

The Academic Journal of St Clements University

# VERITAS

Volume 1 No. 3 June 2010



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Nightmare?**

**Theological Education  
Provision in New Zealand  
2009**

**An Agency Crisis in Schools  
and Its Relationship to an  
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# VERITAS

THE ACADEMIC JOURNAL OF ST CLEMENTS UNIVERSITY

Volume 1 No. 3

JUNE 2010



*Deuthschland über alles!*

*Summer in Bavaria*

*Photo: JSP*

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\**Veritas* is Latin for truth, reality.

# Germany and Degrees from Foreign Countries - A Never Ending Story

**\*Dr George Reiff**

This article is not planned to be derogative of German institutions. But Germany is the most hard-line country in the world when it comes to the acceptance or recognition of foreign degrees and, to explain why this is so, will require me to take a journey into a realm of totally restricted free speech and academic freedom. I am not inclined to speak bad about my country of origin or to speak bad about my people. However, I feel that certain legal imbalances must be mentioned nonetheless.

## History of restrictions of Foreign Degrees

The first occurrence of a restriction in Germany for the use of foreign degrees occurred under the Weimar Constitution in 1939 when Imperial Chancellor Adolf Hitler promulgated a new law governing the use of foreign degrees in Germany. The law was aimed predominantly at Jewish scholars who often held titles and degrees from foreign Torah Colleges, but it also applied to many opposition persons who were not in line with the purification mania of National Socialist ideologists. It is noteworthy that in 1939 though formally in existence, the democratic constitution of the Weimar Republic had already been knocked out for six years by the so-called Enabling Act of 1933<sup>1</sup>; this Act permitted the National Socialist Regime to act at will outside the provisions of the democratic constitution in order to implement rules and regulations according to their totalitarian will.

In regards to foreign education, the National Socialists expressed their totalitarian views in a law named the Academic Degree Act<sup>2</sup> (Akademisches Grad Gesetz). This was promulgated in June 1939. In particular, Section 1 of the law provided that:

- German nationals who obtained an academic degree from a foreign university were required to seek permission from the Imperial Minister for Science, Education and Peoples Education to hold this degree.
- The permission (for holding the degree) could be given in general in regards to academic degrees from certain foreign universities.

It is further stated (Section 2) that:

- Among the requirements which are mentioned in Section 1, the Imperial Minister for Science, Education and Peoples Education can withdraw a previously given permission for holding a foreign academic degree and in the case of a general permission (Section 2:2) the Minister can order the withdrawal (of the permission) in individual cases.

In July 1939, a Decree was issued entitled: "Regulation Implementing the Law on the use of Academic Titles" (AkaGrGDV). This regulation referred to Section 8 of the Act and prescribed that:

- An application for authorization to hold a foreign degree (Section 2:1 and Section 3 of the Act) must be presented directly to the Minister for Science and Education. The application shall contain the following: matriculation certificate, study and audit evidence or a certified copy of the award certificate and a certified translation into German, all must be accompanied by: curriculum vitae.
- As to be considered a temporary stay (in Germany) in the sense of Section 3:2 of the Act, the subject's stay may not exceed the period of three months.
- Following the license (to hold a foreign degree), a certificate is issued to the applicant.
- The foregoing provisions shall not apply in cases where the approval has been given generally for holding a particular foreign university's degrees according to Section 2:2 of the Act.
- The withdrawal of a domestically conferred university degree is to be decided by a committee consisting of the Rector of the University and the Deans. At universities, where a structuring into faculties (departments) is missing, the deans are replaced by two lecturers of the university appointed for a period of five years by the Imperial Minister for Science and Education.
- The decision of the Committee shall be effective upon delivery. Notification is in accordance with the rules of civil procedure regarding servicing one of its motions.
- The decision on a waiver of a withdrawal (Section 4:4) is possible after consulting the aforementioned Committee according to Section 3:1 of this Regulation.

The validity of this regulation ended together with the Academic Degree Act in 2007. However, we shall see (below) that exactly those legal principles, which governed the Academic Degree Act and especially the 'Regulation Implementing the Law on the use of Academic Titles' have been incorporated in the General Permission Decree from April 2000 and the Educational State Laws that followed.

## Holding a Degree - Then and Now?

Having noted the contents of the Law, we need to consider a definition for 'holding a degree' (einen Grad führen). To hold (führen) a degree publicly in Germany means the following:

- Putting the academic title on a letter head
- Putting the academic title on a business card
- Putting the academic title on bell
- Mentioning the title more than once when talking to another individual, even at different occasions

But, it is the opinion of this author that the Germans had and still have: (1) a rigid idea of what constitutes holding a degree; (2) no regard for free speech in the matter. Further, I will argue that the law (Section 4:3) opens the door wide for individual discrimination in that an individual can be forbidden to hold a foreign academic degree even if the use of his specific foreign *alma mater* was generally permitted in Germany. The ‘lucky ones’, whose foreign degrees were recognized, had them “nostrified”, i.e. converted into matching German degree, a process only known to most of us through the recognition of our driver’s licenses when we change the country of residence.

### The Legal Position Today

The 1939 Act and the accompanying Regulation was only revoked in 2007 (Bundesrecht aufgehoben durch Art. 9 Abs. 2 G v. 23.11.2007<sup>3</sup>). To understand this long delay we need to refer to what happened to Germany after the 8<sup>th</sup> of May 1945. Germany lost the WW II and the winners had a problem as they had enabled United Nations basic structures before the end of the war. According to the legal basics prescribed it was not permitted to annex other country’s territory. (Although, German territory was annexed and given to Poland whose eastern territory in turn was annexed by Soviet Russia and incorporated mainly into Belo Russia and the Ukraine). Thus, to facilitate and ongoing presence in Germany, the Allies of WWII did simply not “close down” the Weimar Republic (still German Realm or German Empire) but partitioned it into three parts and erected two puppet states, one in the West, Federal Republic of Germany, one in the Middle, German Democratic Republic GDR (nowadays erroneously called East Germany) and a third part that was separated, emptied of the prevalent German population by ethnic cleansing and given to Poland and Soviet Russia.

The West German ‘puppet state’ FRG prevailed over the Communist counterpart, the German Democratic Republic’ due to its economic strength and in 1990 the GDR was incorporated in the FRG with the blessing of all former Allies of WW II. As the annexation still cannot be legally finalized according to current international law, as a shrewd legal solution the Federal Republic of Germany claimed to be identical with the German Realm, in regards to the territory “partially identical”<sup>4</sup>. So we have the schizophrenic fact that on one hand the FRG has dropped for herself all claims of the lands that have been given to Poland. On the other hand due to the FRG’s claim to be the German Realm it must maintain to accept population who can show e.g. a German family name or a German grandfather or grandmother from the annexed

third part of Germany. This annexation issue is also the reason why to date there does not exist a German constitution but a surrogate constitution called “Basic Law”. Also, it is the reason why there is no peace treaty between Germany and its former enemies but the so-called 2+4 Treaty which defines and approves certain changes in the FRG’s status and is usually presented as the equivalent of a Peace Treaty.

The side effect of this legal double think is perhaps best described as something similar to the Operating System Windows with all its contemporary layers of modern user interfaces, under which we find the old fashioned DOS system. If we compare the old laws of the German Realm with DOS, and if we compare the contemporary laws of the Federal Republic of Germany with modern Versions of Windows Operating Systems, we see what is expressed in Article 123 of the Basic Law of the FRG.

Contemporary Germany has some underlying laws of the German Realm and some regulations developed by the former Allied Occupiers (SHAEF) that are still in force. As the Allies of WW II, mainly the US, brought their ideas of laws into the Federal Republic of Germany, it goes without saying that education became an affair of the federal states in Germany as well. And so the above mentioned Academic Degree Law from 1939 (Akademisches Grad Gesetz) survived its creator for five decades and was incorporated into State law and Statutes. With the advent of the European Union, however, those old legal structures have led to friction and more and more cases of legal actions have put the FRG leadership under pressure to effect change. For instance, EU Directive 89/48/EEC<sup>5</sup>, established in 1988, stipulates that there may not be any form of discrimination against degrees from membership states of the EU, so in April 2000<sup>6</sup> Germany’s Permanent Conference of State Education Ministers, decreed the following:

With regard to general permission to hold foreign degrees by unified legal statutes:

- A foreign university degree, which has been conferred according to the law of the country of origin after a study which has been finished after due examination and is a recognized university degree, can be held in the way it has been conferred by adding the bestowing university’s name, ( *for the better understanding, e.g. John Doe, MBA (Doetown University)* ). Furthermore, the conferred degree may be translated if necessary and the approved or evidently customary abbreviation can be held and a translation word by word can be added in brackets. The conversion into a German degree does not take place, except in the case of those who are accorded under Federal Law the status of a Displaced Person, i.e. originate in that part of Germany which has been *de facto* annexed to other countries after 1945). The same applies to ecclesiastic and governmental degrees.

- A foreign honorary degree, which has been conferred according to the laws of the country of origin by a university or another institution, can be held in the way it has been conferred by adding the bestowing institution. Exempt from the general permission are foreign honorary conferring by foreign institution that did not have the right to confer the corresponding academic degree as outlined in Section 1 above.
- The regulations of Section 1 and Section 2 are to be applied accordingly for working titles at universities and university titles.
- Whereby agreements and treaties between the Federal Republic of Germany and other states regarding equivalency in the field of universities and agreements of the federal states (of the FRG) favor the owners of foreign degrees in difference to Sections 1-3, those regulations prevail according to state law implementation.
- Holding degrees in difference from Section 1 to 3 is not permitted. Degrees which have been obtained by title purchase are not permitted to be held. He who holds a degree, has to give certified evidence for his right to do so upon request of a government agency.

This directive given by the permanent conference of the State Education Ministers was ratified for implementation in all 16 Federal States of the FRG until 2005<sup>7</sup>. The first state to implement the directive was the more liberal State of Lower Saxony in 2000 and the last to follow was hard-line State of North Rhine-Westphalia in 2005.

The 16 state laws are now very uniform and mirror basically more or less exactly the aforementioned directive. Also noteworthy is the fact that the General Permission decree and the 16 Educational State laws, still employ the same principles which were deducted from the Academic Degree Act. The only difference being that whereas the Academic Degree Act required the issuance of individual degree holding permits, the General Permission and the State Laws now require a kind of self-control by the citizen. The affect of this is that a legal error on the part of a citizen may see them called before the court and suffer severe financial punishment and, possibly, a criminal record.

There are small differences within the respective State Laws which have the potential to affect individuals in ways that have not been fully recognized.

#### What do the 16 German State Laws Say Today?

Basically the General Permission Decree from 2000 and all State laws require that a foreign degree must come from a university/college that is recognized as such in the country of origin. Further, the conferred degree must be recognized by the country of origin.

However, some state laws only require that the university/college itself be recognized. In Table 1, those states marked with “1” permit foreign degree if the university/college is governmentally recognized. Those marked “2” require that not only the university/college but also the degree itself must be explicitly governmentally recognized. Honorary degree must always come from institutions which are governmentally permitted to issue the corresponding academic degree. In regard to this, only a few states permit the holding of degree abbreviated (marked with “3”), whereas the hard-line state require the degree written in whole words (marked “4”). There is one state that discriminates openly against transfer of academic credits from private academies located in Germany towards academic degrees at foreign universities as it is e.g. practiced by the University of Wales<sup>7</sup> in the United Kingdom. The state is indicated with “5”. Another state indicates that the foreign degree must be considered ‘an academic degree according to European regulations’; this remains obscure as no EU law is mentioned, neither is there given any indication that the regulation requires observance of the educational laws of the 27 EU Member states. This ‘exceptionally intelligent work’ of German jurisprudence is marked with “6”.

#### The Implications of Regulations Governing Foreign Degrees in Germany Today

Hopefully, in the above, I have made the case that the legal basics expressed in the Academic Degree law of 1939 have been fully incorporated into the General Permission Decree from 2000 and enactments by all 16 German Federal States by 2005. The important difference is that today’s citizen is required to make sure that he follows the law while written permits for holding foreign degrees or conversions are abolished.

**Table 1: Indications of the Requirements of State Laws Relating to Foreign Degrees<sup>8</sup> (Refer Text)**

Baden-Württemberg	1	4	
Bavaria	1	3	
Berlin	2	4	
Brandenburg	2	4	5
Bremen	1	3	
Hamburg	1	4	
Hesse	2	3	6
Mecklenburg-Pomerania	2	4	
Lower Saxony	2	3	
North Rhine Westphalia	1	3	
Rhineland Palatine	2	4	
Saarland	2	4	
Saxony	2	3	
Saxony-Anhalt	2	4	
Schleswig-Holstein	2	4	
Thuringia	1	4	

Current State laws all say that a foreign degree can be held in the recognized or evidently customary

abbreviation, providing that the conferring university/college is mentioned. Regrettably, permission is not given to abbreviate the university name in either the General Permission Decree from 2000 nor in any of the State laws and this constitute an inconvenience.

In the case that John Doe obtained a MBA from Phoenix University in the USA, on his letter head or business card the degree must be notated:

**John Doe**, MBA (University of Phoenix)

And a doctoral degree from a Latin country would be required to be stated thus:

Dr. (Universidad Autonoma di Nicaragua) **John Doe**

The Spanish countries abbreviate differently in the case of a woman and so In the case of Jane Doe it would be

Dra. (Universidad Autonoma di Nicaragua) **Jane Doe**

The same principle applies to all lecturer and professorial positions at foreign universities.

As a further complication, honorary doctorates and honorary professorships are to be fully written in 10 out of 16 states, in the following manner:

Doctor Honoris Causa (Universidad Autonoma di Nicaragua) **John Doe**

or

Honorary Professor (University of Liberia) **John Doe**

Similarly, if somebody has two degrees from different institutions, they are required to indicate this as follows:

Dr. (Universidad Autonoma di Nicaragua) **John Doe**,  
MBA (University of Phoenix)

or better still:

Honorary Professor (University of Liberia) Dr.  
(Universidad Autonoma di Nicaragua) **John Doe**

I would like to assure the reader that this is no exaggeration and leads us to the field of penalties for failing to observe established law.

### **The Case of “Dr Death”**

“Dr. Death”, the “Plastinator” alias Dr. Gunther von Hagens exhibits dead bodies that have been prepared with his plastination process. The man and his work are certainly a question of taste, however, it is clear that he brought a lot of work an income (and tax payments) to the desolate city of Guben at the German Polish demarcation line (where unemployment usually

is about 20%) by establishing his permanent exhibition there.

Dr von Hagens holds a doctoral degree from a German university and a professorship awarded from China. On his letterheads and signatures he sometimes uses the abbreviation Prof. Dr. without indicating the Chinese origin of his professorship. He was convicted in 2005 and fined of €108 000. Only after a lengthy legal battle he got finally acquitted in 2007<sup>9</sup> but only ‘second class’, i.e. he had to pay his lawyer and court expenses which amounted to €30 000 to €40 000 at that time. For similar offences, ‘mere mortals’ are fined between €2 000 and €20 000EUR plus legal expenses.

### **Exemptions for Some Degree Holders**

The General Permission and some of the State Laws permit people with displaced person status under the Federal Displaced Persons Law (which aims exclusively at people who come from the old East German provinces which are nowadays *de facto* annexed into Poland, Russia, Belo Russia and Ukraine) can still have their foreign degrees conversed into German degrees and therefore write their doctoral degree in the abbreviated form (Dr) without university mention. Furthermore, all degrees which have been issued within the European Union and are governmentally recognized, can be held without mentioning the university.

Exemptions have also been made for American doctorates obtained at a university listed on the so called Carnegie List<sup>10</sup>. Graduates from these universities may use the abbreviation “Dr.” (plus mention of the university) instead of the alternative “PhD”, which is largely unknown to the general public in Germany.

Last but not least, doctoral graduates from Russia, Canada, Australia and Israel may be referred to as “Dr” plus the mention of the university. They fall under an amendment called “regulation for favoring regulations”<sup>11</sup> according to section 4 of the General Permission Decree of 2000.

### **German Regulations and International Standards – Freedom of Speech**

Compared with Germany, there is only one Federal State of the USA who has such draconian laws and that is Oregon with its OSAC authority whose regulations nominate as ‘foreign’ degrees obtained in other federal states of the USA. The OSAC position was challenged in a law suit between Oregon and Kennedy Western University which claimed that the Oregon law violated KWU graduates’ constitutional rights by unreasonably restricting their ability to use a lawfully obtained academic credential. Under the eventual settlement agreement, the State agreed not to enforce this statute as long as KWU degree holders disclosed their school’s non-accredited status when

representing their academic achievement<sup>12</sup>. The state had to soften its stand on 'foreign' and so called 'unaccredited degrees' as there is still a right for free speech in the US. Thus, inhabitants of Oregon who hold a degree which is not approved by OSAC, can still say so providing they mention the university from which it was obtained. Further, foreign degrees need not be accredited as it is necessary in most of the German Federal States., just the university needs to be. In such cases, no university needs to be mentioned when holding the degree openly by using it on a letter head or a business card. So, in Germany a person may find himself in court for citing a degree from an unaccredited university), whereas it is sufficient in draconian Oregon to cite a degree providing the university is stated. In Germany, all foreign degrees from outside the EU that are from accredited universities may be used in Germany only by also mentioning the university, but degrees from unaccredited universities may not be held in public at all. It is not even possible to mention the degree more than once while talking to a specific person. Not only once in that particular talk but once in a talk with that person for all time! It is also a crime to cite an unaccredited degree on a business card or letter head in Germany. Even mentioning it on a website, will risk an appearance in a German court!

### **The German Constitution and Free Speech**

This is a difficult question because, as stated above, Germany does not have a constitution. Since 1949, the Federal Republic of Germany has operated a surrogate constitution called Grundgesetz. i.e. "Basic Law". This is still the case in 2010 despite that fact that Germany was supposedly given independence from Allied rule in 1991<sup>13</sup>. Since that time, German politicians have failed to introduce a real constitution within a real German republic.

But even the surrogate constitution has a free speech provision, which in Germany is referred to as "Meinungsfreiheit" (i.e. freedom of expression) in Article 5, Section 1<sup>14</sup> of the Basic Law. Two statements under this Article are of special interest here:

(1) Every person shall have the right freely to express and disseminate his opinions in speech, writing, and pictures and to inform himself without hindrance from generally accessible sources. Freedom of the press and freedom of reporting by means of broadcasts and films shall be guaranteed. There shall be no censorship.

(3) Art and scholarship, research, and teaching shall be free. The freedom of teaching shall not release any person from allegiance to the constitution.

If "censorship" is unacceptable, how is it that a German citizen is not permitted to mention a qualification they have obtained? Further, where is academic freedom of scholarship, research and

teaching when a teacher is prevented from writing his academic degree on a black board?

The Universal Declaration of Human Rights from 1948<sup>15</sup> declared in the preamble that:

"Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, (we look for) the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want are proclaimed as the highest aspiration of the common people".

Similarly, Article 10 of the European Convention on Human Rights<sup>16</sup> makes clear that:

"This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority".

These directives appear to be in opposition to German regulations governing the citing of qualifications not approved by the State. Thus far, the German government has operated contrary to such international and EU requirements with complete impunity.

### **Conclusions**

The sixteen Educational State Laws and the General Permission Decree from .2000 of the Federal Republic of Germany have nearly literally the same provisions as the Academic Degree Act of 1939 from the German Realm. It is evident that the Academic Degree Act and its accompanying Regulation were fully incorporated and very actively employed in the Federal Republic of Germany from the beginning of its conception in 1949 and that it only reluctantly ushered in the General Permission Decree and the State Education Laws in the years 2000 to 2005. It is important to remember that:

- The provisions of the Academic Degree Act were introduced by a deformed Weimar Republic which for six years had been changed to a totalitarian by the Enabling Act of 1933. The provisions of the Act were made by a totalitarian system that was strongly biased against anything and everything "foreign".
- The important implication in the current State Laws is that they neither ushered out, nor eased, nor abolished the discriminatory provisions within the Academic Degree Act. These survive today within the provisions of the General Permission Decree and all 16 State Laws. The only change was a shift from the need for individuals intending to use a foreign degree in the Federal Republic of Germany to get permission to so do from a government commission in favour of placing full legal responsibility on the individual to not use a

degree openly which did not have official approval.

Reference to current international law shows that the Educational Laws prevalent in the Federal Republic of Germany (FRG) break the provisions of the Universal Declaration of Human Rights and that this practice has been blatantly pursued from the foundation of the Federal Republic of Germany over six decades.

Further, the FRG has not adhered to its own proclamation of freedom of speech (Basic Law, Article 5, Sections 1 and 3) in prosecuting people who have mentioned more than once that they have a foreign degree and fining them € 000 to €20,000 on recording a criminal conviction according to Criminal Code §132a (Unauthorized Use of Official Titles)<sup>17</sup>!

Germany is now operating within the supranational EU structure and more than less a Federal State within the European Union EU. How is it possible that the FRG may surmount European Law Provisions like Article 10 of the European Convention on Human Rights which clearly states that Freedom of Expression is protected with impunity? Ho is it that the FRG is still bringing its citizens before court for a speech crime, who were simply wishing to inform their fellow citizens and business partners of their academic credentials?

It is a courageous citizen with enough financial stamina and a high quality lawyer who is willing to invest 4-5 years of his life into a legal battle which would start at a District Court and go through two Appeals Courts before finally coming before the Constitutional Court of the FRG. Afterwards that the applicant would probably have to take the case to the European Court on Human Rights in Strassbourg before the legal battle could possibly end in favour of the defendant. However, this is what may be necessary to change Educational Laws in the FRG which have retained the imprint of totalitarianism over seven decades.

## NOTES

1. <http://www.gesetze-im-internet.de/bundesrecht/akagrdiv/gesamt.pdf>
2. [http://en.wikipedia.org/wiki/Enabling\\_Act\\_of\\_1933](http://en.wikipedia.org/wiki/Enabling_Act_of_1933)
3. <http://bundesrecht.juris.de/akagr/BJNR009850939>
4. <http://pda.lexexakt.de/glossar/gg001.html?switch=Ansehe>
5. <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31989L0048:en:html>.
6. <http://www.anabin.de/dokumente/grundsaeetze.pdf>
- 7: Baden-Württemberg § 37, Version equivalent to directive 14.04.2000, , law indicates that the university rather than the degree must be recognized:  
<http://www.landesrecht-w.de/jportal/portal/t/265/page/bsbawueprod.psm1/action/portlets.jw>.

[MainAction?p1=1o&eventSubmit\\_doNavigate=searchInSubtree TOC&showdoccase=1&doc.hl=0&doc.id=jlr-HSchulGBWV5P37&doc.part=S&toc.poskey=#focuspoint](http://www.verwaltung.bayern.de/Volltextsuche-.117.htm?url=http://by.juris.de/by/gesamt/HSchulG_BY_2006.htm#HSchulG_BY_2006_rahmen)

Bavaria, Article 68, Version equivalent to directive 14.04.2000 plus abbreviation of honorary degree possible, law indicates that the university rather than the degree must be recognized  
[http://www.verwaltung.bayern.de/Volltextsuche-.117.htm?url=http://by.juris.de/by/gesamt/HSchulG\\_BY\\_2006.htm#HSchulG\\_BY\\_2006\\_rahmen](http://www.verwaltung.bayern.de/Volltextsuche-.117.htm?url=http://by.juris.de/by/gesamt/HSchulG_BY_2006.htm#HSchulG_BY_2006_rahmen)

Berlin, § 34 a, Version equivalent to directive 14.04.2000, discriminates, however, against professional doctorates  
<http://web.fu-berlin.de/zwv/vorschr/berlhg.pdf>

Brandenburg, § 28, Version equivalent to directive 14.04.2000, discriminates, however, against professional doctorates and discriminates against degrees where studies have been made at private German academies whose course work have been recognizes as academic credit by a foreign university.

Bremen, § 64b, Version equivalent to directive 14.04.2000 plus abbreviation of honorary degree possible, law indicates that the university rather than the degree must be recognized  
<http://www.sfs.uni-bremen.de/PDF/bremhg.pdf>

Hamburg, § 69, Version equivalent to directive 14.04.2000, law indicates that the university rather than the degree must be recognized  
[http://hh.juris.de/hh/gesamt/HSchulG\\_HA.htm#HSchulG\\_HA\\_rahmen](http://hh.juris.de/hh/gesamt/HSchulG_HA.htm#HSchulG_HA_rahmen)

Hesse, § 22, Version equivalent to directive 14.04.2000 plus abbreviation of honorary degree possible, contains an obscure reference that degrees must be understood as degrees according to European legislation  
[http://www.hessen.de/irj/servlet/prt/portal/prtroot/slimp.CMReader/HMWK\\_15/HMWK\\_Internet/med/594/5942de1d-cbd9-521f-012f-31e2389e4818](http://www.hessen.de/irj/servlet/prt/portal/prtroot/slimp.CMReader/HMWK_15/HMWK_Internet/med/594/5942de1d-cbd9-521f-012f-31e2389e4818)

Mecklenburg-Pomerania, § 42, Version equivalent to directive 14.04.2000  
[http://mv.juris.de/mv/gesamt/HSchulG\\_MV\\_2002.htm#HSchulG\\_MV\\_2002\\_rahmen](http://mv.juris.de/mv/gesamt/HSchulG_MV_2002.htm#HSchulG_MV_2002_rahmen)

Lower Saxony, § 10, Bremen, § 64b, Version equivalent to directive 14.04.2000 plus abbreviation of honorary degree possible, law indicates that the university rather than the degree must be recognized  
<http://www.schure.de/22210/nhg1.htm#p10>

North Rhine Westphalia, § 69, Version equivalent to directive 14.04.2000 plus abbreviation of honorary degree possible, law indicates that the university rather than the degree must be recognized  
[http://www.innovation.nrw.de/objekt-pool/download\\_dateien/hochschulen\\_und\\_forschung/HFG\\_22\\_10.pdf](http://www.innovation.nrw.de/objekt-pool/download_dateien/hochschulen_und_forschung/HFG_22_10.pdf)

Rhineland Palatinate, § 31, Version equivalent to directive 14.04.2000  
[http://rlp.juris.de/rlp/gesamt/HSchulG\\_RP\\_2003.htm#HSchulG\\_RP\\_2003\\_rahmen](http://rlp.juris.de/rlp/gesamt/HSchulG_RP_2003.htm#HSchulG_RP_2003_rahmen)

Saarland, § 63, Version equivalent to directive 14.04.2000  
[http://www.saarland.de/dokumente/thema\\_justiz/221-1.pdf](http://www.saarland.de/dokumente/thema_justiz/221-1.pdf)

Saxony, § 44, Version equivalent to directive 14.04.2000 plus abbreviation of honorary degree possible  
[http://www.smwk.sachsen.de/download/HG\(1\).pdf](http://www.smwk.sachsen.de/download/HG(1).pdf)

Saxony-Anhalt, § 19, Version equivalent to directive 14.04.2000  
<http://www.landesrecht.sachsen-anhalt.de/jportal/jsessionid=8714A14321CB2877FD90334E1ABD635B.jpj5?quelle=jlink&query=HSchulG+ST&psml=bssahprod.psm1&max=true&aiz=true#jlr-HSchulGSTp19>

Schleswig-Holstein, § 57, Version equivalent to directive  
14.04.2000  
[http://www.schleswig-holstein.de/Wissenschaft/DE/HochschulenAusseruniversitaereForschungseinrichtungen/Hochschulstrukturreform/Hochschulgesetz/HSG\\_\\_Beschluss,templated=raw.property=publicationFile](http://www.schleswig-holstein.de/Wissenschaft/DE/HochschulenAusseruniversitaereForschungseinrichtungen/Hochschulstrukturreform/Hochschulgesetz/HSG__Beschluss,templated=raw.property=publicationFile).

Thuringia, § 53, Sect. 3, Version equivalent to directive  
14.04.2000, law indicates that the university rather than the  
degree must be recognized  
<http://www.thueringen.de/de/tkm/wissenschaft/hochschulrecht/hochschulgesetz/inhalt/content.html>

8. <http://www.wales.ac.uk/en/InstitutionsAndCourses/CourseSearch.aspx?InstitutionCourseCountry=GERMANY>
9. [http://www.noerr.com/en/DesktopDefault.aspx/tabid-55/140\\_read-1261/](http://www.noerr.com/en/DesktopDefault.aspx/tabid-55/140_read-1261/)
10. [http://classifications.carnegiefoundation.org/lookup\\_listings/institution.php](http://classifications.carnegiefoundation.org/lookup_listings/institution.php)
11. <http://www.anabin.de/dokumente/grundaus2.pdf>
12. [http://findarticles.com/p/articles/mi\\_m0EIN/is\\_2004\\_Dec\\_22/ai\\_n8587562/](http://findarticles.com/p/articles/mi_m0EIN/is_2004_Dec_22/ai_n8587562/)
13. <https://www.cia.gov/library/publications/the-world-factbook/geos/gm.html>. Look under independence
14. <http://www.iuscomp.org/gla/statutes/GG.htm#5>
15. <http://www.un.org/en/documents/udhr/>
16. [http://en.wikipedia.org/wiki/Article\\_10\\_of\\_the\\_European\\_Convention\\_on\\_Human\\_Rights](http://en.wikipedia.org/wiki/Article_10_of_the_European_Convention_on_Human_Rights)
17. <http://dejure.org/gesetze/StGB/132a.html>



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# An Agency Crisis in Schools and Its Relationship to an Uncertain Ontology

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## INTRODUCTION

The past forty years or so have produced a plurality of thought in relation to education and schooling. Nevertheless, the empirical realities in classrooms continue to show considerable inertia, remaining constant through space and time. Some theorists have attributed the lack of theoretical penetration to the notorious difficulty of changing the bureaucratic nature of schooling. Others have emphasised the invasion into the classroom of the objective realities of student's lives (e.g. McLaughlin & Talbert 1990). Perhaps it needs emphasis that the sheer diversity of pedagogic thought tends itself to operate against the development of a consensual pedagogy. The days are long since gone when an easy consensus could be built around notions like John Dewey's localised democracy, Talcott Parson's naive functionalism and R.S.Peter's conviction that education is an activity that is worthwhile in its own right. Modern pedagogues face a theoretical complexity not easily managed by those residing in the halls of academia, let alone those delivered daily into the realities of the modern schooling classroom. For, within classrooms there are commonly found social dysfunctions, counter-productive for learning.

Morrow reminds us that "a concept of learning is central ... to any theory of education... penetrate[ing] how one thinks about every other aspect" (Morrow (1981), p.160). In thinking about this, it is clear that while a comprehensive account of learning would necessarily be constituted by the *how, when, why* and *what* questions, the *how* is foundational. *How* questions may be focused from at least three perspectives: (1) an ontological perspective (*how* as innate capacity); (2) an agency perspective (*how* as rational-purposive action on the part of learners and teachers); and (3) a pedagogic perspective (*how* as deliberately planned strategies for learning). These perspectives are not independent; rather, in a concept of learning they are seen to be inter-related elements. An account of agency necessarily rests on ontological assumptions; and a pedagogic prescription necessarily references the agency potential of teachers and learners. This being so, a concept of learning may be formulated as: *ontology>agency>pedagogy*; and this demonstrates that ontological pre-suppositions are foundational and fundamental.

There are three ontological accounts pre-eminently influencing human thought these days: (1) the persistent primal account<sup>1</sup>; (2) the Judaeo-Christian account; and (3) reductive materialist/determinist accounts. The three accounts are sharply contrasted, but equated, in that each is under-girded by a theistic

axiom of a dogmatic kind<sup>2</sup>. No account is necessarily more 'scientific' than another is; all three are paradigms. That being so, their utility as a ground for learning must rest on proof of their fitness with regard to the empirical realities they claim to address and regulate, not on bias or prejudice as is often the case. In what follows, I argue that an ubiquitous agency crisis in schools may be traced to the inadequacy of reductive accounts of humanness, which currently have primacy in Western schools.

## AN AGENCY CRISIS IN SCHOOLS

According to Morrow, education is conceived as proceeding through a teacher/learner relationship. In defining this relationship, he takes it to be axiomatic that no person can contribute to another's education unless s/he knows or understands something that the other does not, that there is "something unintelligible in the idea that educative relationships are relationships between equals" (Morrow (1989), p.147). Nevertheless, in prescribing this, he adds the important addendum that "while teachers should not treat students as equals ... (they should) treat them as persons", i.e. agents in their own right. Specifically, Morrow argues that a teacher's "critical judgment ... needs to be generously tempered by a robust determination not to destroy the delicate growth of the capacity (of the learner) for independent judgment". And he advances this argument by insisting that "who is teacher and who is learner may fluctuate under certain conditions" (op cit, p.130/133).

That Morrow's requirements for education are not always provided in Western schools is evident. Some theorists like Trevor Pateman (Pateman 1980) are convinced that schools cannot be educative sites at all. In particular, Pateman is unhappy that schools commonly demand that the teacher/learner relationship be transformed to a bureaucratic power relationship (op cit, p.144). He is also concerned about age grouping, compulsion and the emphasis on individual performance that denies "the irreducibly social nature of human experience" (p.145). For him, the problem confronting teachers is not how to create a desire for learning but how to avoid extinguishing that desire students normally hold when first introduced to schooling (p.146). However, this is easier said than done, because underneath Pateman's structural concerns lie subtler influences precipitating profounder effects.

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1. *The primal ontological account has persisted since time in memoriam. It remains popular amongst modern people despite claims that it is 'not scientific'. An excellent introduction to this account is provided by Mönnig in his description of the Ba-Pedi, a people located in Northern South Africa. The persistence of the primal account is demonstrated by the fact that the Ba-Pedi account is congruent with the Hellenic account in Homeric times.*

2. *The primal account is under girded by pantheism/animism; Judaeo-Christianity by monotheism and reductive accounts by atheism.*

Wexler provides evidence of a “crisis of society” (Wexler, 1990) in some schools in the USA. In particular, he identifies three schooling social syndromes that he sees as dysfunctional for the educative relationship: (1) a mutual perception on the part of teachers and students that the ‘others’ are non-caring; (2) an instrumental focus on credentials and future occupation; and (3) an unintended assault on the student’s “... self and moral value ... (deriving from) the therapeutic and legal bureaucratic apparatus” associated with schools (op cit, p.30). As presented, Wexler’s account lacks experimental rigor; nevertheless, those experienced in Western schooling will find his account persuasive; and it might be expected that a more disciplined survey would simply confirm his observations and conclusions.

Wexler is provocative in arguing that social dysfunctions in schools are the result of a penetration from the public sphere of “an erosion of the institutional mechanisms and processes that build social commitment” (op cit, p.31); not, as is often suggested, inadequate teaching practices and/or breakdowns in school/work place relations. Support for this conclusion is found in a distinct parallelism between Wexler’s three schooling social dysfunctions and Charles Taylor’s account of three general malaises within modern industrial societies (Taylor 1991). In what follows, it is argued that this parallelism is not coincidental but evidence of a significant *reproduction* of macro-societal ills within schools. This being so, it is argued that Taylor’s general diagnostic account illuminates Wexler’s account in that the three elements of Wexler’s social crisis in schools may be refocused as a ‘crisis of individualism’, a ‘crisis of instrumentalism’ and a ‘crisis of classification’.

## THE REPRODUCTION OF SOCIETAL MALAISES IN SCHOOLS

### A crisis of individualism

A first malaise for Taylor derives from an extreme form of individualism (Taylor 1991, p.2). It requires no special emphasis that in modern times there has developed a considerable moral force behind the emancipatory possibilities of a potentially free will, the “noblest thing exhibited in great souls” (Taylor 1989, p.147/150). However, an account of freedom demanding that humans break the hold of all external impositions and decide for themselves alone, necessarily precipitates a “degraded, absurd and trivialised form” of authenticity (Taylor 1991, p.29). Nevertheless, Taylor finds that Herder’s notion that “each of us has an original way of being human ... has penetrated deep into the modern consciousness” (op cit, p.28), precipitating the powerful moral idea that:

“There is a certain way of being human that is my way. I am called to live my life in this way, and not in imitation of anyone else’s ... If I am not (true to myself) I miss the point of life, I miss

what being human is for me” (Taylor 1991, p.28/29).

The insistence that each must ‘do it their way’ has implications for the classroom. On one hand, teachers reeling under bureaucratic pressures to impose state curricula are likely to become ambivalent in the face of a moral force that insists they are invading sites of privilege. Students, on the other hand, may find grounds in Herder’s proposition for mentally resisting an uncertain pedagogy, and may not engage with teachers on grounds that it would deny them a unique self-fulfillment. That all of this has power to degenerate Morrow’s educative relationship and, beyond that, precipitate Wexler’s non-caring syndrome is evident. For the educative relationship being denied, teachers and students find themselves incommunicado, participating in an “inarticulate debate” (Taylor 1991, p.13). In this state of isolation it is likely that those not measuring up to the mark will develop a sense of inadequacy and, beyond that, a sense of hopelessness when they perceive that there is no social support, that ‘nobody cares’. Once initiated, such a perception maintains a “feedback loop in a failed pedagogic relation[ship] ... a reinforcing relation of failure and withdrawal” (Wexler, 1990, p.10)

### A crisis of instrumentalism

A second malaise for Taylor is that which derives from the “primacy of instrumental reason ... the kind of rationality (that calculates) the most economical application of means to given ends” (Taylor, 1991, p.4). This is so “massively important ... (in) the modern age” (op cit, p.5) that it seems difficult, if not impossible, for moderns to think differently, even though it be widely understood that instrumentalism precipitates a number of serious dilemmas. For example, as Taylor notes, in industrialised nations the demands of economic growth are commonly used to justify such things as: (1) the unequal distribution of wealth and income; (2) inattention to a deteriorating environment; (3) the designation of some humans as raw material (labour); and (4) in-built obsolescence in manufactured goods. To these may be added ethical dilemmas like euthanasia and the abortion of human fetuses, and moral dilemmas like that instrumental reasoning that argues that food cannot be relocated from places of plenty to starving and impoverished populations on grounds that the needy cannot pay the transport costs or import duty. That all of this may contribute to a “narrowing and flattening of our lives” (op cit, p.6) is evident; the common experience of citizens living in instrumentally orientated societies being that “powerful mechanisms ... press them in (certain) directions ... against (their) humanity and better sense” (op cit, p.7).

The reproduction of societal instrumentalism into schools is easily demonstrated. Firstly, education itself is commonly conceived as human capital (see Blaug 1966 and Archer & Moll 1993) and a large part of what schools do is focused on the creation of that

capital. Credentialism is also a main schooling *telos*, and this prioritises the introduction of performance standards and testing. Peters recognised some time back that the “majority of men are geared to consumption ... see[ing] the value of anything ... as related instrumentally to the satisfaction of their wants as consumers” (Peters 1966, p.145). Thirty years later, his idea that education is a worthwhile activity in its *own* right is powerfully under siege. Many schools in industrialised societies have already succumbed to state, business and populace pressure to provide an education more fitting to the requirements of the economy.

However, by Wexler’s account, instrumentalism has deeper implications for schools. In particular, he sees it as the cause of a fragmentation within staff and students as separate groups (and, critically, between them) in such a way that the education relationship is denied. In the ‘professional’ school he studied, Wexler found little or no “identification with the school as a whole ... [rather, a] ritualistic participation and an ethos of communicative competence substitute[ed] for society” (Wexler (1990), p.14). Students and staff alike were under pressure to perform; “the worst sin [was] under-achievement” (op cit, p.16). Schedules were packed, free-time non-existent, and rational planning left everyday life empty of meaning; an “excessive orientation towards the future ... evaporate[ing] the present” (Taylor 1991, p.9). The end-point in such schools, Wexler found, was a sense of failure and inadequacy. “Life at the top [was declared to be] not satisfying ... [an] obsession with the future leading to a level of depression ... [in which everyone was] apathetic to the idea of school” (Wexler 1990, p.9).

### **A crisis of classification**

Taylor defines a third malaise in modern societies as an entrapment constructed from political atomism and an “immense tutelary power” (Taylor, 1991, p.9). In particular, he sees institutions in industrial societies so structured as necessarily to severely restrict individual choice. For example, he finds within a city that it is hard to function without a car; and this, along with other similar requirements, places economic demands on urban dwellers, which result in an economic pre-occupation focusing on, not only survival needs, but also the moral obligation to strive after and maintain a rising standard of living. However, the latter is not easily achieved, because powerful economic forces operate that substantially preclude individuals from moving up the economic ladder operate. In the face of this ‘class hostility’, many become dispirited and withdraw from societal affairs. “Enclosed in their own hearts” (Wexler 1990, p.25), they tend to move, at best, only within the society of their economic peers. Few take up the option of political participation. Most vote occasionally without feeling that their vote counts for anything. Between elections, everyone feels powerless, both as groups and as individuals, in the face of the vast, impersonal bureaucratic state

apparatus. Respite is sought in excursions to the wilderness, cinemas and other entertainments, but these bring short respite from the “soft despotism” (Wexler, op cit, p.23) to which all of us, albeit unintentionally, contribute.

The crucial dimension of this malaise is the individual’s sense of powerlessness to change their ‘classification’, a powerlessness Wexler finds shared by personnel in schools. At a general level, teachers often feel helpless in the face of the combined assault of bureaucratic requirements and classroom hostilities, while students tend to be overwhelmed by the compulsory nature of education and their disadvantaged position in the teacher/student power relationship. But the situation in schools goes even deeper than this. Wexler defines “an unintended assault on the fragile self” (op cit, p.25) brought about by therapeutic classification systems; the fact that these systems are projected as helping students makes them the more insidious.

Students in schools are classified in various ways. In the first place, apart from a ubiquitous grouping of students by age, intelligence testing and formal examinations (all of which precipitate their own problems), teachers practice informal classifications of students according to their perception of their academic and behavioural performance. Regrettably, class, race, sex and economic prejudice also constitute discrimination in some schools. Additionally and more recently, it has become popular in schools to classify students based on psychological tests designed to diagnose a student’s ‘learning difficulty’. As Wexler reports, “students see past [the] language of education ... [seeing] classification into a therapeutic grouping ... as a moral judgment ... saying something about one’s whole being” (Wexler 1990, p.25). Once classified, students feel stigmatised as they suffer the on-going social hostility of being constantly watched by well-meaning teachers and fellows students, as they go off to their ‘special classes’.

An important aspect of this kind of grading is that, once classified, a student finds it difficult, if not impossible, to escape from it. This has the potential to create intense frustration. If students are not emotionally handicapped prior to their assessment, they are likely to be so thereafter. Teachers, they say, “define an emotional handicap as ‘easy to get mad’ ... but the real problem is that [teachers] don’t listen to you” (Wexler op cit, p.23). In a case known to the author, a mentally bright but physically handicapped student was located in a special school in South Africa where it was obligatory to study Lower Grade material, dictate replies to exam questions and undergo regular psychological testing. When an opportunity came for this student to attend a private school a group of psychologists had to meet to decide whether she could be released or not (!). Fortunately, she was released, and in the first eight weeks at her new school, she learned to touch-type 25 w.p.m. with 98% accuracy and entered Higher Grade studies with

little difficulty. What was appalling was the reality that, on the whim of a group of psychologists, this girl might have remained institutionalised for life, thanks to the well intentioned but intensely dehumanising efforts of the 'immense tutelary power'.

An added dimension in the case of this crisis is that schools are not just passive reproducers of societal ills but primary sites for their development. For school classification preconditions human agents to accept those classifications imposed upon them in adult life.

### **THE HISTORICAL DEVELOPMENT OF SOCIETAL MALAISES**

Taylor's choice of 'malaises' to focus general ills in modern industrialised societies seems well chosen; for such conditions commonly cause 'body pain' without fructifying to 'discernible 'disease'. This being so, their diagnosis often remains uncertain, exacerbating their capacity to chronically "narrow and flatten our lives" (Taylor 1991, p.4). The value of Taylor's account of such dissatisfactions is that it is both coherent and diagnostic; all three, in his view, derive from unfortunate side-effects of moral shifts developed over the past several centuries.

In tracing these developments, Taylor sees three significant schemes of thought arising in the 17th Century: (1) Descartes's insistence on a disengaged rationality, (2) the Puritan "affirmation of the ordinary life" (Taylor 1989, p 211), and (3) the Abbe de Simon's support for a positivist science based on Francis Bacon's inductivism. He sees these three paradigms co-opted by the Enlightenment (albeit with substantial modification) to undergird the development of moral forces supporting liberation in opposition to those ethical forces that drew on divine affirmation in support of the dominance of the many by the few. So successful were these developments that by the end of the nineteenth century men were able, with a clear conscience, to declare God dead (see e.g. Stern 1978) and "exempt themselves from being His (or anybody else's) subjects" (Taylor 1989, 147). The denial of deity created some philosophical vacuums but these were filled pragmatically by notions drawn from a newly affirmed positivist scientism invoking reductive-materialist accounts of human ontology (see e.g. Eccles, 1981). That this scientism and, in particular, these accounts of human ontology powerfully penetrated the twentieth century is evident. In what follows, it is contended that the assumption of reductive accounts of humanness constitutes a confusion in modern thought; a puzzlement playing a significant role in the precipitation of both Taylor's societal 'malaises' and Wexler's schooling dysfunctions. In particular, Taylor's diagnosis refocuses Wexler's schooling crises for the individual agent as a 'crisis of ontology', a 'crisis of identity' and a 'crisis of self-affirmation', these three together constituting a significant agency crisis for school personnel.

### **An ontological crisis: "What am I?"**

In tracing the development of the crisis of individualism, Taylor begins with Descartes's re-establishment and intensification of the notion of the inner source. He found that, whereas Descartes did not exclude the possibility of a relationship with God or the Idea, he rather considered his propositions the "proper way to them" (Taylor 1991, p.26). But this proposition was drastically modified over the next two centuries. One important shift came with Rousseau's emphasis that God may be found in 'following the voice of nature', that 'I am free when I decide for myself'. Another came with Herder who articulated the notion of a unique individuality (above). However, these ideas in themselves were insufficient to constitute a new moral force. It required the affirmation of a strengthening atheistic nineteenth century scientism before the necessary moral foundations for delivering humanity into an enhanced negative freedom (Berlin 1969) were in place. The cost of this was great; for the simultaneous denial of theistic and social support left twentieth century human agents with scanty resources to enforce an enhanced positive freedom. It was a century or so later that nineteenth century optimism (which saw humans by their own power and light marching on to perfection, Darwin 1873, p.428) began to dissipate (e.g. Tolman (1991), p.iii and Eccles, 1981).

These days numerous researchers are finding that the minimal resources prescribed by reductive, materialist accounts of human ontology are inadequate for a successful agency. And that being so, in reshaping the education relationship it seems imperative that it be redefined both in terms of better social relations and, if possible, in terms of a more encouraging ontology. In this regard, Taylor has been hinting for a long time that we ought to "cut off the nonsense ... by declaring all self-realisation views to be metaphysical hogwash" and, in particular, "slough off as untenable, a reductive-materialist metaphysics" (Taylor 1979, p.186). Unfortunately, as he regrets, the spirit that undergirded the "anti-metaphysical, materialist, natural science oriented temper of thought" (op cit, p.179) at its inception, goes marching on in our time, reinforced daily in the media by 'Jurassic Park symbolism'.

### **An identity crisis: "Who am I?"**

Taylor sees instrumentalism rising from the seventeenth century affirmation of the 'ordinary life' (Taylor 1989, pp.211-233). Prior to the Reformation, the 'good life' was located in two compartments: (1) the secular world that gave promise of honour and glory; and (2) the sanctified life that opened doors for the grasping of the order of the cosmos through contemplation. The Puritan notion of the sanctification of the ordinary life (family, reproduction and artisan labour) was in opposition to both of these traditional goals of agency. Rooted in Judaeo-Christian spirituality, this movement saw all men as God's

stewards, called to do those good works that God intended. In particular, it saw spiritual men called to correct and admonish each other and to control the actions of the damned. The development of empirical science provided major support for all of this. Francis Bacon himself was a Puritan and dedicated his science to the service of God and man.

Important in all of this, for the instrumental debate, was a principle of moderation, especially with regard to rewards for services and affections. Work was not practiced for 'filthy lucre' but offered as a contribution towards the common good - as it was corporately discerned. What requires investigation is *why* and *how* the Enlightenment moved from a discipline of moderation to a hedonism involving rampant self-gratification.

Taylor sees the fusion of the ethic of the ordinary life with Descartes's notion of disengaged reason as crucial in the transformation of the Puritan ethic to the instrumental dilemma of these times (Taylor 1989, p.234). In his view, this marriage produced the naturalist variant that allowed John Locke to argue that humans should read God's commands from nature, seeing self-love as part of this nature, living rationally rather than worshipfully. This and the Cambridge neo-Platonist teleological doctrine of nature tending towards the good, Taylor sees as opening doors for a steady slip from an ordinary life of service to an ordinary life of self-seeking - all of which was reinforced in the late nineteenth century by the emancipatory possibilities of technology and the development of the work ethic.

By the late 1930's, an increasing self-centredness had so exempted humans from a life of service that Freud would pronounce the idea of 'loving one's neighbour as oneself', incomprehensible' (Freud 1991, p.300). This was deplored by Heidigger who found the essence of technology to be "that disclosure to man of all beings whatsoever [including humans] as objective, calculable, quantifiable, disposable raw materials ... of value only insofar as [they] contribute to the enhancement of human power" (see Zimmerman 1989, p.220) and sense of well being. For him, the technological crisis was not so much physical (a polluted environment, et al.) but a crisis of identity. His fear was that "man might continue to live in his instrumental world without any genuine insight into *who* he was" (op cit, p.220). For, in the instrumental world, both at school and in the work place, the search for identity is strongly focused.

Heidigger saw humans needing some kind of a conversion, one granting a vision of a new reality that would free them from the drive to power and the tendency to look at things (including other humans) as commodities. He looked for one that opened to them "the most authentic possibility ... [i.e.] to allow beings in the world [including themselves] to manifest their own intrinsic worth" (op cit, p.226). While his own attempts at this conversion might seem unconvincing,

it can be agreed with Heidigger that a better ontological affirmation of humanity as a whole might help individuals reaffirm traits like moderation, dignity and service to others.

### **A crisis of human value: "Am I worthwhile?"**

It is clear enough from Wexler's report (above) that individuals subjected to modern psychological testing in schools remain with a crisis of self-affirmation. This is predictable, for such tests diagnose deficiencies rather than abilities and prescribe a pedagogy addressing weaknesses rather than strengths. Such tests derive from the all-pervading scientism of our time, that scientism that affirms persons as objects rather than subjects in the social science equation. In common with the first two 'malaises', a diagnosis of the third also throws into question the utility of reductive materialist human ontological accounts.

### **TOWARDS THE HEALING OF SOCIAL DYSFUNCTIONS IN SCHOOLS**

While there remains some diagnostic utility in maintaining the separate identity of the three crises outlined above, for the individual in society they constitute a single crisis of personal agency. For the problem of the individual striving to maintain a Herderian account of personal authenticity is not essentially different to the problem of the individual trying to establish an identity that will provide accreditation in the work place. And both of these are not different in kind from the problem of the individual trying to escape from a negative classification provided by a 'soft-despotic power'. In each case, individual agents find themselves battling with a perception of inadequacy in relation to meeting performance standards demanded of them by the communities in which they live.

For some individuals, a sense of inadequacy can be traumatic, being experienced by them as a rejection of their person. The perception of rejection commonly precipitates two forms of anti-social behaviour: (1) a violent lashing out towards the perceived external source of the rejection; and (2) an anti-social withdrawal. A violent response may be criminal or that legal kind of aggression whereby individuals use the system to advance their personal welfare without regard for others. Both types are commonly found in schools; e.g. in addition to an instrumental attitude in his 'professional school' Wexler noted "a new and high wave of vandalism" (Wexler 1990, p.18). Both types of violence had a high profile in South Africa prior to 1994, where legal apartheid and illegally organised resistance demonstrated how the two types of violence may feed on and sustain each other. Against any account of morality, both kinds of violence are unacceptable as a prescription for the good life, although old ideas of power and glory linger. Sadly, such problems remain unsolved by the diffusion of organised conflict, e.g. re-imposed

discipline in schools (Wexler op cit, p.9), for the perception of rejection remains. Violence is driven underground; crime continues and, in the work place, schools and other places where humans gather - a subtle, and a not so subtle bigotry and intimidation are sustained.

However, a violent response is not the only, nor necessarily the worst response to rejection. More subtle, and more difficult to deal with, is a widely practiced internalisation of rejection leading to self-rejection and a deepening, sometimes pathological, sense of inadequacy. Once rejection is admitted to the "place where we are present with ourselves" (Taylor 1989, p.139) it contributes to the constitution of an ever-present super-ego operating to reinforce the sense of inadequacy. The causality is circular (Taylor op cit, p.138), each reinforcement initiating a spiraling downwards into self-pity and even self-hatred. For those committed to reductive/materialist accounts of human ontology, Freud is right; from such a state there is "no consolation" (Freud 1991, p.339). The best help available is some form of psychoanalysis; but such analysis has its own problems. For, following even the best analysis, there remains the necessity for the individual to generate a spring of personal agency. How this may be achieved we cannot say, because it was this lack that precipitated the problem in the first place.

The above focuses extreme responses to rejection. The problem for the bulk of humanity, as emphasised by Taylor and Wexler, is that the ever-present subdued experience of rejection wears down reactions, leaving one with a sense of dullness over time. The on-going low-key rejection of people on grounds of sexuality, race, culture and class is a case in point, as is the subtle rejection experienced by many students in classrooms from both teachers and/or peers. This type of mistreatment exacerbates an individual's inner restlessness without pressing them into extreme responses; although, by their own testimony, Wexler's classified students are sometimes pushed 'over the top'. As part of the mannered life, individuals aim to maintain an even tenor. Freud sees them adopting 'palliative measures' (Freud 1991, p 262) aimed at minimising their encounters with social hostilities; some immerse themselves in work, some develop artistic pursuits, some retire into narcissism and just about everyone drinks alcohol. Where necessity requires social engagement (the work place, schools, et al) humans are careful, by mutual consent, to make pretence of social niceties. Masks are worn to ensure that the imperfections individuals observe within themselves do not manifest to others.

The fact that schools, by Wexler's account, act as primary sites for the learning and development of such compromise and deception seems unacceptable. Most of us would argue that the proper *telos* for schools would be reliable, stable, self-managing individuals enabled to contribute to some account of the common good; not psychological cripples overwhelmed by a

sense of their own inadequacy. Thus, the question remains how changes for the better might be instituted in schools.

Some Neo-Marxist and feminist theorists have argued for the dismantling of present institutional structures but Taylor sees the dismantling of the present schooling system requiring the total dismantling of the institutions of the market and the state. This for him is an aspiration that "seems so unrealizable ... that it amounts to declaring us helpless" (Taylor 1991, p.8). It is his recommendation that existing structures be transformed rather than superseded by more radical alternatives.

However, in consideration of the diagnosis offered above, a transformation strategy would require a confrontation with powerful moral forces. In particular, in relation to the breaking of the 'non-caring' deadlock, strong arguments would have to be brought against the Herderian account of a unique identity. Concerning this, Taylor asks that the liberal notion of the individual be not summarily discarded for he sees "healing grace ... [lying] beyond the modern identity, not anterior to it" (Taylor 1989, p.45). His recommendation is that the liberal notion of the individual be seen as "an ideal that has been degraded" needing retrieval, a retrieval which is neither "root or branch condemnation, uncritical praise, nor a carefully balanced trade-off" (Taylor 1991, p.27). This seems to leave only one alternative; an account which embraces both an enhanced individual agency and that social support which provides for individuals "horizons of significance" (op cit, p.23). Significantly, all of this fits nicely with the notion of a revived educative relation, after Morrow, (above).

If there are difficulties in confronting the Herderian notion of authenticity, they seem minuscule in comparison with the difficulty of persuading people that instrumental reasoning ought to play a lesser role in their lives. For the moral force behind the idea that individuals have the right to meet their economic needs seems irresistible. Heidigger is right, nothing less than some sort of conversion experience leading to a new reality will be required to bring about an adjustment here.

With regard to a rejection of positivist notions leading to the treatment of individuals as objects, there is also opposition from powerful moral forces; in particular, those forces predicated on a denial of theism. In this regard, some encouragement comes from people like Tolman who presents evidence of a growing awareness amongst social scientists, psychologists in particular, that "positivism [and] more specifically neo-positivism, has [proved] an historical dead end for ... [the] social sciences". In his experience, "virtually every theoretically engaged psychologist has openly rejected positivism in both its 19th and 20th Century forms" (Tolman 1991, p.vi). Notwithstanding this, Tolman finds a problem in that "anti-positivist

theorising is frequently found reproducing positivist assumptions” (op cit, p.v). This he attributes to the entrenched position of positivist notions in modern language but he might also have attributed it to the reality that reductive accounts of human ontology have survived intact, despite dissatisfaction with the positivist notions that undergird them. For, if positivism be denied, the validity of reductive accounts is necessarily thrown into question. And, if these be denied, the moral forces precipitating Taylor’s societal malaises and Wexler’s social dysfunctions in schools must be considerably weakened, making the task of an institutional transformation that much the easier; providing, of course, that a better account of human ontology can be found to under-gird a better account of human agency in learning.

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## Studying - A Dream or Nightmare?

### \*Dr Bruce Duncan

Those of us who have been/are students know about the challenge of studying. Unless we are among the reportedly 10% minority who have an amazing eidetic memory<sup>1</sup> (also known as ‘photographic memory’<sup>2</sup>), studying is not going to make us want to fall out of bed in the morning, switch off the TV, restrict our access to the Internet and escape easily from friends and the cinema.

Individuals differ from each other in most areas of life including in their attitude to, and method of, studying. However, in this article I wish to argue that everyone **can** study successfully – it is not an elitist discipline. Many, because of past negative experiences with study programmes and subsequent failure have become frustrated. Initial motivation has turned into a demotivating lethargy. However, the choice to change and engage in accessing knowledge, improving qualifications, a CV and investing in job enrichment is the right of all and there is no better time to start than NOW. This article will offer proven disciplines that have enabled the writer to engage in continuing education and are divided into two sections: Preparation and Practice. I also include references to selected web sites and further reading information.

Our brain is an amazing endowment of Nature and it works best under the following conditions<sup>3</sup>:

- It is rested - sleep affects our performance
- It is hydrated - drinking water helps the electrical connections of the brain
- It is unstressed - when it is stressed, it can focus only on ‘escape’, not on such matters as reading journals and writing assignments
- It enjoys itself - it is important to look for any angle that can stimulate our interest in what we are learning. Sometimes this can take imagination if the subject itself seems boring
- It has seen something several times - little and often works better than trying to understand something in one sitting

### Preparation

1. Get your brain into the “**DO IT**” mode. Motivation is the basis for successful studying. Consider the advantages of completing your course and then weigh up the disadvantages if you do not cross the finishing line. Do you wish to be a known, admired and respected as a **WINNER** or labelled as a **LOSER**? You are responsible for yourself. Set yourself a target mark and **GO** for it<sup>4</sup>.
2. Draw up a written, workable and adjustable schedule. Outline days, times, place and what parts of the course you intend to complete. Follow

the **SMART** concept. Is your study programme **SPECIFIC** – does it detail what you are going to study (module by module)? Does it allow you to **MEASURE** what you have or have not done? Is it an **ACHIEVABLE** programme? Do not bite off more than you can realistically manage. Is it a **REALISTIC** programme that will get you to your goal of success and have you set **TIMES** so that you and your monitoring team can keep track of where you are heading. Why not create a **GANTT** chart<sup>5</sup> for this purpose? This will give you discipline boundaries and enable you to be accountable to benchmarking arrangements. Publish it with members of your family and ask them to respect your allocated study times – and monitor you at the same time. Accountability and transparency are importance. It helps you not to deceive yourself and when you spiral into denial, rationalisation, displacement and compensatory defence actions, your monitoring team will enable you to be honest with yourself<sup>6</sup>. You can fool others some of the time but the examination results will reveal who the real fool is.

3. Find a place where you can study. This might be at home, college or university. In a library or ... Find a place where you can **STUDY!**
4. Make sure you have access to your course material; pen, pencil, writing book, Internet (if necessary), reference books and whatever are necessary for your study period.
5. Do not study within two-hours of a meal – you may want to sleep.
6. Do not study within 30-minutes of going to sleep.
7. Take timed study breaks away from your study location.

### Practice

- 1 Follow the overall **SQ3R** method<sup>7</sup>. Some contents have been edited with additional suggestions.
- 2 Survey the section that you wish to study for that period. Skim<sup>8</sup> through the section and then write down the section title; sub-headings; highlighted words and phrases; references and note any graphs, illustrations and drawings. You will gain an outline of what you are going to learn and avoid the temptation to jump over bits because you think you know the content. Re-read the first and last paragraphs - to get the opening and closing contents of the section. Sit quietly and form a mind map<sup>9</sup> of the content.
- 3 Question the content of the section. Change all the headings into questions. If, for example the heading was “The advantages of further education”, you could convert that to, “What are

the advantages of further education?” Look for the answers in the text. Write down key words, phrases and your own comments.

- 4 **Read.** There is a difference between just reading and active reading. The latter is when you ask a question of each paragraph or sub-section, for example, “What is the main idea of this paragraph or sub-section and what are the supporting examples?” Use, selectively, the Rudyard Kipling’s “Six Honest Serving Men<sup>10</sup>” to ask your questions, “What: When: Where: Why; Who: How”. Keep asking questions as you read – changing the statements into questions. Remember that a picture is worth a thousand words – take note of the graphics and formulate questions according to the content. Write down your answers in summary form. Do not rush – check your timetable and adjust timing if necessary.
- 5 **Recite.** After you have read a section, cover the content and then see if you can recite what you have learned. Check back and see if you remember everything. Recite repeatedly until you have recalled all the content. Then write down your findings on the study sheet.
- 6 **Review.** Set aside a period at the end of your study period to review all that you have done. Do not wait until just before a deadline. Reinforce what you have studied by going over the content again.

## Conclusion

After each successful study session reward yourself and celebrate. Be kind to yourself. However, if you slip up, then sit down and answer the question, “Do I wish to be winner or a loser?” If the former – then start again. If the latter - then think again, make your decision and accept the consequences.

The choice is yours.

## NOTES

<sup>1</sup> <http://www.pmemory.com/improve-memory-articles/eidetic-memory.php> (Accessed 26 March 2010)

<sup>2</sup> <http://hubpages.com/hub/Eidetic-Memory-Is-It-Real> (accessed 26 March 2010).

<sup>3</sup> Cottrell, S Dr. The Study Skills Handbook 3<sup>rd</sup> Edition. Palgrave MacMillan ISBN 13: 978-0230573055

<sup>4</sup> Covey, S. Seven Habits of Highly Successful People <http://www.d.umn.edu/kmc/student/loon/acad/strat/goals.html>

<sup>5</sup> <http://office.microsoft.com/en-us/excel/HA010346051033.aspx>

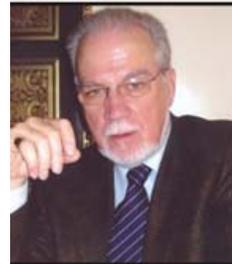
<sup>6</sup> All Psych On-Line <http://allpsych.com/psychology101/defenses.html> (Accessed 28 March 2020)

<sup>7</sup> <http://www.ic.arizona.edu/ic/wright/other/sq3r.html> (Accessed 27 March 2010)

<sup>8</sup> <http://42explore.com/skim.htm> (Accessed 27 March 2010)

<sup>9</sup> [http://freemind.sourceforge.net/wiki/index.php/Main\\_Page](http://freemind.sourceforge.net/wiki/index.php/Main_Page) (Accessed 28 March 2010)

<sup>10</sup> [http://www.kipling.org.uk/poems\\_serving.htm](http://www.kipling.org.uk/poems_serving.htm) (Accessed 28 March 2010)



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# How Smart Do CEOs Have to Be?

**\*Dr Irving Buchan**

There was once a prisoner who yearned to be free. One day the prophet Mohammed appeared to him, and gave him a set of keys to his cell, saying “Your piety has been rewarded. Allah has set you free.” So the prisoner took the set of five keys, mounted them on the wall, and prayed to them five times a day.  
*Sufi Tale*

There was a time when years of experience and successful performance were all that it would take to go all the way and stay there. But minimally now many have advanced degrees, even acquiring PhDs like their European counterparts. Most troublesome of all they behave like academics, pontificating about business metrics, dashboards and cultures.

But the entire issue can be uncomplicated and its basics restored simply by noting what choices effective CEOs make when both leadership and knowledge work in tandem. In other words, when each reinforces and guides the other the result is quickly recognized as smart leadership decisions.

Indeed, the literature even displays the essential patterns of such choices. They are three in number: the directional/aspirational, the inclusive and the reverberating.

## 1. Aspirational

The aspirational decision signals clearly where we are going but not often enough why. When such leadership decisions are intelligence-driven then the rationale of why we are going that way is made equally clear. Professor CEO runs the directional seminar. Such executive knowledge-sharing serves to advance two other sub directions: to justify actions of acquisition, and to pursue excellence.

Often the new direction is both acquisitional and aspirational in nature. What is chosen may be a soft takeover, an alliance rather than a conquest. But often directional pursuits do not just add but annex areas; they are territorial, serving to extend and expand the range of the leader’s domain and signal the extent of his ambition, testosterone, and mission.

The pursuit of excellence is no less aggressively pursued. Frequently made into a company’s brand (‘this is the way we do things around here’); it shares with the acquisitional the goal of getting ahead and being first in class. Leadership intelligence thus always defines itself by what direction and performance standards it chooses

and values. Savvy and smarts become CEO brand.

## 2. The Inclusive

Less aggressive and often both inward and outward facing, the inclusive does not seek to conquer but to co-opt, not to take over but to enable. The goal is always to be totally accommodating: to patch up territorial feuds and spiffs, to leave no one out and to implement ultimately the harmony of alignment. Above all, its goal is to create a culture of consensuality needed for the effective functioning of teams and networks.

## 3. The Reverberating

Applications are intended to be bequeathing; they start things off, get them going and then step back to pursue a life of their own. Instead of take over, they turn over, they delegate not dictate. Thus, the choices are always doubling: they link and are linking, connect and connecting, brokered and brokering. They are permanently unfinished. They are always a mode of stretching and searching, inevitably a prober of first and final causes, a unifier of innovation as the offspring of the future. They come closest to embodying vision.

Leadership intelligence thus always partners with what defines not only its own brand of intelligence and leadership, but also that of the company. Although the specific affiliations may vary extensively, it is clear that the threefold pattern supports the effective exercise of leadership to the point where absent leadership falters. In short, CEOs contemplating decisions have to ask of the options before them three questions: are they clearly directional and aspirational, inclusive and reverberating? Above all, smart leadership seeks to clear and level the field by making the following distinctions:

- Gifted athletes do not often make good coaches; the best violinist will not always be the best conductor; the best teachers will not necessarily be the best head of the department. Different skills are involved. The skill of performance is not the skill of leading performance.
- Natural leaders stand out. Employees listen and follow them, but need to look for the one who is capable of learning leadership over time.
- Leaders are developing. They are always long term. They have to persuade us that they are capable of going all the way, that they and we will last.
- Diversity rules. What may work in the West may not work in the East.

- Smart leaders do not keep making the same decision, tapping the same people or using the same words. Hybrids should begin to talk 'hybridese'.
- Leaders should not be one-sided or one-dimensional. They should be tolerant of ambiguity and coexistence of opposites as norms—they should regularly read the Wall Street Journal and text messages.
- Change is one thing, progress is another. Not all change is progress; that requires conversion, the test of time and the ethics of the common good.
- Evolution is slow, technology is fast. Evolution tries to catch up, technology leaves things behind. Leaders are interveners; they are peacemakers between the slow and fast. In the process they also convert change into progress.

Finally then, how intelligent do leaders have to be? We know that many are not geniuses, and they do not have to be. Indeed, perversely being too bright may even be an impediment to decisiveness and invite decision analysis-paralysis. And yet for all that we single out and admire those whose savvy sets them apart, those who think and act in such a distinctive way that it becomes their leadership brand, and even happily that of their company. Indeed, that latter legacy tends to be generated by CEOs who have internalized their organizations to the point where we cannot tell where the one begins and the other leaves off.



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# The Climate Change Dogma: Five Minutes Before Midnight?

**Editor's Note:** This paper was submitted for publication prior to the Copenhagen Climate Summit in late 2009. Nevertheless, it remains relevant as an historical discourse on the subject of Climate Change.

**\*Dr John S Potter**

In a previous paper (Potter, 2009) I presented evidence that the scientific proclamations of the Intergovernmental Panel on Climate Change (IPCC) are fallacious. I further reported how this led me to look behind the IPCC rhetoric, to discover that the Climate Change Dogma has been contrived by an economic elitist group who hold to the ideological presumption that the current human population is unsustainable. In this paper I wish to look a little closer at the motivation behind the actions of this group and to consider some of the implications and predictable outcomes of their position.

## ORIGINS

### *Giovanni Maria Ortes*

It is always difficult to be dogmatic about origins in the case of ideas but there is general agreement that the population control concept began with the Venetian Giammaria Ortes (1713-1790)<sup>1</sup>. This composer, mathematician, monk and philosopher is seen as 'one of the most influential ideologues of the Venetian oligarchy in its final phase' (Tarpley, 1994). His published works culminated with his "Reflections on the Population of Nations in Relation to the Natural Economy" published in 1790.

Ortes's views were controversial. Tarpley declares him 'a charlatan, a mountebank, a defrocked Camaldolese monk and libertine' (op cit). He was born in a time when the once powerful Republic of Venice was in a state of almost total impotence; a time when the remaining families of influence in Venice developed a paranoid determination to concentrate their operations and wealth into a single line – usually the last born son. Older sons were given free housing and moderate stipends as long as they remained celibate; they constituted an impoverished nobility, referred to collectively as the *barnabotti*. Most girls, having no prospect of marriage went into religious orders. In the 16th Century, 51% of the Venetian upper class remained unmarried, and this number grew to 66% in the late 18<sup>th</sup> Century. Venetians, including Ortes, became increasingly critical of Western civilization, religion and foreign trade. Ortes never studied the impact of population empirically; his ideas reflected a moribund Venice establishment a few years before its end.

Ortes believed that 200 citizens per square mile was the ideal population in consideration of both human

welfare and the environment. He noted that Italy, Holland, some German States and Switzerland had already reached this level in his time while Spain, France, the UK, Prussia, Austria and Poland with a mean population of 72 per square mile had some space to grow. His mathematical calculation was that the maximum number of people that could be sustained on planet Earth was 3 billion.

### *The British East India Company*

The late 18<sup>th</sup> Century saw a crucial metastasis of Venetian power and thought from Venice to London. The United Kingdom had recently suffered a major set-back – defeat in the American War of Independence (1775-1783) and the loss of a major colony. Funds were urgently needed to promulgate a new British Empire so the time was right for Venetian money to spawn the British East India Company and for British philosophers like Thomas Malthus, Jeremy Bentham, James Mills and John Stuart Mills to begin 'slavishly plagiarizing their Venetian original', Giammaria Ortes. Malthus, an employee of the British East India Company's College in Hertfordshire, published his famous *Essay* soon after Ortes's death. Abraham Lincoln's economic adviser, Henry Carey, described the British East India Company as 'the greatest private monopoly in human history, inventing the lie of over-population to cover the devastating effects of its international system of free trade'<sup>2</sup>.

To define the context a little further, it is worth remembering that the British East India Company made substantial profit by supporting the slave trade to the Americas. William Wilberforce began his opposition to the slave trade in 1797, one year before Malthus published his essay. He was successful in seeing the Slave Trade Act passed in 1807 but persistent opposition from the merchant class saw the passing of the Slavery Abolition Act in the English Parliament delayed until 1833.

A few years later, these same merchants were instrumental in turning an incidence of potato blight in Ireland into the *An Gorta Mór* (The Great Hunger) of 1845-1852. One million people died and one million only survived because they emigrated to the USA and Australia. Christine Kinealy (1995) assures us that these 'consequences were neither inevitable nor unavoidable'. She sees the fact that British merchants continued to export food from Ireland at the time of the famine as evidence that the British were 'using (the famine) as an opportunity to facilitate long desired changes within Ireland, including population control'. Dennis Clark (1982) sees the Irish Famine as 'an epic of English cruelty' and Boyle (1996) sees the British government 'clearly pursuing a policy of mass starvation in Ireland'. Curtis in his book *Apes and Angels: The Irishman in Victorian Caricature* identifies the justification for such action as social Darwinism. For a colloquial account see the book *Brendan Behan's Ireland*.

As mentioned previously, we note that Charles Darwin drew his notion of the survival of the fittest from Malthus (Potter, op cit). He published his book *On the Origin of Species by Means of Natural Selection, or the Preservation of Favoured Races in the Struggle for Life* in 1859 (Darwin, 1859). In arguing that it was a principle of nature that only the fittest would survive, he opened the door for the human population to be considered 'a herd to be controlled by an elite, who would cull its ranks or just plain kill entire races, including the lower orders of white society' in order to advance the cause of human development (Anon, The New Citizen, 2009). That this led to the indiscriminate slaughter of dark skinned people around the world over the next 100 years is evident. It also led to Nietzsche's Superman and his *Beyond Good and Evil* (Nietzsche, 1886), which in turn encouraged Hitler to argue with pure Malthusian zeal that:

"Providence has endowed living creatures with a limitless fecundity; but she has not put in their reach, without the need for effort on their part, all the food they need. All that is right and proper, for it is the struggle for existence that produces the selection of the fittest" (Trevor-Roper, 2000).

Sad to say in our time, despite that fact that Hitler's principle of Aryan supremacy is supposed to have been put behind us, there are still scientists comparing the thickness of human skulls, hoping to make the point that white skinned people are superior to their dark skinned cousins.

In arguing for natural selection, Darwin and his cohorts Thomas Huxley and Francis Galton effectively introduced the science of eugenics. The notion was widely embraced by the British establishment in the late 19<sup>th</sup> Century and led to the rapid spread of the British Empire, the reasoning being that providence had ordained the British, with their superior intellectual power, to rule over the world and bring it into order. In fact, the British Empire was just a continuance of Ortes's free-trade option. The callous imposition of British influence in South Africa is a case in point. In 1806 the British took over the Cape Colony without so much as a please and thank you; and in 1899-1901 they took over the gold fields of the Transvaal, arguing that the Dutch settlers were not managing the mines correctly!

Thanks to Hitler, the term eugenics was unpopular after World War II so Julian Huxley, one time president of the British Eugenics Society, repackaged it as 'environmentalism'. In his books *Man in the Modern World*, Huxley demonstrated that the Malthusian project was alive and well in Britain:

"The lowest classes are reproducing too fast. Therefore they must not have easy access to relief or hospital treatment lest the removal of the last check on natural selection should make it too easy for children to be produced or to survive; long unemployment should be the ground for sterilisation' (Huxley, 1947).

Huxley was the co-founder of the World Wild Life Fund (WWF) along with Britain's Prince Philip and Prince Bernhard of the Netherland. Backed by the resources of Royal Dutch Shell, BP, RTZ and Unilever the WWF 'spawned a whole panoply of green organizations world wide, including the Australian Conservation Foundation of which Prince Philip was president from 1971-1976' (Anon, The New Citizen, 2009). Prince Philip has made his intentions clear: 'In the event that I am reincarnated, I would like to return as a deadly virus, in order to contribute something to solve over-population' (*Deutsche Presse-Agentur*, August 1988). Along with St Augustine, we may only marvel at the power of an idea!

In the light of the above, we see that the Climate Change Dogma is just the latest extension of the Malthusian position. And this is confirmed by the fact that it was Huxley's associate, Crispin Tickell, who as British Ambassador to the UN (1987-1990) was responsible for the establishment of the IPCC in 1989. An immensely influential person with two knighthoods and 24 honorary doctoral degrees<sup>3</sup>, Tickell presented his groundbreaking *Climatic Change and World Affairs* at Harvard in 1977; it was published by Pergamon Press in 1978. From 1990, Tickell headed the Washington DC Climate Institute, working with Al Gore to get the US Government to adopt the global warming scam. Britain's latest 'high priest' of climate change, Lord Nicholas Stern is Tickell's protégé. A one time advisor to Margaret Thatcher, it was Tickell who coined the phrase "Mankind is a disease". He was joined in this belief by people like Lord Bertrand Russell, Prince Philip, the Club of Rome, Maurice Strong, Jacques Cousteau and the radical Australian environmentalist, Dr John Reid. These facts leave no doubt that to be a climate change dogmatist is to be a genocidalist. As Jaques Cousteau said in 1977:

'In order to stabilise world population, we must eliminate 350 000 people per day. That is a terrible thing to say but it is just as bad not to say it'<sup>4</sup>.

## STRATEGY

In my previous paper (Potter, op cit) I outlined the Malthus recipe for reducing the population. He saw nature providing positive agencies like drought/famine, pestilence and disasters (cyclones, tornadoes and psunamis); war he saw as another 'positive influence'. Then there were preventative measures that could be promoted, e.g. delaying marriage, abortion, contraception, prostitution and celibacy. In our day we can add homosexuality and euthanasia, although the latter remains controversial. It is easy to see that the promotion of preventative measures by the neo-Malthusians since 1971 has been extremely effective in Western countries; less so amongst primal cultures although there have been rumours of deliberate attempts to introduce disease and to supply unsuitable pharmaceuticals to

populations in the developing world. The latter reports have been difficult to substantiate but the rhetoric of the climate change dogmatists suggests that they are not beyond taking such actions.

In recent times the one-child per family policy in China stands out as the most deliberate attempt to control population. It has been unsuccessful in even holding the Chinese population level let alone reducing it, and it has precipitated serious problems.

The Climate Change Strategy is a superior strategy to all of the above in that it holds universal hope that the population can be reduced by significantly reducing food levels. It also has the potential to radically change the way we do things, asking us to: (1) relinquish our prerogative to manage the world's resources; (2) recognize that we have no superior right to those resources than other creatures; and (3) to realize that our best hope for survival is to abandon development in favour of a return to pristine dependence on what nature provides.

### ***Step 1 – Vilification of Carbon Dioxide***

The first step in the Climate Change Strategy is to vilify the plant food carbon dioxide (CO<sub>2</sub>). The Earth's atmosphere consists of nitrogen (78%), oxygen (21%) and a 1% of other gases including argon and carbon dioxide (Chang, 1984). Air is subject to gravity and is densest on the Earth's surface; 50% of the atmosphere lies within 6km of the Earth's surface, 90% within 16km and 99% within 32km.

Atmospheric nitrogen is mainly inactive although in electrical storms some of it may be converted to nitrate (NO<sub>3</sub>) and contribute to soil nitrogen levels when it is dissolved in rain. Oxygen is essential for life; it is breathed in by practically every living creature and breathed out by plants as a product of photo-synthesis.

Carbon dioxide levels in the atmosphere are presently about 385 ppm by volume, i.e. about 0.3%. CO<sub>2</sub> is a product of respiration; it is breathed out by most living creatures and taken in by plants to be used, along with water, to synthesize glucose – the major source of energy in living creatures (Plimer, 2009). Plants cease producing glucose when the level of CO<sub>2</sub> in the atmosphere drops below 200ppm. Vegetable growers find that concentrations of CO<sub>2</sub> around 1000 ppm are ideal for the production of vegetables grown in glasshouses, the same level that submariners find best for their health (Plimer, op cit).

The atmosphere not only provides the oxygen we need to survive<sup>5</sup> but has a moderating effect on air temperatures at the Earth's surface. Some of the energy that we derive from the Sun is reflected back into the atmosphere as heat; we are aware of this because every night the atmosphere cools. The size of the drop in temperature depends on the modifying

effect of some gases in the air which absorb the reflected heat and prevent it escaping into the outer atmosphere. The chief of these is water vapour<sup>6</sup>, the concentration of which in the atmosphere varies considerably from day to day. The amount of water vapour in the air is expressed as the relative humidity (RH), i.e. the amount of water vapour present expressed as a percentage of the maximum amount of the water vapour that the atmosphere can hold<sup>7</sup>. When the RH is high heat absorption is high; when the atmosphere is dry there is greater cooling. This is confirmed in winter; frosts are common on nights when there is no cloud cover and night temperatures remain higher when there is ample cloud cover. This effect has been termed the 'Greenhouse Effect', although the operation is quite different from how a green house operates. To be a genuine green-house effect there would have to be a layer in the atmosphere that reflected energy downwards. Satellite temperature measurements indicate that no such layer exists<sup>8</sup>.

In addition to daily warming and cooling there are seasonal effects. When the sun is overhead in summer the temperature tends to be warmer than when the sun's rays are oblique in winter. But beyond that, temperature records show that there are trends in mean temperatures the cause of which has opened the door for controversy. Most cosmic scientists agree that these variations in temperature are concomitant with Sun spot activity but since the late 19<sup>th</sup> Century there have been those who have argued that CO<sub>2</sub> may be a main cause of temperature variation, especially the CO<sub>2</sub> that is emitted by the burning fossil fuels – what in recent times has been called anthropogenic (man-made) CO<sub>2</sub>.

The Swedish scientist Svante Arrhenius, drawing on the work of Joseph Fourier (1768-1830) was the first to publish such an account (Arrhenius, 1896). He drew on the Stefan-Boltzmann Law<sup>9</sup> to propose a Greenhouse Law which can be stated thus: *If the quantity of carbonic acid increases in geometric progression, the augmentation of the temperature will increase nearly in arithmetic progression.* It is of interest that Arrhenius actually proposed this law to explain ice ages; unlike his modern counterparts, he saw warming as a positive change leading to better health and increased food production. However, it is also of interest that Arrhenius became a member of The Swedish Society for Racial Hygiene (Eugenics) in 1909 and was actively involved in the development in 1922 of The State Institute of Racial Biology in Uppsala, Sweden, the Institute responsible for providing a scientific basis for Compulsory Sterilization programs in such countries as Canada, the Czech Republic, Germany, Sweden and 27 States in the USA (commencing 1934). [Compulsory sterilization is not something we talk about these days but President Fujimori of Peru sterilized 200 000 mainly Indians in his time in office (1990-2000)<sup>10</sup> and there are many countries in the world that still have compulsory sterilization statutes on their books]. The connection between the vilification of CO<sub>2</sub> and

eugenics is well established in Arrhenius's work as is his connection with the Nobel Foundation. Arrhenius was a member of the Nobel Committees for Physics and Chemistry and himself received the Nobel Prize in 1903. On this account it is not surprisingly that Al Gore and the IPCC received the Nobel Prize jointly a century or so later for their success in promoting the Climate Change Dogma.

Al Gore in his Nobel Prize acceptance speech gave credit to Roger Revelle the oceanographer who with Hans Suess published a paper in 1957 claiming that the oceans were incapable of absorbing CO<sub>2</sub> quickly enough to prevent it becoming an influence on global warming - the *Revelle resistance* factor. In his later years, Revelle was head of the Harvard Centre for Population Studies (!); it was here that he influenced Al Gore. Revelle was not a rabid promoter of population reduction; he promoted the idea that education would lead to better fed communities and a natural trend to fewer children. Al Gore has not pushed the population reduction concept publicly either; his interests seem to be more in line with making money. He is chairman of Generation Investment Management, a financial management group managing funds from pension groups, foundations, endowments and 'high net worth individuals' and a partner in Kleiner Perkins Caufield and Byers, a venture capital company in which Gore heads up the climate change solutions group. Needless to say Gore's involvements in these companies have made him extremely wealthy.

In the United Kingdom, as mentioned above, Crispin Tickell has been a main proponent of the climate change population reduction lobby. It was he who wrote Margaret Thatcher's 1988 speech on climate change and encouraged her to give funds to the British Council for environmental research. Baroness Thatcher was open to the global warming position because in 1984 she was involved in a massive battle with the National Union of (Coal) Miners and in 1988 she was keen to find a way of reducing the UK dependence on the oil rich nations. Crispin Tickell is currently Director of the James Martin 21<sup>st</sup> Century School at Oxford (formerly the Green College Centre for Environmental Policy and Understanding) despite the fact that he has no academic qualifications in environmentalism.

The vilification of CO<sub>2</sub> has proceeded despite the fact that there is *no empirical evidence* to support the claim<sup>11</sup>. Firstly, the most accurate temperature readings taken from balloons and satellites show that the Earth is not warming; and there is no grounds for predicting that it will do so in the future. Secondly, the atmosphere does not behave as a greenhouse or even an insulating blanket; the energy balance in the atmosphere is the result of competing forces – evaporation, convection, precipitation and radiation. Arguments that CO<sub>2</sub> in the atmosphere acts as a greenhouse gas and results in global warming are sheer fantasy, promulgated in the first instance by

people who have no scientific background and, in the second instance, by scientists who have prostituted their scientific integrity in order to keep their laboratories open. According to Plimer (op cit), the atmosphere contains a miniscule amount of carbon; 0.001% of the total carbon in the Earth's crust. In the light of the clear connection between the Climate Change Dogma and projects aimed at reducing the world's human population, it is clear that the vilification of CO<sub>2</sub> is nothing more than a frenetic scaremongering tactic of a group of people who have bypassed empirical reality to embrace an ideology that suits their agenda.

### ***Step 2 - Emission Trading Schemes***

Gaining the acceptance of the populace that some thing must be done to reduce global warming (or address Climate Change as it is now called seeing that the Earth's temperature has fallen since 2003) provides an opportunity for the State to take oversight and control over a whole gambit of activities that make up 21<sup>st</sup> Century life. The Kyoto Protocol, enacted in 1997, calls for nations to take action to reduce their 'greenhouse' gas emissions from the year 2005 and to work towards imposing emission limits on all industries for the period 2008-2011 via a mechanism, that has come to be called Cap-and-Trade (CAT). So far, the UK, the European Union (EU), Canada, Japan and Australia (in that order) are the only nations that have made a serious move towards implementing an emissions trading scheme (ETS). The results have been mixed.

In 2003 the EU announced its intention to implement an experimental CAT scheme in the period 2005-2007. The first step was to ask participating nations to establish National Allocation Plans (NAPs). To test the system, only heavy polluters (12 000 companies) were engaged in the first period; these contributed 45% of the total EU emissions in the year 2003. An emissions target was set for each individual company's operation and 'allowances', i.e. carbon credit certificates (CCs), were issued by each government to each company for the period under test. That is to say, an overall environmental cap on emissions was set and a set number of permits issued. The idea behind this was that companies had a choice: (1) reduce their emissions below the cap and sell-off excess allowances; or (2) buy CCs and continue to emit emissions at a level above the cap. The purpose behind this extra-ordinary arrangement was that it *put a price on carbon and opened the door for Carbon Trading*. One metric tonne of carbon was chosen as the unit of trading; it was anticipated that the unit trading price would be €20-€25/tonne of CO<sub>2</sub>.

The EU scheme began with 15 participating nations. The prior existence of a UK scheme meant that the market traders were ready to trade Carbon Credits; in the first year, 362 million tonnes of CO<sub>2</sub> were traded for a sum of €7.2 billion. Futures and option trading were quickly built into the market and by April 2006

the unit price had reached €30. But some countries let it be known that they were likely to give their industries such generous caps that there was no need to take emission reduction seriously. The trading price fell to €10/unit in May 2006, €1.2/unit by May 2007, €0.10 in September 2007 and €0.03 by December of that year<sup>12</sup>! Further, when the results came in at the end of the period (June 2007) it was shown that, of the 24 EU nations, only 11 had reduced their emissions and most of them by small amounts. Of the rest, emissions had risen by between 0.2% (Italy) to 28.5% (Finland). UK emissions rose by 5.8%. Overall, emissions in the EU rose by 2%. Thus, while the participating nations had lowered their emissions marginally, the trading of allowances had failed dismally after the first year's rake-off by the more experienced operators. Al Gore's Generation Investment Management Group did quite well we understand!

The second country to take action was Canada. The Canadian government gave a Notice of Intent in 2005. But a Canadian CAT scheme failed to materialize because by 2008 the Provinces had imposed their own carbon taxes and were threatening to join a CAT scheme being developed in some states of the USA. In the 3 years 2005-2008 Canadian emissions rose 25% with prospects of a further rise of 24% by 2011. Clearly CAT schemes are not as easy to manage as their designers have supposed. In Canada there is now a move on the part of the National Government to allow the Provinces to run CAT schemes and to introduce an *emissions intensity* system at Federal level whereby emission cuts will be measured against units of output. It seems that each level of government is going to work hard to ensure that they have access to the 'cash cow'!

The third nation to indicate that they were about to take action was Japan. A formal statement of intent was made in May 2008 but no action has been reported to date.

Finally, the Australian Government has taken action by calling for a report from Professor Ross Garnaut, a Nicholas Stern disciple. This led to the issuing of a Green Paper, a White Paper and the submission of a Carbon Pollution Reduction (CPRB) Bill to the Parliament in May 2009, together with 10 related Bills. The Bills were passed by the House of Representatives in May but defeated by the Senate in August 2009. The objectives of the CPRB are stated as follows<sup>13</sup>:

**Object 1:** To give effect to Australia's obligation to the Climate Change Convention and the Kyoto Protocols.

**Object 2:** To support the development of a Global response to Climate Change

**Object 3:** To reduce greenhouse gas emissions by 5-15% by the year 2020 and by 60% by 2020.

President Obama has indicated recently that the USA agrees with the implementation of a CAT scheme in principle but the rest of the world is silent. CAT schemes are seen to be a means whereby the State can take greater control of economic affairs and provide market investors with another way to make money out of money.

The architects of CAT schemes are playing a cautious game at present. The first object is to get the basic Act in place. In particular, the question of whether rural food producers should be included in the scheme is being judiciously avoided by politicians, although cattle are being vilified every day on Australian TV because they emit methane (another so-called greenhouse gas) from both ends of their anatomy. The passing of the Act will allow the Malthusians to introduce all kinds of regulations that can be put in place without the Government having to face the Parliament. Clearly, if members of the general public knew what effect a CAT scheme is likely to have on the price of food, they might not be so keen to see the scheme implemented. Conversations with a cross section of the Australian community suggest that the older generation has a strong conviction that the whole business is a scientific non-event and a money-making scam. But this view is being challenged by members of a younger generation that have been indoctrinated with Climate Change mis-information throughout their school life; they have accepted the Climate Change Dogma with the same naivety as previous generations accepted the Darwin's theory of evolution. In between, are the hard working economically active people who are too busy making ends meet to ask questions about a subject over which they see they have no control.

But to ignore the threat may be a mistake. Professor Bob Carter<sup>14</sup> has estimated that the cost of carbon sequestration, based on a price of \$30/tonne of CO<sub>2</sub> could be around \$3054 per annum for the average family. Ross Garnaut, on the other hand, has said that it will cost \$250/tonne to remove carbon dioxide for re-cycling or permanent sequestration; at that rate the expected cost per family would be \$22 455 per annum, all for a *possible* reduction in temperature of 0.0001°C! In addition, there would be hidden costs: (1) unemployment caused by replacing coal-fired power plants with wind power; (2) transitional costs, estimated to be 1% of GDP; (3) contributions to off-set losses experienced by developing countries, a further 1% of GDP (see below); and (4) the economic growth foregone – estimated by the Australian treasury to be 1.8% of GDP.

The most regrettable fact associated with the Australian Government's approach is their designation of CO<sub>2</sub>, along with water the most important plant food on the planet, as a pollutant. This choice seems to have the potential to lead human thought into a bizarre make believe world, an insanity from which we might not recover. The eugenic architects of the Climate Change Dogma have done their homework well.

The challenge for the developing world is that the Climate Change Dogma will exclude them from developing electricity services based on coal power. Further, all fossil fuel prices are set to rise and most developing countries are already paying more than Westerners for petrol and diesel. The attack on fossil fuels also necessarily impacts on international trade; I have mentioned previously how Kenyan vegetable growers have been disadvantaged by the global warming hype (Potter, op cit). Some nations in the Pacific see talk of rising sea levels opening up possibilities for more aid but they may be disappointed in this. There has been some excitement in Africa re the possibility that they may participate in Carbon Credit Payments but the collapse of the market in the EU suggests that they may be overly optimistic. It is hard to see any advantage for the developing world arising from a Greener world. As Bob Carter has said, we should be more concerned with seeing that the populace in the developing world has clean water and electricity than making sure that speculators have yet another way of making money without work.

### Conclusions

Climate Change is a strategy developed by people who wish to depopulate the planet. We should resist the imposition of CAT schemes politically and at the same time make plans for off-setting the impact of inevitable food shortages that will result if the Malthusians have their way. The difficulties experienced by the EU and the Canadians in setting up CAT schemes are encouraging. Maybe our combined ingenuity at the individual level will be sufficient to win the day after all.

As this paper is being written, news comes of an extension to the carbon footprint – the introduction of a water footprint, i.e. a measure of how much water is needed to produce a unit of product. Early Dutch attempts to quantify water footprints show that agricultural products are very inefficient in water use, e.g. by their account it requires 3 500 litres of water to grow 1kg of beef. Some CSIRO scientists in Australia are re-calculating the figures using a less biased approach. It is to be hoped that their figures present a better picture, otherwise the Climate Change protagonists will have another strategy to cause us all to become vegetarians.

### THE IMPACT OF REDUCING POPULATION

Returning to the real objective of the Climate Change mongers, population reduction, it is interesting to review progress of the one child policy in China. China had a population of 565 million and a growth rate of 6.2% when they introduced a one child per family policy in 1979; the current population is 1.33 billion and the growth rate is 1.7%. So, while the rate of growth has fallen, the population of China is not getting less because life expectancy has lifted from 40 years in 1950 to 81 years in 2009<sup>15</sup>. We get a picture

of this trend by looking at the ratio of 0-14 year olds to 60+ year olds:

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HUMAN AGE GROUPS IN CHINA		
	0-14 years	60+ years
1950:	36%	16%
2008:	7%	27%

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These figures are overall figures; various ethnic groupings vary in their growth patterns. Since 1979, the predominant Han people have grown by 21%, Tibetans by 40% and the Manchu by 148%. By 2050 China is expected to have 1.45 billion people.

These statistics hide three important social problems being faced in China as a direct result of the one child policy. Firstly, because families prefer to have a son than a daughter and because abortion and infanticide continue to be practiced, there are now many more young men than young women of marriageable age in China. By some estimates the discrepancy is 32 million but a figure of 60 million has been quoted. The Population Reference Bureau<sup>15</sup> sees the disparity varying with the ethnic grouping; the overall figure for China (male babies versus female babies) in 2008 was 120:100 but in Tibet it was 135:100 and in Xinjiang 138:100. The result is that many men cannot find a mate in their home territory. What the full consequences of this may be we can only guess at but one consequence has been an increased use of prostitutes with a resultant spread of AIDS. Currently 4 million people in China have AIDS and the number is expected to rise to 10 million by 2010. The Malthusians will no doubt be happy to hear that!

A second problem is that children are regularly being abducted. One estimate suggests that more than 200 children are stolen on any given day; and the sadness and sense of loss felt by parents is not helped by a police force rendered indifferent by the incredible difficulty of finding a child in the massive Chinese population.

A third, perhaps the major problem is the challenge of caring for the aging population. Traditionally, the aged were cared for by family members; now family members are faced with an almost impossible task because under a one child per couple policy each person aged 35-40 must care for his or her parents aged 55-60 and four grandparents aged 75-80. A recent Australian Broadcast Commission report revealed that Shanghai Province has some 22 million people over 60 years and only 33 000 places in geriatric hospitals. And, from the visual evidence presented, it is certain that no Westerner would tolerate the conditions provided in the hospitals that are available. As indicated previously (Potter, op cit), a main reason that people have children is to ensure that they are cared for in old age. This is no longer a reasonable expectation in modern China.

India poses a problem for the Malthusians in that it is reproducing at the rate of 2.8% and is expected to reach 1.5 billion by 2050. Another group that is continuing to reproduce unchecked is the Islamic population; they are currently averaging 6.2 children per couple (8.1%). Some commentators see this posing a threat to the indigenous populations of Europe, Australia and the USA where white groups are reproducing at rates well under 2%: France 1.8%; UK 1.6%; Greece 1.3%; Germany 1.3%; Spain 1.1%. These figures suggest that most of Europe could become Islamic States in 30-40 years time. The disparity in population growth in the USA is 8% for Muslims compared with 1.6% for other races. In Canada, where there are now 1.6 million Muslims, the rate for whites is 1.6%.

## FINAL THOUGHT

The overwhelming success of the Malthusian project in our time and the imminence of CAT schemes suggests that the human population is about to be plunged into a nightmare world of contrived unreality. Are we five minutes to mid-night?

There appears to be some light at the end of the tunnel. The EU and Canadian CAT schemes are not working too well. Perhaps we should not be discouraged by superficial success but press on with an empowered individual agency to ensure that the Cornucopian vision of a better world remains.

## NOTES

<sup>1</sup>See [www.wikipedia.org/wiki/Giammaria\\_Ortes](http://www.wikipedia.org/wiki/Giammaria_Ortes).

<sup>2</sup>See [www.wikipedia.org/wiki/Henry\\_Carey](http://www.wikipedia.org/wiki/Henry_Carey).

<sup>3</sup>See Tickell's CV on [www.crispintickell.com](http://www.crispintickell.com)

<sup>4</sup>Costeau received the International Environmental Prize jointly with WWF co-founder, Sir Peter Scott in 1977. The quote is from the *UNESCO Courier*, November 1991.

<sup>5</sup>The human brain will not survive more than five or so minutes without oxygen (Brand & Yancy, 1982).

<sup>6</sup>The average concentration of water vapour at the Earth's surface is around 30 000 ppm or 3% by volume, some 78 times that of CO<sub>2</sub> (Chang, 1984).

<sup>7</sup>More particularly, relative humidity is the ratio of the partial pressure of the water vapour at a point in time relative to the saturated vapour pressure at the prescribed temperature expressed as a percentage.

<sup>8</sup>See article by Dr David Evans, *The Australian*, January 31<sup>st</sup>, 2009 [www.theaustralian.news.com.au](http://www.theaustralian.news.com.au)

<sup>9</sup>Stefan proposed a Law of Heat Irradiation in 1879 based on empirical research; Boltzman came to the same conclusion in 1884 on theoretical grounds.

<sup>10</sup>See [www.wikipedia.org/wiki/Compulsory\\_sterilization](http://www.wikipedia.org/wiki/Compulsory_sterilization).

<sup>11</sup>The information in this paragraph is mainly taken from Plimer, 2009.

<sup>12</sup>See [www.treehugger.com/files/.../europe-cap-and-trade-works](http://www.treehugger.com/files/.../europe-cap-and-trade-works).

<sup>13</sup>See [www.climatechange.gov.au/emissionstrading](http://www.climatechange.gov.au/emissionstrading).

<sup>14</sup>Bob Carter is Professor of Earth Sciences at the James Cook and Adelaide Universities; see his views on [www.iinet.net.au](http://www.iinet.net.au) and [www.csiro.au/news](http://www.csiro.au/news)

<sup>15</sup>See Population Reference Bureau, Bulletin 59, No.2. [www.prb.org./Source/China](http://www.prb.org./Source/China)

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# The Uganda Indigenous Knowledge Trust (UIKT): Preserving Indigenous Knowledge for Future Generations

**\*Dr Andrew Ssemwanga**

In May 2009, Uganda became a party to the 2003 UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage (“the Convention”). The Convention entered into force on 20 April 2006. It aims to safeguard cultural expressions and manifestations such as oral traditions, performing arts, rituals, social practices, festive events, knowledge of nature, and traditional craftsmanship - what is often referred to as ‘living heritage’ (Dept. of Culture and Family Affairs, Ministry of Gender, Labour and Social Development, 2009).

Partner States are bound as stipulated in Article 34 of the Convention; this became a legal reality for Uganda on the 13<sup>th</sup> August 2009. Article 11 and 12 obliges States Parties to: (1) take necessary measures to ensure the safeguarding of the intangible cultural heritage present in its territory; (2) identify and define the various elements of the intangible heritage present in its territory, with the participation of communities, groups and relevant nongovernmental organizations; and (3) draw up, in a manner geared to its own situation, one or more inventories of the intangible cultural heritage present in its territory in a manner geared to their own situations but always with the participation of the communities concerned (Dept. of Culture and Family Affairs, op cit).

## Defining Culture

Intangible cultural heritage is a type of heritage that cannot be touched or seen; it includes language, oral traditions, music, festive events, rituals, social practices, traditional craftsmanship (Dept. of Culture and Family Affairs, op cit).

Taylor, an anthropologist, defined culture as ‘that complex whole which includes knowledge, belief, art, morals, law, customs and other capabilities and habits acquired by man as a member of society’. John Lewis defined culture as ‘all that is socially transmitted in a society, including artistic, social, ideological and religious patterns of behaviour and the techniques for mastering the environment’. In *Voices from Africa*, Zeke Gbotokuma defined culture as ‘a plan according to which society adapts itself to its physical, social and ideological milieu’ and Leach’s view is that ‘culture emphasizes the component of accumulated resources, immaterial as well as material which the people inherit, employ, transmute and add to and transmit’. From these definitions we may conclude that culture is as unique as a society and a society as unique as its culture.

## Some Reasons Why Traditional Knowledge Should Be Preserved

Traditional knowledge includes beliefs, practices and arts that belong to indigenous communities wherever they are found. Most modern knowledge, if not all, is based on traditional knowledge and this suggests that there is justification in identifying, preserving and protecting traditional knowledge for current and future generations. Some reasons justifying this position are as follows:

- To ensure that a particular community is identified with its traditional knowledge.
- To ensure that a particular community can benefit from its traditional knowledge.
- To ensure that the original practices that are embedded in a given traditional knowledge are not corrupted or diluted.
- To ensure that traditional knowledge is appropriately handed over to future generations because it is susceptible to being forgotten and to disappearance.
- To ensure that traditional knowledge is not patented by entities outside of the respective communities without the knowledge of such communities; the 1992 UN Convention on Biodiversity requires prospectors to compensate developing countries for access to bio-resources.
- To ensure continuity of communities and groups concerned as well as the cultural diversity between different communities.
- To constantly acquire modern knowledge through innovation, diffusion and recreation of different ingredients of traditional knowledge.
- To raise awareness at the local and international level of the importance of traditional knowledge.
- To enable communities to explore opportunities for international co-operation and assistance in areas of common interest.

## Action

Uganda has embarked on the noble project of taking an inventory of Uganda’s intangible cultural heritage. The Inventorying is in line with the National Objectives and Directive Principles of State Policy. Objective XXIV provides that ‘the State shall promote and preserve those cultural values and practices which enhance the dignity and well being of Ugandans’. And Objective XXV provides that ‘the State and citizens shall endeavour to preserve and protect and promote the culture of preservation of public property and

Uganda's heritage' (Dept. of Culture and Family Affairs, op cit).

Steps will be taken to ensure that compiling this inventory is in line with the Uganda National Culture Policy which aims, as one of its objectives, to conserve, protect and promote Uganda's tangible and intangible cultural heritage (Dept. of Culture and Family Affairs, op cit).

The Uganda Indigenous Knowledge Trust (UIKT), a private initiative, has been created to identify, preserve and protect indigenous/traditional knowledge. The Trust also promotes the teaching of indigenous knowledge in schools as a way of preserving, improving and sharing such knowledge. The Trust is committed to participating in the inventory of Uganda's intangible cultural heritage by working in close collaboration with the Dept. of Culture and Family Affairs, Ministry of Gender, Labour and Social Development.

### **Reference**

Department of Culture and Family Affairs, Ministry of Gender, Labour and Social Development, 2009.

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# Theological Education Provision in New Zealand 2009

This paper looks at the sector 10 years on following a major review investigating the 1989 - 1999 period.

**\*Dr Bruce H Knox**

In 2005, the author published a comprehensive research report entitled “The possible reasons for the growth in New Zealand’s Theological Education Sector”. Hence, this report reviewed the Theological Sector in NZ for the period 1989 to 1999. The paper that follows will consider theological same issue 10 year later. In other words, what has happened within the sector in the 10 years post the completion of the previous research report?

The 1999 report concluded that the Theological sector in New Zealand had grown significantly as indicated in the following quote

*‘Over the period from 1988 to 1999, provider numbers increased from 29 to 42, peaking at 54, with 62 different providers open at some time during the period. Student numbers increased from 763.9 EFTS to 2035.6 EFTS over the same period, reflecting an EFTS growth of 166 percent’.*

The reasons for this growth were multi-faceted and can be summarised under the following headings as expressed in this quote

*‘The reasons for the observed growth were related to the intertwining forces of explicit educational policy, some general characteristics of New Zealand’s culture and traditions, and the nature of the Christian sector itself’.*

The report put forward the consideration that the sector needed to consider a form of appropriate rationalization to make better use of the limited funds and resources available to the sector as a whole. This argument was furthered with the introduction of the possible sector structure adopting a hub and spoke model. Such a model would allow each differing provider to maintain its special character and distinctive flavour but at the same time allow for a rationalization and saving within the centralized infrastructure.

Thinking 10 years on when considering the “state of the nation” concerning the Christian and Theological Ministry Education sector in 2009 the following picture is painted.

1. Based on the 2006 census figures the number of New Zealanders identifying themselves as Christians has continued to decline. [71% of the total population in 1991 to 54.2 % of the population in 2006] hence the pool of potential students also reducing

## Religious Affiliation

Total Christian

1991 Census Number	Percent	2006 Census Number	Percent	Population Change
2,272,707	71%	2,027,418	54.2%	- 16.8%

2. Based on the data available from the New Zealand Qualifications Authority [NZQA], the Yellow pages and the WWW the number of registered providers in this sector has decreased. [42 providers in 1999 to 23 providers in 2009]

## Theological Provision 1999 – 2009: Providers, Sites, Headcount, EFTS

Year	Providers	Sites	Headcount	EFTS	
1988 -1999 overall [Knox, 2005 <sup>1</sup> ]	68	107			
1999 [Knox 2005] Total	42	71	5230	2035	
1988- 2009 [MoE, Knox, 2005]	42	71			Total reporting over the whole time period
2009 reported to MoE <sup>2</sup>	14	29	3651	1511	
2009 Outside of reporting to MoE <sup>3</sup>	9	13			
2009 [existing in 1999]	18	23			Major rationalisation of many of the smaller church based providers Major rationalisation of the largest provider [BCNZ] with the shutdown of 10 sites
2009 new to the sector	5	10			
2009 total	23	42			Introduction of the Pentecostal and Brethren Consortia Introduction of new sites NZ wide by providers

3. Based on the data available from the Ministry of Educations annual Single Data Return [SDR] the number of funded students reported to the government as being enrolled in the sector has reduced by 1579 students [524 efts]
4. Based on a web based search of the white pages, yellow pages and general “goggle” search using the terms theological/ ministry/ bible training provision reveal that 23 [MoE reported 14] providers were in the market place in 2009.

<sup>1</sup> “The possible reasons for the growth in New Zealand’s Theological Education Sector” Knox, 2005.

<sup>2</sup> MoE 2009 data with compliments Sathi Sathiyandra [Gurusingham.Sathiyandra@minedu.govt.nz] April 12, 2010

<sup>3</sup> Data with compliments of Regina Hema-Mann [reggie\_bubble@hotmail.com] March 14, 2010

**Hence, the major changes within the sector over the past decade are as follows:**

- Number of students as reported to MoE has declined by 30%
- Number of TEC funded efts students has reduced by 25%
- Number of providers as reported to MoE has reduced by 66%

**Therefore, what is this data telling us?**

- The sector has undergone significant down sizing
- Based on the variation between the reduction of providers and efts we can conclude that those providers that have ceased to report to MoE as within the band of smaller providers as reported in the 2005 report
- Outside of those providers that report to MoE, exist a core of informal church based provision that is actively engaged in theological/ministry/biblical training. This number is variable but is in the order of
- Looking at the sector globally the number of providers in total has reduced 45% as opposed to the 66% as reported above
- Looking at the number of sites globally the level of reduction is 40% as opposed to 59% based on solely the MoE data

**What about 2009 and beyond based on the events of the past ten years?**

- The era of TEC [Government based] funding has undergone significant rationalisation
- Smaller faith based providers are will continue to cease operation
- Sector rationalization will be attempted by some providers but not others
- Cooperative ventures, consortia will continue to be explored as ways of achieving better economies of scale
- New faith based provision will emerge to meet ongoing market demand NZ wide

**What can we learn as we move forward?**

- The sector will continue to be subjected to external forces
  - Decline in the Christian population
  - Withdrawal of continued funding support for those in Private provision
  - Quality Assurance will continue to be a priority for each provider
  - As with history new providers will continue to emerge to meet the demand of those each provider serves

In answering the 1999 posed question, “Has New Zealand’s theological sector undergone growth during the period 1988 to 1999?” the answer demonstrated by in the 1988-1999 investigation, reported “yes.” The period 1988 to 1999 was a time of significant upheaval in New Zealand’s education: primary, secondary, and tertiary. This has continued unabated

throughout the next decade 1999 – 2009. However the sector “on paper” in the latter decade has declined from its peak during 1989-1999. But looking into the sector a deeper level, despite the ongoing major rationalisation and downsizing of the sector the demand for theological education was obviously abundant, as evidenced by the establishment of many new theological providers albeit outside of the formal tertiary system.

Government policy facilitated the rationalization over this decade but new growth continued despite these policy shifts assisted growth at this time. As in 1999, New Zealand’s shift from a predominantly mono-cultural community to a multi-cultural influenced the growth of theological providers. This trend was also mirrored by the growth and strength of several new denominations each with strong appeal to the age group of potential students. Hence, as each differing cultural and or denominational grouping has sought to engage in their understanding of God, in a culturally or theologically contextualised manner, appropriate to their individual grouping. Hence, the demand for differing types of theological providers has continued arising from New Zealand’s fundamental cultural traits of ‘independence’, ‘smallness’, and ‘do it yourself’ each contributing to the growth of new providers, in that it has been a clear preference was to start ‘one’s’ own new provider, rather than work together with an existing one as has been evidenced in the past ten years despite the logical arguments supporting a rationalisation [hub and spoke] model.



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## Letters to the Editor

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### *Accreditation*

Over the past two editions of “*Veritas*” there have been a number of articles on accreditation, generally critical of the of the current accreditation process. These criticisms beg the question what should the accreditation system be.

If one goes back to their importance, both historically and currently, to consumers of education courses, they are seen as a third party approval that the organisations offering the courses are legitimate.

Historically, in the US the constitutional authority to approve and license schools – Elementary, Secondary and Tertiary – are clearly a state matter. The problem is the main financier of education over the years, has become the Federal US government.

This Federal intervention became serious after the Second World War, when it embarked on a major retraining program for ex-Service men and women. With 48 (the US only had 48 states in 1945) different state regulations governing tertiary education institutions, it brought in the policy that it would only finance programs offered by institutions accredited by an approved accreditation agency and then set about approving a list of approved or recognised accreditation agencies. It did not set up rules and regulations for these bodies, but recognised the major established existing accreditation agencies. Pre 1945 accreditation was truly a volunteer process, but as Federal funding grew it became a *de facto* compulsory requirement for any University to prosper.

In the rest of the World, Universities were either public institutions owned by the Government or chartered by the legislature - independent private universities hardly existed.

As countries have opened up their higher education systems to private universities and other Higher Education systems they have set up various forms of licensing, approval registration process. A few have used the word “accreditation” to describe the approval process but generally the terms chartered, licensed and registered are used.

The reason most people ask about accreditation is not because they are concerned about the Total Quality Management system the University uses, their occupational health and safety policies, student welfare conditions or discrimination policies, but rather simply whether the institution is a legitimate education institution or not.

This after all was why the US Department of Education initially started to recognise accreditation agencies, not to impose or enforce standards, simply

to recognise what are legitimate education establishments and what were not.

This is what accreditation agencies should concentrate on, very simply verifying the legitimacy of education institutions to potential students and those financing education. When accreditation agencies try to raise and improve standards, this often becomes counterproductive because it generally forces uniformity and destroys real innovation, which is what is needed if tertiary education is to become available to all people.

Accreditation needs to be a very simple process designed to confirm the legitimacy of the education institution teaches and nothing more.

*Dr David Le Cornu  
Prospect, South Australia*

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## Book Review

### **A Single Piece of Luck Among a Thousand Dangers**

**His Excellency Dr General Nhek Bun Chhay\*,  
Deputy Prime Minister of Cambodia.**

This book outlines the history of Nhek Bun Chhay, a soldier and leader in the Cambodian Resistance movement between 1976 and 1997. It is a detailed insight into the practical difficulties faced by resistance soldiers over twenty-one long years.

The writer is now the Deputy Prime Minister of Cambodia. The book has been written in Khmer but there is an English translation of the book, although this is a direct translation and does not qualify as an English literary publication. Notwithstanding, it is valuable for anyone wishing to understand the Cambodian Resistance during the period covered.

The book begins with a description of Nhek Bun Chhay's life before he joined the Resistance. He was born in February 1958, studied at Svay Chek Primary School (1965 – 1968), Thmor Pouk Secondary School (1969 – 1972) and Serei Sophaon Higher School (1972 – 1975). He had ten brothers and sisters. His father was a carpenter and his mother a farmer and small businesswoman.

When the Khmer Rouge took over Cambodia in 1975, as a 17-year-old high school student, Nhek was identified as an 'intellectual', arrested and selected to be executed. Fortunately, he learned of these plans and escaped to the Thai/Cambodian border. Arriving wounded and hungry, he was placed by local villagers in the Aranyaprathet Fort. The procedure at this fort at the time was that refugees were imprisoned for one or two weeks and then sent to the large Kabin Buri prison where UNHCR bailed them out at a cost of 300 to 400 Baht per person and transported them to the Cambodian Refugee camp in Aranh.

In late 1976, many resistance movements were fighting against the Khmer Rouge regime. They were located along the Cambodian/Thai border in the Banlola, Malai and Chhat mountains through to the Dangrek mountain range. These were groups of fifty to one hundred and fifty people. None of them lived peacefully or comfortably. They received no external support, surviving as best they could on their own initiative. Nhek Bun Chhay belonged to a group based near Melay Village. He writes that they would sometimes secretly obtain rice from the Cambodian refugee camp in Aranh. At other times, they would venture into Thailand and work as farm labourers, harvesting rice. Their weapons were out of date; they only had a few M16's. If they were defeated by the

Khmer Rouge they would flee into Thailand where they would inevitably end up in prison. Between 1976 and 1978, Nhek was imprisoned ten times.

In January 1979, there was a radioed appeal from the National Salvation Front for people to rise up against the Khmer Rouge, and Nhek Bun Chhay reactivated his resistance group. He started with seven people and two guns but the group quickly built to fifty, one hundred, two hundred and eventually five hundred soldiers. In the meantime, Vietnamese troops toppled the Khmer Rouge regime causing its troops to scatter and die in the jungle.

The publication details the internal resistance movement, politics at the time and the problems they had feeding the civilian population living in the border area they controlled. Regrettably, between 1979 and 1981, the various resistance groups did not work together; soldiers often attacked each other because of individual disputes and conflicts.

In 1981, several new resistance movements were formed. One of these was the National Khmer Liberation Front (NKLK) led by Ta Son San. This group started receiving major assistance from China and this allowed them to open a military training school in Banteay Ampel camp. The first trained battalion was commissioned in 1982.

A second movement, the Kampuchea National Liberation Movement, was known under the French initials of MOULINAKA. Tragically, the NKLK and MOULINAKA did not work together and the Vietnamese troops were often able to take advantage of this.

In March 1981, King Norodom Sihanouk created a front called in French, *Le Front Uni National pour un Cambodge Independent, Neutre Pacifique et Cooperatif* (FUNCINPEC). This movement had three groups located on the Thai border. Then in 1983, Prince Norodom Ranariddh, King Norodom Sihanouk's representative created the Independent Kampuchea National Army (ANKI) which later became the Sihanoukist National Army.

From 1982 to 1989, the resistance movements established a tripartite coalition government that was recognised by the United Nations. This was a coalition of the FUNCINPEC, the NKLK and the Khmer Rouge's Democratic Kampuchea movement.

Between 1987 and 1992 the war turned to become one in which the tripartite coalition government fought the forces of the Peoples Republic of Kampuchea. A peace agreement was signed on 23 October, 1991 and elections were held. FUNCINPEC won the largest single group of seats but the CPP (Cambodian People's Party) refused to accept the results. Cambodia emerged with one government, but two Prime Ministers. Regrettably, in July 1992, fighting broke out between soldiers loyal to the Sihanouk

Royalist movement and troops faithful to the Cambodian State. Nhek Bun Chhay was forced to make his escape back to the border region where he re-commenced his resistance against the Communist Government forces. The second to last paragraph of his book states that: 'I will write another book on the details of this resistance and events related to the 1998 National Assembly elections in Cambodia'. We look forward to this book and trust that it will outline happenings leading to his promotion to Deputy Prime Minister of his country.

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*\*His Excellency Dr General Nhek Bun Chhay, Deputy Prime Minister of Cambodia.*

*His Excellency was made a Doctor of the University at the St Clements University Graduation Convocation Ceremony in Lausanne, Switzerland in 2010.*

## St Clements University – E-Journal *Veritas*

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### CONTRIBUTIONS

- Short Articles and Essays
- Dissertations
- Research Reports
- Notes
- Letters to the Editor
- Book Reviews

### AUTHOR'S DETAILS

New authors are asked to submit the following with their paper:

- Details of their academic qualifications
- Their current place of work – title, address
- A head and shoulders photograph of themselves
- Their email address

### SUBMISSION

All articles must be submitted by email

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Contributors are asked to observe the following format where possible:

**Title:** 14pt Times Roman Font

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**Body:** 10pt Times Roman Font for text  
9pt Times Roman Font for tables

**References in text:** In the text ALL quotations must have quotation marks and a reference, e.g.

*James said 'all dogs are brown' (James, 2002)*

**Reference List:** List in **author's surnames alphabetically**

- For a book: P.Jones (2001): Water Management, Raven Press, London.
- Journal reference: W.Smith (1998): 'Lemon Growing', *The Journal of Agriculture*, V.45-2, p.10.
- Reference to work listed directly preceding: *ibid*, p.20
- Newspapers: *The Star*, 3 September 1986
- Report: Australian Bushfire Commission Annual Report, 1997, p.71
- Unpublished thesis: M.Broad, "The Utility of Cross Referencing", M.Ed. Thesis, St Clements University 1953