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GERMAN SECURITY POLICY: CONTINUITY AND CHANGE

by

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# German Security Policy: Continuity and Change

by

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Lieutenant, United States Navy  
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Submitted in partial fulfillment of the requirements for  
the degree of

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## ABSTRACT

This study examines the continuities and changes in the security policies of the newly reunified Germany, providing background for American policy makers and strategists concerned with questions about Germany's future. Germany's actions in the year and a half since unification have been less than reassuring for American statesmen. In the Gulf War, Germany refused to participate militarily in the American led coalition on constitutional grounds. Then in December of 1991, Germany refused to go along with the policies of the United States and its major European allies in linking recognition of Yugoslavian republics to an overall settlement of the civil war in that country. In pursuing these initiatives, Germany demonstrated that it no longer occupied the position of junior partner to the United States in the foreign policy field and that it had national security policies of its own to pursue which were sometimes more European than Atlantic oriented. This attitude unjustifiably alarmed many American and European statesmen who had grown comfortable with the passive policies of the West German government and the constraints that the cold war had built into the European security system. The year 1989 marked the end of the cold war and forces Germany to contend with global responsibilities and influence that it has not had to contend with since 1945 using the political culture that it has evolved in that time. This study covers the historical development of the present statecraft, the sources of change in Germany, and a case study of the Yugoslavian conflict.

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## CHAPTER I : INTRODUCTION

Will the United Germany become a world power? Since the iron curtain across central Europe crumbled, Germany, Europe, and the world have undergone fundamental changes. The bipolar world has vanished as swiftly as did the Berlin wall, and with it the division of Germany which was the symbol of the cold war. Germany is now united for the first time since Potsdam in 1945, and is surrounded by neighbors to the west with whom it is deeply integrated, to the east by a revitalized and unstable central and south-central Europe.

The United States stood at the forefront of Germany's allies when it came time to reunite the nation. It was all the US could do for its staunchest continental ally of the cold war, a country with which it shared common values and interests, a country it had helped build from the shattered remains of the Third Reich.

But with the swift changes in global power since German unification, European and American political elites believe that Germany is abandoning its subsidiary role to the United States. With the loss of control which accompanied the end of the cold war and the signing of the two plus four treaty in 1990, visions of the old Germany arise whenever Germany follows a different policy than which its allies expect of it. Since the new Germany does not neatly fit into the submissive paradigm of the West German government in following US foreign policy leads, then the paradigms of Wilhelmine and Nazi Germany are innocuously substituted in their place.

Today's Germany is of course not the Third Reich; it stands at the opposite end of the moral spectrum. But by the same token, today's Germany is not the old West German Republic ala 1967 and cannot be expected to act as such. Germany today lies in the center

of Europe, a bridge between East and West, between the economies of a rich West and an impoverished East, and between the ideals of liberal democracy and self determination and the past ghosts of totalitarianism and communism. Germany is deeply integrated into Europe and the course that it elects to take will necessarily be a large influence on the course of Europe.

American policy elites must develop a new paradigm for Germany if they are to successfully work with their German friends without the hysterical abuse of Third Reich clichés whenever Germany acts out of character of the last forty-five years. It will not be an easy task since the Germans themselves have yet to fully come to terms with the implications of unification on their global responsibilities. But it is sure to be a different approach to world security than that embraced by the United States, and this should not be cause for undue alarm. It is the twofold purpose of this paper to present the historical context of the present German security policies and to examine current changes in German policies which have alarmed US statesmen.

### THESIS

Choosing the wrong paradigm when discussing Germany not only demonstrates a lack of comprehension of what has occurred over the last forty-five years, but for an American policy maker or strategist can be outright dangerous. The thesis of this paper suggests that the German historical legacy and political/social development over the last forty-five years has conspired to make powerpolitics unattractive to both the German people and their democratic government. Liberal democracy, humanitarianism, and individual rights are values which are not alien to Germany; they were evident in 1848. But these values have now had the opportunity to be nurtured and developed free of subversion, and they are now deeply imbedded morally and institutionally in German life.

Neither the Wilhelmine, Third Reich, or old West German Republic paradigm will do for the Germany today. Clichés and historical generalizations must be set aside in studying where the German political culture came from and what it is doing. Much of it will form a subtle continuity with the recent past, with the morality and world view of present statesmen, but the changes are always highlighted and possibly open to comparison to narrow portions of discredited paradigms of the past.

In making the above argument for the most likely continuity in German statecraft, the hypothesis that the period of the West German Federal Republic, 1949-1990, is a discontinuity in German statecraft is rejected. By this argument, the use of *Machtpolitik* (powerpolitics) as an instrument of statecraft was not a possibility due to the situation Germany found herself in after the war: conquered, divided and separated into the camps of the two superpowers. Germany very pragmatically played the role that allowed it to re-legitimize itself in the security of the Atlantic alliance, rearm, and eventually reunify. While current German politicians are sincere in their professions of peaceful coexistence and cooperative structures, a breakdown in these structures or an economic downturn could easily bring out the suppressed German political character of old and a return to *Machtpolitik*. Could economic conditions recalling those of 1930-1932 lead to similar results in the political/social realm?

#### DEVELOPMENT

The development of German statecraft in the period following the end of the Second World War will be analyzed in the first chapter. The policies that led to the integration in the West, political and economic rehabilitation, and rearmament will be detailed to illustrate the extent of the reaction by German statesmen, notably the chancellor Dr. Konrad Adenauer, to the political extremes of their predecessors.

Adenauer early on won the confidence of the victorious allies and established the German political precedent of not only alliance with, but full integration with the liberal democracies of the West. He created a morally respectable army, the Bundeswehr, and completed Germany's entry into NATO.

Adenauer's integration in the West was balanced by Willy Brandt's Eastern policies which eased tensions between East and West during the period 1966-1974. Brandt's Ostpolitik allowed contacts to develop not only between the two Germanies, but with all of Eastern Europe as well.

The second chapter examines the sources of change in Germany. Some of these are real, some perceived, but all give rise to apprehension among Germany's allies and neighbors about her future role in Europe. Of particular interest in light of the powerpolitics of the past is the German position on the use of force and out of area operations. Also of concern are Germany's renewed ties to the East and the perceived impact of unification on German options.

The third chapter is a case study of the German initiatives during the Yugoslavian crisis. For the first time in its history, the Federal Republic took the initiative in a major foreign policy step to recognize the independent states of Croatia and Slovenia. This was remarkable not just because it was a German initiative, but because it was opposed by all of Germany's major partners and caused a great deal of consternation in London and Washington.

The conclusion suggests that while Germany will continue in its historical role as a revisionist power, this revision is limited to specific integral and legitimate security interests of the German state. The powerpolitics and territorial revision which characterized previous German statecraft in the period 1870-1945 are not present in German statecraft or in the mainstream political circles. The synthesis of the two familiar

paradigms of Germany results in a Germany which though tightly integrated into the West, nevertheless is not led by such institutions as in the past, but is actively involved in influencing them for legitimate German and European security interests. American statesmen need to understand this synthesis lest they become alarmed at possible future high profile German developments, such as the attainment of a permanent seat on the United Nations Security Council, the deployment of Bundeswehr troops under United Nations mandate, or a German lead in foreign policy which runs counter to what the United States wants or expects.

This conclusion does not mean that American strategists and policy makers should accept all that Germany does at face value. As Germany grows more confident in its role as world power, there will undoubtedly be more room for conflict with the United States, especially in cases involving the justification for military intervention. The close relationship developed between these two countries does demand that an understanding of the national interests and prerogatives of each of these two partners be reexamined and understood to avoid unnecessary conflicts in the future.

#### SOURCES

For development of the German position and perspective, government documents and publications from the strategic and foreign policy elites are used. Speeches by German statesmen are found in such publications as the *Bulletin* of the German Bundestag, *Statements and Speeches* of the German Information Center, press releases from the German embassy, and *Sicherheitspolitik* of the Defense Ministry. Detailed perspectives and policy options are found in government and private journals such as *Außenpolitik*, *Aus Politik und Zeitgeschichte*, *Beiträge zur Konfliktforschung*, and *Deutschland Archiv*. The German elite press provides the editorial and time sensitive sources, in newspapers such as

*Die Zeit*, the *Frankfurter Allgemeine*, and the *German Tribune*, and also in journals and magazines such as *Frieden und Abrüstung*, *Der Spiegel* and the *Frankfurt Peace Research Institute*. American and British sources are used for development of most of the historical perspective in the following chapter and as a counterweight to the perspective of the German sources.

## CHAPTER II : DEVELOPMENT OF POST-WAR POLICIES

The defeat of the Third Reich in 1945 brought to an end Germany's reliance on power politics in its international relations. It is a testament to the barbarity of the war and the absoluteness of defeat in war that Germany renounced the use of force in its relations with other nations, and alone among the major Western countries maintained this position over the past four decades. In that time, German policy has been implemented in terms of cooperative security structures and collective defense. In the West, this policy has manifested itself up to the present time in the tight integration of the West German state into the Atlantic Alliance in almost all respects. In the East, this policy took the form of rapprochement and cooperation in the 1970's, when shared values were not a common element in Germany's eastern relations. The renunciation of force has come full circle, however. To the present time, the use of force even under the auspices of a multinational mandate still presents Germany with a national dilemma which it has yet to come to terms with. The reluctance to exercise the responsibility that Germany's position entails caused tensions in US/German relations, leading to acrimonious feelings on both sides of the Atlantic.<sup>1</sup>

This dilemma is not entirely of Germany's own making. From its inception in 1949, the Federal Republic of Germany (FRG) has been severely restrained in its security

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<sup>1</sup> Günther Gillessen, "Washington Is Riled by Germany's Reluctance to Pull its Weight in World Affairs", transl. from Frankfurter Allgemeine Zeitung, in The German Tribune, 6 June, 1991.

policies, which in turn reflected the greater strains of the superpower conflict which was the causal reason for the foundation of the FRG to begin with. West Germany lacked the political, legal, and moral capacity to determine its own policies from its founding in 1949 through 1957. But even as it gained in influence in its own internal affairs, the external constraints remained tight and severely restrained any alternatives that the Federal Republic might have wished to pursue. The Federal Republic's very existence was brought about by the inability of the superpowers to jointly administer a vanquished Germany and made it both object and pivot of the cold war confrontation.<sup>2</sup>

This section examines the causes and means of the transformation of German foreign policy in this light. The main issues facing German politicians in the period after the end of the war were regaining political legitimacy, reunification of the various occupation zones, the orientation of the future German state, economic recovery, sovereignty, and several years later, rearmament as well. The choices that could possibly have been pursued followed three general orientations: alignment with the East, alignment with the West, or establishment of a neutral Germany with security guaranteed by its neighbors.

The first case would not have been allowed by the United States or would have had to assume a complete American withdrawal from Europe. The second case would have been opposed by the Soviet Union, while the third option would have provided a continuum of the old German see-saw politics which had led to disaster two times previously in the 20th century. The Christian Democratic Union (CDU), under the able leadership of Konrad Adenauer, undertook the second option. The newly formed Federal Republic of Germany

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<sup>2</sup> Wolfram Hanrieder, *Germany, America, Europe: Forty Years of German Foreign Policy*, Yale University Press: New Haven and London, 1989, 15.

(FRG) would be integrated into the Western security system despite the objections of the Soviet Union. During various negotiations, the Soviets had envisioned a weak, neutral, and demilitarized collection of "rump" states as the replacement for the German Reich.<sup>3</sup> Western integration assured the division of Germany while obtaining security, sovereignty, and economic and political rehabilitation for West Germany. The tensions of the cold war were thus geographically as well as ideologically defined. It was not until the Social Democratic Party (SPD) of Willy Brandt offered rapprochement with the East in the spirit of "detente" of the early 1970's that these tensions were eased and the traditional German ties to the East were significantly improved.

#### DEVELOPMENT UNDER ADENAUER

The first foreign policy phase of the new Federal Republic was the most constrained by outside forces, yet at the same time, these outside forces had not coalesced to the point where the constraints they imposed became rigid. This period is strongly identified with the German chancellor at the time, Konrad Adenauer, who served as head of the Christian Democratic Union (CDU) from 1949 to 1963.<sup>4</sup> Adenauer's historical experience and political sense led him to reject all options which would have led to a return of *Schaukelpolitik* (see-saw politics - a neutral position wherein the East and the West were played off against one another) or *Machtpolitik* (power politics-revisionism by use of

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<sup>3</sup>William Hyland, The Soviet Union and Germany, in West German Foreign Policy 1949-1979, ed. W. Hanrieder, Westview Press: Boulder, CO, 1980, 112.

<sup>4</sup> Joseph Joffe, The View from Bonn, in Eroding Empire, ed Lincoln Gordon, The Brookings Institute: Washington, DC, 1987, 140.

force) of previous regimes. He believed that a political revision of the results of the Second World War were possible, but that Germany would first have to legitimize itself in the West before pursuing revisionism and reunification policies in the East. He therefore firmly committed West Germany to integration in the West. This goal of legitimization and the subsequent attainment of sovereignty, along with economic and political reconstruction and reunification, provided a continuity in German post-war politics over the next four decades.<sup>5</sup>

### **Redefining Security**

Adenauer understood that the instabilities of the previous regimes were rooted in the tenuous German *Mittellage* (geostrategic middle position of Europe). This *Mittellage* had been at the root of the German problem since at least the founding of the Second Reich in 1871, and to a lesser extent before this event.<sup>6</sup> In an abrupt change from the past, Adenauer chose alliance with the West as the best course for Germany.<sup>7</sup>

Integration was the indispensable first step toward gaining the trust and leeway with the Western allies that would be necessary for sovereignty. Eventual sovereignty was

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<sup>5</sup> Hans-Peter Schwarz, *Adenauer's Ostpolitik*, in *West German Foreign Policy 1949-1979*, ed. W. Hanrieder, Westview Press: Boulder, CO, 1980, 133.

<sup>6</sup> David Calleo, *The German Problem Reconsidered*, Cambridge University Press: New York, 1978, 5, 6. The German problem can be traced back at least to the 17<sup>th</sup> century, when the Habsburg Holy Roman Emperor Ferdinand II attempted unsuccessfully to unite the German states.

<sup>7</sup> As Hanrieder points out, this could be cynically viewed as making virtue of necessity, as the United States would not have allowed any course which led to the East, but Adenauer's convictions were with him in this decision.

hardly a foregone conclusion after the war, and intense, sincere, and permanent steps were required to assure allied cooperation toward his goals.<sup>8</sup>

Integration in the West would not only produce security for Germany from the Soviets, but also would protect Germans from themselves. Adenauer was an ardent anti-nationalist who distrusted the German sense of proportion that had failed them so often in the past.<sup>9</sup> He envisioned a strong security regime contained in the West to build up the liberal democratic traditions which had eluded Germany in the 1840's, 1870's, and in the Weimar years. He thus saw the security role for Germany as a complementary one to the double containment role of the United States. By 1950, the United States had established the containment doctrine to hold the Soviets to their the current political positions. But a secondary US policy was to assure that Germany remained contained and in the Western camp, and to reassure both the Germans and the other Western Allies of US support.<sup>10</sup> While western integration was an end in itself for Adenauer, it was also the necessary groundwork for the further development of the FRG.

#### **Economic and Political Reconstruction**

Along with the security integration, Adenauer sought a political and economic reconstruction in both a European and and Atlanticist context. Solid economic policies

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<sup>8</sup> Hyland, 111-113. Various schemes were proposed by both Soviets and the West. Stalin envisioned a dismembered Germany of several rump states, such as a separate Rhineland and Bavaria, with transfer of territory to Poland. The Morgenthau plan called for an agrarian state stripped of its industry and left in a very weakened state. Almost all plans foresaw a weak Germany, and only the advent of the east west conflict allowed the establishment of the two powerful German states of the post war period.

<sup>9</sup> Gert Krell, "Ostpolitik Dimensions of West German Security Policy", Peace Research Institute Frankfurt, No 1, 13.

<sup>10</sup> Hanrieder, 30-32.

were a political mandate for a nation suffering the deprivations of the war, and Adenauer's close ties and support for the West gave the CDU the credibility that economic restructuring would accompany the western integration. This platform more than anything else ensured the surprising prominence of the CDU in the first elections of the Federal Republic in 1949. The SPD had placed greater priority on reunification than on integration, and thus had pursued the traditional German approach as a neutral state in the middle of Europe.<sup>11</sup> Their platform was idealistic and offered vague goals for the future, but the electorate opted for concrete results of political and economic reconstruction with the West.

As the FRG turned ever more to the West, issues of sovereignty and equality became less of an issue, at least for the United States and Britain.<sup>12</sup> But the Allies needed integrative structures that would bind the Germans to the West:

To check the Germans, formal international conventions became a necessity. The fear (especially in Paris) that Germany's political and economic recovery might proceed along national lines, unencumbered by international constraints, made integrative arrangements seem imperative. At least they would help control Germany's resurgence...The creation of an integrated postwar Europe provided the framework for Germany's reconstruction. The European Community, the FRG — and NATO — were made for one another.<sup>13</sup>

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<sup>11</sup> Volker Rittberger, "Die Bundesrepublik Deutschland – eine Weltmacht? Außenpolitik nach vierzig Jahren", *Aus Politik und Zeitgeschichte*, 15 Jan 1990, 5.

<sup>12</sup> Hanrieder, 233. France opposed Germany's reconstruction to the point of equality and sovereignty at every step.

<sup>13</sup> *Ibid.*, 233.

The first step in this economic integration was the formation of the European Coal and Steel Community and Germany's membership on equal terms, as outlined in the 1952 Bonn Conventions. This community later expanded to cover other economic matters and became the European Community in 1957.<sup>14</sup>

The issues of political reconstruction and sovereignty became linked to German rearmament in face of the growing Soviet menace. The issue of German rearmament had been explored by the Americans in the late 1940s as a way to get large numbers of troops onto the front lines in the tense period that had developed since the end of the war.<sup>15</sup> French and British commitments to the Brussels Pact were undermined by their colonial ambitions and strained economic capacity. Even America was strained following the outbreak of the Korean War.<sup>16</sup> However, American politicians were mindful of the fact that the rearmament proposals would evoke adverse public reaction by both the American and French publics. In fact, when Adenauer first broached the subject in an interview with the *Cleveland Plain Dealer* in 1949, the outcry against German rearmament was shrill and the allied high commissioner responded with a declaration against militarism.<sup>17</sup>

Although Adenauer's wish to see the establishment of a defense force for Germany was based on his fears that the allies would leave Germany undefended, he also perceived

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<sup>14</sup> Ibid., 234.

<sup>15</sup> Mathias Bartke, 31.

<sup>16</sup> Douglas Stuart and William Tow, The Limits of Alliance: NATO out-of-area problems since 1949, The John Hopkins University Press: Baltimore and London, 1991, 266.

<sup>17</sup> Mathias Bartke, Verteidigungsauftrag der Bundeswehr. Baden-Baden, Germany: Nomos Verlagsgesellschaft, 1991, 31.

the allied need for German rearmament based on their inability to protect not only Germany, but the whole of continental Europe. Indeed, he was not far off the mark. Initial allied war plans in 1949/early 1950 called for the evacuation of American troops to Britain, to be followed by an eventual return after heavy aerial bombardment.<sup>18</sup> The turning point in this issue was the outbreak of war in Korea.<sup>19</sup> The Americans perceived this as the much feared opening salvo of the global onslaught of communism, which would also distract American attention and force from the real target, Europe. The Americans quickly let the denazification, demilitarization, and decartelization campaign fall by the wayside, and agreed in principle to the "sovereignty for rearmament" formula the following year.<sup>20</sup> From this point on, eventual rearmament was a given, but the mechanism for German military force integration and sovereignty still had to be negotiated.

The French minister-president Pleven suggested formation of the European Defense Community (EDC), which would constitute a European army of multinational units answerable to a European Parliament. All German troops would be subordinate to this army, while other countries would need only contribute a portion of their forces to the EDC. The basic French premise was to remilitarize the FRG without rearming it and to call German soldiers to service without forming a German army. These provisos, along

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<sup>18</sup> Lawrence Kaplan, NATO and the United States: The Enduring Alliance, Twayne Publishers: Boston, 1988, 39.

<sup>19</sup> Bartke, 32.

<sup>20</sup> Kaplan, 45.

with other structural and legal provisions cementing the inequality of Germany, was unacceptable to Adenauer, although its all-European integrative aspect appealed to him.<sup>21</sup>

Adenauer had to balance between the Americans and French interests in the alliance. The French were concerned about basic balance of power inequities on the continent, while the US wished to integrate Germany and rearm it quickly. Eventually, an EDC framework was worked out which was acceptable to Adenauer. It allowed the formation of a German army and a German Defense Ministry, but it would be under EDC command. The premise of establishing a Bundeswehr was challenged by the SPD in court, but after the elections of 6 September 1953, the CDU coalition government had the two-thirds majority that was necessary for a change in the basic law to allow formation of the armed forces. This first Basic Law change was passed in March 1954 in order to accommodate accession to the EDC. But in a stunning move, the French national assembly rejected the EDC some five months later.<sup>22</sup>

This act by the French, who had initially proposed the EDC to begin with, effectively isolated them from their allies. An alternate framework using the Western European Union and NATO was devised by the other allies in the Paris Agreements of 1954.<sup>23</sup>

In Germany, the rearmament for sovereignty issue was very divisive, eliciting massive opposition by draft-age youths, the churches, trade unions, and the opposition

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<sup>21</sup> Ibid., 33.

<sup>22</sup> Ibid., 40.

<sup>23</sup> Hanrieder, 134.

party. But Adenauer forged ahead and concluded the Paris Agreements, which led to sovereignty on May 5, 1955.<sup>24</sup> While he realized that the actual limits of Germany's sovereignty would be immediately frozen in place by the realities of the east-west conflict and previous German commitments, the way was cleared for the FRG to conduct foreign policy as a legitimate and moral member of the international community. The confluence of choice and necessity in economic and political reconstruction ensured their success, but by the same token they deepened the rift between east and west and made the third goal unattainable for Adenauer.<sup>25</sup>

### **Reunification**

Adenauer's third goal was the reunification of the three parts of Germany, but here the first two goals became mutually exclusive with the third, or so it appeared for the next four decades. Having defeated Germany after an unprovoked attack and near annihilation in the war, the Soviets were justifiably reluctant to see a reunified Germany arise which was not under their control. At the same time, though, they did not wish to see West Germany firmly integrated into the west and rearmed as well. They protested the movements towards rearmament, and held out the hope that reunification could be discussed as long as West Germany did not commit itself to the West. They therefore pursued a policy which promised flexibility while West Germany was still in the process of forming these ties and negotiating rearmament issues. Once these issues were resolved, however, the Soviet position became more entrenched and static. There was probably never really a time when

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<sup>24</sup> F. Roy Willis, *Germany, France Europe*, in *West German Foreign Policy 1949-1979*, ed. W. Hanrieder, Westview Press: Boulder, CO, 1980, 98-99.

<sup>25</sup> Hanrieder, 7.

the Soviets and Americans would have agreed on a reunification plan because it was a zero sum game. If one side of the cold war blocs considered it an advantage to reunify, then the other side would have to have had a disadvantage from this proposal.

A pillar of Adenauer's reunification policy was the claim, enshrined in Article 23 of the German Basic Law, that the West German government, as a true liberal democracy, was the sole representative of the interests of all Germans in the four parts of Germany: the FRG, the Soviet zone (GDR), Berlin, and the former German lands to the east of the Oder-Neisse line. This legal argument was necessary so that when the time for reunification came, the lands to the east could be absorbed as additional *Länder*, as indeed happened, instead of the merging together of two states.

The manifestation of this policy was the Hallstein Doctrine. The West German government would withhold or withdraw diplomatic recognition to any country, with the exception of the Soviet Union, that recognized the German Democratic Republic (GDR). This doctrine was conceived in 1955 after relations were established with the Soviet Union in order to deny legitimacy to East European countries, and remained in effect until 1967.<sup>26</sup>

Adenauer believed that reunification through a policy of strength was the only alternative. In the United States, he perceived a hegemonic power that would only grow stronger in time, and which supported his goal of reunification. But by joining the west, the lines of demarcation between east and west, which might have remained blurred without this commitment, were clearly drawn. The Soviets were not inclined to cede

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<sup>26</sup> J.F. Brown, Eastern Europe's' Western Concern, in Eroding Empires, The Brookings Institution: Washington, D.C., 1987, 43.

additional territory to the anti-Soviet coalition. At the time and for the next several decades, the reunification policy of Adenauer appeared not only ineffective, but lacking in realism and rationality.<sup>27</sup> It was only after an expanse of time greater than he had ever envisioned, that his policies were vindicated and German reunification occurred from a position of great economic strength over the Soviet Union.

#### SIGNIFICANCE OF ADENAUER'S POLICIES

Adenauer's integration plan was a decisive break with the past. For the first time in modern history, Germany (West) had finally made the hard decision that had been at the root of the German problem for the past century. During Bismarck's unification drive and beyond, united Germany had never been able to reconcile its central position in Europe decisively to ally itself with either the east or the west, resulting in the *Shaukelpolitik* of previous regimes. Its security had never been assured in a cooperative context, and alliances were subject to any political expediency of the time. During the period of German unification, an Austrian alliance was concluded against Denmark and Great Britain in Schleswig-Holstein, French benign neutrality was arranged to allow the Austro-Prussian war of 1866, and Austrian benign neutrality was likewise obtained for Prussia to pursue the Franco-Prussian war in 1870-71. Despite attempts to ally itself with either Russia or Great Britain, Germany still ended up fighting two disastrous two-front world wars.

With Adenauer, Germany had finally made the move to the Atlanticist West and to a less continental role. The decision linking unity and freedom under a liberal democratic

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<sup>27</sup> Krell, "Ostpolitik Dimensions...", 13-15.

guise demonstrated that the goal was not just the restoration of a national state in Germany, but the establishment of a higher order of European unity.<sup>28</sup> The ties forged were much more than just political or military, they were economical, ideological, cultural, and visibly affected the whole of West Germany. The FRG not only moved to the West and assimilated western cultural and ethical values, but also made fundamental concessions on sovereignty and freedom of action which Adenauer considered “intrinsically unobjectionable”<sup>29</sup> They were even less objectionable in light of the overall diminution of European influence in the larger context of the global confrontations taking place. By 1955, the FRG was a semi-sovereign nation, the Bundeswehr plans were being finalized<sup>30</sup>, and the policy of double containment had been affected. The Soviet influence in the West had been stymied, West Germany was integrated into the West, and the American policy of massive retaliation ensured the viability of the Atlantic Alliance.

#### TRANSITION

This cohesion was short lived and early on showed signs of new strains. The acquisition of nuclear weapons by the Soviet Union combined with their ability to deliver them to the continental United States by 1956<sup>31</sup> made the nuclear guarantees of the United

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<sup>28</sup> Winfried Becker, “Die Haltung der Parteien zur Deutschen Frage 1945 bis 1990”, Zeitschrift zur politischen Bildung und Information, 2nd Quarter, 1990, 30.

<sup>29</sup> Hanrieder, 6.

<sup>30</sup> Ibid., 17.

<sup>31</sup> Honoré M. Catudal, Soviet Nuclear Strategy from Stalin to Gorbachev, (Humanities Press International, Inc.:Atlantic Highlands, NJ,1988, 46,47 The first delivery vehicles were the TU-20 Bear and Mya-4 Bison longrange bomber. ICBM's were test flown in 1957 and deployed in 1961.

States less credible. The French, in particular, questioned the credibility of an American nuclear response to a conventional invasion of Europe. Would this would mean that American cities would be destroyed as well by Soviet nuclear weapons?<sup>32</sup> West Germany was placed in the awkward position of having to choose between Paris and Washington on a much more frequent basis over divisive issues. At the heart of the matter was the incongruity of the goals of both the United States and France.

The French were interested in lessening the influence of the superpowers in Europe as well as maintaining the illusion of French global influence, while the United States desired a strong European presence to contain the Soviets and reassure allies. French president De Gaulle sought European support for his global ambitions, while the Germans required French support for their Eastern policies. It was a political/military tradeoff with Germany forging economic ties with France for political reasons, and France forging political ties with Germany for economic reasons.<sup>33</sup> The French offered support only in so far as the easing of tensions and the end to the cold war could lead to the withdrawal of US and Soviet forces from Europe, leaving France as the preeminent European power.<sup>34</sup>

The United States in turn fell into the comfort of the status quo in Europe as it became apparent that the cold war blocs had solidified their positions there and that attention had shifted to the third world. Although Washington still formally supported

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<sup>32</sup> Kaplan, 42.

<sup>33</sup> Hanrieder, 14.

<sup>34</sup> Jan Reifenberg, Germany and the Atlantic Community, in West German Foreign Policy 1949-1979, ed. W. Hanrieder, Westview Press: Boulder, CO, 1980, 64-65.

West German policies in the East, this support was only halfhearted and reflected US acceptance of the Soviet position.

Neither of these policies was beneficial to Germany, and the divergence of these interests became ever more problematic. At the heart of the problem was the inability of Germany to reconcile both political and legal aspects of its policy on reunification. German Ostpolitik was stale and lacked innovation, as it was premised on assumptions that did not mesh well with the realities of the situation. By the mid 1960s, France's dynamic overtures in the capitals of eastern Europe threatened to isolate Germany diplomatically and make France the spokesman of Western Europe in the East. By the same token, Washington's policies were inherently conservative.

The basis of the FRG's' problems was something of a paradox. West Germany sought a policy which could lead to unification, but refused to recognize the need to negotiate with satellite countries, since this would harm its position vis-a-vis the German Democratic Republic (GDR). This meant that no negotiations on reunification could take place, since the starting point for the Soviets was the legitimization of their sphere of influence through recognition by the West. A lesser paradox arose whenever the other allies brought up arms control with the Soviets. While desiring arms control, the FRG was also apprehensive of any new measures that could lead to a change for the worse concerning the position of West Germany. There was always the possibility that the wartime victors might settle their grievances at the expense of the FRG.

By the end of the 1960s, the congruence of German and US policies had all but disappeared. As opposed to the two mutually exclusive but inherently unobjectionable options of the 1950s which provided a comprehensive Westpolitik and a possible Ostpolitik, the alternatives offered in the 1960s by Washington and Paris were all

objectionable to the German government. The tortured West German legal position vis a vis the East only aggravated this already unpleasant position.

#### THE NEW OSTPOLITIK

The successful integration of West Germany into the Western alliance and its economic and political reconstruction were phenomenally successful, but the assumptions made by Adenauer as to how this would lead to better relations with the East and eventual reunification did not play true. Contrary to his expectations, the West had not become stronger in relation to the East, and the very success of Adenauer's Westpolitik doomed his Ostpolitik to failure.

It is paradoxical that the source of continued German division, the cold war, also gave West Germany the political power to make territorial claims extending to the borders of the Reich of 1937.<sup>35</sup> The legal framework constructed by West Germany in the 1950s and 1960s to support this basis of its Ostpolitik was in itself divisive and prevented further rapprochement with the East. By the end of the 1960s, continued German claims for a unified Germany offered nothing that the Soviets could or wanted to support. The Soviets at that time sought recognition of the legitimacy of the status quo bloc it had established in Europe, and recognition of parity with the United States as a superpower. The greater issues of the east-west conflict would have to be addressed before the all-German issues.<sup>36</sup>

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<sup>35</sup> Krell, 7.

<sup>36</sup> Hyland, 119-121.

The altered relationship between global security and the German national question led to a more conciliatory attitude upon election of an SPD-led government in 1969. The policy of applying pressure on the Soviets from a position of strength had failed, and the Soviet unwillingness to accept change which was not of their own making became apparent in Prague in the spring of 1968. Willy Brandt, the SPD's chancellor, sought to revitalize the relations with the East by discarding much of the tortured legalistic rhetoric of the past twenty years and by recognizing the status quo in eastern Europe. Bonn had held the key to detente in Europe for years, but had resisted the paradox that the only way to overcome the realities of division was to first accept them.<sup>37</sup> The Soviets were very receptive to these new overtures in German Ostpolitik, for it presented them with the long sought after legitimization of their sphere of influence in Europe.

The new Ostpolitik was based upon the premise of several factors. The refusal to recognize the loss of the eastern third of Germany to Poland did not make this fact any less revocable, and left German statesmen open to charges of revanchism from the East. The Hallstein Doctrine hindered relations not just in the East, but was becoming more difficult to support in the West as well, and was in fact on the verge of collapse. A third assumption was that a policy of reconciliation with the Soviet Union and Eastern Europe could open these countries and improve the position of the FRG. These measures would increase the visibility and influence of Germany in Eastern Europe, and the glaring

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<sup>37</sup> Krell, 21.

inequities between Marxism and Social Democracy would then become evident and develop the mechanism of change.<sup>38</sup>

The 1970 White Paper, promulgated by the Defense Ministerium, spells out the assumptions of the new Ostpolitik clearly. First of all, it recognized that nothing of importance could be done in the East without Moscow's approval. Second, the administrations in Prague, East Berlin, Warsaw, and the other East European capitals were recognized as sovereign with their own will and weight. Third, it would be foolish, dangerous, and irresponsible policy to attempt to drive wedges between the countries of the Warsaw Pact.<sup>39</sup>

Brandt's Ostpolitik manifested itself in a series of bilateral treaties negotiated between the FRG and various east bloc countries between 1970 and 1973. The treaty which paved the way for consultations with the Soviet satellites was the Moscow Treaty of August 12, 1970.<sup>40</sup> The FRG acknowledged the territorial consequences of the Second World War and renounced the use of violence in their relations with other countries. While the renunciation of force was not new for the FRG, this had never before been negotiated with the observance of state boundaries. With this treaty signed, the FRG had the implied consent of the Soviet Union to negotiate with the other East European countries.<sup>41</sup>

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<sup>38</sup> Martin Hillenbrand, The United States and Germany, in West German Foreign Policy 1949-1979, ed. W. Hanrieder, Westview Press: Boulder, CO, 1980, 82-83.

<sup>39</sup> Weißbuch 1970, Zur Sicherheit der Bundesrepublik Deutschland und zur Lage der Bundeswehr, Presse und Informationsamt der Bundesregierung, 12.

<sup>40</sup> Ibid.

<sup>41</sup> Hanrieder, 202.

The treaty recognizing the annexation of the lands to the east of the Oder- Neisse line and establishing full relations with Germany was concluded with Poland in December of 1970.<sup>42</sup> While discussions with the GDR had become deadlocked, the 1971 Quadripartite Agreement on Berlin between the six powers in Berlin moved ahead and eventually opened the door to conclude the GDR treaty. The Quadripartite Agreement recognized West Berlin as an integral part of the FRG, but prohibited the FRG from conducting constitutional or presidential activity in West Berlin. In addition, access matters relating to West Berlin were resolved, and limited visitation of West Berliners with the surrounding countryside were negotiated.

This agreement opened the way for the Treaty between the two German states in 1972, the pinnacle of Brandt's Ostpolitik. The negotiations had been ongoing since 1969, but while the FRG was willing to now cede many major points, they stopped just short of many East German demands, most significantly the recognition of the GDR as a fully separate state from the FRG.

The FRG surrendered positions in light of the unchanging reality of the situation in East Germany: they recognized the state of the GDR, renounced claims to sole representation of all Germany, treated the inner German border as a legitimate political boundary between two sovereign states, and otherwise ceded the right of the GDR to act as a sovereign nation.<sup>43</sup>

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<sup>42</sup> Ibid., 202-204.

<sup>43</sup> Ibid., 205-208.

But Bonn held back on full recognition of the GDR under international law and instead insisted on maintaining the special relationship between the two equal Germanies. The FRG held that the two German states constituted one German nation, and as such had a special relationship to one another.<sup>44</sup> Issues of true sovereignty were not resolved. This was demonstrated by the exchange not of ambassadors, but of permanent representatives to each others capitals.

The last treaty signed as part of Brandt's Ostpolitik was the German Czech Treaty in May of 1973. This treaty renounced the terms of the 1938 Munich Agreement. Like other treaties with the eastern European countries, the FRG recognized the borders of Czechoslovakia and renounced the use of force in its dealings with other nations. This treaty also allowed Bonn to normalize relations with Hungary and Bulgaria. These two countries had insisted that Bonn resolve the issues with Czechoslovakia first.

Upon conclusion of the German-Czech treaty, the intensive period of Willy Brandt's Ostpolitik came to an end, and he would resign the next year due to an unrelated matter.<sup>45</sup> The Soviet Union had gained the legitimacy it had sought for its conquests and had at last gained diplomatic as well as strategic parity with the United States. The Soviets now no longer had the incentives to push for further agreements in inter-German relations, as these were considered potentially destabilizing to the cohesion of the Warsaw Pact.<sup>46</sup>

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<sup>44</sup> Krell, 20.

<sup>45</sup> Jacob Heilbrunn, "Germany and the Cold War: An Inquest", *Global Affairs*, Spring 1991, 86.

<sup>46</sup> Hanrieder, 209.

### SIGNIFICANCE OF BRANDT'S OSTPOLITIK

Effective German policies to the East had been significantly stalled for several decades while West Germany struggled with the results of the Second World War. Brandt's policies were effective because he redefined the relationship between the security interests of the FRG and the national question in terms that were acceptable to the East. Western integration having been accomplished, albeit with rifts arising between various western nations, the SPD's corollary achievement was the renunciation of German revisionism in the East. Just as fears of a resurgent Germany were allayed by western integration, so too were eastern fears of German revisionism allayed by Brandt's policy of recognizing the status quo in Eastern Europe.<sup>47</sup>

The more immediate result of Brandt's policies was that Germany removed itself from the political isolation of the 1960s and moved to the forefront of detente. German influence in detente proceedings increased by the much broader base that its predominantly successful Ostpolitik allowed. By the same token, French influence in the East was diminished by West Germany's Ostpolitik, for the Soviet Union was content with the recognition accorded Eastern Europe and with the maintenance of the status quo, whereas French support had hinged on superpower withdrawal from Europe.

The treaty governing the FRG and the GDR laid the groundwork for relations which would eventually undermine the latter and made reunification possible. The GDR traded

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<sup>47</sup> Heilbrunn, 82.

recognition for more open contacts, and this openness led in turn to the demise of the  
GDR.<sup>48</sup>

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<sup>48</sup> Ibid., 85-86.

### CHAPTER III: SOURCES OF CHANGE

The famed specter that once stalked the capitals of Europe has now vanished into the wreckage of 1989-1991, but in a recent article in *Global Affairs* Soviet analyst Marion Leighton raised the new and to her very real specter of a new German-Soviet/now-Russian pact that will share the master bedroom in the "Common European Home" which Secretary Gorbachev had proposed to build on the cheap real estate of Eastern Europe.<sup>49</sup> Her concerns are indicative of the uncertainty, foreboding, and misunderstanding many Americans feel toward the recent developments in Europe. The concern that the German political character and foreign policy of pre FRG regimes will reappear over the next few decades rests on the grounds that Germany is now less constrained than at any time since the end of the Second World War in her options and abilities to act on the global scene. The adversarial forces that kept Germany contained into separate states in a bipolar global structure have all but disappeared, and the international order is in a state of transition in which roles have great leeway for definition. For the sceptics of Germany's current political philosophy of cooperative coexistence and continuing integration, it must be determined what the root cause of their fears are. Have the Germans been merely playing along for the past forty-five years until they were sufficiently recovered to try again? Do Germans really identify with the power politics of the past, or do they eschew force? This

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<sup>49</sup> Marion Leighton, "Toward a 'Common European Home': What's in it for Us?", *Global Affairs*, Spring Quarter 1991, 77-84.

chapter will cover the issues that have influenced American perceptions over the last two years and which could serve as a source for the apprehension of Germany's erstwhile allies.

The most visible, hence obvious, event which could be a source for change in direction of the German state is the reunification of 1990, brought about by the easing of East-West tensions since 1985. The three goals of postwar Germany as laid out by Adenauer and pursued by his successors have now been achieved, and an era is over. Germany is a liberal democratic, sovereign state deeply imbedded in the West, it is a great economic power, and it is now also unified, although in only two of the three parts of the former Reich which Adenauer knew.<sup>50</sup> With its major foreign policy goals of the last forty-five years accomplished, does this mean that Germany stands in the same position as it did in 1871, 1919, or 1937? Will Germany now attempt to become a European hegemon using different means than the force used in the period 1864-1945?

Another source of change is Germany's greatly expanded role in the East. Wilfried von Bredow makes the argument that further western integration and eastern cooperation, the principles of Adenauer and Brandt respectively, must be the basis of German foreign policy, in that order. Short term decisions regarding some sort of collective security in with the East and the economic foundations of such a system with the eastern Europeans would necessarily divert material resources and attention away from the above listed priorities and bind German security too closely with the unstable developments in the

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<sup>50</sup> Roughly onethird of the 1937 German Reich, including Prussia, East Prussia, Silesia, and east Pomerania, was transferred to Poland at Potsdam as compensation for the loss of Poland's eastern territories to the Soviet Union.

former Soviet Union.<sup>51</sup> Yet at the same time Germany has developed unique bilateral ties to the countries of Eastern Europe. Are there signs that these ties will be Europeanized as Germany itself strives towards EC union, or will these ties remain uniquely German and hence divert German political energy away from the EC?

What about Out of Area military operations? The Bundeswehr is being restructured and reorientated to reflect the many changed circumstances of the security needs of Europe. Germany for the first time in modern history is not faced with direct military threats along its borders, but at the same time the developing awareness that Germany as a global economic power has responsibilities and interests to protect outside of Germany infer a greater political/military role in the area outside of the present day NATO. What are German attitudes towards military force and the out of area issue?

#### UNIFICATION

When German unification became a very real possibility after the GDR opened its borders with the west in November of 1989, the possibilities for reunification of the two German states were tempered by real and imagined obstacles envisioned by politicians and informed public alike. The complete and utter collapse of not only the regime of the GDR, but of all countries of eastern Europe was not anticipated quite so suddenly. When the momentum of change and the direction of events seemed to make reunification possible after all, many statesmen of other countries and the elite press seemed to argue for a slowdown of the rush to reunification. Margaret Thatcher cautioned for a slow approach

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<sup>51</sup> Wilfried von Bredow and Thomas Jäger, "Die Außenpolitik Deutschlands", Aus Politik und Zeitgeschichte, 4 Jan. 1991, 38.

to maintain stability<sup>52</sup>, the Soviet Foreign Ministry spokesman Gerasimov admonished the Germans not to endanger the European balance<sup>53</sup>, and the Italian Andreotti hinted that further EC integration should precede unification. The United States aided in the quest for unity on behest of the Germans, but even their response was initially subdued. Why is it that a goal which was laid out in the 1954 Rome Treaty, of which all major western European countries are signatory, was only hesitantly adopted and with such great reluctance? Is German unity itself seen as a great instigator for change for the worse in Europe? Did the Italian minister Andreotti speak for all when he declared that the specter of "pan-Germanism" was an imminent threat?<sup>54</sup>

The answer to these questions as to why German reunification in and of itself should alter Germany's role in Europe must lie in what the expectations are that unification represents. Is unification the end result of a long, dedicated policy or is it the result of fortuitous circumstances in the international arena?

If unification were the result of a deliberate foreign policy of the FRG in a continuum from the days of Adenauer, then this event could be construed as a significant turning point. For this point would mean that all the events previous to the actual event were a mere means to an end, and that the FRG would now stand ready to reconsider and reevaluate the obligations and commitments that were necessary to make on the long road to unification. After all, the integration in the west was an either/or choice between the security offered by

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<sup>52</sup> Wall Street Journal, 25 Jan., 1990.

<sup>53</sup> New York Times, 29 Jan., 1990.

<sup>54</sup> Gerd Langguth, "Germany, the EC, and the Architecture of Europe. The German Question in the Context of the EC", Aussenpolitik, II/91, 138.

the West or the possibility of unity as a neutral state. The attainment of both security and unity changes the calculus of German decisions. So the fears of fellow Europeans seems to rest on the almost unlimited options that Germany now possesses.

The evidence of West German politics and writers argues against this thesis. In the first place, unification in the manner that Adenauer envisioned had long been given up by the time the Berlin Wall was breached, and had in fact been a moot point since the implementation of Brandt's Ostpolitik in the early 1970's. With the goal of organizing a "Nebeneinander" in Europe, followed by a "Miteinander" <sup>55</sup>, the FRG in essence signalled the end of its unification policy of the last two decades and surrendered to the policy of two German states<sup>56</sup>. By the 1980's, unification of the sort that Adenauer envisioned, and as actually happened, was not seriously expected by anyone. The author Günther Grass, a leading leftist author, condemned the division of Europe but acknowledged the futility of unification, Theo Sommer of *Die Zeit* encouraged pursuit of humanitarian goals in the GDR since unification was not a possibility in his lifetime <sup>57</sup>, and even Helmut Kohl dismissed as utter nonsense proposals to put the German question on the agenda of East-West summits as late as 1988. <sup>58</sup> No political group envisioned unification as a near term

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<sup>55</sup> Weißbuch 1970, Zur Sicherheit der Bundesrepublik Deutschland und zur Lage der Bundeswehr, Presse und Informationsamt der Bundesregierung, 11. "Nebeneinander" - next to one another, "Miteinander" - with-one-another.

<sup>56</sup> Gert Krell, "Ostpolitik Dimensions of West German Security Policy", Peace Research Institute Frankfurt, 22.

<sup>57</sup> Theo Sommer, "Germany: United but not a World Power", European Affairs, Feb./Mar. 1991, 38.

<sup>58</sup> Jochen Thies, "German Unification- Opportunity or Setback for Europe", The World Today, January 1991, Vol 47, No. 1, 9.

prospect and both major parties were dedicated to improving relations under the then current status quo of two Germanies.<sup>59</sup>

It is clear that though unification was still a declaratory goal of the FRG <sup>60</sup>, albeit in tenuous terms, there was no expectation that unification would occur within the foreseeable lifetimes of anyone involved. The foreign policy of the FRG was predicated on the principles of security and detente, but actual unification was not one of them. Instead, it was predicated on the many relationships and ties that form the continuum from the past and over the period of unification. It is therefore doubtful that the act of reunification, as pleasing as it may be, will be cause for radical change and reevaluation in the basic foreign policy of Germany. While Adenauer justified his firm commitment to the West in his defense of the oppositions labeling of him as a *Verzichtspolitiker* by explaining that this was a means to the end of unification, it seems in retrospect that his means was also his end. Adenauer used the reunification theme (common goal of CDU and SPD) to elicit support for his primary goal of finally building the strong liberal democratic institutions that he felt were so necessary in Germany, the lack of which had cursed the German nation or the German states of the Germanic federation for centuries.<sup>61</sup> For the present German government, the means are the end.<sup>62</sup> One significant foreign policy result that can be

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<sup>59</sup> Gert Krell, "Ostpolitik Dimensions ...", 41.

<sup>60</sup> White Paper 1985, The Situation and Development of the Federal Armed Forces, The Federal Ministry of Defense, 9.

<sup>61</sup> Krell, 13-14.

<sup>62</sup> Both Genscher (FDP) and Kohl (CDU) are strong supporters of continued integration within the EC. Genscher's speech in Lisbon, July 12, 1991, Kohls speech in Berlin at opening of the CSCE conference, June 19, 1991.

drawn from reunification is that the FRG will no longer have to take into account how any of its contemplated policies will affect its relations with the government of the vanished GDR.

#### RELATIONS WITH THE EAST

Dennis Healey, former British Defense Minister and Chancellor of the Exchequer, warned the European Community against allowing Germany to slide away to the East. After all, the Soviets have "just as much reason to welcome German involvement in cultural, political, and economic life in the 21<sup>st</sup> century as they did in the 19<sup>th</sup> century."<sup>63</sup> As the leading economy in Europe and due to her geographical location, German influence in the East is greater than any other country in Europe. Although influence cannot be measured in financial terms alone, the vast amount of German aid to the East is an indicator of Germany's long term objectives in that region. Without considering the staggering sums associated with reunification, the amounts made available including credits and export assistance total \$17 billion in eastern Europe and \$33.7 billion for the Soviet Union.<sup>64</sup> In addition, Germany has been a leader in easing barriers to contacts in the East such as relaxing visa requirements and allowing liberal trade policies.<sup>65</sup> While the other Western countries have not been standing idly by, their contributions to the East have

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<sup>63</sup> Denis Healey, "Pax Americana is a Dangerous Illusion", European Affairs, Aug/Sep. 1991, No. 4, 42.

<sup>64</sup> Helmut Kohl, "The Agenda of German Politics for the Nineties", Speech given in Washington, DC, May 20, 1991, printed by German Information Center, Statements and Speeches, Vol XIV, No. 5, 4-5.

<sup>65</sup> *Ibid.*, 4.

not been overwhelming. Few can forget the embarrassingly paltry aid grant of \$125 million that the United States offered Lech Walesa, who surely must have thought that he had misunderstood millions for billions, in 1990 for winning the cold war<sup>66</sup>. The EC has been equally less forthcoming with aid, and seems to have limited its discussions to distant accessions of Eastern European countries to the EC or EC associations such as the 1991 Europe Agreements with Hungary, Poland, and Czechoslovakia.<sup>67</sup> If it is not possible to establish a workable transformation process within the framework of the EC or with the United States, the bulk of the help that the East expects and Germany demands for its own security will have to come from Germany itself, with consequences that no one can foresee. A forced orientation to the East could develop based on a lack of will and ability of the western states to address the demands arising from the east.<sup>68</sup>

The concern this raises in London and Washington is the possibility for a greater German orientation to the East. Germany has a history of mutually beneficial relations with the East dating back to before the dawn of the modern age, and these are now apparently being reforged under different conditions. The recent western integration is unique in this respect, especially in the case of alliance with France. The hegemonic aspirations of France drove the Prussian state into alliance with the Russians and British during the Napoleonic era, and after the Treaty of Paris in 1815, Prussia was allowed to expand its influence into Nordrhein-Westfalen and the Rhineland-Palatinate in order to

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<sup>66</sup> 1990 Congressional Almanac, 763.

<sup>67</sup> Langguth, 145.

<sup>68</sup> Wilhelm Bruns, "Deutschlands Suche nach einer neuen außenpolitischen Rolle", Deutschland Archiv, Vol. 7, July 1991, 722.

establish *Die Wacht am Rhein*. (the watch on the Rhine).<sup>69</sup> Prussian ties with Russia were mutually beneficial in the period that followed. After German unification under Bismarck, the alarming rate of French militarization and the understanding that the largest future threat to the newly created German Reich lay in the East caused Bismarck to form the loosely knit Three Emperors League with tzarist Russia and Habsburg Austro-Hungary. This League was strengthened in the 1881 agreements and the 1887 Reassurance Treaty.<sup>70</sup> After Bismarck's dismissal in 1890, these ties fell apart due to a perceived German recklessness in international affairs, Germany was once again thrust into her historical *Mittellage* as France and Russia became allies in 1894.<sup>71</sup> With the continuing German alienation to the West after the First World War and the humiliating Treaty Of Versailles, Germany concluded the Rapallo Agreement in 1922 for German Soviet cooperation, followed by what was probably the most infamous treaty of the 20<sup>th</sup> century, the German-Soviet Nonaggression Pact of 1939, which essentially divided up Eastern Europe into Soviet and German spheres of influence. The pact did not last for more than two years, but it was the last German political shift of the pre cold war era.

These examples of past binds to the East are not recounted because there is a real possibility that any sort of *Shaukelpolitik* can emerge in the future. All mainstream political parties realize and accept the permanence of the firm western integration that has

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<sup>69</sup> Die Wacht am Rhein - The watch on the Rhine meant that Prussia served as the first line of defense against renewed French aggression in Europe.

<sup>70</sup> Gordon Craig, *Europe Since 1815*, The Drydon Press: New York, 1974, 184-188.

<sup>71</sup> Craig, 306.

emerged together with German democratic institutions.<sup>72</sup> What is inferred is that the recent abnormal relationship with the east, which was breached slightly by Brandt's Ostpolitik, is at an end and that it remains to be seen what manner the ties between the East and the EC take after 1992. The accords signed between secretary Gorbachev and Chancellor Kohl in July of 1990 at Stavropol and the November Nonaggression treaty between the Soviets and the Germans stir memories of 1922 and 1939 for western intellectuals and people who had good reason to fear such a treaty in the past alike.<sup>73</sup> If Germany increases the ties under the guise of the EC, then this bodes well for further deeper integration, as the current German government proposes. If, however, these ties are almost exclusively German in nature, then this will make the problem of deeper integration that much harder and could lead to a stall in the move to a US of Europe (Genscher) or the confederation talked about by others (Kohl).

At the heart of the matter is the change in the role of Germany itself. During the cold war West Germany lay at the core of the Western alliance, and East Germany at the core of the Warsaw Pact. But both were subsumed to the larger interests of the superpowers that they were allied to, and both were probably the strongest alliance partners in their respective blocs. But Germany will not now be just a large player in any European ventures,

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<sup>72</sup> Except for the Greens and extreme right Republikaner, who advocate withdrawal from NATO and an end to the US 'occupation' of Germany. National Security Research, Inc., Challenges to NATO Strategy: Implications for the 1990's, August 1990, 165.

<sup>73</sup> Leighton, 84.

it will through its actions or lack thereof be the shaper of the European order and European integration.<sup>74</sup>

The strong Atlanticist ties of the CDU are tempered by the more independently minded German left in the SPD. The more detached views of the SPD, whether they are in power or not, could force an air of greater independence on the German government.<sup>75</sup> The SPD has a long tradition of opposition to the strong ties that underlie the German-American relationship. Although Schumacher, the SPD leader in the early years of the FRG, had credentials as an ardent anti-Nazi and prevented the SPD from being subverted by the communists as happened to the East German SPD, he nevertheless offered the neutral option in opposition to Adenauer that he felt would have led to German reunification at a much earlier date and would not have placed both Germanies or a reunited Germany in the superpower blocs. Whether this goal was unrealistic in light of the lack of German political legitimacy after the *Third Reich* or not, it instilled a sense of independence in the SPD which manifested itself over and over again over the next few decades. While the SPD accepted the West integration of Adenauer in the Bad Godesburg party convention in 1959 as a matter of political reality and necessity, it nevertheless could take credit for leading Germany out of the legalistic morass resulting from the Hallstein doctrine's legalisms of the 1960's and creating the new Ostpolitik openings of the late 1960's/early 1970's. The Ostpolitik of Brandt was a demonstration of independence of tactics, within

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<sup>74</sup>Jeffrey T. Bergner, The New Superpowers, St. Martins Press: New York, 1991, 88.

<sup>75</sup> Ibid., 68-70.

the possibilities of the East-West detente, if nothing more.<sup>76</sup> The period of SPD rule in the Bundestag was marked by increased strains in relations with the United States during the tenure of Helmut Schmidt, although the fundamental issue of western integration was not called into question.

A sense of moral relativism also ensued during this period. American involvement in Vietnam in the 1960's cast a shadow on the moral leadership role of the United States, especially among the young people of Germany who became far more left leaning than their predecessors. American catastrophes such as Mai Lai and Watergate led to a sense that there was little moral difference between the United States and the Soviet Union. Both superpowers supported their own adherents based on ideology, regardless of moral or legal rectitude. This perception was very evident in the wars of national liberation in Asia, Africa, and Latin America. The terms "freedom Fighter" and "terrorist" were interchangeable, depending on whose side they were fighting on.<sup>77</sup> This comparison equating east with west was the ideological foundation of the much vaunted third way for Germany between capitalism and communism. The collapse of communism after 1989 has put this fear to rest, but what remains is the more independent spirit of the German left that it fostered. Just as integration had become an end in itself without the ultimate goal of the now achieved reunification, so has the tendency of the German left been to more independence of action, but now without the ideological source, the third way, of this tendency.

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<sup>76</sup> Ibid., 69.

<sup>77</sup> Marion Gräfin Dönhoff, "Zügel Aufnehmen: Ganz Europa bedarf die Führung", *Die Zeit*, 30 November 1990.

## SOVEREIGNTY

Bergner wrote that it would be surprising if the first act of the united Germany, which is just now experiencing its new identity, would be to absorb itself and disappear into a larger European entity.<sup>78</sup> With the signing of the two plus four treaty, full German sovereignty was restored and the special status of Germany with its attendant occupation rights of the four wartime allies was concluded. Due to the speed of both German reunification and Soviet withdrawal from Eastern Europe before deeper integration had been accomplished, Germany is left with many more options in the international arena than were previously anticipated. If another five to ten years had passed before reunification occurred, as was believed necessary by most informed observers at the turn of the decade mark, Germany might have already ceded certain vital elements of sovereignty to Brussels which are right now an open question before the December EC summit in Maastricht. But what does this actually mean? *Is the gaining of full sovereignty really a watershed which will alter the course of the present government over the next few years? Will Germany exercise its newfound options differently now than it would have had it been West Germany alone at the same point in time?*

In a certain respect, the unification of Germany in such a short period of time has alleviated some of the problems which the FRG alone would have faced. Much of the political capital in the foreign policy of the FRG would have been expended in relations with the 1990's GDR, and the FRG's relations with other countries would have been muted by the impact that these policies would have had within the erstwhile GDR. So this is no

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<sup>78</sup> Bergner, 80.

longer an overriding foreign relations problem, although this is not to say that the absorption of the GDR has been an easy internal task. What this does imply is that the removal of special status for Germany and the new sovereignty which reunification brought are not perceived so much as a gain as an added burden.<sup>79</sup>

In this respect the united Germany has a strong continuity with the West German government. Germany has long been accused of not towing her appropriate weight in the world arena commensurate with her economic power. Adenauer expressed it best when he claimed that Germany was an economic giant but a political dwarf. These issues go far back into the history of the FRG from the time the *Wirtschaftswunder* first took off in the 1950's, through the burdensharing tensions with the United States, and most recently manifested in the German response to the Gulf crisis. President Bush called on Germany to be a "partner in leadership", but the long tradition of muted policies foreclosed this option for the time being.

#### POWER POLITICS

It is ultimately in the realm of military power that the most apprehension is evident, justified or not, when discussing Germany as a great power. The historical legacy of the Wehrmacht and Waffen SS touches the soul of Europe, and any change in the structure or mission of the Bundeswehr is received with wariness by Germany's neighbors.

The history of the Bundeswehr has been unmarred by any use against its neighbors, reflecting the FRG's renouncement of force as a means to settle international disputes and

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<sup>79</sup> Heinrich August Winkler, "Nationalismus, Nationalstaat und nationale Frage in Deutschland seit 1945", *Aus Politik und Zeitgeschichte*, 27 Sep 1991, 23.

underscoring the defensive nature of the Bundeswehr.<sup>80</sup> Yet this policy has been so extreme that it seems that short of an invasion of the German central front, the Bundeswehr would not be used at all to protect the external interests of Germany or the international order. The imperative now is for the Germans to find a way between the two extremes of the past, between the *Machtvergessenheit* of the FRG and the *Machtversehenheit* of the Reichs.<sup>81</sup> While the exercise of responsibility and power is emphasized more in economic performance and financial acumen in the FRG, military power cannot be removed from the equation. The question of if, how, and when Germany exercises its military power will determine Germany's role as a member of NATO with its possible out of area questions, as a member of the WEU or European Army, and in a global sense, as a member of the United Nations? Will the structure entail a *nichtangriffsfähigkeit*, a structural inability to conduct the offense as proposed by the peace groups or will it support some sort of structure that has the capability to assure German/European interests around Europe or the globe?

#### **History of Out of Area**

If issues concerning the military are politically divisive, then the out-of-area (OOA) issue is the symbol of this division. The legacy of German world wide operations 1885- 1945 weighs heavily on the German conscience, as well as on the peace of mind of Germany's neighbors. The German reluctance to become involved in OOA issues is as

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<sup>80</sup> Donald Abenheim, *Reforging the Iron Cross*, Princeton University Press: Princeton, NJ, 1988, 123.

<sup>81</sup> Wilhelm Bruns, "Deutschlands Suche nach einer neuen außenpolitischen Rolle", *Deutschland Archiv*, July 1991, 715. *Machtvergessenheit*- abandonment of force, *Machtversehenheit*- mistakes or abuses of force.

much a result of this legacy as it is the result of its geopolitical position in the center of a cold war Europe.

Germany was not faced with the same factors that influenced the other European powers into becoming supporters of OOA operations in the post war order. After the war, the British, French, and other lesser European colonial powers had empires to maintain against the onslaught of independence movements and foreign subversion that plagued them for the next few decades. Germany was not faced with this problem. She had been relieved of the problems of empire by the First World War and was not affected as such. In addition, as Germany held the front line in the cold war, her commitment to European defense and the American containment doctrine in Europe were absolutes.

The traditional German posture in NATO has therefore been NATO for Europe and Europe alone. The *raison d'être* of the Bundeswehr had been to supplement the allied forces in Germany for the defense of Europe. Germany did not want to dilute its already taxed military strength on the central front by assisting in OOA operations contrary to her vital interests. The irony of the German position is that without the out of area issue, the Bundeswehr may not ever have come into existence in the first place.

The ambitious force planning goals of NATO, spelled out in the Medium Term Defense Plan of May 1950, called for ninety six divisions and a tactical Air Force of 8000 planes to counter the weight of the Soviet forces in Eastern Europe.<sup>82</sup> These were extremely unrealistic goals, considering the economic plight that afflicted Europe after the war and the American willingness to disarm itself to reap the peace dividend. France and

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<sup>82</sup> Lawrence Kaplan, *Nato and the United States: The enduring Alliance*, Twayne Publishers: Boston, 1988,39-40.

Britain in particular were unable to meet their NATO obligations. Both countries were attempting to hold on to the empires that had nearly escaped them during the war, and which would eventually escape them anyway. With troops stationed in Asia and Africa, there were little resources left for Europe. In addition, visions of great power status compelled the British to retain and the French to obtain nuclear weapons.<sup>83</sup>

The inability of Britain and France to station requisite numbers of conventional troops in Germany made the creation of a German army a necessity. The argument that it was only fair that Germans should bear the brunt of an attack on the central front made the argument for creation of the Bundeswehr that much more politically palatable to the French and British publics.

Adenauer's leverage in these years was also enhanced by the Korean war. American involvement in Korea detracted from the ability of the US to defend Europe. This increased the need for more European conventional forces to replace stretched American commitments, but the British and French could not supply even their pre Korean War commitments, much less the new demands. It thus fell on the Germans to remilitarize, a demand which gave Adenauer much political leverage for his sovereignty goal. In addition to creating a need for the Bundeswehr, Korea firmed up the American anti-Soviet stance and dispelled questions concerning the necessity of allowing the Germans to rearm.

Adenauer's perspective on the out-of-area issue was not only influenced by his desire to avoid colonial conflicts and actions sanctioned by the United Nations, an

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<sup>83</sup> Hanrieder, 40.

organization to which Germany was denied membership. He also worried about the implications of "guilt by association" in third world adventures. But even more important, OOA undertakings by not just Germany, but any other ally, could detract troops and material from the central front in a period when war with the Soviet bloc was a very real possibility.<sup>84</sup> Thus, Adenauer was alarmed by the French removal of troops from Germany during the Algerian war, and likewise the French-British action in the 1956 Suez crisis and the American Lebanon intervention in 1958.<sup>85</sup> In the 1950s, his aversion to allowing Germany to be drawn into the colonial affairs of its European allies was echoed by the United States, which had the same fears but was not as successful in avoiding this predicament as is evidenced by the burden of Vietnam.

The most significant rift with United States over the OOA issue arose during the Yom Kippur war in 1973. The basing and overflight rights of the US military were severely curtailed when the West German government forbade the use of German ports or airfields as the source of origin for American equipment bound for Israel. Although this ban was supported by the majority of the West German people, it was rationalized to the Americans in hindsight as unnecessary, since the Israeli army had already repulsed the attack before the American action would have been taken, a fact that was not obvious until after the fact.<sup>86</sup>

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<sup>84</sup> Douglas Stuart and William Tow, The Limits of Alliance: NATO Out-of-Area Problems since 1949, The John Hopkins University Press: Baltimore and London, 1990, 266-267.

<sup>85</sup> Ibid.

<sup>86</sup> Stuart and Tow, 268.

This point marked the extreme in German resistance to the out-of-area issue. West German realization that their national interest lay in the middle east as well as the American led the Schmidt government to accede to the 1982 Wartime Host Nation Support Agreement (WHNS) with the United States, which spelled out German logistical support and reserve duties in augmenting rear area security duties in support of US forces stationed in Germany who might have to be moved to the Gulf. This complemented the airspace access agreements and other defense issues that had been negotiated with the FRG the previous year.<sup>87</sup> Units of the German navy deployed to the Mediterranean in the 1987 Gulf crisis in order to relieve units of other alliance members who could then in turn deploy to the Gulf.<sup>88</sup> However, until the situation in Europe thawed in 1989, the FRG was opposed to the use of NATO in the out-of-area role for any reason and continued to stress the conflict prevention vice intervention role for the FRG.

The German government is now faced with the dilemma of new OOA demands without the comfortable constructs of the East-West conflict to fall back upon. There is no central front to be diluted by OOA operations anymore, nor are there any colonial conflicts to be dragged into. Germany has as much of her national interest at stake abroad as the French and British do.

Chancellor Kohl now realizes that Germany must come to grips with its responsibilities abroad and the OOA issue. While using the NATO area as the defining term for the OOA issue, he nonetheless suggests that German OOA commitments could

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<sup>87</sup> Stuart and Tow, 268-269.

<sup>88</sup> Dov S. Zakheim, "An Old Alliance Comes to Life", Naval Institute Proceedings, December 1991, 68.

be made in the context of the WEU or UN.<sup>89</sup> The reason for omitting the NATO context from this remark is most likely connected to the German and general European desire to remain out of the military adventurism of the United States. As Marion Gräfin Dönhoff remarked in *Die Zeit*:

The Europeans do not wish to be forced into collaboration in such activities as the bombing of Libya or Panama. They regard with a certain skepticism Washington's tendency to act as world policeman and in doing so to measure the world by two standards.<sup>90</sup>

While the United States is one of the biggest supporters of a German OOA policy, this could become a problem for future US- German relations, as the Germans will undoubtedly limit their role to those areas it feels are in its vital national interests or European interests, not the US' interests.<sup>91</sup>

#### **Current Out of Area Concerns**

While a majority of Germans support an increased global role for Germany including such measures as economic sanctions, humanitarian aid, financing of UN sponsored interventions, or UN peacekeeping roles, the majority still do not support an actual German participation in an interventionist role.<sup>92</sup> Reaction against the German

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<sup>89</sup> Helmut Kohl, Speech at Washington, D.C. on May 20, 1991, Statements and Speeches, Vol. XIV, No. 5, 6.

<sup>90</sup> Marion Gräfin Dönhoff, "The New Germany..", 16 Dec 1990.

<sup>91</sup> Geoffrey van Orden, "The Bundeswehr in Transition", Survival, Vol 33, Jul./Aug. 1991, 354.

<sup>92</sup> Ronald Asmus, Germany in Transition: National Self-Confidence and International Reticence, statement before the House Sub-Committee on Europe and the Middle East, Feb. 1992, 14.

tradition of force and statecraft reminiscent 1863-1945 is often cited as the reason for German ambivalence toward the use of force today, but there is more to it than that. Germany was an 'importer' of security for the entire period of the cold war and never developed the strong tradition of 'exporting' security to its allies or smaller nations resisting aggressors as have its principal allies.<sup>93</sup> The very concept of the central front fought by all NATO allies in Germany illustrates this point. As a result, Germans are very divided not only on potential roles of the military, but on the extreme left, on the very necessity of the military to begin with.

Starting with the this last group, the argument is raised that military force is an anachronism in today's world, that the weapons are so destructive and inhumane that their use should not even be prepared for. This idealistic and extreme position influences even the mainstream German left, such as the following statement by the SPD's representative Ludwig Stiegler:

Peace alone will emanate from German soil in the future, after having for so long exported only war. The new federal government should concentrate on peace and development initiatives and global conflict solving strategies without the use of force, and this will become the symbol of the German contribution to the family of nations.<sup>94</sup>

He further states that the contribution of Germany to the development of the United Nations is the development of the forces of peace, and that force of arms cannot be used even under the direction of the world body. Part of this reluctance is based on the

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<sup>93</sup> Ibid, 19.

<sup>94</sup> Ludwig Stiegler, "SPD: Konfliktregelungsfähigkeit, nicht Gewaltfähigkeit der UNO steigern", Frieden und Abrüstung, Sondernummer 1/91, 7.

continuum of the moral relativism of the German left of the 1970's/1980's, wherein the United Nations was perceived as an organization whose true peaceful purposes were subverted by the superpowers, who used the guise of the world body to relegate themselves a free hand to intervene wherever they chose, be it in the Gulf or in the Baltics.<sup>95</sup> This moral relativism made peace an absolute value without first prefacing it with the equally important values of liberty, justice, and freedom. The solution to any problem would thus have to entail peace at any cost.<sup>96</sup> Absolute values such as these as a matter of state policy are just as dangerous and hegelian as the those embraced in Germany prior to 1945.

However, the mainstream political parties are agreed that a military force of some kind is warranted. The arguments arise when the issues of how and where to employ them arises. Are German soldiers restricted to only defending the FRG if directly attacked, could they be restricted to only blue helmet peacekeeping roles of the UN or could they be used in multinational intervention operations? The questions do not proceed beyond this point, since military intervention which is solely German is ruled out by all parties to this question.

The use of force issue does not necessarily delineate across liberal-conservative lines. Christian Democrats as well as Social Democrats split among themselves on the degree of latitude that should be allowed. Even *Frieden und Abrüstung*, a German periodical for peace initiatives, discusses the need for force in the final analysis. In much of the world, war is still the continuation of politics by other means, a statement made by

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<sup>95</sup> Ibid, 7.

<sup>96</sup> Oberst i.G.Hans-Georg Atzinger, Emerging German Security Policy: The Dispute on Out of Area Employments, US Army War College Military Studies Paper, 10 March 1992, 10.

the Prussian Clausewitz, and holds especially true in the third world where the subject of intervention arises. This means that the legitimate state needs credible support from the world community. Peace cannot be brought about by the absence of force.

German Minister of Defense Stoltenburg argues that ethically responsible politics cannot be pursued without having military force, but he stops short of promoting intervention in the out of area realm even in the national interest.<sup>97</sup> He tempers this with the understanding that regardless of how a nation or group of nations behave, the use of force, or more succinctly stated, the misuse of force will not disappear from the realm of international relation.<sup>98</sup>

#### **Legal Obligations and Legal Ambiguity**

The ambiguity surrounding the constitutional basis for employment of the German military outside of Germany served the low tone style of the West German government well for decades. It was politically expedient to use the excuse that Germany was constitutionally incapable of making OOA commitments in light of the allied approved Basic Law instead of the bolder act of refusal based on political grounds instead of constitutional grounds. This worked well for many years since few were willing to press the issue in light of both East and West Germany's special circumstances.<sup>99</sup>

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<sup>97</sup> Gerhard Stoltenberg, "Ethisch verantwortbare Politik kann nicht ohne Macht auskommen", Beiträge aus Konfliktforschung, Second Quarter, 1990, 14-15.

<sup>98</sup> "Die Bundeswehr als Bestandteil der UNO-Friedenstruppe?", Frieden und Abrüstung, 16-17.

<sup>99</sup> Christoph Bertram, "Wo nicht hin mit der Bundeswehr? Blauhelme oder Kampftruppen- eine unnötige Alternative", Die Zeit, 1.

The continuity of this policy did not survive German unification, however. Allies and many German conservatives appalled at the lack of German enthusiasm and support for the Gulf War looked closer at the BL and reached the conclusion that there really was no such constitutional constraint at all. This conclusion was reached by many constitutional and international law experts as well.<sup>100</sup>

The BL is ambiguous enough in this respect that the Social Democrats and others on the left of the political spectrum disagree with the foregoing conclusion wholeheartedly. They maintain that any deployment in an interventionist role is definitely unconstitutional, and that the only real issue to be decided is if German forces could be used in UN peacekeeping missions.<sup>101</sup>

This ambiguity has led to calls to amend the constitution from all political corners. The Christian Democrats by and large believe that although Germany is presently constitutionally capable of OOA operations, a constitutional amendment should be drafted to clarify this. But they hesitate in that the Social Democrats also wish to amend the constitution, but with the goal of making the BL more restrictive. At present, the coalition government of Helmut Kohl does not have the two thirds majority necessary for such an amendment.

The issues boil down to whether the military can be used only in a limited role as peacekeeping forces under UN command or whether they could be used in a broader

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<sup>100</sup> Ibid.

<sup>101</sup> "Keine Beteiligung an Kämpfeinsätzen: Der Beschluß des SPD-Parteitags zu Blauhelmen im Wortlauf", Süddeutsche Zeitung, 1 June 1991, 10.

combat capacity as part of a multinational UN mandated intervention role. None of the parties advocate use of the Bundeswehr on a purely national case basis.

### **The German Basic Law**

The constitutional arguments revolve around the primacy of Article 24 or Article 87a of the Basic Law (BL). Opponents of intervention cite the later article in their arguments:

Article 87a I-III of the basic law reads:

I. The federation provides military forces for defense. The numerical strength and general organization of the Armed Forces raised for defense by the Federation shall be shown in the budget.

II. Except for defense, these forces may only be committed as the basic law explicitly allows.

III. In *cases of defense* (*Verteidigungsfall*) and heightened tensions, the military forces must protect ...<sup>102</sup>

It is clear from Article 87a-II that since the BL does not explicitly sanction the use of forces outside of Germany and defense is not defined but is taken to be the defense of ones country under attack, that the BL in effect does not sanction the use of military forces, which are only raised for defense per subsection I. This argument continues with the equating of the two terms *Verteidigung* and *Verteidigungsfall* as defined above.

*Verteidigungsfall* is constitutionally defined in Article 115 a.1 as the determination by the Bundestag, in conjunction with the Bundesrat, that the territory of the federation has been attacked with military forces. The two terms go hand in hand and

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<sup>102</sup> "Grundgesetz, UN-Charta", *Frieden und Abrüstung*, 28-29.

should not be confused by exercises in semantic manipulations, as is done by proponents of OOA in refuting this argument.<sup>103</sup>

In the case of an extensive interpretation of the basic law, it is clear that the drafters of Article 87 consciously used *Verteidigung* and *Verteidigungsfall* to differentiate between the cases of defense as is used, amongst others, in international law, and the case where the territory of the FRG is under attack or imminent attack. In this case, *Verteidigungsfall* only applies to events internal to the FRG under attack and cannot be used in arguments concerning the use of military power in areas outside of Germany. Since these two terms are not equatable, the issue of using the Bundeswehr outside of Germany has to only fulfill the requirement that it be in a case of defense. In such a case, the defense of Kuwait in the Persian Gulf War would be allowed, and lacking a constitutional definition of 'defense', the meaning would derive from international law, which is discussed in the next section.

For the proponents of intervention, even though the arguments about Article 87 can be refuted, the real issue is that Article 24 of the BL takes precedence. Article 24. 2 states:

For the maintenance of peace, the Federation may enter into a system of mutual collective security: in doing so it shall consent to such limitations upon its rights of sovereignty as will bring about and secure a peaceful and lasting order in Europe and among the nations of the world.

This article clearly gives precedence to the requirements of international law and was written with the understanding that West Germany would soon be joining various international organizations which would bind her to her neighbors and the concept of

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<sup>103</sup> Mathias Bartke, "Die Trennung zwischen Bündnisfall und Verteidigungsauftrag", Frieden und Abrüstung, 24.

western integration. It follows that Germany is bound to honor the commitments made when she joined NATO and when she joined the United Nations. In addition, the BL does not constrain the Bundeswehr to any geographic area, and that this article has to be evaluated considering the context of the time of its adoption less than a decade after the end of the war.<sup>104</sup> The opposition offers the refutation that this article does not *specifically* authorize OOA operations as required by Article 87, in their argument the primary article, and so does little to further the cause of constitutionally allowing an OOA mission.<sup>105</sup>

#### United Nations Charter

The United Nations Charter, to which Germany became subject in her 1973 accession, is more explicit in what is required of member states. The obligations and responsibilities of member countries are more clear. Article 1 (1) lists the purposes of the United Nations:

To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace...<sup>106</sup>

The key phrase here is that collective action can be taken to suppress aggression. The famous Article 2(4) of the charter, which prohibits the use of force to settle

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<sup>104</sup> van Orden, 354.

<sup>105</sup> Dieter Deiseroth, "Was die Juristen zu den 'Blauhelmen' sagen", Frankfurter Rundschau, 24 June, 1991, No. 143, 14.

<sup>106</sup> Article 1 of the United Nations charter.

international disputes, states that this applies when it is not contrary to the purposes of the UN Article 1. When taken in conjunction with the self defense clause of Article 51, it is apparent that states do have the responsibility to hold and restore order under international law. Forces for such an action comes from Article 43, which requires member nations to contribute forces to maintain international peace and security. Constitutional lawyers agree that the UN charter authorizes the use of force in collective security, but is not clear as to how to use them, whether under UN command or national commands as in the Gulf War.

These issues continue to be debated today. It is clear that following the SPD party conference in Bremen in May of 1991 that at the very least, the Bundestag has the necessary support for a German peacekeeping "blue helmet" role in the United Nations. But even the SPD's Willy Brandt, while maintaining that he was not aware of any limitations imposed on Germany by its entry into the UN in his chancellorship, declared that a "Blue helmet" role would not be sufficient to support the UN's role in cases of severe human rights abuses in member states.<sup>107</sup>

The lack of consensus on these issues reflects a healthy public debate which is one of the virtues and one of the pitfalls of a democracy. But until a satisfactory consensus can be reached, German reliability as a responsible member of the world community will continue to be called into question. German revulsion to its pre 1945 legacy and its tradition of as a security 'importer' since then have created barriers which will take time to change. The CDU/CSU FDP coalition has announced its intentions to work toward this

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<sup>107</sup> "Brandt: Bundeswehreinheiten für UN: SPD-Blauhelm-Bescluß nicht ausreichend", Westfälische Rundschau, 25 April 1991. 6.

end, but this is a goal which will take public education and awareness to fulfill.

Constitutional resolution is not expected until at least 1994. <sup>108</sup>

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<sup>108</sup> Marc Fisher, "One Germany, Still Divided Over its Military Role", International Herald Tribune, 29 February 1992, 5.

## CHAPTER IV: CASE STUDY YUGOSLAVIA

The sources of change in Germany and their historical roots which have caused and will continue to cause revision of the European and world order were examined in the last chapter. The territorial revision of the unification process is the most obvious revision of recent times, but continued revision in terms of traditional spheres of influence and political leadership will continue. Michael Lind writes in the *New York Times* that "the new Germany, like its predecessors, has proved that it is a revisionist power, intent on reshaping Europe", continuing later on with the rhetorical question: "Can global revisionism be far behind?"<sup>109</sup> With this statement and question, Lind gets to the heart of the issue surrounding Germany's role in the world. It is not so much a question of if global revisionism will be practiced, but what kind of revisionism Germany will pursue in the years ahead. To assume that the world could live through the period 1989-1991 without major revision to global economic-political roles is absurd, yet this assumption is precisely the stand taken by many who fear the role of unified Germany in the future.<sup>110</sup>

Many of the sources of Germany's previous revisionist policies still exist in Europe and the world. Geographically, it is still situated in the *Mittellage* between a very prosperous West and an impoverished East, and integral nationalism has once again flared up in various areas in eastern and southern Europe. But unlike previous German states, the

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<sup>109</sup> Michael Lind, "Recognize the Power of the New Germany", *New York Times*, 27 Dec. 1991, 19.

<sup>110</sup> This theme recurs in many sources. See "The Pessimists View" in Andrei S. Markovits & Simon Reich, "Should Europe fear the Germans?", *German Politics and Society*, Summer 1991, also David Binder, "US is Worried by Bonn's New Assertiveness", *The New York Times*, 7 January 1992.

current Germany is not threatened militarily by any major powers which would require an armed response. In addition, Germany is a leading member in European international institutions such as the EC and the CSCE, which constrain unilateral German action to a certain extent. In this respect at least, the continuity of revisionism in a unified Germany that Lind writes of is not as pronounced nor of an antagonistic nature as in the period 1863-1945.

So what are these revisionist goals of Germany? The major declared goal of Germany currently has to be the transformation of Europe into a more cohesive political and economic body, one that is a single economic market and has a mechanism for a consensus in foreign policy. This task is cited repeatedly by German leaders as their major goal and was particularly pressed hard for by the Germans at the EC summit meeting at Maastricht in November of 1991. Chancellor Kohl and Foreign Minister Genscher in particular envision a Europe with some sort of political union and certainly a strong economic union. They see these conditions as the necessary precondition for Europe to assume her role as a world power. Without unity, the individual European states will never transcend the petty infighting that has thwarted greater Europeanists since Napoleon. Kohl believes that only a strong and closed European Community can have strong influence on the European continent and work side by side with the US to assume global responsibilities.<sup>111</sup> Yet the prospect of having a united European policy gives little reassurance to those who believe that this goal is a euphemism for traditional German *Weltmachtspolitik* being pursued under the aegis of a common European policy.<sup>112</sup> By

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<sup>111</sup> Helmut Kohl, "Konturen und Perspektiven einer neuen internationaler Ordnung", Bulletin, Nr.55, 18 May, 1991, 437.

<sup>112</sup> Stephen Kinzer, "Germany Jostles Post-Soviet Europe", New York Times, 27 Dec. 1991. 1.

its sheer size and population on the continent, Germany already has considerable influence in the European council and is in fact expected to take the lead in many areas.

Much of the consternation about Germany comes from the very fact that revision, particularly territorial in October of 1990, has happened and will continue to occur as a natural consequence of the end of the cold war. The manner in which the world community in general and the major European powers in particular contend with this new and more powerful Germany will be almost as important to the method of German statecraft as the will of German statesmen themselves. A reaction that ignores German political development over the last forty-five years and mis-assigns the nationalistic and war-prone political culture to the Germans as existed during the period 1871-1945 could well force a confrontational style to develop in place of the cooperative style that is evident in German foreign policy today. Such misgivings are evident in the uneasy writings of Europeans and Americans who experienced German aggression in the past. A glaring example of such foreboding is Spanish publicist Helano Saña, who writes in his book *The Fourth Reich* that "under its democratic Anglo-saxon shell the Federal Republic is a deeply hegelian state which is bent on suppressing divergence and nonconformity, and will tolerate as little pluralism as possible."<sup>113</sup> Not to be outdone by the Spanish, historian William Shirer, whose epochal work *The Rise and Fall of the Third Reich* first appeared in print thirty-one years ago, writes from the other side of the Atlantic that the historical outlook is not very bright for those who have twice in this century been invaded by the Teutonic

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<sup>113</sup> \_\_\_\_\_, "Das heilige deutsche Haupt", *Der Spiegel*, 6/92, 22.

hordes. He resurrects a dated cold war mentality when he praises the virtue of the H-bomb in suggesting a future solution to any German problem that might arise.<sup>114</sup>

By the same token, a reaction that assumes a continued German foreign policy based on the last forty-five years could be equally dangerous. Assumptions regarding the continued workings of statecraft, positions within alliances, and thought patterns in general that were derived in the cold war era are pernicious.<sup>115</sup> Such assumptions were valid and effective at the time but are no longer relevant. During the cold war, Germany and in fact most of the NATO allies were inclined to follow the US policy lead, forming a somewhat comfortable impression on all involved regarding the workings and effectiveness of international bodies because all parties had a vital national interest at stake. To assume a continued junior partner role for Germany is not only unsound, but in fact unreasonable when it runs counter to the German national interest. The redefinition of roles and the prioritization of national strategies are the revisions that must occur but which make US state department officials worried at the same time.

In short, German history, be it the period 1870-1945 or the period 1945-1989, cannot be ignored or assumed. The assertiveness that emerged in German statecraft reminiscent of the first half of this century cannot be taken out of context of the German political culture that has developed over the latter time period. Nor can the German passivity of the 1945-1989 period be extrapolated into the future. It is a synthesis of the two, the greater *Weltanschauung* of the former period with the liberal western political culture of the latter, which makes present German statecraft unique, the first inklings of which

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<sup>114</sup> William L. Shirer, *The Rise and Fall of the Third Reich*, with new afterword, Simon & Shuster, Inc.: New York, 1990, 1146-1147.

<sup>115</sup> Donald Abenheim, Speech given in Washington, DC to DMBvUSA/CA, 11 Oct. 1991.

emerged in the Gulf War and which became more pronounced in the crisis in the Balkans. An independence of action was demonstrated in both cases, be it the independence of action through inaction in the Gulf War, as perceived by Germany's allies, or an independence of action through action, as demonstrated in the Balkan crisis. In both cases Germany took an independent path from its allies.

The German action in the Balkans from June through December of 1991 makes a good case study for several reasons. Germany took an independent stance and forged her own policies in the face of heavy resistance by her alliance partners, and having taken this stance, would not alter it. It is also more revealing because it was action that appeared to be more deliberately planned than the bumbling inaction during the Gulf War. The war in January of 1991 caught the Germans unprepared in the wake of unification and inwardly focused in a nation-building exercise which cannot be compared to domestic difficulties that could have likewise diverted the attention of other countries. The Balkan policy after June 1991, on the other hand, developed over a much greater time period and was a German initiative from the start.

#### **BACKGROUND**

The Balkan crisis which brought German diplomacy to the forefront in the last months of 1991 is no new development for Europe. This area has been a source of conflict for the rest of Europe for at least half a millennium. The most famous and drastic conflict which stemmed from the Balkans was of course the assassination of the archduke Ferdinand in Sarajevo in 1914 by Serbian extremists, an event that triggered the First World War. But this is by any means the only case. The Balkan geo strategic position along the land lines of communication from central Europe to the Ottoman Empire and the Muslim world made it a battle ground for the conflicts between an earlier East and West. The ethnicity

and rampant nationalistic conflicts now underway are just the surface manifestations of the deeper cultural and religious backgrounds of the myriad of ethnic groups. The northern provinces of Croatia and Slovenia are more closely tied to the latin-catholic-hapsburg tradition of Austro-Hungary and Germany than the Cyrillic-orthodox-ottoman tradition of the Serbs.<sup>116</sup> In addition to these historical schisms, the recent economic policies of the Slovenians and Serbs differ considerably and continue to diverge. The market oriented style being pursued in Zagreb is at odds with the centralized command economic system of Belgrade,<sup>117</sup> which has led to problems as Slovenian manufactured goods take an ever increasing percentage of Yugoslavia's internal market.

These historical conditions lay dormant during the cold war, as did nationality and economic issues of the rest of Eastern and Southern Europe. Although Yugoslavia as such was not part of the Soviet sphere of influence as were the rest of the communist countries of Eastern Europe, it suffered the same results of forty-five years of economic mal-administration. The tide of change that transformed Eastern Europe also affected the dormant yearnings for autonomy or outright independence in major Yugoslav ethnic groups: Slovenian, Croatian, Albanian, and to a lesser extent, Italian and Albanian in Kosovo and Muslims in Herzegovina.

These issues first arose in the years after the death of B. Tito, the Croatian partisan who formed the present Yugoslavian state in the aftermath of the Second World War. Continued disagreements reached crisis proportion when the Slovenian and Croatian

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<sup>116</sup> Theo Sommer, "Was geht uns schon Jugoslawien an?", *Die Zeit*, 24 May 1991, 1. See also A.J.P. Taylor, *The Struggle for Mastery in Europe*, (Oxford University Press: 1954), 60-63, and George Kennan, *The Decline of Bismarck's European Order: Franco Prussian Relations 1875-1890*, (Princeton University Press: 1979) and Robert Gildea, *Barricades and Borders: Europe 1800-1914*, (Oxford University Press: 1987), 415-418.

<sup>117</sup> *Ibid.*

governments announced the primacy of state law over federal law on Oct. 4, 1990 and unveiled their "Model for Confederation in Yugoslavia". This model called for a confederation of democratic parliamentary systems with free market systems, conditions that Serbia would have been unable to meet due to, amongst other things, the manner in which it administered its two provinces of Montenegro and Macedonia.<sup>118</sup> In addition, they amended their constitutions to transfer territorial defense forces and responsibilities to local state control, a move strongly opposed by the Yugoslav People's Army (YPA), a Serbian controlled and somewhat independent Yugoslav state instrument.<sup>119</sup>

These declarations were the precursors to more extreme demands for autonomy and independence, culminated in the combined Croatian and Slovenian declaration of sovereignty on June 25, 1991. These moves were immediately repudiated by the Belgrade government, which sought to stem the breakup of the federal system through force of arms. The humiliating attempt in Slovenia in the summer nonetheless underscored the willingness of the Milosevic regime in Belgrade to use force as necessary to achieve its aims. The subsequent use of force in Croatia, which is not as geographically remote nor as ethnically homogeneous as Slovenia, was to be expected in light of the previous attempt to quell the Slovenian movement, yet it appeared by the reaction of the major European and world powers as if they had been caught by surprise.

This maxim held true for Germany as well throughout the spring and summer of 1991. It seemed that German statesmen, still dazed from the rapid play of events in the Gulf War that left allies disappointed and the public confused, were willing to adopt a

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<sup>118</sup> Jens Reuter, "Jugoslaviens Umbruch", Aus Politik und Zeitgeschichte, 2 Nov. 1990, Vol. 45, 15.

<sup>119</sup> Milan Andrejevich, "Yugoslavia: Things Fall Apart?", Radio Free Europe/Radio Liberty, Vol VIII, No.5, 1 Nov. 1990, 1.

wait-and-see attitude toward Yugoslavia as well, even though their sympathies were with the Slovenians and Croatians from the start. But an unusually optimistic and unrealistic expectation that everything would turn out alright in the end seemed to prevail in this crisis as it had previously during the Gulf crisis.<sup>120</sup>

### POLICY OPTIONS

The dilemma of German policy in response to the Yugoslav crisis had many inter-related and yet conflicting facets. They shared the sentiments of the French, British and Americans in eschewing direct intervention in the crisis because it was after all an internal crisis of sorts. Then too the established western powers had been struggling with the recognition of new states issue with the Soviet Union as well, in particular the three Baltic republics which had declared independence months before and still had not been recognized. *If agreement in the Baltic cases could not be reached when these three states had never had their legitimacy questioned since they had been forcibly annexed into the Soviet Union in 1941, then how much harder would it be to recognize ethnically heterogeneous republics in Yugoslavia?* Even though the Yugoslavian question was more diffuse than the case of the Baltic republics, it would nonetheless have set a precedent for the Soviet republics which the Soviet central government was adamantly opposed to. In this they were supported by the United States, which set the maintenance of the central Soviet government as its primary goal. But there were other factors at work as well.

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<sup>120</sup> Jochen Thies, "Germany: Tests of Credibility", The World Today, Vol. 37, No 6, June 1991

While some argued that Germany should have taken the lead initially due to its objective status in regards to nationality questions <sup>121</sup>, it is clear from the German press that sentiments in general have been overwhelmingly in favor of Croatia, Slovenia, and self determination. Even though Germany officially was holding off on recognition during the fall, Germany began treating the two republics as semi-sovereign states, even accepting Croatian and Slovenian issued passports at the German border.<sup>122</sup> Further, the German intervention in the Balkans in 1941, preceded by the defeat of Serbia by the Entente powers in 1916, still lays deep in the memory of many Serbians who fought a four year partisan war against the Germans and their brutal puppet state, the Independent Croatian State, a fact often repeated in recent Serbian newscasts. <sup>123</sup> And while there are insignificant numbers of Germans living in Yugoslavia, the number of Croats and other Yugoslavian nationals living in Germany is considerable at around 700,000 workers <sup>124</sup>, of which about two-thirds are Croatian. German interest in the area is thus hardly objective, yet other issues influenced the German government to wait out the outcome as well.

In the realm of international law, the Germans were faced with the dilemma of a fellow CSCE member nation taking up arms against its citizenry in violation of the Helsinki final act and the CSCE Charter of Paris of Nov. 1990. At the same time, the United Nations charter and the CSCE forbade armed intervention in another country, and in any case the CSCE Charter of Paris did not address the right of secession of states. The

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<sup>121</sup> Thomas Kielinger, "Yugoslavia: EC Must Send a Clear Message", The German Tribune, 21 July, 1991, from Rheinischer Merkur/ Christ und Welt, Bonn, 12 July 1991. 3.

<sup>122</sup> "Visafreiheit für Kroaten und Slowenen?" Frankfurter Allgemeine, 17 October 1991, D42.

<sup>123</sup> Ranko Petkovic, "Yugoslavia versus Yugoslavia", European Affairs, Vol.1, Feb/Mar. 1991, 74.

<sup>124</sup> Hans-Dietrich Genscher, "Erklärung des Bundesministers", Bulletin No. 144, 19 Dec 1991, 1175.

dilemma boiled down to the definition of self-determination; whether the sovereignty of the state to act without outside threats has precedence or whether the individual right to human rights and a democratic form of government came first.<sup>125</sup>

The resolution of the Yugoslavian question in favor of recognition of the separatist states would have impaired relations with the then still existent Soviet Union, which was battling its own separatist movements. The Soviets were very much set against the breakup of Yugoslavia, and in fact were the first major country to respond to the June 25 independence announcement by Slovenia, indicating their strong disapproval of this step and admonishing neighboring countries to the inadmissibility of intervention or internationalization of the crisis.<sup>126</sup>

While the Germans respected the Soviet fears of the precedent that would be set if the legitimacy of independent Yugoslavian states were transferred to the breakaway republics of the Soviet Union, they nonetheless did not back the unified state policy of the Soviets. They felt that the influence of the EC and the CSCE conflict prevention mechanisms could be used for a peaceful resolution of the problem. But the outbreak of further violence in Yugoslavia made the latter option less tenable, while the abortive coup attempt in the Soviet Union which led to the final breakup of the Soviet state cleared the implied constraint on German policy imposed by the Soviets.

The conservative line adopted de facto by the EC in August, along with the United States and the United Nations, was to negotiate an all encompassing political settlement to the crisis, the first step being a cessation of hostilities agreed to by both sides. The UN

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<sup>125</sup> Robert Leicht, "Europas jugoslawische Zwickmühle", Die Zeit, No.38, 20 September 1991, 1.

<sup>126</sup> Suzanne Crow, "Moscow Opposes Foreign Interference in Yugoslav Crisis, Backs Unified State", Radio Free Europe/Radio Liberty Research Institute, Vol. VIII, No. 40, 10 Aug 1991, 8.

could then send in a peacekeeping force and the issues separating the antagonists could be resolved diplomatically. Recognition of the dissident republics should not be made prior to this event, however. Lord Carrington of the EC and UN envoy Cyrus Vance admonished repeatedly against early recognition as this could lead to further secessions by other states, thus inflaming the Serbians further and broadening the war.<sup>127</sup>

The German argument to the contrary was that the fighting was already severe and cease-fires were being broken by both sides as fast as they could be arranged. Helmut Kohl was already warning the Bundestag that continued fighting would force the government into recognizing those republics which no longer wished to be part of Yugoslavia.<sup>128</sup> The solution to the problem lay in first recognizing the de facto governments in Croatia and Slovenia, thus turning the civil war into a war between two sovereign states if it were to continue. This would then isolate Serbia, which has been the acknowledged main culprit in both the fighting and in the breaking of cease-fires. By withholding recognition, this reasoning went, the EC was in fact sanctioning the use of force to attain a satisfactory status quo for the Serbians.

#### THE GERMAN INITIATIVE

With the Soviet Union splintering into many different republics and the war continuing on regardless of the measures taken by the EC countries, including repeated cease-fires and a threatened economic embargo of Yugoslavia, Germany began pushing for

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<sup>127</sup> Leslie Gelb, "Tomorrow's Germany", New York Times, 22 December 1991, E 11.

<sup>128</sup> Helmut Kohl, "Statement on the Situation and the Developments in the Soviet Union and Yugoslavia", advance trans. of text provided by German Embassy. 4 September 1991.

the second option: recognition of the dissident states without the precondition of a cease-fire and deployment of United Nations troops.

The British, French, and American governments were opposed to this idea and the first two had a draft resolution prepared for security council deliberation. Its intention was to issue warnings to countries who would unilaterally recognize the dissident states before a unified position of all the major countries could be worked out. But on Dec 13, chancellors Kohls office announced that Germany would proceed with recognition of these states after a meeting of foreign ministers on the 16th of December, regardless of the outcome.<sup>129</sup> The meeting of the foreign ministers would be used to sort out the details of what conditions would have to be met for recognition, not to resolve the question of if recognition should be offered.

In a explanation delivered at Dresden on the 17<sup>th</sup> of December, Chancellor Kohl clarified the results of the foreign ministers meeting of the previous day in Brussels. The communiqué requested of those Yugoslavian republics that wished to, to declare by the 23 of December if:

- they desired recognition as independent states,
- they would respect the UN charter and the responsibilities entailed therein,
- they would follow the Helsinki final acts and the Charter of Paris, with emphasis on the democratic government and human rights,
- they would guarantee the rights of ethnic and national minorities as embodied in the CSCE,

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<sup>129</sup> John Tagliabue, "Germany Adamant It Will Recognize Yugoslav States", New York Times, 15 December 1991, 1.

- they would respect of national borders, which can only be changed peacefully and consensually.<sup>130</sup>

Those republics which declared their intentions to meet these requirements would then be recognized as the 15<sup>th</sup> of January, 1992. The federal chancellor stressed that though this was a great foreign policy success for the Federal Republic, it should be noted that from the start the Germans did not want to go it alone along this path.<sup>131</sup>

### REACTIONS

The reaction to this foreign policy success of Germany was mixed. In Germany, it was announced that a successful compromise arrangement had been reached between the 12 members of the EC<sup>132</sup>, which was received well by the public which had exerted growing pressure on the government for some sort of action in the crisis. But in Washington, this same success was seen as a dangerous precedent of the new Germany going not only its own way, but on a path opposed to by the US. The road they had taken was 'fraught with danger', as president Bush explained, and the United States would still oppose selective recognition in lieu of comprehensive political settlements.<sup>133</sup> State department officials expressed alarm at the German show of resolve. The 'partnership in leadership' that president Bush had offered in May 1989 had not been intended to sanction divergent

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<sup>130</sup> Helmut Kohl, "Beschlüsse der EG-Außenminister zur Anerkennung neuer Staaten", Bulletin, No.144, 19 December 1991, 1173-1174.

<sup>131</sup> Ibid.

<sup>132</sup> "Euopäische Gemeinschaft: Kompromiß zu Jugoslawien", Deutschland Nachrichten, 20 December 1991, 1.

<sup>133</sup> Paul Lewis, "U.N. Yields to Plans by Germany to Recognize Yugoslav Republics", New York Times, 16 December 1991, 1.

policies from the US, but instead had been aimed at promoting common interests. When these common interests were not wholeheartedly supported by Germany, the two outstanding examples being the Gulf War and the GATT talks, then Washington became riled at the German propensity to hide in the crowd of Europe and adopt middle of the road and 'under responsible' positions.<sup>134</sup> Much of the consternation in Washington seemed to be based on the timing of the German decision. The first independent policy initiative of the new Germany did not have to fly in the face of Germany's principal allies.

The concern in the US is that this "success" is the beginning of a new policy of a German unilateral approach to foreign policy. The new German assertiveness made state department officials uneasy and was hard to stomach in the context of the Federal Republic of old.<sup>135</sup> But there are several points to keep in mind when using this sort of maintain-the-staus-quo logic.

As Chancellor Kohl pointed out in his Dresden release, Germany led the way in this undertaking. She did not go it alone. Italy, Austria, Denmark, and Belgium were with Germany at the time of the confrontation with France and Great Britain<sup>136</sup>, and the final decision to recognize the new republics was hardly unilateral; it was agreed to unanimously by the 12 member European council.<sup>137</sup> This statement does not imply that Germany did not, as the Times put it, 'flex its muscle'. But as Leslie Gelb illustrated, Germany had to

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<sup>134</sup> Günther Gillessen, Frankfurter Allgemeine Zeitung, 20 December 1990, D41.

<sup>135</sup> David Binder, "US is Worried by Bonn's New Assertiveness", The New York Times, 7 January 1992, 1.

<sup>136</sup> Paul Lewis, "UN Yields to Plan by Germany to Recognize Yugoslav Republics", The New York Times, 16 December 1991, 1.

<sup>137</sup> "Erklärung zu Jugoslawien", Bulletin, No. 144, 19 Dec. 1991, 1173.

take the lead to get European unity on this subject. France was not influential enough for the task and Britain did not want the job.<sup>138</sup>

Then too there is the suspicion that even if Germany is not acting unilaterally in its foreign affairs, it is certainly wearing the mantle of the European community to mask German policies as European policies.<sup>139</sup> Foreign Minister Genscher almost always speaks in the context of a European policy, but when a European policy entails a German "success, as did the adoption of the German Yugoslav agenda and was so described by a Genscher aide<sup>140</sup>, it is difficult to reconcile the two.

The reaction in Washington had a hint of hysteria to it, which rapidly made its way into the press. When chancellor Kohl said that this was a great *Erfolg* (success) on December 17<sup>th</sup>, the *New York Times* translated this statement as a great "victory" instead of a great "success" as would have been proper. In a prominent *New York Times* article<sup>141</sup> this was then retranslated back into the German as a *Sieg* (victory) by persons unknown and then this word was used as the basis for comparison to the various types of "Siege" of the Third Reich and how Kohl had proclaimed the first Sieg since 1945. Cooler heads prevailed and the a retraction was later printed.<sup>142</sup>

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<sup>138</sup> Leslie Gelb, "Tomorrow's Germany", *The New York Times*, 22 Dec. 1991, E 11 .

<sup>139</sup> Stephen Kinzer, "Germany Jostles Post-Soviet Europe", *The New York Times*, 27 December 1991, 3.

<sup>140</sup> Ibid.

<sup>141</sup> David Binder, "US is worried by Bonn's Assertiveness", *New York Times*, 7 January 1992, 5.

<sup>142</sup> "Das häßliche deutsche Haupt", *Der Spiegel*, 6/1992, 19.

## MILITARY OPTIONS

The use of military force outside of the NATO area was discussed at length in the last chapter in general terms. But in this specific case, the members of the EC and particularly Germany, ruled out military intervention at an early stage, especially since the then still existent Soviet Union had warned against military intervention in Yugoslavia by any outside forces.<sup>143</sup>

The German policy toward Yugoslavia supported this decision. The German government had incurred the wrath of its alliance partners and certain conservative domestic political circles in the Gulf War by not supporting the military effort with Bundeswehr troops. This was based on the historical interpretation problems with the constitution as discussed earlier in this thesis; problems that had not been resolved at the time and have in fact not been resolved up to the present time. The arguments against an OOA military employment for the time being had been so effectively developed both domestically and internationally that even if they had wanted to intervene militarily, they would have done so at great cost to their credibility and reliability not only within the alliance, but in eastern and southeastern Europe as well. Nonetheless, the specter of nightly television broadcasts from Croatia showing the bloody fighting had a telling effect on opinions concerning intervention, and a minority view was that military intervention might be required.<sup>144</sup> Two ministers of the cabinet backed a multinational military intervention in the Balkans in order to stop the bloodshed.

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<sup>143</sup> Suzanne Crow, "Moscow Opposes Foreign Interference in Yugoslav Crisis, Backs Unified State", Radio Free Europe/Radio Liberty Research Institute, Vol VIII, No. 40, 10 August 1991, 8.

<sup>144</sup> Ronald Asmus, Germany in Transition: National Self-Confidence and International Reticence. Statement before the House Subcommittee on Europe and the Middle East. January 1992. 15. In this controversial survey conducted in October/November 1991, only 23 % of respondents favored a Gulf War type military intervention.

Minister of the Interior Schäuble, a protege of Kohl <sup>145</sup>, and Labor Minister Blüm both abandoned the CDU party line and supported Bundeswehr intervention under UN command. They cited the urgency of the situation and the priority of stopping the murders in Croatia as the justification for the use of force to stop the fighting. <sup>146</sup> Although the government had not ruled out a United Nations peacekeeping role for the Bundeswehr at some future time when all warring factions could agree to such a force, Schäuble's position clearly annoyed the foreign office for evoking expectations that could not be realized.<sup>147</sup>

#### SIGNIFICANCE OF GERMANY'S YUGOSLAVIAN POLICY

The German policy in Yugoslavia emphasized the changed geo-political structure in Europe. For the first time since its founding, the Federal Republic initiated a bold foreign policy program and carried it out despite resistance from Britain, France, the United States, and the United Nations. By this action, Germany took the lead in formulating a policy for not only the Balkans, but the republics in the former Soviet Union as well. But it also cast doubts into its alliance partners in the direct and decisive way in which Germany compelled others to follow the its lead.

One of the enduring German traits which caused President Bush to call on the Germans to be partners in leadership was their stability and predictability. In their latest foreign policy move, Germany seemingly discarded many of its previous foreign policy maxims:

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<sup>145</sup> Stephen Kinzer, "New Leaders Vie to Succeed Kohl", New York Times, 15 December 1991, 8.

<sup>146</sup> Martin Winter, "Einsatz der Bundeswehr Verlangt", Frankfurter Rundschau, 15 November 1991, 5.

<sup>147</sup> Ibid.

shunning interventions in the internal affairs of other countries, respecting borders, preserving the status quo, or promoting stability.<sup>148</sup>

The unilateral decision to proceed with recognition alarms many observers who see this as revived German particularism. But this fear is hard to comprehend in light of the circumstances. Britain and France had tried and failed to bring the fighting to a halt.<sup>149</sup> Between Germany, Britain, France, and the US, Germany had the greatest national interest in finding a solution to the Croatian problem: they, along with Austria, were very in close geographical proximity to the conflict and were already beset by refugee problems. Then too Germany had a large pool of Croatian foreign workers and was threatened with internal security problems the longer the civil war lasted.<sup>150</sup> And although Germany did not have the support of its major allies, it had support from the minor members of the EC.

German willingness to expend political capital on behalf of Croatia and Slovenia underscored the historical ties between these two regions of Europe. But while critics called this an obvious attempt by Germany to extend its sphere of influence back into traditional areas, the Germans did not exploit their success in a manner that would support this charge. Indeed, Foreign Minister Genscher used his influence with the Croats to

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<sup>148</sup> Gerald Livingston, "Good Morning Germany", Der Spiegel, No. 4, 20 January 1992, trans. Eagle Research Group, 4.

<sup>149</sup> Gelb, E11.

<sup>150</sup> John Tagliabue, "The New Germans: 'Dwarfs' No More", The New York Times, 16 December 1991, A9.

bring the conflict to an EC peace conference, which would stress human rights, self-determination, the rights of minorities, and the inviolability of borders.<sup>151</sup>

In a broader sense, the German initiative in Yugoslavia was but a continuation of the Ostpolitik of Willy Brandt. This process started with the purpose of reestablishing relations with traditional German neighbors to the East, and it has developed now to the point that German influence has been largely restored throughout Eastern Europe.<sup>152</sup> The German interest in Eastern Europe is congruous with that of Europe: the maintenance of stability in a troubled political landscape.

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<sup>151</sup> Jasper von Altenbockum, "Als ehrlicher Makler in Zagreb: Außenminister Genscher zwischen Kroaten und Serben", Frankfurter Allgemeine Zeitung, 26 February 1992, 8.

<sup>152</sup> Livingston, 3.

## CHAPTER V: CONCLUSION

Will united Germany become a world power? Is it a revisionist state? Changes in the global security system are inevitable as the European landscape continues its transformation since 1989. German statecraft will be strongly affected by how these changes are perceived and reacted to by Germany's allies and neighbors, whether it will stay firmly rooted in the West with strong eastern policies, or whether it might take on an altogether new orientation.

The chances of a German power policy developing in Eastern Europe are slight. The legacy of German *Machtpolitik* is too strong for adoption of any sort of unilateral approach to future uses of military force, and even if forces are eventually authorized for deployment out-of-area, it will most likely be under the mandate of either the United Nations or the European Community. The often repeated fear of resurgent German militarism lies mainly in the frettings of German leftists and old style West European and American nationalists, who, though probably sincere in their convictions, have their own political agendas to follow which requires a constant return to this theme.<sup>153</sup>

Germany will most likely continue to be a revisionist power in terms of its expanding influence in the east and its position within the European Community. This continuity should be in accordance with the often repeated US desire for Germany to assume a greater share of global responsibility and to shoulder more of the burdens of leadership. But Germans are concerned that the implication of this sharing of leadership is that Germany should shoulder more of the burden of US leadership instead of initiating its own leadership.

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<sup>153</sup> Rheinhard Rode, *Germany: World Economic Power or Overburdened Eurohegemon?*, *Peace Research Institute Frankfurt*, No. 21, 1990, 19

This was clearly evidenced in the crisis in Yugoslavia, where the German initiative was opposed by the United States.

With the demise of the Soviet threat, which gave the US-German relationship an ironclad purpose, it is ever less likely that Germany will continue in its role as junior partner to the US. The national interests of Germany and the US are diverging as the cold war recedes and Germany concentrates on European issues, which in the cold war were global issues and thus of vital interest to the United States, but which Washington now perceives as more regional. German initiatives in Eastern Europe may run counter to US policy preferences. The divergence of the national interests between the two allies contains the danger that, as new roles are developed, they could be perceived to be in opposition to one another when evaluated in terms of the relationship of even a few years back. This means that policy analysis has to be much more in depth and complete than before, because actions that would have been unthinkable in the cold war are now not only possible but in some cases necessary. By the same token, the absence of a clearly defined Soviet threat should not be justification for postulating threats where none exist. An example of such assumptions is in the area of both nuclear and conventional military power.

#### NUCLEAR WEAPONS

The Pentagon's *Defense Planning Guidance 1992* illustrates the kind of thinking that makes Germans uneasy with the US role. This document, while not officially adopted but which has wide support, proposes that the US position as the only remaining superpower in the world should be protected against encroachment by other countries. The republics of the erstwhile Soviet Union are targeted primarily due to their latent power as resurgent nuclear threats, but Germany and Japan are mentioned as potential rivals because they could develop

nuclear capabilities.<sup>154</sup> This hegemonic concept of the new world order is very detrimental to US relations not only with Germany, but most other countries in the world as well against which such plans are directed.

From its founding in 1949 and through its rearmament and beyond, Germany has repeatedly and vehemently opposed the development of nuclear weapons and other weapons of mass destruction. The suggestion of such development would be politically destructive to any party which forwarded it and support for such development is not found in any of the German sources used in this thesis. On the contrary, the sources that do ascribe such aspirations to the Germans are primarily American and illustrate the divergence of understanding between the foreign policy elites of the two countries. The Pentagon study serves as the primary example of this divergence, but academic circles also abound in this sort of speculation, such as John Mearsheimers *Back to the Future* article.<sup>155</sup> In this 1990 article, the controlled proliferation of nuclear weapons to Germany is endorsed as the most realistic method of acknowledging German security requirements. While this may be rational and make sense in an academic multipolar world model, it is divorced from the realities and possibilities of Germans statecraft. There is no interest or support for developing nuclear weapons or for that matter, to even keep nuclear weapons of its NATO allies on German soil.<sup>156</sup>

The point of this argument is not whether the Germans will need or want nuclear weapons in the future, but that the perceived security needs of Germany varies so greatly

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<sup>154</sup> "Die Welt wartet auf unsere Führung", *Der Spiegel*, No. 12, 1992, 20.

<sup>155</sup> John J. Mearsheimer, *Back to the Future: Instability in Europe after the Cold War*, *International Security*, Vol 15, No.1, Summer 1990.

<sup>156</sup> Jochen Thies, "Of German Nationalism", *International Herald Tribune*, 9 February 1992, 6.

between Berlin and Washington. Nuclear weapons only remotely affect the security calculations of Germans, much less so than the more pressing problems of economic instability to the east, immigration control, and integral nationalism conflicts throughout southeastern Europe. The Germans see no requirement for nuclear weapons for their security posture, yet this attribute is assigned to them by Pentagon planners because nuclear weapons are what Pentagon planners equate with national security. Strategic nuclear weapons play such a large and important role in the US security equation that this requirement is transferred to potential "rivals" and assumed for them, without due regard for their circumstances or their security needs.

#### CONVENTIONAL FORCE

The role of force in statecraft continues to cause divergence in US-German understanding. The United States maintains a global military presence and is quick to decisively use its military forces to further its national interests and those of its allies, be it in Iraq, Panama, Libya, or any other number of spots around the globe. The German criticism of this type of statecraft is that it does not promote any sort of stability or enduring order after the military mission is accomplished. The predominance of an interventionist policy in the statecraft of not only the US, but of other German allies as well, notably Britain and France, runs counter to the German experience since 1945. As Germany assumes more political responsibilities, its reluctance to use force in an interventionist role will undoubtedly cause more friction with its allies.

The German left proposes a German non-interventionist model to counter the over-exited antiquated world power politics model of Germany's allies, who have not had to suffer

the consequences of their own power policies as the Germans have.<sup>157</sup> But the real question that German politicians need to address is not if Germany should contribute to multinational forces, but to what extent Germany can afford to become isolated internationally in a scenario such as the Gulf War.

### STABILITY

For the time being, German foreign policy interests are very much focused on Europe and its attendant problems. The chaos and disorder to the east pose a grave security risk to Germany not necessarily in military terms, but in equally important national security issues of immigration control, economic upheaval, national borders, and integral nationalism. German need for predictability and order will be as much of a goal in Eastern Europe as any sort of influence which can be gained there with massive German economic assistance.

The German position on the front line during the cold war created a driving need for order, stability, and control in its sphere of influence. But while the West German government deferred to the US in critical foreign policy matters such as confrontations with the Soviets, that relationship has changed with united Germany if for no other reason that the United States is not willing to take the lead in relations to Eastern Europe.<sup>158</sup>

Part of the problem in US-German relations is the frustration that the United States feels as it sees Germany apparently reaping the benefits of the end of the cold war, a result the US caused but the benefits of which it cannot reap. The US may have spent the Soviets into history, but the massive budget deficits that were incurred as a result during the 1980's

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<sup>157</sup> Rode, 20.

<sup>158</sup> Robert Livingston, "Good Morning Germany". *Der Spiegel*. No. 4. 20 January 1992. Trans. Eagle Research Group. 3-5.

prohibit large scale economic assistance to Eastern Europe, assistance which is expected of a world leader. Germany, on the other hand, is well situated to provide the assistance for the economic and political transformations taking place, which gives them a large amount of influence in Eastern Europe.<sup>159</sup> But despite their investments in Eastern Europe, Germany will not be able to control this area and will have to live with its uncertainties and dangers. In this respect, Germans feel that they have been left to fend for themselves in the quagmire of Eastern European upheavals.<sup>160</sup>

As Germany seeks stability in the East, it will have to continue to take the lead and open itself to the criticism that any world power making decisive moves must endure. But these moves have to be anticipated and not overreacted to by Germany's allies. They are a very necessary and it does not appear that any other countries in the West are in a position to take this leadership role.

The future of US-German relations will depend in large part on how German policies in the East are enacted and how they are perceived by the US. If Germany places its own national interest above all else as France has done throughout the post war period, then the German relationship with Washington could well resemble the unpredictable relationship that Washington and Paris have had. If, on the other hand, German action is seen to transcend narrow national interests and to assume greater responsibility for the European order, the relationship could be much closer and would be comparable to Britain's special relationship with the United States.<sup>161</sup>

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<sup>159</sup> Ibid., 4.

<sup>160</sup> Jim Hoagland, Germany's New Export to Europe: Stability", Washington Post, 20 February 1992, A25.

<sup>161</sup> Livingston. 4-5

The US has a continuing vital role to play in German and European security. In times, when isolationist rhetoric once again sweeps the country and the American role in Germany and Europe becomes less clear, it is vital to the peace of America to keep in mind that, with the end of the cold war, the specter of war in Europe is once again a grave issue of statecraft. Europe, the source of most of the violent and destructive conflicts in the modern age, has not yet reached Immanuel Kant's state of eternal peace. Makers of American policy must find a way to accommodate German power, not in the least because European security and peace are not merely peripheral to American interests.

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