

Why did Rudolf Steiner not give the General Anthroposophical Society a threefold juridical form?

Some key thoughts developed by a group of French-speaking anthroposophists who came together to study the new draft statutes.

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The *Proposed Revised Constitution of the General Anthroposophical Society*¹ surprised us with its structure. To put it succinctly, we might say, 'Why make it simple when you can make it complicated?'. But that would be to step over the question raised by this proposal, which is underpinned by a particular vision of the General Anthroposophical Society – that of an organisation endowed with a kind of threefold structure².

The result is a proposal consisting of three separate statutes to replace those of an association which is believed to be threefolded:

- A. Statutes of the Anthroposophical Society as a worldwide organisation
- B. Constitution of the School of Spiritual Science
- C. Statutes of the Association supporting the Goetheanum and the Anthroposophical Society

If we were to carry out a comprehensive analysis of this proposal, we would need to examine every article of each of the three statutes. There would then be much to say, and we would have to highlight certain legal inconsistencies. It might be necessary to do so if this proposal were to reach the implementation stage.

It seems to us that, before entering into discussions on this project, the members of the General Anthroposophical Society should take a stance on the principle of a threefold organisation of their association. Do we, or do we not, want a General Anthroposophical Society that is organised on a threefold basis? For some time now, articles have been published here and there that claim to establish the basis for this threefold organisation. The School of Spiritual Science and the Class would form the spiritual-cultural pole. The administration of the Goetheanum and the Society would constitute the economic pole. The members of the General Anthroposophical Society would form the juridical pole. Indeed, the proposal we are discussing here is not explicitly presented in this form. But it must be noted that the three institutions comprising the proposal correspond to the three components advocated by the supporters of a threefold structure as we have just described. The difference between the two lies in the fact that the latter envisage a threefold articulation within a single juridical entity, whereas the drafters of the proposal create two distinct juridical entities (as we shall show a little further on) and a third (the School of Spiritual Science) which, from a juridical point of view, hovers between the two. Perhaps we ought to say that this constitutes a threefold fragmentation rather than a threefold organization.

Nevertheless, given the ambiguity, we feel it is necessary to mention two of Rudolf Steiner's position statements:

In his lecture of 14 April 1919, Rudolf Steiner said: *'I was asked whether it might not be possible to implement the threefold social order within our society: economic life, juridical life and spiritual life. One can indeed express this in words, given that one is fully integrated into our movement and is committed to it with sincerity and conviction. But it is as if, by making such statements, one had failed to grasp the very essence of our movement. One has understood absolutely nothing of what I have said about the social question if one thinks that our society here can be threefold, as a sect would do!'*³ He then goes on to explain what he means by a sect: the act of cutting oneself off from economic life in general, or from the legal context. In the case of the new draft constitution we are discussing here, the cut-off is not of the same nature. As we pointed out a little earlier, it is the Anthroposophical Society itself that is being split up and fragmented by the creation of two associations. One is the *Association*

supporting the Goetheanum and the Anthroposophical Society. It is governed by Articles 60 to 79 of the Swiss Civil Code (SCC) and is registered in the Trade Register. It is therefore, in fact, a public body.

The other association is the *Anthroposophical Society*. According to Article 1 of the draft of the new statutes, '*The Anthroposophical Society is an association of people wishing to cultivate the life of the soul in each individual and in society, based on a genuine understanding of the spiritual world.*' (emphasis by us). However, no reference is made to Articles 60 to 79 of the Swiss Civil Code (SCC). To which legislation does it refer? Does it float in the air above nations? If that were the intention of the drafters of this proposal, we would then be dealing with a cut-off from the legal order referred to by Rudolf Steiner later in the lecture quoted above, in which he likens an Anthroposophical Society organised in a threefold structure to a sect. In reality, any lawyer reading these statutes would say that this is an association governed by Swiss law. Indeed, the first paragraph of Article 60 of the Swiss Civil Code (CCS) states: '*Political, religious, scientific, artistic, charitable, recreational or other associations which do not pursue an economic purpose acquire legal personality as soon as they express in their statutes the intention to be organised as a corporate body.*' (emphasis added). A reading of Article 1 of the draft articles of association is consistent with the provisions of Article 60 of the Swiss Civil Code. It is indeed a *de facto* association and therefore has legal personality (under Swiss law).

According to the draft proposal, the General Anthroposophical Society, as conceived by Rudolf Steiner at the 1923 Christmas Conference, would henceforth be divided into two associations, to which must be added the School of Spiritual Science, ruled by a constitution.

However, in order to create unity between the two associations, members of the first would pay their membership fees to the second, of which they would then automatically become members⁴. Furthermore, the Executive Committee of the second would also act as the Executive Committee of the first. The general meetings of the two associations would therefore be one and the same. Could there be a more contrived arrangement?

As for the third body, the School of Spiritual Science, it is governed by the College of Section Leaders, which, together with the Executive Committee of the Association for the Support of the Goetheanum and the Anthroposophical Society, forms the management of the Goetheanum, which is a body of the said association (Article 12). Here too, this artificial separation appears to be driven by ideological considerations rather than by the realities of life itself.

This threefold division is therefore indeed a triple fragmentation resulting from a conception based on a misunderstanding of the threefold social order. Whenever one seeks to apply a form of threefold social order to a single institution, the result will be a structure that gradually becomes cut off from the overall life of the social organism. This way of viewing the threefold social order is, in itself, sectarian. Only the social organism, as a whole, can become threefold. And each institution is, at every given moment, simultaneously part of the cultural, the law and the economic spheres. The same applies to each individual.

But let us now consider Rudolf Steiner's second statement, referred to above. It was made at the third (29 June 1924) and fourth (8 February 1925) Extraordinary General Meetings (EGM) of the Goetheanum Association and the School of Spiritual Science. It should be noted that this association already existed long before the 1923 Christmas Conference and was registered in the Trade Register of the Canton of Solothurn, under whose jurisdiction the Goetheanum falls.

For Rudolf Steiner and the new Executive Committee formed at Christmas 1923, the task was to have the new General Anthroposophical Society, which had emerged from the Christmas Congress, legally registered. It is worth noting that, under Article 60 of the Swiss Civil Code (CCS) in force in 1924 and 1925, an association was not required to be registered or declared to an official body as long as it did not pursue any commercial activity for profit. It was, however, **free** to choose to be entered in the Trade Register (Article 61 of the CCS in force in 1924).

Rudolf Steiner would therefore have been in compliance with Swiss law as it then stood had he taken no further action following the Christmas Conference. The statutes had been approved by the General Assembly and the Committee had been appointed. The legal requirements were therefore met for the General Anthroposophical Society, which had emerged from the 1923 Christmas Conference, to have legal personality.

Furthermore, all matters relating to property ownership and the construction of the new Goetheanum were managed by the Goetheanum and School for Spiritual Science Association, which was itself registered in the Trade Register. A simple agreement or contract would have been sufficient to arrange for the rooms to be made available for use by the General Anthroposophical Society.

We must question the reasons that led Rudolf Steiner not to opt for a structure comprising two associations (the General Anthroposophical Society and the Goetheanum Society), but instead to move resolutely towards the creation of a single organisation.

This took place in several steps. The process is not only complex but also rather enigmatic. Various obstacles arose; documents were lost; Rudolf Steiner himself was unable to attend the Extraordinary General Meeting of 8 February 1925, but was represented instead, due to his health. When one reads about the events as reported in *Die Konstitution* (GA 260a), several questions arise concerning the choices that were made and the way in which things unfolded. One may even find it disconcerting.

But one thing became clear amidst the technical and legal trial and error: Rudolf Steiner showed great determination. He had a very clear aim that extended beyond the situation's many shortcomings. He wanted a **single** organisation, **one** association that would bring together and strengthen the institutions that would be part of it. And this organisation would be the General Anthroposophical Society, led by its Executive Committee, which had emerged from the 1923 Christmas Conference. This committee would be the driving spirit behind the four departments that the registered General Anthroposophical Society would comprise: the administration of the General Anthroposophical Society, the Philosophical-Anthroposophical Publications, the administration of the Goetheanum, and the Clinical-Therapeutic Institute.

The four departments do not represent a fourfold structure of the Society. **They reflect the reality of the current situation**, within which Rudolf Steiner saw that it was possible to move forward. He explained this, and what he said should help us to understand the extent to which **he wished to build with the human beings who were present and active in the work**, rather than on the basis of preconceived programmes unrelated to reality. Neither fourfold organisation nor threefold organisation! Rudolf Steiner did not think in those ways. Anything of a theoretical or speculative nature was alien to him. He had one aim: to give the General Anthroposophical Society a legal status that would place it **fully in the public domain**. To achieve this, the General Anthroposophical Society **had to be entered** in the Trade Register. **It was on this condition that he could bring to life the principle underlying the Christmas 1923 statutes, which is outlined at the beginning of Article 4: 'The Anthroposophical Society is not a secret society; on the contrary, it is entirely public'**⁵.

Only if we understand that this is the theme running throughout Rudolf Steiner's symphony of life – **make public what was occult, that is to say, hidden** – can we see the need he felt to let this theme resound once more, as a *grand finale* at the end of his earthly journey.

For Rudolf Steiner, the most important thing was to register the General Anthroposophical Society in the Trade Register, even if this meant temporarily setting aside certain provisions of the statutes adopted at the 1923 Christmas Conference. As he told Günther Wachsmuth, referring to the statutes of 8 February 1925: *'Yes, these statutes simply do not meet our requirements. They will have to be amended little by little. For us, it is the Principles that are decisive'*⁶.

We can view these words as an encouragement to improve the existing statutes, building on Rudolf Steiner's original intention and adding what is missing, but without artificially creating a form that is alien to the very essence of what the 1923 Christmas Congress intended. Our group wishes to attempt to draft a proposal for new statutes that moves in this direction⁷.

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- ¹ Published in Anthroposophy Worldwide: <https://anthroposophie.org/en/news/proposed-revised-constitution-of-the-general-anthroposophical-society>
- ² We do indeed mean '*a kind of threefold structure*'. For the new draft statutes are unclear on this point and, in the publication referred to in note 1 above, its drafters gave no indication as to why they had adopted this very specific approach. There is therefore some ambiguity, and it is not certain whether some of the drafters do not actually hold a threefold vision of the General Anthroposophical Society, as we explain a little further on in the text.
- ³ Rudolf Steiner, *Past and Future Influences on Social Events*, lecture 12 on 14.04.1919 - GA 190 (translated by the authors)
- ⁴ The fact that members of one association are automatically members of another association raises, first and foremost, an ethical issue that should be carefully considered. Furthermore, it is unclear on what legal grounds this provision of the articles of association would be compatible with the legal personality that associations under Swiss law possess. It could even be considered illegal. The same applies to the fact that an association stipulates in its statutes that its committee must be that of another association. A judge could easily declare such a clause in the statutes to be null and void.
- ⁵ It is significant that this sentence is absent from the draft of the new threefold constitution we are discussing. This fact should indicate that we must first make sure that we understand Rudolf Steiner's intentions before undertaking a rewriting of the statutes.
- ⁶ *Die Konstitution* p. 22 – GA 260a - Preliminary Remarks by the Editor on the Second Edition by Hella Wiesberger
- ⁷ For further information, please contact us at: groupe.statuts@proton.me