

Twenty Years after Reunification.
The Sources of Germany's Foreign Policy Conduct

Presentation at the Carnegie Mellon University, Pittsburgh, March 15, 2011.

Prof. Dr. Sebastian Harnisch, Heidelberg University

Introduction

Slide 1

The topic of today „Twenty Years after Reunification. The Sources of Germany's Foreign Policy Conduct“ is a very appropriate and timely theme for this anniversary: Over the last couple of months, some of you may have asked themselves what if anything actually drives German elites, with Presidents State premier and Defense ministers quitting every other day.

Well, it depends!! But seriously: after a lull of a decade or so there is increased interest in and concern with German Foreign Policy, both in Europe and abroad: Do extensive restrictions on German AFG deployments indicate a dwindling solidarity with the Atlantic alliance? Does Germany's guarded support for Georgia and Ukrainian NATO membership indicate an unhealthy regard for Russian interests, against the backdrop of strong reliance on Russian gas and oil? What were German policy makers up to during the latest Euro crisis when they hesitated to support Greece in March of last year?

To address these and other questions I will proceed in three steps: First, I outline my main argument that sources of Germany's conduct in the last two decades can be found in its deeply-engrained foreign policy role concept and a clash between

external and internal ties of its executive power. Second, I briefly explore two recent cases: European policy and Security policy. Third, I conclude by pointing out that “normalization” as an analytical term is misleading when describing Germany’s post-unification trajectory.

Slide 2

Now to my argument: Theoretically speaking, the three major approaches realism, liberalism and constructivism can all help to understand recent changes, even though the battle of competitive theory testing is not over. Yet, I see a lot of convergence. Those of you who are familiar with Beverly Crawford’s work will have noticed that she, too, uses both liberal and constructivist factors. I will come back to this later.

Empirically, the ongoing changes in Germany’s trajectory have been interpreted as normalization: the expanded deployment of the Bundeswehr and growing hesitance to commit to deeper monetary integration are the most used examples here. In the literature, three factors are regularly mentioned: the costs of unification, a crumbling cross-partisan consensus/a new generation of post WWII politicians and the assertion of domestic actors, i.e. the Bundesländer and the FCC, which set clear limits for further integration. As a result, many pundits argue that Berlin’s reflexive multilateralism, a key norm in the role set of the Civilian Power ideal type, is a disappearing thing. In my own terms I described the EU Policy under Schröder and Merkel as becoming „weaker, leaner and meaner”.

Lastly, for many European partners, Germany’s guarded approach to the Euro crisis, especially the Merkel government’s hesitancy to save Greece through swift credit promises have fueled the suspicion that Germany has abandoned its „European

vocation“. I do not see it quite as dramatically. However, the episode does indicate a waning reflexive civility – to communicate respectfully with lesser powers, to be willing to lead through example etc – but also an abating capacity to shape events autonomously.

Slide 3

Turning to the outline: In a second step I briefly outline the different theoretical approaches which see the sources of Germany's conduct either on the systemic or sub-systemic level, or as an interaction between the two. Then, I present the three leading hypotheses which shaped the debate in the 1990s: according to the first, realist hypothesis the sources lie in the redistribution of material power in the aftermath of the Soviet collapse, according to the second, liberal approach, the sources lie with the shifting economic and ideational societal preferences of the unified country. Thirdly, constructivists hold that norms and values condition foreign policies. Thus historical experience may overwhelm material incentives.

In a fourth step, I evaluate these hypotheses against the background of two decades of policy output: I focus on security policy, Bundeswehr deployment during the 90s, European constitutional affairs during the Grand Coalition and monetary policy. I conclude by challenging the normalization argument and suggesting that shifts between self- and other regarding strategies are more plausible analytical tools to describe foreign policies in general.

Slide 4 + Slide 5

You probably all know that realism has been strongly criticized in the 90s (Legro/Moravcsik 1999). In addition, cleavages among realists themselves opened

up: a group of younger scholars claimed that Waltz's systemic approach, which he claims cannot explain FP – needs to be revised. These neoclassical realists take a variety of factors into account, e.g. domestic structure, to explain variance under comparable systemic conditions. In contrast to neorealists, who asserted that power gains by the unified Germany would translate into more assertive/autonomous behavior, systemic neoinstitutionalists claimed that the country's proclivity for int. Inst. would keep its policies right on track.

Now, subsystemic approaches trace FPs back to the individual or societal groups: they stress that shifts in societal preferences – such as 18 Mio East Germans joining the electorate – or individuals – post war baby boomers with waning historical consciousness join the coalitions in the 90s – will result in FP changes.

In-between structuralism and methodological individualism, constructivists claim that structures and actors are co-constitutive, which means that depending on who you are Germany as a state is either a friend, a rival or an enemy. Thus, SCs hold that the relative distribution of social power, legitimacy, trust and so forth, determines the meaning of material power capacities: Germans are what others make of them!

Slide 6

Let me just briefly introduce you to role theory in FPA: RT holds that under conditions of systemic interdependence, states will seek to establish a division of labor to maximize material/immaterial gains, thus leading to relatively stable expectations, both in institutions and beyond, for a specific role set. For post-WWII Germany, expectations by occupying powers and allies were most prominent in NATO and the

EC, but increasingly domestic expectations came to the fore, e.g. in the 1980s peace movement.

Now, the gist of my argument is that domestic and external institutions, that is NATO and the EU and a very active Constitutional Court, have long held Germany on a Civilian Power trajectory. But - and this is a big BUT - these characteristics of what Peter Katzenstein has described as semi-sovereignty are now in conflict with each other: a strong FCC limits the executive's push for more integration; a conservative and institutionalized fiscal culture constrains the movement towards a transfer Union in the Euro Zone; and the institutionalized lack of trust in the executive's competence to use force confines the deployment of the Bundeswehr.

Slide 7

Hanns Maull, who developed the civilian power concept in the early 90s, has been criticized a lot. I am happy to address the concerns you may have about this in the discussion. But let me just point out that the CP concept was not meant to propagate foreign policy do-goodism, nor does it imply a self-righteous moral crusade against 'uncivilized' states. At least from my perspective, the ideal-type Civilian Power was simply meant to be a yardstick against which to analyze and compare foreign policies (Civilian Power role concept as an analytical tool).

Slide 8

In the third step, I develop the hypothesis which will guide the interpretation of the empirical findings. Realists hold that the relative improvement of its power position will lead the unified Germany to one of two behavioral trajectories. On the one hand, it might shed past institutional constraints and maximize its autonomy: proponents of

this view cite the unilateral recognition of Croatia and Slovenia in late 1991, unilateral military extraction deployments in Albania 1997 and Libya (2011), shunning of the Stability and Growth Pact (2002-3), and the dismissive treatment of Greece in March 2010. On the other hand, , neoclassical realists such as Bev Crawford claim that Germany will maximize its influence in the EU where it can use its „role“ as a hegemon to extract contributions from lesser powers to provide for the stability of the Euro. Examples include, again, Greece, but also the handling of Eastern European concerns vis-à-vis Russian expansionism, and Bundeswehr deployments abroad.

I skip the Trading power hypothesis and turn towards the CP projection: Hanns and I argued in 2001 that the peaceful unification and subsequent role approval by allied nations would push CP self-confidence; the way unification was handled, however, eroded public finances and prevented the use of financial payoffs to further European integration or satisfy allies; Also, beginning in the 70s, mounting in Maastricht and peaking in Lisbon, the FCC grew increasingly critical of further integration, setting severe limits on deeper supranational cooperation with the Union.

Slide 9 + 10

For Germany, the decision to establish and delegate the power to use armed force, both domestically and externally, has been very complex after 1945. Three distinct phases can be identified in that struggle: the „Wehrdebatte“ of the 1950s, in which the executive's authority for territorial defense was established, the „Notstandsdebatte“ in the 1960s, as a result of which the use of armed force in a state of emergency was regulated, and the out-of-area debate of the 1990s, after which the authority to use force abroad was judged constitutional.

This deployment pattern is often used to argue that Germany's culture of reticence is a thing of the past, and power politics is well under way.

I beg to differ: First, the Bundeswehr has never been and will not be an expeditionary force in the foreseeable future. Numbers and equipment just do not match up with Britain or France. Deployability is low, not to speak of power projection capacities. Secondly, the Bundestag has always set close geographical, functional and quantitative limits on troop deployments: National caveats are still abound. Thirdly, the most important constraining factor is legitimacy. I just looked into 15 parliamentary debates on ISAF and OEF in Afghanistan, and the arguments used most often are either Alliance solidarity or humanitarian considerations with some anti-terrorism. To broaden the scope of respectable reasons for the use of force is still very difficult as you can tell from the resignation of our last President, Horst Köhler, who vaguely suggested that the Bundeswehr may be sent abroad to defend Germany's extensive commercial interests.

Slide 11

Some analysts from both sides of the aisle, Giegerich and Berenskoetter from an SC and Crawford from a realist perspective, have noted that German governments have not only pushed for the establishment of an EU Common Foreign Security and Defense policy, but also tend to put their troops in EU rather than NATO or UN missions. The constructivists argue that Germans seek ontological security, which means that the EU strategic culture is closer to the German SC and thus requires fewer adaptations. Realists argue Germans seek influence maximization which is easier in the EU, where Germany is the most powerful partner.

I beg to differ once more: my hunch is that EU missions do follow up upon NATO missions, esp. in the Balkans, so the bias is part of a division of labor where Germans plays a legitimate role as peacekeepers, while others do the enforcement.

Slide 12

In sum, German deployment patterns have changed substantially over the past two decades. But numbers, caveats and mandates suggest that Germans still have a long way to go to the front. Indeed, when you look at the voting patterns and public skepticism towards the AFG operation it is not clear at all that we will see more than the 7.000 German currently troops abroad in the mid-term future.

Slide 13

On balance, Germany certainly remained the most europeanized member among the larger states since unification. In Maastricht, Chancellor Kohl overcame concerns by the Bundesbank and economists, exchanging monetary sovereignty against tangible trade benefits in the Euro Zone. In Amsterdam and Nice, the German government pushed for further integration in CFSP and Home and Justice Affairs. During the constitutionalization debate of the EU, Joschka Fischer and Angela Merkel have made important contributions, both in terms of content and process.

Slide 14

However, a closer look reveals strong domesticating effects in the German position: Strengthening the EU Member states as the “Herren der Verträge”, the Charta on basic rights, the subsidiarity principle, the delimitation of EU powers and the three categories of legal acts: exclusive legislation by the EU; principal legislative

competences of the EU; substitutive competences of the EU, all mirror-image the Germany's domestic structure or the core preferences of important veto players.

As a consequence, there has been a substantial policy transfer from Germany to the EU, as Simon Bulmer and many others have argued before. But this Germanization, quite a term, once again Germanization is not the product of a sinister German plan to manhandle its smaller neighbors. Quite openly, the new Art. 23 GG and the FCC call for a structural equivalence between the GG and the EU treaties if integration is to move forward. While the Länder have been important in many areas, it is the court that really determines the parameters of Germany's European conduct.

Slide 15

Starting with the 1974 Solange decision, Karlsruhe has argued that Germany's future participation in European integration will require the establishment of human and citizen rights standards that are equal to the (high) German Grundrechtsstandard. Thus, with Solange the Court established the crucial norm of structural correspondence between the German and European polity. Back then, some commentators claimed that the ruling amounted to a Grundgesetz Imperialism, but subsequent judgements, most notably on the Maastricht Treaty and the European Arrest Warrant, have upheld that logic of structural correspondence. In fact, Art. 23 GG (1992) features the structural resemblance logic prominently in its safeguarding clauses.

Slide 16

Now, if you look in the upper left corner, the measurement of the concept of democracy is a rather crude one: open vs. closed, but the important line is below: on

the core elements that are ringfenced: we can identify a steady but idiosyncratic increase in elements.

Based on its doctrine of democracy and with reference to Art. 20, para. 1, 2 as well as Art. 23 and 79, para. 3 the court substantially enlarged the sphere of legal concepts it will protect: democracy, “sovereign statehood” and “constitutional identity”, thereby considerably advancing its own position vis-à-vis the sovereign’s representatives.

[In procedural terms, in the Lisbon ruling sharply delineates the executive’s competence to participate in the various EU treaty amendment procedures, in particular the flexibility clause and the so-called Passarelle (or general bridging) clause. Henceforth, the Bundestag and Bundesrat have to give their consent in law before the executive branch may engage in numerous cases of dynamic treaty development. Arguably, here the mistrust vis-à-vis the EU, the ECJ, but also the Bundestag as the responsible representative of the sovereign is greatest (Kiiver 2009, 1291).]

Slide 17

Let us now consider the track record of the CDU/FDP coalition during the Eurocrisis.

Here, Germany’s response has been cited proof for German normalization, its ascendance as normal great power. Just consider Simon Bulmer and Willie Paterson’s argument in Boston at this year’s EUSA conference that from now on Germany would live a more ordinary life; Werner Proelß argued in an influential inside account for Bruegel, the Brussels think tank that it fell out of love with Europe and Melanie Morrise Schillbach sees a new tough unilateralism.

Again, I beg to differ: To begin with, it is an often-told myth that German Chancellor Kohl sacrificed the D-Mark to ensure France's consent to German unification. The Euro was planned long before 1989 and pushed by Genscher well ahead of the October events. Secondly, yes Chancellor Schröder violated the Stability and Growth Pact in 2002/2003 for domestic reasons. The Pact had been introduced by Finance Minister Waigel to quell domestic skepticism of a weak Euro in mid-1990s. Some of you may remember that the mainstream SPD candidate Dieter Spöerli likened the EMU to Harakiri in the 1996 electoral campaign.

But to understand the German policy, one has to acknowledge that it was Finance Minister Steinbrück who suggested back in February 2009 that a rescue operation may be in order to save Greece from default. So the German government knew what was in the making when Greece's credit ratings dropped and spreads on government bonds diverged sharply in December 2009. In January 2010, there was a general rescue plan in place that took into account all German constitutional requirements, but Merkel hesitated because the Greek government had not yet acted persuasively on its budget.

Two domestic factors were crucial, despite Greece's policy and the jittery financial markets, in the period from Jan to May: first, the already mentioned FCC which in its Maastricht ruling had *expressis verbis* ruled out that EMU could evolve into a transfer Union under the existing GG. Second, the upcoming State elections in NRW and the openly Euro-skeptic campaign by the Bild Zeitung tabloid.

Slide 18

Let me quote a cabinet minister of the Merkel government: „We have to take Karlsruhe's conditions laid out in its ruling on monetary union extremely seriously. If we cannot convince the judges that the Greek rescue is a last-resort action to safeguard the euro's stability and EMU's survival, the complainants will win their case“ (Proissl 2010: 28).

When you take a close look at the final deal on the bilateral rescue and the Euro Stabilization fund, you see the FCC's fingerprints all over the place. In anticipation of a complaint before the court the Merkel government fine-tuned its policy position in accordance with the Maastricht and Lisbon ruling of the court. The position can be summarized as follows: The EU must not do it alone – it is a global crisis; it must do it only in a crisis situation when Germany itself is under threat; It must be separate from the EU treaties, it must be limited and structural reforms must prevent any further free-riding.

Slide 19

To conclude: what are the sources of German foreign conduct and how do they relate to changes in the policy trajectory? First, the sources have changed: Public opinion, Parliament and the FCC have a much greater say twenty years after unification: I call this domestication, but domestic changes are not only related to the politics of German foreign policy. Keep in mind that unification entailed big costs and transfers between the east and west and between poorer and more prosperous regions. Secondly, yes, the policy trajectory has changed after Unification, most importantly in Security and European affairs. But as I have argued, these changes have been gradual rather than abrupt and they have modified rather than revolutionized Germany's traditional institutional environment. To give you an example of this: in

January 2003, the Red-Green government opposed sending German Soldiers with Patriot missile systems to Turkey to prevent a retaliatory assault from Iraq; which then-US-NATO Ambassador Byrnes called a near-death experience of NATO. However, NATO survived and so did the Schröder government, because it rightly feared that it would not have mustered the necessary votes in the Bundestag in support of the US-led decision to invade Iraq.

In the end: do not expect strong German leadership especially in the EU in 2011. We have six more state elections to come in 2011 and the CDU has lost heavily in the last one in Hamburg, losing half of its voters. Also, Germany's erstwhile partner France will be pressed for structural reforms at a time when the President is up for reelection. At the same time: when you look at German financial institutions exposure in the periphery you will find that the Merkel government will act responsibly even if slowly. This is because the German financial industry is so enmeshed in the problems of Southern European Eurozone members that the German taxpayer will have to pay for the irresponsible lending policies of its financial sector.

Thanks very much for your attention! I am happy to take your comments and questions!