomes all those present, on behalf of the Dornach Council and the Dornach members. He gives a brief report on the work accomplished since Rudolf Steiner's death: Frau Dr. Steiner's work with the eurythmists and in the Publishing House, Frau Dr. Wegman's work in the Clinic and the Class lessons she has held, Dr. Wachsmuth's activity in connection with the Building, and Fr. Dr. Vreede's work in the archives.

Albert Steffen speaks of the Council Members' activities, but carefully avoids mention of an association name. He does not touch upon the association questions in any way, or the 8<sup>th</sup> Feb. 1925. In conclusion he reads out the "Laying of the Foundation Stone as it was given by Rudolf Steiner on 25.12.1923". He thus "proved" conclusively to the unsuspecting members that they were attending a conference of the AAG/WT23.

Agenda, Point 2: "The Change in the Statutes".

Dr. Rittelmeyer speaks at length in laudatory terms about Albert Steffen and the Council. Albert Steffen thanks him in a point by point response and declares himself willing to assume the leadership.

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<sup>5</sup> E.g. that Rudolf Steiner had wished at Christmas 1923 only to "continue" the "Anthroposophical Society" of 1913 and, after two unsuccessful attempts on 29.6.1924 and 3.8.1924, had founded the "holding association AAG"; and that the "Sub-section: Administration of the Anthroposophical Society" was the "An-

The change in the Statutes should have concerned itself with the election of a President to replace Rudolf Steiner who had since passed away. Rudolf Steiner's name was firmly established in the Statutes of Christmas 1923, but not in the "Statutes of 8.2.1925". But a change in the Statutes was entirely superfluous. It was then explained to those present that one could "sidestep the need" for such a change. In this way, however, one only obscured still further the fact that it was a meeting, not of the AAG/WT23, but of the AAG/VDG (of 8.2.1925).

Agenda, Point 3: "The Yearly Report"

G. Wachsmuth wishes to present the annual reports for 1924 and 1925 and read out the general balance-sheet "in accordance with proper procedure". It was necessary, above all, to work "**for the completion of the Goetheanum Building and then these balance-sheet matters will need to be handled in a somewhat different way**".

The annual reports for 1924/1925 and the general balance-sheet seemed to apply to the AAG/WT23, but in fact they, too, applied to the VDG (also responsible for the rebuilding of the Goetheanum), which on 8.2.1925 had been renamed 'AAG'. With the vague expression "general balance-sheet" G. Wachsmuth was hoodwinking his listeners. He was speaking altogether in veiled and mysterious terms. His assertion that "these balance-sheet matters will need to be handled in a somewhat different way" was not clarified and no reason was given to justify it.

Agenda, Point 4: "Auditing of the Accounts".

Herr Trommsdorf begins: "Herr Berner and I, as the auditors elected in the last General Meeting, have the task of reporting to you on the audit of the accounts for the year 1924".

The AAG/WT23 had neither a "last General Meeting" nor "auditors". It cannot have escaped the auditors that they were dealing with the VDG renamed AAG, and not with the AAG/WT23. But like the speakers before them, they carefully avoided naming the object of their audit. The report thereby obscured the facts still further.<sup>6</sup> Here, too, one must ask the question: Why did the accountancy experts let themselves be made use of for the purpose of obscuring the facts? At the close of the preliminary gather-

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throposophical Society" of 1923 (also called, for the sake of concealing the true facts, the WTG or "Christmas Conference Society").

<sup>6</sup> See my book for more details, p. 193 ff.

ing Albert Steffen requested his listeners not to ask any unnecessary questions in the main meeting:

"... And so it will be important to conclude the business as quickly as possible in the official meeting. The representatives of the judiciary will be there, and we must not create unnecessary difficulties."

Their palpable fear of Albert Steffen caused his listeners to be on their best behaviour, refrain from speaking and innocently consent to everything proposed. And they failed to notice that they were treated, from then on, as members of the AAG/VDG of 8.2.1925. They continued to believe in their membership of the AAG/WT23, in the "esoteric Council" and in the "esoteric High School". They were unable, or did not wish to see that the AAG/Wt23, and with it "esotericism", were in effect extinguished.<sup>7</sup> Even when one human catastrophe after another had occurred and the "Society" had twice split apart, the majority remained loyal to their "esoteric leadership". Again and again they were led by the nose and lied to in the Newssheet of the AAG. Very few indeed were able to see through the deception.

#### A SUMMARY OF PARTS 1-4:

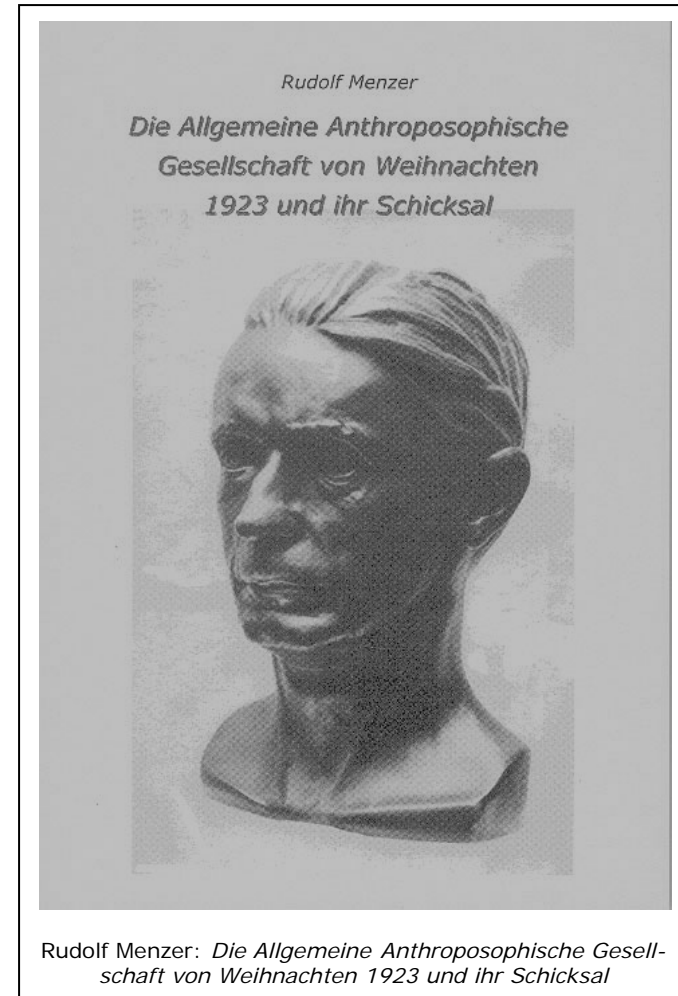
In the first four Parts we have shown how clearly and correctly Rudolf Steiner not only founded the AAG at the Christmas Conference 1923, but also brought about a connection of the VDG with the AAG/WT23 that was truly worthy of his genius.<sup>8</sup> On the 8<sup>th</sup> February 1925 Günther Wachsmuth, with the help of Notary Altermatt, led all this ad absurdum, destroyed what had been created and what was intended by Rudolf Steiner, and misinformed the members of the AAG/WT23 of what had really happened, in the Newssheet of 22.3.1925. We have also described the comedy of errors (and confusion) of 29.12.1925. We will now go on to show the extent of the lying and deceit with which this betrayal of Rudolf Steiner has been perpetrated for decades.

[COMMENT by publisher and magazine Editor W. Lochmann: It is by no means the case that the 'attack' on Rudolf Steiner and his Society came to an end in the years 1924/25; the deception continues unabated. Above all for those involved who have since crossed the threshold, having acted in this way – in the best case out of a misunderstood Anthroposophy and

<sup>7</sup> Without the necessary decision having been taken by the members.

<sup>8</sup> See Part 2: 29.6.1924.

in the worst out of underhand motives – it will be good if their errors are clearly recognized and documented for posterity. If only for this reason we would like to continue this series of investigative articles.]



## Part Five: Members continue to be misled in the Newssheet of the AAG (WT23)

The next thing was that Günther Wachsmuth had, of course, to prevent the machinations from coming to light. Whenever he was asked about 8.2.1925 by Society functionaries – group leaders, for example – he passed on information about the "Statutes", but said that Rudolf Steiner had not wanted them to become generally known.<sup>1</sup> He also asserted that Rudolf Steiner had wanted to rename the Statutes of Christmas 1923 'Principles', in order to avoid confusion with the Statutes of 8.2.1925.<sup>2</sup> How dishonest and foolish it would be to try to prevent confusion of the 'secret' Statutes of 8.2.1925 with those of the AAG/WT23 by renaming the latter 'Principles'!

Evidently G. Wachsmuth was aware of the unlawfulness of his action, because he avoided making any clear statement about 8.2.1925 for ten years.<sup>3</sup> On 14.4.1935 he gave a brief explanation for the first time within the context of a General Meeting. To do this, he abruptly interrupted the concluding vote and resumed it again just as abruptly. He carefully avoided saying anything that might compromise him, and left the Hall so quickly that comments or questions from members were not possible. (See my book for a detailed analysis of his explanation.)

Then followed the period of power struggles and schisms within the Council and the Society and, because of this, 8.2.1925 sank into oblivion. A small number of members, however, did not lose sight of it (among them Dr. Hans Erhard Lauer), so that Günther Wachsmuth felt obliged to publish in the AAG Newssheet of 30.4.1950 an explanation, under the heading "Necessary Defence", which was as misleading as the "Announcement of the Council" of 22.3.1925 (see Part 3 and p. 175ff. in my book). In this statement G. Wachsmuth claimed that Notary and Trade Registrar Altermatt had found the Christmas Conference Statutes "too extensive and longwinded" for the Trade Register, and had therefore "condensed them

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<sup>1</sup> Anyone could have read the Statutes of 8.2.1925 in the Trade Registry Office, but it seems nobody thought of doing so.

<sup>2</sup> Until 8.2.1925 the "Statutes of the AAG/VDG" were called "Satzungen"; any confusion of them with the "Statutes" of Christmas 1923 was therefore impossible!

into a few paragraphs". Rudolf Steiner had – said G. Wachsmuth – not been entirely satisfied with these "Statutes" (of the Notary for 8.2.1925), but he had finally agreed to them all the same. (More on this in my book, p. 207ff.)

The shamelessness of this untruth can be easily recognized by anyone who compares the Statutes of Christmas 1923 with the altered Statutes (Satzungen) of the VDG of 8.2.1925 and the "condensed version" of these entered in the Trade Register. It is true that the **Notary** summed up in a condensed form the Statutes of 8.2.1925 for the "Application to the Trade Registry" (allegedly signed by Rudolf Steiner on 8.2.1925) – but **not** the Statutes of Christmas 1923.

♦

Following the example of Günther Wachsmuth, various spokesmen of the Council have repeatedly misled the members. Here are a few selected examples, which are dealt with in more detail in Annexe 1 of my book. For example, Paul Eugen Schiller<sup>4</sup> wrote in the Newssheet of 15.12.1963 about "The Principles and Statutes of the AAG". He says the following:

It must be stated here unequivocally that entry into the Trade Register of the Statutes in the form in which they were accepted at the Christmas Conference was not possible (and would not be possible today). A second version was therefore drafted. It bears the heading: "Statutes of the General Anthroposophical Society".

*Commentary:* "Entry" was indeed "possible" (but no longer, of course, after Rudolf Steiner's death). The alleged "second version" (of the Christmas Conference Statutes) is nothing other than the modified 'Satzung' of the VDG! And this stands in flagrant contradiction to Rudolf Steiner's intentions of Christmas 1923 and to 29.6.1924. Schiller goes on to say:

The application to enter these Statutes in the Trade Register was personally signed by Rudolf Steiner on 8.2.1925. The authenticity (of the signature) was attested by Notary Altermatt.

This is unbelievable! The "Application to the Trade Register" is as such not dated and the "attestation of the signature" by the Notary has no year

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<sup>3</sup> In Switzerland one cannot be prosecuted for a breach of the law after the expiry of 10 years.

<sup>4</sup> Paul Eugen Schiller was a close co-worker of Günther Wachsmuth in the Administration.

given. The whole thing is not worth the paper it is written on! In all probability, Günther Wachsmuth and the Notary used an "application" that was signed on 8.2.1924, and had then not been "entered", but "held back" and "used" on 8.2.1925.

Schiller continues:

Rudolf Steiner indicated that one could call the version given at Christmas – 'Principles' and the version entered in the Trade Register – 'Statutes'.

Here Schiller repeats the shameless assertion made in desperation by Günther Wachsmuth, and also says:

According to the will of Rudolf Steiner these assets (of the VDG) were to be transferred to the newly-founded AAG.

Another unbelievable false allegation – though by no means the last. In reality neither a new AAG was founded nor were any "assets" transferred on 8.2.1925. What happened was, that the VDG unlawfully renamed itself AAG and then pretended to be the AAG/WT23. That cannot have been the will of Rudolf Steiner!

◆

In the AGM of 17.4.1965 the Council proposed "improvements" to the "Statutes of the AAG", but did not read out the wording in full. At the same time it declared the "Principles of the Christmas Conference" to be "unchangeable into the future". The members did not see through the ulterior and contradictory meaning of the action, and approved the proposal. But this did not affect in any way the basic facts and the legal situation: despite all protestations to the contrary, members were still attending a meeting of the Building Association (Bauverein) which had been unlawfully renamed AAG, and not of the Christmas Conference Society (AAG/ WT23). The latter had 'evaporated' decades earlier.

◆

On 24.6.1984 **Kurt Franz David's**<sup>5</sup> essay "The 8<sup>th</sup> February in the History of our Society" appeared in the Newssheet. Unashamedly, he repeats the baseless assertions of his predecessors:

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<sup>5</sup> Kurt Franz David was also a co-worker of Günther Wachsmuth in the Administration.

During the Christmas Conference 1923 Rudolf Steiner gave new Statutes to the AAG which was then being founded, and had them approved by the members present as he read them out three times. Their entry in the Trade Register was delayed because they did not contain a number of items which are prescribed by association law.

We have here **neither** an 'application', **nor** do we have a 'refusal' of the Trade Registry.<sup>6</sup> Or does K. F. David as a close co-worker of Günther Wachsmuth **know** that Rudolf Steiner signed on 8.2.1924 (24!) an "Application of the AAG/WT23 to the Trade Register", which was "held in reserve", however, and given a new function on 8.2.1925? For only in this way could one circumvent Rudolf Steiner, knowing that he would not consent to 8.2.1925!

Kurt Franz David continues:

This entry was successful 13 months later, through the decisions of 8.2.1925. They came about through the renaming of the 'Verein des Goetheanum' – the 'Verein Allgemeine Anthroposophische Gesellschaft', and through revision of the Statutes of the Bauverein in accordance with this change.

Another blatant falsehood: the AAG/WT23 was not mentioned a single time on 8.2.1925, and it was only affected indirectly by the unlawful renaming of the VDG.<sup>7</sup> The "Statutes of the Bauverein" (VDG) were not "revised" in accordance with Rudolf Steiner's intentions. Thanks to the technique of constant repetition, however, these falsehoods are believed right up to the present time.

The 'Bauverein' ... was until 29.6.1924 an independent association ... On this date, at Rudolf Steiner's suggestion and in his presence the independent association was dissolved and incorporated as a sub-section of the AAG that had come into being at the Christmas Conference 1923.

Yet another blatant untruth. – The VDG remained, according to Rudolf Steiner's proposals on 29.6.1924, an "independent association" in agreement with Art. 60ff. ZGB.<sup>8</sup> K. F. David wrongly interprets the expression

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<sup>6</sup> Against which one could have lodged a complaint, and even made an appeal.

<sup>7</sup> Because the AAG/WT23 was not entered in the Trade Register. – Which its Council members, who were present, ought not to have accepted. This is assuming, of course, that they could have seen through the underhand manoeuvres.

<sup>8</sup> §1: Under the name "Verein des Goetheanum der Freien Hochschule für Geisteswissenschaft" there exists, as a component part of the AAG an association.

'sub-section' (Unterabteilung) to mean 'integral part' (Bestandteil) of the AAG/WT23. The Statutes of Christmas 1923 **did not permit** the incorporation of legal persons.<sup>9</sup> But with §§ 11/13 it expressly encourages the forming of **autonomous groups**.<sup>10</sup>

David continues almost defiantly:

It would not have occurred to anyone then that, as a result, the AAG founded at Christmas 1923 had been dissolved or divested of its essential character.

Indeed, it "did not occur to anyone"; but only because the members were led to believe that the AAG/VDG entered in the Trade Register **was itself** the AAG/WT23 – which, however, had really been "dissolved" **and** "divested of its essential character" by 8.2.1925.

♦

In the Newssheet of 12.2.1989 **Manfred Leist** wrote about "The 8<sup>th</sup> February 1925". This he did at the request of the 'Working Collegium' of the AS in Germany'. No fewer than 19 members of this "Collegium" attested by name to the correctness of this exposition, and the Dornach Council gave their "approval and their agreement" to its publication.

First, M. Leist reveals to us the 'truth' about the "Entry of the AAG/WT23 in the Trade Register":

It would, in itself, have been possible ... But Rudolf Steiner, if he ever had such an intention, abandoned it straight away.

Rudolf Steiner did not "abandon" anything; on the contrary, he confirmed that the entry of the AAG/WT23 in the Trade Register was "necessary"!<sup>11</sup> It is quite incredible how similar this systematic lying is to politics. One depends entirely on the reader's naivety, good nature or even stupidity. How else could holders of office disseminate falsehoods of this kind, were they not convinced that the good folk, trusting the Council implicitly, would believe anything that comes "from above"? Leist "informs" us fur-

<sup>9</sup> §1: The AS is to be an association of **human beings** ...

<sup>10</sup> §11: Members can join together on a geographical basis or on that of subject-matter, to form small or large groups ...

<sup>11</sup> It will therefore be necessary that there should be the General Anthroposophical Society as an association that is **entered** in the Trade Register ... (GA 260a, p. 503).

ther:

But it was important for Rudolf Steiner to have a legal bearer, in the form provided by the Trade Register, for many life-processes which concerned the AS in the widest sense (e.g. legal ownership of the Goetheanum). He made the decision not to create for this a new legal form, but to make use of the Goetheanum Association.

With knowledge of the facts, one is rendered speechless by the audacity with which decisions and intentions are attributed to Rudolf Steiner, which can only have their source in a sick or malignant fantasy. The "Central Society" AAG/WT23, together with its ALL-embracing autonomous groups, needed no additional "legal bearer provided in the form of the Trade Register".<sup>12</sup> Rudolf Steiner never even hinted at such a thing, and still less did he "make use of the Goetheanum Association" for this.<sup>13</sup> No bounds are set to Leist's fantasizing, as he continues:

Through a change in the Statutes this Association was to undergo a transformation and receive the name 'AAG'. A not insignificant advantage arising from this, was that a transfer of assets – above all, of the Goetheanum Building – to a new legal bearer, with considerable costs attached, was avoided. A first step towards this transformation was the members' meeting of the "Verein des Goetheanum" on 29.6.1924, with a corresponding change of Statutes (Satzungen).

Leist obviously realizes that a "change of name" was not permissible<sup>14</sup> and therefore had to be brought in via the "back door" of a "change of Statutes". Also unbelievable is the nonsense told by Leist about a "transfer of assets". The VDG had been the legal bearer of the Goetheanum assets since 1913, and continued to be on 29.6.1924! At the Christmas Conference Rudolf Steiner had expressly stated: "And the rebuilding of the Goetheanum has nothing to do with the administration of the Anthroposophical Society."<sup>15</sup> Leist is repeating one of the classical untruths that have for decades been served up to us by people who are clever but only distantly connected with Anthroposophy, so that the Society 'coup' of

<sup>12</sup> Rudolf Steiner on 24.12.1923 re. §11 of the Statutes: "The AG is ... universally human – and for it everything else is group." (GA 260).

<sup>13</sup> It cannot be proved that Rudolf Steiner signed anything on 8.2.1925.

<sup>14</sup> The "change of name" was neither put forward as a proposal, nor was it decided in accordance with association law.

<sup>15</sup> GA 260: At Christmas 1923 there were only autonomous groups and no material assets.

8.2.1925 can be kept a secret. And Leist continues:

It is possible that a members' meeting took place on 3.8.1925. Minutes for this have so far not been discovered. But Rudolf Steiner made intensive efforts from his sickbed to guide the matter to a legally binding conclusion.

All that Leist knows is that Notary Altermatt drew up an invoice for keeping the minutes at a VDG meeting, but this has disappeared.<sup>16</sup> And there is no documentary evidence to show that Rudolf Steiner did anything whatever in this matter from his sickbed. Leist says, nevertheless:

Only after a further members' meeting on 8.2.1925 was this question brought to a legally effective conclusion. The Building Association (VDG), renamed AAG in the course of these meetings (of 29.6.1924 and 3.8.1924), was to embrace, also on a legal level, the essential streams of the Anthroposophical movement.

As we have already pointed out by way of correction, the VDG did not rename itself on 29.6.1924, nor was anything brought to a "legally effective conclusion" on 8.2.1925.<sup>17</sup> Instead, the AAG/WT23 was delivered the coup de grâce.

Manfred Leist gives us a glimpse of the truth:

In retrospect, one will not be able to see this process, which worked on from the meeting out into the entire membership, as completely convincing from the formal point of view. On the other hand, it would be quite inappropriate to judge – or possibly criticize – everything theoretically from the consciousness of today.

As a lawyer, Manfred Leist must know that "this process" was unlawful! He does not want to admit this; he wishes rather to continue to obscure "this process" behind the cloak of the alleged "constitution problem". These conjectures, baseless assertions and unproven facts have, for decades, been hovering, like malevolent and obstructive ghosts over the "constitution question".

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<sup>16</sup> Leist speculates, as so many other 'experts' have done, about "Statutes" of 3.8.1924. But there exist only 7 paragraphs of a "Satzung", which contain legal errors, and were possibly not presented to the meeting.

<sup>17</sup> The "legal effectiveness" came into force only after Rudolf Steiner's death and only because no objection was raised.

In the Newssheet of 15.8.1993 **Michaela Glöckler**<sup>18</sup> writes about "The AAG and the 8<sup>th</sup> February 1925". She and others seem not to have been convinced – even by the "testimony to the truth" of the legal expert Manfred Leist (see 5a). Not many years later, Frau Glöckler also felt obliged

to contribute from the Medical Section to a clarification of these matters. The points of view presented in what follows were arrived at through discussion in the circle of colleagues working for the Section. But they also reflect the views that we have come to in the High School Collegium (the Council with the Section leaders).

Frau Glöckler accepts that there are open questions in relation to 8.2.1925, which she formulates as follows:

- What did Rudolf Steiner conceive as the legal form that should belong to the AAG founded at Christmas 1923?
- What social structure underlies the Christmas Conference Society?
- What is the AAG? – Is it the Building Assoc. or the Christmas Conf. Society, or both?

The correct answers to these questions should have been:

- The legal form of the AAG/WT23 was an ideal association, qualifying for legal registration according to Art. 60 ff. ZGB (Swiss Code of Civil Law).
- The Statutes of the AAG/WT23 granted members the greatest imaginable freedom, allowing them in particular the formation of autonomous 'groups' of any kind and in any field of activity.
- The **AAG of 1993** was the Building Assoc. (VDG) which had been remodelled (umgekrempelt<sup>19</sup>) on 8.2.1925, and **not the AAG/WT23**. But it was not 'both', because two autonomous associations with different Statutes cannot be, at the same time, one association.

However, Frau Glöckler answers **none** of her questions, but states – contrary to the facts – that Rudolf Steiner had given a **new** Society the name AAG, and had not transformed the Building Assoc. (VDG) into the actual

<sup>18</sup> Dr. med. Michaela Glöckler, doctor, member of the Central Council of the **AAG(VDG)**, Leader of the "Medical Section at the Goetheanum" (of what is known as the "Free High School for Spiritual Science, Goetheanum").

<sup>19</sup> The term used by the Supreme Court of the Canton Solothurn in its judgement of 12.1.2005.

AAG. What had happened was, that the AAG/WT23 had taken on, on 8.2.1925, the "juristic garment" of the VDG, which was "quite an everyday occurrence". In support of her conclusions, Frau Glöckler makes the following 3 statements:

- a) The AAG/WT23 had not been an association qualified for legal registration but, rather, a "Society in the process of being founded".
- b) On 29.6.1924 the VDG as an association did not surrender its status as a legal person!
- c) On 8.2.1925 a General Meeting of the VDG and not the AAG/WT23 was held.

A "taking over of garments" is, by the way, **not** an "everyday occurrence". Without a decision on the part of **both** associations neither a 'takeover' nor a 'fusion' is possible! The members of the AAG/WT23 were asked neither beforehand nor afterwards, but were deceived as to the true situation and in this way herded into the VDG which had been unlawfully "transformed" into AAG.

To justify her theses Frau Glöckler explains that the Christmas Conference Statutes had "not been drafted in accordance with Swiss association law". Rudolf Steiner had therefore to take "a different approach" in order to have them entered in the Trade Register – namely, a change of Statutes, whereby the AAG/WT23 was declared the legal successor of the VDG.

However, the AAG/WT23 **did have** Statutes that were in conformity with legal requirements, and Rudolf Steiner did not take "a different approach".<sup>20</sup> After 29.6.1924 he made no further statements about the 'Constitution' and certainly did not "declare the AAG/WT23 the legal successor of the VDG" on 8.2.1925.

One can only be astounded at the assertions that follow:

In any case, on Feb. 8<sup>th</sup> Rudolf Steiner signed the Statutes, which had been unanimously agreed upon ... Members were informed of the whole process in the Newssheet of 22.3.1925.

It is quite certain that Rudolf Steiner did not "put his signature" to any "Statutes", and the members were "informed" **in a misleading way** about the whole process in the Newssheet. Many more things in Michaela

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<sup>20</sup> This is what others did behind his back.

Glöckler's long article would need correcting, but maybe we have endured enough distortion of the facts. She tries with all means at her disposal to conceal the fact that both Rudolf Steiner and the trusting members were made the victims of a deception.

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Next, in the Newssheet of 4.5.1997, came the article of **Manfred Schmidt Brabant**: "The Reality of the Christmas Conference, Dornach 1923/24".<sup>21</sup>

Manfred Schmidt seemed not to agree with his colleague M. Glöckler's idea of the "taking over of a garment". He wants again

To lead members onto the right path.

He first explains the "method" he will use to achieve this:

"Every document only has its true value when it is seen in the right light" ... and this "leads to different results".

If a document is seen in an objective light, the results will harmonize with one another. But M. Schmidt handles the facts, from the beginning, to suit his own purposes. It is unbelievable what the "President" is prepared to serve up to his members:

The AAG/WT23 did "not qualify" for legal registration according to Art. 61.2 ZGB.

Rudolf Steiner already renamed the VDG 'AAG' on 29.6.1924, and "transferred to it the association's assets".

With the "Statutes of 8.2.1925" the AAG/WT23 was entered in the Trade Register.<sup>22</sup>

The AAG/WT23 became the legal successor of the VDG on 8.2.1925.

But the real facts are as follows:<sup>23</sup>

The AAG/WT23 was according to Art. 61.1 ZGB an ideal association qualifying for registration, and not a "commercial association" according to Art.

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<sup>21</sup> Manfred Schmidt (named: Brabant) was at this time President of the AAG/VDG.

<sup>22</sup> Manfred Schmidt: "The GAS formed at the Christmas Conference was entered in the Trade Register by the meeting of 8.2.1925."

<sup>23</sup> Compare the Statutes of Christmas 1923 and the 'Satzungen' of 29.6.1924, with the "Statutes of 8.2.1925" and the "Application to the Trade Registry".

61.2 ZGB.<sup>24</sup>

On 30.6.1924 the VDG was not "renamed AAG" and the "association's assets" were not "transferred" anywhere.

The AAG/WT23 was not involved in the meeting of 8.2.1925. Instead, the VDG unlawfully and deceitfully assumed the name "AAG", thereby making impossible the entry of the AAG/WT23.

The AAG/WT23 did not become the "legal successor of the VDG" on 8.2.1925

Schmidt repeats Günther Wachsmuth's unlikely assertion that

The Registry official at that time refused to enter the AAG/WT23.<sup>25</sup>

But he too is unable to bring forward any real evidence for this.

Then Schmidt points to an "Official Statement of the Confederate Office of the Trade Registry" (of **16.11. 1963**), which declared the **Principles** inappropriate as Statutes. But he is careful not to mention that the inquiry had been made on behalf of the **AAG/VDG** of 8.2.1925, with the consequence that the judgement applied only to this body and **not to the AAG/WT23**.<sup>26</sup>

Regarding the "Entry in the Trade Register" Schmidt argues further that on 29.6.1924, 3.8.1924 and 8.2.1925 "various attempts" had been made to achieve an "entry of the AAG". Again he fails to mention that, on these days, only meetings of the VDG and not of the AAG/WT23 took place, so that the entry of the latter in the Trade Register could not have been on the agenda. In fact it was on 29.6.1924 that Rudolf Steiner said the entry of the AAG/WT23 **was necessary**. Thus we see that not even Schmidt abandons the "method" of bending and distorting the facts in order to

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<sup>24</sup> Art. 61.1 ZGB: If the association Statutes have been passed and the Council is appointed, the association is entitled to have itself entered in the Trade Register. – Art. 61.2 ZGB: If the association is conducting for its own purposes a trading activity on a commercial basis, it is obliged to be entered in the Trade Register.

<sup>25</sup> It is this assertion that made possible the manipulations of 8.2.1925.

<sup>26</sup> The reason for the Council's inquiry was that Emil Stöcklin had already asked the Confederate Trade Registry Office whether the **AAG/WT23** had Statutes that qualified for legal registration. The reply was, of course, in the positive. But this did not suit the Council, who then turned the question round – in Wachsmuth's style – in such a way that the answer had to turn out in their favour. We need hardly add that Schmidt did not divulge the wording of Stöcklin's question.

lead members to believe that the AAG/VDG was a direct continuation of the AAG/WT23.

After M. Schmidt Brabant's death the 'tactics' of the Council changed at the turn of the millennium, unfortunately not in favour of Rudolf Steiner and the Anthroposophical movement, but in opposition to them. In a further article we will present the facts relevant to this situation.

## SUMMARY OF PARTS 1-5:

The AAG founded at Christmas 1923 was uniquely new, but it qualified nevertheless for recognition as a legal body. Contrary to Rudolf Steiner's intentions, however, it was not entered in the Trade Register.<sup>27</sup> The decisions of the General Meeting of the Association of the Goetheanum (VDG) on 29.6.1924 were also not put into effect.<sup>28</sup> On 8.2.1925 Günther Wachsmuth convened a further General Meeting of the VDG, in which the AAG/WT23 was not formally involved, and Rudolf Steiner was also absent because of his illness. A "change of name" of VDG into "AAG" was unlawfully effected at this meeting.<sup>29</sup> The members were led to believe, incorrectly, that the AAG/WT23 had become the "legal successor" of the VDG. The intentions of Rudolf Steiner, who was confined to his sickbed, isolated and thus defenceless, were thereby circumvented. The General Meeting of the VDG of 8.2.1925 was wrongly represented in the Newsheet<sup>30</sup> – with an ambiguous text and misleading quotes from Rudolf Steiner – as a General Meeting of the AAG/WT23, with changes to the Statutes.<sup>31</sup> The next

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<sup>27</sup> "Entry" would not only have met Rudolf Steiner's demand for the greatest possible openness to public life, but also given better protection to the name "General Anthroposophical Society".

<sup>28</sup> On 29.6.1924 the VDG had declared itself "a constituent part (Glied) of the General Anthroposophical Society" (of Christmas 1923!), it had incorporated the Council of this AAG/WT23 as a whole into its Council and entrusted Rudolf Steiner with its leadership, in his capacity as President of the AAG/WT23 (GA 260a, p. 508 ff.).

<sup>29</sup> This "change of name" had not been announced beforehand and was therefore unlawful. It had been neither debated nor formally agreed, but it was still entered – with mistakes – in the Trade Register.

<sup>30</sup> Newsheet of the AAG/WT23 of 22.3.1925, "Announcement by the Council" (GA 260a, p. 567 ff.).

<sup>31</sup> The cheated members ought really to have noticed that a General Meeting of the AAG/WT23 could not have taken place without an invitation being sent, and that for this reason alone no change of Statute was possible.

act of deception was the first AGM of the AAG on 29.12.1925, which again was falsely represented to the members as a General Meeting of the AAG/WT23.<sup>32</sup> Until the turn of the millennium the Newssheet always stood by the concept of the unbroken continuity of the Christmas Conference Society AAG/WT23 (see Part 5).

Other books translated by Graham B. Rickett:

Irina Gordienko

### *Sergei O. Prokofieff: Myth and Reality*

*Content:* How the Myth arose / Prokofieff's Concept of Evolution / The Spiritual World and its Beings in the View of S. Prokofieff / Prokofieff as Propagandist and Teacher of Morals / Christology in an Entirely New Light / Prokofieff as Meta-Historian and Researcher into World-Karma / Prokofieff as Renewer of the Mysteries / Anthro-posophy of Jesuitism / Annexe: Book-Review by Hellmut Finsterlin in "Erde & Kosmos" Nr. 2/1983.

2001, 196 pages, Lochmann-Verlag, ISBN 3-906712-16-8

Irene Diet

### *Imprisoned in the Spiritual Void The Riddle of the Relation between World-Knowledge and Self-Knowledge in Rudolf Steiner's Work*

One of the tasks of this book is to provide an answer to the following questions: How can a prison of mental representations arise from a study of Rudolf Steiner's work? And – how is it possible for this prison to be dissolved again?

As a basis for this inquiry selections were taken from the writings of two authors (Jostein Saether and Sergei Prokofieff), which could be substituted by others, and thus only serve as illustrations. At the same time, it became clear in the course of the inquiry, that errors and untruths are not simply mistakes in the interpretation of the universal connections, but are, potentially, also a ground upon which our thinking can be developed and strengthened.

2003, 94 pages; Ignis-Verlag, ISBN 3-906482-04-9

<sup>32</sup> Actually this was again only a General Meeting of the AAG/VDG. Surprisingly enough, Albert Steffen, Friedrich Rittelmeyer and the accountants were also actively involved (see Part 4).

## Part Six: The Riemer and Furrer/Erdmenger-Reports

**Johann Wolfgang Ernst** (1910-1986) wrote in 1977/80 an exposé "Concerning the Origin of the General Anthroposophical Society", in which he says on p. 8:

It is impossible to see the events of 8.2.1925 as anything other than an act carried out by the opponents of Rudolf Steiner with the intention of destroying the Society founded by him at the Christmas Conference 1923. The fact that Rudolf Steiner lay ill at that time worked to the advantage of the agents of destruction. The deed of 8.2.1925 stands alongside the burning down (of the Goetheanum) on 31.12.1922 as one of a similar kind, but with still more far-reaching consequences.

Dr. Ernst believed himself to be a member of the AAG/WT23 until he saw through the deception. Because of the dissemination of his discovery he was soon expelled by the Council of the AAG(VDG) "with no reason given". In acting thus the Council was following the Statutes of the AAG(VDG) and demonstrated in so doing that it only paid lip-service to the Christmas Conference Statutes.<sup>1</sup>

Increasingly, however, word went round that the AAG Reg. Assn. was not the AAG/WT23, but the Bauverein (VDG) which, without the knowledge of the members, had been renamed 'AAG'. The Council therefore felt itself under pressure towards the year 2000, and commissioned an expert opinion from Prof. Dr. **Hans Michael Riemer**, an eminent Swiss specialist in the field of association law, but not an "Anthroposophist". The ideas of Rudolf Steiner at Christmas 1923 must have seemed to Prof. Riemer like a book with seven seals: A central association consisting exclusively of "human beings" (not of "juristic persons" or "sections"),<sup>2</sup> but which could and should form independent 'groups' in any field;<sup>3</sup> nor could he understand that, through Rudolf Steiner assuming the Presidency, the Anthroposophical movement and the AAG which was to be founded, became

<sup>1</sup> In the Statutes of the AAG/WT23 there was deliberately no exclusion paragraph which would have granted the Council this right.

<sup>2</sup> Statutes § 1: The Anthroposophical Society is to be an association of human beings ...

<sup>3</sup> Statutes § 11: The members can join together on the basis of geographical location or of subject-matter ...

ONE, with the aim "of combining the greatest possible openness to public life with genuine, true esotericism".

Riemer's pragmatic initial assumption was that the Christmas Conference Society<sup>4</sup> had come into being as an "association with potential legal status" (rechtsfähig). Equally qualified for legal status was, in his opinion, the association of the Goetheanum (VDG) of 1913 which was entered in the Trade Register and had been renamed the AAG on 8.2.1925.<sup>5</sup> He also noted that the AAG(VDG) had the same Council as the Christmas Conference Society (WTG) and since that time a unitary life as an association had been conducted under the name AAG. Two associations are, of course, still independent even if they have the same Council. The fact that on 8.2.1925 the Council was not properly elected and, particularly, that Rudolf Steiner had not formally accepted his election, and the members were deceived into believing in a "unitary life of association" – apparently remained unknown to Riemer, or he was not informed by those who commissioned his report.

Probably for the same reason, Riemer did not look into the events of 1924. Thus he could not know that on 29.6.1924 new Statutes (Satzungen) of the VDG were agreed which, contrary to the will of Rudolf Steiner, had not been "entered" and were therefore **not** legally binding. These were tacitly abandoned on 8.2.1925 and Rudolf Steiner's concept was thus turned inside-out.<sup>6</sup>

It was clear to Riemer, however, that the "WTG" (AAG/WT23) had been neither **legally** dissolved nor absorbed into the VDG. He concluded: "The law does not address a case of this kind; but it is also true that in the entire history of Swiss legislation no such case has ever arisen." The WTG must therefore have been either "konkludent beseitigt" (finally and irreversibly removed) or "konkludent fusioniert" (finally and irreversibly assimilated) into the AAG(VDG); Riemer opted for the latter. In any case,

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<sup>4</sup> The real name was "Allgemeine Anthroposophische Gesellschaft" (AAG/WT23). Prof. Riemer, however, uses the name "AAG" exclusively for the Bauverein "VDG", which was renamed on 8.2.1925.

<sup>5</sup> The "change of name" was not announced beforehand and was therefore unlawful. It was also not formally agreed. Riemer was unable to recognize this, no doubt because he had been given inadequate information.

<sup>6</sup> The 'VDG', an autonomous part of the AAG/WT23, was made into the "umbrella association AAG" and the AAG/WT23 became the Administration of the Anthroposophical Society.

however, it cannot and may not "be regarded any longer as an independent association". On the other hand the AAG(VDG) had, in his opinion, "received into itself the immaterial, spiritual content of the WTG, and has since functioned – in the sense of a continuation – as its bearer on the legal level".

*Commentary:* An explicit declaration of the will to unite the two associations was not made. A conclusive (konkludent) stance of the members on this question cannot be assumed, as they had no idea what was being done behind their back. The members were the victims of a cunning deception. How in these circumstances could the "spiritual content" of the AAG/WT23 – which was founded on absolute truthfulness – also have been "transmitted on a legal level"?

Riemer's final conclusion that the AAG/WT23 "cannot and may not be regarded any longer as an independent institution" was completely at variance with the Council's concept. They therefore commissioned another expert judgement from two members of the AAG(VDG) – Prof. Dr. Andreas Furrer and Dr. Jürgen Erdmenger – which was intended to be more favourable to the Council's plans.

Drs. Furrer/Erdmenger promptly concluded in their very detailed report that the "WTG" had continued to exist inactive alongside the active AAG(VDG), and still existed. One could therefore "reactivate" the WTG and allow it to take over the AAG(VDG). – A "final and irreversible fusion" (as suggested by Riemer) cannot have taken place, they said, because this depends upon the conscious will of the members (a condition which it is known had not been met). For the same reason the idea of the "final and irrevocable removal" of the AAG/WT23 (WTG) must also be rejected: the members had shown no wish to eliminate the WTG. On the contrary, they had been determined in their wish to keep it.

However, the thesis of the continued existence of the WTG is untenable. After the decisions of 8.2.1925 were taken, the WTG no longer had members or Council. It had no assets; members' meetings were no longer held. All the elements that are constitutive of an association were no longer there. After 8.2.1925 all that has to do with the life of an association had gone. The machinations of 8.2.1925 caused the association to

vanish completely.<sup>7</sup>

On the basis of the Furrer/Erdmenger judgement, the Council announced that steps would be taken, which should

create a healthy constitutional basis for the further development of the AAG. The aim will be to give expression to the sense of (associative) life and the goals of (associative) work within the world Society, through providing the AAG which was newly constituted by Rudolf Steiner at Christmas 1923, with a clear constitution, also on a legal level.

Here we have confirmation of the founding of the **General** Anthroposophical Society at Christmas 1923, but indirectly the question is raised – whether it had **not** had a "clear constitution"; and, still more indirectly, whether it had been no more than a **simple** "Anthroposophical Society". There follows what appears to be a clarification of these questions:

We are of the opinion that on 28.12.1923, with the founding of the General AS, a body came into being as an association according to Swiss law.<sup>8</sup>

And a paragraph further on:

We are proceeding from the fundamental standpoint that the members wish to be, on an ideal and legal level, members of the **Anthroposophical** Society which was founded at the Christmas Conference.<sup>9</sup>

Following from this, the Council submitted an application for entry in the

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<sup>7</sup> The spirit of the Christmas Conference had thus "evaporated", as Rudolf Steiner had warned.

<sup>8</sup> A Swiss association only qualifies for legal status if it has "Statutes suitable for entry". The members were continually told that the Statutes of Christmas 1923 had "not been suitable for entry" (so that the AAG/WT23 had needed, in addition to the 'Principles', the "Statutes for the Trade Register").

<sup>9</sup> Some specialists maintain that the AAG/WT23 had never qualified for legal status as an association, but had been merely an "Anthroposophical Society", according to the will of Rudolf Steiner. Indeed, all those involved in the recent court proceedings (legal experts, plaintiffs and accused, lawyers and judges) always use the term WTG (Christmas Conference Society) to refer to the AAG/WT23, and by AAG they always understand the AAG/VDG. In so doing, they all seem to forget that the members did not complain about 8.2.1925 because they took the AAG/VDG to be the AAG/WT23. Rudolf Steiner had on 24.12.1923 quite explicitly chosen the name AAG for the AAG/WT23.

Trade Register of an association "AAG (Christmas Conference)".<sup>10</sup> With this application were enclosed as Statutes "'Principles' of Christmas 1923 which have been added to out of the necessity to bring them up to date".<sup>11</sup> These were, of course, so much "altered" that, to put it mildly, they **contradicted** the Statutes of Christmas 1923.

On 15.11.2003 the "Foundation Meeting" of the new "AAG (Christmas Conference)" took place. Entry was permitted to all bearers of a "pink Membership card", but a voting card was only handed to individual members who had themselves registered on entry as members of the "AAG (Christmas Conference)". With the help of this farcical arrangement it was possible for a falsification of Rudolf Steiner's intentions to be agreed almost unanimously.

The opposition groups who had been tricked in this way then succeeded, after two instances, in obtaining a court ruling that the "AAG (Christmas Conference)" was to be removed again from the Trade Register. Unfortunately, the reasons given for the judgement were a blow that caused severe harm to Rudolf Steiner and the "Anthroposophical movement". We will explain this with reference to the verdicts in the following article.

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<sup>10</sup> The entry took place in contravention of the rule that the names of associations must be clearly distinct from one another. One must assume that a prior agreement had been arrived at with the Trade Registry Office.

<sup>11</sup> Which up to that time had been regarded as unchangeable. – Rudolf Steiner had no interest in 'principles'. For him there were only the "Statutes" of the AAG of Christmas 1923 and, in addition, the "Satzungen" of the VDG. These "Satzungen", adapted for a new purpose on 8.2.1925, were summarily renamed – "Statutes of the AAG for the Trade Register"; while the "Statutes of Christmas 1923", the only ones that counted, were reduced to mere 'Principles'.

## Part Seven: The Judgements

The judgements of the Dorneck-Thierstein Lawcourt (Civil Dept.), first instance, of 2<sup>nd</sup>/3<sup>rd</sup> Feb. 2004. The Court dealt with lawsuits 2003.7 (Gelebte Weihnachtstagung<sup>1</sup>) and 2003.9 (Dr. Buchleitner and co-plaintiffs<sup>2</sup>) jointly, because of their closely related nature. We will give a few characteristic extracts from the judgements. Here it must be borne in mind that a court in civil proceedings accepts on principle the facts of the situation as agreed between and described by the conflicting parties, whether they are correct or not. The reader should therefore not be surprised at the false assertions made by the Court. Regrettably, neither of the parties has been prepared so far to release the documents pertaining to the lawsuit, a phenomenon referred to by the lawyer Dr. M. Kölsch a few years ago under the heading: "All are victors at Rudolf Steiner's expense."<sup>3</sup>

The Court sets out as the facts of the situation (2003.7, p.6; 2003.9, p.7):

Neither of the parties disagrees with the fact that in December 1923, at what is known as the Christmas Conference, an association was founded. However, there is disagreement as to what happened to this association (hereafter referred to as the Christmas Conference Society or WTG) ... After the founding of the WTG in 1923 an attempt was made to enter the 'WTG' in the Trade Register. This was unsuccessful for reasons of tax and registration law. After lengthy deliberation it was decided to make use of the 'Association of the Goetheanum', which was already entered in the Trade Register. On 8.2.1925 the Statutes of this Association underwent thorough revision and the Association was renamed the General Anthroposophical Society. These processes are not challenged by any of the parties involved.

**Commentary:** On 28.12.1923 the "General Anthroposophical Society" (AAG/WT23) was founded as an ideal association eligible for legal status, which could have been entered without difficulty in the Swiss Trade Register according to Art. 61.1 ZGB. The assertion that this entry was not possi-

<sup>1</sup> The (now dissolved) "Gelebte Weihnachtstagung" association stands ideologically in the succession of Albert Steffen and Herbert Witzemann. It holds the view that the AAG of today is the spiritual and legal successor of the AAG/WT23 and that the Rudolf-Steiner-Nachlassverein is a work of the devil.

<sup>2</sup> This circle of plaintiffs follows, in essence, the absurd and far-fetched theory that, at Christmas 1923, according to the will of Rudolf Steiner, only an "Anthroposophical Society" and not a "General Anthroposophical Society" had been formed, and that entry in the Trade Register had not been necessary.

<sup>3</sup> The article was printed in Nr. 48 - 12/2005 (p.7ff.) of 'Symptomatologische Illustrationen', and also in the 2<sup>nd</sup> edition of Rudolf Menzer's book 'Die Allgemeine

ble for reasons of "registration law" and had been refused, can therefore not be true.<sup>4</sup> The "tax reasons" are also a pure invention: Rudolf Steiner did NOT wish to withdraw administration of the Goetheanum estate from the Goetheanum Building Association (VDG)<sup>5</sup> and thereby place the burden of this task on the AAG/WT23.<sup>6</sup> In fact, on 29.6.1924 he assumed the "leadership" of the Goetheanum Association, but only **in his capacity** as "President of the AAG (GAS)".<sup>7</sup>

The Court then says the following to lawsuit 2003.7 (Gelebte Weihnachtstagung), p.7 (as opposed to lawsuit 2003.9 – Buchleitner):

In the plaintiffs' opinion a final and irreversible fusion took place in 1925: the newly-emerging AAG took over all the content and functions of the Christmas Conference Society (WTG), its members and its executive Council. The plaintiffs uphold the viewpoint that, from then onwards, the AAG embodied the universal Society of the Anthroposophical movement, while the WTG had been absorbed into the AAG and had thus lost its independent legal existence.

The **defendants** challenge this view. In their opinion the AAG then simply assumed the function of the VDG, and only this. Since 1925 the AAG has been responsible for administration. The WTG, as a different association existing alongside the AAG has, on the other hand, been led by the Council of the AAG since 1925, conducting its business unofficially.

**Commentary:** On 8.2.1925 the AAG did not "re-emerge": the VDG covertly renamed itself "AAG" and manipulated the Trade Register with the Notary's help. Members were led to believe that the VDG had become the AAG/WT23. A regular "fusion" did not take place, and "final and irreversible" presupposes the conscious agreement of all the members – who, however, were deceived and continually lied to. The "universal Society of the Anthroposophical movement" is an invention of the plaintiffs, and "WTG" is not the name of an association, but serves to conceal the true name "AAG"(WT23).

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<sup>4</sup> If the Trade Registrar had really rejected this "application", he should have sent a written letter of refusal, to which a legal response would have been possible; such a letter was not received, however.

<sup>5</sup> Which had been founded for just this purpose!

<sup>6</sup> Anything else would have been contrary to the "spirit of the Christmas Conference". Rudolf Steiner said on 29.12.1923: "And the rebuilding of the Goetheanum has nothing whatever to do with the administration of the AAG."

<sup>7</sup> Statutes (Satzungen) of 29.6.1924, §§3b; 12;14 (GA260a, p.508ff.).

<sup>8</sup> The "change of name" was neither proposed to, nor formally agreed by, the meeting.

The Court says the following to lawsuit 2003.9 (Buchleitner and co-plaintiffs), p. 7/8 (as opposed to 2003.7 – "Gelebte Weihnachtstagung"):

The **plaintiffs** in the present lawsuit argue that, as a result of the exclusive activity of the Association AAG, the Christmas Conference Society founded in 1923 has ceased to exist, despite the fact that the Council of the AAG has for decades maintained, with no convincing reasons given, that the AAG is a continuation of the WTG. This stands in contrast to the view of the plaintiffs in lawsuit 2003.7, who hold that the WTG was finally and irreversibly absorbed into the AAG.

In the view of the **defendants**, the WTG has had an associative life from the time of its founding at Christmas 1923 up to the present day. However, it has omitted to convene annual meetings and to formally appoint its Council. On 28/29.12.2002 an extraordinary general meeting was convened in order to correct these shortcomings. In the course of this meeting the Council was newly appointed, items were added to the association Statutes, and the name of the association was changed to 'AAG (Christmas Conference)':

**Commentary:** The name formed and stipulated by Rudolf Steiner at Christmas 1923 was "Allgemeine Anthroposophische Gesellschaft" (not "WTG"). On 8.2.1925 the "VDG" – without Rudolf Steiner's participation (!) – was illegally renamed "AAG". After Rudolf Steiner's death the Council that remained was able to call this pseudo-AAG the "continuation of the WTG" only because the members were led *for decades* to believe that they were in the AAG of the Christmas Conference. Why otherwise would the Council have had the contentious AAG (Christmas Conference) entered in the Trade Register? Plaintiffs and defendants all agree in their claim (!) that at Christmas 1923 it was not an AAG (AAG/WT23) that had been formed, but only an "AG" (still in order to conceal the fact that Rudolf Steiner was fraudulently deprived of his work on 8.2.1925).

In this connection, the Court registers the following, as a **defendants' statement applying to both** lawsuits (2003.7, p. 7 and 2003.9, p. 8):

The problem of the Constitution of the Anthroposophical movement grew more acute through the fact that Rudolf Steiner died early in 1925, leaving behind an unclarified situation. In the following decades questions were continually raised concerning the fate of the WTG, but with no success in finding an answer.

**Commentary:** The "problem of the Constitution" was that concerning the '**relation**' – as Rudolf Steiner spoke of it at Christmas 1923 – between the AAG/WT23 and the VDG.<sup>9</sup> Rudolf Steiner resolved this "problem" in a convincing manner on 29.6.1924, and there is no attested word on his part

<sup>9</sup> See Rudolf Steiner on 29.12.1923 (GA 260, p.110).

suggesting that he wished in any way to abandon or revise his intentions of Christmas 1923 and 29.6.1924. However, the entry in the Trade Register,<sup>10</sup> and thus the process of their becoming legally binding, did not take place. The assertion that Rudolf Steiner "had left behind an unclarified situation" verges upon **slander**.

In the **Court's verdict** (2003.9, p.16 and 2003.7, p.14 - same content), a "final and irreversible fusion" on 8.2.1925 is accepted as a fact:

The final and irreversible fusion took place on 8.2.1925 during the extraordinary general meeting of the Goetheanum Association. Outwardly, the AAG was called into being through the fact that the VDG was given this name. But on the deeper level the core of the WTG was taken up and absorbed into the newly emerging AAG, a fact that is reflected in §3 of the AAG Statutes. (...) However, the esoteric content, which is given prominence by the defendants and comes to expression in the Statutes of the association founded in 1923, remains unaffected by this final and irreversible fusion, with its basis in Swiss association law, and exists – to employ the Anthroposophical terminology – as a 'nothing' from the legal point of view, but as an 'everything' from the esoteric point of view, thereby preserving the continuity of Rudolf Steiner's bequest.

**Commentary:** A precondition for a "final and irreversible fusion" is the full knowledge of all members, who in this case, however, were not asked either before or after the event. The **true AAG** was called into being on **28.12.1923** and, on a "hidden level" (i.e. tacitly) **abandoned**. Members were falsely led to believe in the continued existence of the AAG/WT23.<sup>11</sup> The "esoteric content" can, in these circumstances, only have "evaporated".<sup>12</sup> The judges were literally made fools of with "Anthroposophical terminology", with the "esoteric everything" and the "continuity of Rudolf Steiner's bequest".

On the basis of incorrect and incomplete information given by all those involved, the Court again makes quite false assertions on the question of the use of the names AG and AAG in connection with the general meeting of the VDG on 29.6.1924, after the Christmas Conference (2003.7, p.14/15; 2003.9, p.17):

The plaintiffs maintain that the terms 'AAG' and 'AG' are synonymous, while the defendants argue that the WTG is meant when reference is made to the Anthroposophical Society. In this question the Court adopts the standpoint of the plain-

<sup>10</sup> Rudolf Steiner had entrusted him with this task, as Günther Wachsmuth himself stated in the Newsletter on 30.4.1950.

<sup>11</sup> See the Newsheet of 22.3.1925.

tiffs, according to which the two terms are used synonymously ... This can also be seen in the minutes of the 11th ordinary general meeting of the VDG on 29.6.1924. Here it is mentioned that the association will continue to exist, only now as a section of the Anthroposophical Society. But it has been shown that with this AG only the AAG[VDG] is, and can be, meant. The absorption of the VDG by the AAG or, in legal terminology, their final and irreversible fusion, becomes visible and proven in the minutes of the 3<sup>rd</sup> extraordinary general meeting of the VDG of 29.6.1924. This passage speaks of a 'reconstitution', thus showing that it was not merely a question of a further change of name of the 'Verein des Goetheanum' (formerly Johannesbauverein) to 'AAG', but of a completely new arrangement on the level of content and organization. At the same time ... it is also clear that the former 'VDG' becomes a subsection of the AAG, which is to be constituted as an 'umbrella' over all the subordinate organizations.

**Commentary:** Thanks to the confusion of concepts which is obviously desired by all the parties involved, the judges declared the terms AG and AAG "**synonymous**" and "**interchangeable**", but still used the name "AAG" **only** for the 8.2.1925, and for Christmas 1923 **only** "WTG". In fact, however, at Christmas 1923 Rudolf Steiner used "AAG" as the official name, while he used "AG" more internally. Similarly, on **29.6.1924**, by AAG and AG he meant in all circumstances the **AAG/WT23** (and not the AAG/VDG which supposedly "came to birth" later, on 8.2.1925).<sup>13</sup> If the judges had been shown the complete shorthand report<sup>14</sup> and the "Notary's minutes"<sup>15</sup> of the 29.6.1924 meeting, they would have had to acknowledge that on 29.6.1924 **no** "change of name",<sup>16</sup> **no** "complete re-arrangement"<sup>17</sup> and **no** "fusion" took place, and that the VDG did not "become a subsection of the AAG".<sup>18</sup> The word "umbrella" (Dach) was not spoken by Rudolf Steiner on 29.6.1924 or at any other time. All that Rudolf Steiner did on 29.6.1924 was to resolve in a satisfactory way the question raised by him at Christmas 1923 regarding the "relation"<sup>19</sup> between the AAG/WT23 and

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<sup>12</sup> As Rudolf Steiner had predicted.

<sup>13</sup> On 8.2.1925 Rudolf Steiner was seriously ill and shielded behind a wall of protection, with no direct connection to the meeting of the VDG; and he never spoke about 8.2.1925.

<sup>14</sup> GA 261, Shorthand report 29.6.1924, p.501ff.; Statutes, p.508ff.

<sup>15</sup> GA 261, Supplement p.23ff.

<sup>16</sup> Statutes (Satzungen) of 29.6.1924, §1: Under the NAME "Association of the Goetheanum" there exists as a component part of the General Anthroposophical Society an association ...

<sup>17</sup> Rudolf Steiner spoke of a "minor alteration to the statutes" (GA 261, p.506).

<sup>18</sup> On 29.6.1924 the VDG declared itself "a component part (Glied) of the AAG" – i.e. an autonomous group of the AAG/WT23.

<sup>19</sup> Rudolf Steiner on 29.6.1924 (GA 260, p.110).

the VDG.<sup>20</sup> The events of 8.2.1925 represent in their consequence a distortion of the Christmas Conference and of Rudolf Steiner's intentions as they came to expression on 29.6.1924. His quite clear intentions were sacrificed so that certain personalities would have administrative authority over the existing material assets and would be able, without hindrance, to enter his esoteric succession. Rudolf Steiner **alone** was the bearer of the Anthroposophical movement; the "esoteric content of the AAG" was bound up with him personally. And in any case "esotericism" can only thrive on the foundation of "unconditional truthfulness".<sup>21</sup> "Swiss association law" is not affected by this in any way.

N.B. The application of 8.2.1925 to the Trade Registry is **undated** and contains many corrections which are **not attested**.<sup>22</sup> The signatures of the Council (which is identical to that of Christmas 1923) are attested, but only with **8th February** (no year given). What notary travels for this purpose on a **Sunday** evening from MuttENZ to Dornach? None of those who signed could ever recall having done so at the sickbed of Rudolf Steiner. – The signatures were therefore **not** given on the 8th Feb. **1925**. Lack of a year in the date would if necessary have relieved the Notary of his liability. The date 8th Feb. can only originate from an application of the AAG/WT23 from the year **1924**. This is why the meeting of the VDG and the application to the Trade Registry had of necessity to take place on **Sunday**, 8.2.1925. – Thus it was possible on 8.2.1925 (and behind Rudolf Steiner's back), by means of the signatures already given by the Council in **1924**, to "transform" the VDG into the "double" of the AAG/WT23. Rudolf Steiner cannot possibly have been involved in such an illegal and immoral act. The untruthful "Communication of the Council" in the Newsletter of 22.3.1925 must have shocked him profoundly.

**Conclusion:** All the parties involved gave the Court the same false information, which the judges were on principle obliged, for reasons connected with civil law, to follow without inquiring into their truth or falsehood. Its verdict – namely, that the "AAG (Christmas Conference)" should be re-

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<sup>20</sup> See the Statutes (Satzungen) of 29.6.1924, §§ 1, 3b, 12, 14 (GA 260a, p.508ff.).

<sup>21</sup> "We must always appear under the hallmark of complete truth, in whatever sphere, as representatives of the being of Anthroposophy in the world ..." (Rudolf Steiner on 24.12.1923, GA 260, p.46).

<sup>22</sup> GA 260a, p.564ff. Particularly the sentence "The signatures of the previous Presidents Dr. Emil Groscheintz and Hermann Linde are no longer valid" has been inserted later (as can be clearly seen in the original of the application).

moved from the Register – is correct.<sup>23</sup> However, the **reasons** given by the Court on the basis of this wrong information which they had received represents a further severe blow to the Anthroposophical movement and to Rudolf Steiner's reputation as a person of integrity. This is what the author wished to demonstrate with the help of the present article.

**Author's Postscript** – With this, we conclude for the present our abridged discussion of the Constitution question. The events concerned have not reached their conclusion with the legal judgements described above, as the slander of Rudolf Steiner still continues, despite the fact that we have shown, through clear and close analysis, that everything prepared and planned by him was entirely in conformity with legal requirements, but that he was deceived by friends who were pursuing special interests. However, not only the Dornach Council, the "High School Collegium" and Anthroposophical publications, but also numerous voices of the opposition continue, as we have described above, to disseminate baseless rumours concerning Rudolf Steiner's intentions at Christmas 1923 and on 29.6.1924, and claim that he was involved in the processes of 8.2 1925.<sup>24</sup>

Rudolf Menzer, Ettenheim, 13<sup>th</sup> Jan. 2009

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<sup>23</sup> The judgements were confirmed in the second instance and had by law to be implemented by those concerned; the "AAG (Christmas Conference)" was deleted from the Trade Register.

<sup>24</sup> The "freies forum anthroposophie" (ffa Issue 7) printed an article of the present author, but surrounded it with counter-statements which do not deal in any way with his arguments, but repeat – in the manner of a prayer-wheel – inaccurate assertions which he refuted long ago. At the same time the discussion of the Constitution question is declared closed. Parallel to this, one of the three people responsible for this subject at the ffa sends out into the world a "Christmas Circular", in which he encourages further discussion and says he "will be glad of any kind of response – positive or negative". Someone who responded by drawing attention to our line of argument, received the answer: "You are welcome to continue in your appreciation of the nonsense written by Rudolf Menzer."