

The Federal Republic and War

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“Our abstention should not be confused with neutrality” declared Federal Chancellor Angela Merkel. This declaration was made as an attempt to justify Germany’s abstention in the Security Council vote on the UN intervention in Libya. All the same, in the last years, there hardly had been any other declaration on German foreign policy causing so much confusion, discussion and outrage. Apparently, Germany, when needed most, was again leaving the ranks of those partners in the west to whom it would usually address assurances of solidarity in crises or demands for solidary action on every possible occasion. This was the more so surprising since the key preconditions raised by the German foreign minister – a valid UN mandate and support of the Arab League – actually appeared to have been met. Withdrawing German naval units from the Mediterranean or, at least, reassigning them from NATO to German national command could only reinforce the impression Germany was taking a separate or wrong way. Attempts at damage control by the German Government declaring its readiness to provide military protection for necessary humanitarian relief operations were of little help.

Some responses to the – as “Le Monde” in Paris called it – “Malaise allemande” are undoubtedly exaggerated. Even though the German position can be attributed to obvious domestic and international policy considerations it cannot be denied that there is a great disappointment about Germany’s refusal to really take on international

responsibility in an emergency, with all consequences. At least – and this is what all foreign observers agree about despite all outrage – this decision cannot be understood without looking back to our German history – no matter the electoral tactics, financial or basic considerations Berlin had in mind when taking this decision.

So what are the “historical foundations” and what are the conclusions the Berlin Republic has drawn in the twenty years of its existence – actually half the time the former two German states existed.

II

The experiences of two world wars have had a great influence on politics and society in both parts of Germany. It was mainly due to the atrocious Second World War that, the initial decision of the allies to no longer trust the Germans with weapons aside, large circles, in particular in the West of Germany, regarded war as an illegitimate means of politics and were, therefore, vocal in their protest. Furthermore, there was concern about the possible dangers of remilitarisation for both the internal social structure and the young democracy, and the conviction that any war would inevitably be staged in Germany. The fatal special role of the army in the German Empire and the Weimar Republic, and the terrible destructions of the Second World War, still visible in many places, had left deep scars in the collective memory.

However, the protest movement, which eventually gathered in the highly symbolic *Paulskirchenbewegung*, was not able to prevent West Germany’s accession to NATO and the rebuilding of West German armed forces. What helped to enforce and implement the decision to rearm West Germany was, on the one hand, a deep fear of Bolshevism, which was based on the war experience and deliberately fuelled in post-war times, along with concerns that lacking willingness for defence would endanger the newly gained freedom and achieved wealth, and on the other hand, the brutality of Soviet forces in putting down uprisings in their front yard and obvious Soviet aspirations for expanding their sphere of influence.

A crucial prerequisite for keeping the consensus on the expansion of the Bundeswehr during Cold War into one of most modern armies with a strength of some

500,000 troops, was the assumption that it would be used, in accordance with the Basic Law, for defence only, i.e. against an attack from the east within Europe but never outside the agreed theatre of operations, not to mention any other purposes. Domestic deliberations in the early 1980s, still under the Schmidt/Genscher government, about whether the Basic Law might allow for a participation in UN missions did not go beyond the stage of non-binding, inter-ministerial discussions and preliminary legal review.

Initially, this was due to the growing pacifism among the people born after 1945. One reason for this was their critique of the generation of their fathers. Also, the bond with the United States was dwindling against the background of the Vietnam War. Furthermore, people were less and less convinced that the logic of the Cold War would persist given the existing immense stockpiles of nuclear weapons. The deployment of medium-range missiles and cruise missiles, which conjured up the inferno of a nuclear war in the centre of Europe thereby flouting the general relief over initial disarmament steps under SALT I and SALT II as well as CSCE negotiations, eventually caused hundreds of thousands of people of all ages to take to the streets.

The increasing number of people applying for conscientious objector status was proof of the sinking acceptance of previously valid convictions about defence issues. While in 1958 a mere 2,400 conscripts had submitted a pertaining application, and even in 1967 – the year after the beginning of the students' unrest – the number was only 5,900, the numbers skyrocketed later: in 1968: 11,900, 1972: 33,800, 1979: 45,500. In the late 1980s there were 77,400 applications. In 1990, the total number of recognised conscientious objectors in the Federal Republic of Germany was 740,000, i.e. one and a half times the authorized strength of the Bundeswehr.

When Helmut Kohl emphasized in his government declaration of 1 October 1982: "To create peace without weapons: This is an understandable wish, and it is also a highly dangerous illusion," and at the same time announced that the new government would adequately support the decisions of 1979 in line with the previous logic of credible deterrence; he was free to do so because he was certain of a majority in parliament which, under the conditions of the Cold War and in view of the Soviet deployment of medium-range missiles, had no need to concern itself with the positions

of the protest movement. What he might have realised as well is that any reflecting about other than defence operations would have caused domestic rifts that would have been difficult to overcome. This was the truer since after decades, the situation in the Bundestag had begun to change for the first time. When the Greens entered the Bundestag in 1983, they were the first party whose program included, along with the fight against nuclear energy, widespread disarmament. After having lost power, the SPD who had not touched the principles of the Federal Republic's defence policy since the Godesberg Program bade a surprisingly rapid and clear farewell to previous positions and largely joined the ranks of those who opposed further arms deployment. "Never again shall war emanate from German soil!" Never again shall Europe be devastated by war! This was the programmatic statement in the 1983 election program of the SPD

Interestingly, this movement spread not only in the west but even under the conditions of the dictatorship in the east under the slogan "Swords into Plowshares", a fact which once again shows to what degree old convictions had begun to change across the systems even before 1989.

III.

There is a certain irony in the fact that the fall of the Wall and the end of the Cold War in 1989-90 has left those at the executive level faced with new mission scenarios, much sooner than expected. Saddam Hussein's invasion of Kuwait in August 1990 – even before German reunification – had made it clear that, contrary to all expectations, the world had not become more secure once the confrontation of the blocs had ended. What Federal Chancellor Helmut Kohl announced against the backdrop of the Reichstag portal on 3 October 1990: "After having regained German unity in full sovereignty the Federal Republic of Germany is ready to contribute to future activities of the United Nations to maintain or restore peace, even with its armed forces," raises the question how his and all future Federal governments and supporting parties as well as the public have responded to the implied challenge in the twenty years following German reunification.

When considering the positions of the meanwhile four governments of various compositions since 1990: there is one striking pattern: all governments have found it extremely difficult to decide on approving military operations to maintain or restore peace, not to mention deploying Bundeswehr units for direct support. In his government statement after the outbreak of the Iraq War in late January 1991, Federal Chancellor Helmut Kohl once again declared the readiness to assume political responsibility in a global arena. This was not a mere act of gratitude towards the allies who had made German reunification in freedom possible but also one of the lessons learned from recent German history. "Justice" "equity" and "peace" are – as Federal Minister of Justice, Klaus Kinkel, put it – inseparably connected with each other. Nevertheless, Kinkel and all other decision-makers were aware that recourse to German history was extremely ambivalent: "Precisely because we have passed through most terrible experiences in our century, we must understand those who totally and completely reject war as a means of politics. But it is also correct that justice must not yield to injustice. Aggression must not be rewarded, aggression must not succeed. If justice is not resolutely defended, it will fall apart and lose its power to create awareness and action.

Kinkel's attempt to legitimize the necessity of the use of force despite all considerations for pacifist convictions was strongly protested by Wolfgang Thierse. This protest did not only express the position of the SPD but also the stance of many East Germans who had a strong aversion against any form of military force after years of dictates and life in a society that had been much more militarized than the west.

German history and even more so the success story of the policy of détente and the events in the autumn of 1989 are not an obligation for participation but rather for resolute peaceableness. This does not mean shirking our responsibilities. However, this does not mean to sit on the fence, rather it means the obligation for Germany to engage in political conflict resolution, to keep on making new attempts at deescalating conflicts again and again and not to take part in military escalation."

These different opinions on the lessons learned from history, the uncertainty regarding the position of the Soviet Union – at that time 350,000 Soviet troops were still stationed on East German territory – the much disputed question of whether the Basic

Law would even permit such operations and the enormous task of developing and fully integrating the new Länder, all this made for a complicated situation.

Eventually, this led to the decision to fulfil the promise in a rather unconventional way: apart from deploying minesweeper units to the Mediterranean Sea and air defence aircraft to Turkey, the German contribution was limited to transferring 17 billion DM to finance the allied war operation. Although this chequebook diplomacy was much criticised later, in the cold light of the day, the Federal Republic could not have acted otherwise, given the manifold problems and resistance it was facing. There were many fault lines: within the parties, between government and opposition as well as between the governing parties there were extremely different views on whether and how to conduct Bundeswehr operations outside the hitherto valid rules. Therefore, it did not come as a surprise that shortly thereafter, when the civil war in Yugoslavia broke out, the Federal government hesitated for a long time to contribute German units beyond what was inevitable. One example was the “charade” (*Affentheater*), as Helmut Kohl recalled in his memoirs (“Erinnerungen”) the difficult decision-making, on providing personnel for AWACS missions in 1993. In view of the repercussions on the domestic policy and the viability of the coalition, recourse to the Basic Law was a well-liked subterfuge to avoid the inconvenient decision to eventually provide combat forces with the prospect of German soldiers returning home in a coffin.

The ruling of the Federal Constitutional Court of 12 July 1994 clarified the situation in this respect and made it impossible to hide behind legal considerations instead of making a political decision. By referring the decision back to parliament, the highest German court forced both the government and the opposition to face the pertinent obligation and reach a cross-party consensus on this vital issue.

This reckoning worked out more quickly than many observers had expected. Although the government had granted the Bundeswehr Tornados very limited operational capabilities within the framework of NATO in Bosnia in the summer of 1995, the SPD still rejected their request for a mandate at that time. However, it backed all future operations, as did a growing number of Green Party MPs.

This basic pattern would not change regarding future much more far-reaching decisions like the first real combat mission in the Kosovo War of 1999 or even the decisions on ISAF and Enduring Freedom in 2001, although all Federal governments had to fight for the approval by their parties and even individual members of the government. Considerable irritations among the allies prior to the Kosovo War, and, later, the Afghanistan and Iraq wars were accepted although it was impossible to ignore the contradictions to the grandiose German vows of absolute loyalty to the Alliance. This was due in equal measure to inexperience, miscalculations and certainly, in some instances, “boldness” in domestic and international affairs.

Nevertheless, how can one explain this change from complete rejection of any use of military force outside national borders to a readiness to go for it under certain conditions?

- 1) The more time had passed since German unification, the less both the Kohl government and the Red-Green Schröder/Fischer government could avoid demonstrating reliability and predictability in foreign affairs also by making substantial contributions commensurate with the political, economic and military weight of Germany.
- 2) In the long term, more “robust” mandates were the only way to emphasize the claim for having a greater say in international affairs and decision-making.
- 3) Ten years after German unification the attitude within Germany towards “war” had begun to change. While in 1991 many of the otherwise “sacred” carnival processions had been cancelled to protest against the Iraq War and thousands had met for silent vigils for peace, the pacifist arguments that the use of military intervention forces could not affect any kind of improvement had lost much of its persuasiveness in view of massive human rights violations.

The latter cannot be acknowledged enough and this brings me to my second issue. The question of international weight was a very abstract category for most of the population but also for many opinion leaders. Such arguments were leaning towards demands for strengthening international organizations, in the spirit of the arguments brought forward by the peace movement in the 1980s. The specific immediate

experience of terror, which despite all hope for a better World since 1945 and after 1990 could be observed in the direct neighbourhood and not far away, triggered a new thinking in particular in a generation that was deeply influenced by "Auschwitz", originally with completely different conclusions as to the lessons of history. This was a difficult and extremely painful process. The difficulties experienced by representatives of the pacifist left and their opinion leaders in repositioning, and the extent to which they were eventually convinced of this necessity, given the obvious dilemma, are visible in the statements of one of the most prominent representatives of the Frankfurt School, Jürgen Habermas. In the summer of 1995, he spoke for many others when he declared: "To me the decision to wage war is a terrible one. But as an unintended consequence of a – as I saw it – reasonable policy of non-bellicist commitment a situation has evolved which makes this option unavoidable. [...] With a heavy heart, I think that it is better if the UN do not quit the field but try in earnest to implement their own declarations. Tens of thousands of victims have relied on UN guarantees that are no longer of any value. That is simply impossible. [...] Those who are interested in putting the UN in a state to assert human rights on a global level with the support of an international police force, cannot remain on the sidelines.[...] There is no authority on Earth that should be allowed to kill and make the risk of being killed an obligation. There must be an end to the substantial State -, which had long been glorified in Germany - that concocts the victim myth and practices death cult. The historical debt [...] might justify a certain restraint but not the inconsistency of sending only the other Nations' soldiers."

This process of learning and rethinking resulted in the declaration by Federal Minister of Foreign Affairs Fischer at the Green Party congress in Bielefeld in the spring of 1999 where he affirmed the readiness for military intervention in genocides as one of the lessons learned from "Auschwitz". This development is not without a certain irony, as Charlotte Wiedemann wrote in an editorial of "Die Zeit" after the Green Party congress: "Grown up politically blockading missiles which never flew, today the Greens are crown witnesses to the moral justification of bombs which do fall."

This change, however, cannot obscure the fact that the basis for deployment operations continued to be fragile. Even the shock of the terror attacks of September 2001 and the thesis of the necessity of "defending Germany at the Hindu Kush" which initially convinced large circles, in the end did not significantly increase the

population's acceptance of deployment operations, the less if they are combat operations. Different opinion polls rated acceptance between 51 and 65 per cent in the autumn of 2001, this number began to steadily decline afterwards. When the "Focus" news magazine in early 2002 felt that it had to interpret the 58 per cent approval of the ISAF mission as a "tattoo without hurray", i.e. acceptance without flag waving, it was a rather strange interpretation of the meaning of "majority". This is the more true considering that only 32 per cent were in favour of real combat missions. Meanwhile the number of people in favour of a quick withdrawal, as soon as possible, has increased to 70 per cent in view of the reality of the operation which – contrary to all assurances - is more than just a contribution to the reconstruction effort. The decision to withdraw the Bundeswehr within the foreseeable future is therefore nothing more than a response to this disposition and development. It cannot be denied that this is also due to the inability of the politicians to correctly describe the situation in Afghanistan – as war – and to draw the right conclusions. A memorial, foreign duty medal and medal for valour cannot change the tendency to taboo or at least repress war and death as much as possible.

To sum up:

- 1) There was no room for any kind of military operations beyond the defence of Germany neither in the political nor the strategic culture of the old Bonn Republic and the newly christened Berlin Republic. This marked the difference between the Federal Republic and those states that have made different historical experiences regarding wars and therefore have always considered war as a legitimate means of policy.
- 2) This historically motivated culture of reserve (*Kultur der Zurückhaltung* (Meiers)) has been a defining feature of German foreign and security policy since the 1990 to this day despite the increase of mandated deployment operations.
- 3) Neither the reinterpretation of the lessons learned from Auschwitz in view of the Kosovo War at the end of the old millennium nor the threat from new forms of terrorism at the beginning of the new millennium have principally changed this.

Although, in general, this new approach has made these operations possible, the obstacles to overcome were and still are extremely high.

- 4) In addition to a historically based aversion against military operations a renationalization of foreign policy can be observed – a paradox as it might seem. In contrast to the Cold War, alliance obligations are no longer assumed as a matter of course. Domestic aspects like elections and possible coalitions – like in the 2003 Iraq War - scarce financial and material resources have a much greater influence on foreign and security decisions than ever before.
- 5) Despite all assurances to the contrary, this is closely connected to the continuing refusal of all executive players in politics and society to openly discuss and define the foreign and security interests of the Berlin Republic, and eventually draw the necessary conclusions.
- 6) There continues to be a great disparity between the often emphasized claim to take on more responsibility within the framework of the alliance as well as within the United Nations on the one hand and the hesitant and often negative attitude to actually do so when necessary.