

Germany and the transatlantic link

The role of Germany in the development of a balanced
European Security and Defense Identity strengthening NATO

NATO/EAPC Fellowship 2001-2003
Final Report

by

Niels van Willigen

January 2003

Contents

| | |
|--|----|
| <i>1. Introduction</i> | 2 |
| <i>2. The development of a balanced ESDI</i> | 9 |
| 2.1 The three <i>d</i> 's as an illustration of an unbalanced ESDI | 9 |
| 2.2 The European military capabilities problem | 13 |
| 2.3 The lack of a European strategic concept | 19 |
| 2.4 A division of labour between the NATO and the EU? | 20 |
| <i>3. Germany's foreign and security policy</i> | 25 |
| 3.1 The traditional restraints on Germany's foreign and security policy | 25 |
| 3.2 The gradual change of the German foreign and security policy after unification | 27 |
| 3.3 The participation in 'Enduring Freedom' | 32 |
| 3.4 Possible contributions to the creation of a balanced ESDI | 36 |
| <i>4. Germany's military capabilities</i> | 42 |
| 4.1 The Weizsäcker report | 42 |
| 4.2 'Eckpfeiler für eine Erneuerung von Grund auf' | 44 |
| 4.3 The issue of conscription | 46 |
| 4.4 Financial shortcomings | 51 |
| 4.5 German participation in the International Security and Assistance Force (ISAF) | 54 |
| <i>5. Conclusion</i> | 59 |
| <i>6. Bibliography</i> | 62 |

1. Introduction

The European security landscape has undergone dramatic changes since the Cold War ended. After the dissolution of the Soviet Union and the Warsaw-pact, most European governments realized that there existed no imminent threat to their territories anymore. A military attack on a grand scale, as expected during the Cold War, is not very likely to occur in the nearby future. The North Atlantic Treaty Organisation (NATO) which has dealt with the threat of such a massive military attack was forced to adapt itself in order to survive in the new security landscape. New members were admitted, a network of partnership and cooperation was created with the former Warsaw-pact countries and new tasks were defined. From an organisation concerned with collective defense only, the alliance transformed itself into an organisation which deals with security affairs in a broad spectrum.

The broadening of its scope of activities has not affected the importance of NATO's original function as a collective defense organisation. As important as NATO's new tasks are, collective defense remains the linchpin of NATO in the twenty-first century.¹ That this is no luxury is proven by the terrorist attacks on the United States of America (USA) on 11 September 2001. The first time article V of the NATO-treaty was invoked, was not because of a Soviet attack, but because of a terrorist attack on the USA; something which was as less foreseen at the birth of the organisation in 1949, as in the days immediately before 11 September. In that respect one could wonder whether the alliance is suited to deal with this 'new' kind of threat. Nevertheless, it is illustrative for NATO's intention to adapt constantly to changed circumstances in the security landscape, that the organisation decided to investigate what organisational and military demands had to be faced in order to be able to cope with the new terrorist threat.

The attacks of 11 September have shown that security is only relative and that NATO must adapt constantly in order to retain its place as one of the strongest military alliances. In that respect, one of the most important initiatives of the 1990's has been the strengthening of the European military contribution to NATO in the form of the European Security and Defense Initiative (ESDI). This initiative was necessary in order to deal with what - after the outbreak of war in the Balkans in 1991 - appeared to be the main European security challenge after the Cold War period: intra-state conflict in Europe's own backyard. In the nearby future, with the threat of international terrorism clearly demonstrated, the further development of ESDI is crucial for NATO's strength. Before I can explain why ESDI is still important, it is necessary to give a short overview of its development from the beginning on.

The European motivation to build ESDI originated from the wish to have more influence on European security affairs. The USA on their turn supported ESDI, because they wanted their European allies to make a larger contribution to their own security, thus decreasing American political and

¹ The Alliance's Strategic Concept, in: *The readers guide to the NATO summit in Washington* (Washington 1999) 47 - 60.

economical costs (burden sharing). It was president George Bush (senior) who started the process that would lead to the development of ESDI within NATO. Bush's successor, Bill Clinton, continued his policy and made the official launch of the initiative possible. That happened during the ministerial meeting of the North Atlantic Council (NAC) in 1994 in Brussels. During the Brussels Summit it was stated that: 'The emergence of a European Security and Defence Identity will strengthen the European pillar of the alliance, while reinforcing the transatlantic link and will enable European Allies to take greater responsibility for their common security and defence'.² Further, the NAC was positive on the close cooperation which had grown between NATO and that other security organisation: the West European Union (WEU). In that respect, of particular importance was the endorsement of the in 1993 launched concept of the Combined Joint Task Force (CJTF), which was meant to become the instrument to implement ESDI. A CJTF means according to the NATO-definition: 'a multinational (combined), multi-service (joint) deployable taskforce, task-organised and formed for the full range of the alliance's military missions requiring multinational and multi-service command and control by a CJTF headquarters'.³ Although CJTF's could be used during the defense of alliance territory, it is meant to be generated and tailored primarily for military operations not involving defense tasks, but crisis management tasks such as humanitarian relief and peace keeping. With the CJTF-concept, it would not be necessary to involve all NATO-members in a crisis management operation, but it would be possible to create a 'coalition of the willing' which theoretically could exist of European countries only.

It was thought that the WEU, as an all European security organisation, would be very suited to lead an all European 'coalition of the willing'. The WEU had been reactivated in 1984 after a dormant existence since its birth by the treaty of Brussels (1948). The direct result of the reactivation was the launch of a few WEU-operations: a mine-sweeping operation in the Persian Gulf from 1988 on, a participation in the naval blockade against Iraq during the second Gulf War (1991), the assistance in enforcing sanctions on the former Yugoslavia during the war on the Balkans and the provision of a police force for the Bosnian city of Mostar from 1994 to 1996.⁴ The idea was that this (limited) operational activity could be enhanced through the CJTF-concept because it would enable the WEU to lead an operation (carrying the political-military responsibility), while the action itself would be carried out by forces and staffs taken from the NATO integrated military structure (NATO-assets and capabilities), supplemented by those of WEU members not represented in NATO's military commands.⁵ Thus, by making use of the CJTF-concept, the WEU wished to play a larger role in European security affairs and perform the tasks which it had formulated during a summit in Germany

² NAC Final communiqué. Declaration of the heads of state and government participating in the meeting of the North Atlantic Council, Brussels 10-11 January 1994 (Press Communiqué M-1(94)3).

³ 'Chapter 12: The military command structure', in: *NATO Handbook (online version)*.

⁴ P.H. Gorden, 'Europe's uncommon foreign policy', in: *International Security* 22, No.3 (Winter 1997/1998) 91.

⁵ K. Schake, A. Bloch-Lainé, C. Grant, 'Building a European Defence Capability', in: *Survival* 41, No.1 (Spring 1999) 22.

in 1992. These so called Petersberg tasks (called after the location where the summit took place) encompassed three kinds of crisis management tasks: (1) search and rescue operations, (2) peace keeping and (3) peace-enforcement.⁶

In the years following the Brussels summit several important institutional arrangements were worked out. First, the NAC approved an overall political-military framework for the CJTF-concept in 1996. For NATO it was important that the concept gave birth to the principle of ‘separable but not separate capabilities’, leading to an increased contribution of the European Allies to their own safety *within* the framework of NATO. Second, a strong link between NATO and the WEU was created by the ‘double hatting’ of the Deputy Supreme Allied Commander Europe (D-SACEUR) that same year. Thus, D-SACEUR would be a NATO military official and the operational commander of a WEU-led operation at the same time. Third, an agreement between NATO and the WEU was reached on the conditions under which the alliance would provide NATO-assets and capabilities to the WEU (the so called Berlin-plus agreement) in 1997. Finally, at the Washington-summit of 23-25 April 1999, the alliance declared that the key elements of the Berlin agenda on building ESDI within the alliance had been completed and it decided to further enhance its effectiveness.

While the institutional arrangements were set up, some *de facto* CJTF-operations had already been carried out. The Implementation Force (IFOR) in Bosnia, deployed in 1995 in order to fulfil the military aspects of the Dayton peace treaty (1995), was a multinational force having a strong CJTF-character. The same can be said about its successor: the Stabilisation Force (SFOR).⁷ Unfortunately for the development of ESDI, both forces depended heavily on the contribution of the USA and were not led by the WEU, but by NATO as a whole. In contrast, a third and fourth *de facto* CJTF-operation was dominated by the European allies. Operation ‘Essential Harvest’ in the former Yugoslav Republic of Macedonia started on 27 August 2001 and lasted thirty days in which it succeeded to collect about 3000 weapons from the National Liberation Army. ‘Essential Harvest’ was led by the UK; the USA provided only logistical support. The follow-on force, operation ‘Amber Fox’, was led by Germany and again the American role was very limited. Just like had been the case in Bosnia, both ‘Essential Harvest’ and ‘Amber Fox’ were CJTF-like operations, but not led by the WEU. Instead, a ‘lead nation’ was given the command of the operation.

Although NATO intends to implement the lessons learned in Bosnia and Macedonia in the further development of the CJTF-concept and although cooperation with the WEU formally continues, it seems that the ESDI as it was developed in the nineties of the last century and which reserves a large role for the WEU is not very relevant anymore. The NATO-program has been overshadowed by another initiative that aims to increase the European contribution to European security affairs. From 1998 on, the developments within the European Union (EU) with regard to the European Security and

⁶ ‘Western European Union Council of Ministers Petersberg Declaration’, *WEU Documents* (Bonn, 19 June 1992).

⁷ D.S. Yost, *NATO transformed. The alliance’s new roles in international security* (Washington 1998) 76.

Defense Policy (ESDP) have become increasingly important. In December 1998, France and the United Kingdom (UK) declared in Saint Mâlo (France): 'The European Union needs to be in a position to play its full role on the international stage (...) To this end, the Union must have the capacity for autonomous action, backed up by credible military forces, the means to decide to use them, and a readiness to do so, in order to respond to international crises'.⁸ Saint Mâlo was followed by the EU-summits in Cologne and Helsinki in 1999, where important decisions were taken with regard to institutional requirements and capabilities. Three new EU-institutions were born: a Political and Security Committee (PSC), a Military Committee (EUMC) and a Military Staff (EUMS). Further, a policy target was created in the form of the so called Helsinki Headline Goal (HHG). The HHG is intended to lead to a European Quick Reaction Force (EQRF). The EU-members promised that the organisation should be 'able to deploy rapidly and then sustain forces capable of the full range of Petersberg tasks as set out in the Amsterdam treaty, including the most demanding, in operations up to corps level (up to 15 brigades or 50.000 to 60.000 persons).⁹ The HHG is scheduled to be fully operational in 2003. The summit in Helsinki was followed by European council meetings in Feira and Nice (2000), Göteborg and Laeken (2001) and Sevilla (2002) where the institutional arrangements were strengthened (with the Treaty of Nice embedding the three new institutions).

A dialogue with NATO was officially established too. That dialogue was - and still is - very important for both organisations. First of all, it was necessary from a practical point of view. The EU has taken over most functions of the WEU from 1999 on. The WEU's crisis management and conflict prevention tasks were transferred to the EU officially in November 2000 during a meeting in Marseille of the WEU-council of ministers. Currently, the only important function left to the WEU is collective defense, laid down in article V of the WEU-treaty. The collective defense clause is still relevant and legitimises the continuance of the WEU (all be it as a dismantled organisation), but it is clear that the WEU will never lead a CJTF-operation as had been envisaged in the nineties of the last century. The implication for ESDI is that the program has changed drastically. Instead of the WEU, now it is the EU with which NATO has to make arrangements on access to NATO's assets and capabilities.

There is a second important reason why the dialogue had to be established: it should assist in tackling the difficulties that were born because of the European intention to create an *autonomous* (read: independent from NATO and the USA) military force. Taking the wish for burden sharing into account, the USA had a large interest in ESDI and supported it strongly. It was a program to be carried out within the NATO-structure, implying that American policymakers could control it to a large extend. That is not the case with the ESDP. Although it is intended to lead to a larger European contribution and thus to burden sharing too, the context is different. The ESDP is part of the Common Foreign and Security Policy (CFSP) of the EU which implicates that the EQRF will be an autonomous

⁸ Joint declaration issued at the British-French summit, Saint-Malo, France (3-4 December 1998).

⁹ Annex IV to the presidency conclusions of the European Council meeting in Helsinki (10 and 11 December 1999).

policy instrument of the EU. Thus, neither NATO nor the USA has any official influence on the development of the ESDP.

This autonomous character of the ESDP has caused tensions within the Atlantic community. The USA took a careful and ambivalent position on the matter from the beginning. Although the Americans supported the ESDP from the burden sharing point of view, they warned for the consequences of an autonomous EU-military structure at the same time. The USA were concerned that such a structure would automatically lead to a weakening of NATO. Since the alliance can be regarded as the most prominent forum where transatlantic security interests meet, a weakening of NATO would mean a weakening of the transatlantic link between the USA and its European allies which in turn could have very negative consequence for European security in general.

The ESDP is neither meant to undermine the alliance, nor to weaken the transatlantic link, but it raises several questions on the future role of NATO and European security. For the sake of a successful ESDP and the future of NATO it is important to know how the development of an autonomous ESDP could coexist with a strong NATO and how it could even strengthen the alliance. That is the first question I would like to answer in this text, but reformulated into: how could *ESDI* coexist with a strong NATO and even strengthen it? Since I will use the term 'ESDI' when I refer to the *general* development towards a larger European contribution to the security of the continent and the term 'ESDP' when I refer to the *specific* development of such a contribution within the EU, this formulation is a more general one. 'ESDI', as I use the term in this text, refers to developments both within NATO and within the EU and thus *includes* the ESDP. Vice versa that is not the case. To avoid any misunderstanding, I would like to underline that the 'old' ESDI as described above - the creation of cooperative arrangements between NATO and the WEU leading to an ESDI *within* NATO - has actually been replaced by a new one. That new one is an ESDI which, in the form of the ESDP, is mainly carried by the EU. The development of the ESDP takes place in close cooperation with NATO and in that sense, ESDI and the ESDP are interlinked to a very high degree.

I will argue that the new ESDI should be 'balanced'. With 'balanced' I mean that it should form a compromise between American and European demands and that it should encompass the ability to perform crisis management tasks through the entire conflict spectrum, ranging from operations with a low level of violence to serious war fighting in high intensity conflicts. The development of such an ESDI will be very relevant and essential for NATO, since it will enable the European allies to take more responsibility in the security field and thus strengthen the alliance. How can such a balanced ESDI be created? What criteria must be met?

The second and third questions I pose in this text will both assess the position of Germany in the development of a balanced ESDI. The position of Germany is interesting because of two points. First of all, within the debate on ESDI and the transatlantic link, France, the UK and Germany fulfil a pivotal role. The argument could easily be defended that these large countries have a 'leading' role and that that will probably continue to be the case in the nearby future. Germany, measured by territory,

population and economy, is the largest among the 'big three' and therefore inherently very influential on European (security) policy. That implicates that the choices made by Germany will be substantial and significant for ESDI. Secondly, the combination of these facts with history makes Germany even more a special case. German aggression during the second World War still has its effects today: 'Kein anderes Land Europas ist so tief in seine Vergangenheit im Guten wie im Schlechten verstrickt wie Deutschland.'¹⁰ The consequence is that Germany's foreign and security policy is strongly limited by domestic and international restraints. Both kinds of restraints defined West-German foreign and security policy before the fall of the Berlin Wall in 1989 and continued to do so with regard to the foreign and security policy of the 'Berlin Republic' after reunification. The result is that contemporary Germans are still more suspicious on the use of military force by their soldiers than the French and British are with respect to their military forces.

Nonetheless, a slow change can be noticed from 1991 on. During the nineties of the twentieth century, Germany has become increasingly involved in crisis management operations and has dealt more and more with international security issues in conformity with its position as a large European country. This evolving new foreign and security policy is generally supported by Germany's allies. The traditional suspicion that other (European) countries traditionally have when German military forces are sent abroad has declined significantly since reunification. It could be said that the *suspicion* has been replaced by the *expectation* that Germany - in conformity with its political and economic weight - takes responsibility in international security affairs.

Taking its nature as a large European country and its history into account, it is interesting to ask the following questions. (1) In how far is the current German *foreign and security policy* supportive for the creation of a balanced ESDI? (2) In how far is Germany's *defense* policy supportive for the creation of a balanced ESDI? If the German policy in both fields is not supportive enough, it could have negative implications for ESDI. It is unrealistic to expect the 'Atlantic orientated' UK and the 'European orientated' France to continue the lead in developing ESDI without a strong German involvement. Germany is simply too large and important for that. More specifically, I regard Germany's traditional role as a bridge between 'Atlantic demands' and 'European demands' as a critical factor of success for building a balanced ESDI.

This text has been divided in three main chapters, next to this introduction and chapter five in which I will make some concluding remarks. In chapter two, I will try to give an answer to the first question posed in this text: how could ESDI coexist with a strong NATO? I will start with investigating whether 'traditional' American concerns that the creation of ESDI would lead to a NATO-weakening security structure are still relevant. Then I will present two necessary (but insufficient) conditions which I regard as being crucial for the development of a balanced ESDI: ample

¹⁰ 'Ein Land im Rückwärtsgang', in: *Die Zeit* (21 Februar 2002)

European capabilities and a European strategic concept that supports the ability to carry out crisis management operations in the entire conflict spectrum autonomously.

In chapter three, I will try to answer the question to what extent the current German foreign and security policy is supportive for the creation of a balanced ESDI. After a short introduction on the restraints that determined the (West) German foreign and security policy since the end of the second World War, I will proceed with a description of the new foreign and security policy. How 'new' is this policy? What contribution(s) could this policy make to the creation of a balanced ESDI?

In chapter four, I will investigate in how far the German defense policy is supportive for the creation of a balanced ESDI. In conformity with the changed European security environment, the German military is in a process of reform. Can these reforms make a strong contribution to the creation of a balanced ESDI?

2. The development of a balanced ESDI

As I have pointed out in the introduction, the USA were very concerned that the ESDP would eventually lead to a competing security structure that would undermine NATO. In that respect, the three *d*'s of former American Secretary of State Madeline Allbright have become famous. She warned for the danger of *duplication* of the NATO integrated military structure, the *discrimination* of non-EU NATO-members and the *decoupling* of the USA from Europe.¹¹ Despite the rhetorical nature of these *d*'s, they were substantial enough to dominate the debate on ESDI from 1998 on. Because of their importance, I will start this chapter by examining the question whether the three *d*'s are still relevant for the present debate on ESDI and the transatlantic link. Subsequently, I will investigate which conditions are crucial for building a balanced ESDI strengthening NATO.

2.1 The three *d*'s as an illustration of a unbalanced ESDI

The fear for *duplication* was one of the reasons why NATO decided at the 1994-summit that the CJTF-concept had to be developed. There existed: 'a desire to avoid a financially unaffordable and politically divisive duplication of military assets and a determination to facilitate the construction of ESDI with separable but not separate capabilities'.¹² As described in the introduction, some form of *necessary* duplication and separate capabilities have been developed within the EU in the form of the new political and military bodies. At the same time, the danger of *unnecessary* duplication is not very large anymore.¹³ The EU-countries declared in Helsinki: 'The European Council underlines its determination to develop an autonomous capacity to take decisions and, where NATO as a whole is not engaged, to launch and conduct EU-led military operations in response to international crises. This process will avoid unnecessary duplication and does not imply the creation of a European army.'¹⁴

One example of the EU-efforts to avoid unnecessary duplication is the fact that planning by the EUMS will only be done on the level of strategic planning (planning activities that start as soon as a crisis emerges and end when the EU political authorities approve a military strategic option or a set

¹¹ 'The right balance will secure NATO's future', in: *The Financial Times* (07/10/1998).

¹² Yost, *NATO transformed* 205.

¹³ The difference between necessary duplication and unnecessary duplication can be understood as the difference between duplication which leads to a better performance of the European military (i.e. European improvements in the fields defined by the Defense Capabilities Initiative (see below) such as air and sea mobility, strategic reconnaissance and precision guided weapons) and duplications which will lead to a dispersion of the limited resources and the creation of transatlantic rivalries (i.e. setting up a NATO-like integrated military structure). See for further views on the difference between necessary and unnecessary duplication: F. Heisbourg a.o., *Chailot paper 42. European defence. Making it work* (Paris 2000) 45 - 55.

¹⁴ Presidency conclusions of the European Council meeting in Helsinki (10 and 11 December 1999).

of military strategic options).¹⁵ The force-planning (balancing budgetary resources with force requirements) and operational planning (planning for a specific operation) are left to NATO. The idea behind this division of labour is that the EU and NATO should work closely together when a crisis occurs. For this to work, it is necessary that the EU can make use of NATO-assets (Airborne Warning and Control System (AWACS) aircraft, headquarters element, pipelines, radars and other air-defense and air command-and-control systems, communications equipment, airfields and storage depots¹⁶) and capabilities (planning structures). The final agreement on ‘guaranteed access to the alliance’s operational planning, presumption of pre-identified assets and capabilities and identification of a series of command options made available to the Union’¹⁷ has still to be made at the time of writing. Nonetheless, agreement on this issue has become closer since NATO-member Turkey gave up its resistance to such an agreement in December 2001.¹⁸ Since it was above all Turkey who had severe problems with the EU using NATO-assets and capabilities, it would have been a *de facto* agreement, were it not that Greece protested vehemently on the deal with Turkey.¹⁹

Just like is the case with duplication, some *discrimination* between members and non-members is unavoidable. The EU is a unique organisation with unique duties and rights. One cannot expect the EU to give the same rights as members have to non-members. Nonetheless, some degree of participation is necessary to make ESDP acceptable for non-EU members whose interests are touched by the ESDP. Therefore, during the EU-summit in Feira, action has been taken to create a ‘necessary dialogue’ with the six non-EU European NATO members (Hungary, Iceland, Norway, Poland, Czech Republic and Turkey). The same was the case for a second group of fifteen countries, consisting of ‘the six’ plus the candidates for accession to the EU (Bulgaria, Cyprus, Estonia, Latvia, Lithuania, Malta, Romania, Slovenia and Slovakia).²⁰ During the summit in Nice it was decided that the set of countries with which a dialogue was thought useful should be extended with ‘Russia, the Ukraine (...) and other interested states such as Canada’.²¹

With most of the countries, especially with the ‘six’ and the ‘fifteen’, the cooperation will go beyond a political dialogue only: ‘The full and complete implementation of the Nice arrangements with the 15 and the 6, their additional contribution to the civilian and military capabilities and their *participation* [italics, *NvW*] in a crisis management operation in conformity with those arrangements (in particular by setting up a Committee of Contributors in the event of an operation) will appreciably

¹⁵ Definition taken from: European Council Decision of 22 January 2001 on the establishment of the Military Staff of the European Union (2001/80/CFSP), in: *Official Journal of the European Communities* (30/01/2001) L27/7 - L27/10.

¹⁶ Definition taken from: D.S. Yost, ‘The NATO capabilities gap and the European Union’, in: *Survival* 42, No.4 (Winter 2000/2001) 98.

¹⁷ Presidency conclusions of the European Council meeting in Laeken (14 and 15 December 2001).

¹⁸ ‘Türkey gibt Widerstand gegen EU-Eingreiftruppe auf’, in: *Die Frankfurter Allgemeine Zeitung (FAZ)* (4 Dezember 2001).

¹⁹ ‘Warten aus das Ja aus Athen’, in: *FAZ* (10 Dezember 2001).

²⁰ Appendix I to the presidency conclusions of the European Council meeting in Feira (19 and 20 July 2000).

²¹ Annex VI to the presidency conclusions of the European Council meeting in Nice (7, 8 and 9 December 2000).

strengthen crisis-management operations carried out by the European Union.²² In this respect, the ESDP has been opened for non-EU members and discrimination has been limited as far as possible. Illustrative for the large participation of non-EU members are the contributions made by Turkey, Norway, Poland and the Czech Republic to the Helsinki Headline Goal during the Capabilities Commitment Conference (see below).

The last concern of the USA, *decoupling*, strikes to the heart of the transatlantic link. Decoupling European security from American security will mean the end of NATO since the far reaching transatlantic security cooperation can be regarded as the heart of the alliance. That makes it very unlikely that Europe will pursue a policy which will lead to such a situation. In Europe 'there is a (...) consensus to reject any prospect implying transatlantic decoupling'.²³ The reason for this is that Europe needs the USA to be involved in (European) security issues, simply because it is the only superpower left. This reality is as clear to European policymakers as to their American colleagues and in this respect decoupling is not an issue anymore. In fact, it could be said that the *American* fear for decoupling has been replaced by a *European* one. From 1999 on, the USA have been active in building a national missile defense (NMD) system and just like the Europeans before, now the Americans have to convince their allies that decoupling will not be the consequence of the initiative.

That is exactly what they have done. In reaction on European concerns, the USA have not only undertaken a great effort to convince their allies of the necessity of the NMD, but also tried persuading the Europeans to join and that has had its effects. The original NMD-plans were restricted to a *national* defense system which would only protect the USA. At this moment, more and more American and European policymakers are promoting a wider missile defense system that would include the European allies. Illustrative for that development is the agreement that was reached between the American company Boeing and its European competitor EADS to carry out a joint research program on a *global* missile defense system in July 2002.²⁴

The conclusion could be drawn that the three *d's* have become irrelevant for the present debate on ESDI and the transatlantic link. That is confirmed by the relevant parts of the final communiqué of the ministerial NAC-meeting that was held in Budapest in May 2001. The paragraphs that deal with ESDI make clear that the fears of duplication, discrimination and decoupling have been taken away by the establishment of a strong NATO-EU relationship that 'ensures the alliance's continued military effectiveness and Allied cohesion'.²⁵

In spite of the fact that the current transatlantic debate is not determined by any of those *d's* anymore and that there is a large American support for ESDI, it cannot be said that there are no issues

²² Annex II to the presidency conclusions of the European Council meeting in Laeken (14 and 15 December 2001).

²³ Heisbourg, *European defence* 35.

²⁴ 'Europeans will work on missile defense', in: *The International Herald Tribune (IHT)* (24 July 2002).

²⁵ NAC Final Communiqué. Declaration of the heads of state and government participating in the ministerial meeting of the North Atlantic Council, Budapest 29 May 2001. Paragraph 41-49.

left that divide the USA and its European allies. Next to the NMD-issue (which is still critically looked upon from the European side) another basis for transatlantic tensions can be found in a growing American unilateral approach in the field of international security since 1998. In that year, the USA carried out air strikes in Sudan and Afghanistan without a mandate of the United Nations Security Council (UNSC), in response to the bombings of the American embassies in Kenya and Tanzania. That operation was followed by operation 'Desert Fox' in Iraq (December 1998) and 'Allied Force' in Kosovo (1999). Both operations lacked an explicit approval of the UNSC.²⁶

The same unilateralist tendency caused the transatlantic battering following the state-of-the-union speech of George Bush on 29 January 2002. The American president declared in his speech that an 'axis of evil', including Iraq, Iran and North Korea, threatened the peace of the world. Therefore it would be necessary to expand the war on terrorism beyond Afghanistan. The European allies reacted critically. The French foreign secretary Hubert Vedrine said during an interview for a French radio programme: 'Today we are threatened by a new simplistic approach that reduces all the problems in the world to the struggle against terrorism'²⁷. His German colleague Joschka Fisher declared that the Europeans would refuse to be treated as satellite states. Even America's closest ally in the war on terrorism, the UK, denounced American foreign policy in the words of foreign secretary Jack Straw as 'domestic electioneering'. From the European institutional level, the EU-Commissioner of foreign relations, Chris Patten, made a contribution to the criticism by saying that Bush was taking an 'absolutist approach to the world'.²⁸

The European reaction caused an American counter-reaction in which foreign secretary Collin Powell accused Vedrine of 'getting the vapours' and he declared that he 'shall have to have a word' with Patten.²⁹ It was the EU's high representative Javier Solana who tried to soften the transatlantic battering, saying that: 'the relationship between the United States and the EU is crucial and we should not play with that relationship and the US should not play with it either.'³⁰ A year before, he had used similar words during an interview published in the periodical *Politique internationale*: 'Si chacun accepte de dialoguer de manière intelligente et pragmatique, il n'y a pas de tensions avec les Américains'.³¹ Nonetheless, even if the Europeans and their American allies had chosen wiser words to formulate their grieves, it cannot be denied that there existed a substantial source for these tensions. The tensions had everything to do with the Europeans wanting to have a say in the war on terrorism, but not being able to as a consequence of their minimal military contribution to the operation. That observation is illustrated by the fact that after the Europeans eased their criticism on their ally at the

²⁶ R. de Wijk, 'The limits of military power', in: *The Washington Quarterly* (Winter 2002) 87.

²⁷ 'France Upbraids U.S. as 'Simplistic'', in: *IHT* (7 February 2002).

²⁸ 'President hardens line on the axis of evil', *IHT* (18 February 2002).

²⁹ 'Powell shrugs off Europe's dismay at 'axis of evil speech'', *Financial Times* (14 February 2002).

³⁰ 'Solana seeks to soften Europe's anti-US tone', in: *IHT* (20 February 2002).

³¹ Zecchini, Laurent, 'Entretien avec Javier Solana. L'Europe-Puissance', in: *Politique Internationale* 92 (Été 2001) 219.

beginning of March, they remained ‘concerned about playing a subordinate standby role’.³² That concern led to a repetition of European criticism on American unilateralism when American plans to attack Iraq seemed to become more and more definite in July 2002.³³

When studying these tensions, it should be realised that American unilateralism is only one side of the coin. The other is the lack of military capabilities to carry out operations with an expeditionary character among the European allies. That deficiency has caused the birth of a capabilities gap between the USA on the one hand and the European NATO-countries on the other. A direct consequence of the capabilities gap is a relative low European influence on security matters as has been proved in Afghanistan: the small European military contribution to ‘Enduring Freedom’ led to a small influence on the operation as a whole. This lack of influence and the resulting *de facto* American unilateral approach led to European frustrations as pointed out above.

Of course one could ask the question whether the small European contribution to the military campaign in Afghanistan was the result of a lack of military capabilities or rather the result of an American policy ‘to go it alone’ anyway. I argue that it is a combination of both. From a military point of view, the USA were comfortable with the low European contribution: it is easier to wage a war unilaterally than with allies which must be informed and consulted during the operation. On the other hand, a perfectly healthy NATO with ample power projection capabilities should be able to carry out a campaign similar to the American effort in Afghanistan, without losing much of its military effectiveness. The European lack of capabilities made such an operation impossible from the beginning.

It could be said that current transatlantic tensions in the security field are mainly born out of an American unilateral approach combined with a limited European capacity to deploy military forces abroad. In that sense, this particular combination has replaced the concern for a European security structure that competes with NATO as a source of transatlantic tensions.

2.2 *The European military capabilities problem*

The European lack of capabilities for expeditionary operations finds its origins in the Cold War. While the European allies were focused on territorial defense in Europe, the USA prepared their forces for trans-oceanic power projection.³⁴ The consequence of this long-term orientation was that: ‘The reality today is that only the US has the capacity to project power against states that threaten the United States and its allies.’³⁵ The same counts for crisis management operations because these demand the same

³² ‘Europeans ease criticism of Washington’, in: *IHT*, (5 March 2002).

³³ ‘U.S. plan to invade Iraq raises alarms’, in: *The New York Times (NYT)* (23 July 2002) and ‘U.S. disdain provokes new unity in Europe’, in: *NYT* (22 July 2002).

³⁴ Yost, ‘The NATO Capabilities Gap’ 99.

³⁵ ‘President hardens line on the axis of evil’, *IHT* (18 February 2002).

power projection capabilities. The European lack of these capabilities was made clear during the Kosovo-war (1999) in which American forces played the dominant role in spite of the fact that all nineteen NATO members participated in one form or another. The USA paid about 80 percent of the costs of the air campaign and supporting-force deployments, it supplied 650 of the 927 aircraft that participated in the operation and these aircraft delivered more than 80 percent of all ordnance, flew 52 percent of all strike missions and performed just over 70 percent of all support missions.³⁶ In addition, 'certain capabilities were provided solely or almost entirely by the United States, including offensive electronic warfare, airborne command and control, all-weather precision munitions, air to air refuelling and mobile target acquisition.'³⁷

This domination on the battlefield by the USA, was analogous to the American domination in the decision making procedures.³⁸ In many respects 'Allied Force' was an 'American only show', possible, because of the phenomenon of 'double hatting' within the NATO integrated military structure which means that all important American officers within NATO are carrying two 'hats', thus taking orders from both NATO and Washington at the same time. In practice, that made the operation much more effective, because it became soon clear that it took some time before a given target could be selected and approved by NATO's own command and control structure. Nonetheless, the European partners still had enough influence on the decision making process to frustrate American operational planners; not only because of ineffective and time consuming consultations, but also because of the European lack of capabilities, causing operational problems.

In order to overcome these deficiencies, NATO launched the Defense Capability Initiative (DCI) during the Washington summit (April 1999) with the objective 'to ensure the effectiveness of future multinational operations across the full spectrum of alliance missions in the present and foreseeable security environment with a special focus on improving interoperability among forces and where applicable also between alliance and Partner forces.'³⁹ From the Washington-summit on, the DCI could be regarded as one of the most important aspects of the development of ESDI, because it would simply be impossible to build ESDI without proper capabilities supporting it. Therefore, NATO defined 58 areas in which European improvements would be necessary. Five of them were picked as key areas: (1) deployability and mobility, (2) sustainability and logistics, (3) effective engagement, (4) survivability of forces and infrastructure and (5) command-and-control and information systems.⁴⁰

At the same time, NATO was not the only organisation that was dealing with a general lack of European capabilities. A few months after the launching of the DCI, the WEU came with an 'Audit of

³⁶ 'The NATO Capability gap', in: *Strategic Survey 1999/2000* (London 2000, International Institute of Strategic Studies) 15.

³⁷ Yost, 'The NATO Capabilities Gap' 103.

³⁸ R. de Wijk, *Pyrrus in Kosovo. Hoe het westen de oorlog niet kon winnen en zelfs bijna verloor* (Leidschendam 2000) 102 - 107.

³⁹ 'The Defence Capabilities Initiative', in: *The readers guide to the NATO summit in Washington (Washington 1999)* 61.

⁴⁰ Heisbourg., *European defence* 84.

Assets and Capabilities for European Crisis Management Operations' in which European deficiencies were defined too. A third institution dealing with the deficiencies was the EU. In November 2000 a 'Capabilities Commitment Conference' (CCC) took place that dealt with the development of '(...) an autonomous capacity to take decisions and, where NATO as a whole is not engaged, to launch and conduct EU-led military operations in response to international crises'.⁴¹ During this conference, the EU-member states committed themselves to contributions (on a voluntary basis) to the European Quick Reaction Force: a pool of more than 100.000 men, 400 combat aircraft and 100 ships was created; more than had been expected. In addition to these national contributions, attention was given to the development of multinational strategic capabilities. These capabilities included: (1) command, control and communications, (2) collective early warning capabilities and pre-decisional situation assessment and strategic planning, (3) intelligence and (4) strategic air and naval capabilities.⁴² Further, just like had been done within NATO and the WEU, areas were identified in which improvement would be necessary. Not surprisingly, these areas were very similar to the shortcomings defined in the DCI and the WEU-audit. In fact, about 70 percent of the shortcomings identified in the DCI overlap with those within the CCC.

What results have been reached since the launch of the three initiatives? In order to answer that question it is useful to make a distinction between the absolute improvements that have been made and the relative state of affairs as compared to the current capabilities of the USA.

With regard to absolute improvements the DCI has booked some progress in enhancing European capabilities. Nonetheless, the initiative as a whole can certainly not be regarded as a great success. In 2002, there were still many deficiencies left and during a ministerial meeting of the Defence Planning Committee and the Nuclear Planning Group it was stated that: 'It is clear that more effort needs to be focussed on the development of *key capabilities* including defence against nuclear, chemical and biological weapons, strategic transport, support capabilities for combat units and a number of specialised capabilities such as surveillance and target acquisition, support jamming and air-to-air refuelling'.⁴³ It was decided that this enhanced effort would be made in the form of a follow-on programme, or a revised DCI, which was launched during the Prague summit in the fall of 2002.⁴⁴ A revised DCI implicates almost automatically that the *old* DCI has failed to make a significant contribution to the elimination of the capabilities gap. In that sense it is absolutely necessary that a new effort will be made to deal with this problem. A promising feature of the new initiative is that: 'It should achieve mutual reinforcement and full transparency with the related activities of the European Capability Action Plan' (see below) and that: 'It will also strengthen our capabilities for defence

⁴¹ European Union Military Capability Commitment Declaration.

⁴² K. Homan, B. Kreemer en F. Osinga, *De militaire staat van de Europese Unie* (Den Haag 2001, Netherlands Institute of International Relations Clingendael) 40 - 41.

⁴³ Ministerial meeting of the Defence Planning Committee and Nuclear Planning Group. Final Communiqué (2002,071) (6 June 2002), paragraph 5.

⁴⁴ Prague Summit Declaration. Issued by the heads of state and government participating in the meeting of the North Atlantic Council in Prague on 21 November 2002.

against terrorism'.⁴⁵ These new aspects are pure improvements on the old DCI, since they deal with the current security demands.

As far as the WEU-audit and the CCC are concerned, a useful indicator of absolute improvements is the balance made during the Capabilities Improvement Conference (CIC) of the EU in November 2001. The conference made clear that some deficiencies have been eliminated, but at the same time it was stated that: 'efforts must be made if the Union is to be able to carry out the most complex operations as efficiently as possible and to reduce any limitations and restrictions in terms of the breadth of the operation and the period of deployment as well as the level of risk.'⁴⁶ In order to deal with the still existing shortcomings a European Capability Action Plan (ECAP) has been launched, 'incorporating all the efforts, investments, developments and co-ordination measures executed or planned at both national and multinational level with a view of improving existing resources and gradually developing the capabilities necessary for the Union's activities.'⁴⁷ Implementation of the ECAP has begun during an opening gathering which took place on 11 and 12 February 2002 in Brussels.

Taking notice of the slow progress in eliminating the defined military shortcomings, the EU's high representative for foreign policy, Javier Solana, made clear that he doubted the full operational capability of the EQRF to be reached by 2003.⁴⁸ In spite of this realistic view, the European Council declared the EQRF partly operational during the summit in Laeken and held on to the deadline of 2003. In that year, the EQRF is scheduled to become fully operational and must be capable to conduct a crisis management operation as defined by the Petersberg tasks. In fact, such an operation has already been planned. Starting on 1 January 2003, the EU will take over the police mission in Bosnia and Herzegovina that is currently carried out by the UN. Further, during the Barcelona European Council meeting (15-16 March 2002) it was announced that the EU is available for taking over the mission in the former Yugoslav Republic of Macedonia from NATO.⁴⁹

Even if the EQRF becomes fully operational in 2003, the question is whether the existing contributions will be sufficient, in quantitative and qualitative terms, to perform the Petersberg tasks, including the most demanding. It needs to be realized that the number of 100.000 soldiers includes one-third logistics, one-third combat support forces and (only) one-third manoeuvre or combat forces. That means that for the actual deployment in the field, no more than approximately 33.000 troops are available. And that while: '(...) for relatively large scale sustained combat operations, the EU might need 50.000 up to 60.000 combat forces'.⁵⁰ With a total European military force of two million soldiers it should be no problem to provide that amount of combat troops. The difficulty is that the

⁴⁵ Statement on capabilities. Issued at the meeting of the North Atlantic Council in defence ministers session. *Press release (2002) 074* (6 June 2002) paragraph 6 and 5.

⁴⁶ European Union 2386th General Affairs council meeting (Brussels 19-20 November 2001).

⁴⁷ EU 2386th General Affairs council meeting.

⁴⁸ 'EU Eingreiftruppe nimmt gestalt an', in: *Die Welt* (20 November 2001).

⁴⁹ Presidency Conclusions of the European Council Meeting in Barcelona (15 and 16 March 2002) paragraph 61.

⁵⁰ Heisbourg, *European defence* 80.

largest part of these two million soldiers is little more than a 'paper tiger', illustrated by the fact that despite its large military force, Europe was only able to send two percent of its total armed forces to Kosovo (and with great difficulties).⁵¹ That implicates that the real problem lies in the quality of the European military forces in general and the planned ERRF specifically: 'It is, of course, the deployability and sustainability of forces away from home territory - not just the numbers of troops in uniform - that is the name of the game in crisis management'.⁵²

The capabilities gap is a quality gap and three years after the DCI was launched, the gap threatens to grow rather than to diminish. There may be some absolute improvements of European capabilities, but compared to the developments in the USA there is little reason for optimism. The so called Revolution in Military Affairs (RMA) is progressing with great speed within the American armed forces, stimulated enormously by the current war on terrorism. Characteristic for the American determination to keep up with modern warfare, is the drastic augmentation of the American defense budget in February 2002. The Bush administration decided to spend yearly \$48 billion *more* on defense, rising the total budget to \$378,6 billion.⁵³ The European NATO-allies, at the same time, have made their own (modest) contribution to the war on terrorism, but only by deploying existing military forces. They neither increased their defense budgets on a large scale, nor made substantial additional investments. Instead they choose for a contribution - however small it was - that exhausted their already limited military capabilities even further. Although that counts above all for Germany - as I will make clear in chapter four - even the principal American ally in the war on terrorism, the UK, experienced readiness problems.

Another way to illustrate the American devotion to the RMA is by pointing to the constant search for new concepts and doctrines that are thought to be suited to deal with the current security situation, i.e. the Western vulnerability versus the asymmetric threat that is posed by terrorism. The recent American 'nuclear posture review' is a good example of (controversial) military innovative thinking: it deals with the question how a weapon of mass destruction (WMD) can be used without being *too* destructive. Of course, one can wonder whether such a development will be acceptable from several non-military points of view and whether Europe should support such a development. From a military point of view however, a different approach in the matter at both sides of the Atlantic would stimulate the capabilities gap to grow wider.

A second example of American doctrinal development is the doctrine of pre-emptive action. The Bush administration has stated several times that the USA should be ready to carry out an attack against any alleged enemy, before that enemy strikes first. During the NATO-summit on 6 June 2002,

⁵¹ 'The NATO capability gap', in: *Strategic Survey 1999/2000* (London 2000, International Institute of Strategic Studies) 100.

⁵² Speech by the U.S. Permanent Representative on the North Atlantic Council: Alexander Vershbow, 'The United States, NATO and Europe: Building a More Balanced Partnership', Security Issues Digest No. 186 (27 September 2000). Source: <http://www.nato.int/usa/ambassador/s20000927f.html>

⁵³ 'U.S. advises Europeans to spend more on militaries', *IHT* (6 February 2002).

American secretary of defense Donald Rumsfeld stated that the time has come to consider the creation of doctrine that includes the possibility of preventive and offensive actions that could deny opponents (read: terrorists and 'rogue states') the initiative.⁵⁴ On 20 September 2002, the Bush administration published its *National Security Strategy* which included the doctrine of pre-emptive action.⁵⁵

The arguments used in the debate on a possible military action against Iraq in order to make an end to the regime of Saddam Hussein in the Summer and Autumn of 2002 should be seen in the light of the new doctrine. The assumed Iraqi possession of WMD's formed the rationale to plea for a pre-emptive strike. Taking the European criticism on this American approach into account, it seems very unlikely that a European military force would carry out such a strike or even strongly support a unilateral pre-emptive action undertaken by the USA.

That implies a differing approach at both sides of the Atlantic which may possibly widen the capabilities gap for the following reason: enhanced, pre-emptive, unilateral action by the USA will lead to more (war fighting) experience within and transformation of the American armed forces as compared to the European ones. As President Bush said in December 2001: 'The conflict in Afghanistan has taught us more about the future of our military than a decade of blue ribbon panels and think-tank symposiums'⁵⁶. War transforms the military. To give one example: the pre-emptive strike doctrine will probably further enhance the role of special operations forces (SOF). SOF are used to carry out covert or clandestine action like infiltration into enemy territory, search and destroy missions and forward air control. When it comes to these forces, both the USA and the European NATO-members have a limited capacity: about 3000 to 5000 NATO-wide.⁵⁷ Before the war in Afghanistan, Europe did not lag far behind. Both in quantity and quality the European SOF were comparable to the American ones. However, '(...) Afghanistan was a battle laboratory for successful tests of new tactics and weapons (...) and as a consequence of the successes achieved by American SOF, the USA have enhanced the role of these forces in the war on terrorism.'⁵⁸ New tactics, like creating floating bases, are considered and the further development of crucial tasks like forward air control is on the agenda.⁵⁹ Given the difference on opinion with respect to using pre-emptive action as an instrument of international security policy on both sides of the Atlantic, there could emerge a serious gap between American and European SOF: American SOF would transform as a result of 'lessons learned', while European SOF would not.⁶⁰

⁵⁴ 'Remarks by US secretary of state, Donald Rumsfeld, at the defence ministers meeting of the North Atlantic Council'. *NATO speeches* (6 June 2002).

⁵⁵ 'Full text: Bush's National Security Strategy', in: *NYT* (20 September 2002).

⁵⁶ Andrew Koch a.o., 'Afghanistan: the key lessons', in: *Jane's Defence Weekly* (2 January 2002) 20.

⁵⁷ de Wijk, 'Limits of military power', 77.

⁵⁸ 'Service Chiefs say Afghan battle will help military get smarter, stronger and faster', in: *NYT* (10 September 2002) and Kim Burger, 'US Special Operations get budget boost', in: *Jane's Defence Weekly* (20 February 2002) 2.

⁵⁹ 'Service Chiefs say Afghan battle will help military get smarter, stronger and faster', in: *NYT* (10 September 2002).

⁶⁰ The possible exception to the rule could be the SOF of the UK, since they have a special tradition of close cooperation with American SOF.

In sum, one could say that the capabilities gap is declining (very modestly) in an absolute sense only. Compared to the current developments in the USA however, the gap is growing and may keep growing in the nearby future. Is that a problem? For ESDI in general it certainly is. The capabilities gap has already led to many interoperability problems between American and European armed forces. If the gap is not closed, NATO-operations will continue to be determined by the same problems that occurred during operation 'Allied Force', or even worse.

For the ESDP as a part of the ESDI and as a specific EU-program, the gap must not necessarily be a problem. The pace of progress is slow, but it should be possible to eliminate the defined deficiencies in the context of the ECAP so that the ESDP can take shape and operations like the police mission that has been planned for in Bosnia and Herzegovina can be carried out. In short, with the deficiencies as defined in the ECAP eliminated, the EU should be able to carry out operations at the lower end of the conflict spectrum.

The gap only becomes a problem when the EU wishes to carry out operations at the upper end of the conflict spectrum. *Autonomous* EU-operations at the upper end of the conflict spectrum demand more robust capabilities than are currently aimed at. *Non-autonomous* operations, involving NATO and/or the USA, demand a high level of interoperability between American and European armed forces. Operation 'Allied Force' has shown that efficient cooperation cannot take place with a high level of asymmetry in capabilities. So the answer to the question whether the capabilities gap will be a problem for the ESDP in particular depends on which level of ambition the EU wants to operate.

2.3 *The lack of a European strategic concept*

If the EQRF will be fully operational in 2003, the question remains what the EU will do with it. Despite the fact that the Petersberg tasks give some guidance and that the EU-Summit in Helsinki led to the decision that 'the EU must be able to perform the most demanding tasks', a clear strategic concept that should guide the ESDP is lacking. Such a concept should define the goals to be reached and the way how to reach them. The Petersberg tasks are very vague on the matter. Since they could mean anything, from peace keeping to war fighting, the only strategic certainty at the time is that the EQRF will not deal with collective defense (in the nearby future).

A strategic concept is necessary in order to make clear what the ESDP is actually about. For the strength of the transatlantic link that is important, since the USA have to know what to expect from Europe. Answers must be found to questions like: Where and when will Europe make use of its military capabilities? What kind of operations will be conducted by the EU? How will these operations

be conducted?⁶¹ The reason why these issues have not been solved yet has to do with the lack of consensus within the EU. Traditionally, there exist two dominant approaches when it comes to the level of ambition. The first approach is the *maximalist approach*, favouring an ESDP which is as autonomous as possible (i.e. independent from NATO and the USA) and capable to carry out operations through the entire conflict spectrum, including war fighting-like operations. The foremost representative of this approach is France. As a non-member of NATO's integrated military structure, France already pleaded for a big European influence within the context of the CJTF-concept from its endorsement in 1994 on. The concept had to be as independent from the integrated military structure and the major American NATO commanders (SACEUR and SACLANT) as possible. Within the context of the ESDP, France continues this policy.

The opposite of the maximalist approach is the *minimalist approach* which favours an ESDP in which autonomous action should be carried out at the lower end of the conflict spectrum, while more war fighting-like operations should be carried out only together with the USA. The typical representative of this approach is the UK. The UK regards itself as the ultimate transatlantic bridge between Europe and the USA. The Saint-Mâlo declaration may have been a 'major shift in British security policy' in the sense that the UK realised that the USA would 'no longer automatically underwrite European security in the same way as during the Cold War'⁶², it was not with respect to the conviction that the USA would still be crucial to European safety. Consistent with this opinion, the UK is lobbying for a strong institutional link between NATO (involving the USA) and the EU.

As long as there is no clear strategic concept on the matter (for example in the form of a European white paper) both the maximalist and the minimalist approach could become the dominant one. Nonetheless, the fact that an institutional link between the EU and NATO is being worked upon and the fact that Europe is acquiring the necessary capabilities to perform the 'most demanding' Petersberg tasks only with great difficulty, in practice the ESDP is developing more and more towards the minimalist approach. What does this tendency towards a minimalist approach mean for the transatlantic link?

2.4 A division of labour between NATO and the EU ?

If the minimalist approach became dominant it would mean that the EU would perform tasks autonomously only in the lower end of the conflict spectrum. The war fighting tasks would have to be performed by NATO, thus establishing a division of labour between both organisations. An argument in favour of such a division can be found in the fact that both organisations have a fundamentally

⁶¹ A. van Staden a.o., *Towards a European strategic concept* (Den Haag 2000, Netherlands Institute of International Relations Clingendael) 5.

⁶² J. Howorth, 'Britain, France and the European Defence Initiative', in: *Survival* 42/2 (Summer 2000) 34.

different character. The EU is an organisation with a predominant civil and economic character. As a result of this, the EU has a strong orientation towards 'soft power security issues', which can be regarded as issues involving little or no aspects of military force. These issues can range from the pursuance of economic and financial interests to emergency and humanitarian operations. In addition, the instruments mostly used by the EU are characterized by a soft power approach too. During the Gulf War (1991) the European Communities (EC) were not directly involved in the liberation of Kuwait, in contrast with some of its member states that were fighting in the coalition led by the USA. Instead, the EC played an active diplomatic and economic role.⁶³ This orientation has not changed during the 1990's and in spite of the birth of the ESDP at the end of the last decade, the EU still has little experience with hard security issues.

With this orientation, the EU would be more suited to carry out the less demanding Petersberg tasks such as peace keeping and peace building, than the most demanding ones. These are the areas where Europe can improve on the USA. Whereas the USA have a large military lead in the field of war fighting, the Europeans have demonstrated on several occasions that they have more skills required for crisis management at the lower end of the conflict spectrum than what the Americans have. The explanation lies in the fact that peace keeping or peace building are simply not the same as war fighting and therefore demand specific skills.⁶⁴ Seen in this light, it seems only logical that the USA opposed several times any direct American participation in the International Security and Assistance Force (ISAF) in Afghanistan. During a visit of Afghanistan's interim minister-president Hamid Karzai in Washington at the end of January 2002, president Bush promised logistical support and assured that ISAF-forces would be evacuated by the American forces in the case of an emergency, but he refused to contribute American soldiers.⁶⁵ Nation building in Afghanistan was left to the Europeans.

Besides the fact that the EU has a strong soft-power orientation, the EU as such is not a very suited organisation to wage war. In general, for democracies it is difficult to decide on the ongoing issues of war effectively when vital interests are not at stake.⁶⁶ Fifteen (or perhaps twenty-five in the nearby future) democracies will have even more problems in coordinating their views and actions. The Kosovo War has shown, that even a highly specialized military organisation such as NATO has its own difficulties in coordinating action and achieving the necessary unity of command during the operation. It was because of the vast American contribution to the campaign and its subsequent domination of the decision making process that some unity of command was possible in the first place. One of the reasons why NATO, in spite of the activation of article V, was almost not involved in

⁶³ K. Featherstone and R.H. Ginsberg, *The United States and the European Union in the 1990's. Partners in transition* (New York 1993/1996) 9.

⁶⁴ J. Lindley-French, 'Full spectrum infighting? Closing the warfighting/peacekeeping gap in transatlantic security relations', in: *RUSI Journal* (April 2001) 24.

⁶⁵ 'Lebender Beweis für den Erfolg', in: *FAZ* (30 Januar 2002).

⁶⁶ de Wijk, *Pyrrus in Kosovo* 239.

'Enduring Freedom' was that the USA did not want a second 'Allied Force' in which it had proved to be difficult to get all the allies on one line.⁶⁷

Nonetheless, NATO is able to perform large-scale operations at the upper end of the conflict spectrum effectively. While the EU is a civilian power, NATO is a military organisation whose primary function is to defend its members and, if necessary, to deal with a crisis by military force. The integrated military structure combined with a natural leading role of the USA makes this organisation more suited for war fighting than the EU. This has not been changed by the gradual development of ESDI and it is of great importance that it will neither change as a result of new initiatives such as the creation of the NATO-Russia council, nor with the coming expansion with former Warsaw pact countries. For the sake of European security it is absolutely necessary that NATO remains an efficient military organisation and does not degenerate into a mere consultative body.

A division of labour between NATO and the EU would demand a close cooperation between both organisations, enabling the EU to make use of NATO's integrated military structure. The cooperation should be formalised in a final agreement on the guaranteed access to NATO-assets and capabilities. Such an agreement would make three options of action possible. The first option would be an operation under the politico-military leadership of NATO, the second option would be an autonomous EU-led operation that could make use of NATO-assets and capabilities. Both options (the first to be preferred above the second because of reasons of military effectiveness) should be used when dealing with large scale operations in the upper end of the conflict spectrum, since they would include the NATO-collective assets and capabilities needed for robust action. In addition, the first option would also involve the USA and with it ample assets and capabilities. If neither NATO's collective assets and capabilities nor those of the USA would be available, the third option would be an autonomous EU-led operation without any involvement of NATO. With the dominant civil and economic character of the EU and the lack of capabilities in mind, this option could be used only in case of an operation at the lower end of the conflict spectrum.

I would like to stress that the described division of labour should be understood as a division of labour between NATO and the EU (or, given the dominance of the USA within NATO, a division of labour between the USA and the EU) in a hypothetical world. That would be a world in which the USA would be willing to participate at *all times*, or at least willing to be materially involved, in *all operations* at the upper end of the conflict spectrum. There would hardly be any other choice, because the lack of military capabilities would deny the Europeans the possibility to carry out significant war fighting operations under option one, two or three. A lack of capabilities would therefore make an operation in the upper end of the conflict spectrum without any involvement of NATO or the USA, i.e. option three, impossible. The operations under the politico-military leadership of the USA and those

⁶⁷ P.H. Gorden, 'NATO after 11 September', in: *Survival* 43, no.4 (Winter 2001/2002) 92.

under the leadership of the EU, using NATO-assets and capabilities, would have an 'Allied Force' character: the USA would necessarily have to provide most military power.

Of course, we do not live in such a hypothetical world. In the real world the minimalist approach would mean a division of labour between the EU and NATO (the USA) with the following negative consequences. First of all, the European dependency on American capabilities would cause transatlantic tensions. That has already been the case. The Americans have a strong wish for burden sharing, but the Europeans are not able to deliver it. On the other hand, the Europeans want to have more influence on security policy, but they don't get it. The Americans hold on to their share, because they pay the bill.

Secondly, without the capacity to choose whether to perform a specific operation at the upper end of the conflict spectrum autonomously or not, the ESDP - depending heavily on the willingness of NATO and the USA to get involved in high intensity conflicts - would be very restricted. The EU should have the capacity to perform autonomous action in high intensity conflicts. Not only because the Petersberg tasks include those described as 'most demanding', but also in order to pursue its interests. With a lack of military capabilities, the EU will - at best - only be able to pursue its general or subsidiary interests, such as the protection of universal humanitarian values and the promotion of international law, autonomously. In general, these interests demand little or no military capabilities and can at best be pursued with soft power instruments which are abundant within the EU. However, just like the USA, the EU has distant economic and political interests (essential interests) and - very clear after 11 September 2001 - interests that are concerned with the immediate survival of the state (vital interests).⁶⁸ The defense of vital interests are left to NATO, but at least the essential interests should be covered by the ESDP as a part of the CFSP of the EU. The problem is that the pursuit of these interests could demand the currently absent war fighting capabilities.

A third negative consequence of a division of labour would be that a *de facto* EU-specialisation at the lower end of the conflict spectrum would have far reaching consequences for both ESDI in general and the ESDP in particular. Such a specialisation would make it increasingly difficult to perform military tasks in high intensity conflicts, needed to perform robust actions within the context of NATO (option one and two) and to pursue above mentioned essential and vital interests. Further, in spite of Europe's current qualities in performing operations at the lower end of the conflict spectrum, focussing on this area alone will lead eventually to unsuccessful crisis management. In order to be able to carry out a crisis management operation successfully, one needs forces capable of true war fighting at the upper end of the conflict spectrum. In the words of the British general Sir Charles Guthrie: 'Capabilities based on war fighting will give us the ability to contribute to other types of operations - the reverse is not true.'⁶⁹ This has everything to do with the principle of escalation-

⁶⁸ Van Staden a.o., *European strategic concept*, 28.

⁶⁹ C. Guthrie, 'The UK's armed forces: warfighters or peacekeepers?', in: *Jane's Defence Weekly* (3 January 2001) 21.

dominance: a crisis management force must have the capability to remain dominant among the warring parties. Europe lacks the capabilities to attain that dominance which is exactly the reason why American soldiers are still present at the Balkans. In fact, one of the principal reasons why the United Nation's Transitional Authority in Eastern Slovenia (UNTAES, 1996-1998) was so successful, lies in the fact that the operation was headed by an American general, thus ensuring political and military support of a superpower.⁷⁰

In sum a division of labour between NATO and the EU, based on a lack of capabilities and on the minimalist approach, would be destructive for ESDI and the transatlantic link. The EU should be able to act autonomously in the entire conflict spectrum in order to defend its essential and vital interests and to carry out successful crisis management tasks. Such an ability would imply ample capabilities and the adoption of the maximalist approach. Both conditions should be regarded as being 'necessary' for the creation of a balanced ESDI. Balanced, because it would be a compromise between American and European demands. The American wish for burden sharing (without the weakening of NATO) would be fulfilled and the Europeans would have a larger responsibility in the security environment (including the possibility of autonomous action).

⁷⁰ R. Caplan, *A new trusteeship? The international administration of war-torn territories* (New York 2002, International Institute for Strategic Studies, Adelphi Paper 341) 26.

3. Germany's foreign and security policy

‘Wir, die deutschen, nach Bevölkerungszahl und Wirtschaftskraft das stärkste Land der Europäische Union, wollen in Europa eine angemessene, aber keine dominante Rolle spielen.’⁷¹

Both the creation of capabilities and the adoption of the maximalist approach need active support of the three pivotal countries: France, the UK and Germany. As I pointed out in the introduction, it is interesting to deal with the question to what extent Germany's foreign and security policy supports the creation of a balanced ESDI. In order to answer this question I will start with a short description of the traditional restraints on Germany's foreign and security policy. After that, I will investigate to what extent these restraints have been replaced by the *new* foreign and security policy that accepts the military instrument as a means of last resort. In other words, the following sub-question will be answered: is Germany, with its legacy of domestic and international restraints on its foreign and security policy ready to support and participate in the most demanding Petersberg tasks? I will end this chapter by answering the question what particular traits of the new foreign and security policy (could) support the creation of a balanced ESDI.

3.1 *The traditional restraints on Germany's foreign and security policy*

Where its foreign and security policy is concerned, Germany is often called a ‘civilian power’. In other words: a power with ‘a particular foreign policy identity which promotes multilateralism, institution-building and supranational integration and tries to constrain the use of force in international relations through national and international norms’.⁷² The strong wish to abstain from the use of force in international relations (the so called ‘culture of restraint’) determined the foreign and security policy of the Federal Republic of Germany (FRG) between 1949 and 1990. The constitution represented this particular German approach by pointing in several articles to the following duties: the maintenance of peace, the prohibition of waging a war of aggression, the preparedness to open, cooperative internationalism and the respect and stimulation of human rights.⁷³ Above all the prohibition of waging a war of aggression has been important in creating the foreign and security policy identity. In article 26,1 one can read: ‘Handlungen die geeignet sind und in der Absicht vorgenommen werden, das friedliche Zusammenleben der Völker zu stören, insbesondere die Führung eines Angriffskrieges

⁷¹ Hans-Ulrich Klose, ‘Die Europäer auf der Suche nach einem eigenen Weg. Interessenkollision mit den USA?’, in: *Europäische Sicherheit* 9 (2001).

⁷² H.W. Maull, ‘Germany and the use of force. Still a civilian power?’, in: *Survival* 42, No. 2 (Summer 2000) 56.

⁷³ S.G. Bierling, *Die Außenpolitik der Bundesrepublik Deutschland. Normen, Akteure, Entscheidungen* (München, 1999) 9.

vorzubereiten sind Verfassungswidrig'.⁷⁴ A direct consequence of this provision was that Germany was not allowed to have armed forces with vast 'power projection capabilities': in order to avoid any incentive to organise a war of aggression, article 87a allows Germany only armed forces for self-defense.

These constitutional restraints were born out of history since the German people's aversion to any use of military force by its government finds its origins in the Nazi period (1933-1945). According to the German foreign policy expert H.W. Maull, the lessons drawn from that period have led to five core principles of German foreign and security policy between 1949 and 1989:

1. The rejection of anything military and any use of force in the settlement of political conflicts.
2. The integration of the FRG within Europe in order to avoid a revival of German military expansionism.
3. A strong preference for political solutions in international conflicts.
4. The definition of German national interests in terms of norms and values.
5. The unification of Germany.⁷⁵

A German foreign and security policy, determined by these principles was not only welcomed by the country's neighbours, but above all by the German people itself. Then it is surely true that no one is more suspicious of the Germans than the Germans themselves'.⁷⁶

In spite of the struggle with the past and the culture of restraint, the FRG became a military power, all be it a passive one. After the outbreak of the Korean War (1950) the USA needed West Germany as an active ally in the Cold War. The country was rearmed and very soon integrated in NATO in the beginning of the fifties. Despite all their fears and suspicion, Germany's former enemies were easier on this process than the German population itself; the discussion on rearmament was one of the most controversial that ever took place in post-war German society.⁷⁷ The reason was that Germany's participation in NATO was substantial and essential for the defense of allied territory. In this respect the term 'civilian power' could be misleading in suggesting the total absence of military power. It is important to realise that West Germany could only be called a 'civilian power' with respect to the fact that unlike other large European countries, like France or the UK, Germany did not use its armed forces to 'solve' foreign policy issues directly in the post-war period. Indirectly, German military power played a large role in the development of the Cold War, just by being there. In that respect the status as a 'middle power' was not appropriate. Nonetheless, that is what Germany got as a

⁷⁴ German constitution, article 26,1.

⁷⁵ Maull, 'Germany and the use of force' 66.

⁷⁶ H. Hubel and B. May, *Ein normales Deutschland? Die souveräne Bundesrepublik in der ausländische Wahrnehmung* (Bonn 1995) 10.

⁷⁷ G.J. Glaessner, *Demokratie und Politik in Deutschland* (Opladen 1999) 82.

result of its relative low military visibility during the Cold War, illustrated well by a lack of a permanent seat in the UNSC.

3.2 *The gradual change of the German foreign and security policy after unification*

After the unification in 1990, the German people expected the continuance of the 'middle power status' of their country.⁷⁸ It was the second Gulf War (1991) which made the reunited Germany realize that something had changed. In Germany and among the country's Western allies, a wide consensus existed on the opinion that German forces could not be sent for a direct combat operation outside NATO-territory yet. The German contribution to the 'coalition of the able and the willing' was therefore limited to: (1) the opening of its territory in order to provide an allied supply route to the Gulf, (2) financial support by donating DM 18 Billion, (3) limited military measures in order to prevent an attack on NATO-partner Turkey and (4) the dispatch of a few mine-sweepers *after* the fighting had ended. Germany's allies regarded these measures as being self-evident and although they did not expect Germany to send combat forces, they expected a firm German support of their war efforts in the Gulf. Allied criticism was born when it became clear that Germany was as absent in the diplomatic field as on the battleground. The German government made no firm declarations of solidarity, supporting the coalition, with the result that only the voices of a leftist minority (designating operation 'Desert Storm' as an example of American imperialistic aggression and calling the operation a 'blood for oil campaign') were heard. Only after the beginning of the ground campaign in the night of 23 to 24 February, the German government declared its solidarity with the coalition.⁷⁹ That was too late to avoid the creation of Germany's image as a 'free-rider' and a 'consumer of security'.

The resulting tensions between Germany and its allies led to a reassessment of the German foreign and security policy. In September 1991 the German minister of Foreign Affairs Hans-Dietrich Genscher declared in front of the General Assembly of the UN that the reunited Germany would accept all rights and duties of the UN-Charter (including the provisions regarding collective security) and that it would be prepared to support international peace with military force if it was asked to.⁸⁰ At that time, German military participation in three UN-operations had already been a fact. From April to June the already mentioned minesweepers were sent to the Gulf region and in addition humanitarian aid was delivered to the Kurds in northern Iraq. The third operation took shape in transporting

⁷⁸ G. Schöllgen, *Die Aussenpolitik der Bundesrepublik Deutschland. Von den Anfängen bis zur Gegenwart* (München 1999) 201.

⁷⁹ Schöllgen, *Die Aussenpolitik der Bundesrepublik Deutschland* 205 and 206.

⁸⁰ 'Das vereinte Deutschland wird alle Rechte und Pflichten der Charta der Vereinten Nationen, einschliesslich der Massnahmen der kollektiven Sicherheit, übernehmen, auch mit unseren Streitkräften.' Cited in: 'Einsatz im Machtspiel', in: *Der Spiegel* 46 (2001) 37.

members of the United Nations Special Commission in Iraq (UNSCOM) who had been assigned to report on the existence of WMD's in that country.

These operations and Genscher's declaration caused a constitutional problem. Since 1972, a consensus existed on a narrow interpretation of Article 24 and 87a of the constitution, which legitimises combat tasks performed by German military forces only in case of territorial defense.⁸¹ This interpretation implied that the *Bundeswehr* was prohibited to carry out an out of area operation (an operation outside NATO territory) as had been proposed by Genscher and as had already taken place. Initially, the government, consisting out of a coalition of CDU/CSU (the christian democrats) and FDP (the liberals), wanted to change the constitution to solve the problem. An amendment of the constitution would demand a two-third majority in the *Bundestag* as well as in the *Bundesrat* and that meant that the government needed the support of the oppositional SPD (the social democrats). The SPD wanted to deploy German soldiers in out of area operations only in the context of peace keeping operations, performing tasks at the lower end of the conflict spectrum. That meant that peace-enforcement operations like 'Desert Storm' would not be included. This limited approach was unacceptable for the christian democrats and the lack of consensus made an amendment of the constitution impossible.⁸² Instead, over time a *de facto* reinterpretation of the constitution (above all among the christian democrats) emerged in which German military participation in out of area operations under the responsibility of the UN became increasingly accepted in practice. A direct result of this new interpretation was a continuation of non-combat (above all humanitarian) missions in the early nineties:

- From May 1992 to November 1993, a contingent of 448 German soldiers was sent to Cambodia within the context of the UNTAC-mission. Their task was to set up a field hospital.
- Starting in July 1992, German airplanes took part in the international air-bridge providing the through Serbian forces enclosed Bosnian city Sarajevo with humanitarian aid.
- From August 1992 to March 1993 humanitarian aid was delivered to Somalia.
- From May 1993 to February 1994, 1700 *Bundeswehr* soldiers were sent to Somalia in the context of UNOSOM II.
- From 1994 on, ten German soldiers were taking part in the UN-mission monitoring the cease-fire agreement between Georgia and Abchasia.
- From July to December 1994, the German air force provided humanitarian aid to Rwandese refugees.⁸³

⁸¹ H. Haftendorn, *Deutsche Aussenpolitik zwischen Selbstbeschränkung und Selbstbehauptung* (Stuttgart/München 2001) 392.

⁸² N. Philipi, 'Civilian Power and war: the German debate about out-of-area operations 1990-1999', in: S. Harnisch and H.W. Maull ed., *Germany as a civilian power? The foreign policy of the Berlin Republic* (New York 2001) 52 and 53.

⁸³ F.H.U. Borkenhagen, *Aussenpolitische Interessen Deutschlands. Rolle und Aufgaben der Bundeswehr* (Bonn 1997) 195.

Slowly the primary task of the *Bundeswehr* (territorial defense of alliance territory) was practically extended with out of area operations. These operations had a predominant non-combative character and they were carried out in a multilateral context, thus giving little problems with respect to the constitutional limitations which, in spite of the *de facto* reinterpretation, still existed. Nonetheless, already at the end of 1991 it was clear that the basis created by this ‘muddling through’ was not strong enough to build a new foreign and security policy on. In December 1991, Germany had recognized the independence of the former Yugoslavian republics Slovenia and Croatia. Pursuing this policy, Germany not only departed from the policy of the major Western states and Russia who wanted to preserve Yugoslavia as a state, but also granted both republics a ‘right of secession’ although the existence of such a right was (and still is) highly disputed in international public law. The rationale behind this early recognition was the idea that the republics could be protected best by the UN if they achieved the status of an independent state. The resulting international criticism on Germany’s policy would have been less if the government had been willing to send military forces under UN-command in conformity with this idea. Nonetheless, several German politicians belonging to the CDU/CSU, SPD and the *Grünen* (the Greens) demanded an intervention by the international community to stop the atrocities on the one hand, but were not prepared to send German soldiers on the other. Any intervention would certainly have had a peace-enforcement character and the government hid behind the constitution, which still formally prohibited a military combat operation outside the context of territorial defense.⁸⁴

Germany’s resistance to out of area operations involving combat tasks led to another issue in 1992. In the summer of that year NATO and the WEU offered assistance to the UN in enforcing the commercial and weapon embargo against the former Socialist Republic of Yugoslavia. Germany participated both in NATO’s Standing Naval Force Mediterranean (STANAVFORMED) and the WEU’s Maritime Contingency Force with respectively one ship and three patrol aircraft. Participation meant almost certainly carrying out combat tasks such as the investigative forced boarding of ships that were suspected to have been violating the embargo. Of all parties, mainly the SPD regarded German participation in operation ‘Sharp Guard’ (as the combined NATO/WEU-operation was called from 1993 on) as illegal. A solution was found in a political decision, allowing German participation, but only if the combat tasks were left to the allies. The result of this bystander’s role was irritation and the suffering of solidarity in the German force and among the allies.⁸⁵

If Germany was serious with its new foreign and security policy and if it was really prepared to carry a bigger responsibility in international security affairs, it was necessary to solve the constitutional problem. It took until 1994 before that happened, all be it not as a result of a specific

⁸⁴ Philipi, ‘Civilian Power and war’ 55.

⁸⁵ H. Lüssow, ‘Meeting the Challenge. German naval units in crisis operations’, in: *Military Technology 3 KRK German Crisis Reaction Forces* (2001) 55.

German policy, but because a specific foreign policy issue left no choice. From April 1993 on, NATO's AWACS-aircraft participated in the enforcement of the no-fly zone over the former Yugoslavian republic Bosnia-Herzegovina. The fact that one third of its personnel consisted of Germans and that the planes were stationed in Geilenkirchen (Germany), made a German refusal to participate impossible without endangering the whole operation.⁸⁶ Nonetheless, both the governing FDP and the oppositional SPD had constitutional reservations and brought the issue to the German constitutional court in Karlsruhe. As a result, a *de jure* reinterpretation of the constitution was made on 12 July 1994. The court decided that out of area operations under the politico-military leadership of NATO or the UN were in conformity with basic law. In order to guarantee democratic control, it was demanded that the operations would have to be explicitly approved upon by the *Bundestag*.

It took some time before Germany was prepared to make full use of the new possibilities offered by the decision of the constitutional court. The 'normalisation' of the German foreign and security policy has more characteristics of an evolution than a revolution and the AWACS-decision was only one important step in a long process. Seen in this light, it is not surprising that, initially, Foreign Affairs minister Klaus Kinkel (1992-1998) reacted rather restrictive on the new interpretation of the constitutional court, declaring in front of the *Bundestag* on 22 July 1994 that Germany had to continue to be governed by a culture of restraint and warning against a militarization of German foreign policy.⁸⁷

Nonetheless, such a militarization is exactly what happened, all be it with small steps. On the same day as the above mentioned speech of the minister of Foreign Affairs took place, parliamentary approval was given to three operations which had already been initiated and against which complaints had been issued to the constitutional court. Participation in UNOSOM II, operation 'Sharp Guard' and the enforcement of the no-fly zone over Bosnia-Herzegovina got the approval of 424 representatives (out of 488).⁸⁸ The last two operations had a peace-enforcement character and existed as a direct result of the war in the former Yugoslavia. That war proved to become a catalyst for the militarization of Germany's foreign and security policy.

On 30 November 1994, NATO's SACEUR asked the German government to provide six ECR-Tornado⁸⁹ fighter bombers in order to assist in covering a possible withdrawal of the UN Protection Force (UNPROFOR) from the former Yugoslavia. This new international call on Germany to take more responsibility in the security affairs of the post Cold War period, was met with such great resistance that it seemed as if there had been no reinterpretation of the constitution at all. The government simply did not take any decision on the matter, possible because the request had been

⁸⁶ Philipi, 'Civilian Power and war' 53.

⁸⁷ F.J. Meiers, 'Germany, the reluctant power', in: *Survival* 37, No.3 (Autumn 1995) 85.

⁸⁸ Borkenhagen, *Aussenpolitische Interessen Deutschlands* 206.

⁸⁹ ECR = Electronic Combat Reconnaissance.

informal. The resistance within the government represented public opinion: only 35 percent of the German population was in favour of the operation, 61 percent opposed.⁹⁰

A second request arrived on 8 December 1994, this time based on an official decision of the NAC. Now, the government *had* to make a decision and it promised that Germany would be prepared to provide logistical assistance and combat-air-cover. The decision - and the subsequent parliamentary approval - was based on the expectation that a withdrawal of UNPROFOR would not be necessary in the nearby future anyway.⁹¹ That expectation proved to be true, but it could not prevent the actual dispatch of German Tornado's into the conflict on the Balkans, all be it in a different context. In the summer of 1995 the *Bundestag* gave its approval to German participation in the NATO-led operation 'Deliberate Force' which consisted of aerial attacks against the Bosnian Serbs in August 1995. For Germany, that meant the performance of combat tasks for the first time since the end of World War II.

In addition to the German participation in 'Deliberate Force', a decision was taken to send 3000 German soldiers to Bosnia and Herzegovina as part of NATO's Implementation Force (IFOR) in December 1995. The task of this force was to implement the provisions of the Dayton treaty (1995) that dealt with the security and stability in the region. German presence in the Balkans was continued with the successor to IFOR, the Stabilisation Force (SFOR).

Because Germany had been present in the Balkans both in the air and on the ground, the so called 'Kohl doctrine', which stated that no German soldiers should be sent to those places where the *Wehrmacht* had been during the second World War, was abandoned. That was possible because the conflict in Bosnia-Herzegovina had made many Germans accept the argument that non-military instruments could be useless in an intra-state conflict and that the use of force is sometimes required in order to make an end to atrocities. In that respect, it was above all the fall of the 'safe area' Srebrenica - leading to a massacre among the Muslim population - that led to a reassessment of traditional positions on the use of force among the German political parties. All parties (with the exception of the former communist PDS) began to accept military force as a means of last resort. Even among some politicians of the pacifist *Grünen* the new foreign and security policy was supported.⁹²

Another step towards the militarization of the German foreign and security policy was taken during the war in Kosovo. Just as had been the case in operation 'Deliberate Force', combat tasks formed the core of operation 'Allied Force' that aimed to force Serbian president Slobodan Milosovic to retreat his forces from Kosovo and to accept NATO's demands. The great difference with 'Deliberate Force' was the lack of approval of the UNSC. Nonetheless, Germany participated in the air campaign and in the subsequent Kosovo Protection Force (KFOR). 'Allied Force' violated international law and it is striking to see that Germany with its civilian power orientation (giving great importance to international law) decided to set reservations about the use of force aside. That decision

⁹⁰ H.Hubel and B. May, *Ein normales Deutschland?* 57.

⁹¹ Meiers, 'Germany' 86 and 87.

⁹² Philipi, 'Civilian Power and war' 54 -56.

to take part in an illegal military action was defended by pointing to the atrocities committed in Kosovo.⁹³

It can certainly be said that in Germany ‘the public opinion on the use of force has changed considerably since unification.’⁹⁴ The same counts for the policymakers. Nonetheless, the out of area operations in the nineties were, although often risky, in general limited to operations at the lower end of the conflict spectrum. The exceptions were ‘Deliberate Force’ and ‘Allied Force’, but even these two operations did not involve German soldiers on the ground fighting in war-like conditions. Further, all operations had a humanitarian character and could thus be legitimised easily. Operation ‘Allied Force’ was agreed upon because of the humanitarian tragedy taking place. It took the attacks on the USA on 11 September 2001 before the international community would know whether Germany would be prepared to take part in a war in which the defense of humanitarian interests would not be the principal incentive to wage it.

3.3 *The participation in ‘Enduring Freedom’*

As long as it took the German government to declare its solidarity with the multilateral operation ‘Desert Storm’ in 1991, as fast and firm was its declaration of *uneingeschränkte Solidarität* (unrestricted solidarity) with the USA after that country was hit by the terrorist attacks. That this solidarity could not be restricted with a few words of support, was made clear by chancellor Schröder. In front of the German parliament he stated on 12 September that he considered the attacks to be ‘a declaration of war against the free world’.⁹⁵ In the following weeks these words were repeated several times. The fact that the German government (existing of a centre-leftist coalition of the SPD and the *Grünen* and thus with a traditionally large segment of pacifists) acted so self-assured and straightforward, proves that something had changed since the beginning of the nineties. The German reaction after the start of the American air strikes on 7 October 2001 was more than supportive. The first words of a speech of Schröder in parliament were:

‘Am 7. Oktober haben die Vereinigten Staaten von Amerika als Teil der notwendigen Antwort auf die terroristischen Anschläge von New York und Washington mit militärischen Maßnahmen gegen die Infrastruktur des terroristischen Netzwerks von Osama Bin Laden und gegen Einrichtungen des Taliban-Regimes in Afghanistan begonnen. In dieser Situation wird von Deutschland aktive Solidarität und verantwortliches Handeln erwartet und auch geleistet, eine Solidarität, die sich nicht in Lippenbekenntnissen erschöpfen darf, und eine Politik, die Deutschlands Verantwortung in der Welt,

⁹³ Maull, ‘Germany and the use of force’ 72.

⁹⁴ *Ibidem* 64.

aber auch der Verantwortung der Bundesregierung für die Menschen in Deutschland angemessen ist.⁹⁶

Two things are important in this text. First of all, the German unrestricted solidarity with the USA had clearly led to the opinion that the military measures were ‘necessary’. This necessity was born out of the recognition that vital interests were at stake. Not only for the USA, but also for its European allies, illustrated by the activation of article V of the NATO-treaty.

The firm line of the government did not mean that there were no voices of dissent in Germany. In the first half of November - roughly three weeks after the start of the American air-campaign - several politicians (including some of the coalition parties) asked for a soon ending of the bombings, in order to be replaced by a political solution.⁹⁷ They were supported by the German population of which a share of 69% wanted a pause in the campaign and of which 60% opposed the hypothetical dispatch of German troops to Afghanistan.⁹⁸ Nonetheless, both Gerhard Schröder and minister of Foreign Affairs Joschka Fischer opposed any pause in the air-strikes. Fischer underlined that policy by stating that a political solution could only be reached by the results of the American military campaign.⁹⁹

It is important to stress that criticism on ‘Enduring Freedom’ was not an exclusive German phenomenon, but something that occurred in other European countries too. The days before the fall of the strategic important Afghan city Mazar i Sharif (9 November) and the conquest of the capital Kabul (13 November) also the UK and France had to cope with diminishing popular support for the American war-effort in Afghanistan. In the UK, the most prominent partner of the USA in the Afghanistan campaign, the support for the war had fallen from 74% the week it began to 62% two weeks later. At that moment, a pause in the bombardments was longed for by 54% of the British population. In France, the number supporting the war on terrorism declined from 74% (at the moment that French president Jacques Chirac visited the USA as first foreign head of state on 18 September and when the air-strikes had not started yet) to 63% a few weeks later.¹⁰⁰

The phenomenon of the diminishing support was described as the ‘three week wobble’ by the British Foreign Affairs minister Jack Straw. He stated that he had seen it before during the Kosovo War: when after a few weeks of bombings little result had been booked, the support for operation ‘Allied Force’ decreased sharply.¹⁰¹ In Afghanistan the same was happening. The diminishing support

⁹⁵ Deutscher Bundestag, stenographischer Bericht 186. Sitzung, Berlin Mittwoch den 12. September 2001 (Plenarprotokoll 14/186).

⁹⁶ Deutscher Bundestag, stenographischer Bericht 192. Sitzung, Berlin Mittwoch den 11. Oktober 2001 (Plenarprotokoll 14/192).

⁹⁷ ‘SPD-Politiker kritisieren USA’, in: *Berliner Zeitung* (29 Oktober 2001).

⁹⁸ ‘Disquiet on the western front’, in: *Time magazine* 158, No. 20 (12 November 2001) 30.

⁹⁹ ‘Schröder gegen Aussetzen der Militärschläge’, in: *Berliner Zeitung* (29 Oktober 2001) and *Berliner Zeitung* (20 Oktober 2001).

¹⁰⁰ ‘Disquiet on the western front’, in: *Time magazine* 158, No. 20 (12 November 2001) 30.

¹⁰¹ *Ibidem*.

at the beginning of November had everything to do with the meagre results at that time. Support for 'Enduring freedom' increased again after the fall of the Taliban government. In a poll executed by *Gallup International* it is shown that 68% of the British, 73% of the French and 65% of the German population supported the American military action in Afghanistan in December 2001. On the question whether one agreed on the participation of her or his country in the war on terrorism, 58% of the Germans, 66% of the British and 67% of the French supported participation.¹⁰²

These numbers clearly show that as far as its support for 'Enduring Freedom' is concerned Germany was in line with its allies. The same could be said with respect to the second important point touched upon in Schröder's words cited above. That point is about the German perception of its role in the new security environment. Schröder stated very clearly that Germany should not stand on the sideline and that it should actively support the USA. In the same speech, Schröder said that Germany's support would not exclude a military contribution. This is also what he had told president Bush during his two-day visit to the United States, just a few days after the start of the American air-campaign. Actual operational planning for a possible German contribution to a (by that time already very likely) American military campaign had already begun the day after the terrorist attacks. General Inspector of the *Bundeswehr*, Harald Kujat, was asked to make the necessary preparations. It was after the USA-visit of Schröder's security adviser Michael Steiner and the visit of the chancellor itself, that specific requests were made by the USA.¹⁰³ While the military details were worked out by Kujat and a German liaison-office in USA-headquarters in Florida, Schröder informed the party and fraction chairs on 15 Oktober 2001 that 'a vote of the *Bundestag* would be necessary in November'.¹⁰⁴

The German commitment to give full support to the USA led to a new important step leading away from the culture of restraint: on 7 November 2001 the German government decided to provide 3900 soldiers for 'Enduring Freedom'.¹⁰⁵ It was an important decision, since it would be Germany's first combat mission outside Europe since the end of the second World War. This historical dimension, combined with the robustness of the mission, caused a lot of discussion within German parliament. Taking their long pacifist tradition into account, it was not very surprising that the protest came above all from members of parliament of the coalition parties. Not only members of the *Grünen* protested against a German contribution to 'Enduring Freedom', but among the social democrats doubts existed

¹⁰² See the in November en December 2001 conducted 'Gallup International Poll on Terrorism 2001'.

¹⁰³ It was not very clear whether the USA had made a *request*, or whether the German government had *offered* specific military units to the USA. This confusion was created when American secretary of defense Donald Rumsfeld denied during a press-conference that he had asked for a German military contribution 'as such'. The issue was solved when it became clear that the USA had requested only those forces which the German government was willing and able to provide.

¹⁰⁴ R. Beste a.o., 'Abmarsch in die Realität', in: *Der Spiegel* 46 (12 November 2001) 25 - 27.

¹⁰⁵ The German contribution consisted of: 800 NBC-defence forces, 250 sanitary forces, 100 special operation forces, 500 air transport forces, 1800 sea forces and 450 supporting forces. See: *Antrag der Bundesregierung auf Einsatz bewaffneter deutscher Streitkräfte vom 7. November 2001*. http://www.bundesregierung.de/top/dokumente/Artikel/ix_61919.htm?template=single&id=61919_416&script=1&ixepf=_61919_416

too. Nonetheless, the government could almost be certain of a majority in the *Bundestag*, thanks to the oppositional CDU and FDP which were in principle in favour of such an operation.¹⁰⁶

Nonetheless, problems arose when Schröder made clear that he did not want a mere majority in Parliament, but nothing less than a majority reached by the votes of the coalition parties alone. In order to gain such a governmental majority, seven ‘no-votes’ among the *Grünen* and SPD would be the maximum. On 11 November it became clear that at least eight members of the *Grünen* and two members of the SPD would refuse to support the line of the government.¹⁰⁷ From that moment on, the chancellor chose a strategy in which he tried to convince the opposing social democrats and *Grünen* to change their view. That strategy culminated eventually in the activation of article 68 of the constitution: Schröder combined the question of confidence with the decision on the *Bundeswehr*-mission. Although Schröder was not the first chancellor who had used article 68, it was something new that he combined the question of confidence with a specific issue.¹⁰⁸ With this strategy he lost the support of both the CDU and the FDP, but won that of the pressed coalition parties. At Friday 16 November, the German parliament supported the government in its decision to send German soldiers in the war on terrorism with 336 votes in favour, two more than the government actually needed.¹⁰⁹ It was a small majority, but it was enough.

The *Bundestag* had given its approval for an operation which was only restricted in time: it was decided that after twelve months (starting on the day of the decision) a new mandate of the *Bundestag* would be necessary. Because of the diffuse character of the threat of terrorism, a strict definition of the operation could have affected its effectiveness. At the time of the decision, the war effort was located in Afghanistan, but no one could exclude the necessity to start an operation in another area. Therefore, the place of operation was defined very broadly: ‘Einsatzgebiet ist das Gebiet gemäß Art. 6 des Nordatlantikvertrags, die arabische Halbinsel, Mittel- und Zentralasien und Nord-Ost-Afrika sowie die angrenzenden Seegebiete’.¹¹⁰

Further, since no one could predict how ‘Enduring Freedom’ would develop with respect to its level of violence, the specific assignment of the German forces was broadly defined too: ‘Diese Operation [‘Enduring Freedom’, *NvW*] hat zum Ziel, Führungs- und Ausbildungseinrichtungen von Terroristen auszuschalten, Terroristen zu bekämpfen, gefangen zu nehmen und vor Gericht zu stellen sowie Dritte dauerhaft von der Unterstützung terroristischer Aktivitäten abzuhalten. Deutsche bewaffnete Streitkräfte tragen dazu mit ihren Fähigkeiten bei.’¹¹¹ The German contribution would be very diverse and involve military tasks differing with respect to their position in the conflict spectrum.

¹⁰⁶ *Die Welt*, 14 November 2001.

¹⁰⁷ ‘Jenseits der Roten Linie’, in: *Der Spiegel* 47 (19 November 2002) 29.

¹⁰⁸ The following German chancellors have made use of the ‘question of confidence’: Willy Brandt (1972), Helmut Schmidt (1982) and Helmut Kohl (1982).

¹⁰⁹ *Die Welt*, 17 November 2001.

¹¹⁰ Antrag der Bundesregierung auf Einsatz bewaffneter deutscher Streitkräfte vom 7. November 2001.

¹¹¹ *Ibidem*.

The first operations carried out were at the lower end of the conflict spectrum. The first German soldiers were deployed as part of a logistical operation: it consisted of supplying the USA-forces in Incirlik (Turkey) from 26 November 2001 to 10 January 2002.¹¹² More demanding - but still including little combat tasks - was the largest operation of the German navy since the second World War: six ships were sent to the Horn of Africa with the task to assure the safety of the sea routes and to prevent a possible escape of Al Qaida members.¹¹³ A third operation was located in Kuwait, where a contingent of about 250 soldiers, specialised in the defense against Atomic, Biological and Chemical (ABC) attacks, carried out combined exercises with the present multinational force.

In fact, only the German SOF (*Kommando Spezial Kräfte*, KSK) made a contribution to 'Enduring Freedom' that involved combat tasks. On 25 February 2002, the German government confirmed - in a reaction on an article in the *Frankfurter Allgemeine Zeitung* revealing such an engagement - that the KSK had been actively taking part in combat operations in Afghanistan.¹¹⁴ Although the deployment of 100 German SOF had been made known in the governmental decision of 7 November 2001, evidence of an actual engagement had been absent. Date, place and nature of the operations carried out by these forces were kept secret in order not to jeopardize the operations and to assure the safety of the KSK-members and their families.

Since Germany's SOF have relatively little experience in war fighting compared to their American and English colleagues, their actual engagement can be seen as another sign of a changing German policy on the use of military power. With the decision to provide troops for 'Enduring Freedom' in general and the participation of the KSK in particular, the German government showed its preparedness to fight a war in order to defend vital interests in a new manner as compared to the days of the Cold War. Territorial defense in the old sense of waiting on an attack was replaced by offensive action in the shape of expeditionary warfare. In that respect, the participation in 'Enduring Freedom' can be regarded as a further step towards the 'normalisation' of German foreign and security policy. The military instrument, perceived as an instrument that could be used when all else has failed, has been increasingly accepted by Germany.

3.4 Possible contributions to the creation of a balanced ESDI

It would be wrong to suggest that the civilian power orientation and the culture of restraint when it comes to the use of force in international politics have disappeared in 2002. In fact, the civilian power orientation is an important *part* of the new German foreign and security policy. Germany is still a country that 'promotes multilateralism, institution-building and supranational integration and tries to

¹¹² 'Einsatz der Bundeswehr innerhalb von 'Enduring Freedom', See: *Internet Informations System der Bundesregierung*,: http://text.bundesregierung.de/nurtext/dokumente/Artikel/ix_65262.htm?

¹¹³ 'Der bisher grösste Einsatz der Bundesmarine beginnt', in: *FAZ* (3 Januar 2002).

constrain the use of force in international relations through national and international norms'. Schröder stated during a journey to Pakistan, India, China and Russia in the end of October 2001, that although the war on terrorism must enclose military measures, it may not be limited to that. The chancellor stressed the need for a concept of international stability that is based on political-diplomatic, economic-financial and humanitarian measures.¹¹⁵ Further, in the same declaration in which he supported a new German foreign and security policy, he said: 'Wir Deutschen stehen (...) an vorderster Front bei der Konsequenzen Sicherung des Friedens in der Welt, aber ebenso bei der konsequenten Herstellung von Sicherheit und Stabilität, die auf Menschenrechte und Menschenwürde basiert.'¹¹⁶

The civilian power orientation has created specific foreign policy tools which should not simply be abandoned as a result of the emergence of a preparedness to use the military instrument as a means of last resort. In the line of that argument, H.W. Maull supports a strong continuity of the German foreign and security policy as the world has known since 1949. He argues that German foreign policy is 'international order politics' and with a view to the events after 11 September 2001, he states that that is exactly what world politics is now about.¹¹⁷ At the same time, he acknowledges the necessity of military means: 'Die Zivilisierung der Konfliktaustragung über das gesamte Spektrum der Politik hinweg ist ein Projekt, das ohne Zwangsmittel nicht zu realisieren sein dürfte (...)'.¹¹⁸ Such a combination of the old civilian power orientation with a preparedness to carry out military action if necessary can be seen in the German involvement in Afghanistan. On the one hand the German government delivered a military contribution to the war effort as has been mentioned above. On the other, it was strongly involved in the peace building process too.

Germany has been involved in Afghanistan since the 1960's and 1970's when it was the largest bilateral donor of development aid in the country.¹¹⁹ Since 1996, it is a member of the Afghanistan Support Group (ASG) which deals with humanitarian relief in the war-torn country. In line with these earlier commitments, Germany promised €80 Million for reconstruction on top of the €20 Million reserved by the EU.¹²⁰ Germany was host to the Afghanistan peace conference that took place in Bonn from 27 November to 5 December 2001. The conference, on behalf of which Germany provided 'good offices', resulted in an agreement on the establishment of an interim government under

¹¹⁴ 'Einsatz der KSK im Rahmen des Bundestagsmandat', in: *FAZ* (25 Februar 2002).

¹¹⁵ 'Schröder will allianz gegen terror festigen', in: *Berliner Zeitung* (27 Oktober 2001).

¹¹⁶ Deutscher Bundestag, stenographischer Bericht 192. Sitzung. Berlin Mittwoch den 11. Oktober 2001 (Plenarprotokoll 14/192).

¹¹⁷ H.W. Maull, 'Internationaler Terrorismus. Die deutsche Aussenpolitik auf dem Prüfstand', in: *Internationale Politik* 12 (2001) 5.

¹¹⁸ Maull, 'Internationaler Terrorismus' 6.

¹¹⁹ 'Germany's contribution to the reconstruction and development of Afghanistan', *Governmental paper to the International Conference on Reconstruction Assistance to Afghanistan held in Tokyo 20-22 January 2002*. See: http://www.bmz.de/en/topics/beitrag_deutschland.pdf

¹²⁰ 'Deutschland gibt 160 Millionen für Afghanistan', in: *Die Welt* (24 November 2001).

the leadership of Pashtun-leader Hamid Karzai and in the establishment of an international peace keeping force.

On 21 December, Germany decided to take part in this United Nations International Security and Assistance Force (ISAF) with 1200 soldiers. Compared to the difficulties that surrounded the decision to participate in 'Enduring Freedom', getting parliamentary approval on the participation in ISAF was relatively easy and a large majority of the *Bundestag* voted in favour of the governmental decision on 21 December. In fact, only the PDS voted against. One could say that both German politicians and the German public are still more comfortable with operations at the lower end of the conflict spectrum, or at least with operations where humanitarian factors dominate combat factors.¹²¹ The continuant importance of this civilian power orientation implies that it is possible that any future appeal on Germany to take part in a particular military operation that is not carried out for the defense of vital interests and/or for which there is no mandate given by the UNSC (i.e. a second 'Allied Force') could very easily encounter fierce resistance in the decision making process. That would above all be the case if Germany would be confronted with such an appeal at a time when a conservative government would be in power. Because of a long pacifist tradition, a centre-left orientated opposition will make its voice more heard (even if it is only because of party politics or domestic political reasons) than a centre-right opposition. In that respect, the argument could be defended that the opposition against the operations in Kosovo and Afghanistan would have been stronger when the SPD and the *Grünen* had been part of the opposition instead of the government.¹²²

However, it was the German *military* contribution to 'Enduring Freedom' that made other states take the country seriously. For that reason, I don't agree with Maull who favours a continuation of the civilian power orientation combined with only *limited* military means such as the deployment of military and police forces in the context of a policing operation. With other words, arguing from the traditional civilian power orientation, Maull prefers 'law and order' above 'expeditionary warfare'.¹²³ Military means may be used, but not too much. However, as became obvious in chapter two, in order to create a balanced ESDI it is important that the Europeans are prepared and able to go beyond crisis management tasks at the lower end of the conflict spectrum. Therefore it is the *combination* of 'soft' and 'hard' security instruments that is the name of the game.

If the present new German foreign and security policy (which includes the possibility to carry out war fighting operations if necessary) is there to stay, the German orientation could be an example for the ESDP. Also the EU can be regarded as a civilian power and the argument could be defended that the EU is involved in the same process as Germany: its trying to loose its image as a military

¹²¹ Nonetheless, one should realise that the mandate of the ISAF was rather robust. Taking factors like the political instability of the Afghan government, the relative low number of peacekeepers and the fact that the mission runs parallel to American war operations into account, the ISAF-mission should be regarded as an operation involving high risks.

¹²² F. Boterman, 'Afscheid van de Duitse Sonderweg', in: *Internationale Spectator* 56/3 (Maart 2002) 156-162.

¹²³ Maull, 'Internationaler Terrorismus' 1 - 10.

dwarf and to build a capacity to act in the security field. Combining a civilian power approach with the possibility of carrying out military operations in the entire conflict spectrum, will enhance the ESDP's (and with it ESDI's) effectiveness and credibility. In that way, the 'soft power' specialisation of the EU, with all its merits and advantages, will not only be preserved, but even strengthened.

Besides its worth as a model of a civilian power in transition, there are other particular traits which give Germany the possibility to make a substantial contribution to the creation of a balanced ESDI. In many respects the German foreign and security policy as a whole is a continuation of ante-reunification orientations: 'Die wesentlichen Koordinaten sind erhalten geblieben, neue sind hinzugekommen, aber viele alte haben neue prioritäten erhalten'.¹²⁴ Two specific orientations are of importance for ESDI and the transatlantic link. The first one, is the structural support for European integration. From the creation of the European Community for Coal and Steel (ECCS, 1953) to the fall of the Berlin-wall in 1989, the foreign policy of the FRG has been a *European* policy. This orientation was so strong, that European integration was often given more priority than the wish for reunification. The FRG regarded European integration more as a goal in itself than as an instrument.¹²⁵ Today, the united Germany can still be regarded as (the) engine of the European integration and it could even be said that German foreign policy is European policy more than ever.¹²⁶

Not only Germany's new foreign security policy decides which role Germany could play in the development of ESDI. The position of Germany is also determined by the views of its allies and above all of its neighbours. In that respect, the growing influence of German foreign and security policy is more and more seen as a logical consequence of taking responsibility and is much less met with suspicion as has been the case before and just after the German reunification. A practical consequence of this positive view of its allies is that an active Germany, taking responsibility in the security field, will create the possibility to take part as a 'lead nation' in a military operation. As mentioned in the introduction, it has already performed such a function in operation 'Amber Fox'. That was only possible because of the fact that most European states have mitigated their traditional suspicion towards German military performance.

Such a large support for an active Germany is undoubtedly the result of the firmness with which the German foreign and security policy is embedded within the European context. The new self-conscious role of Germany has not been translated into a German *Sonderweg*, but rather into the strengthening of a deeper European integration. A recent declaration of Schröder that states that the increased German responsibility in the world will not be separated from the European context, is only one example of many that illustrates this process.¹²⁷

In addition to the strong European orientation, the FRG was strongly Atlantic-orientated and the same can be said about the united Germany. In 1989, it were the USA which played a significant

¹²⁴ Borkenhagen, *Aussenpolitische Interessen Deutschlands* 106.

¹²⁵ H.D. Heumann, *Deutsche Aussenpolitik jenseits von Idealismus und Realismus* (München 2001) 99.

¹²⁶ Bierling, *Die Aussenpolitik der Bundesrepublik Deutschland* 297.

role in the reunification process, overruling French and British concerns. In the nineties the USA supported the new foreign and security policy of the united Germany and hammered on the responsibility that the united Germany was expected to take actively part in international security affairs. In return, the bilateral ties between Germany and the USA were strengthened because of Schröder's promise of unrestricted solidarity. From his first declaration with respect to the war on terrorism on, the chancellor was hammering on the good relationship between Germany and the USA. The German people was constantly reminded that the USA have made a considerable contribution to the safety of their country from the creation of the FRG in 1949 on and that it were the USA which supported the German reunification strongly. In other words: the message was that now the time had come to pay the bill. That and the fact that vital interests were at stake made Germany eager to act after 11 September.

One could say that the relationship between the USA and Germany was temporarily damaged in September 2002, when Schröder loudly announced that Germany would not participate in any attack on Iraq that would take place in order to initiate a regime change or destroy the country's WMD's. Most commentators however, contributed Schröder's position in the matter to the election campaign. The fact that the new red-green government and the Bush administration could agree on the leading role of Germany in ISAF, the extension of NATO with seven members and the creation of a NATO Rapid Response Force in the Autumn of 2002, supports the view that the relationship between both countries was not permanently damaged.

With both orientations in mind, it could be said that German foreign policy is a mix of 'Europeanism' and 'Atlanticism'. From the German point of view, ESDI and the creation of an ESDP within the EU are two sides of the same coin because both initiatives are thought to strengthen the European capacity to act military on the international stage and to strengthen the transatlantic partnership with it. As far as the German government is concerned, NATO will remain the primary institution in the European security landscape, assuring the coupling of American to European security.¹²⁷ At the same time, the need for an autonomous European capacity to act is acknowledged. With both orientations strongly integrated within the foreign and security policy, Germany is a very suited country to make a compromise between Atlantic and European demands. Forming a 'bridge' between 'European' and 'Atlantic' interests on the political level, this could subsequently be translated on the strategic level into a compromise between those who prefer the maximalist and those who prefer the minimalist approach of the ESDP. Such a compromise should reflect the wish to cooperate with NATO and the USA as much as possible, but it should also include the *possibility* of autonomous action, i.e. it should choose for the maximalist approach since that approach can be regarded as a necessary condition for a balanced ESDI.

¹²⁷ 'Schröder fordert umfassende reform und Verfassung für EU', in: *Die Welt* (13 Dezember 2001).

¹²⁸ F.J. Meiers, 'Deutschland. Der dreifache Spagat', in: *Sicherheit und Frieden* 19, No.2 (2001) 62.

By choosing to support the maximalist approach Germany could contribute much to the creation of a balanced ESDI. For that to happen the combination of the old civilian power approach and the new foreign and security policy should be continued. By a further development of that combination Germany could be an example for ESDI and preserve its increased influence on political-military matters within the European and in the international context.

4. Germany's military capabilities

The maximalist approach is not the only necessary condition for the creation of a balanced ESDI. The existence of ample military capabilities is necessary too. The adoption of the maximalist approach would demand the existence of European armed forces that could carry out the policy based on that approach. In chapter two, I described the European lack of capabilities in general. In this chapter, I will try to answer the question to what extent the German defense policy supports the creation of a balanced ESDI.

In order to create modern and flexible armed forces, capable to deal with the new security environment, most European governments decided to reform their forces during the nineties of the last century. Germany reformed its military forces too and the numbers declined from 580.000 soldiers in 1990 to 340.000 in 2000. Further, the *Bundeswehr* was split up into quick reaction forces and main defense forces. Nonetheless, the reforms had a limited character because the *Bundeswehr* remained primarily geared to defend NATO's territory against a large conventional attack as was reckoned with during the Cold War. Operation 'Allied Force' showed that the reforms within the European armies had not been sufficient and a new boost to the process of adaptation was given in the form of NATO's DCI.

For Germany, the attempt to close the capabilities gap led to the creation of a commission that was given the task to develop a fundamental reform of the German armed forces. The proposals made by that commission and the following reform schedule of minister of Defense, Rudolph Scharping, will be dealt with in this chapter. After I have presented a short overview of what the reform is actually about, I will concentrate on two major shortcomings of the reform that hinder a strong German contribution to the development of a balanced ESDI: the maintenance of conscription and financial restraints. I will end with taking the German participation in ISAF as an illustration of the problems that surround the reform of the *Bundeswehr*.

4.1 The Weizsäcker report

The commission *Gemeinsame Sicherheit und Zukunft der Bundeswehr*, under guidance of former federal president Richard von Weizsäcker, started its work in Spring 1999.¹²⁹ It was installed to study the necessary reforms that had to be carried out in order to create a *Bundeswehr* fitted for the 21st century. On 23 May 2000, the report of the commission was presented to the German government. It started with very critical words evaluating the state of the German military forces: 'Die Bundeswehr

¹²⁹ This commission was not the only body or official which came with a report on the future of the *Bundeswehr*. minister of Defense, Rudolf Scharping, and Inspector General of the *Bundeswehr*, Hans-Peter von Kirchbach

des Jahres 2000 ist mit Blick auf die genannten Forderungen nicht im Gleichgewicht. Sie ist zu gross, falsch zusammengesetzt und zunehmend unmodern.¹³⁰ In order to deal with this situation, the commission proposed four main reform goals.

First of all, it wanted to create a *Bundeswehr* equipped for the most likely task, which means crisis management instead of territorial defense.¹³¹ Germany should be able to participate in up to two crisis response operations simultaneously and indefinitely. For that purpose, the commission wanted to reserve:

- two army contingents on brigade level with the necessary supporting and commanding elements (until 16.000 persons)
- two air force contingents from 90 up to 100 fighting jets and including air defense forces, tanker capacity and transport capacity
- two navy contingents consisting out of ships, submarines and airplanes
- two sanitary contingents with transport capacity¹³²

These troops were thought to be able to perform crisis management tasks in the entire conflict spectrum: 'Streitkräfte müssen auch zukünftig intensive konventionelle Kampfhandlungen führen können. Nur wer in Konflikten hoher Intensität bestehen kann, bleibt auch bei anderen Einsätzen militärisch glaubwürdig und politisch handlungsfähig.'¹³³ According to the commission, the ability to perform crisis management tasks includes to a large extent the ability to defend the territory of Germany and its allies.¹³⁴

The second main reform goal was about the enhanced cooperation with other (European) partners. The commission stated very clearly that German national (security) interests could only be pursued in a multilateral context, above all within NATO and the EU, and it stressed that a German *Alleingang* should be excluded.¹³⁵ The improvement of important military shortcomings like 'command, control and communications'(C3), strategic transport and strategic intelligence capabilities should be pursued on a European level. The same counts for the training of recruits and the decrease of duplications. A stronger co-ordination of armament policy on a European level was also added to this

also produced a report. Since the reports of the commission and Scharping have been the most influential, I will only pay attention to these two reports.

¹³⁰ Kommission Gemeinsame Sicherheit und Zukunft der Bundeswehr, *Gemeinsame Sicherheit und Zukunft der Bundeswehr. Bericht der Kommission an die Bundesregierung* (Berlin 2000) 13.

¹³¹ The commission motivated the stress on crisis management tasks with the argument that for the first time in history, Germany is surrounded by friends: 'Zum ersten Mal in der Geschichte ist Deutschland ringsum von Bündnis und Integrationspartnern umgeben und keiner äusseren Gefährdung seines Territoriums durch Nachbarn ausgesetzt'. Cited in: Kommission Gemeinsame Sicherheit, *Bericht der Kommission* 13.

¹³² Kommission Gemeinsame, *Bericht der Kommission* 14.

¹³³ *Ibidem* 49.

¹³⁴ *Ibidem* 48.

¹³⁵ *Ibidem* 24 and 26.

list. The commission regards the Euro-fighter-project as a successful example of such a co-ordination.¹³⁶

The last two reform goals were about the financial means. On the one hand, during the reform and afterwards, the financial means would have to be organised in such a way that there would be sufficient leeway. That goal seems self evident, but the declining defense budget since the end of the Cold War shows that that is not the case. Above all, during the reform it would be important that financial shortcomings would be avoided. On the other hand, exclusively increasing the budget would be the wrong decision. Management within the armed forces should also become more cost-effective.

In order to reach these goals, the commission proposed a relatively small *Bundeswehr* of 240.000 soldiers, consisting out of a main organisation of 100.000 soldiers and 140.000 soldiers to be employed rapidly. Although the reform proposal came very close to fully professional armed forces, the military service was maintained with a number of 30.000 conscripts who would get a 10 months training. The commission motivated its decision to maintain military service with the argument that the *Bundeswehr* of the future could simply not rely solely on volunteers. A *Bundeswehr* with military service '(...) verfügt über strategische, personelle und gesellschaftliche Flexibilität und vermindert die Risiken einer ungewissen Zukunft'.¹³⁷

In sum, it is clear that the Weizsäcker commission was heading for a *Bundeswehr* with a large expeditionary and, because of the low number of conscripts, a *de facto* professional character. But in the end it was not the commission, but the German government which had to decide on the reforms.

4.2 'Eckpfeiler für eine Erneuerung von Grund auf'

On 14 July 2000 the German parliament agreed with the reform plans as had been proposed by minister of Defense Rudolf Scharping. A first look at the minister's reform proposal shows that he has taken over important elements from the Weizsäcker report. The *Bundeswehr* will become smaller, a larger part of the forces will deal with crisis management than is currently the case and measures will be taken to make the management more efficient. The link between the German reform proposal, NATO's DCI and the shortcomings defined during the EU's CIC is strong with respect to several priorities of the reform: according to the *Eckpfeiler*, the *Bundeswehr* is heading for an improvement of its strategic capabilities, intelligence, survivability, and C3.¹³⁸

A closer look, however, shows that some Cold War particularities were being maintained. First of all, Scharping's reform proposal regards territorial defense still as the main point of departure and as something that should determine the organisation of the German armed forces: 'Grundlegende

¹³⁶ Ibidem 36 and 37.

¹³⁷ Kommission Gemeinsame Sicherheit, *Bericht der Kommission* 69.

Auftrag deutscher Streitkräfte ist nach Art. 87A GG [Grundgesetz, *NvW*] die Landesverteidigung.¹³⁹ In conformity with this, the *Eckpfeiler* maintains military service, but on a much higher level than the Weizsäcker report did: 80.000 conscripts. At the same time, Scharping reduced the time conscripts have to serve to nine months. By doing that he ignored the warning of the Weizsäcker commission that a military service shorter than 10 months would make it trivial, because it would leave too little time to train the recruits properly.

The total number of soldiers within the *Bundeswehr* is also higher than has been proposed by the commission. It will consist out of 282.000 standing armed forces. This number includes 2000 reserve-duty training posts and 22.000 posts meant to enable military personnel to acquire qualifications they can later use in civilian professions. That leaves a relatively large operational military force of 258.000 persons. A large military force does not automatically imply a more effective one. That is more than illustrated by the fact that not all these soldiers will be ready for quick deployment. A number of 150.000 soldiers will be tagged as readiness forces. The other 108.000 are being part of the basic military organisation for force build-up and peacetime operations.¹⁴⁰ Out of the pool of 150.000 soldiers, only 80.000 are available to perform crisis management tasks on a very short term. The other 70.000 are only available after a longer period leading up to two years and are meant to serve as enforcement and/or as relieve forces.¹⁴¹

In sum, the reform initiated by Scharping differs from the proposal of the Weizsäcker commission in some important respects. It could be said that the reform is very limited in its character and that therefore: 'the reform measures proposed by Defense minister Scharping fall short of what they pretend to achieve'.¹⁴² The aim is to create modern armed forces which can keep up with the demands posed by the international security environment, but the current reform is too modest to achieve that goal as I will point out below.

There are a two specific issues which keep the reform modest. The first has to do with the orientation of the reform which is still maintaining the idea that territorial defense should be the main task of the *Bundeswehr* and that conscription is needed for several reasons. The second has to do with the lack of means which threaten the reform: the financial shortcomings.

¹³⁸ Bundesminister der Verteidigung, *Eckpfeiler für eine Erneuerung von Grund auf. Die Bundeswehr sicher ins 21^e Jahrhundert* (Berlin 2001) 24.

¹³⁹ Bundesminister der Verteidigung, *Eckpfeiler* 3.

¹⁴⁰ Bundesminister der Verteidigung, *Neuausrichtung der Bundeswehr. Grobausplanung, Ergebnisse und Entscheidungen* (Berlin Oktober 2000) 12 and R. Scharping, 'The reform of the Bundeswehr. An investment in the future', in: *Military Technology Special Issue 3* (2001) 35 and 36.

¹⁴¹ Bundesminister der Verteidigung, *Eckpfeiler* 25 - 28.

4.3 The issue of conscription

One of the biggest issues in the reform of the *Bundeswehr* is whether the military service should be abolished or not. Most European countries abolished military service in the nineties of the last century, including large countries like France and Italy and small countries like Belgium and the Netherlands. The issue of conscription has been discussed in Germany at the time when the Weizsäcker commission was still working on its report. The facts that the same discussion was repeated in Spring 2002 and that conscription became a topic during the coalition negotiations after the general elections in September 2002, indicate that the format chosen by Scharping (i.e. sustaining military service) is not supported by everyone.

Military service is traditionally taken very serious in Germany and most Germans (ranging between 55% and 70% of the total population in the last five years) are in favour of it.¹⁴³ The two major parties, the CDU/CSU and the SPD, are traditionally strongly in favour of the institution. The smaller parties, ranging from the liberal FDP to the *Grünen* and the PDS, are urging for abolishment. The position of the last two mentioned parties is clear and a majority of the party members wants small armed forces consisting of no more than 100.000 professional soldiers. Within the FDP the politicians are more divided. From 1998 on, the party leaders have tried to convince their members of the importance of a professional armed force. An often heard argument within the discussion is that under the present circumstances the principle of *Wehrgerechtigkeit* would be violated. *Wehrgerechtigkeit* means that military service should be organised in such a way that all persons capable of doing military service actually become conscripts or perform at least a substituting (civil) service. According to many liberals the fact that, after the current reform plans have been finished, only a small part of those who are able to perform military service are really needed (80.000 out of a yearly pool of about 400.000) is not in conformity with the *Wehrgerechtigkeit*.¹⁴⁴ A direct consequence will be an increased feeling of injustice among conscripts towards those who managed to stay out of the army thus getting several advantages in the sphere of employment.¹⁴⁵

The SPD is traditionally a party in favour of military service. Nonetheless, cracks are beginning to appear on the position that fully professional armed forces is something for other countries. Although Schröder and Scharping declared several times that they wanted to sustain military service, some prominent party members caused a debate by promoting abolishment.¹⁴⁶ The

¹⁴² F.J. Meiers, 'The reform of the Bundeswehr. Adaptation of fundamental renewal?', in: *European Security* 10, No.2 (Summer 2001) 1.

¹⁴³ 'Wehrpflicht oder Berufsarmee? Die Meinung der Bürger', in: *Soldat und Technik* (Oktober 2001) 5. A recent poll of the Emnid institute, carried out after the general elections of September 2002, show a small majority in favour of conscription: 51%. A number of 45% would not oppose fully professional armed forces. See: 'Keine Angst vor Tränen', in: *die Welt* (26 September 2002).

¹⁴⁴ 'Ist die Wehrpflicht noch zu retten?', in: *FAZ* (3 April 2002).

¹⁴⁵ R. Thiele (Hrsg.), *Wehrpflicht auf dem Prüfstand. Über die Zukunft einer Wehrform* (Berlin 2000) 58.

¹⁴⁶ 'Schröder will an der Wehrpflicht festhalten', in: *FAZ* (4 April 2002).

same counts for the Young Socialists, the youth organisation of the SPD.¹⁴⁷ As a traditional large party, the position of the SPD in the matter could become important in the coming years of the second term of the red-green coalition.

The other major party, the CDU/CSU, is still a strong supporter of conscription. During the 38th Munich Security Conference in February 2002, the president of the christian democrats and chancellor candidate, Edmund Stoiber, spoke the following words: '(...) aus historischen Gründen ist die enge Verbindung zwischen Gesellschaft und Armee für unser Land besonders wichtig. Wir müssen auch deswegen in Deutschland am Prinzip der allgemeinen Wehrpflicht festhalten'.¹⁴⁸ The difference with the proponents of military service within the SPD is that the christian democrats have made a proposal to adapt the task of conscripts to the new security environment. At the beginning of April, former CDU-president Wolfgang Schäuble came with the proposal to employ conscripts for the defense of vulnerable objects in Germany (governmental buildings, nuclear power plants, embassies etc.). For that to happen, a legal amendment to the constitution would be necessary since the *Bundeswehr* is currently not allowed to perform such tasks in the domestic sphere. Besides the fact that it is questionable whether such a deployment would be better than no conscription at all, it is very unlikely that the CDU/CSU will get the needed majority in the matter.

Although above mentioned differences between the parties show that the issue of conscription has a strong political character, the question of abolishment was almost solved by the constitutional court just as has been the case with the question whether the *Bundeswehr* should be allowed to participate in out of area operations. In a case dealt with by the *Potsdamer Landgericht* (district court of Potsdam) it was questioned whether military service is still in conformity with constitutional law. According to the judges in Potsdam, the defendant in question had a right to refuse military service since it constitutes a disproportional interference in the basic rights of the conscript. This disproportion was created after the end of the Cold War, when a fundamental change in the security environment took place. In other words: military service ceased to be a proportional interference in the basic rights of the conscript since the danger of a large conventional attack decreased drastically with the dissolution of the USSR.

The arguments used by the district court were very close to the in this context often cited words of former federal president Roman Herzog who said in 1995 that military service has such a deep influence on the individual freedom of a young civilian that the state may only ask such a service when the security environment actually demands it.¹⁴⁹ Although case law shows that the constitutional

¹⁴⁷ 'Karlsruhe weist Vorlage gegen Wehrpflicht ab', in: *FAZ* (11 April 2002).

¹⁴⁸ Stoiber, E., 'Rede auf der XXXVIII. Münchner Konferenz für Sicherheitspolitik'.

¹⁴⁹ 'Die Wehrpflicht ist ein so tiefer Eingriff in die individuelle Freiheit des Staates wirklich gebietet. Die allgemeine Wehrpflicht ist also kein allgemeingültiges Prinzip, sondern sie ist auch abhängig von der konkreten Sicherheitslage. Ihre Beibehaltung, Aussetzung oder Abschaffung und ebenso die Dauer des Grundwehrdienstes müssen sicherheitspolitisch begründet werden können. (...) Wehrpflicht glaubwürdig zu erhalten heisst also, zu erklären weshalb wir sie trotz des Wegfalls der unmittelbaren äusseren Bedrohung immer noch benötigen'.

court regarded military service as being not in conflict with constitutional law, it would have been interesting to hear the opinion of the judges in Karlsruhe on this case. But a decision was not taken, because of legal inaccuracies in the district court's document.¹⁵⁰

Basically, the question whether military service should be maintained or abolished, is not a legal question, but a political one. In this respect it is positive that after the non-decision of Karlsruhe the politicians will have to deal with it. That does not make the issue easier to solve, because the arguments in favour of, or against abolishment are very diverse in character. Military service has a military, social, cultural and political character at the same time. What arguments are used by those in favour of maintaining military service and how valid are these with respect to the current security environment?

One of the most often heard arguments is that a conscript army is needed for territorial defense in order to resist a large conventional attack.¹⁵¹ That in fact, has been the motivation for Scharping to maintain military service: 'Die Landesverteidigung ist Kernauftrag deutscher Streitkräfte. Sie kann auch in Zukunft nur durch die allgemeine Wehrpflicht sichergestellt werden. Als teil der Sicherheitspolitische Vorsorge ist die allgemeine Wehrpflicht weiterhin unverzichtbar'.¹⁵² As I already said in the introduction, a large conventional attack on NATO territory is neither very likely at the moment nor in the nearby future. Since the security landscape has changed drastically, maintaining military service for this purpose would be irrational. Of course the security landscape has no permanent character and is changing constantly. Theoretically, it could be possible that a Cold War-like situation is reborn, but that is no excuse to maintain military service. An attack on NATO-territory implies an attack on a grand scale and will be difficult to hide from (military) intelligence services. Therefore, in order to obtain specific military capabilities needed for territorial defense (conscripts, heavy armaments etc.), defense planners generally count on a warning period of eight up to ten years.¹⁵³

It is certainly true that such a transition from a relative small professional army to a large conscript army may cause some problems. First, it could be politically and socially difficult to reintroduce military service after it has been abolished. Germany should therefore take the example of other countries like, for example, the Netherlands. That country decided not to abolish it, but just to postpone the summoning of conscripts indefinitely. If necessary, it could decide to start summoning again. For a large part, the second problem can be solved by the same construction. As has been pointed out by the Weizsäcker commission, there exists a risk of escalation if military service is re-

These words were said during the 35th *Kommandeurstagung der Bundeswehr* in 1995. Cited in: K. Schlich, 'Wehrpflicht in Deutschland. Der aktuelle Stand', in: Thiele, *Wehrpflicht auf dem Prüfstand* 37.

¹⁵⁰ According to the constitutional court, the district court failed to explain the importance of the constitutionality of the military service for the case of the defendant. See: 'Karlsruhe weist Vorlage gegen Wehrpflicht ab' and 'Eine Frage politischer Klugheit', in: *FAZ* (11 April 2002).

¹⁵¹ See further, 'Union will bei Wehrpflicht von neun Monaten bleiben', in: *FAZ* (6 April 2002) and 'Auf den Weg zur Söldnerarmee?', in: *FAZ* (8 März 2002).

¹⁵² Bundesminister der Verteidigung, *Eckpfeiler* 29.

introduced at the moment of an emerging crisis which threatens alliance territory. By not abolishing military service, but instead postponing the summoning of conscripts, this risk will be smaller. It should be realized that *any* mobilisation, including that of armed forces consisting out of mixture of conscripts and professionals (i.e. the structure of the current *Bundeswehr*), involves a certain risk of escalation. Even adjustments in the length of military service (as has been the case in 1962 after the Berlin Wall had been built the year before) could have an escalating effect.

More important than trying to solve problems which *could* arise out of a situation such as described above in a worst case scenario is to point to the fact that territorial defense, in the sense of resisting a overwhelming conventional attack, has simply been replaced by crisis management as the most likely task for European military forces in the nineties of the last century. After the attacks of 11 September 2001 on the USA, it became clear that the need of territorial defense was not obsolete and that, in addition to crisis management tasks, the necessary attention has to be paid to it. The difference with the Cold War period is the contents and form of this territorial defense. One will not be able to guard homes behind a line of heavy armoured divisions in the 21st century. Instead, forces will be needed for the defense of vulnerable objects (nuclear power plants, governmental buildings etc.) and for military action carried out miles away from the home country.

Both crisis management and territorial defense in the 21st century require - instead of conscripts - flexible professional armed forces that are capable of power projection. It is not difficult to find similarities between a crisis management operation like 'Allied Force' and an operation like 'Enduring Freedom' which can be regarded as territorial defense in a new style. In that respect: 'It is becoming increasingly difficult to distinguish between the demands on armed forces posed by collective defense on the one hand and international crisis management on the other.'¹⁵⁴

Next to the argument of 'territorial defense', the strongest argument in favour of the maintenance of military service from a military point of view is the fact that the armed forces will become smaller than is planned for. Currently, over fifty percent of all German professional soldiers have only decided during their military service that they wanted to continue. Without conscription (creating a number of 175.000 soldiers), the *Bundeswehr* would not get its needed shift of 25.000 new recruits a year, but a mere 10.000 to 14.000. The result will be a stabilisation at the level of 100.000 soldiers.¹⁵⁵

Nonetheless, that is not a valid argument to be used to support the maintenance of military service as has been done within the Weizsäcker report. Keeping the conscripts may mean a bigger army, but also a less effective one under the present circumstances. Moreover, because all European countries which abolished military service are dealing with the same reducing numbers it will not be a typical German problem. A solution could be found in enhanced cooperation among the European

¹⁵³ Kommission Gemeinsame Sicherheit *Bericht der Kommission* 23.

¹⁵⁴ Scharping 'Reform of the Bundeswehr' 31.

¹⁵⁵ 'Auf dem Weg zur Söldnerarmee?', in: *FAZ* (8 März 2002).

countries.¹⁵⁶ Although many multinational forces and structures have been created in the last ten years, still a lot could be gained in that field. Multinational cooperation could lead to more efficiency, thus decreasing the number of soldiers needed for a particular task.

A third argument often brought to the forefront by adherents of military service derives from a social point of view. Germans are very keen on the link between the *Bundeswehr* and society, created by the fact that military service makes civilians themselves responsible for their own defense. Many fear that this link will weaken in case of a professional army, increasing the risk of 'military adventures' and decreasing the level of control by society on its armed forces. From a historical point of view this fear may be understandable, since it was above all the *Reichswehr* as a professional army that promoted the creation of a 'state within a state', indirectly stimulating the fall of the Weimar Republic in the 1930's.¹⁵⁷ At the same time, it denies the fact that 'military adventures' can be undertaken by both professional armies and conscript armies. Therefore, in order to prevent 'military adventures' and to preserve full political control, more decisive than the form of the organisation of a military force is the existence of a stable democracy and that is certainly the case in Germany. Further, the determining role of the military service in the integration of the military forces in society is often being overestimated, while at the same time, the integrating capacities of a professional army are being underestimated.¹⁵⁸

The last argument against the abolishment of military service has a very practical nature and has nothing to do with security. Refusing military service (on moral grounds) in Germany will mean that one must perform a substituting civil service (*Zivildienst*). The *Zivildienst* (introduced in 1961) has a predominant social character and those 'choosing for it' perform their duty in hospitals, homes for the elderly and institutions for the disabled. What was meant to be an exception to military service, has in fact become the rule. The *Zivildienst* has become an important public institution and when the reform plans of Scharping have been realised, those serving within the *Zivildienst* will form a higher number than those serving within the armed forces. One should realise that the military service was not installed for that purpose and those in favour of maintaining it should only use security related arguments.

Several studies point out that it would not be a social-economic disaster if the *Zivildienst* would disappear as has been predicted more than once in the military service debate. In theory, abolishment of the substituting service *should* have no social-economic consequence at all: the substituting service was meant to be *Arbeitsmarktneutral*, which means that every job created for a performer of *Zivildienst* should not have any influence on the labour market. In spite of the existence of contracts in which that provision has been spelled out, in reality, most servants are being employed

¹⁵⁶ D.S. Lutz, 'Für die Aussetzung der Wehrpflicht', in: Thiele, *Wehrpflicht auf dem Prüfstand* 138.

¹⁵⁷ H. Hansen, 'Eine Sicherheitspolitische Bewertung der Wehrpflicht', in: Thiele, *Wehrpflicht auf dem Prüfstand* 71.

¹⁵⁸ J. Gross, 'Die Überschätzte Wehrpflicht? Gesellschaftliche Aspekte', in: Thiele, *Wehrpflicht auf dem Prüfstand* 84 - 91.

as normal employees, thus occupying jobs instead of providing an additional value as was meant to be. In a country with about four million persons unemployed, that is a luxury which cannot be afforded (anymore). For a lot of unemployed Germans, the abolishment of the *Zivildienst* will create a good chance to get a job in the preferred labour environment. The argument that professional employees will make the social sector a lot more expensive is not valid. In the social sector there are actually less professionals needed than is currently suggested by the number of servants: for every three servants, two professionals will satisfy. That has everything to do with the higher productive capacity of professionals.¹⁵⁹

In sum, the above mentioned arguments which are used by those in favour of the maintenance of military service are not valid as far as the current security environment is concerned. A NATO-member like the UK consists over armed forces that are more suited for the defense of alliance territory and the participation in crisis management operations than Germany has. Therefore it would be wrong to say that: 'Developments in the French and British armies [i.e. the creation of a fully professional army with strong expeditionary elements, *NvW*] cannot serve as an example for Germany.'¹⁶⁰ It can and it must if Germany does not want to stay behind and make a strong contribution to a balanced ESDI.

4.4 Financial shortcomings

Diminishing financial means for military forces is an all-European phenomenon. Nonetheless, for the *Bundeswehr* this situation is heavier to bear than for other armed forces, because the German defense budget cuts are the highest in Europe. The consequence is that Germany, with the largest economy in Europe, is relatively one of the smallest spenders on the military forces among NATO-countries. Initially, and in according with the proposals of the Weizsäcker commission, Scharping wanted a strong financial basis for the armed forces: he even announced to increase the defense budget in 2001 with 3.2 percent. These plans did not correspond with the general financial problems in Germany and the financial austerity course followed by the ministry of Finance that aimed to have a zero budget deficit in 2006. The by Scharping and Weizsäcker proposed financial flexibility was out of the question after minister of Finance Hans Eichel, with the strong support of Schröder, decided to include the defense budget in his €15 billion saving package.¹⁶¹ The savings could not prevent that the German government missed only nearly a so called 'blue letter' from the European Commission in February 2002. This warning letter would have been sent to Germany, because of the closeness of its budget

¹⁵⁹ P. Tobiassen., 'Eine Bestandsaufnahme. Zivildienst aus volkswirtschaftlicher Sicht', in: *Sicherheit und Frieden. Vierteljahresschrift für Sicherheit und Frieden* 19, No.4 (2001) 184 - 187.

¹⁶⁰ P.J. Breuer, 'KRR-German crisis reaction forces in operation', in: *Military Technology Special Issue 3* (2001) 24

¹⁶¹ Meiers, 'The reform of the Bundeswehr' 13.

deficit (as high as 2,6% of GDP in 2001) to the 3% allowed under the European Union's stability pact. Only by promising to speed up the financial reforms, the German government could avoid that the in principle most enthusiastic promoter of the stability pact was to become the first to violate the agreement.¹⁶² At the time of writing, it is expected that the German budget deficit will rise to 3,8% of GDP in 2002 and the European Commission has decided to make an official warning Germany.¹⁶³

Under these circumstances, it is not surprising that the defense budget will not be increased structurally under the new red-green coalition. During the coalition negotiations in Oktober 2002, the best result minister of Defense Peter Struck could get, was the prevention of a further decline of the defense budget. However, without a substantial increase, the budget remaining at the level of €24,2 Billion, there are too little financial means to adapt the armed forces to the new security environment.¹⁶⁴

Of course, an increase of the defense budget would only be a part of the solution. More important would be the clever use of the available financial means. In order to modernise the *Bundeswehr*, investments are needed as has been made clear by an initiative like NATO's DCI. Currently, 53% of the German defense budget in 2002 is devoted to the finance of personnel. That is more than the 51,7% in 2001 and the percentage could rise to 55% or higher if precautions are not taken. In spite of the fact that the armed forces will become smaller, extra money for personnel is needed to make the *Bundeswehr* more attractive for professionals and for the social phasing out of the *Zivildienst*.¹⁶⁵ Relatively, that leaves less money for management, the maintenance of material and - of great importance for ESDI - investments. The share of investment related expenditure is far too small at the moment: it has decreased from 23,9% in 2001 to 22,15% in 2002.¹⁶⁶ Such a low share is not a typical German phenomenon, but an all-European one.

Serious investments are needed to create ample European military capabilities. In his initial reform plan, Scharping wanted to increase the share of investment related expenditure to 30%, a percentage which is widely regarded as the minimum in order to maintain modern armed forces.¹⁶⁷ It is clear that that goal is still far away. The figures show that the share of investment related expenditure grows very slowly and that it at least needs the full time of the reform (six years) in order to reach the minimum level of 30%. That is, if that level will be reached at all.

In the meantime, other sources have to be found. These sources are found by efficiency gains resulting from cost-effective thinking and action (for example by out-sourcing) and by gains resulting

¹⁶² M. Fröhlingdorf u.a., 'Grausamer Kraftakt', in: *Der Spiegel* 8 (18 Februar 2002) 22 - 27.

¹⁶³ 'Grote Eurolanden officieel berispt', in: *De Volkskrant* (14 November 2002).

¹⁶⁴ 'Rührt euch!', in: *Die Welt* (9 Oktober 2002).

¹⁶⁵ H.P. Oelmeier, 'Finanzlage der Bundeswehr. Verteidigungshaushalt 2002', in: *Soldat und Technik* (Januar 2002) 15 - 18 and T. Unterseher, 'Die Mär von der Unterfinanzierter Bundeswehr', in: *Blätter für Deutsche und Internationale Politik* (Oktober 2001) 1467.

¹⁶⁶ Oelmeier, 'Finanzlage der Bundeswehr' 17.

¹⁶⁷ Bundesminister der Verteidigung, *Eckpfeiler* 40.

out of the selling of old redundant material (soil, armaments etc.).¹⁶⁸ Responsible for this, is the *Gesellschaft für Entwicklung, Beschaffung und Betrieb* (GEBB). In compliance with an interdepartmental agreement between the ministries of Finance and Defense, the financial gains will be added to the defense budget in general and will be used for investments in particular. It was estimated that that would lead to a share of investment related expenditures of 25,4% in 2001 and 23,4% in 2002 within the defense budget.¹⁶⁹ Although the expectations were high, during the first year the results were disappointing. Scharping expected to gain €500 million in 2001, but got only about €350 million.¹⁷⁰ It is very unlikely that the gains from rationalisation will increase drastically in the next years. The prizes are low and, because of export restrictions (i.e., Germany does not deliver weapons to regions that are engaged in armed conflicts) the government cannot sell redundant defense material to any country it wishes.

The increase of the defense budget in general and the investment related expenditure in particular will most likely have to come from *ad hoc* increases of the budget as has been the case several times in the last three years. As a result of German participation in the Kosovo war, the defense budget was increased with €1 billion yearly. In May 2001 it was decided to increase the budget with another €250 million, starting in the year 2003 and ending in 2006.¹⁷¹ The third package of additional money has been added to the budget after the attacks of 11 September 2001. Out of a total sum of €1,5 billion a year, meant to finance anti-terror measures, €775 million (between 2002 and 2006) was reserved specifically for the *Bundeswehr*.

With the exception of the €250 million package of May 2001, the additional financial sources were meant to finance specific crisis management operations. Nonetheless, it is clear that a large amount has been used to finance the reform.¹⁷² That is illustrative for the financial problems of the *Bundeswehr*, because devoting the additional money to the reform, creates a problem for the operational capacity of the German military forces. What consequences do the old fashioned orientation and lack of financial means mean in practice? In chapter three, it was made clear that the new German foreign and security policy is ambitious compared with the old 'culture of restraint': it is prepared to be participate in crisis management and other military operations. That ambition, in combination with the limited reform, has proved to create serious problems for the *Bundeswehr*.

¹⁶⁸ Bundesminister der Verteidigung, *Neuausrichtung* 42.

¹⁶⁹ Oelmeier, 'Finanzlage der Bundeswehr' 17.

¹⁷⁰ U. Deupmann and A. Szandar, 'Einsame lady', in: *Der Spiegel* 45 (2001) 34.

¹⁷¹ Bundesministerium der Verteidigung, '500 Millionen Mark mehr für die Finanzplanung', http://www.bundeswehr.de/index_.html

¹⁷² Unterseher, 'Die Mär' 1465.

4.5 German participation in the International Security and Assistance Force (ISAF)

After the attacks of 11 September, Germany was one of the first countries to declare an unrestricted solidarity with the USA. Within the *Bundeswehr* that commitment was illustrated with the words ‘We stand by you’ which American navy crew could read on a banner of a German destroyer when both ships were passing by three days after the attacks.¹⁷³ Translating this commitment in actual political and military support was difficult, as I have pointed out in chapter three. After a large debate and a governmental crisis, Germany decided nonetheless to take part in ‘Enduring Freedom’. That decision led to a lot of practical problems for the *Bundeswehr*. The decision to take part in the ISAF only increased the burden.

First, there was the problem of the number of soldiers that could be sent as part of the UN-force. That problem was related to the limited capacity of the *Bundeswehr* to provide quick reaction forces. Initially, Scharping wanted to send 2600 soldiers, a number that caused a large protest among high ranking military personnel. Many generals complained that the *Bundeswehr* was about to get overstretched and that the present situation would not be a good starting position to carry out an out of area operation that was regarded to be one of the most dangerous so far.¹⁷⁴ This criticism could be seen in line with the decreasing level of motivation within the *Bundeswehr* in general, caused by the large pressure of work. ‘Wir [the *Bundeswehr*, *NvW*] sind eigentlich schon jetzt bis zur Halskrause ausgelastet’, were the words of the president of the *Bundeswehrverbands* (union of the armed forces) Bernhard Gertz. He pointed to the fact that Germany had only a total number of 65.000 quick reaction forces at its disposal and that these were already bound to the Balkans and the operations in the context of ‘Enduring Freedom’ (including the time needed to rest and prepare for the next employment).¹⁷⁵ Subsequently, in March 2002, the result of an internal investigation, presented by general Löchel, showed that there existed a common feeling of overloading within the armed forces and that many German soldiers had lost their faith in the political leadership.¹⁷⁶

Similar words about overloading the armed forces had been used by Scharping too: ‘Die Einsätze in Bosnien, Kosovo, Mazedonien, Georgien und zur Terrorbekämpfung haben die Bundeswehr an die Grenze ihrer Leistungsfähigkeit gebracht’. The fact that Scharping, in conflict with his words, supported such a high German contribution to ISAF was attributed to his loyalty to the SPD in general and Schröder in particular by several annalists.¹⁷⁷ Although Schröder knew perfectly well that the *Bundeswehr* had reached its limit after the decision to take part in ‘Enduring Freedom’, the ambition to make Germany a ‘normal country’ in its foreign and security policy seemed to have

¹⁷³ ‘Stars und Stripes für die Lütjens’, in: *Y.* (Februar 2002) 22.

¹⁷⁴ ‘Generäle wehren sich gegen Scharping’, in: *Die Welt* (13 Dezember 2001).

¹⁷⁵ ‘Stimme der Soldaten’, in: *FAZ* (7 Dezember 2001).

¹⁷⁶ A. Szandar, ‘Dümpeln im Leerlauf’, in: *Der Spiegel* 9 (2002) 27.

¹⁷⁷ ‘Aufstand der Generäle’, in: *Die Welt* (13 Dezember 2001).

overshadowed the problem of the lack of capabilities. As a result, Scharping was criticised not to have opposed Schröder's ambition stronger.

The protest of the generals was not in vain: the government decided on 21 December to send 'only' 1200 soldiers. Nonetheless, a smaller German contingent and a statement made by the inspector of the army, Gert Gudera, that the military leadership stood firm behind its minister, could not prevent the continuity of conflicts between the military and the political leadership.¹⁷⁸ During the yearly *Kommandeurstagung* in April 2002 more concerns were placed in the forefront by the military. Harald Kujat stated the reform to be endangered by a lack of means and that it will probably take until 2012 before the process will be finished, if it will be finished at all.¹⁷⁹ Schröder admitted that there should be a discussion on the tasks and means of the *Bundeswehr*, but additional money should not be reckoned with.¹⁸⁰

A second issue that arose as a result of the decision to participate in ISAF was the question whether Germany should be the 'lead nation'. Initially the government had shown some interest and it would have been in conformity with the new German foreign and security policy. A leading role for Germany was strongly supported by the USA and the interim government in Afghanistan. Nonetheless, it soon became clear that that would take an effort that could not be afforded by the *Bundeswehr* and the level of ambition was decreased to a mere participation with a contingent as large as the other big European countries (i.e. France and Italy).¹⁸¹ The same process was repeated in March 2002 when a decision had to be taken on the issue which country would succeed the UK as a 'lead nation'. For the second time, Germany was asked to perform this task and again the German government had to turn down the request. This time it was easier to take the decision, since reality had made clear that the operation already asked the maximum from the armed forces. Seen in that light, it is very surprising that Scharping announced that the *Bundeswehr* would be prepared to take over the *tactical* lead of the ISAF, under the general command of another country.¹⁸² Even for such a modest task, additional forces were necessary. Again, the ambition to give the new foreign and security policy a boost was regarded as being more important than the necessary restriction needed to concentrate on the reform.

In the end, Germany took the leading role after a third request was made in the autumn of 2002. Despite the fact that Germany shares the leadership with the Netherlands and that NATO provides support on the operational level, the burden for the *Bundeswehr* has increased substantially. The German contingent of 1200 soldiers will be expanded with of 800 persons; a number of troops which is difficult to deliver for the overstretched German armed forces.

¹⁷⁸ 'Generäle attackieren Minister Scharping', in: *Die Welt* (14 Dezember 2001).

¹⁷⁹ 'Kujat: Bundeswehrreform gefährdet', in: *FAZ* (10 April 2002).

¹⁸⁰ 'Für Scharping nicht komfortabel', in: *FAZ* (10 April 2002).

¹⁸¹ 'Nicht Aufgabe Deutschlands', in: *FAZ* (10 Dezember 2001).

¹⁸² 'Das falsche Sparschwein', in: *Die Zeit* (7 März 2002).

Both the problem of the total number of soldiers that could be sent to Afghanistan and the question whether Germany should accept the role of lead nation were connected to German lack of essential military capabilities. That was made clear immediately after the decision to participate. The first German contingent that departed in the context of the ISAF in the beginning of January 2002 (*Vorauskommando*) was confronted with a lack of strategic (air) transport capacity. The same had earlier been the case with the KSK that were employed in the context of 'Enduring Freedom'. For a non-stop flight, the KSK could not use the German C-160 Transall airplanes, but needed American transport. In case of the ISAF, the *Bundeswehr* was dependent on the airlift-capacity of other European nations (which is very limited in quality and quantity).¹⁸³ Bad weather and the limited capacity of the airplanes caused delay at a stop in Turkey.¹⁸⁴ The problems that arose during this transport of only 70 soldiers (soon designated as *Schönwittersoldaten* by the press) caused great concern among the military.¹⁸⁵ Performing a peace keeping operation without the existence of abundant transport capabilities could be suicide. The German peacekeepers would be dependent on the UK and the USA in case of an emergency that would demand evacuation and since these countries were fully involved in the war on terrorism, the possibility of a 'worst case scenario', in which both countries would need all their transport capacity for their own forces, was not unlikely.

After a year of participation in ISAF little has changed: Germany still lacks strategic transport. The consequence is that Germany is only able to start its role as a lead nation in February 2003, although the mandate of its predecessor Turkey was scheduled to end in December 2002.¹⁸⁶ Only then all the needed equipment will have been transported.

Scharping has made strategic transport one of his key points within the reform: the old 84 Transall airplanes (in operation since the 1960's) need to be replaced. Nonetheless, the reform plans and the importance to fill this gap are not entirely in conformity with reality. The political problems arising from the German purchase of 73 A-400 M strategic transport aircraft makes one wonder whether the deficiency is taken serious enough by the German politicians. This, for ESDI a crucial European project (Future Transport Aircraft, FTA), was threatened by a weak financial basis as a result of German decisions (or non-decisions). Initially, Germany had promised to buy 75 planes during a French-German meeting in Mainz in 2000. During a subsequent bilateral meeting in Bourget (2001) the number was lowered because of financial reasons to 73 planes.¹⁸⁷ These planes would cost Germany about €6 billion, but only €1 billion had been reserved in the 2002 defense budget, just enough to purchase 40 planes.¹⁸⁸ Since the German government still wanted to buy the full number of 73 planes, it was only able to sign the FTA-treaty (on 18 December 2001) by making the reservation

¹⁸³ A. Szandar, 'Zuschlagen und abhauen?', in: *Der Spiegel* 46 (2001) 46.

¹⁸⁴ 'Deutsches Vorauskommando schlägt Lager in Kabul auf', in: *Die Welt* (21 Januar 2002).

¹⁸⁵ 'Deutsche Soldaten noch immer auf dem Weg nach Kabul', in: *FAZ* (14 Januar 2002)

¹⁸⁶ 'Vredesmacht in Afghanistan kan niet op eigen benen staan', in: *NRC Handelsblad* (28 February 2002).

¹⁸⁷ 'Erinnerung an ein Versprechen', in: *FAZ* (23 November 2001).

¹⁸⁸ 'Ungewiss, soviel ist sicher', in: *FAZ* (28 Januar 2002).

that German parliamentary approval would be necessary. On their part, the European partners participating in the project, demanded a legally binding decision before 31 January 2002. That led to a 'statement of intent' by the German government which declared that the missing €5,5 billion would be allotted in the 2003 budget. The statement got a parliamentary majority, but both the CDU/CSU and the FDP regarded this construction as being unconstitutional (as it would bind the new parliament after the elections of September 2002) and went to the constitutional court. The request for a court injunction was only withdrawn, after Scharping had declared that the statement had only been a political signal to the European partners and that parliament had only approved €1,1 billion so far.¹⁸⁹ Because Scharping made clear he had the intention to purchase all the 73 planes, the partners were prepared to wait on a legally binding decision until 31 March. The price to pay was a German commitment to take over all additional costs (including that of the partners) that would be created if Germany would only be able to purchase 40 airplanes. That deal caused the anger of the opposition for the second time and the CDU/CSU threatened with an appeal to the constitutional court again.¹⁹⁰ This time, they got support from three politicians of the *Grünen* who pointed to the fact that there existed no clause in the 2002 budget that allowed the government to make such an 'additional costs arrangement' and that the arrangement would bind the new *Bundestag* after the elections, thus diminishing its room for decision making.¹⁹¹

Eventually a final settlement was made by the parliamentary budget commission on 21 March 2001, in which a declaration was included that the possible additional costs would be at the expense of the already reserved €1,1 billion. Further, the commission took note of the *intention* of Finance minister Hans Eichel to book the missing €5,5 billion in the 2003 budget.¹⁹² That meant that only the order of 40 planes was legally binding. Although it can be expected that the new *Bundestag* will proceed with the process and give approval to the order the additional 33 planes, the weak German financial basis is still threatening an important European project.

Parallel to the lack of strategic transport capacity is the lack of other specialised material needed to carry out crisis management tasks on the ground. Although Scharping has pointed to the large risk of mines before German soldiers were transported to Afghanistan, only six multifunctional protecting vehicles (the so called Dingo's) were available for 1200 soldiers on a short term: the other fifty Dingo's were being used by German contingents in the Balkans. Sending the six 'available' vehicles to Afghanistan would mean that no single Dingo would be left in Germany for training purposes. The fact that a number of 57 Dingo's was still in the production process and that a new order of another 100 Dingo's was about to be postponed at a time the vehicles were really needed, is very

¹⁸⁹ 'Rechtsstreit über den Airbus beigelegt. Scharping: Besser kann man es nicht haben', in: *FAZ* (30 Januar 2002).

¹⁹⁰ 'Union stellt das Projekt A400M in Frage', in: *FAZ* (20 Februar 2002).

¹⁹¹ 'SPD und Grünen finden einen Ausweg im Airbus-Streit', in: *FAZ* (13 März 2002).

¹⁹² '5,1 Milliarden Euro für Airbus bewilligt', in: *FAZ* (21 März 2002).

typical for the current state of the *Bundeswehr*.¹⁹³ The German armed forces can currently not deliver what they are asked for by the foreign and security policy and it is questionable if they will be able to do that in the nearby future.

The last problem I would like to stress, is the extra financial burden that was caused as a consequence of taking part in ISAF. That participation, without performing the leading role, costs an estimated €20 million while only €150 million can be taken from the budget reserved for anti-terror measures.¹⁹⁴ The result would be a financial shortage of €170 million. That shortage will only grow when the additional costs are added that arise from the role of lead nation. Experts estimated that such a role will cost €900 million, an amount that is higher than the entire anti-terror measures budget.¹⁹⁵

The above mentioned problems show that the combination of a (limited) reform of the armed forces with an ambitious new foreign and security policy does not prove to be very productive. One could argue that the shortcomings will disappear as the reform is proceeding and that one has to be patient, because it simply takes time to accomplish the reform. Taking the comments of Kujat during the *Kommandeurstagung* into account, it is unlikely that the process will be finished in 2006. Although the total number of 282.000 soldiers has been planned for to be accomplished in the year 2004, it will take another six years to get the right composition.¹⁹⁶

Nonetheless, as I hope to have made clear in this chapter, the problem is not restricted to the long time needed to carry out the reform, but extends to the character of the reform itself. The current reform plans will not sufficiently lead to a *Bundeswehr* which is capable to deal with the ambitions of a balanced ESDI. Therefore, a 'reform of the reform' is necessary. Old concepts - such as conscription in combination with the great importance given to territorial defense - should be abandoned. Instead, initiatives should be taken to stimulate the elimination of the shortcomings defined in NATO's DCI and the EU's ECAP. That implicates that the creation of capabilities for crisis management operations at the upper end of the conflict spectrum should be a key point.

¹⁹³ 'Ex-General Reinhardt warnt vor grossen Risiken beim Einsatz in Afghanistan', in: *Die Welt* (26 Januar 2002).

¹⁹⁴ 'Das letzte Aufgebot. Auftrag und Mittel klaffen beim Afghanistan Einsatz der Bundeswehr auseinander', in: *FAZ* (9 Januar 2002).

¹⁹⁵ 'Bundeswehrsoldaten werden in Kenia stationiert', in: *Die Welt* (1 Februar 2002).

¹⁹⁶ Bundesminister der Verteidigung, *Grobausplanung* 24.

5. Conclusion

In this text, I argued that ESDI can coexist with a strong NATO and a strong transatlantic link if it is balanced. A balanced ESDI will provide the Europeans with the possibility to carry out crisis management operations (under NATO- or EU-leadership) at the lower and upper end of the conflict spectrum. Current American concerns about ESDI do not rest on the fear for a Europe heading for a policy of duplication, discrimination or decoupling, but on the expectation that - despite all good intentions - Europe will remain military weak with the consequence that any burden sharing between the transatlantic partners will be impossible in the nearby future. A balanced ESDI could eliminate these tensions.

It should be clear that ESDI, in order to become balanced, needs to be stimulated strongly in the field of crisis management at the upper end of the conflict spectrum. That implies the creation of the capacity to carry out expeditionary warfare in high intensity conflicts, instead of stressing the importance of European autonomy in the performance of low intensity crisis management tasks. The capacity to carry out those operations autonomously is already present.

Two conditions are necessary to create a European capacity to deal with high intensity conflicts: the creation of capabilities and a clear choice for a strategy that makes autonomous European action in the entire conflict spectrum possible, i.e. the maximalist approach. Note that these conditions are necessary and not sufficient for the creation of a balanced ESDI.

In order to make ESDI balanced, the role of Germany is important. Where its foreign and security policy is concerned there is reason for optimism. As I have pointed out in chapter three, since reunification, this policy has changed significantly in such a way that one can speak of a truly *new* foreign and security policy as compared to the policy of West Germany during the Cold War. Germany's foreign and security policy has become normal in the sense that it has become more comparable to the policy of other (large) European states such as France and the UK. The German reaction on the attacks of 11 September 2001 supports that view. One could conclude that the German foreign and security policy is rather supportive for the creation of a balanced ESDI. That is not exclusively caused by the new policy in itself, but rather by a combination of the new policy with the old merits of a civilian power.

That combination is exactly what the EU should aim at. Just like Germany, the EU has a large tradition of soft-power approaches which would be strengthened by the ability to carry out military operations in the entire conflict spectrum autonomously. In that respect the new German foreign and security policy could be a model for the CFSP of the EU. Further, Germany could form a bridge between 'Atlantic' and 'European' interests.

Autonomous military action implies military capabilities to do so and with regard to the German armed forces here lies a reason for concern. In chapter two, I elaborated on the still expanding military capabilities gap between the USA and Europe. Europe needs the successful implementation of

the new DCI and the ECAP. It is clear that Germany, as a big country, should play a large role in the implementation of these plans, but it is unlikely that Germany will be able to act in conformity with the high expectations. With the new foreign and security policy in mind, it is not the culture of restraint that withholds the country to make a significant contribution to a balanced ESDI, but the structural lack of military capabilities.

As I pointed out in chapter four, it is very unlikely that the current reform plans will change that situation very soon. One of the reasons is that the reform is simply not reforming enough. The dominance of old concepts like conscription remain too important and hinder the creation of a balanced ESDI which aims at operations in the entire conflict spectrum. These operations include the capability of expeditionary deployment which needs professionals instead of conscripts. It is not very likely that the limited character of the reforms will be abandoned now the red-green coalition has started with its second term after the narrow victory in the general elections last September. Although the *Grünen*, who favour professional armed forces, have gained more seats in the *Bundestag* compared to the preceding period, both the governing SPD and the oppositional CDU/CSU are still in favour of sustaining the military service.

Although the DCI has been one of Scharping's cornerstones, too much money is spent on personnel, too little on investment. In addition to its limited character, the lack of financial means endangers the successful completion of the military reform. Carrying out the reform and cutting the defense budget at the same time has proved to be an unhealthy combination. It simply takes time before money can be 'earned' on an efficient and modern *Bundeswehr*. To create such a situation, one will have to invest first. That is the reason why the Weizsäcker commission stressed the necessity of financial leeway in its report. Taking the current economic dip, the high unemployment rates and the fact that Germany's budget deficit is likely to rise above the three percent in mind, it seems unrealistic to count on an increased defense budget. A more efficient way of spending money could be a solution to the financial shortcomings. Unfortunately, too much money is spent on personnel, too little on investment.

The financial shortcomings would be less severe if the German government had not undergone the change in its foreign and security policy. The operations carried out parallel to the reform cost extra money and create an additional burden on the defense budget, despite the allocation of financial ad hoc packages.

Taking the protests and complaints of officials from the armed forces into account, the *Bundeswehr* is not only financially overstretched, but also with regard to its personnel and material. It seems as if the new foreign and security policy is undermining the reform of the *Bundeswehr*. The combination of a modest reform, financial restrictions and a high demand on the *Bundeswehr* as the result of an ambitious new German foreign and security policy, has created many problems for the present and the nearby future. In that sense, the current situation can be regarded as a fundamental problem for the creation of a balanced ESDI. As a big country, Germany will *ipso facto* have a large

impact on the creation of a European security structure. A failing reform of the *Bundeswehr*, will probably mean an unbalanced ESDI.

I have argued that the new German foreign and security policy, combined with the old virtues of a civilian power, could make a positive contribution to the creation of a balanced ESDI and thus a strong transatlantic link. However, if the *Bundeswehr* has a lack of means, there can be no new foreign and security policy. The positive effects that the new foreign and security policy could have, will be absent, threatening ESDI to become unbalanced as well as in the context of NATO as in the context of the EU. Therefore it would be wise for Germany to take a step back and concentrate on reforming the armed forces first. Germany is simply not ready to perform the tasks which it is politically prepared to carry out.

Bibliography

Literature

- Beste, R. u.a, 'Abmarsch in die Realitat', in: *Der Spiegel* 46 (November 2001) 22 - 31.
- Beste, R., u.a., 'Teure Sicherheit', in: *Der Spiegel* 51 (2001) 22 - 24.
- Bierling, S.G., *Die Außenpolitik der Bundesrepublik Deutschland. Normen, Akteure, Entscheidungen* (München, 1999).
- Borkenhagen, F.H.U., *Aussenpolitische Interessen Deutschlands. Rolle und Aufgaben der Bundeswehr* (Bonn 1997).
- Boterman, F., 'Afscheid van de Duitse Sonderweg', in: *Internationale Spectator* 56, No. 3 (Maart 2002) 156-162.
- Breuer, P.J. 'KRK-German crisis reaction forces in operation', in: *Military Technology Special Issue* 3 (2001) 22 - 24.
- Caplan, R., *A new trusteeship? The international administration of war-torn territories* (London 2002, International Institute for Strategic Studies, Adelphi Paper 341).
- Deupmann, U. and A. Szandar, 'Einsame lady', in: *Der Spiegel* 45 (November 2001) 34.
- 'Disquiet on the western front', in: *Time magazine* 158, No. 20 (12 November 2001) 30.
- Gorden, P.H., 'Europe's uncommon foreign policy', in: *International Security* 22, No. 3 (Winter 1997/1998).
- Gorden, P.H., 'NATO after 11 September', in: *Survival* 43, No.4 (Winter 2001/2002) 89-106.
- Featherstone, K. and R.H. Ginsberg, *The United States and the European Union in the 1990's. Partners in transition* (New York 1993/1996).
- Fröhlingsdorf, M. u.a., 'Grausamer Kraftakt', in: *Der Spiegel* 8 (Februar 2002) 22 - 27.
- Glaessner, G.J., *Demokratie und Politik in Deutschland* (Opladen 1999).
- Guthrie, C., 'The UK's armed forces: warfighters or peacekeepers?', in: *Jane's Defence Weekly* (3 January 2001) 21.
- Haftendorn, H., *Deutsche Aussenpolitik zwischen Selbstbeschränkung und Selbstbehauptung* (Stuttgart/München 2001).
- Harnisch, S. and H.W. Maull (ed.), *Germany as a civilian power? The foreign policy of the Berlin Republic* (New York 2001).
- Heisbourg, F., a.o., *European defence. Making it work* (Paris 2000, WEU Institute of Security Studies, Chaillot Paper 42).
- Heumann, H.D., *Deutsche Aussenpolitik jenseits von Idealismus und Realismus* (München 2001).
- Homan, K., B. Kreemer en F. Osinga, *De militaire staat van de Europese Unie* (Den Haag 2001, Netherlands Institute of International Relations Clingendael).

- Howorth, J., 'Britain, France and the European Defence Initiative', in: *Survival* 42, No. 2 (Summer 2000) 33-55.
- Hubel, H. and B. May, *Ein normales Deutschland? Die souveräne Bundesrepublik in der ausländische Wahrnehmung* (Bonn 1995).
- Hunter, R.E., *The European Security and Defense Policy. NATO's companion or competitor?* (Rand Corporation 2002).
- International Institute of Strategic Studies, *The military balance 2001-2002* (London 2001).
- 'Jenseits der Roten Linie', in: *Der Spiegel* 47 (November 2002) 28 - 34.
- Latsch, G. and Klaus Wiegrefe, 'Einsatz im Machtspiel', in: *Der Spiegel* 46 (November 2001) 34 - 38.
- Lindley-French, J., 'Full spectrum infighting? Closing the war fighting/peace keeping gap in transatlantic security relations', in: *RUSI Journal* (April 2001) 22 - 24.
- Lüssow, H., 'Meeting the Challenge. German naval units in crisis operations', in: *Military Technology Special issue 3* (2001) 55 - 59.
- Maull, H.W., 'Germany and the use of force. Still a civilian power?', in: *Survival* 42, No. 2 (Summer 2000) 56 - 80.
- Maull, H.W., 'Internationaler Terrorismus. Die deutsche Aussenpolitik auf dem Prüfstand', in: *Internationale Politik* 12 (2001) 1 - 10.
- Meiers, F.J., 'Germany, the reluctant power', in: *Survival* 37, No.3 (Autumn 1995) 82-103.
- Meiers, F.J., 'The reform of the Bundeswehr. Adaptation of fundamental renewal?', in: *European Security* 10. No.2 (Summer 2001) 1-22.
- North Atlantic Treaty Organisation, *NATO-Handbook* (online version).
- Oelmeier, H.P., 'Finanzlage der Bundeswehr. Verteidigungshaushalt 2002', in: *Soldat und Technik* (Januar 2002) 15 -18.
- Sarotte, M.E., *German military reform and European Security* (London 2001, International Institute of Strategic Studies, Adelphi Paper 340).
- Schake, K., A. Bloch-Lainé, C. Grant, 'Building a European Defence Capability', in: *Survival* 41, No.1 (Spring 1999) 20 - 40.
- Scharping, R., 'The reform of the Bundeswehr. An investment in the future', in: *Military Technology Special Issue 3* (2001) 30 - 40.
- Schöllgen, G., *Die Aussenpolitik der Bundesrepublik Deutschland. Von den Anfängen bis zur Gegenwart* (München 1999).
- Stockholm International Peace Research Institute, *SIPRI Yearbook 2001* (Oxford/New York 2001).
- 'Stars und Stripes für die Lütjens', in: *Y.* (Februar 2002) 22.
- International Institute of Strategic Studies, *Strategic Survey 1999/2000* (London 2000).
- International Institute of Strategic Studies, *Strategic Survey 2001//2002* (London 2001).

- Staden, A. van, e.a., *Towards a European strategic concept* (Den Haag 2000, Netherlands Institute of International Relations Clingendael).
- Szandar, A. 'Zuschlagen und abhauen?', in: *Der Spiegel* 46 (November 2001) 42-50.
- Szandar, A. 'Dümpeln im Leerlauf', in: *Der Spiegel* 9 (März 2002) 27.
- Thiele, R. (Hrsg.), *Wehrpflicht auf dem Prüfstand. Über die Zukunft einer Wehrform* (Berlin 2000).
- Tobiassen, P. 'Eine Bestandsaufnahme. Zivildienst aus volkswirtschaftlicher Sicht', in: *Sicherheit und Frieden. Vierteljahresschrift für Sicherheit und Frieden* 19, No.4 (2001) 184-187.
- Unterseher, T., 'Die Mär von der Unterfinanzierten Bundeswehr', in: *Blätter für Deutsche und Internationale Politik* (Oktober 2001) 1463 –1472.
- Vershbow, A., 'The United States, NATO and Europe: Building a More Balanced Partnership', in: *Security Issues Digest No. 186* (27 September 2000). Source: <http://www.nato.int/usa/ambassador/s20000927f.html>
- 'Wehrpflicht oder Berufsarmee? Die Meinung der Bürger', in: *Soldat und Technik* (Oktober 2001) 5.
- Wijk, R. de, *Pyrrus in Kosovo. Hoe het westen de oorlog niet kon winnen en zelfs bijna verloor* (Leidschendam 2000).
- Wijk, R. de, 'The limits of military power', in: *The Washington Quarterly* (Winter 2002).
- Yost, D.S., *NATO transformed. The alliance's new roles in international security* (Washington 1998).
- Yost, D.S., 'The NATO capabilities gap and the European Union', in: *Survival* 42, No.4 (Winter 2000/2001) 97 - 128.
- Zecchini, L., 'Entretien avec Javier Solana. L'Europe-Puissance', in: *Politique Internationale* 92 (Été 2001) 213-232.

Primary documents

- Annex II to the presidency conclusions of the European Council meeting in Laeken (14 and 15 December 2001).
- Annex IV to the presidency conclusions of the European Council meeting in Helsinki (10 and 11 December 1999).
- Annex VI to the presidency conclusions of the European Council meeting in Nice (7, 8 and 9 December 2000)
- Appendix I to the presidency conclusions of the European Council meeting in Feira (19 and 20 July 2000).

- Bundesminister der Verteidigung, *Neuausrichtung der Bundeswehr. Grobausplanung, Ergebnisse und Entscheidungen* (Berlin Oktober 2000).
- Bundesminister der Verteidigung, *Eckpfeiler für eine Erneuerung von Grund auf. Die Bundeswehr sicher ins 21^e Jahrhundert* (Berlin 2001).
- Deutscher Bundestag, stenographischer Bericht 186. Sitzung. Berlin Mittwoch den 12. September 2001 (Plenarprotokoll 14/186).
- Deutscher Bundestag, stenographischer Bericht 192. Sitzung, Berlin Mittwoch den 11. Oktober 2001 (Plenarprotokoll 14/192).
- European Council Decision of 22 January 2001 on the establishment of the Military Staff of the European Union (2001/80/CFSP), in: *Official Journal of the European Communities* (30/01/2001) L27/7 - L27/10.
- European Union Military Capabilities Commitment Declaration.
- German constitution, in: *Grundgesetz* (München 2001).
- Governmental paper to the International Conference on Reconstruction Assistance to Afghanistan held in Tokyo 20-22 January 2002, *Germany's contribution to the reconstruction and development of Afghanistan*, See: http://www.bmz.de/en/topics/beitrag_deutschland.pdf
- Joint declaration issued at the British-French summit, Saint-Malo, France (3-4 December 1998).
- Kommission Gemeinsame Sicherheit und Zukunft der Bundeswehr, *Gemeinsame Sicherheit und Zukunft der Bundeswehr. Bericht der Kommission an die Bundesregierung* (Berlin 2000) 13.
- Ministerial meeting of the Defence Planning Committee and Nuclear Planning Group. Final Communiqué (2002, 071) (6 June 2002).
- NAC Final communiqué. Declaration of the heads of state and government participating in the meeting of the North Atlantic Council, Brussels 10-11 January 1994 (Press Communiqué M-1(94)3).
- NAC Final Communiqué. Declaration of the heads of state and government participating in the ministerial meeting of the North Atlantic Council, Budapest 29 May 2001.
- Prague Summit Declaration. Issued by the heads of state and government participating in the meeting of the North Atlantic Council in Prague on 21 November 2002.
- Presidency conclusions of the European Council meeting in Helsinki (10 and 11 December 1999).
- Presidency conclusions of the European Council meeting in Laeken (14 and 15 December 2001).
- Presidency Conclusions of the European Council meeting in Barcelona (15 and 16 March 2002), paragraph 61.

- Statement on capabilities. Issued at the meeting of the North Atlantic Council in defence ministers session. *Press release (2002) 074* (6 June 2002).
- 'The Alliance's Strategic Concept', in: *The readers guide to the NATO summit in Washington* (Washington 1999) p.p. 47 - 60.
- 'The Defence Capabilities Initiative', in: *The readers guide to the NATO summit in Washington* (Washington 1999) p. 61.
- 'Western European Union Council of Ministers Petersberg Declaration', *WEU Documents* (Bonn, 19 June 1992).

Newspapers

- Die Berliner Zeitung
- The Financial Times
- Die Frankfurter Allgemeine Zeitung
- The International Herald Tribune
- The New York Times
- Die Welt
- Die Zeit