

Life and Form

Seeds for Understanding the Constitution of the Two General Anthroposophical Societies¹

Frieder Sprich

Editorial Preface by Gerold Aregger (editor of the *Gegenwart* journal):

Every social or spiritual impulse requires an appropriate *vessel* in order to be able to sustain itself in the earthly world. At once, the social dilemma arises: an impulse depends upon an organization, yet the nature of organization is such that it continually attempts to extinguish the living vitality of the impulse. Everyone who works within the structure of a school or a business enterprise, who engages politically or socially, has this experience. But it is also experienced by anyone who gives a fixed form to a human relationship.²

Indeed, it is the case that living vitality itself is continually paralyzed in the physical world, just as occurs within the life of thinking and inner representations.

How can these apparent dead ends be confronted?

The process of what is known as the *Christmas Conference (Weihnachtstagung)* of the Anthroposophical Society in 1923/24 can be regarded as Rudolf Steiner's great attempt to confront these "impossibilities" and provide a courageous response to them. It may be viewed

¹ First published in German in issue No. 2/26 of *Gegenwart: A Journal of Culture, Politics, and Economics from an Anthroposophical Viewpoint*; zeitschrift-gegenwart.ch. This translation is by Thomas O'Keefe and John Riedel.

² "You see, the life of the spirit has gradually been absorbed by the life of the state. Yet the life of the spirit, when one confronts it as an element founded upon itself, is a very exacting element—an element in relation to which one must continually preserve one's freedom, and which therefore may be organized only in freedom. Allow a generation to unfold its spiritual life more freely and then to organize that spiritual life as it sees fit: for the generation that follows, this becomes the purest slavery. The life of the spirit must truly be free—not merely in theory, but in actual life. Those who stand within it must experience freedom. The life of the spirit itself becomes a great tyranny whenever it spreads upon the earth, for it cannot spread without organization coming into being, and once organization enters, the organization itself immediately becomes the tyrant. Therefore, one must continually struggle—in freedom, in living freedom—against the tyranny toward which the life of the spirit itself tends." – Rudolf Steiner, *Anthroposophie, soziale Dreigliederung und Redekunst. Orientierungskurs*, GA 339, 4th lecture, p. 72 in German (hereafter "G"). In English: *The Art of Lecturing* (SteinerBooks, 1994).

as an attempt to imprint upon human society a pattern that can serve as a model for all humanity. For every social formation struggles with this dilemma.

In what follows, Frieder Sprich takes up essential elements of this endeavor and makes distinctions that are indispensable for an understanding of social processes.

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The Significance of the Vessel

Rudolf Steiner left no doubt that everything which is already present in many fields as a manifold anthroposophical endeavor will not be able to endure on earth unless there is an active, functioning Anthroposophical Society. “But the whole of what is connected today with anthroposophy cannot exist without the Anthroposophical Society; it needs the Anthroposophical Society as its vessel.”³

Thus everything—the being or non-being of anthroposophy on earth—depends upon a rightly understood and practiced formation of a society (*Gesellschaftsbildung*). And so his later request takes on great weight: “Please study the history of this movement!”⁴ And in the context of the grave problems of the year 1923, he said at a meeting in Stuttgart on February 28, 1923:

“When I negotiate with anyone, whether groups or individuals acting on behalf of groups, well, at first they understand nothing of what I say . . . yet there is an immense amount of activity, an immense amount of goodwill. Everything that has not been understood is immediately put into action! [. . .] But one must grow into the past history; one must become familiar with all the details!”

Anyone who undertakes this study soon recognizes how right Rudolf Steiner was in his judgment, and that the history of the Anthroposophical Movement is not merely a matter of the history of some particular association, but involves fundamental, essential elements of world history.

And through the study of the latter, Rudolf Steiner—and already Goethe before him—arrive at statements of great significance:

³ GA 257, *Anthroposophische Gemeinschaftsbildung*, Dornach 1983, p. 22 G. In English: *Awakening to Community* (SteinerBooks, 1975).

⁴ For example, in GA 259, *Das Schicksalsjahr 1923 in der Geschichte der Anthroposophischen Gesellschaft* [The Fateful Year 1923 in the History of the Anthroposophical Society], p. 12 G.

“[T]he contemplations of the greatest spirits and the greatest events of world development and human history provide us with that awareness of strength, that confidence of soul, that certainty of hope, through which alone we can stand within the destiny of humanity—by surveying world history in this way and once again sensing Goethe’s beautiful words that ‘the best’ thing history can awaken in us is ‘enthusiasm.’ Yet this is an enthusiasm that does not remain mere lifeless admiration, but consists in taking the seeds of the past into our souls and cultivating them there as seeds of future fruit. And the poet’s words come to life in a slightly altered form as we glean this truth from contemplating the greatest personalities and events. *Time is a blossoming meadow, humanity’s unfolding is a vast, living entity, and all is fruit, and all is seed!*”⁵

With this in mind, Gerold Aregger asked me to summarize for this issue parts of my study that has been published in *Ein Nachrichtenblatt*.⁶

Two Forces at Work

From today’s perspective, much is now clearly visible in the light of day that back then remained entirely unknown even to such an outstanding jurist and member as Bruno Krüger. This was because, while the facts were utterly self-evident to those directly involved, they were hardly communicated at all beyond those circles, namely, that there had been two general Anthroposophical Societies from the very beginning. Anyone who was interested could have known this. And yet, given the wealth of high-caliber information bombarding members almost daily, and the crushing burden of responsibility placed upon them, certain fundamentally important facts seem to have remained completely below the threshold of consciousness, even for board members directly involved.

From this situation, initially unnoticed, there arose decades of agonizing conflict and frustration that persist to this day, instead of the enthusiasm that should have been fostered through proper study. The two societies differed so fundamentally in their founding principles that their “merger”—or perhaps more accurately, their unconscious amalgamation—which presumably occurred for purely pragmatic reasons, could only bring misfortune.

These two societies are perhaps best understood by viewing one as a *rights-economic community* (*Rechts- bzw. Wirtschafts-Gemeinschaft*) and the other as a *spiritual community* (*Geist-Gemeinschaft*). They are:

⁵ GA 60, *Antworten der Geisteswissenschaft auf die großen Fragen des Daseins*, 2nd ed., p. 438ff G. In English: *Turning Points in Spiritual History* (SteinerBooks, 2007), lecture of March 9, 1911.

⁶ *Ein Nachrichtenblatt*, No. 25, Special Edition of December 7, 2025 (einnachrichtenblatt.org).

1.) The *Johannesbau-Verein* (*Johannesbau Association*), initially founded in Munich on May 9, 1911 and later transferred into the *Johannesbau-Verein* founded in Dornach on June 8, 1913. It was then renamed on November 1, 1918, as the *Verein des Goetheanum, Freie Hochschule für Geisteswissenschaft* (*Goetheanum Association, Free School of Spiritual Science*), and finally renamed again on February 8, 1925, as the *Allgemeine Anthroposophische Gesellschaft* (*General Anthroposophical Society*). It is generally referred to today as the *Bauverein* (*Building Association*).

(Rights-economic community.)

2.) The *Anthroposophical Society* (*Anthroposophische Gesellschaft*), founded on December 8, 1912, on a small scale following a board meeting of the German Section of the Theosophical Society. Admission of members to this society began on December 28, 1912, in Cologne, and was followed by the first constituent General Meeting of the Anthroposophical Society, which started on February 3, 1913, in Berlin. And then, after the Christmas Conference of 1923, this society was referred to as the (General) *Anthroposophical Society*, also often called the *Christmas Conference Society* (*Weihnachtstagungsgesellschaft*).

(Spiritual community.)

Around the same time that Rudolf Steiner had to concern himself intensively with the question of the constitution, he also published, together with Ita Wegman, his spiritual-scientific book on anthroposophic medicine (*Fundamentals of Therapy*). In it, he briefly recapitulates key points concerning the constitution of the human being. There he again develops a new language—one that can also illuminate our own [societal] constitutional question—in which the constituent elements of the human being are characterized as the interaction of two essential *realms of formative forces: those of the earthly-physical and those of the cosmic-etheric*.⁷

In brief, the point is that the *physical laws work as though streaming outward from the Earth, while the etheric laws, by contrast, stream toward the Earth from all sides of the cosmic periphery*. One can only grasp the coming-into-being of the plant world, as well as the constitution of human bodies, by perceiving within them the interplay of the earthly-physical and the cosmic-etheric.

If, through spiritual training, a person enters perceptually into this realm of forces, it becomes clear to him that all natural laws previously known apply only within the physical world, and that the essence of the world he has now entered consists in the fact that its laws are different from—*indeed, opposite to—those of the physical world*.

⁷ GA 27, *Grundlegendes für eine Erweiterung der Heilkunst nach geisteswissenschaftlichen Erkenntnissen*, 8th ed., p. 11ff G, paragraph 16. In English: *Fundamentals of Therapy* (SteinerBooks, 2026).

But this is not all. This same relationship appears also to apply to the *societal constitution* (*gesellschaftliche Konstitution*) he intended.

Comparison of Human Constitution with Societal Constitution

The fact that a comparison of human constitution with societal constitution is legitimate—and is justified by more than just the temporal coincidence mentioned above—is evident from many statements made by Rudolf Steiner himself.

As examples, we would here like to draw upon two lectures Rudolf Steiner gave on September 10 and 11, 1915, in which he himself addresses the formative principle underlying the two types of society.⁸ He compares societies of the first kind—such as the *Bauverein* (*Building Association*)—to a *mechanism*, while likening the *Christmas Conference Society* to a *living being*.

The difference is so striking that one can only wonder that most experts disregard it. The distinction is so striking that it is astonishing how most experts simply disregard it. Although Rudolf Steiner meticulously develops a highly interesting concept of a society (*Gesellschaftsbegriff*) in these lectures, it seems to slide off purely legalistic thinking like water from an oily surface.

Steiner explicitly warns against the risk of a common misunderstanding, noting that we must distinguish

“the concept of a *society* (*Gesellschaft*) within which we wish to cultivate our spiritual substance from that of an *association* (*Verein*). And it must truly be said that for many of us, when we merely think about the conditions of our social existence, the *concept of a society* immediately slips away from us, and the *concept of an association* rises before our mind’s eye.

In an *association* (*Verein*), one will generally establish statutes, conditions, and so forth, which must be observed. In a society like ours, that is not sufficient. It cannot differ from an association merely in name. In our Society, the essential point is . . . that the *concept of the Society* (*Begriff der Gesellschaft*) really be taken seriously.

This means that everyone is aware that they belong to the Society not merely by virtue of having received a membership card bearing the title ‘Society Member,’ but rather by being a *part* (*Glied*) of the Society. The very concept of the Society itself thereby gives rise to something

⁸ GA 253, *Probleme des Zusammenlebens innerhalb der anthroposophischen Gesellschaft* (Dornach, 1989), lecture of September 10, 1915, p. 15ff G (italics by F. Sprich). In English: *Sexuality, Inner Development, and Community Life: Ethical and Spiritual Dimensions of the Crisis in the Anthroposophical Society in Dornach, 1915* (SteinerBooks, 2017).

that must *live* among the members—something that is indefinite and yet very definite. It must *live* in such a way that each individual feels it as a certain obligation, that this indefinite yet definite reality *lives*.”⁹

On the Particular Significance of an Anthroposophical Society and Its Higher Conditions of Existence

A society that wishes to carry spiritual substance into the world must fulfill higher conditions that stand above all legal rights and obligations. Regarding this, Rudolf Steiner says:

“If such a spiritual movement—one that differs fundamentally in its impulses and in its entire mode of thinking, feeling, and willing from the thinking, feeling, and willing of people in the surrounding world—were to be brought into humanity without such a society, then this would be infinitely more difficult than through a society in which the members can prepare themselves, through a corresponding form of living together and through the continual reception of spiritual-scientific concepts and ideas, to become a kind of instrument, a kind of tool for the dissemination of such spiritual science, of such a spiritual stream.

From this, however, it also follows that the concept of such a society must be taken with the utmost seriousness, for it should prove itself—and indeed practically—as an instrument for the spiritual stream in question . . . and you will be able to study in our Society *how different it is, as a society, from other societies or associations (Gesellschaften oder Vereinen)* that are brought into existence.”¹⁰

These two types of society must be understood much more precisely than is normally the case. In what follows, we will attempt to bring out the differences even more clearly.

Spirit and Matter

The fact that Rudolf Steiner also speaks of a body (*Körper*) in relation to spiritual-social entities is not merely an allegory. He means by this something highly real. Spirit and matter, or spirit and body, belong to the fundamental categories of human thought. The fact that the concept of spirit (*Geist*) has today all but vanished from the natural sciences is due, on the one hand, to the almost

⁹ GA 253, *ibid.*, p. 18 G. *Translator’s note:* The following line of this passage reads: “That means that each individual truly has an eye for the well-being of the other members of the Society, and that anyone who is an experienced member of the Society—which, of course, one need not always reveal; one can keep it entirely to oneself, for what matters is how one applies and lives out one’s experience—truly stands beside those who are less experienced with the benefit of that experience.”

¹⁰ GA 253, *ibid.*, p. 15ff G.

exclusive focus on the material pole and, on the other hand, to the fact that philosophical thinking has become so shadowy and weak that it is no longer able to grasp the relevant categories clearly and with substance—that they slip through its fingers like water on an open palm. This was not always so.

He points, for example, to the Swiss philosopher, physician, educator, and politician Ignaz Paul Vital Troxler, whom he also described as a forerunner of anthroposophy,¹¹ and who did not merely speak of an opposition between spirit and body (*Geist und Körper*), but upheld a substantively rich fourfold constitution of the human being: spirit and body (*Geist und Körper*), as well as soul and life-body (*Seele und Leib*). By *Leib*, Troxler meant nothing other than the individual principle of life that brings life to the otherwise dead body (*Körper*), and which Rudolf Steiner designates with the term *etheric body*. In this respect, Troxler can also look to no less an authority than the Apostle Paul.¹² He too distinguished, in his teaching of the Holy Tetraktys, the four members (*Wesensglieder*) of the human being: *pneuma*, *psyché*, *soma*, and *sarx* (πνεῦμα, ψυχή, σώμα, σάρξ).

Contemporary philosophers, too, are once again beginning to draw upon the four emergent levels of being that constitute human existence, as Prof. Dr. Peter Heusser points out in his significant work.¹³ And what the body (*Körper*) is for anthropology, the corporate body (*Körperschaft*) is for jurisprudence. Underlying both, however, is a creative principle that we shall outline in what follows.

Body – Corporate Body – The Body-Creating Principle (*Körper – Körperschaft – Körperschaffendes*)

A body (*Körper*) is a shell, a vessel, an instrument, or a tool for a higher principle or being that makes use of that body. This applies both to an individual being and to a community of beings. If a soul-spiritual being wishes to become active within a physical world of bodies, it requires a physical body for this purpose. If soul-spiritual beings wish to become active within a social

¹¹ Ignaz Paul Vital Troxler, *Die Gewissheit des Geistes, Fragmente und Aphorismen über die verborgene Natur des Menschen* [The Certainty of the Spirit: Fragments and Aphorisms on the Hidden Nature of Man], ed. K. F. Sprich, Beer Verlag 2022. Aphorism 4.17, p. 58: “A time will come, and it is not far off, when there will be a philosophical anthropology, or what we call anthroposophy. And the theologian and philosopher, the jurist and politician, the physician and educator will turn to this fundamental study of sources and draw from it their guiding ideas and maxims. But for this very reason, anthroposophy must also encompass all areas of these sciences and fields of activity.”

¹² See Troxler, *ibid.*, pp. 155–167.

¹³ Peter Heusser, *Anthroposophie und Wissenschaft. Eine Einführung* (Verlag am Goetheanum, 2016), p. 252ff. In English: *Anthroposophy and Science: An Introduction* (Peter Lang GmbH, 2016).

environment, they require a social body (*sozialer Körper*), a corporate body (*Körperschaft*), for this purpose. A corporate body is a body in a figurative sense.

A body (*Körper*) or corporate body (*Körperschaft*) is always preceded by a body-creating being (*körperschaffendes Wesen*) that builds up the body and then uses or inhabits it. As we know from anthroposophy, there can be entire hierarchies of bodies: astral bodies, etheric bodies, physical bodies, and so forth. The respective higher body-creating principle (*Körperschaffendes*) participates in forming the subordinate bodies and then makes use of them.

Such a relationship also exists between the Anthroposophical Society (*Anthroposophische Gesellschaft*, i.e. the *Christmas Conference Society*) and the General Anthroposophical Society (*Allgemeine Anthroposophische Gesellschaft* or AAG, i.e. *Bauverein*).

The Anthroposophical Society newly founded at the Christmas Conference is a free spiritual corporation (*Korporation*) which subsequently required an economic-legal instrument in order to rebuild and administer the Goetheanum and to enable interaction with the social world outside. The AAG (*Bauverein*) is the association-based (*vereinsmäßige*) economic-legal corporate body in service of the *Christmas Conference Society*.

What is a Legal Corporate Body or a Legal Person?

A corporate body (*Körperschaft*) is generally defined as an association of persons united for the purpose of cooperating toward a common goal, one that is not directed toward an individual person alone. Within a corporate body, the members may change, but the intended and declared goal remains the same.

The word and concept of *corporate body*, in its modern sense, were literally appropriated by legal scholarship in the late nineteenth century. To this day, legal terminology and usage only partially reflects the true essence of what a *corporate body* is.

Previously, the clear insight prevailed that by nature only the human being possesses a spirit, consciousness, and will, conceived as a unified whole, and finding their perceptible expression in the visible physical appearance of the natural person. However, with the urgent need for easier accumulation of capital, there arose the possibility of creating an immortal, metaphysical personality which apparently offered everything that previously only the human being could—and, because of its potential immortality and limitation of liability, even considerably more: the *legal person* (*juristische Person*).

Are There Also Corporate Bodies (*Körperschaften*) in the Non-Juridical Sense?

The concept of the corporate body (*Körperschaft*)—or in its older form, the corporation (*Korporation*)—has been one of the most disputed concepts in the intellectual history of the past two thousand years. To date, no modern scholar has succeeded in defining the concept of corporate body in a way that reconciles all the various individual perspectives.

Amidst the global struggle against the existence of a free spiritual life, the prevailing trend is to deny that a corporate body can be anything other than an association of persons driven by economic or legal motives. The very idea that formative forces of a purely spiritual nature exist, or may exist, outside the realms of economics and law is increasingly being pushed beyond even the sphere of conceivable possibilities. It has indeed become rare for people to unite for purely philosophical or spiritual reasons, or for the discovery and cultivation of truth, without economic or legal secondary intentions being mixed in. Yet the original Anthroposophical Society is precisely a model example of this.

It is deeply symptomatic from a historical standpoint that, even within an Anthroposophical Society, we must struggle for the view that a society can exist—and was in fact founded—which is established out of purely spiritual considerations for the purely spiritual-soul needs of its members, and in which the necessary economic-legal additions are just as marginal as the life and rhythmic processes within the nerve-sense system.¹⁴

The same applies exactly to the original natural-scientific societies. Although after the First World War these adopted the form of associations (*Vereine*), at the time of their founding they were far removed from this. This applies, for example, both to the Swiss Society for Anthropology (*Schweizerische Gesellschaft für Anthropologie*, SGA, formerly SNG, founded in 1815) and to the Natural Research Society of Zurich (*Naturforschende Gesellschaft Zürich*, founded in 1746). In Zurich, an association of lecturers from both higher education institutions carried out significant work for over fifty years without possessing any statutes. A corporate body belonging to the free spiritual life may have statutes or not, may collect contributions or not—without thereby necessarily becoming a legal person (*juristische Person*).

¹⁴ This is by no means intended to downgrade the economic and legal aspects; both have their legitimate domains. However, they should not assert their dominance precisely where they ought to exercise restraint and serve a purely supportive role.

Society by Definition and Society as a Living Being

A living being cannot be fully understood through definitions. Such definitions, if they are correct at all, always apply only in a very marginal sense. A correct materialistic definition of *the living* states:

“A living being is that which, under certain conditions, leaves behind a corpse [. . .] A machine, when it is destroyed, leaves behind no corpse . . ., whereas our Society, because it is an organism, a living being, would truly leave behind a real corpse.” And: “The corpse would also include . . . all the cycles of lectures in the hands of the members.”¹⁵

From all these reasons and many more, it follows unequivocally that a real Anthroposophical Society (*Gesellschaft*) *cannot be an association (Verein)*. If this were once grasped and taken to heart, many problems would resolve themselves. Unfortunately, however, there is constant resistance driven by deep-seated prejudices. Is it really so difficult to acknowledge these simple facts? Yes, it is that difficult! Why?

Spiritual Communities (*Geist-Gemeinschaften*) and Rights Communities (*Rechts-Gemeinschaften*)

When two or more persons cooperate with common forces and means in order to achieve a common purpose, and wish to establish their mutual relationships and interests, they stand at the threshold of legal life (*Rechtsleben*). Among other things, legal life has the task of making available the general forms of social coexistence (laws, regulations, procedures, and so forth).

What a society (*Gesellschaft*) is, and what an association (*Verein*) is, was regulated for the first time for the whole of Switzerland through the publication of the Swiss Civil Code (*Schweizerisches Zivilgesetzbuch*, ZGB). It was completed by Eugen Huber in 1907 and entered into force on January 1, 1912. Before this, there were no nationwide regulations governing company and association law.

As long as a society (*Gesellschaft*) dedicates itself solely to *spiritual goals*—that is, to questions of truth and the like, and not to the *rights and interests* of partners or members—a society does not need to be placed under legal life. Questions of truth cannot be decided by voting. Whether a person has insight into a matter, whether they have developed understanding for a particular

¹⁵ GA 253, *Probleme des Zusammenlebens* [Sexuality, Inner Development, and Community Life], op. cit., lecture of September 11, 1915, p. 33ff G.

subject, must be determined by other means than democratic voting. The transmission of higher knowledge, initiation into spiritual worlds, cannot be enforced through a court of law. Likewise, admission into a spiritual community (*Geist-Gemeinschaft*) or exclusion from such a community cannot be a legal question in the ordinary sense.

And although so-called legal questions do arise within spiritual communities—as Rudolf Steiner shows using the example of the right of access to lecture cycles—these are higher legal questions that must be resolved within the spiritual sphere and cannot be subjected to an external, juridical law. On the other hand, spiritual communities must take strict care that, through their actions, they respect the sphere of external law by not entering into it in the first place, or, more specifically, by not depriving their members of rights that are guaranteed to them under external law. In general, there exists a rather dim consciousness concerning this unwritten boundary between spiritual life (*Geistesleben*) and legal life (*Rechtsleben*), and violations and encroachments from both sides and in both directions have been innumerable, both in the present and in the past.

The threefolding of the social organism (*Dreigliederung des sozialen Organismus*) inaugurated by Rudolf Steiner was intended to remedy this situation, but it failed precisely because of this dim consciousness. The problem consists in the fact that laws and concepts which are well-founded and appropriate for one sphere are projected by the caretakers of that sphere, without examination and unconsciously, into another sphere. They then treat the foreign sphere as though it were subordinate to their own and thereby cause great harm. Thus, it is often precisely jurists—who are accustomed to being right and to ensuring that right prevails—who behave rather crudely when they are suddenly required to apply philosophical or spiritual-scientific categories in place of their familiar legal norms.

Binding Rules for the Protection of Secure Legal Transactions

Civil codes provide an exhaustive treatment of the law governing *Gesellschaften* (companies/partnerships/societies) and *Vereine* (associations).¹⁶ All possible scenarios are predefined. If a *Gesellschaft* is established in Germany or Switzerland that does not fall under a clearly defined legal category, there are “catch-all” legal forms for this purpose; in Germany, this

¹⁶ *Translator’s note:* German uses the word *Gesellschaft* both for *society* in the social or institutional sense and for various legal forms of *partnership* or *company* recognized by civil law. The author’s argument deliberately moves between these two meanings. In this translation, *society* is used for the broader social or spiritual sense, and *company* or *partnership* for the technical legal sense. And in this section of the article, we will often simply leave the German words *Gesellschaft* and *Verein* in order to preserve this spectrum of meanings.

is the *Gesellschaft bürgerlichen Rechts* (civil-law partnership), and in Switzerland, the *Einfache Gesellschaft* (simple partnership).

According to Article 530 of the Swiss Civil Code (*Schweizerischen Zivilgesetzbuches*, or ZGB), the following applies:

1. A *Gesellschaft* (partnership) is the contractual association of two or more persons for the attainment of a common purpose through joint efforts or means.
2. It is an *Einfache Gesellschaft* (simple partnership) within the meaning of this provision, provided that the conditions of another type of partnership regulated by law are not fulfilled.

Thus, all forms of *Gesellschaft* relevant to legal transactions are conclusively regulated by law. Anyone who does not wish to make use of a joint-stock company, limited partnership, limited liability company (GmbH), or similar legal form is treated by law as a simple partnership (*Einfache Gesellschaft*) under Article 530 of the Swiss Civil Code, whose members bear personal and unlimited liability.

This serves, rightly, to prevent gaps in the law. For it cannot be permitted that the law leave room for individually created forms of *Gesellschaft* and thereby allow social forms to participate in legal transactions where business partners cannot know what kind of “legal monsters” they may potentially be dealing with or what exactly they are entering into in good faith.

Nevertheless, as long as a *Gesellschaft* concerns itself solely with spiritual questions that in no way affect the rights of its members or of external parties, it does not need to assume a legal form—not even the form of a *Verein* (association). Indeed, even the *Verein* form itself can hinder the work of such a society. Rudolf Steiner recognized and expressed this very clearly in his “1912 Draft of the Principles of an Anthroposophical Society” (*Entwurf der Grundsätze einer Anthroposophischen Gesellschaft 1912*).¹⁷

When one examines this draft by Rudolf Steiner, one notices that he does not merely speak of *the* Anthroposophical Society then being newly founded, but rather of *an* Anthroposophical Society. In other words, he regards these principles as universally valid for every Anthroposophical Society. This can mean nothing other than that every Anthroposophical Society, if it wishes to be a genuine Anthroposophical Society, must have such a character, because otherwise it would be unable to fulfill its task. The text states, among other things:

¹⁷ GA 257, *Anthroposophische Gemeinschaftsbildung* [Awakening to Community], op. cit., p. 209 G.

“The Anthroposophical Society, as such, is not a Verein (association); its cohesion is not based upon a Verein organization or anything similar, but rather upon the cultivation of spiritual science as such. Membership does not entail anything of a Vereinsmäßigen nature, but rather, for example, the right to obtain certain spiritual-scientific writings that are intended only for members, and the like.”

This means nothing other than that an Anthroposophical Society, if it is to properly fulfill its task, must not be a *Verein*.

The Anthroposophical Society founded in 1912/13 was not a *Verein*. Had it been one, it would have required *Vereins* statutes under German law and would have had to be entered into the German register of associations. The same applies to the Christmas Conference Society. The highest legal authority in Switzerland takes the same view.

The Commercial Register Office of the Canton of Solothurn

The final word as to whether or not a *Gesellschaft* constitutes a *Verein* belongs to the cantonal Commercial Register Office—in our case, that of the Canton of Solothurn. Its director, Markus Saner, gave the following response on January 18, 2022, when asked to comment on this question during the course of the colloquium work:

“In view of the extensive documentation now submitted to us . . . we come decisively to the conclusion that the ‘Anthroposophical Society’ was not a *Verein* in the sense of the Swiss Civil Code. In addition to formal and substantive legal deficiencies according to Articles 60ff. of the Swiss Civil Code (ZGB) and Articles 90ff. of the Commercial Register Ordinance (HRegV) regarding the establishment of a *Verein*, there was apparently also a lack of the will and intention on the part of the ‘founding members’ to establish a *Verein*.”

Conclusion

The Christmas Conference Society, which was not a *Verein*, which was not a legal corporate body (*Körperschaft*) at all, but rather a purely spiritual formation of a society (*Gesellschaft*), had to be brought into relation with a legal corporate body (*Körperschaft*)—namely a *Verein*, the *Bauverein* (Building Association)—in order to function effectively in the “outer world.”

Rudolf Steiner explicitly pointed to this matter at the founding meeting of the Christmas Conference on December 27, 1923:

“And the task in the coming days will be to establish the appropriate relationship between the Vorstand (Executive Council) that has been formed and the Goetheanum Building Association (*Bauverein*).”¹⁸

This was indeed accomplished, although it took much longer than could have been foreseen. Extensive groundwork had to be laid for this to occur. On February 8, 1925, the time had come. By then, both societies (the *Bauverein* and the *Christmas Conference Society*) possessed the spiritual and legal form that would have enabled them to take up their work in an optimal manner, united through a common Vorstand.

In one respect, both societies stood alongside one another as coequal entities. For each was subject to a different hierarchical lawfulness entering from outside.

The *Bauverein* was subject to the Swiss legal order, whose laws and regulations had to be observed in every respect. Under no circumstances could those responsible for the *Bauverein*, even through the highest imaginations, inspirations, and intuitions, have allowed themselves to be led into violating, circumventing, undermining, or otherwise infringing upon the laws and rules of Swiss legal transactions.

The *Christmas Conference Society*, by contrast, was not bound to anything already established. Its members were called upon to open themselves entirely to the new insights of spiritual science, to take an interest in them, and to stand up for them in all fields of science, art, and religion. They were to approach these new insights with understanding, awaken sympathy for them within their life of feeling, and then carry them outward into the world through their will, in freedom and love. This was to extend all the way to a complete transformation of legal life, property and inheritance law, and so forth; to a reordering of economic life in the sense of the threefold social organism; and to a renewal and liberation of the life of the spirit.

But all of this was naturally to proceed step by step, following the awakening of insight, the observation of possibilities, and the safeguarding of the interests of all those involved—never subversively and never slipping into the realm of power. Each of the societies had a clearly defined task, and since both societies had—through a statutory resolution—the same Vorstand, there would in principle have been nothing standing in the way of a harmonious cooperation.

Apart from their economic and legal standing as coequal entities, there was also a spiritual hierarchy, of higher and lower, between the two societies. For just as the etheric body of the plant, during the course of vegetation, must call the dead, woody material substance back into

¹⁸ GA 260, *Die Weihnachtstagung*, p. 110 G. In English: *The Christmas Conference* (SteinerBooks, 2020).

life, so the Christmas Conference Society had the task of not allowing itself to be crushed by mechanistic, formal-juridical administrative measures, but rather of placing these measures in the service of its own inner life, so that the impulses and goals of spiritual development would not be undermined. Both already existed during Rudolf Steiner's lifetime and were, so to speak, standing ready at the starting line.

The fact that, following Rudolf Steiner's death, the more important of the two societies was simply forgotten and only the *Bauverein* continued to carry on the work is, of course, a tragedy of unparalleled magnitude. Nevertheless, those of us living today probably have no right to pass judgment on this. Where were we at that time? And where and how have we intervened since then to help or to save?

Yet in the newly rekindled discussion about the constitution of our Society (or societies), we should not overlook the fact that *both* corporate bodies (*Körperschaften*) of the Anthroposophical Movement were (and are) real embodiments of the spiritual being *Anthroposophia*, relating to one another as the etheric body and physical body relate within the human constitution. The living being of the *Christmas Conference Society* is nothing other than the etheric body of the sensory-juridical association-body (*Vereinskörper*) of the *Bauverein* or *General Anthroposophical Society*—or, in Troxler's understanding, the former is the *Leib* and the latter the *Körper* of the being *Anthroposophia*.

In view of this situation, amendments to statutes and resolutions passed by the convention have a relatively marginal significance for the future of our Society (or societies). The decisive question is whether there are individuals among the membership who, since that time, have developed sufficient insight and capacity for sacrifice to take up their task in the spirit of the Christmas Conference Society of that time, in love, and who are prepared to bring Rudolf Steiner's impulse into life. Then what Rudolf Steiner described would come to pass:

*“that we take the seeds of the past into our souls and cultivate them there as seeds of future fruit.”*¹⁹

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¹⁹ GA 60, *Turning Points in Spiritual History*, op. cit., lecture of March 9, 1911.