

Afghanistan

The German Factor

BY JAMES D. BINDENAGEL

In December 2009, President Barack Obama revised the American strategy for Afghanistan. He announced an increase of 30,000 American troops for the North Atlantic Treaty Organization (NATO) International Security Assistance Force (ISAF). Concurrent with this increase, he also announced the planned withdrawal of U.S. Armed Forces beginning in 2011. In the 18-month period between the influx and drawdown, NATO must act collectively to counter the full range of threats against Alliance members from terrorist attacks and to build capacity for the Afghanistan government to self-govern effectively.

Americans anticipate relatively less of a combat contribution from Germany and other European Allies. Steven Erlanger described the American view of Europe as a partner that is “seen just now as not a problem for the [United States], but not much help either.”¹ In an address about NATO’s strategic concept, Secretary of Defense Robert Gates expressed concern about what he perceived to be demilitarization by European powers in light of the collapse of Dutch government support and the public opposition to military deployments to Afghanistan in many European countries, even in the face of serious 21st-century threats.² The refusal of Germany and other European Allies to accept a combat role as part of their NATO commitment is at the root of the clash between American and European leaders on Afghanistan policy.

While NATO military counterinsurgency (COIN) operations are essential to provide security from the Taliban threat and to defeat al Qaeda, the American emphasis on the use of force to accomplish these twin objectives is not matched by comparable civilian operations to build capacity for governance in the Afghan central and regional governments. Complex operations—nonkinetic military operations encompassing stability, security, transitional peacebuilding, and reconstruction—provide a basis for NATO strategy to build governance capacity in Afghanistan.³ Unity of the NATO mission is critical and comes from combined operations. Both kinetic and nonkinetic

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capabilities are essential for the Alliance to successfully fight the wars of the 21st century. Moreover, each NATO member must participate fully in combat and noncombat roles.

The German Federal Defense Force (Bundeswehr), the third largest NATO troop contingent in Afghanistan, functions in a peacebuilding, reconstruction, and stabilization role. The German public is deeply averse to the militarization of the Bundeswehr and its engagement in combat roles, except under specific, narrowly defined parameters mandated by parliament. Each Bundeswehr deployment depends on a case-by-case parliamentary decision, which is by nature political rather than military in character. In the case of Afghanistan, the mandate explicitly limits the German Bundeswehr to nonkinetic peacebuilding operations and force protection. German politicians have been slowly urging the German public to be more involved militarily and to accept a military-combat role in NATO operations. If the United States wants to count on Germany (and NATO) as an effective ally in the next 20 years, we need to empower German politicians to overcome public resistance—and French, British, and Russian resistance as well.

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There is no doubt that the lack of a unified German security strategy has led to ambiguity in the political decisionmaking process on troop

deployments. Yet German interests in NATO solidarity for collective defense, as well as for national reasons, are persuasive. History shows that the limitations on Bundeswehr actions are not set in stone; they are currently politically expedient, but that can change if the United States helps create the possibility of a German mandate as part of essential NATO functions. The Bundeswehr potentially could assume combat roles if they arose specifically and exclusively within the context of joint NATO missions of collective defense—planned, trained, and executed together with U.S. forces as the German government slowly and deliberately seeks to build domestic political support. Decisionmaking on the Afghanistan conflict will determine German military posture for the next 20 years. The United States needs to support German politicians' effort to overcome public resistance to combat roles, and similar resistance from the French, British, and Russians of a remilitarized post–World War II and post–Cold War Germany.

NATO and Germany's Rules of Engagement

The German factor is important for NATO to succeed. In response to the revised U.S. strategy for Afghanistan, Chancellor Angela Merkel proposed strengthening German operations, and the parliament approved an increase in troop levels primarily to conduct civilian capacity-building programs. The German goal was to assist ISAF in preparations to turn governing responsibilities over to the Afghan government.

Germany's political consensus-building process determines the international deployments of the Bundeswehr on a case-specific basis, taking constitutional requirements and both historical and current circumstances into account.



German soldiers in Kunduz waiting for start of patrol

The constitutional debate is critical to the process. The German High Court set limits on modern German military engagements through its interpretation and legal reasoning of the German constitution (Basic Law) in a decision handed down on July 12, 1994.⁴ That decision, specifically authorizing German Luftwaffe crews on Airborne Warning and Control System (AWACS) missions outside of the NATO area, examined and affirmed the constitutionality of any international military deployments. By agreeing to the constitutionality of Bundeswehr deployments outside Germany, the High Court ended the strictly territorial defense role of the postwar German military and extended it to out-of-area deployments governed by specific parliamentary mandates.

The lesson of the court decision is clear. German security strategy is dependent on the support that the German public is willing to lend its parliament. As Aristotle said, “He who loses the support of public opinion is no longer king.” Speaking about the Bundestag decision to support NATO’s 1999 bombing campaign in Kosovo, German commentator Detlef Puhl noted that “public support for government action is a fragile thing that has to be fought for every day and there is no alternative to freely consented public support. This is especially critical in times of military action.”⁵ The High Court set the conditions for out-of-area missions operations. Deployment debates will remain current topics in domestic German politics and will be decided by the Bundestag. Sometimes the court will be involved, which means that ultimately the political process will be very public and slow—much more difficult than the War Powers Act in the United States.

Unified Germany has come a long way from the former West German role in NATO, limited to territorial defense of the inner German border against an attack from Warsaw Pact countries

along the Central Front of the Cold War. West German security strategy was first set in 1955 after Joseph Stalin's death and the Korean War. Ever since the unification of Germany in 1990 and the dissolution of the Soviet Union in 1991, Germany, especially the German public, has maintained its defensive and noncombat security philosophy.

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At the time of the breakup of Yugoslavia, German forces were sent on missions out of the NATO area in what could be termed territorial defense of the European Union (EU) in the Bosnian War. Defensive operations, rather than aggressive use of military force, were the German strategy until the Bundeswehr supported NATO bombing of Serbian forces in Kosovo to end ethnic cleansing. Following Kosovo, the aggressive use of force as an element of German security strategy was short-lived, with limited public support.

The 9/11 attacks on the United States led to strong solidarity among NATO members as they decided the attack fit the definition of Article 5 of the NATO treaty that an attack on one was an attack on all. This solidarity backed the U.S. decision to attack the Taliban in Afghanistan. However, the United States chose to conduct the initial invasion primarily alone. Germany has participated in Afghanistan NATO operations exclusively with civil construction, police, and military training.

The 9/11 attacks were also a historical turning point that shook loose the old U.S.

response to security threats and set a new American course to defeat global terrorism. The U.S. response—a new National Security Strategy—proposed revolutionary changes in international conflict resolution, including regime change in rogue states and preemption.

In the course of the 2002 German election campaign, Chancellor Gerhard Schröder, with strong support from the electorate, objected to the U.S. plan for a preemptive strike against Saddam Hussein. After his reelection, Schröder refused to participate in the 2003 war in Iraq. That opposition was also popular, and opponents coalesced to solidify the political limits on the German use of military force. Schröder was not alone. Europeans questioned Iraq's link to al Qaeda terrorists, while agreeing that Saddam was an evil dictator. Plans for war in Iraq were laid without support of many U.S. Allies, and the European-American alliance began to crack. The U.S. National Security Strategy promulgated in 2002 began to decouple American security policy from its international base in Europe. The divisive issue was whether the just cause was preemption or rather a preventive war as it was implemented by the United States and United Kingdom in Iraq. When the military action was over, no weapons of mass destruction were found, and unease about the "preemption doctrine" continued among Europeans, despite the rapid military victory against Saddam's regime.

The Europeans responded to the U.S. security strategy in June 2003 when Javier Solana presented a draft European security strategy to extend European security, strengthen the international order under the United Nations (UN), and counter threats from nonproliferation, failed states, and global terrorism. Germany worked multilaterally within the EU Common Security and Defense Policy process. Throughout the debates about Afghanistan,

Germany's approach has focused on being transparent with the public regarding the fact that the Bundeswehr is in Afghanistan for civilian reconstruction, with authority for self-defense but not to conduct combat operations.

The German approach, however, fails to address the two necessary prerequisite NATO strategy goals: counterinsurgency strategies to provide security against the Taliban threat, and to defeat al Qaeda. U.S. efforts to shape joint planning and the execution of complex operations depend on whether the United States can maneuver around the deep-seated German public aversion to the use of force and the limited role for its Bundeswehr.

Consistent with the German position, NATO could focus on Germany's nonkinetic role in complex operations. Likewise, Germany could consider building a consensus on a NATO strategy that integrates combat and complex operations. The German military has changed during the short 20 years since the country was unified and deserves more comprehensive treatment. Since unification, the country has developed its strategic concept but has not fully articulated a national security strategy.⁶ While the United States debates whether—and if so, how—its military should conduct operations otherwise considered civilian in character, Germany has won wide elite political support for Bundeswehr missions by unequivocally putting civil operations ahead of warfighting ones. Yet Germany needs to play its proper comprehensive role to meet the threats of the 21st century and fully engage with NATO.

Historical Context

Germany's national security debate is essentially historical-contextual. The process of unifying Germany 20 years ago raised the specter of Germany's history of militarism, which

culminated in the disaster of two world wars and revived the German question about how strong or influential a role the nation should have. Through years of debate, Germany, its European neighbors, and the United States agreed that a unified Germany should remain a partner in NATO.

The Allies, who stationed forces in Germany and retained some decisionmaking authority through treaty, struggled with each other and with two politically distinct German states to chart a future for Europe. On the issue of reunification of Germany, British Prime Minister Margaret Thatcher and French President François Mitterrand had to be persuaded that it would not pose a security threat. President Mikhail Gorbachev was equally concerned about the reunification security question.⁷

Within Germany, too, the question of continued participation in NATO following unification was debated. Markus Meckel, who became foreign minister of East Germany just prior to unification, advocated withdrawal from NATO and demilitarization. West German Chancellor Helmut Kohl strongly objected and insisted that Germany remain a NATO member and maintain its military.

The United States remained committed to its established policy in support of German unification and participation in NATO. President George H.W. Bush articulated the position that “unification should occur in the context of Germany's continued commitment to NATO and an increasingly integrated European Community, and with due regard for the legal role and responsibilities of the Allied powers.”⁸ Secretary of State James Baker reaffirmed U.S. support for full German membership in NATO as early as December 11, 1989.⁹ Providing security and stability in Europe was at the heart of the speech about designing and gradually putting into place a new architecture for a new era.

Although he spoke of new security architecture, Baker also made clear that Europe must have a place for NATO, even if the Alliance served new collective purposes in a new era.

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Speaking of a united Germany in this new Europe, Baker argued that it must include arrangements that satisfy the aspirations of the German people and meet the legitimate concerns of neighbors. With that in mind, he recalled President Bush's reaffirmation of America's longstanding support for unification. Then he succinctly laid out the four principles that would guide U.S. policy:

- ❖ Self-determination must be pursued without prejudice to its outcome. The United States should not at this time endorse or exclude any particular vision of unity.
- ❖ Unification should occur in the context of Germany's continued commitment to NATO and an increasingly integrated European Community, and with due regard for the legal role and responsibilities of the Allied powers.
- ❖ In the interests of general European stability, moves toward unification must be peaceful, gradual, and part of a step-by-step process.
- ❖ On the question of borders, the United States should reiterate its support for the principles of the Helsinki Final Act.¹⁰

On October 3, 1990, unification restored full sovereignty and with it the duty to provide and protect Germany's freedom and security as well as to promote prosperity for all its citizens, East and West. Unified Germany kept its NATO membership and accepted the obligations of common defense of all other members. There would be no renationalization of security policy and no return to militarism. This unconditional recognition of Germany's ties to the West represented an important watershed in party politics. Meeting these military obligations was a serious turning point in Germany's domestic politics and its security debate.¹¹

Unified Germany

The security debate in united Germany has encompassed four important themes:

- ❖ aversion to the use of force in West Germany's culture of restraint
- ❖ territorial defense against the Soviet (Russian) and Warsaw Pact threat
- ❖ abhorrence of combat missions
- ❖ protecting, when vitally necessary, the inviolability of human dignity under Article I of the German Basic Law.¹²

In the debate over the use of force, Germany has embraced the essence of the protection of human dignity, which embodies its *raison d'être* in the constitutional mandate of the Basic Law (constitution). The Basic Law sets out legally binding language of basic rights, including that "human dignity shall be inviolable and to respect and protect it shall be the duty of all state authority. The German people therefore acknowledge inviolable and inalienable human rights as the basis of every community, of peace and of justice in the world. . . . basic rights shall bind the legislature, the

executive and the judiciary as directly applicable law.”¹³ Germany’s constitutional commitment to human dignity followed shortly after the UN Universal Declaration of Human Rights, a direct outcome of World War II and the Holocaust. German security policy for the first 4 years of united Germany was dominated by two considerations: remaining in NATO and repatriating Russian soldiers.

Obstacles to developing a usable security strategy came from West German traditions of pacifism, moralism, and democracy. The ideology that “never again shall war arise from German soil” (*Nie wieder Krieg vom Deutschen Boden*) was widely shared across the political spectrum and reflected the responsibility that weighed heavily on this generation of German leaders. A second set of traditions come from EU integration, NATO membership, multilateralism of the UN, and a political commitment to democratization, all of which have strengthened the belief in political solutions without the use of force.¹⁴

The transformation of Germany’s new armed forces in NATO was complicated by its relationship to Russia during World War II and the Cold War, and the stationing of Russian soldiers in East Germany. When Germany combined the Bundeswehr with the East German armed forces, the National People’s Army (Nationale Volksarmee, or NVA), the Soviet/Russian military was still stationed in the eastern part of united Germany. In the unification agreement, Germany agreed to limit the number of soldiers in its combined military to 370,000 to emphasize its previous role in territorial defense and its determination not to move to aggressive combat missions.¹⁵ The Russians could be reassured Germany would not be aggressive against Russia, which remains a political theme today.

Soviet forces remaining in the former East Germany led to delicate talks about how to manage the departure of all Soviet/Russian troops from the territory of the former German Democratic Republic after unification. In the end, Gorbachev agreed to a 4-year process of repatriation of Soviet forces, a decision foreshadowed by his UN speech in 1988 in which he stated that sovereign countries could decide on their own what alliances to join.¹⁶ Germany won agreement to repatriate all Russian soldiers from united Germany by August 1994. The Germans remember that their country was divided and occupied in their lifetimes as a result of the catastrophe of World War II.

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In reaching that agreement on repatriation, NATO agreed with Gorbachev not to move its forces eastward where Soviet forces were still stationed. Consequently, during the repatriation period, NATO refrained from deploying its forces on the territory of the former East Germany. Throughout the repatriation period, the territory of the former German Democratic Republic was given special status, and only Bundeswehr-Ost territorial defense forces of the new national army were stationed there.

The Bundeswehr would be transformed, with much of the credit for the transformation in the early years given, correctly, to Generals Klaus Naumann and Joerg Schoenbohm.¹⁷ After unification, they were tasked with dissolving the NVA

and with commanding the new Bundeswehr-Ost as some 11,000 NVA officers and other ranks were integrated into the Bundeswehr. In addition, Naumann and Schoenbohm, who was later state secretary in the defense ministry, carried out Bundeswehr reform, adapting the forces to new post-Cold War political and security requirements, as well as making them operational in the event of an international crisis.

The decision by NATO to station its forces in the eastern part of Germany would wait a long time after unification day (October 3, 1990) to be made.¹⁸ In September 1994, the Alliance officially accepted the former East German territory in its first enlargement.

Over time, the role of the Bundeswehr would be to develop component capabilities and train soldiers for crises. The new combined army would plan and train for missions, including:

- ❖ territorial defense for sovereign Germany's democracy
- ❖ NATO defense missions and contributions for crisis management
- ❖ early warning and analysis capabilities
- ❖ collective security missions beyond NATO
- ❖ interoperability and international cooperation
- ❖ confidence-building, cooperation, and verification.¹⁹

The capability to take on these future missions, to be achieved by 2000, would face an

early challenge. The breakup of Yugoslavia demanded military force in 1991, not 2000. The culture of restraint was soon tested when a bold act in 1991 led the way for international diplomatic recognition of Croatia and Slovenia, essentially turning the civil war into a conflict in which European powers more or less took sides.²⁰ That national push for internationalizing the war in Yugoslavia did not end the conflict. Rather, war and ethnic cleansing challenged the Germans to act. The limitations on the military role, which had grown strong, also dragged America into the conflict despite its lack of vital interests in the area.

When Germany and the EU were unable to prevent the escalating military conflict, a bitter experience ensued for the United States, Germany, the EU, and the UN. This early transatlantic rift over deploying the military, backed by the use of force, continues in disputes over military capabilities and in debates about war, peacekeeping, and nationbuilding. The German public has not yet accepted the adage of Frederick the Great: "Diplomacy without arms is like an orchestra without instruments."

These military missions were challenged, as noted above, in the Karlsruhe Constitutional Court, which decided on July 12, 1994, that they were allowed under the constitution. The decision came down during President Bill Clinton's 1994 visit in Berlin. When the United States learned German soldiers could be deployed out of Germany as part of an alliance and with the consent of the Bundestag, Chancellor Kohl, in his news conference with Clinton, immediately declared that the decision did not mean "Germans to the Front." Nevertheless, the decision meant exactly that.²¹ A closer look at that court decision is warranted.

In its judgment handed down on July 12, 1994, the Karlsruhe Constitutional Court

the Basic Law requires that Germany's deployments be part of a collective security system

considered the use of AWACS surveillance aircraft over the Adriatic Sea.²² In what has become a cornerstone of German constitutional law, the case demarcates a constitutional boundary that requires that any deployment of the Bundeswehr outside its federal territory first be approved by the Bundestag parliament.²³ However, the Bundestag acts on the proposal of the chancellor, which includes the modalities, dimension, and duration of the operations, and the necessary coordination within and with the organs of international organizations.²⁴ The court announced the concept of a “parliamentary army,” which attempts to strike a balance between executive effectiveness and parliamentary participation.²⁵

Although the Basic Law does not set out an authorization requirement of the Bundestag to conduct external deployment of armed forces, the court based its decision on the general constitutional framework of the Basic Law to articulate the principle. The court relied on Article 24.2 of the Basic Law, which requires that Germany’s deployments be part of a collective security system, and Article 59.2, which stipulates that the Bundestag must approve the mutual collective security system.²⁶

The court case has required security debates to be conducted by the parliament. While the chancellor, foreign minister, and defense minister all have important roles, no deployment can be made without a Bundestag mandate. Domestic political concerns play a heavy role in determining the limits on Bundeswehr deployments.

Two other cases show that the partisans in the debate are quite willing to return to the High Court to press their interests in limiting German use of force, even by challenging the NATO strategic concept as a fundamental change to the treaty requiring a new

parliamentary vote on NATO membership.²⁷ Although the court reasoned that the new strategic concept of NATO was not an amendment to the treaty and therefore did not require a renewal of parliamentary approval of the treaty, deploying German soldiers is not a straightforward decision.²⁸

Since the main High Court decision in 1994, security strategy planning and execution have been conducted on a case-by-case basis as Bundeswehr out-of-area NATO deployments were proposed by the chancellor and then considered, debated, and decided by the parliament. Bundeswehr deployments for the Implementation Force (IFOR) in Bosnia and Herzegovina and the NATO request for Luftwaffe Tornado aircraft missions came soon after the last Russian soldier had left Germany, and the High Court had paved the way for the Bundestag to decide on deployments.

War in Bosnia was raging and Germany was asked to do its part. General George Joulwan, Supreme Allied Commander Europe, approached the government in November 1994 asking for Tornado fighter aircraft for NATO operations.²⁹ General Klaus Naumann sought political clearance for the request, which was delayed until a formal NATO request to protect the UN Protection Force soldiers in Bosnia was received. Immediately, the political debate began in earnest and the seemingly straightforward request soon became mired in historical debates about German militarism rising again and political demands to prevent any deployments where the Wehrmacht had fought in World War II.

Proponents focused on solidarity with the UN Security Council, NATO, and the EU and argued that national interests and Germany’s role in “protecting the international order were grounds for the mission.”³⁰ There was strong

opposition in the Social Democratic Party to the use of military force and support for the position that missions be strictly limited to noncombat roles.³¹

The Bundestag voted in June 1995 with 386 for, 258 opposed, and 11 abstentions to approve the government recommendation that Germany contribute to the UN Rapid Reaction Force. Another vote followed on December 6 and allowed for the deployment of 4,000 Bundeswehr soldiers for IFOR.

protecting the inviolability of human dignity took center stage with the NATO decision to intervene militarily in Kosovo to end ethnic cleansing

After the 1994 court case set the rules for deployments in its decision about German crews' participation on AWACS missions over Hungary, the Bundestag consequently decided on requests for Bundeswehr logistics and support troops in Bosnia, the use of Tornado aircraft in combat missions, and eventually combat infantry on the ground. Stabilization Force Commander General William Crouch, USA, by 1997, chose a Bundeswehr general to be his chief of staff.³² Naming a German general to the chain of command, with decisionmaking authority over combat missions, was a critical political step in the developing German security policy, but it still met with a skeptical public.

Next, NATO considered accepting new members. NATO enlargement would mean more German responsibility for its neighbors; however, that responsibility was again territorial defense, not a change in strategy. After the Dayton Accords, President Clinton moved to enlarge NATO and extend security guarantees to former

Warsaw Pact countries. Chancellor Kohl was willing to support NATO enlargement in 1997 for Poland, Hungary, and the Czech Republic.³³ That decision to help protect those three countries was a major step in Germany's acceptance of new security responsibilities in NATO.

Protecting the inviolability of human dignity took center stage with the NATO decision to intervene militarily in Kosovo to end ethnic cleansing. U.S. Secretary of State Madeleine Albright and German Foreign Minister Joschka Fischer led the debate, and the decision was reached, with other European Allies, to authorize NATO to bomb Kosovo. That humanitarian/military intervention ended Serbian leader Slobodan Milosevic's genocide and campaign of ethnic cleansing.

Already in October 1998, NATO authorized Operation *Eagle Eye*, an aerial surveillance in which 350 Bundeswehr soldiers were to participate, and for which the German government sought Bundestag approval. On October 16, the Bundestag permitted the NATO aerial operations with 500 voting "yes," 62 saying "no," and 18 abstaining. The departing government of Chancellor Helmut Kohl had consulted with the incoming government of Schröder and Joschka Fischer before the vote.

On November 19, 1998, the Bundestag added its specific approval of Bundeswehr participation in the Extraction Force by 553 to 35 with 2 abstentions. There was one "no" vote each from the Social Democratic Party and Alliance '90/The Greens.³⁴

On February 25, 1999, the Bundestag debated and approved a German contribution to international troops for Kosovo that would be under NATO command. Ultimately, 553 deputies voted in favor of a military implementation of the Rambouillet Accords (calling for a NATO force to maintain order in Kosovo);

41 voted against it (including only 2 Social Democrats and 5 Greens); and 10 abstained. This vote laid the foundation for Bundeswehr participation in Kosovo Force.

From January to March 1999, the conflict intensified, and the Racak incident, where Serbian troops killed some 45 Albanians, was condemned by the UN Security Council as a massacre. On March 18, 1999, the Rambouillet Accords were signed over the objections of the Russians and Serbians. Consequently, to enforce the accords and in an all-out effort to end Serbian ethnic cleansing in Kosovo, NATO conducted a bombing campaign against Serbian forces from March 22 to June 11, 1999. This was the first time since World War II that the Luftwaffe participated in combat missions.

There was no formal declaration of war by NATO; instead, the bombing was characterized as a military action to prevent a humanitarian catastrophe. The Serbs withdrew, the Kosovo Force entered Kosovo on June 3, 1999, and the war ended on June 11, 1999.³⁵

The effort to define German security interests advanced when the German Foreign Office in April 1999 stated the following objectives for the operations in the Kosovo crisis:

- ❖ bringing violent ethnic conflicts under control as a precondition for lasting stability throughout Europe
- ❖ preventing migration caused by poverty, war, and civil war
- ❖ getting democracy, human rights, and minority rights to take root as a goal of a foreign policy guided by values
- ❖ building up market economies with stable growth to reduce the prosperity gap in Europe

- ❖ creating economic interests (expandable market outlets and investment sites)
- ❖ establishing cooperation and credibility for international organizations in which Germany plays an active role (EU, NATO, Organisation for Security and Co-Operation in Europe, and UN).³⁶

The consequences for the German security debate were important. After that aggressive use of force in Kosovo, the German slogan *Nie Wieder Auschwitz* (Never Again Auschwitz) took on a new meaning: Germany must use force to prevent genocide.³⁷ The old motto that “no war could be allowed to emanate again from German soil” was no longer able to protect human dignity, end ethnic cleansing, or prevent war. Acting with NATO in the aggressive use of force, Germany was true to its postwar constitutional mandate to protect the inviolability of human dignity. It also led to the UN Principles of the Responsibility to Protect.

The 21st-century Bundeswehr Goes Global

The Bundeswehr’s Afghanistan mandate and German security debate have not led to a new German security strategy. The sad fact is that after Chancellor Schröder said no to deployments in Iraq, and then German politicians conflated Iraq with Afghanistan, which confused the threat assessment, the public was left with the view that Afghanistan was more of a civilian development project than a war. Now the government is looking for a way to turn over governance responsibility to the Afghans and withdraw its soldiers rather than debating complex operations and changing the rules of engagement to allow more aggressive combat operations. German politicians who send

soldiers to war and then limit them to civilian operations do the soldiers no favor.

When the Bundeswehr's Colonel Georg Klein called in a NATO airstrike in September 2009 against a group of Taliban who had hijacked two fuel trucks in Kunduz, which were to be used against the German troops, he popped the illusionary bubble that Germany was not at war. The Kunduz attack has changed the debate; Germans in Afghanistan are at war and war is rejected by a significant majority of Germans at home. After the Kunduz attack, which took place in the midst of the September 2009 German election campaign, Chancellor Angela Merkel had to intervene in the parliamentary debate with a statement to the Bundestag. That statement kept the Afghanistan debate out of the election campaign at a time when some 60 percent of Germans wanted an immediate withdrawal. *The Financial Times* reported on February 23, 2010, that 56 percent of those polled believed the NATO mission would fail, and nearly 70 percent called for withdrawal.³⁸

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The new mandate's rules of engagement only allow the Bundeswehr to be stationed in the ISAF regions of Kabul and the north (provinces of Faryab, Sar-e Pol, Jowzjan, Balkh, Samangan, Kunduz, Takhar, and Badakshan).³⁹ Recognizing that the most intense fighting is in the south, the mandate does allow the Bundeswehr to deploy in other regions for a limited time for missions that ISAF itself

cannot fulfill. It also allows the Luftwaffe to fly Tornado aircraft in surveillance missions in all ISAF areas. The underlying reasoning that was acceptable to the Bundestag was that the new strategy is designed to prepare for withdrawal of German troops.

German Foreign Minister Guido Westerwelle explained the goal of withdrawal by 2014 as President Hamid Karzai had proposed. Germany's mission is to enable a responsible handover to the Afghan government, which is critical to allowing the withdrawal of German soldiers. Germany's mission in Afghanistan is preventing an attack on Western values from terrorists in Afghanistan, demonstrating solidarity with the international community, and participating in the UN-mandated mission there as carried out by NATO.⁴⁰

The German military mission as part of ISAF is also clear: ensuring security of Bundeswehr forces, preventing Afghanistan from becoming a safe-haven for terrorists, and fulfilling constitutional obligations to fellow human beings. The conclusion to the debate will be whether German reliance on civilian operations and American reliance on military operations can lead to a joint strategy and integrated operations.

Even without an articulated national strategy, on February 26, 2010, the Bundestag approved a new mandate for continuing the deployment of German soldiers to Afghanistan as part of ISAF. Lawmakers voted 429 to 111 with 46 abstentions to increase the number of soldiers allowed to serve from 4,500 to 5,350.⁴¹ The numerical increase, however, came with politically necessary operational conditions. To secure sufficient votes, German leaders had to emphasize the civilian reconstruction efforts and minimize aspects of the mission authorizing combat operations.



Martin Stollberg

Securing German presence near Katachel village

Public support in early 2010 for sending more soldiers to the Hindu Kush in Afghanistan is weak: only 25 percent favor the decision, while 69 percent oppose it.⁴² The collapse of the support of the Dutch government in the wake of disagreement about Afghanistan could in turn cause a political ripple effect and reduce or eliminate support for the mission in other European countries. A consensus between German elite and public opinion does not exist. Germany, above all, must convince its public that the mission in Afghanistan serves the vital collective security interests of the country and its European partners. The premature end of German involvement would spell disaster for NATO.

The Bundeswehr's missions—military, police and leadership training, stabilization measures, logistics, and civil-military cooperation—are certainly supportive of the ISAF mission. However, two parallel tracks are not amenable to joint operations and poorly support each other. German armed forces need to be fully integrated in military operations against the Taliban and al Qaeda as well as in complex reconstruction, stabilization, and government capacity-building activities.

The current Afghanistan mandate certainly highlights the differences between the U.S. and German approaches to the use of force, planning, mustering personnel, providing adequate equipment, and training for the implementation of complex operations. Germany has been criticized for using police training methods suited to conditions in European cities rather than needs in Afghanistan.⁴³ ISAF has stationed U.S. Army Special Forces in Kunduz, but they do not train jointly with the Bundeswehr. U.S. forces conduct practical training for the Afghan army in real combat situations, which falls outside the German mandate.⁴⁴ This reluctance to use military force diminishes the continental European contributions to common strategy and joint operations and

reduces their participatory strategic decision-making role.

The Future of Complex Operations

Germany's embrace of pacifism since World War II was, to paraphrase Secretary Robert Gates from his remarks at the National Defense University, a blessing in the

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20th century that prevented the resurgence of Prussian militarism.⁴⁵ However, since the unification of Germany, historical circumstances have changed, and Germany is adapting. Germany's singularly focused approach to complex operations and aversion to the use of force must be adjusted to overcome resistance from its citizens and its neighbors based on its history, politics, and society, to meet current security demands.

Although Germany accepts its responsibility to confront threats beyond its own borders, it has no comprehensive national security strategy. The Defense Ministry did publish a white paper on security policy in 2006 that described the role of the Bundeswehr in protecting Germany's democracy from external threats. In 2008, as the European security debate was picking up, the German Christian Democratic Union, Christian Social Union, and the strategy paper defined Germany's national interests in terms of five issue areas: the fight against terrorism, nuclear proliferation, energy and pipeline security, climate change, and the prevention of conflicts.⁴⁶

In this, the document does not stray far from the British and French versions. On the other side of the political spectrum, the Social Democratic Party has proposed a European army but has also voted consistently over 15 years to deploy the Bundeswehr in NATO operations.

This analysis shows, first, that German security decisionmaking is fragmented among the chancellor's office, defense ministry, and Bundestag and is developed without a vaunted German *Gesamptkonzept*, or comprehensive concept. This case-by-case policy process coupled with a deep-seated aversion to the use of military force is a hindrance to the creation of a comprehensive security strategy. Nevertheless, German soldiers have served in UN, NATO, and Western European Union (WEU) missions globally.⁴⁷ The Germans kept full membership in NATO⁴⁸ and have deployed the Bundeswehr in out-of-area missions to Cambodia, Somalia, Bosnia, Kosovo, and Afghanistan.⁴⁹ In other words, Germany has a strategic concept if not a national security strategy.

Second, Germany's aversion to military force and belief that military force alone cannot solve security issues in the 21st century have broad public support in Europe, but that does not mean Europe is demilitarizing. Debates such as those over Afghanistan need to address the political will to use military force as a last resort to protect vital interests, as was done in Kosovo.

Third, while Germany does not have a comprehensive national security strategy, it has, after 20 years, defined its first principles. Politically and through the High Court, Berlin has affirmed its willingness to act militarily in solidarity within its alliances, NATO, WEU, and UN. It will remain mindful of Russian interests in light of agreements on unification and according to national interests. The Bundeswehr will retain its territorial defense mission, while responding

to its alliance obligations. Its aversion to the use of force supports its priority to provide training, civilian reconstruction, and stabilization operations. Germany will use force to protect victims of genocide and to prevent crimes against humanity, war crimes, and ethnic cleansing. It will not support the use of force in preemptive attacks, such as the invasion of Iraq.

Fourth, the lack of a two-track approach is the root of the clash between American and European policies. Emphasis alone on either the military or civilian operations will fail. When NATO leaves, Afghans must be able to govern themselves. That is the challenge, and neither development aid nor security is sustainable without good governance. NATO is deeply engaged in Afghanistan with military counterinsurgency operations, which are essential to provide security from the Taliban threat and to defeat al Qaeda. The American emphasis on the use of military force is not matched by comparable civilian operations. On the other hand, the Europeans emphasize civilian action, and the German mandate for the Bundeswehr in Afghanistan calls for civilian capacity-building programs to allow ISAF to turn over its responsibilities to the Afghans. Success in Afghanistan demands a complex operations approach.

Fifth, we must use a comprehensive approach toward complex or civil-military operations that demonstrates that NATO can succeed. Such operations will likely play an increasingly important role in NATO strategy that combines civilian and military operations to fight the wars of the 21st century. In Afghanistan, as noted in Field Manual (FM) 3–24, *Counterinsurgency*, the primary objective of counterinsurgency is to foster effective governance by legitimate government. NATO policy should aim to develop that local legitimacy through a combination of civilian

and military operations—that is, complex operations. When the NATO mission is finished, the use of force will be transferred from NATO to the Afghan government. Unless it has the consent of the governed, Afghanistan is likely to become a failed state.

Clearly an approach different from centralized governance in the region is sorely needed. The Afghanistan-Pakistan region is one primarily of ethnic groups that want to govern themselves (as warlords, tribal leaders, and princes) and then reject the exclusive control of the central government in Kabul. Without legitimacy, the Kabul government will fall back on coercion against regional powers and maybe also with cooperation of the Taliban, using its own military force once NATO has departed.

a decision by the Afghans to convene a Grand Council to decide to share power between Kabul and regional leaders would be a powerful tool for NATO

Legitimacy and success in Afghanistan will likely be based on shared power among local leaders that could form the basis for sustainable governance in Afghan society. Good governance might be possible if the Karzai government could share power with local leaders. A decision by the Afghans to convene a Loya Jirga (Grand Council) to decide to share power between Kabul and regional leaders would be a powerful tool for NATO. Such a grand council could examine the role of the central government, decide on changes that would devolve power to local leaders, and establish a balanced power-sharing relationship with the presidency in Kabul. Unfortunately, the current constitution does not command genuinely deep popular

support and cannot contribute to national stability—nor can it allow NATO to transfer power to Afghans to ensure security.

Sixth, counterinsurgency doctrine in FM 3–24 addresses unity of effort in integrating civilian and military activities at the operational level. This integration for operations in the field also provides a template for integrating at the policy level. Over past decades, civilian agencies of the U.S. Government have lost the capacity to deliver civilian operations. Although recent efforts such as the creation of a State Department Office of the Coordinator for Reconstruction and Stabilization began the process of internal capacity-building, those efforts will take years. In the meantime, European and especially German civilian capabilities could be integrated into U.S. kinetic and nonkinetic operations, as called for in the field manual.

As NATO forges a common transatlantic policy on Afghanistan and complex operations, the United States will continue to look to Europe and to Germany. They are the partners we have come to expect to help secure peace in Afghanistan. Berlin could lead the policy debate to integrate NATO complex reconstruction and stabilization projects, while Washington takes the lead in shaping the consensus on training and operating joint combat operations against the Taliban and al Qaeda. Yet both also need to engage fully in combat and noncombat roles in all their complexities.

Overcoming the public's residual aversion of the use of force is difficult but necessary if Germany is to accept full NATO engagement. The public understands the importance of collective actions and the collective security purpose of the Alliance.

The Bundestag, noting the principle of solidarity with NATO strategy of collective defense and German interest in stability and reconstruction in Afghanistan, would likely continue to support the current deployment and might also approve rules of engagement required for joint military operations. NATO's goal, after all, is to turn over these missions to the Afghans, and that goal needs successful civil-military operations. From my own experience in the Third Infantry Division, I believe that unless operations are jointly planned, trained for, and executed, they remain separate and thereby weakened and undermined in effectiveness.

Finally, German political leadership needs to summon the will to confront its public with the reality of the need to use force to defend German interests, while continuing to provide development assistance. Likewise, the U.S. Government needs to confront its public with the need to fund civilian agencies to build American capacity for civilian projects. Reforging common two-track but unified combat and complex operations policies for joint missions can lead to a security strategy sustained by both publics. **PRISM**

Notes

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² Robert M. Gates, remarks at NATO Strategic Concept Seminar, National Defense University, February 23, 2010, available at <www.defense.gov/Speeches/Speech.aspx?SpeechID=1423>.

³ National Defense Authorization Act for Fiscal Year 2009. The definition of *complex operations* has changed over time—sometimes including combat, sometimes excluding it, sometimes encompassing disaster relief, sometimes not, and usually focusing only on missions overseas. The Center for Complex Operations

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¹¹ Friedrich.

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¹⁷ Jörg Schönbohm, “*Zwei Armeen und ein Vaterland*,” 170 (Siedler Verlag) (1992).

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¹⁹ *Ibid.*, 171–172.

²⁰ Reinhard Bettzeuge, “*Aussenpolitik der Bundesrepublik Deutschland: Dokumente von 1949 bis 1994*,” 853 (Verlag Wissenschaft und Politik) (1995).

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²³ Helmut P. Aust and Mindia Vashakmadze, Parliamentary Consent to the Use of German Armed Forces Abroad: The 2008 Decision of the Federal Constitutional Court in the AWACS/Turkey Case, 9 German L.J. 2223, 2223 (2008).

²⁴ 1994 AWACS Case.

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²⁶ *Ibid.*, 286.

²⁷ *Bundesverfassungsgericht* [BVerfG] [Federal Constitutional Court] November 22, 2001, 104 *Entscheidungen des Bundesverfassungsgerichts* [BVerfGE] 104 (FR.G).

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