

Committed to Leadership in Continental Europe?

On German strategic deficits and how to overcome them

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It would be ludicrous to believe that a defenceless people has nothing but friends, and it would be a deranged calculation to suppose that the enemy could perhaps be touched by the absence of a resistance. (...) If a people no longer possesses the energy or the will to maintain itself in the sphere of politics, the latter will not thereby vanish from the world. Only a weak people will disappear.²

² Carl Schmitt, Translation, introduction, and Notes by George Schwab. Based on the 1932 edition of “Der Begriff des Politischen” published by Dunker & Humblot.

Outline

Preliminary remarks	5
1. Stocktaking.....	6
First corollary: The German disease is called docility: a polemic	7
Second corollary: The Autonomy of the Political According to Julien Freund or: Enmity Despite Common Economic Interests: Theoretical Perspectives.....	11
2. Outline of a strategic doctrine.....	15
a) Why did Germany not know in time about Putin's war plans?	16
b) The cold shower of the political.....	17
c) How can Russia be contained by a medium-sized power like Germany?.....	18
3. A professional acceptance of the <i>Political</i> through Institutional Reform: The National Security Council.....	24
Third corollary: The National Security Strategy announced on June 14 th 2023	26
4. Defence industry: renaissance or further decline?	27
When will the spook stop?	28
On the constitutional problem of the so-called Civil Clause	28
Fourth corollary: Nothing new from the Habeck ministry	34
Summary	37
Bibliography	40

Preliminary remarks

The Russian invasion of Ukraine, foreseeable since the end of 2021, caught Germany on the wrong foot. This consequence arose from not only the specific misjudgement of Putin by the German party establishment, but also Germany's wider indisposition in the geopolitical arena. Since the economic miracle which began in the 1950s, the second German republic was firmly convinced that it could exhaust its ambition solely by increasing the gross national product. On 22 February 2022, it was brought to the realisation that, in order to secure prosperity and freedom, one must be able to distinguish between friend and foe. What led to a foreign policy fiasco and triggered a hasty policy announcement by the Chancellor in the Bundestag³ has its deeper causes in the Germans' refusal to accept Realpolitik politics; that is, in their unwillingness to see the world as a space fissured by hostility.

Instead, the unholy alliance of the Federation of German Industries (BDI) – dominated by small-minded CDU representatives, together with pacifist Greens who are hostile to the *Bundeswehr* (armed forces) - and a foreign policy reduced to humanitarian intervention, politically neutralized Germany. The German party oligarchy believed itself to be surrounded only by friends.

Putin has unceremoniously awoken the Germans from this fantasy of well-being. The "flawless democrat" (Chancellor Gerhard Schröder's 2004 description) did not go so far as to turn off the gas tap to the country that foolishly trusted him. Although it became a supplier of heavy weapons to Ukraine, Germany believed for some time that he would continue to honour his delivery obligations. The political irrationality of this stance might be summarised as follows: on one hand, to deliver weapons to Ukraine directly or indirectly, albeit with hesitation, in the name of international law. On the other, to hope that the country fought against, will continue to guarantee gas supplies to the weapons supplier at world market prices.

Although the Ukrainian war is cruellest for those directly affected, the shock is also salutary for the Germans and their party politicians. For the latter, it could become a day of reckoning. The Moscow connections of Schröder, Gabriel, Steinmeier and Merkel have shown how naïve and dangerous their stance towards Russia was.⁴

³ The speech on the "change of times" on 27.2.22 in the Bundestag, <https://www.youtube.com/watch?v=Flk67l9Zp2w>

⁴ Bingener, Reinhard, Wehner, Markus: Die Moskau-Connection - Das Schröder-Netzwerk und Deutschlands Weg in die Abhängigkeit, 5th edition, Munich, C. H. Beck, 2023.

Germany's abrupt arrival at a strategic crossroads, raises the urgent question of how the nation should position herself in the future. What should be the role of the *Bundeswehr*? How should violence in politics be dealt with? What should be the objectives of the national armaments industry?

These are questions that politicians can no longer avoid. At present, the political elite has no independent compass, instead merely reacting to public opinion and to the wishes of Ukraine and NATO. The Greens have promptly demonstrated their opportunism and are demanding the use of German battle tanks against Russia. This demand is all the more problematic because it is being made by party politicians who are not familiar with the drawbacks of battle tanks, such as limited offensive power combined with high escalation potential. Neither have they thought through, the consequences that such a delivery could have in terms of international law and politics.

In the absence of coherent federal policy, the following lines attempt to provide orientation in order to anchor the search for a strategy for Germany where it belongs according to Egon Bahr: in the definition of German interests.⁵ It is after all, in the German public interest to be aware that the next few years will decide their future role in history as a nation.

1. Stocktaking

In his speech in the Bundestag on February 27, 2022, three days after the invasion of Ukraine by Russian troops, the Chancellor spoke of a turning point in time. He immediately practised the method with which the Federal Republic of Germany has habitually and successfully nipped political controversies in the bud: lavish financial allocations. The German government's response to the Russian invasion, which violated international law, was to create a special fund of 100 billion euros to rearm the Bundeswehr and make it ready for action. We will come back to this and to the placebo effect of the announcement. It could not, however, change the alienation of the Germans from their armed forces and the lack of operational readiness of the Bundeswehr, unless the concept and the reality of the need for military force were also brought to the fore.⁶ The fact that 100 billion euros were suddenly made available to make the German armed forces operational was also a *de facto* admission to the nation: our armed forces are currently unable to defend Germany.

⁵ Cf. Egon Bahr, *Deutsche Interessen*, loc.cit.: with policy recommendations that the author does not share.

⁶ Cf. Kerber in Infobrief Heer des FKH June 2022.

The Chancellor's Sunday address to the German Bundestag on the turning point of the times ("Zeitenwende") was thus an admission of failure on a monumental scale. For it was preceded by a phase of at least 20 years - including the 16 Merkel years - marked by the decline of international political engagement. Chancellor Schröder's refusal to take part in the war in Iraq, an instinctive reaction and an expression of the fear of entering a conflict that could not be controlled and from which there could be no exit, was the notable exception of a regime that only became politically active when it saw dangers to its own existence.

Thus, the Merkel years were marked by a ghettoization of the military. The Federal Ministry of Defence was allocated chiefs whose training and political experience made them unfit to hold command positions and authority.⁷ This mismatch was the outcome of the policy of the Chancellor's Office: No sovereign initiative of the Federal Republic of Germany to participate in military conflicts. Hardcore war was to be avoided at any cost. The Bundeswehr was to be made available only for low-intensity missions when requested by allies. Scholz has emphasised the renunciation of autonomous national deployment of German armed forces since the outbreak of the conflict, consequently subjecting the use of national military resources to the decisions of NATO allies, especially the United States. This renunciation of sovereignty has been rhetorically disguised by pointing out that Germany cannot afford to go it alone.

The disastrous consequences of this political-military paralysis became clear at the end of the Afghanistan conflict. After following the American allies for almost 20 years, Germany was obliged to follow Washington at the time of the unilateral withdrawal announced by the Americans.

First corollary: The German disease is called docility: a polemic

Germany is fortunate to count so many nations as friends given that historically, it has made profound errors on the international stage. One such 'friend' is Denmark, the geographical continuation of the German state of Schleswig-Holstein. An allegation was made that Denmark made a node in the international telephone network available to the NSA, one of the 16 secret

⁷ Rudolf Scharping had to resign from office because he was relaxing with his girlfriend in the swimming-pool while his soldiers were on duty in Kosovo. Franz-Josef Jung, sent from Hessen by Roland Koch, had never heard the word Bundeswehr when he was appointed minister, only to immediately make CDU party scions like Ulrich Schlie head of the planning staff. This was followed for a short time by the administratively gifted de Maiziére, who was unable to prevent the misfortunes of von der Leyen, whose numerous concessions to France also disgusted her party friends. Kramp-Karrenbauer was merely an intermezzo, who then had to make way for Lambrecht, who did not seem interested in the portfolio.

services of the USA, for the purpose of monitoring three top German politicians.⁸ Certainly, it was the case that this small, self-confident country, characterized by individual virtuosity of taste, was unable to resist the persuasion of its transatlantic ally before making its telephone nodes accessible to it.

But that's politics. A few years after the spying on the government of a major state in the centre of Europe was uncovered by a whistleblower, who is to be tried in the United States and faces life imprisonment, Germany can still tell itself that it continues to be surrounded - if not crushed - by friends. The NSA action was only a small cameo scene on the international stage. But now, the reasoning goes, everything will be fine and our friends including the US, will also tell us who our enemies are. In a historical context, it might even be recalled that they sent all those care packages and distributed chewing gum after the war. For that alone, we owe them friendship. The fact that they wiretapped the German Chancellor is merely a blemish.

As an aside, one has to wonder why they wanted to know more about the activities of Mrs. Merkel, who has a flawless record of probity and is devoted to the USA. She was of course, a functionary in the Communist youth organisation FDJ and was able to receive both the communist "youth dedication" and the Christian confirmation when she was a 14-year-old. She seems to be able to operate reliably and successfully in all systems. Perhaps this caused a regrettable mishap whereby the secret service of a friendly country – together with another friendly, smaller country - bugged the German head of government. Perhaps even our American friends were wrong about who their enemy is. But this does not change the fact that we, of course, remain their friends.

They have shown us how much they are our friends in Afghanistan. The U.S. called for us to come, and we came. When the U.S. said it would leave, of course we went with them. Unfortunately, we didn't leave before they did, enabling the Taliban to eviscerate the fragile level of security and show the world public what lasting effects a 20-year, billion-dollar, blood-sacrifice-lined mission in Afghanistan has produced. But 3000 'local forces' Afghan personnel are returning to Germany too. There is fear that they have enemies in Afghanistan who resent their joining forces with Germany. Afghanistan was not stabilized by the German contribution and has no effective rule of law.

Were the dynamics of German involvement in Afghanistan anachronistic? Not really. In some respects, Germany has not been an independent nation for a long time. The USA as the hegemon

⁸ "Denmark alleged to have helped NSA in wiretapping operation," FAZ, May 31, 2021.

of NATO is the protecting power of Germany. The consequence is clear: the protector determines who is the enemy, "by virtue of the eternal connection between protection and obedience."⁹

The *zeitgeist* portrayed by the German political elite is one of tranquillity, on the grounds that the country has trustworthy friends.¹⁰ These can be counted upon to identify potential adversaries and the best joint countermeasures. Of course, this narrative is entirely contradicted when a 'friend' is found to be listening to the telephone conversations of the German head of government. The most positive, if unlikely interpretation is that the 'friend' merely wants to ensure that the friendship is an enduring one.

Another longstanding member of Germany's circle of friends is France. In 2013, the French president called for Germany to intervene militarily in the Mali conflict. Why Germany, without any interests in Mali and fortunately, without any colonial burdens in Africa since 1918, immediately prepared to send soldiers to Mali, is entirely opaque. What it was supposed to achieve was also unclear. But no further inquiry was necessary: the request was made by a friendly country who apparently knew the difference between friend and foe. Thus, good would inevitably triumph over evil. Despite this backdrop of trust, it is not entirely unsurprising that France recently withdrew from Mali and left the mission entirely to Germany.

The current French president Macron, is equally adept at exploiting the friendly relationship, as evidenced by the large-scale armament project for a European fighter aircraft (FCAS). The project will cost 300 billion Euro. Germany's role is that as a part of the project, it is entitled to help pay for it and some of its defence companies will be given subcontracts. Realistically this may be the best achievable outcome for Germany, which no longer has the capacity to build entire fighter planes. Messerschmitt, Bölkow, Dornier and Junkers are all names of the past.

In summary, the German *raison d'être* has settled into place. We finally have a comfortable and tranquil home. In the German living room, every bourgeois can make himself at home, even the federal apparatchiks who call themselves politicians. Because we Germans are surrounded by friends. And they tell us what to do.

⁹ Carl Schmitt *ibid.* p. 53.

¹⁰ In Germany, the U.S. has about 30 military bases as well as the headquarters of U.S. forces in Europe in Wiesbaden. Kissinger expressed in "The troubled partnership" (1965) p. 205 his satisfaction that Germany was already armament-wise incapable of autonomous military action.

The unsovereign leadership of German troops in Afghanistan was merely the prelude to what has now taken place before everyone's eyes with the Ukraine war. Germany continues to obediently listen to the direction of its all-powerful ally, the United States, and accordingly replicates the errors of judgment that "American friends" make from time to time. A classic example was the hasty, unforeseen, logistically improvised withdrawal of troops from Afghanistan. For Putin, this was final proof that the Western alliance not only pursues very different interests, but was incapable of organizing an orderly withdrawal, although in fact this is widely recognised as the most difficult of military manoeuvres.

The extent to which the political elite of our country has intellectually resigned itself to insignificance, has now become apparent. Its complicity in the political dwarfing of Germany has become clear in recent years from the drumbeat of Putin admirers and followers. These include not only the former German chancellor Schröder, who is paid by the Kremlin, but also a whole chain of intellectuals and former politicians. They have proposed in articles, the thesis that there can only be security and peace with Russia, through acceptance of Russian politics.¹¹ This grouping is essentially gathered around the widow of the former Minister of State Egon Bahr. It wants to make the German public believe, even after the invasion of Ukraine, that the reason for aggressive Russian behaviour is not an ineradicable imperial attitude of the Russian KGB cartel and the will to defend, by force if necessary, the existing Russian imperial space from the intervention of outside powers.¹² Instead, the invasion of Ukraine becomes an indirect result of NATO's eastward expansion. In this context, the warning words of Putin at the Munich Security Conference in 2007 are again referred to in order to apologetically locate the fundamental cause for the invasion of Ukraine in NATO's eastward expansion.¹³

It is remarkable that in the course of Germany's depoliticization, Putin's Russia has managed to deceive the Germans about her true motives. This deception applies not only to the intentions with regard to Ukraine shortly before the invasion of this former Soviet republic, but also to the wider aims of Russian policy. Such aims have been adroitly orchestrated via so-called civil society organizations, such as foundations for climate change in Mecklenburg-Western Pomerania, the

¹¹ Adelheid Bahr (ed.) *Why we need peace and friendship with Russia*, Frankfurt/Main 2018.

¹² On this Carl Schmitt, *Völkerrechtliche Großraumordnung mit Interventionsverbot für raum-fremde Mächte*, 4th ed. 1941 in Schmitt, *Staat-Großraum-Nomos, Arbeiten aus den Jahren 1916-1969*, Berlin 1995 p. 269 ff.

¹³ Thus the co-author of Bahr (ed.) Friedrich Dieckmann.

satellites of Russian state television such as RTV and various Kremlin-affiliated forums¹⁴. Anyone aware of Putin's barbaric partners in Syria, who do not hesitate to subjugate their own people with murderous violence, should have recognized the ruthlessness and unconditionality with which Putin is prepared to defend Russia's claim to imperial power.

In face of this situation, we must soberly realize that the doctrine of the Federal Republic of Germany is being profoundly challenged for the first time since its founding. Economic interests do not seem to be always suitable to keep political enmity in check. The author of these lines believed that Ukraine was safe from a Russian attack because it would be militarily hazardous and economically self-destructive for Russia. However, such reasoning fails to recognize the fundamental force of the political. This force sometimes also¹⁵ includes irrationality, as *Julien Freund* has pointed out, i.e. the willingness to be hostile to one's own economic interests.

Second corollary: The Autonomy of the Political According to Julien Freund or: Enmity Despite Common Economic Interests: Theoretical Perspectives

Before Russia's invasion of Ukraine, which aimed at eliminating her government and bringing the country into line or establishing a puppet regime, the political leaders of Western Europe made a pilgrimage to the Moscow potentate's conference table. The French president, who considers himself a world leader, even addressed the Russian president by the informal “you”, to which the latter responded politely, but not with the same familiarity. The German chancellor - even more submissive, but more discreet – limited discussion to an exchange of views, after the conclusion of which he still saw room for diplomatic manoeuvring. The Hungarian head of government, Orbán, was pleased to be assured by Putin of particularly favourable gas prices. He praised Hungary's special relationship with Russia as an example of peaceful coexistence, despite her NATO membership. The Baltic states and Poland repeated their fact-robust Russophobia in the Ukraine crisis, although in Estonia a significant Russian minority lives peacefully together with the

¹⁴ German-Russian Forum <https://www.deutsch-russisches-forum.de/>

¹⁵ Julien Freund, *L'Essence du politique*, 3. Aufl. 1986.

Estonians.¹⁶ For Balts and Poles, Russia remains the hereditary enemy. The scars of the past will not heal.

Finally, there are significant voices in Poland that would like to seize the western part of Ukraine¹⁷. In the meantime, they are waving off this idea at official events. The takeover would cost Poland too much financially.

The Russian president was not swayed by all this. He knew that the West would not deploy its own forces against an occupation of Ukraine and decided unilaterally, if and when to invade Ukraine without declaring war on it. Whether international law permits or forbids this, was and is irrelevant to him. Whether there is a pretext for this that is credible, is of equally little import to him. He was amused at the fact that the German foreign minister begged him to withdraw from Ukraine. He alone elected to be the enemy. The question of whether the other side - the West, Ukraine, the neighbouring countries, not least Moldova and Georgia - implored Russia not to be an enemy, did not matter to him.

This autonomy of the "enemy declaration" (qualifying a party as *hostis*) has been ignored by the German society for a long time. The unspoken but firm consensus is that one does not want war as an escalation of enmity, because one considers it morally reprehensible. Furthermore, one is of the opinion that potential opponents will renounce declarations of enmity, if one can only talk them out of it. That this does not necessarily work, can be inferred not only in the case of Islamism, but also in the phobia of the Russian president and the security apparatus behind him as well as the Russian economic oligarchy towards the West. Nothing and no one in the world could stop Vladimir Putin from invading Ukraine in the face of the West's lack of deterrence. He thus confirms his sovereignty over the timing and modalities of the declaration of hostility.

Much has been written about such dynamics in the literature on constitutional law. *Carl Schmitt* argued about it in "Der Begriff des Politischen"¹⁸ (The Concept of the Political), and his admirer *Julien Freund*, later professor in Strasbourg, named the concept of enmity as the essence of the political in a long dissertation.¹⁹

¹⁶ Approximately ¼ of the 1.3 million Estonians are of Russian origin. In Narva, 95% of the population is Russian. Only parts of this Russian population have Estonian passports.

¹⁷ See the graph in the attachment.

¹⁸ Much has been written about this in the literature on constitutional law *Carl Schmitt, Der Begriff des Politischen*, 3rd ed. of the 1963 edition, Berlin

¹⁹ *Julien Freund, The Essence of Politics*, 3.Aufl. Dalloz 2003

Whoever gives up the will to be an enemy and thus the willingness to regard the enemy as an enemy ("hostis" in contrast to "inamicus") is politically decadent. For he puts himself under the domination of the enemy, who, well aware of a one-sided refusal to be an enemy, is all the more encouraged to assert his hostile advance.

It is not only legitimate, but also a requirement of academic honesty to point out the source of Julien Freund's political philosophy. He was from Alsace and, in hiding in France during the German occupation, maintained close contact with Carl Schmitt after the war. As early as 1932, the latter had presented a monograph²⁰ on this subject that was as controversial as it was powerful, and had closely linked statehood and the concept of the political. But since the political cannot do without the distinction between friend and foe, the *Ius belli* - i.e. the right to wage war - is also one of the basic prerequisites of political-state existence.

Schmitt writes:

"For as long as a people exist in the political sphere, this people must, even if only in the most extreme case-and whether this point has been reached has to be decided by it-determine by itself the distinction of friend and enemy. Therein resides the essence of its political existence. When it no longer possesses the capacity or the will to make this distinction, it ceases to exist politically. If it permits this decision to be made by another, then it is no longer a politically free people and is absorbed into another political system."²¹

If one cogitates on these lines, the question is raised as to why the Germans have tried so hard in the last 25 years to deprive themselves of their own existence as a politically free people. For, as the war in Ukraine has abruptly proved, no single nation - least of all Germany - is able to overcome the distinction between friend and foe by declaring friendship to the whole world, still less by voluntarily disarming itself while formally retaining its armed forces.

The ambition of the Germans to pacify the world by disarming themselves has had, as the case of Ukraine shows, the opposite effect of what it was supposedly intended to achieve. Putin's Russia was effectively invited to take militarily what it has no normative or moral right to do. So it is indeed naive to believe that a defenceless people has only friends, and it is a sophistry to believe that the enemy could be deterred by organized non-resistance. It is now imperative that Germans

²⁰ Carl Schmitt, *Der Begriff des Politischen*, mit einer Rede über das Zeitalter der Neutralisierung und Entpolitisierungen, newly edited, Munich - Leipzig 1932.

²¹ Carl Schmitt, *The concept of the political*, Chicago 2007.

face hard reality: to finally accept the ineradicability of the political. A people which no longer has the strength or the will to keep itself in that sphere and apply categories of friend and foe, becomes irrelevant on the world stage.

In this context, the verbal self-exposures of political fatuity by German politicians should not remain unmentioned. Ms. Baerbock, Minister of Foreign Affairs, complained publicly: "Putin lied." Did she expect him to tell her beforehand about Russia's invasion plans through Foreign Minister Lavrov? Ms. Baerbock's intellectual credulity coupled with her lofty moral claims has been a serious handicap for German politics. For this foreign minister lacks ability to recognize the reality behind the facade of politicians' pronouncements. Her complaint about "Putin's lie" is the admission of her unprofessionalism.

The blazing flames of the war in Ukraine amount to a warning shot against the political naivety that has spread in Germany under Green-Pacifist influence. It is time to reassess the security situation in Europe and to see things as they are, not as one would like them to be.²² The renaissance of the political must be on Germany's mandatory agenda if our country is not to disappear as a political force.

Russia's invasion of Ukraine is not only proof of the manifest misjudgement of Russian policy by the Federal Government and by the entire political staff of the Federal Republic of Germany. Rather, it simultaneously leads to the irreversible breakdown of the "FRG doctrine". Since 1990, Germany has been following a business model in which politics hardly ever appeared. Kissinger characterized our country as a "gross national product in search of a political raison d'être". He was right, although in recent years the search for Germany's raison d'être has ceased because the illusion had been created that all problems could be solved with generous checks. Ukraine's protest against the laying of the Nord Stream 2 gas pipeline outside its territory was also to be made palatable to Kiev by means of a fund worth millions of Euro. This was the last act of economic appeasement policy for which Mrs. Merkel was responsible.

²² It is a proof of the unlimited opportunism of green-left politicians like Anton Hofreiter as well as the couple Fücks/Beck - meanwhile recycled under "Liberale Moderne" - who ultimately demand the delivery of heavy weapons to Ukraine because they think they know that Putin wants to destroy the Ukrainian people. The same circles had compared soldiers to murderers decades ago and demanded unconditional, unilateral disarmament of Germany.

Some form of transformational change is clearly required. The question then arises as to how the business model of the Federal Republic of Germany can be renewed to finally assume political responsibility as a power in the centre of Europe, and not only as its largest economy. Moreover, the question arises as to what response Germany and its European partners are prepared to back, in relation to Putin's willingness to support his territorial conquest by hinting at the use of tactical nuclear weapons.

In summary, Germany needs a strategic doctrine that evaluates and learns the lessons of the Ukraine war and puts them on a taboo-free agenda of renewed German policy.

2. Outline of a strategic doctrine

Whenever there are warlike conflicts, which mostly take place far away from Germany, retired generals from Bundeswehr appear in the media to explain these events. The Ukraine war was the first since the end of the Second World War, to take place on the German doorstep. War was described by Clausewitz as a chameleon due to its ever-changing nature. However, his warning has gone unheeded by these retired generals who cannot resist the temptation to share their expertise with the public.

The 81-year-old ex-General Kujat, former head of the Planning Staff and then Inspector General and Chairman of the NATO Military Committee, claimed to know even before the war broke out, that an attack by the Russian army could not be stopped by the Ukrainian forces. The former NATO General of the German Armed Forces Domröse knew enough immediately after the invasion of Russian troops, to announce that Putin wanted all of Ukraine and would merge the defeated Ukrainian army with the Russian Army. Klaus Wittmann - a brigadier general who has been retired for more than 10 years, has no battlefield experience, and has neither fired nor heard a shot in his 40-year career in the Bundeswehr - explained on television channel N24 how attritional a house-to-house battle for Kiev would be for the Russian army.

The N24 television presenter ascribes to the former military representative of Germany to NATO, Lieutenant General (ret.) Kather, "exciting statements." Would it make more sense for retired generals who think they have original insights, to make them available to the country's political leadership in a discreet and disciplined manner, instead of indulging in vanity and spouting their platitudes on television?

The willingness of retirees-general to fight their irrelevance in mainstream media says nothing about the ability of the Federal Republic of Germany to properly assess a completely new situation. The Federal Chancellery also refuses even to acknowledge information about Russian activities in the Baltic Sea, which has been available for quite some time, as well as the jamming of the Internet transatlantic cables in the Irish Sea - under the cover of a Russian naval manoeuvre. The only thing worse is the wilful ignorance of the German Minister of Foreign Affairs: information about crisis areas provided by the Bundeswehr via special reconnaissance ships of the German Navy is ignored by this authority.

a) Why did Germany not know in time about Putin's war plans?

The USA had warned very early - probably due to a mole in the state apparatus of the Russian Federation - of an attack on Ukraine. Against the background of the false report in connection with the alleged weapons of mass destruction of the Iraqi tyrant Saddam Hussein in 2003, which even the then U.S. Secretary of State Powell fell victim to, the public hesitated to believe the American warnings. In any case, the Federal Intelligence Service (BND), which was responsible for foreign intelligence, apparently had no autonomous sources of information. This once again raises the question of the efficiency of the foreign intelligence service, whose chief has also so far survived the Afghanistan debacle without consequences. The president of the BND was also unaware of the outbreak of the Ukraine war on 24 February 2022: he was in Kiev and had to flee the country by car in a western direction. The BND was also unaware of the coup in Niger.

In the media - before the invasion of Ukraine - the voices of Russia lobbyists and the circles economically interested in the gas supplies (Ostausschuss der deutschen Wirtschaft) were heard more than those who - sufficiently informed - argued politically-strategically. In addition, a former German chancellor, who had himself been hired as Putin's lobbyist, made his entire network available in order to promote the Nordstream gas NS2 project. Statements critical of Russia were dismissed as Russophobia if they came from Poland and the Baltic countries, creating a public climate in which sober political discussion was hardly possible. This may explain why the Germans, despite the military encirclement of Ukraine with 150,000 Russian soldiers - almost a quarter of the total strength of the Russian armed forces - were not prepared to recognize the enemy as an enemy, but to convince themselves that things would be all right in the end. Besides, it would not affect

Germany directly, and if Putin were really ready to take this step, he would be cutting his own flesh.²³

b) The cold shower of the political

The surprise came because Putin - rightly or wrongly informed - saw the West as unable to respond effectively to an invasion. The turnaround announced by Chancellor Scholz was tactically irrelevant and will only be strategically useful if the concept of military force as the nucleus of politics is once again anchored in German society. The 100 billion euros in the form of a special fund for the Bundeswehr clearly represent declaratory politics. They have so far provided nothing in the way of crucial armament, but can only serve to implement current programs - hopefully with a greater share for German industry - more quickly than has been possible in the past. In this regard, the rapid implementation of current armament programs is most important, if possible with simultaneous reform of procurement including the Federal Office of Bundeswehr Equipment, Information Technology and In-Service Support (BAAINBw)²⁴. Even more critical, however, is the intellectual rearmament of the Federal Republic of Germany.

Looking at the intellectual state of the strategic policy community in the German capital, it is immediately apparent - even without comparison with Anglo-Saxon think tanks - that they are an expression of political simplicity. Under the presidency of former Airbus chief Enders, the German Council on Foreign Relations is nothing more than an advertising platform for its sponsors. The German Institute for International and Security Affairs (Stiftung Wissenschaft und Politik), an offshoot of the German Foreign Office, has never managed to publish and be recognized on an international level, but reproduces the policy approaches of the German Foreign Office. The Political-Military Society - which tries to imitate Scharnhorst - remains a highly private group of some military men and publicists who consider themselves grand strategists. The Bundeswehr's effort to fill the vacuum of strategic thinking through a German Institute for Defence and Strategic Studies²⁵ has so far failed because of the bureaucracy of the Bundeswehr and the lack of mobilization of the intellectual potential of civil society. Since the appointment of a new chief, one may hope.

²³ Particularly clueless were the assessments of the then naval inspector Schönbach that Putin only wanted respect and that Crimea was lost anyway.

²⁴www.bescha.bund.de/DE/ElektronischerEinkauf/KaufhausDesBundes/Organisation/BAAINBw/baainbw_node.html.

²⁵ GIDS <https://gids-hamburg.de/>

Strategic concepts, not to mention doctrines, are not to be expected from these institutions. However, it is imperatively urgent to find a response to the new situation created by Russia.

c) How can Russia be contained by a medium-sized power like Germany?

First and foremost, there must be better intelligence - and thus a reform of the intelligence services - as well as a centralization of all sensors that are capable of providing the decision-makers in German politics with operational-tactical and strategic information. This also presupposes that these decision-makers - primarily the Federal Chancellery, but also the Foreign Office – will become willing to take note of and evaluate decision-relevant information. Without rigorous evaluation, no information picture - and thus no strategic overview - can be created. Once this has been done, however, conventional countermeasures can be initiated immediately. These could concern:

- The restriction of the Russian Baltic Fleet's submarine activities.
- Intervention in the Russian Navy's actions disguised as manoeuvres against the Transatlantic Internet Cable in the Irish Sea
- A stronger naval presence in the North Atlantic and Pacific Oceans

And finally:

- Russian activities in Syria

Germany does not have sufficient resources to become a one-hit deterrent. But together with NATO and as the leading navy in the Baltic, Germany's military effectiveness can be significantly increased. The hasty purchase of super-expensive F35 jets was not necessary to achieve this. But equipping the submarines with guided missiles, which has been under discussion for 15 years, is overdue. Measures against the use of tactical nuclear weapons are limited to declaratory policy.

In this context, it will be important to postpone Ukraine's accession to NATO because its inclusion in the alliance would immediately trigger off an emergency in the event of a Russian attack on Ukraine. However, nothing would be more fatal for the cohesion of an alliance if, for tactical reasons of preventing nuclear escalation, the alliance were then not to be called into action. The memory of Nazi Germany's attack on Poland - despite the declarations of guarantee by Great Britain and France - may illustrate what fears for the disintegration of the Atlantic alliance would

be connected with this. Moreover, the interests and tactical contributions of NATO allies are extremely varied. Some are immediate neighbours of Russian nuclear power and feel permanently threatened by the Russian Federation, but have very limited tactical potential (Poland). The others, such as France and the USA, are geographically distant and are themselves nuclear powers.

Since Carl Schmitt wrote his powerful theses on the nature of the political in 1932, the forms and consequences of hostility have changed qualitatively because of nuclear armament. The mere existence of nuclear weapons, or even the possibility of developing them, gives any enemy a potential for aggression that could lead him to believe that he can eliminate the enemy he has destroyed once and for all with a first strike (decapitation strike).²⁶ During the Cold War, the two superpowers therefore made precise tactical calculations in order to set the temptation threshold for such a decapitation strike as high as possible and to eliminate any misunderstanding or misinterpretation about supposedly aggressive actions in the form of a "red telephone", i.e. a permanent connection between the superpowers.

These considerations contain only to a small extent, possible solutions for the present situation, in which a continental land power has a nuclear potential which is several times sufficient to destroy the whole of Europe existentially. In view of the Russian president's declaration as well as the instruction to his defence minister in spring 2022 to keep these weapons on standby - they are declaratory indications of the country's own destruction potential – German party politicians began to express their views on possible countermeasures. These proposals are at an intellectual level that has characterized the strategic policy discussion in Germany for years. Schäuble thought that the EU should install its own nuclear umbrella, drawing on existing resources (France). This proposal fails to recognize that France is under no circumstances prepared to relinquish the independent disposition of its nuclear potential or to share it with others. Apart from that, France's remaining nuclear potential - i.e. her ability to launch intercontinental ballistic missiles via nuclear-powered submarines²⁷ - should be sufficient to destroy major Russian cities. To be sure, France has retained its ability to deliver air-delivered nuclear bombs into enemy space. The only question is for how much longer.²⁸

In Germany, the mechanisms for sharing nuclear weapons have not been controversially discussed so far. Realistically, such sharing means that on NATO's instructions - i.e., on the orders of the

²⁶ Kissinger, Nuclear Weapons and Foreign Policy 1958.

²⁷ France has three so-called SNLE with an unknown number of missiles.

²⁸ Vgl. hierzu demnächst Dainville, Comment l'Europe peut se doter d'une stratégie globale 2023.

USA - German aircraft (i.e., those that are suitable as carriers of nuclear weapons or are considered suitable by the USA) deliver nuclear bombs to enemy targets. Whether and how the German institutions designated for this purpose are consulted beforehand in the use of, or participation in the use of, the transfer of nuclear weapons against enemy targets has not been clarified. In view of the haste with which such decisions are necessarily made, it can probably be assumed that the NATO/USA instruction will be followed more quickly than a German government or Bundestag can express an opinion on the matter.

If one asks the question about the possible reactions of a middle power like Germany towards a nuclear power like Russia, there are conceptually three options:

- The possibility of a coalition: This already exists in the form of NATO, but so far it does not allow Germany any autonomous actions. This needs to be worked on. The greater the Bundeswehr's operational capability and readiness, the weightier Germany's voice is likely to become.
- The conquest: all attempts to solve the Russian threat by way of conquest have not only failed in history, but should also be recognised as actually impossible. Those in doubt should read the analysis by Oswald Spengler, who in the spring of 1933 pointed out that the vastness of Russia made the country politically and militarily unassailable.²⁹ In Poland, this realization has not yet taken hold.
- A third option consists of contractual arrangements. These are based on trust and have so far only taken place between nuclear powers, because only nuclear powers regard each other as equal partners and thus as mutually capable of entering into agreements. They are often not honoured, can be terminated unilaterally at any time, and are essentially based on the parties having sufficient deterrent options to prevent the other side from acting in complete violation of the treaty. For these reasons, neither Germany nor the EU is a treaty partner vis-à-vis Russia.

So what to do in the face of Russia's decision to deploy nuclear launch platforms in Belarus?

A comprehensive answer to this question requires an investigation that cannot be carried out within this paper. However, a limited, restricted answer to the question of what Germany, as a member

²⁹ Cf. Oswald Spengler: *Years of Decision. Deutschland und die weltgeschichtliche Entwicklung*. Reissue of the book first published in 1933, Munich 1980, p. 73.

of NATO and independently, can do to counter the Russian Federation's conventional warfare and its declared readiness to use tactical nuclear weapons is possible and necessary.

In this context, it should be noted that any action within the alliance, even by a medium-sized power like Germany, is possible only within the framework of the U.S. nuclear umbrella. This strategic umbrella protects our country from targeted conventional or even nuclear strikes, but it does not dispense us from considering what specific contribution Germany can develop to contain Russian imperial policy. If the nuclear umbrella is the basic prerequisite for any action by German policy, then this policy must send a clear message to the Russian Federation: NATO is united and Germany is doing everything to support and secure this unity. Furthermore, Germany is prepared and feels obliged, as the economically strongest country after the United States in the Western alliance, to assume military and political leadership functions in Europe, acting as a focal point of transatlantic unity. This not only makes sense but is necessary as an independent and new contribution by Germany. Russian policy, in the practiced Soviet tradition, is aimed at splitting the Western alliance, separating Europe and the United States, and sowing disorder and discord within the European camp, which is already populated with the most heterogeneous interests. Charles de Gaulle's writing, "Discord in the Enemy's Camp,"³⁰ written as an afterthought to World War I, may have been a leitmotif of neo-Soviet policy.

In order to separate Europe from America and to divide the Europeans amongst themselves, Russian policy has always turned to Germany. Since 1917, when the Bolshevik world revolution was on the agenda of history according to Moscow's will, Germany was the bearer of hope for Soviet politics and the conduit of communist propaganda. Unfortunately, this has not changed over a century later. The Germans' idea that there is a particularly romantic relationship between Russians and Germans may be culturally justified or may often remain reality in the interpersonal sphere. However, it is a dangerous part of political romanticism that ignores the imperial aggressiveness and subtle methods of neo-Soviet Russia under Putin's leadership.

This neo-Soviet Russia, with its military reconnaissance and through all possible political channels, identifies the weak points in the transatlantic alliance and tries to sow discord wherever possible. For historical reasons, these efforts are doomed to failure as far as the relationship between the United States of America and Great Britain is concerned. But in Europe, as between Germany and France, between Germany and Poland, among the Scandinavian countries and the Baltic mini-

³⁰ La discorde chez l'ennemi

states, there are as many opinions as there are interests. In addition, there are countries that are only pseudo-sovereign and yet, like Luxembourg, feel they must constantly speak out on major foreign policy issues. Germany's special responsibility is to contain this permanent dissent and to ensure that the overambitious French foreign policy in particular no longer strays into individualistic actions and endangers the alliance.

In addition to this function of *rassemblement*, Germany naturally retains the possibility of seeking talks with the Kremlin, whether in back channels or officially, and of making independent proposals. It might be justifiable to point out that the mobile missile launchers deployed in Kaliningrad Oblast in North-East Prussia, with which Russia can reach any point in Central Europe, are probably much more important than the reconquest ("liberation") of the entire Donbas or even Crimea. In any case, from a Western European point of view, the neutralization of the Kaliningrad oblast appears to be a militarily prioritized goal, which could be exchanged for the abandonment or extensive neutralization of eastern Ukraine within the framework of a Realpolitik.

Whether Russia's threatened deployment of tactical nuclear weapons in Belarus is the prelude to a possible escalation remains to be seen. As long as the intelligence chiefs of both nuclear powers are in constant contact with each other, the risk of uncontrolled escalation should be almost non-existent.

In contrast, there remains a more fundamental strategic risk for the Europeans. For the United States of America, as the natural hegemon of NATO, the use of tactical nuclear weapons on the European battlefield, no matter who initiates it, is more acceptable than for the Europeans. This incongruence of interests between Europeans and Americans due to the geographic distance created by the Atlantic Ocean is something the Kremlin knows well how to measure. This is the notch in which it has always struck, and especially with the decision to rearm in the 1980s, in order to drive a rift into NATO. At this point, Germany must make herself the natural advocate for all of continental Europe. Whether France, as a nuclear power, will submit to such a representation is doubtful. However, it is a matter of political concern for the world's fourth-largest economy to draw the attention of its European partners to this incongruence in the distribution of risks and to represent this position discreetly but unequivocally in Washington.

Without Germany's willingness to promote the necessity of military power in its own country, to deploy its own armed forces while accepting losses and to make this willingness clear in a declaratory manner, it will not be possible to contain neo-Soviet Russia. For the erroneous belief

of the Federal Republic of Germany that it could contain Russia economically by appealing to its economic interests was plausible, but has been disproved since 22 February 2022.

Russia's war of aggression against Ukraine, although operationally largely a failure and economically the temporary end of any cooperation between Russia and the West, is situated in the political logic of Russia's anti-economic policy decisions. We have known about this counterintuitive logic since the creation of the Soviet Union. If the American president and his successor Eisenhower had expected that after the victory over Nazi Germany, the Soviet Union would concentrate on internal reconstruction and economic reconstruction, the opposite was the case. Although the removal of war damage was the main focus of the postwar years, this did not prevent the Soviet Union from engaging in foreign policy adventures and continuing them into the 1960s (e.g. the Cuban Missile Crisis).

Both Stalin and his successor Khrushchev cared little about economic rationale and thought they could subjugate the Western democracies, which they saw as weakening, through political-military calculations. Putin is continuing this strategy and, since recruiting a former German chancellor as his commercial aide, has been fortunate to have found such a compliant object in Germany.

This will have to change.

The reference to the calculated deployment of tactical nuclear weapons leads to lines of thought that have been topical, long before Putin ordered the defence minister and the chief of staff to alert the so-called defence forces. Henry Kissinger described the use of tactical nuclear weapons as possible in principle as early as 1957.³¹

For him, this was a necessary option in the heyday of the Cold War in order to maintain the upper hand over the Soviet Union, which was increasingly arming herself with strategic nuclear weapons. Kissinger assumed at that time that tactical nuclear strikes could be limited in time and space. Whether such a limitation is technically possible and whether politically an escalation can be prevented will remain undiscussed here.³² However, the reservoir of strategic options for responding to wars of conquest and to the threat of tactical nuclear weapons is not limited to nuclear responses alone. European societies - including the society of the Russian Federation -

³¹ Henry Kissinger, *Nuclear Weapons and Foreign Policy*, abridged edition 1969.

³² The question of whether Kissinger still adheres today to the idea he expressed at the age of 34 is probably an open one.

have an infrastructure that is incomparably more sensitive than in the Cold War era. It is therefore conceivable that conventional weapons could be used to disable the nerve centres of a country's technical infrastructure. This is known to be the case for the internet, but also for the entire telephone network as well as the navigation satellites, with which the manoeuvres of the enemy can be identified in great detail.

3. A professional acceptance of the *Political* through Institutional Reform: The National Security Council

There are calls from various parts for the establishment for a German national security council. The hope is that this would create a central body within the federal government that would define national security interests, issue guidelines and, if necessary, take measures to protect them. The creation of such an institution cannot take place before analyzing the institutional deficits of the existing Federal Security Council (Bundessicherheitsrat) and its implementation in the constitutional framework.

The Federal Security Council is a Subcommittee of the Federal Government that brings about an interministerial compromise on decisions with foreign economic impact. It consists of representatives of the Foreign Office, the Ministry of Defence, the Ministry of Economics, the Ministry of Development and the Federal Chancellery. It is not clear from the rules of procedure of the Federal Security Council, whether a majority vote is taken on export-related issues, or whether the veto of one ministry can prohibit a foreign economic transaction. There is consensus that the Federal Security Council³³, which meets only on a case-by-case basis, cannot accomplish what would be required of a national security council: the definition of national security interests and the outlining of policies and measures for the purpose of their defence. Furthermore, the Federal Security Council lacks a permanent staff of suitable experts with demonstrable experience in matters of national security strategy.

In view of the overriding importance of national security interests - made clear by the federal government's intellectual unpreparedness for Russia's invasion of Ukraine - a national security

³³ http://ruestungsexport-in-fo.de/fileadmin/media/Dokumente/R%C3%BCstungsexporte_Recht/Bundessicherheitsrat/BSR-Geschaeftsordnung-20150811.pdf

council, replacing the Federal Security Council, is conceivable only within the Chancellor's portfolio. This follows from the chancellor's authority to issue directives to the departments involved in security policy issues (Ministry of Defence, Foreign Office, Ministry of Economics and, in my view, Ministry of Development). Beyond departmental egoism, the question of whether and how a national security council can be created within the Federal Chancellery is first and foremost a constitutional issue. It concerns the organizational power of the government and the Chancellor's authority to issue directives. *Böckenförde*³⁴ has made a clarifying contribution in this regard. It concerns the demarcation between executive organizational power and legislative veto rights of the German Bundestag.

It seems natural enough that the Chancellor, while respecting a core competence of the Foreign Office, the Ministry of Economics and the Ministry of Defence, is authorized to create a National Security Council in the Federal Chancellery. He would be well advised, however, to rely on the cooperation with the German Bundestag and to make the creation of such a National Security Council the subject of an Act of Parliament.

The creation of the National Security Council must be distinguished from its composition and its competencies, in particular the authority to make decisions without regard to the Foreign Office, the Ministry of Economics and the Ministry of Defence.

The concept of a National Security Council has been influenced by American institutional practice. Such an institution already existed at the time of President Eisenhower, but it had nowhere near the importance that later, a mind as talented as that of Henry A. Kissinger was to give it. The practice of the National Security Council in the U.S. during the Kissinger era (1968 to 1976) also demonstrates the tensions that are pre-programmed in the relationship with the State Department.³⁵ In the U.S., the National Security Adviser is one of the few appointments that the president is entitled to make without prior confirmation by the Senate. That constitutional design in the U.S. is legally irrelevant for a National Security Council in the Federal Republic of Germany. However, it would be politically difficult not to have the appointment of the chairman of the

³⁴ Ernst-Wolfgang Böckenförde, *Die Organisationsgewalt im Bereich der Regierung, Eine Untersuchung zum Staatsrecht der Bundesrepublik Deutschland*, Berlin 1964.

³⁵ Cf. Bernd Greiner, Henry Kissinger, *Guardian of the Empire*, Munich 2020.

National Security Council - preferably a renowned expert, distant and independent from party politics - approved by the parliament.

It is conceivable that, with the approval of the Chancellor, the National Security Advisor, as Chairman of the National Security Council, would report to committees of the German Bundestag. However, this should not be confused with parliamentary responsibility, which would be exclusively that of the Federal Chancellor. Crucial to the success of a National Security Council is the autonomy of its chairman in selecting his staff. Only if it is possible to keep non-professional elements with vested interests, especially from the lower echelons of the German party system, away from such a high-ranking body of experts, may it be hoped that stimulating proposal for a coherent German foreign policy can be worked out in this way. Of course, the competence of the National Security Council must be clearly defined. It could not take political initiatives on its own authority and responsibility. This would be incompatible with the parliamentary system of government in Germany.

Third corollary: The National Security Strategy announced on June 14 th 2023

Under the heading "Wehrhaft. Resilient. Sustainable: Integrated Security for Germany", the German government - not represented by the Chancellor, but by four ministers (Finance, Foreign Office, Interior and Chancellery) under the auspices of the Foreign Office - has presented a richly illustrated brochure. This prefaces Germany's mission from the preamble to the constitution to serve world peace in a united Europe. The intellectual substance, especially the strategic insight value of this "national security strategy" is extremely limited.

Apart from a reference to the importance of space for national security, there is no mention of strategic answers to the pressing questions of our time. For example, there is no specification of the form and future of Germany sharing nuclear weapons within NATO. The paper does not even say a word about the problem of nuclear deterrence.

As to maritime interests - of vital importance for an export nation like Germany - a subject that once brought about the downfall of Federal President Köhler - one looks in vain for elaborations in the 80-page document.

Instead, after the usual alibi-like commitment to the Bundeswehr, the report goes on to qualify the resilience of the German society - especially its democratic resilience - as a prerequisite for national

security. There are a number of void and expletive phrases here, and the Foreign Office has certainly been the mastermind behind this semantic compilation. In some respects the text comes across as very impactful: it is a truism that today's Russia poses the greatest threat to peace and security in the Euro-Atlantic region for the foreseeable future. In the same way, the commonplace is that China is a "partner, competitor and systemic rival". On the other hand, there is no explanation of how Russia will be confronted in the near future and what trade policy strategies Germany intends to pursue vis-à-vis China.

The Foreign Office's handwriting is conspicuous in its description of the EU's importance. According to the Foreign Ministry, the defence of Germany's territorial integrity depends not only on the mutual assistance of NATO members, but also on the duty of mutual assistance amongst EU members. This ignores the fact that the EU is not a defence community and that security policy concepts are subject to the approval of all member states. The "deep friendship" with France also seems to have been inspired by the editorial team of the German Foreign Office. Whether and when Germany could if necessary, expect rescue from France is highly uncertain. What is certain, however, is that France will not share the use of her nuclear potential - even if it is small - with anyone, but will reserve it exclusively for herself. There is now sobering clarity about the division of labour in industrial projects between France and Germany.

Finally, the fight against climate change is not omitted but widely described in the chapter "sustainability". Thus, supported by many beautiful pictures, and the verbal wishes of the Greens are taken into account on pages 65 to 73.

All in all, it is a self-complacent document that perpetuates the human rights doctrine of the German Foreign Office and, moreover, has the character of an advertising brochure. That represents a lot of editorial effort to ultimately prevent the creation of a national security council with special competencies. When Germany's lack of strategy is covered by verbose descriptions, the Federal Foreign Office is ready to help. On the basis of this national security strategy, it is regrettable to note: Germany's blind flight continues.

4. Defence industry: renaissance or further decline?

The refusal of the *political*, the reluctance to accept politicity, even the negation of the sovereignty sensitivity of high technology, is particularly evident in the attitude of the Federal Ministry of Defence in matters of industrial policy. In this context, many speak of an inadequate industrial

policy. It is probably more appropriate to speak of the absence of any policy at all. The defence industry sector, but also the high-tech sector in general, has its own peculiarities. The ability to build frigates, develop submarines, construct combat aircraft, develop drones, not to mention a wide variety of weapons for the army, determines the parameters of the sovereignty of a country. Sovereignty means the power of disposal over high technology. There are countries which are formally sovereign (such as Luxembourg or Malta), but which do not play any role at all in the concert of powers, due to their lack of autonomous power of disposal over high technology.

Germany has traditionally been a country of high technology. The performance in the field of military technology reached peak values in the years 1943/44.

Although we have come a long way from these dark times, the public alienation from the military and armaments research continues. An expression of this is the almost witch-hunt-like application of the "civil clause" in universities, which prohibits any armaments research

When will the spook stop?

On the constitutional problem of the so-called Civil Clause

A spectre has been haunting the academic landscape in Germany for some time. It is the voluntary commitment of scientific institutions, especially universities, to conduct research exclusively for civilian purposes and to ban all defence technology from scientific research and teaching. The term "civil clause" has been coined to describe this ban on teaching and research. Even at technical universities - for example, at the Technical University of Berlin - a ban has been imposed in memory of the armaments research of bygone days, and the apostles of political correctness are enforcing compliance with it with almost totalitarian insistence. The list of universities with a civil clause includes more than 20 names. The fact that the harassment has begun at the University of Bremen is indicative of the conditions in that small regional state.

The dramatic change in the security situation in Europe due to the Russian invasion of Ukraine has once again made the civilian clause the subject of daily political discussion. While its most ardent supporters could not escape quickly enough to the right side of history - "tanks for Kiev" - the first thing to be reminded of is the unconstitutionality of the civil clause.

According to Art. 5 III GG (German constitution), research and teaching are free. Universities and their self-governing bodies have never had the authority to prohibit university teachers from engaging in military-oriented research or even teaching it. Nevertheless, at many universities, compliance with the “civil clause” is enforced with Jacobin rigour. Unpopular colleagues are asked to stop such problematical teaching and research projects. And if the collegial culture does not suffice to produce the desired disciplining, activist students may appear in the lecture hall or left wing anti-fascist elements may become active, applying pressure upon the ‘offender’.

University professors who were directly affected initially tried to fall back on the dual use argument. Satellites could be used for both civil and military purposes. Large areas of electronics for tanks and aircraft originate from original civilian research. That compromising attitude has turned out to be useless: renowned research institutions fell victim to the crusade against military research in the guise of dual use. The habitual German tradition was to comply: what comes from above, you owe obedience to. Even in the nucleus of top German research, the Fraunhofer Gesellschaft, there was not enough civil courage to show limits to the unconstitutional activities of sworn opponents of armament research. Not to mention associations like DWT (German Society for Military Technology) and BDSV (Federal association of German Defence industry). Their functionaries did not dare to revolt. The consequence of this lack of willingness to confront went further than the tabooing of defence technology; it also prevailed in the rating of investment funds. Fund managers were expected to find difficulty acquiring shares in listed defence companies. In view of the rapid rise in the price of stock in the defence sector after February 2022, clients are no longer likely to accept this practice.

Now that the ascendancy of the political has abruptly brought military hostility to the attention of all of us, affinity with armament hardware has awakened. One might ruminate about this change of attitude. It does have its positive side: the “civil clause” may collapse like a house of cards. It is worth remembering, however, that this will not happen solely for reasons of political expediency and party-political opportunism. Rather, the constitutionally guaranteed freedom of science provides that civil clauses can be negated. Will this obstruction of academic freedom finally come to an end due to the turning point of history since February 2022?

This also applies to the refusal to recognize the highly political character of certain high-tech technologies. In defence procurement, irrespective of the problems of procurement law³⁶, the state

³⁶ Cf. Prinzip fiskalischer Äquivalenz und der Primat der Politik IVSG-Schriftenreihe 2005.

naturally has a special role because, as a monopoly buyer, it is faced with a monopoly supplier or a narrow oligopoly of suppliers. No high-tech military product - be it a drone, ammunition or an artillery piece - reaches "market maturity" without its prior financing through budget funds in the field of armaments development. This market maturity is decided exclusively by the procurement authorities or the defence technology departments of the BAaINBw.

Every decision to award contracts in the area of defence-related goods is thus necessarily also an industrial policy decision. It concerns the creation of a market for a certain product and thus the potential of its export to other countries. The Federal Ministry of Defence has mostly shied away from this conclusion. All state secretaries for armaments were mainly the ministers³⁷ stooges and carried out those procurement decisions that were the result of lengthy compromises in the Bundestag. Some were based on regional politics, on the basis of instructions from party politics. National interests are alien to the decision-making within the Bundestag's Budget Committee and the Defence Committee. Here, the lobby of CSU parliamentarians for the remnants of the German aviation industry in Bavaria fights against the coastal *coterie* of northern German members of the Bundestag who, regardless of party affiliation, prefer the procurement of combat ships to aircraft.

In this area of highest political tension, the German Federal Ministry of Economics and the Federal Security Council appear with their traditional restraint against arms exports. Under the long years of Genscher's foreign policy, the Foreign Office proclaimed strict military policy restraint. Meanwhile, all other European powers conduct their foreign and security policy through arms exports.

With a European discourse and the postulate for even more Franco-German cooperation, French politicians in close cooperation with Bavarian politicians succeeded in bringing a large part of the German aviation industry under French control. Franz Josef Strauß had united the remnants of the German aviation industry under one roof in Munich and allowed the Hamburg aircraft manufacturers to keep the status of a branch and production facility. Now, after years of Dr. Enders' presence at the head of Airbus, the decision-making power in matters of the aviation industry has undoubtedly migrated to France. Next to the thousands of aeronautical engineers concentrated at the Airbus headquarters in Toulouse, the small number of remaining German engineers seems marginal. The management structure on the executive floors of Airbus is similar. Industrial sites in Germany are essentially needed for production and sales. Development and

³⁷ With the exception of State Secretary Mommsen under Helmut Schmidt as minister of defense

research is located in France. This applies not only to military aviation and helicopter production, but especially to the development and production of guided missiles (MBDA).

So far, the BMVg has not been prepared to draw up a transparent, accountable balance of Franco-German military cooperation. This refusal is due to the fact that such an assessment, if published, would have to be extremely unfavorable for Germany. A country with a long aviation tradition and such illustrious names as Junkers, Dornier and Messerschmitt is no longer in a position to develop and assemble a fighter aircraft.

For decades, France has used a soothing discourse to persuade German officials to voluntarily abdicate in this industrial sector.³⁸ The procurement of a new FCAS fighter aircraft, initiated by Ms. von der Leyen and coordinated with the French President, is the nadir of a completely unbalanced Franco-German division of labour. So far, there has been no sufficient opposition to a project that was strongly supported by Mrs. Merkel and instrumentalised by Mrs. von der Leyen as a gift to France for her candidacy as Commission President, leaving German industry at best in the role of a supplier. The consortium of medium-sized companies in Germany that is critical of this development (Diehl, Rohde & Schwarz, Hensoldt, possibly OHB) has so far shown no will to bring the project to an end other than a tame protest.

The abdication of German industrialists in the aviation industry with the blessing of the Bavarian state has unfortunately not remained an isolated case. Frank Haun, then head of the family-owned company Krauss-Maffei Wegmann and frustrated by German politics, sought his salvation in cooperation with his less successful competitor Nexter, despite sobering experiences with France. Nexter is a French fully state-owned company which has already been recapitalized three times and made billions in losses under the name Giat, especially on the production and sale of its Leclerc main battle tank. Yet it managed, to no-one's surprise, to persuade the producer of the best-selling main German battle tank, KMW, to become a joint venture among equals. The then head of KMW, a man of great integrity who essentially relied upon the trust of KMW's majority owners, thus opened the door for France to incorporate both companies into a joint holding company under the name KNDS, in which the French state and the Bode family hold equal stakes. NB: the French state had such influence on the valuation of this transaction that the owners of KMW even had to

³⁸ Cf. Kerber, *Europa ohne Frankreich? Deutsche Anmerkungen zur französischen Frage*, Frankfurt 2006, reprint Ed. Europolis, Berlin 2013

pay a special premium for parity. In addition, the French state had a golden share granted to it in order to prevent any influence on the part of the German state or third parties.

So far, the joint venture has not developed a single joint product. Instead, its catalogue contains only products that compete on the world markets. KMW is much more successful than Nexter. The German Defence Ministry did not even flinch when Haun presented his plan. On the contrary, the then Defence Minister von der Leyen, who had already dispensed with in-house production in Germany when optical satellites were purchased in 2014 and the contract awarded to France, closed both eyes tightly and let Haun have his way.

This gave France not only access to the German tank industry, but also the opportunity to destroy the elaborate division of powers between the two leading tank manufacturers, Rheinmetall and KMW. That is why French and German politicians are trying hard to get the MGCS (main ground combat system - a kind of tank of the future) - quickly into the joint KNDS product catalogue and to exclude Rheinmetall from any involvement. Whether this will succeed will certainly depend on whether there is still an acute need for a product like the MGCS and whether Rheinmetall will in the meantime, conquer the markets with its own development of a main battle tank under the name *Panther*.

In all these matters, the Federal Ministry of Defence is notable by its intellectual absence. The State Secretary for Armaments, who owes his appointment to the Minister Ms. von der Leyen (and has held this position for almost 10 years), continues to ensure that the traditional procurement channels function and that a revision of the previous procurement policy does not take place.

It is therefore not surprising that a jewel of the German defence industry, HDW, now operating as TKMS within the ThyssenKrupp Group and the world's leading developer and designer of conventional submarines, has also become the object of a divestment process. The high technology in the form of fuel cell propulsion and the unique market position of HDW in the submarine market had already attracted French but also financial investment interests in 2003. These efforts of HDW's then shareholders (Babcock and Westdeutsche Landesbank) and Thales were, however, thwarted by the alliance of determined naval officers and representatives of civil society, who felt particularly attached to HDW.

In view of the threat to German submarine technology, the German government then saw no alternative but to interest ThyssenKrupp, which at the time had important shipyards in Hamburg, in acquiring HDW by promising the company the construction of the 6 frigates of F125 class.

This industrial policy consideration proved to be an unsuccessful speculation. There is as yet, no fully operational ship of the 125 frigate class. ThyssenKrupp's performance as a shareholder in HDW, which has been renamed TKMS, is the subject of ridicule. The TKMS managing director Mr. Atzpodien, who was sent to Kiel by ThyssenKrupp, considered his position as CEO to be merely political. Atzpodien, who lacked any engineering experience but was rather a legally educated corporate climber who had served in a wide variety of roles at ThyssenKrupp, took over management responsibility and publicly announced that HDW no longer even intended to construct boats but only to supply design blueprints to customers. The construction of the first ship/boat could be dispensed with. The construction of civilian ships - with the operating section on the HDW premises - was spun off and sold to a Lebanese company under the name German Naval Shipyards. Just as confidently, Atzpodien had Emden closed as a manufacturing site. This removed an important component in the cluster of German submarine technology.

He was applauded by the IG Metall functionary Oliver Burkhard, who was personnel director in the ThyssenKrupp Group - appointed on a parity basis according to German Co-Determination in the supervisory board. The decision to close Emden turned out to be fatal. In the meantime, HDW/TKMS is no longer even in a position to carry out maintenance work on the submarine squadron quickly. The operational capability of the squadron is suffering as a result. Meanwhile, IG Metall functionary Burkhard has been appointed chairman of the management board of TKMS and is in charge of the divestment process in order to use the proceeds from the sale of TKMS to get the ailing ThyssenKrupp group back on its feet. The German government is silent on all this and, apart from a few comments by the German government's representative for the maritime industry, is not commenting on the efforts of the ThyssenKrupp group to divest itself of submarine technology. Of course, a "European solution" is being sought to avoid accusations of industrial treason.

The sad chapter of the HDW sale and the meteoric rise of an IG-Metall functionary who switched sides and even acquired a shipyard in Wismar, which he claimed could perhaps serve as a submarine yard in 10 years, illustrates the point: the industrial politics demanded by IG-Metall are not taking place in Germany. On the contrary, leading employees of the ThyssenKrupp Group are working together to destroy the German marine industry.

As an aside, the unsuccessful Thyssen manager Dr. Atzepodin was reincarnated on retirement, at a high salary level as general manager of the Federal Association of the German Defence and

Security Industry (BDSV). NB This association claims to represent the German defence industry. But that is not the end of the story.

On August 7, 2023, Marco Fuchs, the CEO of the satellite constructor OHB, heir to the company created by his parents, announced that he was proud to transfer 30 % of the capital to the powerful US fund KKR and to delist the company from the stock exchange, reverting to a family company. Together with this 550 billion euro investor, he said, OHB intends to become a champion of the European space industry and strengthen "European sovereignty." Following the death of his father in 2014 and the serious illness of his mother, all checks and balances at OHB seem to have fallen away. The heir is carrying his parents' company to the grave, because with a negative cash flow of 117 million euros, the time will soon come for further additional funding. The U.S. financial capitalists of KKR will not miss this opportunity to become majority shareholders. Intellectually, they are already the point of reference in the company.

More astonishing than the sell-out of OHB to U.S. finance capital by the heir of OHB's founder is the silence of the Ministry of Defence. OHB not only manufactured the first Galileo navigation satellites, but also builds the SARah reconnaissance satellite for the Bundeswehr and the Georg I and II spy satellites for the BND. The responsible sub-department head at the BMVg explained that he could only deal with the case from a distance due to his transfer. Critical statements by the State Secretary for Armaments are not known. The officials appointed by von der Leyen continue to practice incompetence. And the Minister? Was he informed at all?

Fourth corollary: Nothing new from the Habeck ministry

The Scientific Advisory Board's report "Better Equipping the Bundeswehr - But How?" is not
academic state of the art

Almost a year and a half after the start of the Russian invasion of Ukraine and the subsequent announcement by the German Chancellor that the Bundeswehr would become the best-equipped army in Europe, a panel of 37 economists, the "Scientific Advisory Board" of the Ministry of Economics, is preparing to make recommendations to remedy the national emergency of an army that is not fit for action. Previously, Economics and Climate Minister Habeck had shaken up the board's personnel, appointed a new chairman and promoted a new deputy in the person of

Dorothee Kübler, a high-profile behavioural economist from the Berlin Science Centre, to head the advisory board.

The report of about 30 pages reflects the underdevelopment of military economics in Germany. In contrast to French-speaking countries, not to mention the Anglo-Saxon countries, a strategic culture has neither been cultivated in Germany nor has military economics been academically pursued as part of it. Apart from tentative efforts within the framework of the Bundeswehr Universities and the Command and Staff College of the Bundeswehr (FüAK), military economic research no longer takes place in Germany.

This research gap is not closed by the "expert opinion" of the "scientific advisory board" in the Habeck Ministry, but has been made obvious to the public.

Their report resembles more of a hasty, evidence-free essay-writing exercise than the considered result of scientific reflection. The de-parliamentarization of procurement is recklessly demanded. Without justification, the promotion of the own national arms industry is described as a secondary purpose.³⁹ In addition, the postulates are repeated like mantras (accelerated review procedures, incentive systems, more courage for experimental procedures and protection of small and medium-sized businesses), which have been repeated aspirationally by various commissions and associations since the great Scharping reforms, which turned out to be an exercise in communication and public relations.

At its critical point, the report turns to the past. The commission does not want to tamper with the separation between civilian procurement by the procurement office in Koblenz and the formulation of military requirements by the Bundeswehr. According to the report, Article 87b (1) of the Basic Law is not to be changed.

The rationale of Habeck's scientists reads:

"The normative reason for this solution is a democratic one. The power of the military is limited by the fact that central prerequisites of its actions are not in its own hands."

One may already have doubts about the constitutional logic of these considerations in view of the credible commitment of the Bundeswehr and its soldiers to democracy. But economists reveal all their incompetence with this sentence. Why? Because the reason for all the delays in Bundeswehr

³⁹ "However, the promotion of own industry can only be a secondary purpose, the main purpose remains the defense capability of the country" Scientific Opinion of 25.7.2023 p. 10.

procurement (and the fact that none of the 100 billion Euros in special funds for equipment has reached the troops so far) lies in this very separation of requirements, defined by the military and procurement lengthily organised by the Civil Procurement Office in Koblenz.

Only when the troops, i.e. the military decision-makers, are competently responsible for implementing their own procurement demand will there be clear lines of accountability and the speed of procurement be increased. It is not possible to reform a quasi-Soviet run procurement agency such as the office in Koblenz.

Even the experts admit that in cases of decision-making divergence between Koblenz and the Bundeswehr, the Minister of Defence as the Commander in Chief of Bundeswehr, has to decide.

From an economic point of view⁴⁰, it would be necessary to abandon the artificial separation of military defining of requirements and civil procurement. Article 87b (1) GG (German Constitution) would then have to be deleted without replacement. There is no reason, either in terms of democratic legitimacy or constitutional law, to deprive the military of its responsibility for procuring material that it has defined in lengthy processes in line with its mission. This is accompanied by a radical increase in responsibility. Accordingly there would be a need to train armaments officers with the appropriate experience through the provision of training courses.

One of the rare bright spots of the report is the reference under the heading "Procurement of defence equipment as a driver of innovation." However, this is all that can be gleaned from the two pages of text. At least the penny has dropped even for those academics who apparently have never before dealt with military economics. Military technology is high-tech, and wherever the state invests in high-tech, whether in the context of general defence research, which is still too low in chapter 14 of the Federal Budget, or in procurement, the innovative boost to the economy as a whole is palpable. Once again, the Council is borrowing from long-past experiences abroad. For precisely this innovation thesis, the appendix cites the 1958 history of DARPA, the Defence Advanced Research Project Agency. Eisenhower, however, is not an option for today's Bundeswehr.

Despite personnel changes in line with the political leadership of the Federal Ministry of Economics and Climate Protection, the scientific advisory board still does not seem to be up to date.

⁴⁰ Cf Kerber, Das Prinzip ökonomischer Äquivalenz und der Primat der Politik, erweiterte überarbeitete Fassung des Habitationsvortrags 2001 an der TU Berlin; http://ivsg.de/pdf/schriftenreihe_n6.pdf

That the “turn of the times” (Zeitenwende) is reality, may be proven by the quote of a man who - highly respected by the establishment - still stated in 2015:

"Since Obama has devalued Russia as a regional power, I understand the difficulty of revising that, of course. But I also understand Putin's desire to prove all the things that are not possible against him and are possible without him. At the same time, Putin is too intelligent not to know that he is the weaker in terms of weapons, armed forces and energy prices. All the more reason for him to insist on being treated as an equal. In a "peaceful war," these are two opposing accounts that don't add up."⁴¹

This error of Egon Bahr illustrates the strategic mistakes of the German political establishment. However, this was not the first time that Bahr was wrong in his assessment of 2015. In the 1980s, he was on the same wavelength as the SED top representatives, preferred the continued coexistence of two German states even after the fall of the Berlin Wall, and sought friendly contact with Mischa Wolf, the GDR's chief of espionage. Nevertheless, his strategic influence continued. That he was not exposed to criticism earlier, is evidence of the German Republic's strategic unawareness even after 1990.

Summary

The preceding lines are not a systematic treatise of a strategy blueprint for Germany. More space would be needed for that. Rather, they are intended to touch on the subject by putting a finger on the wound. The above outline may be useful for this purpose.

This must be followed by a technical discussion on strengthening the combat capabilities of the Bundeswehr, the adequacy of its equipment and its operational doctrine for a sovereign Germany as a reliable and weighty partner within NATO. However, no technical discussion can overcome the German nation's alienation from the military, i.e. the massive use of armed force.

This ongoing alienation is particularly evident in the recruitment of personnel for our armed forces. Certainly, the demographically induced shortage of skilled workers also has an aggravating effect on recruiting personnel for the Bundeswehr. But this would not be an insurmountable obstacle if

⁴¹ Speech by Egon Bahr on the occasion of the awarding of the Dr. Friedrich Joseph Haass Prize 2015.

the idea of defence as an indispensable component of German sovereignty were finally to find a greater resonance in the public sphere and especially among young academics.

We are still a long way from that in Germany. The demands of those political parties that have spent 40 years propagandizing against the Bundeswehr for battle tanks and long-range weapons for Ukraine are the result of party-political opportunism. They bear witness neither to broad-minded attitude nor to enlightened insight. The motivation of new recruits for our armed forces therefore requires a turnaround in military awareness. This calls for politicians with a virtue that has become rare: courage.

P. S.

The gentlemen of the military

Anti-militarism would be meaningless, since there have been great men, and they were soldiers. There is no proof against human greatness. The love of peace, freedom and social elevation does not exclude the soldier; in his most venerable form he has used his gifts precisely for this purpose. [...]

Military men who can be considered are intellectuals. The rest fall away, were not called and remain subaltern even with general rank. All intellectual appointments drag along a majority which does not think and which sooner or later runs to the worst thing.⁴²

⁴² Heinrich Mann, Die Herren vom Militär in : Essays on courage

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