NEW MODEL ARMY

THE END OF MILITARISM

IN THE FEDERAL REPUBLIC OF GERMANY

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D E C L A R A T I O N :

I hereby declare that this thesis is entirely my own work.

This thesis has not previously been submitted as an exercise for a degree at this or any other university.

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S U M M A R Y :

The thorough transformation of post-war Germany has led to a dramatic reassessment of its foreign and security policy, characterised by a strong emphasis on international cooperation and an extremely limited role of military power. This external stance has been underpinned by a highly circumspect approach to nationalism and a striking commitment to historical accounting. Sharply contrasting with both previous German practice and contemporary customs of 'normal' states, these features have often been dismissed as mere functions of the country's inferior status during the Cold War. Their durability beyond reunification and the end of externally imposed limitations of sovereignty point to deeper changes in state and society that cannot be reduced to systemic stimuli alone. Understanding *why* Germany took a different approach to its history and *how* its has readjusted its role in the world cannot rely merely on structural constraints and forceful social engineering imposed by the victors of World War II.

This study examines how the structurally imposed need for rearmament has set in motion a continuous internal engagement with the origins of militarism, leading to deep ideational and institutional changes aimed at overcoming the historical legacy and adapting the military to the new domestic and international realities. This has required a careful examination of military tradition and institutional structures to end the dualism that historically existed between the army and society. It is the story of a delusional institution recovering its sanity, explaining why it stopped after 1945 to believe in obscure ideas of racial and national supremacy; to engage in propagandising these ideas to society at large; and to interfere with civilian policy making. The emergence of exemplary civil-military relations in a pluralistic democracy was the result of a long *political* process of normative evaluation and institutional balancing, as such it cannot be reduced to wise foundational choices but necessitates the continuous domestic engagement and debate between different societal interests. The emphasis on the domestic political nature of the process is significantly more complex than structural examinations that deduce national change from systemic variables. Analytically multifaceted and thus more demanding, the emphasis on political processes and domestic *agency* has important policy implications. By underlining the indeterminacy of social change and rejecting a linear model of institutional progress, this study cautions against over-ambitious predictive claims and the ability to *impose* social and institutional engineering in a post-conflict setting.

OVERVIEW:

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I.   INTRODUCTION

1. PURPOSE OF THE STUDY

The purpose of this study is to analyse rearmament in the Federal Republic of Germany as a crucial component of the post-war transformation of state and society. The point of departure is the remarkable contrast between the repressive authoritarianism and externally aggressive nationalism that had characterised Germany since the mid 19th century, and the liberal, cosmopolitan and peaceful society that gradually developed after 1945. A recent political history describes Germany as a *"geglückte Demokratie,"* a choice of words that combines satisfaction and pride over the successful political record with an element of chance and good fortune. Compared to its predecessors, the new German state developed "a civilised state; characterised by peacefulness, postnationalism, social market economy and the rule of law. In this free society something important was created: a form of civilising process (*Zivilisierungsprozeß*)." This civilising process stands in contrast to the earlier civilisational breach (*Zivilisationsbruch*) of the genocidal war. This process was more powerful in West Germany than in East Germany, not because, Wolfrum is quick to point out, the people were any different in the GDR, but because the structures were different.[1]

With the end of the Cold War there was much uncertainty about the future course of the European and global security infrastructure. Most commentators at the time agreed that the development in Germany would prove to be decisive for the stability of Europe,[2] both due to the intrinsic weight of the re-united country as well as a model of emulation for the states of Central and Eastern Europe.[3] The widely diverging predictions and policy

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[1]   Edgar Wolfrum, *Die geglückte Demokratie. Geschichte der Bundesrepublik Deutschland von ihren Anfängen bis zur Gegenwart* (Stuttgart: Klett-Cotta, 2006), p. 11.

[2]   Stephen Van Evera, "Why Europe Matters, Why the Third World Doesn't: American Grand Strategy After the Cold War," *Journal of Strategic Studies,* Vol. 13, No. 2 (1990): 1-51; Robert Jervis, "The Future of World Politics: Will It Resemble the Past?," *International Security,* Vol. 16, No. 3 (1991): 39-46; Joseph S. Nye, Jr, "American Strategy after Bipolarity," *International Affairs,* Vol. 66, No. 3 (1990): 513-21.

[3]   Karen Dawisha (ed), *The International Dimension of Post-Communist Transitions in Russia and the New States of Eurasia* (London: M.E. Sharpe, 1997); Zbigniew Brzezinski, "The Cold War and its Aftermath," *Foreign Affairs* (1992): no pagination; Lutz-Rainer Reuter and German Studies Association, *One Year After the Revolution: Politics and Policies of Education in the Eastern German States*, Beiträge aus dem Fachbereich Pädagogik der Universität der Bundeswehr Hamburg, 3/91 (Hamburg: Universität der Bundeswehr, 1991); Lutz-Rainer Reuter and German Studies Association,

prescriptions offered by various analysts were premised on sharply diverging assessments of foreign and security policy the united Germany was likely to pursue.[4] Germany's explicit renunciation of the nationalist model in favour of post-national integration[5] has greatly increased the prestige of that model for the newly independent Eastern states,[6] and Germany's support for the integration of these states into the existing institutional structure has provided a viable alternative to the historical model of 'praetorian' democracy.[7]

Given the need to deal with the large and growing number of failed and predatory states,[8] discussions of current peace-enforcing and nation-building efforts often refer to the successful transformation of Germany and Japan. This discourse either tries to justify the forceful imposition of social engineering through military occupation,[9] or criticises current efforts as falling short of the single-minded determination of post-war Allied policy.[10] Common to both visions is a short-sightedly deterministic view that overestimates the ability to externally impose normative and institutional change, while neglecting the crucial importance of *domestic ideational evolution.* The willingness of a given society to engage with and account for its own past is decisive, something that is affected

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Constitutional Developments in Germany Since 1945, Beiträge aus dem Fachbereich Pädagogik der Universität der Bundeswehr Hamburg, 1994/7 (Hamburg: Universität der Bundeswehr, 1994).

[4]   See the discussion below p. 124. For a good overview of alternative conclusions arrived from within different theoretical frameworks see the contributions in Sean M. Lynn-Jones and Steven E. Miller (eds), *The Cold War and After: Prospects for Peace* (Cambridge, MA: MIT Press, 1997).

[5]   Hans-Peter Schwarz, *Die gezähmten Deutschen: Von der Machtbesessenheit zur Machtvergessenheit* (Stuttgart: Deutsche Verlags-Anstalt, 1985); Robert O. Keohane, Joseph S. Nye, Jr, and Stanley Hoffman (eds), *After the Cold War - International Institutions and State Strategies in Europe, 1989-1999* (Cambridge/MA: Harvard University Press, 1993), p. 389.

[6]   Jack L. Snyder, "Averting Anarchy in the New Europe," *International Security,* Vol. 15, No. 3 (1990): [104-140].reprinted in Lynn-Jones and Miller, *Cold War and After*, p. 125.

[7]   The classical definition can be found in Samuel P. Huntington, *Political Order in Changing Societies* (New Haven: Yale University Press, 1968), chapter 4.

[8]   Terry Nardin, *Humanitarian intervention*, Nomos, 47 (New York: New York University Press, 2006); Antonia Handler Chayes and Abram Chayes, *Planning for Intervention: International Cooperation in Conflict Management* (The Hague: Kluwer Law International, 1999); J. L Holzgrefe and Robert O Keohane, *Humanitarian intervention: Ethical, legal and political dilemmas* (Cambridge: Cambridge University Press, 2003).

[9]   See for instance Charles Krauthammer, "Democratic Realism - An American Foreign Policy for a Unipolar World", Washington, D.C, American Enterprise Institute, 2004, http://www.aei.org/publications/pubID.19912,filter.all/pub_detail.asp, accessed on: 15 March 2006; James Dobbins*, et al, America's Role in Nation-Building: From Germany to Iraq* (Santa Monica, Calif.: RAND, 2003).

[10]   Stanley N. Katz, *Gun Barrel Democracy? Democratic Constitutionalism Following Military Occupation: Reflections on the U.S. Experience in Japan, Germany, Afghanistan and Iraq*, Princeton Law and Public Affairs, Working Paper No 04-010 (Princeton, N.J.: Princeton University, 2004), available at: http://ssrn.com/abstract_id=559166, accessed on: 21 October 2006.

by external and structural forces but that cannot be decreed by occupational fiat from without.[11]

2. OBJECT OF STUDY

The institutional integration of the armed forces produced exemplary civil-military relations, yet it is only a symptom of the wider transformation of German society which shed the destructive normative and intellectual heritage of the past in favour of a more benign assessment of national and institutional interests. This "benignification" of the German armed forces goes deeper than the mere integration of the armed forces into society and ending its separate existence as a "state within the state,"[12] containing an important ideational and normative component.

The historical record indicates that for much of the late 19th and the first half of the 20th century, the army was beset by severe delusions about its capabilities, its proper role in society, and the role of the nation in the international system. Showing how Social-Darwinism and militarism were 'unlearned' through a combination of institutional, cognitive and structural factors is the main aim of this study. One of the main questions in this regard is *whether confronting history did in fact changed behaviour?* This begs the prior question of *how* German society came to confront its past? The broader acceptance of historical truth-telling is examined from the angle of the military as an institution.

The analytical focus on the military is premised on three observations: armies are indispensable tools for any aggressive foreign policy; armies are important political institutions where wider societal trends are concentrated thus allowing for more focussed study of presumed causal hypotheses; finally, civil-military relations in Germany have historically followed a rather unusual pattern, widely believed to have powerfully affected domestic political life and contributed to an aggressive foreign policy.

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[11]   For a comparison of the very different paths taken in Japan and Germany see Ian Buruma, *The Wages of Guilt: Memories of War in Germany and Japan* (London: Vintage, 1995); Ian Buruma, *Inventing Japan, 1853-1964*, Modern Library (New York: Modern Library, 2003).

[12]   Gordon Alexander Craig, *The Politics of the Prussian Army, 1640-1945* (New York: Oxford University Press, 1955), pp. 217-54.

a. ARMIES AS TOOLS OF STATECRAFT

It is difficult to conceive of an aggressive foreign policy in the absence of strong enough military tools. In Germany the army had accounted both for the spectacular rise of Prussia, as ultimately for the destruction of the nation state it helped to forge:

> "das deutsche Militär [hat] nach seiner maßgeblichen Beteiligung am machtpolitischen Aufstieg Preußens und an der Begründung der Beinahe-Hegemonie des Deutschen Reiches in Europa auch eine ganz wesentliche Rolle im Niedergang des Reiches gespielt. Die Marksteine dieses Niedergangs, 1918 und 1945, sind ohne das Militär und seine Rolle in den Weltkriegen nicht zu denken."[13]

b. ARMIES AS ANALYTICAL MODELS

Following Cohen and Huntington, this study sees "military organisations as, first, fundamentally *political*; and second, fundamentally *institutional*."[14] Decisions emanating from and affecting the army are eminently *political* as they powerfully affect the interests, aspirations, normative outlook and behavioural patterns of the entire society in an age of mass armies and universal conscription:[15]

> "Systems of military service must be treated as *political institutions* due to the direct, powerful, and permanent effect they have on the dearest interests, aspirations, mores, and practices of the entire population."[16]

Furthermore, modern armies strongly depend on high degrees of internal organisation and discipline, as well as being representations of the 'organisational depth' of their respective societies, i.e. their relative efficiency in mustering raw material and human resources in the pursuit of collective goals. German civil-military relations have reflected the dualism between an extremely dynamic economy, science, and industry[17] coinciding

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[13]   Manfred Messerschmidt, "Grundzüge der Geschichte des preußisch-deutschen Militärs," in: *Militärgeschichtliche Aspekte der Entwicklung des deutschen Nationalstaates*, ed. by Militärgeschichtliches Forschungsamt (Düsseldorf: Droste, 1988), p. 13.

[14]   Eliot A. Cohen, *Citizens and Soldiers: The Dilemmas of Military Service*, Cornell Studies in Security Affairs (Ithaca, N.Y.: Cornell University Press, 1985), pp. 19, emphasis in the original; Samuel P. Huntington, *The Soldier and the State: The Theory and Politics of Civil-military Relations* (Cambridge: Belknap Press of Harvard University Press, 1957).

[15]   This element is repeatedly stressed by Omer Bartov, "Defining Enemies, Making Victims: Germans, Jews, and the Holocaust," *American Historical Review,* Vol. 103, No. 3 (1998): 771-816; Omer Bartov, "Germany as Victim," *New German Critique* 80, Special Issue on the Holocaust (2000): 29-40.

[16]   General Louis Trochu, *L'Armée française en 1867* (Paris: Amyot, 1867), p. 39; quoted in Cohen, *Citizens and Soldiers*, p. 20.

[17]   For a good summary covering technological dynamism, capitalistic expansion, social and geographical mobility and the social upheavals they entailed see Ullrich "Vom Agrar- zum Industriestaat" and the sources cited therein,

with a societal structure marred by an anachronistic caste-like hierarchism in which old aristocratic elites perpetuated their dominance in state, administration and army and exert "in the social and political life of the nation an unusually influential role."[18]

c. MODERNISATION AND MILITARISATION

Armies are a controlled environment in which ongoing developments in wider society can be observed more clearly. As an organisation that inherently depends on hierarchy and discipline, the acceptance of pluralism, lawful authority, and constitutional limits on the exercise of authority is likely to lead to sharper conflicts and thus be easier to observe than in more congenial surroundings. Armies are "total institutions"[19] which control all aspects of the lives of their members to a much greater extent than other institutions; any change in the nature of such an institution is much more likely to have an observable effect. In this respect "the interest of the army to the historian is rather that it acts as a magnifying lens revealing aspects of national problems and of personal tensions, more clearly than they can be seen in civil society."[20]

The third and most important reason for choosing the army as an object of study is the pervasive militarization of all aspects of society and its political culture.[21] Modern German history is in many respects the story of the inability of existing institutional and normative structures of coping with the societal dislocations and inherent dynamism of rapid modernisation, a pattern finally broken in the post-war period.

3. QUESTIONS AND HYPOTHESIS

This transformative process concerns the fundamental question of how to overcome a destructive ideational heritage. Understanding how individual and institutional roles and

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Ullrich, *Die nervöse Großmacht*, pp. 127-42. See also Eric J. Hobsbawm, *The Age of Empire, 1875-1914* (London: Cardinal, 1989); Eric J. Hobsbawm, *From 1750 to the Present Day: Industry and Empire* (Harmondsworth: Penguin, 1969).

[18]   H. Rosenberg, "Die Pseudodemokratisierung der Rittergutsbesitzerklasse," in: *Moderne deutsche Sozialgeschichte*, ed. by John C. G. Röhl (Colone, Berlin: Kiepenheuer & Witsch, 1966), p. 287.

[19]   Cohen, *Citizens and Soldiers*, p. 34.

[20]   Teodore Zeldin, *France, 1848-1945* (Oxford: Oxford University Press, 1977), p. 2:905; quoted in Cohen, *Citizens and Soldiers*, p. 128.

[21]   Wilhelm Deist, *Militär, Staat und Gesellschaft: Studien zur preussisch- deutschen Militärgeschichte*, Vol. 34 (München: Oldenbourg, 1991). Volker Rolf Berghahn, *Militarism: The History of an International Debate, 1861-1979* (New York: St. Martin's Press, 1982).

identities can be affected by changes in structural set-up, training, and introspection continues to be relevant beyond the German context. Troublesome armies persist, in the third world and beyond, as do idiosyncratic national myths that stress victimisation, inferiority and superiority complexes, and volatile beliefs in the salutary effects of violence. Studying a successful case of transformation is likely to allow us to derive some prescriptively useful lessons for these instances. A number of questions are particularly important in this respect:

a. WHAT CAUSES DELUSION?

Most societies cherish certain irrational ideas and suffer from *some* impairment of their ability to properly assess a situation and arrive at a rational, utility-maximising decision. Such impairments can range from quaint markers of identity, general superstitions with a generally beneficial, community-enhancing effect, to pathological delusions as powerful contributing causes of war, such as beliefs about alleged national and racial supremacy, or the beneficial effect of warfare for the psychological health of a nation. This 'evasion of reality' has been common throughout history and across nations, understanding the process by which reality is distorted is the indispensable first step to overcoming such delusions.[22]

b. WHAT ARE THE CAUSES AND EFFECTS OF INSTITUTIONAL ISOLATION?

An important contributing factor to the development and persistence of irrational, even delusional ideas is the lack of self-evaluation and insufficient exposure to competing ideas and visions. The recognised difficulty, if not inability of organisations to self-evaluate internally,[23] points to the importance of interactions with outside interests, ideas, and arguments as an indispensable 'reality check.' Just as any other organisation, armies are loath to self-evaluate and normally do so only when forced by external circumstances, painful military defeats being the most dramatic such instances. But military defeat is a

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[22]   Stephen Van Evera, *Why States believe Foolish Ideas: Non-Self-Evaluation by States and Societies, v. 3.5*, unpublished manuscript, Cambridge, Mass. (2002), available at:
http://web.mit.edu/polisci/research/vanevera/why_states_believe_foolish_ideas.pdf, accessed on: 25 July 2006.

[23]   Aaron Wildavsky, "The Self-Evaluating Organization," *Public Administration Review,* Vol. 32, No. 5 (1972): 509-20.

costly way of managing change. Ensuring some form of fair competition in the marketplace of ideas[24] by exposing the organisation to outside thinking could further the cause of self-evaluation without the necessity of going to war.[25] There are therefore three distinct, if related justifications for striving for greater integration of the military into society: cognitive, normative, and functional. Normatively, societies, particularly democratic ones, can expect that their basic values are reflected throughout all institutions serving the state[26] or constituting civil society.[27] Functionally, societal integration is an important tool for reducing the military's disposition to subvert civilian control.[28] Cognitively, greater interaction with wider society will counteract organisational resistance to self-evaluate.[29]

A related, perhaps equally important aspect is the tendency of isolated groups to develop ever more extreme normative positions.[30] Isolated military establishments show similar tendencies of contempt for outsiders (i.e. civilian society), and an unhealthy predilection towards violent means of dispute resolution, in both domestic and foreign policy.[31] Reducing the degree to which members of the armed forces live separate lives from the rest of society is thus likely to reduce the likelihood of them developing radical ideological outlooks which can unravel into a polarised political culture which accepts violence as an appropriate tool to further political goals.

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[24]   The 'marketplace of ideas' should be seen as ideal type analogy, not an accurate description of intellectual interaction even in open societies. There are strong factors skewing access to information and persuasive power of participants, leading some commentators to liken it to a monopoly of ideas in which a few are producers of ideas and the vast majority merely their captive consumers and recipients. See Benjamin Ginsberg, *The Captive Public: How Mass Opinion Promotes State Power* (New York: Basic Books, 1986).

[25]   Jack L. Snyder and Karen Ballentine, "Nationalism and the Marketplace of Ideas," *International Security,* Vol. 21, No. 2 (1996): 5-40.

[26]   Dirk Ehlers, "Die Staatsgewalt in Ketten, zum Demokratiegebot im Sinne des Grundgesetzes," in: *Demokratie in Staat und Wirtschaft*, ed. by Heiko Faber (2002): 125 - 142; Ludwig Schulte, "Wehrsysteme und Normen in den Streitkräften," in: *Soldaten der Demokratie; die Bundeswehr in Gesellschaft und Staat* (Frankfurt am Main: Bernard & Graefe, 1973): 101-16.

[27]   Svend Moeller, *Kontrollen im öffentlichen Recht und Demokratiegebot in Schweden - eine Besonderheit in Europa*, Juristische Schriftenreihe, 242 (Münster: LIT, 2004).

[28]   Peter D. Feaver, "Civil-Military Relations," *Annual Review of Political Science,* Vol. 2 (1999), p. 227. This aspect is stressed by the sociological school of civil-military relation scholarship, see *inter alia* A. D. Larson, "Military Professionalism and Civilian Control: A Comparative Analysis of Two Interpretations," *Journal of Political and Military Sociology,* Vol. 46 (1974): 455-68; C. C. Moskos, *All that we can be: Black Leadership and Racial Integration the Army Way* (New York: Basic Books, 1996).

[29]   See further below pp. 92-106.

[30]   Cass R. Sunstein, "Deliberative Trouble? Why Groups go to Extremes," *Yale Law Journal,* Vol. 110 (2000): 71 et seq; Cass R. Sunstein, "Why they Hate Us: The Role of Social Dynamics," *Harvard Journal of Law and Public Policy,* Vol. 25, No. 2 (2001): 429-40.

[31]   Quincy Wright, *A Study of War*, 2d ed (Chicago: University of Chicago Press, 1965), pp. 1227-39.

c. HOW IMPORTANT IS TRUTH-TELLING?

The general tendency of organisations and states to resist the painful process of self-evaluation prevents learning and fosters misperceptions.[32] Ultimately, nationalist myths, false propaganda, chauvinist perceptions of the national interest, and expansionist foreign and security policy doctrines can only thrive in the absence of strong logical and empirical testing:

> "As a result national learning is slow and forgetting is quick. The external environment is perceived only dimly, through a fog of myths and misperceptions. States that misperceive their environment in this way are bound to fail to adapt to it, even when the penalties of such failure are high. Blind to the incentives they face they will respond inappropriately, even if they accept in principle the need to adapt."[33]

The inherent tendency of organisations to turn against internal evaluative units, whistle blowers, and critics leads to a 'spiral of stupidity' creating self-reinforcing delusions and evasions of reality.[34] This failure to adapt produces a growing gap between delusion and reality resulting in suboptimal performance of the organisation afflicted. Being exposed to competing visions of reality is likely to produce more realistic assessments of the external environment in which decisions are played out, and thus can be expected to help avoid making or repeating costly blunders. Historical accounting thus serves, apart from its obvious *normative* value, the very important *practical* role of improving the quality of decision-making.[35]

d. WHY WAS TRUTH-TELLING EMBRACED?

The marketplace for ideas is at best semi-efficient.[36] It would be misleading to assume that in the struggle between competing visions, inevitably the better, more rational, more historically accurate version wins out, even if controlling for differing normative preferences of the actors. A nation's historical record can in many respects be seen as an

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[32]   For a review of the literature see Jack S. Levy, "Learning and Foreign Policy: Sweeping a Conceptional Minefield," *International Organization,* Vol. 48, No. 2 (1994): 279-312.

[33]   Van Evera, *Why States believe Foolish Ideas*, p. 1.

[34]   Van Evera, *Why States believe Foolish Ideas*, p. 2.

[35]   Richard E Neustadt and Ernest R May, *Thinking in Time: The Uses of History for Decision-Makers* (New York: Free Press, 1986); Ernest R May, *'Lessons' of the Past: The Use and Misuse of History in American Foreign Policy* (New York: Oxford University Press, 1973).

[36]   Snyder and Ballentine, "Nationalism and the Marketplace of Ideas."

evolving marketplace of competing visions of the past. Seen from this angle the pervasiveness of chauvinistic accounts, self-victimisation, white-washing, etc. can be seen as instances of market failure where wacky ideas consistently win out over more deserving normative and explanatory accounts. Truth-telling is usually associated with a redemptory desire to account for past crimes, to make amends for them, and to ultimately reconcile with the victim.

Such 'redemptory' truth-telling is comparatively easier than the more mundane but self-inspective task of evaluating why certain dogmas, strategic decisions, or explanatory accounts came to be accepted against overwhelming factual evidence. 'Analytical' truth-telling, by contrast, has a more modest moral agenda and is concerned with establishing a more accurate account of prior organisational and national behaviour and its implications. This study is based on the belief that the acceptance of *a realistic, truthful account of history has an independent effect on state practice* as well as affecting the domestic and external environment in which political action takes place.

e. HOW WAS THE ARMY REINTEGRATED INTO SOCIETY?

The rise of Prussia as a great power was predominantly based on the strength of its army rather than an abundant endowment with population, natural resources or industrial capacity.[37] Beginning with end of the 17th century the internal development in Prussia began to increasingly diverge from the path taken by the other absolutist great powers of the time, notwithstanding the fact that they also heavily relied on relatively large standing forces.[38] The Prussian system of civil-military relations was heavily skewed towards the requirements of the army and survived intact until the reforms of 1806 and, with respect to the officer corps, until 1918. Messerschmidt stresses the "pact" concluded between the absolutist monarch and the nobility which resulted in the creation of an immobile class-based social structure:

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[37] The United States, by contrast, rose – somewhat reluctantly – to great power status primarily through its superior capacity to create wealth. See Fareed Zakaria, *From Wealth to Power: The Unusual Origins of America's World Role* (Princeton, NJ: Princeton University Press, 1998); Sean M. Lynn-Jones, "Realism and America's Rise: A Review Essay," *International Security,* Vol. 23, No. 2 (1998): 157-82.

[38] Messerschmidt, "Grundzüge der Geschichte des preußisch-deutschen Militärs," p. 14.

"in welcher der Adel seine führende Rolle, nunmehr als absolutistischer Dienst- und Militäradel, behalten konnte — auf Kosten des Bürgertums und der bäuerlichen Schichten. Hierin ist eine der entscheidenden Tatsachen der preußischen Staats- und Heeresorganisation zu sehen: – die Grundlage des preußischen Offiziersadels, – des Rekrutierungssystems, – der Zuordnung von Wirtschaft, Verwaltung und Finanzen auf die Armee. Damit wurde ein Prozeß eingeleitet, der Preußen zur Militärmonarchie gemacht hat."[39]

The explicit aim of integrating the army into a democratic society was premised after 1945 on the understanding that democracy could not flourish if parts of the social enterprise would be permanently excluded from it. Soldier and civilian citizen should not, as had traditionally been the case, be seen as mutually exclusive spheres of social existence, but merely "two instances of the same citizenship."[40] By prescribing a common normative and legal framework, and by ensuring a sufficient degree of social interaction between civilian and military life the emergence of a separate military caste was to be prevented.

Separation was seen as dangerous for two reasons: by affecting the disposition of the armed forces to obey their civilian masters,[41] but also by creating a precarious mélange of obscurantist militarist thinking among the isolated members of the army whose ideas were never challenged or fertilised by the kind of alternative thinking found in an open, civilian society.[42] It was particularly the latter aspect that took many decades to be properly understood and implemented,[43] against considerable resistance from conservative sectors of the armed forces and successful only after a change in the government.[44] The transformation of state, society, and military are complex processes that cannot be satisfactorily described with the shorthand of defeat and new beginning. Rather, they must be understood as lengthy processes of political struggle between agents of reform and reactionary elements with an uncertain outcome.

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[39]   Messerschmidt, "Grundzüge der Geschichte des preußisch-deutschen Militärs," p. 15.

[40]   Schulte, "Wehrsysteme und Normen in den Streitkräften," p. 101, quoting Count von Baudissin.

[41]   See further below p. 94.

[42]   Feaver, "Civil-Military Relations," pp. 227-28; H. Fred Krause, *Das Konzept der inneren Führung und die Hochschulen der Bundeswehr: Realisierung einer Prämisse, konsistente Weiterentwicklung oder Diskontinuität* (Bochum: Studienverlag Brockmeyer, 1979), pp. 88-91.

[43]   Krause, *Innere Führung und Hochschulen der Bundeswehr*, pp. 20-21, 276 ff.

[44]   Krause, *Innere Führung und Hochschulen der Bundeswehr*, pp. 219-75.

f. WHAT WERE THE DRIVING FORCES?

The emphasis on a clean slate after 1945 and the attendant deep *structural* changes in the international system and domestic institutional structure mask the fundamentally *political* nature of the underlying normative struggle. Well beyond the purportedly formative post-war years a variety of individual and institutional actors with sharply diverging interests and normative visions engaged in a sustained political struggle for the shape of state and society. The outcome of this struggle determined how the basic constitutional structures of the immediate post-war period were to be interpreted. As a particularly controversial issue, civil-military relations remained for several decades at the centre of intensive normative debates over differing readings of the historical record and appropriate lessons.

g. HYPOTHESIS AND GENERAL APPLICATION

The central argument is the independent explanatory force of institutional and societal self-evaluation and historical accounting in removing causes of conflict.[45] The active propagation by the military of dangerous delusions about their own professional role and capacity into wider society and beyond, and the collusion with other extremist elements in society were among the chief causes of conflict throughout the first half of the 20th century. The end of these delusions is under-explained by mere reference to the military defeat of 1945. The development in Germany merits careful study both by virtue of the intrinsic weight of the size and geography of the country, as well as the effect its behaviour has had on European integration both before and after 1989. While the usual caveats against single case studies apply,[46] it should be stressed that our aim is not primarily to built or test theories, but to *describe* and *explain*, with a view to draw lessons from its *consequences*.

When looking at the socio-political development of the Federal Republic, two possible approaches can be taken: One version sees in the complete defeat and virtual annihilation of the old bureaucratic and institutional infrastructure the creation of a clean slate onto

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[45]   Following the model suggested in Stephen Van Evera, *Causes of War: Power and the Roots of Conflict*, Cornell Studies in Security Affairs (Ithaca: Cornell University Press, 1999), pp. 4, 14, et seq., the central hypothesis could be phrased as follows: *War is less likely when states accept responsibility for past misdeeds.*

[46]   Discussed in Van Evera, *Causes of War: Power and the Roots of Conflict*, p. 12; Gary King, Robert O. Keohane, and Sidney Verba, *Designing Social Inquiry: Scientific Inference in Qualitative Research* (Princeton, N.J.: Princeton University Press, 1994), pp. 108-9, 129-132, 137-138, 140-149.

which the new Western and democratic entity could be imprinted. Thus, the fundamental break with past German attitudes occurred sometime in the immediate aftermath of the war, and definitely shortly after the creation of the West German state in 1949. The opposing view sees the creation of two distinct German states as not constituting as radical a break with past practise as is generally assumed. Rather, old structures, values, and organisational habits continued for a long time, requiring active and persistent social action to be broken. Therefore, the development of truly internalised democracy in West Germany with exemplary civil-military relations, honest acceptance of the past and the willingness to make amends, and the fundamental re-definition of German identity and interest did *not* occur in a linear fashion from 1949 onwards. Rather the radical break occurred sometime in the late 1960s/early 1970s were Germany underwent a revolution not so much of its institutions but of its fundamental values and identity.

This latter view rejects the comforting view that the years of Nazi dictatorship were somehow the result of a "historical accident"[47] brought onto an unsuspecting population by a criminal clique that had usurped the state. Its proponents seek to understand the root causes for the "German tragedy"[48] within the structure of society, its values, education and legal systems, and the like. This acknowledgement campaign for the past was linked to an *internal* agenda of transforming the role of state institutions, including the army, and the proper role of authority, discipline, and critical thinking in society.

4. STRUCTURE OF THE ARGUMENT

Depending on one's position, different lessons need to be learned from the experience, leading to different prescriptions for other societies undergoing profound change today.

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[47] Conservative historians who reject any particularly German propensity towards fascism and militarism include for instance Ernst Nolte, *Der europäische Bürgerkrieg, 1917-1945: Nationalsozialismus und Bolschewismus* (Berlin: Propyläen, 1987); Gerhard Ritter, *The German Problem* (Munich: Münchner Verlag, vormals F. Bruckmann Verlag, 1965); Gerhard Ritter, *Europa und die deutsche Frage - Betrachtungen über die geschichtliche Eigenart des deutschen Staatsdenkens* (München: Münchner Verlag, 1948); Gerhard Ritter, "Das Problem des Militarismus in Deutschland," *Historische Zeitschrift,* Vol. 177 (1954): 196-217 [21-48]. For a strong rejection of this line of argument see *inter alia* Fritz Fischer, *Germany's Aims in the First World War* (New York: W. W. Norton, 1967); Fritz Fischer, *Hitler war kein Betriebsunfall: Aufsätze* (München: Beck, 1993); Berghahn, *Militarism: The History of an International Debate, 1861-1979*; Volker Rolf Berghahn, *Europe in the Era of Two World Wars: From Militarism and Genocide to Civil Society, 1900-1950* (Princeton, N.J: Princeton University Press, 2006); Ursula Hoffmann-Lange and Hans-Georg Wehling, *Eliten in der Bundesrepublik Deutschland* (Stuttgart: Kohlhammer, 1990).

[48] Hans Joachim Morgenthau, *The Tragedy of German-Jewish Liberalism*, Leo Baeck Memorial Lecture, 4 (New York: Leo Baeck Institute, 1961); Frederic V Grunfeld, *Die deutsche Tragödie: Adolf Hitler und das Deutsche Reich 1918 - 1945 in Bildern,* trans. Wolfgang Eisermann (Hamburg: Hoffmann u. Campe, 1975); Georg Bernhard and André Pierre, *Le suicide de la République Allemande*, Collection Europe (Paris: Rieder, 1933).

While the first position is based on a primarily *structural* change, which can be imposed from the outside,[49] the second position is based on *ideational* change and requires a far more profound and long-term involvement and willingness to change on behalf of the population in question. The task of this study is thus three-fold:

Descriptive: When did the change occur and how was it reflected in the armed forces? If it was gradual, did it ever reach a "critical mass" beyond which the transformation appears irreversible? When was such a "point of no return" reached? Assuming that the transformation of German society did indeed take place, it is attempted to identify the personalities and groups that pressed for such a transformation, the structural factors that helped it, and to establish whether the process was linear beginning immediately after World War Two, or whether a sharp break occurred at some later point.

Explanatory: What were the underlying causes for the transformation: structural/material or rather ideational? Was the process actively managed, and if so who were the principal actors and what were their respective motivations?

Consequences: Did the acknowledgement of past crimes lead to a more peaceful Germany, both internally and externally? Did it lead to significant differences in relations to her neighbours? To what extent can the efforts of remembrance and atonement be seen as helping Germany towards achieving greater stability internally and externally?

Constraints of space force this study to concentrate on the German case, but assessing the consequences of structural and normative transformation immediately throws up difficult comparative questions. While the experience of unification is a powerful argument that the policy of self-restraint ultimately paid off, one can also argue that other nations that have paid scant if any attention to questions of atonement or historical remembrance, such as Japan, Spain, or some of the Latin American states, have fared equally well, thus strengthening the case for structural determinacy.

Following this introduction, the study proceeds with Chapter II on methods which briefly outlines the various meta-theoretical approaches to the study of international relations. It is premised on the understanding that the very attributes that define the analytical quality of a given theory — abstraction and parsimony — ultimately limit its scope of

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[49]   Hermann-Josef Rupieper, *Die Wurzeln der westdeutschen Nachkriegsdemokratie - Der amerikanische Beitrag 1945 - 1952* (Opladen: Westdeutscher Verlag, 1993).

application. Starting from the dissatisfaction with the increasing rigidity and dogmatism of theoretical inquiries in the social sciences, the chapter argues the necessity to combine competing theoretical models in order to explain a complex reality and derive prescriptively useful policy guidance.

The mutual complementarity of different models is particularly apt with regard to theoretical approaches that rely on culture, as purely ideational explanations are rarely able to dislodge the importance of material factors. Ideational theories are nevertheless important due to their emphasis on malleable factors which are much more likely to yield prescriptively useful insights than rigid structural materialist approaches.

Chapter III then applies these insights to militarism and the study of civil-military relations which of necessity must concern itself with the *disposition* of the armed forces and how the interplay of material and ideational factors can bring about civilian control of the military.

Chapter IV examines the material security environment against which the transformation of Germany contributed to a period of remarkable stability in Europe. The end of the Cold War posed the question whether the externally imposed stability of the post-war period would continue, or whether Germany would revert to its peculiar historical pattern. It is argued that the continuity of the foreign and security policy of the Federal Republic significantly contributed to the maintenance of stability and the export of the successful institutional structure to Central and Eastern Europe. This continuity is under-explained by material incentives and ultimately relies on cognitive and normative changes in the political culture and self-image of the country.

This change contrasts with the heritage of militarism which is covered in Chapter V. The dependence of the rise of Prussia on military power and the stunted nature of its political development go a long way in explaining the peculiarly exalted status enjoyed by the military throughout much Prussian-German history. Most socio-political institutions during this time proved unable to accommodate the growing pressures for participation, with ensuing high degrees of political polarisation and a greater reliance on violence. It is argued that the military until 1945 played a remarkably consistent, reactionary role, propagating internal repression and external aggression.

Chapter VI examines the role of historical accounting in the creation of a (West) German post-war national narrative. It opens with a discussion of the relatively limited degree to which individual and group criminal behaviour in World War II was accepted in the immediate post-war period. This relative leniency towards the perpetrators of mass murder is contrasted with a surprising eagerness at the institutional level of the state to assume international political responsibility for the acts of the Nazi state.

Chapter VII examines how the logic of bipolar confrontation forced the departure from the unanimous decision to permanently disarm Germany. The decision to rearm was highly controversial, both domestically and internationally, thus precluding the possibility to simply reinstate old military structures. The origin of rearmament in external demands placed on the government against sustained domestic and international opposition led to the ensuing compromise which significantly affected the particular internal and external shape the Bundeswehr did take.

This departure from the established pattern of German civil-military tradition is the subject of the Chapter VIII which describes the structural dilemma of how to control Germany's military might without overt discrimination. The resulting system is a mixture of material constraints imposed by alliance membership and foreign troop deployments, and ideational and institutional factors concerning the training, composition, and disposition of the new army.

The preceding account has mostly been concerned with the development in West Germany, an approach deemed justified by the crushing importance of the Federal Republic throughout the process of unification which resulted not in a merger but the virtual annexation of the GDR. The stability of post-1989 Europe which is one of the main concerns of this study, thus needs to be explained primarily with reference to West German political and military institutions which carried over virtually unchanged. These issues are brought together in Chapter IX which provides a concluding summary of the theses presented.

II.   METHODS OF ANALYSIS

Understanding the nature of conflict is premised on the interpretation of a complex social reality in which innumerable factors are simultaneously at work. Analysing this reality necessitates the structured reduction of complexity permitting the identification of causal relationships between individual variables. Deciding on which variables to focus, in particular whether material or ideational factors are paramount, strongly affects the analytical process and its eventual prescriptive outcome. Civil-military relations are affected by a great number of different causal factors, subsequently many differences between competing schools of thought can be traced to the type of variables that are selected for or excluded from analysis. Before the next chapter discusses different schools of thought on civil-military relations, this chapter presents some fundamental points about the nature of modelling as the necessary condition for analytical understanding.

Max Weber observed that "politics is the art of the possible,"[1] thereby hinting at his scepticism about exceedingly abstract theoretical approaches. The social sciences in general, and political science in particular, have found themselves in an uncomfortable position of having to balance the inherent necessity to abstract and generalise in order to derive explanations and predictions, with the tendency of a complex reality made up of animate actors endowed with free will to dispel these generalisation and act contrary to their predictions. Despite professions to the contrary, political science has always studied important problems with a view to improve the quality of decision-making. There is in this respect much to be learned from the stated objective of realism to offer "advice to princes,"[2] as the next best alternative to a *science* of international relations aimed at overcoming the problem of war and effecting peaceful change.[3]

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[1]   Max Weber, *Politik als Beruf* (Stuttgart: Reclam, 1992), p. 3.

[2]   Set out as the explicit aim of Machiavelli's foundational treatise which continues to influence the discipline heavily, Niccolò Machiavelli, *The Prince,* trans. George Anthony Bull, Penguin Classics (Harmondsworth: Penguin, 1999).

[3]   Robert Gilpin makes this convincing defence for the *relevance* of realism in Robert Gilpin, "The Richness of the Tradition of Political Realism," in: *Neo-Realism and its Critics*, ed. by Robert Keohane (New York: Columbia University Press, 1986): 301-21. Adherents of other schools have the same ambition, see Stanley Hoffmann, "An American Social Science: International Relations," in: *Janus and Minerva: Essays in the Theory and Practice of International Politics*, ed. by Stanley Hoffman (Boulder, Colo.: Westview Press, 1987): 3-24. See also Steve Smith, "The Discipline of International Relations: Still an American Social Science?," *British Journal of Politics and International Relations,* Vol. 2, No. 3 (2000): 374 et seq.

Being able to give advice depends on being able to explain and to predict, which in turn depend on the ability to identify "patterned generalisations of cause and effect."[4] These generalisations can only be derived on the basis of abstractions from and simplifications of the bewildering complexity of our social environment. While these simplifications are necessary, they inevitably distort our image of reality. This inbuilt and inevitable margin of error inherent in model building is compounded by the fact that that unlike "gases or pistons," human beings have a free will and are thus capable of acting in novel, unpredictable ways:[5]

> "They are conscious entities capable of reacting to, and often modifying, the variables and conditions they encounter. They can at times see the future taking shape; they can devise, within limits, measures to hasten, retard, or even reverse trends. If molecules had minds of their own, chemists would be much less successful in predicting their behaviour."[6]

The resulting shortcomings in our ability to predict and, thus, give useful advice are a source of considerable frustration for the discipline. Not surprisingly the impact of academic study on decision-making has been limited,[7] characterised by mutual incomprehension where "the government official probably will have trouble specifying just what he wants to know [and the] scholar will know too much and may well have trouble saying anything without qualification."[8] Preventing such a "dialogue of the deaf"[9] requires some clarification of the inherent limitations of the discipline and its methodologies which is the subject of the following pages.

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[4]   Feaver, "Civil-Military Relations," p. 212.

[5]   Stanley Hoffmann, "International Relations: The Long Road to Theory," in: *International Relations and Foreign Policy: A Reader in Research and Theory*, ed. by James N. Rosenau (New York: Free Press, 1961), p. 429.

[6]   John Lewis Gaddis, "International Relations Theory and the End of the Cold War," *International Security,* Vol. 17, No. 3 (1992): 5-58 [323-388]; reprinted in Lynn-Jones and Miller, *Cold War and After*, pp. 323-388, at 384.

[7]   Gaddis, "Expanding the Data Base," pp. 3-9.

[8]   Neustadt and May, *Thinking in Time*, p. 242.

[9]   Gaddis, "Expanding the Data Base," p. 3.

1. General Observations

a. EXPLANANDUM

Neutrally referring to the "explanandum" or the "phenomenon" rather than, say the "decision," alerts us to the need to be able to define the thing to be explained independently from the framework used to analyse and thereby not to prematurely foreclose useful avenues of exploration.[10] Clarifying at the outset what the explanandum is helps us to think about useful avenues to explain it, and derive predictions. Frequently, debates about competing explanations or predictions derive from failures to clarify what exactly one set out to explain or what kind of outcome had actually been predicted.[11] With regard to predicting future outcomes, it is helpful to recall that "inconceivable" outcomes are primarily a function of our conception/ imagination, not about what could possibly happen.

b. VANTAGE POINTS

Keeping the phenomenon separate from the analytical tools used to examine it points us to a general meta-theoretical challenge: the very identification of an object or issue to be analysed involves the construction or *selection of a conceptual framework prior to identifying the regularities or theories* we are interested in. Some have argued from this insight that objective "truth" is *ipso facto* not possible, and that all human knowledge is biased and relative to the perspective of the observer.[12] We thus need to be aware of the conceptional choices we make when identifying an object or issue to be studied and how these choices constrain our thinking on the subject, as well as the generalisation or theories we derive from them. The dependency of such theories on the prior choice of conceptional framework is not a problem as such, as long as we remember that *choice* always implies the existence of *alternatives*, i.e. that there are different ways of approaching a given problem or issue.

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[10]   Graham T. Allison and Philip Zelikow, *Essence of Decision: Explaining the Cuban Missile Crisis*, 2nd ed (New York: Longman, 1999), p. 388. The present chapter is much influenced by Prof. Allison's graduate seminar ISP-305 on Qualitative Analysis.

[11]   The debate on the likely course of post-Cold War European security is a case in point. See the discussion below p. 124 ff.

[12]   This echoes the earlier discovery by Heisenberg in physics, discussed in Gaddis, "International Relations Theory and the End of the Cold War," p. 383. For a much more radical version see Bruce Edmonds, *What if all Truth is Context-Dependent?*, unpublished manuscript, Manchester Metropolitan University, Manchester (n.d.), available at: http://bruce.edmonds.name/wiaticd/, accessed on: 2 August 2006.

The bureaucratic organisation of the state concerns the *rational* (as opposed to traditional or charismatic) exercise of power.[13] Max Weber likens the rational organisation of a modern bureaucracy to the equally rational organisation of production at the heart of the industrial revolution, and argues that its inherent *technical* superiority makes it a crucial *instrument* and *source* of power and authority. The predictability of its rules and output, the rationality of organisation, personnel hiring, discharge of administrative acts, and especially the division of labour which permits functional separation and attendant specialisation through expert training yield vastly superior performance in terms of costs and administrative capability.[14]

The fact that organisation and bureaucratisation *create capabilities* that are far greater than the sum of their parts confers a competitive advantage[15] to those social groupings that adopt them.[16] Those engaged in a competitive environment, such as states in an anarchical international system, *must* adopt them or risk destruction. Four points, however, need to be borne in mind:

First, while organisations confer undeniable advantages to states, the resulting systemic imperative for their adoption does not necessarily determine the *form* organisations can take. Therefore governmental agencies tasked with similar functional mandates will in all likelihood differ in their internal structure, culture, procedures, etc. Given their complexity and historical evolution, different eras and different societies have found

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[13]   Max Weber, *Wirtschaft und Gesellschaft - Grundriss der verstehenden Soziologie* (Frankfurt am Main: Zweitausendeins, 2005), pp. 157-222, particularly 159-160.

[14]   Weber, *Wirtschaft und Gesellschaft*, pp. 716-17.

[15]   Note the difference between "*comparative* advantage" which is the, somewhat counter-intuitive, concept developed by David Ricardo at the basis of trade theory. It maintains that *every* country can specialise in the one product *it is least bad* in producing, and trading it for the other goods it needs, rather than attempting to make these itself.

By contrast, "*competitive* advantage" refers to a company's distinctive strategic positioning which enables it to enjoy above normal rents or return on its capital, due to particular productive processes or market positions. Such processes or positions need not necessarily be inimitable; if they aren't, others will copy them and the company looses in time its competitive advantage; if they are, the company enjoys a sustainable competitive advantage. It is also conceivable that states could enjoy a competitive advantage due to their geographic location, military might, financial prowess, or some other attribute. See Michael E Porter, *Competitive Advantage* (New York, London: Free, 2004); William Lazonick and William Mass, *Organizational Capability and Competitive Advantage: Debates, Dynamics and Policy* (Aldershot: Elgar, 1995); Linden Brown and Malcolm McDonald, *Competitive Marketing Strategy for Europe: Developing, Maintaining and Defending Competitive Advantage* (Basingstoke: Macmillan, 1994); Mark J Carney, "The Dynamic Advantage of Competition," Dissertation, Oxford University (Oxford, 1995).

[16]   Allison and Zelikow, *Essence of Decision*, p. 145.

different ways to respond to similar functional challenges. Different forms tell us *prima facie* very little about the relative effectiveness or efficiency of a given organisation.[17]

Secondly, different states and societies show very different degrees of 'organisational depth,' i.e. the discharge of various functions by *formally constituted* bodies as opposed to informal or traditional arrangements. Again, organisational depth does not necessarily tell us much about how effectively a given task is carried out, nor whether its discharge by a formal body is actually desirable, i.e. whether it is a task that should be fulfilled by the state. Both aspects together make up stateness; to illustrate the distinct contribution of both aspects, Fukuyama suggests a matrix with one axis showing the *strength* of state *institutions*, and the other denoting the *scope* of state *functions*.[18]

The third point concerns the internal structure of organisations as highly complex *systems*.[19] Complexity makes it difficult to copy or transfer bureaucratic institutions[20] requiring a "contextual judgement about the applicability of foreign models."[21] Furthermore, it calls into question whether the anthropomorphic *assumption of a unitary rational actor* is adequate to analyse and predict organisational output.[22] Organisations are less like a rational acting individual than like a bundle of technologies, a system such as a computer network made up of hardware (structure); operating system (routines) and software (corporate culture).

The very strength of an organisation lies in the *standardisation* of procedures, which provide an excellent tool to deal with *recurrent problems*. Once adequately addressed, the resulting solution is laid down in Standard Operating Procedures (SOPs) which are then transmitted within the organisation as the appropriate response in the given

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[17]   This is the gist of the copious 'varieties of capitalism' literature, see *inter alia* Peter A Hall and David W Soskice, *Varieties of Capitalism: The Institutional Foundations of Comparative Advantage* (Oxford: Oxford University Press, 2001); Lucian Cernat, *Europeanization, Varieties of Capitalism and Economic Performance in Central and Eastern Europe*, Studies in Economic Transition (Basingstoke: Palgrave Macmillan, 2006); Matthew M. C Allen, *The Varieties of Capitalism Paradigm: Explaining Germany's Comparative Advantage* (New York: Palgrave, 2006).

[18]   Francis Fukuyama, "State-Building: The Missing Dimensions of Stateness", Washington, D.C, World Bank, n.d, http://www1.worldbank.org/publicsector/PoliticalEconomy/FukuyamaPresent.pdf, accessed on: 3 August 2006, pp. 4, 7- 9.

[19]   Herman Kahn, *Techniques of Systems Analysis* (Santa Monica, CA: RAND, 1956); Ludwig von Bertalanffy, *General System Theory: Foundations, Development, Applications* (New York: George Braziller, 1968).

[20]   Francis Fukuyama, "Why There Is No Science of Public Administration," *Journal of International Affairs,* Vol. 58 (2004); Francis Fukuyama, *State-Building: Governance and World Order in the 21st Century* (Ithaca: Cornell University Press, 2004).

[21]   Fukuyama, "State-Building: The Missing Dimensions of Stateness", p. 18.

[22]   Allison and Zelikow, *Essence of Decision*, pp. 22, 24-26.

circumstances. Given the inevitable inertia of a body made up of a large number of constituent parts, organisations have a hard time learning, and an even harder time unlearning habits and procedures that might have become obsolete.[23] Furthermore, organisational output is strongly influenced by the internal systemic culture crystallised around the "logic of appropriateness" which is distinct from the "logic of consequences" followed by a rational actor.[24]

Fourthly, different organisations are created to cope with a variety of functional tasks that overlap partially or even completely. Such overlap can be deliberate, either as a system of checks and balances between different branches of government,[25] to ensure higher levels of performance through inter-agency competition,[26] or as a means to counter-balance potentially overbearing agencies, particularly with regard to the threat of a coup d'état by the armed forces.[27]

d. RATIONALITY

The assumption of comprehensive rationality frees the analyst from the requirement to establish certain facts and thus simplifies modelling. Under comprehensive rationality the analyst needs to know only two things: the *goals* of the actors and the *objective situation*; with these variables, a rational value maximising calculation will bring about predictions about action. Helpful as the simplification of comprehensive rationality is for the analyst, it is questionable whether it accurately describes real-world decision-making. Simon has pointed out the difference between comprehensive and bounded rationality, grounding the latter in cognitive psychology that sees human capacity for rationality as inherently limited. If we accept these limitations, we need a whole set of *auxiliary assumptions* or additional facts. So not just the objective conditions, but the perception of the objective

[23] William E Fulmer, *Shaping the Adaptive Organization* (New York: AMACOM, 2000); Kenyon B de Greene, *The Adaptive Organization, Anticipation and Management of Crisis* (New York: Wiley, 1982).

[24] James G March, Herbert Alexander Simon, and Harold Guetzkow, *Organizations* (New York: Wiley, 1958). See also below p. 52.

[25] Stephen J Schulhofer, "Checks and Balances in Wartime American, British and Israeli Experiences," *Michigan Law Review,* Vol. 102, No. 8 (2004): 1906-58; Erik Suy, "Democracy in International Relations: The Necessity of Checks and Balances," *Israel Yearbook on Human Rights,* Vol. 26 (1996): 125-36.

[26] M.L. McConnell, *Inter-Agency Collaboration or Inter-Agency Competition - A Challenge for the UN System* (New York: Kluwer Law International, 2003); Marina Caparini, "Challenges of Control and Oversight of Intelligence Services in a Liberal Democracy" (Paper presented at the "Democratic and Parliamentary Oversight of Intelligence Services Conference", Geneva Centre for the Democratic Control of Armed Forces, Geneva, 2002).

[27] This is the main reason states maintain independent branches of the armed forces. See below p. 94.

conditions; not just the objective values, but actually held subjective values; not just the cost-benefit calculations, but subjective calculations involving subjective conceptions of risk, etc.[28]

The rationality theorem thus relies heavily on auxiliary assumptions which are essential for its generation of hypotheses.[29] But how much of the explanatory work is being done by these additional assumptions? And how valid are these assumptions? "One would suppose that a great deal of attention would be exerted to the empirical validity of these assumptions."[30] But is that an accurate description of the theoretical writing we see? The rational actor model is a parsimonious, elegant tool starting from the conceptualisation of an aggregate anthropomorphic actor whose behaviour and actions are best understood as deliberate actions in the pursuit of clear preferences. Concepts such as 'the market economy' based on the idea of a perfect market as a value maximising entity having full information at it's disposal, or 'the state', 'the government', etc. all carry constructed meanings which are not unproblematic.

e . U N I T A R Y   O R   C O M P L I M E N T A R Y   V I S I O N S

Berlin opens his influential essay[31] on Tolstoy's concept of history with a line from the Greek poet Archilochus: "The fox knows many things, but the hedgehog knows one big thing."[32] Those inclined to a unified epistemological system will only accept theoretical models that are *complimentary in their basic assumptions and internal reference system*, an approach that can be contrasted to the use of *multiple competing, limited and individually unsatisfactory theories*. Berlin expresses the two visions thus:

> "For there exists a great chasm between those, on one side, who relate everything to a single central vision, one system, less or more coherent or articulate, in terms of which they understand, think and feel — a single, universal, organising principle in terms of which alone all that they are and say has significance — and, on the other side, those who pursue many ends, often unrelated and even contradictory,

28   Herbert A. Simon, *Models of Bounded Rationality*, 2 Vols. (Cambridge, Mass.: MIT Press, 1982).

29   James Fearon, "Rationalist Explanations for War," *International Organization,* Vol. 49, No. 3 (1995)., relying on Simon.

30   Simon, *Models of Bounded Rationality*.

31   Isaiah Berlin, "The Hedgehog and the Fox," in: *The Proper Study of Mankind - An Anthology of Essays*, ed. by Isaiah Berlin (New York: Farrar, Straus and Giroux, 1998): 436-98.

32   Archilochus fragment 201 in M. L. West, *Iambi et Elegi Graeci* (Oxford: Oxford University Press, 1971). The statement could obviously also simply be read as the superiority of defence over offence.

connected, if at all, only in some de facto way, for some psychological or physiological cause, related to no moral or aesthetic principle. These last lead lives, perform acts and entertain ideas that are centrifugal rather than centripetal; their thought is scattered or diffused, moving on many levels, seizing upon the essence of a vast variety of experiences and objects for what they are in themselves, without, consciously or unconsciously, seeking to fit them into, or exclude them from, any one unchanging, all-embracing, sometimes self-contradictory and incomplete, at times fanatical, unitary inner vision."[33]

In this study we follow a fox-like approach to the analysis of international relations. Given the interdisciplinary nature of civil-military relations and the inherent complexity of the subject, we believe that the theoretical equivalent of the hunter-gatherer is more likely to yield a satisfactory understanding of the issue than streamlined theoretical monocultures.

2. NATURE OF MODELLING

We might find that a particular concept is useful despite its limitations, but we must identify how the concept is *distorting* the phenomena we are interested in, apart from *clarifying* it. Furthermore, as knowledge of the proverbial elephant[34] will prove elusive, each model will get *some* causal factors right but omits others necessary for a holistic understanding. Parsimonious, unitary visions are useful to help us *order* the confusion we observe. But fox-like concepts add a layer of understanding by incorporating variables deliberately left out by the hedgehogs which complicate the picture, but might tell us things we are interested in and which we could otherwise not know. Attempts to resolve the resulting epistemological schizophrenia will probably remain elusive due to the normative ambiguity of the social enterprise. Areas where "decent people can disagree," can be *studied* with scientific rigour but they will evade any attempt to be *resolved* scientifically:

> "Among the topics that remain obstinately philosophical, and have, despite efforts, failed to transform themselves into sciences, are some that in their very essence involve value judgements."[35]

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[33]   Berlin, "The Hedgehog and the Fox," pp. 436-37.

[34]   Donald J. Puchala, "Of Blind Men, Elephants and International Integration," in: *Perspectives on World Politics*, ed. by Richard Little and Michael Smith (London: Routledge, 1991).

[35]   Isaiah Berlin, "Does Political Theory Still Exist?," in: *The Proper Study of Mankind - An Anthology of Essays*, ed. by Isaiah Berlin (New York: Farrar, Straus and Giroux, 1998), p. 63.

International relations theory, like the rest of the social sciences, and perhaps all of science, is not a value-free exercise, but is based on fundamentally different, often mutually exclusive philosophical assumptions about the nature of man, the character of the international system, its basic actors, etc.[36]

a. THREE MAIN VISIONS

Theoretical thinking about international relations can be roughly divided into three distinct, but overlapping traditions:[37] Hobbesian *realism* is primarily concerned with *power* and *conflict*, and sees the state as the fundamental actor; Grotian *rationalism* concerned with *order* and *cooperation* between states, achieved through inter-state arrangements and processes; and finally Kantian revolutionarism or *idealism* which aims at *emancipation* and *justice* and is thus concerned with *change,* focussing primarily on sub-statal units both intra- and internationally. Each theoretical vision focuses on one elementary aspect of international life it deems most important: *conflict, order* or *change.* As these different traditions or schools are based on essentially untestable assumptions about the character of man, none of them is "right" or "wrong" in a manner, which could be falsified empirically.

b. NATURE OF MODELLING

All our analysis follows the Aristotelian model of separation of a whole into distinct parts, trying to achieve its *illumination through disaggregation.* Models re-assemble these parts in ways that are less complex than reality, and thus easier to calculate and understand. Simplifying assumptions, or "ideal types" as Max Weber terms them, provide us with a set of relatively simple *hypothetical* expectations which can be tested against experience: "in order to penetrate to the real causal interrelationships, *we construct unreal ones.*"[38]

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[36]   For an authoritative examination of the basic normative and epistemological differences in outlook, see for instance Kenneth Neal Waltz, *Man, the State, and War - A Theoretical Analysis* (New York: Columbia University Press, 1959).

[37]   Booth and Wheeler, "The European Security Framework," in: *Security & Strategy in the New Europe*, ed. by Colin McInnes (London: Routledge, 1992).

[38]   Max Weber, "Critical Studies in the Logic of the Cultural Sciences," in: *The Methodology of the Social Sciences*, ed. by Max Weber (New York: The Free Press, 1905), pp. 166, 185-86; quoted in Robert O. Keohane, *After Hegemony: Cooperation and Discord in the World Political Economy* (Princeton, N.J.: Princeton University Press, 1984), p. 70.

This departure from reality is necessary to allow for the necessary simplification of the model by limiting the number of explanatory variables. Both the exclusion of variables and the controlling of the environment are necessary to keep causal calculations at a manageable level. Such exercises are useful, but often real world events do not conform to the model: reality cannot be controlled for excluded variables which might be very much in evidence, and many different variables — some belonging maybe to competing theoretical models — are *simultaneously* at work.[39]

> "The generation of theory — at least in the traditional scientific method — requires departures from reality; if forecasts derived from theory are to succeed, however, they must also account for reality. That is the paradox that theorists of international relations have been struggling, with such lack of success, to resolve. Theorists in the "hard" sciences gave up on resolving it some time ago."[40]

Logic links the separate parts together, showing causal connections and following certain generally accepted conventions, such as non-contradiction. The assumption of a perfectly rational actor for instance is such a simplifying departure from reality. It might seem counter-intuitive to argue that the examination of an unreal, artificial model should shed more light on a given phenomenon than its direct observation. But complexity easily overwhelms our capacity to discern crucial factors from 'noise':

> "The only way to make sense out of what is sure to be a very complex situation is to apply social science theories to the problem. The virtue of this approach is that it allows us, looking at a complicated worlds, to isolate those factors that are likely to be the driving forces of history. To do so, the theory must be clearly articulated, the links between the theory and developments in Europe must be specified, and predictions must be made as explicit as possible."[41]

In order to be simple yet cover a wide range, a theory must be both simple and abstract, which then allows causal hypotheses to be clearly articulated and operational conditions stipulated. Hawking stresses this imaginative character of theories as analytical tools, not

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[39] See also Jervis, "The Future of World Politics: Will It Resemble the Past?".

[40] Gaddis, "International Relations Theory and the End of the Cold War," p. 384.

[41] Stanley Hoffmann, Robert O. Keohane, and John J. Mearsheimer, "Correspondence - Back to the Future, Part II: International Relations Theory and Post-Cold War Europe," *International Security,* Vol. 15, No. 2 (1990), p. 199.

adequate representations of actuality: "a theory only exists in our imagination and has no other reality."[42]

bb. Abstraction and Simplification

There is an inherent trade-off in theory building between parsimony and accuracy; parsimony makes for elegant theories but accuracy requires additional variables which encumber the logical structure. To achieve parsimony, theoretical models limit the number of explanatory variables which affects their ability to account for changes brought about by those variables that are left out. Gaddis points out that the "principal characteristic of [realism is] its reductionism,"[43] and Hoffman accentuates that the main finding of realism, namely that statesmen define their interests in terms of power might be accurate, "but only at a level of generality that is fatuous."[44] Elsewhere he points out the danger of excessive abstraction:

> "One simply can't deal with international politics at the level of theoretical abstraction and dogmatism exhibited here. The paper has all the elegance of a mathematical theorem, and just about as much relevance to reality."[45]

But despite the dangers of excess abstraction, the attempt to *formalise* the study of political behaviour in an *abstract* and *dispassionate* manner lies at the heart of the discipline, namely the belief that careful examinations of past patterns could improve the quality of future statecraft and decision-making. Morgenthau claimed to have established "the *science* of international politics,"[46] deliberately reduced to one central unit, power, in order to "free the study of international relations from the sentimentality, legalism, and irrelevant empiricism with which it had been affiliated."[47]

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[42]   Stephen W. Hawking, *A Brief History of Time: From the Big Bang to Black Holes* (New York: Bantam, 1988), p. 23.

[43]   Gaddis, "International Relations Theory and the End of the Cold War," p. 330.

[44]   Stanley Hoffmann, "Notes on the Limits of 'Realism'," *Social Research,* Vol. 48, No. 1 (1981), p. 655.

[45]   In his comment on Mearsheimer's predictions on European security, Hoffmann*, et al,* "Correspondence - Back to the Future, Part II: International Relations Theory and Post-Cold War Europe," p. 191. For more elaborate criticism of realist theory see also Stanley Hoffmann (ed), *Janus and Minerva: Essays in the Theory and Practice of International Politics* (Boulder, Colo.: Westview Press, 1987).

[46]   Hans Joachim Morgenthau, *Politics Among Nations: The Struggle for Power and Peace* (New York: McGraw-Hill, 1993); Hoffmann, *Janus and Minerva: Essays in the Theory and Practice of International Politics.* See also below fn. 49.

[47]   Gaddis, "International Relations Theory and the End of the Cold War," p. 326.

Decision-makers throughout the ages have relied on advice that tried to extrapolate from the study of the past likely patterns of the future. Theory-building has always been an integral part of this endeavour for "[t]heories provide a way of packaging patterns from the past in such a way as to make them usable in the present as guides to the future."[48] The first self-consciously 'scientific'[49] attempt to make sense of past patterns "to understand international politics, grasp the meaning of contemporary events, and foresee and influence the future" was Morgenthau's seminal *Politics Among Nations*.[50]

He was, however, under no illusions regarding the limitations of the discipline due to the variety of "contradictory tendencies" that contribute to a particular political outcome, and the fact that the object of the study involves individual human beings whose idiosyncratic motivations, perceptions, and rationalisations are difficult to predict. All theory could do was to identify the different tendencies that are present in a given situation, identify the conditions under which any one of them is more likely to prevail than the others, and to examine the probability for such conditions and tendencies to succeed in actuality.[51] While it will remain impossible to predict with accuracy what a specific decision-maker and state will do in a particular situation, it should be possible to "predict characteristic or modal behaviour within a particular kind of international system" and the conditions leading to stability or transformation of the system.[52]

Scholars therefore advance three main tasks to be fulfilled by theory: *prediction, description,* and *explanation*. By providing us with a simplified model of a complex reality, theories help us to account for the past, explain the present and give us some idea about the likely

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[48]   Gaddis, "International Relations Theory and the End of the Cold War," p. 325; Nazli Choucri, "Key Issues in International Relations Forecasting," in: *Forecasting in International Relations: Theory, Methods, Problems, Prospects*, ed. by Nazli Choucri and Thomas W. Robinson (San Francisco: W.H. Freeman, 1978), p. 4ff. For a discussion of the definitional distinctions between 'forecasts' and 'predictions' see John R. Freeman and Brian L. Job, "Scientific Forecasts in International Relations: Problems of Definition and Epistemology," *International Studies Quarterly,* Vol. 23, No. 1 (1979).

[49]   Morgenthau titles his second chapter "The Science of International Politics". He was critical of idealist, behavioural, and quantitative approaches to the scientific study of international relations, mainly because they failed to underscore the centrality of power over other factors. Morgenthau, *Politics Among Nations*; see also Hans Joachim Morgenthau, "Common Sense and Theories of International Relations," *Journal of International Affairs,* Vol. 21 (1967): 207-14; Hans Joachim Morgenthau, *Scientific Man vs. Power Politics* (Chicago: University of Chicago Press, 1945).

For a discussion of his ambivalence see Martin Hollis and Steve Smith, *Explaining and Understanding International Relations* (Oxford: Oxford University Press, 1990), pp. 23, 27.

[50]   Morgenthau, *Politics Among Nations*, p. 5.

[51]   Morgenthau, *Politics Among Nations*, pp. 6-7.

[52]   Morton A. Kaplan, *System and Process in International Politics* (New York: John Wiley, 1957).

course of future events. Thus both parsimony of its constitutive elements and explanatory power are factors by which to judge a theory:

> "A theory is a good theory if it satisfies two requirements: It must accurately describe a large class of observations on the basis of a model that contains only a few arbitrary elements, and it must make definite predictions about the results of future observations."[53]

Definite predictions, however, are difficult in the social sciences and theorists here have made much more modest claims. Morgenthau was always careful about not promising too much, considering "trustworthy prophecies" to be impossible in international politics. The task of the scholar is the more modest one of tracing the different, sometimes contradictory tendencies,

> "which, as potentialities, are inherent in [the] situation[,] … point out the different conditions which make it more likely for one tendency to prevail than for another, and, finally, assess the probabilities for the different conditions and tendencies to prevail in actuality."[54]

Singer whose quantitative behaviourist approach otherwise consciously tries to emulate the natural sciences downplays the importance of prediction: "despite the folklore to the contrary, *prediction* is neither the major purpose nor the acid test of a theory; the goal of all basic scientific research is *explanation*."[55] One could make too much of this distinction, though, for as Allison points out, prediction is usually the flip-side of explanation, both being basically the same narrative.[56] Explanation is used here in the sense defined in positivism and the natural sciences, namely by showing a logical causal chain. In history, and social sciences the explanations are usually not as tight as in the hard sciences, but of the same basic characteristic.

Gaddis, however, criticises the excessive emulation of the methodology of the natural sciences as misguided. He argues that the difficulties in political science stem largely "out of its aspirations … to take on some of the characteristics (and perhaps funding sources) of their physical, biological, and mathematical counterparts."[57] This aspiration towards a

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[53]   Hawking, *A Brief History of Time*, p. 9, quoted in Gaddis, "International Relations Theory and the End of the Cold War," pp. 329, fn. 22. See also the other sources cited there.

[54]   Morgenthau, *Politics Among Nations*, pp. 6-7.

[55]   J. David Singer, *Models, Methods, and Progress in World Politics: A Peace Research Odyssey* (Boulder, Colo.: Westview Press, 1990), p. 74.

[56]   Allison and Zelikow, *Essence of Decision*, p. 11.

[57]   Gaddis, "Expanding the Data Base," p. 5.

misguided understanding of what constitutes "science" significantly contributes to the proliferation of jargon that increasingly acts as a barrier to communication, both across academic disciplines and, more importantly, between academia and the world of policy making:

> "academics tend to speak virtually incomprehensible dialects to one another. What accounts for the fact that we academics have such difficulty understanding each other? How is it that we have evolved — and stuffed ourselves into — such rigid disciplinary pigeon-holes, and what might we do about it?
>
> You see the problem here: if we cannot understand each other; if we cannot bring together, in a mutually comprehensible way, the various perspectives on peace and security that our respective academic disciplines have to offer, then we can expect to remain cut off from the world of policymaking, and our leaders will continue to get their ideas on critical issues as much from spy novelists, fundamentalist preachers, snake-oil economists, Strangelovian scientists, and hyperactive Marine lieutenant colonels as from dispassionate, thoughtful, and always well-informed people like ourselves."[58]

There is thus a necessity to find a middle-ground between the necessary *formalisation* of discourse through the clarification of a proposition, and the obscurantism of bloated jargon. A related challenge is to balance the need of policy-makers to know about the future with the shortcomings of the discipline in providing precise predictions. Too much hedging and hiding behind academic caveats leads to the insignificance of the discipline, too boisterous claims, however, will damage, perhaps irretrievably, its reputation.

One is puzzled by an international event or phenomenon, and wonders why? An explanation consists of an identification of causal factors and conditions that lead to the unexplained phenomenon. Given those causal factors and conditions, and under certain laws (generated by assumptions about the causal mechanism), the observed phenomenon was to be expected.[59] Predicting the future thus involves inventing an array of possibilities by creating a (plausible) story telling us how to get form the present to a possible but distant outcome, bearing in mind that the inherent uncertainty of social scientific theories entails that there will always be several plausible outcomes. Even the most stringent structural theory builders were obviously aware of this fact and have therefore made only rather modest claims about the ability of their models to predict with accuracy. Waltz for instance distinguishes clearly between a theory of international politics and one of foreign

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[58]   Gaddis, "Expanding the Data Base," pp. 4-5.

[59]   See here the definition provided by Hempel, quoted in Allison and Zelikow, *Essence of Decision*, pp. 11, fn. 1.

policy.[60] His is only the attempt to show the *structural constraints* which limit the freedom of action of the constituent units and actors:

> "Theory explains regularities of behaviour and leads one to expect that outcomes produced by interacting units will fall within specified ranges. The behaviour of states and of statesmen, however, is indeterminate."[61]

The mere statement that a certain issue is not being dealt with does not, however, have to be taken at face value. Elman for instance looks at Waltz' theory and reads it as making clear and repeated statements about the expected foreign policy behaviour of states (Japan, West Germany). Despite Waltz' claims to the contrary, Elman thus concludes that Waltz makes predictions about the actual behaviour of states, and that, more importantly, these are not consistent with the facts.[62] At any rate, Gaddis' word of caution regarding the exclusive reliance on only one unit of analysis seems apt:

> "If unit-level behaviour as well as system-level constraints can cause cooperation to evolve, though, it is difficult to see what is gained by insisting that students of world politics emphasise the latter at the expense of the former."[63]

If the actual behaviour of states remains unpredictable, or to be more accurate, depends on a host of unit-specific variables that are deliberately excluded from more rigid systemic theories of international relations, the exclusive reliance on any one theoretical model becomes even more problematic. While systemic theories are useful for describing the status quo, they cope unsatisfactorily with *change* in the system. Often such change

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[60]   "An international-political theory does not imply or require a theory of foreign policy any more than a market theory implies or requires a theory of the firm. Systems theories, whether political or economic, are theories that explain how the organisation of a realm acts as a constraining and disposing force on the interacting units within it. Such theories tell us about the forces the units are subject to. From them we can infer some things about the expected behaviour and fate of units: namely, how they will have to compete with and adjust to one another if they are to survive and flourish. To the extent that dynamics of a system limit the freedom of its units, their behaviour and the outcomes of their behaviour becomes predictable. … Systems theories explain why different units behave similarly and, despite their variations, produce outcomes that fall within expected ranges. Conversely, theories at the unit level tell us why different units behave differently despite their similar placement in a system. A theory about foreign policy is a theory at the national level. It leads to expectations about the responses that dissimilar polities will make to external pressures. A theory of international politics bears on the foreign policies of nations while claiming to explain only certain aspects of them. It can tell us what international conditions national policies have to cope with. To think that a theory of international politics can in itself say how the coping is likely to be done is the opposite of the reductionist error." Kenneth Neal Waltz, *Theory of International Politics* (Reading, Mass.: Addison-Wesley, 1979), p. 72.

[61]   Waltz, *Theory of International Politics*, p. 68.

[62]   Colin Elman, "Neocultural Progress? A Preliminary Discussion of Lakatos' Methodology of Scientific Research Programs" (Paper presented at the "Annual Meeting of the American Political Science Association", Washington, D.C, 1997); Fearon, "Rationalist Explanations for War."

[63]   Gaddis, "International Relations Theory and the End of the Cold War," p. 358.

originates in unit-level factors that are deliberately left out of the theoretical model.[64] This holds particularly true for non-material factors that hold a lot of explanatory promise.

dd. Testing Theories

Finding out where a theory needs improving, or whether something better has come along depends on testing the theory against reality. But testing theories in the social sciences in general, and particularly in international relations and security studies is difficult. Double-blind tests are all but impossible, large n-studies[65] are inherently problematic due to the limited number of comparable historical cases[66] and the difficulty involved in comparing causal factors across time, space, and culture.

This has led some proponents of cultural theories,[67] to argue that individual states and societies are too different to permit general inferences. But while generalisation lend themselves easily to criticism, systemic variables cannot be found without assuming a modicum of unit homogeneity to establish that cases have enough similarities as to be comparable.[68] And without generalising systemic variables it is impossible to derive predictions[69] about likely behaviour, without which the accuracy of theories cannot be tested.

The end of the Cold War was widely perceived as a dramatic challenge and a source of much embarrassment to much of the discipline. The very possibility that it might end without major systemic warfare had remained virtually unaddressed. Systemic change presented a puzzle to theorists and decision-makers about how to proceed practically and

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[64]   Alexander Wendt, "The Agent-Structure Problem in International Relations Theory," *International Organization,* Vol. 41, No. 3 (1987).

[65]   Andrew Bennett, *Lost in Translation: Big (n) Misinterpretations of Case Study Research* (Washington, D.C.: MacArthur Program on Case Studies, 1997).

[66]   One of the better known purely quantitative approaches is that taken by Singer and Small at the Correlates of War project at the University of Michigan. For a good introduction of their methodology, research findings, and bibliography refer to their website, J. David Singer and Melvin Small, "Correlates of War Project", Ann Arbor, University of Michigan, 2004, www.umich.edu/~cowproj, accessed on: 6 October 2006.
For a critical discussion of the behavioural approach see Gaddis, "International Relations Theory and the End of the Cold War," p. 331ff.

[67]   The term is borrowed from Desch whose work informs much of the following discussion about the relationship between general theorising and particular analysis, Michael C. Desch, "Culture Clash: Assessing the Importance of Ideas in Security Studies," *International Security,* Vol. 23, No. 1 (1998): 141-70.

[68]   King, *et al, Designing Social Inquiry*, p. 116.

[69]   This does not necessarily have to be predictions about the future, but can be done hypothetically about past behaviour in the sense of asking what kind of behaviour would have been predicted in light of the theory and assessing that with the historical record.

analytically. The radical transformation of the system was seen as providing "a laboratory to decide which theories best explains international politics."[70]

Most international relations theories are developed, put forward, and defended in a highly acrimonious fashion. The fact that several student text books introduce the topic as "*Contending* Theories of International Relations"[71] is indicative of the general assumption of non-complementarity. The end of the Cold War provided the academic community with a unique possibility to test the respective merits of the various competing theories in the field. After listing the requirements for a fairly easy test[72] Gaddis concludes that:

> "What is immediately obvious, on reviewing this list, is that very few of our theoretical approaches to the study of international relations came anywhere close to forecasting *any* of these developments. One might as well have relied upon star-gazers, readers of entrails, and "pre-scientific" methods for all the good our "scientific" methods did; clearly our theories were not up to the task of anticipating the most significant event in world history since the end of World War II."[73]

Gaddis' sceptical assessment serves as a helpful reminder of the limitation of the tools available to us, to be read not least in the light of his own ill-fated reliance on realist thinking in explaining Cold War stability.[74] Despite their lacklustre track-record of accurate prediction,[75] social scientific theories have fared rather better in explaining past behaviour.[76] This chapter argues that the most promising way of dealing with the

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[70]   John Mearsheimer, "Back to the Future: Instability in Europe After the Cold War," in: *The Cold War and After: Prospects for Peace*, ed. by Sean M. Lynn-Jones and Steven E. Miller (Cambridge, MA: MIT Press, 1997), p. 9.

[71]   James E. Dougherty and Robert L. Pfaltzgraff, *Contending Theories of International Relations: A Comprehensive Survey*, 3rd. ed. (New York: Harper Collins, 1990); Klaus Knorr and James N. Rosenau (eds), *Contending Approaches to International Politics* (Princeton: Princeton University Press, 1969).

[72]   The theory in question needed to specify in advance that *at least one* of the following outcomes of the Cold War was *likely*: 1) asymmetrical outcome; 2) the manner of it, i.e. an abrupt but peaceful collapse of the former Soviet Union; 3) the trends that caused this loss of authority to occur; 4) the approximate timing; or 5) the rough outlines of the post-Cold War world, i.e. unified Germany in NATO, democratisation and renewed ethnic conflict in former Soviet bloc.

[73]   Gaddis, "International Relations Theory and the End of the Cold War," p. 338. Gaddis mentions that the Reagan administration in fact did rely on such pre-scientific means to aid it in its foreign-policy decision-making, and that political theory has not been very good at anticipating other events either. On the former point see Donald T. Regan, *For the Record: From Wall Street to Washington* (New York: St. Martin's Press, 1988), pp. 78-83, 409-412; Lou Cannon, *President Reagan: The Role of a Lifetime* (New York: Simon and Schuster, 1991), pp. 583-86. On the latter point see David Easton, "The New Revolution in Political Science," *American Political Science Review,* Vol. 63, No. 4 (1969), pp. 1053, 1057.

[74]   John Lewis Gaddis, "The Long Peace - Elements of Stability in the Postwar International System," *International Security,* Vol. 10, No. 4 (1986): [1-44]; reprinted in Lynn-Jones and Miller, *Cold War and After*, pp. 1-44.

[75]   Michael D. Wallace, "Early Warning Indicators from the Correlates of War Project," in: *To Augur Well: Early Warning Indicators in World Politics*, ed. by J. David Singer and Michael D. Wallace (Beverly Hills, Calif.: SAGE, 1979), p. 17.

[76]   "I believe that theory does better in explaining what has happened than in predicting it." Alexander L. George, "The Transition in U.S.-Soviet Relations, 1985-1990: An Interpretation from the Perspective of International Relations Theory and Political Psychology," *Political Psychology,* Vol. 12, No. 3 (1991), p. 469.

limitations of the theoretical tools available it to employ a variety of them simultaneously, hoping to use one to complement the weaknesses of another in a particular field.

3. COMPLEMENTARITY OF ALTERNATIVE TOOLS

As each model focuses on a different set of variables, having different theories to chose from helps us to make sense of a complex reality: "The clashes of theories both within and across competing research programmes are essential to progress in the social sciences and should be welcomed."[77] Still, there is a stubborn refusal among many theoreticians in the social sciences, particularly within international relations, to accept the utility of having a variety of theoretical models. Schweller's criticism of Wendt is hereby symptomatic of the negative attitude expressed by many realist theoreticians about alternative models:

> "the task of the *normative* theorist is to imagine possible, if not entirely plausible, other worlds. Practitioners of international politics, however, understand that foreign policy is too serious a business to entertain utopian ideas about dramatically reconstructed social relations; confronted by weighty foreign-policy decisions, they do not enjoy the luxury of retreating into a *fantasy world* of their own creation but instead must act under *real-world constraints*, knowing that bad judgment can lead to the subjugation or extinction of the state and its citizens."[78]

Schweller points the *problem of information processing* which is eased by parsimonious models. But is he correct in alleging that serious scholarship can only be done by realists, that other theoretical models must necessarily be normative in outlook, i.e. not quite up to the standards of objective science, and that we should not expect them to tell us anything worthwhile about the real world we live in? This attitude can be contrasted to a position which insists on the superiority of material explanatory factors while taking ideas seriously:

> "[The end of the Cold War] helped spark a renaissance in the study of ideas in the field and contributed to the rise of constructivism as a major theoretical school in

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[77] Stephen M. Walt, "The Progressive Power of Realism," *American Political Science Review,* Vol. 91, No. 4 (1997), p. 934; see also Stephen M. Walt, "International Relations: One World, Many Theories," *Foreign Policy,* Vol. 110 (1998).

[78] Randall L. Schweller, "Fantasy Theory," *Review of International Studies,* Vol. 25 (1999), pp. 150, emphasis added.

the 1990s. … The result of this scholarly effort is a rich and diverse literature that advances numerous models of how norms, culture, identity, trust, persuasion, learning, demonstration effects, transnational conceptual flows, intellectual entrepreneurship, socialization, and many other ideational processes influenced the dramatic ending of the superpower rivalry. … *The issue is no longer whether but rather how and how much ideas matter under different conditions* — and how best to model their influence on strategic behaviour."[79]

We can thus disagree about the relative weight of material and ideational factors, but to dismiss all non-material explanatory variables out hand closes off valuable avenues of investigation. Brooks and Wohlforth take the ideational challenge seriously, but have repeatedly argued that on closer inspection material factors do most of the explanatory work.[80] This is a more promising approach than Schweller's outright dismissal of ideational models as "fantasy theory." Wohlforth's conditional defence of realism, in contrast, retains the spirit of scientific curiosity about alternative propositions and deserves to be quoted at length:

"But to carry on as if there are no lessons in this series of events [i.e. the end of the Cold War] for international relations theory in general and realist theories in particular is as indefensible intellectually as the claim that the post-1989 transformation single-handedly invalidates any and all realist theories. As critics of realism rightly note, the events of the last half-decade highlight the indeterminacy of realist predictions about state behaviour. Realist theories can be made more determinate, but only in *ex post* explanation rather than *ex ante* prediction. Realist theories are terribly weak. They are too easy to confirm and too hard to falsify. They do not come close to the ideal of scientific theory. Their strength is only evident when they are compared to the alternatives, which suffer from similar or worse indeterminacy but do not possess comparable explanatory power. The proper attitude toward the realist approach, even on the part of its defenders, ought to be reluctant acceptance conditioned on a determination to improve it, or to dispose of it if something better comes along."[81]

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[79] Stephen G. Brooks and William C. Wohlforth, "Power, Globalization, and the End of the Cold War: Reevaluating a Landmark Case for Ideas," *International Security,* Vol. 25, No. 3 (2000), pp. 5-6, emphasis added.

[80] William C. Wohlforth, *Cold War Endgame: Oral History, Analysis, Debates* (University Park, Pa.: Pennsylvania State University Press, 2003); Brooks and Wohlforth, "Power, Globalization, and the End of the Cold War: Reevaluating a Landmark Case for Ideas."; William C. Wohlforth, *Witnesses to the End of the Cold War* (Baltimore: Johns Hopkins University Press, 1996); William C. Wohlforth, *The Elusive Balance: Power and Perceptions during the Cold War,* Cornell Studies in Security Affairs (Ithaca: Cornell University Press, 1993).

[81] William C. Wohlforth, "Realism and the End of the Cold War," *International Security,* Vol. 19, No. 3 (1994), pp. 92-93.

The biggest weakness of structural theories of international relations is their inability to account for structural change.[82] The charge of reductionism is often levelled against realism and similar parsimonious approaches to international politics. There is obviously much truth in the allegation, yet realist writers are well aware that other factors, domestic and ideational, influence international politics, often decisively so.[83] In order to draw attention to what they regarded as the most important factors they deliberately stripped the theory of all secondary variables, not arguing that these factors don't matter but that they matter *less*.

Recalling Isaiah Berlin's dualism between the unitary vision of the hedgehog and the pluralistic approach of the fox,[84] one could liken their position to the vision of the hedgehog. Their theoretical approaches are characterised by the overarching importance attached to certain material factors deemed to be of decisive importance. As Berlin points out, both visions have always coexisted, and both have particular strengths and weaknesses. There is a comforting certainty in the simplicity of a unitary world view which can account for most observed phenomena.[85] Complementary explanatory models or factual observations are accepted only if compatible with the original concept in order to add supplementary pieces to the overall picture. Countervailing observations, by contrast, are often dismissed as erroneous or irrelevant.[86]

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[82]   See for instance the selection of essays in *Neorealism and its Critics:* John Gerard Ruggie, "Continuity and Transformation in the World Polity," in: *Neorealism and its Critics*, ed. by Robert O. Keohane (New York: Columbia University Press, 1986); Robert O Keohane, "Theory of World Politics: Structural Realism and Beyond," in: *Neorealism and its Critics*, ed. by Robert O. Keohane (New York: Columbia University Press, 1986): 169-73; Robert W. Cox, "Social Forces, States and World Orders," in: *Neorealism and its Critics*, ed. by Robert O. Keohane (New York: Columbia University Press, 1986): 243; Richard K. Ashley, "The Poverty of Neorealism," in: *Neorealism and its Critics*, ed. by Robert O. Keohane (New York: Columbia University Press, 1986): 288.

[83]   "Causes *at both the national and the international level* make the world more or less peaceful and stable." Waltz, *Theory of International Politics*, pp. 174-175, emphasis added; , likewise his reply to the critics named above, Kenneth N. Waltz, "Reflections on *Theory of International Politics: A* Response to my Critics," in: *Neorealism and its Critics*, ed. by Robert O. Keohane (New York: Columbia University Press, 1986), pp. 327-329, 343.

"Domestic factors also affect the likelihood of war, and have helped cause the postwar peace. Most importantly, hyper-nationalism helped cause the two world wars, and the decline of nationalism in Europe since 1945 has contributed to the peacefulness of the postwar world." Mearsheimer, "Back to the Future: Instability in Europe After the Cold War," p. 143. The action words here are of course "also" and "contribute", i.e. in line with his structural emphasis he regards these factors as auxiliary.

[84]   Berlin, "The Hedgehog and the Fox."

[85]   This point is stressed by Durkheim who considers it the origin of all religion, see Émile Durkheim, *The Elementary Forms of Religious Life,* trans. Carol Cosman (Oxford: Oxford University Press, 2001).

[86]   See here also the discussion of cognitive rigidity below p. 145.

The consistency and focus of this approach are invaluable assets in helping us to order the confusion of the external reality. Nevertheless, parsimonious theories often cannot get from assumption or assertion to conclusions without additional auxiliary assumptions or pieces of evidence. Often such *unrecognised auxiliary assumptions* are called in to do a lot of the explanatory work.

b. IDEATIONAL CHALLENGE

As Wohlforth points out, during the Cold War the salience of the bipolar antagonism thwarted any attempt to displace realism from its dominant position, too close seemed the connection between events and theory. With its sudden, unanticipated end the question arose whether "the rapid decline and comparatively peaceful collapse of the Soviet state, and with it the entire post-war international order, discredit[ed] the realist approach?"[87] Some have argued that contrary to its eponymous claim, realism no longer (if it ever had) reflects reality but instead is based on a series of increasingly untenable myths.[88]

Ideational critics rejected realism's denial of human agency and the possibility of human progress through social action. On an intellectual plane, the frozen atmosphere of seemingly permanent bipolar hostility led to an ever more vocal dissatisfaction with theoretical models which presented the absurdity of the nuclear stalemate as the normal, even desirable state of affairs.[89] One can thus conceive the ideational challenge of the 1980s and 1990s as an attempt to reclaim the tradition of the enlightenment with its belief in human agency and progress. The events of 1989 led initially to a revival of ideational models capitalising on realism's manifest inability to explain, let alone predict the momentous events:

> "Mainstream IR theory simply had difficulty explaining the end of the Cold War, or systemic change more generally. It seemed to many that these difficulties stemmed

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[87]   Wohlforth, "Realism and the End of the Cold War," p. 91.

[88]   Charles W. Kegley, "The Neoidealist Moment in International Studies? Realist Myths and the New International Realities," *International Studies Quarterly,* Vol. 37, No. 2 (1993): 131-47.

[89]   The participants and agendas of several such movements overlapped considerably, coalescing around the issues of peace, nuclear energy, environment, minority rights. For an overview of the German movement with relevant references, see Jeffrey Herf, "War, Peace, and the Intellectuals: The West German Peace Movement," *International Security,* Vol. 10, No. 4 (1986): 172-200.

from IR's materialist and individualist orientation, such that a more ideational holistic view of international politics might do better."[90]

The long-standing dissatisfaction among particularly European IR scholars[91] led to the creation and re-discovery of theoretical tools which stressed the importance of ideas and norms,[92] procedures,[93] epistemic communities,[94] institutionalised bureaucratic cooperation,[95] ideational entrepreneurs, identity,[96] the malleability of interests,[97] and above all a new interpretation of anarchy[98] and the possibility of an acephalous international *society*.[99]

c. MORE MAY BE BETTER

The final resolution of scientific disputes is comparatively rare in the social sciences. The raison d'être of mutually exclusive theories is premised on the *un*availability of evidence

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[90]   Alexander Wendt, *Social Theory of International Politics* (Cambridge: Cambridge University Press, 1999), p. 4. See also Peter J. Katzenstein, Robert O. Keohane, and Stephen D. Krasner, "International Organization at its Golden Anniversary," *International Organization,* Vol. 52, No. 4 (1998): 670.

[91]   Herf, "War, Peace, and the Intellectuals: The West German Peace Movement." contains a good overview over the German literature. One of the key texts in this respects is the fairly radical Johann Galtung, *Strukturelle Gewalt* (Hamburg: Rowohlt Verlag, 1975). For a more reformist overview see Karl Kaiser and Reinhard Meyer, *Friedensforschung in der Bundesrepublik: Gegenstand und Aufgaben der Friedensforschung, ihre Lage in der Bundesrepublik sowie Mo glichkeiten und Probleme ihrer Fo rderung* (Göttingen: Vandenhoeck & Ruprecht, 1970).

[92]   Chaim Kaufman and Robert Pape, "Explaining Costly International Moral Action: Britain's Sixty Year Campaign Against the International Slave Trade," *International Organization,* Vol. 53, No. 4 (1999); Nina Tannenwald, "The Nuclear Taboo: The United States and the Normative Basis of Nuclear Non-use," *International Organization,* Vol. 53, No. 3 (1999); Martha Finnemore and Kathryn Sikkink, "International Norm Dynamics and Political Change," *International Organization,* Vol. 52, No. 4 (1998).

[93]   Barry Buzan, "Negotiating by Consensus: Developments in Technique at the United Nations Conference on the Law of the Sea," *American Journal of International Law,* Vol. 75, No. 2 (1981): 324-48.

[94]   Ernst B. Haas, Mary Pat Williams, and Don Babai, *Scientists and World Order: The Uses of Technical Knowledge in International Organisations* (Berkeley: University of California Press, 1977).

[95]   Ernst B. Haas, *Beyond the Nation-State: Functionalism and International Organization* (Stanford: Stanford University Press, 1964); David Mitrany, "The Prospect of Integration: Federal or Functional?," *Journal of Common Market Studies,* Vol. 1, No. 4 (1965): 119-49; David Mitrany, *The Functional Theory of Politics* (London: St. Martin's Press, 1975). Stressing the role of officials in the actual functioning of international law is M. S. McDougal, H. Lasswell, and William Michael Reisman, "The World Constitutive Process," in: *International Law Essays,* ed. by M. S. McDougal and William Michael Reisman (New York: 1981), p. 191.

[96]   Ronald L. Jepperson, Alexander Wendt, and Peter J. Katzenstein, "Norms, Identity, and Culture in National Security," in: *The Culture of National Security: Norms and Identity in World Politics,* ed. by Peter J. Katzenstein (New York: Columbia University Press, 2005).

[97]   Barry Buzan and Richard Little, *An Introduction to International Systems: Theory Meets History* (Oxford: Oxford University Press, 1998).

[98]   Alexander Wendt, "Anarchy is What States Make of It: The Social Construction of Power Politics," *International Organization,* Vol. 46, No. 2 (1992): 391-425; Wendt, *Social Theory of International Politics.*

For a critical discussion of the concept of anarchy in realism that underpins much of the ideational challenge see Barry Buzan, Charles Jones, and Richard Little, *The Logic of Anarchy: Neorealism to Structural Realism* (New York: Colombia University Press, 1993).

[99]   Martha Finnemore, *National Interests in International Society* (Ithaca: Cornell University Press, 2000); Hedley Bull, *The Anarchical Society: A Study of Order in World Politics* (New York: 1977).

that would establish the validity of a given theory, or alternatively disprove it decisively. Once such evidence has been found, all inconsistent theoretical concepts must be discarded or repaired to fit the evidence.

While this process works relatively well in the natural sciences[100] where there is a comparatively good track-record of settling even long-standing debates by finally proving a given theory or at least disproving all the contenting theories,[101] in the social sciences theories have proven to be much more resilient to empirical falsification due not least to the essentially untestable nature of many of the assumptions underpinning them.[102] The result is a plethora of competing explanations purporting to describe the same physical reality leading to considerable frustration among policy makers in search of advice.[103] The anthropologist Clifford Geertz describes this general problem well:

> "the analysis of [culture is] not an experimental science in search of law but an interpretative one in search of meaning. [It] … is a science whose progress is marked less by perfection of consensus than by a refinement of debate. What gets better is the precision with which we vex each other."[104]

The seeming inability of the social sciences to solve problems and provide answers backed by a consensus leads to considerable frustration stemming from the fact that most models claim exclusive applicability purporting to provide a complete and adequate description of a complex reality,[105] while remaining quite impervious to empirical falsification.

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[100]   The anti-positivist critique of the scientific process and the "narrative of modernity" has largely run its course. Prominent proponents include Roland Barthes, Michel Foucault, Jaques Derrida, Jean-François Lyotard, Jean Baudrillard, among others. For a incisive critique of their position see Jürgen Habermas and Shierry Weber Nicholsen, *The New Conservatism: Cultural Criticism and the Historians' Debate* (Cambridge: Polity, 1989).

[101]   Sometimes, however, scientific disputes are artificially perpetuated for self-interested or normative reasons because non-scientists refuse to accept the (unanimous) verdict of the scientific community. A good case in point is the alleged equivalence of so-called creationism with evolution, or the alleged ambiguity about the causes and effects of global warming. See Naomi Oreskes, "The Scientific Consensus on Climate Change," *Science,* Vol. 306 (2004): 1686.

[102]   For a discussion of this point see the introduction in Waltz, *Man, the State, and War*. Gilpin likewise maintains that the basis of realism "must be seen as a philosophical disposition and set of assumptions about the world [and is] best viewed as an attitude regarding the human condition", Gilpin, "The Richness of Political Realism," p. 304.

[103]   As indicated by the irritated question of President Kennedy to two of his staffers, a general and a diplomat, who returned from Vietnam with equally strong, yet mutually exclusive assessments of the situation: "Where you two gentlemen in the same country?" Quoted in Ernest R May (ed), *American Cold War Strategy: Interpreting NSC 68* (Boston: Bedford Books of St. Martin's Press, 1993), p. 85.

[104]   Clifford Geertz, *The Interpretation of Cultures* (New York: Harper, 1974), pp. 5, 22.

[105]   See the interesting discussion of the inadequacy of our existing theoretical models, despite their exclusive claims in Puchala, "Of Blind Men, Elephants and International Integration.".

Realism holds that "foreign policy should be based on national power and interest, rather than abstract moralistic principles or political crusades"[106] cautioning against ideological preferences of the scholar by prescribing an objective method by which material variables are assessed.[107] The preference given to material factors stems from a desire to rid the discipline from moralising and utopianism,[108] yet there is little justification to disregard the impact of non-material factors completely.[109] One of the main analytical and normative contributions of realism is its scepticism regarding the vilification of international actors. The emphasis on measurable material factors and the insistence that states act according to a universal systemic logic acts as a powerful counter-weight to moralising crusades blind to the legitimate interests of the other. This element had been repeatedly stressed by major realist proponents such as Kennan who concluded at the height of the Cold War:

> "the general trend [in Soviet diplomacy] has been in the direction of normalcy toward a preoccupation with internal and defensive interests of the Soviet state. … the relationship we have with the Soviet Union has to be compared … with what we can call the normal level of recalcitrance, of sheer orneriness and unreasonableness which we encounter in the behavior of states anywhere and which I am sure we often manifest in our own. This, again, is largely the product of the long-term factors affecting a nation's life. Russian Governments have always been difficult to do business with, this is nothing new in kind — if anything is new about it, it is only a matter of degree."[110]

The contributions of realism and General Systems theory in re-imagining the Soviet Union as a rational actor seeking to enhance both its power and security was of considerable intellectual and political significance in laying the groundwork for productive diplomacy and the achievement of progress in arms control and disarmament.[111] Kennan's statement reflected both his stance as a realist and represents the iconoclastic character of the doctrine often forgotten by latter-day critics who disproportionately focus on its alleged reductionism. The importance of this exhortation for level-headedness and

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[106] Dougherty and Pfaltzgraff, *Contending Theories of International Relations*, p. 111; Peter W. Dickson, *Kissinger and the Meaning of History* (Cambridge: Cambridge University Press, 1978), p. 20.

[107] James N. Rosenau, "Moral Fervor, Systematic Analysis, and Scientific Consciousness in Foreign Policy Research," in: *Political Science and Public Policy*, ed. by Austin Ranney (Chicago: Markham, 1968): 197-236.

[108] Gaddis, "International Relations Theory and the End of the Cold War," pp. 326, 332.

[109] "[T]he Cold War ended as much because of what people believed as because of what they possessed." Gaddis, "International Relations Theory and the End of the Cold War," p. 380.

[110] George Kennan, "Containment Then and Now," *Foreign Affairs,* Vol. 65, No. 4 (1987), p. 393.

[111] William D. Jackson, *Imagining Russia in Western International Relations Theory*, unpublished manuscript, Miami (not dated), available at: http://casnov1.cas.muohio.edu/havighurstcenter/papers/Jackson.pdf, accessed on: 30 July 2006.

dispassionate analysis free from a crusading zeal that sees justice squarely with one's own position constitutes the true progressive force of realism.[112] Its key normative insight is that in an ideologically (or religiously) divided world justice cannot lie with only one side[113] and that therefore the foundations of a stable order cannot rest on a normative agreement[114] but must be based on the material balance of power and interests of the main antagonists, and thus be accepted as *legitimate* by them.[115]

One of the reasons realism in its various flavours has won such widespread acceptance is precisely its self-conscious reliance on general qualities common to all actors, something which makes the theory not only universally applicable but, importantly, also acts as a moderating influence against crusading tendencies[116] which deny the opponent basic human qualities such as rationality or empathy. The re-conceptualisation of competitors as 'normal', i.e. non-exceptional countries has profound policy implications when dealing with non-status quo states:

> "The reconstruction of the international relations and, implicitly, the Soviet Union, in Realist discourse was profoundly political in implication and effect, it encouraged movement away from one mode of ideological thinking about the Soviet Union and the reimaginization of the Soviet Union as a Great Power involved in efforts to preserve and extend its power that were common historically in the behaviour of states. A similar "normalisation" of the Soviet Union was effected in … international systems theory [which posits] rational security seeking behaviour on the part of Superpowers in a bipolar world."[117]

This moderating influence of realist thinking that allows for engaging the opponent in a rational manner and permits the creation of a *modus vivendi* despite ideological differences can be differentiated from more 'hawkish' traditions in conservative thought.[118] It is

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[112]   Walt, "The Progressive Power of Realism."

[113]   Michael Joseph Smith, *Realist Thought from Weber to Kissinger*, Political traditions in foreign policy series (Baton Rouge: Louisiana State University Press, 1986).

[114]   Erwin A. Gaede, *Politics and Ethics: Machiavelli to Niebuhr* (Lanham, MD: University Press of America, 1983).

[115]   Elizabeth Kopelman, "The Modern Machiavelli: Legitimacy, Conflict and Power in the International Legal Order - Review of Henry Kissinger's Diplomacy," *UCLA Law Review,* Vol. 43, No. 1 (1995): 139 - 158; Dickson, *Kissinger and the Meaning of History*. Realism thus advocated a type of moderation in foreign policy that contrasts favourably with recent proponents of unilateral systemic change.

[116]   Much of the realist critique against the current neo-conservative U.S. foreign policy stresses precisely this aspect, namely that realism calls for a *dispassionate* calculation of power and benefits not clouded by ideological preferences. See Francis Fukuyama, "The Neoconservative Moment," *The National Interest,* Vol. 57 (2004): no pagination.

[117]   Jackson, *Imagining Russia in Western International Relations Theory*, p. 3.

[118]   On the influence of ideologically motivated conservative thought see Shadia B. Drury, *Leo Strauss and the American Right* (New York: St. Martin's Press, 1997); Shadia B. Drury, *The Political Ideas of Leo Strauss* (London: Macmillan, 1988); see also James F. Ward, "Review of "Leo Strauss and the American Right"," *American Political Science Review,* Vol. 92, No. 3 (1998): 679-80.

important to stress, however, that this moderation[119] stems precisely from realism's emphasis on unit homogeneity,[120] something that is often criticised as simplistic by proponents of ideational factors. Furthermore, the parsimony of its theoretical argument and its large explanatory power partly explains the enduring appeal of an analytical tool[121] that Carr aptly summarised as follows "[realism] is the impact of thinking upon wishing."[122]

bb. General Theorising or *Sui Generis* Analysis

Some proponents of cultural theories focus on the particulars of the case, rather than on factors common to a number of cases which would allow for general theoretical deductions. Desch quotes constructivists who are "not interested in theorising per se but [only] in solving puzzles"[123] maintaining that each case is *sui generis*. He holds that "the core tenet of such a cultural approach is a rejection of external rationalism (which makes behaviour predictable across cases)."[124] There is no consensus about the actual possibility to derive universally applicable scientific tools with which to grasp culture or whether culture can only be studied properly within its own frame of reference.[125]

For the contrasting realist attitude see *inter alia* Stephen M. Walt, "Revolution and War," *World Politics,* Vol. 44, No. 3 (1992): 321-68.

But note the concept of "legitimacy" that informs much of Kissinger's theoretical and practical work. This seems to preclude, rather along Burke's lines, an accommodation of revolutionary powers. Henry A. Kissinger, *A World Restored - Europe after Napoleon: The Politics of Conservatism in a Revolutionary Age* (New York: Grosset and Dunlap, 1964), pp. 1, 2.

[119]   "If history teaches anything it is that there can be no peace without equilibrium and no justice without restraint." Henry A. Kissinger, *The White House Years* (Boston: Little, Brown and Company, 1979), p. 232.

[120]   The relative stability of the nuclear stalemate between the blocs came not, as might be inferred from Gaddis and others, automatically. Rather it was the result of consciously devised systems of deterrence, as well as nuclear learning. Both are inconceivable without assuming unit homogeneity and rationality. The contrast to current, ideologically driven American foreign policy, particularly in the Middle East is palpable. See John Lewis Gaddis, *We Now Know: Rethinking Cold War History* (Oxford: Oxford University Press, 1997); Thomas C. Schelling, "Surprise Attack and Disarmament," *Bulletin of the Atomic Scientist,* Vol. 15 (1959): 413ff; Joseph S. Nye, Jr, "Nuclear Learning and U.S.-Soviet Security Regimes," *International Organization,* Vol. 41, No. 3 (1987): 371-402; Philip Zelikow, Robert B. Zoellick, and Aspen Strategy Group (U.S.), *America and the Muslim Middle East: Memos to a President* (Queenstown, MD: Aspen Institute, 1998).

[121]   Gilpin, "The Richness of Political Realism."

[122]   Edward Hallett Carr, *The Twenty Years' Crisis, 1919-1939: An Introduction to the Study of International Relations* (New York: St. Martin's Press, 1939), p. 10.

[123]   Peter Katzenstein quoted in Desch, "Culture Clash," p. 152.

[124]   Desch, "Culture Clash," p. 153; referring to Jepperson*, et al,* "Norms, Identity, and Culture in National Security," p. 44.

[125]   The two polar positions are taken by Laitin and Geertz, respectively. Geertz, *The Interpretation of Cultures*, pp. 5, 22. This view is echoed by Huntington, himself a proponent of the explanatory power of culture: "cultural explanations are … often imprecise or tautological or both … [they] are also unsatisfying for a social scientist because they run counter to the social scientist's proclivity to generalise." Samuel P. Huntington, "The Goals of Development," in: *Understanding Political Development: An Analytical Study*, ed. by Samuel P. Huntington and Myron Weiner (Boston: Little Brown, 1987), p. 23.

Without disregarding the point made by Moore about the distinction between scientific inquiry (which includes abstract theory building) and policy review,[126] one tends to agree that faced with evaluating discrete historical cases the "realism/idealism debate is [often] too cramping."[127] The points raised by Desch are interesting and well laid out, but one can wonder whether the strict dichotomy between ideational explanations of political behaviour and materialist theoretical models is in fact justified and if the two research programmes are of necessity as mutually exclusive as he makes them out to be. Likewise it should not be assumed that simply because realists consider power to be the most important variable, they deny the existence of other factors, including ideational ones.[128]

Perhaps Desch's dichotomy between modernists who believe that cultural variables can be subjected to social-scientific inquiry using general tools, and 'anti-modernists'[129] is somewhat overdrawn. To be sure, there are some proponents of ideational factors who do "not view the world in terms of discreetly existing independent variables whose independent effect on variance can be measured according to the logic of statistics."[130]

The statement should not be read as the refusal to build universal models, but rather as the implementation of Einstein's dictum that not everything that can be counted, counts, just as not everything that counts, can be counted. Hackett Fischer calls this the "quantitative fallacy", namely the assumption that "facts are important in proportion to their susceptibility to quantification."[131] But apart from the problem of information that cannot be quantified, there is also the residual problem of the objectivity of data collection "[b]ecause information gathered has to be coded if it is to be quantified — and

Laitlin on the other hand maintains that it is not the belief in the irrelevance of culture that "has brought research on political culture to a standstill. Rather, the systematic study of culture within political science has been emasculated by the neopositivist tradition, which sets a central methodological requirement that a theory must have general laws that can [be] disconfirmed." David D. Laitin, *Hegemony and Culture: Politics and Religious Change among the Yoruba* (Chicago: University of Chicago Press, 1986), p. 172.

[126]   Mark Moore, "Social Science and Policy Analysis: Some Fundamental Differences," in: *Ethics, the Social Sciences, and Policy Analysis*, ed. by Daniel Callahan and Bruce Jennings (Plenum Publishing, 1983): 271ff.

[127]   Christopher Hill, "The Capability-Expectation Gap, or Conceptualizing Europe's International Role," *Journal of Common Market Studies,* Vol. 31, No. 3 (1993), p. 308.

[128]   Speaking about the decision to balance or to bandwagon, Walt writes: "Although power is an important part of the equation, it is not the only one." Stephen M. Walt, *The Origins of Alliances* (New York: Cornell University Press, 1990), pp. 21, see also 263-64.

[129]   As Desch terms them.

[130]   Richard Price and Nina Tannenwald, "Norms and Deterrence: The Nuclear Weapons Taboo," in: *The Culture of National Security: Norms and Identity in World Politics*, ed. by Peter J. Katzenstein (New York: Columbia University Press, 1996), pp. 147-48.

[131]   Fischer, *Historians' Fallacies*, p. 90; likewise Waltz, *Theory of International Politics*, p. 64; Hoffmann, "The Long Road to Theory," pp. 427-29.

because coding is inescapably dependent on the subjective perceptions of those doing the coding."[132] At any rate, the correlation between various variables is hardly ever so straightforward as to leave only one possible interpretation.[133]

4. SUMMARY

The main aim of this chapter has been to put theoretical debates in international relations into perspective by highlighting the basic characteristics and limitations of modelling in the social sciences. Models are deliberately simplified representations of reality based on hypothetical causal relationships. Theoretical assumptions about cause and effect necessarily involve some degree of reductionism to permit the analysis of a complex reality. But while simplification and theory-building is an indispensable part of the scientific method, one must be alert to its inherent limitations. Theorising about foreign and security policy is impeded by the complexity of the international system, human free agency, the difficulty of controlling for the impact of certain variables, or reliably testing theories.

Theorising necessarily departs from reality in order to build simplified representations that are easier to investigate. Abstraction and simplifications are therefore necessary components of analysis, but one needs to be alert to the inevitable limitations of any model to adequately explain a multifaceted reality where a large number of deliberately excluded variables continue to be at work. This chapter has thus argued that the inherent restrictions of any one theoretical model should be counterbalanced by the reliance on competing models that approach reality from alternative vantage points.

With regard to the post-war transformation of German society it is therefore submitted that *both* material changes in the structure of the international system *and* ideational changes have been crucial both in the genesis and in the ultimate demise of German militarism. Focussing exclusively on any one of these might be a necessary part of

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[132] Gaddis, "International Relations Theory and the End of the Cold War," p. 349.

[133] "No matter how detailed and thorough an historical inquiry may be, it certainly cannot leave us with a unique correlation between the various empirical variables which will force all observers to make identical inferences and conclusions." Olav Njølstad, "Learning from History? Case Studies and the Limits to Theory-Building," in: *Arms Races: Political and Technological Dynamics*, ed. by Nils Petter Gleditsch and Olav Njølstad (London: SAGE, 1990), p. 223.

parsimonious model-building. Denouncing realism as reductionist is therefore disingenuous, for its deliberate reductionism not only explains its analytical power, but accounts for its ethical element of moderation. Nevertheless, its relative strengths and weaknesses must be counterbalanced by the reliance on complementary theoretical visions which recognise the explanatory power of norms and ideas. The analyst thus needs to be aware that irrespective of material constraints of the international system ideational agency will remain an independent explanatory factor, just as in turn the material structure will have important repercussions on the development of norms and ideas.

III. CONCEPTUALISING MILITARISM

One of society's most basic functions is the aggregation of individuals primarily for the sake of *protection*, both against one another,[1] i.e. to establish *internal* order, as well as to protect against *external* attack on the group. While the manner in which defence is organised varies considerably across different nations, the need to make adequate provisions for internal and external security is universal.[2]

1. GENERAL OBSERVATIONS

Maintaining internal order and providing for external defence requires the use or credible threat of violence. Other armed groupings notwithstanding, only the state is entitled to *legitimately* use force, preferably in the pursuit of the common good. In his renowned definition of statehood, Weber uses this ability as the most crucial characteristic of the state, defined as:

> "a compulsory political association with continuous organisation whose administrative staff successfully upholds a claim to the monopoly of the legitimate use of force in enforcement of its orders in a given territorial unit."[3]

With time the internal and external aspects of providing security became two increasingly separate fields of activity covered by the police and the army, respectively.[4] This

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[1]   To end the proverbial "state of nature" characterised by "war of all against all" (bellum omnium contra omnes) in Hobbes celebrated phrasing, much inspired by his experience of the English Civil War. See Thomas Hobbes, *Leviathan, or, the Matter, Forme and Power of a Commonwealth, Ecclesiasticall and Civil* (Oxford: Blackwell, 1946); David P Gauthier, *The Logic of Leviathan: The Moral and Political Theory of Thomas Hobbes* (Oxford: Clarendon Press, 1969).

[2]   Some very isolated groups such as the Inuit might be sufficiently protected by geography thus dispensing with the need to prepare for external attack. A few societies have also completely "outsourced" the provision of security, i.e. entered into a dependent relationship with a (benign) outside power which protects them in return for certain benefits this outside powers seeks. A case in point would be Iceland which maintains no armed forces, yet is a member of NATO with all the benefits attached due to its sought-after strategic location. Elfar Loftsson, "Island i NATO: Partierna och Försvarsfrågan," Dissertation, Cambridge University Press (Reykjavík, 1981); Icelandic Association for Western Co-Operation (ed), *Iceland, Nato, and Security in the Norwegian Sea* (Reykjavík: Icelandic Association for Western Co-Operation, 1987).

[3]   Max Weber, *The Theory of Social and Economic Organisation* (New York: Free Press, 1997), p. 154; see also Fukuyama, *State-Building: Governance and World Order in the 21st Century*, p. 6; Dominique Chagnollaud, *Droit constitutionnel contemporain* (Paris: Colin, 1999), p. 6.

[4]   See the statement by Huntington below on p. 303, fn. 269.

functional separation has had important repercussions for the development and protection of civil liberties and the development of modern nation states.[5]

a . INTERNAL AND EXTERNAL SECURITY

The general picture has been one of separation between the inside, the world of citizenry, rule of law, civility, and the outside anarchic world where norms of solidarity would generally not apply, separated by clear boundaries, sharply distinguishing between 'them' and 'us'. Police and army are thus dealing with different tasks requiring different rules of engagement and characterised by markedly different levels of acceptable violence.[6] As a result of ever increasing international interaction and tighter global intercourse, this separation is increasingly breaking down.[7]

The argument that the Westphalian system is slowly being replaced by a more fluid, ambiguous post-Westphalian system rests on two related arguments. The first concerns the nature of war, whose very destructiveness allegedly has ruled it out as a normal means of political intercourse.[8] Van Creveld explicitly makes the connection between the Thirty Years War of 1618-1648, and the "thirty years war of 1914-1945."[9] While the devastation of the former put an end to the era of religious wars, it is argued that the latter effectively ended the military struggle for power among nation states,[10] particularly given the diminishing returns for conquest.[11] Desirable though this learning process may be, it can

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[5]   Diane E Davis and Anthony W Pereira, *Irregular Armed Forces and Their Role in Politics and State Formation* (Cambridge, U.K.: Cambridge University Press, 2003); Charles Tilly, *Coercion, Capital and European States, AD 990-1990* (Cambridge, Mass: Basil Blackwell, 1990); Charles Tilly, *The Formation of Nation States in Western Europe* (Princeton: Princeton University Press, 1975).

[6]   Patrick Bruneteaux, *Maintenir l'ordre: les transformations de la violence d'État en régime démocratique* (Paris: Presses de la Fondation Nationale des Sciences Politiques, 1996); William A Geller and Hans Toch (eds), *Police Violence: Understanding and Controlling Police Abuse of Force* (New Haven: Yale University Press, 1996); Peter J Katzenstein, *West Germany's Internal Security Policy: State and Violence in the 1970s and 1980s*, (Ithaca, NY: Center for International Studies, Cornell University, 1990); William A Westley, *Violence and the Police: a Sociological Study of Law, Custom, and Morality* (Cambridge, Mass: MIT Press, 1970).

[7]   Monica den Boer, "Wearing it Inside Out: European Police Cooperation between Internal and External Security," *European Foreign Affairs Review,* Vol. 2, No. 4 (1994): 491-508; Malcolm Anderson and Monica den Boer (eds), *Policing Across National Boundaries* (London: Pinter, 1994).

[8]   The "normality" of war should be understood in the Clausewitzian sense of war as the continuation of politics by other means, i.e. "war is only a branch of political activity," Carl von Clausewitz, "The Political Purposes of War," in: *Basic Texts in International Relations*, ed. by Evan Luard (London: Macmillian, 1992), p. 244; see also Carl von Clausewitz, *Vom Kriege* (Frankfurt am Main: Ullstein, 1980), p. 674.

[9]   Martin L. Van Creveld, *The Transformation of War* (New York: Free Press, 1991), p. 193.

[10]   The same argument is made by John Mueller, "The Essential Irrelevance of Nuclear Weapons: Stability in the Postwar World," *International Security,* Vol. 13, No. 2 (1988): 55-79.

[11]   Stephen Van Evera, "Primed for Peace: Europe after the Cold War," *International Security,* Vol. 15, No. 3 (1990), pp. 15-16.

be questioned whether this alleged social learning accords with the historical evidence, especially concerning World War I which did little to dampen nationalist aggression leading up to World War II.[12] Some have deduced from the alleged destructiveness of war that the state itself "may be on its way to oblivion."[13] De Wilde disagrees, for him

> "national states are still the organising principle of politics in our time, and an alternative is still beyond any horizon … The 'end of the state' interpretation, for whatever the motive — Hiroshima or globalisation — is confusing 'function' with 'efficiency' … The criterion for the survival of the state system, however, is not whether states can effectively *control* these new circumstances. The question for the survival of the state system is whether the state continues to *dominate the discourse* about security and about law and order. This is quite likely."[14]

But Van Creveld's argument is valid with respect to the way states conduct the security discourse. If it is accepted that "Hiroshima and globalisation" have indeed led to the de-securitisation[15] of inter-state warfare, the security agenda shifts decidedly towards the internal security sector. Because the nation state is increasingly unable to fulfil its traditional internal security tasks without international cooperation, the hitherto strictly separated internal and external fields become intertwined.

The interrelatedness of security requires the police to cooperate *internationally* to counter the sources of *internal* threats such as organised crime, trafficking, migratory flows, etc. while at the same time the army will increasingly deploy overseas to engage in peacekeeping and peace-enforcing missions which require it to fulfil a large array of police-like functions. The necessity for the international community to make up for the failing of local state-institutions translates into the deployment of military power: "there is no getting away from the fact that state building involves the deployment of raw power and not simply the creation of liberal institutions."[16] As the aim of these military engagements is no longer to win a war, but to establish internal order, the armies involved will have to take on many of the functional tasks traditionally reserved to the police, just

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[12]   Gaddis, "International Relations Theory and the End of the Cold War," pp. 42-43.

[13]   Van Creveld, *The Transformation of War*, p. 193.

[14]   Jaap de Wilde, "International Security as a Common Home Affair" (Paper presented at the "Democracy in Europe Conference", Enschede, Netherlands, Twente, University of 1998), pp. 10, second emphasis added.

[15]   Ole Wæver, "Securitisation and Desecuritisation," in: *On Security*, ed. by Ronnie D. Lipschutz (New York: Columbia University Press, 1995).

[16]   Jonathan Goodhand, "From War Economy to Peace Economy? Reconstruction and State Building in Afghanistan," *Journal of International Affairs,* Vol. 58, No. 1 (2004), pp. 168, 167.

as the police is increasingly asked to deploy overseas to support multilateral peacekeeping missions.[17]

This dynamic serves to illuminate two things: first, even in modern 'post-national' states armies remain important tools of statecraft, despite the relative decline in importance of war between great powers. Secondly, the large and rising number of failed, failing, or outright criminal states throughout the world are all characterised by highly polarised, volatile, and aggressive civil-military relations. The growing number of international involvement in the resolution of these conflicts shows that problems in far-away countries no longer can (if they ever could) be kept isolated.[18] Understanding how to arrange for stable and reasonably peaceful civil-military relations is an important part of stabilising these societies.

b. ORGANISED VIOLENCE

Max Weber points out the *technical* superiority of bureaucratic organisation as a crucial *instrument* and *source* of power and authority. Among the three basic types of legitimate authority — rational, traditional, and charismatic[19] — rational authority relies most extensively on bureaucratic organisation for the exercise of its power:

> "Die rein bürokratische, also: die bürokratisch-monokratische aktenmäßige Verwaltung ist nach allen Erfahrungen die an Präzision, Stetigkeit, Disziplin, Straffheit und Verläßlichkeit, also: Berechenbarkeit für den Herrn wie für die Interessenten, Intensität und Extensität der Leistung, formal universeller Anwendbarkeit auf alle Aufgaben, rein *technisch* zum Höchstmaß der Leistung vervollkommenbare, in all diesen Bedeutungen: formal *rationalste*, Form der Herrschaftsausübung. Die Entwicklung »moderner« Verbandsformen auf *allen* Gebieten (Staat, Kirche, Heer, Partei, Wirtschaftsbetrieb, Interessenverband, Verein, Stiftung und was immer es sei) ist schlechthin identisch mit Entwicklung und stetiger Zunahme der *bureaukratischen* Verwaltung: ihre Entstehung ist z.B. die Keimzelle des modernen okzidentalen Staats."[20]

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[17]   Albrecht Schnabel and Hans-Georg Ehrhart, *Security Sector Reform and Post-conflict Peacebuilding* (Tokyo: United Nations University Press, 2005); Erwin A Schmidl, "Police Functions in Peace Operations. An Historical Overview," in: *Policing the New World Disorder*, ed. by Robert B. Oakley, Michael J. Dziedzi, and Eliot M. Goldberg (Washington, D.C.: Institute of National Security Studies, 2002): chapter 1.

[18]   Stanley Hoffmann, "In Defense of Mother Teresa," *Foreign Affairs,* Vol. 75, No. 2 (1996): 172-75; Stanley Hoffmann, "The Politics and Ethics of Military Intervention," *Survival,* Vol. 37, No. 4 (1995): 29-51.

[19]   Weber, *Wirtschaft und Gesellschaft*, pp. 157-222, particularly 159-160.

[20]   Weber, *Wirtschaft und Gesellschaft*, pp. 164, emphasis in the original.

It is the promise of much greater precision, consistency, and reliability which allows the bureaucratically organised state to put a given resource base to more economical use and thus to enlarge its power in the most rational and efficient manner. Once such a demonstrably superior organising principle has become known, all similar social groupings, be they states, companies, armies, or parties *must* adopt it *nolens volens* in order to survive. Waltz expresses this pressure for states to emulate innovations introduced by others as a function of the competitive logic of international anarchy,[21] but it holds true for any social groupings engaged in a non-hierarchical, competitive relationship.

Weber explains the superiority of the bureaucratic model of social organisation by comparing it to the modern industrial mode of production, based as it is on the functional division of labour, specialisation, commoditisation, and the reliance on standard operating procedures. The inherent superiority in administrative output of modern bureaucracies is comparable to the vast superiority in output of the industrial mode of production:

> "Der entscheidende Grund für das Vordringen der bürokratischen Organisation war von jeher ihre rein *technische* Überlegenheit über jede andere Form. Ein voll entwickelter bürokratischer Mechanismus verhält sich zu diesen genau wie eine Maschine zu den nicht mechanischen Arten der Gütererzeugung. Präzision, Schnelligkeit, Eindeutigkeit, Aktenkundigkeit, Kontinuierlichkeit, Diskretion, Einheitlichkeit, straffe Unterordnung, Ersparnisse an Reibungen, sachlichen und persönlichen Kosten sind bei streng bürokratischer, speziell: monokratischer Verwaltung durch geschulte Einzelbeamte gegenüber allen kollegialen oder ehren- und nebenamtlichen Formen auf das Optimum gesteigert. …
>
> Vor allem aber bietet die Bürokratisierung das Optimum an Möglichkeit für die Durchführung des Prinzips der Arbeitszerlegung in der Verwaltung nach rein sachlichen Gesichtspunkten, unter Verteilung der einzelnen Arbeiten auf spezialistisch abgerichtete und in fortwährender Übung immer weiter sich einschulende Funktionäre. »Sachliche« Erledigung bedeutet in diesem Fall in erster Linie Erledigung »ohne Ansehen der Person« nach *berechenbaren Regeln*."[22]

The drive towards bureaucratisation is thus an *inexorable part of modernisation*, and contains both negative and positive elements. As such, however, it is a value-neutral tool affecting the capacity of organised groups to do whatever they set out to do. Modern welfare states are just as inconceivable without efficient bureaucracies as are police states. Armies being quintessential bureaucratic organisations, and with the competitive logic of states putting

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[21]   Waltz, *Theory of International Politics*.

[22]   Weber, *Wirtschaft und Gesellschaft*, pp. 716, 717, emphasis in the original.

a premium on innovation regarding the instruments of power it is not surprising that the characteristic elements of bureaucratisation[23] are eagerly adopted throughout all armed forces.[24]

Organisations create capabilities, but they also *constrain action and limit freedom of choice*. Any organisation prefers to follow its established standard operating procedures (SOPs), it does not deal well with tasks that either fall outside its scope of operations or cannot be adequately accomplished using its standard procedures. SOPs are collections of familiar responses to familiar problems, they are thus an instrument for establishing procedures for the regularisation and formalisation of behaviour. Rational organisation is inconceivable without standardised procedures enabling large numbers of participants to act in unison, maintain organisational memory and permit the transfer of knowledge and, within limits, organisational learning.[25]

The collection of common procedures, habits, shared conceptional and normative outlooks constitutes organisational culture which emerges to shape the behaviour of individuals within an organisations in line with formal and informal rules. Organisational culture can strongly affect decision-making within an organisation. A rational actor would follow the "logic of consequences" and take an instrumental view of the decision in view of the output to be achieved. An organisational "logic of appropriateness," by contrast, guides behaviour and decision-making according to certain inherent *rules, norms,* and *habits*, often quite irrespective of the consequences.[26] Militaries are particularly tight-knit organisations and can thus be expected to display very strong and consciously cultivated organisational cultures. The logic of military appropriateness can have significant

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[23]   Weber, *Wirtschaft und Gesellschaft*, pp. 162-5, § 4.

[24]   Weber, *Wirtschaft und Gesellschaft*, pp. 722-23. For a good discussion of Weber's concept of bureaucratic rationalisation and its application to military organisation, see David R. Segal and Mady Wechsler Segal, "Change in Military Organization," *Annual Review of Sociology,* Vol. 9 (1983): 151-70.

[25]   J.-C. Spender, "Organizational Knowledge, Learning and Memory: Three Concepts in Search of a Theory," *Journal of Organizational Change Management,* Vol. 9, No. 1 (1996): 63-78; Michael D. Cohen and Paul Bacdayan, "Organizational Routines Are Stored As Procedural Memory: Evidence from a Laboratory Study," *Organization Science,* Vol. 5, No. 4 (1994): 554-68; B. Levitt and J. G. March, "Organizational Learning," *Annual Review of Sociology,* Vol. 14 (1988): 319-38.

[26]   March*, et al, Organizations*; James G March and Johan P Olsen, *Ambiguity and Choice in Organizations* (Bergen: Universitetsforlaget, 1976); James G March, *Decisions and Organizations* (Oxford: Basil Blackwell, 1988).

repercussions on strategy and tactics, often quite at odds with the rational best interest of the state or even the army as an institution.[27]

2. DEFINING CIVIL-MILITARY RELATIONS

Modern society relies on the delegation of certain functional tasks from individuals to specialised agencies.[28] The gains in efficiency and effectiveness make this process unavoidable, yet all functional delegation contains a principal predicament: how to ensure that agents actually obey the principal rather than pursuing their own narrow interests? The resulting principal-agent problem is one of the most intractable and ultimately irresolvable predicaments of social life and a key research interest of the social sciences.[29] Militaries as specialised defence agencies cannot escape this basic predicament:

> "The civil-military problematique is a simple paradox: because we fear others we create an institution of violence to protect us, but then we fear the very institution we created for protection."[30]

This paradox comes logically prior to all other national security issues, such as military manpower selection, equipment, strategy or tactics. These latter are instrumental values to be appraised by how they relieve or exacerbate the central civil-military challenge of maintaining an army strong enough to be able to provide sufficient protection yet obedient enough to obey the society that set it up.[31]

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[27]   Elizabeth Kier, "Culture and Military Doctrine: France between the Wars," *International Security,* Vol. 19, No. 4 (1995): 65-93; Elizabeth Kier, *Imagining War: French and British Military Doctrine between the Wars* (Princeton, NJ: Princeton University Press, 1997). For a critique of her findings see Douglas Porch, "Military "Culture" and the Fall of France in 1940: A Review Essay," *International Security,* Vol. 24(4), No. 4 (2000): 157-80. Posen, examining the same period, arrives at radically different conclusions, arguing that the picture of the British and French militaries being dominated by an irrational 'culture' is erroneous and that their decisions with regard to armaments and tactics were the most rational response to the political decision by their respective civilian parliaments not to invest sufficiently in defence. See Barry R. Posen, *The Sources of Military Doctrine: France, Britain, and Germany Between the World Wars* (Ithaca: Cornell University Press, 1984).

[28]   Weber, *Wirtschaft und Gesellschaft*, p. 1047 ff.

[29]   Sanford J. Grossman and Oliver D. Hart, "An Analysis of the Principal-Agent Problem," *Econometrica,* Vol. 51, No. 1 (1983): 7-46.

[30]   Peter D. Feaver, "The Civil-Military Problematique: Huntington, Janowitz, and the Question of Civilian Control," *Armed Forces & Society,* Vol. 23, No. 2 (1996), p. 150 [2].

[31]   Feaver, "The Civil-Military Problematique," p. 157 [4].

a. CONCEPTUALISING THE PROBLEM

This basic question of civil-military relations is intrinsic to any functional division of labour. It is thus not something that can be finally resolved but involves a permanent process of balancing competing values, as there is usually a trade-off between strengthening defence and ensuring civilian control. The task at hand is easy to formulate but difficult to implement: "How to reconcile a military strong enough to do anything the civilians ask them to with a military subordinate enough to do only what civilians authorize them to do."[32]

b. COERCION AND CONSENT

The basic problem involves in principle both internal and external security, i.e. the maintenance and control of any *coercive instrument*:

> "The state simultaneously struggles to defend itself against other states, to maintain its monopoly of violence against would-be domestic opponents, and to extract resources from its society for both purposes. In order to facilitate the achievement of these tasks, the state relies above all on powerful military bureaucracies and nationalistic mythmaking."[33]

Snyder points here to a second important aspect of civil-military relations: even if the coercive instruments created by the state for its protection remain under the control of the state, their maintenance can still have pernicious effects for society. Two related yet distinct problems are apparent: in the first instance, the coercive instruments intended for the defence of the realm and the maintenance of its internal order can be misused to suppress the freedom and well-being of the community.

The strict separation of army and police into distinct functional spheres is one of the most crucial institutional safeguards against this intrinsic danger. The former is directed at the outside where much higher rates of violence are acceptable, while the latter not only interacts a lot more closely with civilian society but is also a good deal more

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32   Feaver, "The Civil-Military Problematique," p. 149 [1].

33   Snyder, "Averting Anarchy in the New Europe," p. 110.

circumscribed in the application of force, thereby reducing the scope of potential abuse against the civilian population.[34]

The second problem concerns the need to mobilise resources for the maintenance of the state's coercive institutions. There is the obvious problem of allocating scarce resources, where the army and police will compete with other civilian needs.[35] The more insidious issue, however, is the propagation of nationalistic and chauvinistic myths as a powerful mobilising device, to increase both the willingness by civilian society to bear an inordinate defence burden and cohesion within the armed forces.

This problem is particularly pronounced when the security environment mandates very large mass armies.[36] Obviously, there is a dynamic relationship between nationalistic agitation by the state as a means of mobilising resources and boosting morale, and the resulting organisational culture within the military permeated by a peculiar chauvinistic climate which the military for its own bureaucratic interests might then in turn be tempted to propagate to society.[37]

Changing political and technological conditions have dramatically reduced the military need for mass armies, with a definite structural trend towards much smaller professional forces.[38] This translates into a reduced need for nationalist agitation as a mobilising resource, thereby much reducing the threat of conflict arising from nationalist and irredentist agitation.[39]

Nationalist agitation can, however, also serve the separate purpose of sustaining the prevailing system of government against domestic challenges. Primarily, the incumbent system will rely on the coercive institutions of the state to suppress potential challengers.

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[34]   Paramilitary police forces such as the French Gendarmerie, Spanish Guardia Civil, etc. result from higher perceived threats to the internal order, thereby carrying also a higher potential for the abuse of civil liberties. See also Geller and Toch, *Police Violence: Understanding and Controlling Police Abuse of Force*; Niels Uildriks and Hans van Mastrigt, *Policing Police Violence* (Aberdeen: Aberdeen University Press, 1991).

[35]   Erich Weede, "Rent Seeking, Military Participation, and Economic Performance in LDCs," *Journal of Conflict Resolution,* Vol. 30, No. 2 (1986): 291-314.

[36]   Barry R. Posen, "Nationalism, the Mass Army, and Military Power," *International Security,* Vol. 18, No. 2 (1993): 80-124.

[37]   Wilhelm Deist, *Flottenpolitik und Flottenpropaganda: Das Nachrichtenbureau des Reichsmarineamtes 1897-1914*, Vol. 17, Beiträge zur Militär- und Kriegsgeschichte (Stuttgart: Deutsche Verlagsanstalt, 1976).

[38]   Karl W. Haltinger, "The Definite End of the Mass Army in Western Europe?," *Armed Forces & Society,* Vol. 25, No. 1 (1998): 7-37; Catherine M. Kelleher, "Mass Armies in the 1970s: The Debate in Western Europe," *Armed Forces and Society,* Vol. 5, No. 1 (1978): 3-30.

[39]   Stephen Van Evera, "Hypotheses on Nationalism and War," *International Security,* Vol. 18, No. 4 (1994): 5-39; Van Evera, "Primed for Peace."

But additionally, it will strive to *create consent*, i.e. instil in the population the belief that the prevailing order is natural and in everybody's best interest. Important in this respect is Gramsci's concept of cultural or intellectual *hegemony* as a vital complement to material coercive power. Any system of power is in the first instance based on the ability to exercise coercive power. But it is ultimately much more effective to exercise power through the *consent* of the ruled. It can be achieved through cultural hegemony that effectively precludes the very conceptualising of alternative power structures, thereby producing legitimacy and deference:[40]

> "To the extent that this prevailing consciousness is internalised by the population it becomes part of what is generally called 'common sense' so that the philosophy, culture and morality of the ruling elite comes to appear as the natural order of things."[41]

The dual dynamic of *coercion* and *consent* implicit in all power relations is reflected in Gramsci's division between *political society* which represents the coercive institutions such as army, police, judiciary, bureaucracy, etc. and *civil society* which comprises non-coercive public institutions such as churches, schools, trade unions, political parties, cultural associations, etc. In this rather subtle theory of power the task of civil society is to *further the dominant normative vision* that supports the status quo distribution of material power.[42]

c. INSTITUTIONAL SOCIALISATION

The army serves a dual purpose in this arrangement. One the one hand it is obviously a coercive institution that directly acts to protect the state against external and, possibly, internal enemies. On the other hand, the modern conscript army is in some respects *the* quintessential mass organisation that acts as an influential socialising environment for successive generations of the (male) population. This aspect of the army as the "school of the nation" can serve as a powerful amplifier and multiplier of state-supporting ideology.[43]

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[40]   For a discussion see chapter 3 "Hegemony in the World Political Economy", Keohane, *After Hegemony*, pp. 31-46.

[41]   Barry Burke, "Antonio Gramsci and Informal Education", *The Encyclopaedia of Informal Education,* 2004, http://www.infed.org/thinkers/et-gram.htm, accessed on: 20 September 2006.

[42]   Antonio Gramsci, *Selections from the Prison Notebooks* (London: Lawrence and Wishart, 1971), p. 352.

[43]   Ronald R Krebs, "A School for the Nation? How Military Service Does Not Build Nations, and How It Might," *International Security,* Vol. 28, No. 4 (2004): 85-124; Michael Walzer, *Obligations: Essays on Disobedience, War, and Citizenship* (Cambridge: Harvard University Press, 1970); Ghita Ionescu and Ernest Gellner, *Populism - Its Meaning and National Characteristics* (New York: Macmillan for London School of Economics and Political Science, 1969).

The kind of ideology propagated by the state can vary according to the type of regime in power, without necessary being nationalistic. Revolutionary states, for instance, have often used universalistic ideology as a mobilising tool in the pursuit of an expansionist foreign policy.[44] But the importance of the army as both a material basis for the consolidation of the modern nation-state, as well as a powerful socialising tool cannot be underestimated.[45]

Any organisation will have an impact on the normative and cognitive outlook of its members.[46] In time it will produce some form of organisational culture peculiar to its members and thus by definition distinct from non-members. The strength and distinctiveness of a given organisational culture, however, will show large variations in line with its functional mandate, its organisational and membership structure, and, most importantly, its degree of *institutionalisation*. They are characterised by their degree of stability, the importance attached to them by actors and thus their ability to bring about a particular type of behaviour.

> "Institutions are stable, valued, recurring patterns of behaviour. Organisations and procedures vary in their degree of institutionalisation. Harvard University and the newly opened suburban high school are both organisations, but Harvard is much more of an institution than the high school."[47]

Militaries are almost by definition strong institutions: tight-knit, hierarchical, strongly disciplined, possessing carefully maintained traditions and keenly enforced formal and informal norms of behaviour. They are thus very likely to instil in their members peculiar traits and socialise them into their own value system. The degree to which the army is able to exercise such a socialising role, and, more importantly, the type of normative value system it chooses to impact are key questions in the study of civil-military relations. Phrased differently, "[u]nder what conditions can a military organisation maintain an ethos and character quite independent of that of the society from which it springs?"[48] A subsequent question arises immediately: what are the conditions under which the military can then actually *impose* its own ethos and character onto wider civilian society?

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[44]   Walt, "Revolution and War."

[45]   Tilly, *The Formation of Nation States in Western Europe*; Eugen Weber, *Peasants into Frenchmen, 1870-1914* (Stanford: Stanford University Press, 1976).

[46]   See above p. 20.

[47]   Huntington, *Political Order in Changing Societies*, p. 12.

[48]   Cohen, *Citizens and Soldiers*, p. 22.

3. THE PROBLEM OF MILITARISM

At the heart of militarism lies the simple principal agent problem of ensuring that the military does society's bidding. There are a number of ways the military can act against the common interest,[49] ranging from staging a coup d'état, wasting scarce resources, engaging in external aggression, to political insubordination and internal repression. These actions ultimately stem from a pathological understanding of the proper role of the military in the social enterprise, i.e. an over-emphasis of martial virtues and interests over competing civilian values. Militaries purvey *five principal myths* which support this over-emphasis:[50]

First, exaggerating the power of the offensive, thereby creating the illusion that a resort to arms will be relatively easy and successful. Such illusions bolster arguments for larger forces needed for defence in order not be outgunned in a surprise attack, and support the offensive military doctrines that militaries strongly prefer.[51]

Second, exaggerating the hostility of other states, thereby bolstering the case for large budgets but also leading to pre-emptive or preventive war. If it is widely believed that competing states are hostile, a general acceptance that war is inevitable will result.[52] This undermines efforts for the peaceful settlement of disputes as postponing an inevitable conflict would only lead to more pain later on, particularly when the perception is prevalent that one's own position is declining vis-à-vis the opponent.[53]

Third, exaggerating the tendency of other states to give in to threats, i.e. to 'bandwagon' with the threatening state rather than balancing against it by increasing its own defences and/or allying with others. The German navy's 'risk theory' prior to World War I aimed

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[49]   Discussed at length below, p. 78 ff.

[50]   Discussed in Van Evera, "Primed for Peace," pp. 19-20.

[51]   Why this is so is explained in Posen, *The Sources of Military Doctrine: France, Britain, and Germany Between the World Wars*; Jack L. Snyder, "Civil-Military Relations and the Cult of the Offensive, 1914 and 1984," *International Security,* Vol. 9, No. 1 (1984): 108-46; Stephen Van Evera, "The Cult of the Offensive and the Origins of the First World War," *International Security,* Vol. 9, No. 1 (1984): 58-107; Stephen Van Evera, "Offense, Defense, and the Causes of War," *International Security,* Vol. 22, No. 4 (1998): 5-43.

[52]   Michael E. Nolan, *The Inverted Mirror: Mythologizing The Enemy In France And Germany 1898-1914* (New York: Berghahn Books, 2004).

[53]   Jack S. Levy, "Declining Power and the Preventive Motivation for War," *World Politics,* Vol. 40, No. 1 (1987): 82-107; Betty Glad and Chris J. Dolan (eds), *Striking First: The Preventive War Doctrine and the Reshaping of US Foreign Policy* (New York: Palgrave Macmillan, 2004); Bruce W Jentleson, *Opportunities Missed, Opportunities Seized: Preventive Diplomacy in the Post-cold War World*, Carnegie Commission on Preventing Deadly Conflict Series (Lanham, Md, Oxford: Rowman & Littlefield, 2000).

at cowing Britain into neutrality[54] is a prime example of such misguided optimism. A related problem is the persistent underestimation of the enemy due to a feeling of superiority.[55]

Forth, overstating the strategic and economic value of empire,[56] in part based on the belief that conquest is easy and the cumulativeness of strategic assets.[57] Whatever the historic economic rationale of empire, it has been convincingly argued that modern knowledge-based post-industrial modes of production increasingly rely on a degree of freedom and openness likely to be damaged by conquest, thereby destroying the very object that was coveted.[58]

Fifth, understating the costs of warfare,[59] sometimes even portraying it as beneficial as a tool for nation-building and source of social cohesion.[60] This obviously raises the prestige of the instrument the military are wielding.

These self-serving myths are cultivated within the military establishment and can be actively propagated by the military throughout society. They are the result of, and in turn contribute to, a misperception of the objective needs of society to protect itself. There is an intrinsic and inevitable tension between the need of any society to protect itself and

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[54]   Paul M. Kennedy, *Strategy and Diplomacy 1870-1945: Eight Studies* (London: Fontana, 1984), pp. 127-162, especially 133, 135, 139.

[55]   Martin L. Van Creveld, *The Sword and the Olive: A Critical History of the Israeli Defense Force*, 1st (New York: Public Affairs, 1998); Herbert C. Kelman, "Israelis and Palestinians: Psychological Prerequisites for Mutual Acceptance," *International Security,* Vol. 3, No. 1 (1978): 162-86.

[56]   Jack L. Snyder, *Myths of Empire - Domestic Politics and International Ambition*, Cornell Studies in Security Affairs (Ithaca, N.Y.: Cornell University Press, 1991); Van Evera, "Primed for Peace," pp. 15-16.

[57]   During World War II, the German army was able to extract a net benefit from the industrial production of the territories it conquered. See Peter Liberman, "The Spoils of Conquest," *International Security,* Vol. 18, No. 2 (1993): 125-53; Telford Taylor, *The March of Conquest: The German Victories in Western Europe, 1940* (Baltimore, Md.: Nautical & Aviation Pub. Co. of America, 1991).

[58]   Stephen G. Brooks, "The Globalization of Production and the Changing Benefits of Conquest," *International Organization,* Vol. 43, No. 5 (1999): 646-70. The situation in Central and Eastern Europe is a case in point: while in the aftermath of World War II the Soviet Union was able to derive significant economic benefit from its control of these territories, over and above their strategic value as a defensive glacier, by the 1970s they had become a significant and growing economic liability. These economic costs in addition to the significant political costs in terms of integration of the Soviet Union into the world economy were among the chief reasons which prompted the momentous changes introduced by Gorbatchev's reforms in the 1980s. See inter alia Valerie Bunce, "The Empire Strikes Back: The Evolution of the Eastern Bloc from a Soviet Asset to a Soviet Liability," *International Organization,* Vol. 39, No. 1 (1985): 1-46.

[59]   The literature on "false optimism" is extensive, see inter alia Geoffrey Blainey, *The Causes of War*, 3rd ed. (New York: Free Press, 1988), pp. 35-56; Van Evera, *Causes of War: Power and the Roots of Conflict*, pp. 4-6, 14-34, 47-50, 121, 139-146, 221-223, 244, 252-259,.

[60]   Uri Ben-Eliezer, *The Making of Israeli Militarism* (Bloomington: Indiana University Press, 1998); Amos Perlmutter, *Military and Politics in Israel; Nation-building and Role Expansion* (New York: Praeger, 1969); Maurice M Roumani, *From Immigrant to Citizen: The Contribution of the Army to National Integration in Israel: The Case of Oriental Jews* (The Hague: Foundation for the Study of Plural Societies, 1979).

the need to keep the military establishment from harming society under the guise of protecting it.[61] The failure to balance conflicting goals can be conceptualised in three broad ways:[62] (a) the military state, i.e. an imbalance in the allocation of resources between productive purposes or protection; (b) militarism, i.e. the excessive pursuit of security and/or an aggressive foreign policy; and (c) the militarization of society, i.e. the narrow dominance of martial virtues and traits in the political character and social customs of a nation or its political classes.

a. MILITARY AND INDUSTRIAL NATIONS

Implicit in Hobbes' conceptualisation of societal order,[63] and expressed explicitly in Rousseau's theory of the social contract,[64] is the notion that society is formed for a purpose, primarily for the purpose of protection and the enjoyment by the individual of the social and economic benefits of community. The relative weight given to these two spheres of activity varies considerably, allowing us to distinguish between industrial and military states. "Industrial" is used here in it's basic sense of being productive, as the distinction applies both to indigenous, developing and industrialised societies:

> "[safe very isolated ones] all societies, simple and compound, are occasionally or habitually in antagonism with other societies; and … tend to evolve structures for carrying out offensive and defensive actions. At the same time sustentation is necessary; and there is always an organization slight or decided, for achieving it. But while the two systems in social organisms, as in the individual organisms, co-exist in all but the rudimentary forms, they vary immensely in the ratios they bear to one another. In some cases the structures carrying on external actions are largely developed; the sustaining system exists solely for their benefit; and the activities are militant. In other cases there is predominance of the structures carrying on sustentation; offensive and defensive structures are maintained only to protect them; and the activities are industrial."[65]

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[61]   See above p. 58 ff.

[62]   The labels used to describe the three categories are somewhat arbitrary and necessarily overlap, nevertheless the underlying distinction is deemed analytically useful.

[63]   See fn. 1 supra.

[64]   Jean-Jacques Rousseau, *The Social Contract,* trans. Maurice William Cranston, Vol. L201, Penguin Classics (Harmondsworth: Penguin, 1968); Christopher Bertram, *Routledge Philosophy Guidebook to Rousseau and the Social Contract* (London: Routledge, 2004).

[65]   Herbert Spencer, *The Principles of Sociology* (London: William and Norgate, 1893), pp. I, 556-57.

It goes without saying that social organisation[66] and industrial capability[67] are crucial determinants of military power. With the advent of mass armies and rapidly evolving military technology, states were forced to mobilise their economies to an unprecedented level in the pursuit of defence. The danger inherent in the modern concept of total war[68] gives the basic analytical distinction described here added saliency.

The distinction between military and industrial nations applies likewise to the source of political cohesion within a given polity: whereas in the former cohesion and solidarity stem primarily from military discipline and coercion, it is based in the latter upon "consent arising from benefits conferred or anticipated."[69] This basic distinction is often confused with the dichotomy between autocratic and democratic nations, but the first distinction between coercion or benefits concerns *sanctions*, i.e. how decisions are *implemented* while the second concerns the *sources* of policy, i.e. how decisions are arrived at, either democratically or autocratically.[70] In practice, however, the distinctions tends to be blurred. Legitimacy induces voluntary compliance and thus reduces the need for coercion to enforce policy.[71]

b. MILITARISM: PROPENSITY TO RESORT TO FORCE

Wright starts in his description of "the general characteristics of primitive war" (that is, war among indigenous peoples) from the observation that most peoples can "be rather definitely divided into the warlike and the unwarlike."[72] While superficially similar to the above mentioned classification into military and industrial states, the peacefulness of a

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[66]   Andreski, *Military Organization and Society*.

[67]   Hobsbawm, *From 1750 to the Present Day: Industry and Empire*; Zakaria, *From Wealth to Power*.

[68]   Berghahn, *Europe in the Era of Two World Wars: From Militarism and Genocide to Civil Society, 1900-1950*; Martin Kitchen, Volker Rolf Berghahn, and F. L. Carsten (eds), *Germany in the Age of Total War* (London: Croom Helm, 1981).

[69]   Wright, *A Study of War*, p. 262; citing the works of Henry Thomas Buckle, *History of Civilization in England* (London: Watts, 1930), pp. 190-95; Spencer, *The Principles of Sociology*, pp. I, 556-557, III, 568 ff. Since re-issued as Herbert Spencer and Stanislav Andreski, *Principles of Sociology*, Abridged ed (London: Macmillan, 1969).

[70]   Wright, *A Study of War*, p. 263.

[71]   Thomas M Franck, "The Power of Legitimacy and the Legitimacy of Power Law in Age of Power Disequilibrium," *The American Journal of International Law,* Vol. 100, No. 1 (2006): 88-106; Arye Carmon, "Constitution by Consent an Underpinning for Political Legitimacy," *Justice* 2004 (2004): 21-23; Pierangelo Schiera, "Legitimacy, Discipline, and Institutions: Three Necessary Conditions for the Birth of the Modern State," *The Journal of Modern History* 1995 (1995); Michael Saward, *Co-optive Politics and State Legitimacy* (Aldershot: Dartmouth, 1992); Ronald Cohen (ed), *State Formation and Political Legitimacy* (New Brunswick: Transaction Books, 1988).

[72]   Wright, *A Study of War*, p. 61. see also the relevant statistical data in his Appendices IX and X, 527-561

state is nevertheless a distinct, though closely related, analytical category.[73] The former relates to the *internal* arrangements made with respect to the relative weight given to the defence establishment, while the latter refers to the *external use* of force.

<div align="right">

aa. Structural Factors

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A country's geo-strategic location and in particular the vulnerabilities of its borders and the dependency on crucial imports are prime causal factors that determine its propensity to use armed force.[74] Given an unfavourable location within the international system, a given state might be tempted to take steps to boost its security and attempt to alter its geo-political environment. While the intention of such policies is ultimately to increase one's security, and thus defensive in *intent*, it is very difficult to distinguish the offensive *form* it takes from other more genuinely predatory policies.[75]

Other structural factors include the military technology in use. Assuming that a given military asset offers *primarily*[76] either a defensive or an offensive capability, the dominant technology can, *ceteris paribus,* have a powerful independent effect on the pursuit of an aggressive foreign policy.[77] Related structural reasons intimately tied with technology are first-move advantages,[78] power shifts that create windows of opportunity and vulnerability,[79] cumulative resources[80] and the ease of conquest.[81]

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[73]   See p. 68.

[74]   Wolfgang Streeck and Kozo Yamamura (eds), *The Origins of Nonliberal Capitalism: Germany and Japan in Comparison*, Cornell Studies in Political Economy (Ithaca: Cornell University Press, 2001).

[75]   Marlene J Mayo, *The Emergence of Imperial Japan: Self-defense or Calculated Aggression*, Problems in Asian Civilizations (Lexington, Mass: Heath, 1970).

[76]   Some critics maintain that the distinction is spurious and that all military assets can ultimately be deployed for offensive purposes. While it is certainly correct that one can use a shield to club an opponent to death, few would doubt that its *primary* purpose is to wield off a blow by a sword. The analogy holds for most weapons systems: while almost all confer both offensive and defensive capabilities, usually they are much better suited for either one. For details see Martin L. Van Creveld, *Technology and War: From 2000 BC to the Present* (New York: Free Press, 1989); Jonathan Shimshoni, "Technology, Military Advantage, and World War I: A Case for Military Entrepreneurship," *International Security,* Vol. 15, No. 3 (1990): 187-215.

[77]   Charles L. Glaser and Chaim Kaufmann, "What is the Offense-Defense Balance and Can We Measure it?," *International Security,* Vol. 22, No. 4 (1998): 44-82; Van Evera, "Offense, Defense, and the Causes of War."; Scott D. Sagan, "1914 Revisited: Allies, Offense, and Instability," *International Security,* Vol. 11, No. 2 (1986): 151-75.

[78]   Van Evera, *Causes of War: Power and the Roots of Conflict*, pp. 35-72.

[79]   Testing the theoretical merits of power shifts as causes of war is Van Evera, *Causes of War: Power and the Roots of Conflict*, pchapter 4. 73-104; for a historical discussion of preventive wars, see Alfred Vagts, "Defence and Diplomacy: The Soldier and the Conduct of Foreign Relations," (1956), pp. 263-350; for recent applications, see Glad and Dolan, *Striking First: The Preventive War Doctrine and the Reshaping of US Foreign Policy*; Demetrios Caraley, *American Hegemony: Preventive War, Iraq, and Imposing Democracy* (New York: Academy of Political Science, 2004); for critical assessments see Richard Ned Lebow, "Windows of Opportunity: Do States Jump Through Them?," *International Security,* Vol. 9 (1984): 147-86.

The impact of nuclear weapons on state policy remains controversial. Proponents of rational-actor models, particularly within the realist school, stress the "absolute" nature[82] of nuclear weapons which make them powerful deterrents but basically useless for the pursuit of any political or military goal short of dissuading an all-out attack. Critics however, have pointed to empirical evidence that calls into question whether statesmen have uniformly accepted the *sui generis* character of nuclear weapons. Schelling and Halperin are certainly correct in stating that the key variable is the *vulnerability* of strategic weapons which powerfully affects the perceptions underlying pre-emptive, pre-meditated, and accidental war. Ensuring their *survivability* after an initial attack takes away the rationale for a first strike through the credible threat of unacceptable retaliation.[83]

The impact of nuclear weapons probably can be best described as "Janus-faced,"[84] able to act as a powerful stabilising force under the right conditions (basically secure second-strike capabilities of rational, deterrable actors),[85] but highly de-stabilising under less auspicious conditions due to their enormous destructive power.[86] That states are in fact concerned about this latter de-stabilising aspect of nuclear weapons is reflected in the very high importance attached to non-proliferation issues.[87] The continued and

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[80]   Van Evera, *Causes of War: Power and the Roots of Conflict*, pp. 105-16.

[81]   Liberman, "The Spoils of Conquest."; Brooks, "The Globalization of Production and the Changing Benefits of Conquest."

[82]   Bernard Brodie, *The Absolute Weapon: Atomic Power and World Order* (New York: Harcourt Brace, 1946); T. V Paul, Richard J Harknett, and James J Wirtz, *The Absolute Weapon Revisited: Nuclear Arms and the Emerging International Order* (Ann Arbor: University of Michigan Press, 1998).

[83]   Thomas C. Schelling and Morton H. Halperin, "Pre-emptive, Premeditated, and Accidental War," in: *Theory & Research on the Causes of War*, ed. by Dean G. Pruitt and Richard C. Snyder (Englewood Cliffs, NJ: Prentice Hall, 1969): 43-48.

[84]   Van Evera, *Causes of War: Power and the Roots of Conflict*, p. 253.

[85]   Commonly referred to as Mutually Assured Destruction (MAD). The theoretical basis of stable nuclear parity was gradually developed in the 1950 and early 1960s and led to the new field of security studies. The term "assured destruction" was coined by Robert McNamara, to which Donald Brennan of the Hudson Institute added the word "mutual," see McGeorge Bundy, *Danger and Survival: Choices about the Bomb in the First Fifty Years* (New York: Random House, 1988), p. 552. For a discussion of early theoretical work on MAD see Ebrahim Afsah, "Creed, Cabal, or Conspiracy - The Origins of the current Neo-Conservative Revolution in US Strategic Thinking," *German Law Journal*, Vol. 4, No. 9 (2003), p. 907 ff; for the development of American nuclear strategy see David M. Lawson and Douglas B. Kunsman, *A Primer on U.S. Strategic Nuclear Policy*, unpublished manuscript, Sandia National Laboratories, Albuquerque, NM (2001). ; for a scathing critique of the Strangelovian logic of nuclear planners that predates the acronym but uses it in its somewhat obvious adjective sense, see Lewis Mumford, "Gentlemen: You Are Mad!," in: *Arms and Foreign Policy in the Nuclear Age*, ed. by Milton L Racove (New York: Oxford University Press, 1972), p. 391.

[86]   For an insightful discussion of different scenarios under which nuclear weapons can cause war, see Van Evera, *Causes of War: Power and the Roots of Conflict*, pp. chapter 8, 240-58; for a critical discussion of their political effect, see Robert Jervis, "The Political Effects of Nuclear Weapons: A Comment," *International Security*, Vol. 13, No. 2 (1988): 80-90; Albert Carnesale, *et al, Living with Nuclear Weapons* (Toronto: Bantam Books, 1983).

[87]   Sarah J Diehl and James Clay Moltz, *Nuclear Weapons and Nonproliferation: A Reference Handbook*, Contemporary World Issues (Santa Barbara, Calif: ABC-CLIO, 2002); Scott D. Sagan, "The Perils of Proliferation: Organization Theory, Deterrence Theory, and the Spread of Nuclear Weapons," *International Security*, Vol. 18, No. 4 (1994): 66-107; David J. Karl, "Proliferation Pessimism and Emerging Nuclear Powers," *International Security*, Vol. 21, No. 3 (1996): 87-

accelerating development of tactical nuclear weapons further calls into question whether alleged normative prohibitions of use still hold.[88]

bb. Psychological Factors

Apart from the above non-exhaustive listing of material factors, there are a number of psychological factors affecting the war-proneness of a given polity. Vagts distinguishes between "the peaceful way" and the "military way" in different societies and stresses that the latter is by no means limited to members of the armed forces but corresponds to a mental state which can be present among both civilians and soldiers.[89] Such a militaristic mindset consists of more than the readiness to defend one's interest if necessary with military force but elevates the test of arms to an exalted moral virtue, not as an effective means for the pursuit of material interests.[90] A general point of caution is due with regard to assigning purportedly common traits to members of a given group, ethnic or otherwise, based on the observed behaviour of a small sample. With regard to civil wars fought in divided societies, Mueller argues that:

> "in fact, 'ethnic war' is substantially a condition in which a mass of essentially mild, ordinary people can unwillingly and in considerable bewilderment come under the vicious and arbitrary control of small groups of armed thugs."[91]

The prevalence of popular and academic accounts which ascribe to a particular nation or ethnic group disproportionate blame for the outbreak and/or the vicious conduct of hostilities can partly be ascribed to simple propaganda, but it also answers a deep emotional need to assign responsibility: "The idea that one nation must have caused a war intrinsically satisfies us. It is difficult to examine the outbreak of any war without searching for the warmaker."[92]

119; Peter D. Feaver, Scott D. Sagan, and David J. Karl, "Correspondence: Proliferation Pessimism and Emerging Nuclear Powers," *International Security,* Vol. 22, No. 2 (1997): 185-207.

[88] Price and Tannenwald, "Norms and Deterrence: The Nuclear Weapons Taboo."

[89] Alfred Vagts, *A History of Militarism: Civilian and Military* (New York: Free Press, 1959).

[90] We are thus not entering here in a discussion of the various motivations for war that follow a rational actor logic (for instance the pursuit of the economic benefits of conquest, etc.), but limit ourselves to those based the pathological preference for war for its own sake.

[91] John Mueller, "The Banality of "Ethnic War"," *International Security,* Vol. 25, No. 1 (2000), p. 42.

[92] Blainey, *The Causes of War*, p. 157.

What Blainey says about nations applies as well to ethnic conflict where explanatory propositions often centre on hard to measure and presumably immutable psychological traits rather than an objective assessment of factors such as the security dilemma after the breakdown of public order,[93] monetary incentives for particular (often criminal) groups benefiting from the war economy,[94] or the mobilisation potential of ethnic appeals as a power resource in conflicts arising from different reasons:[95] "when one examines more closely those wars in which the outbreak is clearly assigned to one nation, the clarity often vanishes. If the question is asked — why did they, rather than their enemy, fire the first shot — extenuating circumstances multiply."[96]

Certain psychological factors are nevertheless significant. One important element is the difficulty of properly assessing the relative strength of opposing armies.[97] Before the advent of nuclear weapons,[98] the only way to ascertain relative strength was by actually going to war. Other factors include but are not limited to *false optimism* about the outcome of a recourse to arms,[99] *misperception* of the intentions of the adversary,[100] national and

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[93]   See the valuable contribution Posen made in explaining ethnic conflict without recourse to culture and solely within the realist framework, Barry R Posen, "The Security Dilemma and Ethnic Conflict," *Survival,* Vol. 35, No. 1 Spring (1993): 27-47; see also Rui J. P. Jr. de Figueiredo and Barry R. Weingast, "The Rationality of Fear: Political Opportunism and Ethnic Conflict," in: *Civil War and the Security Dilemma*, ed. by Jack Snyder and Robert Jervis (New York: Columbia University Institute of War and Peace Studies, 1997); Russel Hardin, *One for All: The Logic of Group Conflict* (Princeton, NJ: Princeton University Press, 1995); Erik Melander, "Anarchy Within: The Security Dilemma between Ethnic Groups in Emerging Anarchy," *Report No 52* (1999); Barbara F Walter and Jack L Snyder, *Civil Wars, Insecurity, and Intervention* (New York, Chichester: Columbia University Press, 1999).

[94]   Goodhand, "From War Economy to Peace Economy? Reconstruction and State Building in Afghanistan."; Jack Hirshleifer, *The Dark Side of the Force: Economic Foundations of Conflict Theory* (New York: Cambridge University Press, 2001); Barnett R. Rubin, "The Political Economy of War and Peace in Afghanistan," *World Development,* Vol. 28, No. 10 (2000): 1789.

[95]   Conrad Schetter, "Ethnizität als Ressource der Kriegsführung," in: *Afghanistan in Geschichte und Gegenwart*, ed. by Conrad Schetter and Almut Wieland-Karimi (Frankfurt am Main: Schriftenreihe der Mediothek für Afghanistan, 1999): 91; Conrad Schetter, *Ethnizität und ethnische Konflikte in Afghanistan* (Berlin: 2003); Anthony D. Smith, *The Ethnic Origins of Nations* (Oxford: Basil Blackwell, 1986); Hardin, *One for All: The Logic of Group Conflict.*

[96]   Blainey, *The Causes of War*, p. 157.

[97]   Blainey, *The Causes of War*, p. 182.

[98]   The destructive power of nuclear weapons was clearly established, leaving little room for ambiguity or false optimism about the likely course of a test of arms. Differences in relative strength didn't matter all that much now, because any resort to nuclear weapons was very likely to inflict unacceptable damage on both sides. Carnesale calls this the "crystal ball effect" of nuclear weapons, allowing leaders to look clearly into the (bleak) future, the simultaneous "reconnaissance revolution" which dispelled any doubts about the other's (nuclear) capabilities removed false optimism, which Blainey maintains is a major cause of war. See Gaddis, "The Long Peace," p. 25; Carnesale*, et al, Living with Nuclear Weapons*, p. 44; Blainey, *The Causes of War*, pp. 53, 118.

[99]   Blainey, *The Causes of War*, pp. 35-56; Van Evera, *Causes of War: Power and the Roots of Conflict*, pp. 14-34.

[100]   The standard work is Robert Jervis, *Perception and Misperception in International Politics* (Princeton, N.J.: Princeton University Press, 1976).

individual *ambition*,[101] the overcompensating of national or individual *inferiority complexes*,[102] *bounded rationality* born out of the isolation of decision-makers,[103] etc.

cc. Institutional

Delusional, militaristic or anti-modernist ideas do not simply take hold of a society like viruses infect an organism.

The medical analogy is implicit in the way many post-conflict situations are characterised by the incarceration and punishment of a small number of individuals as a way of overcoming the past — isolating the contagious pathogens to overcome the delusional disease, as it were. While ascribing individual responsibility certainly can have a cathartic effect on traumatised societies,[104] the exclusive emphasis on a few individuals conveniently absolves the majority from the need to account for the receptiveness their society has shown to such ideas.[105]

It is the continuity of ideas, institutions and elites throughout the apparent sharp historical breaks of German history which is the central theme of Fischer's seminal work on the First World War.[106] According to Jäckel, Nazi ideology was centred on the twin pillars of extermination of Jewry and the military conquest of the East for the purpose of

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[101] Bruce Bueno de Mesquita and James Lee Ray, "The 'National Interest' versus Individual Political Ambition: Democracy, Autocracy, and the Reciprocation of Force and Violence in Militarized Interstate Disputes," in: *The Scourge of War: New Extensions on an Old Problem*, ed. by Paul Diehl (Ann Arbor, Mich.: University of Michigan Press, 2004): 94-119.

[102] Wright, *A Study of War*, pp. 274-75.

[103] "We have described how a man, as he moves into posts of ever-increasing importance in business or government becomes increasingly isolated and lonely; he is surrounded by an aura of his on importance, sagacity and omnipotence which is reflected by those about him. Paradoxically enough, as his decisions increasingly affect a greater number of people, he becomes more isolated from them, and as he becomes increasingly well-known, he grows lonelier." The psychologist Dr. Lester Greenspoon in Roger Fisher (ed), *International Conflict and Behavioural Science: The Craigville Papers* (New York: 1964), p. 244.

See also Simon, *Models of Bounded Rationality*.

[104] M. Cherif Bassiouni, "Post-conflict Justice in Iraq: An Appraisal of the Iraq Special Tribunal," *Cornell International Law Journal,* Vol. 38, No. 2005 (2005); Binaifer Nowrojee, "Making the Invisible War Crime Visible: Post-conflict Justice for Sierra Leone's Rape Victims," *Harvard Human Rights Journal,* Vol. 18, No. 2005 (2005); Sharon Wiharta, "Post-conflict Justice: Developments in International Courts," *Sipri Yearbook* (2004): 191-206; Michelle Sieff and Leslie Vinjamuri Wright, "Reconciling Order and Justice: New Institutional Solutions in Post-conflict States," *Journal of International Affairs,* Vol. 52, No. 2 (1999): 757 - 782.

[105] Bartov has repeatedly stressed this self-exculpatory aspect of the demonisation of the Nazi past, whose characterisation as the absolute evil makes it psychologically easy to disassociate oneself from it. See Omer Bartov, *Murder in Our Midst: The Holocaust, Industrial Killing, and Representation* (New York: Oxford University Press, 1996); Omer Bartov, *Germany's War and the Holocaust: Disputed Histories* (Ithaca: Cornell University Press, 2003); Bartov, "Defining Enemies, Making Victims: Germans, Jews, and the Holocaust."; Bartov*, et al, Crimes of War: Guilt and Denial in the Twentieth Century*.

[106] Fischer, *War of Illusions: German Policies From 1911 to 1914*; Fischer, *Germany's Aims in the First World War.*

settling surplus German population.[107] Both of these, however, were not invented by national socialism but based on beliefs held by large parts of the population and actively propagated by many influential institutions *before* the Nazi ascendancy:

> "Doch mit der Judenfeindschaft und dem Krieg um „Lebensraum" erweist sich Hitler als nicht originell und als Kind einer breiten Strömung in der deutschen und österreichischen Gesellschaft vor dem Ersten Weltkrieg. … Es besteht eine Kontinuität von den Antisemiten des Kaiserreiches … bis zu Hitlers Denken und Handeln. … Die geopolitisch-strategische und ökonomische Zielsetzung („Nach Ostland wollen wir reiten!") ist Kontinuität des wilhelminisch-deutschen Expansionismus. … Jedenfalls kam Hitler nicht aus der Hölle oder vom Himmel und war kein „Betriebsunfall". Er gehört, gemessen an den Voraussetzungen, die sein Wirken und sein Auftreten ermöglichten, wie an seiner Gedankenwelt, tief in die deutsche Geschichte des 19. und 20. Jahrhunderts hinein."[108]

The fascist order was not an alien imposition; it found ready allies in the old institutional bastions which had propagated this mindset for decades and which thus made the wide-spread acceptance, or at least resignation into, militaristic expansion, authoritarian repression, and genocidal Social-Darwinism come so "natural" to the German people. Of the institutions Fischer mentions as crucial in Hitler's rise to power, namely the Prussian-German army, heavy industry, the landed gentry, the civil service, judiciary, and the churches,[109] the army was arguably the most influential one.

c. MILITARIZATION OF SOCIETY

So far we have discussed two manifestations of the problem of militarism, namely the undue privilege given to security tasks over competing welfare-oriented tasks and the normative predilection towards violent means of dispute settlement. The third general expression of an excessive dominance of military matters in a political community is the domination of civilian society by the habits, modes of thought, and normative outlook appropriate to military organisations. It consists in other words, in the mimicry by civilian society of behavioural patterns and social habits originating in the military. Ritter has defined the militarization of society as the elevation of an organisational functional principle to the general ordering principle of social and political life:

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[107]   Eberhard Jäckel, *Hitlers Weltanschauung: Entwurf einer Herrschaft* (Stuttgart: Deutsche Verlags-Anstalt, 1986); Eberhard Jäckel and Jürgen Rohwer, *Der Mord an den Juden im Zweiten Weltkrieg: Entschlussbildung und Verwirklichung* (Frankfurt am Main: Fischer-Taschenbuch-Verlag, 1987).

[108]   Fischer, *Hitler war kein Betriebsunfall: Aufsätze*, pp. 174, 177, 179, 181.

[109]   Fischer, *Hitler war kein Betriebsunfall: Aufsätze*, pp. 180, on the churches in particular, see 182-214.

"Was ist das Neue und Besondere an dieser Form „militaristischen" Denkens? Es ist die Übersteigerung eines militärischen Bedürfnisses, des Bedürfnisses nach klaren, eindeutigen Befehlsverhältnissen, zu einem politischen Prinzip."[110]

aa. Bureaucratic Needs, Education, and Social Engineering

In states experiencing internal ideological challenges, the officer and NCO corps acquires an additional, crucial role apart from their functional task as commanders. As *educators* they are to ensure that the rank and file will return to society as law- and regime-abiding citizens at the end of their service:[111]

"Dieses Potential eines »Standes«, noch nicht eines »Korps«, wollten Strategen für die politische Erziehung in der Frontstellung gegen den Liberalismus und später gegen die Sozialdemokratie nutzen. … In ihren Überlegungen erhielt der Längerdienende die besondere Aufgabe der Immunisierung des Soldaten gegen den Zeitgeist. Für diese Betrachtungsweise spielte die dreijährige Dienstzeit eine beträchtliche Rolle. Sie war als Gewöhnungszeit konzipiert. Schießen und marschieren lernt der Soldat rasch, aber für die ideologische Immunisierung brauchte die Armee Zeit. Das Potential der Kapitulanten und Unteroffiziere spielte also nicht nur kompositionell eine wichtige Rolle, sondern auch erziehungspolitisch."[112]

Given the growing importance of literacy and loyalty[113] for increasing both military strength and economic competitiveness,[114] states became heavily involved in the provision of primary education,[115] whose function became intertwined with the educational mandate given to the army.[116] The ethos of both institutions aimed at furthering regime stability and increasing power resources by fostering cohesion and morale through nationalism.[117] The idea of the army as a school for the nation, which in concert with other national

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[110]   Gerhard Ritter, *Staatskunst und Kriegshandwerk: Das Problem des "Militarismus" in Deutschland - Erster Band: Die altpreußische Tradition (1740-1890)*, 4 Vols, Vol. 1 (München: R. Oldenbourg, 1954), p. 206.

[111]   Archie Cecil Thomas White, *The Story of Army Education, 1643-1963* (London: Harrap, 1963); Michael D Stephens, *The Educating of Armies* (Basingstoke: Macmillan, 1989); Heinz Stübig, *Armee und Nation: Die pädagogisch-politischen Motive der preussischen Heeresreform 1807-1814* (Frankfurt am Main: P. Lang, 1971).

[112]   Manfred Messerschmidt and Militärgeschichtliches Forschungsamt (eds), *Militärgeschichtliche Aspekte der Entwicklung des deutschen Nationalstaates* (Düsseldorf: Droste, 1988), p. 19.

[113]   Morris Janowitz, "Civic Consciousness and Military Performance," in: *The Political Education of Soldiers*, ed. by S.D. Wesbrook and Morris Jannowitz (Beverly Hills, California: Sage Publications, 1983): 55-80.

[114]   Thomas G Sticht, *The Military Experience and Workplace Literacy: A Review and Synthesis for Policy and Practice*, unpublished manuscript, National Center on Adult Literacy, Philadelphia, PA (1995).

[115]   For a more comprehensive discussion of the development of primary education in Germany, see Hammerstein*, et al, Handbuch der deutschen Bildungsgeschichte*, in particular the contribution by Lutz R. Reuter on Education and the Armed Forces in vol. VI; Becker and Kluchert, *Die Bildung der Nation: Schule, Gesellschaft und Politik vom Kaiserreich zur Weimarer Republik.*

[116]   Ullrich, *Die nervöse Großmacht*, pp. 343-46.

[117]   Posen, "Nationalism, the Mass Army, and Military Power."; Van Evera, "Primed for Peace," pp. 23-25.

institutions such as primary education, railways, roads, etc. would be moulding disjointed localities into a nation[118] composed of a common identity and language continues to be a powerful idea.[119] These considerations were not limited to any particular country but existed in many industrialised countries throughout the 19th century[120] and continue to be propagated in many developing and divided countries.[121]

Thus, mass armies and conscription bring a large proportion of society into direct and, through family members, indirect contact with the functional requirements of military discipline, hierarchy, command and obedience.[122] Compounded by deliberate pedagogical efforts at social engineering to further such values beyond their strict functional scope as generally valid societal ordering principles, there is a risk that martial virtues come to dominate civilian society and become accepted as *values in their own right* beyond any *functional* requirement they originally might have served.[123]

bb. Behavioural Implications

Any class enjoying distinctive privileges, be it for functional, hereditary, or charismatic reasons is likely to be emulated in their social habits, normative outlook, and behavioural patterns by those aspiring to ascend in the social order. It is thus *prima facie* not surprising that in societies where military institutions are particularly prominent even social strata not immediately associated with the military might want to associate themselves with them, either by stressing their past membership for instance as conscripts, or by adopting the habits associated with the military.

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[118]   Ernest Gellner, *Nations and Nationalism* (Ithaca, London: Cornell University Press, 1983); Ernest Gellner, *Culture, Identity, and Politics* (Cambridge: Cambridge University Press, 1987).

[119]   Weber, *Peasants into Frenchmen*; for a critique of the nationalist socialising role of the army, see Krebs, "A School for the Nation? How Military Service Does Not Build Nations, and How It Might."

[120]   See inter alia Tobias Werler, *Nation, Gemeinschaft, Bildung: Die Evolution des modernen skandinavischen Wohlfahrtstaates und das Schulsystem* (Baltmannsweiler: Schneider Verl. Hohengehren, 2004); Horst Gies and Bernd Mütter (eds), *Nation und Europa in der historisch-politischen Bildung*, Forum Historisches Lernen (Schwalbach/Ts: Wochenschau-Verlag, 1998).

[121]   Luis Augusto Ferreira Martins, *Educação do soldado, escola do cidadão* (Lisboa: 1952); Roumani, *From Immigrant to Citizen: The Contribution of the Army to National Integration in Israel: The Case of Oriental Jews*; Valentina Peguero, *The Militarization of Culture in the Dominican Republic, From the Captains General to General Trujillo*, Studies in War, Society, and the Military (Lincoln: University of Nebraska Press, 2004).

[122]   Roger Broad, *Conscription in Britain, 1939-1963: The Militarization of a Generation* (London: Routledge, 2005); Laura McEnaney, *Civil Defense Begins At Home: Militarization Meets Everyday Life in the Fifties*, Politics and Society in Twentieth-century America (Princeton, NJ, Oxford: Princeton University Press, 2000).

[123]   Otto Büsch and John G Gagliardo, *Military System and Social Life in Old Regime Prussia, 1713-1807: The Beginning of the Social Militarization of Prusso-german Society*, Studies in Central European Histories (Atlantic Highlands, N.J: Humanities Press, 1997).

But following Weber's account of *rational* authority, any 'organisational culture,' to use a modern term, that might be peculiar to the military is borne out and justified through the *functional requirements* of the military craft. Civilian society by definition does not have to answer similar operative demands of discipline, hierarchy, and obedience. Seen from this angle the emulation of military patterns by civilian society becomes at best a ridiculed expression of empty mannerisms devoid of practical importance.[124] At worst it contains the dangerous potential of seriously impinging on civil liberty, administrative effectiveness, and economic performance.[125]

cc. Political Implications

The preceding account assumes that the normative outlook, internal operating procedures, and behavioural patterns of a given organisation are, justified by its *functional* mandate. Huntington's influential approach to civil-military relations starts likewise by identifying two shaping forces, namely functional and societal imperatives. The former refer to the existence of an external threat and the functional requirements of meeting that threat with a military establishment capable of responding to it. Social imperatives, by contrast, refer to "the social forces, ideologies and institutions dominant within the society."[126] He is concerned with the way liberal societal imperatives can interfere with the creation and maintenance of an effective military establishment necessitated by a large and persistent external threat, leading to a dangerous *under*supply of security:

> "The tension between the demands of military security and the values of American liberalism can, in the long run, be relieved only by the weakening of the security threat or the weakening of liberalism."[127]

As the external threat was not likely to abate, the main impetus of his writing was to point out the dangers of liberalism as "the gravest domestic threat to American security."[128] In

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[124]   This is essentially the gist of many anecdotal or literary accounts of a ridiculed self-imposed militarisation, so common in Prussia and immortalised in Heinrich Mann, *The Loyal Subject,* trans. Helmut Peitsch (New York: Continuum, 1998). For further discussion see also Reinhard Alter, *Die bereinigte Moderne: Heinrich Manns "Untertan" und politische Publizistik in der Kontinuität der deutschen Geschichte zwischen Kaiserreich und Drittem Reich*, Vol. 49, Studien und Texte zur Sozialgeschichte der Literatur (Tübingen: M. Niemeyer, 1995); Norbert Schöll, *Vom Bürger zum Untertan: Zum Gesellschaftsbild im bürgerlichen Roman* (Düsseldorf: Bertelsmann Universitätsverlag, 1973).

[125]   R. D. McKinlay and A. S. Cohan, "A Comparative Analysis of the Political and Economic Performance of Military and Civilian Regimes: A Cross-National Aggregate Study," *Comparative Politics,* Vol. 8, No. 1 (1975): 1-30; Streeck and Yamamura, *The Origins of Nonliberal Capitalism: Germany and Japan in Comparison.*

[126]   Huntington, *The Soldier and the State*, pp. 79, 92.

[127]   Huntington, *The Soldier and the State*, p. 456.

many respects his assessment of the United States at the outset of the Cold War is the very *opposite* of the militarization of society with which we are concerned here.[129] His main concern is the unwillingness of civilian society to bear the necessary burden of a military establishment necessitated by an objective external threat and to give it the necessary professional autonomy to carry out its functional task without undue civilian meddling, requiring nothing short of a paradigmatic normative shift in society:

> "The requisite for military security is a shift in basic American values from liberalism to conservatism. Only an environment which is sympathetically conservative will permit American military leaders to combine the political power which society thrusts upon them with the military professionalism without which society cannot endure."[130]

Whatever the merits of his concept of 'professionalism,'[131] the impetus of his writing lies in the perceived reluctance of society to assume a necessary, externally imposed security burden. In contrast, the militarization of society refers to the opposite state of affairs where civilian values, habits, behavioural patterns have been replaced by their military equivalents. The wholesale adoption of military patterns by society at large is often justified by the existence of an external threat, real or imagined. It remains, however, questionable, whether even if the threat is real, the militarization of society and its political culture is an adequate and functionally appropriate response. Put differently, whether the military functional requirement of an unambiguous chain of command, the importance of adhering to careful tactical planning, hierarchy and obedience are appropriate yardsticks for social interaction and the general political process.

Clausewitz' dictum of war as the continuation of politics by other means illuminates the problem.[132] The statement carries at least three distinct levels of meaning. The most popular interpretation of his statement sees *war as an instrument of statecraft*. A deeper understanding would read it as an indication of the *necessary limitation of the means and ends of war* due to the fundamentally instrumental (and not existential) function of war. Closely

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[128]   Huntington, *The Soldier and the State*, p. 457.

[129]   It is, however, controversial whether his description is indeed an accurate one.

[130]   Huntington, *The Soldier and the State*, p. 464.

[131]   See below for a more thorough discussion, p. 341 ff.

[132]   Clausewitz, *Vom Kriege*, p. 674.

related is the third, more general observation that "politics pervades war and preparation for it; that … military institutions are [themselves] political institutions."[133]

This instrumental view of warfare puts it clearly *at the service* of civilian statecraft in the pursuit of wider normative, economic, or diplomatic objectives for whose attainment military force is used, preferably *as a last resort* and at any rate *as an instrument* which must not become an end in itself, possibly imperilling the ultimate *political* objective which comes both logically and normatively prior. According to this understanding, the use of force is but one tool, neither privileged nor taboo, in the arsenal of statecraft. Rejecting the possibility of pacifism as utopian, Ritter starts his magisterial *Sword and Sceptre* with the observation that:

> "Das Problem des Militarismus ist nach alledem nicht zu klären ohne deutliche Vorstellung davon, was denn nun eigentlich das gesunde Verhältnis von Staatskunst und Kriegshandwerk sei. … Indessen gehört es nun einmal zu einer gesunden Ordnung des öffentlichen Wesens, daß die Funktion des kriegerischen Elementes eine untergeordnete bleibt im Verhältnis zur allgemeinen Staatsleitung."[134]

It is difficult to define in the abstract what the proper balance between force and statecraft should be. Describing what the "healthy" balance might be is difficult to do in the abstract, but the problem becomes apparent if we look at General Ludendorff's virtual reversal of the Clausewitzian stipulation: "Politics has to serve the conduct of war."[135] Another general goes even further by arguing the "consubstantiality of politics and war" declaring that "[a]ny healthy politics is a continuation of war by other means in peacetime."[136]

Such a subordination of the political process under military considerations is problematic for a number of reasons, both normative and substantive. At the normative level the basic principal-agent problem is posed. The state, being set up to protect individuals in society, creates the army to protect it against external threats, but defending against external threats must be balanced against other goals pursued by state and society. Put differently, being secure is a necessary condition for statehood, but it is not a sufficient condition.

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[133]   Cohen, *Citizens and Soldiers*. p. 22.

[134]   Ritter, *Staatskunst und Kriegshandwerk - Erster Band (1740-1890)*, p. 14.

[135]   Erich Ludendorf, *Der totale Krieg* (München: Ludendorffs Verlag, 1935), p. 10.

[136]   Alfred Krauß, "Die Wesenseinheit von Politk und Krieg als Ausgangspunkt einer deutschen Strategie," *Deutschlands Erneuerung,* Vol. 5, No. 6 (1921), p. 324; , quoted in Ritter, *Staatskunst und Kriegshandwerk - Erster Band (1740-1890)*, pp. 331, fn. 2.

The army is, both normatively and practically, not in a very good position to decide what these other goals are that a society wants to pursue and how to prioritise among them.[137]

But even if we assume for the sake of argument that no conflict of interest or normative outlook exists between the army as an institution and the rest of civilian society, it remains highly questionable whether given its structural competence — in a sense its institutional comparative advantage — the army can make decisions that are substantively better than those taken by civilian institutions.[138]

This is compounded by the tendency of some militaries to see themselves as "servants of the state rather than the government in power"[139] and the attendant disrespect for the civilian decision-making process. The undue reverence for military norms, modes of thought, and behavioural patterns by civilian society is not only likely to exacerbate this latent tendency of insubordination, but will also negatively affect the civilian decision-making process by unduly stressing military considerations over other competing interests.

The problem of militarism, as discussed in its three broad aspects — the relative dominance of security over other state functions, belligerency, and the domination of society and politics by the military — is an inherent aspect of *any* polity. Political rhetoric notwithstanding, no society is immune against it, just as no society is 'genetically' predisposed to it. Understanding how German society moved from a "fortified to a militaristic nation"[140] requires the study of the structural, ideational, and institutional factors that drove this process, avoiding the pitfall of ascribing to a nebulous and immutable "national characteristic" all the explanatory work:

> "Not the least popular of these [writings about the 'German problem'] has been the theory that the Germans are by nature subservient to authority, militaristic, and aggressive, and that there is very little that any one can do about this except deprive them of the means of making themselves dangerous to their neighbours.

[137]   Terry M. Moe, "Political Control and the Power of the Agent," *Journal of Law, Economics & Organization,* Vol. 22, No. 1 (2006): 1-29; Thomas S. Sowers, "Beyond the Soldier and the State: Contemporary Operations and Variance in Principal-Agent Relationships," *Armed Forces & Society,* Vol. 31, No. 3 (2005): 385-409.

[138]   McKinlay and Cohan, "A Comparative Analysis of the Political and Economic Performance of Military and Civilian Regimes: A Cross-National Aggregate Study."; Weede, "Rent Seeking, Military Participation, and Economic Performance in LDCs."

[139]   S. E. Finer, *The Man on Horseback: The Role of the Military in Politics* (Boulder, Colo: Westview Pinter, 1988), pp. 24-27.

[140]   "Denn es gibt auch noch einen Unterschied zwischen wehrhafter und militarisierter Nation." Ritter, *Staatskunst und Kriegshandwerk - Erster Band (1740-1890)*, p. 24.

> To assign national characteristics to a people is at best a chancy business, and arguments based upon such attribution are apt to fall of their own weight. That authoritarian government, militarism, and aggression have characterized German political life and action in the modern period few would deny. The basic assumption of this book, however, is that these things are not inherent in the German character but are rather — as Franz Neumann has written — 'products of a structure which vitiated the attempts to create a viable democracy'."[141]

The remainder of this chapter will discuss the various measures that can be taken to limit the emergence and impact of militarism, followed in the next chapter by a more specific discussion of how the peculiar mixture of delayed nationhood, exposed geo-political location, rapid economic development with its attendant socio-economic dislocations colluded to produce in Germany an institutional and ideological set-up with an inordinate predisposition towards violence.

4. HOW TO GUARD THE GUARDIANS

The civil-military problem has been described as a dilemma precisely because it involves the careful balancing of contradictory interests and requires trading cherished values against each other. Furthermore, few other areas of political life are so imbued with symbolic meaning and existential importance as questions about the defence of the realm. As such it is not surprising that national and historical idiosyncrasies are strongly felt in this area. The weight of tradition and acquired meaning as loci of identity often prevents a dispassionate, deliberately *comparative* study of the issues at hand.[142] The study of military systems is further complicated by its fundamentally interdisciplinary character, with the three main disciplines concerned with its study — political science, history, and sociology — showing marked differences in perspective.

a. INTERDISCIPLINARY NATURE OF THE FIELD

The study of military systems which has been approached from three distinct angles with peculiar research interests. Military sociology was initially concerned with the way the composition and internal structure of military organisations affected group dynamics and

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141   Craig, *The Politics of the Prussian Army*, p. xiii, referring to Franz Neumann, "Germany and Western Union," *Proceedings of the Academy of Political Science,* Vol. xxiii (1949), p. 262.

142   Cohen, *Citizens and Soldiers*, p. 20.

thus fighting performance.[143] It has traditionally been strongly aimed at producing *prescriptive analysis* with a view of affecting training, composition, or operational tactics.[144] Political science has focussed on the interplay of military institutions with the other political organs of the state, looking how the composition and structure of the military affected distributional struggles over competing interests. It's aim has likewise been the production of prescriptive analysis with a particular emphasis on ensuring civilian control.[145] Military historians have mainly aimed at producing an *explanatory narrative* accounting for the shifting military fortunes of different nations. This search for a narrative account trying to explain what happened in a particular instance is distinct from the exploration of patterned generalisations that characterise the other two disciplines.[146]

aa. Political Scientists

Political science begins with the assumption of competing interests and studies how these are allocated between rival groups. It begins with detailed descriptions of case studies with the aim of developing typologies from which *patterned generalisations of cause and effect* are derived.[147] The discipline self-consciously aims at discovering and giving formal expression to regular *patterns* from the observation of past behaviour: "Theory explains regularities of behaviour and leads one to expect that outcomes produced by interacting units will fall within specified ranges."[148] Yet, the attempt to arrive at reliable theoretical formalisations of behaviour are all too often hampered by the "human perversities" of unpredictable agency stemming from free choice which make a "scientific" approach so

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[143]   Edward A. Shils and Morris Janowitz, "Cohesion and Disintegration in the Wehrmacht in World War II," *Public Opinion Quarterly,* Vol. 12 (1948): 280-315; Morris Janowitz, "The Comparative Analysis of Middle Eastern Military Institutions," in: *On Military Intervention*, ed. by J.A.A. van Doorn and Morris Jannowitz (Rotterdam: 1971).

[144]   Morris Janowitz and Roger William Little, *Sociology and the Military Establishment*, Rev. ed (New York: Russell Sage Foundation, 1965); Janowitz, "Civic Consciousness and Military Performance."; Erhard Klöss*, et al, Unternehmen Bundeswehr: Zur Soziologie der Streitkräfte* (Frankfurt am Main: Fischer-Taschenbuch-Verlag, 1974).

[145]   Feaver, "The Civil-Military Problematique."; Feaver, "Civil-Military Relations."

[146]   John Lewis Gaddis, *The Landscape of History: How Historians Map the Past* (Oxford: Oxford University Press, 2002); Neustadt and May, *Thinking in Time*; Njølstad, "Learning from History? Case Studies and the Limits to Theory-Building."; Hans Delbrück, *History of the Art of War Within the Framework of Political History* (Lincoln: University of Nebraska Press, 1990).

[147]   Alexander L. George, "Case Studies and Theory Development: The Method of Structured, Focused Comparison," in: *Diplomacy: New Approaches to History, Theory, and Policy*, ed. by Paul Gordon Lauren (New York: Free Press, 1979).

[148]   Waltz, *Theory of International Politics*, p. 68.

difficult, leading to the charge that scientific approaches often confuse technique, i.e. an excessive confidence in methodology, with substance.[149]

Because of its traditional focus on institutions channelling and ordering political struggles, i.e. distributional conflicts over competing interest, political science has dominated the study of civil-military relations. Its challenge has been to answer how much control is enough and how the interplay of the institutions ensuring control can be improved. The discipline has been instrumental in developing typologies of various forms of civilian control, and most research on civil-military relations has taken place within the area studies literature concerned with placing various nations into the typologies thus defined.

The explicit aim and most useful contribution of the discipline has been to distinguish the reality of civil-military relations from the rhetoric of the political discourse and the ostensible constitutional arrangements. It sees defence and warfare not only as a *tool* of statecraft, but accepts that military institutions are themselves political institutions.[150] "Political" in this sense[151] refers to the struggle over competing interests and values; political science is thus concerned with the questions about who decides what, when, how, and to what effect.

bb. Historians

Historians, in contrast, are concerned with establishing a *narrative* account, trying to explain what happened in a particular instance, as opposed to patterned generalisations applicable across similar cases. They are therefore packaging patterns from the past to guide by analogy our expectations about the future: "visions of any future have to proceed from the awareness of some kind of past; otherwise there can be no conceptual frame of reference"[152]

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[149]   Gaddis, "Expanding the Data Base," p. 8.

[150]   Cohen, *Citizens and Soldiers*, pp. 227, 21-22; referring approvingly to Otto Hintze, "Military Organisation and State Organisation," in: *The Historical Essays of Otto Hintze*, ed. by Felix Gilbert (New York: Oxford University Press, 1975); and Hans Delbrück, *Geschichte der Kriegskunst im Rahmen der politischen Geschichte*, Neuausg. des Nachdr. von 1962-1966. (Berlin: de Gruyter, 2000).

[151]   Cohen, *Citizens and Soldiers*, p. 19.

[152]   Nordal Åkerman, *On the Doctrine of Limited War,* trans. Keith Bradfield (Lund: Berlingska Boktryckeriet, 1972), p. 6.

In many respects, history suffers from the opposite problem that afflicts political science. While the latter suffers from the ultimately futile aspiration of producing "a science of politics modelled after the methodological assumptions of the natural sciences,"[153] it has been charged that historians have in contrast been afflicted by an "irrelevant empiricism."[154]

cc. Sociologists

Military sociology is primarily concerned with the manner in which the composition and internal structure of the armed forces affect fighting performance and civilian control. It has addressed the central civil-military challenge of ensuring simultaneously protection by and from the military primarily from the angle of military "professionalism", i.e. the inculcation of the members of the armed forces with a "professional ethic" that answers "the question why do officers fight"[155], and, more importantly, why they chose to obey their civilian masters. For Huntington military professionalism is the centre-piece of his theory of civil-military relations based on a relatively simple *quid pro quo:* the recognition of an *autonomous* sphere of military activity free from civilian interference leads to the professionalisation of the officer corps which corresponds to political neutrality and *voluntary* subordination and thus to effective civilian control.[156]

His concept of professionalism is essentially sociological, for him "[t]he distinguishing characteristics of a profession as a special type of vocation are its expertise, responsibility, and corporateness."[157] This "putative link between professionalism and voluntary subordination" has with some justification been criticised as tautological, because it notion is "not so much a relationship of cause and effect as it is a definition: … A professional military obeys civilian authority. A military that does not obey is not professional."[158] Thus his notion of professionalism defines away the very political problem he sets out to solve. Jannowitz' concept of professionalism, while empirically

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[153]   David Easton, *A Framework for Political Analysis* (Chicago: University of Chicago Press, 1979), p. 8; Fischer calls this the "quantitative fallacy", namely the assumption that "facts are important in proportion to their susceptibility to quantification." Fischer, *Historians' Fallacies*, p. 90; see also Waltz, *Theory of International Politics*, p. 64; and Hoffmann, "The Long Road to Theory," pp. 427-29.

[154]   Gaddis, "International Relations Theory and the End of the Cold War," p. 7.

[155]   Morris Janowitz, *The Professional Soldier: A Social and Political Portrait* (Glencoe, Ill.: Free Press, 1964), pp. 439-40.

[156]   Huntington, *The Soldier and the State*, pp. 7-18.

[157]   Huntington, *The Soldier and the State*, p. 8.

[158]   Feaver, "The Civil-Military Problematique," p. 7.

more sound,[159] suffers from much the same shortcomings.[160] This circuitous reasoning remains analytically unsatisfying, as well as conflicting with much of the empirical evidence, particularly in Latin America where it was precisely the professionalisation of the military which raised its ability to dominate the state and the political process.[161]

Finer especially stresses that professionalism increases the military's ability to act decisively and therefore enables it to accomplish operationally challenging tasks — such as a coup d'état — more easily. Furthermore, the development of an esprit de corps as a result of Huntington's drive toward "corporateness"[162] contributes to the tendency among professional military officers to see themselves as "servants of the state rather than the government in power" thereby undermining civilian authority.[163] The interaction between society and the military, especially how the normative outlook of the former influence the structure of the latter and how service and indoctrination affect the disposition of the military towards civilian control are important fields of military sociology. The moral and political competence of the civilian to be the final arbiter of military decisions — even if lacking detailed technical expertise — constitutes the central civil-military problem.[164] It is for this reason that the relatively simple model of an autonomous professional sphere free from civilian interference remains unsatisfying.

b. INHERENT TENSION: PRINCIPAL-AGENT PROBLEM

This chapter opened with a description of the importance of *organised* collective action which permits efficiency gains through functional specialisation.[165] Inherent in any division of labour is some delegation of responsibility and authority which involves a

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[159] For an insightful critique of the empirical validity of Huntington's theory with regard to the Soviet and East German armies see Dale R Herspring, "Samuel Huntington and Communist Civil-Military Relations," *Armed Forces & Society,* Vol. 25, No. 4 (1999): 557-77.

[160] Feaver, "The Civil-Military Problematique," p. 11.

[161] Alain Rouquie, *The Military and the State in Latin America,* trans. Paul E. Sigmund (Berkeley: University of California Press, 1982), pp. 72-116; Alfred Stepan, *The Military in Politics: Changing Patterns in Brazil* (Princeton: Princeton University Press, 1971). See also David Pion-Berlin, *Civil-military Relations in Latin America: New Analytical Perspectives* (Chapel Hill: University of North Carolina Press, 2001); Michael R Gonzáles*, et al, The Role of the Armed Forces in the Americas: Civil-military Relations for the 21st Century* (Carlisle Barracks, Pa.: Strategic Studies Institute, U.S. Army War College, 1998); Paul W Zagorski, *Democracy vs. National Security: Civil-military Relations in Latin America* (Boulder, Colo: Lynne Rienner Publishers, 1992).

[162] Huntington, *The Soldier and the State*, p. 10.

[163] Finer, *The Man on Horseback: The Role of the Military in Politics*, pp. 24-27; Bengt Abrahamsson, *Military Professionalization and Political Power*, Sage Series on Armed Forces and Society (London: Sage, 1972), p. 17.

[164] Robert Dahl, *Controlling Nuclear Weapons* (Syracuse, N.Y.: Syracuse University Press, 1985).

[165] See above p. 50 ff.

certain loss of control by the principal, problematic if the interests of the principal and the agents are not perfectly aligned. The problem of civil-military relations is in the final instance about "increasing or decreasing the scope of delegation and monitoring the military's behaviour in the context of such delegation."[166] Both Huntington and Jannowitz argued that the ethic of subordination can be an important element of military professionalisation and thus contribute to civilian control. As Finer, Abrahamson and others remarked, however, professionalisation contained important countervailing elements. As Feaver sums up, a

> "professional military is a complex and well-organised institution that has internalised certain nationalistic and conservative values, precisely the kind of organisation that is likely to be more effective at resisting civilian direction when civilians and military disagree over the proper course of action than its converse (a simple, poorly organised institution with a weak corporate identity)."[167]

Both political science and sociology have addressed the principal-agent problem, i.e. the question of institutional obedience and delegation, albeit from different angles.[168] Sociology suggests primarily *social control* achieved mainly through *integration* of the military into society.[169] The aim is to inculcate the military through education and training with a sense of devotion to the wider community is aimed at which in turn fosters self-restraint and thereby civilian control: "the professional officer would be responsive to civil control because of law, tradition, and professionalism, and because of his integration with civil values and institutions."[170]

Political science, in contrast, relies on *institutional control* through which the organs of the state are checked against each other through a careful balancing of allotted power, including competing armed formations with overlapping functional mandates. In the next section a brief description of possible problems with the delegation of responsibility for security is followed by a discussion of various ways of addressing them. The competing perspectives of social control versus institutional control can serve as useful guides for

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[166]   Feaver, "The Civil-Military Problematique," p. 11.

[167]   Feaver, "The Civil-Military Problematique," p. 11.

[168]   Larson, "Military Professionalism and Civilian Control: A Comparative Analysis of Two Interpretations."

[169]   For sociological studies of the interaction between state and military see *inter alia* Moskos, *All that we can be: Black Leadership and Racial Integration the Army Way*; Segal and Wechsler Segal, "Change in Military Organization."; Sam Charles Sarkesian, John Allen Williams, and Fred B Bryant, *Soldiers, Society, and National Security* (Boulder: L. Rienner Publishers, 1995); James Burk, "Morris Janowitz and the Origins of Sociological Research on Armed Forces and Society," *Armed Forces & Society*, Vol. 19, No. 2 (1993): 167-86.

[170]   Larson, "Military Professionalism and Civilian Control: A Comparative Analysis of Two Interpretations," p. 62; see also Janowitz, *The Professional Soldier: A Social and Political Portrait*, p. 420.

both problem analysis and resolution. Civil-military tensions can manifest themselves in essentially four distinct manners: predatory, parasitic, bellicose, or disobedient militaries.[171]

aa. Predatory Military: Direct Seizure of Power

The focus of much civil-military thinking has historically been on the direct seizure of political power by the military, i.e. a coup d'état.[172] It is an obvious point of analytical departure as it represents one polar extreme of the spectrum of civil-military tension,[173]. Coups dramatically "symbolise the central problem of the military exploiting their coercive strength to displace civilian rulers"[174] but there are certainly other phenomena to be examined. The study of coups has focussed on two related but distinct aspects: the propensity of a given constitutional and organisational arrangement to produce a military coup, i.e. explaining the *frequency* with which military challenges to civilian authority occur, focussing on a range of socio-economic factors.[175] And secondly, the *likelihood* with which a given coup attempt will succeed in particular circumstances, with particular attention being paid to institutional and organisational questions.[176]

Closely related is the problem of an autocoup (also known as self-coup or autogolpe) where one branch of the civilian government, most often the head of the executive, suspends or disbands the existing constitutional setup and assumes autocratic powers.[177]

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[171]   Bland likewise identifies four main problems of civil-military relations that "cannot be finally and absolutely resolved." His terminology is slightly different from the one suggested here but largely corresponds to it. Douglas L. Bland, "A Unified Theory of Civil-Military Relations," *Armed Forces & Society,* Vol. 26, No. 1 (1999), pp. 12-13.

[172]   Edward N. Luttwak, *Coup d'État: A Practical Handbook* (Cambridge, Mass.: Harvard University Press, 1979).

[173]   The other being battlefield collapse. See above p. 54 ff.

[174]   Feaver, "Civil-Military Relations," p. 218.

[175]   H. Bienen, *The Military Intervenes: Case Studies in Political Development* (New York: Russell Sage Foundation, 1968); H. Bienen and N. van de Walle, "Poverty, the Coup Trap, and the Seizure of Executive Power," *World Politics,* Vol. 42 (1990): 151-83; Eric A. Nordlinger, *Soldiers in Politics: Military Coups and Governments* (New York: Prentice Hall, 1977); Perlmutter, *The Military and Politics in Modern Times: on Professionals, Praetorians, and Revolutionary Soldiers*; R.W. Jackman, "The Predictability of Coups d'État: A Model with African Data," *American Political Science Review,* Vol. 72 (1978): 1262-75; W. R. Thompson, "Regime Vulnerability and the Military Coup," *Comparative Politics,* Vol. 7 (1975): 459-87; W. R. Thompson, "Organizational Cohesion and Military Coup Outcomes," *Comparative Politics,* Vol. 9 (1976): 255-76; R. O'Kane, "A Probabilistic Approach to the Causes of Coups d'État," *British Journal of Political Science,* Vol. 11 (1981): 287-308; E. Zimmermann, *Political Violence, Crises, and Revolutions* (Cambridge, Mass.: Schenkman, 1983); T.H. Johnson, R.O. Slater, and P. McGowan, "Explaining African Military Coups d'État," *American Political Science Review,* Vol. 78 (1984): 622-40; JB Longredan and KT Poole, "Poverty, the Coup Trap and the Seizure of Exetive Power," *World Politics,* Vol. 42 (1990): 151-83; J E Frazer, "Sustaining Civilian Control in Africa: The Use of Armed Counterweights in Regime Stability," Dissertation, Stanford University (Palo Alto, Calif, 1994).

[176]   Luttwak, *Coup d'État: A Practical Handbook*; Bienen and van de Walle, "Poverty, the Coup Trap, and the Seizure of Executive Power."; Zimmermann, *Political Violence, Crises, and Revolutions*; Frazer, "Sustaining Civilian Control in Africa: The Use of Armed Counterweights in Regime Stability."

[177]   Historical examples include most recently the failed attempt by Guatemalan President Jorge Serrano Elías on 25 May 1993, President Alberto Fujimori's coup on 5 April 1992 in Peru, or President Ferdinand Marcos' coup on 21

Such events often occur with explicit electoral approval,[178] while the role of the armed forces can range from active and violent participation to supposedly neutral, passive acquiescence, but both logically and empirically the suspension of the existing constitutional structure cannot occur *against* the will of the armed forces.[179] It is this political influence manifesting itself in passive acquiescence rather than the paroxysm of a coup that has been termed the "praetorian problem" thus giving rise to "the need to curb the political power of the military establishment."[180]

Despite the starkness of their impact and their historical importance, coups are, as Feaver notes, a "problematic focus for future studies of civil-military relations,"[181] mainly for two reasons. On the one hand, coups are relatively rare events and an exclusive focus on coups tends to underestimate military influence:

> "A coup may indicate military strength, at least compared to the other political actors the military suppresses. But it can also indicate military weakness, reflecting the military's inability to get what it wants through the normal political process. In this way, the dog that does not bark may be the more powerful and, for ascertaining whether or not the democracy is robust, the more important dog."[182]

With the increasing acceptance of democratic norms, both internally and as an instrument of foreign policy, direct take-overs of political power by the military have become less frequent. They are also less likely to succeed once attempted,[183] not least due to the changed international response to a new government arising from a coup.[184] Is it thus

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September 1972. Historically the most important instances have been the transformation of the French Second Republic into the Second Empire by President/Emperor Charles Louis Napoleon Bonaparte (Napoleon III) on 2 December 1852 and the assumption of dictatorial powers by (Chancellor) Hitler on 23 March 1933 through passage of the Enabling Act (Ermächtigungsgesetz).

[178] J F Carrisn, *The Fujimori Legacy: The Rise of Electoral Authoritarianism in Peru* (University Park, Pa: Pennsylvania State University Press, 2006).

[179] David Wood, "The Peruvian Press Under Recent Authoritarian Regimes, With Special Reference to the Autogolpe of President Fujimori," *Bulletin of Latin American Research,* Vol. 19, No. 1 (2000): 17 ff, which describes the use of the military to intimidate the media in support of the extra-constitutional transition

[180] Samuel P Huntington, *The Third Wave: Democratization in the Late Twentieth Century* (Norman: University of Oklahoma Press, 1991), p. 231.

[181] Feaver, "Civil-Military Relations," p. 218.

[182] Feaver, "Civil-Military Relations," p. 218.

[183] Paul W Zagorski, "Civil-Military Relations and Argentine Democracy: The Armed Forces under the Menem Government," *Armed Forces & Society,* Vol. 20, No. 3 (1994): 423-37; Zagorski, *Democracy vs. National Security: Civil-military Relations in Latin America*; Wendy Hunter, "Negotiating Civil-Military Relations in Post-Authoritarian Argentina and Chile," *International Studies Quarterly,* Vol. 42, No. 2 (1998): 295-318.

[184] A case in point would be the 1991 coup that deposed the democratically elected President Jean-Bertrand Aristide but which ultimately led to his re-installation in the framework of a US-led and UN-authorised multilateral mission. See *inter alia* Morton H. Halperin, "Guaranteeing Democracy," *Foreign Policy* 91 (1993): 105-22; Richard L. Millett, "Beyond Sovereignty: International Efforts to Support Latin American Democracy," *Journal of Interamerican Studies and World Affairs,* Vol. 36, No. 3, Special Issue: The Summit of the Americas-Issues to Consider (1994): 1-23.

appropriate to conclude: "No coup? No problem, and so no further discussion is required."[185] Obviously a problem does not disappear simply because its most extreme manifestation does not occur very frequently.[186] Especially in most established democracies[187] the risk of an outright coup is minute, thus analytical approaches focussing exclusively on the propensity of direct military interference in politics will habitually yield null predictions which miss many interesting factors about some of the most powerful military establishments today:

> "From a crass political science point of view, the American case seems uninteresting, occupying with dreary regularity the 'stable', 'harmonious', or 'balanced,' cell in whatever 2x2 table the typology generates. … Yet … the history of American civil-military relations has been rich with conflict. The relationship could only be characterised as harmonious and stable if measured in terms of the extreme values of battlefield collapse or military coup."[188]

Functional specialisation entails the loss of control by the principal to the technical agent. Huntington noted that "the problem of the modern state is not armed revolt but the relation of the expert to the politician."[189] Experts are not necessary likely to upset the structure to which they owe their power and influence; the interesting question is whether their position allows them to subvert the interests of the principal, i.e. the policy guidelines set by the civilian authority.[190] Therefore, as Feaver concludes, "'solving' the problem of coups does not neutralise the general problem of control on an ongoing basis."[191]

This leaves us, however, with the problem of defining what the dependent variable (DV) is that civil-military relations theory seeks to address. Desch suggests four additional variables, which are continuous and thus more difficult to measure than the binary coup or no coup dichotomy:[192] military influence,[193] civil-military friction,[194] military

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[185]   A. J Bacevich, "Tradition Abandonded: America's Military in a New Era," *National Interest,* Vol. 48 (1997), p. 17.

[186]   Many writers classify the regimes they compare into varying matrixes where some arrangements are seen as "harmonious" while others are "volatile" or "coup-prone". See *inter alia* Finer, *The Man on Horseback: The Role of the Military in Politics*, pp. 88-89; Claude Welch (ed), *Civilian Control of the Military* (New York: State University of New York Press, 1976).

[187]   James Burk, "Theories of Democratic Civil-military Relations," *Armed Forces & Society,* Vol. 29, No. 1 (2002): 7-29.

[188]   Feaver, "The Civil-Military Problematique," p. 5.

[189]   Huntington, *The Soldier and the State*, p. 20.

[190]   See also above p. 78.

[191]   Feaver, "Civil-Military Relations," p. 216.

[192]   Michael C. Desch, *Soldiers, States, and Structure: Civilian Control of the Military in a Changing Security Environment* (Baltimore, Md.: Johns Hopkins University Press, 1999).

compliance,[195] and delegation/ monitoring.[196] They can take different *manifestations*, namely the draining of resources, the propensity to use force, and general disobedience.

bb. Parasitic Military: Excessively Draining Resources

Contrary to the relatively simple assumption from which for instance Huntington starts off,[197] the determination of the proper level of sufficient security beyond which any additional increase could be deemed excessive is a highly controversial issue. By simply postulating that stability is important and that states pursue "interests defined in terms of power,"[198] realism offers little guidance about how these interests are formulated and prioritised among competing values, nor how competing factual interpretations of means-ends calculations are to be resolved.[199] Huntington uses, somewhat pejoratively, liberalism primarily in its *normative* sense of emphasising individual liberty potentially threatened by the state and 'total' institutions such as the army.[200] He considers a reduction in the suspicion by (generally liberally minded) society toward the army to be a precondition of civil-military relations that can produce adequate levels of security.[201]

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[193]   For a good overview see Feaver, "Civil-Military Relations," pp. 218-20; see also Alfred Stepan, *Rethinking Military Politics: Brazil and the Southern Cone* (Princeton, N.J: Princeton University Press, 1988); Stepan, *The Military in Politics: Changing Patterns in Brazil*; Welch, *Civilian Control of the Military*; R A Brooks, "The Domestic Origins and International Effects of Political-Military Institutions," Dissertation, University of California (San Diego, 1999); David Pion-Berlin, "Military Autonomy and Emerging Democracies in South America," *Comparative Politics,* Vol. 25, No. 1 (1992): 83-102; Pion-Berlin, *Civil-military Relations in Latin America: New Analytical Perspectives.*

[194]   Stepan, *Rethinking Military Politics: Brazil and the Southern Cone*; Y. Ben Meir, *Civil Military Relations in Israel* (New York: Columbia University Press, 1995).

[195]   Peter Feaver, "Crisis as Shirking: An Agency Theory Explanation of the Souring of American Civil-Military Relations," *Armed Forces & Society,* Vol. 24 (1998): 407-34; Richard H Kohn, "Out of Control: The Crisis in Civil-Military Relations," *National Interest,* Vol. 35 (1994): 3-18; Russell Weighley, "The American Military and the Principle of Civilian Control from McClellan to Powell," *Journal of Military History,* Vol. 57 (1993): 27-58; K W Kemp and C Hudlin, "Civil Supremacy Over the Military: Its Nature and Limits," *Armed Forces & Society,* Vol. 19, No. 1 (1992): 7-26.

[196]   Feaver, "Civil-Military Relations," pp. 221-22; Peter Feaver, *Delegation, Monitoring, and Civilian Control of the Military: Agency Theory and American Civil-Military Relations*, Working Paper #4 (Cambridge, Mass.: Olin Institute Project on Civil-Military Relations, Harvard University, 1996); Peter Feaver, *Armed Servants: Agency, Oversight, and Civil-Military Relations* (Cambridge, Mass.: Harvard University Press, 2003).

[197]   Huntington, *The Soldier and the State*, pp. 456, 464.

[198]   Morgenthau, *Politics Among Nations*, p. 5.

[199]   Waltz, *Theory of International Politics*, p. 72. See his quote above p. 31, fn. 60.

[200]   Most illuminating in his analysis of the contemporary literary treatment of army life. There is little question that his sympathies lie with those works, like James Jones' *From Here to Eternity*, which show a "sensitivity to the beauty, appeal, and meaning of the military life, its rewards and richness." His preference for the military ideal becomes even more pronounced as he describes in his closing pages the "tiresome monotony" of small town America with the "ordered serenity" of West Point, "a bit of Sparta in the midst of Babylon", "military values – loyalty, duty, restraint, dedication – are the ones America most needs today." Huntington, *The Soldier and the State*, pp. 462, 464-66.

[201]   Huntington, *The Soldier and the State*, pp. 83-85.

What his theory conveniently leaves out, however, is the possibility that reasonable people who agree about the necessity for sufficient levels of defence might disagree about the best way to provide security. Furthermore, the main *analytical* contribution of liberalism for our understanding of international relations, including security studies, is to go beyond the "billiard ball" notion of states with fixed interests to acknowledge that state interests emerge from the competitive struggle between domestic groups with competing interests. Denouncing the association of classical liberalism with altruism and utopianism,[202] in opposition to which realism was developed,[203] modern writers do not question that interests are important but argue that

> "much of international politics is about *defining* rather than defending national interests.[204] … the problem of how states pursue their interests …, however, is only a part of what international politics is about. Before states can pursue their interests, they have to figure out what those interests are."[205]

Where realism thus simply postulates state interests such as 'security' in a somewhat abstract manner, alternative theoretical models reject this fixity by emphasising choice[206] which can be affected by societal actors.[207] Bureaucracies such as the armed forces are tools in the service of the state, but they are also powerful organised interests, and as such societal actors who compete in the political struggle for resources, power, and influence. Huntington's theory simply defines away this aspect:

> "Subjective civilian control achieves its end by civilianising the military, making them the mirror of the state. Objective civilian control achieves its end my militarising the military, making them the tool of the state. … The antithesis of objective civilian control is military participation in politics: civilian control decreases as the military becomes progressively involved in institutional, class, and constitutional politics. Subjective civilian control, on the other hand, presupposes this involvement. The essence of objective civilian control is the recognition of

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[202] See the influential review essay Harold Hongju Koh, "Why Do Nations Obey International Law?," *The Yale Law Journal,* Vol. 106 (1997): 2599-659.

[203] See the discussion in Andrew Moravcsik, "Taking Preferences Seriously: A Liberal Theory of International Politics," *International Organization,* Vol. 51, No. 4 (1997), p. 514 et seq.

[204] Contrast this approach with the realist position "[t]o say that a country acts according to its national interest means that, having examined its security requirements, it tries to meet them." Waltz, *Theory of International Politics*, p. 134.

[205] Finnemore, *National Interests in International Society*, pp. ix, emphasis added.

[206] "[H]uman beings and their organizations are purposeful actors whose actions help reproduce or transform the society in which they live" Wendt, "The Agent-Structure Problem in International Relations Theory," p. 338.

Emphasising the role of norms on the policy choice of actors is Annika Björkdahl, "Norms in International Relations: Some Conceptual and Methodological Reflections," *Cambridge Review of International Affairs,* Vol. 15, No. 1 (2002): 9-23.

[207] Moravcsik, "Taking Preferences Seriously: A Liberal Theory of International Politics," pp. 516-19.

autonomous military professionalism; the essence of subjective civilian control is the denial of an independent military sphere."[208]

His spirited pleading for an autonomous military sphere has, not surprisingly, found many adherents in the (American) armed forces which "endorses many (although not all) of its general conclusions, [and] have made it the centrepiece of their training on civil-military relations."[209] Without a modicum of internal autonomy it will be difficult for any organisation to fulfil its assigned tasks, nevertheless all organisations seek to advance their own bureaucratic interests, trying to resist outside control.[210] If unchecked this tendency will thus lead to rent-seeking by the organisation and its members,[211] resisting necessary reform,[212] bureaucratic inertia and the perpetuation of obsolete organisational structures,[213] undermining overall policy objectives,[214] or simply waste of scarce resources.[215]

The procurement of new weapons systems, the size of the armed forces and the manner through which manpower needs are realised, the degree and type of industrial and research capability devoted to military needs, all these are potential areas where the bureaucratic interests of the military are likely to come into conflict with competing civilian needs. In such conflicts the military is likely to justify their policy preferences with reference to 'objective' security needs, making it difficult to evaluate what is warranted by

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[208]   Huntington, *The Soldier and the State*, p. 83.

[209]   Feaver, "The Civil-Military Problematique," p. 6.

[210]   Allison and Zelikow, *Essence of Decision*; Stephen D. Krasner, "Are Bureaucracies Important? (Or Allison Wonderland)," *Foreign Policy* 7 (1972): 159-79.

[211]   John M. Mbaku, "Military Expenditures and Bureaucratic Competition for Rents," *Public Choice,* Vol. 71, No. 1-2 (1991): 19-31; O. P. Dwivedi, "Bureaucratic Corruption in Developing Countries," *Asian Survey,* Vol. 7, No. 4 (1967): 245-53; Urs Steiner Brandt and Gert Tinggaard Svendsen, *Bureaucratic Rent-Seeking in the European Union,* IME Working Paper 46/03 (Esbjerg: Department of Environmental and Business Economics, University of Southern Denmark, 2003), available at: http://ideas.repec.org/p/sdk/wpaper/46.html, accessed on: 14 September 2006; H. Christoffersen and G.T. Svendsen, "Bureaucratic Tax Seeking: The Danish Waste Tax," *Energy & Environment,* Vol. 13, No. 3 (2002): 355-66.

[212]   Richard C. Kearney and Chandan Sinha, "Professionalism and Bureaucratic Responsiveness: Conflict or Compatibility?," *Public Administration Review,* Vol. 48, No. 1 (1988): 571-79.

[213]   J.G. Christensen, "Interpreting Administrative Change: Bureaucratic Self-Interest and Institutional Inheritance in Government," *Governance,* Vol. 10, No. 2 (1997): 143-74.

[214]   Alex Dreher and Roland Vaubel, "The Causes and Consequences of IMF Conditionality," *Emerging Markets Finance and Trade,* Vol. 40, No. 3 (2004): 26 - 54, who show a correlation between IMF imposed conditionality with internal bureaucratic interests in the Fund quite detached from the overall policy guidelines that ostensibly guide lending policy.

[215]   G. Tullock, *The Politics of Bureaucracy* (Washington, D.C.: Public Affairs Press, 1965); J.R. DeShazo and Lea-Rachel Kosnik, *Integrating Interest Groups and Legislators into Models of Bureaucratic Policymaking,* (Los Angeles, Calif: University of California at Los Angeles, 2003), available at: http://faculty.spa.ucla.edu/deshazo/pdf/21/hydro-power_091603.pdf, accessed on: 14 September 2006; Lois Recascino Wise, "Bureaucratic Posture: On the Need for a Composite Theory of Bureaucratic Behavior," *Public Administration Review,* Vol. 64, No. 6 (2004): 669 et seq; Christopher Provis, *Ethics and Organisational Politics* (Cheltenham: Edward Elgar, 2004).

an external, verifiable threat and what goes beyond "reasonable sufficiency"[216] i.e. that level of armament sufficient to meet an external threat but without necessarily matching each and every capability of the opponent.[217] This problem occurs *mutatis mutandis* in all areas where bureaucratic organisations have much better access to specialised knowledge, pitting the expert often representing narrow interests against the political decision-maker representing the common good.

cc. Bellicose Military: Propensity to Use Force

Far worse than the military "only" wasting resources, however, is the tendency of the military to propagate bellicose policies for essentially self-interested reasons. Van Evera gives a relatively benign interpretation of this mechanism:

> "As a general matter, professional military officers are nearly as cautious as civilians in recommending decisions for war. However, militaries do sometimes cause war as a side-effect of their efforts to protect their organisational interests. They infuse the surrounding society with organisationally self-serving myths;[218] these myths then have the unintended effect of persuading the rest of society that war is necessary or desirable. Militaries purvey these myths to convince society to grant them the size, wealth, autonomy, and prestige that all bureaucracies seek — not to provoke war. Yet these myths also support arguments for war; hence societies infused with military propaganda will be warlike, even if their militaries want peace."[219]

Just as with other groups of experts,[220] the military's self-image as a corporate body entitled to a privileged, autonomous sphere of action rests on the belief that there is a "specialised expertise of the military officer [, a] skill common to all military officers and

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[216]   The term is borrowed from Soviet military doctrine, going back to Krushev but popularised under Gorbatchev as the rationale behind drastic unilateral arms reductions to levels which were deemed to provide still ample protection even if not reciprocated by the enemy. See *inter alia* Willard C Frank and Philip S Gillette, *Soviet Military Doctrine From Lenin to Gorbachev, 1915-1991* (Westport, Conn: Greenwood Press, 1992); Theodore W. Karasik and Thomas M. Nichols, *Novoe myshlenie and the Soviet military: The impact of reasonable sufficiency on the Ministry of Defense* (Santa Monica, CA: RAND, 1989); R. Hyland Phillips and Jeffrey I. Sands, "Reasonable Sufficiency and Soviet Conventional Defense: A Research Note," *International Security,* Vol. 13, No. 2 (1988): 164-78; Risse-Kappen, "Ideas Do Not Float Freely: Transnational Coalitions, Domestic Structure and the End of the Cold War."

[217]   The Soviet decision never to deploy aircraft carriers is a case in point. See the chapter "Carriers and Reasonable Sufficiency: The Soviet Debate" in Stephen J. Blank and Jacob W. Kipp (eds), *The Soviet Military and the Future* (Westport, Conn.: Greenwood Press, 1992).

[218]   Van Evera mentions five: exaggerating the power of the offensive, exaggerating the hostility of others, exaggerating the tendency of others to give in to threats, overstating the value of empire, and understating the cost of warfare. See the discussion above on page 58.

[219]   Van Evera, "Primed for Peace," p. 18.

[220]   'Epistemic communities' are nothing but groups of experts. Emanuel Adler and M. Peter Haas, "Conclusions: Epistemic Communities, World Order, and the Creation of a Reflective Research Program," *International Organization,* Vol. 46, No. 1 (1992): 369-90.

yet not shared with any civilian groups."[221] Without disputing Huntington's claim that the complexity of modern warfare does indeed require highly specialised expertise to be found only in a corporate body formed by long training and selection,[222] it is argued that reliance on this expertise is likely — just as with other epistemic communities — to cause its own set of specific problems. These range from the dangers of 'group-think'[223] and insufficient self-evaluation,[224] to the inherent tendency of any epistemic community to privilege the application of its own expertise to a given problem, irrespective of negative externalities or potentially available alternatives.

The military trained and equipped to use force will, not surprisingly, often find that the application of force is *a*, if not *the* appropriate method of dealing with a given foreign policy or security problem, often oblivious to or dismissive of negative political, diplomatic, economic, or social fallout. Such fallout can result even from presumably strictly tactical questions, such as the use of particular weaponry,[225] which might entail large non-military follow-on costs or carry the risk of unanticipated and/or unacceptable escalation:[226]

> "Aber der Staat ist nicht *nur* kämpfende Macht; seine Aufgabe ist bei weitem nicht
> so einfach und eindeutig wie die des Heeres, und echte Konflikte zwischen

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[221]   Huntington, *The Soldier and the State*, p. 11.

[222]   "It is readily apparent that the military function requires a high order of expertise. No individual, whatever his inherent intellectual ability and qualities of character and leadership, could perform these functions efficiently without considerable training and experience. … Before the management of violence became the extremely complex task that it is in modern civilisation, it was possible for someone without specialised training to practise officership. Now, however, only the person who completely devotes his working hours to this task can hope to develop a reasonable level of professional competence. The skill of the officer is neither a craft (which is primarily mechanical) nor an art (which requires unique and non-transferable talent). It is instead an extraordinarily complex intellectual skill requiring comprehensive study and training." Huntington, *The Soldier and the State*, pp. 12-13.

[223]   John Schwartz and Matthew L. Wald, "Smart People Working Collectively can be Dumber Than the Sum of their Brains: "Groupthink" Is 30 Years Old, and Still Going Strong," *New York Times* (New York, 9 March 2003); Janis, *Groupthink: Psychological Studies of Policy Decisions and Fiascos*.

[224]   For a thorough discussion a good overview of the literature, see Van Evera, *Why States believe Foolish Ideas*.

[225]   For instance the use of tactical nuclear weapons as ground-breaking 'bunker busters', the use of depleted uranium in artillery shells, the use of tear gas, phosphor illuminating grenades which might contravene the Chemical Weapons Convention, etc. See *inter alia* Keir A Lieber, *War and the Engineers: The Primacy of Politics Over Technology*, Cornell Studies in Security Affairs (Ithaca, N.Y: Cornell University Press, 2005); Richard M Price, *The Chemical Weapons Taboo* (Ithaca: Cornell University Press, 1997); Walter Krutzsch and Ralf Trapp, *A Commentary on the Chemical Weapons Convention* (Leiden: Martinus Nijhoff, 1994); Alistair Millar, "The Pressing Need for Tactical Nuclear Weapons Control," *Arms Control Today,* Vol. May (2002): 10-13; Brian Alexander and Alistair Millar, *Tactical Nuclear Weapons: Emergent Threats in an Evolving Security Environment* (Washington, D.C.: Brassey's, 2003); Taina Susiluoto, *Tactical nuclear weapons: Time for control* (Geneva: United Nations Institute for Disarmament Research, 2002); William C Potter, *Tactical Nuclear Weapons: Options for Control* (Geneva: United Nations Institute for Disarmament Research, 2000).

[226]   Barry Posen, *Inadvertent Escalation: Conventional War and Nuclear Risks*, Cornell Studies in Security Affairs (Ithaca, N.Y: Cornell University Press, 1991); Jeffrey W. Legro, "Military Culture and Inadvertent Escalation in World War II," *International Security,* Vol. 18, No. 4 (1994): 108-42; Ole R Holsti, *Crisis, Escalation, War* (Montreal: McGill-Queen's University Press, 1972).

militärischem und politischem Denken beschränken sich niemals auf den Ressortgegensatz zwischen Soldaten und Politikern; sie sind deshalb auch nicht zu lösen durch technisch-organisatorische Maßnahmen … Solche Konflikte greifen vielmehr in die Sphäre des Politischen selbst hinüber. Denn zum Wesen des Staates gehört es noch viel mehr, daß er Ordnungsmacht ist, Sicherung von Friede und Recht, als daß er sich im Kampf behauptet und durchsetzt."[227]

Furthermore, supposedly technical questions such as the deployment of certain weapons systems carry with them important implications for strategy and training; militaries often show a remarkable preference for offensive strategies and equipment[228] which can subsequently significantly reduce the freedom of choice for political decision-makers.[229]

dd. Disobedient Military: Political Insubordination

Normatively, the political will of civilians should prevail in all cases as only the sovereign is able to prioritise in a binding fashion among competing values.[230] However, any bureaucratic organisation with exclusive technical knowledge[231] has the ability — within limits — to circumvent or subvert policy decisions with which it does not agree, either for self-interested reasons or due to factual disagreements.[232] Usually, this will not take the form of open rebellion but more discrete forms of bureaucratic inertia, sabotage, etc.[233]

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[227] Ritter, *Staatskunst und Kriegshandwerk - Erster Band (1740-1890)*, pp. 16-17.

[228] Van Evera, "The Cult of the Offensive and the Origins of the First World War."; Jack L. Snyder, *The Ideology of the Offensive: Military Decision Making and the Disasters of 1914*, Cornell Studies in Security Affairs (Ithaca/NY: Cornell University Press, 1984). Lieber rejects this thesis and maintains that the argument about the determinacy of technology is overdrawn; in his assessment it is conscious decisions taken by *political* not military decision-makers which determine the likelihood of war, see Lieber, *War and the Engineers: The Primacy of Politics Over Technology.*

[229] Important in this context is the concept of 'path-dependency', i.e. the reduction of strategic options by earlier, often tactical, decisions, see *inter alia* B.G. Peters, J. Pierre, and D.S. King, "Beyond Path Dependency: Political Conflict in Historical Institutionalism," *Journal of Politics,* Vol. 67 (2005): 1275-300; Kerry Longhurst, "Why Aren't the Germans Debating the Draft? Path Dependency and the Persistence of Conscription," *German Politics,* Vol. 12, No. 2 (2003): 147 - 165; Patrick Karl O'Brien, "Path Dependency, or Why Britain Became an Industrialized and Urbanized Economy Long before France," *The Economic History Review,* Vol. 49, No. 2 (1996): 213-49.

[230] On the competency of the non-expert to make these decisions see above p. 78.

[231] Ernst B. Haas, *When Knowledge Is Power: Three Models of Change in International. Organizations* (Berkeley: University of California Press, 1990); Jon Stokes and Stewart Clegg, *Power, Knowledge, Management and Bureaucratic Reform*, UTS Working Papers Series, 23/02 (Sydney: UTS School of Management, 2002),

[232] Arthur Lupia and Mathew D. McCubbins, "Designing Bureaucratic Accountability," *Law and Contemporary Problems,* Vol. 57, No. 1, Regulating Regulation: The Political Economy of Administrative Procedures and Regulatory Instruments: [Part 1] (1994): 91-126.

[233] Mancur Olson and Satu Kähkönen, *A Not-so-dismal Science: A Broader View of Economies and Societies* (Oxford: Oxford University Press, 2000); Ralph S. Brower and Mitchel Y. Abolafia, "The Structural Embeddedness of Resistance among Public Managers," *Group & Organization Management,* Vol. 20, No. 2 (1995): 149-66; David Knights and Darren McCabe, "'Ain't Misbehavin'? Opportunities for Resistance under New Forms of 'Quality' Management," *Sociology,* Vol. 34 (2000): 421-36.

This problem is not specific to the military but constitutes an inherent dilemma of complex societies, especially democratic ones: how can political representatives meaningfully constrain bureaucratic behaviour if they are inherently inferior in specialist skill and knowledge?[234] Weber sees the increasing bureaucratisation of modern societies as an inexorable function of their increasing complexity, and the unprecedented scope of specialisation and division of labour.[235] But he was very sceptical about the ability of the sovereign, democratic or otherwise, to control such an increasingly skilled bureaucracy, for him the legislative act of delegation is equivalent to abdication,[236] not least because "every bureaucracy seeks to increase the superiority of the professionally informed by keeping their knowledge and intentions secret."[237] Civilian leaders dependent for expert advice on "the trade union of generals"[238] will have to find alternative sources of information in think tanks, universities, etc, "but their dilemma might then be holding officers to account for the consequences of decisions they had no hand in shaping."[239]

In this regard, knowledge is indeed power and any professional group is likely to protect the source of its privilege and resist outside interference and control.[240] Weber's position that delegation inevitably results in the complete abdication is somewhat extreme and others have suggested a variety of ways in which the legislative[241] or non-expert executive[242] can nevertheless impose meaningful control. But Weber's insight that in modern societies power resides *primarily* in the bureaucracies that administer it, *not* necessarily in the person or institution that formally holds it, remains crucially important. The military functions no differently than the rest of the general bureaucracy:

> "In einem modernen Staat liegt die wirkliche Herrschaft, welche sich ja weder in parlamentarischen Reden, noch in Enunziationen von Monarchen, sondern in der

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[234]   Lupia and McCubbins, "Designing Bureaucratic Accountability."

[235]   See the discussion above p. 50.

[236]   As Lupia and McCubbins argue, Lupia and McCubbins, "Designing Bureaucratic Accountability," p. 91.

[237]   Max Weber, "Bureaucracy," in: *From Max Weber: Essays in Sociology*, ed. by H. H. Gerth and C. Wright MIlls (Oxford: Oxford University Press, 1958), pp. 233, see also 196, 232-35.

[238]   John Terraine, *The Western Front 1914-1918* (London: Hutchinson, 1964), p. 74.

[239]   Bland, "A Unified Theory of Civil-Military Relations," p. 13.

[240]   Haas, *When Knowledge Is Power: Three Models of Change in International. Organizations.*

[241]   For a god overview of the literature, albeit with a strong American bias see Lupia and McCubbins, "Designing Bureaucratic Accountability."

[242]   Analytically particularly instructive in this respect is the experience of non-democratic societies as the dichotomy between expert bureaucracy and non-expert leadership presents itself much more starkly and without the added complication of democratic politics. See *inter alia* Shale Horowitz, "Explaining Change in Post-Communist Armed Forces: Democratic Control, Social Roles and Legitimacy, and Professionalization," *Armed Forces & Society,* Vol. 30, No. 4 (2004): 663-76; Herspring, "Samuel Huntington and Communist Civil-Military Relations."

Handhabung der Verwaltung im Alltagsleben auswirkt, notwendig und unvermeidlich in den Händen des Beamtentums, des militärischen wie des zivilen. Denn auch der höchste Offizier leitet vom »Büro« aus die Schlachten.[243] … Von den bürgerlichen Verwaltungsbeamten unterscheidet sich der militärische Herrschaftsträger, der Offizier, in dem hier entscheidenden Punkt nicht. Auch das moderne Massenheer ist ein bürokratisches Heer, der Offizier eine Sonderkategorie des Beamten im Gegensatz zum Ritter, Kondottiere, Häuptling oder homerischen Helden. Auf der Dienstdisziplin beruht die Schlagkraft des Heeres."[244]

The type of internal discipline within the military and its relationship to the norms prevalent in wider society has important implications for the threat of political insubordination by the military as an organisation. Such insubordination can take essentially three distinct but related forms. Firstly, the army can subvert, influence or openly defy decision by the civilian leadership with regard to the conduct of military affairs,[245] such as strategic planning down to tactical issues.[246] Many armies particularly in the developing world are very active economic actors, which frees them significantly from the budgetary control the state would usually have over such issues.[247]

Secondly, the army can directly interfere in the socio-political life of the nation to 'correct' deviations from the path it deems mandatory, usually short of a full take-over of political power in a coup. Obviously this danger is greatest when the normative outlook of the military differs sharply from civilian society, either as a result of its particular ethnic or

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[243]   This sentiment is likewise stressed by Huntington: "It must be remembered that the peculiar skill of the officer is the *management* of violence not the act of violence itself." Huntington, *The Soldier and the State*, pp. 13, emphasis added.

[244]   Weber, *Wirtschaft und Gesellschaft*, p. 1047.

[245]   Keith Krause, "Military Statecraft: Power and Influence in Soviet and American Arms Transfer Relationships," *International Studies Quarterly,* Vol. 35, No. 3 (1991): 313-36.

[246]   General McArthur's insubordination in 1951 during the Korean War is arguably one of the most spectacular instances. See David W. Lutz, "The Exercise of Military Judgment: A Philosophical Investigation Of The Virtues And Vices Of General Douglas MacArthur," *Journal of Power and Ethics,* Vol. 1, No. 1 (2000): 68 et seq; Dennis D. Wainstock, *Truman, MacArthur, and the Korean War* (Greenwood Press, 1999); Lutz, "The Exercise of Military Judgment."; John W Spanier, *The Truman-MacArthur controversy and the Korean War* (Cambridge, Mass: Belknap Press, 1959).

[247]   In many developing countries the combined effect of the absence of an entrepreneurial middle class, lack of sufficient state funds, and state-cantered development ideology results in an under-funded military which becomes more or less by default a large economic player, initially aimed at supplying the food, equipment and armaments needs of the armed forces, but gradually spreading to commercially oriented economic activity. It takes little imagination to see how the combination of ample and basically free recruit labour, the threat of armed violence, highly privileged social and legal position of the officer class and the army as an institution (often tax exempt), preferential access to state resources, and, most importantly, the almost complete protection from civilian administrative oversight and legal redress creates an extremely uneven economic and social playing field ripe with corruption, embezzlement, cronyism, etc. Here the army in a very real sense does become a "state within the state"; the formal step of subsequently taking over the state in a coup if then often just a formality. Pakistan and China are arguably the most important cases, but the phenomenon is wide-spread throughout the developing world. The classical description is Harold D. Lasswell, "The Garrison State," *The American Journal of Sociology,* Vol. 46, No. 4 (1941): 455-68; see also Moshe Lissak, "Modernization and Role-Expansion of the Military in Developing Countries: A Comparative Analysis," *Comparative Studies in Society and History,* Vol. 9, No. 3 (1967): 233-55; Mohammad Asghar Khan, *We've Learnt Nothing From History: Pakistan, Politics and Military Power* (Karachi, Oxford: Oxford University Press, 2005); Lahouari Addi, "Algeria's Army, Algeria's Agony," *Foreign Affairs* (1998): no pagination.

social composition or because society and army follow different normative developments. The direction in which this normative divergence occurs, however, cannot be derived from any intrinsic quality of military life: neighbouring Turkey and Iran have both experienced significant interference of the military in social and political life. But while in Iran the military has strongly sided with social conservatives to suppress social pressures for liberalisation it deems 'un-Islamic',[248] in Turkey the army has consistently acted as a stalwart defender of laicism and Westernisation against popular demands for a greater role of Islam in public life.[249]

This danger of military interference arising from its normative divergence with civilian society lies behind the instrumental stipulation that a rough normative congruence between military and civilian spheres is necessary. Huntington and others have dismissed such claims pejoratively as the futile and counter-productive attempt to "civilianise the military."[250] Proponents of such claims, however, have often made an essentially deontological argument along the lines that "it can be argued that the military, as a pre-eminent institution in society, should reflect societal values precisely and simply because that is what society values. … if we as a society say it is wrong to [for instance discriminate on the basis of homosexuality], then the military should not do so, period."[251] Such deontological considerations have implications both for the military's primary role as providers of external security and for civil-military relations:

> "They may have a deleterious effect, as opponents have repeatedly argued, either weakening the military to make it less capable of defence or antagonising the military and making it more threatening to civilian authority."[252]

This teleological argument for greater normative congruence between military and civilian life as a means of reducing the potential threat for socio-political interference by the

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[248] See *inter alia* International Crisis Group, "Iran: The Struggle for the Revolution's Soul," *IGC Middle East Report No 5* (2002); Michael Eisenstadt, "The Armed Forces of the Islamic Republic of Iran: An Assessment," *Middle East Review of International Affairs,* Vol. 5, No. 1 (2001): 13-30; Kenneth Katzman, *Warriors of Islam: Iran's Revolutionary Guard* (Boulder: Westview Press, 1993); Theda Skocpol, "Social Revolutions and Mass Military Mobilization," *World Politics,* Vol. 40, No. 2 (1988): 147-68.

[249] Pinar Tank, "Political Islam in Turkey: A State of Controlled Secularity," *Turkish Studies,* Vol. 6, No. 1 (2005): 3-19; M. Hakan Yavuz, "Turkey's Fault Lines and the Crisis of Kemalism," *Current History* (2000): 33-38; Ihsan Yilmaz, "State, Law, Civil Society and Islam in Contemporary Turkey," *The Muslim World,* Vol. 95, No. 3 (2005): 385 et seq. The situation in Algeria, while more complicated, has been roughly similar to Turkey, see Addi, "Algeria's Army, Algeria's Agony."

[250] Huntington, *The Soldier and the State*, p. 83.

[251] Feaver, "The Civil-Military Problematique," p. 5.

[252] Feaver, "The Civil-Military Problematique," p. 5.

military is underlined by the argument that efforts to bring about greater representativeness, normative or otherwise, of the armed forces may actually "have a beneficial effect [on defence capability] by mobilising a larger portion of societal resources."[253] Representativeness can act also as a barrier to the third aspect of military insubordination, not to the civilian leadership but to the constitutional edifice as such. Howard has referred to this aspect as the "double problem, of the subordination of the military force to the political government, and of the control of a government in possession of such force."[254] Not dissimilar to the autocoup discussed above,[255] it concerns the abuse of the armed forces by the, often legitimately selected, civilian leadership to suppress and subvert constitutional rights and freedoms.[256]

c. DEVISING CONTROL: FAULTLINES IN INSTITUTIONAL DESIGN

aa. What are the Explanatory Factors (IVs)?

External factors such as a country's geopolitical location, resource allocation, its alliance commitments, the history of relations to its neighbours, its dependence on certain imports or markets, the vulnerability of its borders, the existence of irredentist claims and/or kinship networks, etc. go a long way in defining the particular threat scenario to which its armed forces must respond.[257] Consequently, the particular shape of a given

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[253]   Feaver, "The Civil-Military Problematique," p. 5.

[254]   Michael Eliot Howard, *Soldiers and Governments; Nine Studies in Civil-military Relations* (London: Eyre & Spottiswoode, 1957), p. 12.

[255]   See above p. 80.

[256]   See below p. 103.

[257]   For instance very populous nations such as India or China have never had to rely on conscription, while small nations with relatively open border and facing the threat of invasion such as Israel or Switzerland have to impose quite onerous conscription on their population often in the form of long-term militia systems; island nations will have larger navies; navies and air forces are more training-intensive and thus will tend to have higher rates of long-service conscripts/ volunteers than infantry; full-scale continental defence requires very large armoured troops likely to suffer from heavy casualties and thus necessitating high replacement rates, this can only be achieved through cadre-conscript armies which train large reserves; on the contrary, power projection as for instance in colonial warfare or modern peacekeeping/peaceenforcing requires highly mobile and very resilient light infantry troops which cannot be reliably raised through conscription but tend to be All Volunteer Forces (AVF), only world powers, such as the US, France or the UK which face both type of tasks will maintain both types of troops, others, like Germany, will find adaptation to power-projection tasks very difficult with their existing force structure. See Cohen, *Citizens and Soldiers*, pp. 25-32; Karl W. Haltinger and Ruth Meyer, "Aspects of the Relationship between Miltary and Society in Switzerland," *Armed Forces & Society,* Vol. 6, No. 1 (1979): 49-81. See also the discussion below p. 353.

country's armed forces is largely, if not completely, predetermined by the external threat scenario, which in turn strongly affect civil-military relations.

Internal factors include *inter alia* social cleavages and, consequently, the threat of domestic unrest; the stability and longevity of the institutional set-up; cultural and historical predisposition, etc. While a few scholars on civil-military relations have emphasised the importance of external factors,[258] most have seen greater explanatory potential in internal aspects.[259]

Another set of factors, both internal and external, concern the transition phase from authoritarianism to democracy.[260] Much depends on the existence of a democratic tradition, the strength of governing institutions,[261] and the *nature* of the transition.[262] Somewhat counter-intuitively, a peaceful transition often bodes ill for civilian control as civilian leaders who peacefully inherit power have not developed the necessary institutional counterweights, unlike those who emerge either from armed struggle against a colonial power[263] or from domestic violent conflict.[264] The existence of an external threat against which civilian leaders can focus defence policy is an important factor

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[258]   Most notably Huntington, *The Soldier and the State*; Lasswell, "The Garrison State."; Harold D. Lasswell, *National Security and Individual Freedom* (New York: McGraw-Hill, 1950); Bruce Bueno de Mesquita and R. Siverson, "War and the Survival of Political Leaders: A Comparative Study of Regime Types and Political Accountability," *American Political Science Review,* Vol. 89 (1995): 841-56; , but note the refinement of their argument in Bueno de Mesquita and Ray, "The 'National Interest' versus Individual Political Ambition: Democracy, Autocracy, and the Reciprocation of Force and Violence in Militarized Interstate Disputes."

[259]   T. J. Colton, *Commissars, Commanders, and Civilian Authority: The Structure of Soviet Military Politics* (Cambridge, Mass.: Harvard University Press, 1979); T. J. Colton and T. Gustafson (eds), *Soldiers and the Soviet State: Civil-Military Relations from Brezhnev to Gorbachev* (Princeton: Princeton University Press, 1990); Perlmutter, *The Military and Politics in Modern Times: on Professionals, Praetorians, and Revolutionary Soldiers*; Amos Perlmutter, "Civil - Military Relations in Socialist, Authoritarian and Praetorian States: Prospects and Retrospects," in: *Soldiers, Peasants and Bureaucrats: Civil Military Relations in Communist and Modernising Societies*, ed. by Roman Kolkowicz and Andrzej Korbonski (London: George Alllen and Unwin, 1982); D. Horowitz, *Ethnic Groups in Conflict* (Berkeley: University of California Press, 1985); Horowitz, "Explaining Change in Post-Communist Armed Forces: Democratic Control, Social Roles and Legitimacy, and Professionalization."; Rouquie, *The Military and the State in Latin America*; Stepan, *Rethinking Military Politics: Brazil and the Southern Cone*; Welch, *Civilian Control of the Military*.

[260]   For a good overview of the extensive literature see Guillermo A. O'Donnell, Philippe C. Schmitter, and Laurence Whitehead, *Transitions From Authoritarian Rule: Prospects for Democracy* (Baltimore: Johns Hopkins University Press, 1986); Constantine P Danopoulos, *The Decline of Military Regimes: The Civilian Influence* (Boulder: Westview Press, 1988); Constantine P Danopoulos, *Military Disengagement From Politics* (London: Routledge, 1988).

[261]   Huntington, *Political Order in Changing Societies*.

[262]   Aguero identifies five factors during the transition as determinants of civil-military relations: whether the authoritarian regime was militarised or civilian in character; whether the transition to democracy was gradual or sudden; the relative unity of the civilian and military leaders, respectively; the degree of mass public support for democracy; and the extent to which civilian military expertise could be acquired.

[263]   Frazer, "Sustaining Civilian Control in Africa: The Use of Armed Counterweights in Regime Stability."

[264]   H A Trinkunas, "Constructing Civilian Control of the Armed Forces in New Democracies: The Cases of Argentina and Venezuela," Dissertation, Stanford University (Palo Alto, Calif, 1999).

explaining success of transitions from authoritarian to democratic regimes,[265] as is the existence of an international institutional set-up such as NATO which socialises the new democracy into a functioning civil-military culture. The imposition of strict conditionality with respect to the imposition of civilian control over the armed forces as a precondition for membership has been an extremely important factor in the successful transformation of the former Warsaw Pact states,[266] and somewhat less so with regard to Greece,[267] Spain,[268] and Portugal.[269] The German case is itself particularly relevant, too.[270]

bb. Targeting *Ability* or *Disposition* of the Military

The normative focus of the discipline has remained remarkably constant, in the sense that civilian control is universally considered an absolute value and thinking concentrates on devising better control techniques.[271] These can be grouped into two distinct groups: techniques that target the *ability* of the military to subvert control, and those that have an effect on the *disposition* of the military to accept civilian supremacy.[272]

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[265]   Felipe Agüero, *Soldiers, Civilians, and Democracy: Post-franco Spain in Comparative Perspective* (Baltimore, London: Johns Hopkins University Press, 1995); Felipe Agüero and Eva Rodríguez Halfter, *Militares, civiles y democracia: la España postfranquista en perspectiva comparada* (Madrid: Alianza Editorial, 1995).

[266]   Constantine P Danopoulos and Daniel Zirker, *The Military and Society in the Former Eastern Bloc* (Boulder, Colo: Westview Press, 1999); Andrew A Michta, *The Soldier-citizen: The Politics of the Polish Army After Communism* (London: Macmillan, 1997); Charles L Glaser, "Why NATO is Still Best - Future Security Arrangements for Europe," *International Security,* Vol. 18, No. 1 (1993): 5-50; Thomas Risse-Kappen, "Collective Identity in a Democratic Community: The Case of NATO," in: *The Culture of National Security: Norms and Identity in World Politics,* ed. by Peter J. Katzenstein (New York: Columbia University Press, 1996).

[267]   These countries enjoyed NATO membership as a result of the intense Cold War confrontation without too many qualms about their fascist or military dictatorship. For them only EU membership had the described democratising effect which included civilian control over the military. Constantine P Danopoulos, *Warriors and Politicians in Modern Greece* (Chapel Hill, N.C.: Documentary Publications, 1985).

[268]   Agüero, *Soldiers, Civilians, and Democracy: Post-franco Spain in Comparative Perspective.*

[269]   Luc Crollen, *Portugal, the U.S. and NATO* (Louvain: Leuven University Press, 1973); Danopoulos, *The Decline of Military Regimes: The Civilian Influence.*

[270]   Gordon Alexander Craig, "NATO and the New German Army," in: *NATO and American Security,* ed. by William Kaufmann (Princeton, N.J.: Princeton University Press, 1956); Elke Günther, "50 Jahre Bundeswehr: Die Erfolgsgeschichte der Remilitarisierung," *Friedensblätter (Zeitschrift des Friedensnetzwerks Baden-Württemberg)* (2005): no pagination; Mary N. Hampton, "NATO at the Creation: US Foreign Policy, West Germany and the Wilsonian Impulse," *Security Studies,* Vol. 4, No. 3 (1995): 610-56. See also the further discussion below pp. 259-271.

[271]   Feaver, "Civil-Military Relations," p. 225. It is quite conceivable to make an argument that in certain circumstances the military might indeed be better suited to take over executive power from a disorganised, incapable, corrupt or otherwise unqualified civilian leadership. But while there have been hints of sympathetic understanding for military intervention in politics when the alternative appeared particularly unpalatable (as for instance after the impending electoral win of the Islamist FLN in Algeria), both academic and popular discourse have generally treated the norm of civilian control as absolute and non-negotiable. Andrew Cottey, Timothy Edmunds, and Anthony Forster, *Democratic Control of Armed Forces in Central and Eastern Europe: A Framework for Understanding Civil-Military Relations in Post-Communist Europe,* Working Paper 1/99 ISSN 1468-4144 (Nottingham: School of Politics, University of Nottingham, 1999), available at: http://one-europe.ac.uk/pdf/work1.pdf, accessed on: 19 September 2006, p. 8.

[272]   Feaver, "Civil-Military Relations," p. 225.

The problem with legal and, to a lesser extent, administrative safeguards[273] is that they do not actually reduce the physical ability of the military to resist or subvert civilian control if sufficiently determined: "[a]ny military strong enough to defend civilian society is also strong enough to destroy [or at least harm] it."[274] Efforts to target this physical ability can include a greater emphasis on internal specialisation within the armed forces which will make coordinating a coup more difficult;[275] the deployment of elite troops (deemed more dangerous) far away from the centres of power; the creation of several competing branches of the armed forces and countervailing armed formations;[276] and/or the instigation of parallel chains of command and competing intelligence services.[277]

Such measures are used by both autocracies and democracies, in fact, practically all states have *some* mechanism in place to physically limit the military's ability to use or threaten force outside the civilian political framework. Given that strained civil-military relations can act as an independent or contributing cause for war,[278] some modern alliances such as NATO have not only spent considerable effort at improving these domestic relations in their member states[279] but complemented these endeavours with efforts at making attacks between member states physically impossible through a series of measures that functionally resemble domestic ones.[280] Nevertheless, measures that aim solely at the

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[273]   R. Campbell, "Resource Stingency and Civil-Military Resource Allocation," in: *Soldiers and the Soviet State*, ed. by T. J. Colton and T. Gustafson (Princeton, N.J: Princeton University Press, 1990): 126-63; Michael J Crossey, "With Liberty and Justice for All: The War on Terror and the Controversial Separation of Powers Between the Military's Vis-a-vis the Judiciary's Duty to Review the Legality of All Executive Detentions," *Duquesne Law Review,* Vol. 43, No. 2 (2005): 241-56; Louis Henkin, "War Powers "Short of War," *University of Miami Law Review,* Vol. 50, No. 1 (1995): 201 - 208; Matthew S Weingast, "The Strategic Necessity Perspective a New Approach to Solving Old Constitutional War Powers Questions," *Journal of Legal Studies,* Vol. 8 (1997): 109 - 158; John Yoo, *The Powers of War and Peace the Constitution and Foreign Affairs After 9/11* (Chicago, Ill.: University of Chicago Press, 2005); Lori Fisler Damrosch, "Constitutional Control over War Powers: A Common Core of Accountability in Democractic Societies?," *University of Miami Law Review,* Vol. 50 (1995): 181-99.

[274]   Feaver, "Civil-Military Relations," p. 226.

[275]   Welch, *Civilian Control of the Military.*

[276]   Such as paramilitary polices (Gendarmerie) and border polices, presidential/republican/revolutionary guards, militias, etc.

[277]   Frazer, "Sustaining Civilian Control in Africa: The Use of Armed Counterweights in Regime Stability."; A. Belkin, "Performing the National Security State: Civil-Military Relations as a Cause of International Conflict," Dissertation, University of California (Berkeley, 1998); Carol Belkin Stevens, *Soldiers on the Steppe: Army Reform and Social Change in Early Modern Russia* (DeKalb: Northern Illinois University Press, 1995).

[278]   Belkin, "Performing the National Security State: Civil-Military Relations as a Cause of International Conflict."; Snyder, "Civil-Military Relations and the Cult of the Offensive, 1914 and 1984."; Van Evera, "The Cult of the Offensive and the Origins of the First World War."; Van Evera, "Primed for Peace."

[279]   Richard H Kohn, "How Democracies Control the Military," *Journal of Democracy,* Vol. 8, No. 4 (1997), p. 140.

[280]   These include the specialisation between national armies, co-manning and dual-key control of vital assets, bureaucratic and legal obstacles to national planning, etc. with the aim of reducing the ability of any one member army to plan and exercise on its own a campaign. See Benjamin Schwarz, "'Cold War' Continuities - US Economic and Security Strategy Towards Europe," in: *The Future of NATO*, ed. by Ted Galen Carpenter (London: Frank Cass, 1995); Glaser, "Why NATO is Still Best - Future Security Arrangements for Europe."; Hampton, "NATO at the Creation."

military's physical ability will remain insufficient. Ultimately, the military has to *deliberately choose* not to exploit its inherent advantage in power. This choice of voluntary submission to civilian control is by no means self-evident or "natural", neither logically nor empirically; an anomaly often lost amidst the quasi-universal normative acceptance of the concept today.[281]

Such non-hierarchical control[282] has been labelled variously as "the cult of obedience,"[283] "the norm of civilian control,"[284] or simply "professionalism."[285] But irrespective of the label used and subtle differences between the theorists and their respective shortcomings, they share the basic belief "that no amount of institutional tinkering can ensure civilian control; the real basis of civilian control is the ethic that governs the relationship between civilians and the military."[286] Feaver suggests that solutions have to include efforts to minimise either the adverse selection or the moral hazard problem, i.e. by either affecting the *characteristics of the people* populating the military or creating *incentive structures* which induce norm-conform behaviour.

The composition and outlook of the military is determined primarily by the *accession system*, i.e. how the individual members of the armed forces are recruited. Different mixes of selective service, short-term or long-term universal service,[287] and class-,[288] merit-[289] or ideologically[290] based commissions yield particular social compositions deemed to

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[281] Finer, *The Man on Horseback: The Role of the Military in Politics.*

[282] J. Bouchard, *Command in Crisis: Four Case Studies* (New York: Columbia University Press, 1991).

[283] Welch, *Civilian Control of the Military.*

[284] L. Smith, *American Democracy and Military Power* (Chicago: University of Chicago Press, 1951).

[285] Huntington, *The Soldier and the State*; Janowitz, *The Professional Soldier: A Social and Political Portrait.*

[286] Feaver, "Civil-Military Relations," p. 226; , referring to D. Hendrickson, *Reforming Defence: The State of American Civil-Military Relations* (Baltimore, Md: Johns Hopkins University Press, 1988).

[287] For a discussion of these different systems see Cohen, *Citizens and Soldiers*, pp. 60-116.

[288] Stephan Fingerle, "Waffen in Arbeiterhand? Zur Rekrutierung der Offiziere der Nationalen Volksarmee," in: *Nationale Volksarmee - Armee für den Frieden*, ed. by Detlef Bald, Reinhard Brühl, and Andreas Prüfert, Beiträge zu Selbstverständnis und Geschichte des deutschen Militärs 1945-1990 (Baden-Baden: Nomos, 1995): 119-42; Thomas Lindenberger, "Aus dem Volk, für das Volk? Bemerkungen zur Entstehung der bewaffneten Organe der SBZ/DDR," in: *Nationale Volksarmee - Armee für den Frieden*, ed. by Detlef Bald, Reinhard Brühl, and Andreas Prüfert, Beiträge zu Selbstverständnis und Geschichte des deutschen Militärs 1945-1990 (Baden-Baden: Nomos, 1995): 165-80.

[289] On the Prussian reforms which were significantly based on meritocratic recruitments see *inter alia* Craig, "NATO and the New German Army," pp. 38-53; Huntington, *The Soldier and the State*, pp. 30-58.

[290] Herspring, "Samuel Huntington and Communist Civil-Military Relations."; Dale R Herspring, *Russian Civil-military Relations* (Bloomington: Indiana University Press, 1996); Brian D Taylor, *Politics and the Russian Army: Civil-military Relations, 1689-2000* (Cambridge: Cambridge University Press, 2003).

maximise the interest of the civilian leadership in different polities.[291] Additionally, periods following domestic conflict and/or dictatorship will necessitate deliberate purges of those deemed unsuitable for the new beginning due to their close association with the old regime.[292]

Selective accession policies have the disadvantage of politicising the military, because in such a "subjective" system "the maximising of civilian power always means the maximising of the power of some particular civilian group or groups" thereby threatening to turn the army into an arena for the political struggle between these groups and hereby significantly weakening it.[293] Additionally, formalised discrimination in accession or advancement has the added disadvantage of unduly restricting the available manpower and talent pool. Needless to say that purges share both of these negative attributes.

Secondly, the characteristic of an army is also moulded by *training* which can reinforce the effect of selection, but also aim at achieving many of its effects without their negative consequences. Training and political indoctrination can take very different forms, ranging from the incorporation of political commissars and linking commissions to party membership in totalitarian systems,[294] to the extension of officer training to civilian

[291]   For a very interesting summary of the "evolutionary process of relatively pluralistic recruitment [that] was unprecedented in [German] military history" instigated by the first Social Democratic minister of defence Schmidt in 1969 see Bald, *Die Bundeswehr: Eine kritische Geschichte, 1955-2005*, pp. 86-88.

[292]   On the "Personnel Screening Boards" set up to keep undemocratic former Wehrmacht officers out of the newly founded Bundeswehr see Donald Abenheim, *Reforging the Iron Cross: The Search for Tradition in the West German Armed Forces* (Princeton, N.J.: Princeton University Press, 1988), pp. 136-47. On the much more thorough procedure in the East German army see Rüdiger Wenzke, "Wehrmachtsoffiziere in den DDR-Streitkräften," in: *Nationale Volksarmee - Armee für den Frieden*, ed. by Detlef Bald, Reinhard Brühl, and Andreas Prüfert (Baden-Baden: Nomos, 1995): 143-56; Lindenberger, "Aus dem Volk, für das Volk? Bemerkungen zur Entstehung der bewaffneten Organe der SBZ/DDR."; Fingerle, "Waffen in Arbeiterhand? Zur Rekrutierung der Offiziere der Nationalen Volksarmee." The process was repeated after unification where the vast majority of officers of the East German Nationale Volksarmee were purged. For a self-congratulatory account of this period by the West German commanding officer see Jörg Schönbohm, *Two Armies and One Fatherland: The End of the Nationale Volksarmee* (Providence, RI: Berghahn Books, 1996). For a more balanced account see Frederick Zilian, *From Confrontation to Cooperation: The Takeover of the National People's (East German) Army by the Bundeswehr* (Westport, Conn: Praeger, 1999); Dale R Herspring, *Requiem für eine Armee: Das Ende der Nationalen Volksarmee der DDR,* trans. Hans-Werner Weber, 1. Aufl, Forum Innere Führung (Baden-Baden: Nomos, 2000). For a highly critical account see Daniela Dahn, "Die Braunlage: Vom Umgang der Bundeswehr mit Ritterkreuzträgern und NVA-Soldaten," *Die Zeit* Kursbuch, 164/4 (Hamburg, n.d. 2005).

[293]   Huntington, *The Soldier and the State*, pp. 80-83, at 80; likewise Vagts, *A History of Militarism: Civilian and Military.*

[294]   Correlli Barnett, "The Education of Military Elites," *Journal of Contemporary History,* Vol. 2, No. 3 (1967): 15-35; Manfred Messerschmidt and Johann Adolf Kielmansegg, *Die Wehrmacht im NS-Staat: Zeit der Indoktrination*, Truppe und Verwaltung (Hamburg: v. Decker, 1969); Manfred Messerschmidt, "Politische Erziehung der Wehrmacht _- Scheitern einer Strategie," in: *Militärgeschichtliche Aspekte der Entwicklung des deutschen Nationalstaates*, ed. by Militärgeschichtliches Forschungsamt (Düsseldorf: Droste, 1988): 127-50; Egmont Eckardt, Adolf H. Noll, and Hartmut Schanz, *Politische Bildung in der Bundeswehr: Erfahrungen und Konzepte*, Reihe Praktische Demokratie (Bonn: Verlag Neue Gesellschaft, 1986); S.D. Wesbrook and Morris Jannowitz (eds), *The Political Education of Soldiers* (Beverly Hills, California: Sage Publications, 1983).

universities[295] and/or the inclusion of civilian teachers at specialised military academies aimed at reducing the dichotomy in outlook between the military and their civilian masters.[296] Affecting the characteristic of the military through both accession and training belong to the particular concerns of the sociological school of civil-military relations.[297]

A different approach at solving the principal-agent problem aims at affecting the *incentive structure* facing the military. It can effectively be reduced to a simple *quid pro quo*: the military is accorded autonomy over most of its internal affairs and, especially, operational matters — the "grammar" of war — in return for accepting the Clausewitzian notion[298] that the "logic" of war is political and thus must be set by the political, not the military decision-makers.

An even more basic way at affecting the incentive structure of the military is to simply *bribe* them into submission, either through the corruption of individual commanders or the institutional promise of benefits and privileges. This is a somewhat problematic way of ensuring civilian control, not only for normative reasons but because the loyalty thus bought is to the bribe not the civilian "master" paying it. Bribes are therefore doubly problematic, they are likely to corrupt the institution and significantly undermine its principal defence purpose, but promises of benefits and handouts are also likely triggers for armed revolt if they cannot be kept.[299]

cc. Targeting *Civilian* or *Military* Institutions

Most coups start from the assertion by the military that they are *able to govern better* than the government of the day invariably deemed to be corrupt, incompetent, unrepresentative, divisive, or in some other way deficient.[300] Strengthening the *legitimacy of*

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[295]   Arthur Alphonse Ekirch, *The Civilian and the Military: A History of the American Antimilitarist Tradition* (Colorado Springs, Ralph Myles: 1972);

[296]   Bald, *Die Bundeswehr: Eine kritische Geschichte, 1955-2005*, pp. 81-86, 96-98; Krause, *Innere Führung und Hochschulen der Bundeswehr*.

[297]   Colton, *Commissars, Commanders, and Civilian Authority: The Structure of Soviet Military Politics*; Herspring, *Russian Civil-military Relations*; Dale R Herspring and I. Volgyes, *Civil-Military Relations in Communist Systems* (Boulder, Colo: Westview Press, 1978).

[298]   "[War's] grammar, indeed, may be its own but not its logic." Clausewitz, "The Political Purposes of War," p. 243; see also Clausewitz, *Vom Kriege*, p. 674 ff.

[299]   R A Brooks, *Political-Military Relations and the Stability of Arab Regimes*, Adelphi Paper (London: International Institute for Strategic Studies, 1998),

[300]   The latest example comes from the putsching Thai generals: "General Sondhi said the reason for seizing power was the "government's misconduct, which has caused conflicts and broken the unity of the people in the country in a

the civilian government by increasing its representativeness, its efficiency and effectiveness, and, especially, its accountability are likely to act as powerful obstacles to an interventionist military.[301] Strengthening the civilian government will affect *both* the ability and the disposition of the military to be insubordinate: a legitimate government is more likely to command strong popular support which will negatively affect the ability of the military to carry out a successful coup.

Legitimacy induces consent and thus complements coercion as a source of power,[302] both domestically[303] and internationally.[304] Increasing the legitimacy of a given civilian government is thus likely to increase its ability to command authority and implement its decisions. The broad popular support such a government enjoys will act as a strong disincentive to any military challenge.[305] Legitimacy is also likely to affect the disposition of the military directly by increasing its own normative acceptance of civilian supremacy.[306]

The legitimacy of civilian governance institutions and thus the degree of voluntary compliance with their decisions is strongly dependent on the perceived adherence to accepted *procedural norms.*[307] Nevertheless, procedural legitimacy on its own will prove insufficient if the institution is unable to satisfactorily discharge its assigned *substantive* function. Hence, even a procedurally legitimate institution, e.g. a duly elected government

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way that has never happened before in the history of Thailand." Thomas Fuller, "Leader of Thai Coup Says He Will Restore Democracy," *New York Times* Online (New York, 20 September 2006): no pagination.

[301]   K. J. Holsti, *The State, War, and the State of War* (Cambridge: Cambridge University Press, 1996).

[302]   See above p. 54 ff.

[303]   Carmon, "Constitution by Consent an Underpinning for Political Legitimacy."; Schiera, "Legitimacy, Discipline, and Institutions: Three Necessary Conditions for the Birth of the Modern State."; Matthew Swanson, *The Social Contract Tradition and the Question of Political Legitimacy*, Vol. 25, Studies in Social and Political Theory (Lewiston, N.Y: Edwin Mellen Press, 2001).

[304]   Ian Clark, *Legitimacy in International Society* (Oxford: Oxford University Press, 2005); Franck, "The Power of Legitimacy and the Legitimacy of Power Law in Age of Power Disequilibrium."; Kopelman, "The Modern Machiavelli: Legitimacy, Conflict and Power in the International Legal Order - Review of Henry Kissinger's Diplomacy."

[305]   Feaver, "Civil-Military Relations," p. 229.

[306]   Anthony Forster, Timothy Edmunds, and Andrew Cottey (eds), *Soldiers and Societies in Postcommunist Europe: Legitimacy and Change* (New York: Palgrave Macmillan, 2003).

[307]   Tom R. Tyler, "Psychological Perspectives on Legitimacy and Legitimation," *Annual Review of Psychology,* Vol. 57, No. 1 (2006): 375 et seq; Vanessa A. Baird, "Building Institutional Legitimacy: The Role of Procedural Justice," *Political Research Quarterly,* Vol. 54, No. 2 (2001): 333-54; Mark C. Suchman, "Managing Legitimacy: Strategic and Institutional Approaches," *The Academy of Management Review,* Vol. 20, No. 3 (1995): 571-610; Tom R. Tyler, "Governing amid Diversity: The Effect of Fair Decisionmaking Procedures on the Legitimacy of Government," *Law & Society Review,* Vol. 28, No. 4 (1994): 809-32; Jeffery J. Mondak, "Institutional Legitimacy and Procedural Justice: Reexamining the Question of Causality," *Law & Society Review,* Vol. 27, No. 3 (1993): 599-608; James L. Gibson, "Understandings of Justice: Institutional Legitimacy, Procedural Justice, and Political Tolerance," *Law & Society Review,* Vol. 23, No. 3 (1989): 469-96.

will quickly loose popular support and thus be vulnerable to military challenges if it is unable to deliver the expected output. It is in this respect that increasing the quality of civilian governance institutions can be seen as one of the most significant tools for improving civil-military relations.[308]

This point is equally relevant for emergent post-conflict state-building as for mature democracies.[309] In the former, a number of challenging institution-building tasks, both civilian and military, needs to be carried out simultaneously: (a) an appropriate legal and administrative framework needs to be devised and implemented; (b) effective civilian management and oversight bodies have to be created; (c) viable, accountable, and affordable security forces have to be set up, either from scratch or from existing units; and (d) the institutional culture within the armed forces must accept the basic norms of civilian control.[310] Clearly, the simultaneity required and the absence of adequate administrative and political traditions will make the entire process of state-building complex, difficult, and idiosyncratic.[311]

Furthermore, for a country emerging from conflict or authoritarian rule the threat of direct intervention by the military will usually be much more palatable. Procedural legitimacy is particularly relevant for settling post-conflict situations,[312] but being able to quickly deliver substantively is perhaps even more crucial. With regard to civil-military relations, the quasi-universal acceptance that civilian control is vitally important is usually not matched by an agreement of *how* this is to be achieved, and in particular how the civilian governance and oversight institutions are expected to acquire the necessary capability to oversee the military: "there exists no set of standards by which to evaluate

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[308]   David Pion-Berlin, *Through Corridors of Power: Institutions and Civil-Military Relations in Argentina* (University Park, Pa: Pennsylvania State University Press, 1997), pp. 13-44; Bruno Russett, *Controlling the Sword: The Democratic Governance of National Security* (Cambridge, Mass.: Harvard University Press, 1990).

[309]   Kohn, "How Democracies Control the Military," p. 141.

[310]   Nicole Ball, "Strengthening Democratic Governance of the Security Sector in Conflict-affected Countries," *Public Administration and Development,* Vol. 25, No. 1 (2005), p. 25.

[311]   Fukuyama, "Why There Is No Science of Public Administration."; Fukuyama, *State-Building: Governance and World Order in the 21st Century.*

[312]   "[In civil wars] no solution was possible without an answer as to who should govern. The international community's formula was free elections, a compelling idea in the abstract but ferociously difficult to implement in conflict-ridden countries." Robert A. Pastor, "Review Essay: Postconflict Elections, Democratization, and International Assistance," *The American Political Science Review,* Vol. 93, No. 4 (1999), p. 1023; Plamen Tonchev, "From Bullets to Ballots and Beyond: Building Post-conflict Democracies in Asia and Europ," *Asia Europe Journal,* Vol. 3, No. 3 (2005): 379-94; Terrence Lyons, "Postconflict Elections, Democratization, and International Assistance," *Democratization,* Vol. 11, No. 3 (2004): 36-62; Marina Ottaway, "Promoting Democracy after Conflict: The Difficult Choices," *International Studies Perspectives,* Vol. 4, No. 3 (2003): 314-22; Krishna Kumar (ed), *Postconflict Elections, Democratization, and International Assistance* (Boulder, CO: Lynne Rienner, 1998).

whether civilian control exists, how well it functions, and what the prognosis is for its continued success."[313]

Qualitatively similar, the challenge for mature democracies is usually not armed rebellion but "whether civilians can exercise supremacy in military policy and decision making — that is, frame the alternatives and define the discussion, as well as make the final choice."[314] Again, the ability and disposition of the armed forces remain important, but the crucial issue is *whether the civilian institutions are able to monitor and supervise the military effectively*.[315] The principal connectedness between both scenarios is nicely summarised by Cottey *et al.* who maintain with regard to the post-Communist states of Central and Eastern Europe that once the first generation issues of institutional restructuring, framework creation, and ensuring the basic agreement by the military not to interfere violently in the political process have been established, the concern shifts from normative debates to more mundane questions of administrative efficiency. These second generation issues relate to the *consolidation*, rather than the creation of control mechanisms:

> "In practice, these have more to do with issues of state capacity-building and bureaucratic modernization [than] with the traditional [normative] concerns of the civil-military relations literature. In most cases, the problem is not the establishment of civilian control over the armed forces or the separation of the military from politics, but rather that of the effective execution of democratic governance of the defense and security sector — particularly in relation to defense policy-making, legislative oversight and the effective engagement of civil-society — in a framework of democratic legitimacy and accountability."[316]

Thus assuming the acceptance of a certain degree of civilian control, the issue shifts to creating civilian monitoring institutions that might be ineffective in preventing a coup but are crucially important in providing budgetary oversight, audits, and investigations into disciplinary, procurement, technical, strategic or tactical irregularities.[317] Effective monitoring enhances civilian control by bringing military actions to the attention of knowledgeable civilians thereby raising the costs of misconduct by increasing the likelihood of detection and criticism. The existence of civilian expertise also alleviates the dependence of political decision-makers on potentially biased military technical experts.

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[313] Kohn, "How Democracies Control the Military," p. 140.

[314] Kohn, "How Democracies Control the Military," p. 141.

[315] Feaver, *Delegation, Monitoring, and Civilian Control of the Military.*

[316] Andre Cottey, Timothy Edmunds, and Anthony Forster, "The Second Generation Problematic: Rethinking Democracy and Civil-military Relations," *Armed Forces & Society,* Vol. 29, No. 1 (2002), p. 31.

[317] Feaver, *Delegation, Monitoring, and Civilian Control of the Military.*

There is a residual risk that these will by "getting in the military's knickers" infringe on the autonomy it claims and thus "provoke more harm in military resentment than the benefit they gain in civilian oversight."[318] But this danger is arguably well outranked by the harm of non self-evaluation and military institutional self-interest.[319]

dd. Effect on Military *Effectiveness*

Such negative reactions by the military to perceived intrusions into what it considers to be its rightful *domaine réservé* are not necessarily fuelled by the desire to protect bureaucratic fiefs. Rather they can point to legitimate concerns about the negative effects measures aimed at ensuring civilian control can have on its primary defence function. Some degree of autonomy is inherent in the very notion of functional division of labour. More importantly, it is *normatively* necessitated by the requirement of individual and corporate responsibility of the agent towards the principal who delegated the function.[320] What sets the military apart, however, is its ability to *physically* resist intrusions into what it considers its privileged sphere of operations.

Control mechanisms carry certain functional costs including cumbersome command structures that might imperil battle field performance;[321] fear of censure might entail an organisational culture where mistakes carry disproportionate risks thereby inhibiting innovation and initiative;[322] security leaks which can endanger strategic or tactical

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[318]   Feaver, "Civil-Military Relations," p. 229.

[319]   Van Evera, *Why States believe Foolish Ideas*; Christensen, "Interpreting Administrative Change: Bureaucratic Self-Interest and Institutional Inheritance in Government."; Kearney and Sinha, "Professionalism and Bureaucratic Responsiveness: Conflict or Compatibility?"

[320]   Weber, *Wirtschaft und Gesellschaft*, pp. 36-38, 52, 970, 1002-3.

[321]   Martin Samuels, *Command or Control? Command, Training and Tactics in the British and German Armies, 1888-1918* (London: Frank Cass, 1995); Peter D. Feaver, "Command and Control in Emerging Nuclear Nations," *International Security,* Vol. 17, No. 3 (1992): 160-87; Bouchard, *Command in Crisis: Four Case Studies*; Martin L. Van Creveld, *Command in War* (Cambridge, Mass.: Harvard University Press, 1985); Johann Christoph Allmayer-Beck, *Menschenführung im Heer*, Vorträge zur Militärgeschichte, 3 (Herford: E.S. Mittler, 1982); Colton, *Commissars, Commanders, and Civilian Authority: The Structure of Soviet Military Politics*.

[322]   Which Fukuyama and Shulsky counter with the "freedom to fail" and "informating the organisation", i.e. reducing hierarchies (and thus instances of control and responsibility) providing low-level commanders with real-time tactical and strategic information and encouraging them to take the necessary decisions by covering possible errors. See Francis Fukuyama and Abram N. Shulsky, "Military Organization in the Information Age: Lessons from the World of Business," in: *The Changing Role of Information in Warfare*, ed. by John P. White and Zalmay Khalilzad (Santa Monica, Calif.: RAND Corporation, 1999).

The concept is explicitly informed by modern management techniques but also by the perceived superiority in fighting performance of the Wehrmacht during World War II, where individual commanders were given considerable latitude over operational matters thereby encouraging innovation, perseverance, adaptation, and, ultimately, far superior performance. Obviously, the lack of accountability and oversight inherent in this setup poses significant problems, most notoriously brought to light in the wake of the Abu Ghraib scandal. For criticism see Leila Hudson, "Lessons from

operations; and reduced morale and cohesion in the military as a result of perceived distrust.[323] The aim must therefore be a sufficiently loyal 'professional' army that can be entrusted with sufficiently high degrees of operational autonomy to avoid these pitfalls.[324]

ee. Professionalism and Ethical Standards

Civilian control is commonly understood to equate absolute submission by the military to the civilian government of the day. But while loyalty and obedience to the sovereign are certainly important values to be inculcated in the military institution they cannot be considered comprehensive if not matched by an equally strong commitment to perennial ethical and constitutional norms. This position is clearly *not* shared by Huntington:

> "The commanding generals of the German army in the late 1930's, for instance, almost unanimously believed that Hitler's foreign policies would lead to national ruin. Military duty, however, required them to carry out his orders: some followed this course, others forsook the professional code to push their political goals. General MacArthur's opposition to the manner in which the government was conducting the Korean War was essentially similar. Both the German officers who joined the resistance to Hitler and General MacArthur forgot that it is not the function of military officers to decide questions of war and peace."[325]

This problem points to perhaps the weakest aspect in Huntington's theory of civil-military relations whose absolute exhortation of professionalism explicitly requires unquestioning loyalty and obedience in return for limited, i.e. operational autonomy. As for him the Prussian army represents both the origin and the highest embodiment of this ideal, he is understandably reluctant to examine the role of the German armed forces in

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both world wars in a sufficiently detached and critical manner. His uncritical acceptance of the self-serving myth of the "honourable German soldier" bound through professionalism and patriotism to a criminal leadership unduly absolves individual officer and institution from responsibility for the initiation and conduct of the wars. More importantly, it ignores the institutional complicity of the military in the formulation of the war aims of both world wars, as well as the demise of democracy and the rise of fascism. Whatever the validity of these positions at the time of writing, the intervening scholarship of the last five decades on the political and military role of the German army has necessitated a theoretical and normative reassessment of the concept of professionalism. Huntington describes the essence of his theory as such:

> "The one prime essential for any system of civilian control is the minimising of military power. Objective civilian control achieves this reduction by professionalizing the military, by *rendering them politically sterile and neutral.* This produces the lowest possible level of military political power with respect to all civilian groups. At the same time it preserves that essential element of power which is necessary for the existence of a military profession. *A highly professional officer corps stands ready to carry out the wishes of any civilian group which secures legitimately authority within the state.*"[326]

In his description of the German army he uncritically accepts the myth of the politically neutral general staff whose professionalism bound them in unquestionable loyalty to the political leadership which alone is responsible for how it uses the military tool. He assembles this image largely from the recollections of German generals written *after* the two world wars were lost,[327] largely ignoring their personal and organisational self-interest to diminish their own role in the preparation and execution of two disastrous aggressive wars. Instead he quotes uncritically Hindenburg's statement that the commander only "has to keep military victory as the goal before his eyes. But what statesmanship does with his victories or defeats is not his providence." His surprisingly lenient treatment and high general esteem for the German army is understandable for it represents in many ways his ideal of an allegedly politically neutral, purely professional army.[328] But he somewhat overstates his point when he describes the military prior to World War I as the last refuge of rational thought under the onslaught of a society going mad with nationalistic frenzy and bellicosity:

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[326] Huntington, *The Soldier and the State*, pp. 84, emphasis added.

[327] Huntington, *The Soldier and the State*, pp. 98-124.

[328] "Modern Germany inherited from Prussia the most professional officer corps in Europe." Huntington, *The Soldier and the State*, p. 99.

"The rationalism of German military thought also did not permit the glorification of war as an end in itself. … Elements in the naval officer corps, which had been born of imperialistic yearnings and which, as a younger service, *had not yet been completely differentiated from the society which created it*, were at times inclined toward bellicosity and imperialism. The army leaders, however, almost unanimously opposed both tendencies. … The ideology of bellicosity was spawned by the universities and embraced by the German people. Its influence was felt in all segments of society. *Only the intense adherence of the officers to the military ethic rendered the corps relatively immune* down to World War I."[329]

By severely understating the role of the armed forces in the demise of Weimar democracy and their alliance with rising National Socialism, Huntington is unwilling to see the inherent shortcomings of his concept of professionalism, both with respect to civilian vertical technical control[330] and, more importantly, with respect to the ethical responsibility of the soldiery for their actions.[331] He simply laments the "tragedy" — and thereby perpetuates the myth — of an upright military bound by their professional ethic of absolute obedience to the state and its civilian leadership, thereby completely absolving it from any moral culpability:

"There was nothing politically glorious in this performance. But then they were not trying to act as political figures; they were escaping politics, and it is not appropriate to judge them by political standards. They were trying to behave like professional soldiers, and it is by the standards of soldiers that they should be judged. By these criteria they come off well. The evil was not in them. It was in the environment which would not permit them to live the soldier's creed. They could not destroy the evil in the environment without violating that creed and destroying the good in themselves. Their glory and their tragedy was that they adhered to their faith until obliterated by the holocaust."[332]

He does not ask the obvious question whether there might perhaps be something wrong with a creed that demands unquestioning obedience unfettered by any normative considerations for it would compromise the parsimony and elegance of his tightly argued theory of civil-military relations.[333] But whatever the merits of his theory, with the passage of time and a much better understanding of the role of the German armed forces in the

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[329]   Huntington, *The Soldier and the State*, pp. 100-101, 105, emphasis added.

[330]   Huntington, *The Soldier and the State*, p. 103.

[331]   Huntington, *The Soldier and the State*, pp. 113-23.

[332]   Huntington, *The Soldier and the State*, p. 122.

[333]   His theory has withstood the test of time fairly well, and critical empirical studies have proved unable to "dislodge[] Huntington precisely because his theory consists of a few, tightly-reasoned, deductive propositions. From a philosophy of science perspective, Huntington's approach remains viable so long as there is no deductively superior alternative." Feaver, "The Civil-Military Problematique," p. 12.

first half of the 20th century,[334] obedience to the civilian leadership must be seen as a necessary but by no means sufficient condition for healthy civil-military relations. An element of normative commitment to the constitutional and ethical basis of state and society must therefore complement any comprehensive theory of the control of the armed forces.[335]

5. SUMMARY

Building on the observations in Chapter II concerning the utility of complementing inherently limited theoretical models, this chapter has outlined general conceptional approaches to civil-military relations. The intimate interplay between material and ideational factors already hinted in the earlier discussion of universal analytical tools, is particularly pronounced with regard to the role of the armed forces in society. At the most basic level any political community can be understood as a joint security association where individuals confer on the state the right and corresponding duty to impose internal order and defend against external threats. This functional division of labour gives rise to the fundamental dilemma of having to ensure the obedience of the military agents to their civilian principals.

Militarism refers to an imbalance in this functional relationship, caused by a variety of material, ideational, and institutional factors. The inherent physical capability of those charged with providing security to harm the interests of the general population can manifest itself in four broad ways: predatory, parasitic, bellicose, or disobedient militaries, respectively. Reflecting the plurality of material and ideational causes, analytical responses have been multidisciplinary and programmatically eclectic. Efforts to control the military and ensure its obedience have therefore relied on a combination of material devices

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[334]   The myth of the "honourable German soldier" is discussed below at p. 199 ff. Some of the literature instrumental in debunking it includes Fischer, *Germany's Aims in the First World War*; Fischer, *War of Illusions: German Policies From 1911 to 1914*; Fischer, *From Kaiserreich to Third Reich - Elements of Continuity in German History 1871-1945*; Jürgen Förster, "Das Unternehmen 'Barbarassa' als Eroberungs- und Vernichtungskrieg," in: *Der Angriff auf die Sowjetunion*, ed. by Boog Horst (Frankfurt am Main: Fischer-Taschenbuch-Verlag, 1996): 440-47; Rolf-Dieter Müller, *Hitlers Ostkrieg und die deutsche Siedlungspolitik: Die Zusammenarbeit von Wehrmacht, Wirtschaft und SS*, Geschichte Fischer (Frankfurt am Main: Fischer Taschenbuch Verlag, 1991); Bernd Ulrich and Benjamin Ziemann, *Krieg im Frieden: Die umkämpfte Erinnerung an den Ersten Weltkrieg: Quellen und Dokumente* (Frankfurt am Main: Fischer Taschenbuch Verlag, 1997); Paul Weindling, *Darwinism and Social Darwinism in Imperial Germany: the Contribution of the Cell Biologist Oscar Hertwig (1849-1922)* (Stuttgart: Gustav Fischer, 1991); Bartov, *Hitler's Army: Soldiers, Nazis, and War in the Third Reich*; Bartov, *The Eastern Front, 1941-45: German Troops and the Barbarisation of Warfare*.

[335]   Paul Yngling, "A failure in generalship," *Armed Forces Journal*, Vol. 5 (2007): no pagination.

aimed at affecting the ability of the military to resist control, but, equally important, used normative and institutional measures that affect the military's disposition to obey.

How institutional design affects normative structures and military professionalism is thus an independent factor affecting civil-military relations. But the explanatory impact of ideas plays itself out within a material framework of the international security environment. The significant normative development of German society cannot be imagined in isolation from the dramatically altered post-war security environment characterised by the artificial stability of the Cold War discussed in the subsequent chapter.

IV. SECURITY ENVIRONMENT

The main task of any army is to protect against an *external* threat. This threat varies greatly with time and place, a fact sometimes underestimated in structural theories that stress the uniformly conflictual nature of international relations. A country's geographic location can either provide it with powerful and essentially free natural defences,[1] or leave it dangerously exposed through the absence of any natural barriers to invasion or the dependency on exposed lines of communication on which it depends for vital supplies.[2] Meeting the resulting higher threat level will require more capable armed forces than those maintained by other states of comparable size and wealth.[3] Unsurprisingly, more prominent armed forces and a more pronounced external threat level are likely to affect civil-military relations.[4]

Shifts in relations to outside powers are likely to affect domestic civil-military tensions,[5] just as domestic tensions can contribute to an aggressive foreign policy.[6] The dramatic improvement in German civil-military relations as well as the general 'benignification' of Germany[7] cannot be understood without a proper recognition of the positive impact the changing security landscape of Europe has had on this transformation.

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[1]   For instance in the form of impenetrable mountain or desert ranges, or by being an island. Switzerland and Great Britain spring immediately to mind.

[2]   For a deliberately non-normative account of the interplay between objective security environment and national strategy see Posen, *The Sources of Military Doctrine: France, Britain, and Germany Between the World Wars*; see also Mayo, *The Emergence of Imperial Japan: Self-defense or Calculated Aggression*.

[3]   Both Germany and Japan, and in recent times, Israel are prominent examples of countries whose exposed location contributed to the maintenance of large and well-equipped armed forces.

[4]   Rod Lyon, *Civil-Military Relations in an Age of Terror*, unpublished manuscript, School of Political Science and International Studies, University of Queensland, (2005), available at: http://ics.leeds.ac.uk/papers/pmt/exhibits/2290/lyon.pdf, accessed on: 17 June 2006.

[5]   David E. Albright, "Comparative Conceptualization of Civil-Military Relations," *World Politics,* Vol. 32, No. 4 (1980), pp. 566-67.

[6]   For the argument that pathologies in civil-military relations may result in the adoption of aggressive strategies and overall belligerency, see Snyder, "Civil-Military Relations and the Cult of the Offensive, 1914 and 1984."; Van Evera, "The Cult of the Offensive and the Origins of the First World War."

[7]   Chaim Kaufmann, "Possible and Impossible Solutions to Ethnic Civil Wars," *International Security,* Vol. 20, No. 4 (1996), p. 174.

The 'German question'[8] is a shorthand for the challenge of peacefully accommodating the aspiration for national unity without upsetting the fragile European balance of power. The repeated frustrations of this aspiration led to a number of peculiarities in the development of German political culture and its institutional structure. On at least three major occasions liberal political movements striving to achieve national unity *and* political freedom failed against the forces of restoration.[9] The unified national state that finally did emerge as a result of three successful conservative cabinet wars[10] was characterised by the paradoxical simultaneity of incompatible anachronisms, the parallel existence of societal phenomena belonging to different historical epochs and remaining fundamentally discordant and irreconcilable. Ullrich sums up this paradox well and deserves to be quoted in full:

> "die *Gleichzeitigkeit des Ungleichzeitigen* scheint geradezu das Hauptcharakteristikum der Jahrzehnte vor und nach 1900 zu sein: Neben einer überaus dynamischen, innovativen Industriewirtschaft finden wir die monströse Spätblüte einer neoabsolutistischen Hofkultur; neben erstaunlichen Leistungen in Wissenschaft und Technik eine *weitverbreitete Uniformgläubigkeit, die Vergötzung alles Militärischen;* neben Tendenzen zur Parlamentarisierung und Demokratisierung die *latente Drohung mit dem Staatsstreich, das Liebäugeln mit der Militärdiktatur;* neben einer lebendigen avantgardistischen Kulturszene die plüschigste Salonkunst, neben einer erstaunlichen kulturellen Liberalität die kleinlichsten Zensurschikanen und eine harte Klassenjustiz; neben der Sozialfigur des wilhelminischen *Untertanen,* wie sie Heinrich Mann in seinem Roman so trefflich geschildert hat, den selbstbewußten großbürgerlichen Unternehmer und den klassenbewußten sozialdemokratischen Arbeiter; neben *auftrumpfendem Kraftgefühl und ungebremster Aggressivität ein tiefsitzendes Gefühl von Angst und Unsicherheit.* In diesem Neben- und Ineinander des scheinbar Unvereinbaren liegt vermutlich ein Erklärungsschlüssel für die *nervöse Reizbarkeit,* in

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8   David Schoenbaum and Elizabeth Pond, *The German question and other German questions* (Basingstoke: Macmillan, 1996); Dirk Verheyen, *The German Question: A Cultural, Historical, and Geopolitical Exploration* (Boulder: Westview Press, 1991). For a conservative fairly apologetic account see Ritter, *Europa und die deutsche Frage - Betrachtungen über die geschichtliche Eigenart des deutschen Staatsdenkens.*

9   These are the Liberation Wars of 1813-15 and the liberal revolutions of 1830 and 1848. For a discussion of this period see *inter alia* Werner Gembruch and Johannes Kunisch, *Staat und Heer: Ausgewählte historische Studien zum ancien régime, zur Französischen Revolution und zu den Befreiungskriegen* (Berlin: Duncker & Humblot, 1990); Manfred Messerschmidt, "Die preußische Armee während der Revolution in Berlin 1848," in: *Militärgeschichtliche Aspekte der Entwicklung des deutschen Nationalstaates,* ed. by Militärgeschichtliches Forschungsamt (Düsseldorf: Droste, 1988): 47-63.

10   The German-Danish War of 1864, the German-Austrian War of 1866, and the Franco-German War of 1870-71. They were waged and concluded by Chancellor Bismarck deliberately in the tradition of the limited cabinet wars of the past, their clearly limited political aims stand in marked contrast to the existentialist aims of later 'total' wars. Their aim is an adjustment and, ultimately, the restoration of the balance of power, not the destruction of the status quo. See Craig, *The Politics of the Prussian Army,* pp. 180-216; Kissinger, *A World Restored.*

der … ein spezifisches Merkmal von Politik und Mentalität der wilhelminischen Ära liegt."[11]

It is precisely this "nervous irritability" of the perennial latecomer that perplexed and frightened its neighbours, described as a *Sonderweg*, i.e. Germany's departure from a 'normal' path of modernity. Irrespective of the cultural and social roots of this idiosyncrasy, the impact of the external security environment cannot be overestimated.

a . G E O P O L I T I C A L   S E C U R I T Y   D I L E M M A

One of the key insights of realism is that the "distribution and character of military power are the root causes of war and peace."[12] Domestic or ideational factors are seen as products of more fundamental power relations who carry the main explanatory weight. These are in the German case the lack of naturally secure borders, the late attainment of statehood as well as the perception of offence dominance[13] set strong structural parameters for an acute case of security dilemma on both sides.[14]

Mearsheimer thus acknowledges German domestic political and social developments as significant *contributing factors* for war: "German society was infected with a virulent nationalism between 1870 and 1945 that laid the basis for expansionist foreign policies."[15] But he sees this domestic disposition as a function of geopolitical insecurity:

> "German hyper-nationalism was in part fuelled by Germany's pronounced sense of insecurity, which reflected Germany's vulnerable location at the centre of Europe, with relatively open borders on both sides. These geographic facts made German security problems especially acute; this situation gave German elites a uniquely strong motive to mobilise their public for war, which they did largely by fanning nationalism. Thus even German hyper-nationalism can be ascribed in part to the nature of the pre-1945 international system."[16]

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[11]   Ullrich, *Die nervöse Großmacht*, pp. 14, emphasis added.

[12]   Mearsheimer, "Back to the Future: Instability in Europe After the Cold War," p. 142.

[13]   It is important to note that this was an erroneous *perception* probably caused by the successful conclusion of the 1866 and 1870/1 wars; by 1905 military technology favoured the defence. See Snyder, *The Ideology of the Offensive: Military Decision Making and the Disasters of 1914*; see also Van Evera, "Offense, Defense, and the Causes of War."; Glaser and Kaufmann, "What is the Offense-Defense Balance and Can We Measure it?"

[14]   Posen, *The Sources of Military Doctrine: France, Britain, and Germany Between the World Wars*.

[15]   Mearsheimer, "Back to the Future: Instability in Europe After the Cold War," p. 161; with references to Ludwig Dehio, *Germany and World Politics in the Twentieth Century,* trans. Dieter Pevsner (New York: Norton, 1967); Paul M. Kennedy, *The Rise of the Anglo-German Antagonism, 1860-1914* (London: Allen & Unwin, 1980), chapter 18; Hans Kohn, *The Mind of Germany: The Education of a Nation* (New York: Harper Torchbook, 1965), pchapters 7-12; Louis L. Snyder, *German Nationalism: The Tragedy of a People* (Harrisburg, Pa.: Telegraph Press, 1952).

[16]   Mearsheimer, "Back to the Future: Instability in Europe After the Cold War," p. 161.

Furthermore, he distinguishes between the pursuit of aggressive war which is attributable to the strictures of geopolitics and power politics, and the particular *form* the conflict has taken. By separating, thus, German murderous conduct during World War II from the scope of the aggressiveness of its foreign policy he underlines one of the key strengths of realism as an analytical tool, its insistence on dispassionate analysis and rejection of anthropomorphic demonisation often associated with cultural theories of conflict.[17] Mearsheimer thus acknowledges that "Germany was indeed aggressive, but not unprecedentely so." Pointing to other continental powers who have previously aspired to hegemony, he puts German policy in context and concludes that:

> "Germany was merely the latest to attempt to convert dominant into hegemonic power. What was unique about Germany's conduct was its policy of mass murder toward many pf the peoples of Europe. The causes of this murderous policy should not be conflated with the causes of the two world wars. The policy of murder arose chiefly from domestic sources; the wars arose mainly from aspects of the distribution and character of power in Europe."[18]

The murderousness of Germany's genocidal war defies analysis and full comprehension,[19] but its aggressive foreign policy as such can be explained with relative facility as the product of a 'praetorian pattern' often witnessed in societies undergoing rapid socio-economic change.

b. PRAETORIAN POLITICS AND AGGRESSION

In Huntington's classic institutional definition, political order is maintained through stable *institutions as intermediaries that moderate the opposing political claims* of different interest groups, socialise behaviour and allow for negotiated outcomes, in particular by channelling and thereby moderating political claims.[20] He looks at the disorder that results from the failure of *traditional* institutions to cope with the escalating political claims of newly mobilised social strata in the wake of modernisation. The process of modernisation releases an

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[17]   This point is made with particular clarity by Walt, "The Progressive Power of Realism."

[18]   Mearsheimer, "Back to the Future: Instability in Europe After the Cold War," pp. 161-62.

[19]   Some valuable attempts at explanation include Pierre Aycoberry, *The Social History of the Third Reich, 1933-1945* (New York: New Press, 1999); Bartov, *Murder in Our Midst: The Holocaust, Industrial Killing, and Representation*; Omer Bartov, *Holocaust: Origins, Implementation, Aftermath*, Rewriting Histories (London, New York: Routledge, 2000).

[20]   Huntington, *Political Order in Changing Societies*, p. 12.

unprecedented dynamism[21] that inevitably leads to the fundamental transformation of all traditional institutions.[22]

This dynamism is based on rapid economic and technological change which produces high rates of social and geographic mobility, challenging traditional livelihoods as much as life-styles and norms. A restive population articulates political demands that the traditional institutions are unable to aggregate. Social norms and privileges are challenged, new opportunities are created, and new egalitarian norms increasingly undermine established authority. Political and social institutions fail to keep pace with the inevitable "paradox and contradiction"[23] of modern life and are unable to reconcile the competing political claims put aggressively forward by a mobilised society. As competing interest groups faced each other directly without the moderating influence of stable and legitimate institutions, political discourse quickly became marked by high levels of internal violence:

> "nationalist demagogy becomes a common political instrument to advance group interests and to help unstable governments rule. Praetorian societies such as Germany and Japan have accounted for most of this century's international security problems among the great powers. In both cases, weak democratic institutions were unable to channel the exploding energies of increasing mass political participation in constructive directions. Instead, elite groups interested in militarism, protectionism, and imperialism used nationalist appeals to recruit mass backing for their parochial ends."[24]

'Praetorian' patterns[25] develop where parochial interests impose authoritarian order at the expense of the aggregate interests of the majority.[26] The ineffective democratic institutions that had developed in Germany throughout the 19th century proved singularly

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[21]   For a discussion of the deep social, cultural, normative, and economic impact of modernity see *inter alia* Isam al-Khafaji, *Tormented Births - Passages to Modernity in Europe and the Middle East* (London: I.B. Tauris, 2004); Marshall Berman, *All That Is Solid Melts Into Air: The Experience Of Modernity* (New York: Viking Penguin, 1988); Ernest Gellner, John A. Hall, and I. C. Jarvie, *Transition to Modernity: Essays on Power, Wealth and Belief* (Cambridge, New York: Cambridge University Press, 1992); Frank A Ninkovich, *Modernity and Power: A History of the Domino Theory in the Twentieth Century* (Chicago: University of Chicago Press, 1994).

[22]   Weber, *Wirtschaft und Gesellschaft*, pp. 82-112.

[23]   Berman, *All That Is Solid Melts Into Air*, p. 13.

[24]   Snyder, "Averting Anarchy in the New Europe," pp. 105-06.

[25]   For discussions of such praetorian patterns in various recent settings, see Carolyn P Boyd, *Praetorian Politics in Liberal Spain* (Chapel Hill: University of North Carolina Press, 1979); Leo O Dare, *The Praetorian Trap: The Problems and Prospects of Military Disengagement [in Nigeria]*, Inaugural Lecture Series, 94 (Ile-Ife, Nigeria: Obafemi Awolowo University Press, 1991); Philip H Frankel, *Pretoria's Praetorians: Civil-military Relations in South Africa* (Cambridge: Cambridge University Press, 1984); Hassan Gardezi and Jamil Rashid, *Pakistan: The Roots of Dictatorship: The Political Economy of a Praetorian State* (London: Zed, 1983); Azam Ikram, *Democracy in Pakistan: Praetorian Puppeting* (Islamabad: PFI and Margalla Voices, 2003); Amos Perlmutter, *Egypt, the Praetorian State* (New Brunswick, N.J: Transaction Books, 1974); Asish Kumar Roy, *Praetorian Politics in Bangladesh: 1975-1981* (Kolkata: Progressive Publishers, 2002).

[26]   Huntington, *Political Order in Changing Societies*, chapter 4; Weede, "Rent Seeking, Military Participation, and Economic Performance in LDCs."

inadequate for the demands of a rapidly modernising society and quickly fell victim to the collusion of a few key interests groups, mainly the army, heavy industry, and aristocratic landowners ('iron and rye'):[27] "In this extraordinary staying power [of the old aristocratic elites] lies a peculiarity of the German development prior to 1914, especially if viewed in comparison with England or France."[28] The army and the civil service were the principal mechanism by which this dominance was played out.[29] They were likewise the main institutional transmission belts through which the normative and material preferences of a small and privileged elite were conveyed to society at large.[30]

This institutional staying power came to an abrupt end in 1945. The unambiguous and complete defeat, the widespread physical destruction, the enormous human losses, and the huge population movements severely upset and de-legitimised the old social order. This de-legitimisation opened a unique window of opportunity for far-reaching social, cultural, and political changes which set the country on much more 'normal' developmental course.[31]

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[27]   For a short summary of this period see the chapter "From Agrarian to Industrial State", Ullrich, *Die nervöse Großmacht*, pp. 127-42.

[28]   Ullrich, *Die nervöse Großmacht*, p. 273.

[29]   For figures see John Charles Gerald Röhl, *Kaiser, Hof und Staat: Wilhelm II. und die deutsche Politik* (München: Beck, 2002); it has appeared in an English translation as John Charles Gerald Röhl, *The Kaiser and His Court: Wilhelm II and the Government of Germany*, trans. Terence F. Cole (Cambridge: Cambridge University Press, 1996).

[30]   The German armed forces quickly recognised the power of mass communication and of affiliated mass organisations to further their bureaucratic interests to influence the political process. They can thus be seen as the originators of modern public relations and propaganda, a skill they passed on to other armed forces, notably in Japan, Turkey and Latin America which emulated the German organisational model. See for instance Deist, *Flottenpolitik und Flottenpropaganda: Das Nachrichtenbureau des Reichsmarineamtes 1897-1914*; on the influence of the Marineverein see Herbert Schottelius and Wilhelm Deist, *Marine und Marinepolitik im kaiserlichen Deutschland 1871-1914* (Düsseldorf: Droste Verlag, 1972).

On Turkey see Metin Heper, Ahmet Evin, and Deutsches Orient-Institut (eds), *State, Democracy, and the Military: Turkey in the 1980s* (Berlin: W. de Gruyter, 1988); Ayse Gül Altinay, *The Myth of the Military-nation: Militarism, Gender, and Education in Turkey*, 1st ed (New York: Palgrave Macmillan, 2004).

[31]   Olson powerfully points out the weakening of domestic elites through military defeat and unconditional surrender in order to account for the much higher rate of innovation, greater distributional equality and productive efficiency of German society and its economy vis-à-vis the other advanced industrialised economies after the war. It is only this weakening of particular interests that sufficiently undermined the working of the 'logic of collective action' thus allowing for collectively better outcomes. Mancur Olson, *The Logic of Collective Action: Public Goods and the Theory of Groups* (Cambridge, Mass.: Harvard University Press, 1971); Mancur Olson, *The Rise and Decline of Nations: Economic Growth, Stagflation, and Social Rigidities* (New Haven: Yale University Press, 1982); Olson and Kähkönen, *A Not-so-dismal Science: A Broader View of Economies and Societies*.

c. *THE END OF THE SOCIO-POLITICAL SONDERWEG*

Prior to 1945, Germany had progressed along a peculiarly stunted path to modernity. The thesis of a German *Sonderweg*[32] consequently "sees in the gap between economic modernity and political backwardness a fundamental problem of recent German history and the real cause of Germany's departure of the Western developmental path deemed to be *normal*."[33] And while the *Sonderweg* thesis as such has since been modified to better account for the simultaneity of progressive and reactionary elements, the paradox remains that with the defeat of 1945 a long period of self-consciously separate socio-political development came to a rapid end. These irrational beliefs were partly the result of rational concerns about a dangerous security environment. Consequently, overcoming them was not only a matter of domestic ideational efforts such as re-education and institution-building, but primarily a function of material shifts affecting European security.

The realist framework thus sees the decline of virulent nationalism in Europe — including Germany — after 1945 primarily as a function of the stability of the Cold War order due to bipolarity, military equality, and nuclear weapons.[34] Security competition and imitation effects under the self-help system of anarchy[35] created powerful incentives for all states to create mass armies.[36] Given its strong mobilisation potential, states acting under the structural logic of anarchy cannot afford to forego the tactical and strategic benefits of inculcating in their respective populations strong nationalist sentiments.[37] Such

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[32]   The classical exposition is Hans Ulrich Wehler, *Das deutsche Kaiserreich, 1871-1918* (Göttingen: Vandenhoeck & Ruprecht, 1973); appeared in English as Hans Ulrich Wehler, *The German Empire 1871-1918,* trans. Kim Traynor (Leamington Spa: Berg, 1985).

For an early critique see Thomas Nipperdey, "Wehlers «Kaiserreich» - Eine kritische Auseinandersetzung," in: *Nachdenken über die deutsche Geschichte : Essays*, ed. by Thomas Nipperdey (München: Deutscher Taschenbuch Verlag, 1991).

[33]   Ullrich, *Die nervöse Großmacht*, pp. 13, emphasis in the original.

[34]   Because of the relatively low expectation of war both sides needed less nationalist mobilisation of their societies for war, while also requiring (relatively) smaller armies due to nuclear weapons. It nevertheless recognises the important effect domestic causes such as pathological nationalism and historical memory can have for the stability of the system: "The teaching of honest national history is especially important, since the teaching of false chauvinist history is the main vehicle for spreading virulent nationalism. States that teach a dishonestly self-exculpating or self-glorifying history should be publicly criticised and sanctioned."Mearsheimer, "Back to the Future: Instability in Europe After the Cold War," pp. 165, 192; , see also Paul M. Kennedy, "The Decline of Nationalistic History in the West, 1900-1970," *Journal of Contemporary History,* Vol. 8, No. 1 (1973): 77-100; E. H. Dance, *History the Betrayer: A Study in Bias* (London: Hutchinson, 1960).

[35]   Buzan*, et al, The Logic of Anarchy: Neorealism to Structural Realism*; Waltz, *Theory of International Politics*.

[36]   Cohen, *Citizens and Soldiers*, pp. 42-86.

[37]   Posen, "Nationalism, the Mass Army, and Military Power," p. 82; Snyder and Ballentine, "Nationalism and the Marketplace of Ideas."; Van Evera, "Hypotheses on Nationalism and War."; George L. Mosse, *Nationalization of the Masses: Political Symbolism and Mass Movements in Germany from the Napoleonic Wars Through the Third Reich* (Ithaca: Cornell University Press, 1991).

structural reasoning provides a helpful corrective to cultural notions about supposedly unalterable "national characteristics,"[38] putting into perspective the alleged German penchant for all things military.

2. POST-WAR STATUS QUO

Despite its costs, the Cold War coincided with an unprecedented period of peace and stability in Europe.[39] The absence of war was explained in the dominant theoretical school through the stable balance of power brought about by the bipolar order backed by nuclear deterrence.[40] While lamentable in principle, the division of the continent was seen as the necessary corollary of the global bipolar division. Given realism's well-known preference for stability and order over other competing values such as justice,[41] it was argued that the Cold War system "despite [its] unjust and wholly artificial character may not be grounds for celebration," but "because it has been *based upon the realities of power*, has served the cause of *order* — if not *justice* — better than one might have expected."[42]

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[38] Due to the inherent difficulty of defining, let alone measuring, with any reasonable degree of precision aggregate psychological qualities and culture, much literature is based on unproven assumptions, faulty logic and insufficient data. For good examples of the genre see *inter alia* Ruth Benedict, *The Chrysanthemum and the Sword: Patterns of Japanese Culture* (Mariner Books, 1989); Jürgen Habermas, *The Past as Future: Vergangenheit als Zukunft,* trans. Michael Haller and Max Pensky (Lincoln: University of Nebraska Press, 1994); Charles S Maier, *The End of Longing? Toward a History of Postwar German National Longing*, unpublished manuscript, Center for German and European Studies, University of California, Berkeley (1996); Nolan, *The Inverted Mirror: Mythologizing The Enemy In France And Germany 1898-1914.*

[39] For an authoritative contemporary summary see John Lewis Gaddis, *The Long Peace - Inquiries into the History of the Cold War* (New York: Oxford University Press, 1987).

[40] The classical exposition of this (neo-realist) view is in Waltz, *Theory of International Politics.* On the stability-inducing effect of nuclear weaponry see John J. Mearsheimer, "Nuclear Weapons and Deterrence in Europe," *International Security,* Vol. 9, No. 3 (1984): 19-46; Kenneth Neal Waltz, "Nuclear Myths and Political Realities," *American Political Science Review,* Vol. 84, No. 3 (1990): 731-45.

[41] The realist credo, "must be seen as a philosophical disposition and set of assumptions about the world [and is] best viewed as an attitude regarding the human condition … *founded on a pessimism regarding moral progress and human possibilities*," Gilpin, "The Richness of Political Realism," pp. 304, emphasis added.

Given this moral scepticism the ethic of responsibility demands prudence above all, thus maintaining order is inherently preferable to the pursuit of justice because of the turmoil and suffering the breakdown of order entails. The importance of the realist notion of ethics, as developed in Weber's Verantwortungsethik, for the development of realist thought is discussed in Smith, *Realist Thought from Weber to Kissinger.* For an in-depth discussion of modern realist thought see Gaede, *Politics and Ethics: Machiavelli to Niebuhr.* For a discussion of classical authors see Peter Kreeft, *Socrates Meets Machiavelli: The Father of Philosophy Cross-examines the Author of The Prince* (San Francisco: Ignatius Press, 2003); Ruth Weissbourd Grant, *Hypocrisy and Integrity: Machiavelli, Rousseau, and the Ethics of Politics* (Chicago: University of Chicago Press, 1997).

A good discussion of the ethical dilemma inherent in realism's basic assumption is Rosemary Foot, John Lewis Gaddis, and Andrew Hurrell (eds), *Order and Justice in International Relations* (Oxford: Oxford University Press, 2003).

[42] Gaddis, "The Long Peace," pp. 2, 12.

Throughout the Cold War German unification had remained in an awkward but not altogether unwelcome state of suspension.[43] The division and alliance integration (on both sides) provided ample *external* insurance against any possible resurgence of German power, dispensing with the need to rely on *internal* normative changes.

a. STRUCTURAL STABILITY

The stability and relative peacefulness of the Cold War order were not the result of ingenious designs for restorative justice — as the Versailles settlement purported to do — but simply due to the efficient *balancing* of power which created *order*.[44] This recalls the postulate of classical realism that "peace is achieved *not as an end in itself*, but instead emerges as the result of a stable, contrasted with a revolutionary, international system."[45] The explicit rejection of the deliberate pursuit of peace has been succinctly expressed by Kissinger:

> "wherever peace — conceived as the avoidance of war — has been the primary objective of a power or a group of powers, the international system has been at the mercy of the most ruthless member of the international community."[46]

This realist preference for order over justice as such is not without ethical merit, its refusal to treat peace as an absolute moral value must be seen in the context of its insistence on legitimate order as the only guarantee of stability as the best substitute for peace available: "whenever the international order has acknowledged that certain principles could not be compromised even for the sake of peace, stability based on an

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[43]   The literature is extensive, for recent treatments in English see *inter alia* Imanuel Geiss, *The Question of German Unification: 1806-1996* (London: Routledge, 1997); Frank Anthony Ninkovich, *Germany and the United States: The Transformation of the German Question Since 1945*, Updated ed, Twayne's International History Series (Boston, Mass: Twayne, 1995); Schoenbaum and Pond, *The German question and other German questions*; Verheyen, *The German Question: A Cultural, Historical, and Geopolitical Exploration*; Stefan Wolff, *The German Question Since 1919: An Analysis With Key Documents*, Perspectives on the twentieth century (Westport, Conn.: Praeger, 2003).

See also the following works in German: Manfred Görtemaker, *Der Weg zur Einheit: Die deutsche Frage in der internationalen Politik* (München: Franzis / Bundeszentrale für Politische Bildung, 2005); Lutz Haarmann, *"Die deutsche Einheit kommt bestimmt!": Zum Spannungsverhältnis von deutscher Frage, Geschichtspolitik und westdeutscher Dissidenz in den 1980er Jahren* (Berlin: Berliner Wissenschafts Verlag, 2005); Sebastian Haffner, *Die deutsche Frage: 1950 - 1961: Von der Wiederbewaffnung bis zum Mauerbau*, trans. Sigrid Ruschmeier (Berlin: Transit, 2002); Claus-Joachim Lücken, *Die deutsche Frage im Selbstverständnis der Bundeswehr - _Die Nation, das vergessene Wehrmotiv?, (1956 - 1982)* (Heidelberg: Lang, 1995); Ritter, *Europa und die deutsche Frage - Betrachtungen über die geschichtliche Eigenart des deutschen Staatsdenkens*; Emil Schlee, *Bundeswehr im Bündnis: Traditionsprobleme der Bundewehr durch die offene deutsche Frage* (Preussisch Oldendorf: Dt. Verl.-Ges, 2000); A Tschernjaew, *Mein Deutsches Tagebuch. Die deutsche Frage im ZK der KPdSU (1972-1991)* (Hamburg: Elbe-Dnjepr-Verlag, 2005).

[44]   Gaddis, "The Long Peace," pp. 12, emphasis added.

[45]   Dougherty and Pfaltzgraff, *Contending Theories of International Relations*, pp. 107, emphasis added.

[46]   Kissinger, *A World Restored*, p. 1.

equilibrium of forces was at least conceivable."[47] This stability involves a strong element of legitimacy:[48]

> "All nations, adversaries and friends alike, must have a stake in preserving the international system. They must feel that their principles are being respected and their national interest secured. They must, in short, see positive incentive for keeping the peace, not just the dangers of breaking it."[49]

The division of Germany removed a large destabilising element from the European equation. As the bipolar confrontation superseded everything else in importance, Germany quickly turned from a potential menace to European security to a strategic asset in the global balance of power.[50] Thus while a unified but neutral Germany might or might not have been a realistic option, it was certainly unacceptable for either side to allow a unified Germany to enter the opposing alliance. The ensuing division of the country had the unintended but welcome consequence of precluding the threat to the stability of the system by the combined weight of a united Germany.

A separate structural source of stability has been the changing economic rationale for conquest.[51] Given the high levels of repression needed to subdue a hostile population it is doubtful whether under present economic conditions conquest would pay at all.[52] This stands in marked contrast to prior epochs, including World War II, although the perceived benefits of conquest were likely to have been overstated:

> "There is no easy way to assess how much weight this economic motive had in driving Germany's policy, compared to the mix of desire for revenge for the wrongs of Versailles, racist ideology, Nazi dreams of a New Order, hatred and fear of Bolshevism, and Hitler's simple lust for power. The economic goals were certainly present; that does not say that they were correctly assessed."[53]

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[47] Kissinger, *A World Restored*, p. 4.

[48] Kissinger concludes that stability results not from "a quest for peace, but from a general accepted legitimacy" which he defines as "no more than an international agreement about the nature of workable arrangements and about the permissible aims and methods of foreign policy." Kissinger, *A World Restored*, pp. 1, 2.

[49] Kissinger, *The White House Years*, p. 55.

[50] On the contradictory impulses of wanting to contain Germany while needing its economic and military strength to contain the rising Soviet threat see Spencer Mawby, *Containing Germany: Britain and the Arming of the Federal Republic* (Basingstoke, UK: Macmillan Press, 1999).

[51] See above p. 48.

[52] Gene Sharp, *Making Europe Unconquerable* (Cambridge: Ballinger, 1985); Brooks, "The Globalization of Production and the Changing Benefits of Conquest."; Liberman, "The Spoils of Conquest."; V.G. Kiernan, *From Conquest to Collapse: European Empires from 1815 to 1960* (New York: Pantheon, 1982).

[53] Carl Kaysen, "Is War Obsolete? A Review Essay," in: *The Cold War and After: Prospects for Peace*, ed. by Sean M. Lynn-Jones and Steven E. Miller, International security readers (Cambridge, MA: MIT Press, 1997), p. 95.

Other war-discouraging factors include the memory of the destruction of World War II and the satisfaction of its victors[54] with the resulting status quo.[55] The relative satisfaction with the status quo, the uncertain benefits of aggression, and the high cost of escalation translate for some into a relative absence of meaningful incentives for aggression for either side: "I have never believed that they [the Soviets] have seen it as in their interest to overrun Western Europe militarily, or that they would have launched an attack on that region generally even if the so-called nuclear deterrent had not existed."[56] The one *dis*satisfied state eager to change the status quo was, of course, Germany eager to overcome its division and achieve national unity. But the integration into opposing alliances seemed to provide ample structural reassurance against any such temptations.

b. HEGEMONIC STABILITY

The domination of each bloc by a preponderant power has been suggested as another powerful stabilising factor. Hegemonic stability is seen to work in two related but distinct ways: on the one hand it significantly reduced the common action problem inherent in the fear about relative gains and thus greatly facilitated international cooperation and the creation of common institutions. On the other hand the need for internal cohesion and the existence of a preponderant power controlling each alliance ensured that small powers could not pursue reckless policies which carried the potential of unravelling the system.

For Mearsheimer the combination of the above material factors is sufficient to account for structural stability and thus peacefulness of the period: "when an equal bipolarity arose and nuclear weapons appeared, peace broke out. This correlation suggests that the bipolarity theory, the equality theory, and the nuclear theory of the long peace are valid"[57]

Hegemonic stability theory,[58] relying only on realist concepts of interest and power, is based on two major tenets: order is *created* by a single dominant power, and that order is

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[54]   Waltz notes for instance that "the United States, and the Soviet Union as well, have more reason to be satisfied with the status quo than most earlier great powers had."Waltz, *Theory of International Politics*, p. 190.

[55]   Mueller, "The Essential Irrelevance of Nuclear Weapons: Stability in the Postwar World," p. 57.

[56]   Kennan, "Containment Then and Now," pp. 888-89.

[57]   Mearsheimer, "Back to the Future: Instability in Europe After the Cold War," pp. 21-22.

[58]   Robert O. Keohane, "The Theory of Hegemonic Stability and Changes in International Economic Regimes," in: *Change in the International System*, ed. by Ole Holsti and et al. (Boulder: Westview Press, 1980): 131-62; Robert O. Keohane, "Hegemonic Leadership and U.S. Foreign Economic Policy in the "Long Decade" of the 1950s," in: *America in a Changing World Political Economy*, ed. by William P. Avery and David P. Rapkin (New York: Longman, 1982): 49-76.

maintained through continued hegemony: "for the world economy to be stabilised, there has to be a stabiliser, one stabiliser."[59] With the decline of the hegemon, cooperation should thus equally decline. That this has not happened despite the relative decline of U.S. preponderance during the 1970s and 1980s is the major theme of Keohane's influential *After Hegemony* who argues that: "cooperation does not necessarily require the existence of a hegemonic leader after international regimes have been established. Post-hegemonic cooperation is also possible."[60] Keohane's influential account of cooperation is important for our assessment of European security for two reasons: it explains why relations within Western Europe were quickly transformed into what Deutsch terms a 'security community,'[61] and it explains why institutionalised cooperation continued well beyond the end of the Cold War.

As self-help units under anarchy and unsure about each other's intentions, states must pay greater attention to *relative* than to *absolute* gains.[62] Thus, even when cooperation is understood by all to be absolutely beneficial for all participants, it will still be impossible because the *distribution* of the gains will not be equal and states must worry about their relative position vis-à-vis their potential enemies more than about increasing their absolute welfare.[63] What American predominance after World War II effectively did was to remove the condition of the security dilemma at least for those states within its 'imperial' purview.[64] By establishing global standards and policing public goods (open markets and communication routes, for instance) the hegemon derives political and economic power from the open interaction,[65] but the other states benefit as well. Important in this respect is the Gramscian concept of 'ideological hegemony' because

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[59]   Charles P. Kindleberger, *The World in Depression, 1929-1939* (Berkeley: University of California Press, 1973), p. 305.

[60]   Keohane, *After Hegemony*, pp. 31-32.

[61]   Karl Wolfgang Deutsch, *Political Community and the North Atlantic Area: International Organization in the Light of Historical Experience* (Princeton: Princeton University Press, 1957).

[62]   Robert Powell, "Absolute and Relative Gains in International Relations Theory," *American Political Science Review,* Vol. 85 (1991): 1303-20; Duncan Snidal, "Relative Gains and the Pattern of International Cooperation," *American Political Science Review,* Vol. 85, No. 3 (1991): 701-26.

[63]   Robert Jervis, "Cooperation under the Security Dilemma," *World Politics,* Vol. 30, No. 2 (1978): 167-213.

[64]   Keohane, *After Hegemony*, p. 136.

[65]   See *inter alia* Immanuel Wallerstein, *The Modern World-System II: Mercantilism and the Consolidation of the European Wordl-Economy, 1600-1750* (New York: Academic Press, 1980); Charles P. Kindleberger, *Manias, Panics and Crashes* (New York: Basic Books, 1978); A.G. Ford, *The Gold Standard, 1880-1914* (Oxford: The Clarendon Press, 1962); Marcello De Cecco, *Money and Empire: The International Gold Standard, 1890-1914* (Totowa, N.J.: Rowman and Littlefield, 1975).

"it helps us understand the willingness of the partners of a hegemon to defer to hegemonial leadership. Hegemons require deference to enable them to construct a structure of world capitalist order. It is too expensive, and perhaps self-defeating, to achieve this by force; after all, the key distinction between hegemony and imperialism is that a hegemon, unlike an empire, does not dominate societies through a cumbersome political superstructure, but rather supervises the relationships between politically independent societies through a combination of hierarchies of control and the operation of markets."[66]

c. EUROPEAN INTEGRATION

It is questionable whether European integration would have been possible in the absence of American preponderance acting as a "pacifier"[67] among the bickering Europeans. While theoretically alternative scenarios are conceivable where European integration could have occurred without American hegemony or the uniting fact of a Soviet threat,[68] *de facto* American influence proved decisive. A rough consensus developed in the North Atlantic area, and eventually including Japan, that an open capitalist trading system was preferable to possible alternatives such as socialism or protectionist mercantilism.[69]

In Gramscian terms this consensus represents the "acceptance by its partners of the ideological hegemony of the United States."[70] The secondary states accept the dominant normative culture because they believe that they will benefit from the stable order that rests on the power of the hegemon. This perceived complementarity between the United States and its partners was reinforced by American efforts to create international regimes[71] to "provide specific benefits to its partners as well as reduce uncertainty and otherwise encourage cooperation."[72] Despite the professed equality of the partners, Gramscian ideological hegemony is an important component of the regime's underlying power structure:

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[66]   Keohane, *After Hegemony*, p. 45; referring to Immanuel Wallerstein, *The Modern World-System: Capitalist Agriculture and the Origins of the European World-Economy in the Sixteenth Century* (New York: Academic Press, 1974), pp. 15-17.

[67]   Josef Joffe, "Europe's American Pacifier," *Foreign Policy,* Vol. 54 (1984): 64-82.

[68]   For theoretical models see Robert Axelrod, "The Emergence of Cooperation among Egoists," *American Political Science Review,* Vol. 75, No. 2 (1981): 306-18; Robert Axelrod, *The Evolution of Cooperation* (New York: Basic Books, 1984); Kenneth A. Oye, "Explaining Cooperation Under Anarchy: Hypotheses and Strategies," *World Politics,* Vol. 38 (1985).

[69]   Fred L. Block, *The Origins of International Economic Disorder* (Berkeley: University of California Press, 1977).

[70]   Keohane, *After Hegemony*, p. 137.

[71]   Defined by Ruggie as "a set of mutual expectations, rules and regulations, plans, organisational energies and financial commitments, which have been accepted by a group of states," John Gerard Ruggie, "International Responses to Technology: Concepts and Trends," *International Organization,* Vol. 29, No. 3 (1975), p. 570; see also Stephen D. Krasner (ed), *International Regimes* (Ithaca: Cornell University Press, 1983).

[72]   Keohane, *After Hegemony*, p. 137.

"a unity between objective material forces and ethico-political ideas … in which power based on dominance over production is rationalised through an ideology incorporating compromise or consensus between dominant and subordinate groups. […] A hegemonial structure of world order is one in which power takes a primarily consensual form, as distinguished from a non-hegemonial order in which there are manifestly rival powers and no power has been able to establish the *legitimacy* of its dominance."[73]

American hegemony stemmed from its economic preponderance which translated into its military dominance.[74] Its ability to protect its allies was certainly crucial, but in its relations towards allies military issues were rarely linked to economic or political issues.[75] Thus American military power acted as a shield, but remained in the background during relations between allies themselves, and was rarely linked to negotiations on economic issues.[76] *Within* the Western camp, therefore, military force was, and continues to be, "absolutely marginal."[77]

Based on the experience of Western Europe, theoretical tools which stress the perennial enmity between states in a sort of Hobbesian 'state of nature' appear thus of limited applicability. It seems that Deutsch's concept of a 'security community' best describes the relations between the members of the North Atlantic Alliance and the other neutral European states, namely as a community "in which there is real assurance that the members of that community will not fight each other *physically* but will settle their disputes in some other way."[78]

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[73]   Robert W. Cox, "Social Forces, States and World Orders: Beyond International Relations Theory," *Millenium Journal of International Studies,* Vol. 10, No. 2 (1981), pp. 387, 153, n. 27; quoted in Keohane, *After Hegemony*, pp. 44, emphasis added.

[74]   As Kennedy puts it "victory has always gone to the side with the greatest material resources." Paul M. Kennedy, *The Rise and Fall of the Great Powers: Economic Change and Military Conflict from 1500-2000* (New York: Random House, 1987), p. 439. For some impressive figures on the American ability to produce war-related industrial goods during World War II, see Mueller, "The Essential Irrelevance of Nuclear Weapons: Stability in the Postwar World."; reprinted in Lynn-Jones and Miller, *Cold War and After*, pp. 45-69, at 50-52.

[75]   Richard N. Cooper, "Trade Policy is Foreign Policy," *Foreign Policy,* Vol. 9 (1972): 18-36.

[76]   Keohane, *After Hegemony*, p. 137.

[77]   de Wilde, "International Security as a Common Home Affair," p. 5.

[78]   Deutsch, *Political Community and the North Atlantic Area: International Organization in the Light of Historical Experience*, pp. 5, emphasis added. Of course, not everyone agrees with that assessment: "Even the idea that Western European nations constitute a 'security community' or area of peace is mere wishful thinking." Hedley Bull, "Civilian Power Europe: A Contradiction in Terms?," *Journal of Common Market Studies,* Vol. 21 (1983), p. 163.

d. IDEATIONAL FACTORS FOR STABILITY

The *internal* aspect of institutional cooperation in the military or other spheres, namely as a means of signalling benevolent behaviour and creating stable expectations of continued cooperation.[79] Germany has played an important role in three respects: first, it is questionable whether the military and economic structures of integration could have survived without the continued acceptance by Germany of the limitations of sovereignty inherent in membership and its active support for that structure. Second, Germany's explicit renunciation of the national model in favour of post-national integration[80] has greatly increased the prestige of that model for the newly independent Eastern states, and Germany's active support for the integration of these states into the existing structure has provided a viable alternative for the historical model of 'praetorian' democracy. Third, the German experience of dealing with the domestic legacy of fascism and mending relations with former enemies provided a blueprint for the transformation of societies towards pluralistic democracies.

Another ideational factor closely related to technological changes has been the almost complete disappearance of undue optimism regarding the outcome of war. As Blainey states, "[r]ecurring optimism is a vital prelude to war. Anything which increases that optimism is a cause of war. Anything which dampens that optimism is a cause of peace."[81] As Georg Simmel points out prior to the advent of nuclear weapons[82] the only reliable test of capabilities was to actually go to war.[83] Therefore assessing the relative strengths of opposing armies left a wide margin of error, permitting unjustified optimism and fuelling brinkmanship.

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[79]   Mitrany, *The Functional Theory of Politics*; David Mitrany, *A Working Peace System* (Chicago: Quadrangle Press, 1966).

[80]   This has been described as a policy of deliberate "self-emasculation" in which the "German Ulyssess" has tried "to tie himself to the European mast." See Keohane*, et al, After the Cold War*, p. 389; Schwarz, *Die gezähmten Deutschen: Von der Machtbesessenheit zur Machtvergessenheit.*

[81]   Blainey, *The Causes of War*, p. 53.

[82]   Carnesale*, et al, Living with Nuclear Weapons*, p. 44.

[83]   Quoted in Blainey, *The Causes of War*, p. 118.

This absence of a "bellicist" mentality[84] among leaders and publics alike among all major powers after 1945 has, as we noted, clear technological and structural origins, but is influenced by normative visions and perceptions of costs and benefits:

> "Stability in international systems is only partly a function of structure, though; it depends as well upon the conscious behaviour of the nations that make them up. … [war] requires deliberate decisions on the part of national leaders; more than that, it requires calculations that the gains to be derived from war will outweigh the possible costs."[85]

3. THE END OF THE COLD WAR: CONFLICT OR CONTINUITY

Despite the gloomy predictions following the end of the Cold War,[86] we have seen neither a re-nationalisation of defence nor a resumption of national rivalry in Europe.[87] Stability in Europe seems to have been due to more than the mere existence of structural factors such as American hegemony and bipolarity. In the run-up to unification many of the deep-seated fears about a renewal of German militarism came again to the fore, most notably in Poland, Russia, France, Holland, and Britain. Two additional related sources of instability were identified: a bungled transition from communist authoritarianism in Central and Eastern Europe potentially repeating historical praetorian patterns, and the prospect of a 'Weimar Russia', a humiliated and defeated nation seeking salvation in authoritarianism and aggression.

a. SPECTRE OF GERMANY RESURGENT

Fears about a resurgent Germany focussed on the increased material capabilities of the unified country and the uncertainty about how these power resources would be put to use. Genuine concerns about the security implications of a power shift of this magnitude,

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84   Michael Eliot Howard, *The Causes of Wars and other Essays* (Cambridge, Mass.: Harvard University Press, 1984), pp. 271-73.

85   Gaddis, "The Long Peace," p. 22.

86   Mearsheimer, "Back to the Future: Instability in Europe After the Cold War."; Hoffmann*, et al,* "Correspondence - Back to the Future, Part II: International Relations Theory and Post-Cold War Europe."; John J. Mearsheimer, "The False Promise of International Institutions," *International Security,* Vol. 19, No. 3 (1994): 5-49.

87   Van Evera, "Primed for Peace."; Van Evera, "Why Europe Matters, Why the Third World Doesn't: American Grand Strategy After the Cold War."

however, were intertwined with deep-seated fears and reservations about national characteristics. It was feared that:

> "Germany may return to the aggressive course that caused both World Wars, once it is united and free from the police presence of the superpowers. Proponents of this view believe that past German aggression was driven largely by flaws in German national character; that Germany has behaved well since 1945 largely because it was not free to behave badly; and that a united and more autonomous Germany may return to its old ways. This fear is often thought, sometimes whispered, but rarely stated boldly. It nonetheless is implicit in fears that Germany will be the focus of instability in post-Cold War Europe."[88]

The apprehension felt throughout Europe at the time of unification concerned the *permanency* and *durability* of Germany's transformation from repressive and aggressively xenophobic authoritarianism to a liberal, reasonably cosmopolitan society committed to peaceful coexistence and international cooperation. The fear that Germany might return to its old ways is based on a mixture between doubts about its national character as much as the fear that the socio-economic conditions that allowed praetorian politics to flourish in the inter-war years could return, both in Germany and further east. With the strictures of the Cold War lifted, many wondered if Germany might not try to seize the apparent opportunity to seek a revision of its borders and rectify the huge territorial loss imposed at Potsdam, in the way predicted by Winston Churchill:

> "For the future peace of Europe here was a wrong beside which Alsace-Lorraine and the Danzig Corridor were trifles. One day the Germans would want their territory back, and the Poles would not be able to stop them."[89]

b. INSTABILITY IN THE EAST

The Weimar Republic was marked by the absence of legitimate institutions to channel diverging interests, resulting in high levels of political violence, as well as the eventual externalisation of this violence into an aggressive foreign policy. Sceptical commentators at the time pointed to the lingering ethnic conflicts related to large minority populations and unresolved border issues in Eastern Europe that lend themselves easily to irredentist

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[88]   Van Evera, "Primed for Peace," p. 194; page references concern the reprint in Lynn-Jones and Miller, *Cold War and After*.

[89]   Winston Churchill, *Triumph and Tragedy*, 6 Vols, Vol. 6, The Second World War (Boston: Houghton Mifflin Company, 1953), p. 648.

and nationalist agitation[90] in the immature political systems of many post-communist societies, using external aggression as a means of holding on to power as had happened in the past.[91] Thus accommodating the rising power of Germany in the system was not only important in itself, but how Germany would interact with these new regimes in the East could prove decisive for *their* foreign policy choices. Contrasting the divergent approaches taken by Weiner and Huntington, Snyder points out that the decisive difference might actually lie in:

> "the distinctive historical role played by praetorian Germany as a model of belligerence for its smaller East European praetorian neighbours. If so, a well-behaved united Germany might exert a more benign influence on Central and Eastern Europe in the present era."[92]

The desire to join the European Union, NATO and the other institutions has had a considerably moderating effect on the states in the region, where full membership continues to be regarded as "a vehicle for promoting internal political and economic stability and democratisation."[93] The Copenhagen Criteria for membership in the EU, or the requirement by NATO that prospective member-states settle all border and minority issues bilaterally[94] contributed enormously to the moderation of ethnic conflict by changing government behaviour through the 'anticipatory adaptation' of Western norms.[95]

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[90]   Zbigniew Brzezinski, "Post-Communist Nationalism," *Foreign Affairs,* Vol. 68, No. 5 (1989): 1-25; F. Stephen Larrabee, "Long Memories and Short Fuses: Change and Instability in the Balkans," *International Security,* Vol. 15, No. 3 (1990): 58-91.

[91]   Myron Weiner, "The Macedonian Syndrome: An Historical Model of International Relations," *World Politics,* Vol. 23, No. 4 (1971): 665-83; Joseph Rothschild, *East Central Europe between the Two World Wars* (Seattle: University of Washington Press, 1974).

[92]   Snyder, "Averting Anarchy in the New Europe."; reprinted in Lynn-Jones and Miller, *Cold War and After*, p. 125.

[93]   Centre for Foreign Policy Development at Brown University, *Security in Europe Project: Final Report*, (Providence, R.I.: Brown University, 1993), p. 43; discussed in Dunay, Kardas, and Williams (eds), *New Forms of Security: Views from Central, Eastern & Western Europe* (Aldershot: Dartmouth Publishers, 1995), p. 45.

[94]   Which led to the strong support for the so-called pact for Stability, also known as the Balladur Plan after the French minister of foreign affairs who conceived it. The plan had initially received a rather lukewarm reception in Central and Eastern Europe. See also North Atlantic Treaty Organisation, *Study on Enlargement*, (Brussels: NATO, 1995), pp. paras. 6, 17, and chap. 5.

[95]   The most drastic effect of such political conditionality could be seen in the replacement of the nationalistic government in Hungary in 1994 and the subsequent bilateral treaties concluded with Slovakia, Ukraine, and, finally, Romania during 1995.

4. UNIFICATION: SELF-RESTRAINT AND REASSURANCE

Public pronouncements notwithstanding, most Western leaders were highly apprehensive about the prospect of German re-unification.[96] By 1989, however, the pace of events increasingly made this a problematic preference. Once the Soviet Union had decided to retrench strategically and unload the economic burden of its Eastern European empire,[97] the GDR was in all probability no longer sustainable as a separate state.[98]

American diplomatic support was certainly helpful in overcoming strong reservations among Western allies,[99] but it is perhaps no overstatement that given the very large socio-economic problems in the GDR unification[100] seemed all but inevitable.[101] The

[96]   Pyeongeok An, "Obstructive All the Way? British Policy Towards German Unification 1989–90," *German Politics,* Vol. 15, No. 1 (2006): 111 - 121; Günther Heydemann, "Die britisch-deutschen Beziehungen und das Deutschlandbild Großbritanniens zwischen Margaret Thatcher und Tony Blair - Eine kritische Rückblende," in: *Wiedervereinigung Deutschlands. Festschrift zum 20jährigen Bestehen der Gesellschaft für Deutschlandforschung,* ed. by Karl Eckart, Jens Hacker, and Siegfried Mampel (Berlin: Duncker & Humblot, 1998): 627-48; George R. Urban, *Diplomacy and Disillusion at the Court of Margaret Thatcher: An Insider's View* (London: Sage Publications, 1996).

[97]   On the causal origin of the Soviet decision to retrench see Robert Strayer, *Why Did the Soviet Union Collapse? Understanding Historical Change* (London: M.E. Sharpe, 1998), pp. chapter 4, especially pp. 149 et seq. For a well-researched treatment of the crucial role of Germany in the maintenance of the Eastern European glacier, see Hannes Adomeit, *Imperial Overstretch: Germany in Soviet Policy from Stalin to Gorbachev* (Baden Baden: Nomos, 1998). An influential early exposition of the increasing economic drain of the satellites on the Soviet Union is Bunce, "The Empire Strikes Back: The Evolution of the Eastern Bloc from a Soviet Asset to a Soviet Liability." For a more recent well-argued position stressing the importance of external economic factors see Brooks and Wohlforth, "Power, Globalization, and the End of the Cold War: Reevaluating a Landmark Case for Ideas.".

[98]   Adomeit quotes CPSU leader Leonid Brezhnev's admonition to the SED Chairman Erich Honecker: "Erich, I tell you frankly, and never forget this: The GDR cannot exist without us, without the S[oviet[U[nion], wihtout its power and strength. Without us there is no GDR." Adomeit, *Imperial Overstretch: Germany in Soviet Policy from Stalin to Gorbachev,* p. 123.

[99]   For an overview of the domestic implications in the European context see Jeffrey J Anderson, *German Unification and the Union of Europe: The Domestic Politics of Integration Policy* (Cambridge: Cambridge University Press, 1999); on the reluctant French acceptance of unification as an unavoidable historical process and the decision to continue with the Gaullist approach of controlling German power by harnessing it through institutionalised bi- and multi-lateral cooperation see Jean-Marc Trouille, "The Franco-German axis since unification," in: *France : from the Cold War to the new world order,* ed. by Tony Chafer and Brian Jenkins (New York: St. Martin's Press, 1996); see also Gislaine Guittard and Fritz Vilmar, *La face cachée de l'unification allemande* (Paris: Atelier, 1999); on the tortuous British road to acceptign the inevitable see Klaus-Reiner Jackisch, *Britain and the German Question: The Decision-making Process Within the British Government on German Unification in 1989 - 90* (Wetherby, W.Yorks: The British Library, 1996); Peter H Merkl and Gert-Joachim Glaessner, *German Unification in the European Context* (University Park, Pa: Pennsylvania State University Press, 1993).

[100]   For a succinct overview see respective entries in the encyclopaedia-like manual by Werner Weidenfeld and Karl-Rudolf Korte, eds. *Handbuch zur Deutschen Einheit: 1949 – 1989 – 1999* (Frankfurt am Main: Campus Verlag, 1999).

[101]   Zelikow and Rice's account is heavily skewed towards American diplomatic initiatives and somewhat downplays the role played by German diplomacy and the social dynamics on the ground. Both aspects are emphasised in Telschik's version as one of the chief German negotiators. Philip Zelikow and Condoleezza Rice, *Germany Unified and Europe Transformed: A Study in Statecraft* (Cambridge, Mass.: Harvard University Press, 1995); Horst Teltschik, *329 Tage: Innenansichten der Einigung,* 3. Aufl (Berlin: Siedler, 1991). For the Russian view see Michail S Gorbachev, *Wie es war: Die deutsche Wiedervereinigung,* 3. Aufl (Berlin: Ullstein, 1999); Fred Oldenburg, *Moskau und die Wiedervereinigung Deutschlands,* Berichte des Bundesinstituts für Ostwissenschaftliche und Internationale Studien, 1991,38 (Köln: 1991); Boris Meissner, "Die äußere Seite der Wiedervereinigung in den deutsch-sowjetischen Beziehungen, das zweiseitige Vertragswerk von 1990 und seine Bedeutung für das deutsch-russische Verhältnis," *Verfassungsstaatlichkeit* (1997): 1423-66.

combination of these pressures severely constrained the negotiating position of the GDR delegation, explaining in large part the particular manner in which unification was achieved. The mechanism chosen was actually *not* a merger of two political entities into a new entity, but the *accession* of the GDR *to* the Federal Republic under the latter's constitutional provisions.[102] Whether East German decision-makers still enjoyed meaningful freedom of action[103] or whether events on the ground and internationally[104] had already determined the rough shape of the political outcome remains somewhat controversial.[105] But for the purposes of the present study it suffices to note that the modalities of unification meant that virtually the entire legal, institutional, social, economic, educational, even cultural *acquis*[106] of the old FRG was transposed to the five new federal states making up the former GDR.

Not surprisingly, given the continuation of virtually all aspects of West German political life, the unified Germany exhibited a remarkable continuity in terms of both foreign and domestic policy with the policies pursued by the FRG between 1949 and 1990. With respect to foreign and security policy this continuity must be considered extraordinarily

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On seeming historical inevitability and counterfactuals see Gaddis, "International Relations Theory and the End of the Cold War."; James D. Fearon, "Counterfactuals and Hypothesis Testing in Political Science," *World Politics: A Quarterly Journal of International Relations,* Vol. 43, No. 2 (1991): 169-95.

[102]   Under the now rescinded Article 23 of the Basic Law, see Ronald Brachmann and International Commission of Jurists / Deutsche Sektion, *Die Wiedervereinigung und damit zusammenhängende Rechtsprobleme: Jahrestagung vom 16. bis 18. November 1990 in Bensberg*, Rechtsstaat in der Bewährung, 26 (Heidelberg: Müller Juristischer Verlag, 1991); Günter Hirsch and Andrea Schmidt-Didczuhn, *Transplantation und Sektion: Die rechtliche und rechtspolitische Situation nach der Wiedervereinigung*, Motive, Texte, Materialien, 60 (Heidelberg: Müller Juristischer Verlag, 1992).

[103]   For a discussion from a conservative point of view see Stephan Eisel, "Der Beitrittsbeschluss der DDR-Volkskammer," *Historisch-Politische Mitteilungen* (2005). Left-wing voices were generally much more critical of the path chosen, in both the GDR and the FRG. Just like the SPD, most protagonists have since revised their preference for a confederal model. For a discussion of a literary work of great influence representing this position, see Lewis H. Gann, "German Unification and the Left-Wing Intelligentsia: A Response," *German Studies Review,* Vol. 15, No. 1 (1992): 99-110; Nicole Thesz, "Identität und Erinnerung im Umbruch: Ein weites Feld von Günter Grass," *Neophilologus,* Vol. 87, No. 3 (2003): 435 - 451.

[104]   Alexander von Plato, *Die Vereinigung Deutschlands – ein weltpolitisches Machtspiel : Bush, Kohl, Gorbatschow und die geheimen Moskauer Protokolle* (Bonn: Bundeszentrale für Politische Bildung, 2003).

[105]   Dieter Grosser, Stephan G Bierling, and Friedrich Kurz, *Die sieben Mythen der Wiedervereinigung: Fakten und Analysen zu einem Prozess ohne Alternative* (München: Ehrenwirth, 1991).

[106]   The term is borrowed from the concept of *acquis communautaire* in European Union law which refers to the total body of law and institutional integration achieved so far. It must be implemented without derogation by prospective member states wishing to join the Union. It has subsequently been adopted as a technical term by the WTO, the OSCE, and the OECD. For a succinct definition see Wikipedia Contributors, "Acquis", *Wikipedia,* 2006, http://en.wikipedia.org/wiki/Acquis, accessed on: 29 June 2006. For a fuller legal discussion, see Carlo Curti Gialdino, "Some Reflections on the Acquis Communautaire," *Common Market Law Review,* Vol. 32, No. 1995 (1995); Hans-Joachim Schütz, "Einige Fragen zu Gestalt und Rechtscharakter des "acquis communautaire," *Rechtstheorie und Rechtsdogmatik im Austausch,* Vol. S. 191-218 (1999).

fortuitous, despite the domestic problems this institutional continuity has entailed for the achievement of "inner unity" (*innere Einheit*).[107]

Mearsheimer maintains that the unified Germany would reject the continued maintenance of NATO as a means of securing German security and thereby removing potential motives for German aggression, because such a position would rest on the assumption that Germany cannot be trusted. Instead, he argues, Germany would insist on guaranteeing its own security which it would only be able to do in a stable manner through nuclear weapons:[108]

> "A security structure of this sort assumes that Germany cannot be trusted and that NATO must be maintained to keep it in line. A united Germany is not likely to accept for very long a structure that rests on this premise."[109]

This position disregards the self-propelled dynamism that international institutions can develop[110] in the promotion of integration and peace.[111] The main weakness of Mearsheimer's realism is, however, that it seems oblivious to the way states can reassess their best interests in light of their historical experience and complex cost-benefit calculations.

In a tightly-argued article the historian Schroeder discusses the extent to which (neo-) realism can be considered an faithful description of historical reality,[112] concluding that the theory appears relatively resistant to refutation on the charge of being unhistorical.[113] Realism *and* its opponents seem to accept uncritically certain supposedly permanent structural features which are, however, difficult to reconcile with the historical record:

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[107]   For an overview over the intense and ongoing debate see Stefan Kettenburg, *Der deutsche Vereinigungsprozess und die "innere Einheit*, Studien zur Zeitgeschichte (Hamburg: Kovac, 2004); for a critical positions sceptical of the "obsession" with achieving uniform conditions and full socio-economic equality, see *inter alia* Klaus Motschmann, *Ein aussichtsloser Kampf um die innere Einheit Deutschlands: - Adolf Stoecker (1835-1909)* (Berlin : Duncker & Humblot: 1995); Ernst-Ullrich Pinkert, *Deutschlands "innere Einheit": Traum oder Alptraum, Ziel oder Zwangsvorstellung*, Text & Kontext Sonderreihe (Kopenhagen: Fink, 1998).

[108]   Mearsheimer, "Back to the Future: Instability in Europe After the Cold War," pp. 141, 190.

[109]   Mearsheimer, "Back to the Future: Instability in Europe After the Cold War."fn. 1, applying classical alliance theory, he goes on to state that it was the Soviet threat that made Germany accept the strictures of NATO, and that without this threat it is will reject it.

[110]   Mitrany, *A Working Peace System*.

[111]   Robert O. Keohane and Joseph S. Nye, *Power and Interdependence: World Politics in Transition*, 2nd ed. (Boston: Little Brown, 1977).

[112]   Paul W. Schroeder, "Historical Reality vs. Neo-realist Theory," *International Security,* Vol. 19, No. 1 (1994): 108-48; Paul W. Schroeder, Colin Elman, and Miriam Fendius Colin, "Correspondence - History vs. Neo-realism: A Second Look," *International Security,* Vol. 20, No. 1 (1995): 182-95.

[113]   Schroeder, "Historical Reality vs. Neo-realist Theory," p. 113.

"Its insistence on the sameness effect and on the unchanging, structurally determined nature of international politics make it unhistorical, perhaps anti-historical. … It obstructs new insights and hypotheses, leads scholars to overlook or explain away large bodies of inconvenient facts, flattens out vital historical distinctions. It may even encourage an attitude toward history not uncommon among scholars of many kinds: an unconscious disdain for it, a disregard of its complexity and subtleties and the problems of doing it well or using it wisely; an unexamined assumption that its lessons and insights lie on the surface for anyone to pick up, so that one can go at history like a looter at an archaeological site, indifferent to context and deeper meaning, concerned only with taking what can be immediately used or sold."[114]

One could dismiss these thoughts as the rumblings of a disgruntled historian unhappy with the interdisciplinary reception of his field's findings, but they appear to be highly relevant to the lively discussion of Germany's post-unification strategy which by and large has presented "a puzzle for neorealist theory."[115] A theory that emphasises the causal influence of the external environment and relative power positions for a state's foreign and security policy could not fail to infer from the dramatically altered structure considerable adjustments in Germany's behaviour. In line with its core assumptions, realist theory thus inferred from the removal of the external constraints, notably the military threat posed by the Warsaw Pact and (West) Germany's subsequent reduced security dependence on the Western allies, and the significant augmentation of its already substantial raw power resources through the accession of the GDR,[116] a profound reorientation of German security policy, towards regaining its traditional great power status commensurate with its newly reinstated size, wealth, and capabilities. While the deductive logic from which these predictions have been derived is often impeccable, there is a serious problem with their empirical accuracy as Duffield notes acerbically:

"In contrast to such expectations, however, German state behaviour has been marked by a high degree of moderation and continuity with its record in the postwar era. Far from setting off in adventurist new directions, Germany has exercised considerable restraint and circumspection in its external relations since 1990 … it has continued to stress cooperative approaches to security involving a high degree of reliance on international institutions. Germany has assiduously

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[114]   Schroeder, "Historical Reality vs. Neo-realist Theory," p. 148.

[115]   John S. Duffield, "Political Culture and State Behavior: Why Germany Confounds Neorealism," *International Organization,* Vol. 53, No. 4 (1999), p. 766.

[116]   Unbeknownst to most security analysts at the time, raw indicators do not tell the whole economic story. With hindsight it seems fair to say that unification resulted in a net drain on overall economic power, although it of course increased political clout. Militarily it coincided with a voluntary *reduction* of power which is the subject of this section. For a sceptical account of the economic balance sheet see Oliver Ehrentraut and Stefan Fetzer, *Wiedervereinigung, Aufholprozess Ost und Nachhaltigkeit*, Diskussionsbeiträge 104/03 (Freiburg im Breisgau: Albert-Ludwigs-Universität, 2003); Merkl and Glaessner, *German Unification in the European Context*, pp. 231-302.

sought to maintain its previous alliance ties while creating and strengthening other European security frameworks that have promised to foster cooperation and stability in the region. In addition, it has continued to emphasise the use of nonmilitary means wherever possible, if not exclusively, to achieve security. Germany has been an outspoken advocate of arms control agreements of all types, and it has done more than any other country to promote political and economic reform in the former communist states of Central and Eastern Europe. At the same time, its overall military capabilities have declined considerably, and German officials have evinced no interest whatsoever in acquiring nuclear weapons."[117]

This appears to be an accurate description of the actual behaviour observed, likewise Duffield's suggestion of an alternative analytical framework based on a distinct political culture appears to be pertinent for a proper understanding of post-unification developments. Contrasting the dogmatic assertion of self-help and structural sameness with the historical record, Schroeder asserts that states have successfully tried to find alternatives to *balancing*, such as *hiding, bandwagoning*, or, especially relevant for our purposes, *transcending:*

> "In the majority of instances this just did not happen. In each major period in these three centuries, most unit actors tried if they possibly could to protect their vital interests in other ways. … *most states, most of the time, could not afford a strategy of self-help.* … [Instead they tried] to surmount international anarchy and go beyond the normal limits of conflictual politics: to solve the problem, end the threat, and prevent its recurrence through some institutional arrangement involving an international consensus or formal agreement on norms, rules, and procedures for these purposes."[118]

As we shall see, transcending the problem was precisely the policy chosen by Germany when faced with the imminent prospect of re-unification, based on the realisation that *Germany itself was perceived to be the threat* against which its neighbours could seek to balance, in turn threatening Germany. Solving the problem, ending the threat could mean to forego unification (which indeed had been argued by some in Germany, particularly among the left[119]) or it could involve the careful creation of an international consensus around a series of formal agreements on norms, rules, and procedures to prevent the recurrence of the threat (armed aggression from a powerful, reunified Germany). This is, in a nutshell, the approach chosen, rather than the forceful adoption of military self-sufficiency advocated by Mearsheimer and others:

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[117]   Duffield, "Political Culture and State Behavior: Why Germany Confounds Neorealism," pp. 767-68.

[118]   Schroeder, "Historical Reality vs. Neo-realist Theory," pp. 116, 117, emphasis added.

[119]   Gann, "German Unification and the Left-Wing Intelligentsia: A Response."

"It is most unlikely that the neighbours of Germany and the superpowers will tolerate a nuclear Reich; *nor is it easy to understand against what enemy or for what gain, the Germans might want to go nuclear.*"[120]

In other words: why should any state engage in foreign policy and security behaviour that would be extremely likely to produce the very outcome that state would have to fear most? A realism that postulates a dogmatic notion of *Realpolitik*[121] quite irrespective of the likely repercussions of the suggested policies bears little resemblance to the real actions of real governments, contemporary or historical. There are excellent accounts of the unification process and its outcomes, so it is unnecessary to restate it in detail here.[122]

Procedurally, its particular form closely resembles Schroeder's ideal type of *transcending*: it was not a bilateral affair but an international agreement (Two-plus-Four Treaty)[123] including all the relevant actors (including finding a special arrangement for Poland)[124] closely negotiated to harmonise all relevant stake-holders (including, importantly, the European Communities to which the GDR would accede by default).

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[120]   Hoffmann*, et al,* "Correspondence - Back to the Future, Part II: International Relations Theory and Post-Cold War Europe," pp. 192, emphasis added.

[121]   It is interesting to note that, contrary to the established use of the term in realist discourse, *Realpolitik* is a philosophical term coined relatively recently in the mid 19th century (by German political theorist Ludwig August von Rochau) and representative of a particular ideology. It had to struggle against other competing ideologies and only became widely accepted after the Prussian victory of 1866. See Karl-Georg Faber, "Realpolitik als Ideologie," *Historische Zeitschrift,* Vol. 203, No. 1 (1966): 1-45; discussed in Schroeder, "Historical Reality vs. Neo-realist Theory," pp. 148, fn. 82.

[122]   Anderson, *German Unification and the Union of Europe: The Domestic Politics of Integration Policy;* Guittard and Vilmar, *La face cachée de l'unification allemande;* Angela Stent, *Russia and Germany Reborn: Unification, the Soviet Collapse, and the New Europe* (Princeton, NJ: Princeton University Press, 1999); Geiss, *The Question of German Unification: 1806-1996;* Zelikow and Rice, *Germany Unified and Europe Transformed;* Alun Jones, *The New Germany: A Human Geography* (Chichester: J. Wiley & Sons, 1994); Merkl and Glaessner, *German Unification in the European Context;* Claus-Jürgen Duisberg, "Fragen der Staatensukzession bei der Wiedervereinigung Deutschlands Erfahrungen aus den Verhandlungen über die deutsche Einheit," in: *Liber amicorum Günther Jaenicke - zum 85. Geburtstag,* ed. by Volkmar Götz (Berlin: Springer, 1998): 931-45; Angela Fischer, *Entscheidungsprozeß zur deutschen Wiedervereinigung: Der außen- und deutschlandpolitische Entscheidungsprozeß der Koalitionsregierung Kohl/Genscher in den Schicksalsjahren 1989/90* (Frankfurt am Main: Lang, 1996); Jörn Ipsen (ed), *Verfassungsrecht im Wandel: Wiedervereinigung Deutschlands, Deutschland in der Europäischen Union* (Köln: Heymann, 1995); Hirsch and Schmidt-Didczuhn, *Transplantation und Sektion: Die rechtliche und rechtspolitische Situation nach der Wiedervereinigung;* Brachmann and International Commission of Jurists / Deutsche Sektion, *Die Wiedervereinigung und damit zusammenhängende Rechtsprobleme: Jahrestagung vom 16. bis 18. November 1990 in Bensberg;* Grosser*, et al, Die sieben Mythen der Wiedervereinigung: Fakten und Analysen zu einem Prozess ohne Alternative;* Ingo von Münch and Günter Hoog (eds), *Dokumente der Wiedervereinigung Deutschlands: Quellentexte zum Prozeß der Wiedervereinigung von der Ausreisewelle aus der DDR über Ungarn, die CSSR und Polen im Spätsommer 1989 bis zum Beitritt der DDR zum Geltungsbereich des Grundgesetzes der Bundesrepublik Deutschland im Oktober 1990,* Kröners Taschenausgabe, 393 (Stuttgart: Kröner, 1991).

[123]   Signed on 12 September 1990 in Moscow it substituted for the peace treaty that had never been concluded, "Treaty on the Final Settlement with Respect to Germany", *12 September 1990,* Moscow, 1990, http://usa.usembassy.de/etexts/2plusfour8994e.htm, accessed on: 11 January 2007.

[124]   Done in a separate treaty signed with Poland in which the united Germany restated the earlier acceptance by both the GDR and FRG of the Oder-Neisse Line as Poland's Western border, "Treaty between the Federal Republic of Germany and the Republic of Poland on the confirmation of the frontier between them,", *14 November 1990,* Warsaw, 1990, http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/TREATIES/DEU-POL1990CF.PDF, accessed on: 11 January 2007.

Militarily, it included important and binding limitations on the size of the German army, its alliance commitment (even the Soviet Union felt that the political benefits in terms of moderation through institutional integration in NATO would outweigh the strategic costs to itself), as well as the deployment of troops (via the Conventional Forces in Europe Treaty and in the commitments not to deploy allied troops on the territory of the former GDR and not to pursue nuclear weapons).

Politically, it included the commitment to the Western European partners that European integration would be continued and reinforced (common market and common currency), and to the Eastern European neighbours that any potential territorial claims would be irrevocably denounced and future integration into the European institutions supported.

It is quite possible to write an account of the unification process that stresses the renunciation of national prerogatives, especially with respect to territorial claims and military might. But what has been described as "self-emasculation"[125] is in fact a highly rational, self-interested policy based on the repercussions German actions would likely elicit among her neighbours. Political and economic integration has been vital both to *signal* intentions and as a means to create the necessary incentives likely to yield *positive feedback loops*.[126] Both elements are stressed by Keohane:

> "the nature and strength of international institutions are also important determinants of expectations and therefore of state behaviour. Insofar as states regularly follow the rules and standards of international institutions, they signal their willingness to continue patterns of cooperation, and therefore reinforce expectations of stability. … Germany can best acquire both wealth and influence by building European institutions, thus reassuring its partners and preventing the formation of the balancing coalitions".[127]

Keohane states the classic institutionalist position that institutions can alleviate the security dilemma and allow a concentration on absolute gains rather than relative ones. Institutions likewise help to shape the *expectations* that are crucial determinants of state

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[125]   Keohane*, et al, After the Cold War*, p. 389; Schwarz, *Die gezähmten Deutschen: Von der Machtbesessenheit zur Machtvergessenheit.*

[126]   My use of the term is influenced by Jared M. Diamond, *Guns, Germs, and Steel: The Fates of Human Societies* (New York: Norton, 2005); see also Chapter 18: Games as Cybernetic Systems in Katie Salen and Eric Zimmerman, *Rules of Play* (Cambridge, Mass.: MIT Press, 2004); the term has been defined by Schelling and since widely used in the social sciences, see Thomas C. Schelling, "Dynamic Models of Segregation," *Journal of Mathematical Sociology,* Vol. 1 (1971): 143-86.

[127]   Hoffmann*, et al,* "Correspondence - Back to the Future, Part II: International Relations Theory and Post-Cold War Europe," p. 193.

behaviour. Ultimately, behaviour in positive feedback loops can lead to a *redefinition* of preferences, interests, and identity:

> "Not only could observers reason that a Germany that was willing to join in a significant degree of integration would not be an aggressive type, but also the process of integration reinforced German incentives to cooperate and thus locked in the benign German identity and interests. Changes in institutions and changes in behavior can sometimes do even more, changing actors' definitions of their interests, and consequently changing the actor's type, not just revealing it or locking it in. For example, decades of participation in the institutions of NATO and the European Community have contributed to redefining German identity. Germans who once might have wanted to regain the "lost territories" in the East or gain political and economic hegemony over Western and Central Europe now may have different preferences because of a decreased identity with Germany, an increased identity with Europe as a whole, and an associated set of changes in values and means-ends beliefs about what will make Germany as a country and themselves as individuals prosperous."[128]

5. CHANGES IN SOCIETAL STRUCTURE

A profound transformation took place in Germany and beyond as a result of which elites and publics alike have consistently identified their own interests in terms of cooperative, institutionalised outcomes. Part of it is certainly due to the desire to

Given his history, it makes perfect sense for "the German Ulysses [to] tie himself to the European mast",[129] desirous to 'lock in' the domestic change by joining intrusive international arrangements monitoring domestic developments,[130] rather than trying to shake off the existing institutional framework like an ill-fitting straight-jacket. It is submitted that in the social transformation of German society lies the key to understanding the continuity of the foreign and security policy after unification.[131]

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[128] Robert Jervis and Jack Snyder, *Civil War and the Security Dilemma*, 1997), available at: http://www.ciaonet.org/conf/iwp01/, accessed on: 30 July 2006, p. no pagination; referring to Daniela Engelmann*, et al, Identity Politics in the European Union: The Case of Economic and Monetary Union (EMU)* (Helsinki: Finnish Institute for International Affairs, 1997).

[129] Keohane*, et al, After the Cold War*, p. 389.

[130] P.-H. Teitgen, "Introduction to the European Convention on Human Rights," in: *The European System for the Protection of Human Rights*, ed. by R. St. J. Macdonald, F. Matscher, and H Petzold (Dordrecht: Martinus Nijhoff, 1993), p. 4; Andrew Moravcsik, "The Origins of Human Rights Regimes: Democratic Delegation in Postwar Europe," *International Organization,* Vol. 54, No. 2 (2000): 217-52; Jeffrey T. Checkel, "International Norms and Domestic Politics: Bridging the Rationalist—Constructivist Divide," *European Journal of International Relations,* Vol. 3, No. 4 (1997): 473-95; Andrew Moravcsik, "Explaining International Human Rights Regimes: Liberal Theory and Western Europe," *European Journal of International Relations,* Vol. 1, No. 2 (1995): 157-89.

[131] Van Evera, "Primed for Peace," p. 195.

And while there are periodic attempts to 'bring patriotism back in,' the general public has consistently remained sceptical and a distinctly *European*, post-national identity has developed. In many respects their tainted history makes Germans some of the most enthusiastic supporters of an inevitable movement towards European integration:

> "The attempt to develop what has been called post-national democracy is an effort to conceptualise a viable political entity *beyond* the nation-state. … The effort is premised on the belief that there is *no* option of simply stopping the clock and returning to the safety and familiarity of the nation-state. … [T]he philosophical potential of the Union lies in its challenge to the understanding of the state as the *only* possible locus of political community and political identity."[132]

Fears about a recurrence of German nationalism often underestimate the depth of this sentiment, and the degree to which German national identity is tied in with notions of domestic and European political community[133] — what Habermas termed 'constitutional patriotism'[134] — rather than any territorial or biological notion of 'nation.' But whatever assessment of internal developments in Germany one subscribes to, the structural positioning of the country after unification is today remarkably close to the best case scenario Henry Kissinger painted four decades ago:

> "The ideal solution would be a Germany strong enough to defend itself but not strong enough to attack, united so that its frustrations do not erupt into conflict and its divisions do not encourage the rivalry of its neighbours, but not so centralised that its discipline and capacity for rapid action evoke counter-measures in self-defence."[135]

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[132]   Deirdre M. Curtin, *Postnational Democracy – The European Union in Search of a Political Philosophy* (Utrecht: University of Utrecht, 1997)., pp. 62 and 3, emphasis added; discussed in Joseph H. H. Weiler, "Europe: The Case against Statehood," *European Law Journal,* Vol. 4, No. 1 (1998), p. 49.

[133]   Armin von Bogdandy, "Europäische Verfassungspolitik als Identitätspolitik - Theoretische Verortung und Kritik," *Kritische Justiz,* Vol. 38, No. 2 (2005): 110-26; Armin von Bogdandy, "The European Union as a Supranational Federation: A Conceptual Attempt in the Light of the Amsterdam Treaty," *Columbia Journal of European Law,* Vol. 6, No. 1 (2000): 27-54; Otto Depenheuer, "Integration durch Verfassung: Identitätskonzept des Verfassungspatriotismus," *Droit social,* Vol. 5, No. 1 (1995): 95 - 114.

[134]   Jürgen Habermas, "Verfassungspatriotismus - im allgemeinen und im besonderen," in: *Die nachholende Revolution*, ed. by Jürgen Habermas (Frankfurt am Main: Suhrkamp, 1990): 147 ff; Jan-Werner Müller, "On the Origins of Constitutional Patriotism," *Contemporary Political Theory,* Vol. 5, No. 3 (2006): 278-96; Günter C. Behrmann (ed), *Verfassungspatriotismus als Ziel politischer Bildung,* Didaktische Reihe der Landeszentrale für politische Bildung Baden-Württemberg (Schwalbach/Ts: Wochenschau-Verlag, 1993); Jürgen Gebhardt, "Verfassungspatriotismus als Identitätskonzept der Nation," *Aus Politik und Zeitgeschehen,* Vol. 14 (1993): 29-37; Ulrich Sarcinelli, ""Verfassungspatriotismus " und "Bürgergesellschaft" oder: Was das demokratische Gemeinwesen zusammenhält," *Aus Politik und Zeitgeschichte,* Vol. 34 (1993): 25-37; Günter C. Behrmann, "Verfassung, Volk und Vaterland – Zur historischen, pädagogischen und politisch- kulturellen Verortung des Verfassungspatriotismus," in: *Verfassungspatriotismus als Ziel politischer Bildung,* ed. by Günter C. Behrmann and Siegfried Schiele (Schwalbach/Ts: Wochenschau-Verlag, 1993); Dolf Sternberger, *Verfassungspatriotismus* (Frankfurt am Main: Insel-Verlag, 1990).

[135]   Henry A. Kissinger, *The Necessity for Choice: Prospects for American Foreign Policy* (New York: Harper, 1960), p. 129.

Hence, irrespective of all the domestic normative and socio-political changes that have occurred in the meantime and which are the main subject of this study, today's structural positioning of Germany within the European and global order gives ample justification for sustained optimism. The contrast between this secure and essentially benevolent state and the insecure, internally repressive and externally predatory state that existed prior to 1945 could not be bigger.

6. SUMMARY

While recognising the important contribution ideas and culture can make to our understanding of international conflict, it must be stressed that national political cultures do not develop in isolation from but are strongly affected by the given geo-strategic material conditions. Germany's stunted political development and tortuous achievement of national unity are a direct result of its exposed geo-political location. The pronounced security dilemma contributed to an idiosyncratic socio-political path marked by praetorian politics and external aggression.

The post-war transformation of state and society was premised on significant normative and institutional change, but would have been materially impossible without the externally imposed structural stability and its strong impetus for European socio-economic integration. The changed material structure of the international system constitutes the single most important factor explaining Germany's transformation. But the ideational framework that developed in response to these material stimuli possesses an important independent explanatory force that largely accounts for the continuity of the German socio-political development beyond 1989.

Contrary to the predictions of materialist theoretical models such as realism, Germany continued an essentially normatively based foreign and security policy aimed conflict-avoidance and reassurance built on deliberate self-restraint. Such a re-definition of identity and self-interest is inconceivable without the deep normative transformation of society. Ultimately, the definition of national interest informing such a policy is broader, more complex, and accepts a much greater scope for deliberate social action than permitted in purely material explanatory models.

Understanding the progress in civil-military relations achieved since will depend on a basic appreciation of the socio-political and ideational factors that accounted for the historically domineering role of the armed forces in society, to which the following chapter is dedicated.

V.   CONTINUITIES OF MILITARISM

This chapter explores the social, economic, and institutional background of the dominant position of the German army in state and society. It opens with an exploration of the perceived pathology of civil-military relations in Germany that dominated external views until 1945. The second part deals with the sharp rejection of this view inside Germany, examining the dominant issues of self-victimisation and barriers to more truthful perceptions of history. The final part examines briefly the process by which the army lost its institutional autonomy and became an integral part of and obedient tool of the Nazi state, motivated initially by a large congruence of normative and institutional interests.

1.   PERCEIVED RECIDIVISM OF GERMAN MILITARISM

Historically, the prominence of military institutions in Prussian-German society have often bewildered outsiders. Admiration for the perceived technological and organisational expertise,[1] for discipline and superior morale[2] was always mixed with the fear of an irrepressible aggression that somehow managed to outlast even the most devastating defeats. Wheeler-Bennett opens his comprehensive treatment of the German army by pointing out this peculiar persistence of military genius and belligerent intent:

> "No country has displayed a more phenomenal capacity for military resilience or for beating ploughshares into swords. On the occasion of each of these pronounced defeats [1806, 1918, 1945], the victor sought by every means and device known in his age, by restriction and supervision and compulsion, to destroy the German potential for war, physically, morally, and spiritually. All three attempts were to prove futile. The united and surreptitious genius of Scharnhorst and Gneisenau evaded the confining provisions of the Convention of Königsberg with the same staggering success that Hans von Seeckt's clandestine brilliance circumvented the disarmament clauses of the Treaty of Versailles, thus creating the

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[1]   One of the most influential admirers of German organisational and technical expertise is perhaps Huntington who observes that "no other officer corps achieved such high standards of professionalism, and the officer corps of no other major power was in the end so completely prostituted." Huntington, *The Soldier and the State*, p. 98.

[2]   Representative of many similar works in this regard trying to draw applicable lessons for other armed forces are Shils and Janowitz, "Cohesion and Disintegration in the Wehrmacht in World War II."; Roger W. Little, "Buddy Relations and Combat Performance," in: *The New Military*, ed. by Morris Janowitz (New York: Russell Sage Foundation, 1964); Van Creveld, *Fighting power: German and U.S. Army performance, 1939-1945*; Herbert Rosinski, *The German Army*, 2nd ed, ed. by Gordon Graig (New York: Praeger, 1966).

framework for the military expansion effected with such speed and proficiency by Adolf Hitler. In each case the victors were outwitted to their subsequent detriment."[3]

This seemingly unambiguous historical record led many outside observers to conclude, supposedly "without prejudice,"[4] that militarism is if not an outright German trait, at least something that seems to thrive particularly well in Germany.[5] As Heuer has shown in his detailed study, until the late 19th century a generally positive of Germany prevailed in the United States — and arguably elsewhere as well[6] — based in large part on the exemplary achievements of German science and technology. In the course of World War I this generally positive view changed drastically, based on the extremely negative perception of German military conduct and the apparent militarism and arrogance of the Emperor and his military elite,[7] producing in time "an intense aversion to Germany … [seen as] the epitome of militarism and arrogance."[8]

Irrespective of conflicting assessments of causation and responsibility for World War I, the militarism observed during the inter-war years leading to the collapse of the Weimar Republic and the rise of Nazism led to a hardening of attitudes. This was reinforced by the perceived recidivism of pathological attitudes which seemingly confirmed decades of Allied war propaganda about "a chronic [mental] disease of the German people."[9] The all too willing endorsement of Nazism by the military[10] and academic elites[11] strongly reinforced this perception of a deep-seated, recidivist pathology, something that had to be painfully confronted by the Germans themselves once the fighting stopped.

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[3]   Wheeler-Bennett, *The Nemesis of Power*, p. vii.

[4]   As Wheeler-Bennett explicitly assures us. Wheeler-Bennett, *The Nemesis of Power*, p. vii.

[5]   For a critique of the obsession with an anachronistic Prussian model see Holger H. Herwig, "The Prussian Model and Military Planning Today," *Joint Forces Quarterly,* Vol. 18 (1998): 67-75.

[6]   By implication this positive view likewise prevailed in much of the rest of world apart from France, Great Britain and Russia, with which the particular history of conflict and competition complicates an easy assessment of the respective perception. For a preliminary discussion see *inter alia* William C. Wohlforth, "The Perception of Power: Russia in the Pre-1914 Balance," *World Politics,* Vol. 39, No. 3 (1987): 353-81; Kier, *Imagining War: French and British Military Doctrine between the Wars*; Carl Van Dyke, *Russian Imperial Military Doctrine and Education: 1832-1914* (New York: Greenwood Press, 1990); Imanuel Geiss, *German Foreign Policy, 1871-1914* (London: Routledge, 1976).

[7]   Uwe Heuer, "Zur Perzeption der Bundeswehr in den Vereinigten Staaten von Amerika, 1963 – 1983. Deutsche Streitkräfte und Deutsche Sicherheitspolitik im Urteil Amerikanischer Experten," Dissertation, University of Bonn (Bonn, 1989), pp. 163-65.

[8]   John A. Krout and Arnold S. Rice, *The United States since 1865* (New York: 1977), p. 123.

[9]   Christine M. Totten, *Deutschland - Soll und Haben: Amerikas Deutschlandbild* (München: Rütten & Loening, 1964), p. 112.

[10]   Gunnar C. Boehnert, "The Third Reich and the Problem of 'Social Revolution': German Officers and the SS," in: *Germany in the Age of Total War*, ed. by Martin Kitchen, Volker Rolf Berghahn, and F. L. Carsten (London: Croom Helm, 1981): 203-17; Craig, *The Politics of the Prussian Army*, pp. 458-503; Wheeler-Bennett, *The Nemesis of Power*.

[11]   Gordon Alexander Craig, *Germany, 1866-1945* (New York: Oxford University Press, 1978), pp. 638-63.

2. DOMESTIC REJECTION OF THE CHARGE

After 1918 the German public and its academic elite almost unanimously rejected the Allied charge that there was any particular proclivity towards militarism. The accepted view of history oscillated largely between a dodged, at times somewhat irrational celebration of martial values,[12] and the steadfast refusal to acknowledge that domestic civil-military relations and German foreign policy differed in any significant degree from those of other great powers. There is an element of surrealism in the paradoxical rejection by the vast majority of German intelligentsia of the charge of militarism, while simultaneously claiming that it was this very militarism that protected German culture from the aggressive machinations of its encircling enemies:

> "Es ist nicht wahr, daß der Kampf gegen unseren sogenannten Militarismus kein Kampf gegen unsere Kultur ist, wie unsere Feinde heuchlerisch vorgeben. Ohne den deutschen Militarismus wäre die deutsche Kultur längst vom Erdboden getilgt … Deutsches Heer und deutsches Volk sind eins. Dieses Bewußtsein verbrüdert heute 70 Millionen Deutsche ohne Unterschied der Bildung, des Standes und der Partei."[13]

The Allied claim that the militarism of an archaic aristocratic elite was bringing misery and destitution over the people of Europe — including the German one — is here explicitly rejected by the civilian academic elite. The claimed unity of purpose between nation and army was stipulated in the face of an alleged existential struggle for the very survival of German culture. More paradoxical, this culture was believed to be at once unique in its anti-materialistic (read anti-Western), anti-rational, anti-modern and romantic outlook,[14]

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[12]   For a very valuable treatment of the intellectual mobilisation prior to World War I see Ullrich, *Die nervöse Großmacht*, pp. 494-506. For an overview of the anti-Western streak in German literature, see Todd Kontje, *German Orientalisms* (Ann Arbor: University of Michigan Press, 2004). For a summary treatment of the literature glorifying war and militarism, see Derek S. Linton, "Preparing German Youth for War," in: *Anticipating Total War: The German and American Experiences, 1871-1914*, ed. by Manfred F. Boemeke, Roger Chickering, and Stig Förster (Cambridge, UK: Cambridge University Press, 1999): 167-88.

[13]   Proclamation by 93 prominent academics made in response to the Allied charge of war crimes committed against Belgian civilians in the early days of Word War I, reproduced in *Aufrufe und Reden deutscher Professoren im Ersten Weltkrieg* (Stuttgart: 1975), pp. 47-49; see also B. vom Brocke, "»Wissenschaft und Militarismus«. Der Aufruf der 93 »An die Kulturwelt!« und der Zusammenbruch der internationalen Gelehrtenpolitik im Ersten Weltkrieg," in: *Wilamowitz nach 50 Jahren*, ed. by W. M. Calder, H. Flashar, and Th. Lincken (Darmstadt: 1985): 649-719.

[14]   Kontje, *German Orientalisms*; Jeffrey Herf, "Reactionary Modernism," *Theory and Society,* Vol. 10, No. 6 (1981); Alter, *Die bereinigte Moderne: Heinrich Manns "Untertan" und politische Publizistik in der Kontinuität der deutschen Geschichte zwischen Kaiserreich und Drittem Reich.*

yet at the same time the struggle was deemed to concern the survival of *European* culture[15] as such: "Unser Glaube ist, daß für die ganze Kultur Europas das Heil an dem Siege hängt, den der deutsche ,Militarismus' erkämpfen wird."[16] Prominent historians went on record arguing that "our militarism is a piece of our culture."[17]

These positions contained almost the entire ideological justification the German academic elite had to offer in defence of the mobilisation and conduct of World War I: the conviction that the German Empire was engaged in an *existential struggle* for survival forced upon it by its enemies; the necessity of a strong military and a rigid leadership in view of its *exposed geographic location* in the heart of Europe; the conviction that it was precisely the semi-absolutist constitutional arrangement that was the embodiment of "German liberty" and that this system was by far superior to Western parliamentarianism; and the belief that culture and militarism were not dichotomous, but rather constituted a symbiotic unity.[18] Needless to say, these views were met with much consternation and bewilderment outside Germany, and their faulty logic and questionable normative content did lasting damage to the external view of Germany and its culture.[19]

b. POST-WAR SELF-VICTIMISATION

The unambiguousness of unconditional surrender, enemy occupation, the scale of destruction, and the nature of the crimes perpetrated made *some* form of confrontation with the past inevitable. Rather than any real attempt at explaining the structural and ideational forces which had brought about the catastrophe. Incredulity and references to fate dominated these attempts at explanation, often characterised by a strong disinclination to acknowledge popular support and thus co-responsibility. The following war-time account is quite representative in this respect:

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[15]   As we shall see, this has been one of the most endurable myths of German militarism, eagerly taken up by National Socialist propaganda which portrayed the attack on the Soviet Union as really a defensive war for the survival of Western culture against an alleged "Slavic/Bolshevik/Asiatic" onslaught. The anti-Slavic, anti-Semitic and racist tendencies strongly in evidence during World War I reached a paroxysm here. Alas, the official and popular anti-Communism of the Federal Republic often capitalised on these tendencies. See below p. 178 ff.

[16]   Proclamation by 3000 German professors of 16 October 1914, reproduced in *Aufrufe und Reden deutscher Professoren im Ersten Weltkrieg*, p. 50.

[17]   Friedrich Meineke, "Unser Militarismus – Ein Stück unserer Kultur", in Otto Hintze*, et al, Deutschland und der Weltkrieg* (Leipzig: B. G. Teubner, 1915).

[18]   Ullrich, *Die nervöse Großmacht*, p. 495.

[19]   Heuer, "Perzeption der Bundeswehr," pp. 162-224.

"You, my readers, who will have these lines before your eyes only at some later time, can you grasp it, that such a thing was possible? That our German people in all calmness — yes, in all calmness, that is, without the majority even doing any serious grumbling about it — looked on, while a pack of fools, against whom destiny had long since decided, let the whole wonderful Reich be transformed into one single garbage heap? In the end, even jewels like Freiburg, Würzburg, Heilbronn, Dresden, and all the others!"[20]

According to this self-exculpatory myth, responsibility lies exclusively with reckless leaders, thereby making the German people actually the first "victim" of National Socialism.[21] The tendency to stress one's own victimhood and belittle the criminal element was even evident among those who should have known better.[22] Nevertheless, the attitude of the German intelligentsia after World War II stood in marked contrast to the general mood at the conclusion of World War I. In 1945 the obvious recidivism and undeniability of both outcome and causation of the last war made a resurrection of a new variant of the infamous 'stab in the back' thesis difficult.[23] The majority of the elite no longer maintained that German militarism was simply a product of Allied propaganda, setting in motion a painful (and some would argue, painfully slow) process of coming to terms with the darker aspects of German history — a process that continues with remarkable alacrity and controversy well into the 21st century.[24]

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[20]   Fritz Lehmann, *1933-1945: Beobachtungen und Bekenntnisse* (Hamburg: 1946), p. 139; quoted and translated in Craig, *Germany, 1866-1945*, p. 761.

[21]   Bartov, "Germany as Victim."; Bartov*, et al, Crimes of War: Guilt and Denial in the Twentieth Century.*

Note that this position has actually been made official state policy in Austria which self-righteously reinvented itself after the war as the "first victim of fascism." See S. Niederacher, "The Myth of Austria as Nazi Victim, the Emigrants and the Discipline of Exile Studies," *Austrian Studies,* Vol. 11, No. 1 (2003): 14-32; Peter Utgaard, *Remembering & Forgetting Nazism: Education, National Identity, and the Victim Myth in Postwar Austria* (New York: Berghahn Books, 2003); R.G. Knight, "Contours of Memory in Post-Nazi Austria," *Patterns of Prejudice,* Vol. 34, No. 4 (2000): 5 - 11; Harry Ritter, "From Habsburg to Hitler to Haider: The Peculiarities of Austrian History," *German Studies Review,* Vol. 22, No. 2 (1999): 269-84; Jennifer E. Michaels, "Breaking the Silence: Elisabeth Reichart's Protest against the Denial of the Nazi Past in Austria," *German Studies Review,* Vol. 19, No. 1 (1996): 9-27; Jacqueline Vansant, "Challenging Austria's Victim Status: National Socialism and Austrian Personal Narratives," *The German Quarterly,* Vol. 67, No. 1 (1994): 38-57.

[22]   Waffen-SS General Meyer: "Just because a few unfortunate concentration-camp transgressions committed by a tiny bunch of criminals the many hundreds of thousands of brave front soldiers of the Waffen-SS suffer constant defamation and the honor of the fallen is dragged through the mud." Quoted and translated in David Clay Large, "Reckoning without the Past: The HIAG of the Waffen-SS and the Politics of Rehabilitation in the Bonn Republic, 1950-1961," *The Journal of Modern History,* Vol. 59, No. 1 (1987), p. 94.

[23]   Although it was, of course, attempted. The burden of betrayal this time was placed on the conspirators of the 20 July 1944, for a brief discussion see Wheeler-Bennett, *The Nemesis of Power*, pp. 700-02.

[24]   Ironically, after the wholesale denial and amnesia of the 1950s and 1960s, the controversy over guilt and responsibility of the 1970s and 1980s, and the widespread acceptance of this guilt during the 1990s, popular interest in the last decade has again focussed on the German victims of expulsion, carpet bombing, etc. But it would be inaccurate to insinuate similar revisionist motives as dominated the so-called Historian's Debate of the 1980s. Today's new-found interest is perhaps more motivated by the psychological need for national identification. But this interest in the suffering of one's ancestors is explicitly *not* charged up against the suffering inflicted by Germans on others; the picture of victim is seen as the necessary complement of that of the perpetrator. Their common causal chain of responsibility, however, leads indisputably back to German actions. For an interesting discussion of the differences in these discourses see Alon Confino, "Remembering the Second World War, 1945–1965: Narratives of Victimhood and Genocide,"

c. *PSYCHOLOGICAL CONSTRAINTS TO COGNITION*

Just as the resounding military victories from 1864-1871 had dramatically increased the prestige of the military as an institution, it would not have been unreasonable to expect in 1918 a de-legitimisation of the military in the wake of a most crushing defeat. That this did not happen is partly due to the high-handed Allied insistence on German guilt, especially in the controversial Article 231 of the Treaty of Versailles which placed sole responsibility for initiating the war on Germany and her allies.[25]

It needs to be pointed out, however, that Allied demands look far less extraordinary when compared to the war aims Germany herself was pursuing and the excessive demands it enforced on the vanquished Soviet Union in the Treaty of Brest-Litovsk.[26] It had been well understood by a significant part of the government that only a moderation in German demands would permit a negotiated peace.[27] Arguably Germany's most distinguished military historian, Hans Delbrück recognised in 1917:

> "We must look the facts in the face that we have in a sense the whole world leagued against us — we must not conceal from ourselves that, if we try to penetrate to the basic reason for this world coalition, we will ever and again stumble over the motive of fear of German world hegemony."[28]

The sudden end of World War I came as a profound surprise to a general population long accustomed to the quasi-mythical superiority of its army,[29] and the army leadership shrewdly and ultimately successfully managed to deny that a military defeat had actually

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taken place,[30] deflecting any responsibility to alleged fifth columnists and 'back stabbers' on the home front.[31] The harsh peace terms were not seen in connection with one's own prior military conduct and war aims but as entirely unexpected and grossly unfair — they were not necessarily either, although one can certainly argue about their underlying political wisdom.[32]

Whatever the resentment felt at the ignominious result of the war, its subsequent reception was characterised by a rejection of reality in favour of emotionally pleasing myth-making. Such 'cognitive rigidity' is a well-known psychological phenomenon that Jervis described as the tendency to "ignore information that does not fit, twist it so that it confirms, or at least does not contradict, our beliefs, and deny its validity. Confirming evidence, by contrast, is quickly and accurately noted."[33] In order to understand the phenomenon of cognitive rigidity that Jervis notes, i.e. the persistence of irrational belief systems irrespective of strong countervailing evidence we need to recognise that

> "people are influenced by their interpretation, or *construal*, of their social environment. To understand how people are influenced by their social world, … it is more important to understand how they perceive, comprehend, and interpret the social world than it is to understand the objective properties of the social world itself."[34]

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[30]   Ullrich, *Die nervöse Großmacht*, p. 560 ff.

[31]   The myth of the alleged "stab in the back" that fell an otherwise victorious army had been carefully fabricated by the army high command, most notably Ludendorff and Hindenburg as early as 29 September 1918 when defeat was finally conceded. It is logically inconsistent with the de facto dictatorial powers both exercised since 1916 in both political and military matters and the military assessment of the high command. Nevertheless, apart from its obvious utility to military decision-makers, it apparently filled a deeply-felt psychological need among large parts of the population. Its reception was aided by remarks to this effect by the British General Sir Frederick Maurice in the *Neue Züricher Zeitung* of 17 December 1918, eagerly taken up by Hindenburg and others. The literature is vast, for good overviews see *inter alia* Lars-Broder Keil and Sven Felix Kellerhoff, *Deutsche Legenden: Vom "Dolchstoss" und anderen Mythen der Geschichte* (Berlin: Links, 2003); Rainer Sammet, *"Dolchstoss": Deutschland und die Auseinandersetzung mit der Niederlage im Ersten Weltkrieg (1918 - 1933)* (Berlin: Trafo-Verlag, 2003); Wilhelm Deist, *Der militärische Zusammenbruch des Kaiserreichs: Zur Realität der "Dolchstosslegende* (Hamburg: Christians, 1986); Joachim Petzold, *Die Dolchstosslegende: Eine Geschichtsfälschung im Dienst des deutschen Imperialismus und Militarismus* (East Berlin: Akademie-Verlag, 1963).

[32]   As done most influentially by Keynes as a former member of the British peace delegation, John Maynard Keynes, *The economic consequences of the peace* (London: Macmillan, 1919); Étienne Mantoux, *The Carthaginian Peace: or the Economic Consequences of Mr. Keynes* (London: Oxford University Press, 1946); John Ikenberry, "Creating Yesterday's New World Order: Keynesian 'New Thinking' and the Anglo-American Postwar Settlement," in: *Ideas and Foreign Policy: Beliefs, Institutions and Political Change*, ed. by Robert Keohane and Judith Goldstein (Ithaca: Cornell University Press, 1993): 57-86.

[33]   Jervis, *Perception and Misperception*, pp. 143, 68.

[34]   Elliot Aronson, Timothy D. Wilson, and Robin M. Akert, *Social Psychology* (New York: Longman, 1999), pp. 7, emphasis in the original; the foundational text of the discipline is K. Lewin, "Defining the 'field At a Given Time'," *Psychological Review,* Vol. 50 (1943): 292-310; K. Lewin, *Resolving Social Conflicts: Selected Papers in Group Dynamics* (New York: Harper, 1948).

Our subjective impressions of the social world are motivated by two primary concerns: "the need to be as accurate as possible and the need to feel good about ourselves."[35] As long as these two primary needs pull into the same direction few problems are to be expected. But sometimes perceiving the world accurately means confronting the fact that we have behaved in an immoral, foolish, or otherwise unflattering manner. There is a universal human need to maintain a positive image of ourselves, i.e. to consider ourselves to be good, competent, and decent human beings. This need for self-esteem is so strong that given the choice between perceiving the world accurately at the price of relinquishing this cherished image of ourselves, or distorting the world in order to be able to feel good about ourselves many people will often choose the latter course of action.[36]

Most people like to see themselves as reasonable, moral, intelligent, and good, (one cognition) but confronted with information about past behaviour that contradicts this image (another cognition) they will experience a great deal of discomfort, i.e. *cognitive dissonance*.[37] While any two or more simultaneously held but incompatible cognitions cause discomfort, dissonance is strongest and most disturbing when the behaviour in question threatens one's self-image. It "is upsetting precisely because it forces us to confront the discrepancy between who we think we are and how we have behaved."[38] Cognitive dissonance is thus experienced when people do things that make them feel absurd, stupid, immoral, or inappropriate *as defined by their own standards* of reasonableness, intelligence, morality, or appropriateness. It "always produces discomfort and therefore motivates the person to try reduce the discomfort … often lead[ing] to fascinating changes in the way we think about the world and the way we behave."[39]

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[35]   Aronson*, et al, Social Psychology*, p. 19.

[36]   Elliot Aronson, "Dissonance, Hypocrisy, and the Self-Concept," in: *Cognitive Dissonance Theory: Revival with Revisions and Controversies*, ed. by E. Harmon-Jones and J. S. Mills (Washington, D.C.: American Psychological Association, 1998); Elliot Aronson, "The Theory of Cognitive Dissonance: The Evolution and Vicissitudes of an Idea," in: *The Message of Social Psychology: Perspectives on Mind in Society*, ed. by C. McGarty and S. Alexander Haslam (Oxford: Blackwell, 1997): 20-35.

[37]   The concept was first developed by Leon Festinger, *A Theory of Cognitive Dissonance* (Stanford, Calif.: Stanford University Press, 1957); E. Harmon-Jones, "Is Feeling Personally Responsible for the Production of Aversive Consequences Necessary to Cause Dissonance Effects?," in: *Cognitive Dissonance Theory: Revival with Revisions and Controversies*, ed. by E. Harmon-Jones and J. S. Mills (Washington, D.C.: American Psychological Association, 1998). It has been described as "arguably social psychology's most important and most provocative theory," Aronson*, et al, Social Psychology*, pp. 191, 19.

[38]   Aronson*, et al, Social Psychology*, p. 191; Elliot Aronson*, et al*, "A Two-Factor Theory of Dissonance Reduction: The Effect of Feeling Stupid or Feeling Awful on Opinion Change," *International Journal for Research and Communication*, Vol. 3 (1974): 59-74; A. Greenwald and D. I. Ronis, "Twenty Years of Cognitive Dissonance: Case Study of the Evolution of a Theory," *Psychological Review*, Vol. 85 (1978): 53-57.

[39]   Aronson*, et al, Social Psychology*, p. 192.

There are basically three ways in which individuals can reduce dissonance: (a) by changing behaviour to bring it in line with dissonant cognition;[40] (b) by attempting to justify one's behaviour by adding new, consonant cognitions;[41] or (c) by attempting to justify one's behaviour through changing one of the dissonant cognitions.[42] All three approaches to reducing the discomfort from dissonance can entail extreme degrees of denial, distortion, or justification. People's behaviour in that process might appear to an outside observer as highly idiosyncratic or outright irrational, but "the need to maintain our self-esteem produces thinking that is not always rational; rather it is rational*izing*."[43]

Once a decision has been made, people tend to experience dissonance when presented with information that calls it into question. Importantly, this includes personal preferences, i.e. following a decision people change the way they feel about the chosen and unchosen alternatives in order to reduce dissonance — "cognitively spreading them apart in our own minds in order to make ourselves feel better about the choice we made."[44] The greater the investment of time, reputation, or resources that are tied up with the decision, and the more permanent and irrevocable it seems, the greater is the tendency to reduce dissonance by rationalising the decision and distorting countervailing information.[45] A final psychological insight of interest in the present context concerns the tendency of many people to make *self-serving attributions*, i.e. to take credit for their success by making internal attributions to themselves or their group as the source of the positive

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[40]   Eating less and better food; quitting smoking; practising safer sex; using public transport; ending an abusive relationship; etc.

[41]   Fast food is soul food; smokers are creative and relaxed people; casual sex cannot be planned; individual transport equals personal freedom; an unorthodox relationship cannot be judged by conventional standards; etc.

[42]   Burgers are actually quite healthy; light cigarettes aren't that bad for you; AIDS is only prevalent among homosexuals; cars do not contribute significantly to congestion or environmental pollution compared to, say, industry; my partner's jealousy and aggression is a sign of his/her devotion to me; etc.

[43]   Aronson*, et al, Social Psychology*, pp. 193, emphasis in the original.

[44]   Aronson*, et al, Social Psychology*, p. 196.

[45]   The persistence of political and military decision-makers to press on with a policy that has lost all reasonable hope for success is in large part attributable to cognitive rigidity and directly proportional to the importance, longevity, and costliness of the decision in question. Following the correct but unsatisfying advice of abandoning the policy would entail writing off the invested resources of prestige, wealth, casualties, and admitting error. Following instead advice that promises ultimate vindication in return for persistence and increased effort of the same type is emotionally far more satisfying, if, unfortunately, incorrect. German policy in World War I after the Battle of the Marne 1914 or the Vietnam policy under Johnson are perfect examples of this phenomenon. See *inter alia* Robert S. McNamara and Brian VanDeMark, *In Retrospect: The Tragedy and Lessons of Vietnam* (New York: Times Books, 1995); Ernst Kabisch, *Die Marneschlacht 1914: Eine deutsche Tragödie* (Berlin: Vorhut-Verlag, 1968); for a highly pertinent example of both rationalising and external attribution see the contemporary account by the German commander-in-chief Helmuth von Moltke, *Die deutsche Tragödie an der Marne* (Viöl/Nordfriesland: Verlag für Ganzheitliche Forschung und Kultur, 1992).

outcome, but blame others for failures by making external attributions to outside conditions beyond control.[46]

Given these fairly basic, but universal human motivations perhaps the general attitude showed after 1918 to the lost war becomes a little more understandable. Looking the facts in the face, as Delbrück had demanded would have required the painful realisation that not only had all the sacrifices in blood and treasure been in vain but, more devastating still, that they had came about as the result of serious blunders by those the nation had trusted and esteemed the most. Few in the inter-war years were willing to accept the painful consequences of facing reality.

d. SKEWED PERCEPTION OF HISTORY

The Allied plans with regard to unconditional surrender, occupation, and radical socio-political engineering were drawn up in conscious departure from the perceived errors and omissions at Versailles, and they proved overall a resounding success.[47] But without minimising the impact of such externally imposed social engineering, Germans of course began to look themselves at the underlying reasons for the catastrophe. Most academics, and particularly historians had traditionally been staunchly nationalist and strong defenders of monarchy and Empire,[48] although often quite critical of National Socialism. Despite this critical distance most had experienced the defeat not as a liberation, but, as the title of Meinecke's influential book suggests, as an unmitigated catastrophe.[49]

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[46]   D. T. Miller and M. Ross, "Self-serving Biases in the Attribution of Causality: Fact or Fiction?," *Psychological Bulletin,* Vol. 82 (1975): 213-25; C. S. Carver, E. DeGregorio, and R. Gillis, "Ego-defensive Attribution among two Categories of Observers," *Personality and Social Psychology Bulletin,* Vol. 6 (1980): 4-50; Aronson*, et al, Social Psychology*, pp. 137-39. Obviously the availability of information also affects our attribution of causality; in order to reduce uncertainty there is a tendency to a impute causation to known factors, real or mythical, often irrespective of the accuracy or probability of the underlying assumptions.

[47]   Theodor Eschenburg, *Jahre der Besatzung, 1945-1949*, Vol. 1 of 5, Die Geschichte der Bundesrepublik Deutschland (Stuttgart/ Wiesbaden: Deutsche Verlags-Anstalt/ Brockhaus, 1983); John Willoughby, *Remaking the Conquering Heroes: The Social and Geopolitical Impact of the Post-war American Occupation of Germany* (New York: Palgrave, 2001); Heuer, "Perzeption der Bundeswehr," pp. 238-394.

[48]   Ullrich notes the high degree of social and political conformity among the senior academic staff, with decidedly liberal professors such as Rudolf Virchow or Theodor Mommsen disappearing from the 1880s onwards. Ullrich, *Die nervöse Großmacht*, p. 351.

[49]   Friedrich Meinecke, *The German Catastrophe: Reflections and Recollections,* trans. Sidney Bradshaw Fay (Cambridge, Mass: Harvard University Press, 1950).

Meinecke had been an ardent monarchist and nationalist,[50] although he had accepted the republic as an acceptable form of government and had always maintained a critical distance to National Socialism.[51] He wrote in March 1948 to his friend and fellow historian Siegfried Kaehler who had resolutely defended Bismarck against criticism by Karl Barth and others who were searching for explanations for the underlying causes of the catastrophe. Meinecke wrote in this private correspondence that perhaps the exclusive focus on twelve years of dictatorship was insufficient and the cherished national history did indeed contain the seeds of the later downfall. Perhaps Bismarck's creation of the Empire had not been an exclusively positive event but already contained the darker side that Gervinius had alluded to as he parted company with Bismarck:

> "'It would be a grievous perversion,' [Gervinius] wrote in 1871, 'if Germany gave up the activities of a people of culture (*Kulturvolk*) for those of a people of power (*Machtvolk*) and should become involved in one war after another.' For forty-three years, as you say, it did indeed keep the peace, but, all the same, then came the age of the wars, neither the day-side nor the night-side of the Bismarckian accomplishments ought to be forgotten. It always seems to me now that Schiller's Demetrius is a symbol of our fate: pure and noble when he begins, but in the end a criminal! Puzzling — but, in any case, very tragic. I can't get it out of my head."[52]

Coming to grips with defeat and the question of continuity in German history posed a much greater moral and intellectual challenge to conservatives like Meinecke than it did for the left. Personally and institutionally relatively untainted, the left disposed of a plausible alternative historical narrative. According to this view, the historically dominant conservative and militaristic elites had joined forces to bring Hitler to power. His defeat resulted in national collapse, but it also meant that the hitherto suppressed but always present progressive element of the national culture could finally emerge victorious, exemplified in the unapologetic nationalism of Kurt Schumacher, the Social Democratic leader. Conservative opponents of National Socialism did not benefit from the clarity of such a Manichean view of history. In an influential post-war article Ritter sets out the firm conviction that the militarism observed had been a historical aberration, not the national norm:

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[50] In one of his books he had maintained that Germans had turned from being cosmopolitans (*Weltbürger*) to nationalist only as the result of the Napoleonic Wars; nevertheless, he personally identified with this nationalism although he strongly opposed planned annexations during World War I. See Friedrich Meinecke, *Cosmopolitanism and the National State* (Princeton: Princeton University Press, 1970).

[51] He had retired already in 1932 but further withdrew from all public posts from 1933-45. He became with American support the first president of the newly founded Free University of Berlin in 1948.

[52] Ludwig Dehio and Peter Classen (eds), *Ausgewählter Briefwechsel* (Stuttgart: K. F. Köhler, 1962), p. 520 ff; quoted and translated in Craig, *Germany, 1866-1945*, p. 763.

"Was ist nun das Wesen dieses Militarismus? Wie ist er geschichtlich zu erklären? Handelt es sich um eine spezifisch deutsche Erscheinung und gibt es zuverlässige Mittel, ihn zu beschwören …? … Von Natur aus ist das deutsche Volk sicherlich ebenso friedlich, wenn nicht noch friedlicher und ordnungsliebender als andere. Der Militarismus ist jedenfalls keine nationale Erbeigenschaft."[53]

His magisterial four volumes on force and statecraft[54] is animated throughout by the desire to distinguish, and thereby absolve, the general course of Prussian-German history from the militarism and irrationalism in relative small parts of its narrow professional military caste.[55] In a rare moment of personal intimacy he nevertheless confides to the reader the emotional distress of revisiting a past which hitherto had been an unblemished source of pride and identification:

"Darf ich am Schluß dieser Vorrede noch gestehen, daß ich das Buch nicht ohne seelische Erschütterungen geschrieben habe? Was ich da schildere, ist das Vorkriegsdeutschland meiner eigenen Jugend. Ein ganzes Leben lang hat es für meine Erinnerung im Strahlenglanz einer Sonne gelegen, die erst seit dem Kriegsausbruch 1914 sich zu verfinstern schien. Und nun, am Abend meines Lebenstages, werden dem forschenden Auge viel tiefere Schatten sichtbar, als meine Generation — und vollends die meiner akademischen Lehrer — sie damals zu sehen vermochte."[56]

There is no reason to doubt the sincerity of his professional and emotional distress, yet he was not prepared to accept the full implications of a merciless examination of the past. The third and forth volumes[57] are in all but name an attempt to refute the findings of Fritz Fischer's path-breaking study on World War I.[58] The extremely acrimonious reception of Fischer's,[59] and less so of Wehler's work,[60] in the 1960s and 1970s by mainstream historians shows that when historical accuracy clashed with the need to

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[53]   Ritter, "Das Problem des Militarismus in Deutschland," pp. 196, 201, emphasis added.

[54]   Ritter, *Staatskunst und Kriegshandwerk*; Ritter, *The Sword and the Scepter*.

[55]   His rejection of the general charge is indicated by the use of quotation marks on the word "Militarismus" in the title of the German version. These are absent in the English translation. The quotation marks allow anybody, as Thomas Mann once remarked, "to gratuitously reverse any term into its very opposite."

[56]   Gerhard Ritter, *Staatskunst und Kriegshandwerk: Das Problem des "Militarismus" in Deutschland - Zweiter Band: Die Hauptmächte Europas und das wilheliminische Reich (1890-1914)*, 4 Vols, Vol. 2 (München: R. Oldenbourg, 1954), p. 8.

[57]   Gerhard Ritter, *Staatskunst und Kriegshandwerk: Das Problem des "Militarismus" in Deutschland - Dritter Band: Tragödie der Staatskunst Bethmann Hollweg als Kriegskanzler (1914-1917)*, 4 Vols, Vol. 3 (München: R. Oldenbourg, 1954); Gerhard Ritter, *Staatskunst und Kriegshandwerk: Das Problem des "Militarismus" in Deutschland - Vierter Band: Die Herrschaft des deutschen Militarismus und die Katastrophe von 1918*, 4 Vols, Vol. 4 (München: R. Oldenbourg, 1954).

[58]   Fischer, *Griff nach der Weltmacht; die Kriegszielpolitik des kaiserlichen Deutschland, 1914/18*; Fischer, *Germany's Aims in the First World War*.

[59]   Fritz Fischer, "Der kleine Dolchstoss: Fritz Fischer über Gerhard Ritter: "Staatskunst und Kriegshandwerk" [Band IV]," *Der Spiegel,* Vol. 22, No. 20 (1968): 158-62; Ritter's preface to Ritter, *Staatskunst und Kriegshandwerk Dritter Band (1914-1917)*.

[60]   Wehler, *Das deutsche Kaiserreich, 1871-1918*; Wehler, *The German Empire 1871-1918*; Nipperdey, "Wehlers «Kaiserreich» - Eine kritische Auseinandersetzung."

protect a positive image of the self, the former usually came a distant second. Nevertheless, such critical historiography eventually managed to "effectively depict[] National Socialism as arising out of long-standing German historical traditions rather than as an accident in the works (*Betriebsunfall*) or a temporary derailment (*Entgleisung*) from smooth tracks."[61] The task of salvaging from the national heritage those aspects that could form the basis for building a usable past centred on the dual question of continuity and discontinuity. As James correctly points out, the problem of continuity *after* 1945 had to arise in due course as a separate debate "because even the continuity thesis reached a "Stunde Null" in 1945."[62]

3. GERMAN MILITARY TRADITION:

The German armed forces have enjoyed throughout history a privileged, even exalted position in state and society, consistently escaping all efforts to bring it fully under civilian control, remaining until the late 1930s proudly and self-consciously a 'state within the state.'[63] They successfully claimed full tactical and operational independence, and consistently appropriated to themselves the right (and indeed the duty) to set overall foreign policy objectives for the state.

The military's exalted position stemmed from its major contribution to Prussia's rapid rise to great power status. But the army's critical role in securing such great victories must necessarily be offset against the catastrophic decline of the state as the result of two wars for whose inception and conduct the army bore primary responsibility: "Die Marksteine dieses Niedergangs, 1918 und 1945, sind ohne das Militär und seine Rolle in den Weltkriegen nicht zu denken."[64] The notion that the army had somehow stood in opposition to National Socialism is clearly an invention of the post-war period, the nature of the army's critical support and intimate entanglement with the regime were not in doubt at the conclusion of the war:

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[61]   Harold James, "The Prehistory of the Federal Republic," *The Journal of Modern History,* Vol. 63(1), No. 1 (1991), p. 100.

[62]   James, "The Prehistory of the Federal Republic," p. 100; see also Fritz Fischer, *Bündnis der Eliten - Zur Kontinuität der Machtstrukturen in Deutschland 1871-1945* (Düsseldorf: Droste, 1998).

[63]   Hans von Seeckt, *Thoughts of a Soldier* (London: 1930), p. 77.

[64]   Messerschmidt, "Grundzüge der Geschichte des preußisch-deutschen Militärs," p. 13.

"The alliance of the German military leaders with those of Nazi totalitarianism sealed the fate of Germany, cast the die for war, and turned the course of history. … The combination of these forces was the corner-stone of the Third Reich and of its resurgent might. … The protagonists in this apocalyptic drama were strangely matched, the one archaic and the other atavistic. Hitler and the officers' corps each found in the other a dangerous but necessary vehicle for the attainment of goals which both shared; that mutual suspicions and irritations were submerged in a common design; that Hitler concealed but never neglected his purpose to bend the military to his will; that the power and traditional prestige of the generals survived Hitler's subjection of all other groups in Germany which might have opposed him; that the officers' corps thus emerged, involuntary, as the last hope of those who sought to restore liberty and preserve peace; and, finally, that the hope was betrayed, and Germany's nightmare became Europe's fate."[65]

a. STRATIFICATION, PROPAGANDA, AND SOCIAL-DARWINISM

The history of the German armed forces has been marked by its strict separation from civilian life, and the development of an idiosyncratic and irrational corporate culture that celebrated Social-Darwinism, chauvinism, and militarism. Worse, it managed to impose these traits onto civilian society, with disastrous consequences: "the spread of military values throughout German society" prior to 1914 created a "'social militarism' [which] not only placed the military highest on the scale of social prestige, but permeated the whole of society with its ways of thinking, patterns of behaviour, and its values and notions of honour."[66] The implications of this militarization of civilian life for the likelihood of war are considerable: "World War I and the Pacific War of 1941-46 were caused in part by the domination of civilian discourse by military propaganda that primed the world for war."[67]

Despite the early and very successful adoption of conscription, the social composition of the Prussian army had always remained carefully controlled. Its officer corps was drawn almost exclusively from a narrow aristocratic social strata with extremely conservative

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[65]   Telford Taylor, *Sword and Swastika - Generals and Nazis in the Third Reich* (New York,: Simon and Schuster, 1952), p. 8.

[66]   Wehler, *The German Empire 1871-1918*, p. 156.

[67]   Van Evera, "Primed for Peace," p. 204.

political and social views.[68] The resulting separation of the army from civilian society was problematic for at least three reasons:

First, as a cadre/conscript army the Prussian-German military relied on a professional cadre of non-commissioned offers (NCOs) and officers to train and lead the drafted rank and file. The professional officer corps was drawn from a very constricted social base,[69] with a strong penchant for irrational Social-Darwinist ideas. Both organisationally and normatively, it remained distinct from and openly contemptuous of the surrounding civilian society and its values:

> "A cadre/conscript system usually has the effect of creating a separate military caste whose way of life, interests, and views often differ quite considerably from those of the enlisted mass. … [The system] does not ensure mutual understanding, much less integration of the officer corps into society."[70]

The normative and ideological radicalisation of Social-Darwinism poised the army leadership as engaged in a Manichean struggle against enemies within and without. Not only the continued existence of the social and political order was perceived to be at stake but the very *physical* survival of the national community. The irrationality and extremism of these ideas was amplified by a lack of alternative world-views in a closed, self-referential military. While clearly distinct, there are strong normative continuities from these Prussian origins to the genocidal policies and the "barbarisation of warfare" of the ideological war (*Weltanschauungskrieg*) on the Eastern front.[71]

Secondly, the army successfully exported many of these irrational, aggressive ideas into wider society through conscription and public relations. Despite its roots in the French revolution, the institution of conscription quickly spread to all other nations due to its military utility: "[t]he adoption of mass conscription in Europe did not have

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[68]   Abenheim, *Reforging the Iron Cross*, p. 40; for a good account of the structure of the Prussian officer corps see Peter Paret, *Clausewitz and the State* (New York: Oxford University Press, 1976); Peter Paret, *Understanding War. Essays on Clausewitz and the History of Military Power* (Princeton: Princeton University Press, 1992).

[69]   In 1932 the officer corps contained 23.8% aristocratic officers, while the percentage of aristocrats in the general population was merely 0.14%; the percentages for aristocratic generals was even higher: 52% in 1932, source Karl Dietrich Bracher, *Die Auflösung der Weimarer Republik - Eine Studie zum Problem des Machtverfalls in der Demokratie* (Villingen: 1971), p. 230; Carl Hans Hermann, *Deutsche Militärgeschichte. Eine Einführung* (Frankfurt am Main: Bernard u. Graefe, 1966), p. 368; cited in Heuer, "Perzeption der Bundeswehr," pp. 177, fn. 45.

[70]   Cohen, *Citizens and Soldiers*, p. 67.

[71]   Bartov, *Hitler's Army: Soldiers, Nazis, and War in the Third Reich*; Bartov, *The Eastern Front, 1941-45: German Troops and the Barbarisation of Warfare*; Jäckel, *Hitlers Weltanschauung: Entwurf einer Herrschaft*.

political/ideological roots, but it did have very substantial political effects."[72] Prussia is widely considered to have perfected the concept of truly *universal* conscription, and by relying extensively on reserve formations and the military exercises[73] it requires, the army was able to maintain a grip over male citizens well beyond the initial two or three years of military service.

But the German Army was also one of the principal inventors of public relations,[74] thereby shaping public opinion and shaping social attitudes. The effectiveness of military public relations became clear in the disastrous policy of the naval arms race with Great Britain which was fuelled by an unprecedented media campaign and a network of *Marinevereine* throughout Germany.[75] The separation from society and the narrow social origin of the officer corps provided

> "a double motive to sow propaganda that enhanced their prestige: to advance the interest of military institutions [as bureaucratic organisations], at the expense of wider societies with which they felt little identification; and to advance the interests of the upper class as a whole."[76]

Thirdly, the army deliberately sought to influence and ultimately control political decision-making to conform with the prescriptions of its Social-Darwinist ideology and its view of strategic necessities. Ritter defines the problem of militarism as the "exaggeration of a military requirement, the requirement of a clear, unequivocal chain of command, towards a political principle."[77] The problem of the military's meddling in politics is thus twofold: political decisions are taken solely upon a calculation of technical military considerations,[78] instead of taking all aspects of state interests into consideration, including ethical duties. Additionally, the narrow dominance of martial virtues and modes of thought in political decision-making tends to disregard that the ultimate task of government is to create a

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[72]   Cohen, *Citizens and Soldiers*, p. 59.

[73]   See Max Weber's account of his reserve manoeuvres. Marianne Weber, *Max Weber: A Biography* (New Brunswick: Transaction Books, 1926); Guenther Roth, *Max Webers deutsch-englische Familiengeschichte* (München: J.C.B. Mohr (Paul Siebeck), 2001); Joachim Radkau, *Max Weber: Die Leidenschaft des Denkens* (München: C. Hanser Verlag, 2005).

[74]   Deist, *Flottenpolitik und Flottenpropaganda: Das Nachrichtenbureau des Reichsmarineamtes 1897-1914.*

[75]   C. J. Elliott, "The Kriegervereine and the Weimar Republic," *Journal of Contemporary History,* Vol. 10, No. 1 (1975): 109-29; Kehr, *Economic Interest, Militarism, and Foreign Policy: Essays on German History*; Eckart Kehr, *Battleship Building and Party Politics in Germany, 1894-1901: a Cross-section of the Political, Social and Ideological Preconditions of German Imperialism,* trans. Pauline R Anderson and Eugene Newton Anderson (Chicago: University of Chicago Press, 1973).

[76]   Van Evera, "Primed for Peace," p. 207.

[77]   Ritter, "Das Problem des Militarismus in Deutschland," p. 206.

[78]   For instance the decision to launch unrestrained submarine warfare in World War I, without taking into consideration the political effect the sinking of civilian ships such as the *Lusitania* would have on previously neutral nations such as the United States.

lasting order based on the peaceful accommodation of conflicting interests among its citizens and between nations.[79]

Due to the large influence the German army has had in the training of various armed forces throughout the world, its penchant for Social-Darwinism; its technique of propagandising society; and its interference in political decision-making were exported along with technical military expertise. These traits thus came to infest civil-military relations in Japan,[80] Turkey,[81] Latin America,[82] and elsewhere. Understanding how this unfortunate development ended in Germany is likely to cast some light on how armies in these countries can be reformed as well.

b. MODERNISATION AND PRAETORIAN REACTION

Hyper-nationalism and Social-Darwinism were mostly artificial phenomena instigated by elites to persuade increasingly restive publics to continue to tolerate steep social stratification. As the process of modernisation and industrialisation progressed throughout the 19th century, traditional elites found their established methods of social control increasingly weakened. The economically necessary spread of mass literacy

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[79]   Ritter, "Das Problem des Militarismus in Deutschland," p. 197.

[80]   Buruma, *The Wages of Guilt: Memories of War in Germany and Japan*, p. 8; Ellen Kay Trimberger, *Revolution From Above: Military Bureaucrats and Development in Japan, Turkey, Egypt, and Peru* (New Brunswick, N.J: Transaction Books, 1978); Buruma, *Inventing Japan, 1853-1964*; Howard, *Soldiers and Governments; Nine Studies in Civil-military Relations*; Hillis Lory, *Japan's Military Masters; the Army in Japanese Life* (New York: Viking Press, 1943); Ivan I Morris, *Japan 1931-1945 - Militarism, Fascism, Japanism* (Boston: Heath, 1963); Richard J Smethurst, *A Social Basis for Prewar Japanese Militarism: The Army and the Rural Community* (Berkeley: University of California Press, 1974). Japanese militarism has been completely superseded by a radical antimilitarism which according to some has caused its own problems as it prevents Japan from playing a more constructive international role, see Barry Buzan, "Japan's Future: Old History vs. New Roles," *International Affairs,* Vol. 64, No. 4 (1988): 557-73; others doubt that this change has taken place, see Edwin Palmer Hoyt, *The Militarists: The Rise of Japanese Militarism Since Ww II* (New York: D.I. Fine, 1985); Harold Hakwon Sunoo, *Japanese Militarism, Past and Present* (Chicago: Nelson-Hall, 1975).

[81]   Christian Schmidt-Häuer, "»Wer am Leben blieb, wurde nackt gelassen«," *Die Zeit* (Hamburg, 23 March 2005): 15-18; Vahakn N. Dadrian, "The Armenian Question and the Wartime Fate of the Armenians as Documented by the Officials of the Ottoman Empire's World War I Allies: Germany and Austria-Hungary," *International Journal of Middle East Studies,* Vol. 34 (2002): 59-85; Gül Altinay, *The Myth of the Military-nation: Militarism, Gender, and Education in Turkey*; Heper*, et al, State, Democracy, and the Military: Turkey in the 1980s*; Ulrich Trumpener, "Liman von Sanders and the German-Ottoman Alliance," *Journal of Contemporary History,* Vol. 1, No. 4 (1966): 179-92.

[82]   On Latin America see *inter alia* Child who points out that German advisers exported Social Darwinist ideas to Latin America Jack Child, *Geopolitics and Conflict in South America: Quarrels among Neighbors* (New York: Praeger, 1985); Jack Child, *Antarctica and South American geopolitics: Frozen Lebensraum* (New York: Praeger, 1988); Philip Kelly and Jack Child, *Geopolitics of the Southern Cone and Antarctica* (Boulder: L. Rienner, 1988); Gonzáles*, et al, The Role of the Armed Forces in the Americas: Civil-military Relations for the 21st Century*; Wendy Hunter, *State and Soldier in Latin America: Redefining the Military's Role in Argentina, Brazil, and Chile*, Peaceworks, No. 10 (Washington, D.C.: United States Institute of Peace, 1996); Linda Alexander Rodríguez, *Rank and Privilege: the Military and Society in Latin America* (Wilmington, Del: Scholarly Resources, 1994); Zagorski, *Democracy vs. National Security: Civil-military Relations in Latin America*; Jan Knippers Black, *Sentinels of empire: The United States and Latin American militarism* (New York: Greenwood Press, 1986); Brian Loveman and Thomas M Davies, *The Politics of Antipolitics: The Military in Latin America* (Lincoln: University of Nebraska Press, 1978); Edwin Lieuwen, *Generals vs. presidents; neomilitarism in Latin America* (New York: Praeger, 1964).

compounded by rapid urbanisation destroyed the monopoly of information, and egalitarian ideas increasingly undermined anachronistic social privileges. Social control by elites was increasingly achieved less by coercion but through persuasion, here nationalist agitation proved a particularly useful tool to maintain internal cohesion and persuade publics to "serve and obey the state loyally."[83] The loss of control and the attendant feeling of powerlessness, even anomie[84] simultaneously creates a strong popular desire for order and cohesion, thereby facilitating the rise of authoritarian and anti-liberal ideologies professing to counter the negative effects of modernity.[85]

A carefully selected version of a nation's history can help not only to foster coherence but also to legitimate a particular ruling elite. In the German context of rapid industrialisation with its attendant marked social divisions, socialist agitation for greater equality was highly accentuated. In order to counter these revolutionary tendencies, the government relied on patriarchal corporate responsibility and state social welfare legislation, but in addition the "teaching of history was used as an anti-revolutionary mind-drug for the inculcation of a patriotic mentality."[86]

The electoral system of Wilhelmine Germany left Parliament without any real impact on actual policy-making, symbolised by the paradox of Social Democratic electoral pre-eminence and executive impotence. While the Reichstag had the authority to approve budgets, it had no control over the executive which was selected by the Kaiser and remained answerable to him alone. The type of political order likely to result from the clash of intense political demands advanced by a socially and economically mobilised society with governing institutions too weak to reconcile these competing demands is a praetorian system.

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[83] Van Evera, "Primed for Peace," p. 215.

[84] This sociological term has been coined by Durkheim to describe the pathological repercussions of the social and functional distinctions imposed by the division of labour in early capitalism which destroys traditional norms and patterns of cohesion. The resulting atomisation and loss of normative guidance creates feelings of severe anxiety and dissatisfaction, leading to social tension, including "anomic suicide". See Émile Durkheim, *Suicide: A Study in Sociology,* trans. John A. Spaulding and George Simpson (London: Routledge & Kegan Paul, 1952); the concept has been refined subsequently by Merton, see Robert King Merton, *Social Theory and Social Structure*, 1968 enl. ed (New York: Free Press, 1968).

[85] See the discussion in Sami Zubaida, *Law and Power in the Islamic World* (London: I.B. Tauris, 2005); Sami Zubaida, *Islam, the People, and the State: Political Ideas and Movements in the Middle East* (London: I.B. Tauris, 1993); Hamid Enayat, "Modern Islamic Political Thought," (2005).

[86] Wehler, *The German Empire 1871-1918*, p. 121.

Modernising societies are exposed to the disorder resulting from the combined effect of industrialisation, urbanisation, expanding literacy, and social mobility. As traditional political institutions cannot deal efficiently and authoritatively with the competing political claims, the military tends to assume a predominant position in praetorian politics because it controls the means of violent coercion:

> "In praetorian societies the problem lies not in a lack of organisation, but in the character of the institutions that are well organised. Various parochial interests — e.g. the military and the trade unions — may be well-organised. But the institutions aggregating competing interests -e.g, elected representative institutions and mass political parties — are weak and ineffective."[87]

When praetorian patterns hold, as in Wilhelmine Germany, foreign policy can become dominated by the interests of relatively small military, economic, and social lobbies pursuing narrow ideological, colonial, and/or expansive policies. While these narrow interest groups might benefit from these policies, their often disastrous costs are passed on to the general tax-paying and war-fighting public which lacks adequate means of electoral redress.[88] The popularly elected legislature is not responsible for policymaking which is decided among unelected elite coalitions who do not have to bear the price of the policies they pursue.[89] In societies suffering from praetorian political systems "nationalist demagogy becomes a common political instrument to advance group interests and to help unstable governments rule."[90]

The praetorian path is hereby largely predetermined by the domestic pattern of socio-economic development, states that are economic late developers undergoing very rapid modernisation and thus particularly sharp mobilisation and polarisation are especially vulnerable because their elites have a very pronounced interest in resisting the diffusion of political power.[91] Both Germany and Japan were praetorian societies characterised by weak democratic institutions unable to constructively channel the rising political demands

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[87] Snyder, "Averting Anarchy in the New Europe," pp. 115-16; see also Huntington, *Political Order in Changing Societies*, chapter 1.

[88] Snyder, "Averting Anarchy in the New Europe," p. 119.see also Snyder, *Myths of Empire*; Jack L. Snyder, *Transitions to Democracy and the Rise of Nationalist Conflict*, Davis Occasional Papers, No. 85 (Jerusalem: The Leonard Davis Institute for International Relations The Hebrew University of Jerusalem, 2000).

[89] Olson, *Logic of Collective Action*.

[90] Snyder, "Averting Anarchy in the New Europe," pp. 105-06; Weiner, "The Macedonian Syndrome: An Historical Model of International Relations."

[91] Barrington Moore, *Social Origins of Dictatorship and Democracy* (Boston: Beacon, 1966).

for participation.[92] Elite groups with a stake in aggressive external policies and militarism filled the political void with racist and nationalist appeals to ensure mass support for their parochial ends.

These patterns dominated throughout the Wilhelmine Empire and Weimar Republic, but it would be inaccurate to describe the Third Reich in this manner, because the state now did control parochial interests. Nevertheless, its aggressive ideology was a direct outgrowth of the earlier political climate and strongly built upon the Social-Darwinist and expansionist "ideas that flourished in the political competition among imperialist, militarist, and protectionist groups in the Wilhelmine era."[93]

To what extent hyper-nationalism was actually successful in ensuring the loyalties of the working class and in neutralising the internationalist, class-based identities advocated by the socialist movement is a matter of some dispute.[94] But whatever effect nationalist propaganda actually had on the working class, it is clear that by the time of World War I the Social Democratic Party had become 'infected'. As the oldest, best organised and numerically strongest socialist party in Europe, the German Social Democratic Party adhered to an orthodox Marxist policy of class struggle. It had always stressed the uniformity of working-class interests across national boundaries, and as such it pursued a pacifist military doctrine, denouncing the militarism of the age as diversionary tactics of the ruling class.

In an effort to prove its national responsibility and dispel the perennial accusations of insufficient patriotism, the party finally gave up its long-standing opposition to the military built-up and voted in June 1914 to approve the fateful war appropriation, in the hope of thereby achieving its goal of executive power. This about face of the labour movement was in part due to the success of nationalist warmongering and partly the political opportunism of the party leadership. It permanently split the socialist movement, and paved the way for the ill-advised socialist government that finally had to bear political

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[92]   Streeck and Yamamura, *The Origins of Nonliberal Capitalism: Germany and Japan in Comparison.*

[93]   Snyder, "Averting Anarchy in the New Europe," pp. 105, at fn. 6; see also Woodruff Smith, *The Ideological Origins of Nazi Imperialism* (New York: Oxford University Press, 1986).

[94]   Eley considers the working class as largely immune to nationalist appeals which appealed much more to the middle and lower-middle classes in Germany; while Gellner identifies a more multi-faceted origin of modern nationalist which does not rely on social stratification, see Geoff Eley, *Reshaping the German Right: Radical Nationalism and Political Change After Bismarck* (New Haven: Yale University Press, 1980); Gellner*, et al, Transition to Modernity: Essays on Power, Wealth and Belief*; Ionescu and Gellner, *Populism - Its Meaning and National Characteristics*; Gellner, *Nations and Nationalism*; Ernest Gellner, *Nationalism* (London: Weidenfeld & Nicolson, 1997).

responsibility for the lost war. This is turn allowed the military leadership to escape responsibility by being able to claim that an externally victorious army had been "stabbed in the back" at the home front.[95]

c. INSTITUTIONAL FAILURE AND PAROCHIAL INTERESTS

The failure of traditional institutions lies primarily in their inability to serve as vehicles for aggregating and moderating competing interests. The absence of strong inclusive mediating institutions that could absorb and restrain political claims made by various interest groups means that no shared consensus exists as to how political differences are to be resolved legitimately and authoritatively. In the absence of such a consensus the peaceful resolution of competing political demands becomes ever more difficult, and an increasingly polarised political culture turns towards violence as the appropriate means to further political goals:

> "In a praetorian system, social forces confront each other nakedly; no political institutions, no corps of professional political leaders are recognised or accepted as the legitimate intermediaries to moderate group conflict. Equally important, no agreement exists among the groups as to the legitimate and authoritative methods for resolving conflicts … Each group employs means which reflect its peculiar nature and capabilities. The wealthy bribe; students riot; workers strike; mobs demonstrate; and the military coup."[96]

As a relative late-comer, Germany developed at a much faster rate than the other great powers which caused conflict both at the systemic and the domestic level. The international system has found it generally difficult to accommodate rising powers as they disturb the established balance of power[97] and amplify the security dilemma. Equally problematic, however, is the domestic failure of the political system and institutional structure to keep pace with increased popular participation.

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[95]   Deist, *Der militärische Zusammenbruch des Kaiserreichs: Zur Realität der "Dolchstosslegende*; Keil and Kellerhoff, *Deutsche Legenden: Vom "Dolchstoss" und anderen Mythen der Geschichte*; Sammet, *"Dolchstoss": Deutschland und die Auseinandersetzung mit der Niederlage im Ersten Weltkrieg (1918 - 1933)*; Sebastian Haffner, *Zwecklegenden: Die SPD und das Scheitern der Arbeiterbewegung* (Berlin: Verlag 1900, 1996); Sebastian Haffner, *Der Verrat* (Berlin: Verlag 1900, 2000); Sebastian Haffner, *Die deutsche Revolution 1918/19* (Reinbek bei Hamburg: Rowohlt, 2004).

[96]   Huntington, *Political Order in Changing Societies*, p. 196.

[97]   Gilpin argues that dominant states are often overtaken by challengers (ultimately due to changes in production capabilities), these power-transitions often lead to armed conflict. Robert Gilpin, *War and Change in World Politics* (Cambridge: Cambridge University Press, 1981), pp. 186-210; see also Levy, "Declining Power and the Preventive Motivation for War."

Throughout the Wilhelmine era Germany was characterised by the dualism of a highly dynamic science, culture and industry held back by an archaic and weak political system dominated by a few special interests who effectively hijacked the government to pursue their vested interests that quickly pitted Germany against most of its neighbours. In the absence of effective inclusive institutions at the central level and no "strong accountability to the median voter to constrain these parochial interests and establish strategic priorities"[98] Germany found itself quickly surrounded by enemies who had been alienated by the pursuit of these narrow interests, which in turn necessitated an even more aggressive foreign policy to break out of that encirclement.

But the already noted inability of the existing institutions to allow for the meaningful participation of an ever more mobilised, restive society implied a latent conflict with the privileges of the entrenched elite. While these mechanisms work in all communities, they are more starkly at work in praetorian systems due to the absence of any mediating institutional framework. Without referring to Olson's logic of collective action explicitly, Snyder is describing its working under the praetorian pattern:

> "Compact groups with intense preferences — e.g. the military or industrialists — are more likely to organise politically than are large groups with diffuse interests, like average voters. As a result national policy — both foreign and domestic — can be captured by narrow interest groups, who use their disproportionate influence to extract benefits from and pass costs on to unorganised sectors of society, like consumers and taxpayers. The organised sectors may collude in a "logroll" that exploits the unorganised sectors, or they may try to exploit the unorganised sectors and each other."[99]

The mechanism as such operates in every market and every political system, albeit not necessarily producing violence. Mancur Olson has developed an economic theory which shows why parochial interest groups whose pay-offs are large have an inherent advantage over the majority where individual pay-offs are relatively small, thus making effective enforcement of collective decisions impractical.[100] The result is that small groups have an inherent organisational advantage and are thus able to carry out actions, or produce government action that is beneficial to their narrow interest at the expense of the entire

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[98]   Snyder, "Averting Anarchy in the New Europe," p. 124.

[99]   Snyder, "Averting Anarchy in the New Europe," p. 118.

[100]   Olson, *Logic of Collective Action*, p. 62.

nation, privatising profits while socialising losses. In a very large organisation the marginal impact of one extra member's actions is negligible, resulting in a paradoxical situation:

> "But it is *not* in fact true that the idea that groups will act in their self-interest follows logically from the premise of rational and self-interested behaviour. It does *not* follow that because all of the individuals in a group would gain if they achieved their group objective, that they would act to achieve that objective, even if they were all rational and self-interested. Indeed unless the number of individuals in a group is quite small, or unless there is coercion or some other special device to make individuals act in their common interest, *rational, self-interested individuals will not act to achieve their common or group interests.*"[101]

But even if the common action problem as such occurs in every community, its effects are significantly affected by the type and strength of the institutional structure in a given society. Strong institutions can limit the nefarious impact of parochial interests and enable large interest groups to organise more effectively by reducing transaction costs. Using the theory he outlined, Olson went on to show distinct differences in economic performance between states[102] based on the effectiveness of their institutional set-ups in limiting parochial interests which otherwise show a "surprising tendency for the 'exploitation' of the great by the small."[103]

Large interest groups are unable to *organise* effectively and thereby their interests are not represented. Olson points out the common interests of, for instance, migrant workers, tax payers, or the "multitudes with an interest in peace, but they have no lobby to match those of the 'special interests' that may on occasion have an interest in war"[104] whose interests remain unrepresented for lack of organisation. Even if ostensible popular institutions do exists, they might be unable to articulate the diffuse interests of the majority if actual decisions making power continues to be controlled by small pressure groups.

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[101]   Olson, *Logic of Collective Action*, pp. 2, emphasis in the original.

[102]   Olson, *The Rise and Decline of Nations: Economic Growth, Stagflation, and Social Rigidities*; Mancur Olson, *The Varieties Of Eurosclerosis: The Rise and Decline of Nations Since 1982*, Jean Monnet chair papers, 32 (Florence: The Robert Schuman Centre at the European University Institute, 1995); Olson and Kähkönen, *A Not-so-dismal Science: A Broader View of Economies and Societies*.

[103]   Olson, *Logic of Collective Action*, p. 3.

[104]   Olson, *Logic of Collective Action*, p. 165.

d. SOCIAL MOBILITY AND DIVERSIONARY WAR

The authoritarian ideologies that thrive in such settings often contain an element of 'social imperialism,'[105] i.e. the pursuit of foreign confrontations to solidify domestic elites by distracting the publics.[106] There is some evidence that the Prussian government launched the wars of German unification at least partly "to legitimise the prevailing political system against the striving for social and political emancipation of the middle classes."[107] Of course, social imperialist or diversionary explanations can only provide a partial picture in this respect.[108] Exaggerated nationalism mainly created for domestic consumption, namely to solidify, and detract attention from, the praetorian character of domestic regimes, in turn aggravated the already acute security competition of a volatile international system.[109] This *mutually reinforcing spiral* of virulent nationalism and starker security dilemma was at the very least a strong contributing factor for the turmoil between Central and Eastern European states of the inter-war years.[110]

To be sure, not all praetorian regimes become aggressors, many direct their violence strictly inwards against their own population.[111] Some have even claimed that given the preoccupation of the security forces with internal repression, and the disputed legitimacy of parochial elites, praetorian regimes cannot, as a rule, afford external 'adventures'.[112] To resolve the dispute between those who infer from this preoccupation with internal security a general "peaceful disposition of military dictatorships"[113] and those who

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[105]   Fischer, *Griff nach der Weltmacht; die Kriegszielpolitik des kaiserlichen Deutschland, 1914/18*, p. 28.

[106]   On diversionary war see also Levy, "The Diversionary Theory of War: A Critique."

[107]   Wehler, *The German Empire 1871-1918*, p. 26; likewise on the perceived beneficial effects of war Volker Rolf Berghahn, *Germany and the Approach of War in 1914* (New York: St. Martin's Press, 1973), pp. 82, 97, 185.

[108]   For a general discussion see Marc Trachtenberg, "The Social Interpretation of Foreign Policy," *Review of Politics,* Vol. 40, No. 3 (1978), pp. 341-44; as well as Levy, "The Diversionary Theory of War: A Critique."

[109]   Rothschild, *East Central Europe between the Two World Wars.*

[110]   Weiner, "The Macedonian Syndrome: An Historical Model of International Relations."

[111]   Huntington, *Political Order in Changing Societies*, chapter 4; discussed in Snyder, "Averting Anarchy in the New Europe," p. 125.

On the dangers of democratic involvement for *causing* international conflict see Stanislav Andreski, "On the Peaceful Disposition of Military Dictatorships," *Journal of Strategic Studies,* Vol. 3, No. 3 (1980): 3-10; Edward D. Mansfield and Jack Snyder, "Democratization and the Danger of War," *International Security,* Vol. 20, No. 1 (1995): 5-38; Christopher Layne, "Kant or Cant: The Myth of the Democratic Peace," *International Security,* Vol. 19, No. 2 (1994): 5-49.

[112]   One historical case to support this position would be the Argentinean military junta which was quickly removed from power after the disastrous Falklands/Malvinas war.

[113]   Andreski, "On the Peaceful Disposition of Military Dictatorships."

maintain that democratic regimes are inherently more peaceful,[114] must lie beyond the scope of the present work.

But whatever the implications for abstract international relations theory, in the European context at least few would dispute that the domestic character of praetorian regimes has had an important influence on their external behaviour. Thus even those like Mearsheimer who consider that systemic factors are more important concede that domestic political and social factors "played a significant role, contributing to the aggressive character of German foreign policy. Specifically, German society was infected with a virulent nationalism between 1870 and 1945 that laid the basis for expansionist foreign policies."[115]

e. *INSTITUTIONAL INTERESTS FROM REICHSWEHR TO WEHRMACHT*

As we have noted, the army saw itself and was perceived by large sections of the population to be at once supreme guardian and very incarnation of the "old Prussian idea

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[114]   The literature on the democratic peace is vast, and the theory has now become officially endorsed by the US government and implicitly underlies the current national security strategy: "America will encourage the advancement of democracy and economic openness in both nations, because these are the best foundations for domestic stability and international order.", , "The National Security Strategy of the United States of America", Washington, D.C, The White House, 2002, www.whitehouse.gov/nsc/nss.pd, accessed on: 11 January 2007, p. 4. See also the discussion in Michael E. O'Hanlon, Susan E. Rice, and James B. Steinberg, "The New National Security Strategy and Preemption," *Brookings Institution Policy Brief,* Vol. 113 (2002): 1-8.

For a general, sympathetic discussion of the theory see Michael Doyle, "Kant, Liberal Legacies, and Foreign Affairs, Parts 1 and 2," *Philosophy and Public Affairs,* Vol. 12, No. 3 and 4 (1983): 205-35 and 325-353; and Michael Doyle, "Liberalism and World Politics," *American Political Science Review,* Vol. 80, No. 4 (1986): 1151-69. which expands on the theme. The gist of his argument is that democracies do not fight other democracies, but do resort at times to violence against non-democracies. Broadly similar conclusions are reached by Russett, *Controlling the Sword: The Democratic Governance of National Security,* chapter 5.

For a critical discussion see Steve Chan, "Mirror, Mirror on the Wall. Are Freer Countries More Pacific?," *Journal of Conflict Resolution,* Vol. 28, No. 4 (1984): 617-48; and Melvin Small and J. David Singer, "The War-Proneness of Democratic Regimes, 1816-1965," *The Jerusalem Journal of International Relations,* Vol. 1, No. 4 (1976): 50-69., who maintain that the empirical data is inconclusive. Also examining the empirical record is Erich W. Weede, "Democracy and War Involvement," *Journal of Conflict Resolution,* Vol. 28, No. 4 (1984): 649-64. See also Singer and Small's Correlates of War Project at the University of Michigan, Singer and Small, "Correlates of War Project",

Mansfield and Snyder argue convincingly that while democracies might be more peaceful, states in the transition from authoritarianism towards democracy are much more likely to wars than either autocracies or democracies: "states that make the biggest leap from total autocracy to extensive mass democracy like contemporary Russia, are about twice as likely to fight wars in the decade after democratization as are states that remain autocracies." Edward D. Mansfield and Jack Snyder, "Democratization and War," *Foreign Affairs,* Vol. 74, No. 3 (1995).

For a recent sympathetic overview see Nils Petter Gleditsch, "Peace and Democracy," in: *Encyclopaedia of Violence, Peace, and Conflict,* ed. by Lester Kurtz (San Diego: Academic Press, 1999).

[115]   Mearsheimer, "Back to the Future: Instability in Europe After the Cold War," p. 161; see also Dehio, *Germany and World Politics in the Twentieth Century*; Kennedy, *The Rise of the Anglo-German Antagonism, 1860-1914,* chapter 18; Kohn, *The Mind of Germany: The Education of a Nation*, pchapters 7-12; Snyder, *German Nationalism: The Tragedy of a People.*

of the state."[116] Structural changes effected by the Nazi leadership, above all the dramatic expansion of the size of the army and the modernisation of its equipment were eagerly sought by the army leadership and largely explain the initial community of interest and collusion between the regime and the army. The expansion, however, resulted in dramatic changes in the social composition and ideological outlook of the army.

While a certain level of institutional conflict between the army and other organs of the Nazi state is discernible, the claim that the army could remain despite these far-reaching changes uninfluenced by, or even in opposition to the predominant ideology is untenable. Whatever the motivations of the army officers involved, we can discern strong differences between Reichswehr and Wehrmacht. While the former had remained in the Prussian tradition as a separate 'state within the state', the attempt by the Wehrmacht leadership to protect this privileged institutional position failed. It thus became the first German army to be fully under the control of the state, and was thus thoroughly implicated in the criminal policies pursued by that state.

aa. The Monarchical Force of the Republic

The Reichswehr had managed to carefully preserve its social and normative cohesion through the meticulous selection of both officers and men; in this respect the limitation to 100.000 men imposed by the Versailles Treaty helped von Seeckt in his explicit aim of maintaining the ethos of the old monarchic tradition. The disloyalty of such a force to the Republic was to be expected, and was even proudly flaunted. The acceptance by democratic politicians, most notably the Social Democrats, at the conclusion of World War I of political power, and the attendant shirking of responsibility for the military disaster by the army leadership, especially Ludendorff and Hindenburg, has been the major birth defect of the Weimar Republic.[117]

The subsequent alliance by Social Democratic government with an unreformed, reconstituted army out of fear of social revolution proved fateful.[118] These decisions were

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[116]   Chancellor Gustav Stresemann quoted in Eric Sutton (ed), *Gustav Stresemann: His Diaries, Letters and Papers*, 3 Vols. (London: Macmillan, 1935), pp. 3:299-300.

[117]   Keil and Kellerhoff, *Deutsche Legenden: Vom "Dolchstoss" und anderen Mythen der Geschichte*; Sammet, *"Dolchstoss": Deutschland und die Auseinandersetzung mit der Niederlage im Ersten Weltkrieg (1918 - 1933)*.

[118]   The Gröner-Ebert Pact of 9 November 1918 between the new First Quartermaster-General of the Army Wilhelm Gröner and the leader of the Social Democratic Party, head of the Provisional Government, and subsequently

of course made under very difficult circumstances painfully short of any good options. But whatever the merits of these foundational choices, the failure by the Republic to take appropriate steps against the officer corps for its enabling passivity during the Kapp Putsch of March 1920,[119] or, better still, "even at this late date, to start all over again and to create a truly republican army"[120] prematurely sealed the fate of democratic politics.[121]

The putsch was brought down not by the army which remained ostensibly neutral, i.e. disloyal to the legitimate government, but through a general strike. The calls made in its aftermath for a republican reorganisation of the army along a citizen militia model or at the very least a serious purge of the officer corps from its reactionary elements were not heeded. Instead the government relied on this very army and the reactionary militias (*Freikorps*) to crush the leftist resistance in the Ruhr who refused to call off the general strike:[122]

> "No quarter was given by the Government forces; both prisoners and wounded were shot out of hand. … The Kapp *Putsch* was thus finally liquidated in the bloody suppression of the same forces which had brought about its collapse. The events has worked out exactly as von Seeckt had foreseen. The Government had had need of the Army to re-establish its authority."[123]

It is becomes apparent that during these critical moments after the war — if not much earlier in the run-up to the war[124] and the conduct of the war itself[125] — decisions were taken which proved fatefully destructive. But whatever the perceived benefits of engaging

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first president of the new republic Friedrich Ebert was meant to prevent the social revolution which had begun to spread from army mutinies in the North. Gröner testified in court that "[t]he aim of our alliance was to combat the revolution without reservation, to re-establish lawful government, to lend this government armed support, and to convene a National Assembly. … Our aim was to get the army out of the atmosphere of revolution as soon as possible." He admitted that both Ebert and him agreed on the desirability of marginalising the Independent Socialists (the later Communist Party) and to eliminate the Soldiers' and Workers' Councils which had sprung up on the model of the October Revolution in the Soviet Union. See the comprehensive account in Wheeler-Bennett, *The Nemesis of Power*, pp. 25 ff, 88-89.

The events are dramatically and evocatively described by Haffner, who maintains that the SPD betrayed its own progressive ideals as well as the best national interest. See Haffner, *Der Verrat*; Haffner, *Zwecklegenden: Die SPD und das Scheitern der Arbeiterbewegung*.

[119]   Described in Craig, *The Politics of the Prussian Army*, pp. 373-81; Wheeler-Bennett, *The Nemesis of Power*, pp. 63-81.

[120]   Craig, *The Politics of the Prussian Army*, p. 379.

[121]   Wheeler-Bennett, *The Nemesis of Power*, pp. 88-89.

[122]   See also Bernhard W. Krack, "Staatsoberhaupt und Streitkräfte. Die Position der Bundespräsidenten zur Bundeswehr und zur Sicherheitspolitik," Dissertation, Universität Würzburg (Würzburg, 1990), pp. 42-49.

[123]   Wheeler-Bennett, *The Nemesis of Power*, pp. 89-90.

[124]   Fischer, *War of Illusions: German Policies From 1911 to 1914*.

[125]   Fischer, *Germany's Aims in the First World War*.

in counterfactual scenarios,[126] this is not the place to discuss the intricacies of Weimar politics and the precise nature of the army's implication in its demise.[127] It shall suffice to note at this point, that the army's normative outlook was self-consciously attached to the old monarchic order whose re-establishment, together with a restoration of Germany's great power status it explicitly saw as its main task.

Irrespective of the Reichswehr's role in the demise of German democracy, following Taylor's exhortation of judging the officer corps according to its own professional and ethical standards,[128] the professional evaluation of its chief architect, General Hans von Seeckt has been overwhelmingly positive.[129] These self-imposed tasks of the army were:

> "first, to organize the new *Reichswehr* within the restrictions imposed by the treaty that in due course it could be expanded into a national army, and secondly, to preserve intact the German military traditions despite these same treaty restrictions."[130]

The principles which he employed in the pursuit of both aims, envisaged a rigorous screening of those officers deemed most capable and most in line with the traditional corporate outlook from among the vast body of returning Word War veterans. Because the peace conditions did not permit the raising of the mass army deemed necessary, a textbook example of the expansible service system[131] was put in place where a small professional army prepares itself to expand rapidly future political conditions permitting,

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[126]   Fearon, "Counterfactuals and Hypothesis Testing in Political Science."; D. T. Miller, W. Turnbull, and C. McFarland, "Counterfactual Thinking and Social Perception: Thinking about what might have been," in: *Advances in Experimental Social Psychology, Vol. 23*, ed. by M. P. Zanna (San Diego, Calif.: Academic Press, 1990): 305-31. In a recent article, the New York Times expressed a somewhat prosaic if plausible view: "The hypothetical has little value: what happened, happened. … But perhaps there is a third view, and that is simply of history as tragedy, a process where sometimes no options, whether transformational or incremental, are good, and events may be arbitrary." Roger Cohen, "From Budapest to Baghdad: In a Long-Ago Revolution, Echoes for Today," *New York Times* (New York, 8 October 2006): no pagination.

[127]   Eberhard Kolb, *The Weimar Republic* (London: Routledge, 2004), pp. 160-74; Mulligan, *The Creation of the Modern German Army*; William Mulligan, "Civil-Military Relations in the Early Weimar Republic," *The Historical Journal,* Vol. 45 (2002): 819-41; Matthias Strohn, "Hans von Seeckt and His Vision of a 'Modern Army'," *War in History,* Vol. 12, No. 3 (2005): 318-37; Arthur L. Smith, Jr, "General Von Seeckt and the Weimar Republic," *The Review of Politics,* Vol. 20, No. 3 (1958): 347-57.

[128]   He considers it "futile to test the officers' corps by standards and values to which their leaders were almost totally oblivious." Taylor, *Sword and Swastika*, p. 353., quoted below p. 211.

[129]   "The name of Hans von Seeckt is written with those of von Moltke, von Roon, and von Schlieffen in the annals of German military fame. … in his military genius von Seeckt combined the precision and accuracy of the soldier with the vision and imagination of the creative artist. For such he was, an artist in making bricks without straw, in beating ploughshares into swords, in fashioning a military machine which, though nominally within the restrictions of the Peace Treaty, struck admiration and awe into the heart of every General Staff in Europe." Wheeler-Bennett, *The Nemesis of Power*, pp. 83, 86; Cohen, *Citizens and Soldiers*, pp. 63, 78-79.

[130]   Wheeler-Bennett, *The Nemesis of Power*, p. 87.

[131]   Cohen, *Citizens and Soldiers*, pp. 77-78.

backed up by large conscript militias.[132] The restrictions of Versailles were from the beginning planned to be subverted, and in the pursuit of this purpose:

> "the Reichswehr prepared to serve as the cadre for both regular and militia forces, it became a *Führerarmee,* an army of leaders. To this end all officers and NCOs were trained for at least one rank above that which they held, and enlisted men were prepared for NCO status."[133]

The emphasis on training and broad deployment capability was thus necessitated by the requirement to create future leaders of an expanded army; but it was also the result of his lessons of World War I which seemingly had proved the obsolescence of mass armies. He was here influenced by and in agreement with the British Major General J. F. C. Fuller who maintained that the importance of armour, mobility, and morale in connection with the exponentially rising costs, sophistication, and quick obsolescence of modern weaponry decisively favoured small, well-trained, well-equipped forces over larger ones: "the scientifically organized, well-armoured, superbly disciplined, highly offensive and wonderfully mobile *little* army invariably destroyed the *horde.*"[134]

Von Seeckt agreed with Fuller on the military-structural "need for a new kind of discipline, one that could grow only from long professional association."[135] This internal discipline was less harsh, more meritocratic, in short more 'modern' or 'scientific' than the one that had characterised the old imperial army. Nevertheless, its normative basis was firmly entrenched in traditional Prussian notions of the exalted position of the state, and the privileged role of the army as its servant and guardian: "The Army should become a State within the State, but it should be merged in the State through service; in fact it should itself become the purest image of the State."[136] Rapid expansion of the army was a declared part of their strategy, which explains the initial confluence of interests between the army and the Nazi leadership.[137]

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[132]   Hans von Seeckt, *Gedanken eines Soldaten* (Leipzig: K. F. Köhler, 1935), pp. 55-60, 79; see also Hans von Seeckt, *Die Reichswehr* (Leipzig: R. Kittler, 1933).

[133]   Cohen, *Citizens and Soldiers*, p. 78.

[134]   J. F. C. Fuller, *The Dragon's Teeth* (London: Constable, 1932), pp. 212, emphasis in the original; see also J. F. C. Fuller, *The Reformation of War* (London: Hutchinson, 1923); J. F. C. Fuller, *Armoured Warfare: Lectures on F.S.R. III* (Harrisburg: Military Service Publishing, 1943). Particularly the latter, widely reprinted text was carefully studied in Germany and influenced Guderian and other panzer commanders.

[135]   Cohen, *Citizens and Soldiers*, p. 63.

[136]   Seeckt, *Thoughts of a Soldier*, p. 77.

[137]   See for instance Marshal von Blomberg's statement quoted below, p. 212.

Shortly after assuming political office, Hitler quickly moved to consolidate his power by removing potential challengers in the SA (*Sturmabteilung*). In the appropriately named Night of the Long Knives about 200 individuals were killed extra-judicially.[138] Mostly, these were members of the SA, but they also included several representatives of the old reactionary elite opposed to Hitler. Those killed included, importantly, the former chancellor General Kurt von Schleicher and Major-General Ferdinand von Bredow. Instead of reacting against this open assault on the integrity of its officer corps, the army acquiesced in return for the removal of its main organisational competitor.[139] The murders were seen as the necessary complement and implementation of the earlier 'Pact of the *Deutschland*'[140] in which the army pledged support for Hitler's bid for the Presidency in return for his undertaking to assure that the Wehrmacht would remain the sole armed formation in the realm, thus putting an end to the aspiration of the SA to supersede and ultimately incorporate the army.

The pact was duly consecrated when on 1 August 1934 Hitler succeeded Hindenburg to the Presidency thereby consolidating power and the army introduced the following day a new personal oath of allegiance[141] in return for a written pledge by Hitler confirming the army's privileged institutional position.[142] The complicity of the army in the purge of 30

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[138]   In a related action, Nazi gunmen murdered the Austrian Chancellor Engelbert Dollfuss on 25 July 1934. The killing was carried out in a particularly brutal manner and had world-wide repercussions without, however, affecting the German army's adherence to the bargain entered. See Wheeler-Bennett, *The Nemesis of Power*, p. 331.

[139]   The murders were defended not only as necessary but actually 'legal' by several influential legal scholars, notably Carl Schmitt. This started a process of legalisation of criminality that proved central to the regime's coherence and a central pillar of the Wehrmacht's unwavering obedience: "This process, which made for compliance and agreemnt with orders deemed criminal by any 'normal' human standard, was well reflected in the Third Reich's civilian society and owed much to the pseudolegal posture assumed by the regime from the very beginning of Hitler's rule." Omer Bartov, "Soldiers, Nazis, and War in the Third Reich," *The Journal of Modern History,* Vol. 63, No. 1 (1991), p. 52; see also Carl Schmitt, "Der Führer schützt das Recht," *Deutsche Juristenzeitung,* Vol. 39, No. 15 (1934): 945 – 950.

[140]   Hitler who had assumed the Chancellorship the preceding year and Minister of War von Blomberg were informed of the impending death of President Hindenburg and entered aboard the battleship *Deutschland* on 11-12 April 1934 "into a compact of historic importance." Wheeler-Bennett, *The Nemesis of Power*, p. 310 ff.

[141]   "I swear by God this sacred oath, that I will yield unconditional obedience to the Führer of the German Reich and Volk, Adolf Hitler, the Supreme Commander of the Wehrmacht, and, as a brave soldier, will be ready at any time to lay down my life for this oath." Craig considers the introduction of this oath to have been "purely voluntary by the army" and not have been part of the pre-purge negotiations with Hitler, not objectively necessitated by the content of the old oath. In this latter officers and men had sworn to serve "as brave and obedient soldiers people and fatherland at all times." Gordon Alexander Craig, "Army and National Socialism, 1933-1945: The Responsibility of the Generals," *World Politics,* Vol. II (1950), pp. 479-80. Wheeler-Bennett uses a slightly different translation, see Wheeler-Bennett, *The Nemesis of Power*, p. 339.

[142]   In a letter of 20 August – the day after the plebiscite which approved the amalgamation of the Presidency and Chancellorship – Hitler wrote to von Blomberg: "Today … I want to thank you, and through you the Wehrmacht, for the oath of loyalty taken to me as its Führer and Supreme Commander. Just as the officers and soldiers of the Wehrmacht have pledged themselves to the new State in my person, so will I at all times regard it as my highest duty to

June 1934 left a dark and indelible "stain of dishonour"[143] on the reputation of the army. But that this alleged bastion of old Prussian virtues would debase itself in this manner is less surprising than the *naïveté* of believing that its underlying bargain would be adhered to:

> "That they could have actually believed that, having elevated Hitler, as it were upon their shields, to the first position in the State, they would be able to retain and enjoy their ancient privileges as a Praetorian *imperium in imperio*, would be inconceivable were it not a fact. … Later — much later — the Generals were forced to the conclusion that only by way of assassination could they eliminate the assassins, but in such a contest they were hampered by their amateur status as against the professional experience of Himmler, Kaltenbrunner and 'Gestapo' Müller."[144]

This naïve belief that their complicity in murder with a criminal cabal could ensure the perpetuation of the traditional independence and privilege of the army as a state within the state came to an abrupt end in the course of the Blomberg-Fritsch Crisis in 1938.[145] It details are "strange and unsavoury" and ultimately of little concern here, Wheeler-Bennett's words aptly summarise its nature and result:

> "It is an epitome of the psychopathic atmosphere which permeated the era of the Third Reich, and of the Byzantine intrigue which also characterized the period. … The extent and effect of these changes [following the crisis of February 1938] was far-reaching in the extreme. … Above all, the *Führer* had outmanoeuvred, defeated, humiliated, and dragooned the German Army. The armed forces, of which they were but a part, now assumed their position as the third pillar in the structure of the Thousand Year Reich, ranking parallel with, but not above, the Reich

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intercede in [sic] behalf of the stability and inviolability of the Wehrmacht, in fulfilment of the testament of the late *Generalfeldmarschall* [Hindenburg]; and, in accordance with my own desire, to fix [*verankern*] the army as the sole bearer of arms [*einziger Waffenträger*] in the nation." Reproduced in Bernhard Schwerfeger, *Rätsel um Deutschland* (Heidelberg: 1948); quoted and translated in Craig, "Army and National Socialism, 1933-1945: The Responsibility of the Generals," p. 480.

[143]   Wheeler-Bennett's harsh moral assessment is entirely accurate: "Dark was the stain of dishonour which overspread the escutcheon of the German Army on this day of June 30; heavy the burden of guilt which they assumed before the bar of history. To their shame be it said that, in conflict with their declared and acknowledged duty to maintain law and order within the Reich, they condoned the use of gangster methods in the settlement, to their own advantage, of a Party dispute. To some extent certainly they were accessories before the fact, but their culpability was the greater in that they allowed the murder and butchery to continue for two days without protest, when they alone could have stopped it by the raising of a finger. Not only did they not protest, they congratulated, and in the most sycophantic terms." Wheeler-Bennett, *The Nemesis of Power*, p. 325.

Unfortunately the army was not alone in condoning the events. Carl Schmitt's post fact pseudo-legal justification has become justly infamous, where he argued that "II. Der Führer schützt das Recht vor dem schlimmsten Mißbrauch, wenn er im Augenblick der Gefahr kraft seines Führertums als oberster Gerichtsherr unmittelbar Recht schafft." Schmitt, "Der Führer schützt das Recht."

[144]   Wheeler-Bennett, *The Nemesis of Power*, p. 333.

[145]   For an account from the point of view of a German officer, later assuming senior command in the Bundeswehr, see Peter Graf Kielmansegg, *Der Fritsch-Prozeß 1938* (Hamburg: 1949).

Government and the Nazi Party. … The Olympian position of the Army as a 'State within a State' was shattered for ever."[146]

Ironically, it was the very expansion and mechanisation that the army had so carefully prepared for and which was the main reason for its alliance with Nazism that ultimately deprived it of the social cohesion which had been the basis of its exalted domestic positions. The enormous expansion and rapid promotion of officers no longer permitted the careful screening and socialisation into the uniform professional corporatism which had characterised all previous German armies.[147] As Craig has correctly observed:

> "Any hope that the army could maintain its independence within the state and at the same time exercise a restraining influence on the policies of the nazi leader rested, in the last analysis, upon the ability of its leaders to maintain the unity and discipline of the officer corps."[148]

This had been a given in the Reichswehr under von Seeckt, but after his passing there was growing sympathy particularly among the junior officer corps for National Socialist ideas and a corresponding increasingly critical view of the conservative views that had hitherto defined the officer corps. Once the rapid expansion in the size of the army and the corresponding need for very rapid promotions set in after 1933 and particularly after the reintroduction of conscription in 1935,[149] it became impossible to maintain the unity in social and normative outlook of the officer corps.[150]

cc. The Wehrmacht as a Willing Tool

Expansion, promotions and purges destroyed the traditional cohesiveness of the officer corps and left it divided and heterogeneous with three broad groups: those, mainly senior officers committed to the *esprit de corps* of an autonomous army and self-consciously remaining aloof from party politics, identifying their loyalty primarily to the state, and resolved to defend this Prussian tradition if possible; a second, smaller but constantly

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[146]   Wheeler-Bennett, *The Nemesis of Power*, pp. 363, 373, 374.

[147]   The Reichswehr numbered about 4,000 officers, while at the end of the war more than 500,000 men had been officers in the Wehrmacht. For figures see the contribution by Bernhard Kroener in Martin Broszat, Klaus-Dietmar Henke, and Hans Wolle (eds), *Von Stalingrad zur Währungsreform: Zur Sozialgeschichte des Umbruchs in Deutschland* (Munich: Oldenbourg, 1988). Note, however, that his conclusions about the alleged "democratic" transformation of the Wehrmacht are problematic.

[148]   Craig, *The Politics of the Prussian Army*, p. 481.

[149]   For insightful data see the comparative rank listings compiled by Taylor for the three branches at different points in time which show the rapid advancement of certain individuals, and, *passim*, the dramatic reduction of the aristocratic element. See Taylor, *Sword and Swastika*, pp. 376-91.

[150]   Craig, *The Politics of the Prussian Army*, pp. 482-85.

growing group of committed Nazis who benefited significantly from the expansion and its possibilities for rapid promotion, whose allegiance to the ideology of the Nazi party was unconditional and who aimed at the complete recreation of the army along ideological lines. Finally, there was the third and perhaps largest group of neutral careerists who abstained from voicing any political, professional, let alone ideological criticism lest it would damage their prospects for advancement. One of the conspirators of the 20 July remarked that the army was divided into "Nazis, *Nichtnazis*, and anti-Nazis," but, somewhat counter-intuitively, he did not consider the committed Nazis to necessarily be the most problematic: "The *Nichtnazis* were almost worse than the Nazis. Their lack of character caused us more trouble than the despotism and brutality of the Nazis."[151]

The rapid expansion for the first time in history truly diversified the social composition of the officer corps, and in a paradoxical and tragic sense made its outlook for the first time representative of the general population, which unfortunately meant that National Socialist ideology became prevalent.[152] It is in this respect that Hitler was correct in stating that until the introduction of mass conscription the army represented a danger to his power, but:

> "Once that was accomplished, the influx into the Wehrmacht of the masses of the people, together with the spirit of National Socialism and with the ever-growing power of the National Socialist movement, would, I was sure, allow me to overcome all opposition among the armed forces, and in particular in the corps of the officers."[153]

The officer corps proved unable to socialise as large a number of new entrants as quickly as needed into their traditional corporate identity,[154] with the result that the army as an institution increasingly underwent the process of *Gleichschaltung* and assumed the

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151   Fabian von Schlabrendorff and Gero von Gaevernitz, *Offiziere gegen Hitler* (Zurich: Europa Verlag, 1946), p. 16; quoted and translated in Craig, *The Politics of the Prussian Army*, p. 484.

152   Messerschmidt and Kielmansegg, *Die Wehrmacht im NS-Staat: Zeit der Indoktrination*; Manfred Messerschmidt and Fritz Wüllner, *Die Wehrmachtjustiz im Dienste des Nationalsozialismus: Zerstörung einer Legende* (Baden-Baden: Nomos-Verlags-Gesellschaft, 1987).

153   H. R. Trevor Roper (ed), *Hitler's Secret Conversations, 1941-1944* (New York: 1953), p. 403.

154   As clearly recorded by General Heusinger who later served in a leading capacity in the Bundeswehr: "The division of the officer corps becomes greater all the time. Against the few officers of the 100,000 man army stand the great number of newcomers. There are countless decent fellows among them but also many unknown quantities (*Nieten*). Party people, others who are only looking for personal advantage, and even people who have ruined their lives. Seeckt would be horrified. We need many, many years in order to integrate these alien elements." Adolf Heusinger, *Befehl im Widerstreit: Schicksalsstunden der deutschen Armee* (Tübingen and Stuttgart: 1950), pp. 43-44, also 21; quoted and translated in Craig, *The Politics of the Prussian Army*, p. 483.

ideological outlook of National Socialism.[155] As Bartov stresses, the army had by now truly become "the army of the people, and the willing tool of the regime, more than any of is military predecessors."[156]

The army that had enjoyed a privileged institutional position and a significant *domain réservé* with regard to all military questions as a result of its preferential access to the sovereign (*Immediatstellung*),[157] which had assumed in all but name full sovereign powers during 1916-18, which had dominated the Weimar Republic from its very birth to its destruction in 1933, this army had sought to dominate the Third Reich in a similar manner. Up until 1938 its symbiotic relationship with National Socialism paid off handsomely and the army remained the final arbiter of power. But the changes wrought after the Blomberg-Fritsch Crisis of February 1938 together with the structural changes described above resulted in a dramatic emasculation of the army as a political force: "With the officer corps thus split, Hitler was placed in an excellent position to assert his absolute dominance over the army and to purge if of unbelievers whenever he decided it was expedient to do so."[158]

To be sure, there was concern in the officer corps about the implications of the impending war for which they knew the army and the nation would not be ready. But whatever concern or resistance was forming from 1935 or 1938 onwards, was dissipated in light of the "phenomenal success of Hitler's policies against the force of all professional argument and objection, culminating in the Allied collapse of June 1940, [which] caused all opposition in Germany to call a halt."[159] As the tide of war changed, the scruples of the officers returned, particularly after the attack on the Soviet Union. Contrasting with the sycophantic behaviour before the invasion and after the failed revolt of 20 July 1944, however, these scruples contain more than a hint of opportunism:

> "With the Allied landings in North Africa and the disaster of Stalingrad the number of converts to Opposition became positively embarrassing. Generals who had been foremost in their devotion to Hitler when triumph and success had crowned his criminal efforts now sought to justify their defection by reverting to the primary

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155   Michael Schramm, "Der Gleichschaltungsprozess der deutschen Armee 1933 bis 1938: Kulminationspunkte und Linien," Dissertation, Universität München (München, 1991).

156   Bartov, "Soldiers, Nazis, and War in the Third Reich," p. 60.

157   Huntington, *The Soldier and the State*, p. 103.

158   Craig, *The Politics of the Prussian Army*, p. 484.

159   Wheeler-Bennett, *The Nemesis of Power*, p. 695.

tradition of the German Army, which had transcended all other loyalties throughout history, that of self-preservation."[160]

However one looks at the political and moral significance of the conspirators of the 20 July, there is little denying the fact that they represented but a minute fraction of the officer corps.[161] Even after the military disaster had became incontrovertibly certain, very few were willing to act. As Craig states with unflattering candour:

> "there were many more who talked about it than who were willing to act. When it came to the sticking point, the courage of many failed, while to others the oath of 2 August 1934 presented an insuperable obstacle. The last were willing to act, provided someone disposed of Hitler first, but they would not violate their solemn obligation to their supreme commander while he was living."[162]

The passage of time and today's dominance of rationalist and materialistic thinking, in conjunction with the hagiography that has surrounded all aspects of the 20 July 1944 in the public discourse of the Federal Republic since the 1960s make it increasingly difficult to appreciate the alleged sincerity of the moral dilemma of breaking the oath to a tyrant.[163] Such professions of the constrictions of a timeless code of professional conduct and honour disregards that this very *esprit de corps* was built on notions of service and responsibility to state, nation, and fellow soldier, conveniently forgotten in the reference to the abstract ideal of an oath.[164] There are reasons to believe that this alleged indissoluble personal bond of loyalty was quite sincerely felt to be an insuperable obstacle to opposition. But be this as it may, it is difficult to disagree with Taylor's overall assessment of complete moral and professional bankruptcy borne ultimately out of social and intellectual immobility:

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[160]   Wheeler-Bennett, *The Nemesis of Power*, p. 695.

[161]   Bartov is very critical of their practical impact: "Indeed, even those officers who plotted against Hitler seem to have been motivated mostly by institutional, political, and strategic rather than moral and legal concerns. Moreover, the uncharacteristic clumsiness with which they conducted their actions seems to raise doubts about their priorities; one almost feels as if these plots were designed more to calm uneasy consciences and to please posterity than to achieve any immediate results. In this the conspirators succeeded admirably, for the attempted putsch provided postwar apologists whith proof of the *Wehrmacht's* opposition to the Nazi regime, while its failure to materialize saved the army from becoming the focus of another 'stab in the back' legend, as many officers had indeed feared." Bartov, "Soldiers, Nazis, and War in the Third Reich," p. 57.

[162]   Craig, *The Politics of the Prussian Army*, p. 501.

[163]   Claimed for instance by Heusinger, *Befehl im Widerstreit: Schicksalsstunden der deutschen Armee*, pp. 386-88.

[164]   A contemporary German writer expressed this sentiment well: "It is astonishing that the generals always speak only of their military duty toward their superiors but not of their duty to the soldiers entrusted to them … One can certainly not require anyone to kill the tyrant, if his conscience forbids him to do so. But must not one require of these men that they expend the same care and scrupulousness on the life of every single man among their subordinates? The reproach of not having prevented the slaughter of many hundreds of thousands of German soldiers must weigh heavily on the conscience of every single German general." Helmut Lindemann, "Die Schuld der Generäle," *Deutsche Rundschau* January 1949); quoted and translated by Craig, *The Politics of the Prussian Army*, p. 502.

"At bottom, the failure of the generals was due to the same political and social archaism that had characterized them during World War I. The officers' corps was simply incapable of making the passage from century to century. They were in but not of modern times, and thus insensitive to many of the most important forces that played about their heads. … Men so provincial and caste-ridden were unlikely to grasp the dynamics of the twentieth-century western world, or hit upon ways and means of checking the versatile, terrible genius of Hitler, even had they so desired."[165]

4. SUMMARY

Militarism in Germany acquired a number of peculiar traits originating in the failed military reforms, organisational innovations on behalf of the military, and societal reactions to the military in the 19th century, confounded by massive miscalculations during the Weimar Republic, culminating in the catastrophe of the Third Reich. Following (and largely paraphrasing) Messerschmidt's comprehensive account, the main characteristics of German militarism can be summarised as follows:[166]

Unlike its western European manifestations, German militarism possessed a broader popular basis because it relied on the system of general compulsory conscription which prevented an alienation between soldier (though not necessarily officer) and citizen.[167]

It was strongly influenced by the fact that the military state of the 19th century was able to fend off and defeat the bourgeois revolution.

It profited from the solution of the national question by Bismarck.

It represented, particularly through its officer corps, the traditional social order.

It was characterised by the fear of social revolution and the drive to assert power both domestically and internationally.

It was able to convince and convert in 1848 and 1866 the middle classes.

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[165]   Taylor, *Sword and Swastika*, p. 358.

[166]   Manfred Messerschmidt, *Die politische Geschichte der preußisch-deutschen Armee*, Deutsche Militärgeschichte in sechs Bänden 1648-1939, Band 2, Abschnitt IV, Militärgeschichte im 19. Jahrhundert, 1814-1890 (München: Walhalla und Praetoria Verlag, 1975), pp. 285-86.

[167]   Though not the *institutional* alienation exemplified in the traditional dualism between military and parliament. See below p. 159 ff. and 279 ff.

It strongly influenced the (ill-defined and under-developed) sense of national identity.

It modernised itself in the domestic political struggle, developing organisational tools and propagandistic techniques.

It contributed to the polarisation of political and social tensions.

It became an expression and symbol of power and thus the main target of socialist criticism of the existing social order.

It was a societal force and phenomenon of the broadest and deepest impact, and simultaneously a professional-instrumental organisation with specific orientations. Its core were the army and navy, but in the later Bismarckian era it became a phenomenon of German society as such.

Its aggressiveness can only be assessed in a relative manner, in comparison to the other great powers of the age of imperialism after 1890.

The question whether it took its cue from the military or from 'civilian' spheres becomes secondary in a comprehensive societal examination. It appears as if professional thinking tended less towards global diffuseness. The professional horizon of the navy is broader in this respect, while the army remained closer to the Bismarckian orientation towards Central Europe.

Militarism, nationalism, imperialism, social structure, economic and domestic political organisation cannot be properly understood if examined in isolation from each other.

VI. HISTORICAL ACCOUNTING AND USABLE PAST

Building on the preceding account of the tradition of German militarism, this chapter examines the role of historical accounting in the creation of a (West) German post-war national narrative. It opens with a discussion of the relatively limited degree to which individual and group criminal behaviour in World War II was accepted in the immediate post-war period. This relative leniency towards the perpetrators of mass murder is contrasted with a surprising eagerness at the institutional level of the state to assume international political responsibility for the acts of the Nazi state.

The apparent paradox between these two types of behaviour can be resolved by underlining the instrumental value of an official policy that treated acknowledgment, political and financial compensation as necessary tools for the re-attainment of state sovereignty and international respectability. Without denigrating the moral content of the policy chosen, the first part thus examines the dependence on political, economic, and security ties with the *Western* neighbours that ultimately propelled the policy of atonement.

Domestically, the new state was faced with the very different challenge of re-establishing a sense of political community as the indispensable social basis of statehood. This task was made considerably more difficult by national division, economic and social destitution, and the devaluation of most traditional symbols of authority and collective identity. In this context, the relatively limited and essentially instrumental acknowledgment of past crimes at the international level combined with a fairly sanitised collective narrative that stressed universal victimhood and the effective absence of perpetrators as the basis for rebuilding a political community and institutional stability. Only with considerable delay did serious internal 'soul-searching' begin in the 1960s. The challenge to the sanitised collective myth proved to be a long-drawn, highly acrimonious process resulting finally in a radical transformation of the institutional structure of the republic. The sharpness of this societal and institutional break often tend to be under-emphasised in linear accounts of the political evolution of the Federal Republic.

1 . P O L I T I C A L   C O N T E X T   A N D   I N S T R U M E N T A L   U S E

When the war ended, defeat was so complete and the aggressive intentions of the Nazi leadership had been so well propagated by itself, that there seemed little point to dispute German causation of the war. More importantly, the enormity of the holocaust made any attempt at justifying look futile. At best, detractors could try to "historise"[1] it by placing it into supposedly comparable historical analogies, thereby questioning its unprecedented character and reduce attendant German guilt.[2] To be sure, there has always been a lunatic fringe but the general attitude has been characterised more by "neurotic philosemitism"[3] than denial.

a .   H O L O C A U S T   A N D   A N T I C O M M U N I S M

There is much truth in the assertion that "the Federal Republic worked because at the moment of its birth it was held together by two powerful forces: nationalism — in particular, resentment against the Western Allies — and anticommunism."[4] Both of these forces created a mental climate in which the old Nazi myth of a defensive war against Eastern Bolshevism continued to hold some currency. This myth maintained momentum not least because it permitted to mesh traditional nationalism with the anticommunism of the occupiers. Furthermore, it allowed the fiction that the waging of war as such could analytically and morally be separated from the atrocities committed in its wake.

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[1]   Martin Broszat, "Plädoyer für eine Historisierung des Nationalsozialismus," *Merkur,* Vol. 39 (1985): 373-85; Buruma, *The Wages of Guilt: Memories of War in Germany and Japan*, p. 247; James, "The Prehistory of the Federal Republic," pp. 100-01.

[2]   This is, in essence, the line of argument expressed in vivid clarity by Nolte. But despite its longevity and candour, the argument had been thoroughly refuted by the time Nolte resurrected it in 1986: "In the face of Nolte's challenge, the historical community rapidly and effectively demolished any empirical basis for the suggestion. … Nolte's provocation led to a debate utterly devoid of any new historical insights." James, "The Prehistory of the Federal Republic," p. 101; see also Ernst Nolte and Jürgen Habermas, *Die Vergangenheit, die nicht vergeben will: Auseinandersetzung oder Schlussstrich? [Teil 2:] Eine blosse Umkehrung: gegen den negativen Nationalismus in der Geschichtsschreibung, Eine Antwort an Jürgen Habermas und Eberhard Jäckel* (Berlin: Berliner Wissenschafts Verlag, 1987); James Knowlton and Truett Cates, *Forever in the shadow of Hitler? - Original Documents of the Historikerstreit, the Controversy Concerning the Singularity of the Holocaust* (Atlantic Highlands, N.J.: Humanities Press, 1993); obviously the relativist argument is also made elsewhere without necessarily aiming at reducing German responsibility, see for instance Eric Markusen and David Kopf, *The Holocaust and Strategic Bombing: Genocide and Total War in the Twentieth Century* (Boulder, Colo.: Westview, 1995).

[3]   Buruma, *The Wages of Guilt: Memories of War in Germany and Japan*, p. 270.

[4]   James, "The Prehistory of the Federal Republic," p. 107.

Because the Western Allies needed the German military contribution, they quickly reversed their initial policy of holding the military command responsible for the conduct of war and subscribed to the fiction that there existed a neat distinction between the non-political Wehrmacht which by and large fought valiantly and honourably, and the politicised Nazi troops of the SS, Waffen-SS and Police troops which were deemed to be solely responsible for all atrocities committed.[5] This fiction greatly facilitated the "great peace with mass murder and the serial killers" namely "their cold amnesty through federal laws and almost seamless social, political and economic inclusion during the first ten years of the new state's history."[6]

Glaser estimated that between two and three hundred thousand perpetrators were directly and actively involved in the "final solution" with about six million deaths, the killing of (mostly Soviet) prisoners of war with about three million deaths,[7] and the judicial killings of about thirty thousand people, as well as the medical liquidation of handicapped people.[8] In the equanimity with which West German society undertook to dispose of "the greatest crimes in human history with the greatest act of rehabilitation (*Resozialisierung*)"[9] he sees a lasting moral and social liability for the future of Germany. He criticises the "republican optimism" that had developed in the Federal Republic and quotes the Federal President Richard von Weizsäcker with disapproval who expressed this optimism on two prominent occasions:

> "Wir dürfen den 8. Mai 1945 nicht vom 30. Januar 1933 trennen. Wir haben wahrlich keinen Grund, uns am heutigen Tag an Siegesfesten zu beteiligen. Aber wir haben allen Grund, den 8. Mai 1945 als das Ende eines Irrweges deutscher Geschichte zu erkennen, das den Keim der Hoffnung auf eine bessere Zukunft barg."

> "Was in Auschwitz geschehen ist, hat an Gewicht im Bewußtsein der Menschheit in den Jahrzehnten seit Kriegsende eher zugenommen. Aber etwas anderes ist ebenfalls gewachsen: Eine Demokratie, zu der wir uns mit Überzeugung bekennen.

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[5]   Heuer, "Perzeption der Bundeswehr," pp. 197-237.

[6]   Hermann Glaser, *Kulturgeschichte der Bundesrepublik Deutschland - Band 3: Zwischen Protest und Anpassung, 1968-1989*, Vol. 3 of 3 (München: Hanser, 1989), pp. 344, 342.

[7]   Christian Streit, *Keine Kameraden: Die Wehrmacht und die sowjetischen Kriegsgefangenen 1941-1945* (Bonn: Dietz, 1991).

[8]   Glaser, *Kulturgeschichte der Bundesrepublik Deutschland - Band 3: 1968-1989*, p. 344.

[9]   Glaser, *Kulturgeschichte der Bundesrepublik Deutschland - Band 3: 1968-1989*, p. 343, quoting Jörg Friedrich.

Es ist eine Demokratie, die sich seit 40 Jahren bewährt, nicht zuletzt in der Offenheit gegenüber ihrer Geschichte."[10]

Whatever we make of Glaser's pronounced scepticism about the moral health of West German society, a comparison with Japan might help to put each outlook in perspective. In a very thorough and insightful examination of the two countries' experience and memory of war and national guilt, Ian Buruma identifies the holocaust as the determining difference between Japan and Germany in their respective attempts to come to terms with the past. There are of course many other dissimilarities, but what has made the task of Japanese apologetics so much easier and prevented an honest accounting with the past, has been the relative plausibility with which the nation's history of mass murder, mass enslavement, mass sexual exploitation and other atrocities could be explained away as part of the "stuff that happens in war."[11] Something very similar can be observed with regard to Turkish denial of its responsibility for the Armenian genocide.[12] The argument is that the basic evil is war as such, not any individual national or individual conduct in war:

> "But even those Japanese who feel bad about China or Korea do not think of the Japanese war as a Holocaust. The denial of historical discrimination is not just a way to evade guilt. It is intrinsic to pacifism. To even try to distinguish between wars, to accept that some wars are justified, is already an immoral position. What is so convenient in the cases of Germany and Japan is that *pacifism happens to be a high-minded way to dull the pain of historical guilt*. Or, conversely, if one wallows in it, *pacifism turns national guilt into a virtue*, almost a mark of superiority, when compared to the complacency of other nations. It can also be the cause of historical myopia."[13]

This high-minded way of dulling the pain of historical guilt is perhaps best in evidence with the traditional anti-militarism of the German left or Austrian neutralism which for all its supposed benefits came at the price of precisely the kind of historical myopia Buruma alludes to. The conservative decision-makers who dominated the creation of the Federal Republic and oversaw its integration into the Western alliance, however, could not rely on pacifism as a relatively simple way out of the moral quandary.

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[10]   Speech to the Federal Parliament on the 40th anniversary of the war's end; and speech to the 37th Deutscher Historikertag in 1988, both quoted in Glaser, *Kulturgeschichte der Bundesrepublik Deutschland - Band 3: 1968-1989*, p. 347; the first speech has been very widely circulated not least in this version Richard von Weizsäcker, *Zum 40. Jahrestag der Beendigung des Krieges in Europa und der nationalsozialistischen Gewaltherrschaft: Ansprache am 8. Mai 1985 in der Gedenkstunde im Plenarsaal des Deutschen Bundestages* (Bonn: Bundeszentrale für Politische Bildung, 1985).

[11]   To paraphrase Secretary Rumsfeld's infamous remark about the sack of Baghdad in 2003.

[12]   Schmidt-Häuer, *»Wer am Leben blieb, wurde nackt gelassen«*; Roger W. Smith, Eric Markusen, and Robert Jay Lifton, "Professional Ethics and the Denial of the Armenian Genocide," *Holocaust and Genocide Studies,* Vol. 9 (1995): 1-22; Vahakn Dadrian, *The History of the Armenian Genocide: Ethnic Conflict from the Balkans to Anatolia to the Caucasus* (Providence, R.I.: 1995).

[13]   Buruma, *The Wages of Guilt: Memories of War in Germany and Japan*, pp. 39, emphasis added.

The authoritarian leadership style of Chancellor Adenauer relied considerably on the three central ideological tenets of Western integration, the free market, and anticommunism. The dominant conservative party was created around these principles but distinguished itself less through ideological rigour than is ability to ensure the chancellor's electoral success (*Kanzlerwahlverein*). Its main characteristic was its ability to function

> "als umfassende Sammelpartei mit der Aufgabe, auch die ehemals nichtdemokratischen Wählerschichten zu integrieren. Die scharfe Frontstellung gegen die Sozialdemokratie und der Antikommunismus erleichterten das — in diesem Punkt war eine Kontinuität erhalten geblieben, die auch sozialstrukturell verankert war."[14]

The emerging political culture was in *form* democratic, but its *substance* showed marked repressive continuities, prodding some to describe Adenauer as a "democratic dictator."[15] Pluralism and socio-political (not economic) liberalism did not take root for several decades,[16] not least due to the Manichean outlook and paranoia of anticommunism deliberately fostered by the government as an integration device for millions of former Nazis. The geopolitical confrontation and one's allegiance with the West, as well as the actual praxis of the Soviet Union and the GDR made it possible:

> "im Antikommunismus eine funktionierende neue Identifikationsideologie zu finden. Von diesem antikommunistischen Legitimationsmuster gingen starke integrative Wirkungen aus, die von dem SPD-Politiker Adolf Arndt mit der Freund-Feind-Orientierung des Antisemitismus früherer Jahrzehnte verglichen wurden. Als *Übergansideologie für die Bundesrepublik*, die in die westliche Gesellschaft hineinwuchs, *war der Antikommunismus hervorragend geeignet.* … Die große Menge der ehemaligen Nationalsozialisten und die noch größere Zahl der ehemaligen Antidemokraten konnte auf diese Weise allmählich eine neue positive Identifikation finden, die aber häufig sehr partiell blieb."[17]

This is not the place to discuss at length the theoretical and practical implications of the integration of former members of an autocratic regime during its transition to

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[14]   Wolf-Dietrich Narr and Dietrich Thränhardt (eds), *Die Bundesrepublik Deutschland - Entstehung, Entwicklung, Struktur* (Königstein/Ts: Verlag Anton Hain Meisenheim, 1979), p. 102.

[15]   Charles Wighton, *Adenauer, Democratic Dictator: A Critical Biography.* (London: Muller, 1963).

[16]   In this respect it is important to note that the autocratic personal rule was by no means confined to Adenauer but characterised the leadership style of most "big" mayors and state prime ministers who likewise cared little for democratic co-decision-making and the peculiarities of constitutional fine print. See Narr and Thränhardt, *Die Bundesrepublik Deutschland - Entstehung, Entwicklung, Struktur*, p. 113.

[17]   Narr and Thränhardt, *Die Bundesrepublik Deutschland - Entstehung, Entwicklung, Struktur*, pp. 105, emphasis added.

democracy.[18] The political integration of broad social echelons with previously non-democratic leanings into the parliamentary system of the Federal Republic did succeed on a large scale, but it carried with it the danger of the infiltration of undemocratic norms and habits into the fabric of the new state.[19] Irrespective of the merits of integrating the non-democratic rank and file, the systematic[20] advancement of former Nazis and the relative discrimination of left-leaning individuals certainly produced lasting damage. Nevertheless, the benefits of such integration for the stability of the new polity were substantial. Hermann Lübbe for instance has argued that the absence of critical discussion of the nation's history after 1945 and the consensus of the early years had been critical for the early stability of the Federal Republic, underlining the disruptive effects of the discussion that began in the 1960s.[21]

As will be shortly noted, acknowledgement for the past occurred mainly for instrumental reasons, and was limited to Western European and Jewish victims.[22] The relative 'civility' of war and occupation on the Western front, together with the unspeakable details of the holocaust perhaps helped the plausibility and longevity of the fiction of an untainted army and an unsuspecting population by blaming solely a much demonised 'outgroup' of fanaticised SS and assorted troops. The alliance with the West and the anticommunism that pervaded most of the post-war period further permitted the portrayal of the Wehrmacht's criminal conduct in the East as clearly secondary to the alleged tremendous service to Western civilisation of having stemmed the 'Asiatic flood'. Harking back to Nazi imagery from the invasion of 1941, the German army was presented as a bulwark of

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[18]   The general theoretical background and a comparative view of their practical implications, albeit with a strong emphasis on post-Franco Spain, is discussed in Gerard L. Alexander, *The Sources of Democratic Consolidation* (Ithaca: Cornell University Press, 2002).

[19]   Narr and Thränhardt, *Die Bundesrepublik Deutschland - Entstehung, Entwicklung, Struktur*, pp. 106-07.

[20]   Ausführungsgesetz zu Art. 131 GG mandated that 20 % of all civil service posts had to be set aside for former civil servants purged since the war due to their involvement with National Socialism. The result was, not surprisingly, an extremely high degree of former NSDAP party members in the higher civil service, reaching 66% of all senior staff of the Foreign Ministry and even higher numbers in the Justice Ministry. The situation in the judiciary was perhaps worst of all. See Udo Wengst, *Beamtentum zwischen Reform und Tradition: Beamtengesetzgebung in der Gründungsphase der Bundesrepublikdeutschland, 1948-1953* (Düsseldorf: Droste, 1988); Jörg Friedrich, *Freispruch für die Nazi-Justiz: Die Urteile gegen NS-Richter seit 1948, eine Dokumentation* (Berlin: Ullstein, 1998); Ralph Angermund, *Deutsche Richterschaft 1919 - 1945: Krisenerfahrung, Illusion, politische Rechtsprechung* (Frankfurt am Main: Fischer-Taschenbuch-Verlag, 1991); Ingo Müller, *Furchtbare Juristen: Die unbewältigte Vergangenheit unserer Justiz* (München: Droemer Knaur, 1989); Rainer Schröder, *"… aber im Zivilrecht sind die Richter standhaft geblieben!": Die Urteile des OLG Celle aus dem Dritten Reich* (Baden-Baden: Nomos, 1988).

[21]   Hermann Lübbe, "Der Nationalsozialismus im politischen Bewusstsein der Gegenwart," in: *Deutschlands Weg in die Diktatur: Internationale Konferenz zur national-sozialistischen Machtübernahme im Reichstagsgebäude zu Berlin: Referate und Diskussionen: Ein Protokoll*, ed. by Hermann Lübbe (Berlin: 1984), pp. 335-37.

[22]   Susanna Schrafstetter, "The Diplomacy of Wiedergutmachung: Memory, the Cold War, and the Western European Victims of Nazism, 1956–1964," *Holocaust and Genocide Studies,* Vol. 17, No. 3 (2003): 459-79.

civilisation against the barbarism of Bolshevism.[23] This alleged service to occidental civilisation was sometimes combined with the somewhat far-fetched claim that the European volunteers in the German army, particularly the Waffen-SS constituted the beginning of European integration and solidarity against the 'Asiatic' enemy: "We remain what we were — European soldiers fighting for the freedom of Europe against Bolshevism."[24]

This image simultaneously presented the Wehrmacht as firmly in the anticommunist camp and explained the barbarity of the fighting as a function of the earlier civilisational breach of the communist Gulag. The crusade against Bolshevism was seen not as a war of aggression, but a pre-emptively fought defensive war; any atrocities that might have occurred in its wake pale in comparison to the horrors of Asiatic collectivisation which the presumably imminent Soviet occupation would have entailed for all of Western Europe.[25] It was thus argued that the conduct of the Wehrmacht in the East must be seen against the background of this existential danger and within the context of the barbarity imposed by external conditions and the fighting style of the enemy.[26] Initially aimed at dividing the wartime Allied Coalition,

> "these efforts did bear fruit in another important sense, for they prepared the ground for the FRG's eventual alliance with the West and provided the *Wehrmacht's* apologists with a forceful and politically useful argument, even if it conveniently confused cause and effect. The astonishing persistence of this new/old image of the *Wehrmacht* was given powerful expression in the recent *Historikerstreit.*"[27]

The integrationist ideology of anticommunism required at any rate a peculiar way of looking at the past war that radically de-emphasised individual responsibility and distinguished sharply between the war as such which was structurally imposed by the "circumstances of the time" and carried little if any moral stigma, and the criminality of

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23   Bartov, "Soldiers, Nazis, and War in the Third Reich," p. 58.

24   Article in the Waffen-SS veteran magazine *Der Freiwillige* quoted and translated in Large, "Reckoning without the Past: The HIAG of the Waffen-SS and the Politics of Rehabilitation in the Bonn Republic, 1950-1961," p. 94.

25   The recruitment of voluntary troops from among the occupied nations very much stressed the alleged defensive nature of an existential pan-European war against Bolshevism, see G. R. Ueberschär, "Freiwillige für den Kreuzzug Europas gegen den Bolschewismus," in: *Der Angriff auf die Sowjetunion*, ed. by Horst Boog, *et al,* Das Deutsche Reich und der Zweite Weltkrieg (Stuttgart: Deutsche Verlags-Anstalt, 1983): 908-35; B. Wegner, "Auf dem Wege zur pangermanischen Armee," *Militärgeschichtliche Mitteilungen,* Vol. 2 (1980): 101-36.

26   This is basically the argument prevailing at the height of the Cold War during the 1950s and 1960s, and which revisionist authors such as Nolte, Stürmer, Hillgruber, tried to resurrect in the 1980s by arguing that the holocaust was the result and reaction to this 'Asiatic way of war'. For an overview see Knowlton and Cates, *Forever in the shadow of Hitler? - Original Documents of the Historikerstreit, the Controversy Concerning the Singularity of the Holocaust.*

27   Bartov, "Soldiers, Nazis, and War in the Third Reich," pp. 58, emphasis in the original.

the Nazi regime. Atrocities and, above all the holocaust, were thus made analytically, emotionally, morally, and politically distinct entities which were externalised and for whom a clearly defined but small group bore responsibility. The psychological mechanism at work is a classic case of a *self-serving attribution*,[28] i.e. individually and collectively, Germans attributed the positive characteristics of the victim (of bombing, of war, of Nazi seduction) and of valiant defender of the homeland and wider Europe *internally*, while the negative aspect of the perpetrator (who started the war, seduced the German people, committed atrocities) was exclusively attributed *externally* to the Nazi 'outgroup'. Exploring the categorisation of victims in a series of scathing essays, Bartov writes:

> "The perceived need of the democracies to unite against Communism meant that normalization in the West was accomplished by representing the war as a site of near universal victimhood. … Germans experienced the last phases of World War II and its immediate aftermath as a period of mass victimization. Indeed, German's remarkable reconstruction was predicated both on repressing the memory of the Nazi regime's victims and on the assumed existence of an array of new enemies, foreign and domestic, visible and elusive. … To be sure, the crimes of the Nazi regime became a necessary component of both West and East German identity and self-perception, even if the meanings ascribed to them were very different. But it must be stressed that Nazi criminality itself was persistently associated with the suffering of the *Germans*. Both the murder of the Jews and the victimization of the Germans were described as acts perpetrated by a third party"[29]

This externalisation of guilt and assertion of victimhood suggests parallels between Germans and their own victims, making the perpetrators of genocide simultaneously the destroyers of Germany. To some extent the situation is comparable to Japan whose post-war memory centred almost exclusively on being the victim of nuclear annihilation. By celebrating the suffering of their own people, the memory of Hiroshima and Nagasaki has "facilitated a process of long-term repression, if not denial, of Japan's own war of annihilation"[30]

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[28]   See above p. 146.

[29]   Bartov, "Defining Enemies, Making Victims: Germans, Jews, and the Holocaust," pp. 787-90.

[30]   Bartov, "Germany as Victim," p. 812.

This brings us to a somewhat ironic paradox. Buruma wanted to understand the Japanese better by looking at the German model from which so many of modern Japanese ideas had been drawn since the late nineteenth century. But on closer examination he realised:

> "The curious thing was that much of what attracted Japanese to Germany before the war — Prussian authoritarianism, romantic nationalism, pseudo-scientific racialism — had lingered in Japan while becoming distinctly unfashionable in Germany. Why? … [Before the war] the two peoples saw their own purported virtues reflected in each other: the warrior spirit, racial purity, self-sacrifice, discipline, and so on. After the war, West Germans tried hard to discard this image of themselves. This was less true of the Japanese."[31]

One of the decisive *structural* factors that prodded Germany towards a fuller re-examination of its militaristic past lay doubtless in the necessity to re-militarise which precluded the normative shortcut of pacifism with its attendant historical myopia.[32] The Japanese instead relied completely on the American security umbrella while Article 9 of the Constitution[33] — drafted entirely by MacArthur's occupation staff with virtually no Japanese input[34] — became a substitute for creating a trustworthy military.[35] There is a superficial resemblance with both Western Europe and Japan being dependent on American protection. But the geo-strategic realities of the European theatre necessitated a much larger local security contribution which necessitated the creation of a tightly integrated military alliance as well as an overall effort at economic and political integration.[36] There are also a number of *ideational* differences[37] between the two countries,

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[31]   Buruma, *The Wages of Guilt: Memories of War in Germany and Japan*, p. 8.

[32]   See above p. 180.

[33]   Lee Hudson Teslik, "Japan and Its Military", Washington, D.C, Council on Foreign Relations, 2006, http://www.cfr.org/publication/10439/, accessed on: 15 October 2006; Michael T. Seigel, *Some Considerations Regarding Article 9 of the Japanese Constitution - A summary of the discussion at a Joint Australia-Japan Workshop, held at Nanzan University, Nagoya, Japan, 12-15 September, 2005*, unpublished manuscript, Nanzan University, Institute for Social Ethics, Nagoya, Japan (2005), available at: http://www.latrobe.edu.au/inu/. ; Hitoshi Nasu, "Article 9 of the Japanese Constitution Revisited in the Light of International Law," *Zeitung für japanisches Recht / Journal of Japanese Law,* Vol. 18 (2004): 50-66;

[34]   Inoue criticised this conventional version based on a linguistic study of the constitution. Kyoko Inoue, *MacArthur's Constitution: A Linguistic and Cultural Study of its Making* (Chicago: University of Chicago Press, 1991).

[35]   Buruma, *The Wages of Guilt: Memories of War in Germany and Japan*, p. 33.

[36]   See above p. 121 ff. and below p. 235 ff.

[37]   The lack of a returning exile creative class holding up a mirror to post-war society, the absence of a clear political or cultural break, the difference in the memorial culture of its enemies. On the former, see *passim* Buruma, *The Wages of Guilt: Memories of War in Germany and Japan*, p. 63 ff; on the latter, see Vera Schwarcz, "Chinese History and Jewish Memory," in: *Holocaust Remembrance: The Shapes of Memory*, ed. by Geoffey H. Hartman (Oxford: Oxford University Press, 1994).

which jointly contributed to an almost neurotic, child-like refusal to accept responsibility in Japan:

> "whereas many Germans in the liberal democratic West have tried to deal honestly with their nation's terrible past, the Japanese, being different, have been unable to do so. … In the Japanese evasions there was something of the petulant child, stamping its foot, shouting that it had done nothing wrong, because everybody did it."[38]

One should be wary of seeing this childishness as an ingrained cultural trait disconnected from the political and structural constraints that brought it about. Buruma cautions against the temptation to see it as a national characteristic without acknowledging the deeper structural and psychological mechanisms at work:

> "There is something intensely irritating about the infantilism of postwar Japanese culture … Japan seems at times not so much a nation of twelve-year olds, to repeat General MacArthur's phrase, as a nation of people longing to be twelve-year olds, or even younger, to be at that golden age when everything was secure and responsibility and conformity were not yet required."[39]

It is difficult to argue with Buruma's contention that the belief in a congenitally childish people is just as unsustainable as that of an intrinsically dangerous people. Rejecting the comforting certainty of presumably immutable laws of nature, history, or national character, he insists on the decisive impact of political arrangements. While these arrangements are affected by cultural and historical circumstances, politics is an independent causal force rather than determined by these circumstances. Japan had been deemed to be a dangerous people and it had been forced by the occupation

> "to retreat from the evil world and hide under America's skirts. In effect, Japan has been subjected to a generous version of the Versailles Treaty: loss of sovereignty without financial squeeze. Japanese were encouraged to get rich, while matters of war were taken out of their dangerous hands."[40]

The complete continuity of the political and bureaucratic elite, replete with institutional corruption, stifled public debate, and rigged elections ensured the stability of a staunchly anticommunist ally. But this complete absence of an ideational, institutional, or cultural break prevented the emergence of a truly democratic political culture. It has often been remarked that no Japanese leader to this day has meaningfully expressed remorse for his

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[38]   Buruma, *The Wages of Guilt: Memories of War in Germany and Japan*, pp. 44, 294.

[39]   Buruma, *The Wages of Guilt: Memories of War in Germany and Japan*, p. 295.

[40]   Buruma, *The Wages of Guilt: Memories of War in Germany and Japan*, p. 296.

nation's actions during the war, an attitude negatively compared to the Federal Republic. But without detracting from the personal courage and integrity of Willy Brandt, him kneeling in Warsaw was only possible *after* a functioning democracy had been established in the Federal Republic in the dialectical interaction with the harsh realities of a divided, heavily militarised country.[41] Japan, by contrast, "shielded from the evil world, has grown into an Oskar Mazerath: opportunistic, stunted, and haunted by demons, which it tries to ignore by burying them in the sand, like Oskar's drum."[42]

c. INSTRUMENTAL VALUE OF HISTORICAL ACCOUNTING

The foregoing account should not be misread as an attempt to apportion blame between the two nations, and to be fair it needs to be stressed that the process of historical accounting was anything but a smooth linear movement from that mythical zero hour of defeat to the heights of peace, prosperity, and European integration. Former conservative President von Weizsäcker whose party had viciously fought Brandt's *Ostpolitik* stresses in hindsight how large a departure from the previous norm of denial the action of this exiled opponent of Hitler had been:

> "Am selben 7. Dezember 1970 kniete der deutsche Bundeskanzler vor dem Mahnmal des Warschauer Ghettos. Mag einer dazu sagen, er selber hätte es nicht getan. Aber hatte nicht jener Augenzeuge Recht, als er dort über Willy Brandt schrieb: "Dann kniet er, der das nicht nötig hat, für alle, die es nötig haben, aber nicht knien"? Es war ein unerhörter Vorgang, ein unvorstellbarer Augenblick."[43]

It is difficult to grasp in hindsight the nature of the political and cultural change that began in the mid 1960, coinciding largely with the chancellorship of Brandt. The new government that came to power in 1969 at the very least *symbolised* a radical departure from old certainties, evasions, and denials. The symbolic act of Warsaw was part of a

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[41] It should not be forgotten that Brandt's gesture occurred on the occasion of the signing of the Warsaw Treaty of 7 December 1970, one of the key pieces of *Ostpolitik* which caused extreme reactions at home. Both would have been unthinkable under the previous conservative government. See *inter alia* Michael Wolffsohn and Thomas Brechenmacher, *Denkmalsturz? Brandts Kniefall* (München: Olzog Verlag, 2005); Tono Eitel, *Die Ostverträge: Die Verträge von Moskau, Warschau, Prag, das Berlin-Abkommen und die Verträge mit der DDR* (München: Beck, 1979); Tono Eitel, "Die Ostverträge und die Einheit Deutschlands," in: *40 Jahre Bundesrepublik Deutschland*, ed. by Dieter Blumenwitz (Köln: 1989): 27 - 35; Jochen Abr Frowein, "Zur Entstehung und Bedeutung der Ostverträge 1970 - einige persönliche Ergänzungen," in: *Tradition und Weltoffenheit des Rechts*, ed. by Hans-Joachim Cremer (Berlin: Springer, 2002): 163-78.

[42] Buruma, *The Wages of Guilt: Memories of War in Germany and Japan*, p. 297; the allusion is, of course, to Günter Grass, *Die Blechtrommel - Roman*, 14. Aufl (Berlin: Luchterhand, 1971).

[43] Richard von Weizsäcker, "Es begann in Polen: Brandts Kniefall ermöglichte die EU-Osterweiterung," *Die Zeit* 50 (Hamburg, 7 December 2000).

larger movement, both popular and academic, that began to question the post-war orthodoxy and finally took up the problem of continuity *after* 1945.

Brandt has been described as "the other German," and on becoming chancellor he famously remarked that only now had Hitler finally lost the war. His would be the chancellorship not of a defeated, but of a liberated Germany.[44] The symbolic act of Warsaw was meant to express *collective* not individual responsibility, thus breaking with the previous myth that the great mass of Germans, soldiers and civilians alike, had remained untainted, themselves victims:

> "Es war nicht Brandt, der andere Deutsche, der aus persönlicher Schuld um Verzeihung für sich und die Mehrheit hätte bitten müssen. Nein, der Kniefall drückte genau seine Haltung zur Frage der kollektiven Verantwortung für die Verbrechen in Nazi-Deutschland aus. Auch der Emigrant wollte diese Verantwortung mittragen. Keiner war freigesprochen."[45]

It is during this time that finally the problem of continuity beyond 1945 was adequately addressed; previously the debate had "merely" ranged about the relative continuity from the Bismarckian Empire to the Third Reich, as James has criticised.[46] It was mainly the left which now began to criticise that collapse and defeat were not followed by the radical socio-political clean slate envisaged for instance in virtually all *Länder* constitutions.[47] These were drafted in the immediate aftermath of the war and expressed the popular aspiration to start afresh and avoid repeating the old mistakes.[48]

Instead, some critics maintained that the growing bipolar confrontation since 1948 did not permit "the hoped for new beginning, but merely a reconstruction, [resulting in] a

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[44]   Gunter Hofmann, "Willy Brandt (1913-1992)," in: *Sie prägten Deutschland - Eine Geschichte der Bundesrepublik in politischen Portraits*, ed. by Hans Sarkowicz (München: C. H. Beck, 1999), p. 143.

[45]   Hofmann, "Willy Brandt (1913-1992)," p. 150.

[46]   James, "The Prehistory of the Federal Republic," p. 100; see also Fischer, *Bündnis der Eliten - Zur Kontinuität der Machtstrukturen in Deutschland 1871-1945*.

[47]   On the creation of the federal states and their constitutions see the brief summary in Adolf M. Birke, *Die Bundesrepublik Deutschland: Verfassung, Parlament und Parteien*, Enzyklopädie Deutscher Geschichte, Band 41 (München: Oldenbourg, 1997), pp. 1-5.

[48]   These were drafted around 1946 and generally expressed a far more radical re-distribution and popular control over the means of production than ultimately found in the federal constitution, the Hessian one being a good example. See *inter alia* Otmar Jung, "Direkte Demokratie im Grundgesetz und den Landesverfassungen der Bundesrepublik Deutschland," in: Jürgen Heideking, Amerikanische Einflüsse auf Verfassungsdenken und Verfassungspraxis in Deutschland (Kaiserslautern: Atlantische Akademie Rheinland-Pfalz, 1997): 71 - 93; Fabian Wittreck, "Die Todesstrafe in den deutschen Landesverfassungen," *Jahrbuch des öffentlichen Rechts der Gegenwart,* Vol. 49 (2001): 157 - 214; Anke Brenne, *Soziale Grundrechte in den Landesverfassungen*, Verfassungs- und Verwaltungsrecht unter dem Grundgesetz, Band 30 (Frankfurt am Main: Lang, 2003).

restoration in the exact sense of the word."[49] The planned radical exchange of decision-making elites initially stipulated by the Allies did not take place,[50] as a result antidemocratic thinking was perpetuated in an unreformed and continuous elite.[51] Between the justified criticism of these and other shortcomings and the unsustainable claim of a complete break after defeat a complicated picture of personal continuity and institutional discontinuity emerges. On the one hand it is true that "instead of a catharsis feverish amnesties followed; the masses of former Nazis and sympathisers had all reason to be grateful to a chancellor who was not 'morally squeamish'" as shown by the entourage of prominent former Nazis he kept. But it is equally true that Adenauer provided "the Germans with a father- or grandfather-like figure" who provided much needed authority and stability during the first decade of post-Nazi recovery.[52]

The towering influence of the first chancellor in the development of a stable if a little dull polity has often been summarised in ironic reference to the Genesis as "in the beginning was Adenauer."[53] Grasping the importance of Western integration, both economically, militarily, and politically he instinctively understood the *instrumental* importance of two key moral issues: Franco-German reconciliation and *Wiedergutmachung* for the Holocaust.[54] Irrespective of the strength of his personal convictions, and without minimising the enormity of the task accomplished, there were clear political benefits to be derived from a (limited) policy of acknowledgement,[55] the main aim was to anchor Germany to the West, not necessarily to address the internal need for moral redress.

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[49]   Reinhard Kühnl, "Verfehlter Neubeginn," in: *Fünfzehn Millionen beleidigte Deutsche*, ed. by Immanuel Geiss and Volker Ulrich (Hamburg: Rororo, 1970), p. 101.

[50]   Referring to Allied Control Council Directive No. 24 of 12 January 1946 which stipulated the radical removal of any person deemed to perpetuate antidemocratic traditions from all positions of influence and power. Kühnl, "Verfehlter Neubeginn," p. 92.

This policy was reversed as soon as the Federal Republic had regained a sufficient measure of sovereignty, see above p. 182, fn. 20.

[51]   Kurt Sontheimer, "Antidemokratisches Denken in der Bundesrepublik," in: *Fünfzehn Millionen beleidigte Deutsche*, ed. by Immanuel Geiss and Volker Ulrich (Hamburg: Rororo, 1970): 102-16.

[52]   Hermann Glaser, *Kleine Kulturgeschichte der Bundesrepublik Deutschland, 1945-1989* (München: Hanser, 1991), pp. 147-159, at150-1.

[53]   Arnulf Baring, *Im Anfang war Adenauer: Die Entstehung der Kanzlerdemokratie*, 2. Aufl (München: Deutscher Taschenbuch-Verlag, 1982).

[54]   Ludolf Herbst and C. Goschler, *Wiedergutmachung in der Bundesrepublik Deutschland* (München: R. Oldenbourg, 1989); Hans Günter Hockerts and Christiane Kuller, *Nach der Verfolgung: Wiedergutmachung nationalsozialistischen Unrechts in Deutschland*, Dachauer Symposien zur Zeitgeschichte, Band 3 (Göttingen: Wallstein, 2003).

[55]   George Lavy, *Germany and Israel: Moral Debt and National Interest* (London: Routledge, 1996).

In an interesting German-language Israeli book the official history of *Wiedergutmachung* is critically examined.[56] In conscious analogy to the official version Stern begins by stating that "in the beginning was Auschwitz," stressing the complete failure of Allied re-education policy and the subsequent persistence of anti-Semitic and anti-democratic sentiments. Given the long history of these beliefs and their concerted indoctrination under National Socialism their persistence as such is not surprising. What Stern's book does, however, is to alert us to the policy's *instrumental value* for the international stature of the young republic striving to regain full sovereignty. The "long, *acrimonious* negotiations" between the Federal Republic and its key *Western* allies were conducted "at a time when their support was crucial for West Germany's international rehabilitation, the process of European integration, and the Cold War struggle."[57]

It is true that the Federal Republic under its conservative leadership that dominated it for its foundational two decades never shirked the state's responsibility for the deeds of the Third Reich. But this willingness was contingent on the claim to be the legal successor to all rights and responsibilities of the former German state (*Rechtsnachfolge*), an important part of the attempted de-legitimisation of the GDR. The 1952 State Treaty with Israel on reparations and indemnities coincided with the simultaneous lull in bringing individual perpetrators to justice:

> "The political circumstances which presided during the Konrad Adenauer regime explain why democratic restoration in the Federal Republic occurred by means of a moral, somewhat religious acknowledgement of a past whose consequences somehow had to be assumed — at least politically — at all cost. It is for this reason that Chancellor Adenauer signed a treaty with the young state of Israel in 1952 which established the principle of financial reparation to the survivors of genocide. But 1952 also marks a time of a certain negligence in the pursuit and condemnation of Nazi criminals, as if giving money to the victims was in some way the final page of the Auschwitz trauma."[58]

The acknowledgement of moral, political, and financial responsibility towards Jewish victims was in no way accompanied by the acceptance of guilt towards all the other,

56   Fritz Stern, *Im Anfang war Auschwitz: Antisemitismus und Philosemitismus im deutschen Nachkrieg*, Schriftenreihe des Instituts für deutsche Geschichte, Universiät Tel Aviv, Band 14 (Gerlingen: Bleicher Verlag, 1991); Fritz Stern, *The Whitewashing of the Yellow Badge: Anti-Semitism and Philosemitism in Postwar Germany*, Studies in Anti-Semitism (New York: Pergamon Press, 1992).

57   Schrafstetter, "The Diplomacy of Wiedergutmachung: Memory, the Cold War, and the Western European Victims of Nazism, 1956–1964," pp. 459, emphasis added.

58   Jean-Paul Bier and Michael Allinder, "The Holocaust and West Germany: Strategies of Oblivion 1947-1979," *New German Critique* 19, Special Issue 1: Germans and Jews (1980), p. 11.

equally deserving victims of Nazism, foremost Soviet prisoners of war, Roma, homosexuals, slave labourers, and many others. Already in 1944 one of the chief conspirators against Hitler, Carl Goerdeler who became an icon of the conservative celebration of resistance,[59] had written:

> "The number of civilians, men women and children of all nations and of Russian prisoners of war ordered to be put to death before and during this war exceeds one million. The manner of their death is monstrous and is far removed from chivalry, humanity and even from the most primitive ideas of decency among savage tribes. But the German people are falsely led to believe that it is the Russian Bolsheviks who are constantly committing monstrous crimes against innocent victims."[60]

Although Goerdeler significantly underestimated the number of victims, he was absolutely correct about the nature of their treatment and the unambiguousness of moral responsibility. But after the war most of these victims were conveniently located behind the Iron Curtain and could thus neither lobby for an acknowledgment of their rights nor would such recognition yield any political benefits to the government. Unsurprisingly, proper accounting for this aspect of the past did not set in until the 1990s, forty years after the events and with embarrassing reluctance and miserliness.[61]

In Bier's view the policy of *Wiedergutmachung* amounted to a declaration of guilt born out of structural necessity, not moral conviction. The "philosemitism" so much in evidence today[62] is the product of a much later time, while the initial decades were characterised by denial and oblivion.[63] While acknowledging the felicity of many of the decisions taken and giving credit where it is due, the question does pose itself whether under similar geo-political and structural conditions, a country like Japan might not have adopted similar policies of accounting given similar instrumental benefits to be derived. Or more pertinently, whether Germany would have pursued similar policies of atonement in the absence of such geo-political incentives.

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[59]   Gerhard Ritter, *The German Resistance: Carl Goerdeler's Struggle Against Tyranny* (London: G. Allen and Unwin, 1958).

[60]   Letter of 17 May 1944 by Dr. Carl Goerdeler to General Friedrich Olbricht, quoted in Wheeler-Bennett, *The Nemesis of Power*, p. 568.

[61]   Lily Gardner Feldman, "The Principle and Practice of 'Reconciliation' in German Foreign Policy: Relations with France, Israel, Poland and the Czech Republic," *International Affairs,* Vol. 75 , No. 2 (1999): 333-56.

[62]   Buruma, *The Wages of Guilt: Memories of War in Germany and Japan*, p. 270.

[63]   Bier and Allinder, "The Holocaust and West Germany: Strategies of Oblivion 1947-1979."

2. MYTH-CREATION AND USABLE PAST

It is easy to critique in hindsight the lack of historical insight and integrity in the accounting of difficult periods in the lives of individuals, groups, or nations. We have already discussed the important psychological impediments that exist at the individual level, preventing cherished images of the self — also of the collective self — to be discarded lightly.[64] Recalling the permanent tension between the cognitive need for accuracy and the protection of self-esteem, we should remember that the memory of historical events or the *learning* of new facts[65] has the potential of unsettling a cherished, if erroneous image of ourselves. Political communities require for the stability and legitimacy of their political order a *usable past*,[66] i.e. the creation of a commonly shared national history establishing the distinctiveness of the community and representing the social consensus about the shared historical experience:[67]

> "the subjective perception of history and politics, the fundamental beliefs and values, the foci of identification and loyalty, and the political knowledge and expectations which are the product of the specific historical experience of nations and groups."[68]

A political community that finds itself on the loosing end of a painful, discrediting conflict, and emerging from a long period of oppression will find the task of creating a shared narrative of the historical experience particularly difficult, especially when there has been little or no history of common resistance.[69] It is not uncommon that in post-conflict transitions from autocracy towards democracy those aspects of the national past

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[64]   See above p. 144.

[65]   W. Mischel, *Introduction to Personality*, Sixth edition (Fort Worth, Texas: Harcourt Brace, 1999).

[66]   The concept can be traced back to Nietzsche who "introduces the notion that it is methodically impossible to look at history unfiltered and *in toto*. … [I]t is imperative to deconstruct and reconstruct history if it is to be of any political use at all. Nietzsche goes on to say that not only individuals like politicians can benefit from creating their own usable pasts but societies as a whole, too." Raphael Utz, "Nations, Nation-Building, and Cultural Intervention: A Social Science Perspective," *Max Planck Yearbook of United Nations Law,* Vol. 9 (2005), pp. 628, fn. 36; referring to Friedrich Nietzsche, *Vom Nutzen und Nachteil der Historie für das Leben*, 1. Aufl (Frankfurt am Main: Insel-Verlag, 1989), pp. 40, 43.

[67]   Moeller, *War Stories: The Search for a Usable Past in the Federal Republic of Germany*; Eric J. Hobsbawm and Terence O. Ranger (eds), *The Invention of Tradition* (Cambridge: Cambridge University Press, 1983); Patrick H. Hutton (ed), *History as an Act of Memory* (Hanover, Vt.: University Press of New England, 1993); Douglas C. Peifer, "Commemoration of Mutiny, Rebellion, and Resistance in Postwar Germany: Public Memory, History, and the Formation of "Memory Beacons"," *Journal of Military History,* Vol. 65, No. 4 (2001): 1013-52.

[68]   Archie Brown, "Introduction," in: *Political culture and political change in communist states*, ed. by Archie Brown and Jack Gray (London: Macmillan, 1979), p. 1.

[69]   Peifer, "Commemoration of Mutiny, Rebellion, and Resistance in Postwar Germany," pp. 1013-16.

that contain democratic elements will be stressed while the repressive period will be downplayed as an aberration.[70]

The absence of meaningful resistance in Germany proved a source of considerable embarrassment for elites and publics alike, and prevented the natural point of departure for a political new beginning that many other states found after 1945 in the carefully constructed myths (often heavily sanitised) about partisan resistance and national unity against outside occupation.[71] These national myths conveniently blocked out collaboration, racial chauvinism and fascism, most egregiously perhaps in the cases of Austria,[72] Italy,[73] but also in France,[74] Norway,[75] and with Spain[76] being a particularly problematic case.

The extraordinary interest in Germany in even minor forms of defiance stems from the same perceived need to creative a historical narrative suitable as a focus for identity,[77] shown especially by the importance the events of 20 July 1944 have assumed in popular

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[70]   Juan J Linz and Alfred C Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-communist Europe* (Baltimore: Johns Hopkins University Press, 1989), pp. 451-52.

[71]   T. G. Ashplant, Graham Dawson, and Michael Roper (eds), *The Politics of War Memory and Commemorations* (London: Routledge, 2001); C. Gorrara, H. Peitsch, and C. Burdett, *European Memories of the Second World War* (New York: Berghahn Books, 1998).

[72]   Vansant, "Challenging Austria's Victim Status: National Socialism and Austrian Personal Narratives."; Michaels, "Breaking the Silence: Elisabeth Reichart's Protest against the Denial of the Nazi Past in Austria."; Ritter, "From Habsburg to Hitler to Haider: The Peculiarities of Austrian History."; Knight, "Contours of Memory in Post-Nazi Austria."; Utgaard, *Remembering & Forgetting Nazism: Education, National Identity, and the Victim Myth in Postwar Austria*; Niederacher, "The Myth of Austria as Nazi Victim, the Emigrants and the Discipline of Exile Studies."

[73]   Ignazio Silone, *Der Fascismus: seine Entstehung und seine Entwicklung* (Zürich: Europa-Verlag, 1934); Peter Jonathan Davies, *The Routledge Companion to Fascism and the Far Right* (London: Routledge, 2002); P. Morgan, *Italian fascism, 1919-1945* (London: Macmillan Basingstoke, 1995); Eric J. Hobsbawm, *Age of Extremes: The Short Twentieth Century 1914-1991* (London: Michael Joseph, 1994); Roger Griffin, *The Nature of Fascism* (London: Routledge, 1993).

[74]   Robert Soucy, *French Fascism: The First Wave, 1924-1933* (New Haven: Yale University Press, 1986); Robert Soucy, *French Fascism: The Second Wave, 1933-1939* (New Haven: Yale University Press, 1997).

While Nolte is certainly pursuing a hidden agenda of reducing German guilt by pointing out the complicity of others, his work on Italian and French fascism is useful, unlike his later claim on the comparability of Bolshevism and National Socialism. See Ernst Nolte, *Three Faces of Fascism: Action Française, Italian Fascism, National Socialism,* trans. Leila Vennewitz, Encounter Book (London: Weidenfeld and Nicolson, 1965); Nolte, *Der europäische Bürgerkrieg, 1917-1945: Nationalsozialismus und Bolschewismus*; for an early critique see Martin Kitchen, *Ernst Nolte and the Phenomenology of Fascism* (New York: 1974).

[75]   Iselin Theien, "Norwegian Fascism 1933-40: The. position of the Nasjonal Samling in Norwegian politics," Dissertation, Oxford University (Oxford, 2001).

[76]   S.G. Payne, *Falange: A History of Spanish Fascism* (Stanford, Calif.: Stanford University Press, 1961); S. M. Ellwood, *Spanish Fascism in the Franco Era* (London: Macmillan Press, 1987); Boyd, *Praetorian Politics in Liberal Spain*; Agüero, *Soldiers, Civilians, and Democracy: Post-franco Spain in Comparative Perspective*.

[77]   Peifer, "Commemoration of Mutiny, Rebellion, and Resistance in Postwar Germany."; Moeller, *War Stories: The Search for a Usable Past in the Federal Republic of Germany*.

and academic discourse,[78] and as part of official institutional memory, especially of the armed forces.[79] The emphasis on remembering resistance and defiance stands in some contrast to its relatively limited impact and the overall behaviour of the army.[80]

a. THE MYTH OF THE CLEAN SLATE

After 1945 most individuals had to come to terms with a compromised personal past, while the political community had little positive to build upon. In such circumstances, it is not surprising that most narratives in the Federal Republic emphasised a radical break, finding little that outwardly resembled the past: the new state had new boundaries and a new, significantly smaller area, whose population now contained one fifth new citizens in the 11 million German expellees and returnees from the East,[81] it had new political parties,[82] and traditional divisions along ethnic or class lines had largely disappeared.[83]

This is not an altogether inaccurate picture, but it occurred against the deeper social changes that had begun before the divide of 1945 and it reinforced the psychologically pleasing but incorrect belief of a clean break with a problematic past marked:

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[78]   Ritter, *The German Resistance: Carl Goerdeler's Struggle Against Tyranny*; Annedore Leber, Willy Brandt, and Karl Dietrich Bracher, *Das Gewissen steht auf: Lebensbilder aus dem deutschen Widerstand, 1933-1945* (Mainz: v. Hase & Koehler, 1984).

[79]   Claus Donate, "Deutscher Widerstand gegen den Nationalsozialismus aus der Sicht der Bundeswehr: Ein Beitrag zum Problem der "Vergangenheitsbewältigung"," Dissertation, University of Freiburg (Freiburg im Breisgau, 1976); Alexander Fischer, *Der Militärische Widerstand gegen Hitler und das NS-Regime 1933-1945*, Vorträge zur Militärgeschichte, 5 (Herford: E.S. Mittler, 1984); Bundesministerium der Verteidigung, Militärgeschichtliches Forschungsamt, and Deutscher Bundestag, *Aufstand des Gewissens: Der militärische Widerstand gegen Hitler und das NS-Regime, 1933-1945: im Auftrag des Bundesministeriums der Verteidigung zur Wanderausstellung* (Herford: E.S. Mittler, 1985); Manfred Messerschmidt, "Verschwörer in Uniform. Der militärische Widerstand gegen Hitler und sein Regime," in: *Militärgeschichtliche Aspekte der Entwicklung des deutschen Nationalstaates*, ed. by Militärgeschichtliches Forschungsamt (Düsseldorf: Droste, 1988): 221-32; Martin Kutz, *Innere Führung in der Bundeswehr: Auf andere Streitkräfte übertragbar? "Innere Führung" - leadership and civic education in the German Armed Forces* (Hamburg: Führungsakademie der Bundeswehr, Fachbereich Sozialwissenschaften, 2004).

[80]   Bartov, "Soldiers, Nazis, and War in the Third Reich," p. 57.

[81]   Helge Heidemeyer, *Flucht und Zuwanderung aus der SBZ/DDR 1945/1949-1961: Die Flüchtlingspolitik der Bundesrepublik Deutschland bis zum Bau der Berliner Mauer*, Vol. 100, Beiträge zur Geschichte des Parlamentarismus und der politischen Parteien (Düsseldorf: Droste, 1994).

[82]   The Christian Democratic Union (CDU), Christian Social Union (CSU), and Free Democratic Party (FDP) were all new creations that significantly differed from the pre-1933 parties on which they built. Likewise, the Social Democratic Party (SPD) was re-founded and underwent a significant rejuvenation, leading eventually to its Godesberg Party Programme in 1959. See also Sigmund Neumann, *Die Parteien der Weimarer Republik*, 4. Aufl (Stuttgart: Kohlhammer, 1977); Kurt Klotzbach, *Der Weg zur Staatspartei: Programmatik, praktische Politik und Organisation der deutschen Sozialdemokratie* (Berlin: Dietz, 1982); Theo Pirker, *Die SPD nach Hitler: Die Geschichte der Sozialdemokratischen Partei Deutschlands, 1945-1964* (Munich: 1965); for an interesting comparative approach with the historically much more successful approach taken by the Swedish Social Democratic Labour Party see Sheri Berman, *The Social Democratic Moment: Ideas and Politics in the Making of Interwar Europe* (Cambridge, Mass.: Harvard University Press, 1998).

[83]   Eschenburg, *Jahre der Besatzung, 1945-1949*, p. 16. Note for instance that the preamble to the Constitution of the Weimar Republic still had the explicit mention of the various "tribes of the German people" (*"das deutsche Volk, einig in seinen Stämmen"*), see *passim* Ingo von Münch, "Äußerer und Innerer Friede im Grundgesetz," in: *Im Dienst für Frieden und Sicherheit. Festschrift für Wolf Graf von Baudissin*, ed. by Dieter S. Lutz, Militär, Rüstung, Sicherheit, 33 (Baden-Baden: Nomos-Verlagsgesellschaft, 1985), p. 39.

"Defeat in 1945 seemed to have ended this era of the German past and to have ushered in a new age in which a new history could be shaped — so at least went the sanitized myth that many in the Federal Republic deemed essential to its existence. In an apparently similar way the GDR's politicians and theorists argued that a new state on a new class basis had been formed there. This mythical view is summed up in one phrase, the designation of 2300 hours on May 8, 1945 as the "Stunde Null" — the zero hour at which the clock of German history started ticking afresh."[84]

Unsatisfying as such an attitude may seem from the safe distance of several decades of successful democracy, it perhaps proved decisive for the early stability of the new polity.[85] But the myth of the clean slate obscures two related issues. First, it attributes the destruction of old social structures and archaic norms solely to defeat in war, thereby minimising the important modernising tendencies instigated by National Socialism[86] from its accession to power and accelerated under the impact of total war, especially after Stalingrad.[87] Second, the clean slate doctrine also minimises the importance of personal and collective responsibility for the past, and, importantly, negates the continuity of tainted elites beyond the supposed sea change of 1945.

Taylor had begun his authoritative study of the German army by stating that it had always been "led into battle by an extraordinary and exotic warrior caste. Archaic in manner and social outlook alike" the relatively small number of officers have had a devastating impact on their nation's destiny. He continues that "[n]ot the least remarkable quality of this caste is its homogeneity. The uniformity of the impact of tradition and training on its members is unparalleled in modern Europe"[88] It has sometimes been claimed in an apologetic fashion that this very archaism prevented the officer corps from allowing themselves to be taken in by the dictatorship.[89] Irrespective of our normative assessment of such a questionable claim,[90] we can state with confidence that the traditional

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[84]   James, "The Prehistory of the Federal Republic," p. 99.

[85]   Lübbe, "Der Nationalsozialismus im politischen Bewusstsein der Gegenwart," pp. 335-37.

[86]   Despite Nazi propaganda making extensive use of medieval and mythical imagery and professing an abhorrence of modernity, its overall modernising impact of its policies cannot be underestimated. Modernisation might have been the by-product of policies pursued for other reasons, mainly regime survival, but their social impact has nevertheless been considerable. See Ralf Dahrendorf, *Society and Democracy in Germany* (Doubleday, 1969); David Schoenbaum, *Hiter's Social Revolution: Class and Status in Nazi Germany, 1933-1939* (Garden City, N. Y.: Praeger, 1966); H. A. Turner, Jr, "Fascism and Modernization," in: *Reappraisals of Fascism*, ed. by H. A. Turner, Jr. (New York: 1975): 117-39; arguing for a much more actively pursued self-conscious policy of modernisation is R. Zitelmann, *Hitler: Selbstverständnis eines Revolutionärs* (Stuttgart: Klett-Cotta, 1989).

[87]   Bartov, "Soldiers, Nazis, and War in the Third Reich," pp. 45-48.

[88]   Taylor, *Sword and Swastika*, p. 15.

[89]   R. A. Paget, *Manstein, His Campaigns and His Trial* (London: Collins, 1951), p. 4.

[90]   Refuting the thesis of the army as a supposedly shielded "haven" from National Socialist indoctrination is Bartov, "Soldiers, Nazis, and War in the Third Reich," pp. 53-56.

homogeneity of the officer corps did *not* survive the expansion and indoctrination of the army begun in 1933 and accelerated after 1935.[91] The "brutal break with tradition and thrust into modernity" of many aspects of life initiated by National Socialism,[92] particularly of the army in the wake of rearmament did much to destroy this uniformity in outlook and upbringing.[93]

Perhaps ironic, it was the combined effect of the rapid expansion and mechanisation of the army — something that the officer corps had eagerly sought and the main reason of its collusion with Hitler — which ultimately destroyed the traditional officer corps. The social opening necessitated by the radical numerical expansion,[94] combined with the ideological indoctrination and purges by the Nazi leadership, and, not least, the enormous casualties suffered particularly on the Eastern front destroyed the tradtional normative and social homogeneity of the officer corps.[95] The number of army officers rose between 1933-1939 from 3.000 to 28.000, and by the end of the war some 500.000 *officers* had served:

> "In these circumstances it was impossible for the officer corps to exert the kind of unifying and formative influence upon the new arrivals that it had exerted during the rapid expansion of the 1880's and 1890's. Inevitably the inner homogeneity of the officer corps dissolved, and its members came to possess widely different political views and social attitudes."[96]

Furthermore, the physical annihilation of the socio-economic basis of the Eastern Prussian nobility whose families had for generations been the "army stud farms"[97] producing generations of officers, destroyed the traditional social base of the officer

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[91]   See above p. 170.

[92]   Dahrendorf, *Society and Democracy in Germany*, p. 432; Schoenbaum, *Hiter's Social Revolution: Class and Status in Nazi Germany, 1933-1939*; Aycoberry, *The Social History of the Third Reich, 1933-1945*; Theda Skocpol, *Social Revolutions in the Modern World*, Cambridge Studies in Comparative Politics (Cambridge: Cambridge University Press, 1994); Skocpol, "Social Revolutions and Mass Military Mobilization."

[93]   On the relationship between modernity and tradition in the Wehrmacht see Bartov, "Soldiers, Nazis, and War in the Third Reich," pp. 45-48.

[94]   The Reichswehr had deliberately sought to reproduce the social composition of the old monarchic armies, seeking particularly to attract the sons of the aristocracy and the old military caste, with admirable success: in 1921 23% of its officers were members of the aristocracy, i.e. 1% *higher* than under the monarchy. Wheeler-Bennett, *The Nemesis of Power*, pp. 98-99.

[95]   Bernhard R Kroener, Rolf-Dieter Müller, and Hans Umbreit (eds), *Organisation und Mobilisierung des deutschen Machtbereichs*, 10 Vols, Vol. 5, Das Deutsche Reich und der Zweite Weltkrieg (Stuttgart: Deutsche Verlags-Anstalt, 1988).

[96]   Craig, *The Politics of the Prussian Army*, pp. 483-84.

[97]   Taylor, *Sword and Swastika*, p. 18.

corps. This destruction of traditional social networks, institutions, and ways of life occurred likewise in many other spheres:

> "the modernization of German society — which depended on the disruption of the tight networks that had "resisted" National Socialism — only came in the wake of the world war. … Social modernization followed from the movement of vast numbers,[98] new marriage patterns, the development of industry outside traditional centres, and, in general, rapid economic growth coupled with a consumer revolution. … Logically, the story begins with the attempt at complete economic, political, and social mobilization for war on the Eastern Front."[99]

Some have thus made the argument that the epochal divide is more fluid than suggested by the sharp incision of capitulation and defeat in 1945. Instead, it is argued that during the period of 1943-1948, i.e. from the mobilisation for total war,[100] especially after the turning point at Stalingrad, to the post-war currency reform the archaic traditionalism of German society with its rigid segregation along religious, tribal/ethnic, geographic and class lines, and characterised by economic rigidity and social immobility was broken up and the foundations of socio-economic pluralism laid, fuelled in large part by large population movements.[101] In other words, the long-delayed modernisation of German society was finally achieved during those fateful years under the impact of massive refugee flows and labour mobilisation with their attendant destruction of traditional social rigidities:[102]

> "Durch den Verlust des Eigentums waren die Vertriebenen in einem spezifischen Sinne „klassenlos" geworden; sie mußten noch dazu von einer Gesellschaft aufgenommen werden, in der die überkommene Eigentums- und Güterordnung infolge der Niederlage gleichfalls fragwürdig geworden war, so daß man angesichts dieser Verhältnisse nach 1945 nicht nur in den drei Westzonen mit Recht von einer „mobilisierten" Gesellschaft sprechen kann. Die Wurzeln dieser Mobilität von

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[98]   Both as a result of military service, the forced expulsion of locals in the occupied territories, the recruitment of forced labour, and, as the tide of war shifted, the expulsion and relocation of ethnic Germans into – mostly – West Germany.

[99]   James, "The Prehistory of the Federal Republic," p. 105; reviewing the work by Martin Broszat (ed), *Bayern in der NS-Zeit*, Vol. 1-5 (München: 1977); Broszat*, et al, Von Stalingrad zur Währungsreform: Zur Sozialgeschichte des Umbruchs in Deutschland*.

[100]   Alan S Milward, *The German Economy At War* (London: University of London, Athlone Press, 1965); E. R Zilbert, *Albert Speer and the Nazi Ministry of Arms: Economic institutions and industrial production in the German war economy* (Rutherford, N.J.: Fairleigh Dickenson University Press, 1981).

[101]   Paul Erker stresses the impact of refugee flows in ending the homogeneity and segregation of traditional Bavarian rural life: of 1,424 purely Catholic parishes in 1939, merely 9 remained in 1946; of 140 purely Protestant parishes none remained. In Broszat*, et al, Von Stalingrad zur Währungsreform: Zur Sozialgeschichte des Umbruchs in Deutschland*, p. 383.

[102]   Marie-Luise Recker, *Nationalsozialistische Sozialpolitik im Zweiten Weltkrieg* (Munich: Oldenbourg, 1985); Dietrich Hilger, "Die mobilisierte Gesellschaft," in: *Die Zweite Republik. 25 Jahre Bundesrepublik Deutschland - Eine Bilanz*, ed. by Richard Löwenthal and Hans-Peter Schwarz (Stuttgart: Klett-Cotta, 1974): 95-122.

Einzelpersonen und auch in den gesamtgesellschaftlichen Wert- und Ordnungsvorstellungen lassen sich freilich bis in die Zeit des Dritten Reiches zurückverfolgen."[103]

The mobilisation of all economic resources for total war from 1943 onwards removed many of the etatist constraints and resulted in massive economic restructuring and rationalisation with important repercussions for the post-war economic order.[104] The personal connections of entrepreneurs and managers charged with economic planning during the Nazi mobilisation for total war outlasted the collapse and they quickly regrouped and rose to prominence during the post-war 'economic miracle.'[105]

Evaluating the issues of modernisation and political change from the angle of the evolution of a new liberal economic order and welfare-oriented social policy, some differ on the precise dating of the critical period of change but concur that the exclusive focus on the immediate post-war period is misleading:

> "from the point of view of economic and social order, it was not the period 1945 to 1948 that formed a unity but that from 1931/33 to 1948/9 — a unit which, it has to be said, was seen by parts of the social scientific community, but not by the broader population, reeling under the shock of the collapse."[106]

But irrespective of its precise dating, such work on social and economic history points to the inherent difficulty of drawing fixed lines of demarcation in any national historical narrative. Irrespective of the politically charged nature of symbolic dates such as 1848, 1918, 1933, 1945, or 1989, one has to remain sceptical about the possibility in any nation's history of clean breaks and corresponding fresh starts. Acknowledging that "the myth of a new beginning (even if it be a myth) is … an important part of a process of coming to terms with historical change," James nevertheless contents that historians

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[103]   Wolfgang Jacobmeyer, "Die Niederlage 1945," in: *Westdeutschlands Weg zur Bundesrepublik 1945 - 1949*, ed. by Institut für Zeitgeschichte München, Beck'sche schwarze Reihe, 137 (München: Beck, 1976), p. 18; referring to Hilger, "Die mobilisierte Gesellschaft."

[104]   Ludolf Herbst, *Der totale Krieg und die Ordnung der Wirtschaft: Die Kriegswirtschaft im Spannungsfeld von Politik, Ideologie und Propaganda, 1939-1945* (Stuttgart: Deutsche Verlags-Anstalt, 1982); Müller, *Hitlers Ostkrieg und die deutsche Siedlungspolitik: Die Zusammenarbeit von Wehrmacht, Wirtschaft und SS.*

[105]   Nina Grunenberg, "Die Manager des Wirtschaftswunders - Unter den Nationalsozialisten begann ihre Karriere, meistens im Umfeld von Rüstungsminister Albert Speer. Porträt einer Generation," *Die Zeit* Wirtschaft (Hamburg, 28 September 2006): 33; Nina Grunenberg, *Die Wundertäter - Netzwerke der deutschen Wirtschaft 1942-1966* (München: Siedler, 2006); Zilbert, *Albert Speer and the Nazi Ministry of Arms: Economic institutions and industrial production in the German war economy.*

[106]   Herbst, *Der totale Krieg und die Ordnung der Wirtschaft: Die Kriegswirtschaft im Spannungsfeld von Politik, Ideologie und Propaganda, 1939-1945*, p. 33; reviewed and translated in James, "The Prehistory of the Federal Republic," p. 103.

"find the idea of a complete break with the past at *any* point unconvincing. People after all remained people after 1945. … specific patterns of thought, and the consequences of deep-rooted social attitudes, are likely to remain in place even after traumatic events such as a catastrophic military defeat."[107]

Whatever the chances inherent in a new beginning, there was little question that responsibility for this last war lay with the Germans themselves. The domestic debate therefore turned to the question of the prominence of militarism in German history, and whether the old allegation that this was indeed a belligerent nation, so vehemently denied after World War I, had ultimately been borne out by the facts.

b. MILITARISM AND THE QUESTION OF WAR GUILT

Somewhat paradoxically, the domestic debate about the definition and relative prominence of militarism after 1945 initially did *not* concern the most recent conflict. In marked contrast to the situation after 1918, very few tried to argue that the inception, let alone the conduct of the Second World War could in any way be justified. In conscious memory of the aftermath of World War I, the Allies had agreed at Yalta to seek the unconditional surrender of Germany and to have its military authorities assume full operational responsibility for the capitulation. The unequivocal nature of defeat, the genocidal nature of the war, and the well-publicised pre-meditated character of Nazi aggression left little to argue about the origins of the last war.

Instead, it was widely assumed that the end of World War I already carried the seed of the next war in it, producing a social instability that was markedly exacerbated by the excessive demands of Versailles which nipped the fledgling new democracy in the bud and produced fascism. While there was never any dispute that Nazi Germany had started the war in 1939, the argument went that 1914 constituted the "original catastrophe" of the 20th century, without it Germany would not have descended into Nazi barbarity.[108] The implication being, that whoever bears responsibility for causing World War I ultimately carries responsibility for the following war and the holocaust. More pertinent, and suggested by the word (natural) "catastrophe," if it could be shown that World War I really was the result of impersonal structural forces and thereby nobody's fault, Germans

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107   James, "The Prehistory of the Federal Republic," pp. 99, 100, emphasis in the original.

108   Wolfgang J. Mommsen, *Die Urkatastrophe Deutschlands. Der Erste Weltkrieg 1914-1918* (Stuttgart: Klett-Cotta, 2002); Hans-Ulrich Wehler, "Die Urkatastrophe," *Der Spiegel,* Vol. 8 (2004): 82-89.

would be absolved for the moral responsibility of what followed, blame lying with the impersonal forces of history and fate. The aim of revising the historical evaluation is explicitly stated by Stürmer:

> "1914 begann, was George Kennan »the great seminal catastrophe of our century« nannte — er tat dies in einem Buch über den Verfall des Bismarckschen Bündnissystems, welches Frankreich und Rußland als Mächte der Revanche, das Deutsche Reich und Österreich-Ungarn als Geschäftsführer des Status quo identifizierte. Im Zentrum dieser Urkatastrophe aber stand Deutschland, und Ursachen dafür lagen nicht so sehr im ambivalenten Erbe Bismarcks oder im besonderen Macht-Modus der wilhelminischen Eliten, sondern in Geographie und Geschichte Europas."[109]

One can carry it too far,[110] but *prima facie* the argument is not implausible. There is no doubt that World War I laid the socio-political foundations of the disaster and barbarity that followed. The debate ranges over whether 1914 can be approximated to a natural *catastrophe* that descended on ill-prepared and unsuspecting European decision-makers, or whether it was the *catalyst* that enabled forces which had existed in the German body politic for some time to break out and bring their full destructive potential to the fore.[111]

The position represented by Gerhard Ritter and others essentially maintains a *Primat der Aussenpolitik,* i.e. the notion that *external* structural forces such as the balance of power, alliance commitments, military mobilisation schedules, etc. created a dynamism of their own that pulled all European decision-makers almost against their will and against better judgement into the abyss.[112] This position has been challenged as self-serving by Eckard Kehr, Fritz Fischer and others who maintain a *Primat der Innenpolitik,* namely the belief that there had been strong domestic interests, particularly in Germany with its highly

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[109]   Michael Stürmer, *Regierung und Reichstag im Bismarckstaat 1871-1880. Cäsarismus und Parlamentarismus* (Düsseldorf: Droste, 1974), p. 11; referring to George F. Kennan, *Die schicksalhafte Allianz. Frankreich und Rußland am Vorabend des Ersten Weltkrieges* (Köln: Vandenhoeck & Ruprecht, 1990).

[110]   Nolte argues that both wars and the extremism that they spawned were instances of a "European Civil War" and that National Socialism and Bolshevism necessitated each other, the former being a reaction to the latter. His argument which bears very heavy revisionist overtones has been well and truly refuted. Nolte, *Der europäische Bürgerkrieg, 1917-1945: Nationalsozialismus und Bolschewismus.* For an intelligent account of the same period see Hobsbawm, *Age of Extremes: The Short Twentieth Century 1914-1991.*

[111]   Aribert Reimann, "Der Erste Weltkrieg - Urkatastrophe oder Katalysator?," *Aus Politik und Zeitgeschichte,* Vol. B 29-30 (2004): 30-38.

[112]   Gerhard Ritter, *Vom Sinn des Todesopfers - Zum Gedächnis unserer kriegsgefallenen Söhne* (München: 1947); Gerhard Ritter, *Die Dämonie der Macht: Betrachtungen über Geschichte und Wesen des Machtproblems im politischen Denken der Neuzeit,* 5. Aufl (Stuttgart: Heinrich F. C. Hannsmann, 1947); Ritter, *Europa und die deutsche Frage - Betrachtungen über die geschichtliche Eigenart des deutschen Staatsdenkens;* Gerhard Ritter, *The Corrupting Influence of Power* (Hadleigh, Essex: Tower Bridge Publications, 1952); Ritter, "Das Problem des Militarismus in Deutschland."; Ritter, *Staatskunst und Kriegshandwerk;* Fischer, "Der kleine Dolchstoss: Fritz Fischer über Gerhard Ritter: "Staatskunst und Kriegshandwerk" [Band IV]."

rigid, stratified society, which pushed for the preparation of aggressive war as means to further their domestic interests.[113]

Ritter contrasts rational, limited use of military force in the cabinet wars of the 17th and 18th century[114] with the unparalleled violence unleashed by the nationalism of the French Revolution. That the hopes of the enlightenment for an age of perpetual peace, reasonable dispute settlement, and international order were not fulfilled, cannot be blamed on any one nation but singularly on the forces of nationalism unleashed by 1789:

> "daß ein neuer Militarismus in Europa *und so auch* in Deutschland erwachte, viel schlimmer als der alte, daran ist *ausschließlich* das Ereignis der großen Französischen Revolution mit allen seinen kriegerischen Auswirkungen schuld. Das entscheidende Neue war die Übertragung politischen Geltungsdranges, großmächtigen Ehrgeizes, kriegerischen Geistes von den Kabinetten auf die politisierte Nation als Ganzes, auf die neue politische ‚Volksgemeinschaft'."[115]

While the old cabinet wars had been "the simple measuring of relative force, without adding any moral judgment, i.e. without hatred and mutual indignation", modern mass warfare tends to "acquire the character of a crusade."[116] In order to prepare a modern nation for war and mass participation in it, it is deemed necessary to pull the population out of its peaceful civil inertia and to instil political passion into the nation.[117] Such passion feeds on xenophobia and political emotions, and once the populace is aroused, moderation and rational calculation of *raison d'état* becomes impossible.[118]

Ritter portrays the mass carnage of the World Wars I and II as the logical conclusion of a historical development that had begun in 1789. Once the genie of nationalistic passion

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[113]   Kehr wrote his main work *Schlachtflottenbau und Parteipolitik* in 1929, while Fischer and his many collaborators and doctoral students wrote from the early 1960s onwards. Kehr, *Economic Interest, Militarism, and Foreign Policy: Essays on German History*; Kehr, *Battleship Building and Party Politics in Germany, 1894-1901: a Cross-section of the Political, Social and Ideological Preconditions of German Imperialism*; Eckart Kehr and Hans Ulrich Wehler, *Der Primat der Innenpolitik: Gesammelte Aufsätze zur preussisch-deutschen Sozialgeschichte im 19. und 20. Jahrhundert*, Vol. 19 (Berlin: De Gruyter, 1970); Fischer, *Germany's Aims in the First World War*; Fritz Fischer, *World Power or Decline; the Controversy Over Germany's Aims in the First World War* (New York: Norton, 1974); Fischer, *War of Illusions: German Policies From 1911 to 1914*; Fischer, *Der Erste Weltkrieg und das deutsche Geschichtsbild: Beiträge zur Bewältigung eines historischen Tabus: Aufsätze und Vorträge aus 3 Jahrzehnten*; Fischer, *Juli 1914: Wir sind nicht hineingeschlittert: Das Staatsgeheimnis um die Riezler-Tagebücher: Eine Streitschift*; Fischer, *From Kaiserreich to Third Reich - Elements of Continuity in German History 1871-1945*.

[114]   Ritter, *Staatskunst und Kriegshandwerk - Erster Band (1740-1890)*.

[115]   Ritter, "Das Problem des Militarismus in Deutschland," pp. 200, emphasis added.

[116]   Ritter, "Das Problem des Militarismus in Deutschland," p. 203.

[117]   For an essentially similar argument see Posen, "Nationalism, the Mass Army, and Military Power."

[118]   The argument is likewise made, albeit *e contrario*, in a number of peaces on post-Cold War security arguing that the reduced need for mass armies reduces the government's need to foster nationalism as a mobilising device. See Haltinger, "The Definite End of the Mass Army in Western Europe?"; Van Evera, "Primed for Peace."; Mearsheimer, "Back to the Future: Instability in Europe After the Cold War."

and belligerent agitation was let out of the bottle, there was no moderation in either the means or ends of mass warfare. He contrasts this with the "knightly-aristocratic *esprit de corps* and the sober sense of duty of the professional soldier both of which worked against the demonic of national war."[119] The problem of militarism is seen as the insubordination of military technocrats vis-à-vis the moderating influence of the political leadership. Once the war has begun, the military claims full operational control over the conduct of hostilities, setting tactical and strategic war aims, irrespective of their political, ethical, and diplomatic fall-out.

Because victory in the Napoleonic wars had been achieved by the dynastic armies, not as claimed by the liberal tradition by bourgeois militias, the fiction of the *roi connétable*[120] could continue to exist. We are thus faced with a certain paradox, namely that the Prussian army used the initial defeat to greatly reform its internal structure, tactics and manpower policy, while retaining the essentially pre-modern notion of the army in the constitutional set-up. The army thus considered itself as an equal institution directly answerable to the king, not subordinate to the government: "there was thus in Prussia-Germany no formal subordination of the military under the political leadership."[121]

The fiction of direct royal command also prevents the development of a unified command in a common ministry of war/defence. As a result there is not only virtually no civilian oversight but also no coordination between the army and navy. Ritter describes the situation leading to the outbreak of World War I as one were the army and navy were each jealously pursuing their own narrowly technical vision, and were the civilian leadership had essentially abdicated any effort of exerting meaningful control over the military. Ritter explicitly rejects the thesis that the military leadership were actively striving to open hostilities, instead he portrays

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[119]   Ritter, "Das Problem des Militarismus in Deutschland," p. 204.

[120]   The term is derived from the Latin *comes stabuli*, and French *le comte de l'étable*, meaning the nobleman charged with the cavalry and knights, and more generally the conduct of war. The post existed in several medieval kingdoms (Lord High Constable in Great Britain) and could be likened to a Commander-in-Chief acting for the sovereign. When Frederick the Great assumed power, he himself took personal command of the army thereby linking the previously separate offices of sovereign and commanding agent as a *roi connétable*. While thereafter actual supreme military command again reverted to a designated professional officer, the fiction of the sovereign as the supreme commanding officer persisted. For details see Reed Browning, "New Views on the Silesian Wars," *Journal of Military History,* Vol. 69, No. 2 (2005): 521-34; Pierre Barral, *Pouvoir civil et commandement militaire du roi connétable aux leaders du XXe siècle* (Paris: Presses de Sciences Po, 2005).

[121]   Ritter, "Das Problem des Militarismus in Deutschland," p. 210.

"all European chiefs of staffs of July 1914 [as] prisoners of the military mobilisation plans, whose inevitability could simply no longer be avoided once the political leadership had lost control over the ambition and the political passions of nations."[122]

The outbreak of the war is thus the unintended consequence of perceived military necessities that were caused both by military technology and commonly shared strategic requirements. Ritter deplores the fact that statesmen across Europe has abdicated their responsibilities in the face of such allegedly overriding technical imperatives, but he explicitly rules out any bellicose intention on the part of "the soldiers or any 'militarists', for [it] was due to the general arms race in the form of an ever more radical implementation of universal conscription following the Prussian-German model."[123] The fault lies not with individual politicians or military leaders but with the militarization of entire nations that began in the French Revolution.

Ritter's avowed aim in much of his writing on German militarism has been to dispel the claim that Hitler was the continuation, if not the fulfilment of the Prussian-German tradition of Frederick the Great and Bismarck. This attack on Hitler "included necessarily a defence of the older Prussian-German history" and an attempt to refute the charge of militarism that was the "propagandistic spear that the insular moralism of the Anglo-Saxons" aimed at Germany before and especially since World War I.[124]

Forty years and one global war later, Ritter accepts the need to refine their arguments, conceding that there has indeed been a problem with militarism. He identifies a number of militarists,[125] he further identifies a deplorable tendency on the part of some soldiers to have looked at the problem of warfare and military security from a narrow, purely technical angle that led to overly optimistic threat assessments (Schlieffen, Moltke jr.), but "Ritter is in fact almost exclusively concerned with defusing the charge of militarism levelled against Old- and New *Prussiandom*, and to reject the proposition that the militarist Hitler could be the heir to the spirit of Potsdam."[126]

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[122]   Ritter, "Das Problem des Militarismus in Deutschland," p. 213.

[123]   Ritter, "Das Problem des Militarismus in Deutschland," p. 213.

[124]   Ludwig Dehio, "Um den deutschen Militarismus," *Historische Zeitschrift,* Vol. 180 (1955), p. 219.

[125]   Edwin von Manteuffel, Gustav von Alvensleben, Alfred von Krauß, Erich von Ludendorff, and of course Hitler.

[126]   Ernst Engelberg, "Über das Problem des deutschen Militarismus," *Zeitschrift für Geschichtswissenschaft,* Vol. IV (1956), pp. 243, emphasis in the original.

Ritter's main thesis exculpates the Germany military leadership from any intentional pursuit of the war. Instead he presents them as the "prisoners" of the universal military technology with its own inbuilt logic of mounting tension, especially once the political leadership had lost control over the political passions of the nations.[127] Elsewhere he not only denies any bellicose intention, but rejects furthermore any causal connection between German actions (the naval built-up) and the outbreak of war.[128] His attempt at rehabilitating the German military establishment from the participation in the wars of aggression is almost classic:

> "Der Berufssoldat gehorcht nur dem Befehl seines Lehns- oder Kriegsherrn, wenn er zum Kampf antritt. Es ist nicht seine Sache, nach Recht oder Unrecht des Krieges zu fragen; er gibt einfach sein Leben … ‚wie das Gesetz es befahl'. Die sittliche und politische Verantwortung dafür tragen andere. Er selbst ist nur Werkzeug, politisch gewissermaßen blind, ja wohl gar (wie in den Zeiten der Landsknechte und Söldner) innerlich neutral. Wer an die Front geht, entflieht damit den politischen Diskussionen und ihren Qualen; er ist der politischen Entscheidung enthoben, statt dessen mitten in die kriegerische Entscheidung gestellt."[129]

Both author and readers are well-aware that this spirited defence of the professionalism of the common soldier and his officers concerned the enormous allegations arising out of the last conflict, while ostensibly dealing with the less controversial World War I. The iconic status Ritter achieved is not least due to the eagerness with which a population that in its overwhelming majority had either been a soldier or the family member of one imbibed the perpetuation of a pleasing fantasy. The myth of the "untainted shield of the Wehrmacht" had been carefully developed by the army leadership itself, and as it proved psychologically too painful and institutionally too destabilising, it continued to dominate German historiography and sense of identity well into the 1980s.[130]

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[127] Ritter, "Das Problem des Militarismus in Deutschland," p. 212.

[128] Ritter, *Europa und die deutsche Frage - Betrachtungen über die geschichtliche Eigenart des deutschen Staatsdenkens.*

[129] Ritter, *Staatskunst und Kriegshandwerk*; quoted in Engelberg, 1956 #489@ 240

[130] Bartov, "Soldiers, Nazis, and War in the Third Reich," p. 45; Bartov, *Hitler's Army: Soldiers, Nazis, and War in the Third Reich.*

Long after all hope for victory had been lost and complete collapse was a virtual certainty,[131] the prediction of the Nazi leadership that the revolution of 1918 would not repeat itself remained accurate. Being constantly aware of this danger, the regime had carefully tended the image of a high technology army achieving relatively painless Blitzkrieg victories and tried to keep the disruption of the civilian consumer economy to a minimum. But even after the failure of the Russian campaign had become apparent and the government moved with predictably disastrous efforts to mobilise for total war,[132] neither the considerable disruption of civilian life nor the apparent hopelessness of the struggle yielded pronounced popular or military resistance:[133]

> "At no time during the war was there any indication that mass anger might force the government to stop the killing and sue for peace. … The German people waited, then, fatalistically until the machine ran down."[134]

This attitude coincided with a ferocity and resilience of the German army in the face of certain defeat that astounded observers: "all that remained was a numbed sense of continuing duty, a duty which all now saw with nightmarish clarity was leading swiftly and inevitably to disaster."[135] Explanations of the unfaltering obedience and loyalty of the army can be roughly categorised into three distinct, albeit chronologically overlapping schools of thought. The first school, popular mainly among war-time Allied commentators sees the military as the driving force behind Nazi aggression as an instance of traditional German militarism. The second school offers a more nuanced and accurate picture that stresses internal divisions within the regime and in particular how the army was weakened as a result of deliberate policies by the Nazi leadership, loosing thereby its institutional autonomy. The third school builds upon these findings but challenges the alleged dichotomy between the army and regime to argue a much more thorough

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[131]   "The inevitable defeat of Germany was patent and manifest by 1943." Wheeler-Bennett, *The Nemesis of Power*, p. 690.

[132]   Milward, *The German Economy At War*; Zilbert, *Albert Speer and the Nazi Ministry of Arms: Economic institutions and industrial production in the German war economy.*

[133]   Bartov, "Soldiers, Nazis, and War in the Third Reich," pp. 46-50; Alfred C Mierzejewski, *The Collapse of the German War Economy, 1944-1945: Allied Air Power and the German National Railway* (Chapel Hill, N.C.: University of North Carolina Press, 1988); United States Department of War, *The Effects of Strategic Bombing on the German War Economy* (Washington, D.C.: Over-all Economic Effects Division, 1945).

[134]   Craig, *Germany, 1866-1945*, pp. 761-62.

[135]   Wheeler-Bennett, *The Nemesis of Power*, p. 695.

ideological indoctrination, and subsequent agreement with and complicity in the genocidal policies of the regime.

aa. First School: Wehrmacht as the Last Stage of Prussian Militarism

Initially, the prevailing explanation among Allied researchers had been that the superior performance of the German soldier depended primarily on such non-political traits as superior training, morale, the existence of a capable corps of non-commissioned officers,[136] large degree of tactical initiative and 'leadership from the front' from the officer corps, and, above all, the cohesiveness of the small fighting unit which formed the basis of army organisation,[137] providing critical psychological support to the individual soldier and motivating him to fight on against all possible odds.[138]

This superior performance was acknowledged by the Allies, and there was a good deal of professional respect for the resilience of German troops.[139] This professional esteem stands in marked contrast to popular and elite sentiments about Germany as such which

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[136]   On NCOs in the German army see Rosinski, *The German Army*, pp. 99-103.

[137]   These views found, of course, their German equivalents, both during and after the war. For a discussion see Bartov, "Soldiers, Nazis, and War in the Third Reich," pp. 46-50. Bartov and Messerschmidt reject the notion that primary groups can account for the resilience of German troops, instead looking at the legalisation of criminal behaviour, the indoctrination with the ideology of *Volksgemeinschaft,* and the unprecedented harshness of internal discipline accounting for instance for more than 15.000 death sentences carried out by the Wehrmacht for desertion and cowardice, as compared to 48 throughout World War I. Jointly these led to the unprecedented barbarisation on the Eastern front. See Bartov, *Hitler's Army: Soldiers, Nazis, and War in the Third Reich*; Bartov, *The Eastern Front, 1941-45: German Troops and the Barbarisation of Warfare*; Manfred Messerschmidt, "Der Reflex der Volksgemeinschaftsidee in der Wehrmacht," in: *Militärgeschichtliche Aspekte der Entwicklung des deutschen Nationalstaates*, ed. by Militärgeschichtliches Forschungsamt (Düsseldorf: Droste, 1988): 197-220; Messerschmidt, *Die Wehrmachtsjustiz, 1933-1945*; Messerschmidt and Kielmansegg, *Die Wehrmacht im NS-Staat: Zeit der Indoktrination*; Messerschmidt and Wüllner, *Die Wehrmachtjustiz im Dienste des Nationalsozialismus: Zerstörung einer Legende.*

[138]   The mot influential representative of this view is Shils and Janowitz, "Cohesion and Disintegration in the Wehrmacht in World War II."; see also Van Creveld, *Fighting power: German and U.S. Army performance, 1939-1945*; Werner Hartmann, *Geist und Haltung des deutschen Soldaten im Wandel der Gesellschaft: Vom Kaiserheer zur Bundeswehr: Eine Dokumentation* (Limburg a.d. Lahn: C.A. Starke, 1998); Henderson, *Cohesion, the Human Element in Combat*; Sam Charles Sarkesian, *Combat Effectiveness: Cohesion, Stress, and the Volunteer Military* (Beverly Hills, Calif: Sage Publications, 1980).

The cohesion acquired from long service contrasted markedly with particularly the US system which saw very high rates of individual and unit rotation, at times severely affecting fighting performance. "Because individual replacements often had no time to become socially merged into units, battlefield cohesion suffered and casualty rates rose." Cohen, *Citizens and Soldiers*, pp. 153-4, 74-75, 81, 105, 107, 114.

[139]   See for instance the Israeli historian Martin van Creveld who maintains that "Das deutsche Heer war eine vorzügliche Kampforganisation. Im Hinblick auf Moral, Elan, Truppenzusammenhalt und Elastizität war ihm wahrscheinlich unter den Armeen des zwanzigsten Jahrhunderts keine ebenbürtig." Martin L. Van Creveld, *Kampfkraft. Militärische Organisation und militärische Leistung 1939-1945* (Freiburg im Breisgau: Verlag Rombach, 1989), p. 189; likewise the French historian Philippe Masson, *Die Deutsche Armee. Geschichte der Wehrmacht 1935-1945* (1994).

This estimate stands in marked contrast to Allied perceptions of other Axis armies, such as the Italians. Heuer, "Perzeption der Bundeswehr," pp. 213, 233-34.

had consistently been very negative. Initially, the resilience of the army had been "explained" by a blanket reference to tradition and national character:

> "The cause of this toughness, even in defeat, is not generally appreciated. It goes much deeper than the quality of weapons, the excellence of training and leadership, the soundness of tactical and strategic doctrine, or the efficiency of control at all echelons. It is to be found in the military tradition which is so deeply ingrained in the whole character of the German nation and which alone makes possible the interplay of these various factors of strength to their full effectiveness."[140]

As Heuer sums up, authors of the 'first school' considered the attitude and behaviour of the military during the Weimar Republic as the critical factor leading to the collapse of democracy and the rise of fascism. The dominant position of the military in the Third Reich therefore results in its full responsibility for the actions until 1945.[141] These authors considered Nazism as the last incarnation and logical conclusion of Prussian chauvinism;[142] views which were widely shared among official decision-makers and guiding official Allied occupation policy:

> "On no account must there be any suggestion or implication: - (a) that we recognise any claim of the German Army to be absolved from its full share of responsibility for German aggression on the grounds that its part is merely professional and non-political and that it does no more than obey orders; …"[143]

Authors belonging to this school emphasised the prevalence of blind obedience borne out of fear, cowardice, and mindless discipline — elements which were considered characteristic of traditional Prussian-German militarism. Anticipating the evasion of responsibility which was likewise seen as a hallmark of this tradition, Fried writes in 1942:

> "And here we come back to the question of the meaning of obedience and discipline in National Socialist militarism. For those who make up the regime (especially for the middle and lower ranks) obedience and discipline are a part of

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[140]   War Department, *Handbook on German Military Forces* (Washington, D.C.: War Department, Military Intelligence Division TM-E 30-451, 1945), pp. I-4.

[141]   Heuer, "Perzeption der Bundeswehr," p. 190. He includes authors such as Hans E. Fried, Konrad Heiden, Frederick Martin, Curt Riess, Sigrid Schulz, and Adrian van Sinderen in this first school.

[142]   John H. E. (Hans Ernest) Fried, *The Guilt of the German Army* (New York: Macmillan, 1942), p. 314 ff.

[143]   Standing Directive for Psychological Warfare Against Members of the German Armed Forces, June 1944, Standing High-Policy Directives, in Daniel Lerner, "Sykewar: Psychological Warfare Against Germany, D-Day to VE-Day," (1949).

It might be interesting to note in passing, that Lerner, Edward A. Shils, Morris Janowitz, and Saul K. Padover served together during the war in the Psychological Warfare Division of the US Army, as pointed out by Lerner in his foreword. All produced influential work in military sociology after the war and are proponents of the 'second school'. See the interesting discussion in Heuer, "Perzeption der Bundeswehr," pp. 209-10. and note the dramatic contrast in preparation and the sophistication of psychological warfare in Germany to later theatres of the US Army, notably in Iraq.

the price they pay for the power they gain. They wish to surrender individual responsibility for their own deeds. This becomes easier by hiding behind 'unconditional obedience'. The readiness for self-submission (otherwise hard to explain) is part of the drive for security."[144]

Looked at from this angle, military resilience and professionalism are but the flip side of a historically persistent militarism which did not change markedly in either form nor substance during the transitions from monarchy to republic to dictatorship. While acknowledging that for the rank and file internal discipline in the Wehrmacht had brought certain improvements compared to the Imperial army, Fried's explanation of its superior battlefield performance rests on the extreme gap in status and privilege between the often aristocratic officer and the simple soldier deemed characteristic of the Prussian tradition:

> "For its very success depends on its own capacity to develop to the extreme all methods of inequality and domination by fear … the 'leadership' principle of unqualified obedience and the abolition of individual political rights would still make the distance between the men and their superiors immeasurable."[145]

In short, this school considers fascism as a reiteration of the age-old problem of German militarism, perpetuated by a narrow military caste which in the pursuit of its class interest pursues internally repressive and externally aggressive policies.[146]

bb. Second School: Wehrmacht Outwitted by Nazism

Based on empirical work on the cohesion and internal organisation of the Wehrmacht, an alternative picture began to emerge that has stressed discontinuities to previous German armies. The authors whom Heuer labels the 'second school'[147] stress that "the extraordinary morale of the German army"[148] is precisely the result of fundamental *changes* in composition, selection, and outlook of the officer corps and its relationship to the rank and file.[149] These authors do not question the aforementioned primacy of strict discipline and unconditional obedience, but the source of the authority of the Wehrmacht officer is

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[144]   Fried, *The Guilt of the German Army*, p. 309.

[145]   Fried, *The Guilt of the German Army*, p. 265.

[146]   See the discussion above p. 112.

[147]   He includes Gabriel A. Almond, Gordon A. Craig, Walter P. Hall, Jospeh C. Harsch, Herbert Rosinski, and Telford Taylor in this group. Heuer, "Perzeption der Bundeswehr," pp. 205, 191.

[148]   Joseph C. Harsch, *Pattern of Conquest* (Garden City, N. Y.: Doubleday, Doran and Co, 1941), p. 126.

[149]   The necessity for a new internal discipline based on comradeship and leadership was explicitly recognised by the head of the Reichswehr, Hans von Seeckt, who contrasted it to the negative effects on battlefield performance observed during the World War I. See the discussion below p. 167 ff.

no longer seen in his class background but his professional expertise and leadership abilities:

> "Under the impact of the ideology of the Volksgemeinschaft, even those remnants of the former strict separation between the officers and their men which still marked the Reichswehr outlook have disappeared."[150]

This breaking down of anachronistic social barriers in the armed forces was the side-effect of *Gleichschaltung*, the process by which Nazism destroyed all competing traditional institutional and normative obstacles to its power.[151] Such obstacles could take many forms, and could in principle refer to any private or institutional community not thoroughly imbued with Nazi ideology. Broszat uses the term "*Resistenz*"[152] for many forms of such passive non-committal behaviour. As James puts it in his review, it is,

> "a metaphor taken from electrical current to describe an almost natural obstruction and opposition to central decrees, … This was not political resistance in the English language sense but was more likely to take nonpolitical or semipolitical forms … often over Nazi religious or educational policy. Densely woven social webs … remained largely intact, despite the existence of the police-state and widespread denunciations; and these webs were largely unaffected by the intrusion of Nazi ideology. One of the questions left largely unexplored is whether this unideological popular mass actually allowed the regime more room to set its own political priorities — whether popular indifference was a necessary element in the perpetuation of Nazi rule."[153]

This question of the repercussions for regime performance of individual and group retrenchment into supposedly non-political, ideologically unaffected spheres of life is a difficult but important one.[154] It is directly raised when we confront the claim made by many in the officer corps who have stressed their normative hostility to Nazi ideology while taking 'refuge' in the aristocratic, Prussian tradition of the army. There is little doubt that the question raised by James, whether such a supposedly non-political attitude "actually allowed the regime *more* room to set its own political priorities" has to be answered fully in the affirmative with regard to the officer corps. The clear responsibility

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[150]   Rosinski, *The German Army*, p. 215.

[151]   Schramm, "Der Gleichschaltungsprozess der deutschen Armee 1933 bis 1938: Kulminationspunkte und Linien."

[152]   Broszat, *Bayern in der NS-Zeit*.

[153]   James, "The Prehistory of the Federal Republic," pp. 104-05.

[154]   Bartov, "Soldiers, Nazis, and War in the Third Reich," pp. 53-56.

of the senior officer corps has been authoritatively discussed by Craig,[155] and was clearly understood at least by some of the generals at the time:

> "Their soldier's duty of obedience has its limit at that point where their knowledge, their conscience and their responsibility forbids the execution of a command. If, in such a case, their advice and warnings are not listened to, then they have the right and the duty before their people and before history to resign their commands. If they all act with a determined will, the execution of an act of war becomes impossible. In this way they save their fatherlands from the worst possible fate, from destruction. Any soldier who holds a leading position and at the same time limits his duty and task to his military charge, without being conscious of supreme responsibility to the nation, shows a lack of greatness of understanding of his task."[156]

General Beck did indeed try to avert the political leadership to the danger of a premature war for which the army was ill-prepared. True to his words, he resigned after failing to rally the military leadership of an army which after the Blomberg-Fritsch Crisis of February 1938 had finally abandoned all pretence to organisational or professional independence.[157] The result of this crisis marks two important steps in German civil-military relations. On the one hand it marks the ultimate failure of the pact the army had entered with the Nazi leadership in the wake of the Purge of 30 June 1934 (*Röhm Affäre*),[158] but more importantly it signified the destruction of the army as the ultimate power broker in the state. Perhaps ironically, this marks the first time in modern German history that the army was fully brought under civilian control, albeit alas a criminal one.

It is in this respect that the authors of the 'second school'[159] stress the *dis*continuity of the role of the military in the Third Reich with the previous role of the armed forces in the Prussian-German tradition. Their intention is by no means apologetical, as Heuer clearly

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[155]   Craig, *The Politics of the Prussian Army*, pp. 496-503; Craig, "Army and National Socialism, 1933-1945: The Responsibility of the Generals," pp. 429-32.

[156]   Paraphrasing Chief of the General Staff, Ludwig Beck in July 1938, Wolfgang Foerster (ed), *Ein General kämpft gegen den Krieg: Aus nachgelassenen Papieren des Generalstabschefs Ludwig Beck* (München: 1949), p. 103; quoted and translated in Craig, *The Politics of the Prussian Army*, p. 499.

[157]   It concerned the forced resignation of the Minister of War Field Marshall Werner von Blomberg as a result of his marriage to a woman of questionable reputation. His rightful successor would have been the Commander-in-Chief Colonel-General Werner von Fritsch, but Hitler managed to dismiss him on trumped-up charges of homosexuality. At its conclusion, Hitler himself became Minister of War and the loyal but traditional Field-Marshall Walter von Brauchitsch became Commander-in-Chief until Hitler could assume this position as well in 1941. For details see Wheeler-Bennett, *The Nemesis of Power*, pp. 363-74; Craig, "Army and National Socialism, 1933-1945: The Responsibility of the Generals," pp. 492-96.

[158]   For details see Wheeler-Bennett, *The Nemesis of Power*, pp. 289-332; Craig, "Army and National Socialism, 1933-1945: The Responsibility of the Generals," pp. 475-81.

[159]   See above fn. 147.

points out.[160] Their condemnation of the officer corps is no less severe than the view espoused by authors of the 'first school' who subscribe to the relatively simple thesis of Nazism as merely the latest incarnation of the historic Prussian-German militarism. The 'second school', in contrast, is based on a more sophisticated understanding of the internal dynamics within the Third Reich. But as the US prosecutor at Nuremberg has later noted:

> "To understand is not necessarily to forgive, but understanding is the foundation of a just appraisal. Simple justice no less than charity requires that the officers' corps be judged for what it actually was, and not for what it is sometimes, but erroneously, imagined to have been. Despite the enormous prestige which the military profession enjoyed in Germany, the generals were not all-powerful and, partly as a result of their own blunders, their power decreased as Hitler's grew. The Reichswehr, small as it was, was far more dominant in the affairs of the Weimar Republic than was the Wehrmacht in those of the Third Reich. The idea that Hitler was a puppet who danced on strings pulled by the generals is utterly groundless; neither is the reverse the truth, although, in the later stages of the war, it approached the truth."[161]

Taylor argues for a rigorous examination of the historical facts and applying normative standards appropriate for the context. He dismisses the approach of the 'first school' who pictured "the generals as a coldly efficient coterie bent on world conquest." The archaic, caste-ridden, and unimaginative caste they were, their primary goal was the re-establishment of German pre-eminence in Europe and, as a result, a return to their traditional exalted position of privilege. Taylor thus considers it

> "futile to test the officers' corps by standards and values to which their leaders were almost totally oblivious. The generals were the product of imperial times and, almost to a man, they faithfully reflected the narrow, caste-conscious authoritarianism in which they had been trained. To "blame" such men, as individuals, for failing to risk their careers to preserve democracy in Germany is too much like cursing the crow for not singing sweetly. To expect German generals to "renounce war as an instrument of national policy" is to blind one's eyes to the hard facts of life."[162]

Instead Taylor suggests to measure the officer corps by its own standards of morality and responsibility, standards which they failed. Looking at these standards it becomes apparent that the conspirators of the 20 July 1944 were by no means trying to institute a democratic government for Germany and even a cursory glance at their — admittedly

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[160]   Heuer, "Perzeption der Bundeswehr," pp. 191, fn. 84.

[161]   Taylor, *Sword and Swastika*, p. 353.

[162]   Taylor, *Sword and Swastika*, p. 353.

vague — political programme immediately reveals the archaic, often illiberal, even reactionary vision they had for the country.[163] While such criticism is appropriate, at the very least these men adhered to their own code of professional conduct, something that the army as an institution failed to do.[164] As Taylor points out, supporting Hitler's rise to power — while objectionable on any number of moral and political grounds — actually made sense as long as it seemed to further the institutional interest of the army. Field-Marshal von Blomberg speaking after the war is quite categorical in this respect:

> "Before 1938-9 the German Generals were not opposed to Hitler. There was no reason to oppose him since he produced the results which they desired. After this time some Generals began to condemn his methods and lost confidence in the power of his judgment. However, they failed as a group to take any definite stand against him, although a few of them tried to do so and, as a result, had to pay for this with their lives or their positions."[165]

The army had always been opposed to democracy, instead it saw itself as the embodiment of the state and considered its strict hierarchical order, its adherence to time-less codes of honour, discipline, and obedience the very model of state behaviour. The army saw itself and was seen by the population to be at once the essence and the guardian of the state.[166]

Thus Taylor suggests to test the conduct of the army and its officer corps by its own standards of conduct, and above all against the supreme trust expressed by the population:

> "The trust was confidently extended and proudly acknowledged. It was not a trust to determine evanescent political issues, but to preserve the "old Prussian virtues" and safeguard the state. It was unpartisan, but nevertheless a political and social trust in the deepest sense. … Did the generals of the Hitler era live up to their own

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[163]   For a discussion see Wheeler-Bennett, *The Nemesis of Power*, pp. 635-693, especially 689-693, 724-752. (Appendices C and D, Documents of the Putsch and List of its Victims),

[164]   Wheeler-Bennett is highly appreciative of their efforts despite the eminent shortcomings of their political programme and implementation of the coup. Quoting the leading article in the London *Times* of 4 October 1951 he writes: "It must be said of these men that, though they were by no means all democrats, nor all free from responsibility for the Nazi régime, 'they were the only Germans in all that time who, without prompting from abroad and by their own decision, rebelled against a Government which they had come to recognize as both evil and ruinous. For this, even more than for their courage and self-sacrifice, they deserve honour." Wheeler-Bennett, *The Nemesis of Power*, p. 690.

[165]   Sworn witness testimony made at Nuremberg on 7 November 1945 (he was not indicted), shortly before his death. Quoted in Wheeler-Bennett, *The Nemesis of Power*, p. 383.

[166]   Gustav Stresemann, Chancellor and Minister of Foreign Affairs of the Weimar Republic and winner of the Nobel Peace Prize shared a wide-spread adoration for the armed forces when he wrote: "that old National Army on which we all depended. In this institution I have always seen the embodiment of the old Prussian idea of the state." Sutton, *Gustav Stresemann: His Diaries, Letters and Papers*, pp. 3:299-300.

standards and discharge the trust? However one may assess the blame, the record of failure can hardly be gainsaid."[167]

Traditionally, the army had consistently maintained its prerogative to take independent decisions with regard to all military questions broadly defined. Previously, the monarch had always carefully followed military advice, up to the point of virtually abdicating all political and military decision-making power to the head of the army in 1916-18; during the Weimar Republic all power emanated from the army, even until 1938 "the Army had been the final arbiter of the political destinies of the Reich."[168] Whatever normative or functional justification for such power might have existed, it evaporated in the failure of the officer corps to avert the dangers of premature and boundless war for which they knew the country was not ready. After the events of 1938 the power of the officer corps had been very substantially reduced, but only after the army had repeatedly failed to act. Craig's assessment is similarly damning as Taylor's and deserves to be quoted at length:

> "Individually and collectively, they shirked their obligations to the German people. So grave a charge should not be made idly, least of all by an historian. Yet is it not the historical record that validates the accusation? For three hundred years the army had claimed that it was the truest embodiment of the state and the ordained protector of the national interest, and, in return for its services in this capacity, it had demanded and obtained special rights and privileges. It had fought implacably, and on the whole successfully, to maintain this preferred position and, in the course of doing so, had vitiated all attempts to create a viable democracy in Germany. Thus, it was largely due to its efforts that the German people were deprived of the most effective defence that any people can have against the excesses of absolutism and the whims of dictatorship; and, because this was true, the army necessarily incurred the obligation to protect the German people from such things. The very fact that the army has sponsored the rise of Hitler to power in 1933 made that obligation a heavier one. At the very least, the *militärfrommes Volk* had a right to expect its army to remain true to its own political traditions and to prevent Hitler from acting in a way calculated to destroy the national interest.
>
> Perhaps one should say 'try to prevent Hitler', for it is possible that, in view of the strength of the nazi régime by 1938 and the growth of National Socialist convictions even in the army, no conceivable action by the generals could have succeeded in preventing him from doing precisely what he did to Germany."[169]

While the first school sees the war as the result of planned *actions* by a military traditionally bent on external aggression to solidify its material and normative interests, the second school indicts the military for the crime of *omission*, of dereliction of its duty to protect the

167   Taylor, *Sword and Swastika*, p. 357.

168   Wheeler-Bennett, *The Nemesis of Power*, p. 694.

169   Craig, *The Politics of the Prussian Army*, pp. 497, emphasis in the original.

state and act according to its professional *esprit de corps*. Both views have elements of truth in them, but both do not adequately address the extreme barbarity and genocidal fervour of the war, particularly on the Eastern front. Presumably, the first school would regard it as an instance of the general tendency of total war to unleash the worst human instincts and destroy all traditional fetters of morality and moderation. Ritter makes essentially this point,[170] and the later German revisionists of the 1980s essentially restate the same argument.[171]

The second school is significantly more nuanced and accurate, but it seems to accept in a somewhat uncritical fashion the alleged distinction between a professional, read non-political military fighting a brutal but more or less 'normal' war and the fanatical, ideologically indoctrinated shock troops of a criminal regime. According to this view, the army's responsibility is three-fold: by having colluded with the Nazi leadership in its rise to power they had become accomplices, by refusing to break rank with a dictator they knew or had all reason to believe pursued criminal policies they prolonged the fighting and killing beyond all reasonable measure, and by turning a blind eye and not preventing the excesses committed by Nazi formations. This view largely corresponds to the orthodox historiography of the Federal Republic until it gradually, and as the result of very acrimonious debate began to be gradually replaced by a third school.

cc. Third School: Wehrmacht as an Integral Part of the Nazi State

The orthodox view that prevailed throughout most of the post-war period was driven by the dual need to recreate a political community and re-attain sovereignty. The first objective necessitated the creation of a plausible, if not entirely accurate, national narrative with which the majority could identify. Given the total nature of the war almost everybody had been involved in the war in one way or another — hence the perceived need to describe their participation as 'clean' and 'honourable' if ultimately futile and misdirected. The second objective concerned the re-attainment of national sovereignty for which some form of reconciliation and atonement was deemed necessary. It was

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[170]   See above p. 201.

[171]   See the discussion of Ernst Nolte, Michael Stürmer, and Andreas Hillgruber in Bartov, "Soldiers, Nazis, and War in the Third Reich," pp. 58-59.

possible to square these somewhat contradictory objectives by distinguishing sharply between the criminal behaviour of a few fanatics from the honourable professionalism of the masses. This permitted not only to avoid the nagging question of guilt,[172] but through this device "the perpetrators of genocide were associated with the destroyers of Germany, while the Jewish victims were associated with German victims."[173]

The military contribution required from West Germany provided the country with a dearly sought opportunity to attain a measure of rehabilitation through international integration. From these origins, eventually the post-national European integration project emerged, where Germany has consistently been among the most enthusiastic participants.[174] Perhaps with this historical development in mind, Large notes in his study of the rearmament period that "it was a testament to Bonn's uniqueness in the Western community that its road to genuine nationhood was paved with international intentions."[175] German decision-makers of the time saw international arrangements as a protection against nationalistic fallbacks,[176] yet Bartov is correct in criticising Large with regard to means and ultimate aims:

> "the *intention* was 'nationhood', while internationalism served merely as a tool. In this sense, rearmament played a role similar to that of the reparations agreement with Israel, which … was also governed by the same motive of legitimizing Germany in the international community."[177]

Such essentially instrumental reasons for dealing with the past obviously limited the depth to which one was willing to go in exploring the darker aspects of the nation's past. This

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[172]   Well expressed in the appropriately named 1947 novel Heinrich Böll, *Wo warst du, Adam? Roman* (Köln: Kiepenheuer & Witsch, 1989).

[173]   Bartov, "Defining Enemies, Making Victims: Germans, Jews, and the Holocaust," p. 790.

[174]   Curtin, *Postnational Democracy – The European Union in Search of a Political Philosophy*; Anderson, *German Unification and the Union of Europe: The Domestic Politics of Integration Policy*; Merkl and Glaessner, *German Unification in the European Context*; Bill McSweeney, "Moral Choice and European Integration," in: *Moral Issues in International Affairs - Problems of European Integration*, ed. by Bill Mc Sweeney (London: Macmillan, 1998); Joseph H. H. Weiler, "Ideals and Idolatry in the European Construct," in: *Moral Issues in International Affairs - Problems of European Integration*, ed. by Bill McSweeney (London: Macmillan, 1998); Roger M. Scully, "Becoming Europeans? Socialisation and Institutional Loyalty Among European Parliamentarian", Uxbridge, UK, Department of Government Brunel University, n.d, http://www.brunel.ac.uk/depts/govn/research/rsdispao.pdf, accessed on: 7 July 2006.

[175]   David Clay Large, *Germans to the Front: West German Rearmament in the Adenauer Era* (Chapel Hill, NC: University of North Carolina Press, 1996), pp. 4-5.

[176]   This story has been convincingly told by Moravcsik with regard to the negotiation history and voting patterns in the Council of Europe and its Convention on Human Rights, see Moravcsik, "Explaining International Human Rights Regimes: Liberal Theory and Western Europe."; Kenneth W. Abbott*, et al,* "The Concept of Legalization," *International Organization,* Vol. 54, No. 3 (2000): 401-19.

[177]   Omer Bartov, "Review Essay: Germans to the Front: West German Rearmament in the Adenauer Era, by David Clay Large," *The Journal of Modern History,* Vol. 69(4), No. 4 (1997), p. 896; referring to Stern, *The Whitewashing of the Yellow Badge: Anti-Semitism and Philosemitism in Postwar Germany*.

predisposition coincided with a general bias in military history that primarily aimed at providing conventional campaign narratives to the detriment of wider socio-economic insights. There was some dissatisfaction with this approach and parts of the discipline moved during the 1980s towards a "new military history" aiming to integrate politics, economics, and ideology as determining forces of military action. The departure from the strong operational bias that had hitherto characterised the discipline was at the time "an important and still somewhat unusual step."[178]

But the new approach's considerably more critical stance with regard to the deep and often willing involvement of German state and society in the regime's genocidal policies, including the crucial involvement of the army in the extermination campaigns on the Eastern front, were met with considerable hostility among the German public. The detached often critical view of German war-time policy clashed head-on with the orthodox view that compartmentalised the perpetration of barbarity into sharply delineated categories of offenders and victims, with the majority clearly belonging to the latter. The new historical perception threatened this cherished self-image:

> "The objections mask discomfort with the kind of military history that pays attention to the links between the fighting and its non-military contexts, and the criminal character of the regime probably increases the critics' unease. *Das Deutsche Reich und der Zweite Weltkrieg* makes it impossible to posit a clean war, planned and fought by German soldiers who somehow remained insulated from their political leadership, which for ideological and economic reasons, and out of a peculiar sense of efficiency and convenience, ordered the execution of millions."[179]

It is important to note that the orthodox view referred to should not be confused with an *official* one. The ten-volume work that Paret refers to published by the Military History Research Office of the Bundeswehr and firmly belongs into what we might call here for lack of a better term the third school of 'new military history.'[180] Despite this institutional background (or perhaps because of it) its authors make it very clear that their task is not "to bring out a work that represents the 'view [of the war] of the Federal Republic of Germany'. Such a view does not exist, and therefore cannot be expressed."[181]

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[178]   Peter Paret, "Review Essay: Between Strategy and Mass Murder: The Third Reich at War, by Militärgeschichtliche Forschungsamt," *German Studies Review,* Vol. 8(2), No. 2 (1985), p. 313.

[179]   Paret, "Review Essay: Between Strategy and Mass Murder," p. 314.

[180]   Militärgeschichtliches Forschungsamt (ed), *Das Deutsche Reich und der Zweite Weltkrieg*, 10 vols, Beiträge zur Militär- und Kriegsgeschichte (Stuttgart: Deutsche Verlags-Anstalt, 1979).

[181]   Wilhelm Deist*, et al.* (eds), *Ursachen und Voraussetzungen der Deutschen Kriegspolitik*, 10 Vols, Vol. 1, Das Deutsche Reich und der Zweite Weltkrieg (Stuttgart: Deutsche Verlags-Anstalt, 1979), p. 15. The other volumes in the series are

Nevertheless, the emerging better understanding of this critical period cast a decidedly unflattering light on some of the key institutions of West German society, in the process calling into question its foundational myth. It should not come as a surprise that many of the findings greatly upset large numbers of people, and the "endorsement" of these views by an official organ of the armed forces was criticised for a long time as inappropriate. Paret is doubtlessly correct when he qualifies such criticism as academically unsound and politically unwise.[182]

The views expressed in the ongoing series *Das Deutsche Reich und der Zweite Weltkrieg* were neither new nor based on logically far-fetched hypotheses. The trials at Nuremberg and numerous studies conducted since had shown beyond doubt that both the leadership of the army and the fighting troops have had a major share in the crimes committed by the regime.[183] As previously noted,[184] the complicity of the Wehrmacht in the policies of a criminal state of which it was an integral part were conveniently 'forgotten' as part of the post-war anticommunist ideological climate.[185] The usable past of the Federal Republic and the basis of its collective self-image crucially depended on the alleged righteousness of the army (of which so many had been a part) and the attendant possibility to distinguish sharply between professional soldiers and the ideological shock troops of the regime.

Klaus A. Maier*, et al.* (eds), *Die Errichtung der Hegemonie auf dem Europäischen Kontinent*, 10 Vols, Vol. 2, Das Deutsche Reich und der Zweite Weltkrieg (Stuttgart: Deutsche Verlags-Anstalt, 1979); Horst Boog*, et al.* (eds), *Der Angriff auf die Sowjetunion*, 10 Vols, Vol. 4, Das Deutsche Reich und der Zweite Weltkrieg (Stuttgart: Deutsche Verlags-Anstalt, 1983); Ueberschär, "Freiwillige für den Kreuzzug Europas gegen den Bolschewismus."; Gerhard Schreiber, Bernd Stegemann, and Detlef Vogel (eds), *Der Mittelmeerraum und Südosteuropa: Von der "non belligeranza" Italiens bis zum Kriegseintritt der Vereinigten Staaten*, 10 Vols, Vol. 3, Das Deutsche Reich und der Zweite Weltkrieg (Stuttgart: Deutsche Verlags-Anstalt, 1984); Kroener*, et al, Organisation und Mobilisierung des deutschen Machtbereichs*; Horst Boog (ed), *Der Globale Krieg: Die Ausweitung zum Weltkrieg und der Wechsel der Initiative 1941-1943*, 7 Vols, Vol. 6, Das Deutsche Reich und der Zweite Weltkrieg (Stuttgart: Deutsche Verlags-Anstalt, 1990); Horst Boog, Gerhard Krebs, and Detlef Vogel (eds), *Das Deutsche Reich in der Defensive: strategischer Luftkrieg in Europa, Krieg im Westen und in Ostasien, 1943-1944/45*, 10 Vols, Vol. 7, Das Deutsche Reich und der Zweite Weltkrieg (Stuttgart: Deutsche Verlags-Anstalt, 2001); Ralf Blank und Jörg Echternkamp (eds), *Die deutsche Kriegsgesellschaft, 1939 bis 1945*, 10 Vols, Vol. 9, Das Deutsche Reich und der Zweite Weltkrieg (München: Deutsche Verlags-Anstalt, 2004).

[182] "'Fouling one's own nest' is a thoroughly unscholarly concept, and seeking to prevent it tends to be poor politics. It should really be beyond doubt that in not obscuring the links between National Socialist policies and the Wehrmacht, the Military History Research Office of the Bundeswehr has chosen the right approach. Anything less than objectivity and respect for the documentary evidence would disqualify its work to historical scholarship in West Germany and throughout the world. Concentrating exclusively on strictly military events [as done in many other official military histories] might have satisfied nationalists as well as legions of military history buffs everywhere, but produced a fragmentary history that would not have met the needs of the scholar and of the general reader for a knowledgeable, comprehensive study." Paret, "Review Essay: Between Strategy and Mass Murder," p. 316.

[183] Bartov, "Soldiers, Nazis, and War in the Third Reich," p. 57.

[184] See above p. 183 ff.

[185] Hannes Heer, *Vom Verschwinden der Täter. Der Vernichtungskrieg fand statt, aber keiner war dabei* (Berlin: Aufbau TB, 2005).

This permitted to distance oneself from the holocaust by maintaining that it had been committed by a relatively small number of people, who simultaneously carry the responsibility for the destruction of Germany and countless German sacrifices.[186] Its celebration of near universal victimhood dispensed with the need to account for perpetrators.[187] These views, while politically useful in the formative years of the Federal Republic, rested on shaky historiography. The (first) *Historikerstreit* that erupted in 1986 is in many respects little more than the attempt by a small number of conservative historians and publicists to reverse the general trend of historical memory and return to older, by now discredited notions of national history.

In many respects the "second *Historikerstreit*" that erupted over the highly controversial exhibition *Vernichtungskrieg. Verbrechen der Wehrmacht 1941 bis 1944*[188] proved to have a much deeper impact, both on popular and academic discourse. The exhibition attacked the myth of an untainted army fighting an essentially defensive war, drawing upon historical research on the conduct of the German army on the Eastern front which stood in radical opposition to the prevailing notions. The war against Poland, and especially against the Soviet Union had from their very inception been conceived as wars of conquest and extermination, policies over which there existed complete agreement between the army and the Nazi leadership.

The army became an integral part of the Nazi state from the early 1930s on, irrespective of whether many officers initially became convinced National Socialists or nor. The rearmament programme "expressed an identity of interest between the National Socialist government and the Wehrmacht, which was to prove an important stabilizing element in

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[186]   Andreas Hillgruber, *Zweierlei Untergang: Die Zerschlagung des Deutschen Reiches und das Ende des europäischen Judentums* (Berlin: W. J. Siedler, 1986); for a refutation of his revisionist position see Omer Bartov, "Historians on the Eastern Front: Andreas Hillgruber and Germany's Tragedy," *Tel Aviver Jahrbuch für deutsche Geschichte,* Vol. 16 (1987): 325-45.

[187]   Heer, *Vom Verschwinden der Täter. Der Vernichtungskrieg fand statt, aber keiner war dabei.*

[188]   Hamburger Institut für Sozialforschung and Hannes Heer (eds), *Vernichtungskrieg. Verbrechen der Wehrmacht 1941 bis 1944 Ausstellungskatalog* (Hamburg: Hamburger Edition, 1996); Hamburger Institut für Sozialforschung, "Verbrechen der Wehrmacht. Dimensionen des Vernichtungskrieges 1941-1944", Hamburg, HIS, 2002, http://www.verbrechen-der-wehrmacht.de/docs/home.htm, accessed on: 21 October 2006. The exhibition was revised in response to criticism over alleged methodological shortcomings, after it had been peer-reviewed by an international commission of experts. See *Verbrechen der Wehrmacht. Dimensionen des Vernichtungskrieges 1941-1944 Ausstellungskatalog*, 2, stark veränderte Auflage (Hamburg: Hamburger Edition, 2002); Omer Bartov*, et al, Bericht der Kommission zur Überprüfung der Ausstellung „Vernichtungskrieg. Verbrechen der Wehrmacht 1941 bis 1944"*, (Hamburg: Hamburger Institut für Sozialforschung, 2000), available at: http://www.his-online.de/download/Kommissionsbericht.pdf, accessed on: 12 December 2006; Ulrike Jureit, Jan Philipp Reemtsma, and Norbert Frei, "Es ist nie zu Ende - Verbrechen der Wehrmacht Die spektakuläre zeithistorische Ausstellung wird jetzt in Hamburg zum letzten Mal gezeigt. Ein ZEIT-Gespräch mit Ulrike Jureit, Jan Philipp Reemtsma und Norbert Frei zieht Bilanz," *Die Zeit* 5 Feuilleton (Hamburg, 22 January 2004).

the new system."[189] And whatever the professed differences in social background and outlook, and even if few officers fully endorsed the populist barbarism of the regime, the political and normative goals they did share with the regime were fully sufficient "to provide an adequate basis for cooperation between the army and National Socialism in the ideological war against the Soviet Union."[190] The open endorsement of exterminating Russian and Polish civilian life[191] and the fully planned, deliberate starvation of millions of prisoners of war[192] leave little doubt that "the army was deeply drawn into actions that did not conform to the heroic, agonistic image of war" and that historical scholarship including "the volumes of the Bundeswehr's military history office make this moral surrender abundantly clear."[193]

These murderous policies were the direct result of the army's acceptance of the claim of an ideological war with Bolshevism. The notion of the army as a clean institution clearly separate from and untainted by National Socialist ideology and uninvolved in its criminal policies, serving the regime with much reluctance and constantly plotting to overthrow it, fighting with valour and distinction only to defend the homeland patriotically from certain annihilation by 'Asiatic' hordes dominant among German scholars until the 1960 could not survive the impact of newer scholarship that proved the opposite.[194]

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[189]   Wolfram Wette in Deist, *et al, Ursachen und Voraussetzungen der Deutschen Kriegpolitik*, p. 122; quoted and translated by Paret, "Review Essay: Between Strategy and Mass Murder," p. 314.

[190]   Jürgen Förster in Boog, *et al, Das Deutsche Reich und der Zweite Weltkrieg - Band 4*, p. 445; quoted and translated by Paret, "Review Essay: Between Strategy and Mass Murder," p. 315.

[191]   Discussed at length by Jürgen Förster in Boog, *et al, Das Deutsche Reich und der Zweite Weltkrieg - Band 4*; see also Jochen Böhler, "»Am Leben blieb niemand« Landser im Machtrausch: Der deutsche Vernichtungskrieg begann schon 1939 in Polen," *Die Zeit* Nr. 24, Zeitläufte (Hamburg, 8 June 2006): 90; Jochen Böhler, *Auftakt zum Vernichtungskrieg - Die Wehrmacht in Polen 1939* (Frankfurt am Main: Fischer Taschenbuch Verlag, 2006); Alexander B Rossino, *Hitler Strikes Poland: Blitzkrieg, Ideology, and Atrocity*, Modern War Studies (Lawrence, Kan.: University Press of Kansas, 2003).

[192]   Christian Streit, "Die Behandlung der sowjetischen Kriegsgefangenen und völkerrechtliche Probleme des Krieges gegen die Sowjetunion," in: *„Unternehmen Barbarossa". Der deutsche Überfal auf die Sowjetunion*, ed. by Gerd R. Ueberschär and Wolfram Wette (1984); Streit, *Keine Kameraden: Die Wehrmacht und die sowjetischen Kriegsgefangenen 1941-1945*.

[193]   Paret, "Review Essay: Between Strategy and Mass Murder," p. 315.

[194]   Streit, *Keine Kameraden: Die Wehrmacht und die sowjetischen Kriegsgefangenen 1941-1945*; Messerschmidt and Kielmansegg, *Die Wehrmacht im NS-Staat: Zeit der Indoktrination*; Volker R. Berghahn and Hamburg Institute for Social Research (eds), *War of Extermination: The German Military in World War II, 1941-1944* (New York: Berghahn Books, 2000); Berghahn, *Militarism: The History of an International Debate, 1861-1979*; Berghahn, *Europe in the Era of Two World Wars: From Militarism and Genocide to Civil Society, 1900-1950*; Klaus-Jürgen Müller, *The Army, Politics and Society in Germany, 1933-1945: Studies in the Army's Relation to Nazism* (Manchester: Manchester University Press, 1987); Förster, "Das Unternehmen 'Barbarassa' als Eroberungs- und Vernichtungskrieg."; Jürgen Förster, *The Wehrmacht, War and the Holocaust* (Glascow: University of Glasgow, 2002); Theo J. Schulte, *The German Army and Nazi Policies in Occupied Russia* (Oxford: Berg Press, 1990); Ben Shepherd, "The Continuum of Brutality: Wehrmacht Security Divisions in Central Russia, 1942," *German History*, Vol. 21, No. 1 (2003): 49-81; Bartov, *Hitler's Army: Soldiers, Nazis, and War in the Third Reich*; Bartov, *The Eastern Front, 1941-45: German Troops and the Barbarisation of Warfare*.

More than any previous German army, the Wehrmacht had truly become a popular army in the sense that its composition and ideological outlook largely overlapped with that of the general population. It was precisely this representativeness which made the distinction between it and the criminal policies of the regime such a crucial part of the Federal Republic's usable past. But it had also been the first army in German history which had effectively been brought under civilian control, albeit that of a criminal regime. Despite the clear position of historical scholarship most Germans well into the 1990s showed great reluctance in accepting that "the *Wehrmacht*, which had represented an important section of German society under nazism, constituted an essential element in its murderous policies."[195] The controversy over the *Wehrmachtsausstellung* powerfully showed the persistence of these notions among the general population and among a small but highly vocal group of historical revisionists. Ultimately, however, the nuanced if painful historical reality espoused by the third school came to be widely accepted. Bartov provides a good summary of its key findings:

> "we cannot speak of the *Wehrmacht* as an institution in isolation from the state, it is impossible to understand the conduct, motivation, and self-perception of the individual officers and men who made up the army without considering the society and regime from whence they came. … it is not enough to say that the army was forced to obey the regime by terror and intimidation, that it was manoeuvred into collaboration by the machinations of a minority of Nazi and opportunist officers, or, finally, that its support for the regime was based on a profound misunderstanding of what National Socialism really meant and strove for. All these explanations will appear insufficient once we realize that, particularly and increasingly in the Third Reich, the army as an institution formed an integral part of rather than a separate entity from the regime, while as a social organization it was composed of a rapidly growing number of former civilians and consequently reflected civilian society to a greater rather than lesser extent than in the past. The *Wehrmacht* was the army of the people, and the willing tool of the regime, more than any of its military predecessors."[196]

The controversy that began with the Wehrmacht Exposition in 1995 lasted for almost a decade, and while it can be reasonably assumed that its key findings now enjoy wide acceptance, its organisers are quite emphatic that historical memory is not something that can be achieved once and for all. Confronting the shadows of the past is a task "that is

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[195] Omer Bartov, "Review Essay: Keine Kameraden: Die Wehrmacht und die Sowjetischen Kriegsgefangenen, 1941-1945, by Christian Streit," *The Journal of Modern History,* Vol. 66(2), No. 2 (1994), pp. 442, emphasis in the original.

[196] Bartov, "Soldiers, Nazis, and War in the Third Reich," pp. 59-60, emphasis in the original.

never over,"[197] given the persistence of national myth-making and the difficulty of confronting these with the actual historical record.[198]

3. SUMMARY

Without denigrating the large ethical achievement of German society's arduous path towards an honest acceptance of its past, this chapter has stressed the wider political and strategic context in which this development took place. The contrast between the memory of the holocaust and the war of aggression against the Soviet Union points to the instrumental value of historical accounting in the creation of a usable past. It is stressed that normative developments cannot be understood in isolation from the political and strategic contexts in which they take place, as evidenced by the different paths chosen by Germany and Japan, respectively. The externally imposed necessity to rearm precluded the easy normative accommodation with a troubled past offered by neutralism or pacifism. Instead, German society had to address its past history of militarism directly, entering a painful and controversial discourse about its national narrative. Eventually, this process yielded a politically mature and critically introspective society, a development that can be contrasted with the relative immaturity of polities that relied on the normative short-cuts of pacifism or neutrality.

The ongoing and open-ended nature of this process must be stressed, however, reflected in the changing perception of the Wehrmacht over time. While therefore recognising the crucial influence of external structural variables, this chapter has stressed that normative change only comes about as a result of a domestically driven political process. Its political nature necessarily involves domestic agency, normative change therefore cannot be easily imposed by the outside by economic, institutional, or military measures. The interplay between externally imposed structure and domestic political agency once more underlines the importance of *both* ideational and material factors.

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[197]   Jureit*, et al, Es ist nie zu Ende - Verbrechen der Wehrmacht - Ein ZEIT-Gespräch.*

[198]   In this sense the experience of the controversy should serve as a cautionary tale against all too easy finger-pointing to places like Turkey, Spain, Japan, and elsewhere where political and social circumstances so far did not permit a more truthful accounting of the past.

VII. REARMING A DEMOCRACY

This chapter will not attempt to provide a comprehensive historical narrative of the founding and development of the Federal Republic, nor a systematic comparison with the GDR. Instead, and in line with the caveats expressed in the first chapter,[1] the focus of the first part of this chapter lies on outlining the socio-political conditions affecting the creation of the *West* German armed forces. Resulting solely from the structural logic of Cold War bipolar competition, German rearmament remained a deeply controversial political decision, both domestically and internationally. Out of the extreme resistance to the perceived structural necessity a foundational bargain emerged that comprised a drastic departure from traditional military models, described in the second part of this chapter.

1. ORIGINS OF REARMAMENT

Barely a decade after the complete defeat in 1945, three German states had been founded from the carcass of the destroyed Third Reich. Shorn off its easternmost territories, rump Germany and Austria had each been divided into four occupation zones under the control of the Big Three plus France.[2] Austria was let off fairly lightly: during a decade of occupation it reinvented itself as a victim state and was released into independent statehood with full sovereign rights on the condition of remaining militarily neutral, pledged in a State Treaty formally ending the state of war.[3] Neutrality and the myth of

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[1]   See above p. 16 and p. 128.

[2]   France was admitted as an occupation power at the Yalta Conference mainly at British insistence to ensure that in the event of an American withdrawal from Europe it would not have to shoulder the burden of containing Germany alone. See John L. Snell, "What to do with Germany?," in: *The Meaning of Yalta*, ed. by John L. Snell (Baton Rouge: Louisiana State University Press, 1956), pp. 41, 67-70.

[3]   For details on the negotiation and conclusion of the State Treaty, see John Wheeler-Bennett and Anthony James Nicholls, *The Semblance of Peace: The Political Settlement after the Second World War* (London: Macmillan, 1972), pp. 464-86, stressing the towering importance of the socialist leader Karl Renner, who had already proclaimed the ill-fated first republic in 1918. The military arrangements in 1955 envisaged neutrality and a limitation of Austria's army to 55.000 men and her air force to 90 fighter planes served by 5.000 men. Wheeler-Bennett and Nicholls, *The Semblance of Peace*, p. 470; see also Gerald Stourzh, *Um Einheit und Freiheit: Staatsvertrag, Neutralität und das Ende der Ost-West-Besetzung Österreichs 1945-1955* (Wien: Böhlau, 1998); Günter Bischof, Anton Pelinka, and Rolf Steininger, *Austria in the Nineteen Fifties* (New York: Transaction Publishers, 1995); Felix Ermacora, *20 Jahre österreichische Neutralität*, 2, völlig neu bearb. Aufl (Frankfurt am Main: Metzner, 1975); Felix Ermacora, *Das österreichische Wehrrecht samt den einschlägigen Gesetzen, Verordnungen und internationalen Verträgen. Mit einer Einleitung, Erläuterungen, Rechtsprechung und Verweisungen*, Manzsche Ausgabe der österreichischen Gesetze (Wien: Manz, 1980); Robert L. Ferring, "The Austrian State Treaty of 1955 and the Cold War," *The Western Political Quarterly,* Vol. 21, No. 4 (1968): 651-67; Felix Ermacora, *Östereichs Staatsvertrag und Neutralität* (Berlin: 1957).

victimhood[4] permitted the country to bury many of the issues of guilt and responsibility, laying the foundation for its subsequent role as an active international broker between East and West, quickly earning a good measure of respectability, and in time, even a certain moral stature.[5]

Things were more difficult in what had remained of Germany proper. Militarily, the unavoidability of defeat began to dawn as early as July 1941 with the failed invasion of Britain and the growing support of the US.[6] By November 1942,[7] and most certainly by the end of the Battle of Stalingrad[8] which irrecoverably "altered the European balance of power and the course of history,"[9] the German defeat had become "patent and manifest."[10] Public opinion and elite attitudes among the victors were, apart from the general desire for revenge, determined to end once and for all the threat posed by German militarism, exemplified by the Soviet belief "that what could not be cured should be crushed decisively."[11] But internal divisions among "the strange alliance" prevented the formulation of a coherent joint course of action throughout the war.[12] The "policy of postponement"[13] that characterised the relationship until the Yalta and even Potsdam Conferences was motivated by two objectives. On the one hand, it seemed disadvantageous to publish ahead of time precise details of the likely harshness of

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[4]   John Bunzl, *Between Vienna and Jerusalem: reflections and polemics on Austria, Israel, and Palestine* (Frankfurt am Main: Peter Lang, 1997). See also above p. 193 and p. 223.

[5]   The latter was in no small part due to the towering influence of Karl Renner and Bruno Kreisky, who as Socialist leaders had remained in exile and were thus personally untainted. Kreisky's Jewish background coupled with his strong anti-Zionist convictions and belief in North-South solidarity significantly contributed to the perception of independence, which in due course reflected positively on Austria's neutral stance. See *inter alia* Matthew Paul Berg, Jill Lewis, and Oliver Rathkolb (eds), *The Struggle for a Democratic Austria: Bruno Kreisky on Peace and Social Justice* (New York and Oxford: Berghahn, 2000); Hella Pick, *Guilty Victim: Austria From the Holocaust to Haider* (London: I.B. Tauris, 2000); Werner Gatty*, et al.* (eds), *Die Ära Kreisky: Österreich im Wandel 1970-1983* (Innsbruck: Studien Verlag, 1997); Bruno Kreisky, "Austria and the Palestine Question," *Journal of Palestine Studies,* Vol. 10, No. 1 (1980): 167-74.

[6]   Wheeler-Bennett and Nichols consider July 1941, after the Battle of Britain and the passage of the Lend-Lease Act with which the United Stats had "passed from neutrality to non-belligerency, and there was little doubt … whom she was 'non-belligerent against'" as the date where it became apparent that the German "tide of victory had been halted [and that it] could no longer 'win at a canter'." Wheeler-Bennett and Nicholls, *The Semblance of Peace*, p. 32.

[7]   Birnbaum sees November 1943, after Allied victories at El-Alamein and Guadalcanal and the hardening of Soviet defence on the Eastern Front, importantly stopping the advance at Stalingrad as the decisive moment where "the world situation had taken a turn in favour of the allies." Karl Birnbaum, "The Casablance Conference of January 14-24, 1943," *Kungl Vitterhets Historie och Antikvitets Akademiens Handlingar,* Vol. 80 (1952), p. 9.

[8]   On 2 February 1943, Antony Beevor, *Stalingrad: The Fateful Siege: 1942–1943* (New York: Viking, 1998).

[9]   John L. Snell, *Wartime Origins of the East-West Dilemma Over Germany* (New Orleans: Hauser Press, 1959), p. 20.

[10]   Wheeler-Bennett, *The Nemesis of Power*, p. 690.

[11]   Attributed to Stalin, Snell, "What to do with Germany?", p. 39.

[12]   Snell, "What to do with Germany?", pp. 37, 39-66.

[13]   Snell, *Wartime Origins of the East-West Dilemma Over Germany*, pp. 14-39.

treatment, which "looked so terrible when set forth on paper … that their publication would only have stimulated German resistance."[14]

More importantly, however, the allies pursued significantly differing war aims, so that even after serious discussions at summit level began among the Big Three,[15] actual decisions about the future shape of Germany were deliberately postponed[16] lest they endangered the cohesion of an alliance held together by little more than the fear of a common enemy. Substituting the demand for unconditional surrender for the necessity to agree on concrete post-war measures avoided fractioning the alliance prematurely. But once this goal was achieved, the Allies were divided over the staggering task of administering a physically and morally devastated country:

> "[nun] wußten die Siegermächte des Zweiten Weltkrieges noch immer nicht genau, was sie mit der ihnen zugefallenen und von ihnen auch beanspruchten totalen Verfügungsgewalt über das Geschick der Deutschen eigentlich anfangen wollten."[17]

Allied policy at the conclusion of the war consisted of a number of immediate goals aimed at precluding renewed German aggression without, however, a coherent long-term strategy being discernible.[18] The consensual policy for Germany in its entirety agreed in Yalta and Potsdam became impossible in the face of unsurmountable differences in the respective Allied capitals, irrespective of the personal efforts of the military commanders to find pragmatic solutions.[19]

Nevertheless, the actions and omissions of the Allies during the immediate post-war period, especially during the first year largely determined, often by default, the shape of the future West German republic before it was even conceived.[20] It is extremely surprising if fortuitous that the polity thus pre-determined by a series of more or less arbitrary decisions avoided the fate of the first German republic, enjoying long-term stability,

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[14]   Winston Churchill, *The Hinge of Fate*, 6 Vols, Vol. 4, The second World War (London: Cassell, 1951), p. 689.

[15]   Snell, *Wartime Origins of the East-West Dilemma Over Germany*, pp. 40-63; Wheeler-Bennett and Nicholls, *The Semblance of Peace*, p. 79 ff.

[16]   Snell, *Wartime Origins of the East-West Dilemma Over Germany*, p. 17.

[17]   Hermann Graml, "Die Allierten in Deutschland," in: *Westdeutschlands Weg zur Bundesrepublik 1945 - 1949*, ed. by Institut für Zeitgeschichte München (München: Beck, 1976), p. 25.

[18]   Graml, "Die Allierten in Deutschland," pp. 26-29.

[19]   See for instance chapter 3, "Bad Orders" in John H. Backer, *Winds of History: The German Years of Lucius DuBignon Clay* (New York: Van Nostrand Reinhold Company, 1983).

[20]   Hans-Peter Schwarz, "Die außenpolitischen Grundlagen des westdeutschen Staates," in: *Die Zweite Republik. 25 Jahre Bundesrepublik Deutschland - Eine Bilanz*, ed. by Richard Löwenthal and Hans-Peter Schwarz (Stuttgart: Klett-Cotta, 1974), p. 27.

prosperity, and democratic civility. Wolfrum stresses his incredulity at this apparent success:

> "Das Aufregendste an der Geschichte der Bundesrepublik ist, daß die Katastrophe ausblieb und daß dieser Staat zu einer der stabilsten und angesehensten westlichen Demokratien geworden ist. Der Weg dorthin war — nach Nationalsozialismus, Zivilisationsbruch und Zäsur von 1945 — alles andere als selbstverständlich. Er ist vielmehr außerordentlich erklärungsbedürftig und im Grunde so ungewöhnlich, daß er uns heute noch ins Staunen versetzen muß."[21]

The element of happenstance and serendipity thus underlying the narrative[22] should caution us against assuming an easy transferability of supposedly apparent lessons[23] derived from the historical experience irrespective of socio-political context and disregarding the element of chance.[24] It should also caution us against overhasty normative conclusions regarding societies such as Spain, Serbia, Japan, etc. which have shown greater reluctance in coming to terms with their past in an honest manner.

a. TOTAL SURRENDER AND SOVEREIGNTY

Irrespective of whether it would have actually been possible to come to some sort of agreement with Nazi Germany about terminating the war short of complete victory — and there are very strong doubts about this alleged possibility[25] — Roosevelt and Churchill had agreed as early as June 1941 that there would be no negotiated peace with Hitler. Some months later they published the "Atlantic Charter" of 14 August 1941 as a general blueprint for peace. As a document of high principle, it promised "all states, great or small, victor or vanquished" equal access to trade and raw materials after the war "on

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[21] Wolfrum, *Die geglückte Demokratie*, p. 11.

[22] Gaddis, "The Long Peace," pp. 1-2.

[23] See for instance the well-intended but somewhat naïve Dobbins*, et al, America's Role in Nation-Building: From Germany to Iraq.* For a strong critique of such thinking, see Katz, *Democratic Constitutionalism Following Military Occupation.*

[24] Kurzman makes the interesting point of the essential impossibility of *predicting* the direction of mass social phenomena such as revolutions and deep socio-political transformations. By studying the *contemporary* motivations and deliberations of both elite and popular participants in the Iranian revolution, he asserts that one has to resist the temptations to derive from *post fact* explanations a supposed inevitability of the direction of very large and complex social processes. Characterised by multiple layers of complexity, such processes can plausibly be "decoded" in hindsight, which, however, does not render contradictory narratives implausible nor does it permit the conclusion that the future direction cold have been foreseen by contemporary participants. Charles Kurzman, *The Unthinkable Revolution in Iran* (Cambridge, Mass.: Harvard University Press, 2004).

[25] On Hitler's *va banque* policy see Jacobmeyer, "Die Niederlage 1945," pp. 12-15.

equal terms," precluded territorial changes, ensured the free choice of government, the security of national borders, and general disarmament.[26]

Fearing that its principled moralism might embolden possible later German claims for benefits under the Charter, they decided to make their earlier private decision public in the Casablanca Declaration of 24 January 1943 which unambiguously demanded Germany's "unconditional surrender."[27] Coinciding with the German debacle at Stalingrad, few were under any illusions about the seriousness of these terms. Both statements were "accepted without enthusiasm" by Stalin who "privately made known his opposition to the formula soon after it was announced,"[28] having preferred the opening of a second front with the possibility of inducing German commanders to seek an early negotiated peace that offered some inducements in return for ending the war earlier.[29] Strongly in the mind of the Western decision-makers was the firm intention not to repeat the perceived mistakes made after the past war, namely

> "the way Germany had abused Woodrow Wilson's memory [of the Fourteen Points] after 1918. Both were determined that there should be no opportunity after World War II for Germans to shout that wartime promises had been broken; there would be no promises this time."[30]

Without going into the negotiation history of the Yalta[31] or Potsdam Conferences,[32] the combined effect of the instruments of capitulation of 7th and 8th May based on the agreements made at Yalta, the Berlin Declarations to the German people of 5 June,[33] and the Potsdam Agreement left little doubt that Germany had ceased to have a functioning government and that all sovereign powers had been assumed by the victorious Allies

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[26]   The document is reprinted in Philippe Sands, *Lawless World: Making and Breaking Global Rules* (London: Penguin, 2006), pp. 284-85. Sands uses the Atlantic Charter as a prominent point of departure against which to measure current US and British policy, especially with regard to the role of international law and the use of force.

[27]   The details of the negotiation history between Roosevelt and Churchill and their consultation with the French Generals de Gaulle and Giraud, and a refutation of the allegedly improvised character of the formula can be found in Birnbaum, "The Casablance Conference of January 14-24, 1943," pp. 47-57.

[28]   Snell, *Wartime Origins of the East-West Dilemma Over Germany*, pp. 15, 17.

[29]   Snell, *Wartime Origins of the East-West Dilemma Over Germany*, pp. 34-39, 48.

[30]   Snell, *Wartime Origins of the East-West Dilemma Over Germany*, p. 16.

[31]   For details see Diane Shaver Clemens, *Yalta* (New York: Oxford University Press, 1970); Smyser, *From Yalta to Berlin*; Werner Weidenfeld, *Jalta und die Teilung Deutschlands: Schicksalsfrage für Europa* (Andernach: Pontes-Verlag, 1969).

[32]   Fritz Faust, *Das Potsdamer Abkommen und seine völkerrechtliche Bedeutung* (Frankfurt am Main: Alfred Metzner Verlag, 1969), pp. 15-44.

[33]   Faust, *Das Potsdamer Abkommen und seine völkerrechtliche Bedeutung*, pp. 36-44.

acting collectively through the European Advisory Commission and Allied Control Council.[34]

There has been some dispute afterwards concerning the legal status of the German Empire beyond 8 May 1945. International legal scholarship initially maintained that the state had ceased to exist with capitulation and sovereignty having been transferred to the Allies.[35] The two states that were created on its former territory are therefore *new* subjects of international law. This position has been challenged by West German legal scholarship which maintained that German sovereignty had never ceased to exist and had been resumed, albeit with certain limitations due to Allied prerogatives, by the Federal Republic:

> "Bei den in den besetzten Gebieten gemachten Grenzen vom 31. Dezember 1937 wurde im Jahre 1949 der *nicht untergegangene Staat* durch in freien Wahlen bestätigte Akte deutscher Staatsorgane, vor allem des Parlamentarischen Rates und der Landtage, reorganisiert. Obwohl es von Anfang an der Wille dieser Staatsorgane war, auch das Gebiet der sowjetischen Besatzungszone einzubeziehen, gelang das wegen sowjetischer Vorbehalte zunächst nicht. Vielmehr wurde dort ein eigener Staat aufgrund sowjetischer Intervention ins Leben gerufen, der freilich nie demokratische Legitimität von seinen Bürgern erlangen konnte."[36]

Out of this position sprang the claim, initially by both states but later dropped by the GDR yet forcefully persisted by the Federal Republic, to be the *sole* successor to all the rights and obligations of the previous state, producing the counter-productive 'Hallstein doctrine' of refusing diplomatic relations with states which recognised the GDR.[37] Ultimately the policy of refusing to recognise the sovereignty and statehood of the GDR, something that the Soviet Union strenuously emphasised, was unsustainable. It was finally

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[34]   For details see Faust, *Das Potsdamer Abkommen und seine völkerrechtliche Bedeutung*, pp. 100-16; Smyser, *From Yalta to Berlin*; Earl F. Ziemke, *The U.S. Army in the Occupation of Germany 1944-1946* (Washington, D.C.: Center of Military History United States Army, 1990).

[35]   "The unconditional surrender signed by the representatives of the last legitimate government of Germany may be interpreted as a transfer of Germany's sovereignty to the victorious powers signatories to the surrender treaty." Hans Kelsen, "The Legal Status of Germany According to the Declaration of Berlin," *American Journal of International Law,* Vol. 39 (1945): 518 ff; Hans Kelsen, "The International Legal Status of Germany to be Established Immediately upon Termination of the War," *American Journal of International Law,* Vol. 38 (1944): 689 ff.

[36]   Jochen Abr. Frowein, "Deutschlands aktuelle Verfassungslage," *Veröffentlichungen der Deutschen Staatsrechtslehrer,* Vol. 49 (1990), pp. 32-33; see also Faust, *Das Potsdamer Abkommen und seine völkerrechtliche Bedeutung*, pp. 80-99.

[37]   Jochen Abr. Frowein, "Der Alleinvertretungsanspruch der beiden deutschen Staaten," in: *Studium Generale*, ed. by Ruprechts-Karls-Universität Heidelberg (Heidelberg: Universitätsverlag C. Winter, 2001), p. 60.

dropped through the Basic Treaty of 21 December 1972 between the two German states, which opened the way to accession to the United Nations by both states in 1973.[38]

Legally, West Germany's position on state succession after 1945 has arguably been the correct one, borne out by the overwhelming majority of subsequent legal scholarship and exemplified for instance by the UN Security Council Resolutions on the question of Iraqi sovereignty after the US-led occupation in 2003.[39] Nevertheless, most German political scientists and historians rejected this thesis,[40] stressing its novel aspects in international law and the clearly articulated Allied intention to start with a clean slate:

> "Die Kapitulation im überkommenen Völkerrecht erschöpfte sich in ausschließlich militärischen Übergabeabmachungen, während hier eine nicht nur militärische, sondern auch staatlich-politische Totalkapitulation gefordert wurde, deren strikte Exekution 1945 den Siegermächten eine so vollständige Verfügungsgewalt über das besiegte Deutschland gab, daß in der Tat die künftige Friedensordnung auf einer „tabula rasa" beginnen konnte. Denn „unconditional surrender" war ein Kriegsziel und schuf keine Präjudizien für die Art der Friedensregelung."[41]

Even if we accept that following the impact of the UN Charter on the development of international law, especially the prohibition of the use of force and forceful annexations, the position German legal scholarship has taken with respect to state succession is dogmatically correct, it is difficult not to concede that analytically the position outlined by Hansen, Hillgruber and Jacobmeyer is more helpful. This latter view stresses that Germany had completely ceased to be a *subject* in international relations and had become an *object* at the complete mercy of the victors. That this is indeed an accurate description of the intention of the Allies can be seen by de Gaulle's address to the French parliament one week after capitulation:

> "Germany, in its dream of power carried away to fanaticism, led the war in such a manner that the struggle was materially, politically, and morally a total struggle.

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[38]   Frowein, "Der Alleinvertretungsanspruch der beiden deutschen Staaten," pp. 65-66.

[39]   Eyal Benvenisti, "The Security Council and the Law on Occupation: Resolution 1483 in Historical Perspective," *Israel Defense Law Review,* Vol. 1 (2003): 19 et seq; Eyal Benvenisti, *The International Law of Occupation,* 2nd ed. (Princeton, N.J.: Princeton University Press, 2004); Ebrahim Afsah, "Iraq: From "Troubled Law of Occupation" to Constitutional Order? China Shop Rules and International Responsibilities," *Leipziger Beiträge zur Orientforschung* (2006): 21-43; Afsah, "Limits and Limitations of Power: The Continued Relevance of Occupation Law."

[40]   Reimer Hansen, "Der totale Zusammenbruch 1945. Probleme und Ergebnisse der historisch-politischen Forschung," *Aus Politik und Zeitgeschehen,* Vol. B 19/70 (1970): 15 ff; Andreas Hillgruber, "Die historisch-politische Bedeutung der deutschen Kapitulation 1945," *Geschichte in Wissenschaft und Unterricht,* Vol. 20 (1969): 65-72; Andreas Hillgruber, *Deutsche Geschichte 1945-1986. Die »deutsche Frage« in der Weltpolitik,* 6. Auflage (Stuttgart: Kohlhammer, 1987), p. 11.

[41]   Jacobmeyer, "Die Niederlage 1945," p. 14., expressing the same position as Hansen and Hillgruber.

Victory therefore has to be a total victory. This has happened. Therefore has the state, the power, and the doctrine, has the German Empire been destroyed."[42]

b. ALLIED CONSENSUS ON DISARMAMENT

Even if subsequent developments produced a dramatically different outcome, one cannot overstate Allied wartime determination to ensure that Germany would never again be able to wage war. There were widely diverging views about the source of German aggression, and, consequently, about the appropriate means to counter it. At the Teheran Conference in November 1943 the more extreme views prevalent in the United States and Soviet Union still received favourable reception, against certain British reservations. Particularly the Soviet position was informed by a strong distrust of the German national character, a view that was widely reciprocated in the United States:

> "both President Roosevelt and Mr Churchill were in favour of [Germany's] dismemberment and demilitarization. But Stalin took a much more savage view. He seemed inclined to be almost racially hostile to the Germans as a people, and felt that the habit of unquestioning obedience was deeply ingrained in their character. […] The pattern for the post-war treatment of Germany had been set at Teheran and the architect of it was Joseph Stalin."[43]

The belief in immutable national characteristics largely informed the outcome of Teheran that "Germany was to be broken up and kept economically weak,"[44] a policy planning for which was referred to the European Advisory Commission. Based on arguments reminiscent of those made by Georges Clemenceau at the Paris Peace Conference after World War I, draconian measures against Germany were demanded by Stalin. Arguing that merely placing controls on the war industry would be insufficient as civilian production could be easily converted to military production, the virtual de-industrialisation of Germany was demanded. These views found a friendly reception in American thinking.

The views expressed by Secretary of the Treasury Henry J. Morgenthau Jr. were based on the incorrigibility of the German national character and informed by an extreme view of

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42   Charles de Gaulle, *Discours de Guerre, Tome 3 (Mai 1944 - September 1945)* (Paris: 1945), p. 214.

43   Wheeler-Bennett and Nicholls, *The Semblance of Peace*, pp. 147, 174, see also 153.

44   Wheeler-Bennett and Nicholls, *The Semblance of Peace*, p. 167.

ensuring security as well as the righteousness of inflicting collective punishment.[45] His plans for Germany were close to Soviet thinking and were accepted as the basis of post-war strategy by the British on 15 September 1944, whose strong objections were overcome by their dependence on post-war US aid as the two issues "were inseparably conjoined."[46] The Quebec Memorandum envisaged "a country primarily agricultural and pastoral in character," and thus fully endorsed sweeping de-industrialisation, although being somewhat ambivalent on the question of dismemberment.[47]

To be sure, the very "vindictiveness and impracticability" of the plan almost immediately led to very strong bureaucratic opposition and, once its details had been leaked, vocal criticism in the press. It was quickly and unceremoniously dropped by the President and by the British already in October. But its contents managed to exert a strong influence on Joint Chiefs of Staff directive JCS 1067,[48] which remained the official guideline of American occupation policy until July 1947 when it was replaced. Although the American High Commissioner General Lucius Clay, his chief advisor Lewis Douglas, and both Secretary of War Stimpson and his deputy John J. McCloy (who later became the first civilian American High Commissioner) strongly rejected its underlying economic logic,[49] it was ultimately only post-war Soviet intransigence which led to a change in policy.[50]

There was much disagreement among the Big Three concerning future policy, what they could agree upon was proclaimed in the Yalta Declaration of 12 February 1945. But the proclamation merely "masked the vast indecision of the great Allies in questions concerning Germany. They could not agree and as long as Germany fought on they could

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[45]   Wheeler-Bennett and Nicholls, *The Semblance of Peace*, pp. 174-87; Snell, *Wartime Origins of the East-West Dilemma Over Germany*, pp. 64-94.

[46]   Wheeler-Bennett and Nicholls, *The Semblance of Peace*, p. 181; Snell, *Wartime Origins of the East-West Dilemma Over Germany*, pp. 86-89., who refers to it as a "'dollar diplomacy' victory".

[47]   The presumed original plan has been drafted sometime between January and September 1944, see "Suggested Post-Surrender Program for Germany", *Roosevelt Presidential Library,* 1944, http://www.fdrlibrary.marist.edu/psf/box31/t297a01.html, accessed on: 30 October 2006.

[48]   Promulgated from 22 September 1944 onwards, final version published 26 April 1945, "Directive to Commander-in-Chief of United States Forces of Occupation Regarding the Military Government of Germany; April 1945 (JCS 1067)", Berlin, US Embassy, 1945, http://usa.usembassy.de/etexts/ga3-450426.pdf, accessed on: 30 October 2006., discussed in Wheeler-Bennett and Nicholls, *The Semblance of Peace*, p. 185; Snell, *Wartime Origins of the East-West Dilemma Over Germany*, pp. 176-82.

[49]   Douglas remarked on the draft of the directive: "This thing was assembled by economic idiots. It makes no sense to forbid the most skilled workers in Europe from producing as much as they can for a continent which is desperately short of everything." Quoted in Robert D Murphy, *Diplomat Among Warriors* (London: Collins, 1964), p. 251.

[50]   Snell, *Wartime Origins of the East-West Dilemma Over Germany*, p. 93.

not afford to disagree."[51] Their common German policy concerned mainly four areas: demilitarisation, denazification, democratisation, and decentralisation.[52] These decisions were clearly communicated to the German people in the Yalta Declaration of 12 February 1945 which left little ambiguity as to the intentions of the Allies with regard to the future of the army:

> "It is our inflexible purpose to destroy German militarism and Nazism and to ensure that Germany will never again be able to disturb the peace of the world. We are determined to disarm and disband all German armed forces; break up for all time the German General Staff that has repeatedly contrived the resurgence of German militarism; remove or destroy all German military equipment; eliminate or control all German industry that could be used for military production; bring all war criminals to just and swift punishment and exact reparations in kind for the destruction wrought by the Germans; wipe out the Nazi Party, Nazi laws, organizations and institutions, remove all Nazi and militarist influences from public office and from the cultural and economic life of the German people; and take in harmony such other measures in Germany as may be necessary to the future peace and safety of the world. It is not our purpose to destroy the people of Germany, but only when Nazism and militarism have been extirpated will there be hope for decent life for Germans, and a place for them in the comity of nations."[53]

Given the wide-spread belief that "for the original success of Hitlerism, the army was in no small part responsible"[54] there was agreement that the Allies would pursue "the complete disarmament, demilitarization and the dismemberment of Germany as they deem requisite for future peace and security."[55] The surrender terms had made virtually the entire German army prisoners of war. This unprecedented decision (rather than simply disbanding and demobilising the bulk of the army) had been taken primarily for two reasons. First, it had been felt that the extraction of monetary reparations after World War I had proved to be both ineffective at containing German military capability and produced significant negative effects, predominantly very high rates of inflation for *both* the vanquished and the victors. Now, reparations were to be paid in kind and out of current production which would address both issues, and it had been agreed that German manpower would be used to address wartime destruction among the victors, the use of

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[51]   Snell, *Wartime Origins of the East-West Dilemma Over Germany*, pp. 165-66.

[52]   Wolfrum, *Die geglückte Demokratie*, p. 26.

[53]   Article 12(a) of the Surrender Terms as laid down in the Protocol of Proceedings of the Yalta Conference, 11 February 1945, reproduced in Wheeler-Bennett and Nicholls, *The Semblance of Peace*, pp. 625-30.

[54]   Gordon Craig, "Reichswehr and National Socialism: The Policy of Wilhelm Groener, 1928-1932," *Political Science Quarterly,* Vol. 63, No. 2 (1948), p. 194.

[55]   Article 12(a) of the Surrender Terms.

forced labour for the Soviet Union was explicitly addressed at Yalta.[56] Vengeance and the desire to extract maximum economic benefit from the manpower available saw the extensive use German prisoners of war in the economies of all four victors, especially by the Soviet Union. While its treatment has certainly been the harshest and the longest lasting (until 1955),[57] treatment among the Western powers also varied greatly.[58]

The second reason for the collective incarceration of the army had to do with the felt necessity to punish those responsible of war crimes,[59] as well as prevent a clandestine hostile re-grouping. Two subsidiary goals were also served which were perhaps not well understood at the time but are worth pointing out in light of recent occupation experience. By destroying the army as an institution but keeping it organisationally intact for the time being, the occupant avoided large numbers of marauding combat-experienced gangs, and retained the possibility of using disciplined, organisationally intact units for security and reconstruction duties, something that the occupants relied upon quite extensively.[60] Likewise, despite the firm intent to denazify state and society existing administrative structures were kept intact which permitted a *relatively* smooth transition to occupation government.

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[56]   Wheeler-Bennett and Nicholls, *The Semblance of Peace*, pp. 230-32.

[57]   Viktor B Konasov and Aleksandr L Kuz'minych, *Nemeckie voennoplennye v SSR: Istoriografija, bibliografija, spravocno-ponjatijnyj apparat* (Vologda: Vologodskij Institut Razvitija Obrazovanija, 2002). Interesting is a comparison to the treatment of German prisoners of war in Russia during World War I, which powerfully illustrates the importance of reciprocity in international law, see Reinhard Nachtigal, *Rußland und seine österreichisch-ungarischen Kriegsgefangenen (1914-1918)* (Remshalden: Verlag Bernhard Albert Greiner, 2003); Inge Pardon (ed), *Lager, Front oder Heimat. Deutsche Kriegsgefangene in Sowjetrußland 1917 bis 1920* (München: Saur, n.d.); Peter Gatrell, "Prisoners of War on the Eastern Front during World War I (Review Essay)," *Kritika: Explorations in Russian and Eurasian Histor,* Vol. 6, No. 3 (2005): 557-66; Georg Wurzer, "Die Kriegsgefangenen der Mittelma chte in Rußland im Ersten Weltkrieg," Dissertation, Eberhard-Karls-Universita t (Tu bingen, 2000).

[58]   James Bacque, *Der geplante Tod - Deutsche Kriegsgefangene in amerikanischen und französischen Lagern, 1945 - 1946*, 3. Aufl (Frankfurt am Main: Ullstein, 1989); Rüdiger Overmans and Ulrike Goeken-Haidl, *Soldaten hinter Stacheldraht: Deutsche Kriegsgefangene des Zweiten Weltkriegs* (München: Propyläen, 2000).

[59]   Again, this has happened most forcefully in the Soviet Union, with varying standards of due process. Otto Lachmeyer, "Der Kriegsgefangene vor Gericht. Justitiartagung 1959," *Völkerrechtliche Beiträge der Tagungen der Justitiare und Konventionsbeauftragten des Deutschen Roten Kreuzes 1957 - 1989,* Vol. S. 49-61 (1995); Martin Lang, *Stalins Strafjustiz gegen deutsche Soldaten. Die Massenprozesse gegen deutsche Kriegsgefangene in den Jahren 1949 und 1950 in historischer Sicht*, 1. Aufl (Herford: Mittler, 1981); Reinhart Maurach, *Die Kriegsverbrecherprozesse gegen deutsche Gefangene in der Sowjetunion* (Hamburg: Arbeitsgemeinschaft vom Roten Kreuz in Deutschland, Britische Zone, Rechtsschutzstelle für Kriegsgefangene und Zivilarbeiter im Ausland, 1950).

[60]   For instance in the Deutscher Minenräumdienst, Deutscher Arbeitsdienst, and associated formations under Allied command, Heinz Ludger Borgert, Walter Stürm, and Norbert Wiggershaus, *Dienstgruppen und westdeutscher Verteidigungsbeitrag. Vorüberlegungen zur Bewaffnung der Bundesrepublik Deutschland*, Militärgeschichte seit 1945, Band 6 (Boppard am Rhein: Boldt, 1982).

Recent experience in Iraq has shown that merely abolishing army and party institutions[61] without providing for adequate replacement administrative structures will destroy all functional governmental capacity, as well as release large numbers of disaffected young men into unemployment and destitution, likely to become a powerful source of resistance.[62] Clearly, it was possible, and with all likelihood necessary, to abolish a regime while continue to run the state with the aid of former adherents to its regime;[63] after the abolition of formal party structures former members are disaggregated individuals with little potential to do harm.[64] Such sweeping approaches as advocated in Iraq were largely motivated by a normative preference for some sort of 'historical retributive justice,'[65] and on the part of the Iraqi exiles it was most likely about getting access to the spoils of the state, in essence a "classic case of patronage politics."[66]

The level-headedness of Allied military commanders in Germany and their pragmatism, as well as the intimate knowledge of Germany and the long years of preparing qualified staff significantly contributed to the relative success of the occupation in Germany, especially in the three Western zones.[67] But given the essential incompatibility of Allied interests in and normative visions for Germany, it is not surprising that they could agree on demilitarization and denazification but on little else, including the all important

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[61]   CPA/ORD/16 May 2003/01 (De-Baathification of Society) and CPA/ORD/23 May 2003/02 (Dissolution of Entities).

[62]   Those purged out of the army and the state (mainly Sunnis) "were thus suddenly plunged into an economic condition equivalent to the Great Depression. Much worse, however, they say themselves as being suddenly plunged into a condition of insecurity equivalent to the Hobbesian state of war, with the prospect of a massacre similar to others that have occurred in the Middle East …. Of course they would become desperate, even desperadoes, and join any organizes resistance to the occupation they could find." James Kurth, "Ignoring History: U.S. Democratization in the Muslim World," *Orbis,* Vol. 49, No. 2 (2005), pp. 313-14.

[63]   Proclamation No. 1 by the Supreme Commander Allied Forces Europe, General Dwight D. Eisenhower is textbook example of a belligerent occupation. It announces in its first Article the Allied intention to destroy and dissolve all Nazi structures; proclaims in its second Article that all legislative, judicial, and executive power lies henceforth in the person of the Supreme Commander; closes in its third article all existing courts and educational institutions; and requires in its fourth and last article that *all civil servants have to remain until further notice on their posts* and obey henceforth all orders of the military occupation authorities. Reproduced and discussed in Gerhart Binder, *Deutschland seit 1945. Eine dokumentierte gesamtdeutsche Geschichte in der Zeit der Teilung* (Stuttgart: Seewald, 1969), pp. 18-20.

[64]   Kurth, "Ignoring History: U.S. Democratization in the Muslim World," p. 314; Dobbins*, et al, America's Role in Nation-Building: From Germany to Iraq.*

[65]   Krauthammer for instance concedes that it "would have been nice" if Sunni interests would have been better accommodated, but that given the history of repression at their hands, would be "perhaps to expect too much. [And neither] have the Sunnis acted [since] in a way that might encourage such niceness. … That the previously victimized 80 percent should not wish to be held hostage to the political demands of their former oppressors should hardly be a surprise." Krauthammer, "Democratic Realism - An American Foreign Policy for a Unipolar World",

[66]   Kurth, "Ignoring History: U.S. Democratization in the Muslim World," p. 314.

[67]   It is often alleged that France pursued a particularly vindictive occupation policy compared to the relatively benevolent British and American ones. This view is challenged and contrasted with a much more nuanced view that stresses the genuinely social progressive tendencies of French occupation policy in Rainer Hudemann, *Sozialpolitik im deutschen Südwesten zwischen Tradition und Neuordnung, 1945-1953: Sozialversicherung und Kriegsopferversorgung im Rahmen französischer Besatzungspolitik* (Mainz: v. Hase & Koehler, 1988).

question of decentralisation/dismemberment.[68] Many far-reaching and in hindsight quite fortunate decisions were taken by the Western Allies in an ad hoc fashion in response to moves made by the other side of the quickly disintegrating alliance.

This is nowhere more apparent than on the question of German rearmament, a policy quite inconceivable at the conclusion of the war but increasingly seeming ever more necessary to the point of appearing self-evident. Here it is useful to remember Kurzman's exhortation to be cautious of reading with hindsight an alleged inevitability into the historical record to which contemporary shapers of policy were quite unaware.[69]

c. EXTERNAL PUSH FOR REARMAMENT

With hindsight it is difficult to visualize just how large a departure the decision to rearm Germany had been, as naturally as it later seemed to fit into the Cold War confrontation. But during and immediately after the war, "[i]f there was one thing that everyone in the West was sure about [it was that] Germany would never be allowed to have an army."[70] But while there was agreement that disarmament was necessary, there was already during the war significant opposition to the policy of vengeance. Apart from moral considerations concerning the legitimacy of collective punishment, practical considerations asserted that the overall reconstruction of Europe would be impossible without German industry and that the resulting supply shortages would have eventually to be met by the American taxpayer. British thinking in the negotiations with the Soviet Union expressed this logic in much more traditional balance of power logic. Proponents of a moderate policy towards Germany, were likewsie concerned about the future balance of power,[71] i.e. the creation of a vacuum between Britain and the Soviet Union, likely to be quickly filled by the latter. The break up of the alliance, and with it the transformation of Germany from unifying enemy to bounty to be quarrelled over, was thus inherent in the structure of the 'strange alliance':

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[68]   On the question of decentralisation and dismemberment, i.e. the premeditated character of German division the literature is far too numerous to be satisfactorily presented here. A relatively comprehensive account is given in Binder, *Deutschland seit 1945. Eine dokumentierte gesamtdeutsche Geschichte in der Zeit der Teilung*, pp. 189-286. An interesting account and implicit defence of the ad hoc nature of American immediate post-war policy is Rebecca Boehling, *A Question of Priorities: Democratic Reform and Economic Recovery in Postwar Germany* (Providence: Berghahn Books, 1997).

[69]   Kurzman, *The Unthinkable Revolution in Iran*. See above fn. 24.

[70]   Gordon Alexander Craig, *The Germans* (New York: Meridian, 1991), p. 237.

[71]   Snell, *Wartime Origins of the East-West Dilemma Over Germany*, p. 166.

> "The destruction of German military power had brought with it a fundamental change in the relations between Communist Russia and the Western democracies. They had lost their common enemy, which was almost the sole bond of union."[72]

aa. Beginning Cold War Confrontation

It is for our purposes not necessary to assess the exact moment at which the war-time alliance disintegrated and gave rise to the bipolar confrontation that followed it. There is probably some truth in the assertion that the Cold War already began at the Potsdam Conference, if not before then.[73] It makes little difference for the purpose of this study, however, whether the turning point in relations is identified as early as the Potsdam Conference, Churchill's "iron curtain"[74] speech in Missouri on 5 March 1946,[75] General Clay's order to stop reparations from the American occupation zone to the Soviet Union on 3 May 1946,[76] the proclamation of the Truman Doctrine on 12 March 1947 in the context of the civil war in Greece,[77] or the proclamation of the European Recovery Program (Marshall Plan) in July 1947.[78] Whichever point is chosen as decisive, the division of the continent had been well under way for quite some time.

The general assessment by Gaddis and other realists, namely that systemic constraints foreordained superpower competition, appears correct. It does not follow, however, that this competition necessarily had to take the form of a highly militarised conflict just short

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[72]   Churchill, *Triumph and Tragedy*, p. 456.

[73]   Wheeler-Bennett and Nicholls, *The Semblance of Peace*, pp. 3, 290.

[74]   The term itself has been coined by Joseph Göbbels in an article in *Das Reich* on 25 February 1945. It was first used by Churchill in two important telegrams to Roosevelt on 12 May and 4 June 1945, respectively. It was used for the first time *publicly* in a radio broadcast on 2 May 1945 by Count Schwerin von Krosigk, the Foreign Minister of the short-lived German successor regime under General Dönitz. Wheeler-Bennett and Nicholls, *The Semblance of Peace*, p. 294.

[75]   In the speech Churchill denounced the policy of the Soviet Union in terms which were clearly taken as a hostile act by the Soviet Union (although he was at this point no longer the British Prime Minister). He said "From Stettin in the Baltic to Trieste in the Adriatic an "iron curtain" has descended across the Continent. Behind that line lie all the capitals of the ancient states of Central and Eastern Europe. Warsaw, Berlin, Prague, Vienna, Budapest, Belgrade, Bucharest and Sofia; all these famous cities and the populations around them lie in what I must call the Soviet sphere, and all are subject, in one form or another, not only to Soviet influence but to a very high and in some cases increasing measure of control from Moscow." Winston Churchill and Robert Rhodes James, *Churchill Speaks: Winston S. Churchill in Peace and War: Collected Speeches, 1897-1963* (Leicester: Windward, 1981). The speech was duly rebuked by Stalin in a prominent *Pravda* interview the following week. "Stalin Interview with Pravda on Churchill," *New York Times* (New York, 14 March 1946): 6.

[76]   Hillgruber, *Deutsche Geschichte 1945-1986*, p. 26.

[77]   Howard Jones, *"a New Kind of War": America's Global Strategy and the Truman Doctrine in Greece* (New York: Oxford University Press, 1989); Athanasios Lykogiannis, *Britain and the Greek Economic Crisis, 1944-1947: From Liberation to the Truman Doctrine* (Columbia, London: University of Missouri Press, 2002).

[78]   Despite being also offered to the Soviet Union and its allies, the conditions were deliberately aimed to make acceptance hard.

of actual violence.[79] The literature on the *origin* of the Cold War is large, complex, and continually growing, so a resolution of such elementary disputes must lie outside our present scope.[80] Nevertheless, two main positions can be distinguished. Some maintain that the militarization of US-Soviet relations set in course partly by NSC-68 was the inevitable result of Soviet ideological hostility. But even commentators sympathetic to the analysis contained in that document have noticed that the ascribed Soviet "master plan" for global domination was not borne out in fact.[81] Consequently, the so-called 'revisionist' school maintains that the Soviet Union's overarching interest was not global domination, but security and preventing another catastrophic attack on itself. They claim that having made arrangements for its security[82] could, therefore, have largely done away with the need for the highly militarised competition that characterised the Cold War.[83]

Even if the argument is accepted that the Soviet Union was primarily motivated by defensive concerns so that the militarization of the relationship was due more to misperception and/or deliberate demonisation of Communism,[84] the perceived zero sum nature of the conflict precluded any one side to permit the German industrial and manpower potential to fall to the other side. Given rising bipolar tensions only two options remained for Germany: either to become neutralised along the Austrian or even the Finish model, or each side integrating its occupation zones into its respective

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[79]   See for instance the remarks by Robert McNamara in the recent documentary *The Fog of War*. McNamara makes it very clear that for those at the helm the Cold War was precisely that, a war.

[80]   Several academic journals cover this area of scholarship, see *inter alia Journal of Cold War Studies*. For an introduction and basic bibliography see May, *American Cold War Strategy*.

[81]   Robert Blackwill notes in his commentary on NSC 68 that "the constant repetition of the notion of a "Kremlin design," a strategic blueprint toward world domination with subtle and flexible tactical implementation, appears in retrospect to have "given Stalin and certainly his successors far too much credit. … Politburo policy over the decades appears much more opportunistic than strategic, more episodic probing than the execution of a master plan." in May, *American Cold War Strategy*, p. 121.

[82]   Jervis discusses this proposition and comes to the conclusion that "[g]iven the basic beliefs and conceptions of self-interest on each side, there is little reason to believe that even the best diplomacy could have brought an end to the Cold War." Robert Jervis, "Was the Cold War a Security Dilemma?," *Journal of Cold War Studies*, Vol. 3, No. 1 (2001), p. 60.

[83]   For brief introduction into the various theories accounting for the origin of the Cold War see the introduction in May, *American Cold War Strategy*.

[84]   This argument features prominently in ideational and constructivist critiques of realism that achieved prominence in the late 1980s and 1990s. See *inter alia* Richard Ned Lebow and Thomas Risse-Kappen (eds), *International Relations Theory and the End of the Cold War* (New York: Columbia University Press, 1995); Christoph Weller, *Feindbilder. Ansätze und Probleme ihrer Erforschung*, InIIS Arbeitspapier Nr 22, 2001 (Bremen: Universität Bremen: Institut für Interkulturelle und Internationale Studien (InIIS), 2001); Emanuel Adler, "Seizing the Middle Ground: Constructivism in World Politics," *European Journal of International Relations*, Vol. 3, No. 3 (1997): 319-63; Emanuel Adler, "Constructivism and International Relations," in: *Handbook of International Relations*, ed. by Walter Carlsnaes, Thomas Risse, and Beth A. Simmons (London: Sage, 2002): 95-118; Jutta Weldes, *Constructing National Interests: The United States and the Cuban Missile Crisis* (Minneapolis: University of Minnesota Press, 1999); Wendt, *Social Theory of International Politics*.

alliance.[85] Whatever the sincerity of the respective Stalin notes on unification,[86] and irrespective of the merits and demerits of a neutral option, distrust and conflict between the forming blocs quickly made th kind of *joint* action impossible that a neutral option would have required. Although it had been publicly repudiated at Potsdam, dismemberment and thereby ultimately re-militarization became inevitable with the increasing hardening of the zonal division by 1948:[87]

> "Quadripartite solidarity remained in being until the conclusion of the trial of the Nazi war criminals at Nuremberg in October 1946 and thenceforth markedly and rapidly deteriorated. By 1948 it was fully apparent that the Potsdam propositions had reached a condition of *reductio ad absurdum* by reason of the fact that the Iron Curtain separated East Germany impenetrably from the West."[88]

In the West the implementation of the Marshall Plan almost immediately made it apparent that previous American doctrine which had largely guided Allied action had become unworkable. The punitive character of JCS 1067/6 inspired by Morgenthau's ideal of a "Cartage peace"[89] had run its course. Initially, American military occupation planning had differed substantially from this punitive logic, reflected in the set of instructions sent between April and May 1944 to General Eisenhower. These had been translated by his "German Country Unit" of about 150 British and American staffers into a document that called for "constructive action to see that the machine works and works efficiently," by retaining Germany's administrative machinery, most of its industry and aiming to make it a self-supporting economy and keeping the European economy in balance. The ideas espoused in the *Handbook for Military Government in Germany*[90] had then be put aside by JCS 1067,[91] and protests by General Clay and other senior military commanders proved largely futile until 1947.

A major change in attitude was marked by the speech that Secretary of State Byrnes made in Stuttgart on 6 September 1946, which amounted to an official repudiation of the

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[85]   Hillgruber, *Deutsche Geschichte 1945-1986*, p. 23.

[86]   Wolfrum, *Die geglückte Demokratie*, pp. 113-20, 443; Hillgruber, *Deutsche Geschichte 1945-1986*, pp. 51-4, 69-70, 152; Binder, *Deutschland seit 1945. Eine dokumentierte gesamtdeutsche Geschichte in der Zeit der Teilung*, pp. 323-30.

[87]   Snell, *Wartime Origins of the East-West Dilemma Over Germany*, p. 226.

[88]   Wheeler-Bennett and Nicholls, *The Semblance of Peace*, pp. 584-85.

[89]   Hillgruber, *Deutsche Geschichte 1945-1986*, p. 22.

[90]   Snell, *Wartime Origins of the East-West Dilemma Over Germany*, pp. 62-63.

[91]   "The harsher coloration of the far more important policy document of 1945 [i.e. JCS 1067] was to show not only what could happen in the evolution through six generations or so of the same general species of government paper; more specifically, it would reflect the impact of the Treasury Department upon the shaping of occupation policy." Snell, *Wartime Origins of the East-West Dilemma Over Germany*, p. 62.

punitive logic of deindustrialisation and promised Germany support on its "way back to an honorable place among the free and peace-loving nations of the world."[92] This was not "the language of mercy" but that of the Cold War, it was "dramatic evidence that Germany was being sought after as a potential ally by the West as well as by the Soviet Union."[93]

The *Report on Germany* commissioned by General Clay[94] accepted that the recovery of the European contintent was dependent on the recovery of the German economy. While earlier protests by the American occupation authorities had been in vain, the implementation of the Marshall Plan made it now apparent that the recovery of Europe, deemed vital to stem the tide of communist political appeal in the West, would be impossible with the German economic vacuum envisaged by JCS 1067.[95] Citing "national security grounds"[96] the policy was eventually replaced by JCS 1779 on 15 July 1947[97] which stated that "[a]n orderly, prosperous Europe requires the economic contributions of a stable and productive Germany." Whatever position we take on the origin and causation of the Cold War, it is apparent that "the American government was from now on determined to put into effect the "Western State" solution and to win over the Germans in the Western occupation zones through enticements, but also through threats."[98]

bb. Structural Need for German Forces

The change in occupation policy through JCS 1779 permitted a host of economic measures aimed to reverse the dramatic decline in living standards from 1945-47,[99] chiefly the currency reform of 1948 and the eventual extension of Marshall Plan credit to

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[92]   "Speech by J.F. Byrnes, United States Secretary of State Restatement of Policy on Germany, Stuttgart, September 6, 1946", Berlin, US Embassy, 1945, http://usa.usembassy.de/etexts/ga4-460906.htm, accessed on: 30 October 2006.

[93]   Snell, *Wartime Origins of the East-West Dilemma Over Germany*, p. 224. The "courting tone" of the speech is likewise underlined in Hillgruber, *Deutsche Geschichte 1945-1986*, p. 27.

[94]   Lewis H. Brown, *A Report on Germany* (New York: Farrar, Straus and Company, 1947).

[95]   These early objections are described by Lucius D Clay, *Decision in Germany* (Melbourne: Heinemann, 1950), p. 18; Backer, *Winds of History: The German Years of Lucius DuBignon Clay*, pp. 219-46.

[96]   Ray Salvatore Jennings, *The Road Ahead: Lessons in Nation Building from Japan, Germany, and Afghanistan for Postwar Iraq*, unpublished manuscript, United States Institute of Peace, Washington, D.C. (2003), available at: http://www.usip.org/pubs/peaceworks/pwks49.html, p. 15.

[97]   Hillgruber, *Deutsche Geschichte 1945-1986*, pp. 29-30.

[98]   Hillgruber, *Deutsche Geschichte 1945-1986*, p. 30.

[99]   Messerschmidt, *Zwischen Morgenthau und Marshall.*

Germany in 1949, albeit under somewhat less advantageous terms than in the rest of Europe.[100] These macroeconomic decisions were taken by the United States in a deliberate departure from the perceived failure of inter-war isolationism, explicitly aiming at establishing an open international economic system dominated and policed by multilateral institutions under significant if not exclusive US control.[101]

There has been significant debate about the extent to which the socio-economic structure of the United States and the Soviet Union made conflict inevitable.[102] There is some indication that pursuing a multilaterally policed, open trading environment was evidently in the national interest of the United States without necessarily be directed against any other particular state. It is in this sense that the foundational NSC-68 speaks of the efforts at Western alliance building as "a policy which we would probably pursue even if there was no Soviet threat."[103]

But these economic decisions cemented a rapidly escalating political division, characterised by the Berlin Blockade and subsequent airlift 1948-49, the signing of the Treaty of Brussels establishing the Western European Union on 17 March 1948, the introduction of the first peacetime US draft on 20 July 1948, the victory of the Communist forces in the Chinese civil war in 1949, the signing of the North Atlantic Treaty on 4 April 1949, the promulgation of NSC-68 on 14 April 1950, and, ultimately, the beginning of the Korean War on 25 June 1950 (lasting until 27 July 1953).

With the onset of the Korean War, the shift in attitude discernible in the Byrnes speech of 1946 had been fully achieved: Germany had been transformed from *object* to a much coveted *asset* in the bipolar competition. The shifting threat perception is nicely symbolised in the Brussels Treaty of 1948 which had been set up as a European defensive

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[100]   The role of ERP credits in the recovery of the German economy, while certainly large has generally been exaggerated in the orthodox narrative of the 'economic miracle' heavily coloured by Cold War propaganda. See *inter alia* Martin Schain (ed), *The Marshall Plan: Fifty Years After* (New York: Palgrave, 2001); Henry Christopher Wallich, *Mainsprings of the German Revival* (New Haven: Yale University Press, 1955); Alan S Milward, *The Reconstruction of Western Europe, 1945-51* (London: Methuen, 1984); Nicholas Crafts and Gianni Toniolo (eds), *Economic Growth in Europe Since 1945* (Cambridge: Cambridge University Press, 1996).

[101]   Charles L. Mee, *The Marshall Plan: The Launching of the Pax Americana* (New York: Simon and Schuster, 1984).

[102]   Robert C. Grogin, *Natural Enemies: The United States and the Soviet Union in the Cold War, 1917-1991* (Lanham, Md.: Lexington Books, 2001).

[103] National Security Council planning guide *NSC 68: Unites States Objectives and Programs for National Security*, [14 April 1950], cited in Schwarz, "'Cold War' Continuities - US Economic and Security Strategy Towards Europe," p. 88. The document is reprinted in May, *American Cold War Strategy*, pp. 23-82, at 41.

mechanism[104] *against* possible future *German* aggression. Quickly subsumed by NATO, it was enlarged in 1954 to *include* both Germany and Italy as full members.[105] Each camp now looked at ways of leveraging the population and economic potential of Germany for their respective military effort. For the West German government this presented a unique opportunity to regain its sovereignty and again become a *subject* of international relations, no longer merely its *object*.

Planning for and creation of a West-German contribution to allied defence were thus initiated by the US.[106] The same American political and military decision-makers who had bitterly fought and defeated the Wehrmacht were instrumental in bringing about and controlling only two to three years after the defeat the creation of new German armed forces.[107] Impressed with its professionalism, extraordinary resilience, and intimate knowledge of the Soviet enemy, the American military set out immediately following victory to assess how the experience of the Wehrmacht could be used; a procedure equally pursued by the other occupation powers. On the one hand, technical experts in key areas such as rocket and aircraft development were immediately shipped off to the Soviet Union and the United States. Likewise, the regular army in captivity was statistically assessed with a view to potential future use,[108] leading commanding generals were collected in a special camp near Frankfurt to collaborate with the "Historical Division" of the US Army to recount their personal and regimental experience, particularly on the Eastern front, and General Gehlen, commander of the Wehrmacht's counter-intelligence agency dealing with the Soviet Union (*Abteilung Fremde Heere Ost*) was brought with his entire staff to Pullach near Munich to continue his work for the American army, forming the nucleus of the *Bundesnachrichtendienst*, the West German external intelligence service.[109]

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[104]   Its founding members were Belgium, Britain, France, Luxembourg and the Netherlands.

[105]   Through the Paris Protocol of 23 October 1954. Note that this accession included the forfeiture by Germany of certain military assets deemed too dangerous for their *Western* partners, notably nuclear, biological, and chemical weapons.

[106]   Heuer, "Perzeption der Bundeswehr," p. 155; Militärgeschichtliches Forschungsamt (ed), *Verteidigung im Bündnis: Planung, Aufbau und Bewährung der Bundeswehr 1950-1972* (München: Bernard und Graefe, 1975), pp. 25-34.

[107]   Heuer, "Perzeption der Bundeswehr," p. 155; see also Norbert Wiggershaus, "Die Entscheidung für einen westdeutschen Verteidigungsbeitrag 1950," in: *Anfänge estdeutscher Sicherheitspolitik 1945-1956 - 1: Von der Kapitulation bis zum Pleven-Plan*, ed. by Militärgeschichtliches Forschungsamt (München/Wien: 1982), p. 327 ff.

[108]   Konrad Adenauer, *Erinnerungen 1945 - 1953*, 6. Aufl (Stuttgart: Deutsche Verlagsanstalt, 1987), p. 354.

[109]   Binder, *Deutschland seit 1945. Eine dokumentierte gesamtdeutsche Geschichte in der Zeit der Teilung*, pp. 290-91.

Both camps thus quickly moved to assess how they could best make use of the available German military potential; the Soviet move to create armed East German police squadrons was therefore little more than a convenient subterfuge for a policy that had been under way for quite some time.[110] The perception of an existential Eastern 'Asiatic' threat was widely shared by West German politicians well before the founding of the Federal Republic, harking back to the earlier myth of the Wehrmacht's "defensive" war against Bolshevism:[111]

> "Adenauer hatte die Brücke zur Elite der Wehrmacht früh geschlagen. Schon im Oktober 1945 brachte er die sicherheitspolitische Bedrohung auf den Punkt »Asien steht an der Elbe.« Als Grundmuster der fünfziger Jahre stellte sich bald ein, das »Abendland« müsse gegen den »Bolschewismus« verteidigt werden. Es stimmte mit der Selbstdeutung des Militärs überein, die Wehrmacht aus der Klammer der Anklage des Eroberungskrieges und der Kriegsverbrechen zu befreien. Sie Soldaten hätten nur ihre Pflicht getan. Unter dem Eindruck des sich entfaltenden Kalten Krieges gelang es, im Blick auf die aktuelle Konfrontation zwischen Washington und Moskau *Kontinuitätslinien vom Ostfeldzug gegen die Sowjetunion zur deutschen Lage der Nachkriegszeit zu ziehen und die Vergangenheit zu exkulpieren.* So mochten Militär und Politik ihre Rolle finde. Der Preis dafür lag in einer Vergangenheitspolitik, an der die Nachkriegsgesellschaft noch lange zu tragen hatte."[112]

Bald is referring here to an aspect often brushed over in the orthodox narrative of the state's founding and the decision to rearm: the fear of Germany was tempered by the desire to wield its proven and formidable war-fighting ability against one's own enemy. Consequently, the Western Allies were primarily interested in recreating as closely as possible the machinery that had proven so effective against the Soviet enemy. This desire largely explains the strong scepticism shown by the Western Allies to suggestions about reforming the internal discipline and civil-military relations of the new Bundeswehr, strongly preferring the imposition of structural international constraints that would prevent the use of West Germany's armed might against her Western neighbours. Partly this scepticism stemmed from the belief that ideational internal measures would prove ineffective against a reborn West German militarism; but they also stemmed from the fear that by "civilianising" the army such measures would also reduce its resilience and potential strenght.

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[110] Binder, *Deutschland seit 1945. Eine dokumentierte gesamtdeutsche Geschichte in der Zeit der Teilung*, p. 290.

[111] See above p. 182-184.

[112] Bald, *Die Bundeswehr: Eine kritische Geschichte, 1955-2005*, pp. 20, emphasis added.

It is not necessary for us to outline the details of the diplomatic negotiations which eventually led to the approval at the NATO foreign ministers summit in New York on 12-26 September 1950 of a West German military contribution.[113] Whatever the scope and character of the various early planning initiatives among the Western Allies, there is little question that the outbreak of the Korean War proved a decisive turning point in military thinking.[114] Steininger credits particularly the British military command with an early pragmatic clairvoyance "free of moralistic arrogance" that had arrived already three months before the outbreak of the Korean War to the simple conclusion that "We need a German army, because without German help Western Europe [and thus Britain] cannot be defended."[115]

d. STATEHOOD AND REMILITARIZATION

The full implications of this insight were acknowledged earlier in Britain[116] than in the United States,[117] and only much more reluctantly in France.[118] For the Western Allies the key challenge was preventing the control of Germany by the Soviet Union, which would be only possible through the firm integration of the Federal Republic into the West. But this necessitated a modification of the occupation statute, an acceptance of equal treatment, and would invariably entail the division of the country.[119] Whichever of the Western Allies first revised its previous position is less important than the common realisation by September 1950 that their earlier views were no longer tenable:

> "Der Gedanke, daß das deutsche Territorium, daß die deutschen Rohstoffe, daß deutsche Soldaten zur Verteidigung des Westens genutzt oder herangezogen werden müßten, bestand mindestens seit 1948; er war voll entwickelt im September 1949. Allerdings waren die Vorstellungen, die die Alliierten damit verbanden, nicht

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[113] Steininger has produced an extremely detailed account of the *diplomatic* history of the decision to arm the Federal Republic, with particular emphasis on the German and British positions, but deliberately and completely leaving out the question of implementation with which we are concerned here. Rolf Steininger, *Wiederbewaffnung: Die Entscheidung für einen westdeutschen Verteidigungsbeitrag, Adenauer und die Westmächte 1950* (Erlangen: Straube, 1989).

[114] Gunther Mai, *Westliche Sicherheitspolitik im Kalten Krieg. Der Korea Krieg und die deutsche Wiederbewaffnung 1950*, Militärgeschichte seit 1945, Band 4 (Boppard am Rhein: Boldt, 1977).

[115] Air Marshall Sir John Slessov, Commander-in-Chief of the Royal Air Force at a secret session of the joint chiefs and the foreign office on 29 March 1950, quoted in Steininger, *Wiederbewaffnung*, pp. 7, 38.

[116] A more equivocal British attitude is presented in Mai, *Westliche Sicherheitspolitik im Kalten Krieg*, pp. 37-61.

[117] Mai presents a good, succinct overview of the US position, Mai, *Westliche Sicherheitspolitik im Kalten Krieg*, pp. 13-37.

[118] Mai's presentation of the French position is more comprehensive and includes the important context of the war in Indochina, Mai, *Westliche Sicherheitspolitik im Kalten Krieg*, pp. 62-82.

[119] Steininger, *Wiederbewaffnung*, p. 8.

sonderlich deutschfreundlich. Man brauchte zwar deutsche Soldaten und deutsche Rohstoffe, man wollte auch eventuell das deutsche Territorium für eine geographisch elastische Strategie nutzen, aber man wollte für all das den Deutschen so wenig Konzessionen und Zugeständnisse wie möglich machen. Man dachte deshalb an die Anwerbung einzelner Deutscher und erwog, die schon vorhandenen deutschen Arbeitsbataillone („Industriepolizei" und so weiter) aufzustocken oder sehr kleine deutsche Einheiten im Rahmen alliierter Truppen einzusetzen. Dagegen hatte man nicht die Absicht, eine Sicherheitsgarantie für das westdeutsche Territorium zu geben oder den Deutschen weitergehende, auf Gleichberechtigung zielende, politische Zugeständnisse zu machen. Man wollte auf westlicher Seite für den deutschen Verteidigungsbeitrag so wenig wie möglich „zahlen"."[120]

In 1950 Western planning was still based on the assumption that significant German numbers of German soldiers could be raised *outside* an institutional structure over which the German government would have control, perhaps analogous the French Foreign Legion in which already some 35.000 German ex-Wehrmacht and Waffen-SS soldiers were serving. This particular option was strenuously rejected by Adenauer who skilfully linked the Allied need for a German military contribution to demands for a restoration of sovereignty, equality, and security guarantees. Given the enormous unpopularity of the question both in Germany and among her neighbours, however, he argued not for the creation of a national German army, but a German contingent within an integrated European army.[121]

For Adenauer there existed a clearly articulated *quid pro quo*: West Germany was willing to contribute to the common defence of Western Europe if, and only if, the state would thereby achieve a significant restoration of its sovereignty on the basis of equality.[122] The Korean War was therefore perceived as both a serious threat heralding a possible Soviet invasion, but also a significant opportunity to achieve *sovereignty through remilitarisation*.[123]

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[120]   Hans Buchheim, "Adenauers Sicherheitspolitik 1950-1951," in: *Aspekte der deutschen Wiederbewaffnung bis 1955*, ed. by Militärgeschichtliches Forschungsamt, Militärgeschichte seit 1945, Band 1 (Boppard am Rhein: Boldt, 1975), pp. 120-21.

[121]   In a memorandum of 30 August 1950 not discussed with his cabinet, Adenauer offered the three Western High Commissars to establish a West German military contingent within a European army.

Regarding the possibility of Germans serving in the armed forces of other Western states: "Ich entgegnete, daß unter keine Umständen zugestimmt werden könnte, daß Deutsche als Söldner oder Landsknechte in fremde Armeen einträten. Auch wenn die Alliierten das Verlangen nach einem deutschen Beitrag zur Sicherheit Europas vorbrächten, würde ich die Aufstellung einer deutschen Wehrmacht ablehnen. Im äußersten Fall sei ich allerdings bereit, die Frage eines deutschen Kontingents im Rahmen der Armee einer europäischen Föderation zu überlegen." Adenauer, *Erinnerungen 1945 - 1953*, pp. 341-42.

[122]   Buchheim, "Adenauers Sicherheitspolitik 1950-1951."

[123]   Mai, *Westliche Sicherheitspolitik im Kalten Krieg*, pp. 108-41.

While paying lip service to the idea of re-admitting Germany into the Western club, French decision-makers in particular had not changed their basic image of Germany as the main enemy, considering *any* kind of German rearmament as contrary to their interest.[124] But given France's military and financial dependence on the US, not least due to its war in Indochina it could not obstruct this demand indefinitely. The necessity to entertain the idea so abhorrent for France had become obvious with the opening of the New York summit on 12 September 1950, from whence it could only try to delay the inevitable until a formula had been found that reconciled its two contradictory needs.[125]

The Pleven Plan of 24 October 1950 seemingly achieved this reconciliation: it suggested an integrated European Defence Community (EDC) between France, Italy, Germany and Benelux headed by a common European minister of defence. Oriented on the earlier Schuman Plan of 9 May 1952,[126] the EDC was intended as the nucleus of the full political integration of continental Europe. The plan envisaged the complete submission of all future German military units under the supranational community, while France would have kept significant parts under national control. Without minimising its political significance as a symbol of European integration, the plan aimed primarily at reconciling the American demand for German troops without conceding an nationally autonomous German army and co-equal NATO membership. The occupation period was to be ended and German sovereignty restored on the basis of the General Treaty of 26 May 1952 (*Erster Deutschlandvertrag*) between the three Western Allies and the Federal Republic.[127]

The failure of the French parliament to ratify the EDC treaty closed this avenue,[128] having delayed West German rearmament by several years. The London Conference from 28 September to 30 October 1954 addressed the need to balance the necessity for West

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[124] Steininger, *Wiederbewaffnung*, p. 210.

[125] Mai, *Westliche Sicherheitspolitik im Kalten Krieg*, pp. 62-82.

[126] Suggested by French minister of foreign affairs Robert Schuman the plan concerned the integration of all Franco-German coal and steel production under a common political authority. It led to the creation of the European Community for Coal and Steel, the nucleus of today's European Union. See Desmond Dinan, *Ever Closer Union* (London: Lynne Rienner Pub, 2005); Werner Weidenfeld (ed), *Die Europäische Union. Politisches System und Politikbereiche*, Schriftenreihe der bpb, Band 442 (Bonn: Bundeszentrale für Politische Bildung, 2004).

[127] For further details see Jochen Abr. Frowein, "Die Entwicklung der Rechtslage Deutschlands von 1945," in: *Handbuch des Verfassungsrechts*, ed. by Ernst Bende, Maihofer, and Vogel (1994): 19-34.

[128] The negotiation history and underlying French thinking is well presented in the account by the French minister of defence at the time, Jules Moch, *Histoire du réarmement allemand depuis 1950* (Paris: Robert Laffont, 1965).

German rearmament and the recovery of its sovereignty with the need for alliance integration (and thus control). The meeting of the designated EDC members plus the NATO members Britain, Canada, and the United States decided the admission of the sovereign Federal Republic into both the WEU[129] and NATO, the permanent stationing of Allied troops on German territory,[130] German renunciation of the use of force to achieve unification, and arrangements with France concerning the future of the Saar Territory.[131] These arrangements opened the way for the creation of the new armed forces on 12 November 1955, from its inception explicitly planned as a fully integrated alliance component.[132]

These measures achieved many of the intended benefits of integration envisaged in the EDC,[133] but because they created a formally sovereign nation[134] with nominally autonomous armed forces strong reservations persisted about the potential unreliability of the West German alliance commitment when faced with Soviet entreaties offering unification in return for armed neutrality.[135] Despite decades of joint alliance partnership these fears persisted, as shown by French and British hostility towards unification.[136] Perhaps surprising from the point of view of realist international relations theory,[137] these considerations were shared by German decision-makers, and, more surprisingly still, by their former enemies in the Warsaw Pact which preferred a united Germany within the

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[129]   The WEU had initially been founded to defend against the possible resurgence of Germany, not the Soviet Union. It was now "given a new function: to contain the Germans." Wolfrum, *Die geglückte Demokratie*, p. 130.

[130]   This included, at French insistence, British troops to add stability in case of a US departure from the continent.

[131]   The Saar Statute agreed in Paris was rejected by popular referendum, leading to a new Franco-German agreement and the subsequent incorporation of the Saar Territory into the Federal Republic. See Gerhard Franz and Timo Pfeifer, *Der Sieg der Neinsager: 50 Jahre nach der Abstimmung über das Saarstatut* (Blieskastel: Der neue Gollenstein, 2005); Gudrun Schwarzer, *Friedliche Konfliktregulierung: Saarland - Österreich - Berlin, eine vergleichende Untersuchung territorialer Machtkonflikte* (Tübingen: UTV, Lück und Mauch, 1994).

[132]   Consecrated in the Paris Treaties of 23 October 1954, ratified 27 February 1955 and entered into force on 5 May 1955.

[133]   See below p. 259.

[134]   The failure of the EDC meant that the General Treaty of 26 May 1952 which was contingent on the ratification of the EDC Treaty remained unimplemented, and Germany thereby continued to be subject to occupation statute.

[135]   "Les Allemands de l'Ouest souhaitent actuellement, dans leur immense majorité, demeurer atlantiques. Mais s'ils avaient demain la certitude que leur passage à la neutralité ou même leur entente avec l'Est assurerait leur réunification, quel serait leur comportement?" Moch, *Histoire du réarmement allemand depuis 1950*, pp. 381-82.

[136]   Renata Fritsch-Bournazel, *Europe and German Unification* (New York: Berg, 1992); Tony Chafer and Brian Jenkins (eds), *France: From the Cold War to the New World Order* (New York: St. Martin's Press, 1996); Trouille, "The Franco-German axis since unification."; Leo Abse, *Wotan, my Enemy: Can Britain live with the Germans in the European Union?* (Robson Books, 1995); Mawby, *Containing Germany: Britain and the Arming of the Federal Republic*; Richard Evans, *Rereading German History: From Unification to Reunification* (London: Routledge, 1997); R. Gerald Hughes, "'Don't let's be beastly to the Germans': Britain and the German Affair in History," *Twentieth Century British History,* Vol. 17, No. 2 (2006): 257-83.

[137]   Duffield, "Political Culture and State Behavior: Why Germany Confounds Neorealism."

Western alliance than a neutral one whose autonomous army would no longer by subject to the tutelage of an integrated alliance.[138]

2. CONTROVERSY AND FOUNDATIONAL BARGAIN

British and American occupation troops began almost immediately after the capitulation to form labour divisions from German units taken prisoner, used for mine removal and associated subsidiary task of a semi-military character.[139] Initially these measures were aimed at freeing Western troops to fight in the Japanese theatre, while countering the Soviet military presence in Eastern Europe was not an immediate concern. War-time planning for military government (Operation Eclipse) ended precisely when the relationship between the Soviet Union and the Western powers deteriorated in late 1945; as the chasm deepened in 1946 "the American occupation then took on a new character focussed on rebuilding Germany as a bulwark."[140]

Statistical data collected on German prisoners of war, and intelligence work conducted with senior German commanders envisaged early on, at least after the adoption of JCS 1779 on 17 July 1947, to create 200.000-men-strong German military units experienced with warfare on the Eastern Front under American command.[141] At the same time West German military planning began at American instigation, well before the creation of the Federal Republic.[142] All these initiatives had in common that they were conducted in secrecy, as both international and domestic public opinion strongly rejected a German

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[138]   See the account of the negotiations with Gorbachev in the Crimea, and how Polish objections to the Two-plus-Four Treaty were finally overcome, Hélène Miard-Delacroix, "Négociations en vue du réglement des aspects extérieurs de l'unité allemande: Enjeux, déroulements, résultats," in: *La Mise en oevre de l'unification allemande 1989-1990*, ed. by Anne Saint Sauveur-Henn and Gérard Schneilin (Asnières: Publications de l'Institut Allemand, 1998): 341-58; Teltschik, *329 Tage: Innenansichten der Einigung*; Zelikow and Rice, *Germany Unified and Europe Transformed*.

[139]   Operation Eclipse which concerned early Allied planning for the immediate occupation period is thoroughly described by McCreedy who also provides excellent bibliographical data on the period, including the early use of POW labour. Kenneth O. McCreedy, "Planning the Peace: Operation Eclipse and the Occupation of Germany," *The Journal of Military History,* Vol. 65, No. 3 (2001), pp. 726, fn. 44-48.

[140]   McCreedy, "Planning the Peace: Operation Eclipse and the Occupation of Germany," p. 739.

[141]   Militärgeschichtliches Forschungsamt (ed), *Anfänge westdeutscher Sicherheitspolitik 1945 - 1956, Band 1* (München: Oldenbourg, 1982), p. 327; Tibor Dobias and Eberhard Heidmann (eds), *Militärgeschichte der BRD. Abriß, 1949 bis zur Gegenwart*, 1. Aufl, Schriften des Militärgeschichtlichen Instituts der Deutschen Demokratischen Republik (Berlin (Ost): Militärverlag der Deutschen Demokratischen Republik, 1989), pp. 25-35.

[142]   See the memorandum "Die Sicherheit Westeuropas" and its various revisions prepared by General Speidel under the auspices of the *Deutsches Büro für Friedensfragen*. Speidel later became one of the chief architects of the Bundeswehr and one of its first two generals. Hans Speidel, *Aus unserer Zeit (Memoiren)* (Frankfurt am Main: 1977), pp. 242 ff, 454 ff.

rearmament. It is thus important to remember that while the Korean War certainly accelerated German rearmament, the issue had been actively pursued by American military planners as early as 1947.[143]

It is of little concern to us here which side initiated the rearming of its occupation zone,[144] at any rate there are strong indicators that the Soviet Union was guided by a pronounced sense of insecurity, particularly concerning the possibility of renewed German aggression.[145] Whatever we make of the sincerity of the various Soviet initiatives made through the years with regard to the possibility of reunification, there was little contemporary doubt that the military integration into West as envisaged by the Paris Treaties would "ratify" the existing division of Germany.[146]

Adenauer realised very soon after the war that the division of Europe and Germany was a *fait accompli* and derived therefrom the necessity to incorporate West Germany into an economically and politically integrated Europe, a policy deemed in the best interest of both Germans *and* its Western neighbours.[147] The attainment of sovereignty would require full Western integration, and thereby preclude reunification,[148] even if political sensibilities required paying lip service to this goal:

> "Souveränität für die Bundesrepublik Deutschland war Adenauers oberstes Ziel. … diese Ziel [war] außenpolitisch ohne die feste Einbindung in den Westen, innenpolitisch ohne Beibehaltung der Forderung nach Wiedervereinigung nicht durchzusetzen. … Die Wiedervereinigungsfrage war also eine Frage des politischen

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[143]   Fritz René Allemann, *Bonn ist nicht Weimar* (Köln and Berlin: 1956), p. 189; Lawrence W. Martin, "The American Decision to Rearm Germany," in: *American Civil-Military Decisions*, ed. by Harold Stein (Birmingham, Alab.: 1963), p. 646 f.

[144]   For skewed accounts see, respectively, Fritz Kopp, *Chronik der Wiederbewaffnung in Deutschland. Rüstung der Sowjetzone - Abwehr des Westens* (Köln: Markus Verlag, 1958); Dobias and Heidmann, *Militärgeschichte der BRD. Abriß, 1949 bis zur Gegenwart*.

[145]   Gerhard Wettig, "Die politischen Überlegungen bei der Wiederbewaffnung 1947-1952," in: *Aspekte der deutschen Wiederbewaffnung bis 1955*, ed. by Militärgeschichtliches Forschungsamt, Militärgeschichte seit 1945, Band 1 (Boppard am Rhein: Boldt, 1975): 1-38; Peter Gosztony, "Die Aufrüstungsmaßnahmen in der Bundesrepublik und das Echo des Ostblocks," in: *Aspekte der deutschen Wiederbewaffnung bis 1955*, ed. by Militärgeschichtliches Forschungsamt, Militärgeschichte seit 1945, Band 1 (Boppard am Rhein: Boldt, 1975): 39-60.

[146]   Wolfrum, *Die geglückte Demokratie*, p. 130.

[147]   "Damit ist eine Trennung … eine Tatsache. In Westeuropa sind die führenden Großmächte England und Frankreich. Der nicht von Rußland besetzte Teil Deutschlands ist ein integrierender Teil Westeuropas. Wenn er krank bleibt, wir das von schwersten Folgen für ganz Westeuropa, auch für England und Frankreich sein. Es liegt im eigensten Interesse nicht nur des nicht von Rußland besetzten Teiles Deutschlands, sonder auch von England und Frankreich, Westeuropa unter ihrer Führung zusammenzuschließen, den nicht von russisch besetzten Teil Deutschlands politisch und wirtschaftlich zu beruhigen und wieder gesund zu machen." Konrad Adenauer, "Meine Einstellung zur außenpolitischen Lage (Anlage zum Brief Adenauers an den Duisburger Oberbürgermeister Heinrich Weitz vom 31. Oktober 1945)," in: *Konrad Adenauer, Briefe 1945-1947, Rhöndorfer Ausgabe*, ed. by Rudolf Morsey, Hans-Peter Schwarz, and Peter Mensing (Bonn: 183), p. 130 f.

[148]   Steininger, *Wiederbewaffnung*, p. 274.

Überlebens, eine Frage des Machterhalts, eine Frage der Innenpolitik. … Die Wiedervereinigungsfrage war somit *die* Integrationsideologie der Bundesrepublik Deutschland auf dem Weg zu sich selbst."[149]

Initial planning for West German rearmament was done in secret due to the extreme and almost universal popular antimilitarism that had followed the military collapse of the state. Despite official denials, the topic had been on the agenda from the inception of the Federal Republic, and when in October 1950 Adenauer offered the Western Allies a German military contribution, a vociferous debate ensued.

a. PACIFISM, NATIONALISM, ANTIMILITARISM

Given the extensive literature on the issue,[150] there is no need to provide here more than a cursory overview of the West German debate on rearmament. More interesting for our purposes is the impact the debate has had on the *implementation* of the decision to rearm, for the institutional shape and internal character of the new armed forces were largely the result of this extremely contentious discourse. It is important to remember that the conscious decision "to prevent the recurrence of the perennial civil-military problem by creating a new model army for the democratic Republic"[151] was *not* imposed externally by the Western Allies, but done in response to this discourse in an effort to placate a *domestic* audience overwhelmingly hostile to the idea of rearmament.

Opponents of the proposed Western military integration can be roughly grouped into three groups: pacifists, who believed two world wars started in Germany were more than enough, explicitly arguing that a potential attack should remain unopposed from Germans;[152] nationalists, who were not opposed to rearmament as such, but rejected it in

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[149]   Josef Foschepoth, "Einleitung," in: *Adenauer und die Deutsche Frage*, ed. by Josef Foschepoth (Göttingen: Vandenhoeck & Ruprecht, 1988), pp. 14,.

[150]   For a contemporary collection of the debate see the excellent and richly documented Hans Edgar Jahn (ed), *Für und Gegen den Wehrbeitrag. Argumente und Dokumente* (Köln: Greve Verlag, 1958); see also Alexander Fischer, *Wiederbewaffnung in Deutschland nach 1945* (Berlin: Duncker & Humblot, 1986); Haffner, *Die deutsche Frage: 1950 - 1961: Von der Wiederbewaffnung bis zum Mauerbau*; Large, *Germans to the Front: West German Rearmament in the Adenauer Era*; Klaus von Schubert, *Wiederbewaffnung und Westintegration: Die innere Auseinandersetzung um die militärische und aussenpolitische Orientierung der Bundesrepublik 1950-1952* (Stuttgart: Deutsche Verlags-Anstalt, 1970); Karl-Ludwig Sommer, "Wiederbewaffnung oder Wiedervereinigung? Adenauer und die Diskussion um die EVG im Bundesrat," in: *Adenauer und die Deutsche Frage*, ed. by Josef Foschepoth (Göttingen: Vandenhoeck & Ruprecht, 1988): 146-68; Gerhard Wettig, *Entmilitarisierung und Wiederbewaffnung in Deutschland, 1943-1955. Internationale Auseinandersetzungen um die Rolle der Deutschen in Europa* (München: R. Oldenbourg, 1967).

[151]   Craig, *The Germans*, p. 244.

[152]   See for instance the statement by the Social Democratic leader Carlo Schmid: "In einem wollen wir kategorisch sein: wir wollen in Deutschland keinen Krieg mehr führen und wir wollen darum auch keine Vorbereitungen treffen, die das Kriegführen ermöglichen könnten … Und wenn doch einmal irgendwo wieder der Wahnsinn des Krieges

the context of Western integration as an insuperable obstacle to reunification; and, lastly, antimilitarists, mainly concerned with the negative impact the military has traditionally had on the development of a liberal, democratic political culture.[153] It is difficult to adequately portray the extreme intensity of this opposition, reflected in mass protests, sustained challenges to the Constitutional Court, and a vociferous parliamentary struggle.[154]

Naturally, these three positions were not always neatly separated in the minds of the opponents of rearmament. The ratification of the Paris Treaties was met with enormous popular resistance, characterised by the "count me out" movement with strong overtones of a normatively motivated pacifism, whose main driving forces were the trade unions, the Social Democrats, and the Protestant church. It is interesting to note in passing that with the division of the country and the end of Prussia, Protestantism had ceased to be the dominant faith in the state. The Catholic church which had been historically treated with suspicion by the state, including open legal persecution in the Bismarckian *Kulturkampf,* was now demographically and institutionally in the ascendancy. The virulent opposition by leading Protestant leaders such as Pastor Martin Niemöller or Interior Minister (and later President) Gustav Heinemann to rearmament was, to be sure, primarily motivated by strong normative concerns.[155] But equally strong figured worries that rearmament would cement a national division which had resulted in a inferior position of Protestantism:

> "Teile des Protestantismus [betrachteten sich] als eigentliche Verlierer des Weltkrieges: In Westdeutschland saß eine weithin katholisch dominierte Regierung im Amt, Ostdeutschland, das ehemalige protestantische Kerngebiet, befand sich im

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ausbrechen sollte, und wenn dabei das Verhängnis es wollen sollte, daß unser Land das Schlachtfeld wird – nun, dann wollen wir eben untergehen und dabei wenigstens das Bewußtsein mitnehmen, daß nicht wir das Verbrechen begangen und gefördert haben." Carlo Schmid, *Erinnerungen* (Stuttgart: Europäische Verlagsanstalt, 1979), p. 490. Note that the pacifist position was strenuously rejected by Kurt Schumacher.

[153]   Hans-Adolf Jacobsen, "Zur Rolle der öffentlichen Meinung bei der Debatte um die Wiederbewaffnung 1950-1955," in: *Aspekte der deutschen Wiederbewaffnung bis 1955*, ed. by Militärgeschichtliches Forschungsamt, Militärgeschichte seit 1945, Band 1 (Boppard am Rhein: Boldt, 1975): 61-118; Ernst Nolte, *Deutschland und der Kalte Krieg* (München: R. Piper, 1974), p. 322. Nolte differentiates between pacifists, neutralists, and nationalists.

[154]   The constitutional challenge is well documented in the first three volumes of Friedrich August Freiherr von der Heydte (ed), *Der Kampf um den Wehrbeitrag*, Veröffentlichungen des Instituts für Staatslehre und Politik e.V, Band 1-3 (München: Isar Verlag, 1952). The outcome of the debate is reflected in the particular system of civil-military relations ultimately agreed upon, presented in Friedrich August Freiherr von der Heydte (ed), *Der deutsche Soldat in der Armee von morgen. Wehrverfassung, Wehrsystem, Inneres Gefüge*, Veröffentlichungen des Instituts für Staatslehre und Politik e.V, Band 4 (München: Isar Verlag, 1954).

[155]   See Adenauer's concern expressed to High Commissioner McCloy about Niemöller and Heinemann appearing as the friends of peace, while the government could be portrayed as war-mongering. Adenauer, *Erinnerungen 1945 - 1953*, p. 373.

> Griff der atheistischen SED, und die verlorenen Ostgebiete waren nun polnisch und katholisch. Würde es zu einer militärischen Westintegration der Bundesrepublik kommen, so schien dieser Zustand in der Zukunft kaum mehr revidierbar und eine Wiedervereinigung in weite Ferne gerückt."[156]

Irrespective of the very large scale of popular (i.e. extra-parliamentary) opposition to rearmament, several structural factors determined its relative failure. Both trade unions and the Social Democrats were ultimately not interested in endangering on principles of foreign policy the primary interests of their constituents in economic recovery which was contingent on Western integration. Furthermore, the SPD had under the impact of the Korean War gradually shifted its total opposition to *any* type of rearmament, to a position which accepted rearmament as necessary but still opposed the government's alleged subservience, even servility to Allied demands, arguing instead for full equality as a precondition for any negotiations over a West German military contribution.[157]

The model of a reunified, democratic (and thereby *politically* Western)[158] but *militarily* neutral Germany[159] was, at any rate, quickly displaced under the impact of the "Korean War as the Transformator" of the Social Democratic position.[160] But even if the SPD gradually came to accept most of the "*aquis*" of Western military integration and significantly revised major parts of its security doctrine,[161] the question of reunification continued to play a much larger role for it during the formative years of rearmament than for the governing conservatives[162] — a somewhat paradoxical insight with view of the

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[156]   Wolfrum, *Die geglückte Demokratie*, p. 131.

[157]   Manfred Dormann, *Demokratische Militärpolitik. Die alliierte Militärstrategie als Thema deutscher Politik 1949-1968* (Freiburg im Breisgau: Rombach, 1970), pp. 167-73; Ulrich Buczylowski, *Kurt Schumacher und die deutsche Frage. Sicherheitspolitik und strategische Offensivkonzeption vom August 1950 bis September 1951* (Stuttgart: Seewald, 1973), pp. 49-90; Udo F. Löwke, *Die SPD und die Wehrfrage 1949 bis 1955*, Theorie und Praxis der deutschen Sozialdemokratie (Bonn-Bad Godesberg: Verlag Neue Gesellschaft, 1976), pp. 15-64.

[158]   Party leader Kurt Schumacher states unequivocally April 1949: "Es gibt wohl für uns die absolute Notwendigkeit der militärischen Neutralität, es kann aber für uns nie den Begriff der politischen Neutralität gegenüber einem Faktor geben, der diesen Begriff weder nach der politischen noch nach der rechtlichen oder moralischen Seite respektiert, wie die Sowjetrussen. Das wäre keine Neutralität, sondern das wäre die kaschierte Parteinahme für Rußland gegen den Westen." Schumacher Nachlaß, Akte Q 10, Referat Kurt Schumachers vom 20. April 1949, S. 13, quoted in Buczylowski, *Kurt Schumacher und die deutsche Frage*, p. 60.

[159]   Buczylowski, *Kurt Schumacher und die deutsche Frage*, pp. 33-47, 60-61;

[160]   Buczylowski, *Kurt Schumacher und die deutsche Frage*, p. 75 ff.

[161]   Löwke, *Die SPD und die Wehrfrage 1949 bis 1955*, p. 65 ff; Buczylowski, *Kurt Schumacher und die deutsche Frage*, pp. 134-50.

[162]   Buczylowski, *Kurt Schumacher und die deutsche Frage*, pp. 159-75; Löwke, *Die SPD und die Wehrfrage 1949 bis 1955*, pp. 70-74, 92-97.

monopolisation of the political myth of reunification by the conservative political spectrum from 1969-1989.[163]

b. SOVEREIGNTY, REHABILITATION, INTEGRATION

Two things were uncontroversial across the political spectrum in the formative years of the Federal Republic:[164] the goal of attaining full sovereignty, and the impossibility of evading Western control through a reorientation towards the East along the fateful model of the Rapallo rapprochement between the Weimar Republic and the Soviet Union,[165] even if the fear of such an alliance persisted for decades, particularly in France.[166] But there was considerable disagreement in Germany about the best *means* to restore sovereignty, as their likely implications for the prospect of unification.

The parliamentary opposition was not opposed to rearmament *as such*,[167] but opposed the strategy chosen by the government as too subservient and prejudicial to reunification. Adenauer, in contrast, believed that political integration into the West (which was not controversial across all parties) could only be achieved fully through unconditional military collaboration. His approach of making advance concessions to the Allies hoping for a gradual improvement in relations in return and thus eventual equality, thereby differed markedly from Schumacher's position of demanding fully equal treatment as a *precondition* for further military and political integration.[168] While certainly worried about

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[163]   Foschepoth, "Einleitung," p. 26., quoting the CDU MP Abelein who chastised the "pseudo-religious character" of the question of reunification for many in his party where "der Einheit der Deutschen bei der CDU die gleiche Bedeutung zugemessen wird wie dem Reich Gottes in der Glaubenspraxis der Christen. Es wird als eine bei besonderen Gelegenheiten verwendete Gebetsformel gebraucht, spielt im praktischen Leben aber keine Rolle. Niemand bemüht sich ernsthaft um seine Realisierung, und jeder geht davon aus, daß es zu seiner Lebenszeit ohnehin nicht dazu kommen wird."

[164]   Dormann, *Demokratische Militärpolitik*, p. 156.

[165]   Allemann, *Bonn ist nicht Weimar*, p. 133; on Rapallo see Herbert Helbig, *Die Träger der Rapallo-Politik* (Göttingen: Vandenhoeck & Ruprecht, 1958); Heinrich Klümpen, *Deutsche Aussenpolitik zwischen Versailles und Rapallo: Revisionismus oder Neuorientierung*, Vol. 1, Studien zur Geschichte der Weimarer Republik (Münster: Lit, 1992); Stephanie Salzmann, *Great Britain, Germany, and the Soviet Union: Rapallo and after, 1922-1934* (London: Royal Historical Society, 2003); Carol Anne Hale, *German-soviet Military Relations in the Era of Rapallo*, unpublished manuscript, McGill University, Ottawa (1989). ; Wolfgang Strauss, *Rapallo: Wunschtraum, Irrweg oder Gespenst* (Asendorf: MUT-Verl, 1986).

[166]   Renata Bournazel, *Rapallo, naissance d'un mythe: la politique de la peur dans la France du bloc national* (Paris: Foundation nationale des sciences politiques, 1974); Ferenc Fehér and Agnes Heller, *Eastern Europe Under the Shadow of a New Rapallo* (Köln: Index, 1984); Kirsten Lüdtke-Evers, "Die Beurteilung der Ostpolitik der Regierung Brandt/Scheel durch die USA unter dem Aspekt eines möglichen "Rapallo-Syndroms," Dissertation, Universtät Hamburg (Hamburg, 1993).

[167]   Pacifism remained a minority view within the SPD, see Buczylowski, *Kurt Schumacher und die deutsche Frage*, pp. 50-61.

[168]   Dormann, *Demokratische Militärpolitik*, p. 167.

the perceived threat of a Soviet invasion, especially after the onset of the Korean War, Adenauer saw rearmament *primarily* as an instrument of foreign policy:

> "Drei Faktoren waren es, die meine Haltung in der Frage der Wiederbewaffnung Deutschlands beeinflußten: 1. die Erlangung der Souveränität als Folge der Wiederaufrüstung, 2. Sicherheit gegenüber der Aufrüstung der Sowjetzone durch Sowjetrußland, 3. die Herbeiführung einer europäischen Föderation."[169]

One could interpret this approach as *seeking national rehabilitation through partnership*, by essentially accepting that reservations existed among the Western partners, that these were perhaps legitimate in view of past behaviour, and that these could only be gradually disproved through patient and reliable collaboration. This approach is based on the assumption of reciprocating rights and duties: "Bei neuen Pflichten auch entsprechende Rechte."[170] But it is not presented to the Western partners in whose community the Federal Republic wants to be accepted as an explicit contractual *quid pro quo*: "sein Angebot deutscher Soldaten [ist] zunächst an keinerlei Bedingungen geknüpft. Den — auch von ihm selbst später — vielzitierten Kausalzusammenhang: durch Wiederbewaffnung Wiedergewinnung der Souveränität, gibt es zunächst nicht."[171] This policy started from the assumption that the division of Germany had been caused by earlier Soviet decisions and was irreversible, thereby placing Western integration as a realistic and pragmatic policy well above the elusive goal of national unification;[172] calling into doubt the sincerity of the belief in the avowed strategy of "unity through strength."[173] Given the overall success of the political structure so created, some have addressed the myth of Adenauer's commitment to unification from a different angle:

> "Möglicherweise war er gerade deshalb ein deutscher Patriot, weil sein Vertrauen in die politische Lernfähigkeit der Deutschen nicht sonderlich groß war und er daher dieses Volk vor der Wiederherstellung eines einheitlichen deutschen Nationalstaats mit all den damit verbundenen Gefahren bewahren wollte. Dann ist es allerdings an der Zeit, den Mythos von der Wiedervereinigung Deutschlands als dem obersten Ziel oder auch nur dem Ziel des ersten Kanzlers der Bundesrepublik zu zerstören."[174]

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[169]   Adenauer, *Erinnerungen 1945 - 1953*, p. 345.

[170]   Adenauer, *Erinnerungen 1945 - 1953*, p. 359.

[171]   Steininger, *Wiederbewaffnung*, p. 391.

[172]   See Adenauer's statement above fn. 147.

[173]   Dormann, *Demokratische Militärpolitik*, pp. 185-92. See also above fn. 163.

[174]   Josef Foschepoth, "Westintegration statt Wiedervereinigung: Adenauers Deutschlandpolitik 1949-1955," in: *Adenauer und die Deutsche Frage*, ed. by Josef Foschepoth (Göttingen: Vandenhoeck & Ruprecht, 1988), p. 30.

Fears of a unified Germany persisted until well into the 1990s, both inside[175] and outside.[176] The importance of the domestic debate lies in the *implementation* of a policy largely imposed by outside forces, i.e. the particular shape the new armed forces took.[177]

c. THE COMPROMISE OF A NEW MODEL ARMY

The slogan propagated by the first minister of defence Theodor Blank that "a democracy can only be defended by democrats," points to the determination to achieve a congruence between internal military structure and participatory form of government. The military constitution (*Wehrverfassung*) had to reflect as much as possible the pluralistic, open society it was asked to defend.[178] These positions were vigorously opposed as "erroneous" and rendering the army effeminate[179] — views that persisted until the 1980s[180] and were resurrected in the late 1990s with under the impact of growing numbers of external field missions[181] that supposedly require the resurrection of older military virtues.[182]

The particular legal, organisational, and disciplinary form the Bundeswehr developed was a deliberate response to strong societal opposition to rearmament. This opposition stemmed not only from the easily understandable war-weariness of a defeated population, but from the widespread belief that the historical impact of the military on the nation had been uniformly negative:

> "It can be argued that modern German history was a prolonged constitutional struggle between conservative and liberal forces, it was clear that in the critical

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[175] Michael Schäfer, *Die Vereinigungsdebatte. Deutsche Intellektuelle und deutsches Selbstverständnis 1989-1996* (Baden-schBaden: Nomos, 2002).

[176] Schoenbaum and Pond, *The German question and other German questions*, pp. 43-45; Heydemann, "Die britisch-deutschen Beziehungen und das Deutschlandbild Großbritanniens zwischen Margaret Thatcher und Tony Blair - Eine kritische Rückblende."; Gordon Alexander Craig, "Die Chequers-Affäre von 1990. Beobachtungen zum Thema Presse und internationale Beziehungen," *Vierteljahreshefte für Zeitgeschichte,* Vol. 39 (1991): 611-23.

[177] A contemporary view of this outcome is presented in Heydte, *Der deutsche Soldat in der Armee von morgen. Wehrverfassung, Wehrsystem, Inneres Gefüge.*

[178] Wolf Graf von Baudissin, *Soldat für den Frieden. Entwürfe für eine zeitgemässe Bundeswehr* (München: Piper, 1969), pp. 115-88.

[179] For a representative contemporary view see Werner Picht, *Wiederbewaffnung* (Pfullingen: Günther Neske, 1954), p. 91 ff.

[180] Bald, *Die Bundeswehr: Eine kritische Geschichte, 1955-2005*, pp. 114-19.

[181] Bald, *Die Bundeswehr: Eine kritische Geschichte, 1955-2005*, pp. 184-90.

[182] The prominent weekly journal *Der Spiegel* asked pointedly in the context of greater peacekeeping and peaceenforcing demands on its second November 2006 cover "Do Germans have to learn to kill again?"

moments in that process, it was the army that played the decisive role, throwing its weight in every instance against the cause of popular sovereignty."[183]

In response to these concerns the structure chosen for the new military constituted a drastic and conscious departure from the traditional model, a departure particularly pronounced in three respects: the relationship of the new army to a wider alliance, to parliament, and to society.

aa. Bündnisarmee

The new army was deliberately and exclusively designed to function as an alliance army, responding in part to the political dictates of a still-occupied country, but also in response to wider structural changes in the nature of war. The global, increasingly ideological confrontation between two (and only two) camps, the unprecedented rapidity of technological change and quick obsolescence of weaponry, and above all the nuclear revolution which necessitated the strategic shift to deterrence and thus the avoidance of war, made the traditional view of waging war in the pursuit of narrowly defined national interests not only impractical, but outright suicidal.[184]

bb. Parlamentsarmee

The Basic Law that formed the constitutional basis of the new state had been drawn up in a sort of historical dialogue with earlier democratic traditions, particularly its ill-fated direct predecessor, the Weimar *Reichsverfassung* of 1919. One of its most important shortcomings had been the weak position of parliament as opposed to the presidential executive. The Basic Law breaks with this precedent by making the government answerable to parliament alone, giving it sweeping control functions. Unlike the Reichswehr which had been answerable only to the President and stood largely outside the process of political control, parliament was determined to ensure it would maintain complete control over the new army, encompassing beyond its natural budgetary prerogative far-reaching operational executive oversight. In this sense the new army was

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[183]   Craig, *The Germans*, p. 238.

[184]   See the two articles "Das Kriegsbild (1962)" and "Gedanken zum Kriegsbild (1964)" in Baudissin, *Soldat für den Frieden*, pp. 53-76.

deliberately and explicitly planned as a *Parlamentsheer*, an intention reflected in its organisational structure and jealously guarded ever since.[185]

cc. Bürgerarmee

Apart from ensuring civilian control through parliament, army reform was aimed at integrating the military as much as possible into society by reducing the historical dichotomy between the military and civilian spheres of life. The guiding principle was summed up in the paradigm of the "citizen in uniform" whose constitutional rights and freedoms would be upheld to the fullest extent possible also during military service.[186] Partly, this was the implementation of a particular vision of civil-military relations that considered the pronounced historical gap between the military and civilian society in normative outlook, social composition, lifestyle, and applicable legal regime as a significant contributing factor to domestic repression and external aggression.[187]

But partly it was also the implementation of the general constitutional principle of the rule of law (*Rechtsstaatlichkeit*), i.e. that *all* state activity had to be regulated by universal and equally applicable, general laws.[188] This principle leaves little room for the type of separate legal regime that had historically been a hallmark of the Prussian-German military tradition and the extraordinary privileges enjoyed by its officer corps. Moreover, the requirement that all state activity, including military service, must have its basis in law was seen as a necessary impediment to the kind of unprincipled abuse of power that had characterised internal discipline and conduct of the army during World War II.[189]

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[185]   Dieter Wiefelspütz, *Das Parlamentsheer. Der Einsatz bewaffneter deutscher Streitkräfte im Ausland, der konstitutive Parlamentsvorbehalt und das Parlamentsbeteiligungsgesetz* (Berlin: Berliner Wissenschafts Verlag, 2005).

[186]   Detlef Bald, "Reform des Militärs in der Ära Adenauer," *Geschichte und Gesellschaft / Grundgesetz*, Vol. 28, No. 2 (2002), p. 218 ff.

[187]   See the general discussion above p. 67 ff. and 92 ff.

[188]   Michael Moerchel, "50 Jahre Himmeroder Denkschrift: Grundlegend Neues geschaffen", *Informationen für die Truppe,* 2000, http://www.ifdt.de/0010/Artikel/moerchel.htm, accessed on: 26 May 2006.

[189]   Alfred Hanik, *Wehrrecht*, Schaeffers Grundriß des Rechts und der Wirtschaft, Abteilung II: Öffentliches Recht (Stuttgart: Kohlhammer, 1980); Hans-Günther Schwenck, *Rechstordnung und Bundeswehr*, Die Bundeswehr - Eine Gesamtdarstellung, Band 4 (Regensburg: Walhalla und Praetoria Verlag, 1978).

This chapter has stressed that the externally imposed decision to rearm came about as the result of the material character of an international structure rapidly hardening into the bipolar confrontation of the Cold War. These structural necessities ran counter strong objections to German rearmament. Domestically, strong societal normative resistance resulted in a foundational bargain that significantly affected the strategic, institutional, and organisational character of the new armed forces. In other words, material factors can explain *why* Germany was rearmed after 1945, but only ideational factors can explain *how* this decision was implemented. These normative considerations about the character of the new armed forces stipulated its particular organisational form as an integrated part of an international alliance, subjected to firm parliamentary control, and manned by an empowered citizenry. The next chapter provides a more extensive elaboration of the implementation of these three general qualities.

VIII. CHARACTERISTICS OF THE NEW ARMY

The division of the country brought about very different civil-military relations in the two German states. Defining itself in sharp opposition to the Nazi state and as the legitimate successor of the progressive element in German history, East Germany saw in its commitment to communism a sufficiently strong differentiation from the Nazi past. Viewing Prussian-German militarism primarily as a result of class conflict, and building strongly on Soviet models, it placed great emphasis on the social composition of the officer corps from appropriate, primarily working-class backgrounds. Coupled with significant social benefits and extensive political indoctrination, the aim was to create a large congruity of interests and thus loyalty between the officer corps and the new state.[1] The organisational structure and internal discipline of the *Volksarmee* followed a traditional model based on corporate professionalism.

West Germany, in contrast, with its much more fluid relationship with the Nazi past lacked the moral certainty offered by communist ideology and furthermore faced the challenge of a reasonably open society having to deal with vocal opposition to military affairs. The combination of domestic opposition and Western ambivalence ruled out a simple return to traditional models of military organisation and discipline. The new military establishment was thus subjected to a series of international control measures, discussed in the first part, as well as domestic instruments aimed at ensuring civilian control, dealt with in part two. Part three then deals with its novel internal structure.

1. MULTILATERAL INTEGRATION

It is difficult to overstate the importance of international control for the development of post-war civil-military relations in Germany. The structural need to utilise the German military potential coincided with a deep-seated fear of Germany among her neighbours — a fear just barely overcome by the even bigger fear of the new superpower to the East.

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[1]   Herspring and Volgyes, *Civil-Military Relations in Communist Systems*; Perlmutter, "Civil - Military Relations in Socialist, Authoritarian and Praetorian States: Prospects and Retrospects."; Herspring, "Samuel Huntington and Communist Civil-Military Relations."

The transformation of Germany from chief enemy to new-found ally[2] was a very tortuous step for its continental neighbours, particularly France. The resulting shape of the alliance was therefore characterised at least as much by an emphasis on *containing German power* as it was by balancing the Soviet Union.[3] With the demise of the Soviet threat and the unification of Germany a vigorous debate ensued about the relative importance of these two aspects. Realist proponents pointed to the structural basis of alliances as exclusively determined by the requirements of the balance of power;[4] with the demise of the Soviet threat an alliance set up to counter it would loose its raison d'être and disintegrate.[5] The inevitable restrictions on national freedom of action would be unsustainable once the unifying aspect of an external threat had disappeared.[6] Others pointed out that the Western alliance had always served a dual purpose, deterring the Soviet Union but also containing Germany, an aspect that increased in importance after 1989-90, making a return to re-nationalised security undesirable.[7]

The open trading system that was envisaged in the post-war period depended on the solution of the relative gains problem to make it viable against possible alternatives such as socialism or protectionist mercantilism.[8] The perceived complementarity between the United States and its partners was reinforced by American efforts to create international regimes[9] to "provide specific benefits to its partners as well as reduce uncertainty and otherwise encourage cooperation."[10] Creating a military regime that would dampen the security dilemma to make the partners amenable to cooperation in other fields was a major plank in the American post-war strategy. In this sense the foundational NSC-68 speaks of the efforts at Western alliance building as "… a policy which we would

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2   For an exploration of the absence of normative consideration in classical alliance thinking see Walt, *The Origins of Alliances.*

3   See above p. 121 ff. and 261 ff.

4   Stephen M. Walt, "Alliance Formation and the Balance of World Power," *International Security,* Vol. 9, No. 4 (1985): 3-43.

5   Stephen M. Walt, "Why Alliances Endure or Collapse," *Survival,* Vol. 39, No. 1 (1997): 156-79.

6   Mearsheimer, "Back to the Future: Instability in Europe After the Cold War."

7   Hoffmann*, et al,* "Correspondence - Back to the Future, Part II: International Relations Theory and Post-Cold War Europe."

8   Block, *The Origins of International Economic Disorder.*

9   Defined by Ruggie as "a set of mutual expectations, rules and regulations, plans, organisational energies and financial commitments, which have been accepted by a group of states," Ruggie, "International Responses to Technology: Concepts and Trends," p. 570; see also Krasner, *International Regimes.*

10   Keohane, *After Hegemony*, p. 137.

probably pursue even if there was no Soviet threat."[11] Under the shield of its military strength, the United States permitted the construction of a global liberal capitalist political economy based on multilateral principles embodying rules that the United States approved and which were shared by most of its partners. Its military strength was obviously important to deter a possible aggression by the Soviet bloc, but equally important was the *internal* element[12] of assuring the partners about themselves.

a. SOLVING THE STRUCTURAL DILEMMA

Throughout the war and continuing in the immediate post-war period, Allied thinking on the dilemma of a sustainable post-war peace with Germany had been dominated by a punitive approach aimed at ensuring long-term security *from* Germany by reducing its industrial and organisational ability to wage war. This approach underestimated the degree of interdependence of the economies of Europe which meant that the negative repercussions of punitive sanctions imposed on Germany could not easily be contained in their effects. The punitive approach of JCS 1067 was thus relatively quickly discarded in favour of the pragmatic, reconstruction-oriented thinking of JCS 1779.[13] The dilemma of containing German power thus existed independent of the existence of a Soviet threat. The necessity to accommodate and contain German power within the Western institutional structure survived the demise of the Soviet Union and largely accounts for the longevity of the system well beyond unification.[14] The institutional system created in the West in the aftermath of the war served to deter Soviet aggression, but it

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[11]   National Security Council planning guide *NSC 68: Unites States Objectives and Programs for National Security*, [14 April 1950], cited in Schwarz, "'Cold War' Continuities - US Economic and Security Strategy Towards Europe," p. 88. The document is reprinted in May, *American Cold War Strategy*, pp. 23-82, at 41.

[12]   Hampton, "NATO at the Creation."; Schwarz, "'Cold War' Continuities - US Economic and Security Strategy Towards Europe," p. 88; Ikenberry, "Creating Yesterday's New World Order: Keynesian 'New Thinking' and the Anglo-American Postwar Settlement."; John Ikenberry and Charles A. Kupchan, "Socialisation and Hegemonic Power," *International Security,* Vol. 44, No. 3 (1990): 283-316.

[13]   McCreedy, "Planning the Peace: Operation Eclipse and the Occupation of Germany."; Oliver J. Frederiksen, *The American Military Occupation of Germany, 1945-1953* (Frankfurt am Main: Headquarters, Unites States Army, Europe: Historican Division, 1953); Hajo Holborn, *American Military Government: Its Organization and Policies* (Washington, D.C.: Infantry Journal Press, 1947); U.S. Army, *Planning for the Occupation of Germany*, Occupation Forces in Europe Series, 1945-1946 (Frankfurt am Main: Office of the Chief Historian, European Command, 1947). See also above p. 230-239.

[14]   See above p. 119.

simultaneously served to alleviate the security dilemma[15] *within the Western community* permitting to focus on *relative* rather than *absolute* economic gains.[16]

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aa. The 'German Question'

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Due to its relative size and geographic location, Germany has historically been both vulnerable and preponderant. Its aspiration for national unity, while in itself quite legitimate, was perceived by its neighbours to be unacceptably dangerous, a situation not helped by the idiosyncrasies of its domestic policies.[17] Its complete disarmament finally made possible as a result of World War II seemed the only safe answer to this structural problem, with the de facto dismemberment gratefully accepted as added insurance.

The necessity to rearm West Germany conjured historical fears, compounded by new fears that it might be tempted to reverse the division of the country by violent means. The Western military structure created primarily to counter the perceived Soviet threat, therefore had to simultaneously neutralise a potential German aggression against its Western neighbours. An equally crucial concern was placing German military decision-making under complete alliance control to prevent an aggressive pursuit of reunification, especially pronounced in the question of German access to nuclear weapons. The crisis following the building of the Wall on 13 August 1961 underlined the saliency of these concerns, as German civilian and military decision-makers were pushing very hard for a military response, including tactical nuclear strikes against Soviet targets, an episode that Bald considers:

> "ein Musterbeispiel dafür, wie die Alliierten deutscher Macht Grenzen setzten. … Die deutschen Ansprüche, einen Einsatz der Bundeswehr oder gar der Atomwaffen maßgeblich initiieren zu können, scheiterten jedoch auf der ganzen Linie. Das Vertragssystem von 1955 erwies aus Washingtoner Sicht seine Handhabbarkeit und Zuverlässigkeit, die Bonner Republik in Schranken zu halten. Dies verhinderte 1961 einen Krieg."[18]

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[15]   Jervis, "Cooperation under the Security Dilemma."

[16]   Powell, "Absolute and Relative Gains in International Relations Theory."; Snidal, "Relative Gains and the Pattern of International Cooperation."

[17]   Ninkovich, *Germany and the United States: The Transformation of the German Question Since 1945*; Geiss, *The Question of German Unification: 1806-1996*; Verheyen, *The German Question: A Cultural, Historical, and Geopolitical Exploration*; Wolff, *The German Question Since 1919: An Analysis With Key Documents*.

[18]   Bald, *Die Bundeswehr: Eine kritische Geschichte, 1955-2005*, pp. 59-60, 48-60.

This and other episodes illustrate the loss of relative importance of all major powers vis-à-vis their respective superpower patron. Precisely this ability to keep satellites in line was one of the sources of bipolar stability preventing relatively insignificant local conflict from snowballing into global war.[19] But calling Germans to order in 1961 was no different from calling France and Britain to order in 1956 over Suez. The logic of nuclear stability and bipolar competition imposed significant constraints on the freedom of choice of secondary powers,[20] but it did not single out Germany for particularly onerous restrictions. Instead the Western alliance was formally based on equality, reflected in burden sharing, decision-making, and command structure.[21] To be sure, some alliance members, notably France, saw the intrinsic predominance of the United States as *primus inter pares* for reasons of both prestige and security unacceptable.[22] But for Germany the arrangement had the invaluable advantage of providing a regime which addressed concerns about its relative predominance within the context of formal equality. While certain peculiarities such as Four Power prerogatives continued to exist, the deliberate non-discrimination that characterised the Western institutional structure created between 1950 and 1955 proved the most enduring aspect of Germany's *containment through integration.*

cc. NATO's Dual Role

Given the failure of the settlement after World War I and the dire economic prospects of Western Europe after 1945 some have argued that the United States pursued essentially an "economically-driven Cold War policy" aimed at the establishment of an open global market, where the dominant US economy "would benefit enormously, but the rest of the

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[19]   Arguing for the superior stability of bipolar over multipolar systems is Gaddis, "The Long Peace," pp. 7-12; Waltz, *Theory of International Politics*, pp. 73-78; Gilpin, *War and Change in World Politics*, pp. 85-88.

[20]   Dormann, *Demokratische Militärpolitik*, pp. 63-71; Raymond Aron, *Einführung in die Atomstrategie. Die atlantische Kontroverse* (Köln and Berlin: 1964).

[21]   Johannes Gerber, *Die Bundeswehr in der NATO*, Die Bundeswehr - Eine Gesamtdarstellung, Band 2 (Regensburg: Walhalla und Praetoria Verlag, 1977).

[22]   Philip H. Gordon, *A Certain Idea of France: French Security Policy and the Gaullist Legacy* (Princeton, N.J.: Princeton University Press, 1993); Anand Menon, "From Independence to Cooperation: France, NATO and European Security," *International Affairs (Royal Institute of International Affairs 1944-),* Vol. 71, No. 1 (1995): 19-34; Anand Menon, *France, NATO and the Limits of Independence, 1981-97: The Politics of Ambivalence* (London: Macmillan Press, 2000).

world would benefit as well."[23] The establishment of the Western alliance can thus be seen as performing a *dual* role: the obvious *external* one of organising collective defence, and the less conspicuous *internal* task of containing and reassuring members about *each other*. Domestic economic interests and the political preference for institutionalised internationalism in the United States as the dominant power called for the establishment of a security community in the West, not merely an alliance. These socio-economic considerations preceded the emergence of the Soviet threat, and survived its demise.

Robert Art lists three ways in which American overseas military presence facilitated economic openness through the provision of security. First, it provided political stability and, hence, stable expectations and psychological reassurance: "[t]he prime reason NATO was formed was psychological, not military;" second, it dampened concerns about Germany and Japan, and thereby allowed their economic reconstruction and subsequent socio-economic integration by dampening concerns about relative economic growth and the vulnerabilities inherent in interdependence; and third, the sense of allied military solidarity had "spill-over effects" on allied economic and political relations.[24]

The transformation of the US economy from an essentially domestic, towards a global orientation in 1930-45, coincides with the change in political thinking among her elite. The historical learning from the failure of the Versailles settlement together with the belief of American decision-makers in the vital importance of economic links with Europe created the impetus for the post-war community-building effort.[25] These links continue to be important.[26]

b. FOREIGN TROOP PRESENCE

The belligerent occupation of Germany necessarily involved the stationing of large numbers of Allied troops, but was initially not envisaged as a permanent feature of European security policy. Particularly the continued presence of American troops was

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[23]   Schwarz, "'Cold War' Continuities - US Economic and Security Strategy Towards Europe," p. 85.

[24]   Robert J. Art, "Defensible Defence – America's Grand Strategy After the Cold War," *International Security,* Vol. 15, No. 4 (1991), pp. 33-34.

[25]   Hampton, "NATO at the Creation."; Schwarz, "'Cold War' Continuities - US Economic and Security Strategy Towards Europe."; Ikenberry, "Creating Yesterday's New World Order: Keynesian 'New Thinking' and the Anglo-American Postwar Settlement."

[26]   Van Evera, "Why Europe Matters, Why the Third World Doesn't: American Grand Strategy After the Cold War," pp. 2-12.

considered to be quite unlikely at the time, leading to the British insistence on a French occupation zone to hedge against the possibility of an American withdrawal. The somewhat abrupt nature of the redefinition of Western occupation troops into forwardly deployed alliance partners has sometimes masked the nature of West German substantial agreement with the presence of foreign troops. Very early on they were perceived to fulfil two crucial tasks, both of which the German body politic has never seriously questioned.[27]

aa. Trip Wire

As the wartime consensus among the Four Powers began to be superseded by the bipolar confrontation, the character of the Western occupation troops changed in German perception, particularly after the Berlin Blockade and most definitely after the onset of the Korean War. Initially, there was reasonable assurance that the Western Allies, most notably the United States, would resolutely oppose any potential Soviet aggression.

Before the creation of West German troops there was, however, the fear that such a self-interested defence would entail the initial withdrawal to the Rhine in order to regroup and await sufficient reinforcements from overseas. As this would have equated the destruction of West Germany, one of the chief objectives of the Federal Republic during the negotiations on rearmament was an unequivocal undertaking to the forward defence of Germany, including the deployment of sizeable numbers of alliance troops on its territory.[28]

Foreign troops, particularly American ones, serve two purposes: they enable the mounting of a credible tactical defence in case of an attack, but more importantly they would present unavoidable targets likely to trigger strategic nuclear retaliation. NATO nuclear doctrine until the Cuban Missile Crisis was based on "massive retaliation" which stipulated that *any* Soviet aggression *anywhere* would be answered by direct retaliation on the Soviet homeland. The Cuban Crisis had shown that threatening nuclear Armageddon

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[27]   By contrast, the assumption of a deep seated rejection of foreign troop presence on German soil is the starting point of Mearsheimer's gloomy prediction. Mearsheimer, "Back to the Future: Instability in Europe After the Cold War," pp. 141, fn. 1.

[28]   William R. Gates and Katsuaki L. Terasawa, "Commitment, Threat Perceptions, and Expenditures in a Defense Alliance," *International Studies Quarterly,* Vol. 36, No. 1 (1992): 101-18; Keith Hartley and Todd Sandler, "NATO Burden-Sharing: Past and Future," *Journal of Peace Research,* Vol. 36, No. 6 (1999): 665-80.

was a bluff waiting to be called by the enemy; its inherent dangers and unreliability led to the development of "flexible response" stipulating a tit-for-tat ladder of gradual escalation.[29]

For France, and equally so for all other Western European states there were thus large doubts about the credibility of the American commitment to adequately respond to an attack in Europe if this risked the destruction of major US cities.[30] The most likely and rational course of action would have resulted in the destruction of Western and Central Europe followed by a mutual superpower retrenchment. The German drive for national access to nuclear weapons was seen as an adequate response to this predicament by re-establishing the credibility of the nuclear deterrent. As such control proved unacceptable for the alliance, the forward deployment of large numbers of American troops with adequate command pre-authorisation for (tactical) nuclear response was seen as an adequate substitute to ensure the credibility of the alliance commitment.[31]

bb. Early Warning

A subsidiary element of the presence of foreign troops in Germany was to provide *structural* reassurance about German intentions and capabilities with respect to a potential reversal to an aggressive foreign policy.[32] Attesting to persistent suspicions about the nature of the German polity, if not of its national character, the perceived necessity of a foreign "police presence"[33] was not something that the alliance touted prominently, but it

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[29] For a general discussion of Western nuclear strategy see Lawson and Kunsman, *A Primer on U.S. Strategic Nuclear Policy*; see also Afsah, "Creed, Cabal, or Conspiracy - The Origins of the current Neo-Conservative Revolution in US Strategic Thinking."

[30] On the French military strategy see Dormann, *Demokratische Militärpolitik*, pp. 231-39.

[31] On the German military strategy see Julian Lider, *Origins and Development of West German Military Thought, Volume 1: 1949-1966*, Swedish Studies in International Relations, Vol. 16 (Aldershot, UK: Gower / Swedish Institute of International Affairs, 1986), pp. 319-62; Julian Lider, *Origins and Development of West German Military Thought, Volume 2: 1966-1986*, Swedish Studies in International Relations, Vol. 21 (Aldershot, UK: Gower / Swedish Institute of International Affairs, 1986), pp. 294-372.

[32] John S. Duffield, "NATO's Functions after the Cold War," *Political Science Quarterly*, Vol. 109, No. 5 (1994): 763-87; Alister John Miskimmon, "Recasting the Security Bargains: Germany, European Security Policy and the Transatlantic Relationship," *German Politics*, Vol. 10, No. 1 (2001): 83 - 106; Jenonne Walker, "Keeping America in Europe," *Foreign Policy* 83 (1991): 128-42.

[33] Van Evera, "Primed for Peace," p. 194; page references concern the reprint in Lynn-Jones and Miller, *Cold War and After*.

was tacitly understood by both Germany and its neighbours that the presence of American troops significant reassured her Western neighbours.[34]

This element of providing structural assurance to potentially threatened neighbours was stressed by German decision-makers during and after unification.[35] Continued American military presence[36] in Europe acts as a reassurance against the possibility, however remote, of continental hegemonic ambitions by Germany which being interested in reassuring its partners actually supports such a presence.[37]

c. STRUCTURAL REASSURANCE

The European integration project cannot be reduced to a *mere* normative project; to be sure it was fuelled by normative ideals, and a *visionary* project was clearly its motor. But it also took great pains in ensuring that a replay of the belligerent past would be *materially impossible*. The creation of the European Coal and Steel Community, NATO's integrated command and control structure, the creation of multinational units whenever vital technology is involved (AWACS, integrated air defence, etc.) have as their aim not so much the pursuit of economies of scale, and attendant efficiency gains, but are mainly aimed at taking the crucial elements of warfare away from national control. It is thus no longer necessary to rely *solely* on the goodwill and the continued cooperative behaviour of one's neighbour, because the unilateral means for warfare simply no longer exist. The Schuman Declaration of 9 May 1950 is quite explicit in this respect, proclaiming that this "solidarity … will make it plain that any war between France and the Federal Republic of Germany becomes, *not merely unthinkable, but materially impossible…*"[38]

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[34]   Lloyd J. Matthews (ed), *The Future of the American Military Presence in Europe* (Carlisle, Penn.: US Army War College, Strategic Studies Institute, 2000); P. Midford, "The Logic of Reassurance and Japan's Grand Strategy," *Security Studies,* Vol. 11, No. 3 (2002): 1 - 43; Joseph S. Nye, Jr, "The "Nye" Report: Six Years Later," *International Relations of the Asia-Pacific,* Vol. 1, No. 1 (2001): 95-103; Joffe, "Europe's American Pacifier."

[35]   John S Duffield, *World Power Forsaken: Political Culture, International Institutions, and German Security Policy After Unification* (Stanford, Calif: Stanford University Press, 1998); Duffield, "Political Culture and State Behavior: Why Germany Confounds Neorealism."

[36] A point often forgotten in this respect is the *de facto* US subsidy for European defence, estimated at around $90 bn a year and the importance of the US nuclear deterrence which could not easily be replicated in Europe, see Ted Carpenter, "Conflicting Agendas and the Future of NATO", in *Future, op. cit,* p. 152, and David Garnham, 'Ending Europe's Security Dependence', *ibidem*, pp. 125-142.

[37]   America as balancer is discussed in Van Evera, "Primed for Peace," pp. 16-17., refuting Mearsheimer's view that this continuation would be unacceptable to the Germans, in Mearsheimer, "Back to the Future: Instability in Europe After the Cold War," pp. 5-6; see also Joffe, "Europe's American Pacifier."

[38]   Quoted in Weiler, "Ideals and Idolatry in the European Construct," pp. 57, emphasis added.

In its most basic meaning the European integration project is an attempt at solving the security dilemma by shifting war-enabling assets from national to multilateral control. The necessity to permit the economic reconstruction of Germany entailed the risk that it would thereby quickly re-acquire the means to pursue aggressive national policies. By controlling the most important 'dual use' assets of the time — coal and steel, and later atomic energy — crucial for both war and economic reconstruction, a number of key components of the security dilemma were addressed.[39] By requiring joint decision-making and transparent information sharing, concerns about relative intentions and capabilities were alleviated. Furthermore, as envisaged by the European Defence Community (EDC) and largely implemented in the integrated NATO structure, crucial military assets would be either jointly manned or dependent on partial input from different national armies.[40] This approach permitted economies of scale and synergies by pooling resources, thus streamlining procedures, avoiding costly parallel structures, and substantially reduced the capabilities for an attack among members.[41] This arrangement made it virtually impossible for any one member state to use its resources against any other, as large parts of the national army would be physically inoperable without alliance input.

The unanimity principle in decision-making thus effectively prevented the potential victimisation of any one member state even by a majority of the others,[42] deemed initially necessary to make the transfer of important sovereign functions to a supranational body easier.[43] It was the most visible symbol of the legal principle of formal equality between highly uneven member states. Common planning and decision-making created mutual assurance about each other's intentions and capabilities through *transparency* of national strategic planning. These common procedures, backed by the effective veto of the unanimity principle, furthermore permitted limited functional specialisation among the

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[39] Glenn H. Snyder, "The Security Dilemma in Alliance Politics," *World Politics,* Vol. 36, No. 4 (1984): 461-95.

[40] Charles Barry, "NATO's Combined Joint Task Forces in Theory and Practice," *Survival,* Vol. 38, No. 1 (1996): 81-97.

[41] Todd M. Sandler and Keith Hartley, *The Political Economy of NATO: Past, Present, and into the 21st Century* (Cambridge, UK: Cambridge University Press, 1999); Hartley and Sandler, "NATO Burden-Sharing: Past and Future."

[42] Wilfrid L. Kohl, "Nuclear Sharing in Nato and the Multilateral Force," *Political Science Quarterly,* Vol. 80, No. 1 (1965): 88-109.

[43] As the principle of supranational decision-making has gradually become more firmly entrenched and as subject matters have increasingly grown more complex there has been a shift away from the unwieldy unanimity principle towards qualified majority voting, at least within the European Union, not in NATO where it remains the norm. See also Jan-Erik Lane and Mikko Mattila, "Why Unanimity in the Council? A Roll Call Analysis of Council Voting," *European Union Politics,* Vol. 2, No. 1 (2001): 31-52; Heiner Schulz and Thomas König, "Institutional Reform and Decision-Making Efficiency in the European Union," *American Journal of Political Science,* Vol. 44, No. 4 (2000): 653–66; M. Hosli, "Coalitions and Power: Effects of Qualified Majority Voting on the Council of the European Union," *Journal of Common Market Studies,* Vol. 34, No. 2 (1996): 255-74.

participating armed forces. It thus allowed to deny German access to nuclear weaponry without the need to openly discriminate against Germany, because the American nuclear 'umbrella' is provided for the benefit of the entire alliance.[44]

d. COGNITIVE ELEMENT

Without the material elements thus outlined military, political, and economic integration would have been impossible. But there is likewise an important ideational element in the gradual development of interdependence and institutionalisation between states, believed to lead to the regulated pursuit of individual self-interest within th framework of universally accepted rules and routine procedures. The functional logic of inter-agency collaboration[45] would gradually replace competitive security relations: "Long term expectations of political co-operation among members would replace the short term strategic calculations typical of traditional military alliances", and the resulting "shared political culture would then shape each member's policy choices on a wide range of issues differently than would happen in a traditional defence pact."[46]

aa. Individual Socialisation

The particular character of the Western institutional structure created a strong socialising environment for military and civilian staff alike. Through supra-national epistemic communities, and integrated international bureaucracies individuals are quickly socialised into a 'corporate culture' which places organisational and community interests above narrow national ones.[47] Accompanied by individual material and professional incentives, the institution creates a structure which places the individual into "a process of learning in which norms and ideals are transmitted from one party to another."[48] This aims at overcoming historical animosities, mistrust, and misperceptions through sharing common

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[44]   Art, "Defensible Defence – America's Grand Strategy After the Cold War," pp. 28-30.

[45]   Mitrany, "The Prospect of Integration: Federal or Functional?"; Mitrany, *A Working Peace System*; Mitrany, *The Functional Theory of Politics*.

[46]   Hampton, "NATO at the Creation," p. 615.

[47]   See the special issue on Epistemic Communities of *International Organization* Adler and Haas, "Conclusions: Epistemic Communities, World Order, and the Creation of a Reflective Research Program."; Emanuel Adler, *Communitarian International Relations: The Epistemic Foundations of International Relations* (London: Routledge, 2005); Hugh T. Miller and Charles J. Fox, "The Epistemic Community," *Administration & Society,* Vol. 32, No. 6 (2001): 668-85.

[48]   Ikenberry and Kupchan, "Socialisation and Hegemonic Power."

values and processes, and preventing isolationist and praetorian tendencies within the armed forces. While important with respect to any institution, this individual aspect is particularly relevant for military officers who are thereby not only confronted with internationalist views and norms of good administrative practice, including civilian control, but are furthermore more likely to have parochial nationalist views challenged, acting as a powerful restraint on the development of nationalist misperceptions and miscalculations that often form the basis of aggressive policies.[49]

bb. Institutional Socialisation

Supranational institutions are often able to exploit the national desire to benefit from membership to impose stringent accession requirements.[50] With respect to military policy, norms of civilian control, the inviolability of existing political borders, norms of human rights and humanitarian law, etc. have been important elements of both the EU accession conditions (Copenhagen Criteria) as well as NATO's Partnership for Peace.[51] The 'anticipatory adaptation' of Western norms has been justly underlined as one of the success stories of the stabilisation of Central and Eastern Europe after 1989,[52] but it is important to point out that it is a policy that had previously been equally successfully employed with respect to post-fascist Germany,[53] Italy and Spain,[54] and post-dictatorship Greece,[55] Portugal,[56] and Turkey.[57] An often overlooked aspect of supranational integration lies in the support such international structures can provide the individual member state in replacing problematic national institutional models with less conflict-prone systems of civil-military relations. This type of community-provided help proved

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[49]   Van Evera, *Why States believe Foolish Ideas.*

[50]   Centre for Foreign Policy Development at Brown University, *Security in Europe Project: Final Report*, p. 43; discussed in Dunay*, et al, New Forms of Security: Views from Central, Eastern & Western Europe*, p. 45.

[51]   Danopoulos and Zirker, *The Military and Society in the Former Eastern Bloc*; Michta, *The Soldier-citizen: The Politics of the Polish Army After Communism*; Glaser, "Why NATO is Still Best - Future Security Arrangements for Europe."; Risse-Kappen, "Collective Identity in a Democratic Community."

[52]   Brzezinski, "Post-Communist Nationalism."; Larrabee, "Long Memories and Short Fuses."

[53]   Craig, *The Politics of the Prussian Army*; Günther, "50 Jahre Bundeswehr: Die Erfolgsgeschichte der Remilitarisierung."; Hampton, "NATO at the Creation." See also the further discussion below pp. 121 ff, and 259-271.

[54]   Agüero, *Soldiers, Civilians, and Democracy: Post-franco Spain in Comparative Perspective.*

[55]   These countries enjoyed NATO membership as a result of the intense Cold War confrontation without too many qualms about the form of their government. For them only EU membership had the described democratising effect which included civilian control over the military. Danopoulos, *Warriors and Politicians in Modern Greece.*

[56]   Crollen, *Portugal, the U.S. and NATO*; Danopoulos, *The Decline of Military Regimes: The Civilian Influence.*

[57]   Hakan Yavuz, "Turkey's Fault Lines and the Crisis of Kemalism."

invaluable in the creation of democratic structures after the creation of the Bundeswehr in 1955.[58]

2. CIVILIAN CONTROL

While the victors on both sides had already began thinking about the potential use of German military capabilities,[59] formally the decisions from Yalta and Potsdam stipulating the full disarmament of Germany were initially adhered to.[60] In order not to provoke their Allied supervisors, the drafters of the constitution for the Federal Republic refrained from addressing the issue of national defence comprehensively. A number of "unsystematic" references to military affairs were contained therein, but the Basic Law confirmed Allied prerogatives by leaving the issue generally unaddressed.[61] One can argue whether a polity without an army is "qualitatively different" from a state with maintains armed forces;[62] the Basic Law at any rate was meant to be applicable only "for a transitional period"[63] and in this respect benefited from the imposed 'immaturity' of the polity it sought to govern. While proudly announcing the pacific intentions of the new state, the constitution could thus simply avoid the difficult task of democratic civil-military relations, implicitly pointing to Allied rights and responsibilities.[64] This position of, if you will, 'defiant irresponsibility' was evidenced in the early years of the new state by

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[58]   Craig, "NATO and the New German Army."; Gerber, *Die Bundeswehr in der NATO*; Hampton, "NATO at the Creation."; Risse-Kappen, "Collective Identity in a Democratic Community."

[59]   Horst Stein, *Verteidigungsfunktion und Grundgesetzordnung. Die Bundeswehr im Spannungsfeld zwischen Effizienz und Systemkonformität* (Frankfurt am Main: Peter Lang, 1990), pp. 24-26. The view that West German rearmament was solely the *reaction* to earlier Soviet moves is not sustainable, despite its quasi-official status throughout the Western Alliance. For such a view see Emil Obermann, *Gesellschaft und Verteidigung. Idee, Weltstrategie, Bundeswehr - Ein Handbuch* (Stuttgart: Stuttgarter Verlagskontor, 1971), pp. 217-40; for a discussion of very early Western defence planning in Germany, including by many former Wehrmacht officers later becoming instrumental in the creation of the Bundeswehr (von Kielmansegg and others), see Borgert*, et al, Dienstgruppen und westdeutscher Verteidigungsbeitrag*, pp. 3-5.

[60]   Borgert*, et al, Dienstgruppen und westdeutscher Verteidigungsbeitrag*, pp. 6 f, 16.

[61]   These provisions were Art. 4 para. 3 GG stipulating the right to conscientious objection; Art. 24 para. 2 GG stipulating the right of the Federal Republic to join and transfer sovereign rights to systems of collective security; Art. 26 GG prohibiting aggressive war and limiting the production and export of military equipment; Art. 140 GG in conjunction with Art. 141 of the Weimar Constitution (RVerf.) providing for pastoral service in the armed forces. See Karl-Heinz Dittrich and Gudula Hommel, *Staatsrecht - Grundlagenwissen* (Heidelberg: C.F. Müller Verlag, 2006), p. 117.

[62]   Wolfgang Martens, "Grundgesetz und Wehrverfassung," Dissertation, Universtät Hamburg (Hamburg, 1961), p. 65.

[63]   Old Preamble GG, see discussion by Scholz, *Art. 146,* Rn. 3 in Theodor Maunz and Günter Dürig (eds), *Grundgesetz Kommentar* (München: C. H. Beck, 2006).

[64]   Ernst Forsthoff, *Der Staat der Industriegesellschaft* (München: 1971), p. 106; Klaus Hornung, *Staat und Armee. Studien zur Befehls- und Kommandogewalt und zum politisch-militärischen Verhältnis in der Bundesrepublik Deutschland*, [Habilitationsschrift Politikwissenschaften, Universität Freiburg] (Mainz: v. Hase & Koehler, 1975), p. 13.

both government and opposition who maintained that because "the Allies have disarmed us, they now carry the legal and moral obligation to defend us."[65]

The government quickly seized on the perceived Allied need for a German military contribution as a means to extract concessions on the return of sovereignty. Adenauer's military policy was primarily an instrument of his foreign policy,[66] but this essentially instrumental approach underestimated the massive societal resistance and the constitutional difficulties involved:

> "Der Primat der Außenpolitik, der hier wirksam war, setzte voraus, daß die Gesellschaft schon irgendwie nachfolgen werde. Die innenpolitischen, gesellschaftlichen und geistigen Probleme und Schwierigkeiten der „Wiederbewaffnung" wurden unterschätzt. Denn die durch den „Souveränitätsdefekt" und die „Freiheit vom Ernstfall" geprägte Verfassung war nicht zuletzt Ausdruck jener originär-zivilen Nachkriegsgesellschaft, wie sie in der Bundesrepublik zunehmend Gestalt annahm."[67]

Unlike Japan which remained in its initial state of geo-political immaturity and curtailed sovereignty,[68] Adenauer's policy necessitated the creation of a constitutional structure for stable, *democratic* civil-military relations, something that had never before existed in Germany. It was against this historical record of failed civil-military relations that the constitutional path chosen in 1949 had deliberately omitted defence matters.[69] Subsequent rearmament required the introduction of military provisions into this purely civilian system of carefully balanced powers.[70] The resulting system was a reaction to the perceived historical shortcomings, in particular the necessity to end the constitutional dualism that had marked the position of the Prussian-German army vis-à-vis civilian power.[71]

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[65]   Adenauer quoted in Binder, *Deutschland seit 1945. Eine dokumentierte gesamtdeutsche Geschichte in der Zeit der Teilung*, p. 295.

[66]   Arnulf Baring, *Außenpolitik in Adenauers Kanzlerdemokratie* (München: 1969).

[67]   Hornung, *Staat und Armee. Studien zur Befehls- und Kommandogewalt und zum politisch-militärischen Verhältnis in der Bundesrepublik Deutschland*, pp. 13-14; see also Wiefelspütz, *Das Parlamentsheer*, pp. 29-30.

[68]   This is essentially the path the Japanese constitution followed with its Art. 9 eschewing military defence, relying completely on American protection subsequently formalised in the 1951 US-Japanese Security Treaty. Hisahiko Okazaki, "Japanese Security Policy: A Time for Strategy," *International Security,* Vol. 7, No. 2 (1982): 188-97. See also discussion above p. 185 ff.

[69]   Eberhard Barth, "Zehn Jahre Wehrverfassung im Grundgesetz," *Die öffentliche Verwaltung* (1966): 153 et seq.

[70]   Martens, "Grundgesetz und Wehrverfassung," p. 103.

[71]   See Obermann, *Gesellschaft und Verteidigung*, pp. 194-212; Craig, *The Politics of the Prussian Army*.

The emphasis lay on the imposition of meaningful political control not the futile attempt to civilianise an institution which by definition follows special functional rules. As claimed by an influential conservative member of parliament who was instrumental in devising the institutional set-up, civilian control is less a symptom of suspicion towards the armed forces but a normal principle of democracy, distinguishing between the erroneous claim of a primacy of the *civilian* and the correct primacy of the *political*:

> "Das Zivile ist nicht besser als das Militärische, das Militärische nicht besser als das Zivile. Es geht um den Primat des Politischen gegenüber allem, was im Staatsleben eine Funktion hat, also gegenüber sowohl der Beamtenschaft als auch dem Militär."[72]

The primacy of the political implies the sovereign right to control and hold accountable all agents of the state; Jaeger's equation of civil servants and soldiers marks the firm rejection of any military *domain réservé*, however justified.[73] Set against the record of post-war success in bringing the army under civilian control and extending the rule of law into the military a word of caution is due.[74] There is a tendency to assume that a consensus based on shared historical lessons underpinned the creation of a new model army, from whence further development proceeded in a smooth and essentially linear fashion.[75] This non-historical, yet surprisingly popular view disregards the dialectical nature of the democratic political process, based less on wise foundational choices but an institutional structure strong enough to accommodate and eventually aggregate competing interests. The constitutional structure of the Federal Republic, including its military constitution, relied on a fortuitous initial consensus based on an intelligent analysis of the nation's political and constitutional past. But acknowledging the wisdom of some early choices as well as a fortuitious international environment should not blind us to the decisive influence of later adjustments that came about as the result of conflict between rival domestic positions:

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[72]   Richard Jaeger, *Soldat und Bürger, Armee und Staat*, 3. Auflage (Hamburg: 1962), p. 17.

[73]   Stein's insistence that the military cannot be part of the administration is therefore misleading, although he does not question the correctness of subsuming the armed forces to the executive as the only proper way of ensuring adequate sovereign, i.e. parliamentary control. Stein, *Verteidigungsfunktion und Grundgesetzordnung*, pp. 59-60.

[74]   Stein, *Verteidigungsfunktion und Grundgesetzordnung*, p. 147. However, he is doubtlessly correct in contrasting this generally positive assessment with the emergency provisions of Art. 87a GG (which permit in exceptional circumstance the use of the armed forces against the population): "Es fragt sich weiter, ob der Einsatz von Streitkräften im Inneren zur Konfliktlösung nicht in Wahrheit die Konkursanmeldung einer staatlichen Ordnung ist." Stein, *Verteidigungsfunktion und Grundgesetzordnung*, p. 174.

[75]   See the discussion above pp. 178-192.

"Manche offiziellen und offiziösen Darstellungen neigen dazu, die bisherige Organisations-Entwicklung des Verteidigungsressorts und seiner politisch-militärischen Spitze als eine verhältnismäßig vernünftige und konfliktfreie Abfolge der jeweils besten Lösungen erscheinen zu lassen. Sie umgehen damit aber die teilweise politisch brisanten und grundsätzlichen Probleme, welche die politisch-militärische Spitzengliederung der Bundesrepublik während des hier zu behandelnden Zeitraumes aufwarf. Sie machen nicht genügend deutlich, wie hier ein politisches System über mehr oder weniger gravierende Fehlentscheidungen und eine Unzahl von kleineren oder größeren Konflikten zur Erkenntnis der gestellten Aufgaben kommt und wie es sie zu lösen versucht. Ohne die vorausgegangenen Konflikte wären wohl die erreichten Lösungen meist nicht zustande gekommen."[76]

a. LEGALITY AND CONSTITUTIONALITY

Political rhetoric notwithstanding, and irrespective of inevitable conflicts and shortcomings in its operational implementation and it is apparent that the early planners were determined "to create without regard to the forms of the old army something fundamentally new."[77] It was to be a radical break with the past, in the words of General Kielmansegg,

"Vor allem was Formen und Gesetze angeht, unser wichtigstes Thema im Abschnitt ‚Inneres Gefüge' waren die Gesetze. Denn die neue Armee sollte auf ‚einem Gesetz' beruhen. Das hatte es bisher nicht gegeben. Wir wollten eine rechtliche Regelung des Problems Befehl und Gehorsam und der Vorgesetztenbefugnisse sowie Rechtssicherheit für die Soldaten."[78]

The relatively small group of reformers that from 1950 onwards worked in conscious emulation of the Prussian reformers of 1806-1819[79] came to the conviction that, just as in 1806, the total military, political, and moral collapse of 1945 no longer permitted the continuation of a tainted military tradition. They assessed, correctly, that changed geo-strategic realities, technological changes in warfare, and, above all, the political context of a pluralistic, democratic society necessitated a dramatically new approach to the provision

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[76]   Hornung, *Staat und Armee. Studien zur Befehls- und Kommandogewalt und zum politisch-militärischen Verhältnis in der Bundesrepublik Deutschland*, p. 29.

[77]   As it was put in the foundational *Himmeroder Denkschrift* of 9 October 1950, discussed in Moerchel, "50 Jahre Himmeroder Denkschrift", *Informationen für die Truppe*; Hans-Jürgen Rautenberg and Norbert Wiggershaus, "Die 'Himmeroder Denkschrift' vom Oktober 1950. Politische und militärische Überlegungen fur einen Beitrag der Bundesrepublik Deutschland zur westeuropäischen Verteidigung," *Militärgeschichtliche Mitteilungen,* Vol. 21 (1977): 135-206.

[78]   Moerchel, "50 Jahre Himmeroder Denkschrift", *Informationen für die Truppe*.

[79]   For a good summary of the period of Prussian reform, with particular reference to their military aspects see Craig, *The Politics of the Prussian Army*, pp. 37-81.

of national security, coinciding with a unique political window opened by the debate on rearmament.[80]

There is little doubt that the experience of drastic, sustained, and massive abuse of power heavily influenced the drafting of the Basic Law of 1949. It was a deliberate departure from the perceived failures of previous German states,[81] animated by the express intention to erect strong constitutional barriers against relapses into authoritarianism. If democracy can be ultimately defined as "popular political self-government," a simple definition of constitutionalism could be the "containment of popular political decision-making by a basic law."[82] At the heart of constitutionalism lies the paradox of why a democratic system that associates legality with representative government should deliberately choose "to constitute its political life in terms of commitments to an originating agreement — made to be treated by the people as binding on their children, and deliberately structured to be difficult to change."[83] Two answers to this paradox are traditionally given, the protection of rights and the system of checks and balances.

aa. Protecting Rights

The first concerns the protection of individual and group autonomy against majoritarian decisions. As Dworkin puts it: "The Constitution, and particularly the Bill of Rights, is designed to protect individual citizens and groups against certain decisions that a majority of citizens might want to make, even when that majority acts in what it takes to be the general or common interest."[84] This aspect is particularly pertinent in politically polarised or ethnically divided societies. If combined with effective mechanisms of judicial or administrative redress, rights prevent the abuse of power and thus ensure that political

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[80]   Carl-Gero von Ilsemann, *Die Bundeswehr in der Demokratie*, Soldatische Menschenführung in der deutschen Militärgeschichte (Hamburg,: v. Decker's Verl. Schenck, 1971), p. 8.

[81]   Ekkehart Stein and Götz Frank, *Staatsrecht*, 18. Auflage (Tübingen: Mohr Siebeck, 2002), pp. 1-42; Hartmut Maurer, *Staatsrecht I. Grundlagen, Verfassungsorgane, Staatsfunktionen*, 2. Auflage (München: C. H. Beck, 2001), pp. 33-78, 85-97.

[82]   Frank I. Michelman, *Brennan and Democracy* (Princeton, N.J.: Princeton University Press, 1999), pp. 5-6.

[83]   Laurence H. Tribe, *American Constitutional Law*, 3rd (New York: Foundation Press, 2000), pp. §1-8, at 20.

[84]   Ronald Dworkin, *Taking Rights Seriously* (Cambridge, Mass.: Harvard University Press, 1978), p. 133.

contests do not degenerate into absolute conflicts by safeguarding a core of essential interests that remain outside the political arena, and thus majoritarian control.[85]

Furthermore, the observance of rights schemes is an effective litmus test for the overall 'civility' of a given regime. The descent into barbarity and aggression relies on the progressive removal of constitutional controls. Basic human rights and fundamental freedoms constitute thus an early warning mechanism,[86] the violation of which indicates the potential descent into dangerous despotism.[87] Obviously constitutional rights and fundamental freedoms remain ineffective if not backed by a strong and independent judiciary.

bb. Checks and Balances

Constitutionalism likewise governs the distribution and structure of power, i.e. how governmental tasks are distributed among different agencies and offices, how conflicts are resolved between them, how government changes and how it is held accountable. On a purely functional level, this concerns simply the *rules of the game* laid down in advance so as to allow predictability and efficiency in the orderly conduct of governmental business. On a more normative level, the separation of powers is believed to act as an effective guarantee against the abuse of governmental authority by providing "checks and

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[85]   This necessary protection against the 'tyranny of the majority' can ultimately only be provided by constitutionalisation and judicial review. See Ronald Dworkin, *A Bill of Rights for Britain* (London: Chatto & Windus, 1990), pp. 13-14; Ronald Dworkin, *Justice in Robes* (Cambridge, Mass.: Belknap Press, 2006).

[86]   Rapporteur Teitgen expresses this sentiment clearly with regard to the European Convention of Human Rights: "Evil progresses cunningly, with a minority operating, as it were, to remove the levers of control. One by one freedoms are suppressed, in one sphere after another. Public opinion and the entire national conscience are asphyxiated. . It is necessary to intervene before it is too late. A conscience must exist somewhere which will sound the alarm to the minds of a nation menaced by this progressive corruption, to warn of the peril and to show them that they are progressing down a long road which leads far, sometimes even to Buchenwald or Dachau.", Council of Europe, *Collected Edition of the Travaux Préparatoires*, Vol. XXII (Brussels: Council of Europe, 1975), p. 292.

[87]   Moravcik has analysed the *travaux préparatoires* and voting pattern during the negotiations of the ECHR and concludes convincingly that it was *not* the liberal democratic states such as Britain or Sweden which were its strongest supporters, but those states which had just emerged from authoritarianism and wished to hedge against a possible domestic reversal of political fortunes by keeping the control mechanism beyond national control. Checkel, "International Norms and Domestic Politics: Bridging the Rationalist—Constructivist Divide."; Oona A. Hathaway, "Do Human Rights Treaties Make a Difference?," *The Yale Law Journal,* Vol. 111 (2002): 1935-2042; Abbott*, et al,* "The Concept of Legalization."; Robert O. Keohane, Andrew Moravcsik, and Anne-Marie Slaughter, "Legalized Dispute Resolution: Interstate and Transnational," *International Organization,* Vol. 54, No. 3 (2000): 457-88.

In the same vein, Klug: "A standard explanation for the shift to democratic constitutionalism, and the empowerment of courts it implies, in states emerging from dictatorships and social conflict is that the shift is a reaction to that society's particular past." Heinz Klug, *Constituting Democracy: Law, Globalism and South Africa's Political Reconstruction* (Cambridge, UK: Cambridge University Press, 2000), p. 23.

balances" through the functional interdependency of state organs.[88] The basic underlying idea is a simple one, namely that "political constitutions are incomplete contracts and therefore leave room for the abuse of power." By creating conflicts of interests between the various branches of government but forcing them to agree eventually in the formulation of policy, greater accountability can be achieved than is possible solely through intermittent elections, as well as greatly increasing transparency and information flow.[89]

In Madison's famous phrase "ambition must be made to counteract ambition" to ensure that the incentive structures for individual and institutional actors within government produce an outcome that "truly represents the will of the majority of the people."[90] A somewhat deeper reading, however, sees the doctrine of the separation of powers as essentially an anti-majoritarian device to protect "certain minorities [and their interests] whose advantages of status, power, and wealth would … probably not be tolerated indefinitely by a constitutionally untrammelled majority."[91] The general principle that the separation of legislative, executive, and judicial powers is a necessary device to avoid usurpation and tyranny by those to whom they are entrusted, remains a "basic constitutional principle", deemed "a necessary precaution, even in a democracy that periodically elects its own rulers."[92]

cc. Principles and Aims of the Basic Law

The Basic Law, following the above stated considerations, stipulates a number of foundational decisions about the nature of the state. These can be differentiated into structural principles (*Staatsstrukturprinzipien*) that prescribe the modalities of government, and substantial principles (*Staatszielprinzipien*) that stipulate the normative goals of the

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[88]   Maurice J. C. Vile, *Constitutionalism and the Separation of Powers* (Indianapolis: Liberty Fund, 1998); Eli M. Salzberger, "A Positive Analysis of the Doctrine of Separation of Powers, or: Why Do We Have an Independent Judiciary?," *International Review of Law and Economics,* Vol. 13, No. 4 (1993): 349-79; Andrew Moravcsik, "Reassessing Legitimacy in the European Union," *Journal of Common Market Studies,* Vol. 40, No. 4 (2002): 603-24.

[89]   Persson*, et al,* "Separation of Powers and Political Accountability," p. 1163.

[90]   Samuel Issacharoff, "Constitutionalizing Democracy in Fractured Societies," *Texas Law Review,* Vol. 82 (2004), p. 1863.

[91]   Robert A. Dahl, *A Preface to Democratic Theory* (Chicago: University of Chicago Press, 1965), p. 31.

[92]   For a good explanation and theoretical examination of why this is the case, see Persson*, et al,* "Separation of Powers and Political Accountability," p. 1164 et seq. The precautionary element is stressed by George W. Carey, "Separation of Powers and the Madisonian Model: A Reply to the Critics," *The American Political Science Review,* Vol. 72, No. 1 (1978): 151-64; Paul E. McGreal, "Ambition's Playground," *Fordham Law Review,* Vol. 68 (2000): 1107 et seq.

social enterprise.[93] The constitutional order therefore does not merely consist of the sum of a number of more or less isolated stipulations, but is characterised and held together by these foundational decisions which limit and bind the exercise of any form of state activity, including the armed forces.[94] These basic choices are contained in Articles 1 para. 1, 20 and 28 GG which respectively stipulate the intrinsic and deontological dignity of man as the supreme yard stick of all state action, and firmly bind the state to the republican, democratic, federal, and social form of government[95] bound by the rule of law and a comprehensive bill of rights.[96] Article 79 para. 3 GG protects these foundational choices against any form of constitutional change ("eternity clause").

As stated, the basic constitutional bargain struck in 1949 dispensed with the need to regulate military affairs. As a result of international pressures the decision to rearm was gradually taken from 1950 onwards. In a series of international agreements (Paris Treaties, 23 October 1954) with its Western allies, the Federal Republic assumed as a sovereign state (subject to certain remaining Allied prerogatives) a number of rights and obligations in international law with regard to defence.[97] The ratification of these agreements by Germany on 5 Mai 1955 necessitated implementing legislation,[98] but, more importantly, it raised the question of how to integrate the legal regulation of the military into the existing constitutional structure while conforming to the above stated foundational choices.

The necessary constitutional amendments were done in three stages,[99] entailing a large number of subsequent implementing legislation.[100] Technically, the integration into the

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[93]   For a succinct introduction see Diana Zacharias, *Staatsrecht II: Staatsorganisationsrecht* (Frankfurt am Main: EuWi Verlag, 2001), p. 11 ff.

[94]   Maurer, *Staatsrecht I. Grundlagen, Verfassungsorgane, Staatsfunktionen*, pp. 173-5 ff.

[95]   Art. 20 a GG furthermore binds the state to the goal of environmental protection.

[96]   Articles 2 – 20, 33 GG.

[97]   Notably, as an implicit precondition for membership Germany unilaterally waived its sovereign right to possess nuclear, bacteriological, and chemical weapons. See Obermann, *Gesellschaft und Verteidigung*, pp. 251, 244-55; Frank, in Erhard Denninger, *et al.* (eds), *Alternativkommentar zum Grundgesetz für die Bundesrepublik Deutschland* (2001), pp. 1549, Rdnr. 7.

[98]   Beitrittsgesetz zum NATO Vertrag; Aufhebungsgesetz zum Besatzungsstatut; Streitkräfteaufenthaltsgesetz; Saarstatut. Discussed in Stein, *Verteidigungsfunktion und Grundgesetzordnung*, pp. 31-32.

[99]   4. Gesetz zur Ergänzung des Grundgesetzes, 26 March 1954, BGBl I, 1954, 45 ff; 7. Gesetz zur Ergänzung des Grundgesetzes, 19 March 1956, BGBl I, 1956, 111 ff; 17. Gesetz zur Ergänzung des Grundgesetzes, 24 June 1968, BGBl I, 709 ff. The latter concerns the amendments regarding emergency provisions (*Notstandsverfassung*) which has been by far the most controversial, and, arguably, the least successful part. See Wiefelspütz, *Das Parlamentsheer*, pp. 28-91; Dittrich and Hommel, *Staatsrecht - Grundlagenwissen*, pp. 117-28; Stein, *Verteidigungsfunktion und Grundgesetzordnung*, p. 32; Klaus Stern, *Das Staatsrecht der Bundesrepublik, Band II* (München: 1980), pp. 856-858, at 858.

[100]   Obermann provides a very helpful overview of this legislation, followed by a detailed article by article presentation of the constitutional provisions, as well as the most important legislation. While somewhat dated, it remains mostly accurate and recommendable. Obermann, *Gesellschaft und Verteidigung*, pp. 598-599, 600-640; see also

existing constitutional structure was *not* done through the introduction of a dedicated military chapter. While this might have had the benefit of a clear textual structure, the deliberate decision to classify each part of the military amendments into the existing functional structure of the constitution,[101] once more underlined the rejection of any form of military exceptionalism and its full submission under the normal constitutional structure.[102]

b. ARMY OF PARLIAMENT

Without attempting a full examination of the political system envisaged in the Basic Law,[103] a few remarks about the separation of powers and the respectively allotted roles and prerogatives of the different organs are nevertheless in order. Irrespective of the desirability let alone necessity of the congruence of state, military, and society in a common constitutional and normative ideal, one can largely agree with Obermann who states that under the Prussian monarchy these three aspects of public life indeed followed a unified normative outlook. He then proceeds to ask whether it is possible to re-create this normative unity within the altered normative framework of a parliamentary democracy.[104] This does not concern the primacy of the *state* which had never been challenged by the military, but the primacy of *parliament* as representing "the sovereign popular will … as the highest authority in the state … over *its* military."[105]

Integrating the peculiar characteristics on which any military system relies seamlessly and without undue conflict into the general political system of the state has been one of the key challenges of all constitutional theory. This task has been simpler under the

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Schwenck, *Rechstordnung und Bundeswehr*; for an updated summary see Dittrich and Hommel, *Staatsrecht - Grundlagenwissen*, pp. 117-28.

[101]   But note the critical remarks by Frank in Denninger*, et al, Alternativkommentar*, pp. 1551 f, Rdnr. 8, 10.

[102]   Stein, *Verteidigungsfunktion und Grundgesetzordnung*, pp. 33-34.

[103]   The literature here is vast, ranging from exam-preparation such as Dittrich and Hommel, *Staatsrecht - Grundlagenwissen*; Zacharias, *Staatsrecht II: Staatsorganisationsrecht*; Stein and Frank, *Staatsrecht.*, over detailed legal examinations such as Maurer, *Staatsrecht I. Grundlagen, Verfassungsorgane, Staatsfunktionen*; Josef Isensee and Paul Kirchhof (eds), *Handbuch des Staatsrechts der Bundesrepublik Deutschland* (Heidelberg: C. F. Müller, 1992)., to several canonical multi-volume commentaries such as Maunz and Dürig, *Grundgesetz Kommentar*; Denninger*, et al, Alternativkommentar*. For English-language overviews see Manfred G Schmidt, *Political Institutions in the Federal Republic of Germany*, Comparative Political Institutions (Oxford: Oxford University Press, 2003); Peter H Merkl, *The Federal Republic of Germany at Fifty: The End of a Century of Turmoil* (Basingstoke: Macmillan, 1999); Donald P. Kommers, *The Constitutional Jurisprudence of the Federal Republic of Germany* (Durham, N.C.: Duke University Press, 1997); Klaus Larres and Panikos Panayi, *The Federal Republic of Germany Since 1949: Politics, Society, and Economy Before and After Unification* (London: Longman, 1996).

[104]   Obermann, *Gesellschaft und Verteidigung*, p. 595.

[105]   IfZ ED 337/24 Graf Schwerin, Grundgedanken über die Einordnung der Wehrmacht in den demokratischen Staat (no date), quoted in Bald, *Die Bundeswehr: Eine kritische Geschichte, 1955-2005*, p. 31.

constitutional monarchy where the dynastic head of state naturally provided a basic correspondence between the army and the state. In a parliamentary democracy such an essential harmony cannot be assumed because state and military adhere to distinct structural conditions.[106]

Ensuring the primacy of politics, i.e. the effective control by the sovereign lies at the heart of all civil-military relations. Previous German constitutions 'solved' the issue through the assumption of the monarchical sovereign personally commanding (and by implication controlling) the armed forces.[107] The Weimar Republic did not follow early attempts to divest command and control from an individual to a representative corporate body,[108] but perpetuated the monarchical precedence with the creation of a dominant president whose relative omnipotence has led to his description as an *Ersatzkaiser*:[109]

> "An Stelle des Kaisers war der republikanische Kaiser, der Reichspräsident getreten. … Es war dies eine Wehrmacht, welche monarchisch gesinnt im Reichspräsidenten den natürlichen Kaiserersatz sah. Dem parlamentarischen Staat stand sie, dem alten Dualismus von Armee und Parlament verhaftet, mit Mißtrauen gegenüber."[110]

Article 47 of the Weimar Constitution conferred supreme command over the army to the president, thereby leaving the army largely outside the parliamentarily accountable executive. The army remained suspicious of democracy as a form of government, thereby perpetuating the historical dualism between army and parliament. The continuation of a privileged, exogenous position outside the normal instruments of government, permitted the continuation of the myth of the military as the Forth Power,[111] strongly reinforced by

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[106]   Eckart Busch, "Zur parlamentarischen Kontrolle der Streitkräfte," *Neue Zeitung für Wehrrecht,* Vol. 25, No. 2 (1983), p. 81.

[107]   On the legal fiction of the *roi connétable* see above p. 202, fn. 120.

[108]   See Declaration of the Council of People's Representatives (Erlaß des Rates der Volksbeauftragten „Vorläufige Regelung der Kommandogewalt und die Stellung der Soldatenräte im Friedensheer") of 19 January 1919, which conferred supreme command to the Central Council of People's Representatives, which would in turn appoint a Minister of War, to be held accountable to said Council. Discussed in Eckart Busch, *Der Oberbefehl. Seine rechtliche Struktur in Preußen und Deutschland seit 1848*, Militärgeschichtliche Studien herausgeben vom Militärgeschichtlichen Forschungsamt (Boppard am Rhein: Boldt, 1967), pp. 49-50.

[109]   Horst Ehmke, "Militärischer Oberbefehl und Parlamentarische Kontrolle," *Zeitschrift für Politik,* Vol. 1, No. 4 (1954): 337-56. While avoiding the term, the comparison of the presidency in the Weimar and Bonn republics by former Federal President Roman Herzog is highly instructive, see especially Rn. 91 where he questions the accuracy of as mild a terms as *"pouvoir neutre,"* pointing to its relative lack of powers he prefers *"fonctionaire neutre."* Herzog, Art. 54 in Maunz and Dürig, *Grundgesetz Kommentar*.

[110]   Josef Karkowski, "Die parlamentarische Kontrolle der Wehrmacht," Dissertation, University of Marburg (Marburg, Lahn, 1960), p. 104.

[111]   Dürig, Art. 65, Rn. 12, in Maunz and Dürig, *Grundgesetz Kommentar*; Karkowski, "Die parlamentarische Kontrolle der Wehrmacht," p. 32; Busch, *Der Oberbefehl*, pp. 111, especially fn. 28.

its continued right of *Immediatvortrag* and the maintenance of the President as the supreme instance of disciplinary recourse. The republic failed to create the institutional structure to control and to bind the army to the republican form of government:

> "Das Bündnis Hindenburg Reichswehr atmete daher den gleichen Geist wie die Verbundenheit des preußischen Königs mit seinem Heer, zumal die Reichswehr in enger Anlehnung an die alte militärische Befehlsgewalt aufgebaut wurde. Die Republik hatte sich im eigentlichen Sinne keine Armee geschaffen, sondern eine kaiserliche Resttruppe in ihre Dienste genommen."[112]

Without discussing in depth the idiosyncrasies of earlier German civil-military relations,[113] we can conclude that the creation of the constitutional and institutional defence structure of the Federal Republic was determined above all by the determination to break with a problematic historical pattern and firmly subject the military to full control by the popular sovereign, i.e. to establish complete parliamentary oversight.[114] The decision *not* to create a separate constitutional chapter devoted to military matters is the logical outflow of the determination to maintain a comprehensive legal sphere throughout the constitutional order based on the separation of powers.[115] The historically dominant executive was to be counter-balanced by the significant strengthening of judiciary, and, especially, legislative power and parliamentary control. The strictly representative democracy[116] envisaged by the Basic Law entails a prominent position for parliament discharging a double duty: its

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[112]   Karkowski, "Die parlamentarische Kontrolle der Wehrmacht," pp. 104-05.

[113]   See *inter alia* Obermann, *Gesellschaft und Verteidigung*, pp. 193-212; Karkowski, "Die parlamentarische Kontrolle der Wehrmacht," pp. 92-117; Busch, *Der Oberbefehl*, pp. 7-106. See also above pp. 151-176.

[114]   This intention was by no means uncontroversial, though. Ritter for instance rejected the notion of parliamentary supremacy as undermining military efficiency, see Wilfried Harnisch, "In der Tradition von Müntzer, Scharnhorst, Engels, Thälmann," in: *NVA: Ein Rückblick für die Zukunft. Zeitzeugen berichten über ein Stück deutscher Militärgeschichte*, ed. by Manfred Backerra (Köln: Markus Verlag, 1993).

[115]   The literature on the topic is vast, for a legal introduction see Maurer, *Staatsrecht I. Grundlagen, Verfassungsorgane, Staatsfunktionen*, pp. 376-91., general treatments include Shirin Ahlbäck, *Maktdelning*, Statens offentliga utredningar, 1999/76 Demokratiutredningens forskarvolym 1 (Stockholm: Gotab, 1999); Richard Bellamy, *The Rule of Law and the Separation of Powers* (Bamberg: Nomos, 2005); Henrik Palmer Olsen, *Magtfordeling: En analyse af magtfordelingslæren med særligt henblik på den lovgivende magt* (København: Jurist- og Økonomforbundets Forlag, 2005); Persson*, et al,* "Separation of Powers and Political Accountability."; Themistokles Demetriou Tsatsos, *Zur Geschichte und Kritik der Lehre von der Gewaltenteilung* (Heidelberg: C. Winter, 1968); Vile, *Constitutionalism and the Separation of Powers*. Its particular relevance in the constitutional of the Basic Law is examined *inter alia* in Klaus Heising, "Die Gewaltenteilung nach dem Bonner Grundgesetz und nach dem Vertrag zur Gründung der Europäischen Wirtschaftsgemeinschaft," Dissertation, University of Münster (Münster, Westfalen, 1969); Andreas Müser, *Wehrbeauftragter und Gewaltenteilung. Zur Erfüllbarkeit von Emanzipationsansprüchen an parlamentarische Kontrolle*, Schriften zum öffentlichen Recht, 303 (Berlin: Duncker & Humblot, 1976); Helmut Schelsky, *Systemüberwindung, Demokratisierung und Gewaltenteilung. Grundsatzkonflikte der Bundesrepublik* (München: Beck, 1973); Marlene Wartenberg, *Parlamentarische Verantwortung und Kontrolle in der Bundesrepublik Deutschland. Ein Beitrag zum neuen Poststrukturgesetz für die Deutsche Bundespost unter besonderer Berücksichtigung der Gewaltenteilung* (Frankfurt am Main: Lang, 1990); Gerhard Zimmer, *Funktion, Kompetenz, Legitimation. Gewaltenteilung in der Ordnung des Grundgesetzes - Staatsfunktionen als gegliederte Wirk- und Verantwortungsbereiche - Zu einer verfassungsgemäßen Funktions- und Interpretationslehre* (Berlin: Duncker und Humblot, 1979).

[116]   As opposed to more direct, plebiscitary forms of popular participation which the Basic Law views with considerable suspicion, due to the populist extremes of the past.

primary constitutionally assigned legislative role in the balance of separated powers, and, secondly, conferring democratic legitimacy to all other state organs, "the Bundestag is therefore justly called the *central constitutional organ of the Federation.*"[117]

This central role emanates both from the necessity of *all* government action to have a legislative basis,[118] and the ongoing control of the executive necessitated by the concept of democratic legitimation.[119] The system created in 1949 has explicitly been designed as a *parliamentary democracy* because the Chancellor as head of government is dependent on continuous parliamentary approval and subject to quite intrusive forms of parliamentary control.[120] Commensurate with this accountability there has been a strengthening of the cabinet as the head of the executive branch, and a corresponding reduction of the power of the President as head of state, divested of all remnants of executive power and serving as a largely ceremonial, neutral force between the various organs of the state.[121]

The deliberate departure from the Weimar precedent,[122] becomes apparent in two related decision with respect to the armed forces: the break of the traditional link with the head of state, and the seamless incorporation of the defence function into the existing constitutional structure by classifying the army exclusively as part of the executive.[123] The decision to fully incorporate the new military function into the executive followed the logic of a comprehensive distribution of *all* state activity into the three branches of government[124] and includes "alle legitimen Betätigungen der Staatsgewalt, die sich nicht als Gesetzgebung oder Rechtssprechung darstellen."[125]

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[117]   Maurer, *Staatsrecht I. Grundlagen, Verfassungsorgane, Staatsfunktionen*, pp. 204-5, emphasis added.

[118]   Articles 20 para. 3, 1 para. 3, and 97 para. 1 GG; see Maurer, *Staatsrecht I. Grundlagen, Verfassungsorgane, Staatsfunktionen*, pp. 216-36.

[119]   This function is explicitly only mentioned in Article 45 b GG which creates the organ of the military ombudsman, *Wehrbeauftragter*, but is implicit in a large number of other stipulations, for a discussion see Maurer, *Staatsrecht I. Grundlagen, Verfassungsorgane, Staatsfunktionen*, pp. 454-71.

[120]   Through its elementary budgetary prerogative (Article 110 para. 1 GG) and the election and supervision of the Chancellor and his/her cabinet (Articles 63, 65, 67 GG), as well as the right of interpellation (Article 43 para. 1 GG), parliamentary inquiries (Article 44 GG), and in the parliamentary right of approval/ratification of important governmental acts, such as international agreements (Article 59 para. 2 GG) and, importantly, the use of the armed forces (BVerfGE 90, 286, 383 ff.). See Maurer, *Staatsrecht I. Grundlagen, Verfassungsorgane, Staatsfunktionen*, pp. 452-58.

[121]   Articles 54 – 61 GG; Maurer, *Staatsrecht I. Grundlagen, Verfassungsorgane, Staatsfunktionen*, pp. 501-17. See also the commentary by former President Roman Herzog on Art. 54 in Maunz and Dürig, *Grundgesetz Kommentar*.

[122]   See for instance Allemann, *Bonn ist nicht Weimar*; M. C Eisenmann, *Bonn et Weimar. Deux constitutions de l'Allemagne* (Paris: La Documentation Française, 1950).

[123]   Dürig, Art. 65, Rn. 10-12, in Maunz and Dürig, *Grundgesetz Kommentar*; Busch, *Der Oberbefehl*, pp. 108-10; Karkowski, "Die parlamentarische Kontrolle der Wehrmacht," p. 138 ff.

[124]   Article 1 para. 3 GG was changed to substitute "executive power" for "administration". This is more than a semantic modification necessitated by the new formulation of Article 20 para. 3 GG. According to the latter, the

The decision to shift supreme command over the armed forces from the President to the parliamentary accountable government[126] entails the removal of all vestiges of military prerogatives and the clear commitment to the rule of law, i.e. the necessity for a legislative basis of all military action and the comprehensive validity of constitutional rights and freedoms for members of the military. Furthermore, the path followed by Article 65 a GG, i.e. making the military an unequivocal part of the executive and giving the federal government exclusive control over it, is really the only way of ensuring the unity of political and military leadership, because the President remains largely outside the scope of parliamentary control.[127] This unity of political and military command in the person of the civilian Minister of Defence has been an indispensable part of ensuring civilian control over the armed forces. Before discussing executive control in further detail, it is necessary to analyse the significant strengthening of parliamentary control over the armed forces commensurate with this increase in executive power:

> "Damit waren die neuen Streitkräfte im parlamentarisch verantwortlichen politischen Bereich der Regierung von Verfassungs wegen angesiedelt — und nicht mehr in der parlamentsfernen Sphäre des Staatsoberhaupts."[128]

The primacy of civilian political control reflected in Article 65 a GG translates directly into full parliamentary oversight over both the political leadership of the Minister of Defence *and* immediate functional oversight over the three subdivision of the armed forces, i.e. Procurement, Administration, and Defence.[129] Parliamentary control is effected

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executive entails everything that is not legislative or judicial in nature, and explicitly includes the defence function of the state. See the commentary to Art. 20, Rdn. 77 in Maunz and Dürig, *Grundgesetz Kommentar*.

[125]   Busch, *Der Oberbefehl*, p. 112.

[126]   In peacetime exercised by the Minister of Defence, and in wartime by the Chancellor. See further below p. 295.

[127]   Busch, *Der Oberbefehl*, p. 114; Ehmke, "Militärischer Oberbefehl und Parlamentarische Kontrolle."

[128]   Busch, "Zur parlamentarischen Kontrolle der Streitkräfte," p. 81.

[129]   Articles 87 a and 87 b GG sharply differentiate functionally between (1) the actual military (consisting of its three constitutive, integrated branches of Army, Navy, and Air Force; later revisions added a joint Sanitary Corps, and a joint Logistics Service (*Streitkräftebasis*)); (2) the civilian federal defence administration (*Bundeswehrverwaltung*) which is responsible for providing the necessary administrative services, and (3) procurement/ research and development (*Bundeswehramt für Wehrtechnik und Beschaffung*). All three divisions fall under purview of the Ministry of Defence. For a schematic overview, see Stein, *Verteidigungsfunktion und Grundgesetzordnung*, p. 21; Busch, *Der Oberbefehl*, p. 127 ff; for a discussion of the rationale behind the functional division see Hubert Reinfried, *Streitkräfte und Bundeswehrverwaltung*, Die Bundeswehr - Eine Gesamtdarstellung, Band 9 (Regensburg: Walhalla und Praetoria Verlag, 1978), pp. 43-59. Note also that Article 65 a GG stipulates both the unity of the three armed branches within the common structure of the armed forces, and prohibits the distribution of parts of the administration to other ministerial portfolios. See Dürig, Art. 65 a, Rn. 40, in Maunz and Dürig, *Grundgesetz Kommentar*.

through basically four instruments, whose overall effectiveness has led to the designation of the federal armed forces as a *Parlamentsheer*.[130]

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aa. Budgetary Oversight

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Parliamentary control over the budget is arguably the oldest[131] and certainly the most important prerogative of popular representation,[132] justifiably called the "corner stone of parliamentary power."[133] There is little doubt that without control over the budget all other forms of parliamentary control would loose much of their significance. Furthermore, the *form* of budgetary control can vary significantly, drastically affecting its effectiveness. The mere approval of a spending ceiling confers relatively little operational control on parliament, as evidenced by the virtual immunity of the military from civilian oversight irrespective of parliamentary budgetary prerogatives throughout the Bismarckian period.[134]

The dissatisfaction with this experience is reflected in the decision not to rely on Article 111 para. 1 GG which specifies the general budgetary competence of parliament, but to introduce specifically Article 87 a para. 1 GG which explicitly states that the numerical strength and basic organisational structure of the armed forces must be reflected in the annual budget.[135] Without prejudice to the rights of the Chancellor and the Minister of Defence under Articles 65 and 65 a GG to determine the political direction of the executive, the restatement of parliamentary budgetary prerogatives with respect to the

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[130] Wiefelspütz, *Das Parlamentsheer.*

[131] For a discussion of the historical development see Horst Dreier, "Der Kampf um das Budgetrecht als Kampf um die staatliche Steuerungsherrschaft. Zur Entwicklung des modernen Haushaltsrechts," in: *Effizienz als Herausforderung an das Verwaltungsrecht*, ed. by Wolfgang Hoffmann-Riem and Eberhard Schmidt-Aßmann (Baden-Baden: Nomos, 1998): 59 - 105.

[132] Josef Isensee, "Budgetrecht des Parlaments zwischen Schein und Sein," *Juristenzeitung,* Vol. 60, No. 20 (2005): 971-81; Jessica Kertels and Stefan Brink, "Quod licet jovi. Volksgesetzgebung und Budgetrecht," *NVwZ,* Vol. 22, No. 4 (2003): 435 - 438; Werner Heun, *Staatshaushalt und Staatsleitung. Das Haushaltsrecht im parlamentarischen Regierungssystem des Grundgesetzes*, 1. Aufl (Baden-Baden Bonn: Nomos, 1989); Johannes Hengstschläger, *Das Budgetrecht des Bundes. Gegenwartsprobleme und Entwicklungstendenzen*, Schriften zum öffentlichen Recht, 329 (Österreich) (Berlin: Duncker & Humblot, 1977).

[133] Karkowski, "Die parlamentarische Kontrolle der Wehrmacht," p. 61.

[134] Ullrich, *Die nervöse Großmacht*, pp. 161-165, especially 197, 220-222; Dreier, "Der Kampf um das Budgetrecht als Kampf um die staatliche Steuerungsherrschaft. Zur Entwicklung des modernen Haushaltsrechts."; Willfried Voth, *Die Reichsfinanzen im Bismarckreich und ihre Bedeutung für die Stellung des Reichstages. Eine Studie über das Budgetrecht und dessen Ausübung in den Jahren 1871 - 1918* (Bamberg Kiel: Bamberger Fotodr, 1966); Karkowski, "Die parlamentarische Kontrolle der Wehrmacht," pp. 64-72; see also Kehr, *Economic Interest, Militarism, and Foreign Policy: Essays on German History*; Kehr and Wehler, *Der Primat der Innenpolitik: Gesammelte Aufsätze zur preussisch-deutschen Sozialgeschichte im 19. und 20. Jahrhundert.*

[135] Karkowski, "Die parlamentarische Kontrolle der Wehrmacht," pp. 79-81.

actual organisation of the armed forces in Article 87 a GG confers important co-decision powers over procurement, deployment, size, internal structure, etc.[136]

The constitutional parliamentary prerogative to supervise not only financial limits but also the organisational structure through the military budget gives parliament ultimate control, severely curtailing the freedom of action of the nominal Commander-in-Chief who is constitutionally effectively reduced to a "petitioner to parliament and its defence committee."[137] This necessitates in turn a much greater willingness on the part of parliament to engage constructively with the military, i.e. ensure that parliament possesses sufficient expertise and reliable information about organisational structure, strategy and tactics, inner workings, threat scenarios, etc.[138]

bb. Defence Committee

While control over the budget, especially in its more extensive form described above, is a powerful tool, the constitutional choice of a *parliamentary* democracy necessitates an *ongoing* element of representative participation in and control over executive decision-making. In order to ensure continuity and efficacy of parliamentary control[139] Article 45a GG envisages the *mandatory* creation of a dedicated Parliamentary Defence Committee (*Ausschuß für Verteidigung*)[140] endowed with permanent full powers of a Commission of

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[136]   Karkowski, "Die parlamentarische Kontrolle der Wehrmacht," p. 78. Note that he uses the term "Wehrmacht" not as a proper name but as the generic designation for "armed forces."

[137]   "Im Verhältnis zum Parlament unterliegt [der Verteidigungsminister] dessen parlamentarischer Kontrolle auch im militärischen Bereich … Bei allen kostenaufwendigen Organisationsvorhaben wird der Verteidigungsminister praktisch also zum bloßen Antragsteller bei Parlament und dessen Verteidigungsausschuß." Dürig, Art. 65, Rn. 29, in Maunz and Dürig, *Grundgesetz Kommentar.*

[138]   Kertels and Brink, "Quod licet jovi. Volksgesetzgebung und Budgetrecht." See also below p. 295.

[139]   The Constitutional Court states that the Defence Committee ensures "daß sämtliche Vorgänge des Verteidigungswesens *jederzeit und auf alleinige parlamentarische Initiative* vom Verteidigungsausschuß untersucht werden können. Das Handeln der Bundesregierung auf diesem Sachgebiet wird *durchgehend* parlamentarisch begleitet." (BVerfGE 90, 286, at 385, emphasis added).

[140]   For a succinct discussion see Dürig/Klein, Art. 45 a, in Maunz and Dürig, *Grundgesetz Kommentar.* More comprehensive treatments include Friedrich Schramm and Burkhart Dobiey, *Auschüsse: Organe parlamentarischer Kontrolle* (Bonn: Dt. Bundestag, Referat O ffentlichkeitsarbeit, 1985); Hans-Joachim Berg, *Der Verteidigungsausschuß des Deutschen Bundestages. Kontrollorgan zwischen Macht und Ohnmacht* (München: Bernard & Graefe, 1982); Eckart Busch, *Parlamentarische Kontrolle. Ausgestaltung und Mitwirkung,* 2. Auflage (Heidelberg: Müller Juristischer Verlag, 1985); Eckart Busch, "Staat und Streitkräfte. Grundzüge der Wehrverfassung," in: *Bundeswehr und Industriegesellschaft,* ed. by Bernhard Fleckenstein (Boppard am Rhein: Boldt, 1971); Ehmke, "Militärischer Oberbefehl und Parlamentarische Kontrolle."; Walter Krebs, *Kontrolle in staatlichen Entscheidungsprozessen* (Heidelberg: C. F. Müller, 1984); Martens, "Grundgesetz und Wehrverfassung."; Udo Philip, "Der Verteidigungsausschuß als politisches Instrument," *Wehrtechnik* (1977): 50 ff; Helmut Schmidt, "Militärische Befehlsgewalt und parlamentarische Kontrolle," in: *Festschrift für Adolf Arndt* (Frankfurt am Main: 1969): 437 ff; Manfred Wörner, "Mehr als ein Bundeswehrausschuß," *Wehrtechnik* (1977): 15 ff; Manfred Wörner, "Parliamentary Control of Defence: The German Example," *Survival,* Vol. 1 (1974); Abenheim, *Reforging the Iron Cross,* pp. 121-35.

Inquiry (*Untersuchungsausschuß*).[141] These special powers again underline the importance of permanent control over the executive, stressing "daß die Kontrolltätigkeit im Militärsektor für diesen Ausschuß eine ununterbrochene Aufgabe ist, die durch entsprechende permanente Untersuchungsrechte abgesichert ist."[142]

The mandatory creation and *exclusive competence[143]* of the Defence Committee must also be seen in the general context of parliamentary committees which protect the rights of parliamentary minorities.[144] Given the smaller number of participants and the likely higher degree of technical expertise, issues can be examined at greater depth than is possible in plenary session, conditions likely to offset the numerical disadvantage of the minority. Furthermore, the supervisory role of parliament over the executive is likely to be discharged with greater vigour by the opposition.[145]

The most potent tool of parliamentary supervision is the ability to remove the Chancellor, and thereby his cabinet, through the device of the 'constructive motion of no confidence' under Article 67 GG. This instrument, however, has been deliberately designed to be difficult to wield: it is *not* possible to express a motion of no confidence against individual ministers, including the Minister of Defence.[146] Furthermore, such a motion must simultaneously elect a new Chancellor.[147] The instrument has thus been used sparingly, often in a tactical manner by the chancellor in question.

Much more relevant in actuality, again because it favours the opposition, is therefore the parliamentary right under Article 43 para 1 GG to interpellate any cabinet member to either a plenary or committee session. In this respect it is useful to remark that there is no executive privilege with regard to confidential information:

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[141]   Article 45 a para. 1 GG. See also Hans-Joachim Berg, "Der Verteidigungsausschuß des Deutschen Bundestages als Untersuchungsausschuß," *Aus Politik und Zeitgeschehen,* Vol. B 18/84 (1984): 26 ff.

[142]   Frank, Art. 45 a, Rdnr. 44, in Denninger*, et al, Alternativkommentar.*

[143]   Dürig/Klein, Art. 45a, Rdnr. 39, in Maunz and Dürig, *Grundgesetz Kommentar.*

[144]   Karkowski, "Die parlamentarische Kontrolle der Wehrmacht," pp. 162-3, see also 90, 201.

[145]   Berg stresses that the task of the Committee is to *"control, not to co-govern,"* Berg, *Der Verteidigungsausschuß des Deutschen Bundestages. Kontrollorgan zwischen Macht und Ohnmacht.*

[146]   Only a successful motion of no confidence against the Chancellor leads simultaneously to the extinction of the ministerial appointment under Article 69 para. 2 GG.

[147]   Hence the description as 'constructive'; the cumbersome procedure has been designed with the historical experience of the Weimar Republic in mind where the irresponsible use of parliamentary votes of no confidence against individual ministers ultimately prevented the formation of cabinets supported by parliament, making them exclusively dependent on Presidential approval and thereby removing them largely from parliamentary influence. See Christian Burkiczak, "Kanzlerwahl, Misstrauensvotum und Vertrauensfrage. Das Amt des Bundeskanzlers nach dem Grundgesetz und in der Staatspraxis," *Jura,* Vol. 24, No. 7 (2002): 465 - 468; Edmund Brandt, "Vertrauenserfordernis, Mißtrauensvotum und parlamentarisches Regierungssystem," Dissertation, University of Berlin (Berlin, 1979).

"Denn im parlamentarischen Regierungssystem des Grundgesetzes ist das Staatswohl Bundestag und Bundesregierung gemeinsam anvertraut. Ohne eine Beteiligung am geheimen Wissen der Regierung kann das Parlament weder seine Gesetzgebungsbefugnisse noch sein Haushaltsrecht noch seine Kontrollfunktion gegenüber der Regierung ausüben. Nicht ob die Bundesregierung dem Bundestag geheim zu haltendes Material in seinem Zuständigkeitsbereich verschweigen darf, kann demnach die Frage sein. Zu fragen ist nur, unter welchen Voraussetzungen sie es zu offenbaren verpflichtet ist."[148]

Perhaps in no other area is there a stronger tendency to hide behind supposed necessities of secrecy and an alleged national interest than in the security field. The constitutional determination to counterbalance the "intrinsic dynamic and power of any army to abuse power"[149] with strengthened control mechanisms is reflected in the creation of a designated Defence Committee with its limited number of participants and special procedures for handling sensitive information.[150]

cc. Parliamentary Ombudsman

The creation of the Parliamentary Military Ombudsman / Defence Commissioner (*Wehrbeauftragter des Bundestages*) under Article 45 b GG[151] follows the general intention of closely tying the military into the democratic constitutional order.[152] It pursues two primary aims: safeguarding the protection of the basic rights and freedoms of individual soldiers, and ensuring effective parliamentary control over the armed forces.[153] It is envisaged as a subsidiary organ of the Bundestag and thus complements the work of the Defence Committee.[154]

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[148]   Klein, Art. 43, Rdnr. 103, in Maunz and Dürig, *Grundgesetz Kommentar.*

[149]   Dürig/Klein, Art. 45a, Rdnr. 5, in Maunz and Dürig, *Grundgesetz Kommentar.*

[150]   Joachim von Einem, "Die Auskunftspflicht der Regierung gegenüber dem Parlament," Dissertation, Universität Göttingen (Göttingen, 1977); Siegbert Morscher, "Die parlamentarische Interpellation in der Bundesrepublik Deutschland, in Frankreich, Großbritannien, Österreich und der Schweiz," *JöR NF,* Vol. 25 (1976): 53 ff; Hubert Weis, "Parlamentarisches Fragerrecht und Antwortpflicht der Regierung," *Deutsches Verwaltungsblatt* (1988): 268 ff;

[151]   The article relies on implementing legislation: Gesetz über den Wehrbeauftragten des Bundestages – WBeauftrG – vom 26. Juni 1957, BGBl. I 652. It was significantly modified by Gesetz über den Wehrbeauftragten des Bundestages vom 16. Juni 1982, BGBl. I 673.

[152]   Frank-Helmut Hartenstein, *Der Wehrbeauftragte des Deutschen Bundestages. Zuständigkeit und Befugnisse im Rahmen der parlamentarischen Kontrolle der Bundeswehr* (Frankfurt am Main: Peter Lang, 1977); Wolfgang R. Vogt, *Militär und Demokratie. Funktionen und Konflikte der Institution des Wehrbeauftragten* (Hamburg: R.v. Decker Verlag G. Schenck, 1972).

[153]   Klein, Art. 45 b, Rdnr. 1, 12, in Maunz and Dürig, *Grundgesetz Kommentar*; Hartenstein, *Der Wehrbeauftragte des Deutschen Bundestages. Zuständigkeit und Befugnisse im Rahmen der parlamentarischen Kontrolle der Bundeswehr.*

[154]   Klein, Art. 45 b, Rdnr. 12, 14, in Maunz and Dürig, *Grundgesetz Kommentar.*

The Ombudsman had no historical precedent in Germany,[155] described as "not only a new, but a novel instrument."[156] As such it was initially treated with considerable scepticism, with the criticism focussing on the alleged overlap of its task with that of the Defence Committee,[157] or even as an assault on the separation of powers on which the Basic Law relies.[158] It is perhaps a testament to the traditional exaltation of the state as the embodiment of the common will that the Nordic tradition of independent control of the executive was frowned upon as generally displaying an undue degree of mistrust which would negatively affect administrative efficiency:

> "Der Wehrbeauftragte ist ein solches [Gegengewicht der Exekutive]. Er wird damit zunächst zum Ausdruck des gegen die Exekutive gerichteten Mißtrauens. … Weder die Verwaltung noch das Militär [aber] vertragen bei einer klaren Zuordnung der einzelnen Verwaltungsträger bzw. der einzelnen militärischen Organe eine Einmischung Dritter. Ein solcher Eingriff führt zur Zerstörung des hierarchischen Aufbaus und erschüttert die Ordnung. Er schwächt die Disziplin. Er lähmt die Arbeit der Verwaltung und die Schlagkraft der Wehrmacht."[159]

The institution was based on the Swedish model of the *Militieombudsman* which in the Nordic tradition is part of a much more encompassing system of parliamentary control of the executive not limited to the defence sector.[160] It was suggested by the Social Democratic faction and initially strongly opposed by the conservative majority and ultimately only accepted as a part of a *quid pro quo* where the SPD dropped in turn its insistence on the possibility of a vote of no confidence against the Minister of Defence.[161]

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[155] Klein, Art. 45 b, Rdnr. 5, in Maunz and Dürig, *Grundgesetz Kommentar*.

[156] Harmut Maurer, *Wehrbeauftragter und Parlament* (Tübingen: Mohr Siebeck, 1965), p. 5.

[157] Karkowski, "Die parlamentarische Kontrolle der Wehrmacht," pp. 185-87.

[158] This argument is made *inter alia* by Carl Hermann Ule, "Der Wehrbeauftragte des Bundestages," *Juristenzeitung* (1957): 422 ff., this position has, however, been rejected by the dominant legal interpretation, see Klein, Art. 45 b, Rdnr. 13, in Maunz and Dürig, *Grundgesetz Kommentar*.

[159] Karkowski, "Die parlamentarische Kontrolle der Wehrmacht," p. 181.

[160] Karl-Wilhelm Berkhan, "The Defence Commissioner of the Bundestag," in: *International Handbook of the Ombudsman, Vol. 2 Country Surveys*, ed. by Gerald E. Caiden (Westport, Conn.: 1983): 84-86; Franz Matscher, *Ombudsmann in Europa. Institutioneller Vergleich*, Schriften des Österreichischen Instituts für Menschenrechte, 5 (Kehl: Engel, 1994); Office of the European Ombudsman, *The European Ombudsman: Origins, Establishment, Evolution* (Luxembourg: Office for Official Publications of the European Communities, 2005); Linda C. Reif, *The Ombudsman, Good Governance and the International Human Rights System* (Leiden: Martinus Nijhoff Publishers, 2004); Donald C. Rowat, *The Ombudsman Plan. the Worldwide Spread of an Idea* (Lanham: University Press of America, 1985).

[161] Suggested by MdB Paul (SPD) who had encountered the institution during his exile in Sweden. For an early quasi-official position of the SPD fraction see Fritz Erler, "Demokratie und bewaffnete Macht," *Gewerkschaftliche Monatshefte* (1954): 356 ff. For the negotiation history and inter-fractional bargain see Eckart Busch, "Art. 45 b," in: *Bonner Kommentar zum Grundgesetz* (Bonn: 1984), pp. 6-8.

Early criticism that the creation of the post was "of a more emotional rather than rational character,"[162] can today be dismissed as misdirected.[163]

It is helpful to remember that the dual task of the military ombudsman — rights protection *within* the armed forces and societal control *over* the armed forces — are complementary and an expression of a preventative strategy, as a form of *early warning mechanism*[164] that would permit the popular representatives to detect early signs of deviance within the armed forces well before the issue of institutional disobedience would arise.[165] It is as such an expression of the deep distrust of all things military that prevailed in the post-war period, and its successful creation owes more than a little to the extreme level of popular opposition to rearmament: "Er wurde konzipiert als institutioneller Ausdruck einer Verhütungsstrategie, die Mißstände im deutschen Militärwesen für die neue Armee der Bundesrepublik Deutschland vermeiden sollte."[166] The protection of the individual conscript from the kind of abuse historically so prevalent in the *Kommiß* of the German military[167] became an important test of the commitment of the new state to the protection of individual rights.[168] Ensuring that the army remained firmly committed to the constitutional order and that its internal discipline upheld the rule of law, especially the protection of the soldier's constitutional rights,[169] proved the most important task of the military ombudsman.[170]

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[162]   Karkowski, "Die parlamentarische Kontrolle der Wehrmacht," p. 183.

[163]   Busch, "Art. 45 b," pp. 49, Rdnr. 49 ff.

[164]   So explicitly the former Minister of Defence Helmut Schmidt in 1970: "welch enormer Segen an sozialer Frühwarnung gegeben wesen wäre, wenn wir in den letzten 15 Jahren einen Beauftragten des Parlaments mit rechtzeitigem Berichten über die Situation an den deutschen Universitäten gehabt hätten!" (speaking in the context of the 1968 student revolts), Bundestagsdrucksache 36. Sitzung S. 1754 ff. Quoted in Obermann, *Gesellschaft und Verteidigung*, p. 640.

[165]   It has thus been described as the "eyes and ears of Parliament", see the highly instructive listing of many different characterisations in various official and academic statements in Busch, "Art. 45 b," pp. 51-53.

[166]   Eckart Busch, *Der Wehrbeauftragte. Organ der parlamentarischen Kontrolle* (Heidelberg: Hüthig, 1999), p. 16.

[167]   See the discussion of the liberal agitation of the 19th century, associated *inter alia* with Friedrich Naumann, for a more modern code of military discipline that proved the inspiration of the radical departure of the Bundeswehr's disciplinary code in Obermann, *Gesellschaft und Verteidigung*, pp. 641-45.

[168]   Discussed in depth below p. 259. See also Dürig, Art. 17 a, Rdnr. 1, 4, 6-8, in Maunz and Dürig, *Grundgesetz Kommentar*.

[169]   "Der Soldat hat die gleichen staatsbürgerlichen Rechte wie jeder andere Staatsbürger. Seine Rechte werden im Rahmen der Erfordernisse des militärischen Dienstes durch seine gesetzlich begründeten Pflichten beschränkt." §6 SoldatenG.

[170]   For a somewhat dated overview of global reception of the idea in more than 50 states, see Maher Abdel Hadi, "L'extension de l'Ombudsman: Triomphe d'une idée ou déformation d'une institution?," *Revue Internationale des Sciences Administratives* (1977): 334-45; see also the comparative analysis of the adoption of the *military* ombudsman in Busch, "Art. 45 b," pp. 195-215; Linda C Reif and International Ombudsman Institute (eds), *The International Ombudsman Yearbook* (Leiden: Martinus Nijhoff, 2004); Office of the European Ombudsman, *The European Ombudsman: Origins,*

It is neither possible nor, given the abundant literature,[171] necessary to provide here a comprehensive discussion of the military ombudsman. His functional mandate is limited to the armed forces and those aspects of military administration falling within federal purview,[172] thereby excluding civil defence as well as the service rendered by conscientious objectors.[173] Substantively, it covers the protection of individual basic rights,[174] and the principles of innere Führung.[175] In order to discharge his mandate he enjoys substantive rights of information,[176] including access to files,[177] right to summon experts witnesses,[178] right to visit without notice military installations and troop deployments,[179] he can request the submission of reports by the Ministry of Defence,[180] he can be present (and delegate this right) during criminal or disciplinary proceedings, including those held *in camera*,[181] he can request administrative assistance from courts and the civil service,[182] he can suggest changes in administrative procedure or towards the solution of a grievance,[183] and he can receive direct petitions from soldiers outside the chain of command.[184]

By far his most important right and corresponding duty is the submission of an annual report[185] to parliament about the State of the Army.[186] The crisis concerning the military ombudsman Vice Admiral Hellmuth von Heye who in 1964 published his findings in a popular magazine because parliament had refused to discuss his annual report adequately

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Establishment, Evolution; Reif, *The Ombudsman, Good Governance and the International Human Rights System*; Matscher, *Ombudsman in Europe*; Rowat, *The Ombudsman Plan. the Worldwide Spread of an Idea.*

[171]   For an English description see Berkhan, "The Defence Commissioner of the Bundestag."; H. Pierre Secher, "Controlling the New German Military Elite: The Political Role of the Parliamentary Defense Commissioner in the Federal Republic," *Proceedings of the American Philosophical Society,* Vol. 109, No. 2 (1965): 63-84; see also the comprehensive bibliography, including many non-German titles, in Busch, "Art. 45 b," pp. 216a-239.

[172]   Klein, Art. 45 b, Rdnr. 31, in Maunz and Dürig, *Grundgesetz Kommentar.*

[173]   Klein, Art. 45 b, Rdnr. 32, in Maunz and Dürig, *Grundgesetz Kommentar.*

[174]   § 1 Abs. 3 Satz 1 WBeauftrG; Klein, Art. 45 b, Rdnr. 33-35, in Maunz and Dürig, *Grundgesetz Kommentar.*

[175]   Klein, Art. 45 b, Rdnr. 36-41, in Maunz and Dürig, *Grundgesetz Kommentar.* On the substantive content of 'inner leadership' see below p. 331.

[176]   Klein, Art. 45 b, Rdnr. 59-66, in Maunz and Dürig, *Grundgesetz Kommentar.*

[177]   § 3 Nr. 1 Satz 1 WBeauftrG.

[178]   § 3 Nr. 1 Satz 4 und 5 WBeauftrG.

[179]   § 3 Nr. 4 WBeauftrG.

[180]   § 3 Nr. 5 WBeauftrG.

[181]   § 3 Nr. 6 WBeauftrG.

[182]   § 4 WBeauftrG.

[183]   § 3 Nr. 2 WBeauftrG.

[184]   §§ 7-9 WBeauftrG; note that he is not the only organ permitted to do so, others are the Minister of Defence and the Petition Committee of the Bundestag.

[185]   § 2 Abs. 2 WBeauftrG.

[186]   § 2 Abs. 3 WBeauftrG; as well as to report about individual inquiries he has been charged with.

led to changes in parliamentary procedure.[187] The changes established both the responsibility of parliament to give adequate consideration to the report,[188] as well as the ombudsman's right to discuss his findings in public.[189]

dd. Parliamentary Decisional Prerogatives

The decision to rearm was taken under strong external pressure and against a backdrop of sustained popular opposition. Not surprisingly, the constitutional mandate of the armed forces has been essentially limited to territorial and alliance defence.[190] While the government had deliberately used the question of a German military contribution in an instrumental manner to extract concessions on its (re-) attainment of sovereignty,[191] there was a clear understanding that both the strategic environment and the recent past precluded the use of the armed forces as a 'normal' instrument in the executive arsenal of foreign policy. The idea that "deployable and ready armed forces were an indispensable part also of German foreign and security policy" remains controversial[192] in a society that has largely renounced military force as an instrument of politics.[193]

The constitutional changes introduced to prepare rearmament included the unequivocal stipulation of Article 59 a GG (now Article 115 a GG)[194] which gives parliament exclusive decision-making power over war and peace. This crucial stipulation was seen as the logical outflow of the basic commitment to popular sovereignty:

> "In einem Staat, der sich zum demokratischen Prinzip bekennt, gehört die Entscheidung über die Lebensfragen der Nation in die Hand des Parlaments als des Repräsentanten des Volkes in seiner politischen Einheit. Der Bundestag wird dabei nicht als Gesetzgeber tätig, sondern trifft staatsleitende und –gestaltende Maßnahmen im Rahmen freien politischen Ermessens. … Die Exekutive hat zwar

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[187]   See the discussion in Bald, *Die Bundeswehr: Eine kritische Geschichte, 1955-2005*, pp. 67-69; Busch, "Art. 45 b," pp. 119-27.

[188]   Geschäftordnung des Bundestages, Abschnitt X, §§113-115 (Xa, §§ 116aß116c a.F.).

[189]   Subject, of course to the requirements of confidentiality in § 10 WBeauftrG. See generally Klein, Art. 45 b, Rdnr. 78-87, in Maunz and Dürig, *Grundgesetz Kommentar*.

[190]   As well as in a rather limited manner responding to internal emergencies. See below p. 313 ff.

[191]   See above pp. 243 ff. and 252 ff.

[192]   Dieter Wiefelspütz, *Der Einsatz bewaffneter deutscher Streitkräfte und der konstitutive Parlamentsvorbehalt* (Baden-Baden: Nomos, 2003), p. 7.

[193]   Schwarz, *Die gezähmten Deutschen: Von der Machtbesessenheit zur Machtvergessenheit*.

[194]   It was rescinded and replaced by Article 115 a GG through the constitutional amendments of 24 June 1968 which introduced emergency powers (*Notstandsverfassung*). See Mai, Art. 115 a, Rdnr. 1-14, in Maunz and Dürig, *Grundgesetz Kommentar*.

die Dispositionsgewalt über die Streitkräfte, aber die Entscheidung über Beginn und Ende ihres Einsatzes nach außen ist ihr entzogen und der Legislative anvertraut."[195]

Throughout the Cold War the issue remained largely *theoretical*. Article 24 para. 2 GG explicitly permitted the accession to a system of collective security which was achieved in 1955 through membership to the WEU and NATO. Throughout the coming decades military cooperation within the integrated alliance was exclusively concerned with the preparation of individual and collective self-defence, and as such neither particularly controversial nor giving often rise to the question of parliamentary involvement.[196] The accession to the United Nations in 1973,[197] long-delayed due to inter-bloc disagreements over the statal character of the GDR,[198] raised the question of participation in collective security measures under Chapter VI and VII of the UN Charter. Without arguing for a normative incompatibility between constitution and Charter, the government maintained that "the Basic Law does not contain provisions which explicitly permit the participation of the Bundeswehr in peace missions of the United Nations."[199] The alleged constitutional impermissibility of military use outside the NATO alliance territory ("out of area" missions) was repeated by every single government until 1994 and likewise became the prevailing academic view.[200]

This self-moderation was perhaps a sensible policy given the constraints of the international system,[201] but it was "not a responsible application of the constitution."[202] As unification and the end of the bipolar confrontation coincided with a reinvigoration of

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[195]   Martens, "Grundgesetz und Wehrverfassung," p. 173 f.

[196]   Wiefelspütz, *Das Parlamentsheer*, pp. 135-56.

[197]   Gesetz zum Beitritt der Bundesrepublik Deutschland zur Charta der Vereinten Nationen, 6 June 1973 (BGBl. 1973 II, 430).

[198]   Jochen Abr Frowein, "From Two to One - Germany and the United Nations," *German Yearbook of International Law,* Vol. 46 (2004): 20-29; Heinz Dröge, Fritz Münch, and Ellinor von Puttkamer, *The Federal Republic of Germany and the United Nations*, National studies on international organization (New York: Carnegie Endowment for International Peace, 1967).

[199]   Minister of State Hamm-Brücher on 18 September 1978, Bundestagsdrucksache 8/2115, Nr. 10, p. 6.

[200]   Bald, *Die Bundeswehr: Eine kritische Geschichte, 1955-2005*, p. 143 ff; Norbert K Riedel, *Der Einsatz deutscher Streitkräfte im Ausland - verfassungs- und völkerrechtliche Schranken* (Frankfurt am Main: Lang, 1989); Martin Limpert, *Auslandseinsatz der Bundeswehr*, Tübinger Schriften zum Staats- und Verwaltungsrecht, 67 (Berlin: Duncker & Humblot, 2002), p. 16; Alexander Coridaß, *Der Auslandseinsatz von Bundeswehr und Nationaler Volksarmee*, Europäische Hochschulschriften, 464 (Frankfurt am Main: Lang, 1985).

[201]   But one should note that Germany participated nevertheless in a large number of international and peacekeeping missions, albeit mostly limited to providing logistical or humanitarian support, for a listing see Andreas M. Rauch, "Zivile und militärische Auslandseinsätze der Bundeswehr," *Gesellschaft, Wirtschaft, Politik Sozialwissenschaften für politische Bildung,* Vol. 1 (2004): 57-66; Andreas M. Rauch, *Auslandseinsätze der Bundeswehr* (Baden-Baden: Nomos, 2006), pp. 48-49; for a general discussion see Schwarz, *Die gezähmten Deutschen: Von der Machtbesessenheit zur Machtvergessenheit*.

[202]   Wiefelspütz, *Deutsche Streitkräfte und Parlamentsvorbehalt*.

the United Nations as an instrument of collective security, Germany was quickly confronted with a growing number of requests for military participation in international peacekeeping and peace-enforcing missions. The issue was eventually referred to the Constitutional Court to clarify not only the basic constitutionality of such missions, but, equally important, the respective decision-making powers of parliament and government.[203]

 In a path-breaking judgement, the Court resoundingly affirmed both the principal constitutionality of such missions and parliamentary co-decision powers (*konstitutiver Parlamentsvorbehalt*).[204] The decision re-established legal certainty, ended a highly acrimonious political and legal debate, and has been well received both politically and in legal scholarship.[205] There has, however, been some criticism with regard to its reasoning,[206] claiming that the classification of the armed forces as an integral part of the executive power meant that the government had exclusive decision-making power.[207] Likewise, the designation as a "parliamentary army" was criticised,[208] as previously the necessity of prior parliamentary approval had only rarely been seen as necessary.[209]

Irrespective of such criticism, the Court's return to the dominant earlier view,[210] expressed for instance by Martens[211] and quoted with approval by the Court,[212] appears both dogmatically and pragmatically correct. One can disagree whether the Court's reasoning

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[203]   The case is ably documented in the comprehensive Klaus Dau and Gotthard Wöhrmann (eds), *Der Auslandseinsatz deutscher Streitkräfte. Eine Dokumentation des AWACS-, des Somalia-, und des Adria-Verfahrens vor dem Bundesverfassungsgericht* (Heidelberg: C. F. Müller Verlag, 1996).

[204]   BVerfGE 90, S. 286, at 381.

[205]   See the discussion in Wiefelspütz, *Deutsche Streitkräfte und Parlamentsvorbehalt*, p. 28.

[206]   Manfred H Wiegandt, "Methodische Bedenken zur Entscheidungsfindung des BVerfG im Bereich der Außenpolitik. Zu den Urteilen über den "Maastricht"-Vertrag und den Auslandseinsatz der Bundeswehr," *Neue Justiz,* Vol. 50, No. 3 (1996): 113 - 118.

[207]   For references see Marcus Schultz, *Die Auslandsentsendung von Bundeswehr und Bundesgrenzschutz zum Zwecke der Friedenswahrung und Verteidigung. Völker- und verfassungsrechtliche Analyse unter besonderer Berücksichtigung der Entscheidung des Bundesverfassungsgerichtes zum Einsatz deutscher Streitkräfte vom 12. Juli 1994* (Frankfurt am Main: Lang, 1998), pp. 431 f, fn. 10 and 11.

[208]   Gerd Roellecke, "Bewaffnete Auslandseinsätze - Krieg, Außenpolitik oder Innenpolitik?," *Der Staat,* Vol. 34 (1995), p. 425.

[209]   For instance in Matthias Bartke, *Verteidigungsauftrag der Bundeswehr. Eine verfassungsrechtliche Analyse* (Baden-Baden: Nomos-Verlags-Gesellschaft, 1991), p. 234; Rainer Fuchs, "Die Entscheidung über Krieg und Frieden. Friedensordnung und Kriegsrecht nach dem Bonner Grundgesetz," Dissertation, Universtät Bonn (Bonn, 1981), p. 297; Martin Kriele, "Nochmals: Auslandseinsätze der Bundeswehr," *Zeitschrift für Rechtspolitik* (1994), p. 106.

[210]   For a list of references to such earlier views see Wiefelspütz, *Das Parlamentsheer*, pp. 57, fn. 201; see also Fuchs, "Die Entscheidung über Krieg und Frieden. Friedensordnung und Kriegsrecht nach dem Bonner Grundgesetz," p. 244.

[211]   See above fn. 195.

[212]   BVerfGE 90, S. 286, at 382.

actually departed from the proper bounds of constitutional interpretation, entering the realm of positive law-making. Wiefelspütz seems to be leaning towards the latter reading, considering the Court's "invention" of the parliamentary co-decision procedure a "constitutional-political stroke of genius."[213] Be this as it may, it is difficult not to agree with his pragmatic argument

> "Daß der Einsatz kämpfender oder doch kampfbereiter Soldaten der doppelten Legitimation von Bundesregierung und Bundestag bedarf, hat den Zugang der Bundesrepublik zu solch schwierigen Entscheidungen nicht nur erleichtert, sondern vielleicht erst ermöglicht. Das Prinzip des doppelten Schlüssels und der geteilten Verantwortung hat die deutsche Politik in die Lage versetzt, die nachhaltige Unsicherheit, ja Verstörung im Umgang mit der bewaffneten Macht der Streitkräfte Schritt für Schritt zu überwinden, ohne dabei die Anwendung von militärischer Gewalt zu verharmlosen."[214]

The Court recognises that under Article 32 GG and according to the principles of the separation of powers[215] foreign policy is essentially within the realm of the executive, but refers to Article 59 para. 2 GG (mandatory ratification of foreign treaties through parliament) which establishes a co-decision power of the legislature stemming from its control function,[216] and ultimately from the idea of popular sovereignty under Article 20 para. 2 GG. But it also limits parliamentary co-decision to a general approval or dismissal of the foreign undertaking, thus leaving the government in charge of its actual negotiation.[217] The Court thus derives from the possibility to join systems of collective security under Article 24 para. 2 GG, and the security provisions in Articles 35 para. 3 sentence 2, 45 a, 45 b, 87 a para. 1 sentence 2, para. 4, and 115 a para. 1 GG the existence of an explicit parliamentary co-decision right,[218] and invites parliament to statutorily regulate the procedure.[219]

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[213] Wiefelspütz, *Deutsche Streitkräfte und Parlamentsvorbehalt*, p. 27.

[214] Wiefelspütz, *Deutsche Streitkräfte und Parlamentsvorbehalt*, p. 28.

[215] See its earlier judgement BVerfGE 68, 1, at 85 f.

[216] See its earlier judgement BVerfGE 1, 351, at 369; 1, 372, at 394.

[217] BVerfGE 90, 286, at 357 f.

[218] BVerfGE 90, 286, at 387-8, referring to Article 42 para. 2 GG which stipulates the simple majority of the votes cast, thereby rejecting claims for a two thirds majority, see also the discussion in Wiefelspütz, *Deutsche Streitkräfte und Parlamentsvorbehalt*, pp. 63-64.

[219] BVerfGE 90, 286, at 389.

Such a law has since been passed,[220] and the active participation of German troops in a large number of multilateral missions since has been extensively discussed in the literature.[221] The transformation from an army whose main task was deterrence and which therefore had "to be able to fight in order not to have to fight,"[222] to a de facto expeditionary force has entailed massive organisational, disciplinary, budgetary, and procurement problems. But it is safe to assume that irrespective of the size and complexity of the problems encountered, they would be immeasurably greater and popular acceptance markedly smaller if the 'dual key' arrangement of an active parliamentary involvement had not been adopted.

c. ORGANISATION AND COMMAND STRUCTURE

Historically, the privileged position of the armed forces in Prussia had been symbolised by the special bond of loyalty and obedience between the monarch and his army. Prussia's rapid rise from relative poverty and insignificance to great power status was directly attributable to its military prowess, "the standing army, the 'miles perpetuus', became under the soldier-king Frederick William I the very basis of Brandenburg-Prussia's statehood."[223] In the absolutist states of the 17th century, sovereignty is divested of historical prerogatives of the estates and becomes based exclusively on alleged divine investiture. The military becomes the representation of sovereign omnipotence and

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[220]   Parlamentsbeteiligungsgesetz, 18 March 2005, BT Drs. 15/2742. See also Markus Rau, "Auslandseinsatz der Bundeswehr. Was bringt das Parlamentsbeteiligungsgesetz," *Archiv des Völkerrechts,* Vol. 44, No. 1 (2006): 93-113; Wiefelspütz, *Das Parlamentsheer*; Dieter Wiefelspütz, "Das Parlamentsbeteiligungsgesetz vom 18.3.2005," *NVwZ,* Vol. 24, No. 5 (2005): 496-500; Florian Schröder, "Das neue Parlamentsbeteiligungsgesetz," *Neue juristische Wochenschrift,* Vol. 58, No. 20 (2005): 1401-04; Peter Dreist, "Der Bundestag zwischen "Vorratsbeschluss" und Rückholrecht. Plädoyer für ein wirkungsvolles Parlamentsbeteiligungsgesetz," *Kritische Vierteljahresschrift für Gesetzgebung und Rechtswissenschaft (KritV),* Vol. 87, No. 1 (2004): 79-119.

[221]   Daniel Sigloch, "Auslandseinsätze der deutschen Bundeswehr. Verfassungsrechtliche Möglichkeiten und Grenzen," Dissertation, Universtät Tübingen (Hamburg, Tübingen, 2006); Niels Bunzen, *Der Rechtsberater in der Bundeswehr im Auslandseinsatz,* Driesen Edition Wissenschaft (Taunusstein: Driesen, 2005); *Kommando Internationale Einsätze. Handbuch für Soldaten im Auslandseinsatz* (Graz: Vehling Verlag, 2005); Markus Wölfle, *Die Auslandseinsätze der Bundeswehr und ihre Auswirkungen auf die Rolle der Bundesrepublik Deutschland im internationalen System* (Bonn: Bernard & Graefe, 2005); Dieter Wiefelspütz, "Der Auslandseinsatz der Bundeswehr gegen den grenzüberschreitenden internationalen Terrorismus," *Zeitschrift für ausländisches öffentliches Recht und Völkerrecht,* Vol. 65, No. 4 (2005): 819-35; Heike Krieger, "Die Verantwortlichkeit Deutschlands nach der EMRK für seine Streitkräfte im Auslandseinsatz," *Zeitschrift für ausländisches öffentliches Recht und Völkerrecht,* Vol. 62, No. 3 (2002): 669-702; Florian Schröder, *Das parlamentarische Zustimmungsverfahren zum Auslandseinsatz der Bundeswehr in der Praxis* (Köln: Heymanns, 2005); Limpert, *Auslandseinsatz der Bundeswehr*; Rauch, *Auslandseinsätze der Bundeswehr*; Rauch, "Zivile und militärische Auslandseinsätze der Bundeswehr."; Peter Goebel, *Von Kambodscha bis Kosovo: Auslandseinsätze der Bundeswehr seit Ende des Kalten Krieges* (Frankfurt am Main: Report Verlag, 2000); Roellecke, "Bewaffnete Auslandseinsätze - Krieg, Außenpolitik oder Innenpolitik?"; Kriele, "Nochmals: Auslandseinsätze der Bundeswehr."

[222]   Hans Frank, "Sicherheitspolitik in neuen Dimensionen," in: *Sicherheitspolitik in neuen Dimensionen. Kompendium zum erweiterten Sicherheitsbegriff,* ed. by Bundesakademie für Sicherheitspolitik (Hamburg: Mittler, 2001), p. 17.

[223]   Krack, "Staatsoberhaupt und Streitkräfte," p. 4.

thereby "partook in the Baroque apotheosis."[224] The military becomes the *symbol* of the sovereign's power in the state, and in its hierarchical structure and complete submission to the monarch's person likewise the very *model* of the state.

The Prussian military assumes in this formative period a historically novel socio-political significance, it is no longer associated with a periodically created, socially loathed tool of destruction. Instead it became a permanent and prominently placed part of the social order as the embodiment of the state and model of social excellence:

> "Der Landes- und Kriegsherr sah sich erstens im Rahmen seiner Armee nicht mehr als der distanzierte Herrscher, sondern als der höchste Offizier einer militärischen Hierarchie in einer Position, in der er auf das Charisma des Gottesgnadentums verzichten konnte; für ihn war zweitens die Armee nicht mehr nur ein Instrument der Kriegsführung, sie wurde im Gegenteil möglichst aus allen zerstörenden Kriegseinwirkungen herausgehalten, um als die Verkörperung eines geordneten und durch seine Ordnung funktionierenden Organismus wirken zu können, der geeignet war, Maßstäbe für das gesamte öffentliche Leben zu setzten."[225]

These two aspects, the special link between the monarch and his army, and the exemplary role of the army as a model of emulation for state and society remained characteristic elements of Prussian-German civil-military relations until the collapse of the monarchy in 1918 and beyond. Given the weakness of the state, Frederick William I had to content himself with the internal aspects of this military model of the state, only his successor Frederick the Great was presented with external opportunities which allowed the fullest flowering of this Baroque system: the *roi connétable* directly commanding his army in battle.[226] Direct personal command authority flowing from the monarch to his army whose officer corps was in turn unconditionally bound through the personal oath to the monarch became the characteristic element of the German military tradition until World War I;[227] a tradition fatefully resurrected in the Weimar Republic[228] and abused to great effect in the Third Reich.[229]

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[224]   Gerhard Papke, *Von der Miliz zum stehenden Heer. Wehrwesen im Absolutismus*, Deutsche Militärgeschichte in sechs Bänden 1648-1939, Band 1 (München: Walhalla und Praetoria Verlag, 1979), p. 174 ff.

[225]   Papke, *Von der Miliz zum stehenden Heer. Wehrwesen im Absolutismus*, p. 178.

[226]   Krack, "Staatsoberhaupt und Streitkräfte," p. 7.

[227]   Busch, *Der Oberbefehl*, pp. 7-48; Krack, "Staatsoberhaupt und Streitkräfte," pp. 27-42.

[228]   Busch, *Der Oberbefehl*, pp. 49-86; Krack, "Staatsoberhaupt und Streitkräfte," pp. 42-73.

[229]   Busch, *Der Oberbefehl*, pp. 87-106; Krack, "Staatsoberhaupt und Streitkräfte," pp. 74-84. See also above pp. 170 ff. and 205 ff.

During periods of royal weakness, especially after the devastating defeat of 1806 and following the liberal revolution of 1848, there had been efforts to curtail the direct control of the monarch over the army by introducing elements of popular control. But the concessions extracted were quickly subverted by the monarchy once it reasserted its dominant position after 1850 with the ebbing of domestic revolutionary pressure.[230] We need not concern us here with the constitutional details,[231] but the efforts at monarchical restoration focussed on reasserting full control over the military, without which the monarchy was deemed to be unviable.[232] These efforts were contrary to both spirit and letter of the constitution, relying simply on "anachronistic Prussian views about comprehensive royal command power, but which contradicted the principle of ministerial accountability for all acts of government as the elementary basis of constitutionalism."[233]

Prussia was thus a constitutional monarchy in little more than name, for the provisions of the 1848 constitution were completely circumvented.[234] Thus despite the important advances made with respect to parliamentary budget prerogatives, control over the military remained firmly in the hands of the king, further cementing the historical link between monarchy and army as the foundation of the state. The system that thus developed in Prussia perpetuated the absolutist tradition and rendered ineffectual the introduction of popular participation and control through constitutional provisions. National unification following the victorious wars of 1866 and 1970/1 led to the unreformed adoption of this Prussian system throughout Germany. The fact "that the military state was able to fend off the bourgeois revolution" strongly affected the character and durability of German militarism.[235] The system of direct royal command and control left the army outside the 'normal' institutional structure and thus cemented its

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[230]   Karkowski, "Die parlamentarische Kontrolle der Wehrmacht," p. 93; Krack, "Staatsoberhaupt und Streitkräfte," pp. 22-23.

[231]   Discussed at length by Busch, Krack, and Karkowski.

[232]   For drastic comments by the Minister of War von Roon see Papke, *Von der Miliz zum stehenden Heer. Wehrwesen im Absolutismus*, p. 189.

[233]   Krack, "Staatsoberhaupt und Streitkräfte," p. 23.

[234]   Especially Article 44 of the Prussian Constitution of 5 March 1848 which abolished royal command over the army by requiring all such acts to be counter-signed by a responsible minister of war who would be responsible to parliament. These provisions were never put into practice and the king made quickly clear that he expected all his orders, with or without counter-signature, to be followed immediately throughout the army. Furthermore, the minister of war saw himself as merely the highest officer and as such as loyal servant of the king first and foremost. Parliamentary control over military affairs was therefore practically non-existent, see Karkowski, "Die parlamentarische Kontrolle der Wehrmacht," pp. 93-113.

[235]   Messerschmidt, *Die politische Geschchte der preußisch-deutschen Armee*, p. 285. See also above pp. 112 ff. and 152 ff.

special status, reinforced by its self-conscious cultivation of an aristocratic esprit de corps and the elevation of corporate norms to universal ethical standards:

> "Aus der Überhöhung soldatischer Haltung und Umgangsformen erklärt sich auch die Verabsolutierung der soldatischen Ordnung zu einem ethischen Begriff, der weitgehend Allgemeingültigkeit beanspruchte, sich über die Jahrhunderte als Wertmaßstab erhielt und als eine der Wurzeln des Militarismus anzusprechen ist."[236]

The historical dualism between parliament and army goes therefore deeper than the mere institutional conflict over operational control, a dualism that was perpetuated in the Weimar Republic with the special relationship between army and President, thus pitting the former against parliament.[237] The relative impotence of parliament had a powerful effect on the military's attitude towards democracy and constitutional legality:

> "Der Volksvertretung war es nicht gelungen, sich als der im Staat bestimmende Faktor gegenüber der Krone durchzusetzen. König und Armee standen außerhalb der Verfassung. Ein Umstand, der zu einer wachsenden Entfremdung gegenüber der für die Zukunft zur Herrschaft berufenen Volksvertretung in Preußen und — vermöge dessen dominierender Stellung unter den deutschen Ländern — auch im Reich führen sollte. Diese Wurzeln allen Mißtrauens nahm in der Folgezeit der Volksvertretung das innere Verständnis für den Soldaten, dem Soldaten aber wiederum die Einsicht in die Arbeitsweise und den Sinn einer Demokratie."[238]

The perpetuation of this dualism contributed to the antagonism between liberal and socialist forces in the Weimar Republic and the armed forces which in turn further alienated the latter from civilian society.[239]

aa. Civilian Commander-in-Chief

The characteristic dualism between civilian and military spheres dominated political culture in Germany throughout the Empire and the Weimar Republic,[240] until, paradoxically, the predominance and independence of the military was broken by

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[236] Papke, *Von der Miliz zum stehenden Heer. Wehrwesen im Absolutismus*, p. 179.

[237] Karkowski, "Die parlamentarische Kontrolle der Wehrmacht," pp. 106, 108.

[238] Karkowski, "Die parlamentarische Kontrolle der Wehrmacht," pp. 98-99.

[239] Krack, "Staatsoberhaupt und Streitkräfte," pp. 30-34; Karkowski, "Die parlamentarische Kontrolle der Wehrmacht," p. 105; Otto-Ernst Schüddekopf, *Das Heer und die Republik*, Quellen zur Politik der Reichswehrführung (Hannover und Frankfurt am Main: 1955), p. 226.

[240] For an excellent description of the breakdown in civil-military relations during the Weimar Republic marked by an increasing dependence of the Social Democratic government on military protection and the use of extreme violence, see Krack, "Staatsoberhaupt und Streitkräfte," pp. 42-84.

Hitler.[241] The establishment of civilian (i.e. Party) institutional control over the military was, of course, achieved at the price of the thorough militarization of civilian life.[242] The creation of the new constitutional order in 1949 amounted to a historical dialogue with the Weimar Constitution of 1918.[243] The relative strengthening of the Chancellor and his Cabinet and the emasculation of the President to a largely representative *pouvoir neutre* was motivated by the bad experience of Presidential governments towards the end of the Weimar Republic.[244] Fitting the military seamlessly into the equilibrium of institutional power required thus a departure from the traditional model of military command.

The Basic Law ends the traditional privileges enjoyed by the armed forces by virtue of their unmediated access to the head of the state. Article 65 a GG threads novel ground, both with respect to the German constitutional tradition as well as the practice in most other Western democracies, by dispensing with the concept of "supreme command" (*Oberbefehl*) and replacing it with the more mundane "order and command authority" (*Befehls- und Kommandogewalt*). More importantly, it gives this power to the Minister of Defence, to be transferred to the Chancellor in wartime.[245] The full implications of this momentous decision might not be immediately apparent to those not accustomed to the German tradition, as most Western constitutions habitually designate the head of state as the Commander-in-Chief.[246] Among several theoretically available options,[247] the compromise solution envisaged in Articles 65 a and 115 b GG has proven remarkably successful with respect to the overall goal of ensuring civilian control, i.e. parliamentary supremacy.[248] The aim was to prevent the re-emergence of the military as a "Forth Power" outside the common constitutional order.[249] The clear commitment to the separation of powers thus necessitated placing the military unambiguously within the executive, for which the Chancellor is ultimately responsible under Article 65 GG.

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[241] See above p. 169 ff.

[242] See above pp. 67 and 171.

[243] Allemann, *Bonn ist nicht Weimar*.

[244] See Herzog, Art. 54, Rdnr. 8-11, in Maunz and Dürig, *Grundgesetz Kommentar*.

[245] By virtue of Article 115 b GG (formerly Article 65 a Sentence 2 GG)

[246] For a brief comparative examination see Karkowski, "Die parlamentarische Kontrolle der Wehrmacht," pp. 117-37; Busch, *Der Oberbefehl*, pp. 121-22.

[247] Supreme command could have been transferred to either the Federal President, Speaker of Parliament, Chancellor, Minister of Defence, or a combination of the last two. The latter is the compromise solutions settled for. See Karkowski, "Die parlamentarische Kontrolle der Wehrmacht," pp. 143-44.

[248] Busch, *Der Oberbefehl*, p. 108; Dürig, Art. 65 a, Rdnr. 12, 14, in Maunz and Dürig, *Grundgesetz Kommentar*.

[249] Dürig, Art. 65 a, Rdnr. 12, in Maunz and Dürig, *Grundgesetz Kommentar*.

And while the President is part of the executive,[250] he is *not* part of the government.[251] His powers have been deliberately reduced, not least through the removal of quasi-dictatorial powers which he enjoyed under the Weimar Constitution.[252] The simultaneous strengthening of Chancellor and Cabinet, however, was accompanied by a commensurate increase in parliamentary control powers. It is thus ultimately parliament which benefits from the unambiguous placing of military command in the hands of a government which depends on parliamentary approval and is subject to its permanent supervision. The relative success of West German civil-military relations is in no small part due to the ultimate resolution of the century-long struggle for parliamentary supremacy:

> "Der seit Mitte des vorigen Jahrhunderts geführte Kampf des Parlaments um Einfluß- und Kontrollmöglichkeiten über die Streitkräfte hat mit dieser Grundgesetzbestimmung einen vorläufigen Abschluß erreicht. Der parlamentarisch unabhängige Oberbefehl des monarchischen oder präsidialen Staatsoberhaupts ist beseitigt."[253]

The designation of a parliamentary accountable civilian minister of defence as the bearer of command authority ensured the seamless integration of the military into the parliamentarily accountable executive and effectively prevents the evasion of civilian control that its previous direct relationship to the head of state had ensured.[254] In this respect the clarification of the constitutional text stipulating both *Befehls- und Kommandogewalt* is indicative.[255]

In essence this dual construct designates little more than the English word "command" and Dürig has rightly described it as a "pleonasm."[256] Its use can only be understood in light of the Imperial and Weimar tradition where the authority of the minister of defence had been effectively limited to the military administration while operational military command (*Kommandogewalt*) had been directly exercised by the Commander-in-Chief, i.e. King or President. It is unnecessary for our purposes to discuss at length the extensive

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[250]   Herzog, Art. 54, Rdnr. 17, in Maunz and Dürig, *Grundgesetz Kommentar*.

[251]   Herzog, Art. 54, Rdnr. 18, in Maunz and Dürig, *Grundgesetz Kommentar*.

[252]   Article 48 WeimRVerf.

[253]   Busch, *Der Oberbefehl*, pp. 107-09.

[254]   Described with exemplary clarity in Busch, *Der Oberbefehl*, pp. 112-19.

[255]   The official English translation renders it simply as "command," Bundesregierung, "Basic Law for the Federal Republic of Germany. Official English Translation", Berlin, Federal Government, 2002, http://www.bundesregierung.de/nsc_true/Content/EN/__Anlagen/basic-law,templateId=raw,property=publicationFile.pdf/basic-law, accessed on: 21 November 2006.

[256]   Dürig, Art. 65 a, Rdnr. 20, in Maunz and Dürig, *Grundgesetz Kommentar*.

literature,[257] following Dürig we can summarise that the redundant use of the dual term is meant to underline the departure from tradition in two important ways: the rejection of the concept of "supreme command" (*Oberbefehl*), and the transfer of responsibility from one constitutional organ (President) to another (Minister of Defence).

In the Empire supreme command was exercised by the Emperor,[258] this monarchical concept was adopted by the Weimar republic which gave supreme command to the President.[259] This "monarchic relict"[260] was tempered by the attempt to bring supreme command under parliamentary control by transferring as much of its substantive content to the parliamentary accountable minister of defence.[261] Unfortunately, this attempt failed, largely as a result of the resurrection of the questionable concept of *Kommandogewalt*, purportedly outside the reach of the Minister of Defence and thus parliament, and allegedly consisting of the operational aspects of military command.[262]

Based on the recognition that the constitutional tradition had been unable to define with sufficient clarity the precise extent of the term "supreme command" (*Oberbefehl*) which had given rise to this subversion of the spirit of the Weimar constitution, the Basic Law does entirely away with the term and "de-concentrates" it into its constituent parts.[263] The

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[257] Hornung, *Staat und Armee. Studien zur Befehls- und Kommandogewalt und zum politisch-militärischen Verhältnis in der Bundesrepublik Deutschland*; Busch, *Der Oberbefehl*, pp. 119-27; Ernst-Wolfgang Böckenförde, "Die Eingliederung der Streitkräfte in die demokratisch-parlamentarische Verfassungsordnung und die Vertretung des Bundesverteidigungsministers in der militärischen Befehlsgewalt (Befehls- und Kommandogewalt)," in: *Stellvertretung im Oberbefehl,* Veröffentlichungen der Hochschule für politische Wissenschaften (München: Universis-Verlag, 1966), p. 43 ff; Ernst-Wolfgang Böckenförde, *Die Organisationsgewalt im Bereich der Regierung. Eine Untersuchung zum Staatsrecht der Bundesrepublik Deutschland*, Schriften zum öffentlichen Recht, 18; zugleich: Habilitation Universität Münster (Berlin: Duncker & Humblot, 1964). See also the literature cited by Dürig, Art. 65 a, Rdnr. 18-36, in Maunz and Dürig, *Grundgesetz Kommentar.*

[258] Articles 63 I, 53 I ReichsVerf.

[259] Article 47 WeimVerf.

[260] Dürig, Art. 65 a, Rdnr. 2, in Maunz and Dürig, *Grundgesetz Kommentar*.

[261] Reichswehrgesetz of 23 March 1921 (RGBl. S. 329), § 8 II which stipulated: "Der Reichspräsident ist oberster Befehlshaber der gesamten Wehrmacht. Unter ihm übt der Reichswehrminister Befehlsgewalt über die gesamte Wehrmacht aus. An der Spitze des Reichsheeres steht ein General der Heeresleitung, an der Spitze der Reichsmarine ein Admiral als Chef der Marineleitung."

[262] This problem arose under von Seeckt as *Chef der Heeresleitung*, it turned into open defiance of the civilian government under his successors Groener and Schleicher. See Craig, *The Politics of the Prussian Army*, pp. 415-426, and 427-467; see also Reinfried, *Streitkäfte und Bundeswehrverwaltung*, pp. 22-31.

[263] The power over commission and promotion of the officer corps remains with the President in analogy to his similar power with respect to judges and federal civil servants (Article 60 GG); military justice is removed from his purview and given to the normal civilian courts, a separate military jurisdiction is abolished in peace time and remains in war-time under the control of the Minister of Justice (Article 96 para. 2 GG), again in analogy to his normal civilian prerogative the President retains the right to pardon military offenders (Article 60 para. 2 GG); the right to hear petitions and disciplinary complaints by soldiers is shared between the President, the Minister of Defence, and the parliamentary military ombudsman; civil defence matters are jointly handled by the states and the federal ministry of defence; the Presidential rights concerning military emergency decrees (*Militärverordnungsrecht*) are abolished, binding decrees by the government or the Minister of Defence must be based on a prior legislative basis (Article 80 GG); *all*

traditional concept did not only confer a very large amount of power to the President and thus onto the military, but perhaps even more troubling, it seriously undermined the logical consistency of the constitutional order. Dürig correctly observed that the traditional supreme command

> "amounted to a complex, all-encompassing military competency of the Commander-in-Chief whose constitutional questionability lay not only in its concentration of power (one only has to think of the US President) but rather in its inconsistency with the parliamentary form of government."[264]

The basic constitutional decision thus de-concentrates the constitutive elements of supreme command and reassigns them, mostly to the Minister of Defence. This transfer of power (*Organverlagerung*) is often interpreted as a strengthening of the executive, but the true winner is neither the Minister of Defence nor the Chancellor "but Parliament which may now utilise its customary parliamentary powers also in military affairs — an area which had eluded direct parliamentary control for so long."[265] The use of the pleonastic term *Befehls- und Kommandogewalt* in Article 65 a GG therefore signifies little more than the determination to close potential loopholes of interpretation and making it abundantly clear that *any and all* command authority, be it of an administrative or operational character, flows directly and unambiguously from the *civilian* Minister of Defence who is in turn responsible to parliament. The determination to reign in potential military revanchism has been aptly summed up by Dürig in his characteristically acerbic manner:

> "Zunächst einmal muß sich also die Bundeswehr darüber klar sein, daß ihr oberster militärischer Kommandeur ein Zivilist ist. Das zu betonen ist angesichts vorhandener „Hindenburg-Reminiszenzen" bei der Truppe nicht unwichtig."[266]

The constitution therefore makes it clear, that both military operational command as well as civilian administrative and logistical instructions/directives emanate solely from the civilian minister, subject to parliamentary and, if necessary, judicial review thus leaving no extra-legal military sphere.

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other executive prerogatives have been transferred to the Minister of Defence and will in the event of military attack be assumed by the Chancellor (Articles 65 a and 115 b GG).

Those powers that do remain with the President do so in analogy with other, civilian powers he already enjoys (commissions, pardon, petitions, etc.), they are *not* remnants of the former supreme command, a point misunderstood by Karkowski, "Die parlamentarische Kontrolle der Wehrmacht," p. 147.

[264] Dürig, Art. 65 a, Rdnr. 2, in Maunz and Dürig, *Grundgesetz Kommentar*.

[265] Dürig, Art. 65 a, Rdnr. 4, in Maunz and Dürig, *Grundgesetz Kommentar*.

[266] Dürig, Art. 65 a, Rdnr. 23, in Maunz and Dürig, *Grundgesetz Kommentar*.

Subsequently, the Federal Ministry of Defence comprises both civilian and military aspects of defence, thus institutionally encompasses both the defence bureaucracy which had historically been the responsibility of the Ministry of War as well as the military command structure historically outside the ministry. There are thus no longer any extra-ministerial military command structures,[267] including the general staff (*Generalstab*)[268] now completely integrated into the Ministry of Defence.

Scientific and comprehensive planning of war had begun in the 17th century in Prussia, in Cromwell's England, Austria and a number of other states, but only after the defeat of 1806 was a properly constituted general staff formed in Prussia which eventually became a model that was adopted by almost all armies as part of the process of professionalisation. As a group of highly skilled, specially selected and trained officers the general staff represented the corporate ideal of technical specialists undertaking "the professional work of military planning," because the increasing technical complexity of warfare "creat[ed] the need for still another type of specialist: the specialist in coordinating and directing these diverse parts to their assigned goal."[269] As such, the Prussian general staff had a very large part in the military success of the Prussian-German armies throughout the 19th century, leading to its widespread emulation by other armed forces.

But the general staff also represented the resistance of the military to external control, based on the purportedly non-political, technical nature of its task.[270] Formed in 1821, the

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[267]   Busch, *Der Oberbefehl*, p. 128; Reinfried, *Streitkäfte und Bundeswehrverwaltung*, p. 32 ff.

[268]   See for instance Waldemar Erfurth, *Die Geschichte des deutschen Generalstabes von 1918 bis 1945*, Studien und Dokumente zur Geschichte des Zweiten Weltkrieges, Band 1 (Göttingen: Musterschmidt, 1960); Gerhard Förster (ed), *Der Preussisch-deutsche Generalstab 1640-1965: Zu seiner politischen Rolle in der Geschichte*, Wahrheiten über den deutschen Imperialismus (Berlin: Dietz, 1966); Walter Görlitz and Brian Battershaw, *The German General Staff, Its History and Structure 1657-1945* (London: Hollis & Carter, 1953); Siegfried Westphal, *Der deutsche Generalstab auf der Anklagebank: Nürnberg 1945-1948* (Mainz: v. Hase & Koehler, 1978).

[269]   Huntington, *The Soldier and the State*, pp. 253, 32. He continues to defend the purely technical nature of the military professional as a result of this increasing functional complexity: "No longer was it possible to master this skill while still remaining competent in many other fields. Most particularly, it became impossible to be an expert in the management of violence for external defence and at the same time to be skilled in either politics and statecraft or the use of force for the maintenance of internal order. The functions of the officer became distinct from those of the politician and policeman. Technological specialisation was more or less equally present throughout the West. Professionalism had to arise. The explanation of its especial manifestation in Prussia is found in social and political conditions."

[270]   This position is explicitly endorsed by Huntington throughout his work as applicable and advisable for the US army in the 20th century. Huntington, *The Soldier and the State*, pp. 250-54.

general staff was quickly taken out of the ministry of war and given in 1883 the right of direct access to the sovereign (*Immediatvortrag*).[271] Huntington's explicit endorsement of this system must be treated with great caution:

> "While the limited scope of military authority and the unity of civilian power kept the military out of politics, the direct access of the military to the Kaiser kept the politicians out of the military. All in all, given the ideological climate of the times, the entire pattern of authority was uniquely suited to maximise civilian control and military professionalism."[272]

While Huntington's positive assessment might be understandable in the context of what he perceived to be a dysfunctional American civil-military system in need of coordination and central planning, in the German context the existence of the general staff outside the political structure of the ministry became a key contributing factor towards a pronounced civil-military dualism and a significant cause of military insubordination until 1938.[273]

Following the defeat of 1945 much blame has been laid onto the German general staff as the centre if not the source of German militarism; as we have argued above, some of this criticism has been misdirected because it overstates the degree of military independence that existed once Hitler had ensured Party control over the military and its integration into the Nazi order.[274] Both the Versailles Peace Treaty[275] and the Potsdam Agreement[276] explicitly forbid the reconstitution of a German general staff. In part these enemy measures aimed at destroying a prominent source of military prowess, and as such are perhaps a testament to its high professional quality. But partly these prohibitions were also based on the perception that the general staff had been a prominent breeding ground of anachronistic militarism. But be this as it may, faced with the task of integrating a reconstituted military establishment into the democratic order of the Federal Republic,

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[271] See *passim* Craig, *The Politics of the Prussian Army*; Karkowski, "Die parlamentarische Kontrolle der Wehrmacht," pp. 96-97.

[272] Huntington, *The Soldier and the State*, p. 103.

[273] On the Blomberg-Fritsch Crisis see above p. 169 ff.

[274] Wheeler-Bennett, *The Nemesis of Power*, p. 289 ff; Taylor, *Sword and Swastika*; Craig, *The Politics of the Prussian Army*, p. 468 ff; Westphal, *Der deutsche Generalstab auf der Anklagebank: Nürnberg 1945-1948*.

[275] Article 160 para. 3: "The Great German General Staff and all similar organisations shall be dissolved and may not be reconstituted in any form." "The Versailles Treaty of 28 June 1919",

[276] Section II A i (a): "All German land, naval and air forces, the SS, SA, SD, and Gestapo, with all their organizations, staffs and institutions, including the General Staff, the Officers' Corps, Reserve Corps, military schools, war veterans' organizations and all other military and semi-military organizations, together with all clubs and associations which serve to keep alive the military tradition in Germany, shall be completely and finally abolished in such manner as permanently to prevent the revival or reorganization of German militarism and Nazism;" "Agreements of the Berlin (Potsdam) Conference, July 17-August 2, 1945", 1945, http://www.pbs.org/wgbh/amex/truman/psources/ps_potsdam.html, accessed on: 23 November 2006.

the constitutional decision-makers were determined to prevent the re-emergence of an independent general staff as the potential nucleus of an insubordinate army.

Due to its problematic history, the name *Generalstab* is no longer used in the Bundeswehr, its functions were assigned to the *Führungsstab der Streitkräfte* which, importantly, was closely and completely integrated into the Ministry of Defence.[277] It is headed by the military's top ranking officer, the Inspector General (*Generalinspekteur der Bundeswehr*).[278] He is assisted by one Inspector for each of the branch of the armed forced, each presiding over a distinct *Führungsstab* for their respective branch.[279] The Inspector General is appointed by the Federal President at the suggestion of the Minister of Defence, however, his term of office is not linked to that of the Minister.

Although the highest ranking officer, the Inspector General is *not* the highest commanding officer, let alone the Commander-in-Chief. He can issue instructions but not binding orders to the respective Inspectors of the different branches who remain for their branch the respective highest commanding officer. Each of these branch Inspectors reports directly to the Minister of Defence.[280] This deliberately low-key arrangement was partly prompted by the historical experience of highly influential and politically insubordinate chiefs of the army command (*Chef des Truppenamts*) in the Weimar Republic, who although constitutionally subordinate to the Reichswehr Minister had successfully resisted political and parliamentary curtailment of their authority.[281]

But partly it was the practical result of the full operational integration into NATO which meant that virtually all operational combat troops were placed until 1990 under integrated alliance command. Given the very nature of general staff planning whose essence lies precisely in its comprehensiveness, all operational planning therefore had to be done at

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[277]   It might be of interest that the East German armed forces likewise chose not to use the term *Generalstab*, preferring instead the neologism *Hauptstab*.

[278]   A listing and short biographical data on the hitherto fourteen Inspector Generals can be found at Bundesminister der Verteidigung, *Die Generalinspekteure der Bundeswehr* (Berlin: BMVg, 2006).

[279]   Inspekteur des Heeres (Führungsstab des Heeres), Inspekteur der Luftwaffe (Führungsstab der Luftwaffe), Inspekteur der Marine (Führungsstab der Marine), Inspekteur des Sanitätsdienstes [*central medical service*] (Führungsstab des Sanitätsdienstes) Inspekteur der Streitkräftebasis [*central logistics and support service*] (the separate Führungsstab der Streitkräftebasis has been merged with the general Führungsstab, therefore this Inspekteur no longer heads a distinct staff but is the deputy of the Inspector General). For more information see Bundesminister der Verteidigung, *Die militärischen Führungsstäbe* (Berlin: BMVg, 2004).

[280]   Note that Bald criticises this arrangement introduced under Minister of Defence Strauß as undermining the organisational unity of the Bundeswehr by reinstating historically fateful branch independence, Bald, *Die Bundeswehr: Eine kritische Geschichte, 1955-2005*, p. 48.

[281]   Craig, *The Politics of the Prussian Army*, pp. 383-86.

the alliance level. Conceived explicitly as an alliance army during the Cold War, the German army could not be a "self-sufficient instrument" and therefore there could likewise be no "German national plan for the defence of Central Europe" just as there could be no distinct American or British planning.[282] While this is essentially correct, the *degree* to which West Germany deferred virtually all national planning to the multilateral level was certainly different from the policies of its partners which all maintained national general staffs pursuing often quite distinct national defence strategies.[283]

The lack of military command authority considerably (and deliberately) undermined the position of the Inspector General. But with the increasing number of international missions under a variety of multilateral structures, the exclusive dependence on NATO planning is no longer deemed adequate. Subsequently, a special staff for these missions (*Einsatzführungskommando*) has been created in Potsdam which is commanded by the Inspector General who has been given operational command over all external missions.[284] This arrangement seems functionally sound and is unlikely to threaten the stability of the institutional balance, despite the significant strengthening of the position of the Inspector General.

cc. Civilian Bureaucracy and Ministerial Oversight

Against considerable resistance from former military officers it was decided in the precursor of the Ministry of Defence (*Amt Blank*) to break with the tradition of an administratively and logistically self-sufficient military and to introduce a strict functional separation between operational military tasks proper, and the essentially civilian support functions of administration, personnel, logistics, supply, procurement, etc. Article 87 b GG clearly stipulates an integrated *federal* administration distinct from military command, thereby explicitly rejecting the earlier forms of military administration and *Intendanturverwaltung*.[285] These earlier forms were characterised by having been manned

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282   According to then Inspector General Ulrich de Maizière, "Die Bundeswehr heute und in den 70er Jahren," *Wehrkunde, Zeitschrift für Wehrfragen,* Vol. 18 (1969): 171 ff.

283   See above p. 259 ff. A good overview of German Cold War strategic outlook and the integral role of alliance integration is given in Obermann, *Gesellschaft und Verteidigung,* pp. 579-94.

284   For further details see Michael Knop (ed), *Das Einsatzführungskommando der Bundeswehr,* (Potsdam: Bundesministerium der Verteidigung, 2004).

285   Martens, "Grundgesetz und Wehrverfassung," p. 139.

mainly by uniformed personnel and subject to military command authority.[286] A further unwelcome characteristic of the old system, one still very much in evidence in many Western armed forces not least in the United States,[287] was the sharp degree of inter-service rivalry for organisational resources etc. By stipulating one common Bundeswehr[288] and one uniform administration serving all branches[289] the previous system of separate army, navy, and air force administrative commands is explicitly rejected.[290]

The new system envisages, in contrast, a *purely civilian* administration subject to the normal legal, technical, and disciplinary rules of the general civil service, and strictly separated from the hierarchical military command structure. The latter have no command or instruction authority (*Befehls- oder Weisungsrechte*) over the former; only in the person of the Minister of Defence and his civilian State Secretary as deputy are both the army and the military administration reunited into a single chain of command.[291] Article 87 b GG clarifies federal jurisdiction over the military administration and represents a carefully worked out compromise with the states which feared an encroachment by the federation into state prerogatives. The underlying conflict is evident in the wording of the article[292] and the careful circumscription of the military administration's mandate, limited to personnel matters and procurement needs.[293] There is thus a careful distinction between *military* administration for which the federation has exclusive jurisdiction (through the *Bundeswehrverwaltung*), and the wider *defence* administration which includes the former plus additional tasks such as civil defence, the military service system,[294] veterans affairs,

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[286]   Wolfgang Cartellieri, *Die Bundeswehrverwaltung* (Dortmung: 1955), pp. 9 ff, 16 ff.

[287]   Note, however, that inter-service rivalries can be deliberately set up as a means for ensuring civilian control and preventing military meddling into politics. This aspect has been prominent in American civil-military thinking. For a theoretical discussion see above p. 92 ff.

[288]   Article 87 a GG stipulating common, federal armed forces. This followed the unanimous verdict of the military experts who strongly cautioned against organisationally separate branches, based on the negative experience from the war where army, navy and air force were poorly coordinated if not actually working at cross-purposes. On the latter aspect see Abenheim, *Reforging the Iron Cross*, p. 56; Rautenberg and Wiggershaus, "Die 'Himmeroder Denkschrift'," p. 161.

[289]   Article 87 b GG.

[290]   Dürig, Art. 87 b, Rdnr. 17, in Maunz and Dürig, *Grundgesetz Kommentar*; see also the criticism by Bald, *Die Bundeswehr: Eine kritische Geschichte, 1955-2005*, p. 48.

[291]   Dürig, Art. 87 b, Rdnr. 13, in Maunz and Dürig, *Grundgesetz Kommentar*.

[292]   It stipulates co-decision by the Bundesrat, i.e. the upper house representing the states, five (!) times.

[293]   Article 87 b para. 1 sentence 1: "The Federal Defense Administration shall be conducted as a federal administrative authority with its own administrative substructure. It shall have jurisdiction for personnel matters and direct responsibility for satisfaction of the procurement needs of the Armed Forces." (Official translation).

[294]   These two are explicitly excluded in Article 87 b para. 2 sentence 1.

buildings and real estate matters, etc. jointly undertaken by states and federation.[295] The fundamental character of this arrangement has been recognised by foreign observers early on:

> "In the case of the Bundeswehr, the division of its activities into 'military' and 'administrative' categories, and the assignment of the latter to civilian officials has received such emphasis as to put it in the class of a major reform."[296]

The functional separation of operational military tasks from purely administrative tasks serves a variety of purposes.[297] On the technical level, it is meant to be beneficial for both sides as it permits the specialisation of each on its core competencies thereby freeing the military to concentrate on its key defence functions while permitting the administration serving the defence effort to benefit from access to the pool of qualified civilian expertise and manpower in the general civil service.[298] While plausible, this argument does not tell the whole story. Apart from such technical-functional and the above stated federal concerns, the decision to establish an independent civilian administration was motivated in large part by the perceived need to counter inherent tendencies of maladministration, waste, corruption, and self-serving, non-defence related activities that had been so much in evidence in earlier military-controlled bureaucracies.[299]

One of the key designers of this dual system of separated military and administrative functions (*Zwei-Säulen-Konzept*), Ernst Wirmer has thus rejected the argument that this system primarily served to "free combat troops from an excessive administrative burden" as "pseudo-rational", stressing instead that his thinking had been guided "on the one hand by the independence of the *Bundeswehrverwaltung* — on the other hand by a [general] aspect of modern management: organisational competition."[300] The separation of formulating the organisational need for a certain type of personal or procurement input

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[295]   See further Art. 87 b, Rdnr. 19-30, in Maunz and Dürig, *Grundgesetz Kommentar*.

[296]   George Robert Moe, "A Survey of Politically Significant Innovations in the German Bundeswehr," Dissertation, The American University (Washington, D.C, 1966), p. 215.

[297]   The concept and its underlying statutory norms are very well laid out in Reinfried, *Streitkäfte und Bundeswehrverwaltung*, pp. 32-59.

[298]   Dürig, Art. 87 b, Rdnr. 14, in Maunz and Dürig, *Grundgesetz Kommentar*; Hubert Reinfried, "Die Bundeswehrverwaltung, ein neuer Zweig der öffentlichen Verwaltung," *Die öffentliche Verwaltung,* Vol. 58 (1958), p. 145 f.

[299]   This is an insight well expressed by Finer: "sectional bodies all plead the national interest when making claims for their own benefit." Finer, *The Man on Horseback: The Role of the Military in Politics*, p. 33.

[300]   Ernst Wirmer, "Der Begriff 'civil control'," *Bundeswehrbeamte,* Vol. 12 (1976): 238 ff.

by the military and its fulfilment by a different, structurally distinct bureaucracy is likely to result in better management control and more efficient and cost-effective service.[301]

This aspect has been stressed in the initial governmental concept which stipulated a sharp distinction between combat-related, essentially military tasks to be governed by the command principle (*Befehlsprinzip*), and general administrative tasks to be governed by "general principles of administrative conduct" (*allgemeine Verwaltungsgrundsätze*) to be discharged by "specifically trained, civilian personnel" *not* subject to command authority but the law-based discipline of the general civil service. The "clear separation" of the two organisations fulfilling these two distinct roles is thus determined by a compelling functional logic.[302] This system of strict functional separation has been, and largely remains, a model "without precedent."[303]

There is little doubt that apart from the functional reasons stated a number of other, more inconspicuous considerations were present — motives clearly recognised and resented by the military leadership.[304] These stemmed from the general distrust towards the military and the desire to limit as much as possible their influence and power to the structural and functional minimum.[305] The Anglo-American concept of 'civil control' played a large role in the discussions leading towards this unique arrangement; 'civil' in this sense does not necessarily mean a preference for the civilian,[306] but political control and exercise of power through popularly elected parliamentary representatives.[307] It is in the pursuance of this goal that the institutional separation into military and civilian

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[301]   Incidentally, this thinking has in the last decade resulted in large areas of the administration's functional mandate being outsourced to private contractors charged with supplying the military's logistical and service needs. Meinhard Dreher, "Die Privatisierung bei Beschaffung und Betrieb der Bundeswehr," *Neue Zeitung für Baurecht* (2001): 360 ff; C. Gramm, "Privatisierung bei der Bundeswehr," *Deutsches Verwaltungsblatt,* Vol. 21 (2003): 1366-71; Reiner K. Huber, "Armee der Zukunft: Trends und Folgerungen," *Europäische Sicherheit,* Vol. 51 (2002): 31-36.

[302]   Regierungserklärung of 27 June 1955 quoted and discussed in Reinfried, *Streitkäfte und Bundeswehrverwaltung,* p. 33.

[303]   Günther Hahnenfeld, "Bundeswehrverwaltung gestern und heute," *Bundeswehrverwaltung,* Vol. 1 (1975), p. 18.

[304]   Inspector General Heinrich Trettner who resigned over differences with his civilian counterpart Ernst Wirmer and the Minister of Defence Kai-Uwe von Hassel on the question of civilian influence and the permission of trade union representation for civilian and military staff told a parliamentary commission of inquiry that "the newly introduced separation of the administration from the chain of command … implemented presumably for the alleviation, but in reality for the control of soldiers." See also Bald, *Die Bundeswehr: Eine kritische Geschichte, 1955-2005*, pp. 67-68.

[305]   The contemporary political attitudes and preconceptions towards the military are laid out in Hans Meier-Welcker, "Militär und Militärverwaltung in ihrem Verhältnis in der deutschen Heeresgeschichte," *Wehrwissenschaftliche Rundschau,* Vol. 5 (1967), p. 262.

[306]   See the remarks by Jaeger above p. 273.

[307]   Wirmer, "Der Begriff 'civil control'," p. 238.

administration offers a welcome additional layer of checks and balances, a consideration prominent among early decision-makers.[308]

Consequently, the civilian character of the administration should not be seen as the most central criterion of this "novel type" of administration, although its civilian nature has certainly significantly contributed to its corporate culture. Indeed, a completely civilian administrative body from top to bottom which is thoroughly insulated from the interference of even the top-ranking commanding officer has historically been considered "unusual, if not outright unheard of."[309] Nevertheless, its civilian character is perhaps less important than its organisational independence and distinctness which permits better institutional control, transparency, accountability, and professionalism.

In one important aspect, however, the civilian character of the administration serves as a powerful antidote to militarism and has therefore been considered particularly appropriate for the defensive posture of the Federal Republic:

> "Whoever wants to wage an aggressive war and prepare the occupation of foreign territory would need to 'militarise' the defence administration in order to transform it quickly into a mobile state. A territorially and bureaucratically spread out civilian administrative body is useless for the pursuit of offensive intentions."[310]

It is this element of domestic and international structural reassurance that is often overlooked in the discussion of the civilian nature of the German defence administration. Such structural reassurance must be seen in the context of an integrated defence posture whose complete and deliberate dependence on alliance material, intelligence, command, and planning capabilities made aggressive campaigns waged for territorial conquest or forceful reunification *materially* impossible.

To be sure, for the Eastern enemy it was difficult to distinguish between the capabilities needed for "forward defence" and those for outright aggression. These considerations were finally being addressed in the 1980s under the realisation that security could ultimately not be achieved by one side at the expense of the other.[311] But while the

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[308]   Hahnenfeld, "Bundeswehrverwaltung gestern und heute," p. 19; note the highly critical position in this respect by Reinfried, *Streitkäfte und Bundeswehrverwaltung*, p. 52.

[309]   Reinfried, *Streitkäfte und Bundeswehrverwaltung*, p. 55.

[310]   Reinfried, *Streitkäfte und Bundeswehrverwaltung*, p. 55.

[311]   See for instance the series of articles under the heading "Security in East and West" in Dieter S. Lutz (ed), *Im Dienst für Frieden und Sicherheit. Festschrift für Wolf Graf von Baudissin*, 1. Aufl (Baden-Baden: Nomos-Verlagsgesellschaft, 1985), pp. 109-202. See also the discussion of the literature on the end of the Cold War above p. 124 ff.

capabilities of the Western alliance as a whole might have been threatening to the Eastern bloc, the structure of this alliance effectively ensured that the West German armed forces would be *physically* incapable of unilateral action.[312] While mainly benefiting Germany's Western neighbours, the systemic moderation of such reassurance[313] also benefited the Eastern neighbours — those that would have had to fear the most from any potential irredentist tendencies in West Germany.

d. MISCELLANEOUS CONTROL MEASURES

Apart from those stated above, a number of factors bear mention that contribute to the establishment of civilian control over the armed forces. Some of the theoretical concepts discussed earlier can thus be seen being implemented during the creation of the Bundeswehr.

aa. Approval of Promotions and Commissions

The composition of an army is likely to affect its normative outlook and its loyalty to a particular social and governmental order.[314] Particularly at the conclusion of a violent conflict the recreation of security instruments poses the delicate problem that those with the requisite degree of professional expertise are likely to be simultaneously those most directly associated with the old regime. This affects the reliability and loyalty of the new force to the new political order, as well as the domestic and international normative acceptance of the new force.

East and West Germany pursued here radically different approaches. East Germany downplayed the participation of former Wehrmacht officers in the creation of its armed forces, and after a short inception phase completely purged all remaining such officers, relying instead on politically untainted candidates from 'reliable' social strata. The international perception of the odium of Wehrmacht membership played hereby an

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[312]   Obermann, *Gesellschaft und Verteidigung*, p. 585.

[313]   See above on the structural and normative moderating influence of alliance membership, p. 259 ff.

[314]   See above p. 94 ff.

important role.[315] While the commitment to break with the Nazi past was certainly quite sincere, in other respects anachronistic military traditions were perpetuated. The formalistic distancing from the recent past furthermore prevented a thorough and honest engagement with the nation's history, a problem most certainly not limited to the armed forces.[316]

The Federal Republic could for a variety of reasons not rely on such a presumed clean break,[317] and relied much more heavily and explicitly on former Wehrmacht officers. The selection of the officer corps thus played an important role, as the Imperial tradition of a highly exclusionary aristocratic corps was felt to be equally inappropriate as the disloyal neutralist force of the Weimar Republic.[318] In particular, officers with close relationships to the Third Reich were to be kept out of the new army.

The device to achieve this aim was found in a parliamentary-designated *ad hoc* Personnel Selection Committee (*Personalgutachterausschuß*) formed in 1955 from a wide variety of eminent public figures, including some with links to the military resistance.[319] This body although created by parliament worked independently in a quasi-judicial manner[320] to screen applicants above the rank of colonel for their leadership ability, "character" and commitment to the democratic order. Former SS and SD members were excluded, as were former members of the Soviet-backed *Nationalkommittee Freies Deutschland* and, somewhat strangely, the Foreign Legion.[321] Controversially, the Committee's rules did not exclude former Waffen-SS members.[322] Until the conclusion of its work in November 1957 the Committee screened some 600 officer applicants of whom it approved 486, the

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[315]   Fingerle, "Waffen in Arbeiterhand? Zur Rekrutierung der Offiziere der Nationalen Volksarmee."; Wenzke, "Wehrmachtsoffiziere in den DDR-Streitkräften."; Oliver C. Prinz, *Der Einfluss von Heeresverfassung und Soldatenbild auf die Entwicklung des Militärstrafrechts* (Göttingen: V & R unipress, 2005), pp. 250-61.

[316]   Harnisch, "In der Tradition von Müntzer, Scharnhorst, Engels, Thälmann," pp. 255-68.

[317]   See also the discussion above p. 194.

[318]   'Zur Problematik und Zielsetzung der Offiziersauswahl bei der Aufstellung der Bundeswehr' in Detlef Bald, "Militärreformen in Deutschland - Zum historischen Stellenwert der Integration von Militär und Gesellschaft," in: *Vom Kalten Krieg zur Deutschen Einheit*, ed. by Bruno Thoß (München: 1995), p. 267.

[319]   Gesetz über den Personalgutachterausschuß, 23 July 1955 (BGBl. I 55, S. 451).

[320]   Karkowski, "Die parlamentarische Kontrolle der Wehrmacht," pp. 201-04., who criticises the self-emasculation of a divided parliament by delegating its own tasks to an external semi-judicial body.

[321]   For a brief overview of the Committee's rules see Prinz, *Der Einfluss von Heeresverfassung und Soldatenbild auf die Entwicklung des Militärstrafrechts*, pp. 326-28.

[322]   The simultaneously created but permanent *Bundespersonalausschuss* decided already on 2 August 1956 (Nr. 365/56) that former members of the Waffen-SS up to the rank of Lieutenant Colonel (*Obersturmbannführer - Oberstleutnant*) were eligible for service in the Bundeswehr at their old rank. All in all 45 officers, 316 NCOs and 205 enlisted men from the Waffen-SS were admitted into the Bundeswehr which at the time had a size of 67.000. Quoted in Prinz, *Der Einfluss von Heeresverfassung und Soldatenbild auf die Entwicklung des Militärstrafrechts*, p. 328. See also § 27 (7) SoldatenG.

great majority of whom had held senior ranks in the Wehrmacht, including several war criminals.[323]

The procedure is today only of historical interest, but the precedent of screening committees remains relevant in contemporary post-conflict situations.[324] Thereafter, the appointment and promotion of officers has been a prerogative of the Federal President under Article 60 para. 1 GG who has delegated this authority to the Minister of Defence.[325]

bb. Strict Circumscription of Military Mandate

The experience of war and defeat produced a profound domestic disillusionment with all things military, including a highly vocal pacifist movement that rejected even the concept of legitimate self-defence.[326] Coupled with the natural external scepticism of Germany's former enemies and victims about the potential of renewed aggression, it is not surprising that rearmament was accompanied by strong rhetorical and constitutional professions of benign intent.

Perhaps internationally less important than *material* guarantees — such as physical alliance limitations and dual key arrangements — these normative professions nevertheless carry much domestic persuasive weight and serve to anchor the military institution and its organisational culture in important, *legally binding* ways.[327] Cynics and sceptics might remark that domestic legal barriers can always be set aside by sufficiently determined groups, but the benefit of unambiguous constitutional proscriptions and guarantees is that their open defiance or abrogation provides a useful *early warning* mechanism prior to international aggression.[328] The constitution proscribes in particular three types of military

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[323]   Abenheim, *Reforging the Iron Cross*, pp. 136-47.

[324]   Schnabel and Ehrhart, *Security Sector Reform and Post-conflict Peacebuilding.*

[325]   Under Article 60 para. 1 GG, see Herzog, Art. 60, Rdnr. 10, 11, 22, in Article 60 para. 1 GG

[326]   A prominent proponent was for instance the Social Democrat Carlo Schmid, see above fn. 152.

[327]   Münch, "Äußerer und Innerer Friede im Grundgesetz."

[328]   This element has been justly stressed in the preparation of the European system of human rights protection, ably summed up by Rapporteur Teitgen: "Democracies do not become Nazi countries in one day. Evil progresses cunningly, with a minority operating, as it were, to remove the levers of control. *One by one freedoms are suppressed*, in one sphere after another. Public opinion and the entire national conscience are asphyxiated. … *It is necessary to intervene before it is too late.* A conscience must exist somewhere which will sound the alarm to the minds of a nation menaced by this progressive corruption, *to warn of the peril and to show them that they are progressing down a long road which leads far*, sometimes even to Buchenwald or Dachau." Council of Europe, *Collected Edition of the Travaux Préparatoires*, pp. 292, emphasis added.

action: aggressive war, unilateral external missions, and the domestic use against the population.

Article 26 GG together with the preamble unequivocally binds the state to the peaceful pursuit of international relations and explicitly prohibits and criminalises the preparation and conduct of an aggressive war,[329] as well as restricting the export of weaponry usable in war.[330] It is arguable how effective such normative stipulations can be beyond their declaratory value.[331] Especially, the normative ban on weapon exports often conflicts with countervailing economic,[332] political, or — as for instance with regard to Israel — even moral considerations that argue *for* the export of offensive material with full expectation of its use in an armed conflict. From a legal point of view, however, the article remains important because it not only normatively anchors the executive and its organs, including its armed forces, but mandates individual penal sanctions for their transgression.[333] While the record of penal proceedings against political decision-makers is scant at best,[334] the provisions presumably have a reasonably good deterrent effect for corporate actors.[335]

The logic of international law, in particular the stipulations of the UN Charter only permit two kinds of war: those fought in individual or collective self-defence or those explicitly sanctioned by the Security Council.[336] While the idea of collective self-defence as part of

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[329] For a more detailed discussion see Ernst Benda, "Frieden und Verfassung," *Archiv des öffentlichen Rechts,* Vol. 109 (1984): 1 ff; Karl Doehring, "Das Friedensgebot des Grundgesetzes," in: *Handbuch des Staatsrechts der Bundesrepublik Deutschland, Band VII*, ed. by Josef Isensee and Paul Kirchhof (Heidelberg: C. F. Müller, 1992), p. §178; Jürgen Stratmann, *Das grundgesetzliche Verbot friedensstörender Handlungen. Ein Beitrag zur Auslegung des Art. 26 Abs. 1 GG* (Randersacker: Gugel, 1971).

[330] See *inter alia* Volker Epping, *Grundgesetz und Kriegswaffenkontrolle. Erfüllung des Verfassungsauftrags durch den einfachen Gesetzgeber? Verfassungsanspruch und Rechtswirklichkeit*, Schriften zum öffentlichen Recht, 636 (Berlin: Duncker und Humblot, 1993); Dieter Holzhausen, "Der Verfassungsauftrag des Art. 26 II GG und die Ausfuhr von Kriegswaffen," *Juristenzeitung* (1995): 284 ff;

[331] Matthias Herdegen, "Die Grundwerte der modernen Völkerrechtsordnung und ihre effektive Sicherung," in: *Die Zukunft der UNO und des Völkerrechts. Beiträge und Thesen einer Internationalen Konferenz*, ed. by Bernhard Vogel, Rudolf Dolzer, and Matthias Herdegen (Freiburg im Breisgau: Herder, 2004): 226 ff.

[332] Knut Ipsen, "Kriegswaffenkontrolle und Auslandsgeschäft," in: *Recht zwischen Umbruch und Bewahrung - Völkerrecht, Europarecht, Staatsrecht - Festschrift für Rudolf Bernhardt*, ed. by Ulrich Beyerlin (Berlin und Heidelberg: Springer, 1995): 1041 ff.

[333] Michael E. Kurth, "Der Angriffskrieg und seine völkerstrafrechtliche Bewertung," *Neue Zeitschrift für Wehrrecht* (2005): 59 ff; Friedhelm Müller, "Die Pönalisierung des Angriffskrieges im Grundgesetz und Strafgesetzbuch der Bundesrepublik Deutschland," Dissertation, Universität Heidelberg (Heidelberg, 1970); Friedrich-Christian Schroeder, "Der Schutz des äußeren Friedens im Strafrecht," *Juristenzeitung* (1969): 41 ff; Tade Matthias Spranger, "Angriffskrieg durch Private? Zur Anwendbarkeit von Art. 26 Abs. 1 Satz1 GG auf Individuen," *Neue Zeitschrift für Wehrrecht* (2005): 68 ff.

[334] Christian Busse, "Völkerrechtliche Fragen zur Rechtmäßigkeit des Kosovo-Krieges," *Zeitschrift für Rechtspolitik* (1999): 416 ff; Christian Busse, "Der Kosovo-Krieg vor deutschen Strafgerichten," *Neue Strafrechtszeitung* (2000): 631 ff.

[335] See also Herdegen, Art. 26, especially Rdnr. 42-56, in Maunz and Dürig, *Grundgesetz Kommentar.*

[336] Articles 2(4), 42, 51 UN Charter, see also Kurth, "Der Angriffskrieg und seine völkerstrafrechtliche Bewertung."

NATO and the WEU had been the very raison d'être of rearmament, the Federal Republic maintained throughout the Cold War that its constitution did not permit armed collective measures resulting from its membership in the UN. Such a position, while politically perhaps wise, was based on an erroneous interpretation of the constitution and has since been set aside.[337] The correct interpretation must rather be that *multilateral approval* must be present for any external military engagement to be domestically lawful.[338] There is no doubt, however, that unilateral action against the will of the host nation[339] would be illegal under both domestic and international law.

The functional separation of army and police serves an important moderating purpose and is one element in an institutional equilibrium aimed at containing the potential abuse of power by the state.[340] Historically, the Prussian-German army explicitly asserted a mandate to maintain domestic stability and the monarchical order. Its hostility towards democratic institutions and its relative isolation from political or judicial control repeatedly brought it into violent conflict with the population.[341] The excesses of military and paramilitary formations against the civilian population prior to 1945 prompted the constitutional drafters to drastically circumscribe potential military involvement in the maintenance of domestic public order. They clearly prescribed the primacy of civilian power, exercised by the police, vis-à-vis the military which is permitted only subsidiary tasks.[342] Article 87 a GG presents in this respect a number of obstacles to an interventionist military.[343] The emergency provisions (*Notstandsverfassung*) have somewhat widened the scope for domestic action,[344] but overall the constraints for the internal use

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[337]   See above 291 f.

[338]   There is some debate whether such approval must come from the Security Council, or whether it can be substituted by another multilateral organisation, such as NATO or the EU. See Busse, "Der Kosovo-Krieg vor deutschen Strafgerichten."; Busse, "Völkerrechtliche Fragen zur Rechtmäßigkeit des Kosovo-Krieges."

[339]   Such consent can be given either in a multilateral or bilateral context. Throughout the Cold War virtually all Bundeswehr missions were humanitarian in nature and done with the explicit approval of the host nation. See Rauch, "Zivile und militärische Auslandseinsätze der Bundeswehr."; Rauch, *Auslandseinsätze der Bundeswehr*, pp. 48-49.

[340]   See the detailed discussion above p. 48 ff.

[341]   One of the most egregious military excesses against the *domestic* civilian population in peacetime occurred in 1913 in the Alsatian city of Zabern, see Ullrich, *Die nervöse Großmacht*, pp. 248-49; Volker Ullrich, *Als der Thron ins Wanken kam. Das Ende des Hohenzollernreiches 1890-1918* (Bremen: 1993), pp. 65-85.

[342]   Article 87 a para. 3 GG. For reasoning, negotiation history, and systematic placement see the excellent commentary by Dürig, Art. 87 a, in Maunz and Dürig, *Grundgesetz Kommentar*.

[343]   Its para. 1 explicitly stipulates territorial defence as the main task of the armed forces and para. 2 permits any additional tasks only in so far as they are explicitly mentioned in the constitution. See also Bartke, *Verteidigungsauftrag der Bundeswehr. Eine verfassungsrechtliche Analyse.*

[344]   Michael Krenzler, *An den Grenzen der Notstandsverfassung. Ausnahmezustand und Staatsnotrecht im Verfassungssystem des Grundgesetzes*, Schriften zum öffentlichen Recht, 238 (Berlin and Heidelberg: Duncker & Humblot, 1974); Carl Otto Lenz, *Notstandsverfassung des Grundgesetzes. Kommentar* (Frankfurt am Main: Athenäum-Verlag, 1971).

of the military remain considerable, basically limited to natural catastrophes or armed and organised rebellions.[345] As in many other democracies new threats such terrorism invariably reopen the debate about stretching these limits and enlarging the scope of domestic military use.[346] These discussions are unfortunate as any potential benefits are unlikely to offset the negatives.

cc. Independent Civilian Military Expertise

As long as the military has sole access to relevant information and expertise it will inevitably retain the power to frame issues, set agendas, stifle debate, and pre-empt criticism in the pursuit of its narrow organisational interests. Civilian control therefore depends on controlling institutions such as parliament having access to reliable, independent information.[347] This problem is not specific to the military but constitutes an inherent dilemma of all complex societies, especially democratic ones: how can elected representatives meaningfully constrain bureaucratic behaviour if they are inherently inferior in specialist skill and knowledge?[348] Max Weber sees the increasing bureaucratisation of modern societies as an inexorable function of their growing complexity, and the unprecedented power of specialisation and division of labour.[349] He was very sceptical about the ability of the sovereign, democratic or otherwise, to control such an increasingly skilled bureaucracy. For him the legislative act of delegation is equivalent to abdication,[350] not least because "every bureaucracy seeks to increase the superiority of the professionally informed by keeping their knowledge and intentions

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[345]   Niels-Peter Kleiner, "Aufgaben und Befugnisse der Streitkräfte im Innern nach der Bonner Notstandsverfassung vom 24. Juni 1968. Zugleich eine verfassungsgeschichtliche und begriffsvergleichende Studie zum Begriff der 'Streitkräfte im materiellen Sinne'," Dissertation, Universität Münster (Münster, Westfalen, 1977).

[346]   Examples of such somewhat over-enthusiastic treatments include Jan-Peter Fiebig, *Der Einsatz der Bundeswehr im Inneren. Verfassungsrechliche Zulässigkeit von innerstaatlichen Verwendungen der Streitkräfte bei Großveranstaltungen und terroristischen Bedrohungen*, Schriften zum öffentlichen Recht, 943 (Berlin: Duncker & Humblot, 2004); Gregor Laschewski, "Der Einsatz der deutschen Streitkräfte im Inland - unter Berücksichtigung des neuen Luftsicherheitsgesetzes sowie aktueller Initiativen zur Änderung des Grundgesetzes," Dissertation, Universität Würzburg (Würzburg, 2005); Karsten Fehn and Miriam Brauns, *Bundeswehr und innere Sicherheit. Eine Analyse der rechtlichen Möglichkeiten und Grenzen polizeilicher Aufgabenwahrnehmung durch Streitkräfte, insbesondere bei zu Terrorzwecken entführten Passagierflugzeugen* (Frankfurt am Main: Verlag für Polizeiwissenschaft, 2003); Nikolai Lück, "Die polizeilichen Aufgaben der deutschen Streitkräfte. Ein Vergleich des Unmittelbaren Zwangsgesetzes der Bundeswehr (UZwGBw) mit allgemeinem Polizeirecht unter besonderer Berücksichtigung des Musterentwurfs eines einheitlichen Polizeigesetzes des Bundes und der Länder (MEPolG) in der Fassung des Vorentwurfes (VE) zur Änderung des MEPolGvom 12.03.1986," Dissertation, Universität Würzburg (Würzburg, 1999).

[347]   See the general discussion above in chapter III.

[348]   Lupia and McCubbins, "Designing Bureaucratic Accountability."

[349]   See the discussion above p. 50.

[350]   Lupia and McCubbins, "Designing Bureaucratic Accountability," p. 91.

secret."[351] Civilian leaders dependent for expert advice on "the trade union of generals"[352] will have to find alternative sources of information in think tanks, universities, etc, "but their dilemma might then be holding officers to account for the consequences of decisions they had no hand in shaping."[353]

The decision to rearm was accompanied by the determination by the political leadership, especially on behalf of the opposition, not to permit the military to again dominate the national discourse on security by virtue of their purported professional expertise. The unmitigated military catastrophe certainly helped by drastically reducing the prestige and perceived wisdom of this very 'expertise.' But equally important, political decision-makers, especially the historically strongly anti-military Social Democrats realised that they needed to constructively engage with security issues if they wanted to be able to hold their own in the inevitable political debates. The subsequent development of distinctly civilian[354] think tanks, university centres, party and trade union departments, etc. working on security began in Germany only after 1945 and has been an important factor in breaking the military's intellectual hegemony over the issue.

The reverse, however, holds equally true, namely that the quality of military decision-making is likely to improve if officers have access to civilian expertise and ways of thinking.[355] This latter aspect played a prominent role in the foundational period of the Bundeswehr, because of perceived changes in the nature of war requiring much higher degrees of technological sophistication and technical expertise than customary in the military.[356] This affects the necessary educational level of soldiers and thus the appropriate style of internal discipline,[357] but also a much closer interaction with civilian defence contractors and service providers.[358]

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[351]   Weber, "Bureaucracy," pp. 233, see also 196, 232-35.

[352]   Terraine, *The Western Front 1914-1918*, p. 74.

[353]   Bland, "A Unified Theory of Civil-Military Relations," p. 13.

[354]   Dieter S. Lutz, "Peace and Peace Research - Theory and Reality," in: *Im Dienst für Frieden und Sicherheit. Festschrift für Wolf Graf von Baudissin*, ed. by Dieter S. Lutz (Baden-Baden: Nomos-Verlagsgesellschaft, 1985): 19-38.

[355]   Van Evera, *Why States believe Foolish Ideas*.

[356]   Douglas D Noble, "Cockpit Cognition: Education, the Military and Cognitive Engineering," *Ai & Society,* Vol. 3, No. 4 (1989): 271-96.

[357]   Krause, *Innere Führung und Hochschulen der Bundeswehr*, p. 169; Ilsemann, *Die Bundeswehr in der Demokratie*; Franz-Joseph Schulze and Carl-Gero von Ilsemann, *Bundeswehr, Staat, Gesellschaft* (Köln: Grote, 1981).

[358]   Matthew Evangelista, *Innovation and the Arms Race: How the United States and the Soviet Union Develop New Military Technologies*, Cornell Studies in Security Affairs (Ithaca: Cornell University Press, 1988).

Much of the necessary expertise will only be available at civilian institutions, thus necessitating either officer training at civilian universities or drawing on civilian teachers at military academies. A related benefit often underlined in civil-military relations literature is the narrowing of the gap between military thinking and ways of life and those of their civilian counterparts.[359] These considerations featured heavily in the decision by the Social Democratic Minister of Defence Helmut Schmidt to make university education a mandatory requirement of all officer training.[360]

3. INTERNAL STRUCTURE

By the time external conditions had forced the issue of rearmament onto the public agenda in 1954-55, the decade-long hiatus had resulted in a significant change of public attitudes towards the military. More importantly, the destruction of the entire institutional and bureaucratic legacy of the army constituted a radical break with the past. While the military *as an institution* had managed to survive more or less intact even serious previous defeats, it was now formally disbanded and ceased to exist as a legal or physical entity. This Allied decision to "remove all Nazi and militarist influences from public office and from the cultural and economic life of the German people" was based on the consensus that the army bore principal responsibility for the rise of Nazism and had "repeatedly contrived the resurgence of German militarism."[361] And while the occupation experience was generally a bitter one for the German people, the disbandment of the army met considerable popular approval, based on the fear of its *pernicious institutional influence*:

> "many different explanations were given for the prevalent antimilitarism, but basic to them all was the fear that, since the army had been the source of so much ill in the past, this would inevitably be so in the future also and that one could expect this new army to free itself as quickly as possible from constitutional and parliamentary restraints, to undermine the republic's democratic institutions, and to use its influence to inaugurate an adventurist, and inevitably disastrous, foreign policy."[362]

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[359]   Discussed in Krause, *Innere Führung und Hochschulen der Bundeswehr*, p. 76 ff.

[360]   Laid down in the so-called Ellwein-Report on the Restructuring and Reform of Education of 6 June 1971, see also Bald, *Die Bundeswehr: Eine kritische Geschichte, 1955-2005*, pp. 82-88; Krause, *Innere Führung und Hochschulen der Bundeswehr*, pp. 276-454.

[361]   Article 12(a) of the Surrender Terms as laid down in the Protocol of Proceedings of the Yalta Conference, 11 February 1945, reproduced in Wheeler-Bennett and Nicholls, *The Semblance of Peace*, pp. 625-30; see also Craig, "Reichswehr and National Socialism: The Policy of Wilhelm Groener, 1928-1932," p. 194.

[362]   Gordon Craig in his introduction to Abenheim, *Reforging the Iron Cross*, p. xvi.

Irrespective of some military continuities as both blocs quickly sought to make use of the German military potential under their respective control,[363] open rearmament remained a political taboo, both inside and outside of Germany. Once rising tensions in the wake of the Korean War increased the momentum and made concrete planning advisable, however, the burden of the institutional past, intense popular distrust, and the broken organisational link was powerfully felt. The men who set out in secret to devise the initial blueprints for the recreation of an army were acutely aware of the degree of domestic and international scepticism and outright hostility to their task. The prospect of seeing after the creation of the Reichswehr in 1921 and the Wehrmacht in 1935 for the third time in a single generation the establishment of yet another military "shocked West Germany and the world."[364]

The government and the group of former Wehrmacht staff officers it had tasked with preliminary planning knew they had to counter domestic and international hostility with a credible break with military tradition. They understood that the new army would have to operate in a fundamentally different international environment and depend on the acceptance of a sceptical, increasingly pluralistic and democratising society. The former officers who met at the Himmerod monastery in October 1950, i.e. at a time when their very meeting constituted a serious criminal violation of occupation law and when large numbers of officers were either incarcerated or being prosecuted for war-crimes, recognised that under these circumstances the formation of a new army required "something fundamentally new, without any borrowing from the forms of the old Wehrmacht."[365]

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[363]   Christian Greiner, "'Operational History (German) Section' and 'Naval History Team.' Deutsches militärstrategisches Denken im Dienst der amerikanischen Streitkräfte von 1946-1950," in: *Militärgeschichte. Probleme - Thesen - Wege*, ed. by Manfred Messerschmidt (Stuttgart: 1982); Wettig, *Entmilitarisierung und Wiederbewaffnung in Deutschland, 1943-1955. Internationale Auseinandersetzungen um die Rolle der Deutschen in Europa*; Wettig, "Die politischen Überlegungen bei der Wiederbewaffnung 1947-1952."; Militärgeschichtliches Forschungsamt, *Anfänge westdeutscher Sicherheitspolitik 1945 - 1956, Band 1*.

[364]   Abenheim, *Reforging the Iron Cross*, p. 43.

[365]   "Denkschrift des militärischen Expertenausschusses über die Aufstellung eines Deutschen Kontingentes im Rahmen einer übernationalen Streitmacht [Himmeroder Denkschrift]" reprinted and discussed in Rautenberg and Wiggershaus, "Die 'Himmeroder Denkschrift'," p. 53; see also Führungsstab der Streitkräfte I 3, *Von Himmerod bis Andernach: Dokumente zur Entstehungsgeschichte der Bundeswehr*, Schriftenreihe Innere Führung, (Bonn: BMVg, 1985); Günther, "50 Jahre Bundeswehr: Die Erfolgsgeschichte der Remilitarisierung."; Winfried Heinemann, "50 Jahre Himmeroder Denkschrift: "Magna Charta" der Bundeswehr", *Informationen für die Truppe*, 2000, http://www.ifdt.de/0010/Artikel/Heinemann.htm, accessed on: 26 May 2006; Kommission "Europäische Sicherheit und Zukunft der Bundeswehr" am IFSH, "50 Jahre Bundeswehr, 50 Jahre "Innere Führung": Anlass zu Reflexion und Reform," *Sicherheit und Frieden*, Vol. 23 (2005): 230ß231; Moerchel, "50 Jahre Himmeroder Denkschrift", *Informationen für die Truppe*; Eckardt Opitz, *50 Jahre innere Führung - von Himmerod (Eifel) nach Pri͡stina (Kosovo): Geschichte, Probleme und*

The Himmerod Memorandum has justly been described as the "magna charta" of the Bundeswehr,[366] outlining many of the features that came to characterise and distinguish the armed forces of the Federal Republic from its predecessors, as well as from most other contemporary armed forces. The creation of a new model army necessitated the radical departure from past practice and therefore the careful and *continuous* engagement with the past. This process was largely driven by *civilian* institutional actors — notably the ministry of defence and parliament.[367] But recalling what has been said before about the importance of the *disposition* of the armed forces for the stability of civil-military relations,[368] one should not underestimate the sincerity with which the founders aimed at transforming the *military* institution itself.

Craig explains the positive development of the Bundeswehr with the careful selection of its officers at the outset and the emphasis on the civic education of all ranks that helped avoid the pitfalls of the past. And in this respect he points to a crucial element that will inform the remainder of our discussion of the internal structure of the army: the inherently contentious nature of an essentially *political* process where proponents of reform will invariably meet strong resistance and where sharply diverging visions and historical narratives will clash:

> "Although their [the military reformer's] work in the years that followed was accompanied by continued public suspicion and a not inconsiderable amount of professional resistance, they succeeded in making their ideal of an army of citizens in uniform a reality, without in any way impairing its military skills. …
>
> the new German army's attempt to deal with this dilemma, in the course of which it has been submitted to a process of historical self-examination more rigorous than anything of the sort undergone by other major social groups in Germany. The problem of tradition has not been solved. … it is inevitable that, in an evolving society, it will be posed anew with every generation. But the self-generation in itself has been healthy and together with the principles of civic education laid down at

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Perspektiven einer Führungsphilosophie, Schriftenreihe des Wissenschaftlichen Forums für Internationale Sicherheit e.V. (WIFIS) (Bremen: Ed. Temmen, 2001).

[366]   Abenheim, *Reforging the Iron Cross*, p. 47; Heinemann, "50 Jahre Himmeroder Denkschrift: "Magna Charta" der Bundeswehr", *Informationen für die Truppe*.

[367]   We should note that the classical mandate of parliament is two-fold: legislation and oversight. The creation of a sensible and carefully balanced constitutional and statutory structure that answered historical shortcomings lies at the heart of successful post-war civil-military relations. Similarly important, however, has been the continuous engagement with and monitoring of the armed forces by parliament, especially through its Defence Committee and Military Ombudsman, see above pp. 279-295.

[368]   See above p. 94 ff.

the time of the Bundeswehr's establishment, has helped to integrate what, historically, was always a state within the state into Germany's new democracy."[369]

The transformation of a troubled heritage necessitates a critical and ongoing engagement with one's history. Therefore the process cannot be reduced to the foundational constitutional set-up and institutional design, however intelligently laid out. The following pages are therefore less concerned with reproducing the negotiation history or the initial institutional arrangements than to emphasise the ongoing character of an essentially *political* and therefore *controversial* process *within* the armed forces. This internal process did not unfold in isolation but closely mirrored normative developments in wider society as well as structural changes in the international environment. As such it must be conceived of as an evolutionary process. Without diminishing the importance of the foundational choices made, the sharp debate over tradition in the armed forces lasting well into the 1980s corresponds to the wider societal struggle over an appropriate historical narrative. The *ongoing* nature of this essentially political struggle over diverging normative visions cannot be reduced to issues of institutional checks and balances that can be settled once and for all.

a. NEW TYPE OF DISCIPLINE

Without underestimating the important role of Allied re-education and deliberate social-engineering for the emergence of democracy and pluralism in (West) Germany, there is a common misperception that attributes the reformist character of the newly created Bundeswehr to Allied insistence and conditionality. To be sure, the prospect of German rearmament was greeted with considerable scepticism among the Western allies, notably France. This scepticism resulted in various initiatives to *structurally* constrain West German armed might. The aborted European Defence Community (EDC) was only the most far-reaching such attempt to ensure through invasive multilateral integration that German capacity for unilateral military action would be severely curtailed, if not outright eradicated.[370] These measures were testimony to a deep-seated distrust still very much in evidence at the time of re-unification. Concerned with material factors, these measures were not overtly concerned with the mindset of the German soldier or officer but aimed at making it *physically* impossible for Germany to use force against its Western neighbours.

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[369]   Gordon Craig in his introduction to Abenheim, *Reforging the Iron Cross*, pp. xvi-xvii.

[370]   On the EDC see Steininger, *Wiederbewaffnung*.

Furthermore, impressed with the astounding performance of the Wehrmacht particularly against the Soviet Union, Western military leaders hoped to re-create these capabilities as closely as possible:[371]

> "Es ist das Verdienst der »Männer der ersten Stunde«, daß sie sich nicht auf den Versuch einer *Rekonstruktion* … beschränkten, wie man es auf Seiten vieler alter Soldaten erwartete und wie es aus der außenpolitischen Not der Stunde auch die alliierten Verhandlungspartner akzeptiert hätten. Schließlich wollten diese *in Erinnerung an die verblüffenden Leistungen der ehemaligen deutschen Wehrmacht* einen militärisch schlagkräftigen, deutschen Verbündeten"[372]

Official US publications tended to take credit for the creation of a legal structure where "[u]nder Allied guidance, stringent laws were enacted by the West German Parliament to ensure civilian control of the military by the civil authorities" and which claimed that close interaction in tactical manoeuvres and training with US forces "serve[s] to give German officers and men close observation of the effectiveness of the democratic concepts of the American system."[373] This view was echoed by conservative critics who denounced the military reform as an unrequited departure from "good German traditions" aiming at "Americanising and thereby falsifying the German soldiery."[374]

This assessment is not entirely inaccurate. There is little denying that West German society in virtually all its social and political aspects consciously emulated Western models in a deliberate move away from the tainted approaches of the past, trying to catch up with and return to the Western community.[375] But while acknowledging the intellectual depth of German military reformers to Western political thought, often encountered while in American or British captivity,[376] it would be inaccurate to describe their work as a simple

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[371]   Early sociological studies aimed at understanding and, if possible, emulating those aspects of the Wehrmacht's structure accounting for its uncommon resilience, see Shils and Janowitz, "Cohesion and Disintegration in the Wehrmacht in World War II."; see also Van Creveld, *Fighting power: German and U.S. Army performance, 1939-1945.*

[372]   Ilsemann, *Die Bundeswehr in der Demokratie*, pp. 1, emphasis added.

[373]   U.S. Army, *Area Handbook for Germany* (Washington, D.C.: US Government Printing Office, 1964), pp. 922, 937.

[374]   "Anstatt gute Traditionen der früheren deutschen Streitkräfte zu übernehmen und sie den modernen Gegebenheiten einer technischen Armee anzupassen, hielt man sich eher an das amerikanische Vorbild, das nach meiner Ansicht gerade auf dem Gebiet der Inneren Führung keineswegs nachahmenswert ist. Im Zuge der gewollten Demokratisierung und einer absichtlichen Distanzierung von bewährten deutschen Führungsgrundsätzen entstand damals das Bild des ‚Bürgers in Uniform', das es allen recht machen wollte und das deutsche Soldatentum amerikanisierte und verfälschte." Rudolf-Christoph Frhr. von Gersdorff, *Soldat im Untergang* (Frankfurt am Main: 1977), p. 210; quoted by Heuer, "Perzeption der Bundeswehr," p. 401.

[375]   Habermas labelled the momentous changes of 1989 an *einholende Revolution*, a rapid re-enactment of the same process that occurred in West Germany during the post-war period. See Jürgen Habermas, "Die nachholende Revolution," (Frankfurt am Main: Suhrkamp, 1990).

[376]   Captivity was an important period of learning for many; on Baudissin's captivity in British and Australian hands see Wolf Graf von Baudissin and Dagmar Gräfin zu Dohna,. *als wären wir nie getrennt gewesen Briefe 1941-1947* (Bonn: Bouvier, 2001), pp. 26 ff, 264-65. Nevertheless, it would be inaccurate to assume that captivity in Western hands was a

emulation of Anglo-Saxon military practice.[377] For once, they owe their intellectual depth primarily to the Prussian reformers of the early 19th century.[378] More importantly, they aimed at a thoroughgoing transformation of military life not considered feasible by most of their Western contemporaries. In fact, the reforms were *critically* received by the Western allies, both for fear of negatively affecting discipline and morale among their own servicemen[379] and because it was seen as dangerously weakening the German military potential whose effectiveness against the old and new Soviet enemy the Wehrmacht had so convincingly established:[380]

> "the West German attempts to reform the political and legal position of the European soldier in society encountered resistance from the allies, who above all wanted an immediate German contribution made to western defence and were unwilling to accept the progressive ideas embodied in the German reforms. There was growing official West German disillusionment in the wake of Korea with the value of the US armed forces as a model, and the Western European armies scarcely offered the West Germans an inner structure that fulfilled the political and social requirements of military reform in the Federal Republic."[381]

Huntington's admiration for the Prussian reformers around Scharnhorst, Gneisenau and Clausewitz did not prevent him from the same misperception, seeing the post-war reforms as an unhappy emulation of the very American models that he set out to refute in his book. His respect for Prussian professionalism and corporatism led him to "seriously misunderstand the basis of the Bonn reforms."[382] His assessment is representative of early Western thinking about the reforms and thus deserves to be quoted at length:

> "The effective implementation of these ideas would inaugurate a third phase in German civil-military relations. The aristocratic army of Frederick the Great was

uniform, let alone pleasant experience, see *inter alia* Heinz Pust, Wolfgang Benz, and Angelika Königseder, *Deutsche Kriegsgefangene im Zweiten Weltkrieg: Erinnerungen* (Frankfurt am Main: Fischer Taschenbuch, 1995); Bacque, *Der geplante Tod - Deutsche Kriegsgefangene in amerikanischen und französischen Lagern, 1945 - 1946*.

[377]   See also above p.

[378]   This intellectual debt has repeatedly been stressed, see Bald, *Die Bundeswehr: Eine kritische Geschichte, 1955-2005*, p. 8; Abenheim, *Reforging the Iron Cross*, pp. 17-18; see particularly Baudissin's 1957 article "Die Bedeutung der Reformen aus der Zeit deutscher Erhebung für die Gegenwart" in Baudissin, *Soldat für den Frieden*, pp. 86-94, 118.

[379]   This was most clearly expressed in the tortuous negotiations over the *Discipline génerale* for the aborted European Defence Community, Hans Tänzler, "Vorbereitende Planungen für die die 'Innere Führung'," in: *Militärgeschichtliche Aspekte der Entwicklung des deutschen Nationalstaates*, ed. by Militärgeschichtliches Forschungsamt (Düsseldorf: Droste, 1988), pp. 201-03; Hans-Günter Fröhling, "Innere Führung und Multinationalität als Herausforderung für die Bundeswehr und die Streitkräfte ausgewählter NATO-Partner," Dissertation, Universität der Bundeswehr (Hamburg, 2005), pp. 136-68.

[380]   Greiner, "'Operational History (German) Section' and 'Naval History Team.' Deutsches militärstrategisches Denken im Dienst der amerikanischen Streitkräfte von 1946-1950."

[381]   Abenheim, *Reforging the Iron Cross*, p. 117.

[382]   Heuer, "Perzeption der Bundeswehr," p. 401.

destroyed by Napoleon. The professional army created by Scharnhorst and Gneisenau was destroyed by Hitler. Now the proposal was to create a democratic army, an ideologically motivated force embodying subjective rather than objective civilian control. In part, this approach was a reaction against the professionalism of the past and the product of the false identification of that professionalism with Hitler, Ironically, it was also in part an imitation of the American conquerors of Hitler. But the changes of the Bonn government were not for the better. They were a retrogression to a more primitive form of civil-military relations. Inevitably they will foster the permanent embroilment of the German military in politics and reduce the fighting effectiveness of the new army. Despite what Herr Blank [the first minister of defence] had to say, a democratic state is better defended by a professional force than by a democratic force."[383]

Huntington makes here essentially four distinct but related arguments, all of which have proven to be problematic: the reforms were an emulation of existing Western models of civil-military relations; they amounted to the rejection of military professionalism; under the guise of democratisation discipline and morale were watered down and the army invariably weakened; lastly, the attempt of ideological motivation (subjective control) would lead to much greater military interference in the political process und, ultimately, to insubordination. This position contrasts with later evaluations which clearly recognise the distinctiveness of a reform based on indigenous roots seeking to finish "where Scharnhorst's failed 1817 reforms stopped short."[384] The scope of these reforms far surpassed any existing Western models and their success was quickly and generally appreciated.[385]

The institutional structure had lived up to the expectation of "imposing upon the new army a degree of parliamentary control unknown in German history."[386] Compared to its predecessors, the success is apparent: "it is a fact that for the first time in German political history the military has been subordinated completely to parliamentary control and deprived of the kind of quasi-independent status which formerly gave rise to its characterisation as a 'state within a state.'"[387] The distinctiveness of the German military reform becomes particularly apparent when compared not only to the history of civil-

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[383]   Huntington, *The Soldier and the State*, p. 123.

[384]   Baudissin's initially refusal to join the initial planning staff in Summer 1950 because the only reason he could be interested in military matters again would be the finalisation of the aborted Prussian reforms of 1806-1817, prompting his eventual recruitment and a clear reformist mandate. Ilsemann, *Die Bundeswehr in der Demokratie*, p. 7.

[385]   Heuer, "Perzeption der Bundeswehr," pp. 402-410 ff.

[386]   Craig, "NATO and the New German Army," p. 205.

[387]   H. Pierre Secher, "The Bundeswehr: A New Phase in Civil-Milary Relations in the Federal Republic of Germany," in: *Teaching Postwar Germany in America - Papers and Discussions, German Studies Conference Indiana University, March 24-25, 1972*, ed. by Louis F. Helbig and Eberhard Reichmann (Bloomington: Indiana University Press, 1972), p. 105.

military relations in Germany[388] but contrasted with those among the contemporary Western allies:

> "The military legislation, conceived primarily to prevent the military from obtaining any degree of political control in and over the political life of the nation or to 'infiltrate' militaristic tendencies into public life and society, has proven more than effective. The military leadership exercises only minimal influence in the national decision-making process, *far less than their counterparts in other Western nations* with smaller military establishments do."[389]

We are therefore not dealing with the emulation of American models as Huntington and conservative German detractors alleged, but a reform that was significantly more far-reaching in both design and implementation than other Western civil-military models. Huntington's advocacy of a narrow concept of military professionalism is based on a serious misreading of the Wehrmacht's involvement and co-responsibility for both the rise of Nazism and the criminal conduct of war.[390] Contrary to his assumption that a considerable degree of military autonomy from civilian 'interference' is a precondition for maximising defence capability and civil-military stability, there has been very little evidence that the German military has resented the comparatively high degree of civilian involvement: "Not only are the armed forces firmly and irrevocably under democratic parliamentary control for the first time in Germany history, but, *what's more, they like the experience.*"[391] The most dramatic articulation of this changed military self-image has been the redefinition of an appropriate form of military discipline in a democratic state which forms the basis of a new understanding of military professionalism quite distinct from the traditional model advocated by Huntington and others. Together, the external institutional structure and the internal organisational culture constitute "one of the most effective systems of civilian control anywhere."[392]

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[388] On this aspect see the detailed study by Edward J. Romar, "The Politics of the German Military in the Twentieth Century: A Comparitive Study of Civil-Military Relations in the Weimar Republic, the Third Reich and the Federal Republic," Dissertation, The City University of New York (New York, 1978), p. 11 f; see also James Allen Linger, "West German Civil-Militairic Relations: The Role of the West German Military in National Defence Policy Formation," Dissertation, The University of Chicago (Chicago, Ill, 1977).

[389] William Geffen, *The Role of the Military in West German Defense Policy Making* (Denver, Col.: University of Denver Press, 1971), pp. 537 f, emphasis added.

[390] See above pp. 170-174 and 214-223.

[391] Walter Henry Nelson, *Germany Rearmed* (New York: Simon and Schuster, 1972), pp. 298, emphasis added.

[392] Secher, "The Bundeswehr: A New Phase in Civil-Milary Relations in the Federal Republic of Germany," p. 103.

The main point of departure for the early military planners of the new (not a reconstituted) army were the changed domestic and international conditions which did not permit a return to traditional forms of internal discipline. This necessitated accommodating the internal military organisation with the constitutional requirement of the primacy of the political process and its absolute insistence on the rule of law.[393] Fitting the armed forces into the constitutional structure of checks and balances required not only adequate civilian control over the institution and its uses, but ensuring its internal loyalty to a pluralistic, democratic society. This was expressly not intended as a utopian project of overcoming the inherent differences between civilian and military lifes by 'civilianising' the army.[394] The aim was *not* to create a "democratic" army but an "army of democrats" as one of the key Social Democratic defence experts put it:

> "Es handelt sich um den richtigen Einbau der bewaffneten Macht in den demokratischen Staat im Sinne unseres Grundgesetzes … Wir wissen, daß es keine »demokratische« Armee geben kann. Eine Armee muß auf dem Ordnungsprinzip von Befehl und Gehorsam beruhen — die demokratische Gesellschaft bildet ihren Willen auf andere Weise, nämlich durch Diskussion und Abstimmung. Worauf es ankommt, ist also nicht, eine diskutierende Armee zu schaffen, sondern dieser auf Befehl und Gehorsam beruhenden Armee den richtigen Ort in unserer demokratischen Gesellschaft anzuweisen."[395]

The triple aim pursued simultaneously by the parliamentary drafters of military legislation and by military reformers consisted in (a) curtailing military influence in the social and political sphere, (b) incorporating the army into the constitutional order, and (c) humanise life in the barracks.[396] These aims can conveniently be summarised under the concept of the "citizen in uniform" (*Staatsbürger in Uniform*) which historically carries a subtle double meaning. Following the Prussian defeat of 1806 the military reformers around Scharnhorst, Gneisenau, Clausewitz, and others had argued for extending military service to broader sections of society, in emulation of the French model of the nation in arms (*soldat-citoyen; Bürger als Soldat der Nation*). These suggestions corresponded to liberal

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[393] Stein, *Verteidigungsfunktion und Grundgesetzordnung*, p. 46.

[394] The autonomy of the army is often defended on the grounds of this intrinsic and unbridgeable difference; attempts of controlling the army by "civilianising" are deemed to fail because they undermine the very basis of the effectiveness and strength of any armed force. For a strong polemic along these lines see the rejection of "subjective control" in Huntington, *The Soldier and the State*, pp. 59-97.

[395] Fritz Erler (SPD) in the German Bundestag, 9 May 1963, 75th Session, quoted in Obermann, *Gesellschaft und Verteidigung*, p. 642.

[396] Obermann, *Gesellschaft und Verteidigung*, p. 643.

demands for the creation of citizen militias breaking the aristocratic hold on the state. Fearing its political effects, the state remained sceptical of the militia concept which furthermore proved militarily rather ineffective.[397]

Eventually, the state introduced universal conscription without, however, conceding any of the liberal demands that had been associated with bourgeois military service. Not only did conscription not have the desired effect of reconciling military life with civilian society, on the contrary, it became a major mechanism cementing the hold of the military over state and society.

The concept of the "citizen in uniform" does not refer to a Swiss-style militia defence of the nation in arms. The Western Allies initially envisaged a guerrilla-type, non-conventional defence of West Germany by decentralised militias offering a "total defence"[398] and simultaneous withdrawal of Western troops to the Rhine until reinforcements could be brought in from overseas. These plans were strongly resisted by the Adenauer government for two reasons: politically, such rearmament was unlikely to yield any of the anticipated benefits for the re-attainment of sovereignty and Western integration;[399] militarily, only a forward defence with strong conventional units would be able to repel an attack and impose the burden of fighting on the enemy's territory and population. German military planners argued, with some justification, that neither local mentality nor geography were suited for such a defence posture, demanding that requisite power projection capabilities were indispensable for a credible deterrent.[400]

The formation of a large and highly capable cadre-conscript force posed clear challenges for the societal acceptance and legal integration of such an army.[401] German military

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[397]   See also the discussion above p. 202 ff.

[398]   Following the Swedish designation, *totalförsvar*. Such a defence posture has indeed been adopted by a number of structurally inferior countries facing an overwhelming threat. The aim of such a defence is mainly to dissuade the attacker by imposing an unacceptable cost of *occupation*, not necessarily repelling the initial attack. The concept is based on actually being overrun and accepts that virtually all fighting will be done on the home territory. Most nations relying on such a defence posture, such as the former Yugoslavia, Sweden, Finland, or Switzerland have been neutral/non-aligned and therefore could not rely on external help. See *inter alia* Försvarsdepartementet, *Författningshandbok för totalförsvar och skydd mot olyckor*, 1. uppl (Stockholm: Regeringskansliet, Fritzes, 2006); Göran Lindmark and Göran Stütz, *Folket, försvaret och framtiden*, Försvarsberedningens skriftserie, 7 (Stockholm: Försvarsdepartementet, Regeringskansliet, 2001); Kent Zetterberg, *Totalförsvar och atomvapen: Tre studier kring uppbyggnaden av det svenska totalförsvaret och kärnvapendimensionen 1950-1970* (Stockholm: Försvarshögskola, 2001).

[399]   See above p. 252-254.

[400]   For details see Militärgeschichtliches Forschungsamt, *Anfänge westdeutscher Sicherheitspolitik 1945 - 1956, Band 1*. See also above p. 265.

[401]   On the theoretical thinking behind the different systems of military service see Cohen, *Citizens and Soldiers*, pp. 60-86, 117-151.

planners from the outset understood that given the abuses of the past and the dramatically changed circumstances, not least the prospect of fighting between Germans representing opposing sides of the global conflagration, maintaining the indispensable societal willingness to fight would necessitate a dramatic shift in the treatment, motivation, and legal status of the soldier. In this respect already the foundational Himmerod Memorandum demanded that key questions of military service had to be unambiguously defined *in law*, stipulating clearly the rights and responsibilities of soldiers and their superiors, and outlining their role and relationship to the other organs of the state and civilian society.[402]

The phrase "citizen in uniform" refers therefore to the dual integration of the soldier into both the constitutional order and into society,[403] namely the attempt to reconcile the functional necessity for unambiguous command and obedience with the normative demands of an open, diverse, and democratic society. It thus needs to be stressed again, that the aim was *not* to democratise the chain of command as many detractors have repeatedly argued over the years, but to ensure that the indispensable hierarchical structure of military life would seamlessly fit into the constitutional order. The principal meaning of the concept is clearly derived from the Basic Law: all state power, including the military function, must have a clear statutory basis and is bound by the constitutional order, especially the basic rights and freedoms it guarantees. For the military this translates into the exhaustive enumeration of duties in the *Soldatengesetz*:[404]

> "All executive power, thus including military command authority, is founded upon law and is bound by the legal order. The Soldiers Law is the basis for the legal status of the individual soldier. It defines his duties and circumscribes their scope; it confers him rights, however, often subject to clarification by other statutes."[405]

It is for our purposes not necessary to provide a comprehensive account of the large body of statutes, decrees, regulations, etc. that in their entirety define service in the Bundeswehr.[406] Here it shall suffice to point out that *despite* the functional necessities of

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[402]   Ilsemann correctly describes this demand as "a novelty in German military history", Ilsemann, *Die Bundeswehr in der Demokratie*, p. 5.

[403]   Obermann, *Gesellschaft und Verteidigung*, p. 645.

[404]   Gesetz über die Rechtsstellung der Soldaten (Soldatengesetz), 19 March 1956. For a brief overview see Obermann, *Gesellschaft und Verteidigung*, pp. 614-17.

[405]   Preface in Werner Scherer and Richard Alff, *Soldatengesetz - Kommentar* (München: Franz Vahlen, 1988), p. vi.

[406]   See Knut Ipsen (ed), *Wehrrecht und Friedenssicherung. Festschrift für Klaus Dau zum 65. Geburtstag* (Neuwied: Luchterhand, 1999); Christian Raap, "Zur Einführung: Wehrrecht," *Juristische Schulung,* Vol. 43, No. 1 (2003): 9 - 14., for a comprehensive if somewhat dated account see Schwenck, *Rechstordnung und Bundeswehr*; Eberhard Barth, *Der Soldat im*

military service, the German constitutional order stipulates a *common legal sphere* applicable to everyone. The citizen can be compelled to defend this normative order *only* if he[407] is considered the protector of those *personal norms* with which the constitution is concerned as a whole and *from which he himself benefits* (*Wertschutz durch Wertinhaber*).[408] The crucial stipulation is Article 17 a GG which enumerates *exhaustively* those basic rights that *can* be circumscribed for members of the armed forces (and those in alternative service), resulting in a number of important implications: *only* those basic rights explicitly mentioned can be subject to statutory restriction,[409] *any* such limitation requires an *explicit* statutory authorisation,[410] such limitation is only permissible when *functionally necessary and justifiable*,[411] and, most importantly, *all other fundamental rights and freedoms remain fully applicable* to members of the armed forces.[412] This basic arrangement is stated with exceptional clarity in the law:

> "Der Soldat hat die gleichen staatsbürgerlichen Rechte, wie jeder andere Staatsbürger. Seine Rechte werden im Rahmen der Erfordernisse des militärischen Dienstes durch seine gesetzlichen Pflichten beschränkt."[413]

This constitutes the central normative choice at the heart of the German military constitution (*Wehrverfassung*) which is a "conscious break with the past" and explicitly rejects the continuation of traditional legal and disciplinary models as they are relied upon

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Rechtsstaat. Das heutige Wehrrecht: Entstehungsgeschichte, Grundzüge, Reformgedanken, Truppe und Verwaltung, 15 (Hamburg: Decker, 1967)., the law is extensively commented in Walther Fürst, *Wehrrecht 2, Beamtenrecht des Bundes und der Länder, Richterrecht und Wehrrecht.* (Berlin: Schmidt, 1993); Wolfgang Stauf, *Wehrrecht*, Nebenthema zum Kommentar zum deutschen Bundesrecht, Loseblattsammlung (Baden-Baden: Nomos-Verlags-Gesellschaft, 2006)., the constitutional provisions are authoritatively commented by Dürig, Art. 17 a, in Maunz and Dürig, *Grundgesetz Kommentar.*, for up-to-date information about this constantly evolving field and latest development in jurisprudence see *Neue Zeitschrift für Wehrrecht, Wehrwissenschaftliche Rundschau* and *Informationen für die Truppe.*

[407] The situation is essentially the same for female service members although they serve voluntarily and thus the issue of compulsion need not enter the normative evaluation.

[408] Dürig, Art. 17 a, p. 3, Rdnr. 3, in Maunz and Dürig, *Grundgesetz Kommentar.*

See also the decision of the Constitutional Court concerning compulsory military service and conscientious objection: "Das GG ist eine wertgegebene Ordnung, die den Schutz von Freiheit und Menschenwürde als den obersten Zweck allen Rechts erkennt; sein Menschenbild ist nicht das des selbstherrlichen Individuums, sondern das der in der Gemeinschaft stehenden und ihr vielfältig verpflichteten Persönlichkeit. Es kann nicht grundgesetzwidrig sein, die Bürger zu Schutz und Verteidigung dieser obersten Rechtsgüter der Gemeinschaft , *deren personale Träger sie selbst sind*, heranzuziehen." KriegsdienstverweigerungsBeschl. Des BVerfG, 20 December 1960, reprinted in NJW 61, 355, emphasis added.

[409] Obviously, those basic rights whose *general* constriction the Basic Law permits can also be constricted for members of the armed forces. Dürig, Art. 17 a, p. 6-7, Rdnr. 11, in Maunz and Dürig, *Grundgesetz Kommentar.*

[410] Dürig, Art. 17 a, p. 9, Rdnr. 20, in Maunz and Dürig, *Grundgesetz Kommentar.*

[411] Dürig, Art. 17 a, p. 10, Rdnr. 21, in Maunz and Dürig, *Grundgesetz Kommentar.*

[412] Dürig, Art. 17 a, p. 5, Rdnr. 7, in Maunz and Dürig, *Grundgesetz Kommentar*; see also Deutscher Bund für Bürgerrechte, *Von den Grundrechten des Soldaten* (München: Isar Verlag, 1957).

[413] §6 SoldatenG.

for instance in the general civil service law.[414] Detractors of the Huntingtonian ink will now interject that this amounts to "civilianising" the military which is not only futile as it contradicts the inherently hierarchical nature of military life, but outright dangerous to both society *and* soldier because it disregards the existential character of warfare which cannot be assimilitated to other civilian functions of the state.[415] The categorical nature of such interpositions notwithstanding, the creators of the "citizen in uniform" concept were well aware of this problem and under no illusions about the nature of war as expressed by Dürig (himself a former officer) in his standard commentary:

> "Man verschleiert und verniedlicht die Dinge, wenn man nicht klar zugibt, daß zunächst einmal der Betroffene „*Soldat*" wird, also in ein *besonderes* Gewalt- und Pflichtverhältnis eintritt, das dem *allgemeinen* Gewalt- und Pflichtverhältnis des „Bürgers" *nicht* entspricht. Es geht alles um die *graduelle* Frage, ob die Statusänderung „total" sein soll, oder ob die wesentlichen Merkmale des Bürgerstatus auch dem Soldaten verbleiben sollen."[416]

We are thus not dealing with a utopian concept but a deliberate normative choice that seeks to balance functional requirements of military service with the general commitment of the constitutional order. In this respect the change in wording of Article 1 para. 3 GG[417] that was introduced as part of the military amendments is noteworthy: the original word "administration" (*Verwaltung*) was changed in 1956 to "executive" (*vollziehende Gewalt*), precisely to underline that the protection of human dignity as the main aim and yardstick of all government action fully applies to military service.[418] This basic constitutional choice sees the soldier as an individual *member* of the armed forces not an impersonal *tool* of the army (*Mitglied nicht Mittel*). Put differently, the new armed forces are

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[414]   Article 33 V Beamtengesetz refers to "traditional concepts" (*hergebrachte Grundsätze*) and thus explicitly stipulates a continuity in organisational form, disciplinary matters, normative and legal code. Dürig, Art. 17 a, p. 4, Rdnr. 4, in Maunz and Dürig, *Grundgesetz Kommentar*.

[415]   Huntington states that there exists a distinct and *universal* "military mind" which results from the functional necessities of violence: "The military ethic is concrete, permanent, and universal. The term "civilian" on the other hand, merely refers to what is non-military." Huntington, *The Soldier and the State*, p. 89.

[416]   Dürig, Art. 17 a, p. 4, Rdnr. 4, emphasis in the original, in Maunz and Dürig, *Grundgesetz Kommentar*.

[417]   "Article 1: (1) Human dignity shall be inviolable. To respect and protect it shall be the duty of all state authority. (2) The German people therefore acknowledge inviolable and inalienable human rights as the basis of every community, of peace and of justice in the world. (3) The following basic rights shall bind the legislature, the *executive*, and the judiciary as directly applicable law." Bundesregierung, "Basic Law for the Federal Republic of Germany. Official English Translation",, emphasis added.

[418]   "Ratio dieser Textänderung war es gerade, unbezweifelbar zu machen, daß auch die Bundeswehr von der Aktualisierungsnorm des Art. 1 III erfaßt wird." Dürig, Art. 17 a, p. 5, Rdnr. 6; and Dürig, Art. 65 a, Rdnr. 11, in Maunz and Dürig, *Grundgesetz Kommentar*.

now conceived of as a "personal group with technical weapons material" *no longer* a "technical fighting machine with human material."[419]

This basic conception presents the army with considerable challenges in leadership and training, but opens likewise the possibility of superior morale through individual responsibility and motivation. Most importantly, however, it permits to finally end the historical dualism between 'citizen' and 'soldier' and thus the tense institutional relationship between army and society.[420] This basic normative choice has required a profound re-assessment of internal structure, training and discipline.

bb. Innere Führung

The necessary internal transformation was premised on the belief that the *disposition* and inner structure of an *army serving a democracy* must be different from the ostentatiously neutral professionalism that had characterised the traditional Prussian-German ideal. Innere Führung is a term of art describing a *normative commitment* to the ethical principles enshrined in the constitution; it can thus not be reduced to merely the professional acceptance of civilian control as such.[421] As such the concept presents a radical departure from previous models and has subsequently been subject to intense and ongoing debate. Furthermore, as a technical term it is often used as comprehensive shorthand for the entirety of leadership principles, training guidelines, and normative commitments, having led to persistent charges by critics that it is either devoid of meaning, ill-defined, or just the repackaging of age-old military virtues.

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[419]   "'Personale Mannschaft mit technischem Kampfmaterial' nicht aber 'technischer Kampfapparat mit Menschenmaterial'." Dürig, Art. 17 a, p. 3, Rdnr. 2, in Maunz and Dürig, *Grundgesetz Kommentar*.

[420]   Note Dürig's correct assessment of the challenges and opportunities: "im Wehrrecht [bedeutet] die in Art. 17 a erkennbare Vorstellung vom Soldaten als „Staatsbürger in Uniform" einen ebenso bewußten *Bruch* mit der Vergangenheit. Auch insoweit bewirkt die Verfassungsentscheidung des Art. 17 a gleichzeitig Not und Größe einer Armee, wie sie der Verfassung vorschwebt. *Not* insofern, als heute weder die Armee als staatliche Institution noch der Soldat als einzelner „*etwas Besonderes*" im Verhältnis zu anderen staatlichen Institutionen und anderen Staatsbürgern sind; Not auch insofern, als in der Sicht der Kommandeure eine verteidigungsbereite Mannschaft mit „entbürgerlichten Nur-Soldaten" naturgemäß viel leichter zu bilden ist als mit Menschen, die in die Armee auch die wesentlichen Bestandteile ihrer Bürgerstellung not mit *einbringen*. *Größe* insofern, als hiermit (endlich einmal) der in der deutschen Geschichte so unglückliche Dualismus zwischen „Bürger" und „Soldat" und damit auch zwischen „Staat" und „Armee" überwunden werden kann; Größe aber auch in der Sicht der Kommandeure insofern, als die Bürger voraussetzen können, die eigenverantwortlich wissen, warum sie dienen und im Verteidigungsfall kämpfen." Dürig, Art. 17 a, p. 4, Rdnr. 4, in Maunz and Dürig, *Grundgesetz Kommentar*.

[421]   On the shortcomings of the Huntingtonian concept of professionalism see below pp. 341-347.

Abenheim deals at great length with the concept and its origin, describing it as "a term that cannot really be translated into English."[422] Reconciling the functional demands of military life with the normative order of the Basic Law requires a thorough investigation of all elements of military life, a process for which he uses an apt metaphor:

> "The obligation to carry out these reforms compelled the West German government and its military leadership to clear away the spiritual wreckage of the past, much as the *Trümmerfrauen* … laboriously clean[ed] each brick and examin[ed] it to see if it was still durable. … the architects of the new army would still have to salvage material from the old, prompting them to find a new meaning for military tradition in German life."[423]

The decision to reform military life from the ground up was necessitated by the deep hostility to the idea of German rearmament, both domestically and internationally. The desire to gain international respectability through rearmament which lay at the hear Adenauer's foreign policy[424] mandated a circumspect approach to traditional forms of military life. In this respect, it cannot be overstated that the decade-long hiatus created by the abolition of the Wehrmacht and the long delay through the EDC detour proved essential for the success of the reforms.[425] There existed a significant danger that if the rapid creation of the new army had gone according to the time frame originally envisaged in the Himmerod Memorandum, i.e. beginning rapidly in 1951 instead of being delayed until 1956-57 "the policymakers might have produced an institution that lived outside the constitutional framework of the Federal Republic and one that failed to introduce into military life the ideals of the citizen embodied in the Basic Law."[426]

The significant delay caused by French ambivalence about German rearmament[427] prevented the creation of "a mobilisation army stamped out of the ground. "[428] This had important personnel and institutional repercussions. At the individual level, the long hiatus resulted in most Wehrmacht veterans no longer being available for military service who would have constituted a much more cohesive, professionally self-confident body of officers and NCOs much more tied to Wehrmacht operational doctrine and thus more

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[422] Abenheim, *Reforging the Iron Cross*, p. 44., citing extensive literature on the topic

[423] Abenheim, *Reforging the Iron Cross*, pp. 45-46.

[424] See above pp. 187-192 and 252-254.

[425] See also above p. 245.

[426] Abenheim, *Reforging the Iron Cross*, pp. 72-73.

[427] See the discussion above p. 245.

[428] Hans-Peter Schwarz, *Die Ära Adenauer: Gründerjahre der Republik, 1949-1957*, Vol. 2 of 5, Die Geschichte der Bundesrepublik Deutschland (Stuttgart/ Wiesbaden: Deutsche Verlags-Anstalt/ Brockhaus, 1983), p. 287.

resistant to liberal democratic norms.[429] Likewise, those men who were retained from the Wehrmacht had in their overwhelming majority used the intermittent period to either build civilian careers or to pursue civilian academic degrees, both of which were important safeguards against organisational isolation, offering a diversity of views and life experiences not usually found in the military, constituting a "sceptical generation" whose civilian experience made them more open to reformist ideas.[430] Institutionally, the failure of the EDC meant that the problem of democratic civil-military relations had to be indigenously solved, thereby precluding the possibility of simple organisational continuity:

> "Within a successful EDC, the new army might have become either a denazified revival of the Wehrmacht, dominated by an apolitical military functionalism, or an army derived from the military practices and traditions of the Western European powers, especially those of the French. Under these circumstances, any attempt at progressive reforms to prevent the new military's becoming a state within the state would probably have failed."[431]

The failure of the EDC gave the government and its military planners time to reflect on the requisite form of military reforms and to achieve domestic consensus on the new armed forces. This delay must be seen in hindsight as a serendipitous factor that significantly affected the prospects of successful military reform, showing once more the intimate interrelationship of German military affairs with international factors beyond its control. Ironically, once most of the domestic and international institutional problems had been ironed out, the end of the Korean War and a period of relative détente threatened to take away the very raison d'être of rearmament, prompting a push for very rapid initial deployment:

> "Adenauer needed the full weight of sovereignty, especially that of his army. He threw out earlier plans for the build-up and rushed ahead before the great powers could partition Europe yet again. … Coming after all the confusion and false starts, this final rush disrupted the spirit and equilibrium of the army."[432]

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[429]   On the other hand, the absence of a skilled officer and NCO corps created important organisational problems during the eventual inception phase of the new army, see Abenheim, *Reforging the Iron Cross*, p. 77.

[430]   See Kielmansegg's foreword: "Ilsemann gehört als Soldat zu den Jahrgängen, die mit einem gewissen Recht die skeptische Generation genannt werden. Sie wurzeln aufgrund ihres Alters nicht mehr so fest in den Zeiten geregelter militärischer Friedensausbildung und haben eine zivilberufliche Erfahrung von Gewicht nach dem Kriege sammeln können, die von besonderer positiver Bedeutung für ihre erneute soldatische Verwendung war und ist." Ilsemann, *Die Bundeswehr in der Demokratie*, p. vii.

[431]   Abenheim, *Reforging the Iron Cross*, p. 73.

[432]   Abenheim, *Reforging the Iron Cross*, p. 76.

The rushed nature of initial deployment worked against the "organic growth" of the fundamentally new structure that the Himmerod Memorandum had envisaged, fuelling accusations that innere Führung was an ill-defined luxury of a reform deemed to be secondary as long as the principal object of reform did not yet exist. This attitude contrasts with the insistence of the central military planners that the dramatically changed circumstances in which rearmament was taking place could not be adequately addressed by a 'reform' of traditional structures but necessitating a clear break and a new start *ab initio*. Rather than accepting a wholesale adoption of prior models and reforming what is deemed *unsuitable*, they argue that the opposite approach is appropriate: into a newly created organisation with its own norms, structures, and methods *only* those traditions of the past are accepted that are deemed *explicitly suitable* for the requirements of the changed times:

> "Welt und Umwelt des Soldaten … hatten sich in einem Umfang und mit einer Plötzlichkeit gewandelt, wie es in der Geschichte ohne Vorgang ist. In dieser Situation ließen sich früher bewährte Maßstäbe und Formen nicht einfach übernehmen. Vielmehr galt es aufzuspüren, was heute und in absehbarer Zukunft den bewegenden Kräften unserer Zeit entspräche, was sachgemäß und hilfreich ist. … [wir] hielten alle Traditionen für belanglos, ja gefährlich, die nationalistisch, patriarchalisch-feudal, obrigkeitsstaatlich, vor-technisch oder ethisch wertneutral sind. Hilfreich hingegen erschienen uns Haltungen und Erfahrungen, die durch die Jahrhunderte im Kampf um innere Freiheit, Recht und Menschenwürde gewachsen sind."[433]

The term 'innere Führung' has come to symbolise this departure from historical precedent and the acceptance that much of Germany's prior military history remains deeply problematic, both domestically and internationally.[434] As such it has become *the* "trademark" of the Bundeswehr and a symbol of successful civil-military relations in the young West German democracy.[435] And just as with other technical terms representing a complex and at times controversial concept, its "compact, but somewhat indistinct title"[436] has suffered from rhetorical over-use and definitional ambiguity. Such uncertainty is less a product of sloppy thinking than the inherently political nature of the concept which is therefore the subject of intense political struggle over its precise content.

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[433]   Baudissin, *Soldat für den Frieden*, p. 119.

[434]   Ilsemann provides a good overview of the political and historical realities which must inform the proper approach to tradition within innere Führung, Ilsemann, *Die Bundeswehr in der Demokratie*, pp. 12-13.

[435]   Elmar Wiesendahl, "Neue Bundeswehr und die Weiterentwicklung der Inneren Führung," in: *Neue Bundeswehr - neue Innere Führung? Perspektiven und Rahmenbedingungen für die Weiterentwicklung eines Leitbildes*, ed. by Elmar Wiesendahl, Forum Innere Führung (Baden-Baden: Nomos, 2005), p. 9.

[436]   Abenheim, *Reforging the Iron Cross*, p. 121.

Given the fundamental and contested nature of many of the question it addresses, it has perhaps been inevitable that the armed forces have found it difficult to provide its officers and men with "systematised, learn- and teachable and comprehensive account of innere Führung" as the Parliamentary Commissioner decried as late as 1968.[437] The 1957 official manual[438] represented more an academic *festschrift* than a military guideline, exacerbated by the relative lack of clear, legally binding stipulations of its content.[439] These shortcomings were subsequently partly addressed by the ministerial *Zentrale Dienstvorschrift 10/1: Hilfen für die Innere Führung*[440] and the various iterations of the infamous *Traditionserlass* from 1965, subsequently re-issued under considerable controversy in 1982[441] and 1985[442] under respective Socialdemocratic and Christian Democratic governments.[443]

It is not necessary to restate here the excellent accounts by Abenheim,[444] Bald,[445] Heuer,[446] and others[447] on the vicissitudes of the concept which largely mirrored the intense debate

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[437]   In his annual report to parliament on p. 19, quoted in Ilsemann, *Die Bundeswehr in der Demokratie*, pp. 8, fn. 10.

[438]   Bundesminister der Verteidigung (ed), *Handbuch der Inneren Führung* (Bonn: BMVg, 1957).

[439]   The monitoring of the principles of 'innere Führung' is explicitly mentioned in the law on the Parliamentary Commissioner (*Gesetz über den Wehrbeauftragten*) but is not defined there.

[440]   Discussed in Abenheim, *Reforging the Iron Cross*, p. 252 ff.

[441]   Bundesminister der Verteidigung, "Richtlinien zum Traditionsverständnis und zur Traditionspflege in der Bundeswehr ("Traditionserlass")", Bonn, 1982, http://www.bundeswehr.de/portal/, accessed on: 25 May 2006.

[442]   The revised version of the decree was not published due to the impact of the Bitburg controversy, instead the new vision was put forward in Bundesminister der Verteidigung, *Weissbuch 1985: Zur Lage und Entwicklung der Bundeswehr* (Bonn: Presse- und Informationsamt der Bundesregierung, 1985).

[443]   Discussed in Abenheim, *Reforging the Iron Cross*, pp. 256-89; Bald, *Die Bundeswehr: Eine kritische Geschichte, 1955-2005*, pp. 110-61.

[444]   Donald Abenheim, "On Innere Führung," in: *The Bundeswehr and Western security*, ed. by Stephen F Szabo and R. Gerald Livingston (Basingstoke: Macmillan, 1990)., where he provides a good summary of the "convoluted concept of innere Führung" and makes a convincing case of the Bundeswehr being a new type of army, restating the success of an army of citizens in uniform.

[445]   Bald, *Die Bundeswehr: Eine kritische Geschichte, 1955-2005*; Detlef Bald, *Innere Führung: Ein Plädoyer für eine zweite Militärreform* (Baden-Baden: Nomos, 2002); Detlef Bald, "Die gespaltene Ausrichtung der Bundeswehr - oder: Warum sich die Bundeswehr mit der "Inneren Führung" seit 1950 so schwer tut," *Sicherheit und Frieden,* Vol. 23 (2005): 177-89.

[446]   Heuer, "Perzeption der Bundeswehr," pp. 431-96.

[447]   Martin Kutz, "Innere Führung in Zeiten des Umbruchs: Zur Aktualität einer für obsolet erklärten Konzeption," *Sicherheit und Frieden,* Vol. 23, No. 4 (2006): 180-89; Angelika Dorfler-Dierken, *Ethische Fundamente der Inneren Führung. Baudissins Leitgedanken: Gewissensgeleitetes Individuum – Verantwortlicher Gehorsam – Konflikt- und friedensfähige Mitmenschlichkeit* (Strausberg: Sozialwissenschaftliches Institut der Bundeswehr, 2005); Jürgen Gross, *Demokratische Streitkräfte*, 1. Aufl, Demokratie, Sicherheit, Frieden (Baden-Baden: Nomos, 2005); Günther, "50 Jahre Bundeswehr: Die Erfolgsgeschichte der Remilitarisierung."; Streitkräfteamt, Abteilung III, Fachinformationszentrum der Bundeswehr (ed), *Zur Geschichte der Inneren Führung*, Bw-Fachinformation Sonderheftreihe "50 Jahre Bundeswehr (Bonn: FIZBw, 2004); Andreas Prüfert, Reinhard Brühl, and Detlef Bald, *Im Dienste einer neuen Friedenskultur: Festschrift für Detlef Bald, Werk und Bibliographie*, 1. Aufl, Forum Innere Führung (Baden-Baden: Nomos, 2002); Wilfried Gerhard, *Innere Führung: Dekonstruktion und Rekonstruktion*, WIFIS-aktuell (Bremen: Ed. Temmen, 2002); Jürgen Gross, *Weiterentwicklung der Inneren Führung: Zwei Beiträge*, Hamburger Beiträge zur Friedensforschung und Sicherheitspolitik (Hamburg: Inst. für Friedensforschung und Sicherheitspolitik an der University Hamburg, 2002); Boris Berger, "Der neue Soldat: Der "Staatsbürger in Uniform" in globaler und europäischer Dimension," Dissertation, University of Munich (Munich, 2001); Hilmar Linnenkamp and Dieter S. Lutz, *Innere Führung: Zum Gedenken an Wolf Graf von Baudissin* (Baden-Baden:

in West German society about the accuracy of the collective narrative and the proper role of tradition, especially military tradition in the social enterprise. West German society remained deeply split over discarding the comforting myths of the post-war period, which necessarily involved revising "*das Husarenstück der Rehabilitierung*," meaning Adenauer's cunning tricking of Eisenhower into publicly reversing his (and virtually all Western) earlier views on the Wehrmacht by declaring that overall its soldiers had fought valiantly and "honourably."[448]

The critical debate over tradition is by no means restricted to the armed forces, but reflective of the general unease of a society continuously in search of uncompromised memories to cherish. What has been described as characteristic of the persistent tensions in the armed forces has been and remains equally characteristic of most other institutions: "at the root of the Bundeswehr's sea of troubles is a lack of military tradition. British, American, French soldiers and officers can all look back on their military past with pride. The Germans cannot."[449] In all these societies the armies look back on essentially unbroken traditions, replete with institutional memory and corporate pride, and often exercised in opposition to current trends in society.[450] The embrace of an uncomplicated and uncontroversial past is often regarded with considerable envy by German soldiers; but in this respect they are no different from other sectors of society where the past is never simple and tradition never something to be unconditionally proud about.[451] The

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Nomos, 1995); Klaus Heinen and Karl-Heinz Ditzer, *Bundeswehr im Umbruch? Sinn-Fragen der inneren Führung* (München: Hampp, 1990); Kurt Kister and Ulrich A Hundt, *Staatsbürger in Uniform - Wunschbild oder gelebte Realität* (Baden-Baden: Nomos, 1989); Dieter Walz and Wolf Graf von Baudissin, *Drei Jahrzehnte Innere Führung: Grundlagen, Entwicklungen, Perspektiven* (Baden-Baden: Nomos, 1987); Helmut Preuss, *Bundeswehr und Innere Führung: Vom Glanz und Elend einer Ideologie* (Siegburg: H. Preuss, 1986); Heinrich O. Rümmer and Dieter Walz, *Innere Führung im Meinungsstreit: Beiträge zu ihrer Fortentwicklung in der Bundeswehr* (Grosshesselohe: R. Hampp, 1984); Carl-Gero von Ilsemann, *Die Innere Führung in den Streitkräften*, Die Bundeswehr - Eine Gesamtdarstellung, Band 5 (Regensburg: Walhalla und Praetoria Verlag, 1981); Ulrich Simon, *Die Integration der Bundeswehr in die Gesellschaft: Das Ringen um die innere Führung* (Heidelberg: R. v. Decker, 1980); Krause, *Innere Führung und Hochschulen der Bundeswehr*; Dietrich Genschel, *Wehrreform und Reaktion: Die Vorbereitung der inneren Führung 1951 - 1956* (Hamburg: Decker, 1972); Eric Waldman, *The Goose Step is Verboten: The German Army Today* (New York: Free Press of Glencoe, 1964).

[448]   On the creation of this myth, and in particular Eisenhower's *Ehrenerklärung* see Bald, *Die Bundeswehr: Eine kritische Geschichte, 1955-2005*, pp. 34-35; Abenheim, *Reforging the Iron Cross*, pp. 69-71, 231.

[449]   Adolphe Schalk, *The Germans* (Englewood Cliffs: Prentice Hall, 1971), p. 290 f; Geffen, *The Role of the Military in West German Defense Policy Making*, p. 522.

[450]   Heuer recognises correctly: "Dieses ungebrochene Traditionsverständnis, das Integration in die Gesellschaft nicht zum Wert an sich erhebt, ist nur vor einem Hintergrund möglich, der sich grundlegend von den deutschen Gegebenheiten unterscheidet." Heuer, "Perzeption der Bundeswehr," p. 449.

[451]   The best analogy are perhaps university students and the justly controversial issue of their traditions associations (fraternies, *Burschenschaften*). On the latter see *inter alia* George S. Williamson, *The Longing for Myth in Germany: Religion and Aesthetic Culture from Romanticism to Nietzsche* (The University of Chicago Press, 2004); Dietrich Heither, *Blut und Paukboden: Eine Geschichte der Burschenschaften* (Frankfurt am Main: Fischer Taschenbuch Verlag, 1997).

volatile debate on tradition, especially after the change to a conservative government after 1982 reflects the — ultimately futile — longing for a return to an easy past.

As Large has correctly stated the "central and vexing problem for Bonn's military planners [remains] where to find a usable tradition to legitimize a gravely compromised profession."[452] That this has and continues to produce controversial debates is a necessary part of an institution integrated into a pluralistic society holding many contending views. The generally high international esteem for Germany's new-found military proficiency considered "once again the pre-eminent army in Western Europe in both size and expertise" is thereby matched by a universal "respect for the serious, honest and substantial form of discussion of this difficult issue [military tradition] inside but also outside the Bundeswehr."[453] What the debate over the inherently controversial issue of military tradition tends to confuse, however, is that innere Führung as such is a distinct and far less controversial issue than often appears from the pronouncements of the participants in the debate. Abenheim concludes his detailed study of the debate on tradition with a very positive evaluation:

> "The German Basic Law and the internal structure of the new army were designed with a strong awareness of the failings of the past. The reformed army, as planned and established amid great difficulties in the 1950s and 1960s, reflected a largely honest effort to correct the political failings of the Reichswehr and Wehrmacht. … From the start, Innere Führung had to struggle with the primacy of politics, the need for military efficiency, and the burdens of history. … The answer they gave to the question of tradition was unprecedented in German military history, and further remarkable because no other major social group in West Germany underwent a similar process of historical self-examination. However flawed their reforms may seem to some, in hindsight, they still represented an attempt among professional soldiers to address the past in an intelligent and responsible fashion. … The new army has developed principles of leadership and respect for the individual soldier that have grown into a tradition of modern leadership and command that eludes the armies of the older democracies, especially the United States. These new traditions lie at the centre of the valid heritage of the Bundeswehr."[454]

The debate about tradition in the armed forces oscillated between the myth of the "untarnished shield" of the Wehrmacht and pride in its military accomplishments on the one side, and the wholesale rejection of everything that happened prior to 1945 on the

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[452]   David Clay Large, ""A Gift to the Future?" The Anti-Nazi Resistance Movement and West German Rearmament," *German Studies Review,* Vol. 7, No. 3 (1983), p. 527.

[453]   Heuer, "Perzeption der Bundeswehr," p. 458.

[454]   Abenheim, *Reforging the Iron Cross*, pp. 292, 293, 297.

other. Answering what could and should legitimately be handed down required finding a consensus between these extremes. Much of the debate has used innere Führung as a shorthand for the wider debate on tradition and a usable past, but the concept itself is actually much less controversial or ill-defined as is usually made out.

At a basic semantic level it constitutes the counterpart to "äußere Führung" which comprises "military leadership in the conventional sense of the word," i.e. operations, tactics, organisation, training, technology and logistics. It concerns everybody in the armed forces, both leaders and those led. Their comportment, human qualities and the normative substance of leadership constitute innere Führung.[455] Detractors of the concept have often argued that the human element of leadership has always been crucial for troop morale and thus fighting power, claiming that innere Führung is little more than a new label for leadership principles that the old Prussian-German armies have traditionally practiced. This essentially value-neutral professional approach, labelled "inneres Gefüge" in the Wehrmacht overlooks, however, the normative commitment deemed essential in a democracy. The essence of innere Führung lies in merging professional capability and military strength with a clear commitment and application of the normative stipulations of the constitutional order, a consensus often hidden behind the acrimonious debates about tradition. This basic substantive agreement is for instance well expressed in the 1985 *Weissbuch* issued by the then new conservative government. While taking a clearly revisionist position on the question of tradition, it is admirably clear about the substantive content of the concept:

> "Die Konzeption der inneren Führung verbindet das Werte- und Normensystem des Grundgesetzes mit Führung, Erziehung und Ausbildung in der Bundeswehr. Sie bestimmt damit den Standort der Armee in der Demokratie und setzt einen werteorientierten Bezugsrahmen für soldatisches Selbstverständnis. Dies drückt sich aus im Leitbild vom ‚Staatsbürger in Uniform.'
>
> Innere Führung soll drei Hauptziele erreichen: (1) Legitimation: die rechtliche, politische und ethische Begründung des Auftrags der Bundeswehr und der Inpflichtnahme des Staatsbürgers als Soldat. (2) Integration: die Einbindung der Bundeswehr und des einzelnen Soldaten in Staat und Gesellschaft. (3) Motivation: die Bereitschaft des Soldaten der Bundeswehr, aus Überzeugung treu zu dienen, seine Pflichten nach besten Kräften zu erfüllen und dabei die durch das Soldatengesetz auferlegten Einschränkungen seiner Grundrechte zu akzeptieren."[456]

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[455]   Ilsemann, *Die Bundeswehr in der Demokratie*, p. 9.

[456]   Bundesminister der Verteidigung, *Weissbuch 1985: Zur Lage und Entwicklung der Bundeswehr*, pp. 299, 301.

This is the first official attempt to describe innere Führung in a sufficiently "concise and precise manner, that one could speak of a definition."[457] The three principal aims that this definition underlines — legitimation, integration, and motivation — retain a particular prominence for military leadership and training in light of the tortuous nature of the nation's history that precludes an uncritical celebration of the past and institutional tradition. The 1985 definition thus correctly accepts that the re-creation of a military institution for a democracy poses particular challenges in Germany's historical context. It shows how much the concept has evolved since its first official restatement from 1957 which described innere Führung as little different from traditional military leadership aimed at maximising fighting prowess.[458]

Innere Führung has engendered considerable interest as an object of academic study[459] but hopes that it might serve as a model of military organisation and training in other armies[460] have not been borne out. While foreign military and academic observers have from the early 1970s generally been appreciative of the success of West German civil-military relations, underlining the positive internal dynamics connected to innere Führung,[461] there has been little advocacy for transposing the German model. This has been echoed by German military and academic experts who have consistently maintained that "Innere Führung is not for export."[462] The end of the Cold War has led to a gradual but significant expansion of the tasks facing the Bundeswehr, in the process of which it has become an ever more 'normal' army, i.e. one trained and deployed primarily for military *action*, no longer territorial defence through effective *deterrence*. This evolution of

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[457] Heuer, "Perzeption der Bundeswehr," pp. 433, fn. 5.

[458] Bundesminister der Verteidigung, *Handbuch der Inneren Führung*, pp. 17, 169; discussed in Ilsemann, *Die Bundeswehr in der Demokratie*, p. 11.

[459] Geffen, *The Role of the Military in West German Defense Policy Making*, p. 17.

[460] Johann Adolf Kielmansegg, "NATO und innere Führung: Ein Gespräch mit General Graf Kielmansegg," *Informationen für die Truppe,* Vol. 3 (1967): 154-56; Tjarck G. Rössler, ""Innere Führung" und "Staatsbürger in Uniform" - Ideologie oder Sozialtechnologie?," in: *Wie integriert ist die Bundeswehr? Zum Verhältnis von Militär und Gesellschaft in der Bundesrepublik*, ed. by Ralf Zoll (München: Piper, 1979): 77 ff.

[461] See the excellent discussion of the American reception of innere Führung in Heuer, "Perzeption der Bundeswehr," pp. 431-472, especially 466-467.

[462] Ulrich de Maizière, "Soldat im Bündnis," in: *Soldaten der Demokratie: die Bundeswehr in Gesellschaft und Staat*, ed. by Franz Pöggeler and Otto Wien (Frankfurt am Main: Bernard & Graefe, 1973), pp. 18-19; Fröhling, "Innere Führung und Multinationalität."; nevertheless, innere Führung has engendered considerable interest particularly among the armies of Central and Eastern Europe, see Martin Kutz and Ulli Arnold, "Das "Internationale Fellowship-Programm Graf Baudissin" am Institut für Friedensforschung und Sicherheitspolitik und der "Export" der Inneren Führung in die Armeen postkommunistischer Staaten: Erfahrungen, Herausforderungen, Defizite und Ausblick," in: *Gesellschaft, Militär, Krieg und Frieden im Denken von Wolf Graf von Baudissin*, ed. by Martin Kutz and Ulli Arnold, Forum Innere Führung (Baden-Baden: Nomos, 2004).

its task structure has had repercussions for the inner structure of the army to which we turn now.

b. NEW DEFINITION OF PROFESSIONALISM

Given the peculiar context of its creation, the Bundeswehr had been given the clear and circumscribed task of territorial defence as part of an integrated alliance under conditions of nuclear deterrence. The memory of the war precluded the visualisation of the Bundeswehr as a 'normal' army providing the state with a tool for the pursuit of political objectives in the Clausewitzian sense. The domestic and international consensus throughout the foundational years accepted the limitation of the army's task profile to territorial defence through deterrence, i.e. being relived from having to fight by dissuading the enemy from attacking in the first place.[463]

aa. Changing Image of War

This emphasis on deterrence was partly derived from a normative rejection of war as a more or less normal means for the attainment of political objectives, but primarily it was derived from the implications of the nuclear revolution for strategy and tactics. The peculiar context in which West German rearmament was conceived placed significant limitations on the state's freedom of action and thus the likely military scenarios for which it had to prepare. This limited operational scope was reflected in the planning guidelines developed between 1956-62 envisaging the response to a general nuclear war. Subsequently refined and elaborated, these guidelines are based on the relatively circumscribed military scenario to be conceivably faced by the Federal Republic. The term *Kriegsbild* officially defined by the Ministry of Defence in 1958 was a German neologism that had previously not been used in the military literature. It reflected the curtailed operational scope of the West German army and which remains distinct from similar concepts used by other armed forces.[464]

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[463] "Kämpfen können heißt nicht, kämpfen wollen. Kämpfen können und jederzeit zum Kampf bereit sein aber ist die beste Garantie dafür, nicht kämpfen zu müssen." General Ulrich de Maizière quoted in Obermann, *Gesellschaft und Verteidigung*, p. 669.

[464] Ilsemann, *Die Bundeswehr in der Demokratie*, p. 15.

Baudissin discusses the image of a potential future war, i.e. "its form, intensity, scope and thus the possibilities, means and ends — in brief, the character of a coming war."[465] He identifies four main characteristics — technology, ideology, global scope, and total nature — from whence he derives the need for a revised definition of military professionalism and thus adequate discipline and training. Technology as perhaps the most important aspect has led to a dramatically increased sophistication of the soldiery craft which calls into question traditional forms of hierarchical control necessitating a greater emphasis on collegial forms of authority in closer analogy to civilian management techniques.[466] Furthermore, the permanency of the threat makes traditional mobilisation schedules and tactical manoeuvres largely obsolete, requiring delegation to small, highly mobile units acting largely on their own initiative, placing a premium on motivation and morale.[467] Military training has to take these considerations into account and present the individual soldier with a compelling political rationale for his defence of the liberal constitutional order.[468] The all-encompassing nature of a global ideological competition characterised by the total character of nuclear weapons[469] must likewise be reflected in a military discipline and training which cannot find its ultimate vindication in success on the battlefield but patient preparedness as a precondition for successful deterrence as a substitute for war.[470]

bb. Implications for the Professional Ideal

Under these conditions, the inner structure of the Bundeswehr has reflected a novel understanding of professionalism that stands in marked contrast to the corporatist vision of its predecessors. Stressing ethical responsibility, normative commitment to the constitutional order and technical sophistication, the reformist soldiery ideal renounced the existence of a special sphere of military honour and separate corporate existence:

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[465]   Baudissin, *Soldat für den Frieden*, p. 55.

[466]   Obermann, *Gesellschaft und Verteidigung*, pp. 669-82.

[467]   Baudissin, *Soldat für den Frieden*, pp. 58-60; these considerations have yet to be fully understood and implemented, their importance has dramatically increased as a result of the last 'revolution in military affairs' see Fukuyama and Shulsky, "Military Organization in the Information Age: Lessons from the World of Business."

[468]   Baudissin, *Soldat für den Frieden*, pp. 63-64.

[469]   Bundy, *Danger and Survival: Choices about the Bomb in the First Fifty Years.*

[470]   Baudissin, *Soldat für den Frieden*, p. 70; see also Bernhard Wördehoff, "Antworten auf das Atomzeitalter," in: *Im Dienst für Frieden und Sicherheit. Festschrift für Wolf Graf von Baudissin*, ed. by Dieter S. Lutz (Baden-Baden: Nomos-Verlagsgesellschaft, 1985): 221-28; and the other essays in the volume

> "Fest steht lediglich, daß es einen exklusiven sozialen Raum, gewissermaßen eine ständische Ausprägung, für keine Gruppe und keinen Beruf mehr gibt, also auch nicht für den Soldaten der Bundeswehr. Er strebt eine solche abkapselnde Eigenständigkeit auch gar nicht mehr an."[471]

According to the traditional view, the potential dispensation of violence places the military institution and its members outside the bounds of the liberal civilian order. Furthermore, this view argues that the gravity of the security threat might actually force civilian society to abandon its liberal values and adopt military virtues.[472] In contrast, civil-military relations in the Federal Republic were from the outset established on the explicit supremacy of civilian norms and a uniform legal sphere fully encompassing all aspects of military life. Deviations from civilian norms would have to be *functionally justified* and have an *explicit statutory basis*. These foundational choices were not only imposed on the military by civilian society but formed a key part of the military's inner structural reform, constituting a new definition of military professionalism as an integrated part of wider society. This rejection of the alleged peculiarities of military service which had historically served as the basis of the special position of the military is clearly underlined by the Bundeswehr's senior-most officer:

> "Der Soldat muß sich darauf einstellen, aktiv in die Gefahr hinein handeln zu müssen. *Eigentümlichkeiten gibt es auch in anderen Berufen*; sie sind — wie für die Soldaten — *funktionsbedingt*. Im Bereich der Streitkräfte sind sie überdies gesetzlich festgelegt. Daraus läßt sich aber nicht folgern, daß die Gesellschaft insgesamt diese militärischen Besonderheiten übernehmen soll. Kein Soldat wird das erwarten oder gar verlangen."[473]

The vision underlying the creation of the Bundeswehr and actively endorsed by its members constitutes an explicit rejection of the traditional view of military professionalism. Huntington's definition centres on expertise, responsibility, and corporateness as distinguishing characteristics of professionalism. He further deducts from the functional task of the military as the "management of violence"[474] the existence of a "military mind" that is necessarily sharply differentiated from civilian modes of thinking, and whose uppermost ideal is obedience. Explicitly addressing the moral dilemma of a professional soldier he asks "What does the military officer do if he is

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[471]   Obermann, *Gesellschaft und Verteidigung*, p. 669.

[472]   Huntington, *The Soldier and the State*, pp. 456-64.

[473]   Speech by Inspector General Ulrich de Maizière of 16 April 1970 quoted in Obermann, *Gesellschaft und Verteidigung*, pp. 670, emphasis added.

[474]   Huntington, *The Soldier and the State*, pp. 8-11.

ordered by the statesman to commit genocide, to exterminate the people of an occupied territory?"[475] While conceding that "the soldier cannot surrender to the civilian his right to make ultimate moral judgements," he derives from the ethic of responsibility and *raison d'état* a classic defence of traditional military professionalism and realism:

> "For the officer this comes down to a choice between his own conscience on the one hand, and the good of the state, plus the professional virtue of obedience, upon the other. *As a soldier, he owes obedience; as a man, he owes disobedience.* Except in the most extreme instances it is reasonable to expect that *he will adhere to the professional ethic and obey.* Only rarely will the military man be justified in following the dictates of private conscience against the dual demand of military obedience and state welfare. …
>
> [The military ethic] holds that *war is the instrument of politics*, that the military are the servants of the statesman, and that civilian control is essential to military professionalism. *It exalts obedience as the highest virtue of military men.* The military ethic is thus *pessimistic, collectivist, historically inclined, power-oriented, nationalistic, militaristic, pacifist, and instrumentalist in its view of the military profession.* It is, in brief, realistic and conservative."[476]

Whatever the merits of Huntington's conception of professionalism, deliberately modelled upon the Prussian ideal,[477] it is evident that the founders of the Bundeswehr felt that this ideal had been damaged beyond repair in the period 1914-1945 thus necessitating a radical departure. Huntington considered this reformist departure an ill-advised "retrogression to a more primitive form of civil-military relations."[478] It is questionable whether Huntington's assessment of the Wehrmacht which squarely falls within the 'second school' discussed above[479] can be considered adequate in light of the comprehensive criminal and moral culpability of the German military during the rise of Nazism and during World War II.[480]

It is at any rate clear that neither government, legislature, nor the military establishment itself considered the traditional model of military professionalism with its emphasis on absolute obedience an adequate yardstick for civil-military relations in a democratic state. The dubiousness of absolute obedience and timeless soldiery values such as bravery,

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[475]   Huntington, *The Soldier and the State*, p. 78.

[476]   Huntington, *The Soldier and the State*, pp. 78-79, emphasis added.

[477]   Huntington, *The Soldier and the State*, pp. 33-34.

[478]   Huntington, *The Soldier and the State*, p. 123.

[479]   See above pp. 208-214.

[480]   Discussed at length above, see p. 214 ff.

comradeship, loyalty, etc. *irrespective of their political implications* has figured prominently in the Bundeswehr's foundational thinking.[481] The ambivalence towards an ethically neutral professionalism is perhaps best symbolised by the prominent role attributed to the conspirators of the 20 July 1944[482] as the basis for a usable past and valid heritage for the new military institution.[483] While almost certainly unaware at the time of Huntington's position, Baudissin takes up the same question and answers it in a diametrically opposed fashion. It represents the view expressed in the appropriate legislation[484] and official training manuals and thus deserves to be quoted at length:

> "So bedeutet für mein Sprachgefühl »unbedingter Gehorsam« eine Befehlsgewalt bzw. Gehorsamspflicht, der keine rechtlichen und sittlichen Grenzen gesetzt sind. Grundsätzlich hieße das die Negierung jeder transzendenten Verantwortung — bestenfalls ihre Evakuierung in einen imaginären höchsten Vorgesetzten — und widerspräche meinem Menschenbild, der Ethik und dem christlichen Verständnis vom Eide. … Natürlich kenne ich alle Vorbehalte gegen die Zubilligung des Gewissenszwanges. Nur scheint mir die preußische Heeresgeschichte zu beweisen, daß die Vertrauensgrundlage fester und die Kampfleistungen nicht geringer werden, wenn man diese Möglichkeit menschlichen Verhaltens mit in die Rechnung einbezieht. Da der Ungehorsam aus Gewissensnot mit einem größeren Risiko beladen zu sein pflegt als der Gehorsam, droht aus ihm nach aller Erfahrung keine Gefahr für die Ordnung. … der Ungehorsam aus Gewissensgründen geht unausweichlich den Weg vor ein Gericht und wahrscheinlich an die Wand. Nun zum Gehorsam in der Bundeswehr. Hier bin ich zugegebenermaßen voreingenommen. Aber bei aller Phantasie kann ich mir *keine anderen Regelungen vorstellen für Soldaten eines freiheitlichen Rechtstaates, in dem sich der Staat in seinen Forderungen an die Mitbürger auf das Notwendigste beschränkt.* Auch die Unterscheidung zwischen Befehlen, die nicht ausgeführt zu werden brauchen, und solchen, die nicht ausgeführt werden dürfen, ist in der Praxis für Menschen mit durchschnittlich ausgebildetem Verstande und Rechtsgefühl nicht schwierig."[485]

The Cold War consensus that underwrote this vision of military professionalism began to unravel in the mid-1960s, reaching a stage of "open conflict" with reactionary officers who demanded a return to traditional concepts of professionalism as exemplified by the

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[481] Schulte, "Wehrsysteme und Normen in den Streitkräften."; Abenheim, *Reforging the Iron Cross*, p. 149 ff; Baudissin, *Soldat für den Frieden*, pp. 155-177, 189-222, especially 175-177."Über den unbedingten Gehorsam"; Ilsemann, *Die Bundeswehr in der Demokratie*, pp. 115-27.

[482] Abenheim, *Reforging the Iron Cross*, pp. 136-47; Baudissin, *Soldat für den Frieden*, pp. 95-113.

[483] Moeller, *War Stories: The Search for a Usable Past in the Federal Republic of Germany*; Messerschmidt, "Verschwörer in Uniform. Der militärische Widerstand gegen Hitler und sein Regime."

[484] See in particular §§ 6, 7, 8, 10, and 11 SoldatenG; for a discussion see *inter alia* Scherer and Alff, *Soldatengesetz - Kommentar*, pp. 58-62, 64-65, 110-167, especially 153-157 and 162-167; Ilsemann, *Die Bundeswehr in der Demokratie*, pp. 115-27; Hans Viktor Böttcher and Klaus Dau, *Wehrbeschwerdeordnung - Kommentar*, 4. Auflage (München: Franz Vahlen, 1997), pp. 24-26, 66-67.

[485] Baudissin, *Soldat für den Frieden*, pp. 175-176, emphasis added.

military exploits of the Wehrmacht.[486] These visions stressed the peculiar nature of the military profession and rejected the goal of societal integration as dangerously weakening the army. On the contrary, they stressed the exemplary character of military life and argued that society had to adopt in turn a more martial outlook,[487] requiring a full-blown reversal of the foundational consensus as demanded in the controversial Schnez Study:

> "Nur eine »Reform an Haupt und Gliedern«, an Bundeswehr und Gesellschaft, mit dem Ziel, die Übel an der Wurzel zu packen, kann die Kampfkraft des Heeres entscheidend heben."[488]

The views expressed in this study amounted to a rejection of the basic principles of innere Führung and have resurfaced with disagreeable regularity throughout the history of the Bundeswehr.[489] Such restorative tendencies within the armed forces have justly alarmed society and usually led to swift counter-measures by the political leadership. As an uncommonly well-informed observer, the disquieting conclusions drawn by Bald bear nevertheless careful examination:

> "Alarmierend allerdings ist das Fortbestehen politisch rechtslastiger, traditionalistischer Kreise in den Führungskreisen der Bundeswehr. … Das Beispiel Günzel veranschaulicht den in weiten Kreisen der Bundeswehr vollzogenen Deutungswandel der «Inneren Führung»: Wie in den fünfziger Jahren galt sie als typisch zivilistische, weiche Welle antisoldatischer Haltung, gegen die nur eine kriegsnahe, «realistische Ausbildung» helfe. Daher fand Günzel mit seinen öffentlich bekannten Protesten gegen die «Innere Führung» und der Forderung nach ihrer Abschaffung beträchtlichen Anklang."[490]

Without belittling his warnings about restorative tendencies within the armed forces, one might point to the generally far more positive assessment by outside observers that have

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[486]   Abenheim, *Reforging the Iron Cross*, pp. 227-55; Hornung, *Staat und Armee. Studien zur Befehls- und Kommandogewalt und zum politisch-militärischen Verhältnis in der Bundesrepublik Deutschland*, pp. 255-334; Simon, *Die Integration der Bundeswehr in die Gesellschaft: Das Ringen um die innere Führung*, pp. 111-19.

[487]   Interestingly, much of the reactionary criticism within the armed forces against the reformist character of innere Führung had concentrated on its alleged aping of supposedly inferior American models. However, their arguments for a return to traditional concepts of professionalism echoed earlier calls by Huntington and others readily taken up in internal debates by the US armed forces. See above p. 70.

[488]   Quoted in Obermann, *Gesellschaft und Verteidigung*, p. 671.

[489]   See the spirited discussion in Bald, *Die Bundeswehr: Eine kritische Geschichte, 1955-2005*, pp. 65-69, 83-91, 154-161, 184-185.

[490]   Bald, *Die Bundeswehr: Eine kritische Geschichte, 1955-2005*, pp. 184-85., referring to recent statements by the Inspector of the Army Gert Gudera and his successor Hans-Otto Budde, or the commander of the premier elite unit KSK (Kommando Spezialkräfte) General Reinhard Günzel requesting a tougher internal discipline and the emulation of soldiery precedents set by Wehrmacht and Waffen-SS units during World War II. Bald is correctly criticising the close political connection of many leading officers to the extreme right. General Günzel was dismissed due to his support for a conservative politician censored for anti-Semitic statements. See also Jochen Bittner, "Auf schiefer Bahn - Vor zehn Jahren legte sich die Bundeswehr das Kommando Spezialkräfte zu. Seither operiert die Elitetruppe ohne parlamentarische Aufsicht. Das könnte sich nun rächen," *Die Zeit* Nr. 46 Politik (Hamburg, 9 November 2006): 10.

generally treated the debate over tradition and the struggle between competing visions of civil-military relations as a normal sign of a pluralistic society and a competitive political process: "The West German experience illustrates the difficulty of enlisting history in the service of political aims, while attempting to preserve a measure of historical honesty in a pluralistic society."[491] Bald's concerns about reactionary tendencies remain pertinent, but views expressed by Schnez, Günzel and so many others bear an uncanny resemblance to those expounded by as respected a figure as Huntington.[492] The discourse thus appears much more representative of the 'normal' political debate on civil-military relations, rather than evidence of a corporate reactionary backlash.

From its inception, the political philosophy at the heart of innere Führung has always found detractors in the Bundeswehr, repeatedly leading to serious disputes over the appropriate degree of civilian aspects in the armed forces and what level of integration into society can be balanced with functional military requirements.[493] Internal critics of innere Führung have consistently called for a revision of the foundational bargain on discipline and the integration of the military into society. From the very beginning *some* officers did not share the perceived need to depart from traditional models of internal discipline and operational doctrine, arguing that innere Führung suffered from an incurable remoteness from operational reality, resulting in a dangerously weakened army, calling instead for a greater recognition of traditional models, especially the experience of the Wehrmacht.[494] These arguments have found new saliency in the deep structural transformation of the Bundeswehr after the end of the Cold War, i.e. its *de facto* transformation into an expeditionary *Einsatzarmee*.[495]

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491   See especially Abenheim, *Reforging the Iron Cross*, p. 7.

492   See Huntington, *The Soldier and the State*, p. 456., quoted above p. 70, see also the above discussion pp. 340 ff.

493   The best discussions of these debates are Hornung, *Staat und Armee. Studien zur Befehls- und Kommandogewalt und zum politisch-militärischen Verhältnis in der Bundesrepublik Deutschland*, pp. 255-350; and Bald, *Die Bundeswehr: Eine kritische Geschichte, 1955-2005*; Simon, *Die Integration der Bundeswehr in die Gesellschaft: Das Ringen um die innere Führung*, pp. 16-32.

494   The interrelationship of the wider societal debate with the internal military controversy over discipline is well presented in Simon, *Die Integration der Bundeswehr in die Gesellschaft: Das Ringen um die innere Führung*, pp. 24-158, "Das Ringen um die Innere Führung"

495   Michael Staack, "Das veränderte System und die Konsequenzen für den Auftrag der Bundeswehr," in: *Neue Bundeswehr - neue Innere Führung? Perspektiven und Rahmenbedingungen für die Weiterentwicklung eines Leitbildes*, ed. by Elmar Wiesendahl, Forum Innere Führung (Baden-Baden: Nomos, 2005), p. 103. See also Henning Sussebach, "Schulz Zieht in den Krieg," *Die Zeit* Nr. 45, Dossier (Hamburg, 2 November 2006): 17-20.

The structural need for West German rearmament was initially balanced with strong domestic and international reservations about its history of militarism, resulting in an army that for all its achievements with respect to civil-military relations remained severely curtailed in its operational scope.[496] As part of a closely integrated alliance it fulfilled the clearly defined and relatively limited task of territorial defence. Notwithstanding the legal and political commitment under Article 5 of the North Atlantic Treaty, there was few if any real expectation that the Bundeswehr would ever be required to fight any type of war short of repelling an all-out attack on Germany, the likelihood of which depended more on the efficacy and stability of global nuclear deterrence than any particular characteristic of the German army.

This dependency on external factors beyond national or institutional control has presented the army leadership with difficult challenges with regard to training, morale, and the public perception of the forces.[497] Irrespective of uniformly positive assessments of its professional ability as well as admiration for the achievement of exemplary civil-military relations by outside observers,[498] domestic perception of the Bundeswehr has shown great variations during the 1970s and 1980s.[499] It has been argued with some justification that the exemplary civil-military relations and inner structure of the Bundeswehr have only been possible in the somewhat artificial 'greenhouse' atmosphere of the bipolar stalemate which protected the Federal Republic from the kind of security challenges faced by a 'normal' army.[500] The persistent drive for "more realistic", i.e. harsher training more closely modelled on combat conditions has accompanied the internal debate on innere Führung from its very beginning from the early Iller and Nagold scandals to present controversies over Wehrmacht symbols.[501] This drive to harsher, more combat-related training stems partly from ideological scepticism towards the liberal values

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[496]   Staack, "Das veränderte System und die Konsequenzen für den Auftrag der Bundeswehr," p. 91; Elmar Wiesendahl, "Die Innere Führung auf dem Prüfstand - Zum Anpassungsbedarf eines Leitbildes," in: *Neue Bundeswehr - neue Innere Führung? Perspektiven und Rahmenbedingungen für die Weiterentwicklung eines Leitbildes*, ed. by Elmar Wiesendahl, Forum Innere Führung (Baden-Baden: Nomos, 2005), p. 17.

[497]   Obermann, *Gesellschaft und Verteidigung*, pp. 673-79.

[498]   Heuer, "Perzeption der Bundeswehr," pp. 458-67.

[499]   Simon, *Die Integration der Bundeswehr in die Gesellschaft: Das Ringen um die innere Führung*, pp. 159-223.

[500]   I am indebted to Prof. Sergio Della Valle's comments on an earlier draft for this insight.

[501]   For a good discussion of the continuity of these scandals see Bald, *Die Bundeswehr: Eine kritische Geschichte, 1955-2005*, pp. 65-69, 83-91, 154-161, 184-185; Simon, *Die Integration der Bundeswehr in die Gesellschaft: Das Ringen um die innere Führung*, pp. 61-72.

embedded in the concept of innere Führung, but partly it is motivated by the wish to overcome the perceived stigma of being a second-tier army.[502]

The dramatic geopolitical changes after 1990 have resulted in a significant expansion of the Federal Republic's international role and status, which entailed an unprecedented expansion of its military engagements overseas. Responding to growing international demands and slowly accustoming the population to the idea of deploying German soldiers in theatres of increasing levels of danger, the government and army leadership now face the more or less normal task portfolio of a medium power.[503] This expanded functional spectrum has placed an enormous burden on both force posture and internal structure, thereby calling into question the continued validity of its trademark innere Führung concept.[504]

aa. Common Civilian and Military Legal Sphere

Ending the historical dualism between army and society went beyond civilian *institutional* control, especially through parliamentary prerogatives. As military planners and legislators agreed from the outset, the new army would have to be seamlessly *integrated into society* in its sociological composition and normative outlook, thereby ruling out the option of returning to the old system where the army had been a *corpus separatus* functioning according to its own ethical and legal code.[505] The unequivocal stipulations of the constitution with regard to the basic character of the state and its commitment to a set of non-derogable fundamental rights took a clearly deontological view of the inalienable dignity of the individual.[506] On the other hand, military and political considerations ruled reliance on an All Volunteer Force out, thereby posing the challenge of introducing

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[502]   Heuer, "Perzeption der Bundeswehr," pp. 479-82.

[503]   Staack, "Das veränderte System und die Konsequenzen für den Auftrag der Bundeswehr," pp. 105-09.

[504]   Wilfried von Bredow, "Kooperations-Professionaliät. Das neue Profil der Bundeswehr und notwendige Fortentwicklung der Inneren Führung," in: *Neue Bundeswehr - neue Innere Führung? Perspektiven und Rahmenbedingungen für die Weiterentwicklung eines Leitbildes*, ed. by Elmar Wiesendahl, Forum Innere Führung (Baden-Baden: Nomos, 2005), p. 130.

[505]   See here the excellent discussion by Simon which highlights the conflictual and thus *political* nature of the army's long struggle over the acceptance of democratic principles, Simon, *Die Integration der Bundeswehr in die Gesellschaft: Das Ringen um die innere Führung.*

[506]   Importantly, these include political participation rights, see Deutscher Bund für Bürgerrechte, *Von den Grundrechten des Soldaten.*

conscription into a deeply suspicious population,[507] disillusioned and hostile to the military's historical disregard for the individual and civilian society in general.[508]

In conscious departure from historical precedent and contemporary practice in allied armies,[509] *all* aspects of military life would henceforth have an unambiguous statutory foundation under Article 20 para. 3 GG (*Prinzip der Rechtsbindung*). Furthermore, the military would be treated in precisely the same manner as all other aspects of public administration. This amounted not only to the abolition of previous privileges and the closing of legal loopholes but stipulated that the soldier would in all respects have to be treated in the same manner as any other civilian functionary of the state. Exceptions to this basic norm were to be justified by functional requirements of military efficiency or discipline:

> "Wenn auch die verfassungsrechtlichen Grundlagen verschieden sind, ist doch bei allen Staatsorganen das Bestreben unverkennbar, das Dienstrecht der Soldaten nach den gleichen Grundsätzen zu gestalten und fortzuentwickeln wie das Beamtenrecht, soweit nicht militärische Effizienz und Disziplin im Einzelfall einmal Besonderes fordern."[510]

This basic unity in legal treatment of the members of the armed forces has important repercussions for organisation and inner structure. Perhaps the most dramatic departure from both national and international precedents has been the abolition of separate military jurisdiction, i.e. *all* internal military matters are subject to the constitutional due process guarantee under Article 19 para. 4 GG (*Prinzip der Rechtsweggarantie*). Following the stipulation of Article 20 para. 2 GG (*Prinzip der Gewaltenteilung*), all legal matters are handled by *civilian* courts independent of the Ministry of Defence let alone military commanders, but part of the normal civilian judiciary, manned by civilian judges and reporting to the Ministry of Justice.[511] Lower disciplinary courts (*Truppendienstgerichte*) belong organisationally to the Ministry of Defence but are still manned by civilians, and

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[507]   For a good and succinct overview of conscription in a historical and comparative perspective see Wolfgang Steinlechner, *Wehrpflichtgesetz - Kommentar* (München: Franz Vahlen, 1996), pp. 43-49; on the German debate on conscription and the negotiation history of the respective legislation see Steinlechner, *Wehrpflichtgesetz - Kommentar*, pp. 50-69.

[508]   See also above p. 289.

[509]   A good discussion of the distinct characteristics of the German model is Albrecht Muser, *Harmonisierung des Wehrrechts in Europa. Rechtsvergleich der Wehrrechtssysteme Deutschlands und Großbritanniens* (Hamburg: Verlag Dr. Kovač, 2005).

[510]   Scherer and Alff, *Soldatengesetz - Kommentar*, p. 39.

[511]   Muser, *Harmonisierung des Wehrrechts in Europa. Rechtsvergleich der Wehrrechtssysteme Deutschlands und Großbritanniens*, pp. 44, 154-72.

their decisions can always be appealed to the respective highest civilian court, i.e. *Bundesgerichtshof* or *Bundesvewaltungsgericht*.[512] Given the extreme abuse of court martials in the past,[513] a separate military criminal justice is abolished and normal criminal law and criminal procedure are applied by ordinary prosecutors in ordinary civilian courts.[514] In times of war or for troops based abroad, special military criminal courts (*Wehrstrafgerichte*) can be established under Article 96 paras. 2 and 3 GG, but again these would fall within the portfolio of the Ministry of Justice and their decisions could be appealed to the civilian *Bundesgerichtshof*.[515] So far such courts have never been established.[516]

The same determination to prevent the creation of a military *domain réservé* beyond the reach of civilian institutions and isolated from the reach of constitutional protections has had important repercussions for the legal status of the individual soldier.[517] The requirement for all state activity to have an unambiguous foundation in law together with strong substantive and procedural protections ensures both the effective defence of the individual soldier's rights[518] as well as the general comparability of the normative vision of the armed forces with that of wider society. In this latter respect, the introduction of *political* participation and representation rights[519] has been of particular importance,[520] a

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[512]   Dürig, Art. 87 a, Rdnr. 10 in Maunz and Dürig, *Grundgesetz Kommentar*.

[513]   Lawyers and especially judges had survived the war as one of the most cohesive professions and have remained extremely reluctant to self-critically examine their involvement in the Third Reich. Military judges in particular functioned as a crucial, ideologically reliable pillar of the dictatorship until the very end, and in some instances even beyond capitulation. Their collective and individual responsibility remained a taboo until the publication of the seminal Messerschmidt and Wüllner, *Die Wehrmachtjustiz im Dienste des Nationalsozialismus: Zerstörung einer Legende*; see also the revised edition Messerschmidt, *Die Wehrmachtjustiz, 1933-1945*; on the role of the general legal profession, see Müller, *Furchtbare Juristen: Die unbewältigte Vergangenheit unserer Justiz*.

[514]   For a comprehensive discussion of the legal process in military disciplinary and criminal matters see Prinz, *Der Einfluss von Heeresverfassung und Soldatenbild auf die Entwicklung des Militärstrafrechts*, pp. 308-53; Schwenck, *Rechstordnung und Bundeswehr*, pp. 106-26.

[515]   Stein, *Verteidigungsfunktion und Grundgesetzordnung*, pp. 87-104.

[516]   For a fuller discussion see Eike Steinkamm, *Die Wehrstrafgerichtsbarkeit im Grundgesetz der Bundesrepublik Deutschland. Eine Untersuchuchung des Art. 96 Abs. 2 GG aus rechtsgeschichtlicher, verfahrens-, staats- und völkerrechtlicher Sicht*, Würzburger wehrwissenschaftliche Abhandlungen, 4 (Würzburg: Holzner, 1974); Hans-Jürgen Wipfelder, *Wehrrecht in der Bundesrepublik* (Regensburg: Walhalla und Praetoria Verlag, 1991), p. Rdnr. 825 ff.

[517]   Well outlined in Schwenck, *Rechstordnung und Bundeswehr*, pp. 28-61, 127-140.

[518]   Stein, *Verteidigungsfunktion und Grundgesetzordnung*, pp. 81-86, 120-141.

[519]   The permission for military union membership was given only relatively late and as the result of very acrimonious contestation between the political leadership and top military commanders. For a discussion see Hornung, *Staat und Armee. Studien zur Befehls- und Kommandogewalt und zum politisch-militärischen Verhältnis in der Bundesrepublik Deutschland*, pp. 300-35; see also the public justification Baudissin gave for joining the left-wing trade union *Öffentliche Dienste, Transport und Verkehr (ÖTV)* in 1966 in Baudissin, *Soldat für den Frieden*, pp. 314-17; prior to the *Gerwerkschaftserlass* members of the armed forces were expected to be represented by the right-wing corporate-professional *Bundeswehr-Verband,* for a well-intended description of the latter see Hermann Giesen, *Deutscher Bundeswehr-Verband. Spitzenorganisation der Soldaten* (Wiesbaden: Wirtschaftsverlag, 1984).

[520]   For a comprehensive treatment refer to Andreas Müller, *Die Beteiligungsrechte der Soldaten in den Streitkräften der Bundeswehr. Eine Bestandsaufnahme auf der Grundlage des Soldatenbeteiligungsgesetzes*, Forum Innere Führung, 12 (Baden-Baden: Nomos, 2001); Paul Klein and Jacques Bonnetête (eds), *Mitbestimmung in den Streitkräften*, Militär und

radical departure from past practice still deemed incompatible with the requirements of military discipline by most contemporary armed forces.[521] The rule of law and democracy as constituent normative principles of the social order are fully extended to the armed forces due to the perceived causal influence of these normative factors for civil-military relations.[522]

These distinct considerations behind the means and purposes of military integration into society are reflected in competing claims over the proper content of military training, especially comprehensive political education and training in law.[523] The ongoing "transformation from a defensive army within the alliance into an operational army (*Einsatzarmee*)" has presented the Bundeswehr with a host of novel military tasks,[524] such as international conflict prevention and crisis management, the fight against international terrorism, the protection of the population from natural and man-made disasters and asymmetric threats, and the global rescue and evacuation of citizens.[525] These new operational scenarios constitute on the one hand a dramatic challenge to the reformist, 'civilising' impetus of much of the post-war consensus on the Bundeswehr's inner structure and training by returning to a world where the army has once again become a more or less normal tool in the arsenal of statecraft judged primarily by its performance in theatre. The explicit aim of the transformation is to improve the operational

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Sozialwissenschaften, 8 (Baden-Baden: Nomos, 1991); Klaus Riehl, *Freie Meinungsäusserung in der Bundeswehr. Rechte und Schranken* (Heidelberg: v. Decker, 1987); Siegfried-Michael Moerchel, *Partizipation in den deutschen Streitkräften. Versuch einer Kommunikationsstrategie*, Politikwissenschaftliche Paperbacks, 16 (Bochum: Studienverlag Brockmeyer, 1989); for a discussion of the original justification of the departure from past practice see Deutscher Bund für Bürgerrechte, *Von den Grundrechten des Soldaten.*

[521]   See *inter alia* Ingmar Soll, *Die Meinungsäußerungsfreiheit in den Streitkräften. Ein Rechtsvergleich zwischen der Bundesrepublik Deutschland und der Republik Österreich*, Juristische Schriftenreihe, 156 (Münster Linz: Lit, 2001); for the situation in Austria and France see the contributions by Redl, Hoffmann, Bonnetête, and Robert, respectively in Klein and Bonnetête, *Mitbestimmung in den Streitkräften*, pp. 95-156.

[522]   Based on Wolfgang R. Vogt, "Theoretische und ideologische Konzepte zum Verhältnis von Militär und Gesellschaft," in: *Sicherheitspolitik*, ed. by K.-D. Schwarz (Bad Honnef: 1978): 553-68; discussed in Hans-Joachim Reeb, *Militär und Recht. Zur Rechtsausbildung für Soldaten der Bundeswehr* (München: Minerva, 1989), pp. 38-57.

[523]   Reeb, *Militär und Recht. Zur Rechtsausbildung für Soldaten der Bundeswehr*, pp. 66-84; Klaus Dau, "Ein Berufsfeld im Wandel - der Rechtsberater und Wehrdisziplinaranwalt - eine historische Betrachtung von 1956 bis heute," in: *Recht und Militär. 50 Jahre Rechtspflege der Bundeswehr*, ed. by Holger Zetzsche and Stephan Weber, Forum Innere Führung, 26 (Baden-Baden: Nomos, 2006): 10-18; Oskar Matthias Freiherr von Lepel, "Einheit von Taktik und Recht - ein Führungs- und Ausbildungsgrundsatz in den Landstreitkräften," in: *Recht und Militär. 50 Jahre Rechtspflege der Bundeswehr*, ed. by Holger Zetzsche and Stephan Weber, Forum Innere Führung, 26 (Baden-Baden: Nomos, 2006): 169-78.

[524]   Staack, "Das veränderte System und die Konsequenzen für den Auftrag der Bundeswehr."

[525]   These are defined in Bundesminister der Verteidigung, "Verteidigungspolitische Richtlinien fu r den Gescha ftsbereich des Bundesministers der Verteidigung", Berlin, BMVg, 2003, www.bmvg.de or http://www.bundeswehr.de/portal/, accessed on: 20 December 2006; Bundesminister der Verteidigung, "Verteidigungspolitische Richtlinien. Erla uternder Begleittext", Berlin, BMVg, 2003, www.bmvg.de or http://www.bundeswehr.de/portal/, accessed on: 20 December 2006. 20 December 2006).

performance of the army,[526] which seems to vindicate those critics of innere Führung which for decades had demanded more realistic, harsher training and a stronger emphasis on traditional soldiery values.[527]

But on the other hand most of these new international tasks are radically different from traditional military missions with their exclusive emphasis on endurance, resilience, overwhelming firepower and battlefield supremacy.[528] Given the often delicate cultural, political, and diplomatic context in which they take place, a good case can be made that there is actually a need for *more* civilian-type training in politics, law and related subjects, commensurate with the enabling, protective character of many of these missions,[529] fulfilling essentially police functions.[530] And it is in fulfilling these new functions quite at odds with the classical military self-image of achieving victory at all costs that the experience of democratic civil-military relations with their emphasis on societal integration, and thus ensuring civility might take on a new life, reflecting the classical dilemma that "peacekeeping is not a job for soldiers, but only a soldier can do it."[531] This new type of "police-soldier" is compared to soldiers of the Cold War period paradoxically *both* more "military" *and* more "civilian" he is

> "notwendigerweise ein *polyvalenter* Soldat, der klassische Gefechtsqualitäten idealerweise mit vielfältigen Fähigkeiten zur Schutzgewährung, humanitärer Hilfeleistung, zur Streitschlichtung und — besonders wichtig — zur emphatischen Einfühlung in die Bevölkerung im Einsatzgebiet verbindet."[532]

For the Bundeswehr and German society this changing task spectrum has meant the gradual acceptance of military deployment as a tool of statecraft, and thus the return of

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[526] Erich Pfeffer, "Transformation der Bundeswehr," in: *Recht und Militär. 50 Jahre Rechtspflege der Bundeswehr*, ed. by Holger Zetzsche and Stephan Weber, Forum Innere Führung, 26 (Baden-Baden: Nomos, 2006), p. 32.

[527] See above p. 341. For a comprehensive account of the debate see Simon, *Die Integration der Bundeswehr in die Gesellschaft: Das Ringen um die innere Führung.*

[528] Staack, "Das veränderte System und die Konsequenzen für den Auftrag der Bundeswehr."

[529] Knut Ipsen, "Rechtsberatung und neues Einsatzspektrum der Bundeswehr," in: *Recht und Militär. 50 Jahre Rechtspflege der Bundeswehr*, ed. by Holger Zetzsche and Stephan Weber, Forum Innere Führung, 26 (Baden-Baden: Nomos, 2006): 82-92; Peter Deist, "Die Rolle des Rechtsberaters im Prozess der Ziel- und Wirkungsanalyse," in: *Recht und Militär. 50 Jahre Rechtspflege der Bundeswehr*, ed. by Holger Zetzsche and Stephan Weber, Forum Innere Führung, 26 (Baden-Baden: Nomos, 2006): 93-107; Hans Geser, "Die Militärorganisation im Zeitalter entgrenzter Kriegs- und Friedensaufgaben," in: *Neue Bundeswehr - neue Innere Führung? Perspektiven und Rahmenbedingungen für die Weiterentwicklung eines Leitbildes*, ed. by Elmar Wiesendahl, Forum Innere Führung (Baden-Baden: Nomos, 2005): 111-27.

[530] Schmidl, "Police Functions in Peace Operations. An Historical Overview."; Stone*, et al, The Boer War and Military Reforms.*

[531] Dag Hammarskjöld quoted in Geser, "Die Militärorganisation im Zeitalter entgrenzter Kriegs- und Friedensaufgaben," p. 111.

[532] Geser, "Die Militärorganisation im Zeitalter entgrenzter Kriegs- und Friedensaufgaben," p. 122.

armed violence onto the political agenda, deeply affecting the post-war status quo on civil-military relations.[533] The change in the force structure necessitated by the change in the operational demands is affecting public perception and acceptance of the armed forces, force posture and civil-military relations; these aspects are highlighted in the issue of conscription to which we briefly turn now.

bb. Conscription and Social Composition: Ensuring Diversity

The geopolitical situation that propelled the decision to rearm West Germany simultaneously predetermined the system of military service because only through conscription could adequate force levels, and, more importantly still, requisite trained reserves be raised for the likely scenario of mass armoured warfare.[534] But domestically conscription was also associated with the long-standing socialist and liberal desire to integrate the military into society by making its composition representative of wider society:

> "Germany has never had a popular army . The Prussian armies of the seventeenth and eighteenth centuries, the armies of Bismarck and William II and Hitler, have been either king's armies or officers' armies. The people have merely fought the wars of their superiors."[535]

The failure of the Weimar Republic to create a loyal, representative force had more than a little to do with the prohibition by the victors of conscription. The Versailles Treaty stipulated in Article 160 that the Reichswehr were not to exceed 100,000 men including 4,000 officers in the army,[536] and 15,000 sailors, including 1,500 officers in the navy.[537] The limitation of the overall number of military personnel as such is neither remarkable nor particularly surprising for a peace treaty imposed on the vanquished. But two

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[533] Gerhard Kümmel, "Die Bundeswehr als Einsatzarmee - vergrößert sich die zivil-militärische Lücke?," in: *Neue Bundeswehr - neue Innere Führung? Perspektiven und Rahmenbedingungen für die Weiterentwicklung eines Leitbildes*, ed. by Elmar Wiesendahl, Forum Innere Führung (Baden-Baden: Nomos, 2005): 157-72; Sonja Sackmann, "Der Wandel der Bundeswehr als Herausforderung an die Innere Führung," in: *Neue Bundeswehr - neue Innere Führung? Perspektiven und Rahmenbedingungen für die Weiterentwicklung eines Leitbildes*, ed. by Elmar Wiesendahl, Forum Innere Führung (Baden-Baden: Nomos, 2005): 173-92.

[534] The suitability of difference military service *systems* for different *types* of war is discussed in Cohen, *Citizens and Soldiers*, pp. 60-86.

[535] Fried, *The Guilt of the German Army*, p. 374; quoted in Heuer, "Perzeption der Bundeswehr," p. 175.

[536] Article 160, Treaty of Peace and Covenant of the League of Nations signed at Versailles 28 June 1919, ratified by Germany 10 January 1920, hereafter the Versailles Treaty. The text can be found < http://history.acusd.edu/gen/text/versaillestreaty/vercontents.html>, accessed 8 September 2004.

[537] Article 183, Versailles Treaty. Article 198 stipulates that Germany was not allowed to maintain air forces.

structural features of the treaty proved highly problematic. In order to limit German ability to train reserves from which to mobilise a larger army in the future, the treaty explicitly forbid the resumption of conscription[538] and stipulated that the army had to consist exclusively of *long-service[539] volunteers.[540]*

The German National Assembly had already decided on 7 April 1919 to introduce general conscription, but with the coming into force of the Versailles Treaty on 10 January 1919 it had to implement these provisions by 31 March 1920.[541] These provisions were included at British insistence and despite the opposition of the French Marshall Foch.[542] The requirement of a professional long-service army, albeit unintended and perhaps unforeseen, contributed enormously to the subsequent alienation of the military from society and made it all but impossible to create a loyal republican force.[543] Given the enormous pool of about 40,000 imperial officers, the army leadership consciously set about to create a highly selective, ideologically conservative force that would preserve as faithfully as possible the spirit of the old imperial force and serve as the reservoir for a future mass expansion of the army,[544] with well-known disastrous results.[545]

Faced with the need to resume its military history after the hiatus of defeat and post-war demilitarization had for the first time broken the institutional continuity of the armed forces, political decision-makers in the Federal Republic were determined not to repeat the mistakes of Weimar, relying on conscription to answer both functional and normative aims:[546]

> "Nations adopt systems of military service to meet two kinds of demands, those of *external necessity* — the constraints placed on states by their participation in world

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[538]   Article 173 paragraph 1 , Versailles Treaty.

[539]   Twelve years service for enlisted men and non-commissioned officers (NCOs) (Article 174), and 25 years service for officers (Article 175, paragraph 2, or at least until the age of 45 (Article 175, paragraph 2); Article 194 stipulated the same periods for navy personnel.

[540]   Article 173 paragraph 2 for the army; Article 194 for the navy, Versailles Treaty.

[541]   Article 160.

[542]   Heuer, "Perzeption der Bundeswehr," p. 178.

[543]   Wolram Wette, "Deutsche Erfahrungen mit der Wehrpflicht 1918-1945. Abschaffung in der Republik und Wiedereinführung durch die Diktatur," in: *Die Wehrpflicht. Entstehung, Erscheinungsformen und politisch-militärische Wirkung*, ed. by Roland G. Foerster, Beiträge zur Militärgeschichte, 43 (München: Oldenbourg, 1994): 91-106.

[544]   Cohen, *Citizens and Soldiers*, pp. 63-69, especially 78-9, 83.

[545]   Discussed above pp. 163-170.

[546]   Wilhelm Meier-Dörnberg, "Die Auseinandersetzung um die Einführung der Wehrpflicht in der Bundesrepublik Deutschland," in: *Die Wehrpflicht. Entstehung, Erscheinungsformen und politisch-militärische Wirkung*, ed. by Roland G. Foerster, Beiträge zur Militärgeschichte, 43 (München: Oldenbourg, 1994): 107-18.

politics, their status as sovereign members of the state system, and their location on the globe — and those of *ideology*."[547]

The structural manpower needs of mass armoured warfare on the continent imposed size requirements impossible to fill by merely relying on volunteers. In order to make this policy politically palpable to a sceptical population, the draft had to be embedded into a new system of internal discipline and leadership. The relative success of this policy,[548] and the normative commitment towards self-restraint can explain why Germany has struggled so much with the necessity of fundamental army reform after the end of the Cold War.[549]

Civil-military relations in Germany have since the demise of the bipolar threat scenario faced a serious and continuing problem to which neither the political nor the military leadership has been able to find appropriate solutions. Militarily, mass conscript armies are suitable for a particular type of threat scenario:[550] "most countries adopt some form of conscription primarily if they face the prospect of an invasion by a hostile neighbour across land borders or narrow straits."[551] Such existential all-out war cannot be fought without the numerical strength that only conscription can provide, but their 'total' character likewise leaves little scope for political choice and thus makes them domestically acceptable.[552]

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[547]   Cohen, *Citizens and Soldiers*, p. 25.

[548]   One added, if unanticipated benefit of conscription has been its alleged positive impact on social integration between East and West Germany after unification, often summarised in the moniker *Armee der Einheit*. See for instance the somewhat hagiographic account by one of the Bundeswehr's top commanders in charge of the process Schönbohm, *Two Armies and One Fatherland: The End of the Nationale Volksarmee*; see also Bundesministerium der Verteidigung, *et al, Aufstand des Gewissens*; Peter Joachim Lapp, *Ein Staat, eine Armee: Von der NVA zur Bundeswehr* (Bonn-Bad Godesberg: Friedrich-Ebert-Stiftung, 1992); Nina Leonhard, *Die Bundeswehr und die "innere Einheit": Einstellungen von ost- und westdeutschen Soldaten im Vergleich: Problemaufriss und erste Ergebnisse des Forschungsprojektes "Armee der Einheit*, SOWI-Arbeitspapier (Strausberg: Sozialwiss. Inst. der Bundeswehr, 2004); the perpetuation of unwarranted ideological hostility and blanket demonisation of the *Volksarmee* and subsequent overtly positive assessments of military unification characterises likewise much of academic treatments of the subject, see for instance Gunnar Digutsch, *Das Ende der Nationalen Volksarmee und der Aufbau der Bundeswehr in den neuen Ländern* (Frankfurt am Main: Lang, 2004), pp. 8-9. For highly critical views of the military unification process see Detlef Bald, Reinhard Brühl, and Andreas Prüfert (eds), *Nationale Volksarmee - Armee für den Frieden*, Beiträge zu Selbstverständnis und Geschichte des deutschen Militärs 1945-1990 (Baden-Baden: Nomos, 1995).

[549]   Christoph Bertram, "Stabilisieren, nicht kämpfen - Wozu braucht die Bundeswehr noch Panzerabwehrraketen und Eurofighter? Die Bundesregierung setzt die falschen Prioritäten. Das kann schlimme Folgen haben," *Die Zeit* Nr. 45, Politik (Hamburg, 2 November 2006): 5; M. E Sarotte, *German Military Reform and European Security* (Oxford: Oxford University Press for the International Institute for Strategic Studies, 2001).

[550]   See the comparative contributions on the historical experience with conscription in France (Krumeich), Poland (Marcinkowski and Rzepniewski), Russia (Lapin), Holland (Amersfoot), Switzerland (Fuhrer), Great Britain (Bond), Austria (Etschmann), Israel (van Ccreveld), and the United States (Kirkpatrick) in Roland G. Foerster (ed), *Die Wehrpflicht. Entstehung, Erscheinungsformen und politisch-militärische Wirkung*, Beiträge zur Militärgeschichte, 43 (München: Oldenbourg, 1994), pp. 133-258.

[551]   Cohen, *Citizens and Soldiers*, p. 27.

[552]   Cohen, *Citizens and Soldiers*, pp. 66-68.

But at the same time such armies are "radically unsuited to the demands of small war,"[553] the kind of expeditionary light-infantry "wars of choice" that have historically characterised the policing of peripheral areas of colonial empires.[554] Modern peace-keeping and peace-enforcing missions is in many respects quite similar in its military requirements to these traditional small wars, requiring "the dual policy of repression and benevolent civic action" that has been the hallmark of successful colonial campaigns in the past.[555] Not intended as a normative comment on the alleged "neo-colonial" nature of present multilateral missions and without denying the important differences in legitimacy between these operations and earlier forms of colonialism, we need to underline that their functional requirements to the military forces as well as the repercussions for civil-military relations in advanced democratic states are comparable.

Conscript forces are unlikely to possess the resilience associated with professional expeditionary forces, but perhaps more importantly, democratic publics will be more reluctant to condone for long the exposure of involuntary conscripts in wars that are only of peripheral importance to the nation's security. World powers such as France, Great Britain or the United States have solved this dilemma historically by maintaining essentially two separate armies — a conscript force geared to large scale continental warfare, and a smaller, professional, more resilient and more 'expendable' one for expeditionary deployment.[556]

As the threat scenario to which the first type of army was geared has largely disappeared, militaries have increasingly been pushed towards the kind of long-service professional corps able to discharge the requirements of the new post-Cold War scenarios.[557] The implications for the continued existence of conscription and civil-military relations, especially the need for societal acceptance of a return of organised violence as a tool of statecraft has proven to be a highly controversial and painful process in Germany. Not least for historical reasons, the representativeness and integration of the military into

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[553] Cohen, *Citizens and Soldiers*, p. 69.

[554] The standard text on small wars is C. E. Callwell, *Small Wars: A Tactical Textbook for Imperial Soldiers* (London: Greenhill Books, 1990); for more recent treatments see Eliot A. Cohen, "Constraints on America's Conduct of Small Wars," *International Security,* Vol. 9, No. 2 (1984): 151-81; Max Boot, *The Savage Wars of Peace: Small Wars and the Rise of American Power* (New York: Basic Books, 2002); Tarek Barkawi, "On the Pedagogy of 'Small Wars'," *International Affairs,* Vol. 80, No. 1 (2004): 19-37.

[555] Cohen, *Citizens and Soldiers*, p. 96.

[556] Cohen, *Citizens and Soldiers*, pp. 98-116.

[557] Geser, "Die Militärorganisation im Zeitalter entgrenzter Kriegs- und Friedensaufgaben," p. 123.

society continues to be closely associated with conscription thus precluding its suspension as part of the ongoing structural army reform.[558] Irrespective of the fate of conscription as such, it is evident that the shift towards an operational *Einsatzarmee* will have repercussions for civil-military relations[559] and require the adaptation and evolution of the army's inner structure and professional self-perception.[560] But while this process involves an inevitably controversial *political* debate about the direction of the military and its proper role in society, its is unlikely that the pattern of exemplary civil-military relations will be replaced by a more dominant military posturing, let alone a return of militarism. The absence of a "clear" linear development of a "new German military in which civility, internationalism and democratic conformity are respected" points to the importance of the political and social struggle which has resulted in this positive outcome.[561]

4. SUMMARY

Having established in the previous chapter that the principal decision to rearm was structurally imposed and thus can be explained by material factors, this chapter has laid out how normative considerations affected the actual shape of the new army. The normative aim of avoiding a potential return of militarism considerably affected the strategic outlook, institutional placement, and organisational culture of the new army. Civilian control, societal and international integration, and political reliability and obedience were achieved through a number of institutional, organisational, and educational measures that yet again stress the close interplay between material and ideational factors.

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[558]   Radical changes were proposed by a high-ranking representative commission headed by the former Federal President, see Weizsäcker Kommission, "Gemeinsame Sicherheit und Zukunft der Bundeswehr. Bericht der Kommission an die Bundesregierung", Berlin, BMVg, 2000, www.bundeswehr.de/portal, accessed on: 20 December 2006. Importantly, the commission did *not* propose to suspend conscription. A brief summary of the reasons for maintaining conscription and those for suspending it can be found in Steinlechner, *Wehrpflichtgesetz - Kommentar*, pp. 66-69; a fuller treatment is provided by Foerster, *Die Wehrpflicht. Entstehung, Erscheinungsformen und politisch-militärische Wirkung.*

[559]   Kümmel, "Die Bundeswehr als Einsatzarmee - vergrößert sich die zivil-militärische Lücke?"; Gerhard Kümmel and Nina Leonhard, "Casualties and Civil-Military Relations: The German Polity between Learning and Indifference," *Armed Forces & Society,* Vol. 31, No. 4 (2005): 514-35.

[560]   Gerhard Wachtler, "Neue Bundeswehr und beruflicher Identitätswandel," in: *Neue Bundeswehr - neue Innere Führung? Perspektiven und Rahmenbedingungen für die Weiterentwicklung eines Leitbildes*, ed. by Elmar Wiesendahl, Forum Innere Führung (Baden-Baden: Nomos, 2005): 141-57; Bredow, "Kooperations-Professionaliät. Das neue Profil der Bundeswehr und notwendige Fortentwicklung der Inneren Führung."

[561]   This positive assessment is shared by Bredow, "Kooperations-Professionaliät. Das neue Profil der Bundeswehr und notwendige Fortentwicklung der Inneren Führung," p. 129; Wilfried von Bredow, *Demokratie und Streitkräfte. Militär, Staat und Gesellschaft in der Bundesrepublik Deutschland* (Wiesbaden: Harrassowitz, 2000); and even by the otherwise quite critical Bald inBald, *Innere Führung: Ein Plädoyer für eine zweite Militärreform*, p. 13.

The close integration into multilateral alliance structures aimed at making an overbearing military physically impossible by withholding crucial assets to national military control without weakening the overall capability of the alliance. Civilian control was achieved through institutional measures aiming at balancing countervailing organisational interest and effective oversight. These material and institutional measures were complemented by internal organisational measures ensuring a commitment to the general normative order of the constitution.

IX. CONCLUDING SUMMARY

This study has taken a *pars pro toto* approach to examine the post-war transformation of Germany by focussing on the integration of the military into the institutional structure of the state and the attendant normative changes underlying civil-military relations. Taking a distinctly *institutional* and *political* approach to military affairs, it was argued that the outcome of the structurally determined decision to rearm was *not* inherent in the nature of the bipolar international system. While rearmament as such was largely a function of bipolar competition and thus relatively impervious to national influence, it cannot be argued that the actual *form* of the West German armed forces was a direct result of allied prerogatives. Without denigrating the importance of Western models for the institutional structure of the Federal Republic and while acknowledging the directive influence of the occupation powers, it cannot be maintained that the re-creation of post-war state structures consisted merely in the emulation of Western practice.

The desire to "create something fundamentally new" was particularly apparent with regard to the armed forces where widespread domestic opposition to the idea of rearmament and the weight of a long history of militarism precluded the simple reinstallation of the old military institution. Against the background of past aggression and internal repression, domestic and international public opinion remained deeply suspicious of armed force as a tool of German statecraft. The resulting institutional structure took account of this suspicion by carefully circumscribing the military mandate and putting in place strong organisational, legal, and procedural barriers against the potential return of the volatile civil-military relations of the past.

The resulting political debate over the seamless integration of the military into the normative and institutional set-up of a pluralistic democracy required a profound engagement with the darker aspects of the nation's history — a painful and ongoing process that began with the military to gradually expand to other institutions. The military has taken a prominent place in these debates due to its complicity in the historical failure of liberal democracy in Germany and its responsibility for two disastrous world wars. But beyond its intrinsic importance as the indispensable tool of aggression and repression, the submission of the military under the general constitutional order was perceived to be an important litmus test of the commitment of the new state towards liberal democracy. Civil-military relations in any polity derive their salience from the inherent ability of the

military to dominate the civilian state through their possession of the physical means of coercion. This intrinsic tension was much exacerbated by the long history of German militarism which had shown marked degrees of domestic military repression strongly contributing to authoritarian tendencies in society and aggressive expansionism. The underlying authoritarian and delusional mindset was deeply entrenched in the military establishment and large sections of society, significantly contributing to the success and ferocity of Nazism in Germany.

Discarding these delusions and breaking the institutional continuities that had accounted for their perpetuation was certainly made easier by defeat and unconditional surrender. But while this de-legitimisation of the old elites facilitated a new beginning, it is inaccurate to posit a clean historical break and subsequent fresh start. Important personal and institutional continuities persisted, necessitating an *ongoing political struggle* and *deliberate social agency* by the proponents of new thinking. Implicit in this approach is the rejection of essentialist arguments based on the alleged immutability of national characteristics. Instead, militarism is conceived as the product of socio-economic processes and institutional arrangements. By showing how a number of material and ideational factors accounted for the historical rise of militarism in Germany, we have argued that the subsequent creation of successful democratic civil-military relations could only be achieved by carefully addressing the interaction of these factors. The essentially political nature of this process calls into mind individual and collective agency and thus reminds us of the inherent difficulties of the social sciences in predicting the outcome of complex phenomena. Likewise, complexity and agency make the derivation of simple 'lessons learned' applicable in contemporary post-conflict scenarios questionable.

Given the success of political and economic reconstruction in the Federal Republic, it has been argued with increasing frequency that more 'robust' types of forceful external intervention modelled on the allied occupation experience in Germany would be able to impose stability in contemporary post-conflict scenarios with relative ease. The implied assumption being that given wise foundational choices backed by sufficient strength to overcome local opposition, a derailed polity can be put back on track through determined *external* administration. Such comparisons between post-war Germany and contemporary post-conflict scenarios are flawed for three reasons.

First, the situation of unconditional surrender and complete defeat followed by well-prepared and overwhelming occupation is not representative of most contemporary

conflicts which constitute wars of choice unlike the existential conflict of World War II. Most, if not all contemporary scenarios are thus unlikely to muster the kind of single-minded determination that characterised international approaches to post-war Germany.

Secondly, the unique situation of bipolar competition presented unique *opportunities* often overlooked in historical accounts focussing disproportionately on its enormous economic and human costs. For West Germany the Cold War proved in hindsight highly advantageous, national division notwithstanding. It quickly imposed a reversal of the punitive strategy pursued in the immediate aftermath of the war and necessitated political and economic integration which proved to be singularly beneficial for Germany. The stability imposed by the bipolar order drastically limited Germany's freedom of action, and provided an international setting for the solution of existential security problems. This environment proved in hindsight to be congenial to the development of stable domestic institutions and a suitable background for the development of a vibrant political culture without running the risk of escalating into polarised factionalism.

An often overlooked aspect of this structurally imposed drive for integration has been the need to rearm and thus address the difficult intrinsic dilemmas of democratic civil-military relations. The need to field a 'real' army and thus face difficult legal and institutional challenges produced a much more mature political culture than in the otherwise comparable cases of Austria and Japan. This has been most apparent in the need to address openly the past history of militarism and the attendant necessity for normative self-reflection, leading eventually to an honest acceptance of the past in Germany. It is an not altogether inaccurate oversimplification to state that without rearmament historical accounting in West Germany would *not* have succeeded as thoroughly as it did, probably resembling the more tortuous and disingenuous approaches to the past seen in Japan or Austria.

But, thirdly, these domestic processes of historical accounting and ongoing political debates on institutional form and historical responsibility cannot be understood as externally imposed. Their success in Germany relied on the existence of benign national traditions which informed the democratic new beginning — notably the Prussian reformers with regard to the creation of the armed forces. Furthermore, domestic agency and the drive towards normative change were vital ingredients in a long transformative process lasting several decades. Important as they certainly were, foundational choices made in the immediate post-war period were unlikely to succeeded in the absence of the

persistent determination of *domestic actors* in repeated series of strongly contested political struggles.

These aspects point to the serendipitous confluence of a variety of domestic and international factors that are highly complex and thus difficult to predict with reasonable degrees of accuracy. This not only makes planning for intervention exceedingly difficult, but alerts us to the necessity of certain vital inputs likely to be absent in most contemporary post-conflict scenarios, both in terms of international provision of resources and stability, and domestic administrative capability and commitment to normative change. Nevertheless, the German experience is pertinent for showing the benefits and the possibility of fundamental normative and institutional change. It remains to be seen whether the exemplary civil-military relations that have developed in the Federal Republic will survive the ongoing 'normalisation' of the country's foreign and security policy with its attendant transformation of the Bundeswehr into an operational expeditionary force. More than fifteen years experience of continuously increasing international experience and responsibility allow us to be optimistic that the army will retain its distinguishing democratic characteristics and that the previous record of positive civil-military relations is likely to continue.

Starting from a discussion of the general nature of model-building, this study has argued that the deliberate concentration on a few explanatory variables is a necessary part of analysing a complex reality. Any model will therefore by definition suppress some interesting variables and therefore inevitably only reflect reality only partially. These inherent inaccuracies should be counter-balanced by relying on complementary alternative models with different respective strengths and weaknesses. With respect to international relations theory, the debate has often focussed on relative weight of material versus ideational factors. This study has shown that civil-military relations cannot be examined satisfactorily if relying exclusively on either angle. The material impact of the international structure frames and constraints the security situation in important ways.

But within this framework of structural constraints, crucial choices about institutional design, organisational form, and normative outlook need to be taken by a variety of social actors. The result of such social agency creates independent facts which in turn affect the material structure, often transcending and surviving the material environment in which they developed. This possibility of social actors transcending the security environment through deliberate choices is dismissed by purely material theories. This study has shown

that the form of the new German army was a direct response to normative considerations stemming from the perceived failures of the past. The continuity of Germany's foreign and security policy beyond 1989 confounds the predictions of purely material models, pointing to the independent force of ideational factors and social agency. Models as a deliberately simplified abstractions are useful in explaining partial aspects of a complex reality. A holistic understanding, however, requires the use of complementary models taking into account both material, ideational, and institutional elements.

X. BIBLIOGRAPHY

Abbott, Kenneth W*., et al.*, "The Concept of Legalization," *International Organization,* Vol. 54, No. 3 (2000): 401-19.

Abdel Hadi, Maher, "L'extension de l'Ombudsman: Triomphe d'une idée ou déformation d'une institution?," *Revue Internationale des Sciences Administratives* (1977): 334-45.

Abenheim, Donald, Reforging the Iron Cross: The Search for Tradition in the West German Armed Forces (Princeton, N.J.: Princeton University Press, 1988).

———, "On Innere Führung," in: *The Bundeswehr and Western Security*, ed. by Szabo, Stephen F and R. Gerald Livingston (Basingstoke: Macmillan, 1990).

Abrahamsson, Bengt, *Military Professionalization and Political Power*, Sage Series on Armed Forces and Society (London: Sage, 1972).

Abse, Leo, Wotan, my Enemy: Can Britain live with the Germans in the European Union? (Robson Books, 1995).

Addi, Lahouari, "Algeria's Army, Algeria's Agony," *Foreign Affairs* (1998): no pagination.

Adenauer, Konrad, "Meine Einstellung zur außenpolitischen Lage (Anlage zum Brief Adenauers an den Duisburger Oberbürgermeister Heinrich Weitz vom 31. Oktober 1945)," in: *Konrad Adenauer, Briefe 1945-1947, Rhöndorfer Ausgabe*, ed. by Morsey, Rudolf, Hans-Peter Schwarz, and Peter Mensing (Bonn: 183).

———, *Erinnerungen 1945 - 1953*, 6. Aufl (Stuttgart: Deutsche Verlagsanstalt, 1987).

Adler, Emanuel, "Seizing the Middle Ground: Constructivism in World Politics," *European Journal of International Relations,* Vol. 3, No. 3 (1997): 319-63.

———, "Constructivism and International Relations," in: *Handbook of International Relations*, ed. by Carlsnaes, Walter, Thomas Risse, and Beth A. Simmons (London: Sage, 2002): 95-118.

———, Communitarian International Relations: The Epistemic Foundations of International Relations (London: Routledge, 2005).

Adler, Emanuel and M. Peter Haas, "Conclusions: Epistemic Communities, World Order, and the Creation of a Reflective Research Program," *International Organization,* Vol. 46, No. 1 (1992): 369-90.

Adomeit, Hannes, Imperial Overstretch: Germany in Soviet Policy from Stalin to Gorbachev (Baden Baden: Nomos, 1998).

Afsah, Ebrahim, "Creed, Cabal, or Conspiracy - The Origins of the current Neo-Conservative Revolution in US Strategic Thinking," *German Law Journal,* Vol. 4, No. 9 (2003): 902-23.

———, "Iraq: From "Troubled Law of Occupation" to Constitutional Order? China Shop Rules and International Responsibilities," *Leipziger Beiträge zur Orientforschung* (2006): 21-43.

———, "Limits and Limitations of Power: The Continued Relevance of Occupation Law," *German Law Journal,* Vol. 7, No. 6 (2006): 563-90.

"Agreements of the Berlin (Potsdam) Conference, July 17-August 2, 1945", 1945, http://www.pbs.org/wgbh/amex/truman/psources/ps_potsdam.html, accessed on: 23 November 2006.

Agüero, Felipe, Soldiers, Civilians, and Democracy: Post-franco Spain in Comparative Perspective (Baltimore, London: Johns Hopkins University Press, 1995).

Agüero, Felipe and Eva Rodríguez Halfter, Militares, civiles y democracia: la España postfranquista en perspectiva comparada (Madrid: Alianza Editorial, 1995).

Ahlbäck, Shirin, *Maktdelning*, Statens offentliga utredningar, 1999/76 Demokratiutredningens forskarvolym 1 (Stockholm: Gotab, 1999).

Åkerman, Nordal, *On the Doctrine of Limited War,* trans. Bradfield, Keith (Lund: Berlingska Boktryckeriet, 1972).

al-Khafaji, Isam, Tormented Births - Passages to Modernity in Europe and the Middle East (London: I.B. Tauris, 2004).

Albright, David E., "Comparative Conceptualization of Civil-Military Relations," *World Politics,* Vol. 32, No. 4 (1980): 553-76.

Alexander, Brian and Alistair Millar, Tactical Nuclear Weapons: Emergent Threats in an Evolving Security Environment (Washington, D.C.: Brassey's, 2003).

Alexander, Gerard L., *The Sources of Democratic Consolidation* (Ithaca: Cornell University Press, 2002).

Allemann, Fritz René, *Bonn ist nicht Weimar* (Köln and Berlin: 1956).

Allen, Matthew M. C, *The Varieties of Capitalism Paradigm: Explaining Germany's Comparative Advantage* (New York: Palgrave, 2006).

Allison, Graham T. and Philip Zelikow, *Essence of Decision: Explaining the Cuban Missile Crisis*, 2nd ed (New York: Longman, 1999).

Allmayer-Beck, Johann Christoph, *Menschenführung im Heer*, Vorträge zur Militärgeschichte, 3 (Herford: E.S. Mittler, 1982).

Alter, Reinhard, *Die bereinigte Moderne: Heinrich Manns "Untertan" und politische Publizistik in der Kontinuität der deutschen Geschichte zwischen Kaiserreich und Drittem Reich*, Vol. 49, Studien und Texte zur Sozialgeschichte der Literatur (Tübingen: M. Niemeyer, 1995).

Amnesty International, *Beyond Abu Ghraib: Dentention and Torture in Iraq, MDE 14/001/2006*, (London: Amnesty International, 2006), available at: http://web.amnesty.org/library/print/ENGMDE140012006, accessed on: 30 October 2006.

An, Pyeongeok, "Obstructive All the Way? British Policy Towards German Unification 1989–90," *German Politics,* Vol. 15, No. 1 (2006): 111 - 121.

Anderson, Jeffrey J, German Unification and the Union of Europe: The Domestic Politics of Integration Policy (Cambridge: Cambridge University Press, 1999).

Anderson, Malcolm and Monica den Boer (eds), *Policing Across National Boundaries* (London: Pinter, 1994).

Andreski, Stanislav, *Military Organization and Society* (Berkeley: University of California Press, 1968).

———, "On the Peaceful Disposition of Military Dictatorships," *Journal of Strategic Studies,* Vol. 3, No. 3 (1980): 3-10.

Angermund, Ralph, Deutsche Richterschaft 1919 - 1945: Krisenerfahrung, Illusion, politische Rechtsprechung (Frankfurt am Main: Fischer-Taschenbuch-Verlag, 1991).

Anonymous, "A Market for Ideas," *The Economist* (London, 20 October 2005).

Aron, Raymond, Einführung in die Atomstrategie. Die atlantische Kontroverse (Köln and Berlin: 1964).

Aronson, Elliot, "The Theory of Cognitive Dissonance: The Evolution and Vicissitudes of an Idea," in: *The Message of Social Psychology: Perspectives on Mind in Society*, ed. by McGarty, C. and S. Alexander Haslam (Oxford: Blackwell, 1997): 20-35.

———, "Dissonance, Hypocrisy, and the Self-Concept," in: *Cognitive Dissonance Theory: Revival with Revisions and Controversies*, ed. by Harmon-Jones, E. and J. S. Mills (Washington, D.C.: American Psychological Association, 1998).

Aronson, Elliot*, et al.*, "A Two-Factor Theory of Dissonance Reduction: The Effect of Feeling Stupid or Feeling Awful on Opinion Change," *International Journal for Research and Communication,* Vol. 3 (1974): 59-74.

Aronson, Elliot, Timothy D. Wilson, and Robin M. Akert, *Social Psychology* (New York: Longman, 1999).

Art, Robert J., "Defensible Defence – America's Grand Strategy After the Cold War," *International Security,* Vol. 15, No. 4 (1991): 5-53.

Ashley, Richard K., "The Poverty of Neorealism," in: *Neorealism and its Critics*, ed. by Keohane, Robert O. (New York: Columbia University Press, 1986): 288.

Ashplant, T. G., Graham Dawson, and Michael Roper (eds), *The Politics of War Memory and Commemorations* (London: Routledge, 2001).

Axelrod, Robert, "The Emergence of Cooperation among Egoists," *American Political Science Review,* Vol. 75, No. 2 (1981): 306-18.

———, *The Evolution of Cooperation* (New York: Basic Books, 1984).

Aycoberry, Pierre, *The Social History of the Third Reich, 1933-1945* (New York: New Press, 1999).

Bacevich, A. J, "Tradition Abandonded: America's Military in a New Era," *National Interest,* Vol. 48 (1997): 17 ff.

Backer, John H., *Winds of History: The German Years of Lucius DuBignon Clay* (New York: Van Nostrand Reinhold Company, 1983).

Bacque, James, Der geplante Tod - Deutsche Kriegsgefangene in amerikanischen und französischen Lagern, 1945 - 1946, 3. Aufl (Frankfurt am Main: Ullstein, 1989).

Baird, Vanessa A., "Building Institutional Legitimacy: The Role of Procedural Justice," *Political Research Quarterly,* Vol. 54, No. 2 (2001): 333-54.

Bald, Detlef, "Militärreformen in Deutschland - Zum historischen Stellenwert der Integration von Militär und Gesellschaft," in: *Vom Kalten Krieg zur Deutschen Einheit*, ed. by Thoß, Bruno (München: 1995).

———, Innere Führung: Ein Plädoyer für eine zweite Militärreform (Baden-Baden: Nomos, 2002).

———, "Reform des Militärs in der Ära Adenauer," *Geschichte und Gesellschaft / Grundgesetz,* Vol. 28, No. 2 (2002): 204-32.

———, Die Bundeswehr: Eine kritische Geschichte, 1955-2005 (München: 2005).

———, "Die gespaltene Ausrichtung der Bundeswehr - oder: Warum sich die Bundeswehr mit der "Inneren Führung" seit 1950 so schwer tut," *Sicherheit und Frieden,* Vol. 23 (2005): 177-89.

Bald, Detlef, Gerhild Bald-Gerlich, and Eduard Ambros (eds), Tradition und Reform im militärischen Bildungswesen - Von der preußischen Allgemeinen Kriegsschule zur Führungsakademie der Bundeswehr, Eine Dokumentation 1810-1985 (Baden-Baden: Nomos, 1985).

Bald, Detlef, Reinhard Brühl, and Andreas Prüfert (eds), *Nationale Volksarmee - Armee für den Frieden*, Beiträge zu Selbstverständnis und Geschichte des deutschen Militärs 1945-1990 (Baden-Baden: Nomos, 1995).

Ball, Nicole, "Strengthening Democratic Governance of the Security Sector in Conflict-affected Countries," *Public Administration and Development,* Vol. 25, No. 1 (2005): 25 - 38.

Baring, Arnulf, Außenpolitik in Adenauers Kanzlerdemokratie (München: 1969).

———, *Im Anfang war Adenauer: Die Entstehung der Kanzlerdemokratie*, 2. Aufl (München: Deutscher Taschenbuch-Verlag, 1982).

Barkawi, Tarek, "On the Pedagogy of 'Small Wars'," *International Affairs,* Vol. 80, No. 1 (2004): 19-37.

Barnett, Correlli, "The Education of Military Elites," *Journal of Contemporary History,* Vol. 2, No. 3 (1967): 15-35.

Barral, Pierre, Pouvoir civil et commandement militaire du roi connétable aux leaders du XXe siècle (Paris: Presses de Sciences Po, 2005).

Barry, Charles, "NATO's Combined Joint Task Forces in Theory and Practice," *Survival,* Vol. 38, No. 1 (1996): 81-97.

Barth, Eberhard, "Zehn Jahre Wehrverfassung im Grundgesetz," *Die öffentliche Verwaltung* (1966): 153 et seq.

———, Der Soldat im Rechtsstaat. Das heutige Wehrrecht: Entstehungsgeschichte, Grundzüge, Reformgedanken, Truppe und Verwaltung, 15 (Hamburg: Decker, 1967).

Bartke, Matthias, Verteidigungsauftrag der Bundeswehr. Eine verfassungsrechtliche Analyse (Baden-Baden: Nomos-Verlags-Gesellschaft, 1991).

Bartov, Omer, "Historians on the Eastern Front: Andreas Hillgruber and Germany's Tragedy," *Tel Aviver Jahrbuch für deutsche Geschichte,* Vol. 16 (1987): 325-45.

———, Hitler's Army: Soldiers, Nazis, and War in the Third Reich (New York: Oxford University Press, 1991).

———, Murder in Our Midst: The Holocaust, Industrial Killing, and Representation (New York: Oxford University Press, 1996).

———, *Holocaust: Origins, Implementation, Aftermath*, Rewriting Histories (London, New York: Routledge, 2000).

———, *The Eastern Front, 1941-45: German Troops and the Barbarisation of Warfare* (New York: Palgrave in association with St. Antony's College Oxford, 2001).

———, Germany's War and the Holocaust: Disputed Histories (Ithaca: Cornell University Press, 2003).

———, "Review Essay: Germans to the Front: West German Rearmament in the Adenauer Era, by David Clay Large," *The Journal of Modern History,* Vol. 69(4), No. 4 (1997): 895-97.

———, "Review Essay: Keine Kameraden: Die Wehrmacht und die Sowjetischen Kriegsgefangenen, 1941-1945, by Christian Streit," *The Journal of Modern History,* Vol. 66(2), No. 2 (1994): 441-42.

———, "Defining Enemies, Making Victims: Germans, Jews, and the Holocaust," *American Historical Review,* Vol. 103, No. 3 (1998): 771-816.

———, "Soldiers, Nazis, and War in the Third Reich," *The Journal of Modern History,* Vol. 63, No. 1 (1991): 44-60.

————, "Germany as Victim," *New German Critique* 80, Special Issue on the Holocaust (2000): 29-40.

Bartov, Omer, Atina Grossmann, and Mary Nolan, *Crimes of War: Guilt and Denial in the Twentieth Century* (New York: New Press, 2002).

Bartov, Omer, *et al.*, *Bericht der Kommission zur Überprüfung der Ausstellung „Vernichtungskrieg. Verbrechen der Wehrmacht 1941 bis 1944"*, (Hamburg: Hamburger Institut für Sozialforschung, 2000), available at: http://www.his-online.de/download/Kommissionsbericht.pdf, accessed on: 12 December 2006.

Bassiouni, M. Cherif, "Post-conflict Justice in Iraq: An Appraisal of the Iraq Special Tribunal," *Cornell International Law Journal,* Vol. 38, No. 2005 (2005).

Baudissin, Wolf Graf von, Soldat für den Frieden. Entwürfe für eine zeitgemässe Bundeswehr (München: Piper, 1969).

Baudissin, Wolf Graf von and Dagmar Gräfin zu Dohna,. *als wären wir nie getrennt gewesen Briefe 1941-1947* (Bonn: Bouvier, 2001).

Becker, Hellmut and Gerhard Kluchert, Die Bildung der Nation: Schule, Gesellschaft und Politik vom Kaiserreich zur Weimarer Republik (Stuttgart: Klett-Cotta, 1993).

Beevor, Antony, *Stalingrad: The Fateful Siege: 1942–1943* (New York: Viking, 1998).

Behrmann, Günter C. (ed), *Verfassungspatriotismus als Ziel politischer Bildung*, Didaktische Reihe der Landeszentrale für politische Bildung Baden-Württemberg (Schwalbach/Ts: Wochenschau-Verlag, 1993).

Behrmann, Günter C., "Verfassung, Volk und Vaterland – Zur historischen, pädagogischen und politisch-

kulturellen Verortung des Verfassungspatriotismus," in: *Verfassungspatriotismus als Ziel politischer Bildung*, ed. by Behrmann, Günter C. and Siegfried Schiele (Schwalbach/Ts: Wochenschau-Verlag, 1993).

Belkin Stevens, Carol, Soldiers on the Steppe: Army Reform and Social Change in Early Modern Russia (DeKalb: Northern Illinois University Press, 1995).

Belkin, A., "Performing the National Security State: Civil-Military Relations as a Cause of International Conflict," Dissertation, University of California (Berkeley, 1998).

Bellamy, Richard, The Rule of Law and the Separation of Powers (Bamberg: Nomos, 2005).

Ben Meir, Y., *Civil Military Relations in Israel* (New York: Columbia University Press, 1995).

Ben-Eliezer, Uri, *The Making of Israeli Militarism* (Bloomington: Indiana University Press, 1998).

Benda, Ernst, "Frieden und Verfassung," *Archiv des öffentlichen Rechts,* Vol. 109 (1984): 1 ff.

Benedict, Ruth, The Chrysanthemum and the Sword: Patterns of Japanese Culture (Mariner Books, 1989).

Bennett, Andrew, *Lost in Translation: Big (n) Misinterpretations of Case Study Research* (Washington, D.C.: MacArthur Program on Case Studies, 1997).

Benvenisti, Eyal, "The Security Council and the Law on Occupation: Resolution 1483 in Historical Perspective," *Israel Defense Law Review,* Vol. 1 (2003): 19 et seq.

————, *The International Law of Occupation*, 2nd ed. (Princeton, N.J.: Princeton University Press, 2004).

Berg, Hans-Joachim, Der Verteidigungsausschuß des Deutschen Bundestages. Kontrollorgan zwischen Macht und Ohnmacht (München: Bernard & Graefe, 1982).

———, "Der Verteidigungsausschuß des Deutschen Bundestages als Untersuchungsausschuß," *Aus Politik und Zeitgeschehen,* Vol. B 18/84 (1984): 26 ff.

Berg, Matthew Paul, Jill Lewis, and Oliver Rathkolb (eds), *The Struggle for a Democratic Austria: Bruno Kreisky on Peace and Social Justice* (New York and Oxford: Berghahn, 2000).

Berger-Waldenegg, Georg Christoph, *Die Neuordnung des italienischen Heeres zwischen 1866 und 1876: Preussen als Modell*, Heidelberger Abhandlungen zur mittleren und neueren Geschichte (Heidelberg: Winter, 1992).

Berger, Boris, "Der neue Soldat: Der "Staatsbürger in Uniform" in globaler und europäischer Dimension," Dissertation, University of Munich (Munich, 2001).

Berghahn, Volker R. and Hamburg Institute for Social Research (eds), *War of Extermination: The German Military in World War II, 1941-1944* (New York: Berghahn Books, 2000).

Berghahn, Volker Rolf, *Germany and the Approach of War in 1914* (New York: St. Martin's Press, 1973).

———, Militarism: The History of an International Debate, 1861-1979 (New York: St. Martin's Press, 1982).

———, Modern Germany: Society, Economy, and Politics in the Twentieth Century, 2nd (Cambridge: Cambridge University Press, 1987).

———, Europe in the Era of Two World Wars: From Militarism and Genocide to Civil Society, 1900-1950 (Princeton, N.J: Princeton University Press, 2006).

Berghahn, Volker Rolf, Wilhelm Deist, and Militärisches Forschungsamt, *Rüstung im Zeichen der wilhelminischen Weltpolitik: grundlegende Dokumente 1890-1914* (Düsseldorf: Droste, 1988).

Berkhan, Karl-Wilhelm, "The Defence Commissioner of the Bundestag," in: *International Handbook of the Ombudsman, Vol. 2 Country Surveys*, ed. by Caiden, Gerald E. (Westport, Conn.: 1983): 84-86.

Berlin, Isaiah, "Does Political Theory Still Exist?," in: *The Proper Study of Mankind - An Anthology of Essays*, ed. by Berlin, Isaiah (New York: Farrar, Straus and Giroux, 1998): 59-90.

———, "The Hedgehog and the Fox," in: *The Proper Study of Mankind - An Anthology of Essays*, ed. by Berlin, Isaiah (New York: Farrar, Straus and Giroux, 1998): 436-98.

Berman, Marshall, All That Is Solid Melts Into Air: The Experience Of Modernity (New York: Viking Penguin, 1988).

Berman, Sheri, The Social Democratic Moment: Ideas and Politics in the Making of Interwar Europe (Cambridge, Mass.: Harvard University Press, 1998).

Bernhard, Georg and André Pierre, *Le suicide de la République Allemande*, Collection Europe (Paris: Rieder, 1933).

Bertalanffy, Ludwig von, *General System Theory: Foundations, Development, Applications* (New York: George Braziller, 1968).

Bertram, Christoph, "Stabilisieren, nicht kämpfen - Wozu braucht die Bundeswehr noch Panzerabwehrraketen und Eurofighter? Die Bundesregierung setzt die falschen Prioritäten. Das kann schlimme Folgen haben," *Die Zeit* Nr. 45, Politik (Hamburg, 2 November 2006): 5.

Bertram, Christopher, Routledge Philosophy Guidebook to Rousseau and the Social Contract (London: Routledge, 2004).

Bienen, H., The Military Intervenes: Case Studies in Political Development (New York: Russell Sage Foundation, 1968).

Bienen, H. and N. van de Walle, "Poverty, the Coup Trap, and the Seizure of Executive Power," *World Politics,* Vol. 42 (1990): 151-83.

Bier, Jean-Paul and Michael Allinder, "The Holocaust and West Germany: Strategies of Oblivion 1947-1979," *New German Critique* 19, Special Issue 1: Germans and Jews (1980): 9-29.

Binder, Gerhart, Deutschland seit 1945. Eine dokumentierte gesamtdeutsche Geschichte in der Zeit der Teilung (Stuttgart: Seewald, 1969).

Birke, Adolf M., *Die Bundesrepublik Deutschland: Verfassung, Parlament und Parteien,* Enzyklopädie Deutscher Geschichte, Band 41 (München: Oldenbourg, 1997).

Birnbaum, Karl, "The Casablance Conference of January 14-24, 1943," *Kungl Vitterhets Historie och Antikvitets Akademiens Handlingar,* Vol. 80 (1952): 7-60.

Bischof, Günter, Anton Pelinka, and Rolf Steininger, *Austria in the Nineteen Fifties* (New York: Transaction Publishers, 1995).

Bittner, Jochen, "Auf schiefer Bahn - Vor zehn Jahren legte sich die Bundeswehr das Kommando Spezialkräfte zu. Seither operiert die Elitetruppe ohne parlamentarische Aufsicht. Das könnte sich nun rächen," *Die Zeit* Nr. 46 Politik (Hamburg, 9 November 2006): 10.

Björkdahl, Annika, "Norms in International Relations: Some Conceptual and Methodological Reflections," *Cambridge Review of International Affairs,* Vol. 15, No. 1 (2002): 9-23.

Black, Jan Knippers, Sentinels of empire: The United States and Latin American militarism (New York: Greenwood Press, 1986).

Blainey, Geoffrey, *The Causes of War*, 3rd ed. (New York: Free Press, 1988).

Bland, Douglas L., "A Unified Theory of Civil-Military Relations," *Armed Forces & Society,* Vol. 26, No. 1 (1999): 7-26.

Blank, Ralf and Jörg Echternkamp (eds), *Die deutsche Kriegsgesellschaft, 1939 bis 1945*, 10 Vols., Vol. 9, Das Deutsche Reich und der Zweite Weltkrieg (München: Deutsche Verlags-Anstalt, 2004).

Blank, Stephen J. and Jacob W. Kipp (eds), *The Soviet Military and the Future* (Westport, Conn.: Greenwood Press, 1992).

Block, Fred L., *The Origins of International Economic Disorder* (Berkeley: University of California Press, 1977).

Böckenförde, Ernst-Wolfgang, *Die Organisationsgewalt im Bereich der Regierung. Eine Untersuchung zum Staatsrecht der Bundesrepublik Deutschland,* Schriften zum öffentlichen Recht, 18; zugleich: Habilitation Universität Münster (Berlin: Duncker & Humblot, 1964).

———, "Die Eingliederung der Streitkräfte in die demokratisch-parlamentarische Verfassungsordnung und die Vertretung des Bundesverteidigungsministers in der militärischen Befehlsgewalt (Befehls- und Kommandogewalt)," in: *Stellvertretung im Oberbefehl,* Veröffentlichungen der Hochschule für politische Wissenschaften (München: Universis-Verlag, 1966): 94 S.

Boehling, Rebecca, A Question of Priorities: Democratic Reform and Economic Recovery in Postwar Germany (Providence: Berghahn Books, 1997).

Boehnert, Gunnar C., "The Third Reich and the Problem of 'Social Revolution': German Officers and the SS," in: *Germany in the Age of Total War*, ed. by Kitchen, Martin, Volker Rolf Berghahn, and F. L. Carsten (London: Croom Helm, 1981): 203-17.

Bogdandy, Armin von, "The European Union as a Supranational Federation: A Conceptual Attempt in the Light of the Amsterdam Treaty," *Columbia Journal of European Law,* Vol. 6, No. 1 (2000): 27-54.

———, "Europäische Verfassungspolitik als Identitätspolitik - Theoretische Verortung und Kritik," *Kritische Justiz,* Vol. 38, No. 2 (2005): 110-26.

Böhler, Jochen, "»Am Leben blieb niemand« Landser im Machtrausch: Der deutsche Vernichtungskrieg begann schon 1939 in Polen," *Die Zeit* Nr. 24, Zeitläufte (Hamburg, 8 June 2006): 90.

———, *Auftakt zum Vernichtungskrieg - Die Wehrmacht in Polen 1939* (Frankfurt am Main: Fischer Taschenbuch Verlag, 2006).

Aufrufe und Reden deutscher Professoren im Ersten Weltkrieg (Stuttgart: 1975).

Böll, Heinrich, *Wo warst du, Adam? Roman* (Köln: Kiepenheuer & Witsch, 1989).

Boog, Horst (ed), *Der Globale Krieg: Die Ausweitung zum Weltkrieg und der Wechsel der Initiative 1941-1943*, 7 Vols., Vol. 6, Das Deutsche Reich und der Zweite Weltkrieg (Stuttgart: Deutsche Verlags-Anstalt, 1990).

Boog, Horst*, et al.* (eds), *Der Angriff auf die Sowjetunion*, 10 Vols., Vol. 4, Das Deutsche Reich und der Zweite Weltkrieg (Stuttgart: Deutsche Verlags-Anstalt, 1983).

Boog, Horst, Gerhard Krebs, and Detlef Vogel (eds), *Das Deutsche Reich in der Defensive: strategischer Luftkrieg in Europa, Krieg im Westen und in Ostasien, 1943-1944/45*, 10 Vols., Vol. 7, Das Deutsche Reich und der Zweite Weltkrieg (Stuttgart: Deutsche Verlags-Anstalt, 2001).

Boot, Max, The Savage Wars of Peace: Small Wars and the Rise of American Power (New York: Basic Books, 2002).

Booth and Wheeler, "The European Security Framework," in: *Security & Strategy in the New Europe*, ed. by McInnes, Colin (London: Routledge, 1992).

Borgert, Heinz Ludger, Walter Stürm, and Norbert Wiggershaus, *Dienstgruppen und westdeutscher Verteidigungsbeitrag. Vorüberlegungen zur Bewaffnung der Bundesrepublik Deutschland*, Militärgeschichte seit 1945, Band 6 (Boppard am Rhein: Boldt, 1982).

Böttcher, Hans Viktor and Klaus Dau, *Wehrbeschwerdeordnung - Kommentar*, 4. Auflage (München: Franz Vahlen, 1997).

Bouchard, J., *Command in Crisis: Four Case Studies* (New York: Columbia University Press, 1991).

Bournazel, Renata, Rapallo, naissance d'un mythe: la politique de la peur dans la France du bloc national (Paris: Foundation nationale des sciences politiques, 1974).

Boyd, Carolyn P, *Praetorian Politics in Liberal Spain* (Chapel Hill: University of North Carolina Press, 1979).

Bracher, Karl Dietrich, Die Auflösung der Weimarer Republik - Eine Studie zum Problem des Machtverfalls in der Demokratie (Villingen: 1971).

Brachmann, Ronald and International Commission of Jurists / Deutsche Sektion, *Die Wiedervereinigung und damit zusammenhängende Rechtsprobleme: Jahrestagung vom 16. bis 18. November 1990 in Bensberg*, Rechtsstaat in der Bewährung, 26 (Heidelberg: Müller Juristischer Verlag, 1991).

Brandt, Edmund, "Vertrauenserfordernis, Mißtrauensvotum und parlamentarisches Regierungssystem," Dissertation, University of Berlin (Berlin, 1979).

Brandt, Urs Steiner and Gert Tinggaard Svendsen, *Bureaucratic Rent-Seeking in the European Union,* IME Working Paper 46/03 (Esbjerg: Department of Environmental and Business Economics, University of Southern Denmark, 2003), available at: http://ideas.repec.org/p/sdk/wpaper/46.html, accessed on: 14 September 2006.

Bredow, Wilfried von, Demokratie und Streitkräfte. Militär, Staat und Gesellschaft in der Bundesrepublik Deutschland (Wiesbaden: Harrassowitz, 2000).

———, "Kooperations-Professionaliät. Das neue Profil der Bundeswehr und notwendige Fortentwicklung der Inneren Führung," in: *Neue Bundeswehr - neue Innere Führung? Perspektiven und Rahmenbedingungen für die Weiterentwicklung eines Leitbildes*, ed. by Wiesendahl, Elmar, Forum Innere Führung (Baden-Baden: Nomos, 2005): 129-40.

Brenne-Wegener, Lothar W, *Die preussischen Heeresreformen: Personen und Programm*, Akademie-Information Sonderheft (Hamburg: Führungsakademie der Bundeswehr, 1999).

Brenne, Anke, *Soziale Grundrechte in den Landesverfassungen*, Verfassungs- und Verwaltungsrecht unter dem Grundgesetz, Band 30 (Frankfurt am Main: Lang, 2003).

Broad, Roger, Conscription in Britain, 1939-1963: The Militarization of a Generation (London: Routledge, 2005).

Brocke, B. vom, "»Wissenschaft und Militarismus«. Der Aufruf der 93 »An die Kulturwelt!« und der Zusammenbruch der internationalen Gelehrtenpolitik im Ersten Weltkrieg," in: *Wilamowitz nach 50 Jahren*, ed. by Calder, W. M., H. Flashar, and Th. Lincken (Darmstadt: 1985): 649-719.

Brodie, Bernard, *The Absolute Weapon: Atomic Power and World Order* (New York: Harcourt Brace, 1946).

Brooks, R A, *Political-Military Relations and the Stability of Arab Regimes*, Adelphi Paper (London: International Institute for Strategic Studies, 1998),

———, "The Domestic Origins and International Effects of Political-Military Institutions," Dissertation, University of California (San Diego, 1999).

Brooks, Stephen G., "The Globalization of Production and the Changing Benefits of Conquest," *International Organization,* Vol. 43, No. 5 (1999): 646-70.

Brooks, Stephen G. and William C. Wohlforth, "Power, Globalization, and the End of the Cold War: Reevaluating a Landmark Case for Ideas," *International Security,* Vol. 25, No. 3 (2000): 5-53.

Broszat, Martin (ed), *Bayern in der NS-Zeit*, Vol. 1-5 (München: 1977).

Broszat, Martin, "Plädoyer für eine Historisierung des Nationalsozialismus," *Merkur,* Vol. 39 (1985): 373-85.

Broszat, Martin, Klaus-Dietmar Henke, and Hans Wolle (eds), *Von Stalingrad zur Währungsreform: Zur Sozialgeschichte des Umbruchs in Deutschland* (Munich: Oldenbourg, 1988).

Brower, Ralph S. and Mitchel Y. Abolafia, "The Structural Embeddedness of Resistance among Public Managers," *Group & Organization Management,* Vol. 20, No. 2 (1995): 149-66.

Brown, Archie, "Introduction," in: *Political culture and political change in communist states*, ed. by Brown, Archie and Jack Gray (London: Macmillan, 1979): xiv, 286 p.

Brown, Lewis H., *A Report on Germany* (New York: Farrar, Straus and Company, 1947).

Brown, Linden and Malcolm McDonald, Competitive Marketing Strategy for Europe: Developing, Maintaining and Defending Competitive Advantage (Basingstoke: Macmillan, 1994).

Browning, Reed, "New Views on the Silesian Wars," *Journal of Military History,* Vol. 69, No. 2 (2005): 521-34.

Bruneteaux, Patrick, *Maintenir l'ordre: les transformations de la violence d'État en régime démocratique* (Paris: Presses de la Fondation Nationale des Sciences Politiques, 1996).

Brzezinski, Zbigniew, "Post-Communist Nationalism," *Foreign Affairs,* Vol. 68, No. 5 (1989): 1-25.

————, "The Cold War and its Aftermath," *Foreign Affairs* (1992): no pagination.

Buchheim, Hans, "Adenauers Sicherheitspolitik 1950-1951," in: *Aspekte der deutschen Wiederbewaffnung bis 1955*, ed. by Militärgeschichtliches Forschungsamt, Militärgeschichte seit 1945, Band 1 (Boppard am Rhein: Boldt, 1975): 119-33.

Buckle, Henry Thomas, *History of Civilization in England* (London: Watts, 1930).

Buczylowski, Ulrich, Kurt Schumacher und die deutsche Frage. Sicherheitspolitik und strategische Offensivkonzeption vom August 1950 bis September 1951 (Stuttgart: Seewald, 1973).

Bueno de Mesquita, Bruce and James Lee Ray, "The 'National Interest' versus Individual Political Ambition: Democracy, Autocracy, and the Reciprocation of Force and Violence in Militarized Interstate Disputes," in: *The Scourge of War: New Extensions on an Old Problem*, ed. by Diehl, Paul (Ann Arbor, Mich.: University of Michigan Press, 2004): 94-119.

Bueno de Mesquita, Bruce and R. Siverson, "War and the Survival of Political Leaders: A Comparative Study of Regime Types and Political Accountability," *American Political Science Review,* Vol. 89 (1995): 841-56.

Bull, Hedley, The Anarchical Society: A Study of Order in World Politics (New York: 1977).

————, "Civilian Power Europe: A Contradiction in Terms?," *Journal of Common Market Studies,* Vol. 21 (1983): 149-70.

Bunce, Valerie, "The Empire Strikes Back: The Evolution of the Eastern Bloc from a Soviet Asset to a Soviet Liability," *International Organization,* Vol. 39, No. 1 (1985): 1-46.

Bundesminister der Verteidigung (ed), *Handbuch der Inneren Führung* (Bonn: BMVg, 1957).

Bundesminister der Verteidigung, *Weissbuch 1985: Zur Lage und Entwicklung der Bundeswehr* (Bonn: Presse- und Informationsamt der Bundesregierung, 1985).

————, "Richtlinien zum Traditionsverständnis und zur Traditionspflege in der Bundeswehr ("Traditionserlass")", Bonn, 1982, http://www.bundeswehr.de/portal/, accessed on: 25 May 2006.

————, Die militärischen Führungsstäbe (Berlin: BMVg, 2004).

————, Die Generalinspekteure der Bundeswehr (Berlin: BMVg, 2006).

————, "Verteidigungspolitische Richtlinien fu r den Gescha ftsbereich des Bundesministers der Verteidigung", Berlin, BMVg, 2003, www.bmvg.de or http://www.bundeswehr.de/portal/, accessed on: 20 December 2006.

————, "Verteidigungspolitische Richtlinien. Erla uternder Begleittext", Berlin, BMVg, 2003, www.bmvg.de or http://www.bundeswehr.de/portal/, accessed on: 20 December 2006.

Bundesministerium der Verteidigung, Militärgeschichtliches Forschungsamt, and Deutscher Bundestag, Aufstand des Gewissens: Der militärische Widerstand gegen Hitler und das NS-Regime, 1933-1945: im Auftrag des Bundesministeriums der Verteidigung zur Wanderausstellung (Herford: E.S. Mittler, 1985).

Bundesregierung, "Basic Law for the Federal Republic of Germany. Official English Translation", Berlin, Federal Government, 2002, http://www.bundesregierung.de/nsc_true/Content/EN/__Anlagen/basic-law,templateId=raw,property=publicationFile.pdf/basic-law, accessed on: 21 November 2006.

Bundy, McGeorge, Danger and Survival: Choices about the Bomb in the First Fifty Years (New York: Random House, 1988).

Bunzen, Niels, *Der Rechtsberater in der Bundeswehr im Auslandseinsatz*, Driesen Edition Wissenschaft (Taunusstein: Driesen, 2005).

Bunzl, John, Between Vienna and Jerusalem: reflections and polemics on Austria, Israel, and Palestine (Frankfurt am Main: Peter Lang, 1997).

Burk, James, "Morris Janowitz and the Origins of Sociological Research on Armed Forces and Society," *Armed Forces & Society,* Vol. 19, No. 2 (1993): 167-86.

———, "Theories of Democratic Civil-military Relations," *Armed Forces & Society,* Vol. 29, No. 1 (2002): 7-29.

Burke, Barry, "Antonio Gramsci and Informal Education", *The Encyclopaedia of Informal Education,* 2004, http://www.infed.org/thinkers/et-gram.htm, accessed on: 20 September 2006.

Burke, Peter (ed), *New Perspectives on Historical Writing* (University Park, Pa.: Pennsylvania State University Press, 1992).

Burkiczak, Christian, "Kanzlerwahl, Misstrauensvotum und Vertrauensfrage. Das Amt des Bundeskanzlers nach dem Grundgesetz und in der Staatspraxis," *Jura,* Vol. 24, No. 7 (2002): 465 - 468.

Buruma, Ian, The Wages of Guilt: Memories of War in Germany and Japan (London: Vintage, 1995).

———, *Inventing Japan, 1853-1964*, Modern Library (New York: Modern Library, 2003).

Busch, Eckart, *Der Oberbefehl. Seine rechtliche Struktur in Preußen und Deutschland seit 1848*, Militärgeschichtliche Studien herausgeben vom Militärgeschichtlichen Forschungsamt (Boppard am Rhein: Boldt, 1967).

———, "Staat und Streitkräfte. Grundzüge der Wehrverfassung," in: *Bundeswehr und Industriegesellschaft*, ed. by Fleckenstein, Bernhard (Boppard am Rhein: Boldt, 1971).

———, "Zur parlamentarischen Kontrolle der Streitkräfte," *Neue Zeitung für Wehrrecht,* Vol. 25, No. 2 (1983): 81-90.

———, "Art. 45 b," in: *Bonner Kommentar zum Grundgesetz* (Bonn: 1984): 1-255.

———, *Parlamentarische Kontrolle. Ausgestaltung und Mitwirkung*, 2. Auflage (Heidelberg: Müller Juristischer Verlag, 1985).

———, Der Wehrbeauftragte. Organ der parlamentarischen Kontrolle (Heidelberg: Hüthig, 1999).

Büsch, Otto and John G Gagliardo, Military System and Social Life in Old Regime Prussia, 1713-1807: The Beginning of the Social Militarization of Prusso-german Society, Studies in Central European Histories (Atlantic Highlands, N.J: Humanities Press, 1997).

Busse, Christian, "Völkerrechtliche Fragen zur Rechtmäßigkeit des Kosovo-Krieges," *Zeitschrift für Rechtspolitik* (1999): 416 ff.

————, "Der Kosovo-Krieg vor deutschen Strafgerichten," *Neue Strafrechtszeitung* (2000): 631 ff.

Buzan, Barry, "Negotiating by Consensus: Developments in Technique at the United Nations Conference on the Law of the Sea," *American Journal of International Law,* Vol. 75, No. 2 (1981): 324-48.

————, "Japan's Future: Old History vs. New Roles," *International Affairs,* Vol. 64, No. 4 (1988): 557-73.

Buzan, Barry, Charles Jones, and Richard Little, *The Logic of Anarchy: Neorealism to Structural Realism* (New York: Colombia University Press, 1993).

Buzan, Barry and Richard Little, *An Introduction to International Systems: Theory Meets History* (Oxford: Oxford University Press, 1998).

Callwell, C. E., Small Wars: A Tactical Textbook for Imperial Soldiers (London: Greenhill Books, 1990).

Campbell, R., "Resource Stingency and Civil-Military Resource Allocation," in: *Soldiers and the Soviet State,* ed. by Colton, T. J. and T. Gustafson (Princeton, N.J: Princeton University Press, 1990): 126-63.

Cannon, Lou, *President Reagan: The Role of a Lifetime* (New York: Simon and Schuster, 1991).

Caparini, Marina, "Challenges of Control and Oversight of Intelligence Services in a Liberal Democracy" (Paper presented at the "Democratic and Parliamentary Oversight of Intelligence Services Conference", Geneva Centre for the Democratic Control of Armed Forces, Geneva, 2002).

Caraley, Demetrios, *American Hegemony: Preventive War, Iraq, and Imposing Democracy* (New York: Academy of Political Science, 2004).

Carey, George W., "Separation of Powers and the Madisonian Model: A Reply to the Critics," *The American Political Science Review,* Vol. 72, No. 1 (1978): 151-64.

Carmon, Arye, "Constitution by Consent an Underpinning for Political Legitimacy," *Justice* 2004 (2004): 21-23.

Carnesale, Albert*, et al., Living with Nuclear Weapons* (Toronto: Bantam Books, 1983).

Carney, Mark J, "The Dynamic Advantage of Competition," Dissertation, Oxford University (Oxford, 1995).

Carr, Edward Hallett, The Twenty Years' Crisis, 1919-1939: An Introduction to the Study of International Relations (New York: St. Martin's Press, 1939).

Carrisn, J F, *The Fujimori Legacy: The Rise of Electoral Authoritarianism in Peru* (University Park, Pa: Pennsylvania State University Press, 2006).

Cartellieri, Wolfgang, *Die Bundeswehrverwaltung* (Dortmung: 1955).

Carver, C. S., E. DeGregorio, and R. Gillis, "Ego-defensive Attribution among two Categories of Observers," *Personality and Social Psychology Bulletin,* Vol. 6 (1980): 4-50.

Centre for Foreign Policy Development at Brown University, *Security in Europe Project: Final Report*, (Providence, R.I.: Brown University, 1993),

Cernat, Lucian, Europeanization, Varieties of Capitalism and Economic Performance in Central and Eastern Europe, Studies in Economic Transition (Basingstoke: Palgrave Macmillan, 2006).

Chafer, Tony and Brian Jenkins (eds), *France: From the Cold War to the New World Order* (New York: St. Martin's Press, 1996).

Chagnollaud, Dominique, *Droit constitutionnel contemporain* (Paris: Colin, 1999).

Chan, Steve, "Mirror, Mirror on the Wall. Are Freer Countries More Pacific?," *Journal of Conflict Resolution,* Vol. 28, No. 4 (1984): 617-48.

Chayes, Antonia Handler and Abram Chayes, *Planning for Intervention: International Cooperation in Conflict Management* (The Hague: Kluwer Law International, 1999).

Checkel, Jeffrey T., "International Norms and Domestic Politics: Bridging the Rationalist—Constructivist Divide," *European Journal of International Relations,* Vol. 3, No. 4 (1997): 473-95.

Child, Jack, Geopolitics and Conflict in South America: Quarrels among Neighbors (New York: Praeger, 1985).

———, Antarctica and South American geopolitics: Frozen Lebensraum (New York: Praeger, 1988).

Choucri, Nazli, "Key Issues in International Relations Forecasting," in: *Forecasting in International Relations: Theory, Methods, Problems, Prospects*, ed. by Choucri, Nazli and Thomas W. Robinson (San Francisco: W.H. Freeman, 1978).

Christensen, J.G., "Interpreting Administrative Change: Bureaucratic Self-Interest and Institutional Inheritance in Government," *Governance,* Vol. 10, No. 2 (1997): 143-74.

Christoffersen, H. and G.T. Svendsen, "Bureaucratic Tax Seeking: The Danish Waste Tax," *Energy & Environment,* Vol. 13, No. 3 (2002): 355-66.

Churchill, Winston, *The Hinge of Fate*, 6 Vols., Vol. 4, The second World War (London: Cassell, 1951).

———, *Triumph and Tragedy*, 6 Vols., Vol. 6, The Second World War (Boston: Houghton Mifflin Company, 1953).

Churchill, Winston and Robert Rhodes James, Churchill Speaks: Winston S. Churchill in Peace and War: Collected Speeches, 1897-1963 (Leicester: Windward, 1981).

Clark, Ian, *Legitimacy in International Society* (Oxford: Oxford University Press, 2005).

Clausewitz, Carl von, *Vom Kriege* (Frankfurt am Main: Ullstein, 1980).

———, "The Political Purposes of War," in: *Basic Texts in International Relations*, ed. by Luard, Evan (London: Macmillian, 1992): 243-49.

Clay, Lucius D, *Decision in Germany* (Melbourne: Heinemann, 1950).

Clemens, Diane Shaver, *Yalta* (New York: Oxford University Press, 1970).

Cohen, Eliot A., *Citizens and Soldiers: The Dilemmas of Military Service*, Cornell Studies in Security Affairs (Ithaca, N.Y.: Cornell University Press, 1985).

———, "Constraints on America's Conduct of Small Wars," *International Security,* Vol. 9, No. 2 (1984): 151-81.

Cohen, Michael D. and Paul Bacdayan, "Organizational Routines Are Stored As Procedural Memory: Evidence from a Laboratory Study," *Organization Science,* Vol. 5, No. 4 (1994): 554-68.

Cohen, Roger, "From Budapest to Baghdad: In a Long-Ago Revolution, Echoes for Today," *New York Times* (New York, 8 October 2006): no pagination.

Cohen, Ronald (ed), *State Formation and Political Legitimacy* (New Brunswick: Transaction Books, 1988).

Colton, T. J., Commissars, Commanders, and Civilian Authority: The Structure of Soviet Military Politics (Cambridge, Mass.: Harvard University Press, 1979).

Colton, T. J. and T. Gustafson (eds), *Soldiers and the Soviet State: Civil-Military Relations from Brezhnev to Gorbachev* (Princeton: Princeton University Press, 1990).

Confino, Alon, "Remembering the Second World War, 1945–1965: Narratives of Victimhood and Genocide," *Cultural Analysis,* Vol. 4 (2005): 46-75.

Cooper, Richard N., "Trade Policy is Foreign Policy," *Foreign Policy,* Vol. 9 (1972): 18-36.

Coridaß, Alexander, *Der Auslandseinsatz von Bundeswehr und Nationaler Volksarmee,* Europäische Hochschulschriften, 464 (Frankfurt am Main: Lang, 1985).

Cottey, Andre, Timothy Edmunds, and Anthony Forster, "The Second Generation Problematic: Rethinking Democracy and Civil-military Relations," *Armed Forces & Society,* Vol. 29, No. 1 (2002): 31 - 56.

Cottey, Andrew, Timothy Edmunds, and Anthony Forster, Democratic Control of Armed Forces in Central and Eastern Europe: A Framework for Understanding Civil-Military Relations in Post-Communist Europe, Working Paper 1/99 ISSN 1468-4144 (Nottingham: School of Politics, University of Nottingham, 1999), available at: http://one-europe.ac.uk/pdf/work1.pdf, accessed on: 19 September 2006.

Council of Europe, *Collected Edition of the Travaux Préparatoires*, Vol. XXII (Brussels: Council of Europe, 1975).

Cox, Robert W., "Social Forces, States and World Orders: Beyond International Relations Theory," *Millenium Journal of International Studies,* Vol. 10, No. 2 (1981): 126-55.

———, "Social Forces, States and World Orders," in: *Neorealism and its Critics*, ed. by Keohane, Robert O. (New York: Columbia University Press, 1986): 243.

Crafts, Nicholas and Gianni Toniolo (eds), *Economic Growth in Europe Since 1945* (Cambridge: Cambridge University Press, 1996).

Craig, Gordon, "Reichswehr and National Socialism: The Policy of Wilhelm Groener, 1928-1932," *Political Science Quarterly,* Vol. 63, No. 2 (1948).

Craig, Gordon Alexander, "Army and National Socialism, 1933-1945: The Responsibility of the Generals," *World Politics,* Vol. II (1950).

———, *The Politics of the Prussian Army, 1640-1945* (New York: Oxford University Press, 1955).

———, "NATO and the New German Army," in: *NATO and American Security*, ed. by Kaufmann, William (Princeton, N.J.: Princeton University Press, 1956).

———, *Germany, 1866-1945* (New York: Oxford University Press, 1978).

———, "Die Chequers-Affäre von 1990. Beobachtungen zum Thema Presse und internationale Beziehungen," *Vierteljahreshefte für Zeitgeschichte,* Vol. 39 (1991): 611-23.

———, *The Germans* (New York: Meridian, 1991).

Craimer, Aliza, Objectivity and Neutrality in the Israeli Historiographical Debate About 1948: The Case of the New Historians, unpublished manuscript, University of Oxford, Oxford (2004).

Crollen, Luc, *Portugal, the U.S. and NATO* (Louvain: Leuven University Press, 1973).

Crossey, Michael J, "With Liberty and Justice for All: The War on Terror and the Controversial Separation of Powers Between the Military's Vis-a-vis the Judiciary's Duty to Review the Legality of All Executive Detentions," *Duquesne Law Review,* Vol. 43, No. 2 (2005): 241-56.

Curti Gialdino, Carlo, "Some Reflections on the Acquis Communautaire," *Common Market Law Review,* Vol. 32, No. 1995 (1995).

Curtin, Deirdre M., Postnational Democracy – The European Union in Search of a Political Philosophy (Utrecht: University of Utrecht, 1997).

Dadrian, Vahakn, The History of the Armenian Genocide: Ethnic Conflict from the Balkans to Anatolia to the Caucasus (Providence, R.I.: 1995).

Dadrian, Vahakn N., "The Armenian Question and the Wartime Fate of the Armenians as Documented by the Officials of the Ottoman Empire's World War I Allies: Germany and Austria-Hungary," *International Journal of Middle East Studies,* Vol. 34 (2002): 59-85.

Dahl, Robert, *Controlling Nuclear Weapons* (Syracuse, N.Y.: Syracuse University Press, 1985).

Dahl, Robert A., *A Preface to Democratic Theory* (Chicago: University of Chicago Press, 1965).

Dahn, Daniela, "Die Braunlage: Vom Umgang der Bundeswehr mit Ritterkreuzträgern und NVA-Soldaten," *Die Zeit* Kursbuch, 164/4 (Hamburg, n.d. 2005).

Dahrendorf, Ralf, *Society and Democracy in Germany* (Doubleday, 1969).

Damrosch, Lori Fisler, "Constitutional Control over War Powers: A Common Core of Accountability in Democractic Societies?," *University of Miami Law Review,* Vol. 50 (1995): 181-99.

Dance, E. H., *History the Betrayer: A Study in Bias* (London: Hutchinson, 1960).

Danopoulos, Constantine P, *Warriors and Politicians in Modern Greece* (Chapel Hill, N.C.: Documentary Publications, 1985).

———, Military Disengagement From Politics (London: Routledge, 1988).

———, The Decline of Military Regimes: The Civilian Influence (Boulder: Westview Press, 1988).

Danopoulos, Constantine P and Daniel Zirker, *The Military and Society in the Former Eastern Bloc* (Boulder, Colo: Westview Press, 1999).

Dare, Leo O, *The Praetorian Trap: The Problems and Prospects of Military Disengagement [in Nigeria],* Inaugural Lecture Series, 94 (Ile-Ife, Nigeria: Obafemi Awolowo University Press, 1991).

Dau, Klaus, "Ein Berufsfeld im Wandel - der Rechtsberater und Wehrdisziplinaranwalt - eine historische Betrachtung von 1956 bis heute," in: *Recht und Militär. 50 Jahre Rechtspflege der Bundeswehr*, ed. by Zetzsche, Holger and Stephan Weber, Forum Innere Führung, 26 (Baden-Baden: Nomos, 2006): 10-18.

Dau, Klaus and Gotthard Wöhrmann (eds), Der Auslandseinsatz deutscher Streitkräfte. Eine Dokumentation des AWACS-, des Somalia-, und des Adria-Verfahrens vor dem Bundesverfassungsgericht (Heidelberg: C. F. Müller Verlag, 1996).

Davies, Peter Jonathan, The Routledge Companion to Fascism and the Far Right (London: Routledge, 2002).

Davis, Diane E and Anthony W Pereira, *Irregular Armed Forces and Their Role in Politics and State Formation* (Cambridge, U.K.: Cambridge University Press, 2003).

Dawisha, Karen (ed), The International Dimension of Post-Communist Transitions in Russia and the New States of Eurasia (London: M.E. Sharpe, 1997).

De Cecco, Marcello, *Money and Empire: The International Gold Standard, 1890-1914* (Totowa, N.J.: Rowman and Littlefield, 1975).

de Figueiredo, Rui J. P. Jr. and Barry R. Weingast, "The Rationality of Fear: Political Opportunism and Ethnic Conflict," in: *Civil War and the Security Dilemma*, ed. by Snyder, Jack and Robert Jervis (New York: Columbia University Institute of War and Peace Studies, 1997).

de Gaulle, Charles, Discours de Guerre, Tome 3 (Mai 1944 - September 1945) (Paris: 1945).

de Greene, Kenyon B, The Adaptive Organization, Anticipation and Management of Crisis (New York: Wiley, 1982).

de Maizière, Ulrich, "Die Bundeswehr heute und in den 70er Jahren," *Wehrkunde, Zeitschrift für Wehrfragen,* Vol. 18 (1969): 171 ff.

de Wilde, Jaap, "International Security as a Common Home Affair" (Paper presented at the "Democracy in Europe Conference", Enschede, Netherlands, Twente, University of 1998).

Dehio, Ludwig, "Um den deutschen Militarismus," *Historische Zeitschrift,* Vol. 180 (1955): 218-35 [43-64].

———, *Germany and World Politics in the Twentieth Century,* trans. Pevsner, Dieter (New York: Norton, 1967).

Deist, Peter, "Die Rolle des Rechtsberaters im Prozess der Ziel- und Wirkungsanalyse," in: *Recht und Militär. 50 Jahre Rechtspflege der Bundeswehr*, ed. by Zetzsche, Holger and Stephan Weber, Forum Innere Führung, 26 (Baden-Baden: Nomos, 2006): 93-107.

Deist, Wilhelm, *Flottenpolitik und Flottenpropaganda: Das Nachrichtenbureau des Reichsmarineamtes 1897-1914*, Vol. 17, Beiträge zur Militär- und Kriegsgeschichte (Stuttgart: Deutsche Verlagsanstalt, 1976).

———, *The German Military in the Age of Total War* (Dover, N.H.: Berg Publishers, 1985).

———, Der militärische Zusammenbruch des Kaiserreichs: Zur Realität der "Dolchstosslegende (Hamburg: Christians, 1986).

———, Militär, Staat und Gesellschaft: Studien zur preussisch- deutschen Militärgeschichte, Vol. 34 (München: Oldenbourg, 1991).

Deist, Wilhelm*, et al.* (eds), *Ursachen und Voraussetzungen der Deutschen Kriegpolitik*, 10 Vols., Vol. 1, Das Deutsche Reich und der Zweite Weltkrieg (Stuttgart: Deutsche Verlags-Anstalt, 1979).

Delbrück, Hans, *Krieg und Politik*, 3 Vols., Vol. 2 (Berlin: G. Stilke, 1918).

———, History of the Art of War Within the Framework of Political History (Lincoln: University of Nebraska Press, 1990).

———, *Geschichte der Kriegskunst im Rahmen der politischen Geschichte*, Neuausg. des Nachdr. von 1962-1966. (Berlin: de Gruyter, 2000).

den Boer, Monica, "Wearing it Inside Out: European Police Cooperation between Internal and External Security," *European Foreign Affairs Review,* Vol. 2, No. 4 (1994): 491-508.

Denninger, Erhard, et al. (eds), Alternativkommentar zum Grundgesetz für die Bundesrepublik Deutschland (2001).

Depenheuer, Otto, "Integration durch Verfassung: Identitätskonzept des Verfassungspatriotismus," *Droit social,* Vol. 5, No. 1 (1995): 95 - 114.

Desch, Michael C., Soldiers, States, and Structure: Civilian Control of the Military in a Changing Security Environment (Baltimore, Md.: Johns Hopkins University Press, 1999).

———, "Culture Clash: Assessing the Importance of Ideas in Security Studies," *International Security,* Vol. 23, No. 1 (1998): 141-70.

DeShazo, J.R. and Lea-Rachel Kosnik, *Integrating Interest Groups and Legislators into Models of Bureaucratic Policymaking,* (Los Angeles, Calif: University of California at Los Angeles, 2003), available at: http://faculty.spa.ucla.edu/deshazo/pdf/21/hydro-power_091603.pdf, accessed on: 14 September 2006.

Deutsch, Karl Wolfgang, Political Community and the North Atlantic Area: International Organization in the Light of Historical Experience (Princeton: Princeton University Press, 1957).

Deutscher Bund für Bürgerrechte, *Von den Grundrechten des Soldaten* (München: Isar Verlag, 1957).

Diamond, Jared M., Guns, Germs, and Steel: The Fates of Human Societies (New York: Norton, 2005).

Dickson, Peter W., *Kissinger and the Meaning of History* (Cambridge: Cambridge University Press, 1978).

Diehl, Sarah J and James Clay Moltz, *Nuclear Weapons and Nonproliferation: A Reference Handbook*, Contemporary World Issues (Santa Barbara, Calif: ABC-CLIO, 2002).

Digutsch, Gunnar, Das Ende der Nationalen Volksarmee und der Aufbau der Bundeswehr in den neuen Ländern (Frankfurt am Main: Lang, 2004).

Dinan, Desmond, *Ever Closer Union* (London: Lynne Rienner Pub, 2005).

"Directive to Commander-in-Chief of United States Forces of Occupation Regarding the Military Government of Germany; April 1945 (JCS 1067)", Berlin, US Embassy, 1945, http://usa.usembassy.de/etexts/ga3-450426.pdf, accessed on: 30 October 2006.

Dittrich, Karl-Heinz and Gudula Hommel, *Staatsrecht - Grundlagenwissen* (Heidelberg: C.F. Müller Verlag, 2006).

Dobbins, James, et al., America's Role in Nation-Building: From Germany to Iraq (Santa Monica, Calif.: RAND, 2003).

Dobias, Tibor and Eberhard Heidmann (eds), *Militärgeschichte der BRD. Abriß, 1949 bis zur Gegenwart*, 1. Aufl, Schriften des Militärgeschichtlichen Instituts der Deutschen Demokratischen Republik (Berlin (Ost): Militärverlag der Deutschen Demokratischen Republik, 1989).

Doehring, Karl, "Das Friedensgebot des Grundgesetzes," in: *Handbuch des Staatsrechts der Bundesrepublik Deutschland, Band VII*, ed. by Isensee, Josef and Paul Kirchhof (Heidelberg: C. F. Müller, 1992).

Dolgopol, Ustinia and Snehal Paranjape, *Comfort Women: An Unfinished Ordeal: Report of a Mission* (Geneva: International Commission of Jurists, 1994).

Donate, Claus, "Deutscher Widerstand gegen den Nationalsozialismus aus der Sicht der Bundeswehr: Ein Beitrag zum Problem der "Vergangenheitsbewältigung"," Dissertation, University of Freiburg (Freiburg im Breisgau, 1976).

Donnevert, Richard (ed), *Wehrmacht und Partei* (Leipzig: Johann Ambrosius Barth Verlag, 1939).

Do rfler-Dierken, Angelika, Ethische Fundamente der Inneren Fu hrung. Baudissins Leitgedanken: Gewissensgeleitetes Individuum – Verantwortlicher Gehorsam – Konflikt- und friedensfa hige Mitmenschlichkeit (Strausberg: Sozialwissenschaftliches Institut der Bundeswehr, 2005).

Dormann, Manfred, Demokratische Militärpolitik. Die alliierte Militärstrategie als Thema deutscher Politik 1949-1968 (Freiburg im Breisgau: Rombach, 1970).

Dougherty, James E. and Robert L. Pfaltzgraff, *Contending Theories of International Relations: A Comprehensive Survey*, 3rd. ed. (New York: Harper Collins, 1990).

Doyle, Michael, "Kant, Liberal Legacies, and Foreign Affairs, Parts 1 and 2," *Philosophy and Public Affairs,* Vol. 12, No. 3 and 4 (1983): 205-35 and 325-353.

———, "Liberalism and World Politics," *American Political Science Review,* Vol. 80, No. 4 (1986): 1151-69.

Dreher, Alex and Roland Vaubel, "The Causes and Consequences of IMF Conditionality," *Emerging Markets Finance and Trade,* Vol. 40, No. 3 (2004): 26 - 54.

Dreher, Meinhard, "Die Privatisierung bei Beschaffung und Betrieb der Bundeswehr," *Neue Zeitung für Baurecht* (2001): 360 ff.

Dreier, Horst, "Der Kampf um das Budgetrecht als Kampf um die staatliche Steuerungsherrschaft. Zur Entwicklung des modernen Haushaltsrechts," in: *Effizienz als Herausforderung an das Verwaltungsrecht*, ed. by Hoffmann-Riem, Wolfgang and Eberhard Schmidt-Aßmann (Baden-Baden: Nomos, 1998): 59 - 105.

Dreist, Peter, "Der Bundestag zwischen "Vorratsbeschluss" und Rückholrecht. Plädoyer für ein wirkungsvolles Parlamentsbeteiligungsgesetz," *Kritische Vierteljahresschrift für Gesetzgebung und Rechtswissenschaft (KritV),* Vol. 87, No. 1 (2004): 79-119.

Dröge, Heinz, Fritz Münch, and Ellinor von Puttkamer, *The Federal Republic of Germany and the United Nations,* National studies on international organization (New York: Carnegie Endowment for International Peace, 1967).

Drury, Shadia B., *The Political Ideas of Leo Strauss* (London: Macmillan, 1988).

———, *Leo Strauss and the American Right* (New York: St. Martin's Press, 1997).

Duffield, John S, World Power Forsaken: Political Culture, International Institutions, and German Security Policy After Unification (Stanford, Calif: Stanford University Press, 1998).

Duffield, John S., "Political Culture and State Behavior: Why Germany Confounds Neorealism," *International Organization,* Vol. 53, No. 4 (1999): 765-803.

———, "NATO's Functions after the Cold War," *Political Science Quarterly,* Vol. 109, No. 5 (1994): 763-87.

Duisberg, Claus-Jürgen, "Fragen der Staatensukzession bei der Wiedervereinigung Deutschlands Erfahrungen aus den Verhandlungen über die deutsche Einheit," in: *Liber amicorum Günther Jaenicke - zum 85. Geburtstag*, ed. by Götz, Volkmar (Berlin: Springer, 1998): 931-45.

Dunay, Kardas, and Williams (eds), *New Forms of Security: Views from Central, Eastern & Western Europe* (Aldershot: Dartmouth Publishers, 1995).

Durkheim, Émile, *Suicide: A Study in Sociology,* trans. Simpson, John A. Spaulding and George (London: Routledge & Kegan Paul, 1952).

———, *The Elementary Forms of Religious Life,* trans. Cosman, Carol (Oxford: Oxford University Press, 2001).

Dwivedi, O. P., "Bureaucratic Corruption in Developing Countries," *Asian Survey,* Vol. 7, No. 4 (1967): 245-53.

Dworkin, Ronald, *Taking Rights Seriously* (Cambridge, Mass.: Harvard University Press, 1978).

———, *A Bill of Rights for Britain* (London: Chatto & Windus, 1990).

————, *Justice in Robes* (Cambridge, Mass.: Belknap Press, 2006).

Easton, David, "The New Revolution in Political Science," *American Political Science Review,* Vol. 63, No. 4 (1969).

————, *A Framework for Political Analysis* (Chicago: University of Chicago Press, 1979).

Eckardt, Egmont, Adolf H. Noll, and Hartmut Schanz, *Politische Bildung in der Bundeswehr: Erfahrungen und Konzepte,* Reihe Praktische Demokratie (Bonn: Verlag Neue Gesellschaft, 1986).

Eckert, Georg, Von Valmy bis Leipzig: Quellen und Dokumente zur Geschichte der preussischen Heeresreform (Hannover: Goedel, 1955).

Edmonds, Bruce, *What if all Truth is Context-Dependent?*, unpublished manuscript, Manchester Metropolitan University, Manchester (n.d.), available at: http://bruce.edmonds.name/wiaticd/, accessed on: 2 August 2006.

Ehlers, Dirk, "Die Staatsgewalt in Ketten, zum Demokratiegebot im Sinne des Grundgesetzes," in: *Demokratie in Staat und Wirtschaft,* ed. by Faber, Heiko (2002): 125 - 142.

Ehmke, Horst, "Militärischer Oberbefehl und Parlamentarische Kontrolle," *Zeitschrift für Politik,* Vol. 1, No. 4 (1954): 337-56.

Ehrentraut, Oliver and Stefan Fetzer, *Wiedervereinigung, Aufholprozess Ost und Nachhaltigkeit,* Diskussionsbeiträge 104/03 (Freiburg im Breisgau: Albert-Ludwigs-Universität, 2003),

Einem, Joachim von, "Die Auskunftspflicht der Regierung gegenüber dem Parlament," Dissertation, Universität Göttingen (Göttingen, 1977).

Eisel, Stephan, "Der Beitrittsbeschluss der DDR-Volkskammer," *Historisch-Politische Mitteilungen* (2005).

Eisenmann, M. C, *Bonn et Weimar. Deux constitutions de l'Allemagne* (Paris: La Documentation Française, 1950).

Eisenstadt, Michael, "The Armed Forces of the Islamic Republic of Iran: An Assessment," *Middlle East Review of International Affairs,* Vol. 5, No. 1 (2001): 13-30.

Eitel, Tono, Die Ostverträge: Die Verträge von Moskau, Warschau, Prag, das Berlin-Abkommen und die Verträge mit der DDR (München: Beck, 1979).

————, "Die Ostverträge und die Einheit Deutschlands," in: *40 Jahre Bundesrepublik Deutschland,* ed. by Blumenwitz, Dieter (Köln: 1989): 27 - 35.

Ekirch, Arthur Alphonse, The Civilian and the Military: A History of the American Antimilitarist Tradition (Colorado Springs, Ralph Myles: 1972).

Eley, Geoff, Reshaping the German Right: Radical Nationalism and Political Change After Bismarck (New Haven: Yale University Press, 1980).

Loftsson, Elfar, "Island i NATO: Partierna och Försvarsfrågan," Dissertation, Cambridge University Press (Reykjavík, 1981).

Elleman, Bruce, *Japanese-american Civilian Prisoner Exchanges and Detention Camps, 1941-45,* Vol. 37, Routledge Studies in the Modern History of Asia (London: Routledge, 2006).

Elliott, C. J., "The Kriegervereine and the Weimar Republic," *Journal of Contemporary History,* Vol. 10, No. 1 (1975): 109-29.

Ellwood, S. M., *Spanish Fascism in the Franco Era* (London: Macmillan Press, 1987).

Elman, Colin, "Neocultural Progress? A Preliminary Discussion of Lakatos' Methodology of Scientific Research Programs" (Paper presented at the "Annual Meeting of the American Political Science Association", Washington, D.C, 1997).

Enayat, Hamid, "Modern Islamic Political Thought," (2005).

Engelberg, Ernst, "Über das Problem des deutschen Militarismus," *Zeitschrift für Geschichtswissenschaft,* Vol. IV (1956): 236-66 [1113-1145].

Engelmann, Daniela, et al., Identity Politics in the European Union: The Case of Economic and Monetary Union (EMU) (Helsinki: Finnish Institute for International Affairs, 1997).

English, Robert, Russia and the Idea of the West: Gorbachev, Intellectuals, and the End of the Cold War (New York: Columbia University Press, 2000).

Epping, Volker, Grundgesetz und Kriegswaffenkontrolle. Erfüllung des Verfassungsauftrags durch den einfachen Gesetzgeber? Verfassungsanspruch und Rechtswirklichkeit, Schriften zum öffentlichen Recht, 636 (Berlin: Duncker und Humblot, 1993).

Erfurth, Waldemar, *Die Geschichte des deutschen Generalstabes von 1918 bis 1945*, Studien und Dokumente zur Geschichte des Zweiten Weltkrieges, Band 1 (Göttingen: Musterschmidt, 1960).

Erler, Fritz, "Demokratie und bewaffnete Macht," *Gewerkschaftliche Monatshefte* (1954): 356 ff.

Ermacora, Felix, Östereichs Staatsvertrag und Neutralität (Berlin: 1957).

———, *20 Jahre österreichische Neutralität*, 2., völlig neu bearb. Aufl (Frankfurt am Main: Metzner, 1975).

———, Das österreichische Wehrrecht samt den einschlägigen Gesetzen, Verordnungen und internationalen Verträgen. Mit einer Einleitung, Erläuterungen, Rechtsprechung und Verweisungen, Manzsche Ausgabe der österreichischen Gesetze (Wien: Manz, 1980).

Eschenburg, Theodor, *Jahre der Besatzung, 1945-1949*, Vol. 1 of 5, Die Geschichte der Bundesrepublik Deutschland (Stuttgart/ Wiesbaden: Deutsche Verlags-Anstalt/ Brockhaus, 1983).

Evangelista, Matthew, Innovation and the Arms Race: How the United States and the Soviet Union Develop New Military Technologies, Cornell Studies in Security Affairs (Ithaca: Cornell University Press, 1988).

Evans, Richard, Rereading German History: From Unification to Reunification (London: Routledge, 1997).

Faber, Karl-Georg, "Realpolitik als Ideologie," *Historische Zeitschrift,* Vol. 203, No. 1 (1966): 1-45.

Fabian, Walter and Fritz Fischer, Die Kriegsschuldfrage: Grundsätzliches und Tatsächliches zu ihrer Lösung (Bremen: Donat & Temmen, 1985).

Faust, Fritz, *Das Potsdamer Abkommen und seine völkerrechtliche Bedeutung* (Frankfurt am Main: Alfred Metzner Verlag, 1969).

Fearon, James, "Rationalist Explanations for War," *International Organization,* Vol. 49, No. 3 (1995).

Fearon, James D., "Counterfactuals and Hypothesis Testing in Political Science," *World Politics: A Quarterly Journal of International Relations,* Vol. 43, No. 2 (1991): 169-95.

Feaver, Peter, *Delegation, Monitoring, and Civilian Control of the Military: Agency Theory and American Civil-Military Relations*, Working Paper #4 (Cambridge, Mass.: Olin Institute Project on Civil-Military Relations, Harvard University, 1996),

———, Armed Servants: Agency, Oversight, and Civil-Military Relations (Cambridge, Mass.: Harvard University Press, 2003).

———, "Crisis as Shirking: An Agency Theory Explanation of the Souring of American Civil-Military Relations," *Armed Forces & Society,* Vol. 24 (1998): 407-34.

Feaver, Peter D., "Civil-Military Relations," *Annual Review of Political Science,* Vol. 2 (1999): 211-41.

———, "The Civil-Military Problematique: Huntington, Janowitz, and the Question of Civilian Control," *Armed Forces & Society,* Vol. 23, No. 2 (1996): 149-78 [1-18].

———, "Command and Control in Emerging Nuclear Nations," *International Security,* Vol. 17, No. 3 (1992): 160-87.

Feaver, Peter D., Scott D. Sagan, and David J. Karl, "Correspondence: Proliferation Pessimism and Emerging Nuclear Powers," *International Security,* Vol. 22, No. 2 (1997): 185-207.

Fehér, Ferenc and Agnes Heller, *Eastern Europe Under the Shadow of a New Rapallo* (Köln: Index, 1984).

Fehn, Karsten and Miriam Brauns, Bundeswehr und innere Sicherheit. Eine Analyse der rechtlichen Möglichkeiten und Grenzen polizeilicher Aufgabenwahrnehmung durch Streitkräfte, insbesondere bei zu Terrorzwecken entführten Passagierflugzeugen (Frankfurt am Main: Verlag für Polizeiwissenschaft, 2003).

Feldman, Lily Gardner, "The Principle and Practice of 'Reconciliation' in German Foreign Policy: Relations with France, Israel, Poland and the Czech Republic," *International Affairs,* Vol. 75 , No. 2 (1999): 333-56.

Ferring, Robert L., "The Austrian State Treaty of 1955 and the Cold War," *The Western Political Quarterly,* Vol. 21, No. 4 (1968): 651-67.

Festinger, Leon, *A Theory of Cognitive Dissonance* (Stanford, Calif.: Stanford University Press, 1957).

Fiebig, Jan-Peter, Der Einsatz der Bundeswehr im Inneren. Verfassungsrechliche Zulässigkeit von innerstaatlichen Verwendungen der Streitkräfte bei Großveranstaltungen und terroristischen Bedrohungen, Schriften zum öffentlichen Recht, 943 (Berlin: Duncker & Humblot, 2004).

Finer, S. E., The Man on Horseback: The Role of the Military in Politics (Boulder, Colo: Westview Pinter, 1988).

Fingerle, Stephan, "Waffen in Arbeiterhand? Zur Rekrutierung der Offiziere der Nationalen Volksarmee," in: *Nationale Volksarmee - Armee für den Frieden*, ed. by Bald, Detlef, Reinhard Brühl, and Andreas Prüfert, Beiträge zu Selbstverständnis und Geschichte des deutschen Militärs 1945-1990 (Baden-Baden: Nomos, 1995): 119-42.

Finnemore, Martha, *National Interests in International Society* (Ithaca: Cornell University Press, 2000).

Finnemore, Martha and Kathryn Sikkink, "International Norm Dynamics and Political Change," *International Organization,* Vol. 52, No. 4 (1998).

Fischer, Alexander, *Der Militärische Widerstand gegen Hitler und das NS-Regime 1933-1945*, Vorträge zur Militärgeschichte, 5 (Herford: E.S. Mittler, 1984).

———, Wiederbewaffnung in Deutschland nach 1945 (Berlin: Duncker & Humblot, 1986).

Fischer, Angela, Entscheidungsprozeß zur deutschen Wiedervereinigung: Der außen- und deutschlandpolitische Entscheidungsprozeß der Koalitionsregierung Kohl/Genscher in den Schicksalsjahren 1989/90 (Frankfurt am Main: Lang, 1996).

Fischer, David Hackett, Historians' Fallacies: Toward a Logic of Historical Thought (New York: Harper and Row, 1970).

Fischer, Fritz, *Germany's Aims in the First World War* (New York: W. W. Norton, 1967).

———, Griff nach der Weltmacht; die Kriegszielpolitik des kaiserlichen Deutschland, 1914/18 (Düsseldorf: Droste, 1967).

———, "Der kleine Dolchstoss: Fritz Fischer über Gerhard Ritter: "Staatskunst und Kriegshandwerk" [Band IV]," *Der Spiegel,* Vol. 22, No. 20 (1968): 158-62.

———, World Power or Decline; the Controversy Over Germany's Aims in the First World War (New York: Norton, 1974).

———, War of Illusions: German Policies From 1911 to 1914 (London: Chatto and Windus, 1975).

———, Der Erste Weltkrieg und das deutsche Geschichtsbild: Beiträge zur Bewältigung eines historischen Tabus: Aufsätze und Vorträge aus 3 Jahrzehnten (Düsseldorf: Droste, 1977).

———, Juli 1914: Wir sind nicht hineingeschlittert: Das Staatsgeheimnis um die Riezler-Tagebücher: Eine Streitschift, Rororo aktuell (Reinbek bei Hamburg: Rowohlt, 1983).

———, From Kaiserreich to Third Reich - Elements of Continuity in German History 1871-1945, trans. Fletcher, Roger (London: Allen & Unwin, 1986).

———, Hitler war kein Betriebsunfall: Aufsätze (München: Beck, 1993).

———, Bündnis der Eliten - Zur Kontinuität der Machtstrukturen in Deutschland 1871-1945 (Düsseldorf: Droste, 1998).

Fisher, Roger (ed), International Conflict and Behavioural Science: The Craigville Papers (New York: 1964).

Foerster, Roland G. (ed), *Die Wehrpflicht. Entstehung, Erscheinungsformen und politisch-militärische Wirkung,* Beiträge zur Militärgeschichte, 43 (München: Oldenbourg, 1994).

Foerster, Wolfgang (ed), Ein General kämpft gegen den Krieg: Aus nachgelassenen Papieren des Generalstabschefs Ludwig Beck (München: 1949).

Fogel, Joshua A., *The Nanjing Massacre in History and Historiography* (Berkeley, London: University of California Press, 2000).

Foot, Rosemary, John Lewis Gaddis, and Andrew Hurrell (eds), *Order and Justice in International Relations* (Oxford: Oxford University Press, 2003).

Ford, A.G., *The Gold Standard, 1880-1914* (Oxford: The Clarendon Press, 1962).

Forster, Anthony, Timothy Edmunds, and Andrew Cottey (eds), *Soldiers and Societies in Postcommunist Europe: Legitimacy and Change* (New York: Palgrave Macmillan, 2003).

Förster, Gerhard (ed), Der Preussisch-deutsche Generalstab 1640-1965: Zu seiner politischen Rolle in der Geschichte, Wahrheiten über den deutschen Imperialismus (Berlin: Dietz, 1966).

Förster, Jürgen, "Das Unternehmen 'Barbarassa' als Eroberungs- und Vernichtungskrieg," in: *Der Angriff auf die Sowjetunion,* ed. by Horst, Boog (Frankfurt am Main: Fischer-Taschenbuch-Verlag, 1996): 440-47.

———, *The Wehrmacht, War and the Holocaust* (Glascow: University of Glasgow, 2002).

Forsthoff, Ernst, *Der Staat der Industriegesellschaft* (München: 1971).

Försvarsdepartementet, *Författningshandbok för totalförsvar och skydd mot olyckor,* 1. uppl (Stockholm: Regeringskansliet, Fritzes, 2006).

Foschepoth, Josef, "Einleitung," in: *Adenauer und die Deutsche Frage*, ed. by Foschepoth, Josef (Göttingen: Vandenhoeck & Ruprecht, 1988): 7-28.

———, "Westintegration statt Wiedervereinigung: Adenauers Deutschlandpolitik 1949-1955," in: *Adenauer und die Deutsche Frage*, ed. by Foschepoth, Josef (Göttingen: Vandenhoeck & Ruprecht, 1988): 29-60.

Franck, Thomas M, "The Power of Legitimacy and the Legitimacy of Power Law in Age of Power Disequilibrium," *The American Journal of International Law,* Vol. 100, No. 1 (2006): 88-106.

Frank, Hans, "Sicherheitspolitik in neuen Dimensionen," in: *Sicherheitspolitik in neuen Dimensionen. Kompendium zum erweiterten Sicherheitsbegriff*, ed. by Bundesakademie für Sicherheitspolitik (Hamburg: Mittler, 2001).

Frank, Willard C and Philip S Gillette, *Soviet Military Doctrine From Lenin to Gorbachev, 1915-1991* (Westport, Conn: Greenwood Press, 1992).

Frankel, Philip H, *Pretoria's Praetorians: Civil-military Relations in South Africa* (Cambridge: Cambridge University Press, 1984).

Franz, Gerhard and Timo Pfeifer, *Der Sieg der Neinsager: 50 Jahre nach der Abstimmung über das Saarstatut* (Blieskastel: Der neue Gollenstein, 2005).

Frazer, J E, "Sustaining Civilian Control in Africa: The Use of Armed Counterweights in Regime Stability," Dissertation, Stanford University (Palo Alto, Calif, 1994).

Frederiksen, Oliver J., *The American Military Occupation of Germany, 1945-1953* (Frankfurt am Main: Headquarters, Unites States Army, Europe: Historican Division, 1953).

Freeman, John R. and Brian L. Job, "Scientific Forecasts in International Relations: Problems of Definition and Epistemology," *International Studies Quarterly,* Vol. 23, No. 1 (1979).

Fried, John H. E. (Hans Ernest), *The Guilt of the German Army* (New York: Macmillan, 1942).

Friedrich, Jörg, Freispruch für die Nazi-Justiz: Die Urteile gegen NS-Richter seit 1948, eine Dokumentation (Berlin: Ullstein, 1998).

Fritsch-Bournazel, Renata, *Europe and German Unification* (New York: Berg, 1992).

Fröhling, Hans-Günter, "Innere Führung und Multinationalität als Herausforderung für die Bundeswehr und die Streitkräfte ausgewählter NATO-Partner," Dissertation, Universität der Bundeswehr (Hamburg, 2005).

Frowein, Jochen Abr, "Zur Entstehung und Bedeutung der Ostverträge 1970 - einige persönliche Ergänzungen," in: *Tradition und Weltoffenheit des Rechts*, ed. by Cremer, Hans-Joachim (Berlin: Springer, 2002): 163-78.

———, "From Two to One - Germany and the United Nations," *German Yearbook of International Law,* Vol. 46 (2004): 20-29.

Frowein, Jochen Abr., "Deutschlands aktuelle Verfassungslage," *Veröffentlichungen der Deutschen Staatsrechtslehrer,* Vol. 49 (1990): 7-38.

———, "Die Entwicklung der Rechtslage Deutschlands von 1945," in: *Handbuch des Verfassungsrechts*, ed. by Bende, Ernst, Maihofer, and Vogel (1994): 19-34.

———, "Der Alleinvertretungsanspruch der beiden deutschen Staaten," in: *Studium Generale*, ed. by Ruprechts-Karls-Universität Heidelberg (Heidelberg: Universitätsverlag C. Winter, 2001): 57-70.

Fuchs, Rainer, "Die Entscheidung über Krieg und Frieden. Friedensordnung und Kriegsrecht nach dem Bonner Grundgesetz," Dissertation, Universtät Bonn (Bonn, 1981).

Führungsstab der Streitkräfte I 3, *Von Himmerod bis Andernach: Dokumente zur Entstehungsgeschichte der Bundeswehr*, Schriftenreihe Innere Führung, (Bonn: BMVg, 1985).

Fukuyama, Francis, State-Building: Governance and World Order in the 21st Century (Ithaca: Cornell University Press, 2004).

———, "Why There Is No Science of Public Administration," *Journal of International Affairs,* Vol. 58 (2004).

———, "The Neoconservative Moment," *The National Interest,* Vol. 57 (2004): no pagination.

———, "State-Building: The Missing Dimensions of Stateness", Washington, D.C, World Bank, n.d, http://www1.worldbank.org/publicsector/PoliticalEconomy/FukuyamaPresent.pdf, accessed on: 3 August 2006.

Fukuyama, Francis and Abram N. Shulsky, "Military Organization in the Information Age: Lessons from the World of Business," in: *The Changing Role of Information in Warfare*, ed. by White, John P. and Zalmay Khalilzad (Santa Monica, Calif.: RAND Corporation, 1999).

Fuller, J. F. C., *The Reformation of War* (London: Hutchinson, 1923).

———, *The Dragon's Teeth* (London: Constable, 1932).

———, *Armoured Warfare: Lectures on F.S.R. III* (Harrisburg: Military Service Publishing, 1943).

Fuller, Thomas, "Leader of Thai Coup Says He Will Restore Democracy," *New York Times* Online (New York, 20 September 2006): no pagination.

Fulmer, William E, *Shaping the Adaptive Organization* (New York: AMACOM, 2000).

Fürst, Walther, Wehrrecht 2, Beamtenrecht des Bundes und der Länder, Richterrecht und Wehrrecht. (Berlin: Schmidt, 1993).

Gaddis, John Lewis, *The Long Peace - Inquiries into the History of the Cold War* (New York: Oxford University Press, 1987).

———, *We Now Know: Rethinking Cold War History* (Oxford: Oxford University Press, 1997).

———, The Landscape of History: How Historians Map the Past (Oxford: Oxford University Press, 2002).

———, "The Long Peace - Elements of Stability in the Postwar International System," *International Security,* Vol. 10, No. 4 (1986): [1-44].

———, "Expanding the Data Base: Historians, Political Scientists, and the Enrichment of Security Studies," *International Security,* Vol. 12, No. 1 (1987): 3-21.

———, "International Relations Theory and the End of the Cold War," *International Security,* Vol. 17, No. 3 (1992): 5-58 [323-388].

Gaede, Erwin A., *Politics and Ethics: Machiavelli to Niebuhr* (Lanham, MD: University Press of America, 1983).

Galtung, Johann, *Strukturelle Gewalt* (Hamburg: Rowohlt Verlag, 1975).

Gann, Lewis H., "German Unification and the Left-Wing Intelligentsia: A Response," *German Studies Review,* Vol. 15, No. 1 (1992): 99-110.

Gardezi, Hassan and Jamil Rashid, Pakistan: The Roots of Dictatorship: The Political Economy of a Praetorian State (London: Zed, 1983).

Gates, William R. and Katsuaki L. Terasawa, "Commitment, Threat Perceptions, and Expenditures in a Defense Alliance," *International Studies Quarterly,* Vol. 36, No. 1 (1992): 101-18.

Gatrell, Peter, "Prisoners of War on the Eastern Front during World War I (Review Essay)," *Kritika: Explorations in Russian and Eurasian Histor,* Vol. 6, No. 3 (2005): 557-66.

Gatty, Werner*, et al.* (eds), *Die Ära Kreisky: Österreich im Wandel 1970-1983* (Innsbruck: Studien Verlag, 1997).

Gauthier, David P, The Logic of Leviathan: The Moral and Political Theory of Thomas Hobbes (Oxford: Clarendon Press, 1969).

Gebhardt, Jürgen, "Verfassungspatriotismus als Identitätskonzept der Nation," *Aus Politik und Zeitgeschehen,* Vol. 14 (1993): 29-37.

Geertz, Clifford, *The Interpretation of Cultures* (New York: Harper, 1974).

Geffen, William, *The Role of the Military in West German Defense Policy Making* (Denver, Col.: University of Denver Press, 1971).

Geiss, Imanuel, "The Outbreak of the First World War and German War Aims," in: *1914: The Coming of the First World War*, ed. by Lacqueur, Walter and George L. Mosse (New York: Harper & Row, 1966): 71-87.

———, *German Foreign Policy, 1871-1914* (London: Routledge, 1976).

———, The Question of German Unification: 1806-1996 (London: Routledge, 1997).

Geller, William A and Hans Toch (eds), *Police Violence: Understanding and Controlling Police Abuse of Force* (New Haven: Yale University Press, 1996).

Gellner, Ernest, *Nations and Nationalism* (Ithaca, London: Cornell University Press, 1983).

———, *Culture, Identity, and Politics* (Cambridge: Cambridge University Press, 1987).

———, *Nationalism* (London: Weidenfeld & Nicolson, 1997).

Gellner, Ernest, John A. Hall, and I. C. Jarvie, *Transition to Modernity: Essays on Power, Wealth and Belief* (Cambridge, New York: Cambridge University Press, 1992).

Gembruch, Werner and Johannes Kunisch, Staat und Heer: Ausgewählte historische Studien zum ancien régime, zur Französischen Revolution und zu den Befreiungskriegen (Berlin: Duncker & Humblot, 1990).

Genschel, Dietrich, Wehrreform und Reaktion: Die Vorbereitung der inneren Führung 1951 - 1956 (Hamburg: Decker, 1972).

George, Alexander L., "Case Studies and Theory Development: The Method of Structured, Focused Comparison," in: *Diplomacy: New Approaches to History, Theory, and Policy*, ed. by Lauren, Paul Gordon (New York: Free Press, 1979).

———, "The Transition in U.S.-Soviet Relations, 1985-1990: An Interpretation from the Perspective of International Relations Theory and Political Psychology," *Political Psychology,* Vol. 12, No. 3 (1991).

Gerber, Johannes, *Die Bundeswehr in der NATO*, Die Bundeswehr - Eine Gesamtdarstellung, Band 2 (Regensburg: Walhalla und Praetoria Verlag, 1977).

Gerber, Theodore P. and Sarah Elizabeth Mendelson, *How Russians think about Chechnya*, Policy memo, no 243 (Washington, D.C.: Program on New Approaches to Russian Security Center for Strategic and International Studies, 2002),

Gerhard, Wilfried, *Innere Führung: Dekonstruktion und Rekonstruktion*, WIFIS-aktuell (Bremen: Ed. Temmen, 2002).

Gersdorff, Rudolf-Christoph Frhr. von, *Soldat im Untergang* (Frankfurt am Main: 1977).

Geser, Hans, "Die Militärorganisation im Zeitalter entgrenzter Kriegs- und Friedensaufgaben," in: *Neue Bundeswehr - neue Innere Führung? Perspektiven und Rahmenbedingungen für die Weiterentwicklung eines Leitbildes*, ed. by Wiesendahl, Elmar, Forum Innere Führung (Baden-Baden: Nomos, 2005): 111-27.

Gibson, James L., "Understandings of Justice: Institutional Legitimacy, Procedural Justice, and Political Tolerance," *Law & Society Review,* Vol. 23, No. 3 (1989): 469-96.

Gies, Horst and Bernd Mütter (eds), *Nation und Europa in der historisch-politischen Bildung*, Forum Historisches Lernen (Schwalbach/Ts: Wochenschau-Verlag, 1998).

Giesen, Hermann, Deutscher Bundeswehr-Verband. Spitzenorganisation der Soldaten (Wiesbaden: Wirtschaftsverlag, 1984).

Gilpin, Robert, *War and Change in World Politics* (Cambridge: Cambridge University Press, 1981).

―――, "The Richness of the Tradition of Political Realism," in: *Neo-Realism and its Critics*, ed. by Keohane, Robert (New York: Columbia University Press, 1986): 301-21.

Ginsberg, Benjamin, The Captive Public: How Mass Opinion Promotes State Power (New York: Basic Books, 1986).

Glad, Betty and Chris J. Dolan (eds), Striking First: The Preventive War Doctrine and the Reshaping of US Foreign Policy (New York: Palgrave Macmillan, 2004).

Glaser, Charles L, "Why NATO is Still Best - Future Security Arrangements for Europe," *International Security,* Vol. 18, No. 1 (1993): 5-50.

Glaser, Charles L. and Chaim Kaufmann, "What is the Offense-Defense Balance and Can We Measure it?," *International Security,* Vol. 22, No. 4 (1998): 44-82.

Glaser, Hermann, Kulturgeschichte der Bundesrepublik Deutschland - Band 3: Zwischen Protest und Anpassung, 1968-1989, Vol. 3 of 3 (München: Hanser, 1989).

―――, Kleine Kulturgeschichte der Bundesrepublik Deutschland, 1945-1989 (München: Hanser, 1991).

Gleditsch, Nils Petter, "Peace and Democracy," in: *Encyclopaedia of Violence, Peace, and Conflict*, ed. by Kurtz, Lester (San Diego: Academic Press, 1999).

Goebel, Peter, Von Kambodscha bis Kosovo: Auslandseinsätze der Bundeswehr seit Ende des Kalten Krieges (Frankfurt am Main: Report Verlag, 2000).

Golts, Alexander M. and Tonya L. Putnam, "State Militarism and its Legacies - Why Military Reform has Failed in Russia," *International Security,* Vol. 29, No. 2 (2004): 121-58.

Gonzáles, Michael R*, et al.*, *The Role of the Armed Forces in the Americas: Civil-military Relations for the 21st Century* (Carlisle Barracks, Pa.: Strategic Studies Institute, U.S. Army War College, 1998).

Goodhand, Jonathan, "From War Economy to Peace Economy? Reconstruction and State Building in Afghanistan," *Journal of International Affairs,* Vol. 58, No. 1 (2004): 155.

Gorbachev, Michail S*, Wie es war: Die deutsche Wiedervereinigung*, 3. Aufl (Berlin: Ullstein, 1999).

Gordon, Philip H., *A Certain Idea of France: French Security Policy and the Gaullist Legacy* (Princeton, N.J.: Princeton University Press, 1993).

Görlitz, Walter and Brian Battershaw, *The German General Staff, Its History and Structure 1657-1945* (London: Hollis & Carter, 1953).

Gorrara, C., H. Peitsch, and C. Burdett, *European Memories of the Second World War* (New York: Berghahn Books, 1998).

Görtemaker, Manfred, *Der Weg zur Einheit: Die deutsche Frage in der internationalen Politik* (München: Franzis / Bundeszentrale für Politische Bildung, 2005).

Gosztony, Peter, "Die Aufrüstungsmaßnahmen in der Bundesrepublik und das Echo des Ostblocks," in: *Aspekte der deutschen Wiederbewaffnung bis 1955*, ed. by Militärgeschichtliches Forschungsamt, Militärgeschichte seit 1945, Band 1 (Boppard am Rhein: Boldt, 1975): 39-60.

Graml, Hermann, "Die Allierten in Deutschland," in: *Westdeutschlands Weg zur Bundesrepublik 1945 - 1949*, ed. by Institut für Zeitgeschichte München (München: Beck, 1976): 25-52.

Gramm, C., "Privatisierung bei der Bundeswehr," *Deutsches Verwaltungsblatt,* Vol. 21 (2003): 1366-71.

Gramsci, Antonio, *Selections from the Prison Notebooks* (London: Lawrence and Wishart, 1971).

Grant, Ruth Weissbourd, Hypocrisy and Integrity: Machiavelli, Rousseau, and the Ethics of Politics (Chicago: University of Chicago Press, 1997).

Grass, Günter, *Die Blechtrommel - Roman*, 14. Aufl (Berlin: Luchterhand, 1971).

Greenwald, A. and D. I. Ronis, "Twenty Years of Cognitive Dissonance: Case Study of the Evolution of a Theory," *Psychological Review,* Vol. 85 (1978): 53-57.

Greiner, Christian, "'Operational History (German) Section' and 'Naval History Team.' Deutsches militärstrategisches Denken im Dienst der amerikanischen Streitkräfte von 1946-1950," in: *Militärgeschichte. Probleme - Thesen - Wege*, ed. by Messerschmidt, Manfred (Stuttgart: 1982).

Griffin, Roger, *The Nature of Fascism* (London: Routledge, 1993).

Grogin, Robert C., Natural Enemies: The United States and the Soviet Union in the Cold War, 1917-1991 (Lanham, Md.: Lexington Books, 2001).

Gross, Jürgen, *Weiterentwicklung der Inneren Führung: Zwei Beiträge*, Hamburger Beiträge zur Friedensforschung und Sicherheitspolitik (Hamburg: Inst. für Friedensforschung und Sicherheitspolitik an der University Hamburg, 2002).

———, *Demokratische Streitkräfte*, 1. Aufl, Demokratie, Sicherheit, Frieden (Baden-Baden: Nomos, 2005).

Grosser, Dieter, Stephan G Bierling, and Friedrich Kurz, Die sieben Mythen der Wiedervereinigung: Fakten und Analysen zu einem Prozess ohne Alternative (München: Ehrenwirth, 1991).

Grossman, Sanford J. and Oliver D. Hart, "An Analysis of the Principal-Agent Problem," *Econometrica,* Vol. 51, No. 1 (1983): 7-46.

Grunenberg, Nina, "Die Manager des Wirtschaftswunders - Unter den Nationalsozialisten begann ihre Karriere, meistens im Umfeld von Rüstungsminister Albert Speer. Porträt einer Generation," *Die Zeit* Wirtschaft (Hamburg, 28 September 2006): 33.

———, Die Wundertäter - Netzwerke der deutschen Wirtschaft 1942-1966 (München: Siedler, 2006).

Grunfeld, Frederic V, *Die deutsche Tragödie: Adolf Hitler und das Deutsche Reich 1918 - 1945 in Bildern,* trans. Eisermann, Wolfgang (Hamburg: Hoffmann u. Campe, 1975).

Guittard, Gislaine and Fritz Vilmar, *La face cachée de l'unification allemande* (Paris: Atelier, 1999).

Gül Altinay, Ayse, The Myth of the Military-nation: Militarism, Gender, and Education in Turkey, 1st ed (New York: Palgrave Macmillan, 2004).

Günther, Elke, "50 Jahre Bundeswehr: Die Erfolgsgeschichte der Remilitarisierung," *Friedensblätter (Zeitschrift des Friedensnetzwerks Baden-Württemberg)* (2005): no pagination.

Haarmann, Lutz, "Die deutsche Einheit kommt bestimmt!": Zum Spannungsverhältnis von deutscher Frage, Geschichtspolitik und westdeutscher Dissidenz in den 1980er Jahren (Berlin: Berliner Wissenschafts Verlag, 2005).

Haas, Ernst B., Beyond the Nation-State: Functionalism and International Organization (Stanford: Stanford University Press, 1964).

———, When Knowledge Is Power: Three Models of Change in International. Organizations (Berkeley: University of California Press, 1990).

Haas, Ernst B., Mary Pat Williams, and Don Babai, *Scientists and World Order: The Uses of Technical Knowledge in International Organisations* (Berkeley: University of California Press, 1977).

Habermas, Jürgen, "Die nachholende Revolution," (Frankfurt am Main: Suhrkamp, 1990).

———, "Verfassungspatriotismus - im allgemeinen und im besonderen," in: *Die nachholende Revolution*, ed. by Habermas, Jürgen (Frankfurt am Main: Suhrkamp, 1990): 147 ff.

———, *The Past as Future: Vergangenheit als Zukunft,* trans. Pensky, Michael Haller and Max (Lincoln: University of Nebraska Press, 1994).

Habermas, Jürgen and Shierry Weber Nicholsen, *The New Conservatism: Cultural Criticism and the Historians' Debate* (Cambridge: Polity, 1989).

Haffner, Sebastian, Zwecklegenden: Die SPD und das Scheitern der Arbeiterbewegung (Berlin: Verlag 1900, 1996).

———, *Der Verrat* (Berlin: Verlag 1900, 2000).

———, *Die deutsche Revolution 1918/19* (Reinbek bei Hamburg: Rowohlt, 2004).

———, Die deutsche Frage: 1950 - 1961: Von der Wiederbewaffnung bis zum Mauerbau, trans. Ruschmeier, Sigrid (Berlin: Transit, 2002).

Hahnenfeld, Günther, "Bundeswehrverwaltung gestern und heute," *Bundeswehrverwaltung,* Vol. 1 (1975): 18 ff.

Hakan Yavuz, M., "Turkey's Fault Lines and the Crisis of Kemalism," *Current History* (2000): 33-38.

Hale, Carol Anne, *German-soviet Military Relations in the Era of Rapallo,* unpublished manuscript, McGill University, Ottawa (1989).

Hall, Peter A and David W Soskice, *Varieties of Capitalism: The Institutional Foundations of Comparative Advantage* (Oxford: Oxford University Press, 2001).

Halperin, Morton H., "Guaranteeing Democracy," *Foreign Policy* 91 (1993): 105-22.

Haltinger, Karl W., "The Definite End of the Mass Army in Western Europe?," *Armed Forces & Society,* Vol. 25, No. 1 (1998): 7-37.

Haltinger, Karl W. and Ruth Meyer, "Aspects of the Relationship between Miltiary and Society in Switzerland," *Armed Forces & Society,* Vol. 6, No. 1 (1979): 49-81.

Hamburger Institut für Sozialforschung, "Verbrechen der Wehrmacht. Dimensionen des Vernichtungskrieges 1941-1944", Hamburg, HIS, 2002, http://www.verbrechen-der-wehrmacht.de/docs/home.htm, accessed on: 21 October 2006.

Verbrechen der Wehrmacht. Dimensionen des Vernichtungskrieges 1941-1944 Ausstellungskatalog, 2., stark veränderte Auflage (Hamburg: Hamburger Edition, 2002).

Hamburger Institut für Sozialforschung and Hannes Heer (eds), *Vernichtungskrieg. Verbrechen der Wehrmacht 1941 bis 1944 Ausstellungskatalog* (Hamburg: Hamburger Edition, 1996).

Hammerstein, Notker, August Buck, and Christa Berg (eds), *Handbuch der deutschen Bildungsgeschichte* (München: Beck, 1993).

Hampton, Mary N., "NATO at the Creation: US Foreign Policy, West Germany and the Wilsonian Impulse," *Security Studies,* Vol. 4, No. 3 (1995): 610-56.

Hanik, Alfred, *Wehrrecht,* Schaeffers Grundriß des Rechts und der Wirtschaft, Abteilung II: Öffentliches Recht (Stuttgart: Kohlhammer, 1980).

Hansen, Reimer, "Der totale Zusammenbruch 1945. Probleme und Ergebnisse der historisch-politischen Forschung," *Aus Politik und Zeitgeschehen,* Vol. B 19/70 (1970): 15 ff.

Hardin, Russel, *One for All: The Logic of Group Conflict* (Princeton, NJ: Princeton University Press, 1995).

Harmon-Jones, E., "Is Feeling Personally Responsible for the Production of Aversive Consequences Necessary to Cause Dissonance Effects?," in: *Cognitive Dissonance Theory: Revival with Revisions and Controversies,* ed. by Harmon-Jones, E. and J. S. Mills (Washington, D.C.: American Psychological Association, 1998).

Harnisch, Wilfried, "In der Tradition von Müntzer, Scharnhorst, Engels, Thälmann," in: *NVA: Ein Rückblick für die Zukunft. Zeitzeugen berichten über ein Stück deutscher Militärgeschichte,* ed. by Backerra, Manfred (Köln: Markus Verlag, 1993).

Harsch, Joseph C., *Pattern of Conquest* (Garden City, N. Y.: Doubleday, Doran and Co, 1941).

Hartenstein, Frank-Helmut, Der Wehrbeauftragte des Deutschen Bundestages. Zuständigkeit und Befugnisse im Rahmen der parlamentarischen Kontrolle der Bundeswehr (Frankfurt am Main: Peter Lang, 1977).

Hartley, Keith and Todd Sandler, "NATO Burden-Sharing: Past and Future," *Journal of Peace Research,* Vol. 36, No. 6 (1999): 665-80.

Hartmann, Werner, Geist und Haltung des deutschen Soldaten im Wandel der Gesellschaft: Vom Kaiserheer zur Bundeswehr: Eine Dokumentation (Limburg a.d. Lahn: C.A. Starke, 1998).

Hathaway, Oona A., "Do Human Rights Treaties Make a Difference?," *The Yale Law Journal,* Vol. 111 (2002): 1935-2042.

Hawking, Stephen W., A Brief History of Time: From the Big Bang to Black Holes (New York: Bantam, 1988).

Heer, Hannes, Vom Verschwinden der Täter. Der Vernichtungskrieg fand statt, aber keiner war dabei (Berlin: Aufbau TB, 2005).

Heidemeyer, Helge, Flucht und Zuwanderung aus der SBZ/DDR 1945/1949-1961: Die Flüchtlingspolitik der Bundesrepublik Deutschland bis zum Bau der Berliner Mauer, Vol. 100, Beiträge zur Geschichte des Parlamentarismus und der politischen Parteien (Düsseldorf: Droste, 1994).

Heinemann, Winfried, "50 Jahre Himmeroder Denkschrift: "Magna Charta" der Bundeswehr", *Informationen für die Truppe,* 2000, http://www.ifdt.de/0010/Artikel/Heinemann.htm, accessed on: 26 May 2006.

Heinen, Klaus and Karl-Heinz Ditzer, *Bundeswehr im Umbruch? Sinn-Fragen der inneren Führung* (München: Hampp, 1990).

Heising, Klaus, "Die Gewaltenteilung nach dem Bonner Grundgesetz und nach dem Vertrag zur Gründung der Europäischen Wirtschaftsgemeinschaft," Dissertation, University of Münster (Münster, Westfalen, 1969).

Heither, Dietrich, *Blut und Paukboden: Eine Geschichte der Burschenschaften* (Frankfurt am Main: Fischer Taschenbuch Verlag, 1997).

Helbig, Herbert, *Die Träger der Rapallo-Politik* (Göttingen: Vandenhoeck & Ruprecht, 1958).

Henderson, William Darryl, Cohesion, the Human Element in Combat: Leadership and Societal Influence in the Armies of the Soviet Union, the United States, North Vietnam, and Israel (Washington, D.C.: National Defense University Press, 1985).

Hendrickson, D., *Reforming Defence: The State of American Civil-Military Relations* (Baltimore, Md: Johns Hopkins University Press, 1988).

Hengstschläger, Johannes, *Das Budgetrecht des Bundes. Gegenwartsprobleme und Entwicklungstendenzen*, Schriften zum öffentlichen Recht, 329 (Österreich) (Berlin: Duncker & Humblot, 1977).

Henkin, Louis, "War Powers "Short of War," *University of Miami Law Review,* Vol. 50, No. 1 (1995): 201 - 208.

Heper, Metin, Ahmet Evin, and Deutsches Orient-Institut (eds), *State, Democracy, and the Military: Turkey in the 1980s* (Berlin: W. de Gruyter, 1988).

Herbst, Ludolf, Der totale Krieg und die Ordnung der Wirtschaft: Die Kriegswirtschaft im Spannungsfeld von Politik, Ideologie und Propaganda, 1939-1945 (Stuttgart: Deutsche Verlags-Anstalt, 1982).

Herbst, Ludolf and C. Goschler, *Wiedergutmachung in der Bundesrepublik Deutschland* (München: R. Oldenbourg, 1989).

Herdegen, Matthias, "Die Grundwerte der modernen Völkerrechtsordnung und ihre effektive Sicherung," in: *Die Zukunft der UNO und des Völkerrechts. Beiträge und Thesen einer Internationalen Konferenz*, ed. by Vogel, Bernhard, Rudolf Dolzer, and Matthias Herdegen (Freiburg im Breisgau: Herder, 2004): 226 ff.

Herf, Jeffrey, "Reactionary Modernism," *Theory and Society,* Vol. 10, No. 6 (1981).

———, "War, Peace, and the Intellectuals: The West German Peace Movement," *International Security,* Vol. 10, No. 4 (1986): 172-200.

Hermann, Carl Hans, *Deutsche Militärgeschichte. Eine Einführung* (Frankfurt am Main: Bernard u. Graefe, 1966).

Herspring, Dale R, *Russian Civil-military Relations* (Bloomington: Indiana University Press, 1996).

———, "Samuel Huntington and Communist Civil-Military Relations," *Armed Forces & Society,* Vol. 25, No. 4 (1999): 557-77.

———, *Requiem für eine Armee: Das Ende der Nationalen Volksarmee der DDR,* trans. Weber, Hans-Werner, 1. Aufl, Forum Innere Führung (Baden-Baden: Nomos, 2000).

Herspring, Dale R and I. Volgyes, *Civil-Military Relations in Communist Systems* (Boulder, Colo: Westview Press, 1978).

Herwig, Holger H., "Clio Deceived: Patriotic Self-Censorship in Germany after the Great War," *International Security,* Vol. 12, No. 2 (1987): 5-44.

———, "The Failure of German Sea Power, 1914-1945: Mahan, Tirpitz, and Raeder Reconsidered," *International Historical Review,* Vol. 10, No. 1 (1988): 68-105.

————, "The Prussian Model and Military Planning Today," *Joint Forces Quarterly,* Vol. 18 (1998): 67-75.

Heuer, Uwe, "Zur Perzeption der Bundeswehr in den Vereinigten Staaten von Amerika, 1963 – 1983. Deutsche Streitkräfte und Deutsche Sicherheitspolitik im Urteil Amerikanischer Experten," Dissertation, University of Bonn (Bonn, 1989).

Heun, Werner, Staatshaushalt und Staatsleitung. Das Haushaltsrecht im parlamentarischen Regierungssystem des Grundgesetzes, 1. Aufl (Baden-Baden Bonn: Nomos, 1989).

Heusinger, Adolf, Befehl im Widerstreit: Schicksalsstunden der deutschen Armee (Tübingen and Stuttgart: 1950).

Heydemann, Günther, "Die britisch-deutschen Beziehungen und das Deutschlandbild Großbritanniens zwischen Margaret Thatcher und Tony Blair - Eine kritische Rückblende," in: *Wiedervereinigung Deutschlands. Festschrift zum 20jährigen Bestehen der Gesellschaft für Deutschlandforschung,* ed. by Eckart, Karl, Jens Hacker, and Siegfried Mampel (Berlin: Duncker & Humblot, 1998): 627-48.

Heydte, Friedrich August Freiherr von der (ed), *Der Kampf um den Wehrbeitrag,* Veröffentlichungen des Instituts für Staatslehre und Politik e.V., Band 1-3 (München: Isar Verlag, 1952).

———— (ed), *Der deutsche Soldat in der Armee von morgen. Wehrverfassung, Wehrsystem, Inneres Gefüge,* Veröffentlichungen des Instituts für Staatslehre und Politik e.V., Band 4 (München: Isar Verlag, 1954).

Hicks, George L, The Comfort Women: Sex Slaves of the Japanese Imperial Forces (London: Souvenir, 1995).

Hilger, Dietrich, "Die mobilisierte Gesellschaft," in: *Die Zweite Republik. 25 Jahre Bundesrepublik Deutschland - Eine Bilanz,* ed. by Löwenthal, Richard and Hans-Peter Schwarz (Stuttgart: Klett-Cotta, 1974): 95-122.

Hill, Christopher, "The Capability-Expectation Gap, or Conceptualizing Europe's International Role," *Journal of Common Market Studies,* Vol. 31, No. 3 (1993): 305-28.

Hillgruber, Andreas, "Die historisch-politische Bedeutung der deutschen Kapitulation 1945," *Geschichte in Wissenschaft und Unterricht,* Vol. 20 (1969): 65-72.

————, Zweierlei Untergang: Die Zerschlagung des Deutschen Reiches und das Ende des europäischen Judentums (Berlin: W. J. Siedler, 1986).

————, Deutsche Geschichte 1945-1986. Die »deutsche Frage« in der Weltpolitik, 6. Auflage (Stuttgart: Kohlhammer, 1987).

Hintze, Otto, "Military Organisation and State Organisation," in: *The Historical Essays of Otto Hintze,* ed. by Gilbert, Felix (New York: Oxford University Press, 1975).

Hintze, Otto*, et al., Deutschland und der Weltkrieg* (Leipzig: B. G. Teubner, 1915).

Hirsch, Günter and Andrea Schmidt-Didczuhn, *Transplantation und Sektion: Die rechtliche und rechtspolitische Situation nach der Wiedervereinigung,* Motive, Texte, Materialien, 60 (Heidelberg: Müller Juristischer Verlag, 1992).

Hirshleifer, Jack, The Dark Side of the Force: Economic Foundations of Conflict Theory (New York: Cambridge University Press, 2001).

Hobbes, Thomas, Leviathan, or, the Matter, Forme and Power of a Commonwealth, Ecclesiasticall and Civil (Oxford: Blackwell, 1946).

Hobsbawm, Eric J., *From 1750 to the Present Day: Industry and Empire* (Harmondsworth: Penguin, 1969).

————, *The Age of Empire, 1875-1914* (London: Cardinal, 1989).

Hobsbawm, Eric J. and Terence O. Ranger (eds), *The Invention of Tradition* (Cambridge: Cambridge University Press, 1983).

Hobsbawm, Eric J., Age of Extremes: The Short Twentieth Century 1914-1991 (London: Michael Joseph, 1994).

Hockerts, Hans Günter and Christiane Kuller, *Nach der Verfolgung: Wiedergutmachung nationalsozialistischen Unrechts in Deutschland*, Dachauer Symposien zur Zeitgeschichte, Band 3 (Göttingen: Wallstein, 2003).

Hoffmann-Lange, Ursula and Hans-Georg Wehling, *Eliten in der Bundesrepublik Deutschland* (Stuttgart: Kohlhammer, 1990).

Hoffmann, Stanley, "International Relations: The Long Road to Theory," in: *International Relations and Foreign Policy: A Reader in Research and Theory*, ed. by Rosenau, James N. (New York: Free Press, 1961).

————, "Notes on the Limits of 'Realism'," *Social Research,* Vol. 48, No. 1 (1981).

————, "An American Social Science: International Relations," in: *Janus and Minerva: Essays in the Theory and Practice of International Politics*, ed. by Hoffman, Stanley (Boulder, Colo.: Westview Press, 1987): 3-24.

———— (ed), Janus and Minerva: Essays in the Theory and Practice of International Politics (Boulder, Colo.: Westview Press, 1987).

————, "The Politics and Ethics of Military Intervention," *Survival,* Vol. 37, No. 4 (1995): 29-51.

————, "In Defense of Mother Teresa," *Foreign Affairs,* Vol. 75, No. 2 (1996): 172-75.

Hoffmann, Stanley, Robert O. Keohane, and John J. Mearsheimer, "Correspondence - Back to the Future, Part II: International Relations Theory and Post-Cold War Europe," *International Security,* Vol. 15, No. 2 (1990): 191-99.

Hofmann, Gunter, "Willy Brandt (1913-1992)," in: *Sie prägten Deutschland - Eine Geschichte der Bundesrepublik in politischen Porträts*, ed. by Sarkowicz, Hans (München: C. H. Beck, 1999): 143-54.

Holborn, Hajo, *American Military Government: Its Organization and Policies* (Washington, D.C.: Infantry Journal Press, 1947).

Hollis, Martin and Steve Smith, *Explaining and Understanding International Relations* (Oxford: Oxford University Press, 1990).

Holsti, K. J., *The State, War, and the State of War* (Cambridge: Cambridge University Press, 1996).

Holsti, Ole R, *Crisis, Escalation, War* (Montreal: McGill-Queen's University Press, 1972).

Holzgrefe, J. L and Robert O Keohane, *Humanitarian intervention: Ethical, legal and political dilemmas* (Cambridge: Cambridge University Press, 2003).

Holzhausen, Dieter, "Der Verfassungsauftrag des Art. 26 II GG und die Ausfuhr von Kriegswaffen," *Juristenzeitung* (1995): 284 ff.

Honda, Katsuichi and Frank Gibney, The Nanjing Massacre: A Japanese Journalist Confronts Japan's National Shame (Armonk, N.Y: M.E. Sharpe, 1999).

Hornung, Klaus, Staat und Armee. Studien zur Befehls- und Kommandogewalt und zum politisch-militärischen Verhältnis in der Bundesrepublik Deutschland, [Habilitationsschrift Politikwissenschaften, Universität Freiburg] (Mainz: v. Hase & Koehler, 1975).

Horowitz, D., *Ethnic Groups in Conflict* (Berkeley: University of California Press, 1985).

Horowitz, Shale, "Explaining Change in Post-Communist Armed Forces: Democratic Control, Social Roles and Legitimacy, and Professionalization," *Armed Forces & Society,* Vol. 30, No. 4 (2004): 663-76.

Hosli, M., "Coalitions and Power: Effects of Qualified Majority Voting on the Council of the European Union," *Journal of Common Market Studies,* Vol. 34, No. 2 (1996): 255-74.

Howard, Michael Eliot, Soldiers and Governments; Nine Studies in Civil-military Relations (London: Eyre & Spottiswoode, 1957).

———, *The Causes of Wars and other Essays* (Cambridge, Mass.: Harvard University Press, 1984).

Hoyt, Edwin Palmer, The Militarists: The Rise of Japanese Militarism Since Ww II (New York: D.I. Fine, 1985).

Huber, Reiner K., "Armee der Zukunft: Trends und Folgerungen," *Europäische Sicherheit,* Vol. 51 (2002): 31-36.

Hudemann, Rainer, Sozialpolitik im deutschen Südwesten zwischen Tradition und Neuordnung, 1945-1953: Sozialversicherung und Kriegsopferversorgung im Rahmen französischer Besatzungspolitik (Mainz: v. Hase & Koehler, 1988).

Hudson, Leila, "Lessons from Wal-Mart and the Wehrmacht: Team Wolfowitz on Administration in the Information Age," *Middle East Policy,* Vol. XI, No. 2 (2004): 25-38.

Hughes, R. Gerald, "'Don't let's be beastly to the Germans': Britain and the German Affair in History," *Twentieth Century British History,* Vol. 17, No. 2 (2006): 257-83.

Hunter, Wendy, State and Soldier in Latin America: Redefining the Military's Role in Argentina, Brazil, and Chile, Peaceworks, No. 10 (Washington, D.C.: United States Institute of Peace, 1996).

———, "Negotiating Civil-Military Relations in Post-Authoritarian Argentina and Chile," *International Studies Quarterly,* Vol. 42, No. 2 (1998): 295-318.

Huntington, Samuel P, *The Third Wave: Democratization in the Late Twentieth Century* (Norman: University of Oklahoma Press, 1991).

Huntington, Samuel P., *The Soldier and the State: The Theory and Politics of Civil-military Relations* (Cambridge: Belknap Press of Harvard University Press, 1957).

———, *Political Order in Changing Societies* (New Haven: Yale University Press, 1968).

———, "The Goals of Development," in: *Understanding Political Development: An Analytical Study*, ed. by Huntington, Samuel P. and Myron Weiner (Boston: Little Brown, 1987): 3-32.

Hutton, Patrick H. (ed), *History as an Act of Memory* (Hanover, Vt.: University Press of New England, 1993).

Icelandic Association for Western Co-Operation (ed), *Iceland, Nato, and Security in the Norwegian Sea* (Reykjavík: Icelandic Association for Western Co-Operation, 1987).

Ienaga, Saburo, *The Pacific War, 1931-1945* (New York: Pantheon, 1978).

Ikenberry, John, "Creating Yesterday's New World Order: Keynesian 'New Thinking' and the Anglo-American Postwar Settlement," in: *Ideas and Foreign Policy: Beliefs, Institutions and Political Change*, ed. by Keohane, Robert and Judith Goldstein (Ithaca: Cornell University Press, 1993): 57-86.

Ikenberry, John and Charles A. Kupchan, "Socialisation and Hegemonic Power," *International Security,* Vol. 44, No. 3 (1990): 283-316.

Ikram, Azam, *Democracy in Pakistan: Praetorian Puppeting* (Islamabad: PFI and Margalla Voices, 2003).

Ilsemann, Carl-Gero von, *Die Bundeswehr in der Demokratie*, Soldatische Menschenführung in der deutschen Militärgeschichte (Hamburg,: v. Decker's Verl. Schenck, 1971).

———, *Die Innere Führung in den Streitkräften*, Die Bundeswehr - Eine Gesamtdarstellung, Band 5 (Regensburg: Walhalla und Praetoria Verlag, 1981).

Inoue, Kyoko, MacArthur's Constitution: A Linguistic and Cultural Study of its Making (Chicago: University of Chicago Press, 1991).

International Crisis Group, "Iran: The Struggle for the Revolution's Soul," *IGC Middle East Report No 5* (2002).

Ionescu, Ghita and Ernest Gellner, *Populism - Its Meaning and National Characteristics* (New York: Macmillan for London School of Economics and Political Science, 1969).

Ipsen, Jörn (ed), Verfassungsrecht im Wandel: Wiedervereinigung Deutschlands, Deutschland in der Europäischen Union (Köln: Heymann, 1995).

Ipsen, Knut, "Kriegswaffenkontrolle und Auslandsgeschäft," in: *Recht zwischen Umbruch und Bewahrung - Völkerrecht, Europarecht, Staatsrecht - Festschrift für Rudolf Bernhardt*, ed. by Beyerlin, Ulrich (Berlin und Heidelberg: Springer, 1995): 1041 ff.

———, "Rechtsberatung und neues Einsatzspektrum der Bundeswehr," in: *Recht und Militär. 50 Jahre Rechtspflege der Bundeswehr*, ed. by Zetzsche, Holger and Stephan Weber, Forum Innere Führung, 26 (Baden-Baden: Nomos, 2006): 82-92.

Ipsen, Knut (ed), Wehrrecht und Friedenssicherung. Festschrift für Klaus Dau zum 65. Geburtstag (Neuwied: Luchterhand, 1999).

Isensee, Josef, "Budgetrecht des Parlaments zwischen Schein und Sein," *Juristenzeitung*, Vol. 60, No. 20 (2005): 971-81.

Isensee, Josef and Paul Kirchhof (eds), *Handbuch des Staatsrechts der Bundesrepublik Deutschland* (Heidelberg: C. F. Müller, 1992).

Issacharoff, Samuel, "Constitutionalizing Democracy in Fractured Societies," *Texas Law Review,* Vol. 82 (2004): 1861-93.

Jäckel, Eberhard, *Hitlers Weltanschauung: Entwurf einer Herrschaft* (Stuttgart: Deutsche Verlags-Anstalt, 1986).

Jäckel, Eberhard and Jürgen Rohwer, *Der Mord an den Juden im Zweiten Weltkrieg: Entschlussbildung und Verwirklichung* (Frankfurt am Main: Fischer-Taschenbuch-Verlag, 1987).

Jackisch, Klaus-Reiner, Britain and the German Question: The Decision-making Process Within the British Government on German Unification in 1989 - 90 (Wetherby, W.Yorks: The British Library, 1996).

Jackman, R.W., "The Predictability of Coups d'État: A Model with African Data," *American Political Science Review,* Vol. 72 (1978): 1262-75.

Jackson, William D., *Imagining Russia in Western International Relations Theory*, unpublished manuscript, Miami (not dated), available at: http://casnov1.cas.muohio.edu/havighurstcenter/papers/Jackson.pdf, accessed on: 30 July 2006.

Jacobmeyer, Wolfgang, "Die Niederlage 1945," in: *Westdeutschlands Weg zur Bundesrepublik 1945 - 1949*, ed. by Institut für Zeitgeschichte München, Beck'sche schwarze Reihe, 137 (München: Beck, 1976): 11ß24.

Jacobsen, Hans-Adolf, "Zur Rolle der öffentlichen Meinung bei der Debatte um die Wiederbewaffnung 1950-1955," in: *Aspekte der deutschen Wiederbewaffnung bis 1955*,

ed. by Militärgeschichtliches Forschungsamt, Militärgeschichte seit 1945, Band 1 (Boppard am Rhein: Boldt, 1975): 61-118.

Jaeger, Richard, *Soldat und Bürger, Armee und Staat*, 3. Auflage (Hamburg: 1962).

Jahn, Hans Edgar (ed), Für und Gegen den Wehrbeitrag. Argumente und Dokumente (Köln: Greve Verlag, 1958).

James, Harold, "The Prehistory of the Federal Republic," *The Journal of Modern History,* Vol. 63(1), No. 1 (1991): 99-115.

Janis, Irving, Groupthink: Psychological Studies of Policy Decisions and Fiascos, 2nd ed. (Boston: Houghton Mifflin, 1982).

Janis, Irving and L. Mann, Decision Making: A Psychological Analysis of Conflict, Choice and Commitment (New York: The Free Press, 1977).

Janowitz, Morris, *The New Military: Changing Patterns of Organization* (New York: Russell Sage Foundation, 1964).

———, The Professional Soldier: A Social and Political Portrait (Glencoe, Ill.: Free Press, 1964).

———, "The Comparative Analysis of Middle Eastern Military Institutions," in: *On Military Intervention*, ed. by van Doorn, J.A.A. and Morris Jannowitz (Rotterdam: 1971).

———, "Civic Consciousness and Military Performance," in: *The Political Education of Soldiers*, ed. by Wesbrook, S.D. and Morris Jannowitz (Beverly Hills, California: Sage Publications, 1983): 55-80.

Janowitz, Morris and Roger William Little, *Sociology and the Military Establishment*, Rev. ed (New York: Russell Sage Foundation, 1965).

Jennings, Ray Salvatore, *The Road Ahead: Lessons in Nation Building from Japan, Germany, and Afghanistan for Postwar Iraq*, unpublished manuscript, United States Institute of Peace, Washington, D.C. (2003), available at: http://www.usip.org/pubs/peaceworks/pwks49.html,

Jentleson, Bruce W, *Opportunities Missed, Opportunities Seized: Preventive Diplomacy in the Post-cold War World*, Carnegie Commission on Preventing Deadly Conflict Series (Lanham, Md., Oxford: Rowman & Littlefield, 2000).

Jepperson, Ronald L., Alexander Wendt, and Peter J. Katzenstein, "Norms, Identity, and Culture in National Security," in: *The Culture of National Security: Norms and Identity in World Politics*, ed. by Katzenstein, Peter J. (New York: Columbia University Press, 2005).

Jervis, Robert, *Perception and Misperception in International Politics* (Princeton, N.J.: Princeton University Press, 1976).

———, "Cooperation under the Security Dilemma," *World Politics,* Vol. 30, No. 2 (1978): 167-213.

———, "The Political Effects of Nuclear Weapons: A Comment," *International Security,* Vol. 13, No. 2 (1988): 80-90.

———, "The Future of World Politics: Will It Resemble the Past?," *International Security,* Vol. 16, No. 3 (1991): 39-46.

———, "Was the Cold War a Security Dilemma?," *Journal of Cold War Studies,* Vol. 3, No. 1 (2001): 36-60.

Jervis, Robert and Jack Snyder, *Civil War and the Security Dilemma*, 1997), available at: http://www.ciaonet.org/conf/iwp01/, accessed on: 30 July 2006.

Joffe, Josef, "Europe's American Pacifier," *Foreign Policy,* Vol. 54 (1984): 64-82.

Johnson, T.H., R.O. Slater, and P. McGowan, "Explaining African Military Coups d'État," *American Political Science Review,* Vol. 78 (1984): 622-40.

Joll, James, "The 1914 Debate Continues: Fritz Fischer and His Critics," in: *The Origins of the First World War: Great Power Rivalry and German Aims,* ed. by Koch, H.W. (London: Macmillan, 1972): 13-29.

Jones, Alun, *The New Germany: A Human Geography* (Chichester: J. Wiley & Sons, 1994).

Jones, Howard, "a New Kind of War": America's Global Strategy and the Truman Doctrine in Greece (New York: Oxford University Press, 1989).

Jung, Otmar, "Direkte Demokratie im Grundgesetz und den Landesverfassungen der Bundesrepublik Deutschland," in: Heideking, Jürgen, Amerikanische Einflüsse auf Verfassungsdenken und Verfassungspraxis in Deutschland (Kaiserslautern: Atlantische Akademie Rheinland-Pfalz, 1997): 71 - 93.

Jureit, Ulrike, Jan Philipp Reemtsma, and Norbert Frei, "Es ist nie zu Ende - Verbrechen der Wehrmacht Die spektakuläre zeithistorische Ausstellung wird jetzt in Hamburg zum letzten Mal gezeigt. Ein ZEIT-Gespräch mit Ulrike Jureit, Jan Philipp Reemtsma und Norbert Frei zieht Bilanz," *Die Zeit* 5 Feuilleton (Hamburg, 22 January 2004).

Kabisch, Ernst, *Die Marneschlacht 1914: Eine deutsche Tragödie* (Berlin: Vorhut-Verlag, 1968).

Kahn, Herman, *Techniques of Systems Analysis* (Santa Monica, CA: RAND, 1956).

Kaiser, Karl and Reinhard Meyer, Friedensforschung in der Bundesrepublik: Gegenstand und Aufgaben der Friedensforschung, ihre Lage in der Bundesrepublik sowie Mo glichkeiten und Probleme ihrer Fo rderung (Göttingen: Vandenhoeck & Ruprecht, 1970).

Kaplan, Morton A., *System and Process in International Politics* (New York: John Wiley, 1957).

Karasik, Theodore W. and Thomas M. Nichols, Novoe myshlenie and the Soviet military: The impact of reasonable sufficiency on the Ministry of Defense (Santa Monica, CA: RAND, 1989).

Karkowski, Josef, "Die parlamentarische Kontrolle der Wehrmacht," Dissertation, University of Marburg (Marburg, Lahn, 1960).

Karl, David J., "Proliferation Pessimism and Emerging Nuclear Powers," *International Security,* Vol. 21, No. 3 (1996): 87-119.

Karsh, Efraim, *Fabricating Israeli history: The "new historians,* 2nd ed (London: Frank Cass, 2000).

Katz, Stanley N., Gun Barrel Democracy? Democratic Constitutionalism Following Military Occupation: Reflections on the U.S. Experience in Japan, Germany, Afghanistan and Iraq, Princeton Law and Public Affairs, Working Paper No 04-010 (Princeton, N.J.: Princeton University, 2004), available at: http://ssrn.com/abstract_id=559166, accessed on: 21 October 2006.

Katzenstein, Peter J, *West Germany's Internal Security Policy: State and Violence in the 1970s and 1980s,* (Ithaca, NY: Center for International Studies, Cornell University, 1990),

Katzenstein, Peter J., Robert O. Keohane, and Stephen D. Krasner, "International Organization at its Golden Anniversary," *International Organization,* Vol. 52, No. 4 (1998): 670.

Katzman, Kenneth, *Warriors of Islam: Iran's Revolutionary Guard* (Boulder: Westview Press, 1993).

Kaufman, Chaim and Robert Pape, "Explaining Costly International Moral Action: Britain's Sixty Year Campaign Against the International Slave Trade," *International Organization,* Vol. 53, No. 4 (1999).

Kaufmann, Chaim, "Possible and Impossible Solutions to Ethnic Civil Wars," *International Security,* Vol. 20, No. 4 (1996): 136-75.

Kaysen, Carl, "Is War Obsolete? A Review Essay," in: *The Cold War and After: Prospects for Peace*, ed. by Lynn-Jones, Sean M. and Steven E. Miller, International security readers (Cambridge, MA: MIT Press, 1997): 81-103.

Kearney, Richard C. and Chandan Sinha, "Professionalism and Bureaucratic Responsiveness: Conflict or Compatibility?," *Public Administration Review,* Vol. 48, No. 1 (1988): 571-79.

Kegley, Charles W., "The Neoidealist Moment in International Studies? Realist Myths and the New International Realities," *International Studies Quarterly,* Vol. 37, No. 2 (1993): 131-47.

Kehr, Eckart, Economic Interest, Militarism, and Foreign Policy: Essays on German History (Berkeley: University of California Press, 1977).

———, Battleship Building and Party Politics in Germany, 1894-1901: a Cross-section of the Political, Social and Ideological Preconditions of German Imperialism, trans. Anderson, Pauline R and Eugene Newton Anderson (Chicago: University of Chicago Press, 1973).

Kehr, Eckart and Hans Ulrich Wehler, Der Primat der Innenpolitik: Gesammelte Aufsätze zur preussisch-deutschen Sozialgeschichte im 19. und 20. Jahrhundert, Vol. 19 (Berlin: De Gruyter, 1970).

Keil, Lars-Broder and Sven Felix Kellerhoff, Deutsche Legenden: Vom "Dolchstoss" und anderen Mythen der Geschichte (Berlin: Links, 2003).

Kelleher, Catherine M., "Mass Armies in the 1970s: The Debate in Western Europe," *Armed Forces and Society,* Vol. 5, No. 1 (1978): 3-30.

Kelly, Philip and Jack Child, *Geopolitics of the Southern Cone and Antarctica* (Boulder: L. Rienner, 1988).

Kelman, Herbert C., "Israelis and Palestinians: Psychological Prerequisites for Mutual Acceptance," *International Security,* Vol. 3, No. 1 (1978): 162-86.

Kelsen, Hans, "The International Legal Status of Germany to be Established Immediately upon Termination of the War," *American Journal of International Law,* Vol. 38 (1944): 689 ff.

———, "The Legal Status of Germany According to the Declaration of Berlin," *American Journal of International Law,* Vol. 39 (1945): 518 ff.

Kemp, K W and C Hudlin, "Civil Supremacy Over the Military: Its Nature and Limits," *Armed Forces & Society,* Vol. 19, No. 1 (1992): 7-26.

Kennan, George, "Containment Then and Now," *Foreign Affairs,* Vol. 65, No. 4 (1987).

Kennan, George F., Die schicksalhafte Allianz. Frankreich und Rußland am Vorabend des Ersten Weltkrieges (Köln: Vandenhoeck & Ruprecht, 1990).

Kennedy, Paul M., "The Decline of Nationalistic History in the West, 1900-1970," *Journal of Contemporary History,* Vol. 8, No. 1 (1973): 77-100.

———, The Rise of the Anglo-German Antagonism, 1860-1914 (London: Allen & Unwin, 1980).

———, Strategy and Diplomacy 1870-1945: Eight Studies (London: Fontana, 1984).

————, The Rise and Fall of the Great Powers: Economic Change and Military Conflict from 1500-2000 (New York: Random House, 1987).

Keohane, Robert O, "Theory of World Politics: Structural Realism and Beyond," in: *Neorealism and its Critics*, ed. by Keohane, Robert O. (New York: Columbia University Press, 1986): 169-73.

Keohane, Robert O., "The Theory of Hegemonic Stability and Changes in International Economic Regimes," in: *Change in the International System*, ed. by Holsti, Ole and et al. (Boulder: Westview Press, 1980): 131-62.

————, "Hegemonic Leadership and U.S. Foreign Economic Policy in the "Long Decade" of the 1950s," in: *America in a Changing World Political Economy*, ed. by Avery, William P. and David P. Rapkin (New York: Longman, 1982): 49-76.

————, After Hegemony: Cooperation and Discord in the World Political Economy (Princeton, N.J.: Princeton University Press, 1984).

Keohane, Robert O., Andrew Moravcsik, and Anne-Marie Slaughter, "Legalized Dispute Resolution: Interstate and Transnational," *International Organization,* Vol. 54, No. 3 (2000): 457-88.

Keohane, Robert O. and Joseph S. Nye, *Power and Interdependence: World Politics in Transition*, 2nd ed. (Boston: Little Brown, 1977).

Keohane, Robert O., Joseph S. Nye, Jr., and Stanley Hoffman (eds), *After the Cold War - International Institutions and State Strategies in Europe, 1989-1999* (Cambridge/MA: Harvard University Press, 1993).

Kertels, Jessica and Stefan Brink, "Quod licet jovi. Volksgesetzgebung und Budgetrecht," *NVwZ,* Vol. 22, No. 4 (2003): 435 - 438.

Kettenburg, Stefan, *Der deutsche Vereinigungsprozess und die "innere Einheit*, Studien zur Zeitgeschichte (Hamburg: Kovac, 2004).

Keynes, John Maynard, *The economic consequences of the peace* (London: Macmillan, 1919).

Khan, Mohammad Asghar, *We've Learnt Nothing From History: Pakistan, Politics and Military Power* (Karachi, Oxford: Oxford University Press, 2005).

Kielmansegg, Johann Adolf, "NATO und innere Führung: Ein Gespräch mit General Graf Kielmansegg," *Informationen für die Truppe,* Vol. 3 (1967): 154-56.

Kielmansegg, Peter Graf, *Der Fritsch-Prozeß 1938* (Hamburg: 1949).

Kier, Elizabeth, *Imagining War: French and British Military Doctrine between the Wars* (Princeton, NJ: Princeton University Press, 1997).

————, "Culture and Military Doctrine: France between the Wars," *International Security,* Vol. 19, No. 4 (1995): 65-93.

Kiernan, V.G., From Conquest to Collapse: European Empires from 1815 to 1960 (New York: Pantheon, 1982).

Kindleberger, Charles P., *The World in Depression, 1929-1939* (Berkeley: University of California Press, 1973).

————, *Manias, Panics and Crashes* (New York: Basic Books, 1978).

King, Gary, Robert O. Keohane, and Sidney Verba, *Designing Social Inquiry: Scientific Inference in Qualitative Research* (Princeton, N.J.: Princeton University Press, 1994).

Kissinger, Henry A., The Necessity for Choice: Prospects for American Foreign Policy (New York: Harper, 1960).

————, A World Restored - Europe after Napoleon: The Politics of Conservatism in a Revolutionary Age (New York: Grosset and Dunlap, 1964).

————, *The White House Years* (Boston: Little, Brown and Company, 1979).

Kister, Kurt and Ulrich A Hundt, *Staatsbürger in Uniform - Wunschbild oder gelebte Realität* (Baden-Baden: Nomos, 1989).

Kitchen, Martin, Ernst Nolte and the Phenomenology of Fascism (New York: 1974).

Kitchen, Martin, Volker Rolf Berghahn, and F. L. Carsten (eds), *Germany in the Age of Total War* (London: Croom Helm, 1981).

Klein, Paul and Jacques Bonnetête (eds), *Mitbestimmung in den Streitkräften*, Militär und Sozialwissenschaften, 8 (Baden-Baden: Nomos, 1991).

Kleiner, Niels-Peter, "Aufgaben und Befugnisse der Streitkräfte im Innern nach der Bonner Notstandsverfassung vom 24. Juni 1968. Zugleich eine verfassungsgeschichtliche und begriffsvergleichende Studie zum Begriff der 'Streitkräfte im materiellen Sinne'," Dissertation, Universität Münster (Münster, Westfalen, 1977).

Klöss, Erhard*, et al.*, *Unternehmen Bundeswehr: Zur Soziologie der Streitkräfte* (Frankfurt am Main: Fischer-Taschenbuch-Verlag, 1974).

Klotzbach, Kurt, Der Weg zur Staatspartei: Programmatik, praktische Politik und Organisation der deutschen Sozialdemokratie (Berlin: Dietz, 1982).

Klug, Heinz, Constituting Democracy: Law, Globalism and South Africa's Political Reconstruction (Cambridge, UK: Cambridge University Press, 2000).

Klümpen, Heinrich, *Deutsche Aussenpolitik zwischen Versailles und Rapallo: Revisionismus oder Neuorientierung*, Vol. 1, Studien zur Geschichte der Weimarer Republik (Münster: Lit, 1992).

Knight, R.G., "Contours of Memory in Post-Nazi Austria," *Patterns of Prejudice,* Vol. 34, No. 4 (2000): 5 - 11.

Knights, David and Darren McCabe, "'Ain't Misbehavin'? Opportunities for Resistance under New Forms of 'Quality' Management," *Sociology,* Vol. 34 (2000): 421-36.

Knop, Michael (ed), *Das Einsatzführungskommando der Bundeswehr,* (Potsdam: Bundesministerium der Verteidigung, 2004).

Knorr, Klaus and James N. Rosenau (eds), *Contending Approaches to International Politics* (Princeton: Princeton University Press, 1969).

Knowlton, James and Truett Cates, Forever in the shadow of Hitler? - Original Documents of the Historikerstreit, the Controversy Concerning the Singularity of the Holocaust (Atlantic Highlands, N.J.: Humanities Press, 1993).

Koh, Harold Hongju, "Why Do Nations Obey International Law?," *The Yale Law Journal,* Vol. 106 (1997): 2599-659.

Kohl, Wilfrid L., "Nuclear Sharing in Nato and the Multilateral Force," *Political Science Quarterly,* Vol. 80, No. 1 (1965): 88-109.

Kohn, Hans, *The Mind of Germany: The Education of a Nation* (New York: Harper Torchbook, 1965).

Kohn, Richard H, "Out of Control: The Crisis in Civil-Military Relations," *National Interest,* Vol. 35 (1994): 3-18.

————, "How Democracies Control the Military," *Journal of Democracy,* Vol. 8, No. 4 (1997): 140-53.

Kolb, Eberhard, *The Weimar Republic* (London: Routledge, 2004).

Kommando Internationale Einsätze. Handbuch für Soldaten im Auslandseinsatz (Graz: Vehling Verlag, 2005).

Kommers, Donald P., The Constitutional Jurisprudence of the Federal Republic of Germany (Durham, N.C.: Duke University Press, 1997).

Kommission "Europäische Sicherheit und Zukunft der Bundeswehr" am IFSH, "50 Jahre Bundeswehr, 50 Jahre "Innere Führung": Anlass zu Reflexion und Reform," *Sicherheit und Frieden,* Vol. 23 (2005): 230ß231.

Konasov, Viktor B and Aleksandr L Kuz'minych, *Nemeckie voennoplennye v SSR: Istoriografija, bibliografija, spravocno-ponjatijnyj apparat* (Vologda: Vologodskij Institut Razvitija Obrazovanija, 2002).

Kontje, Todd, *German Orientalisms* (Ann Arbor: University of Michigan Press, 2004).

Kopelman, Elizabeth, "The Modern Machiavelli: Legitimacy, Conflict and Power in the International Legal Order - Review of Henry Kissinger's Diplomacy," *UCLA law review,* Vol. 43, No. 1 (1995): 139 - 158.

Kopp, Fritz, Chronik der Wiederbewaffnung in Deutschland. Rüstung der Sowjetzone - Abwehr des Westens (Köln: Markus Verlag, 1958).

Köster, Daniel, "Auswirkungen der preussischen Heeresreform auf die soziale Zusammensetzung des Offizierskorps, 1806 - 1848," Dissertation, Ludwigs-Maximilians-Universität (Munich, 1991).

Krack, Bernhard W., "Staatsoberhaupt und Streitkräfte. Die Position der Bundespräsidenten zur Bundeswehr und zur Sicherheitspolitik," Dissertation, Universität Würzburg (Würzburg, 1990).

Kramer, Martin, Arab Awakening and Islamic Revival: The Politics of Ideas in the Middle East (New Brunswick, NJ: Transaction, 1996).

Krasner, Stephen D. (ed), *International Regimes* (Ithaca: Cornell University Press, 1983).

Krasner, Stephen D., "Are Bureaucracies Important? (Or Allison Wonderland)," *Foreign Policy* 7 (1972): 159-79.

Krause, H. Fred, Das Konzept der inneren Führung und die Hochschulen der Bundeswehr: Realisierung einer Prämisse, konsistente Weiterentwicklung oder Diskontinuität (Bochum: Studienverlag Brockmeyer, 1979).

Krause, Keith, "Military Statecraft: Power and Influence in Soviet and American Arms Transfer Relationships," *International Studies Quarterly,* Vol. 35, No. 3 (1991): 313-36.

Krauß, Alfred, "Die Wesenseinheit von Politk und Kries als Ausgangspunkt einer deutschen Strategie," *Deutschlands Erneuerung,* Vol. 5, No. 6 (1921).

Krauthammer, Charles, "Democratic Realism - An American Foreign Policy for a Unipolar World", Washington, D.C, American Enterprise Institute, 2004, http://www.aei.org/publications/pubID.19912,filter.all/pub_detail.asp, accessed on: 15 March 2006.

Krebs, Ronald R, "A School for the Nation? How Military Service Does Not Build Nations, and How It Might," *International Security,* Vol. 28, No. 4 (2004): 85-124.

Krebs, Walter, *Kontrolle in staatlichen Entscheidungsprozessen* (Heidelberg: C. F. Müller, 1984).

Kreeft, Peter, Socrates Meets Machiavelli: The Father of Philosophy Cross-examines the Author of The Prince (San Francisco: Ignatius Press, 2003).

Kreisky, Bruno, "Austria and the Palestine Question," *Journal of Palestine Studies,* Vol. 10, No. 1 (1980): 167-74.

Krenzler, Michael, An den Grenzen der Notstandsverfassung. Ausnahmezustand und Staatsnotrecht im Verfassungssystem des Grundgesetzes, Schriften zum öffentlichen Recht, 238 (Berlin and Heidelberg: Duncker & Humblot, 1974).

Krieger, Heike, "Die Verantwortlichkeit Deutschlands nach der EMRK für seine Streitkräfte im Auslandseinsatz," *Zeitschrift für ausländisches öffentliches Recht und Völkerrecht,* Vol. 62, No. 3 (2002): 669-702.

Kriele, Martin, "Nochmals: Auslandseinsätze der Bundeswehr," *ZRP* (1994): 103 ff.

Kroener, Bernhard R, Rolf-Dieter Müller, and Hans Umbreit (eds), *Organisation und Mobilisierung des deutschen Machtbereichs*, 10 Vols., Vol. 5, Das Deutsche Reich und der Zweite Weltkrieg (Stuttgart: Deutsche Verlags-Anstalt, 1988).

Krout, John A. and Arnold S. Rice, *The United States since 1865* (New York: 1977).

Krutzsch, Walter and Ralf Trapp, *A Commentary on the Chemical Weapons Convention* (Leiden: Martinus Nijhoff, 1994).

Kühnl, Reinhard, "Verfehlter Neubeginn," in: *Fünfzehn Millionen beleidigte Deutsche*, ed. by Geiss, Immanuel and Volker Ulrich (Hamburg: Rororo, 1970): 90-102.

Kumar, Krishna (ed), Postconflict Elections, Democratization, and International Assistance (Boulder, CO: Lynne Rienner, 1998).

Kümmel, Gerhard, "Die Bundeswehr als Einsatzarmee - vergrößert sich die zivil-militärische Lücke?," in: *Neue Bundeswehr - neue Innere Führung? Perspektiven und Rahmenbedingungen für die Weiterentwicklung eines Leitbildes*, ed. by Wiesendahl, Elmar, Forum Innere Führung (Baden-Baden: Nomos, 2005): 157-72.

Kümmel, Gerhard and Nina Leonhard, "Casualties and Civil-Military Relations: The German Polity between Learning and Indifference," *Armed Forces & Society,* Vol. 31, No. 4 (2005): 514-35.

Kurth, James, "Ignoring History: U.S. Democratization in the Muslim World," *Orbis,* Vol. 49, No. 2 (2005): 305-22.

Kurth, Michael E., "Der Angriffskrieg und seine völkerstrafrechtliche Bewertung," *Neue Zeitschrift für Wehrrecht* (2005): 59 ff.

Kurzman, Charles, *The Unthinkable Revolution in Iran* (Cambridge, Mass.: Harvard University Press, 2004).

Kutz, Martin, Innere Führung in der Bundeswehr: Auf andere Streitkräfte übertragbar? "Innere Führung" - leadership and civic education in the German Armed Forces (Hamburg: Führungsakademie der Bundeswehr, Fachbereich Sozialwissenschaften, 2004).

———, "Innere Führung in Zeiten des Umbruchs: Zur Aktualität einer für obsolet erklärten Konzeption," *Sicherheit und Frieden,* Vol. 23, No. 4 (2006): 180-89.

Kutz, Martin and Ulli Arnold, "Das "Internationale Fellowship-Programm Graf Baudissin" am Institut für Friedensforschung und Sicherheitspolitik und der "Export" der Inneren Führung in die Armeen postkommunistischer Staaten: Erfahrungen, Herausforderungen, Defizite und Ausblick," in: *Gesellschaft, Militär, Krieg und Frieden im Denken von Wolf Graf von Baudissin*, ed. by Kutz, Martin and Ulli Arnold, Forum Innere Führung (Baden-Baden: Nomos, 2004).

Lachmeyer, Otto, "Der Kriegsgefangene vor Gericht. Justitiartagung 1959," Völkerrechtliche Beiträge der Tagungen der Justitiare und Konventionsbeauftragten des Deutschen Roten Kreuzes 1957 - 1989, Vol. S. 49-61 (1995).

Laitin, David D., Hegemony and Culture: Politics and Religious Change among the Yoruba (Chicago: University of Chicago Press, 1986).

Lane, Jan-Erik and Mikko Mattila, "Why Unanimity in the Council? A Roll Call Analysis of Council Voting," *European Union Politics,* Vol. 2, No. 1 (2001): 31-52.

Lang, Martin, Stalins Strafjustiz gegen deutsche Soldaten. Die Massenprozesse gegen deutsche Kriegsgefangene in den Jahren 1949 und 1950 in historischer Sicht, 1. Aufl (Herford: Mittler, 1981).

Lapp, Peter Joachim, *Ein Staat, eine Armee: Von der NVA zur Bundeswehr* (Bonn-Bad Godesberg: Friedrich-Ebert-Stiftung, 1992).

Large, David Clay, *Germans to the Front: West German Rearmament in the Adenauer Era* (Chapel Hill, NC: University of North Carolina Press, 1996).

———, "Reckoning without the Past: The HIAG of the Waffen-SS and the Politics of Rehabilitation in the Bonn Republic, 1950-1961," *The Journal of Modern History,* Vol. 59, No. 1 (1987): 79-113.

———, ""A Gift to the Future?" The Anti-Nazi Resistance Movement and West German Rearmament," *German Studies Review,* Vol. 7, No. 3 (1983).

Larrabee, F. Stephen, "Long Memories and Short Fuses: Change and Instability in the Balkans," *International Security,* Vol. 15, No. 3 (1990): 58-91.

Larres, Klaus and Panikos Panayi, The Federal Republic of Germany Since 1949: Politics, Society, and Economy Before and After Unification (London: Longman, 1996).

Larson, A. D., "Military Professionalism and Civilian Control: A Comparative Analysis of Two Interpretations," *Journal of Political and Military Sociology,* Vol. 46 (1974): 455-68.

Laschewski, Gregor, "Der Einsatz der deutschen Streitkräfte im Inland - unter Berücksichtigung des neuen Luftsicherheitsgesetzes sowie aktueller Initiativen zur Änderung des Grundgesetzes," Dissertation, Universität Würzburg (Würzburg, 2005).

Lasswell, Harold D., *National Security and Individual Freedom* (New York: McGraw-Hill, 1950).

———, "The Garrison State," *The American Journal of Sociology,* Vol. 46, No. 4 (1941): 455-68.

Lavy, George, Germany and Israel: Moral Debt and National Interest (London: Routledge, 1996).

Lawson, David M. and Douglas B. Kunsman, *A Primer on U.S. Strategic Nuclear Policy*, unpublished manuscript, Sandia National Laboratories, Albuquerque, NM (2001).

Layne, Christopher, "Kant or Cant: The Myth of the Democratic Peace," *International Security,* Vol. 19, No. 2 (1994): 5-49.

Lazonick, William and William Mass, Organizational Capability and Competitive Advantage: Debates, Dynamics and Policy (Aldershot: Elgar, 1995).

Leber, Annedore, Willy Brandt, and Karl Dietrich Bracher, *Das Gewissen steht auf: Lebensbilder aus dem deutschen Widerstand, 1933-1945* (Mainz: v. Hase & Koehler, 1984).

Lebow, Richard Ned, "Windows of Opportunity: Do States Jump Through Them?," *International Security,* Vol. 9 (1984): 147-86.

Lebow, Richard Ned and Thomas Risse-Kappen (eds), *International Relations Theory and the End of the Cold War* (New York: Columbia University Press, 1995).

Legro, Jeffrey W., "Military Culture and Inadvertent Escalation in World War II," *International Security,* Vol. 18, No. 4 (1994): 108-42.

Lehmann, Fritz, 1933-1945: Beobachtungen und Bekenntnisse (Hamburg: 1946).

Lenz, Carl Otto, *Notstandsverfassung des Grundgesetzes. Kommentar* (Frankfurt am Main: Athenäum-Verlag, 1971).

Leonhard, Nina, Die Bundeswehr und die "innere Einheit": Einstellungen von ost- und westdeutschen Soldaten im Vergleich: Problemaufriss und erste Ergebnisse des Forschungsprojektes "Armee der Einheit, SOWI-Arbeitspapier (Strausberg: Sozialwiss. Inst. der Bundeswehr, 2004).

Lepel, Oskar Matthias Freiherr von, "Einheit von Taktik und Recht - ein Führungs- und Ausbildungsgrundsatz in den Landstreitkräften," in: *Recht und Militär. 50 Jahre Rechtspflege der Bundeswehr*, ed. by Zetzsche, Holger and Stephan Weber, Forum Innere Führung, 26 (Baden-Baden: Nomos, 2006): 169-78.

Lerner, Daniel, "Sykewar: Psychological Warfare Against Germany, D-Day to VE-Day," (1949).

Levitt, B. and J. G. March, "Organizational Learning," *Annual Review of Sociology,* Vol. 14 (1988): 319-38.

Levy, Jack S., "Declining Power and the Preventive Motivation for War," *World Politics,* Vol. 40, No. 1 (1987): 82-107.

———, "The Diversionary Theory of War: A Critique," in: *Handbook of War Studies*, ed. by Midlarsky, Manus I. (Boston: Unwin Hyman, 1989): 259-88.

———, "Learning and Foreign Policy: Sweeping a Conceptional Minefield," *International Organization,* Vol. 48, No. 2 (1994): 279-312.

Lewin, K., "Defining the 'field At a Given Time'," *Psychological Review,* Vol. 50 (1943): 292-310.

———, Resolving Social Conflicts: Selected Papers in Group Dynamics (New York: Harper, 1948).

Lewis, Bernard, *History: Remembered, Recovered, Invented* (Princeton: Princeton University Press, 1975).

Liberman, Peter, "The Spoils of Conquest," *International Security,* Vol. 18, No. 2 (1993): 125-53.

Lider, Julian, *Origins and Development of West German Military Thought, Volume 1: 1949-1966*, Swedish Studies in International Relations, Vol. 16 (Aldershot, UK: Gower / Swedish Institute of International Affairs, 1986).

———, *Origins and Development of West German Military Thought, Volume 2: 1966-1986*, Swedish Studies in International Relations, Vol. 21 (Aldershot, UK: Gower / Swedish Institute of International Affairs, 1986).

Lieber, Keir A, *War and the Engineers: The Primacy of Politics Over Technology*, Cornell Studies in Security Affairs (Ithaca, N.Y: Cornell University Press, 2005).

Lieuwen, Edwin, Generals vs. presidents; neomilitarism in Latin America (New York: Praeger, 1964).

Limpert, Martin, *Auslandseinsatz der Bundeswehr*, Tübinger Schriften zum Staats- und Verwaltungsrecht, 67 (Berlin: Duncker & Humblot, 2002).

Lindemann, Helmut, "Die Schuld der Generäle," *Deutsche Rundschau* January 1949).

Lindenberger, Thomas, "Aus dem Volk, für das Volk? Bemerkungen zur Entstehung der bewaffneten Organe der SBZ/DDR," in: *Nationale Volksarmee - Armee für den Frieden*, ed. by Bald, Detlef, Reinhard Brühl, and Andreas Prüfert, Beiträge zu Selbstverständnis und Geschichte des deutschen Militärs 1945-1990 (Baden-Baden: Nomos, 1995): 165-80.

Lindmark, Göran and Göran Stütz, *Folket, försvaret och framtiden*, Försvarsberedningens skriftserie, 7 (Stockholm: Försvarsdepartementet, Regeringskansliet, 2001).

Linger, James Allen, "West German Civil-Military Relations: The Role of the West German Military in National Defence Policy Formation," Dissertation, The University of Chicago (Chicago, Ill, 1977).

Linnenkamp, Hilmar and Dieter S. Lutz, *Innere Führung: Zum Gedenken an Wolf Graf von Baudissin* (Baden-Baden: Nomos, 1995).

Linton, Derek S., "Preparing German Youth for War," in: *Anticipating Total War: The German and American Experiences, 1871-1914*, ed. by Boemeke, Manfred F., Roger Chickering, and Stig Förster (Cambridge, UK: Cambridge University Press, 1999): 167-88.

Linz, Juan J and Alfred C Stepan, Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-communist Europe (Baltimore: Johns Hopkins University Press, 1989).

Lissak, Moshe, "Modernization and Role-Expansion of the Military in Developing Countries: A Comparative Analysis," *Comparative Studies in Society and History,* Vol. 9, No. 3 (1967): 233-55.

Little, Roger W., "Buddy Relations and Combat Performance," in: *The New Military*, ed. by Janowitz, Morris (New York: Russell Sage Foundation, 1964).

Longhurst, Kerry, "Why Aren't the Germans Debating the Draft? Path Dependency and the Persistence of Conscription," *German Politics,* Vol. 12, No. 2 (2003): 147 - 165.

Longredan, JB and KT Poole, "Poverty, the Coup Trap and the Seizure of Exetive Power," *World Politics,* Vol. 42 (1990): 151-83.

Lory, Hillis, Japan's Military Masters; the Army in Japanese Life (New York: Viking Press, 1943).

Loveman, Brian and Thomas M Davies, *The Politics of Antipolitics: The Military in Latin America* (Lincoln: University of Nebraska Press, 1978).

Löwke, Udo F., *Die SPD und die Wehrfrage 1949 bis 1955*, Theorie und Praxis der deutschen Sozialdemokratie (Bonn-Bad Godesberg: Verlag Neue Gesellschaft, 1976).

Lübbe, Hermann, "Der Nationalsozialismus im politischen Bewusstsein der Gegenwart," in: Deutschlands Weg in die Diktatur: Internationale Konferenz zur national-sozialistischen Machtübernahme im Reichstagsgebäude zu Berlin: Referate und Diskussionen: Ein Protokoll, ed. by Lübbe, Hermann (Berlin: 1984).

Lück, Nikolai, "Die polizeilichen Aufgaben der deutschen Streitkräfte. Ein Vergleich des Unmittelbaren Zwangsgesetzes der Bundeswehr (UZwGBw) mit allgemeinem Polizeirecht unter besonderer Berücksichtigung des Musterentwurfs eines einheitlichen Polizeigesetzes des Bundes und der Länder (MEPolG) in der Fassung des Vorentwurfes (VE) zur Änderung des MEPolGvom 12.03.1986," Dissertation, Universität Würzburg (Würzburg, 1999).

Lücken, Claus-Joachim, Die deutsche Frage im Selbstverständnis der Bundeswehr - Die Nation, das vergessene Wehrmotiv?, (1956 - 1982) (Heidelberg: Lang, 1995).

Ludendorf, Erich, *Der totale Krieg* (München: Ludendorffs Verlag, 1935).

Lüdtke-Evers, Kirsten, "Die Beurteilung der Ostpolitik der Regierung Brandt/Scheel durch die USA unter dem Aspekt eines möglichen "Rapallo-Syndroms," Dissertation, Universtät Hamburg (Hamburg, 1993).

Lupia, Arthur and Mathew D. McCubbins, "Designing Bureaucratic Accountability," *Law and Contemporary Problems,* Vol. 57, No. 1, Regulating Regulation: The Political Economy of Administrative Procedures and Regulatory Instruments: [Part 1] (1994): 91-126.

Luttwak, Edward N., *Coup d'État: A Practical Handbook* (Cambridge, Mass.: Harvard University Press, 1979).

Lutz, David W., "The Exercise of Military Judgment: A Philosophical Investigation Of The Virtues And Vices Of General Douglas MacArthur," *Journal of Power and Ethics,* Vol. 1, No. 1 (2000): 68 et seq.

Lutz, Dieter S. (ed), *Im Dienst für Frieden und Sicherheit. Festschrift für Wolf Graf von Baudissin*, 1. Aufl (Baden-Baden: Nomos-Verlagsgesellschaft, 1985).

———, "Peace and Peace Research - Theory and Reality," in: *Im Dienst für Frieden und Sicherheit. Festschrift für Wolf Graf von Baudissin*, ed. by Lutz, Dieter S. (Baden-Baden: Nomos-Verlagsgesellschaft, 1985): 19-38.

Lykogiannis, Athanasios, Britain and the Greek Economic Crisis, 1944-1947: From Liberation to the Truman Doctrine (Columbia, London: University of Missouri Press, 2002).

Lynn-Jones, Sean M., "Realism and America's Rise: A Review Essay," *International Security,* Vol. 23, No. 2 (1998): 157-82.

Lynn-Jones, Sean M. and Steven E. Miller (eds), *The Cold War and After: Prospects for Peace* (Cambridge, MA: MIT Press, 1997).

Lyon, Rod, *Civil-Military Relations in an Age of Terror*, unpublished manuscript, School of Political Science and International Studies, University of Queensland, (2005), available at: http://ics.leeds.ac.uk/papers/pmt/exhibits/2290/lyon.pdf, accessed on: 17 June 2006.

Lyons, Terrence, "Postconflict Elections, Democratization, and International Assistance," *Democratization,* Vol. 11, No. 3 (2004): 36-62.

Machiavelli, Niccolò, *The Prince,* trans. Bull, George Anthony, Penguin Classics (Harmondsworth: Penguin, 1999).

Mackenzie, S. P, Politics and Military Morale: Current-affairs and Citizenship Education in the British Army, 1914-1950, Oxford Historical Monographs (Oxford: Clarendon Press, 1992).

Mai, Gunther, Westliche Sicherheitspolitik im Kalten Krieg. Der Korea Krieg und die deutsche Wiederbewaffnung 1950, Militärgeschichte seit 1945, Band 4 (Boppard am Rhein: Boldt, 1977).

Maier, Charles S, *The End of Longing? Toward a History of Postwar German National Longing*, unpublished manuscript, Center for German and European Studies, University of California, Berkeley (1996),

Maier, Klaus A*., et al.* (eds), *Die Errichtung der Hegemonie auf dem Europäischen Kontinent*, 10 Vols., Vol. 2, Das Deutsche Reich und der Zweite Weltkrieg (Stuttgart: Deutsche Verlags-Anstalt, 1979).

Maizière, Ulrich de, "Soldat im Bündnis," in: *Soldaten der Demokratie: die Bundeswehr in Gesellschaft und Staat*, ed. by Pöggeler, Franz and Otto Wien (Frankfurt am Main: Bernard & Graefe, 1973): 15-25.

Mann, Heinrich, *The Loyal Subject,* trans. Peitsch, Helmut (New York: Continuum, 1998).

Mansfield, Edward D. and Jack Snyder, "Democratization and War," *Foreign Affairs,* Vol. 74, No. 3 (1995).

———, "Democratization and the Danger of War," *International Security,* Vol. 20, No. 1 (1995): 5-38.

Mantoux, Étienne, The Carthaginian Peace: or the Economic Consequences of Mr. Keynes (London: Oxford University Press, 1946).

March, James G, *Decisions and Organizations* (Oxford: Basil Blackwell, 1988).

March, James G and Johan P Olsen, *Ambiguity and Choice in Organizations* (Bergen: Universitetsforlaget, 1976).

March, James G, Herbert Alexander Simon, and Harold Guetzkow, *Organizations* (New York: Wiley, 1958).

Marczewski, Jerzy, "German Historiography and the Problem of Germany's Responsibility for World War I," *Polish Western Affairs,* Vol. 12, No. 2 (1971): 289-309.

Markusen, Eric and David Kopf, The Holocaust and Strategic Bombing: Genocide and Total War in the Twentieth Century (Boulder, Colo.: Westview, 1995).

Martens, Wolfgang, "Grundgesetz und Wehrverfassung," Dissertation, Universtät Hamburg (Hamburg, 1961).

Martin, Lawrence W., "The American Decision to Rearm Germany," in: *American Civil-Military Decisions*, ed. by Stein, Harold (Birmingham, Alab.: 1963): 643-63.

Martins, Luis Augusto Ferreira, *Educação do soldado, escola do cidadão* (Lisboa: 1952).

Masson, Philippe, Die Deutsche Armee. Geschichte der Wehrmacht 1935-1945 (1994).

Matscher, Franz, *Ombudsmann in Europa. Institutioneller Vergleich*, Schriften des Österreichischen Instituts für Menschenrechte, 5 (Kehl: Engel, 1994).

Matthews, Lloyd J. (ed), *The Future of the American Military Presence in Europe* (Carlisle, Penn.: US Army War College, Strategic Studies Institute, 2000).

Maunz, Theodor and Günter Dürig (eds), *Grundgesetz Kommentar* (München: C. H. Beck, 2006).

Maurach, Reinhart, *Die Kriegsverbrecherprozesse gegen deutsche Gefangene in der Sowjetunion* (Hamburg: Arbeitsgemeinschaft vom Roten Kreuz in Deutschland, Britische Zone, Rechtsschutzstelle für Kriegsgefangene und Zivilarbeiter im Ausland, 1950).

Maurer, Harmut, *Wehrbeauftragter und Parlament* (Tübingen: Mohr Siebeck, 1965).

Maurer, Hartmut, Staatsrecht I. Grundlagen, Verfassungsorgane, Staatsfunktionen, 2. Auflage (München: C. H. Beck, 2001).

Mawby, Spencer, Containing Germany: Britain and the Arming of the Federal Republic (Basingstoke, UK: Macmillan Press, 1999).

May, Ernest R, 'Lessons' of the Past: The Use and Misuse of History in American Foreign Policy (New York: Oxford University Press, 1973).

May, Ernest R (ed), *American Cold War Strategy: Interpreting NSC 68* (Boston: Bedford Books of St. Martin's Press, 1993).

Mayo, Marlene J, *The Emergence of Imperial Japan: Self-defense or Calculated Aggression*, Problems in Asian Civilizations (Lexington, Mass: Heath, 1970).

Mbaku, John M., "Military Expenditures and Bureaucratic Competition for Rents," *Public Choice,* Vol. 71, No. 1-2 (1991): 19-31.

McConnell, M.L., Inter-Agency Collaboration or Inter-Agency Competition - A Challenge for the UN System (New York: Kluwer Law International, 2003).

McCreedy, Kenneth O., "Planning the Peace: Operation Eclipse and the Occupation of Germany," *The Journal of Military History,* Vol. 65, No. 3 (2001): 713-39.

McDougal, M. S., H. Lasswell, and William Michael Reisman, "The World Constitutive Process," in: *International Law Essays*, ed. by McDougal, M. S. and William Michael Reisman (New York: 1981).

McEnaney, Laura, *Civil Defense Begins At Home: Militarization Meets Everyday Life in the Fifties*, Politics and Society in Twentieth-century America (Princeton, NJ, Oxford: Princeton University Press, 2000).

McGreal, Paul E., "Ambition's Playground," *Fordham Law Review,* Vol. 68 (2000): 1107 et seq.

McKinlay, R. D. and A. S. Cohan, "A Comparative Analysis of the Political and Economic Performance of Military and Civilian Regimes: A Cross-National Aggregate Study," *Comparative Politics,* Vol. 8, No. 1 (1975): 1-30.

McNamara, Robert S. and Brian VanDeMark, *In Retrospect: The Tragedy and Lessons of Vietnam* (New York: Times Books, 1995).

McSweeney, Bill, "Moral Choice and European Integration," in: *Moral Issues in International Affairs - Problems of European Integration*, ed. by Sweeney, Bill Mc (London: Macmillan, 1998).

Mearsheimer, John, "Back to the Future: Instability in Europe After the Cold War," in: *The Cold War and After: Prospects for Peace*, ed. by Lynn-Jones, Sean M. and Steven E. Miller (Cambridge, MA: MIT Press, 1997): 141-92.

Mearsheimer, John J., "Nuclear Weapons and Deterrence in Europe," *International Security,* Vol. 9, No. 3 (1984): 19-46.

———, "The False Promise of International Institutions," *International Security,* Vol. 19, No. 3 (1994): 5-49.

Mee, Charles L., *The Marshall Plan: The Launching of the Pax Americana* (New York: Simon and Schuster, 1984).

Meier-Dörnberg, Wilhelm, "Die Auseinandersetzung um die Einführung der Wehrpflicht in der Bundesrepublik Deutschland," in: *Die Wehrpflicht. Entstehung, Erscheinungsformen und politisch-militärische Wirkung*, ed. by Foerster, Roland G., Beiträge zur Militärgeschichte, 43 (München: Oldenbourg, 1994): 107-18.

Meier-Welcker, Hans, "Militär und Militärverwaltung in ihrem Verhältnis in der deutschen Heeresgeschichte," *Wehrwissenschaftliche Rundschau,* Vol. 5 (1967): 241 ff.

Meinecke, Friedrich, *Kühlmann und die päpstliche Friedensaktion von 1917* (Berlin: Verlag der Akademie der Wissenschaften, 1928).

———, *Cosmopolitanism and the National State* (Princeton: Princeton University Press, 1970).

———, *The German Catastrophe: Reflections and Recollections,* trans. Bradshaw Fay, Sidney (Cambridge, Mass: Harvard University Press, 1950).

Dehio, Ludwig and Peter Classen (eds), *Ausgewählter Briefwechsel* (Stuttgart: K. F. Köhler, 1962).

Meissner, Boris, "Die äußere Seite der Wiedervereinigung in den deutsch-sowjetischen Beziehungen, das zweiseitige Vertragswerk von 1990 und seine Bedeutung für das deutsch-russische Verhältnis," *Verfassungsstaatlichkeit* (1997): 1423-66.

Melander, Erik, "Anarchy Within: The Security Dilemma between Ethnic Groups in Emerging Anarchy," *Report No 52* (1999).

Menon, Anand, France, NATO and the Limits of Independence, 1981-97: The Politics of Ambivalence (London: Macmillan Press, 2000).

———, "From Independence to Cooperation: France, NATO and European Security," *International Affairs (Royal Institute of International Affairs 1944-),* Vol. 71, No. 1 (1995): 19-34.

Merkl, Peter H, The Federal Republic of Germany at Fifty: The End of a Century of Turmoil (Basingstoke: Macmillan, 1999).

Merkl, Peter H and Gert-Joachim Glaessner, *German Unification in the European Context* (University Park, Pa: Pennsylvania State University Press, 1993).

Merton, Robert King, *Social Theory and Social Structure*, 1968 enl. ed (New York: Free Press, 1968).

Messerschmidt, Manfred, *Die politische Geschchte der preußisch-deutschen Armee*, Deutsche Militärgeschichte in sechs Bänden 1648-1939, Band 2, Abschnitt IV, Militärgeschichte im 19. Jahrhundert, 1814-1890 (München: Walhalla und Praetoria Verlag, 1975).

——, "Der Reflex der Volksgemeinschaftsidee in der Wehrmacht," in: *Militärgeschichtliche Aspekte der Entwicklung des deutschen Nationalstaates*, ed. by Militärgeschichtliches Forschungsamt (Düsseldorf: Droste, 1988): 197-220.

——, "Die preußische Armee während der Revolution in Berlin 1848," in: *Militärgeschichtliche Aspekte der Entwicklung des deutschen Nationalstaates*, ed. by Militärgeschichtliches Forschungsamt (Düsseldorf: Droste, 1988): 47-63.

——, "Grundzüge der Geschichte des preußisch-deutschen Militärs," in: *Militärgeschichtliche Aspekte der Entwicklung des deutschen Nationalstaates*, ed. by Militärgeschichtliches Forschungsamt (Düsseldorf: Droste, 1988): 13-46.

—— (eds), Militärgeschichtliche Aspekte der Entwicklung des deutschen Nationalstaates (Düsseldorf: Droste, 1988).

——, "Politische Erziehung der Wehrmacht Scheitern einer Strategie," in: *Militärgeschichtliche Aspekte der Entwicklung des deutschen Nationalstaates*, ed. by Militärgeschichtliches Forschungsamt (Düsseldorf: Droste, 1988): 127-50.

——, "Verschwörer in Uniform. Der militärische Widerstand gegen Hitler und sein Regime," in: *Militärgeschichtliche Aspekte der Entwicklung des deutschen Nationalstaates*, ed. by Militärgeschichtliches Forschungsamt (Düsseldorf: Droste, 1988): 221-32.

——, *Die Wehrmachtsjustiz, 1933-1945* (Paderborn: Ferdinand Schöningh, 2005).

——, Zwischen Morgenthau und Marshall: Das wirtschaftspolitische Deutschlandkonzept der USA 1944 - 1947 (Toronto, Buffalo: Droste, 1976).

Messerschmidt, Manfred and Johann Adolf Kielmansegg, *Die Wehrmacht im NS-Staat: Zeit der Indoktrination*, Truppe und Verwaltung (Hamburg: v. Decker, 1969).

Messerschmidt, Manfred and Fritz Wüllner, *Die Wehrmachtjustiz im Dienste des Nationalsozialismus: Zerstörung einer Legende* (Baden-Baden: Nomos-Verlags-Gesellschaft, 1987).

Miard-Delacroix, Hélène, "Négociations en vue du réglement des aspects extérieurs de l'unité allemande: Enjeux, déroulements, résultats," in: *La Mise en oevre de l'unification allemande 1989-1990*, ed. by Saint Sauveur-Henn, Anne and Gérard Schneilin (Asnières: Publications de l'Institut Allemand, 1998): 341-58.

Michaels, Jennifer E., "Breaking the Silence: Elisabeth Reichart's Protest against the Denial of the Nazi Past in Austria," *German Studies Review,* Vol. 19, No. 1 (1996): 9-27.

Michelman, Frank I., *Brennan and Democracy* (Princeton, N.J.: Princeton University Press, 1999).

Michta, Andrew A, The Soldier-citizen: The Politics of the Polish Army After Communism (London: Macmillan, 1997).

Midford, P., "The Logic of Reassurance and Japan's Grand Strategy," *Security Studies,* Vol. 11, No. 3 (2002): 1 - 43.

Mierzejewski, Alfred C, The Collapse of the German War Economy, 1944-1945: Allied Air Power and the German National Railway (Chapel Hill, N.C.: University of North Carolina Press, 1988).

Militärgeschichtliches Forschungsamt (ed), *Verteidigung im Bündnis: Planung, Aufbau und Bewährung der Bundeswehr 1950-1972* (München: Bernard und Graefe, 1975).

——— (ed), *Das Deutsche Reich und der Zweite Weltkrieg,* 10 vols., Beiträge zur Militär- und Kriegsgeschichte (Stuttgart: Deutsche Verlags-Anstalt, 1979).

——— (ed), Anfänge westdeutscher Sicherheitspolitik 1945 - 1956, Band 1 (München: Oldenbourg, 1982).

Millar, Alistair, "The Pressing Need for Tactical Nuclear Weapons Control," *Arms Control Today,* Vol. May (2002): 10-13.

Miller, D. T., W. Turnbull, and C. McFarland, "Counterfactual Thinking and Social Perception: Thinking about what might have been," in: *Advances in Experimental Social Psychology, Vol. 23*, ed. by Zanna, M. P. (San Diego, Calif.: Academic Press, 1990): 305-31.

Miller, D. T. and M. Ross, "Self-serving Biases in the Attribution of Causality: Fact or Fiction?," *Psychological Bulletin,* Vol. 82 (1975): 213-25.

Miller, Hugh T. and Charles J. Fox, "The Epistemic Community," *Administration & Society,* Vol. 32, No. 6 (2001): 668-85.

Millett, Allan R. and Murray Williamson (eds), *Military Effectiveness - Vol. 1, The First World War / Vol. 2, The Interwar Period / Vol. 3, The Second World War*, Mershon Center on Defense and Foreign Policy (Boston: Allen and Unwin, 1988).

Millett, Richard L., "Beyond Sovereignty: International Efforts to Support Latin American Democracy," *Journal of Interamerican Studies and World Affairs,* Vol. 36, No. 3, Special Issue: The Summit of the Americas-Issues to Consider (1994): 1-23.

Milward, Alan S, *The German Economy At War* (London: University of London, Athlone Press, 1965).

———, The Reconstruction of Western Europe, 1945-51 (London: Methuen, 1984).

Mischel, W., *Introduction to Personality*, Sixth edition (Fort Worth, Texas: Harcourt Brace, 1999).

Miskimmon, Alister John, "Recasting the Security Bargains: Germany, European Security Policy and the Transatlantic Relationship," *German Politics,* Vol. 10, No. 1 (2001): 83 - 106.

Mitrany, David, "The Prospect of Integration: Federal or Functional?," *Journal of Common Market Studies,* Vol. 1, No. 4 (1965): 119-49.

———, *A Working Peace System* (Chicago: Quadrangle Press, 1966).

———, *The Functional Theory of Politics* (London: St. Martin's Press, 1975).

Moch, Jules, *Histoire du réarmement allemand depuis 1950* (Paris: Robert Laffont, 1965).

Moe, George Robert, "A Survey of Politically Significant Innovations in the German Bundeswehr," Dissertation, The American University (Washington, D.C, 1966).

Moe, Terry M., "Political Control and the Power of the Agent," *Journal of Law, Economics & Organization,* Vol. 22, No. 1 (2006): 1-29.

Moeller, Robert G., *War Stories: The Search for a Usable Past in the Federal Republic of Germany* (Santa Barbara, Calif: University of California Press, 2003).

Moeller, Svend, Kontrollen im öffentlichen Recht und Demokratiegebot in Schweden - eine Besonderheit in Europa, Juristische Schriftenreihe, 242 (Münster: LIT, 2004).

Moerchel, Michael, "50 Jahre Himmeroder Denkschrift: Grundlegend Neues geschaffen", *Informationen für die Truppe,* 2000, http://www.ifdt.de/0010/Artikel/moerchel.htm, accessed on: 26 May 2006.

Moerchel, Siegfried-Michael, *Partizipation in den deutschen Streitkräften. Versuch einer Kommunikationsstrategie*, Politikwissenschaftliche Paperbacks, 16 (Bochum: Studienverlag Brockmeyer, 1989).

Moltke, Helmuth von, *Die deutsche Tragödie an der Marne* (Viöl/Nordfriesland: Verlag für Ganzheitliche Forschung und Kultur, 1992).

Mommsen, Wolfgang J., Die Urkatastrophe Deutschlands. Der Erste Weltkrieg 1914-1918 (Stuttgart: Klett-Cotta, 2002).

Mondak, Jeffery J., "Institutional Legitimacy and Procedural Justice: Reexamining the Question of Causality," *Law & Society Review,* Vol. 27, No. 3 (1993): 599-608.

Moore, Barrington, Social Origins of Dictatorship and Democracy (Boston: Beacon, 1966).

Moore, Mark, "Social Science and Policy Analysis: Some Fundamental Differences," in: *Ethics, the Social Sciences, and Policy Analysis*, ed. by Callahan, Daniel and Bruce Jennings (Plenum Publishing, 1983): 271ff.

Moravcsik, Andrew, "Explaining International Human Rights Regimes: Liberal Theory and Western Europe," *European Journal of International Relations,* Vol. 1, No. 2 (1995): 157-89.

———, "Taking Preferences Seriously: A Liberal Theory of International Politics," *International Organization,* Vol. 51, No. 4 (1997): 513-53.

———, "The Origins of Human Rights Regimes: Democratic Delegation in Postwar Europe," *International Organization,* Vol. 54, No. 2 (2000): 217-52.

———, "Reassessing Legitimacy in the European Union," *Journal of Common Market Studies,* Vol. 40, No. 4 (2002): 603-24.

Morgan, P., *Italian fascism, 1919-1945* (London: Macmillan Basingstoke, 1995).

Morgenthau, Hans Joachim, *Scientific Man vs. Power Politics* (Chicago: University of Chicago Press, 1945).

———, *The Tragedy of German-Jewish Liberalism*, Leo Baeck Memorial Lecture, 4 (New York: Leo Baeck Institute, 1961).

———, "Common Sense and Theories of International Relations," *Journal of International Affairs,* Vol. 21 (1967): 207-14.

———, Politics Among Nations: The Struggle for Power and Peace (New York: McGraw-Hill, 1993).

Morgenthau, Henry, *Germany is Our Problem; a Plan for Germany*, 1. ed (New York: Harper & Brothers Publ, 1945).

Morris, Benny, "The causes and character of the Arab exodus from Palestine: The Israel defence forces intelligence branch analysis of June 1948," *Middle Eastern Studies,* Vol. 22, No. 1 (1986): 5-19.

———, 1948 and After: Israel and the Palestinians (Oxford: Clarendon Press, 1990).

———, Righteous Victims: A History of the Zionist-arab Conflict, 1881-1999 (New York: Vintage Books, 2001).

———, The Birth of the Palestinian Refugee Problem Revisited (Cambridge: Cambridge University Press, 2004).

Morris, Ivan I, Japan 1931-1945 - Militarism, Fascism, Japanism (Boston: Heath, 1963).

Morscher, Siegbert, "Die parlamentarische Interpellation in der Bundesrepublik Deutschland, in Frankreich, Großbritannien, Österreich und der Schweiz," *JöR NF,* Vol. 25 (1976): 53 ff.

Moskos, C. C., All that we can be: Black Leadership and Racial Integration the Army Way (New York: Basic Books, 1996).

Mosse, George L., Nationalization of the Masses: Political Symbolism and Mass Movements in Germany from the Napoleonic Wars Through the Third Reich (Ithaca: Cornell University Press, 1991).

Motschmann, Klaus, Ein aussichtsloser Kampf um die innere Einheit Deutschlands: - Adolf Stoecker (1835-1909) (Berlin : Duncker & Humblot: 1995).

Mueller, John, "The Essential Irrelevance of Nuclear Weapons: Stability in the Postwar World," *International Security,* Vol. 13, No. 2 (1988): 55-79.

———, "The Banality of "Ethnic War"," *International Security,* Vol. 25, No. 1 (2000): 42-70.

Müller, Andreas, Die Beteiligungsrechte der Soldaten in den Streitkräften der Bundeswehr. Eine Bestandsaufnahme auf der Grundlage des Soldatenbeteiligungsgesetzes, Forum Innere Führung, 12 (Baden-Baden: Nomos, 2001).

Müller, Friedhelm, "Die Pönalisierung des Angriffskrieges im Grundgesetz und Strafgesetzbuch der Bundesrepublik Deutschland," Dissertation, Universität Heidelberg (Heidelberg, 1970).

Müller, Ingo, Furchtbare Juristen: Die unbewältigte Vergangenheit unserer Justiz (München: Droemer Knaur, 1989).

Müller, Jan-Werner, "On the Origins of Constitutional Patriotism," *Contemporary Political Theory,* Vol. 5, No. 3 (2006): 278-96.

Müller, Klaus-Jürgen, The Army, Politics and Society in Germany, 1933-1945: Studies in the Army's Relation to Nazism (Manchester: Manchester University Press, 1987).

Müller, Rolf-Dieter, Hitlers Ostkrieg und die deutsche Siedlungspolitik: Die Zusammenarbeit von Wehrmacht, Wirtschaft und SS, Geschichte Fischer (Frankfurt am Main: Fischer Taschenbuch Verlag, 1991).

Mulligan, William, "Civil-Military Relations in the Early Weimar Republic," *The Historical Journal,* Vol. 45 (2002): 819-41.

———, The Creation of the Modern German Army: General Walther Reinhardt and the Weimar Republic, 1914-1930 (New York: Berghahn Books, 2004).

Mumford, Lewis, "Gentlemen: You Are Mad!," in: *Arms and Foreign Policy in the Nuclear Age*, ed. by Racove, Milton L (New York: Oxford University Press, 1972): 391-94.

Münch, Ingo von, "Äußerer und Innerer Friede im Grundgesetz," in: *Im Dienst für Frieden und Sicherheit. Festschrift für Wolf Graf von Baudissin*, ed. by Lutz, Dieter S., Militär, Rüstung, Sicherheit, 33 (Baden-Baden: Nomos-Verlagsgesellschaft, 1985): 39-50.

Münch, Ingo von and Günter Hoog (eds), Dokumente der Wiedervereinigung Deutschlands: Quellentexte zum Prozeß der Wiedervereinigung von der Ausreisewelle aus der DDR über Ungarn, die CSSR und Polen im Spätsommer 1989 bis zum Beitritt der DDR zum Geltungsbereich des Grundgesetzes der Bundesrepublik Deutschland im Oktober 1990, Kröners Taschenausgabe, 393 (Stuttgart: Kröner, 1991).

Murphy, Robert D, *Diplomat Among Warriors* (London: Collins, 1964).

Muser, Albrecht, Harmonisierung des Wehrrechts in Europa. Rechtsvergleich der Wehrrechtssysteme Deutschlands und Großbritanniens (Hamburg: Verlag Dr. Kovač, 2005).

Müser, Andreas, Wehrbeauftragter und Gewaltenteilung. Zur Erfüllbarkeit von Emanzipationsansprüchen an parlamentarische Kontrolle, Schriften zum öffentlichen Recht, 303 (Berlin: Duncker & Humblot, 1976).

Nachtigal, Reinhard, *Rußland und seine österreichisch-ungarischen Kriegsgefangenen (1914-1918)* (Remshalden: Verlag Bernhard Albert Greiner, 2003).

Nardin, Terry, *Humanitarian intervention*, Nomos, 47 (New York: New York University Press, 2006).

Narr, Wolf-Dietrich and Dietrich Thränhardt (eds), *Die Bundesrepublik Deutschland - Entstehung, Entwicklung, Struktur* (Königstein/Ts: Verlag Anton Hain Meisenheim, 1979).

Nasu, Hitoshi, "Article 9 of the Japanese Constitution Revisited in the Light of International Law," *Zeitung für japanisches Recht / Journal of Japanese Law,* Vol. 18 (2004): 50-66.

Nelson, Walter Henry, *Germany Rearmed* (New York: Simon and Schuster, 1972).

Neumann, Franz, "Germany and Western Union," *Proceedings of the Academy of Political Science,* Vol. xxiii (1949).

Neumann, Sigmund, *Die Parteien der Weimarer Republik*, 4. Aufl (Stuttgart: Kohlhammer, 1977).

Neustadt, Richard E and Ernest R May, *Thinking in Time: The Uses of History for Decision-Makers* (New York: Free Press, 1986).

Niederacher, S., "The Myth of Austria as Nazi Victim, the Emigrants and the Discipline of Exile Studies," *Austrian Studies,* Vol. 11, No. 1 (2003): 14-32.

Nietzsche, Friedrich, *Vom Nutzen und Nachteil der Historie für das Leben*, 1. Aufl (Frankfurt am Main: Insel-Verlag, 1989).

Ninkovich, Frank A, Modernity and Power: A History of the Domino Theory in the Twentieth Century (Chicago: University of Chicago Press, 1994).

Ninkovich, Frank Anthony, *Germany and the United States: The Transformation of the German Question Since 1945*, Updated ed, Twayne's International History Series (Boston, Mass: Twayne, 1995).

Nipperdey, Thomas, "Wehlers «Kaiserreich» - Eine kritische Auseinandersetzung," in: *Nachdenken über die deutsche Geschichte : Essays*, ed. by Nipperdey, Thomas (München: Deutscher Taschenbuch Verlag, 1991).

Nitschke, Heinz G, Die preussischen Militärreformen 1807 - 1813: Die Tätigkeit der Militärreorganisationskommission und ihre Auswirkungen auf die preussische Armee, Kleine Beiträge zur Geschichte Preussens (Berlin (West): Haude und Spener, 1983).

Njølstad, Olav, "Learning from History? Case Studies and the Limits to Theory-Building," in: *Arms Races: Political and Technological Dynamics*, ed. by Gleditsch, Nils Petter and Olav Njølstad (London: SAGE, 1990).

Noble, Douglas D, "Cockpit Cognition: Education, the Military and Cognitive Engineering," *Ai & Society,* Vol. 3, No. 4 (1989): 271-96.

Nolan, Michael E., The Inverted Mirror: Mythologizing The Enemy In France And Germany 1898-1914 (New York: Berghahn Books, 2004).

Nolte, Ernst, *Three Faces of Fascism: Action Française, Italian Fascism, National Socialism,* trans. Vennewitz, Leila, Encounter Book (London: Weidenfeld and Nicolson, 1965).

———, *Deutschland und der Kalte Krieg* (München: R. Piper, 1974).

———, Der europäische Bürgerkrieg, 1917-1945: Nationalsozialismus und Bolschewismus (Berlin: Propyläen, 1987).

Nolte, Ernst and Jürgen Habermas, Die Vergangenheit, die nicht vergeben will: Auseinandersetzung oder Schlussstrich? [Teil 2:] Eine blosse Umkehrung: gegen den negativen Nationalismus in der Geschichtsschreibung, Eine Antwort an Jürgen Habermas und Eberhard Jäckel (Berlin: Berliner Wissenschafts Verlag, 1987).

Nordlinger, Eric A., *Soldiers in Politics: Military Coups and Governments* (New York: Prentice Hall, 1977).

North Atlantic Treaty Organisation, *Study on Enlargement*, (Brussels: NATO, 1995),

Nossiter, Adam, France and the Nazis: Memory, Lies and the Second World War (London: Methuen, 2003).

Nowrojee, Binaifer, "Making the Invisible War Crime Visible: Post-conflict Justice for Sierra Leone's Rape Victims," *Harvard Human Rights Journal,* Vol. 18, No. 2005 (2005).

Nye, Joseph S., Jr, "American Strategy after Bipolarity," *International Affairs,* Vol. 66, No. 3 (1990): 513-21.

Nye, Joseph S., Jr., "Nuclear Learning and U.S.-Soviet Security Regimes," *International Organization,* Vol. 41, No. 3 (1987): 371-402.

———, "The "Nye" Report: Six Years Later," *International Relations of the Asia-Pacific,* Vol. 1, No. 1 (2001): 95-103.

O'Brien, Patrick Karl, "Path Dependency, or Why Britain Became an Industrialized and Urbanized Economy Long before France," *The Economic History Review,* Vol. 49, No. 2 (1996): 213-49.

O'Donnell, Guillermo A., Philippe C. Schmitter, and Laurence Whitehead, *Transitions From Authoritarian Rule: Prospects for Democracy* (Baltimore: Johns Hopkins University Press, 1986).

O'Hanlon, Michael E., Susan E. Rice, and James B. Steinberg, "The New National Security Strategy and Preemption," *Brookings Institution Policy Brief,* Vol. 113 (2002): 1-8.

O'Kane, R., "A Probabilistic Approach to the Causes of Coups d'État," *British Journal of Political Science,* Vol. 11 (1981): 287-308.

Obermann, Emil, Gesellschaft und Verteidigung. Idee, Weltstrategie, Bundeswehr - Ein Handbuch (Stuttgart: Stuttgarter Verlagskontor, 1971).

Office of the European Ombudsman, *The European Ombudsman: Origins, Establishment, Evolution* (Luxembourg: Office for Official Publications of the European Communities, 2005).

Okazaki, Hisahiko, "Japanese Security Policy: A Time for Strategy," *International Security,* Vol. 7, No. 2 (1982): 188-97.

Oldenburg, Fred, *Moskau und die Wiedervereinigung Deutschlands*, Berichte des Bundesinstituts für Ostwissenschaftliche und Internationale Studien, 1991,38 (Köln: 1991).

Olsen, Henrik Palmer, Magtfordeling: En analyse af magtfordelingslæren med særligt henblik på den lovgivende magt (København: Jurist- og Økonomforbundets Forlag, 2005).

Olson, Mancur, The Logic of Collective Action: Public Goods and the Theory of Groups (Cambridge, Mass.: Harvard University Press, 1971).

———, The Rise and Decline of Nations: Economic Growth, Stagflation, and Social Rigidities (New Haven: Yale University Press, 1982).

———, *The Varieties Of Eurosclerosis: The Rise and Decline of Nations Since 1982,* Jean Monnet chair papers, 32 (Florence: The Robert Schuman Centre at the European University Institute, 1995).

Olson, Mancur and Satu Kähkönen, *A Not-so-dismal Science: A Broader View of Economies and Societies* (Oxford: Oxford University Press, 2000).

Opitz, Eckardt (ed), *Gerhard von Scharnhorst: Vom Wesen und Wirken der preussischen Heeresreform. Ein Tagungsband,* Schriftenreihe des Wissenschaftlichen Forums für Internationale Sicherheit e.V. (WIFIS) (Bremen: Ed. Temmen, 1998).

———, 50 Jahre innere Führung - von Himmerod (Eifel) nach Priˆstina (Kosovo): Geschichte, Probleme und Perspektiven einer Führungsphilosophie, Schriftenreihe des Wissenschaftlichen Forums für Internationale Sicherheit e.V. (WIFIS) (Bremen: Ed. Temmen, 2001).

Oreskes, Naomi, "The Scientific Consensus on Climate Change," *Science,* Vol. 306 (2004): 1686.

Ottaway, Marina, "Promoting Democracy after Conflict: The Difficult Choices," *International Studies Perspectives,* Vol. 4, No. 3 (2003): 314-22.

Overmans, Rüdiger and Ulrike Goeken-Haidl, Soldaten hinter Stacheldraht: Deutsche Kriegsgefangene des Zweiten Weltkriegs (München: Propyläen, 2000).

Oye, Kenneth A., "Explaining Cooperation Under Anarchy: Hypotheses and Strategies," *World Politics,* Vol. 38 (1985).

Paget, R. A., *Manstein, His Campaigns and His Trial* (London: Collins, 1951).

Papke, Gerhard, *Von der Miliz zum stehenden Heer. Wehrwesen im Absolutismus,* Deutsche Militärgeschichte in sechs Bänden 1648-1939, Band 1 (München: Walhalla und Praetoria Verlag, 1979).

Pardon, Inge (ed), Lager, Front oder Heimat. Deutsche Kriegsgefangene in Sowjetrußland 1917 bis 1920 (München: Saur, n.d.).

Paret, Peter, *Clausewitz and the State* (New York: Oxford University Press, 1976).

———, Understanding War. Essays on Clausewitz and the History of Military Power (Princeton: Princeton University Press, 1992).

———, "Review Essay: Between Strategy and Mass Murder: The Third Reich at War, by Militärgeschichtliche Forschungsamt," *German Studies Review,* Vol. 8(2), No. 2 (1985): 311-17.

Pastor, Robert A., "Review Essay: Postconflict Elections, Democratization, and International Assistance," *The American Political Science Review,* Vol. 93, No. 4 (1999): 1023-24.

Paul, T. V, Richard J Harknett, and James J Wirtz, *The Absolute Weapon Revisited: Nuclear Arms and the Emerging International Order* (Ann Arbor: University of Michigan Press, 1998).

Payne, S.G., *Falange: A History of Spanish Fascism* (Stanford, Calif.: Stanford University Press, 1961).

Peguero, Valentina, *The Militarization of Culture in the Dominican Republic, From the Captains General to General Trujillo*, Studies in War, Society, and the Military (Lincoln: University of Nebraska Press, 2004).

Peifer, Douglas C., "Commemoration of Mutiny, Rebellion, and Resistance in Postwar Germany: Public Memory, History, and the Formation of "Memory Beacons"," *Journal of Military History,* Vol. 65, No. 4 (2001): 1013-52.

Perlmutter, Amos, Military and Politics in Israel; Nation-building and Role Expansion (New York: Praeger, 1969).

———, *Egypt, the Praetorian State* (New Brunswick, N.J: Transaction Books, 1974).

———, The Military and Politics in Modern Times: on Professionals, Praetorians, and Revolutionary Soldiers (New Haven: Yale University Press, 1977).

———, "Civil - Military Relations in Socialist, Authoritarian and Praetorian States: Prospects and Retrospects," in: *Soldiers, Peasants and Bureaucrats: Civil Military Relations in Communist and Modernising Societies*, ed. by Kolkowicz, Roman and Andrzej Korbonski (London: George Alllen and Unwin, 1982).

Persson, Torsten, Gerard Roland, and Guido Tabellini, "Separation of Powers and Political Accountability," *The Quarterly Journal of Economics,* Vol. 112, No. 4 (1997): 1163-202.

Peters, B.G., J. Pierre, and D.S. King, "Beyond Path Dependency: Political Conflict in Historical Institutionalism," *Journal of Politics,* Vol. 67 (2005): 1275-300.

Petzold, Joachim, Die Dolchstosslegende: Eine Geschichtsfälschung im Dienst des deutschen Imperialismus und Militarismus (East Berlin: Akademie-Verlag, 1963).

Pfeffer, Erich, "Transformation der Bundeswehr," in: *Recht und Militär. 50 Jahre Rechtspflege der Bundeswehr*, ed. by Zetzsche, Holger and Stephan Weber, Forum Innere Führung, 26 (Baden-Baden: Nomos, 2006): 30-38.

Philip, Udo, "Der Verteidigungsausschuß als politisches Instrument," *Wehrtechnik* (1977): 50 ff.

Phillips, R. Hyland and Jeffrey I. Sands, "Reasonable Sufficiency and Soviet Conventional Defense: A Research Note," *International Security,* Vol. 13, No. 2 (1988): 164-78.

Picht, Werner, *Wiederbewaffnung* (Pfullingen: Günther Neske, 1954).

Pick, Hella, Guilty Victim: Austria From the Holocaust to Haider (London: I.B. Tauris, 2000).

Pinkert, Ernst-Ullrich, Deutschlands "innere Einheit": Traum oder Alptraum, Ziel oder Zwangsvorstellung, Text & Kontext Sonderreihe (Kopenhagen: Fink, 1998).

Pion-Berlin, David, *Through Corridors of Power: Institutions and Civil-Military Relations in Argentina* (University Park, Pa: Pennsylvania State University Press, 1997).

———, Civil-military Relations in Latin America: New Analytical Perspectives (Chapel Hill: University of North Carolina Press, 2001).

———, "Military Autonomy and Emerging Democracies in South America," *Comparative Politics,* Vol. 25, No. 1 (1992): 83-102.

Pirker, Theo, Die SPD nach Hitler: Die Geschichte der Sozialdemokratischen Partei Deutschlands, 1945-1964 (Munich: 1965).

Plato, Alexander von, Die Vereinigung Deutschlands – ein weltpolitisches Machtspiel : Bush, Kohl, Gorbatschow und die geheimen Moskauer Protokolle (Bonn: Bundeszentrale für Politische Bildung, 2003).

Porch, Douglas, "Military "Culture" and the Fall of France in 1940: A Review Essay," *International Security,* Vol. 24(4), No. 4 (2000): 157-80.

Porter, Michael E, *Competitive Advantage* (New York, London: Free, 2004).

Posen, Barry, *Inadvertent Escalation: Conventional War and Nuclear Risks*, Cornell Studies in Security Affairs (Ithaca, N.Y: Cornell University Press, 1991).

Posen, Barry R, "The Security Dilemma and Ethnic Conflict," *Survival,* Vol. 35, No. 1 Spring (1993): 27-47.

Posen, Barry R., The Sources of Military Doctrine: France, Britain, and Germany Between the World Wars (Ithaca: Cornell University Press, 1984).

———, "Nationalism, the Mass Army, and Military Power," *International Security,* Vol. 18, No. 2 (1993): 80-124.

Potter, William C, *Tactical Nuclear Weapons: Options for Control* (Geneva: United Nations Institute for Disarmament Research, 2000).

Powell, Robert, "Absolute and Relative Gains in International Relations Theory," *American Political Science Review,* Vol. 85 (1991): 1303-20.

Preuss, Helmut, Bundeswehr und Innere Führung: Vom Glanz und Elend einer Ideologie (Siegburg: H. Preuss, 1986).

Price, Richard and Nina Tannenwald, "Norms and Deterrence: The Nuclear Weapons Taboo," in: *The Culture of National Security: Norms and Identity in World Politics*, ed. by Katzenstein, Peter J. (New York: Columbia University Press, 1996).

Price, Richard M, *The Chemical Weapons Taboo* (Ithaca: Cornell University Press, 1997).

Prinz, Oliver C., Der Einfluss von Heeresverfassung und Soldatenbild auf die Entwicklung des Militärstrafrechts (Göttingen: V & R unipress, 2005).

Provis, Christopher, *Ethics and Organisational Politics* (Cheltenham: Edward Elgar, 2004).

Prüfert, Andreas, Reinhard Brühl, and Detlef Bald, *Im Dienste einer neuen Friedenskultur: Festschrift für Detlef Bald, Werk und Bibliographie*, 1. Aufl, Forum Innere Führung (Baden-Baden: Nomos, 2002).

Puchala, Donald J., "Of Blind Men, Elephants and International Integration," in: *Perspectives on World Politics*, ed. by Little, Richard and Michael Smith (London: Routledge, 1991).

Pust, Heinz, Wolfgang Benz, and Angelika Königseder, *Deutsche Kriegsgefangene im Zweiten Weltkrieg: Erinnerungen* (Frankfurt am Main: Fischer Taschenbuch, 1995).

Raap, Christian, "Zur Einführung: Wehrrecht," *Juristische Schulung,* Vol. 43, No. 1 (2003): 9 - 14.

Radkau, Joachim, *Max Weber: Die Leidenschaft des Denkens* (München: C. Hanser Verlag, 2005).

Rajsfus, Maurice, La Police de Vichy: les forces de l'ordre françaises au service de la Gestapo, 1940-1944 (Paris: Cherche-Midi, 1995).

Rau, Markus, "Auslandseinsatz der Bundeswehr. Was bringt das Parlamentsbeteiligungsgesetz," *Archiv des Völkerrechts,* Vol. 44, No. 1 (2006): 93-113.

Rauch, Andreas M., "Zivile und militärische Auslandseinsätze der Bundeswehr," *Gesellschaft, Wirtschaft, Politik Sozialwissenschaften für politische Bildung,* Vol. 1 (2004): 57-66.

———, *Auslandseinsätze der Bundeswehr* (Baden-Baden: Nomos, 2006).

Rautenberg, Hans-Jürgen and Norbert Wiggershaus, "Die 'Himmeroder Denkschrift' vom Oktober 1950. Politische und militärische Überlegungen fu r einen Beitrag der Bundesrepublik Deutschland zur westeuropäischen Verteidigung," *Militärgeschichtliche Mitteilungen,* Vol. 21 (1977): 135-206.

Recker, Marie-Luise, Nationalsozialistische Sozialpolitik im Zweiten Weltkrieg (Munich: Oldenbourg, 1985).

Reeb, Hans-Joachim, Militär und Recht. Zur Rechtsausbildung für Soldaten der Bundeswehr (München: Minerva, 1989).

Regan, Donald T., *For the Record: From Wall Street to Washington* (New York: St. Martin's Press, 1988).

Reif, Linda C and International Ombudsman Institute (eds), *The International Ombudsman Yearbook* (Leiden: Martinus Nijhoff, 2004).

Reif, Linda C., The Ombudsman, Good Governance and the International Human Rights System (Leiden: Martinus Nijhoff Publishers, 2004).

Reimann, Aribert, "Der Erste Weltkrieg - Urkatastrophe oder Katalysator?," *Aus Politik und Zeitgeschichte,* Vol. B 29-30 (2004): 30-38.

Reinfried, Hubert, "Die Bundeswehrverwaltung, ein neuer Zweig der öffentlichen Verwaltung," *Die öffentliche Verwaltung,* Vol. 58 (1958): 142 ff.

———, *Streitkräfte und Bundeswehrverwaltung,* Die Bundeswehr - Eine Gesamtdarstellung, Band 9 (Regensburg: Walhalla und Praetoria Verlag, 1978).

Reuter, Lutz-Rainer and German Studies Association, *Constitutional Developments in Germany Since 1945*, Beiträge aus dem Fachbereich Pädagogik der Universität der Bundeswehr Hamburg, 1994/7 (Hamburg: Universität der Bundeswehr, 1994).

Reuter, Lutz-Rainer and German Studies Association, *One Year After the Revolution: Politics and Policies of Education in the Eastern German States*, Beiträge aus dem Fachbereich Pädagogik der Universität der Bundeswehr Hamburg, 3/91 (Hamburg: Universität der Bundeswehr, 1991).

Rey-Goldzeiguer, Annie, Aux origines de la guerre d'Algérie, 1940-1945: De Mers-El-Kébir aux massacres du nord-constantinois (Paris: Découverte, 2002).

Riedel, Norbert K, Der Einsatz deutscher Streitkräfte im Ausland - verfassungs- und völkerrechtliche Schranken (Frankfurt am Main: Lang, 1989).

Riehl, Klaus, Freie Meinungsäusserung in der Bundeswehr. Rechte und Schranken (Heidelberg: v. Decker, 1987).

Ringer, Fritz K, Die Gelehrten: Der Niedergang der deutschen Mandarine, 1890 - 1933 (München: Klett-Cotta / dtv, 1987).

Risse-Kappen, Thomas, "Collective Identity in a Democratic Community: The Case of NATO," in: *The Culture of National Security: Norms and Identity in World Politics*, ed. by Katzenstein, Peter J. (New York: Columbia University Press, 1996).

———, "Ideas Do Not Float Freely: Transnational Coalitions, Domestic Structure and the End of the Cold War," *International Organization,* Vol. 48, No. 2 (1994): 185 - 214.

Ritter, Gerhard, Die Dämonie der Macht: Betrachtungen über Geschichte und Wesen des Machtproblems im politischen Denken der Neuzeit, 5. Aufl (Stuttgart: Heinrich F. C. Hannsmann, 1947).

———, Vom Sinn des Todesopfers - Zum Gedächnis unserer kriegsgefallenen Söhne (München: 1947).

———, Europa und die deutsche Frage - Betrachtungen über die geschichtliche Eigenart des deutschen Staatsdenkens (München: Münchner Verlag, 1948).

———, *The Corrupting Influence of Power* (Hadleigh, Essex: Tower Bridge Publications, 1952).

————, "Das Problem des Militarismus in Deutschland," *Historische Zeitschrift,* Vol. 177 (1954): 196-217 [21-48].

————, Staatskunst und Kriegshandwerk: Das Problem des "Militarismus" in Deutschland, 4 vols. (München: R. Oldenbourg, 1954).

————, Staatskunst und Kriegshandwerk: Das Problem des "Militarismus" in Deutschland - Dritter Band: Tragödie der Staatskunst Bethmann Hollweg als Kriegskanzler (1914-1917), 4 Vols., Vol. 3 (München: R. Oldenbourg, 1954).

————, Staatskunst und Kriegshandwerk: Das Problem des "Militarismus" in Deutschland - Erster Band: Die altpreußische Tradition (1740-1890), 4 Vols., Vol. 1 (München: R. Oldenbourg, 1954).

————, Staatskunst und Kriegshandwerk: Das Problem des "Militarismus" in Deutschland - Vierter Band: Die Herrschaft des deutschen Militarismus und die Katastrophe von 1918, 4 Vols., Vol. 4 (München: R. Oldenbourg, 1954).

————, Staatskunst und Kriegshandwerk: Das Problem des "Militarismus" in Deutschland - Zweiter Band: Die Hauptmächte Europas und das wilheliminische Reich (1890-1914), 4 Vols., Vol. 2 (München: R. Oldenbourg, 1954).

————, The German Resistance: Carl Goerdeler's Struggle Against Tyranny (London: G. Allen and Unwin, 1958).

————, *The German Problem* (Munich: Münchner Verlag, vormals F. Bruckmann Verlag, 1965).

————, *The Sword and the Scepter - The Problem of Militarism in Germany,* trans. Norden, Heinz (Coral Gables, Fla.: University of Miami Press, 1969).

Ritter, Harry, "From Habsburg to Hitler to Haider: The Peculiarities of Austrian History," *German Studies Review,* Vol. 22, No. 2 (1999): 269-84.

Rodríguez, Linda Alexander, *Rank and Privilege: the Military and Society in Latin America* (Wilmington, Del: Scholarly Resources, 1994).

Roellecke, Gerd, "Bewaffnete Auslandseinsätze - Krieg, Außenpolitik oder Innenpolitik?," *Der Staat,* Vol. 34 (1995): 415 ff.

Rogan, Eugene L and Avi Shlaim, *The War for Palestine: Rewriting the History of 1948* (Cambridge: Cambridge University Press, 2001).

Röhl, John Charles Gerald, Kaiser, Hof und Staat: Wilhelm II. und die deutsche Politik (München: Beck, 2002).

————, "Die höhere Beamtenschaft im wilhelminischen Deutschland," in: *Kaiser, Hof und Staat : Wilhelm II. und die deutsche Politik*, ed. by Röhl, John Charles Gerald (Munich: Beck, 2002): 156 et seq.

————, *The Kaiser and His Court: Wilhelm II and the Government of Germany,* trans. Cole, Terence F. (Cambridge: Cambridge University Press, 1996).

Romar, Edward J., "The Politics of the German Military in the Twentieth Century: A Comparitive Study of Civil-Military Relations in the Weimar Republic, the Third Reich and the Federal Republic," Dissertation, The City University of New York (New York, 1978).

Rosenau, James N., "Moral Fervor, Systematic Analysis, and Scientific Consciousness in Foreign Policy Research," in: *Political Science and Public Policy*, ed. by Ranney, Austin (Chicago: Markham, 1968): 197-236.

Rosenberg, H., "Die Pseudodemokratisierung der Rittergutsbesitzerklasse," in: *Moderne deutsche Sozialgeschichte*, ed. by Röhl, John C. G. (Colone, Berlin: Kiepenheuer & Witsch, 1966).

Rosinski, Herbert, *The German Army*, 2nd ed., ed. by Gordon Graig (New York: Praeger, 1966).

Rossino, Alexander B, *Hitler Strikes Poland: Blitzkrieg, Ideology, and Atrocity*, Modern War Studies (Lawrence, Kan.: University Press of Kansas, 2003).

Rössler, Tjarck G., ""Innere Führung" und "Staatsbürger in Uniform" - Ideologie oder Sozialtechnologie?," in: *Wie integriert ist die Bundeswehr? Zum Verhältnis von Militär und Gesellschaft in der Bundesrepublik*, ed. by Zoll, Ralf (München: Piper, 1979): 77 ff.

Roth, Guenther, *Max Webers deutsch-englische Familiengeschichte* (München: J.C.B. Mohr (Paul Siebeck), 2001).

Rothschild, Joseph, *East Central Europe between the Two World Wars* (Seattle: University of Washington Press, 1974).

Roumani, Maurice M, From Immigrant to Citizen: The Contribution of the Army to National Integration in Israel: The Case of Oriental Jews (The Hague: Foundation for the Study of Plural Societies, 1979).

Rouquie, Alain, *The Military and the State in Latin America,* trans. Sigmund, Paul E. (Berkeley: University of California Press, 1982).

Rousseau, Jean-Jacques, *The Social Contract,* trans. Cranston, Maurice William, Vol. L201, Penguin Classics (Harmondsworth: Penguin, 1968).

Rowat, Donald C., *The Ombudsman Plan. the Worldwide Spread of an Idea* (Lanham: University Press of America, 1985).

Roy, Asish Kumar, *Praetorian Politics in Bangladesh: 1975-1981* (Kolkata: Progressive Publishers, 2002).

Rubin, Barnett R., "The Political Economy of War and Peace in Afghanistan," *World Development,* Vol. 28, No. 10 (2000): 1789.

Ruggie, John Gerard, "International Responses to Technology: Concepts and Trends," *International Organization,* Vol. 29, No. 3 (1975): 557-84.

———, "Continuity and Transformation in the World Polity," in: *Neorealism and its Critics*, ed. by Keohane, Robert O. (New York: Columbia University Press, 1986).

Rümmer, Heinrich O. and Dieter Walz, Innere Führung im Meinungsstreit: Beiträge zu ihrer Fortentwicklung in der Bundeswehr (Grosshesselohe: R. Hampp, 1984).

Rupieper, Hermann-Josef, Die Wurzeln der westdeutschen Nachkriegsdemokratie - Der amerikanische Beitrag 1945 - 1952 (Opladen: Westdeutscher Verlag, 1993).

Russett, Bruno, Controlling the Sword: The Democratic Governance of National Security (Cambridge, Mass.: Harvard University Press, 1990).

Sackmann, Sonja, "Der Wandel der Bundeswehr als Herausforderung an die Innere Führung," in: *Neue Bundeswehr - neue Innere Führung? Perspektiven und Rahmenbedingungen für die Weiterentwicklung eines Leitbildes*, ed. by Wiesendahl, Elmar, Forum Innere Führung (Baden-Baden: Nomos, 2005): 173-92.

Sagan, Scott D., "1914 Revisited: Allies, Offense, and Instability," *International Security,* Vol. 11, No. 2 (1986): 151-75.

———, "The Perils of Proliferation: Organization Theory, Deterrence Theory, and the Spread of Nuclear Weapons," *International Security,* Vol. 18, No. 4 (1994): 66-107.

Salen, Katie and Eric Zimmerman, *Rules of Play* (Cambridge, Mass.: MIT Press, 2004).

Salzberger, Eli M., "A Positive Analysis of the Doctrine of Separation of Powers, or: Why Do We Have an Independent Judiciary?," *International Review of Law and Economics,* Vol. 13, No. 4 (1993): 349-79.

Salzmann, Stephanie, Great Britain, Germany, and the Soviet Union: Rapallo and after, 1922-1934 (London: Royal Historical Society, 2003).

Sammet, Rainer, "Dolchstoss": Deutschland und die Auseinandersetzung mit der Niederlage im Ersten Weltkrieg (1918 - 1933) (Berlin: Trafo-Verlag, 2003).

Samuels, Martin, Command or Control? Command, Training and Tactics in the British and German Armies, 1888-1918 (London: Frank Cass, 1995).

Sandler, Todd M. and Keith Hartley, *The Political Economy of NATO: Past, Present, and into the 21st Century* (Cambridge, UK: Cambridge University Press, 1999).

Sands, Philippe, Lawless World: Making and Breaking Global Rules (London: Penguin, 2006).

Sarcinelli, Ulrich, ""Verfassungspatriotismus " und "Bürgergesellschaft" oder: Was das demokratische Gemeinwesen zusammenhält," *Aus Politik und Zeitgeschichte,* Vol. 34 (1993): 25-37.

Sarkesian, Sam Charles, *Combat Effectiveness: Cohesion, Stress, and the Volunteer Military* (Beverly Hills, Calif: Sage Publications, 1980).

Sarkesian, Sam Charles, John Allen Williams, and Fred B Bryant, *Soldiers, Society, and National Security* (Boulder: L. Rienner Publishers, 1995).

Sarotte, M. E, *German Military Reform and European Security* (Oxford: Oxford University Press for the International Institute for Strategic Studies, 2001).

Saward, Michael, *Co-optive Politics and State Legitimacy* (Aldershot: Dartmouth, 1992).

Schäfer, Michael, Die Vereinigungsdebatte. Deutsche Intellektuelle und deutsches Selbstverständnis 1989-1996 (Baden-schBaden: Nomos, 2002).

Schain, Martin (ed), *The Marshall Plan: Fifty Years After* (New York: Palgrave, 2001).

Schalk, Adolphe, *The Germans* (Englewood Cliffs: Prentice Hall, 1971).

Schelling, Thomas C., "Surprise Attack and Disarmament," *Bulletin of the Atomic Scientist,* Vol. 15 (1959): 413ff.

———, "Dynamic Models of Segregation," *Journal of Mathematical Sociology,* Vol. 1 (1971): 143-86.

Schelling, Thomas C. and Morton H. Halperin, "Pre-emptive, Premeditated, and Accidental War," in: *Theory & Research on the Causes of War*, ed. by Pruitt, Dean G. and Richard C. Snyder (Englewood Cliffs, NJ: Prentice Hall, 1969): 43-48.

Schelsky, Helmut, Systemüberwindung, Demokratisierung und Gewaltenteilung. Grundsatzkonflikte der Bundesrepublik (München: Beck, 1973).

Scherer, Werner and Richard Alff, *Soldatengesetz - Kommentar* (München: Franz Vahlen, 1988).

Schetter, Conrad, "Ethnizität als Ressource der Kriegsführung," in: *Afghanistan in Geschichte und Gegenwart*, ed. by Schetter, Conrad and Almut Wieland-Karimi (Frankfurt am Main: Schriftenreihe der Mediothek für Afghanistan, 1999): 91.

———, Ethnizität und ethnische Konflikte in Afghanistan (Berlin: 2003).

Schiera, Pierangelo, "Legitimacy, Discipline, and Institutions: Three Necessary Conditions for the Birth of the Modern State," *The Journal of Modern History* 1995 (1995).

Schlabrendorff, Fabian von and Gero von Gaevernitz, *Offiziere gegen Hitler* (Zurich: Europa Verlag, 1946).

Schlee, Emil, Bundeswehr im Bündnis: Traditionsprobleme der Bundewehr durch die offene deutsche Frage (Preussisch Oldendorf: Dt. Verl.-Ges, 2000).

Schmid, Carlo, *Erinnerungen* (Stuttgart: Europäische Verlagsanstalt, 1979).

Schmidl, Erwin A, "Police Functions in Peace Operations. An Historical Overview," in: *Policing the New World Disorder*, ed. by Oakley, Robert B., Michael J. Dziedzi, and Eliot M. Goldberg (Washington, D.C.: Institute of National Security Studies, 2002): chapter 1.

Schmidt-Häuer, Christian, "»Wer am Leben blieb, wurde nackt gelassen«," *Die Zeit* (Hamburg, 23 March 2005): 15-18.

Schmidt, Helmut, "Militärische Befehlsgewalt und parlamentarische Kontrolle," in: *Festschrift für Adolf Arndt* (Frankfurt am Main: 1969): 437 ff.

Schmidt, Manfred G, *Political Institutions in the Federal Republic of Germany*, Comparative Political Institutions (Oxford: Oxford University Press, 2003).

Schmitt, Carl, "Der Führer schützt das Recht," *Deutsche Juristenzeitung,* Vol. 39, No. 15 (1934): 945 – 950.

Schnabel, Albrecht and Hans-Georg Ehrhart, *Security Sector Reform and Post-conflict Peacebuilding* (Tokyo: United Nations University Press, 2005).

Schoenbaum, David, Hiter's Social Revolution: Class and Status in Nazi Germany, 1933-1939 (Garden City, N. Y.: Praeger, 1966).

Schoenbaum, David and Elizabeth Pond, *The German question and other German questions* (Basingstoke: Macmillan, 1996).

Schöll, Norbert, *Vom Bürger zum Untertan: Zum Gesellschaftsbild im bürgerlichen Roman* (Düsseldorf: Bertelsmann Universitätsverlag, 1973).

Schönbohm, Jörg, Two Armies and One Fatherland: The End of the Nationale Volksarmee (Providence, RI: Berghahn Books, 1996).

Schottelius, Herbert and Wilhelm Deist, *Marine und Marinepolitik im kaiserlichen Deutschland 1871-1914* (Düsseldorf: Droste Verlag, 1972).

Schrafstetter, Susanna, "The Diplomacy of Wiedergutmachung: Memory, the Cold War, and the Western European Victims of Nazism, 1956–1964," *Holocaust and Genocide Studies,* Vol. 17, No. 3 (2003): 459-79.

Schramm, Friedrich and Burkhart Dobiey, *Auschüsse: Organe parlamentarischer Kontrolle* (Bonn: Dt. Bundestag, Referat O ffentlichkeitsarbeit, 1985).

Schramm, Michael, "Der Gleichschaltungsprozess der deutschen Armee 1933 bis 1938: Kulminationspunkte und Linien," Dissertation, Universität München (München, 1991).

Schreiber, Gerhard, Bernd Stegemann, and Detlef Vogel (eds), *Der Mittelmeerraum und Südosteuropa: Von der "non belligeranza" Italiens bis zum Kriegseintritt der Vereinigten Staaten*, 10 Vols., Vol. 3, Das Deutsche Reich und der Zweite Weltkrieg (Stuttgart: Deutsche Verlags-Anstalt, 1984).

Schröder, Florian, "Das neue Parlamentsbeteiligungsgesetz," *Neue juristische Wochenschrift,* Vol. 58, No. 20 (2005): 1401-04.

———, Das parlamentarische Zustimmungsverfahren zum Auslandseinsatz der Bundeswehr in der Praxis (Köln: Heymanns, 2005).

Schröder, Rainer, "… aber im Zivilrecht sind die Richter standhaft geblieben!": Die Urteile des OLG Celle aus dem Dritten Reich (Baden-Baden: Nomos, 1988).

Schroeder, Friedrich-Christian, "Der Schutz des äußeren Friedens im Strafrecht," *Juristenzeitung* (1969): 41 ff.

Schroeder, Paul W., "Historical Reality vs. Neo-realist Theory," *International Security,* Vol. 19, No. 1 (1994): 108-48.

Schroeder, Paul W., Colin Elman, and Miriam Fendius Colin, "Correspondence - History vs. Neo-realism: A Second Look," *International Security,* Vol. 20, No. 1 (1995): 182-95.

Schubert, Klaus von, Wiederbewaffnung und Westintegration: Die innere Auseinandersetzung um die militärische und aussenpolitische Orientierung der Bundesrepublik 1950-1952 (Stuttgart: Deutsche Verlags-Anstalt, 1970).

Schüddekopf, Otto-Ernst, *Das Heer und die Republik*, Quellen zur Politik der Reichswehrführung (Hannover und Frankfurt am Main: 1955).

Schulhofer, Stephen J, "Checks and Balances in Wartime American, British and Israeli Experiences," *Michigan Law Review,* Vol. 102, No. 8 (2004): 1906-58.

Schulte, Ludwig, "Wehrsysteme und Normen in den Streitkräften," in: *Soldaten der Demokratie; die Bundeswehr in Gesellschaft und Staat* (Frankfurt am Main: Bernard & Graefe, 1973): 101-16.

Schulte, Theo J., The German Army and Nazi Policies in Occupied Russia (Oxford: Berg Press, 1990).

Schultz, Marcus, Die Auslandsentsendung von Bundeswehr und Bundesgrenzschutz zum Zwecke der Friedenswahrung und Verteidigung. Völker- und verfassungsrechtliche Analyse unter besonderer Berücksichtigung der Entscheidung des Bundesverfassungsgerichtes zum Einsatz deutscher Streitkräfte vom 12. Juli 1994 (Frankfurt am Main: Lang, 1998).

Schulz, Heiner and Thomas König, "Institutional Reform and Decision-Making Efficiency in the European Union," *American Journal of Political Science,* Vol. 44, No. 4 (2000): 653–66.

Schulze, Franz-Joseph and Carl-Gero von Ilsemann, *Bundeswehr, Staat, Gesellschaft* (Köln: Grote, 1981).

Schütz, Hans-Joachim, "Einige Fragen zu Gestalt und Rechtscharakter des "acquis communautaire," *Rechtstheorie und Rechtsdogmatik im Austausch,* Vol. S. 191-218 (1999).

Schwarcz, Vera, "Chinese History and Jewish Memory," in: *Holocaust Remembrance: The Shapes of Memory*, ed. by Hartman, Geoffey H. (Oxford: Oxford University Press, 1994).

Schwartz, John and Matthew L. Wald, "Smart People Working Collectively can be Dumber Than the Sum of their Brains: "Groupthink" Is 30 Years Old, and Still Going Strong," *New York Times* (New York, 9 March 2003).

Schwarz, Benjamin, "'Cold War' Continuities - US Economic and Security Strategy Towards Europe," in: *The Future of NATO*, ed. by Carpenter, Ted Galen (London: Frank Cass, 1995).

Schwarz, Hans-Peter, "Die außenpolitischen Grundlagen des westdeutschen Staates," in: *Die Zweite Republik. 25 Jahre Bundesrepublik Deutschland - Eine Bilanz*, ed. by Löwenthal, Richard and Hans-Peter Schwarz (Stuttgart: Klett-Cotta, 1974): .

———, *Die Ära Adenauer: Gründerjahre der Republik, 1949-1957*, Vol. 2 of 5, Die Geschichte der Bundesrepublik Deutschland (Stuttgart/ Wiesbaden: Deutsche Verlags-Anstalt/ Brockhaus, 1983).

———, Die gezähmten Deutschen: Von der Machtbesessenheit zur Machtvergessenheit (Stuttgart: Deutsche Verlags-Anstalt, 1985).

Schwarzer, Gudrun, Friedliche Konfliktregulierung: Saarland - Österreich - Berlin, eine vergleichende Untersuchung territorialer Machtkonflikte (Tübingen: UTV, Lück und Mauch, 1994).

Schweller, Randall L., "Fantasy Theory," *Review of International Studies,* Vol. 25 (1999): 147-50.

Schwenck, Hans-Günther, *Rechstordnung und Bundeswehr*, Die Bundeswehr - Eine Gesamtdarstellung, Band 4 (Regensburg: Walhalla und Praetoria Verlag, 1978).

Schwerfeger, Bernhard, *Rätsel um Deutschland* (Heidelberg: 1948).

Scully, Roger M., "Becoming Europeans? Socialisation and Institutional Loyalty Among European Parliamentarian", Uxbridge, UK, Department of Government Brunel University, n.d, http://www.brunel.ac.uk/depts/govn/research/rsdispao.pdf, accessed on: 7 July 2006.

Secher, H. Pierre, "The Bundeswehr: A New Phase in Civil-Milary Relations in the Federal Republic of Germany," in: *Teaching Postwar Germany in America - Papers and Discussions, German Studies Conference Indiana University, March 24-25, 1972*, ed. by Helbig, Louis F. and Eberhard Reichmann (Bloomington: Indiana University Press, 1972).

———, "Controlling the New German Military Elite: The Political Role of the Parliamentary Defense Commissioner in the Federal Republic," *Proceedings of the American Philosophical Society,* Vol. 109, No. 2 (1965): 63-84.

Seeckt, Hans von, *Thoughts of a Soldier* (London: 1930).

———, *Die Reichswehr* (Leipzig: R. Kittler, 1933).

———, *Gedanken eines Soldaten* (Leipzig: K. F. Köhler, 1935).

Segal, David R. and Mady Wechsler Segal, "Change in Military Organization," *Annual Review of Sociology,* Vol. 9 (1983): 151-70.

Seigel, Michael T., Some Considerations Regarding Article 9 of the Japanese Constitution - A summary of the discussion at a Joint Australia-Japan Workshop, held at Nanzan University, Nagoya, Japan, 12-15 September, 2005, unpublished manuscript, Nanzan University, Institute for Social Ethics, Nagoya, Japan (2005), available at: http://www.latrobe.edu.au/inu/.

Sharp, Gene, *Making Europe Unconquerable* (Cambridge: Ballinger, 1985).

Shaw, Stanford J, The Origins of Ottoman Military Reform: The Nizam-i Cedid Army of Sultan Selim III (Istanbul: Isis Press, 2000).

Shepherd, Ben, "The Continuum of Brutality: Wehrmacht Security Divisions in Central Russia, 1942," *German History,* Vol. 21, No. 1 (2003): 49-81.

Shils, Edward A. and Morris Janowitz, "Cohesion and Disintegration in the Wehrmacht in World War II," *Public Opinion Quarterly,* Vol. 12 (1948): 280-315.

Shimshoni, Jonathan, "Technology, Military Advantage, and World War I: A Case for Military Entrepreneurship," *International Security,* Vol. 15, No. 3 (1990): 187-215.

Shlaim, Avi, Collusion Across the Jordan: King Abdullah, the Zionist Movement and the Partition of Palestine (Oxford: Clarendon Press, 1988).

Shlaim, Avi and Avi Shlaim, The Politics of Partition: King Abdullah, the Zionists and Palestine 1921-1951 (Oxford: Oxford University Press, 1998).

Sieff, Michelle and Leslie Vinjamuri Wright, "Reconciling Order and Justice: New Institutional Solutions in Post-conflict States," *Journal of international affairs,* Vol. 52, No. 2 (1999): 757 - 782.

Sigloch, Daniel, "Auslandseinsätze der deutschen Bundeswehr. Verfassungsrechtliche Möglichkeiten und Grenzen," Dissertation, Universtät Tübingen (Hamburg, Tübingen, 2006).

Silone, Ignazio, Der Fascismus: seine Entstehung und seine Entwicklung (Zürich: Europa-Verlag, 1934).

Simon, Herbert A., *Models of Bounded Rationality*, 2 Vols. (Cambridge, Mass.: MIT Press, 1982).

Simon, Ulrich, Die Integration der Bundeswehr in die Gesellschaft: Das Ringen um die innere Führung (Heidelberg: R. v. Decker, 1980).

Singer, Claude, Vichy, l'université et les juifs: les silences et la mémoire (Paris: Belles Lettres, 1992).

Singer, J. David, Models, Methods, and Progress in World Politics: A Peace Research Odyssey (Boulder, Colo.: Westview Press, 1990).

Singer, J. David and Melvin Small, "Correlates of War Project", Ann Arbor, University of Michigan, 2004, www.umich.edu/~cowproj, accessed on: 6 October 2006.

Skocpol, Theda, *Social Revolutions in the Modern World*, Cambridge Studies in Comparative Politics (Cambridge: Cambridge University Press, 1994).

———, "Social Revolutions and Mass Military Mobilization," *World Politics,* Vol. 40, No. 2 (1988): 147-68.

Small, Melvin and J. David Singer, "The War-Proneness of Democratic Regimes, 1816-1965," *The Jerusalem Journal of International Relations,* Vol. 1, No. 4 (1976): 50-69.

Smethurst, Richard J, A Social Basis for Prewar Japanese Militarism: The Army and the Rural Community (Berkeley: University of California Press, 1974).

Smith, Anthony D., *The Ethnic Origins of Nations* (Oxford: Basil Blackwell, 1986).

Smith, Arthur L., Jr., "General Von Seeckt and the Weimar Republic," *The Review of Politics,* Vol. 20, No. 3 (1958): 347-57.

Smith, L., *American Democracy and Military Power* (Chicago: University of Chicago Press, 1951).

Smith, Michael Joseph, *Realist Thought from Weber to Kissinger*, Political traditions in foreign policy series (Baton Rouge: Louisiana State University Press, 1986).

Smith, Roger W., Eric Markusen, and Robert Jay Lifton, "Professional Ethics and the Denial of the Armenian Genocide," *Holocaust and Genocide Studies,* Vol. 9 (1995): 1-22.

Smith, Steve, "The Discipline of International Relations: Still an American Social Science?," *British Journal of Politics and International Relations,* Vol. 2, No. 3 (2000): 374 et seq.

Smith, Woodruff, *The Ideological Origins of Nazi Imperialism* (New York: Oxford University Press, 1986).

Smyser, William R, From Yalta to Berlin: The Cold War Struggle Over Germany (Basingstoke: Macmillan, 1999).

Snell, John L., "What to do with Germany?," in: *The Meaning of Yalta*, ed. by Snell, John L. (Baton Rouge: Louisiana State University Press, 1956): 37-74.

———, Wartime Origins of the East-West Dilemma Over Germany (New Orleans: Hauser Press, 1959).

Snidal, Duncan, "Relative Gains and the Pattern of International Cooperation," *American Political Science Review,* Vol. 85, No. 3 (1991): 701-26.

Snyder, Glenn H., "The Security Dilemma in Alliance Politics," *World Politics,* Vol. 36, No. 4 (1984): 461-95.

Snyder, Jack L., *The Ideology of the Offensive: Military Decision Making and the Disasters of 1914*, Cornell Studies in Security Affairs (Ithaca/NY: Cornell University Press, 1984).

———, "Averting Anarchy in the New Europe," *International Security,* Vol. 15, No. 3 (1990): [104-140].

———, *Myths of Empire - Domestic Politics and International Ambition*, Cornell Studies in Security Affairs (Ithaca, N.Y.: Cornell University Press, 1991).

———, *Transitions to Democracy and the Rise of Nationalist Conflict*, Davis Occasional Papers, No. 85 (Jerusalem: The Leonard Davis Institute for International Relations The Hebrew University of Jerusalem, 2000).

———, "Civil-Military Relations and the Cult of the Offensive, 1914 and 1984," *International Security,* Vol. 9, No. 1 (1984): 108-46.

Snyder, Jack L. and Karen Ballentine, "Nationalism and the Marketplace of Ideas," *International Security,* Vol. 21, No. 2 (1996): 5-40.

Snyder, Louis L., *German Nationalism: The Tragedy of a People* (Harrisburg, Pa.: Telegraph Press, 1952).

Soll, Ingmar, Die Meinungsäußerungsfreiheit in den Streitkräften. Ein Rechtsvergleich zwischen der Bundesrepublik Deutschland und der Republik Österreich, Juristische Schriftenreihe, 156 (Münster Linz: Lit, 2001).

Sommer, Karl-Ludwig, "Wiederbewaffnung oder Wiedervereinigung? Adenauer und die Diskussion um die EVG im Bundesrat," in: *Adenauer und die Deutsche Frage*, ed. by Foschepoth, Josef (Göttingen: Vandenhoeck & Ruprecht, 1988): 146-68.

Sontheimer, Kurt, "Antidemokratisches Denken in der Bundesrepublik," in: *Fünfzehn Millionen beleidigte Deutsche*, ed. by Geiss, Immanuel and Volker Ulrich (Hamburg: Rororo, 1970): 102-16.

Soucy, Robert, *French Fascism: The First Wave, 1924-1933* (New Haven: Yale University Press, 1986).

———, *French Fascism: The Second Wave, 1933-1939* (New Haven: Yale University Press, 1997).

Sowers, Thomas S., "Beyond the Soldier and the State: Contemporary Operations and Variance in Principal-Agent Relationships," *Armed Forces & Society,* Vol. 31, No. 3 (2005): 385-409.

Spanier, John W, *The Truman-MacArthur controversy and the Korean War* (Cambridge, Mass: Belknap Press, 1959).

"Speech by J.F. Byrnes, United States Secretary of State Restatement of Policy on Germany, Stuttgart, September 6, 1946", Berlin, US Embassy, 1945, http://usa.usembassy.de/etexts/ga4-460906.htm, accessed on: 30 October 2006.

Speidel, Hans, *Aus unserer Zeit (Memoiren)* (Frankfurt am Main: 1977).

Spencer, Herbert, *The Principles of Sociology* (London: William and Norgate, 1893).

Spencer, Herbert and Stanislav Andreski, *Principles of Sociology*, Abridged ed (London: Macmillan, 1969).

Spender, J.-C., "Organizational Knowledge, Learning and Memory: Three Concepts in Search of a Theory," *Journal of Organizational Change Management,* Vol. 9, No. 1 (1996): 63-78.

Spranger, Tade Matthias, "Angriffskrieg durch Private? Zur Anwendbarkeit von Art. 26 Abs. 1 Satz1 GG auf Individuen," *Neue Zeitschrift für Wehrrecht* (2005): 68 ff.

Staack, Michael, "Das veränderte System und die Konsequenzen für den Auftrag der Bundeswehr," in: *Neue Bundeswehr - neue Innere Führung? Perspektiven und*

Rahmenbedingungen für die Weiterentwicklung eines Leitbildes, ed. by Wiesendahl, Elmar, Forum Innere Führung (Baden-Baden: Nomos, 2005): 91-110.

"Stalin Interview with Pravda on Churchill," *New York Times* (New York, 14 March 1946): 6.

Stauf, Wolfgang, *Wehrrecht*, Nebenthema zum Kommentar zum deutschen Bundesrecht, Loseblattsammlung (Baden-Baden: Nomos-Verlags-Gesellschaft, 2006).

Stein, Ekkehart and Götz Frank, *Staatsrecht*, 18. Auflage (Tübingen: Mohr Siebeck, 2002).

Stein, Horst, Verteidigungsfunktion und Grundgesetzordnung. Die Bundeswehr im Spannungsfeld zwischen Effizienz und Systemkonformität (Frankfurt am Main: Peter Lang, 1990).

Steininger, Rolf, Wiederbewaffnung: Die Entscheidung für einen westdeutschen Verteidigungsbeitrag, Adenauer und die Westmächte 1950 (Erlangen: Straube, 1989).

Steinkamm, Eike, Die Wehrstrafgerichtsbarkeit im Grundgesetz der Bundesrepublik Deutschland. Eine Untersuchuchung des Art. 96 Abs. 2 GG aus rechtsgeschichtlicher, verfahrens-, staats- und völkerrechtlicher Sicht, Würzburger wehrwissenschaftliche Abhandlungen, 4 (Würzburg: Holzner, 1974).

Steinlechner, Wolfgang, *Wehrpflichtgesetz - Kommentar* (München: Franz Vahlen, 1996).

Stent, Angela, Russia and Germany Reborn: Unification, the Soviet Collapse, and the New Europe (Princeton, NJ: Princeton University Press, 1999).

Stepan, Alfred, *Rethinking Military Politics: Brazil and the Southern Cone* (Princeton, N.J: Princeton University Press, 1988).

———, The Military in Politics: Changing Patterns in Brazil (Princeton: Princeton University Press, 1971).

Stephens, Michael D, *The Educating of Armies* (Basingstoke: Macmillan, 1989).

Stern, Fritz, *Im Anfang war Auschwitz: Antisemitismus und Philosemitismus im deutschen Nachkrieg*, Schriftenreihe des Instituts für deutsche Geschichte, Universiät Tel Aviv, Band 14 (Gerlingen: Bleicher Verlag, 1991).

———, The Whitewashing of the Yellow Badge: Anti-Semitism and Philosemitism in Postwar Germany, Studies in Anti-Semitism (New York: Pergamon Press, 1992).

Stern, Klaus, Das Staatsrecht der Bundesrepublik, Band II (München: 1980).

Sternberger, Dolf, *Verfassungspatriotismus* (Frankfurt am Main: Insel-Verlag, 1990).

Sticht, Thomas G, *The Military Experience and Workplace Literacy: A Review and Synthesis for Policy and Practice*, unpublished manuscript, National Center on Adult Literacy, Philadelphia, PA (1995).

Stokes, Jon and Stewart Clegg, *Power, Knowledge, Management and Bureaucratic Reform*, UTS Working Papers Series, 23/02 (Sydney: UTS School of Management, 2002),

Stone, Jay, Erwin A Schmidl, and Béla K Király, *The Boer War and Military Reforms*, War and Society in East Central Europe /atlantic Studies on Society in Change (New York, NY: Columbia University Press, 1988).

Stora, Benjamin, *Histoire de la guerre d'Algérie, 1954-1962*, Vol. 115, Repères (Galerie Maeght Lelong (Paris, France)) (Paris: La Découverte, 1993).

Stourzh, Gerald, Um Einheit und Freiheit: Staatsvertrag, Neutralität und das Ende der Ost-West-Besetzung Österreichs 1945-1955 (Wien: Böhlau, 1998).

Stratmann, Jürgen, Das grundgesetzliche Verbot friedensstörender Handlungen. Ein Beitrag zur Auslegung des Art. 26 Abs. 1 GG (Randersacker: Gugel, 1971).

Strauss, Wolfgang, *Rapallo: Wunschtraum, Irrweg oder Gespenst* (Asendorf: MUT-Verl, 1986).

Strayer, Robert, Why Did the Soviet Union Collapse? Understanding Historical Change (London: M.E. Sharpe, 1998).

Streeck, Wolfgang and Kozo Yamamura (eds), *The Origins of Nonliberal Capitalism: Germany and Japan in Comparison*, Cornell Studies in Political Economy (Ithaca: Cornell University Press, 2001).

Streit, Christian, "Die Behandlung der sowjetischen Kriegsgefangenen und völkerrechtliche Probleme des Krieges gegen die Sowjetunion," in: *„Unternehmen Barbarossa". Der deutsche Überfal auf die Sowjetunion*, ed. by Ueberschär, Gerd R. and Wolfram Wette (1984).

————, Keine Kameraden: Die Wehrmacht und die sowjetischen Kriegsgefangenen 1941-1945 (Bonn: Dietz, 1991).

Streitkräfteamt, Abteilung III, Fachinformationszentrum der Bundeswehr (ed), *Zur Geschichte der Inneren Führung*, Bw-Fachinformation Sonderheftreihe "50 Jahre Bundeswehr (Bonn: FIZBw, 2004).

Strohn, Matthias, "Hans von Seeckt and His Vision of a 'Modern Army'," *War in History,* Vol. 12, No. 3 (2005): 318-37.

Stübig, Heinz, Armee und Nation: Die pädagogisch-politischen Motive der preussischen Heeresreform 1807-1814 (Frankfurt am Main: P. Lang, 1971).

————, *Scharnhorst: Die Reform des preussischen Heeres*, Persönlichkeit und Geschichte (Göttingen: Muster-Schmidt, 1988).

Stürmer, Michael, Regierung und Reichstag im Bismarckstaat 1871-1880. Cäsarismus und Parlamentarismus (Düsseldorf: Droste, 1974).

Suchman, Mark C., "Managing Legitimacy: Strategic and Institutional Approaches," *The Academy of Management Review,* Vol. 20, No. 3 (1995): 571-610.

"Suggested Post-Surrender Program for Germany", *Roosevelt Presidential Library,* 1944, http://www.fdrlibrary.marist.edu/psf/box31/t297a01.html, accessed on: 30 October 2006.

Sunoo, Harold Hakwon, *Japanese Militarism, Past and Present* (Chicago: Nelson-Hall, 1975).

Sunstein, Cass R., "Deliberative Trouble? Why Groups go to Extremes," *Yale Law Journal,* Vol. 110 (2000): 71 et seq.

————, "Why they Hate Us: The Role of Social Dynamics," *Harvard Journal of Law and Public Policy,* Vol. 25, No. 2 (2001): 429-40.

Susiluoto, Taina, *Tactical nuclear weapons: Time for control* (Geneva: United Nations Institute for Disarmament Research, 2002).

Sutton, Eric (ed), *Gustav Stresemann: His Diaries, Letters and Papers*, 3 Vols. (London: Macmillan, 1935).

Suy, Erik, "Democracy in International Relations: The Necessity of Checks and Balances," *Israel Yearbook on Human Rights,* Vol. 26 (1996): 125-36.

Swanson, Matthew, *The Social Contract Tradition and the Question of Political Legitimacy*, Vol. 25, Studies in Social and Political Theory (Lewiston, N.Y: Edwin Mellen Press, 2001).

Tanaka, Toshiyuki, Japan's Comfort Women: Sexual Slavery and Prostitution during World War II and the US Occupation, Asia's Transformations (London: Routledge, 2002).

Tank, Pinar, "Political Islam in Turkey: A State of Controlled Secularity," *Turkish Studies,* Vol. 6, No. 1 (2005): 3-19.

Tannenwald, Nina, "The Nuclear Taboo: The United States and the Normative Basis of Nuclear Non-use," *International Organization,* Vol. 53, No. 3 (1999).

Tänzler, Hans, "Vorbereitende Planungen für die die 'Innere Führung'," in: *Militärgeschichtliche Aspekte der Entwicklung des deutschen Nationalstaates*, ed. by Militärgeschichtliches Forschungsamt (Düsseldorf: Droste, 1988): 201-23.

Taylor, Brian D, Politics and the Russian Army: Civil-military Relations, 1689-2000 (Cambridge: Cambridge University Press, 2003).

Taylor, Telford, Sword and Swastika - Generals and Nazis in the Third Reich (New York,: Simon and Schuster, 1952).

———, *The March of Conquest: The German Victories in Western Europe, 1940* (Baltimore, Md.: Nautical & Aviation Pub. Co. of America, 1991).

Teitgen, P.-H., "Introduction to the European Convention on Human Rights," in: *The European System for the Protection of Human Rights*, ed. by Macdonald, R. St. J., F. Matscher, and H Petzold (Dordrecht: Martinus Nijhoff, 1993).

Teltschik, Horst, *329 Tage: Innenansichten der Einigung*, 3. Aufl (Berlin: Siedler, 1991).

Terraine, John, *The Western Front 1914-1918* (London: Hutchinson, 1964).

Teslik, Lee Hudson, "Japan and Its Military", Washington, D.C, Council on Foreign Relations, 2006, http://www.cfr.org/publication/10439/, accessed on: 15 October 2006.

"The National Security Strategy of the United States of America", Washington, D.C, The White House, 2002, www.whitehouse.gov/nsc/nss.pd, accessed on: 11 January 2007.

"The Versailles Treaty of 28 June 1919", New Haven, The Avalon Project at Yale Law School, 1996, http://www.yale.edu/lawweb/avalon/imt/partviii.htm, accessed on: 4 October 2006.

Theien, Iselin, "Norwegian Fascism 1933-40: The. position of the Nasjonal Samling in Norwegian politics," Dissertation, Oxford University (Oxford, 2001).

Thesz, Nicole, "Identität und Erinnerung im Umbruch: Ein weites Feld von Günter Grass," *Neophilologus,* Vol. 87, No. 3 (2003): 435 - 451.

Thompson, W. R., "Regime Vulnerability and the Military Coup," *Comparative Politics,* Vol. 7 (1975): 459-87.

———, "Organizational Cohesion and Military Coup Outcomes," *Comparative Politics,* Vol. 9 (1976): 255-76.

Tilly, Charles, *The Formation of Nation States in Western Europe* (Princeton: Princeton University Press, 1975).

———, Coercion, Capital and European States, AD 990-1990 (Cambridge, Mass: Basil Blackwell, 1990).

Tonchev, Plamen, "From Bullets to Ballots and Beyond: Building Post-conflict Democracies in Asia and Europ," *Asia Europe Journal,* Vol. 3, No. 3 (2005): 379-94.

Totten, Christine M., *Deutschland - Soll und Haben: Amerikas Deutschlandbild* (München: Rütten & Loening, 1964).

Trachtenberg, Marc, "The Social Interpretation of Foreign Policy," *Review of Politics,* Vol. 40, No. 3 (1978): 328-50.

"Treaty between the Federal Republic of Germany and the Republic of Poland on the confirmation of the frontier between them,", *14 November 1990,* Warsaw, 1990,

http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/ TREATIES/DEU-POL1990CF.PDF, accessed on: 11 January 2007.

"Treaty on the Final Settlement with Respect to Germany", *12 September 1990,* Moscow, 1990, http://usa.usembassy.de/etexts/2plusfour8994e.htm, accessed on: 11 January 2007.

Trevor Roper, H. R. (ed), *Hitler's Secret Conversations, 1941-1944* (New York: 1953).

Tribe, Laurence H., *American Constitutional Law*, 3rd (New York: Foundation Press, 2000).

Trimberger, Ellen Kay, Revolution From Above: Military Bureaucrats and Development in Japan, Turkey, Egypt, and Peru (New Brunswick, N.J: Transaction Books, 1978).

Trinkunas, H A, "Constructing Civilian Control of the Armed Forces in New Democracies: The Cases of Argentina and Venezuela," Dissertation, Stanford University (Palo Alto, Calif, 1999).

Trochu, Louis, *L'Armée française en 1867* (Paris: Amyot, 1867).

Trouille, Jean-Marc, "The Franco-German axis since unification," in: *France : from the Cold War to the new world order*, ed. by Chafer, Tony and Brian Jenkins (New York: St. Martin's Press, 1996).

Trumpener, Ulrich, "Liman von Sanders and the German-Ottoman Alliance," *Journal of Contemporary History,* Vol. 1, No. 4 (1966): 179-92.

Tsatsos, Themistokles Demetriou, *Zur Geschichte und Kritik der Lehre von der Gewaltenteilung* (Heidelberg: C. Winter, 1968).

Tschernjaew, A, Mein Deutsches Tagebuch. Die deutsche Frage im ZK der KPdSU (1972-1991) (Hamburg: Elbe-Dnjepr-Verlag, 2005).

Tullock, G., *The Politics of Bureaucracy* (Washington, D.C.: Public Affairs Press, 1965).

Turner, H. A., Jr., "Fascism and Modernization," in: *Reappraisals of Fascism*, ed. by Turner, H. A., Jr. (New York: 1975): 117-39.

Tyler, Tom R., "Governing amid Diversity: The Effect of Fair Decisionmaking Procedures on the Legitimacy of Government," *Law & Society Review,* Vol. 28, No. 4 (1994): 809-32.

———, "Psychological Perspectives on Legitimacy and Legitimation," *Annual Review of Psychology,* Vol. 57, No. 1 (2006): 375 et seq.

U.S. Army, *Planning for the Occupation of Germany*, Occupation Forces in Europe Series, 1945-1946 (Frankfurt am Main: Office of the Chief Historian, European Command, 1947).

———, *Area Handbook for Germany* (Washington, D.C.: US Government Printing Office, 1964).

Ueberschär, G. R., "Freiwillige für den Kreuzzug Europas gegen den Bolschewismus," in: *Der Angriff auf die Sowjetunion*, ed. by Boog, Horst*, et al.*, Das Deutsche Reich und der Zweite Weltkrieg (Stuttgart: Deutsche Verlags-Anstalt, 1983): 908-35.

Uildriks, Niels and Hans van Mastrigt, *Policing Police Violence* (Aberdeen: Aberdeen University Press, 1991).

Ule, Carl Hermann, "Der Wehrbeauftragte des Bundestages," *Juristenzeitung* (1957): 422 ff.

Ullrich, Volker, Als der Thron ins Wanken kam. Das Ende des Hohenzollernreiches 1890-1918 (Bremen: 1993).

———, Die nervöse Großmacht - Aufstieg und Untergang des deutschen Kaiserreichs, 6th ed. (Frankfurt am Main: Fischer Taschenbuch Verlag, 2006).

Ulrich, Bernd and Benjamin Ziemann, *Krieg im Frieden: Die umkämpfte Erinnerung an den Ersten Weltkrieg: Quellen und Dokumente* (Frankfurt am Main: Fischer Taschenbuch Verlag, 1997).

United States Department of War, *The Effects of Strategic Bombing on the German War Economy* (Washington, D.C.: Over-all Economic Effects Division, 1945).

Urban, George R., Diplomacy and Disillusion at the Court of Margaret Thatcher: An Insider's View (London: Sage Publications, 1996).

Utgaard, Peter, Remembering & Forgetting Nazism: Education, National Identity, and the Victim Myth in Postwar Austria (New York: Berghahn Books, 2003).

Utz, Raphael, "Nations, Nation-Building, and Cultural Intervention: A Social Science Perspective," *Max Planck Yearbook of United Nations Law,* Vol. 9 (2005): 615-47.

Vagts, Alfred, "Defence and Diplomacy: The Soldier and the Conduct of Foreign Relations," (1956).

————, A History of Militarism: Civilian and Military (New York: Free Press, 1959).

Van Creveld, Martin L., *Fighting power: German and U.S. Army performance, 1939-1945* (Westport, Conn.: Greenwood Press, 1982).

————, *Command in War* (Cambridge, Mass.: Harvard University Press, 1985).

————, Kampfkraft. Militärische Organisation und militärische Leistung 1939-1945 (Freiburg im Breisgau: Verlag Rombach, 1989).

————, Technology and War: From 2000 BC to the Present (New York: Free Press, 1989).

————, *The Transformation of War* (New York: Free Press, 1991).

————, The Sword and the Olive: A Critical History of the Israeli Defense Force, 1st (New York: Public Affairs, 1998).

————, *Supplying War: Logistics From Wallenstein to Patton* (Cambridge, UK, New York: Cambridge University Press, 2004).

Van Dyke, Carl, Russian Imperial Military Doctrine and Education: 1832-1914 (New York: Greenwood Press, 1990).

Van Evera, Stephen, *Why States believe Foolish Ideas: Non-Self-Evaluation by States and Societies, v. 3.5*, unpublished manuscript, Cambridge, Mass. (2002), available at: http://web.mit.edu/polisci/research/vanevera/why_states_believe_foolish_ideas.pdf, accessed on: 25 July 2006.

————, "The Cult of the Offensive and the Origins of the First World War," *International Security,* Vol. 9, No. 1 (1984): 58-107.

————, "Why Europe Matters, Why the Third World Doesn't: American Grand Strategy After the Cold War," *Journal of Strategic Studies,* Vol. 13, No. 2 (1990): 1-51.

————, "Hypotheses on Nationalism and War," *International Security,* Vol. 18, No. 4 (1994): 5-39.

————, Guide to Methods for Students of Political Science (Ithaca: Cornell University Press, 1997).

————, "Offense, Defense, and the Causes of War," *International Security,* Vol. 22, No. 4 (1998): 5-43.

————, *Causes of War: Power and the Roots of Conflict*, Cornell Studies in Security Affairs (Ithaca: Cornell University Press, 1999).

————, "Primed for Peace: Europe after the Cold War," *International Security,* Vol. 15, No. 3 (1990): 7-57.

Vansant, Jacqueline, "Challenging Austria's Victim Status: National Socialism and Austrian Personal Narratives," *The German Quarterly,* Vol. 67, No. 1 (1994): 38-57.

Verheyen, Dirk, The German Question: A Cultural, Historical, and Geopolitical Exploration (Boulder: Westview Press, 1991).

Vertzberger, Yaacov V. I., The World in their Minds: Information Processing, Cognition, and Perception in Foreign Policy Decisionmaking (Stanford, Calif: Stanford University Press, 1990).

Vile, Maurice J. C., *Constitutionalism and the Separation of Powers* (Indianapolis: Liberty Fund, 1998).

Vogt, Wolfgang R., Militär und Demokratie. Funktionen und Konflikte der Institution des Wehrbeauftragten (Hamburg: R.v. Decker Verlag G. Schenck, 1972).

———, "Theoretische und ideologische Konzepte zum Verhältnis von Militär und Gesellschaft," in: *Sicherheitspolitik*, ed. by Schwarz, K.-D. (Bad Honnef: 1978): 553-68.

Voth, Willfried, Die Reichsfinanzen im Bismarckreich und ihre Bedeutung für die Stellung des Reichstages. Eine Studie über das Budgetrecht und dessen Ausübung in den Jahren 1871 - 1918 (Bamberg Kiel: Bamberger Fotodr, 1966).

Wachtler, Gerhard, "Neue Bundeswehr und beruflicher Identitätswandel," in: *Neue Bundeswehr - neue Innere Führung? Perspektiven und Rahmenbedingungen für die Weiterentwicklung eines Leitbildes*, ed. by Wiesendahl, Elmar, Forum Innere Führung (Baden-Baden: Nomos, 2005): 141-57.

Wæver, Ole, "Securitisation and Desecuritisation," in: *On Security*, ed. by Lipschutz, Ronnie D. (New York: Columbia University Press, 1995).

Wainstock, Dennis D., *Truman, MacArthur, and the Korean War* (Greenwood Press, 1999).

Waldman, Eric, *The Goose Step is Verboten: The German Army Today* (New York: Free Press of Glencoe, 1964).

Walker, Jenonne, "Keeping America in Europe," *Foreign Policy* 83 (1991): 128-42.

Wallace, Michael D., "Early Warning Indicators from the Correlates of War Project," in: *To Augur Well: Early Warning Indicators in World Politics*, ed. by Singer, J. David and Michael D. Wallace (Beverly Hills, Calif.: SAGE, 1979).

Wallerstein, Immanuel, The Modern World-System: Capitalist Agriculture and the Origins of the European World-Economy in the Sixteenth Century (New York: Academic Press, 1974).

———, The Modern World-System II: Mercantilism and the Consolidation of the European Wordl-Economy, 1600-1750 (New York: Academic Press, 1980).

Wallich, Henry Christopher, *Mainsprings of the German Revival* (New Haven: Yale University Press, 1955).

Walt, Stephen M., *The Origins of Alliances* (New York: Cornell University Press, 1990).

———, "Revolution and War," *World Politics,* Vol. 44, No. 3 (1992): 321-68.

———, "Why Alliances Endure or Collapse," *Survival,* Vol. 39, No. 1 (1997): 156-79.

———, "The Progressive Power of Realism," *American Political Science Review,* Vol. 91, No. 4 (1997): 931-34.

———, "International Relations: One World, Many Theories," *Foreign Policy,* Vol. 110 (1998).

———, "Alliance Formation and the Balance of World Power," *International Security,* Vol. 9, No. 4 (1985): 3-43.

Walter, Barbara F and Jack L Snyder, *Civil Wars, Insecurity, and Intervention* (New York, Chichester: Columbia University Press, 1999).

Walter, Dierk, Preussische Heeresreformen 1807 - 1870: Militärische Innovation und der Mythos der "Roonschen Reform (Paderborn: Schöningh, 2003).

Waltz, Kenneth N., "Reflections on *Theory of International Politics: A* Response to my Critics," in: *Neorealism and its Critics*, ed. by Keohane, Robert O. (New York: Columbia University Press, 1986): 327-43.

Waltz, Kenneth Neal, *Man, the State, and War - A Theoretical Analysis* (New York: Columbia University Press, 1959).

———, *Theory of International Politics* (Reading, Mass.: Addison-Wesley, 1979).

———, "Nuclear Myths and Political Realities," *American Political Science Review,* Vol. 84, No. 3 (1990): 731-45.

Walz, Dieter and Wolf Graf von Baudissin, Drei Jahrzehnte Innere Führung: Grundlagen, Entwicklungen, Perspektiven (Baden-Baden: Nomos, 1987).

Walzer, Michael, *Obligations: Essays on Disobedience, War, and Citizenship* (Cambridge: Harvard University Press, 1970).

War Department, *Handbook on German Military Forces* (Washington, D.C.: War Department, Military Intelligence Division TM-E 30-451, 1945).

Ward, James F., "Review of "Leo Strauss and the American Right"," *American Political Science Review,* Vol. 92, No. 3 (1998): 679-80.

Wartenberg, Marlene, Parlamentarische Verantwortung und Kontrolle in der Bundesrepublik Deutschland. Ein Beitrag zum neuen Poststrukturgesetz für die Deutsche Bundespost unter besonderer Berücksichtigung der Gewaltenteilung (Frankfurt am Main: Lang, 1990).

Weber, Eugen, *Peasants into Frenchmen, 1870-1914* (Stanford: Stanford University Press, 1976).

Weber, Marianne, *Max Weber: A Biography* (New Brunswick: Transaction Books, 1926).

Weber, Max, "Critical Studies in the Logic of the Cultural Sciences," in: *The Methodology of the Social Sciences*, ed. by Weber, Max (New York: The Free Press, 1905).

———, "Bureaucracy," in: *From Max Weber: Essays in Sociology*, ed. by Gerth, H. H. and C. Wright MIlls (Oxford: Oxford University Press, 1958).

———, *Politik als Beruf* (Stuttgart: Reclam, 1992).

———, The Theory of Social and Economic Organisation (New York: Free Press, 1997).

———, Wirtschaft und Gesellschaft - Grundriss der verstehenden Soziologie (Frankfurt am Main: Zweitausendeins, 2005).

Weede, Erich, "Rent Seeking, Military Participation, and Economic Performance in LDCs," *Journal of Conflict Resolution,* Vol. 30, No. 2 (1986): 291-314.

Weede, Erich W., "Democracy and War Involvement," *Journal of Conflict Resolution,* Vol. 28, No. 4 (1984): 649-64.

Wegner, B., "Auf dem Wege zur pangermanischen Armee," *Militärgeschichtliche Mitteilungen,* Vol. 2 (1980): 101-36.

Wehler, Hans Ulrich, *Das deutsche Kaiserreich, 1871-1918* (Göttingen: Vandenhoeck & Ruprecht, 1973).

———, *The German Empire 1871-1918,* trans. Traynor, Kim (Leamington Spa: Berg, 1985).

Wehler, Hans-Ulrich, "Die Urkatastrophe," *Der Spiegel,* Vol. 8 (2004): 82-89.

Weidenfeld, Werner, Jalta und die Teilung Deutschlands: Schicksalsfrage für Europa (Andernach: Pontes-Verlag, 1969).

Weidenfeld, Werner (ed), *Die Europäische Union. Politisches System und Politikbereiche*, Schriftenreihe der bpb, Band 442 (Bonn: Bundeszentrale für Politische Bildung, 2004).

Weighley, Russell, "The American Military and the Principle of Civilian Control from McClellan to Powell," *Journal of Military History,* Vol. 57 (1993): 27-58.

Weiler, Joseph H. H., "Ideals and Idolatry in the European Construct," in: *Moral Issues in International Affairs - Problems of European Integration*, ed. by McSweeney, Bill (London: Macmillan, 1998).

———, "Europe: The Case against Statehood," *European Law Journal,* Vol. 4, No. 1 (1998): 43-62.

Weindling, Paul, Darwinism and Social Darwinism in Imperial Germany: the Contribution of the Cell Biologist Oscar Hertwig (1849-1922) (Stuttgart: Gustav Fischer, 1991).

Weiner, Myron, "The Macedonian Syndrome: An Historical Model of International Relations," *World Politics,* Vol. 23, No. 4 (1971): 665-83.

Weingast, Matthew S, "The Strategic Necessity Perspective a New Approach to Solving Old Constitutional War Powers Questions," *Journal of Legal Studies,* Vol. 8 (1997): 109 - 158.

Weis, Hubert, "Parlamentarisches Fragerrecht und Antwortpflicht der Regierung," *Deutsches Verwaltungsblatt* (1988): 268 ff.

Weizsäcker Kommission, "Gemeinsame Sicherheit und Zukunft der Bundeswehr. Bericht der Kommission an die Bundesregierung", Berlin, BMVg, 2000, www.bundeswehr.de/portal, accessed on: 20 December 2006.

Weizsäcker, Richard von, Zum 40. Jahrestag der Beendigung des Krieges in Europa und der nationalsozialistischen Gewaltherrschaft: Ansprache am 8. Mai 1985 in der Gedenkstunde im Plenarsaal des Deutschen Bundestages (Bonn: Bundeszentrale für Politische Bildung, 1985).

———, "Es begann in Polen: Brandts Kniefall ermöglichte die EU-Osterweiterung," *Die Zeit* 50 (Hamburg, 7 December 2000).

Welch, Claude (ed), *Civilian Control of the Military* (New York: State University of New York Press, 1976).

Weldes, Jutta, Constructing National Interests: The United States and the Cuban Missile Crisis (Minneapolis: University of Minnesota Press, 1999).

Weller, Christoph, *Feindbilder. Ansätze und Probleme ihrer Erforschung*, InIIS Arbeitspapier Nr 22, 2001 (Bremen: Universität Bremen: Institut für Interkulturelle und Internationale Studien (InIIS), 2001),

Wendt, Alexander, "The Agent-Structure Problem in International Relations Theory," *International Organization,* Vol. 41, No. 3 (1987).

———, "Anarchy is What States Make of It: The Social Construction of Power Politics," *International Organization,* Vol. 46, No. 2 (1992): 391-425.

———, *Social Theory of International Politics* (Cambridge: Cambridge University Press, 1999).

Wengst, Udo, Beamtentum zwischen Reform und Tradition: Beamtengesetzgebung in der Gründungsphase der Bundesrepublikdeutschland, 1948-1953 (Düsseldorf: Droste, 1988).

Wenzke, Rüdiger, "Wehrmachtsoffiziere in den DDR-Streitkräften," in: *Nationale Volksarmee - Armee für den Frieden*, ed. by Bald, Detlef, Reinhard Brühl, and Andreas Prüfert (Baden-Baden: Nomos, 1995): 143-56.

Werler, Tobias, Nation, Gemeinschaft, Bildung: Die Evolution des modernen skandinavischen Wohlfahrtstaates und das Schulsystem (Baltmannsweiler: Schneider Verl. Hohengehren, 2004).

Wesbrook, S.D. and Morris Jannowitz (eds), *The Political Education of Soldiers* (Beverly Hills, California: Sage Publications, 1983).

West, M. L., *Iambi et Elegi Graeci* (Oxford: Oxford University Press, 1971).

Westley, William A, Violence and the Police: a Sociological Study of Law, Custom, and Morality (Cambridge, Mass: MIT Press, 1970).

Westphal, Siegfried, Der deutsche Generalstab auf der Anklagebank: Nürnberg 1945-1948 (Mainz: v. Hase & Koehler, 1978).

Wette, Wolram, "Deutsche Erfahrungen mit der Wehrpflicht 1918-1945. Abschaffung in der Republik und Wiedereinführung durch die Diktatur," in: *Die Wehrpflicht. Entstehung, Erscheinungsformen und politisch-militärische Wirkung*, ed. by Foerster, Roland G., Beiträge zur Militärgeschichte, 43 (München: Oldenbourg, 1994): 91-106.

Wettig, Gerhard, Entmilitarisierung und Wiederbewaffnung in Deutschland, 1943-1955. Internationale Auseinandersetzungen um die Rolle der Deutschen in Europa (München: R. Oldenbourg, 1967).

———, "Die politischen Überlegungen bei der Wiederbewaffnung 1947-1952," in: *Aspekte der deutschen Wiederbewaffnung bis 1955*, ed. by Militärgeschichtliches Forschungsamt, Militärgeschichte seit 1945, Band 1 (Boppard am Rhein: Boldt, 1975): 1-38.

Wheeler-Bennett, John, The Nemesis of Power: The German Army in Politics, 1918-1945, 2d ed (London: Macmillan, 1954).

Wheeler-Bennett, John and Anthony James Nicholls, *The Semblance of Peace: The Political Settlement after the Second World War* (London: Macmillan, 1972).

White, Archie Cecil Thomas, *The Story of Army Education, 1643-1963* (London: Harrap, 1963).

Wiefelspütz, Dieter, Der Einsatz bewaffneter deutscher Streitkräfte und der konstitutive Parlamentsvorbehalt (Baden-Baden: Nomos, 2003).

———, "Das Parlamentsbeteiligungsgesetz vom 18.3.2005," *NVwZ,* Vol. 24, No. 5 (2005): 496-500.

———, Das Parlamentsheer. Der Einsatz bewaffneter deutscher Streitkräfte im Ausland, der konstitutive Parlamentsvorbehalt und das Parlamentsbeteiligungsgesetz (Berlin: Berliner Wissenschafts Verlag, 2005).

———, "Der Auslandseinsatz der Bundeswehr gegen den grenzüberschreitenden internationalen Terrorismus," *Zeitschrift für ausländisches öffentliches Recht und Völkerrecht,* Vol. 65, No. 4 (2005): 819-35.

Wiegandt, Manfred H, "Methodische Bedenken zur Entscheidungsfindung des BVerfG im Bereich der Außenpolitik. Zu den Urteilen über den "Maastricht"-Vertrag und den Auslandseinsatz der Bundeswehr," *Neue Justiz,* Vol. 50, No. 3 (1996): 113 - 118.

Wiesendahl, Elmar, "Die Innere Führung auf dem Prüfstand - Zum Anpassungsbedarf eines Leitbildes," in: *Neue Bundeswehr - neue Innere Führung? Perspektiven und*

Rahmenbedingungen für die Weiterentwicklung eines Leitbildes, ed. by Wiesendahl, Elmar, Forum Innere Führung (Baden-Baden: Nomos, 2005): 17-25.

———, "Neue Bundeswehr und die Weiterentwicklung der Inneren Führung," in: *Neue Bundeswehr - neue Innere Führung? Perspektiven und Rahmenbedingungen für die Weiterentwicklung eines Leitbildes*, ed. by Wiesendahl, Elmar, Forum Innere Führung (Baden-Baden: Nomos, 2005): 9-16.

Wiggershaus, Norbert, "Die Entscheidung für einen westdeutschen Verteidigungsbeitrag 1950," in: *Anfänge estdeutscher Sicherheitspolitik 1945-1956 - 1: Von der Kapitulation bis zum Pleven-Plan*, ed. by Militärgeschichtliches Forschungsamt (München/Wien: 1982).

Wighton, Charles, Adenauer, Democratic Dictator: A Critical Biography. (London: Muller, 1963).

Wiharta, Sharon, "Post-conflict Justice: Developments in International Courts," *Sipri Yearbook* (2004): 191-206.

Wikipedia Contributors, "Aquis", *Wikipedia,* 2006, http://en.wikipedia.org/wiki/Acquis, accessed on: 29 June 2006.

Wildavsky, Aaron, "The Self-Evaluating Organization," *Public Administration Review,* Vol. 32, No. 5 (1972): 509-20.

Williams, Peter and David Wallace, *Unit 731: The Japanese Army's Secret of Secrets* (London: Grafton, 1990).

Williamson, George S., The Longing for Myth in Germany: Religion and Aesthetic Culture from Romanticism to Nietzsche (The University of Chicago Press, 2004).

Willoughby, John, Remaking the Conquering Heroes: The Social and Geopolitical Impact of the Post-war American Occupation of Germany (New York: Palgrave, 2001).

Wipfelder, Hans-Jürgen, *Wehrrecht in der Bundesrepublik* (Regensburg: Walhalla und Praetoria Verlag, 1991).

Wirmer, Ernst, "Der Begriff 'civil control'," *Bundeswehrbeamte,* Vol. 12 (1976): 238 ff.

Wise, Lois Recascino, "Bureaucratic Posture: On the Need for a Composite Theory of Bureaucratic Behavior," *Public Administration Review,* Vol. 64, No. 6 (2004): 669 et seq.

Wittreck, Fabian, "Die Todesstrafe in den deutschen Landesverfassungen," *Jahrbuch des öffentlichen Rechts der Gegenwart,* Vol. 49 (2001): 157 - 214.

Wohlforth, William C., *The Elusive Balance: Power and Perceptions during the Cold War*, Cornell Studies in Security Affairs (Ithaca: Cornell University Press, 1993).

———, "Realism and the End of the Cold War," *International Security,* Vol. 19, No. 3 (1994): 91-129.

———, *Witnesses to the End of the Cold War* (Baltimore: Johns Hopkins University Press, 1996).

———, *Cold War Endgame: Oral History, Analysis, Debates* (University Park, Pa.: Pennsylvania State University Press, 2003).

———, "The Perception of Power: Russia in the Pre-1914 Balance," *World Politics,* Vol. 39, No. 3 (1987): 353-81.

Wolff, Stefan, *The German Question Since 1919: An Analysis With Key Documents*, Perspectives on the twentieth century (Westport, Conn.: Praeger, 2003).

Wolffsohn, Michael and Thomas Brechenmacher, *Denkmalsturz? Brandts Kniefall* (München: Olzog Verlag, 2005).

Wölfle, Markus, Die Auslandseinsätze der Bundeswehr und ihre Auswirkungen auf die Rolle der Bundesrepublik Deutschland im internationalen System (Bonn: Bernard & Graefe, 2005).

Wolfrum, Edgar, Die geglückte Demokratie. Geschichte der Bundesrepublik Deutschland von ihren Anfängen bis zur Gegenwart (Stuttgart: Klett-Cotta, 2006).

Wood, David, "The Peruvian Press Under Recent Authoritarian Regimes, With Special Reference to the Autogolpe of President Fujimori," *Bulletin of Latin American Research,* Vol. 19, No. 1 (2000): 17 ff.

Wördehoff, Bernhard, "Antworten auf das Atomzeitalter," in: *Im Dienst für Frieden und Sicherheit. Festschrift für Wolf Graf von Baudissin*, ed. by Lutz, Dieter S. (Baden-Baden: Nomos-Verlagsgesellschaft, 1985): 221-28.

Wörner, Manfred, "Parliamentary Control of Defence: The German Example," *Survival,* Vol. 1 (1974).

——, "Mehr als ein Bundeswehrausschuß," *Wehrtechnik* (1977): 15 ff.

Wright, Quincy, *A Study of War*, 2d ed (Chicago: University of Chicago Press, 1965).

Wurzer, Georg, "Die Kriegsgefangenen der Mittelma chte in Rußland im Ersten Weltkrieg," Dissertation, Eberhard-Karls-Universita t (Tu bingen, 2000).

Yilmaz, Ihsan, "State, Law, Civil Society and Islam in Contemporary Turkey," *The Muslim World,* Vol. 95, No. 3 (2005): 385 et seq.

Yngling, Paul, "A failure in generalship," *Armed Forces Journal,* Vol. 5 (2007): no pagination.

Yoo, John, The Powers of War and Peace the Constitution and Foreign Affairs After 9/11 (Chicago, Ill.: University of Chicago Press, 2005).

Yoshida, Takashi, The Nanjing Massacre in History and Memory: Japan, China, and the United States, 1937-1999 (2001).

Yoshimi, Yoshiaki and Suzanne O'Brien, *Comfort Women: Sexual Slavery in the Japanese Military During World War II*, Asia Perspectives (New York: Columbia University Press, 2000).

Zacharias, Diana, *Staatsrecht II: Staatsorganisationsrecht* (Frankfurt am Main: EuWi Verlag, 2001).

Zagorski, Paul W, Democracy vs. National Security: Civil-military Relations in Latin America (Boulder, Colo: Lynne Rienner Publishers, 1992).

——, "Civil-Military Relations and Argentine Democracy: The Armed Forces under the Menem Government," *Armed Forces & Society,* Vol. 20, No. 3 (1994): 423-37.

Zakaria, Fareed, *From Wealth to Power: The Unusual Origins of America's World Role* (Princeton, NJ: Princeton University Press, 1998).

Zeldin, Teodore, *France, 1848-1945* (Oxford: Oxford University Press, 1977).

Zelikow, Philip and Condoleezza Rice, *Germany Unified and Europe Transformed: A Study in Statecraft* (Cambridge, Mass.: Harvard University Press, 1995).

Zelikow, Philip, Robert B. Zoellick, and Aspen Strategy Group (U.S.), *America and the Muslim Middle East: Memos to a President* (Queenstown, MD: Aspen Institute, 1998).

Zetterberg, Kent, Totalförsvar och atomvapen: Tre studier kring uppbyggnaden av det svenska totalförsvaret och kärnvapendimensionen 1950-1970 (Stockholm: Försvarshögskola, 2001).

Ziemke, Earl F., *The U.S. Army in the Occupation of Germany 1944-1946* (Washington, D.C.: Center of Military History United States Army, 1990).

Zilbert, E. R, Albert Speer and the Nazi Ministry of Arms: Economic institutions and industrial production in the German war economy (Rutherford, N.J.: Fairleigh Dickenson University Press, 1981).

Zilian, Frederick, From Confrontation to Cooperation: The Takeover of the National People's (East German) Army by the Bundeswehr (Westport, Conn: Praeger, 1999).

Zimmer, Gerhard, Funktion, Kompetenz, Legitimation. Gewaltenteilung in der Ordnung des Grundgesetzes - Staatsfunktionen als gegliederte Wirk- und Verantwortungsbereiche - Zu einer verfassungsgemäßen Funktions- und Interpretationslehre (Berlin: Duncker und Humblot, 1979).

Zimmermann, E., *Political Violence, Crises, and Revolutions* (Cambridge, Mass.: Schenkman, 1983).

Zitelmann, R., *Hitler: Selbstverständnis eines Revolutionärs* (Stuttgart: Klett-Cotta, 1989).

Zubaida, Sami, Islam, the People, and the State: Political Ideas and Movements in the Middle East (London: I.B. Tauris, 1993).

———, *Law and Power in the Islamic World* (London: I.B. Tauris, 2005).