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# Analyzing Causes and Consequences of German Military Interventions: Kosovo, Afghanistan, and Iraq

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**ANALYZING CAUSES AND CONSEQUENCES OF GERMAN MILITARY  
INTERVENTIONS: KOSOVO, AFGHANISTAN, AND IRAQ**

By

Matthew Goduto

Political Science and International Affairs (BA), College of Liberal Arts, 2017

Thesis

Submitted to the University of New Hampshire  
in Partial Fulfillment of  
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in  
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*For my loving and supportive family,  
Mike, Terry, Whitney, and Michael  
and of course, Baxter and Bailey*

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## ABSTRACT

### ANALYZING CAUSES AND CONSEQUENCES OF GERMAN MILITARY INTERVENTIONS: KOSOVO, AFGHANISTAN, AND IRAQ

By

Matthew Goduto

University of New Hampshire, December, 2018

Due to Germany's militaristic past, anti-militarism and restraint are ingrained into German society and political discourse. For close to fifty years following WWII, Germany did not deploy its military in offensive missions. Why then, did Germany suddenly participate in a military intervention in Kosovo? Following Kosovo, why did Germany also participate in the military intervention in Afghanistan, but refuse to intervene in Iraq, just two years after the Afghanistan intervention began? Related to these questions are how did Germany intervene in Kosovo and Afghanistan and how did Germany oppose the Iraq war? And what were the consequences of the interventions/non-intervention? This paper argues that Germany only intervenes when an intervention is perceived as legitimate by German political elites and the German public. The idea of legitimate interventions is directly derived from Germany's historical experience.

## **I. Introduction: What is a Legitimate Military Intervention in the German Context?**

### *Introduction*

Since reunification in 1990, Germany has deployed its military from the Balkans to South Asia, from Africa to the Middle East. One noticeable exception to German military interventions is the 2003 Iraq War. Under the stewardship of *Bundeskanzler* Gerhard Schröder and *Außenminister* Joschka Fischer, Germany deployed the German military (*Bundeswehr*) in combat roles in the NATO interventions in Kosovo and Afghanistan. But just two years after the Afghanistan intervention began, Germany refused to participate in Operation Iraqi Freedom. Why did Germany intervene in Kosovo and Afghanistan, but not in Iraq? This paper argues that legitimacy of interventions is the principal factor in determining German decision-making vis-à-vis the use of military force.

The Kosovo and Afghanistan interventions were viewed as legitimate interventions in Germany by the public and politicians; Iraq, however, was not. For the purposes of this paper, a legitimate intervention is understood as satisfying some combination of legal, multilateral, and pragmatic considerations in the German context. While no specific combination is necessary, a legitimate intervention must satisfy at least two of the three criteria. Legal interventions abide by the German constitution and international law. Multilateral means using international organizations, namely the North Atlantic Treaty Organization (NATO) and the United Nations (UN). Pragmatism is whether the intervention is feasible, has a good probability of achieving desired outcomes for Germany, and is commensurate with German interpretations of its historical experience. These three factors are shaped by Germany's construction of historical memory. The construction of historical memory—or *how* Germans remember experiences— informs German policy decisions and public opinion by shaping ideas about legality,



pragmatism, and feasibility. Nazi era Germany has by far the largest impact on German historical memory, but also important is Germany's experience under occupation by both the Allies, particularly the United States, and Soviets. Legality, multilateralism, and pragmatism determine whether Germany intervenes, but the political and public debates surrounding the decision to intervene shapes the form of German participation in the intervention. How Germany intervenes leads to specific outcomes, which provide lessons for future debates about the use of force.

This chapter begins by discussing the methodology I use to answer the research questions, then follows with a discussion of historical memory in the German context which lays the groundwork for understanding the three criteria that constitute a legitimate military intervention for Germans. The chapter then establishes the theoretical framework of the paper. In other words, I define the three criteria, legality, multilateralism, and pragmatism, that make a military intervention legitimate in the German context and the factors that produce those criteria.

### ***Methodology***

This thesis is an inductive and qualitative research project. Using Kosovo, Afghanistan, and Iraq as case studies, this paper analyzes (1) why Germany intervened in Kosovo and Afghanistan, and not Iraq, (2) how Germany intervened in Kosovo and Afghanistan, how Germany opposed the Iraq War, and (3) the impacts of the interventions in the former cases and the non-intervention in Iraq, not only for Germany, but for NATO, Kosovo, Afghanistan, and German foreign relations. This paper uses a variety of sources in its analysis, including many peer reviewed academic journals as well as leading world news and investigative journalism organizations such as *Der Spiegel* and *Deutsche Welle*. I utilize books written by experts on the subject in order to use the best and most accurate information available. The NATO website and the German constitution provide primary sources from a regional alliance organization and government documents.

The variety of sources accurately cover the topic, as they were written by the leading experts on Kosovo, Afghanistan, Iraq, NATO, and Germany. Certain sources provide the proper context of the German interventions by describing what led up to the German decision to intervene in Kosovo and Afghanistan; namely the Bosnian intervention and German historical experience and how Germany remembers its experience. In short, the variety and type of sources provide credibility to the claims made in this thesis.

Germany is a unique, interesting, and valuable case to examine in the context of military interventions, given its extremely militaristic past. The three cases selected to study, were chosen deliberately for several reasons. Kosovo was the first use of the *Bundeswehr* in an offensive capacity since WWII. Afghanistan was to date Germany's largest military deployment since WWII. The 2003 Iraq War was and remains a highly controversial event and Germany's refusal to participate was a notable decision which severely strained US-German relations. Additionally, all three cases occurred under the same government led by *Bundeskanzler* Gerhard Schröder and *Außenminister* Joschka Fischer. This allows for a consistent analysis, less subject to the differences in political ideology of different political elites and parties. Furthermore, Kosovo and Afghanistan represent two cases of intervention while Iraq is a case of non-intervention, allowing for variance of cases in order to test the claims made in this thesis. Much of the literature on these three cases was written in the immediate aftermath of Germany's decisions. The benefit of this project's "late" analysis is that we can clearly see the consequences of the decisions well after they happened, but not so far removed as to make the analysis no longer relevant. Scholars can potentially apply the lessons learned from these three cases to more recent German decision-making such as Libya, Mali, and Syria. Finally, the analysis may prove useful to decision-makers

when contemplating the use of military force. In sum, Germany is an excellent case to analyze when discussing the use of military interventions as a foreign policy tool.

### ***Historical Experience and German Memory***

While many states ignore or dismiss the dark eras of their history, Germany chooses to confront its past. Germans even developed a term specifically for this: *Vergangenheitsbewältigung*.

*Vergangenheitsbewältigung* translates to past coping or remembering the past so as not to repeat its mistakes. Originally, the term referred to Nazi atrocities and WWII, but has since evolved to encompass more German atrocities such as WWI. This term is reflected throughout German life, in school curriculum, museums, statues, and memorials. Walking through the streets of any German city or town, one will likely see *Stolpersteine* or stumbling stones, stones engraved with the names of Nazi Holocaust victims. Or perhaps one will visit the *Denkmal für die ermordeten Juden Europas*, the Memorial to the Murdered Jews of Europe in Berlin. Whatever the case may be, Germany's infamous and militaristic past shapes German society even seven decades after the fall of the Nazi regime. But historical memory in Germany is not limited to the death and destruction Germany caused throughout its modern history, but also to what the German people experienced under occupation after WWII.

Germans, specifically East Germans, suffered under a repressive regime. East Germans had far fewer freedoms and a worse economy than their West German brethren. To this day, East Germans are often viewed through negative stereotypes, as seen by the German slang terms *Ossis* and *Wessis*, referring to East and West Germans respectively; *Ossi* generally holds a negative connotation.<sup>1</sup> Former East German cities and East Germans in general are economically

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<sup>1</sup> Jess Smee, "Ossis aren't Indians," *Der Spiegel*, April 16, 2010, accessed November 27, 2018, <http://www.spiegel.de/international/germany/the-world-from-berlin-ossis-aren-t-indians-a-689403.html>.

worse off than West Germans even to this day.<sup>2</sup> For instance the per capita GDP in the former East Germany is just 67 percent of the former West Germany according to 2014 data.<sup>3</sup>

For many East Germans, their experience under occupation and the Soviets was largely negative. West Germans on the other hand had mainly positive experiences under Allied Occupation, and specifically with their American occupiers. US assistance created a “Special Friendship” between Germany and the US.<sup>4</sup> Additionally, US leadership after WWII recognized that punitive reparations could result in the same conditions that allowed for the rise of the Nazis in the first place and declined to impose those types of sanctions.<sup>5</sup> The United States’ “mercy” and assistance after WWII reserved a special spot in the minds of Germans, especially their leaders. Whether one considers US-German relationships post-WWII a “Special Friendship” or a dependency, US economic assistance and security, such as the Berlin Airlift and Marshall Plan, resulted in positive experiences for West Germans creating strong ties between the two states both politically and socially.<sup>6</sup> Historical memory plays an exceedingly important role in German society.

### ***Legality***

The *Grundgesetz* or Basic Law, Germany’s constitution, banned wars of aggression due to WWI and WWII. Codified into the *Grundgesetz* is the commitment to peace. Article 26 (1) of the *Grundgesetz* states that “acts tending to and undertaken with intent to disturb the peaceful relations between nations, especially to prepare for a war of aggression, shall be

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<sup>2</sup> See Theresa Damm, et al., “So geht Einheit: Wie weit das einst geteilte Deutschland zusammengewachsen ist,” *Berlin-Institut für Bevölkerung und Entwicklung* (July 2005): [https://www.berlin-institut.org/fileadmin/user\\_upload/So\\_geht\\_Einheit/BI\\_SoGehtEinheit\\_final\\_online.pdf](https://www.berlin-institut.org/fileadmin/user_upload/So_geht_Einheit/BI_SoGehtEinheit_final_online.pdf).

<sup>3</sup> “Germany’s reunification 25 years on,” *The Economist*, October 2, 2015, accessed November 19, 2018, <https://www.economist.com/graphic-detail/2015/10/02/germanys-reunification-25-years-on>.

<sup>4</sup> Anika Leithner, *Shaping German Foreign Policy: History, Memory, and National Interest* (Boulder: FirstForumPress, 2009), 53.

<sup>5</sup> Leithner, *Shaping German Foreign Policy*...52-53.

<sup>6</sup> See Leithner, *Shaping German Foreign Policy*...52-54.

unconstitutional.”<sup>7</sup> Despite clearly banning aggressive military actions, interpretations of the constitution by the *Bundesgerichtof*, Germany’s highest court, authorized offensive actions.

Beginning in 1993, Germany contributed to a NATO enforced no-fly zone over Bosnia.<sup>8</sup> The *Sozialdemokratische Partei Deutschlands* (SPD) or the Social Democrats, a left leaning party (and others) challenged the constitutionality of Germany’s contribution to the no-fly zone.<sup>9</sup> However, the *Bundesgerichtshof* ruled in 1994 that the *Bundeswehr* can be deployed to foreign countries so long as the deployment was in conjunction with multilateral treaty obligations, i.e. those invoked by the United Nations, NATO, etc.<sup>10</sup> This decision made offensive military actions legal. The German public and politicians support using its military through multilateral actions sanctioned by international institutions. Germany’s highest court’s decision to legitimize the use of force so long as the military was used multilaterally, paved the way for the *Bundeswehr*’s use in Kosovo and Afghanistan. Germans, due to their past, strongly believe in international law especially when it comes to the use of force.

### ***Multilateralism***

The construction of historical memory profoundly shapes a group’s *Weltanschauung*, their world view. This paper claims that two schools of thought best explain Germany’s relationship between historical memory and its approach to the use of force: a commitment to multilateralism and to universalism. Universalists do not believe in violent means as a tool for political action.<sup>11</sup>

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<sup>7</sup> Grundgesetz Article 26, Section 1, [http://www.bundestag.de/blob/284870/ce0d03414872b427e57fccb703634dcd/basic\\_law-data.pdf](http://www.bundestag.de/blob/284870/ce0d03414872b427e57fccb703634dcd/basic_law-data.pdf).

<sup>8</sup> Alister Miskimmon, “Falling into Line? Kosovo and the Course of German Foreign Policy,” *International Affairs* (Royal Institute of International Affairs 1944-) 85, no. 3 (May 2009): 562

<sup>9</sup> Miskimmon, “Falling into Line...” 562.

<sup>10</sup> Sebastian Merz, “Still on the way to Afghanistan? Germany and its forces in the Hindu Kush,” *Stockholm International Peace Research Institute* (November 2007): 2.

<sup>11</sup> Martinson, “Rediscovering Historical Memory...” 393.

Universalism promotes “concerns ‘for the good of all mankind, world harmony, and world peace.’”<sup>12</sup> The belief in Universalism is seen by Article 26 (1).

Coordination with other states when acting, rather than unilateralism is another element of how German society engages its historical responsibility. Multilateralism is a key determinate of legitimacy in the eyes of Germans. While Germany had its allies during WWII, Germany committed most of the fighting and atrocities. Germany unilaterally invaded several countries causing brutal death and destruction. For Germany, post-WWII, unilateral military actions were completely off limits. Szabo notes that “Germany’s calling since the catastrophe of Hitler had been to create and sustain an effective multilateral approach to international problem solving.”<sup>13</sup> In other words, global actors, particularly Germany should work multilaterally to resolve pressing issues, especially military ones. A commitment to allies is also an important part of multilateralism for Germans and is directly influenced by its unilateralism during WWII.

Germany’s commitment to not forgetting its past fostered the creation of institutions that normalized antimilitarism.<sup>14</sup> Germany does not spend a significant proportion of its government budget on its military. German military spending during WWII took precedence and Germans today fear the rise of a powerful and influential military. NATO members pledged in 2006 to spend two percent of GDP on defense budgets.<sup>15</sup> Despite this pledge, most NATO members do not spend two percent on defense, including Germany, which spends 1.2 percent on defense.<sup>16</sup> In fact, Germany has not spent more than two percent of its GDP on defense since 1991;<sup>17</sup> Germany

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<sup>12</sup> Ibid., 393.

<sup>13</sup> Stephen F. Szabo, *Parting Ways: The Crisis in German-American Relations*, (Washington D.C.: The Brookings Institution), 134-135.

<sup>14</sup> Martinson, “Rediscovering Historical Memory...” 392.

<sup>15</sup> “Military spending by NATO members,” *The Economist*, February 16, 2017, accessed August 17, 2018, <https://www.economist.com/graphic-detail/2017/02/16/military-spending-by-nato-members>.

<sup>16</sup> Ibid.

<sup>17</sup> Ibid.

is reluctant to spend money on its military, preferring to externalize costs to NATO, creating an incentive for Germany to keep the alliance together as well as burden sharing.<sup>18</sup> This limited spending results in a lack of capabilities for the *Bundeswehr*, particularly offensive capabilities. However, lack of capabilities does not impact Germany's decision whether to intervene in these three cases; it simply influences the role Germany takes within the intervention.

In addition to burden sharing and externalization of costs, Germany believes in being a steadfast ally. Europe was wary of Germany following the Second World War, so Germany needed to show its newfound allies that it was a reliable partner. German politicians believe in *Bündnissolidarität*, alliance solidarity with all its NATO allies, especially the United States.<sup>19</sup> In short, Germany has historical and moral reasons for its strong belief in multilateralism, but practical considerations also play an important role in this belief.

### ***Pragmatism***

As noted above, pragmatism in the German context means the intervention is feasible, can achieve desired German outcomes, and follows German society's interpretations of historical memory. The most important element of pragmatism for Germany is the feasibility of the intervention, not just in terms of odds of the intervention achieving its objectives, but also whether the decision to intervene is politically viable.

Governments in liberal democracies are in theory responsive to their people. This is especially true of Germany. Not only is Germany a parliamentary system, but every single government in post-WWII history, except one, has been a coalition.<sup>20</sup> Coalitions between two or

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<sup>18</sup> Leithner, *Shaping German Foreign Policy*...27.

<sup>19</sup> *Ibid.*, 64.

<sup>20</sup> "A history of Germany's coalition governments," *Deutsche Welle*, accessed November 30, 2018, <https://www.dw.com/en/a-history-of-germanys-coalition-governments/g-41818483>.

more parties are fragile by their very nature, forcing all parties to bargain and compromise.<sup>21</sup>

Furthermore, parliamentary systems require consensus or at least close to it with foreign policy decision-making.<sup>22</sup> Key constituents including other party members and a party's base also constrain foreign policy decisions.

Even if representatives of the different actors within the coalition do meet (say, in a cabinet), these individuals do not have the authority to commit the decision unit without having first consulted the key members of those they represent. The power of these leaders is, in effect, incomplete since it can be significantly restricted by the views of constituents. Such constraint greatly complicates the ability of a coalition of actors to achieve agreements.<sup>23</sup>

Additionally, junior members of coalitions wield disproportionate power. The *Freie Demokratische Partei* (FDP) or Free Democrats, a libertarian leaning party, was a coalition member in many German governments post-WWII despite generally garnering just 5-10 percent of the vote.<sup>24</sup> Despite the limited support from the electorate, the FDP was a good predictor of government spending in many instances.<sup>25</sup> The influence junior coalition partners have is disproportionate to their size. While junior coalition partners wield significant influence, public opinion and parties' bases are also influential to them.

Parliamentary governments, especially coalition governments, are fragile. One party's withdrawal from the coalition will result in an end to the government and votes of no confidence can be called at any time. This ever-looming threat forces politicians to be more responsive to their party's base. In Germany, foreign policy power is more concentrated in the executive than

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<sup>21</sup> See Joe D. Hagan et al., "Foreign Policy by Coalition: Deadlock, Compromise, and Anarchy," *International Studies Review* 3, no. 2 (2001): 169-216; David P. Auerswald & Stephen M. Saideman, "Coalition Governments in Combat," in *NATO in Afghanistan: Fighting Together, Fighting Alone*, (Princeton: Princeton University Press, 2014), 141-176.

<sup>22</sup> Juliet Kaarbo, "Power and Influence in Foreign Policy Decision Making: The Role of Junior Coalition Partners in German and Israeli Foreign Policy," *International Studies Quarterly* 40, no. 4 (December 1996): 503.

<sup>23</sup> Hagan, "Foreign Policy by Coalition..." 171.

<sup>24</sup> Kaarbo, "Power and Influence in Foreign..." 504-505.

<sup>25</sup> See Richard I. Hofferbert & Hans-Dieter Klingemann, "The Policy Impact of Party Programmes and Governor Declarations in the Federal Republic of Germany," *European Journal of Political Research* 18, (1990): 277-304.



with parliament.<sup>26</sup> However, due to coalitions, the legislature has influence over foreign policy decisions, and voters have power over their party's representatives, and thus voters hold some influence over foreign policy decision-making.<sup>27</sup> Notable examples of public opinion influencing foreign policy in Germany include *Ostpolitik* and the 1991 Gulf War.<sup>28</sup> In short, German political parties are responsive to voters, giving voters a say in foreign policy decisions.

### ***Conclusion***

Germany's aversion to militarism stems from its history. The memory of two World Wars and the Holocaust makes Germans extremely hesitant to use the *Bundeswehr*. When Germany does deploy the *Bundeswehr*, it does so only when the mission is perceived as legitimate. For German public opinion and political party leaders, a military intervention is considered legitimate when it satisfies some combination of two of the three criteria: legality, multilateralism, and pragmatism. In the following three chapters, I examine the interventions in Kosovo and Afghanistan, and the non-intervention in Iraq through the lens of legitimacy of interventions in the German context. Why did Germans deem Kosovo and Afghanistan legitimate, but not Iraq? Furthermore, what were the consequences of participation in Kosovo and Afghanistan, and not participating in Iraq, not only for Germany, but for all relevant actors. Finally, I examine how the lessons learned in these three instances can be applied to future military interventions for Germany.

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<sup>26</sup> Thomas Risse-Kappen, "Public Opinion, Domestic Structure, and Foreign Policy in Liberal Democracies," *World Politics* 43, no. 4 (July 1991): 488.

<sup>27</sup> *Ibid.*, 488.

<sup>28</sup> For *Ostpolitik*, see Risse-Kappen, "Public Opinion, Domestic Structure..."; For the 1991 Gulf War, see Andrew Bennett, Joseph Leggold, et al., "Burden-Sharing in the Persian Gulf War," *International Organization* 48, no. 1 (Winter: 1994): 39-75.

## II. A More Assertive Germany: Operation Allied Force

### *Introduction*

Germany's decision to intervene in Kosovo was a monumental step towards the normalization of the use of force for Germany. The intervention was the first time Germany had deployed its military in an offensive mission since WWII. Given that the *Grundgesetz* explicitly bans wars of aggression and Germany's reluctance to use force to achieve foreign policy goals, why did Germany intervene in Kosovo? Following Germany's controversial decision to intervene, how did Germany participate in the intervention and what outcomes did the type of German participation lead to for Germany, Kosovo, and NATO? As I show in this chapter, Germany intervened in Kosovo because the intervention was perceived as legitimate. Operation Allied Force (OAF) was multilateral and pragmatic; however, the legality of the intervention is unclear. Fulfilling the multilateral and pragmatic criteria made German participation in the intervention acceptable. The public and political debates about the legality of the intervention and the decision to intervene heavily shaped how Germany intervened. How Germany intervened made German society more accepting of the use of force, strengthened the NATO alliance, and contributed to Kosovo's eventual independence.

### *Bosnia and the Grundgesetz*

Beginning in 1993, NATO enforced a limited no-fly zone over Bosnia. Following the expansion of that no-fly zone, Germany began its participation in the peacekeeping effort.<sup>29</sup> While the operation involved very little combat (less than ten offensive missions from 1993-1995 in which Germany did not participate),<sup>30</sup> the possibility of NATO aircraft to conduct airstrikes made the

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<sup>29</sup> Miskimmon, "Falling into Line..." 562.

<sup>30</sup> Karl P. Mueller, "Denying Flight: Strategic Options for Employing No-Fly Zones," Santa Monica: RAND Corp, 2013, 4.

mission offensive. According to German law, German participation in the no-fly zone should have been illegal because neither Germany or NATO were attacked. Likely due to electoral politics, the SPD, Greens, and other parties, who were then out of power, challenged the constitutionality of Germany's participation, prompting the *Bundesgerichtshof* to rule that an offensive mission *is* legal so long as it is in conjunction with multilateral treaty obligations.<sup>31</sup> Both the SPD and Greens opposed the deployment of German troops in the *Bundestag*.<sup>32</sup> Operation Deny Flight, as it was called, was originally mandated by United Nations Security Council Resolution (UNSCR) 781 which started the no-fly zone in 1992.<sup>33</sup> This mission was extended to NATO in 1993 by UNSCR 816.<sup>34</sup> Not only was the operation made legal by the Security Council Resolutions, but also by NATO enforcement of the no-fly zone. The NATO intervention in Bosnia, and German participation, albeit extremely limited, paved the way for the use of the *Bundeswehr* in Kosovo.

### ***Why Did Germany Intervene in Kosovo?***

In Kosovo, the population of Kosovar Albanians was persecuted by forces from the Federal Republic of Yugoslavia (FRY), mainly ethnic Serbs. Before October 1998, approximately 250,000 Kosovar Albanians, or 12.7% of the population, were forced from their homes by Serb security forces.<sup>35</sup> From March to June 1999, an additional 863,000 Kosovar Albanians were forcefully removed from their homes. It must be noted that Operation Allied Force lasted from

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<sup>31</sup> Sebastian Merz, "Still on the way to Afghanistan? Germany and its forces in the Hindu Kush," *Stockholm International Peace Research Institute* (November 2007): 2; Miskimmon, "Falling into Line..." 562.

<sup>32</sup> Alan Cowell, "Conflict in the Balkans: The Germans; As Germany Enters the Fray, Two Pilots Reflect an Altered Military," *New York Times*, July 17, 1995, <https://www.nytimes.com/1995/07/17/world/conflict-balkans-germans-germany-enters-fray-two-pilots-reflect-altered-military.html>.

<sup>33</sup> Mueller, "Denying Flight..." 3.

<sup>34</sup> *Ibid.*, 4.

<sup>35</sup> "Kosovo: Facts & Figures," *Frontline*, accessed March 31, 2018, <https://www.pbs.org/wgbh/pages/frontline/shows/kosovo/etc/facts.html>.

March to June 1999.<sup>36</sup> Additionally, FRY forces committed atrocities in retaliation for attacks by the Kosovo Liberation Army (KLA), a Kosovar Albanian rebel group. On 15 January 1999, Serb forces massacred 45 Albanians.<sup>37</sup> It was in this context that Germany felt it had to intervene.

Based on Germany's hesitancy to use its military, especially considering Germany had never used its military in an offensive capacity, it seems odd that Kosovo would be Germany's first offensive military intervention. While participation in the no-fly zone over Bosnia was surprising, Germany took on a very limited support role, but in Kosovo, the German air force conducted airstrikes. Operation Deny Flight had a UN mandate and the *Bundesgerichtshof's* ruling made German participation constitutional. Operation Allied Force on the other hand was unconstitutional, did not have a UN mandate, and no member of NATO invoked Article V of the NATO charter. What made the intervention legitimate was that it was multilateral and pragmatic from the German perspective. However, Germans were sharply divided on the issue and political and public debates both were shaped by and shaped historical memory, which explain why Germany intervened in Kosovo.

As noted, German historical memory shapes politics and society extensively. This is especially true with the use of military force in the Balkans, a region that suffered horribly under Nazi occupation. "For many in the (Social Democratic) Party – and in society in general --- the idea that German soldiers [...] would intervene once again in a region that had suffered so much under German occupation during World War II was unbearable."<sup>38</sup> Approximately two-thirds of

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<sup>36</sup> Ibid.

<sup>37</sup> "A Kosovo Chronology," *Frontline*, accessed March 31, 2018, <https://www.pbs.org/wgbh/pages/frontline/shows/kosovo/etc/cron.html>.

<sup>38</sup> "Schröder on Kosovo: 'The Goal was Exclusively Humanitarian,'" *Der Spiegel*, October 25, 2006, accessed March 31, 2018, <http://www.spiegel.de/international/schroeder-on-kosovo-the-goal-was-exclusively-humanitarian-a-444727.html>.

respondents to a German poll stated their opposition to deploying the *Bundeswehr* to the region.<sup>39</sup>

The debates over the intervention in Kosovo marked a shift in attitudes towards legitimacy of interventions in Germany. German elites and public went from the belief in never using military force again, to using military force for just causes. This belief in using the military for good led to an obligation to “prevent human suffering resulting from warfare and genocide.”<sup>40</sup> A member of parliament supporting the German deployment to Bosnia stated: “we are all very much aware that Germany was liberated [...] This results in the right and the duty to liberate others or to bring freedom to others.”<sup>41</sup> This attitude is in stark contrast to Germany’s checkbook diplomacy and “Never again War” slogan of the first Persian Gulf War.<sup>42</sup> In essence, Germany went from “Never again War” during the 1991 Persian Gulf War and Bosnian intervention to “Never again Genocide” in Kosovo.<sup>43</sup>

A commitment to upholding human rights and recognizing historical memory was a central theme of Gerhard Schröder’s government. In 1999, the Bundestag approved a memorial for the murdered Jews of Europe.<sup>44</sup> Schröder was also Germany’s representative at the 2000 International Holocaust Conference and he attended many Holocaust remembrance days in other countries.<sup>45</sup> During Schröder’s administration, the Bundestag established a committee for human rights, established the position of human rights officer in the foreign ministry, founded the German institute for Human Rights, and created a national plan for human rights.<sup>46</sup> While many

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<sup>39</sup> Cowell, “Conflict in the Balkans...”

<sup>40</sup> Merz, “Still on the way...” 2; Szabo, *Parting Ways: The Crisis...*17.

<sup>41</sup> Leithner, *Shaping German Foreign Policy...*24.

<sup>42</sup> *Ibid.*, 47.

<sup>43</sup> *Ibid.*, 47.

<sup>44</sup> Gerhard Schröder, “War and Peace,” accessed February 22, 2018, <http://gerhard-schroeder.de/en/war-peace/>.

<sup>45</sup> *Ibid.*

<sup>46</sup> *Ibid.*

of these events took place after the Kosovo intervention, Schröder clearly felt historical memory and human rights were important for Germany. This commitment outweighed his reservations about the use of force. According to Schröder's memoirs, two of the reasons Germany had to participate in Operation Allied Force were "the negative consequences of Milosevic's policies...[and]...to atone for past German mistakes," i.e. the Holocaust.<sup>47</sup> In speeches to the Bundestag, Schröder justified NATO's actions and Germany's support: "the alliance was compelled to take this step in order to prevent further heavy and systematic infringement of human rights"<sup>48</sup> and because of Milosevic's actions, the "use of military force is necessary and politically and morally justifiable."<sup>49</sup>

Schröder was supported by his foreign minister, Joschka Fischer, and the pragmatic faction he led within the Greens. While the Green Party maintains a strict pacifist platform, Fischer recognized the need for the use of force, particularly after witnessing the inaction in Bosnia which led to crimes against humanity.<sup>50</sup> Fischer's devotion to human rights trumped his pacifist beliefs:

[Schröder's] foreign minister, Green Party head Joschka Fischer, didn't need much convincing. Even as his party had prided itself as being devoted to pacifism and peace, Fischer felt that German involvement was necessary, even if it was going to be a difficult pill for his party to swallow. Still, the two agreed it was a necessary step to take.<sup>51</sup>

Despite the fragility of the SPD-Green coalition, Fischer believed upholding human rights was more important than party politics. This however, led to a deep rift within the Green party,

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<sup>47</sup> Miskimmon, "Falling into Line..." 563.

<sup>48</sup> Nina Werkhäuser, "Ten Years On, Germany Looks Back at Return to War in Kosovo," *Deutsche Welle*, March 24, 2009, accessed April 26, 2018, <http://www.dw.com/en/ten-years-on-germany-looks-back-at-return-to-war-in-kosovo/a-4123734>.

<sup>49</sup> Leithner, *Shaping German Foreign Policy...*, 37.

<sup>50</sup> Adrian Hyde-Price, "Berlin Republic Takes to Arms," *The World Today* 55, no. 6 (June 1999): 15; "Joschka Fischer, a sterner shade of Green," *The Economist*, May 13, 1999, accessed March 31, 2018, <https://www.economist.com/node/204283>.

<sup>51</sup> "Schröder on Kosovo..."

discussed later in this chapter. Altruistic reasons were not the only motivation behind Germany's support for the intervention. Like every state, Germany has strategic interests and generally states participate in humanitarian interventions when their strategic interests and altruism align.<sup>52</sup>

After the fall of the Soviet Union, experts wondered whether NATO was a necessary organization. In the words of NATO's first Secretary-General, NATO's purpose is "to keep the Americans in [Europe], the Russians out [of Europe], and the Germans down."<sup>53</sup> By this point in time, the Russians were no longer a threat and Germany was the most powerful country in Europe; the only remaining reason for NATO was a transatlantic link.<sup>54</sup> Many scholars note that the Kosovo operation was a chance for NATO to show its viability as a security organization in the post-Cold War world; it passed with flying colors.<sup>55</sup> Germany also had a strong interest in keeping the alliance alive due to burden sharing. Additionally, Germany had plans for European Union expansion, but fears of many European states made enacting those plans difficult;<sup>56</sup> Germany had to show it was a reliable partner, especially after refusing to contribute forces to the First Gulf War. Being a reliable partner to NATO and the United States became more important with the Afghanistan intervention, but began with Kosovo. It is also important to note that Chancellor Kohl, Schröder's predecessor committed to the Kosovo intervention in 1998, prior to Schröder taking office. However, the new government had the choice to either continue the German commitment or refuse to act in Kosovo.<sup>57</sup>

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<sup>52</sup> See Alynna J. Lyon and Chris J. Dolan, "American Humanitarian Intervention: Towards a Theory of Coevolution," *Foreign Policy Analysis* 3, no. 2 (2007): 46-78.

<sup>53</sup> Joschka Fischer, "The Indispensable Partner," *Georgetown Journal of International Affairs* 1, no. 1 (Winter/Spring 2000): 99.

<sup>54</sup> Fischer, "The Indispensable Partner," 99.

<sup>55</sup> See Fischer, "The Indispensable Partner," 100; Miskimmon, "Falling into Line...," 563/566; Auerswald, "Explaining Wars of Choice..." 637; Leithner, *Shaping German Foreign Policy...*, 27.

<sup>56</sup> See Szabo, *Parting Ways: The Crisis...* 1-14.

<sup>57</sup> Leithner, *Shaping German Foreign Policy...*, 29.

While the intervention was illegal based on the German understanding of legality vis-à-vis the use of military force, OAF satisfied the multilateral requirement. The intervention was a NATO operation meaning Germany was supporting its multilateral treaty obligation. Fourteen of the 19 members of NATO committed troops or aircraft to OAF<sup>58</sup> and all 19 members of NATO at the time contributed troops to the follow up peacekeeping operation, Kosovo Force (KFOR).<sup>59</sup> Furthermore, the core five members of NATO, the US, UK, Germany, Italy, and France carried out most of the airstrikes (see Table 1). Simply put, the Kosovo intervention clearly satisfied the German multilateral requirement.

The third and final requirement to make a military intervention legitimate for Germany is pragmatism. First and foremost, is the intervention feasible? In other words, can German political elites say yes to the intervention while assuaging domestic public and political concerns? While the German public was generally supportive of NATO airstrikes, they overwhelmingly did not support ground troops (see Figure 1). The decision to intervene in Kosovo nearly cost Fischer his Foreign Minister position which in turn would have ended the Red-Green coalition and Schröder's time in office.<sup>60</sup> Many members of the SPD were also against the intervention, costing Schröder support.<sup>61</sup> From this perspective, the intervention was barely feasible.

Stopping crimes against humanity was a priority for Germans, both the public and political elites. NATO had the capacity and the will to bring overwhelming force to bear against FRY forces making the likelihood of a drawn-out campaign or failure slim. The bombing

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<sup>58</sup> David P. Auerswald, "Explaining Wars of Choice: An Integrated Decision Model of NATO Policy in Kosovo," *International Studies Quarterly* 48, no. 3 (September 2003): 635.

<sup>59</sup> "Operation Allied Force," *Department of Defense*, last modified June 21, 1999, accessed October 11, 2018, <http://archive.defense.gov/specials/kosovo/>.

<sup>60</sup> Kerry, Acker, *Gerhard Schröder (Major World Leaders)*, (New York City: Chelsea House Publishing, 2003): 82.

<sup>61</sup> *Ibid.*, 82.



campaign was a 78-day long success because it achieved the NATO objectives of stopping ethnic cleansing and bringing Milosevic to the negotiating table. Not a single aircrew was lost during the 38,000 sorties NATO flew and according to NATO, over 99 percent of all ordinance hit its intended target.<sup>62</sup> German participation also showed that it could be both more assertive in world affairs and a reliable partner within NATO. The Kosovo intervention achieved desired outcomes.

German historical memory is continuously changing and being reinterpreted based on current needs. The transformation from “Never again War” to “Never again Genocide”<sup>63</sup> between the 1991 Gulf War and the Kosovo intervention exemplifies these changes. The Balkans also suffered greatly under Nazi occupation making Germans and citizens of the region wary of German intervention. The Kosovo intervention changed German perceptions about the legitimate role of force, namely that the *Bundeswehr* was a force for good and could be used as such.

### ***How Did Germany Intervene in Kosovo?***

The debates surrounding the decision to intervene in Kosovo had tangible effects on how Germany intervened in Kosovo. Before the war in Afghanistan, Operation Allied Force was NATO’s largest mission. Public opinion led Germany to take more of a support role rather than an active combat role. Of the core five members of NATO (US, UK, Germany, France, and Italy), Germany committed by far the fewest aircraft and participated in the fewest number of airstrikes (see Table 1). Despite the strong rhetorical support from Schröder and Fischer, Germany’s material support was very limited. Germany’s lack of ground troops is directly related to the fact that just 30% of Germans supported sending in ground troops.<sup>64</sup> However, public opinion changed throughout the course of the intervention (see Figure 1). Overall, support

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<sup>62</sup> Klaus Naumann, "NATO, Kosovo, and Military Intervention," *Global Governance* 8, no. 1 (2002): 14.

<sup>63</sup> Leithner, *Shaping German Foreign Policy...*, 47.

<sup>64</sup> Auerswald, “Explaining Wars of Choice...” 640; Acker, *Gerhard Schröder...*82.

for the air campaign was relatively high according to *Forsa Institut* data and more split according to *Die Welt*.

Schröder and Fischer, no doubt aware of the fragility of coalition governments and the effects of war on public opinion and elections were constrained by public opinion. Germans did not want German ground troops in Kosovo, nor were they overly supportive of German airstrikes. Germans supported NATO airstrikes in general but were less supportive of German airstrikes. Recognizing this, Schröder and Fischer limited Germany's participation in the air campaign to a support role and limited combat.

**Table 1**

Country	Total Aircraft	Total Sorties [% NATO sorties]*	Strike Sorties [% NATO strike sorties]*	Ground forces deployed or pledged
	Pre → post-summit [% of national arsenal]			
U.K.	46 → 48 [9.3 → 9.7]	1,950 [5.1]	1,105 [11.6]	54,000 <sup>†</sup>
France	73 → 84 [12.2 → 14.2]	2,414 [6.4]	1,217 [12.8]	10–20,000 <sup>‡</sup>
Germany	14 → 33 [2.8 → 6.6]	636 [1.7]	414 [4.4]	0
Italy	42 → 58 [12.4 → 17.1]	1081 [2.8]	618 [6.5]	0
U.S.	488 → 731 [7.7 → 11.6]	23,208 [62.0]	5,035 [53.0]	5,400 <sup>§</sup>

\*Percentage totals do not add to 100 percent due to omitted contributions from other NATO members.

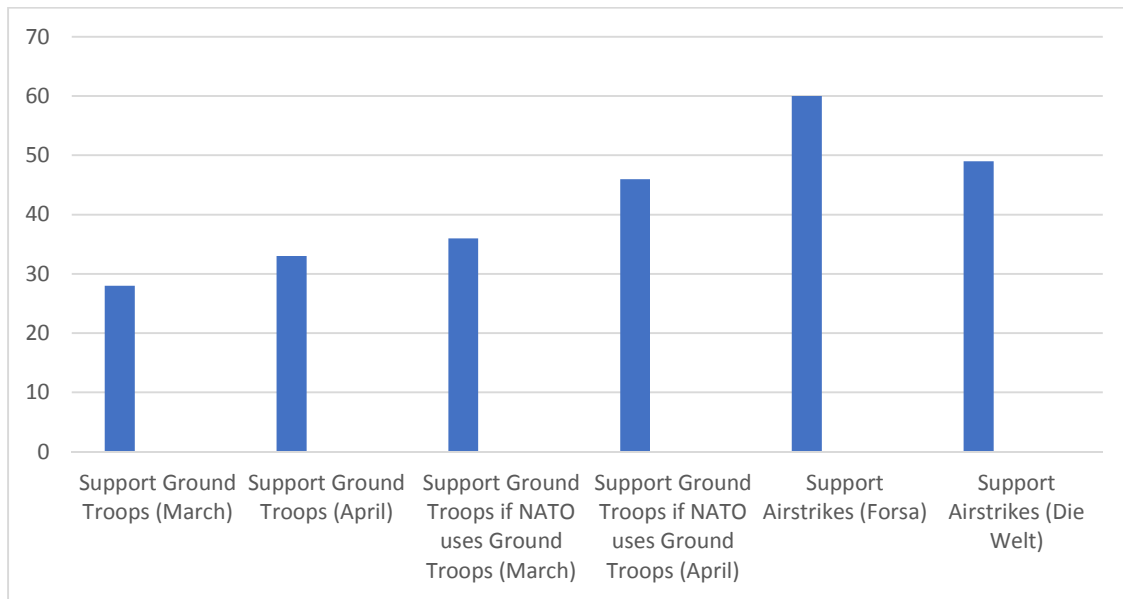
<sup>†</sup>An additional 30,000 British reserves also would be activated.

<sup>‡</sup>Deployments would occur only in the year 2000 contingent on UN authorization.

<sup>§</sup>Task Force Hawk in Albania.

Source: David P. Auerswald, "Explaining Wars of Choice: An Integrated Decision Model of NATO Policy in Kosovo," *International Studies Quarterly* 48, no. 3 (September 2004): 646.

**Figure 1. German Attitudes Towards the Kosovo Operation**



Source: Janice Bell, Dina Smeltz, and Steve Grant, "Update: Global Reaction to the Kosovo Crisis," *United States Information Agency*, last modified April 28, 1999, accessed March 29, 2018, [https://www.phdn.org/archives/www.ess.uwe.ac.uk/Kosovo/Kosovo-Current\\_News122.htm](https://www.phdn.org/archives/www.ess.uwe.ac.uk/Kosovo/Kosovo-Current_News122.htm).

However, Germany did participate in the peacekeeping mission following the intervention. Following the bombing campaign, NATO began a peacekeeping operation in Kosovo. Originally, the operation was comprised of some 50,000 troops,<sup>65</sup> including 4,918 German soldiers by October 2001,<sup>66</sup> down to just 408 soldiers as of March 2018.<sup>67</sup> German participation was far less controversial than the air campaign because it was a peacekeeping operation and it was legitimated by UNSCR 1244, whereas the original bombing operation was not despite the tacit approval of the UN Secretary General.<sup>68</sup> Although Germans largely did not

<sup>65</sup> "NATO's role in Kosovo," *NATO*, last modified March 9, 2017, accessed April 1, 2018, [https://www.nato.int/cps/en/natolive/topics\\_48818.htm#](https://www.nato.int/cps/en/natolive/topics_48818.htm#).

<sup>66</sup> Peter Kent Forster & Stephen J. Cimbala, "The Balkans: increased European responsibility and long-term commitment," in *The US, NATO and Military Burden-Sharing* (New York: Taylor & Francis, 2005), 140.

<sup>67</sup> "Anzahl der an internationalen Einsätzen beteiligten deutschen Soldaten der Bundeswehr," *Statista*, last modified March 19, 2018, accessed April 1, 2018, <https://de.statista.com/statistik/daten/studie/72703/umfrage/anzahl-der-soldaten-der-bundeswehr-im-ausland/>.

<sup>68</sup> Bruce R. Nardulli et al., "Enforcing the Peace," in *Disjointed War: Military Operations in Kosovo, 1999* (RAND Corp, 2002), 100.

support providing German ground troops for combat operations, the peacekeeping mission had more support.

Germany's limited material support for the air war was in part due to domestic pressure on Schröder and Fischer as well as the lack of political support within their parties. The pair had used most, if not all their political capital just achieving German participation in OAF, so to push for further involvement was likely unattainable. Additionally, the use of ground troops for combat was out of the question as the German public had no desire for a ground war. Peacekeeping was an entirely different story, as in the eyes of the public, peacekeeping was just, and the Security Council's approval provided legitimacy. Overall, the type of intervention Germany took was forced on Schröder and Fischer due to public pressure. Both Schröder and Fischer believed in constraints on the use of force, however without the public influence on the mission, it is possible that Germany would have taken a larger combat role during the intervention.

### ***Consequences of the Intervention***

Gerhard Schröder's decision to intervene in Kosovo had a tremendous impact on German politics, the population, and the *Bundeswehr*. Additionally, Operation Allied Force had consequences for NATO and Kosovo. This section analyzes the consequences of the intervention on German politics, public opinion, the German military, NATO, and on Kosovo.

The most important consequence of the Kosovo intervention for Germany was that the intervention solidified the *Bundesgerichtshof's* ruling regarding the legality of interventions. Despite the court's ruling that offensive missions were constitutional so long as they were through a multilateral treaty organization, this ruling was not fully accepted by political elites

and the public. The Kosovo intervention ended any debate over the legality of offensive missions.

Germany's participation in the Kosovo intervention was an important step for Germany to increase its role in world affairs. Kosovo made German politicians more willing to use force abroad, especially since OAF was so successful. Operation Allied Force helped push German participation in Afghanistan, which in turn led to further interventions in Mali and Syria. While other factors were instrumental in Germany's participation in Afghanistan, Mali, and Syria, without the Kosovo intervention, it is questionable if Germany would have participated and what role Germany would take on if they participated in those operations.

Fischer, however, was ostracized by members of his Green party; many members of the party called for Fischer's resignation. Chancellor Schröder's Social Democrats also felt that the party had departed from its anti-war stances of the Willy Brandt era. After all, just several years earlier, the SPD challenged the constitutionality of Germany's contribution to the Bosnia mission. Germany's increasing role on the international stage started under the chancellorship of the right-wing Christian Democrat Helmut Kohl;<sup>69</sup> its transformation was completed under the left-leaning Schröder. German elites have also pushed for a permanent seat on the United Nations Security Council and participation in Kosovo was partly a desire of Germany to showcase why it should be a permanent member of the UNSC.<sup>70</sup>

The German public was decidedly split about German participation in OAF at the beginning of the operation. However, as the operation wore on, the German population became more supportive of the airstrikes and a small portion of the population became more supportive

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<sup>69</sup> See Nina Philippi, "Bundeswehr-Auslandeinsatz als außen- und sicherheitspolitisches Problem des geeinten Deutschland," *Europäische Hochschulschriften* 31, no. 318 (1997).

<sup>70</sup> Werner Schäfer, "The German Question Resolved: Making Sense of Schröder's Foreign Policy," *Harvard International Review* 23, no. 2 (Summer 2001): 38.

of the use of ground troops, although the majority of Germans did not support ground troops. OAF showed Germans that the *Bundeswehr* could be a force for good and that a larger international role for Germany may actually be positive for Germany and the world.<sup>71</sup>

Operation Allied Force was the first use of the *Bundeswehr* in an offensive capacity. German forces saw their first taste of combat since WWII, setting in motion the buildup of the military. The intervention in Kosovo showed just how limited the *Bundeswehr's* capabilities were,<sup>72</sup> causing Schröder to develop a strategy to create a military that was no longer used solely for defense. Germany attempted to reform the *Bundeswehr* several times throughout the 1990s, but Kosovo and Afghanistan led to Schröder's Defense Policy Guidelines (DPG).<sup>73</sup> While the DPG was never fully realized, Angela Merkel continued Schröder's policy following her election in 2005.<sup>74</sup>

The intervention also had important consequences for NATO. Some elites questioned the need for NATO after the fall of the Soviet Union, while others wanted NATO to transform from a defensive organization into an international security organization.<sup>75</sup> The success of Operation Allied Force proved the viability of NATO as an international security organization. Furthermore, OAF was, at the time, NATO's largest operation and first war.<sup>76</sup> The NATO coalition achieved all its objectives with stunning success.<sup>77</sup> The success of the campaign increased confidence of NATO members in the organization. Perhaps more importantly, Kosovo forced the European members of NATO to assume more responsibility within the alliance,

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<sup>71</sup> Timo Noetzel and Benjamin Schreer, "All the way? The evolution of German military power," *International Affairs* 82, no. 2 (March 2008): 212.

<sup>72</sup> *Ibid.*, 216.

<sup>73</sup> *Ibid.*, 217.

<sup>74</sup> *Ibid.*, 217.

<sup>75</sup> *Ibid.*, 212.

<sup>76</sup> Auerswald, "Explaining Wars of Choice..." 633.

<sup>77</sup> See Klaus Naumann, "NATO, Kosovo, and Military Intervention," *Global Governance* 8, no. 1 (2002): 14.

Kosovo after all, was in their backyard.<sup>78</sup> Operation Allied Force laid the groundwork for future NATO operations including in Afghanistan and Libya.

The impact of military interventions on the population of the country that is intervened in is overlooked. OAF stopped the ethnic cleansing in Kosovo and provided a future for the territory. However, Kosovo faced many difficulties in the aftermath of the intervention. In the immediate aftermath as the peacekeeping forces moved in, the Kosovo Liberation Army (KLA) and others initiated reprisals against Serbs in Kosovo.<sup>79</sup> Locals also preferred to use their *nom de guerre* because it carried more prestige than their actual names.<sup>80</sup> This made the transition to peace more difficult because the population held onto symbols of war. Creating modern and effective security forces was also a challenge. During the war, average Kosovar Albanians armed themselves alongside the KLA, which made disarmament and the transformation of the KLA into a disciplined force difficult.<sup>81</sup> Furthermore, making security forces multiethnic is extremely difficult as evidenced by Bosnia. Kosovo's first police academy contained 200 recruits; 80% were ethnic Albanian and 13% Serb.<sup>82</sup> In an area that experienced severe ethnic cleansing, more ethnic integration is needed to reconcile the past and create a better future.

More recent developments in Kosovo show that the country is making strides toward success. In 2008, it declared independence from Serbia and is internationally recognized as a sovereign state by the United States and many European Union members.<sup>83</sup> Up until 2008, Kosovo was under the administration of the United Nations, however it is now independent.<sup>84</sup>

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<sup>78</sup> Fischer, "The Indispensable Partner," 100.

<sup>79</sup> Filip, Tesar, "What has NATO achieved in Kosovo?" *Perspectives* 13, (Winter 1999/2000): 56.

<sup>80</sup> *Ibid.* 57.

<sup>81</sup> *Ibid.* 57.

<sup>82</sup> *Ibid.* 57.

<sup>83</sup> "Kosovo profile," *BBC*, last modified January 16, 2018, accessed April 1, 2018, <http://www.bbc.com/news/world-europe-18328859>.

<sup>84</sup> *Ibid.*

NATO's peacekeeping mission is winding down as well. From the initial force of 50,000 troops, just 4,500 remain as NATO continuously drew down its forces as the security situation improved.<sup>85</sup> Overall, Operation Allied Force was a net positive for Kosovo as today Kosovo enjoys independence and a relatively stable security situation, as well as international support from the US and EU.

### *Conclusion*

Germany's intervention in Kosovo was an historic event in post-reunification Germany. OAF paved the way for future uses of the *Bundeswehr* abroad and increased German willingness to take on a larger role on the international stage. Kosovo proved that the *Bundeswehr* could be used to achieve "righteous" foreign policy goals and helped to normalize the use of force in German politics and society. This process was started under Chancellor Kohl and became known as "salami tactics;" that is, as Philippi put it, "cutting away slice after slice at Germany's hesitancy, one mission at a time."<sup>86</sup> This process continued in Afghanistan, discussed in the next chapter. Germany participated in Operation Allied Force because it was both a multilateral and pragmatic mission in the German context. Despite not being technically legal under Germany's constitution, the mission had the tacit approval of the UN Secretary General.<sup>87</sup> All these factors made the intervention legitimate in the eyes of Germans.

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<sup>85</sup> "NATO's role in Kosovo."

<sup>86</sup> Miskimmon, "Falling into Line..." 562; see Philippi, "Bundeswehr-Auslandeinsatz als außen..."

<sup>87</sup> Bruce R. Nardulli et al., "Enforcing the Peace," in *Disjointed War: Military Operations in Kosovo, 1999* (RAND Corp, 2002), 100.



### III. Afghanistan: Germany's Largest Military Mission since WWII

#### *Introduction*

Germany's intervention in Afghanistan was its second military intervention since WWII. While the Kosovo intervention was extremely controversial, the Afghanistan intervention was largely uncontroversial due to the attacks of September 11<sup>th</sup>, but also for the reasons of legality and multilateralism. Pragmatic considerations played a significant role in the type of intervention Germany undertook in Afghanistan but was less important for Germany's decision to intervene. This chapter analyzes why Germany intervened in Afghanistan, how it intervened, and what outcomes derived from the intervention for Germany, Afghanistan, and NATO. Overall, the Afghanistan intervention was legal, multilateral, and pragmatic.

#### *Why Did Germany Intervene in Afghanistan?*

September 11<sup>th</sup>, 2001 was a defining moment in the United States, launching a new discourse—the global war on terror—and a new set of military interventions focused on the Middle East. Germany was not attacked by Al-Qaeda or any of its affiliates on September 11<sup>th</sup>. Based on this narrow view of the attacks, Germany was prohibited from intervening in Afghanistan due to the *Grundgesetz*. But as Bosnia and Kosovo showed, the *Grundgesetz* was not the sole legal authority for the use of force. Should either NATO or the United Nations authorize the use of force, then Germany could legally deploy troops. Both organizations did just that.

After the terrorist attacks on the United States, the US invoked Article V of the NATO charter: “mutual defense”.<sup>88</sup> Article V states that “an armed attack against one or more of [the members] in Europe or North America shall be considered an attack against them all and consequently they agree that, if such an armed attack occurs, each of them, in exercise of the

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<sup>88</sup> “Collective defence – Article 5.”

right of individual or collective self-defence.”<sup>89</sup> In Germany’s eyes, the US was attacked; therefore Germany had an obligation to support its ally in retaliation against those responsible. NATO’s political decision-making body, the North Atlantic Council ruled that the 9/11 attacks did in fact justify the invocation of Article V.<sup>90</sup> This retaliation took the form of an armed intervention against the Taliban regime in Afghanistan who harbored the Al-Qaeda terror network. By supporting a NATO ally who was attacked and invoked Article V, Germany demonstrated its reliability as a partner. Germany had a responsibility to be an unwavering ally. Had Germany refused to support the US even after the use of Article V, the NATO alliance would have been in serious jeopardy and US-German relations would have been in a state of crisis. Afghanistan was Germany’s chance to repay the US for its “Special Friendship.”

Furthermore, United Nations Security Council Resolution 1386, which built upon UNSCR 1378 and 1383, authorized the creation of an International Security Assistance Force (ISAF) which Germany contributed to heavily, discussed later in this chapter.<sup>91</sup> Both NATO and the UN made the use of force legal for Germany. However, the ISAF mission was not the only mission in Afghanistan. Following the attacks, the US responded with Operation Enduring Freedom (OEF). OEF’s main mission was counterterrorism; to hunt down Al-Qaeda and Taliban militants. ISAF’s mission was concerned with rebuilding, or perhaps more accurately, building an Afghan state. German special forces participated in OEF for several years at the beginning of the intervention leading to public debate over Germany’s role in Afghanistan, discussed later in the chapter. UNSCR 1386 only authorized the ISAF mission, not OEF therefore German participation, although it was small, could be considered illegal. NATO’s contribution was to

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<sup>89</sup> Ibid.

<sup>90</sup> Ibid.

<sup>91</sup> “Resolution 1386: The Situation in Afghanistan,” *United Nations Security Council*, December 20, 2001, accessed October 18, 2018, <http://unscr.com/en/resolutions/doc/1386>.

ISAF. While many members of NATO contributed to Operation Enduring Freedom, the invocation of Article V did not specifically authorize NATO involvement in OEF.

The Afghanistan intervention was also undertaken multilaterally. At its height, ISAF had over 87,000 troops from nearly 50 states. The United States took command of many provinces and contributed the most troops, but many countries contributed significant numbers of troops.<sup>92</sup> Fifty countries contributed to the ISAF mission and nine supplied at least 1,000 soldiers, with Canada providing 950.<sup>93</sup> Unlike in Kosovo, Germany had few if any strategic interests in Afghanistan itself. The lack of strategic interests led to few specific goals within Afghanistan other than contribution to stabilization and reconstruction, something Germans largely supported.<sup>94</sup> Germany strongly supported the US. Chancellor Schröder and most of the *Bundestag* “promised the United States ‘unconditional solidarity’ right from the start, including military assistance.”<sup>95</sup>

In sum, for Germany, Afghanistan was considered the most legitimate of the three interventions studied in this thesis. Not only did NATO authorize the intervention, but the ISAF mission also came directly from a UNSC resolution. Additionally, the intervention was clearly multilateral as nearly 50 nations contributed troops to the ISAF mission, although the US contributed the majority of troops. Finally, the intervention in Afghanistan was a way for Germany to repay the United States for its “Special Friendship” as well as show that it was a reliable ally.

### ***How Did Germany Intervene in Afghanistan?***

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<sup>92</sup> See “International Security Assistance Force (ISAF): Key Facts and Figures,” *NATO*, August 1, 2013, accessed October 19, 2018, <https://www.nato.int/isaf/docu/epub/pdf/placemat.pdf>.

<sup>93</sup> *Ibid.*

<sup>94</sup> See Noetzel & Schreer, “All the Way?...”, 211.

<sup>95</sup> Leithner, *Shaping German Foreign Policy*...51.

Germany's intervention can be aptly described as limited. Germany was dedicated to reconstruction and stabilization efforts over military operations. Public opinion was the largest driver of the emphasis on reconstruction efforts over combat. German resources were dedicated to building up the Afghan government and Afghan security capabilities, rather than direct engagement fighting the Taliban and other insurgent groups. Both German politicians and citizens supported stabilization and reconstruction efforts in Afghanistan rather than combat operations.<sup>96</sup> However, the longer the war dragged on, the less the public supported the war. Domestic support for the war plummeted from 65 percent in 2005 to 37 percent in 2011.<sup>97</sup>

Beyond the simple fact that German involvement in the war dragged on for over a decade without achieving its objectives, several incidents are likely to blame for the extreme drop in support for the intervention. The first incident was in 2009, when former German Defense Minister Karl-Theodor zu Guttenberg was the first German official to call the operation in Afghanistan a “war.”<sup>98</sup> Germans liked to believe that the *Bundeswehr* was “building schools and digging wells” rather than taking and losing lives.<sup>99</sup> But German forces had a combat role in Afghanistan from early on in the war.

Two missions were conducted simultaneously in Afghanistan. Operation Enduring Freedom was responsible for most of the combat in the country. German Special Forces, the *Kommando Spezialkräfte* (KSK), contributed to combat under OEF.<sup>100</sup> Some 610 German soldiers participated in Operation Enduring Freedom in Afghanistan and the Horn of Africa.<sup>101</sup> It

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<sup>96</sup> Noetzel & Schreer, “All the Way?...”, 211.

<sup>97</sup> Christopher Alessi, “How Afghanistan Changed the German Military,” *Der Spiegel*, October 15, 2013, accessed September 26, 2016, <http://www.spiegel.de/international/germany/how-afghanistan-has-changed-the-bundeswehr-german-military-a-927891.html>.

<sup>98</sup> Ibid.

<sup>99</sup> Ibid.

<sup>100</sup> Noetzel & Schreer, “All the Way?...”, 214.

<sup>101</sup> Szabo, *Parting Ways: The Crisis...* 141.

is unclear how many troops participated in each location. Germans associated OEF with fueling the insurgency and public opinion labelled OEF the “bad” mission.<sup>102</sup> It is unclear how well KSK participation was known to the German public. It is unlikely that the German government would make operations involving the KSK widely known for security reasons. German involvement in OEF was heavily criticized even though the KSK ceased participating in OEF in 2005.<sup>103</sup> Despite the KSK’s involvement in combat, the *Bundeswehr* did not have a large combat role until much later in the intervention.<sup>104</sup>

The International Security Assistance Force was focused on building up Afghan government institutions and security forces. Germany contributed the third largest contingent of troops to ISAF (5,600 at its highest point)<sup>105</sup> and Germany took control of Regional Command North in Mazar-i-Sharif.<sup>106</sup> The ISAF mission led to a slight increase in German willingness to participate in combat operations, but the public was still largely not in favor of a combat role for the *Bundeswehr*.<sup>107</sup> German public support for combat remained low throughout the Afghanistan intervention.

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<sup>102</sup> Markus Kaim, “Germany, Afghanistan, and the Future of NATO,” *International Journal* 63 (2008): 613, accessed September 27, 2015, <http://www.jstor.org/stable/40204400>.

<sup>103</sup> Noetzel & Schreer, “All the Way?...”, 220.

<sup>104</sup> Ibid.

<sup>105</sup> “How many foreign troops are in Afghanistan?,” BBC News October 15, 2015, accessed December 7, 2016, <http://www.bbc.com/news/world-south-asia-11371138>.

<sup>106</sup> Kaim, “Germany, Afghanistan, and...”, 610.

<sup>107</sup> Noetzel & Schreer, “All the Way?...”, 221.

Figure 2. ISAF Regional Command North



Source: "International Security Assistance Force (ISAF): Key Facts and Figures," NATO, August 1, 2013, accessed October 19, 2018, <https://www.nato.int/isaf/docu/epub/pdf/placemat.pdf>.

As shown in Figure 2, the *Bundeswehr* was stationed in the northern Afghan provinces of Balkh and Kunduz. Kunduz is located along the important NATO supply route into Tajikistan.<sup>108</sup> Like the rest of Afghanistan, Balkh and Kunduz are ethnically diverse.<sup>109</sup> There are two key Afghan actors related to northern Afghanistan. These actors mediate any intervention, control the all-important patronage networks, where and how international assistance is distributed, and influence local security because of their powerful militias. The first, Abdul Rashid Dostum, an ethnic Uzbek, was a notorious warlord during the Afghan civil war in the 1990s<sup>110</sup> and is

<sup>108</sup> Jonathan Goodhand & Aziz Hakimi, "Counterinsurgency, Local Militias, and Statebuilding in Afghanistan," *United Institute of Peace* 90 (2014): 32, accessed October 5, 2016, <http://permanent.access.gpo.gov/gpo57894/PW90-Counterinsurgency-Local-Militias-and-Statebuilding-in-Afghanistan.pdf>.

<sup>109</sup> See Naval Postgraduate School, "Kunduz Province," *Program for Culture & Conflict Studies*, accessed November 14, 2016, <https://my.nps.edu/web/ccs/kunduz?inheritRedirect=true>.

<sup>110</sup> Doug Stanton, *Horse Soldiers: The Extraordinary Story of a Band of US Soldiers Who Rode to Victory in Afghanistan* (New York: Scribner, 2009) 61.

currently the vice president of Afghanistan.<sup>111</sup> Dostum was instrumental in assisting US Special Forces in taking over northern Afghanistan and the all-important northern city of Mazar-i-Sharif. Mir Alam Khan is the second important figure in the north. Alam was a commander in the Northern Alliance, the main anti-Taliban force, during the Afghan Civil War who upon the fall of the Taliban took control of Kunduz.<sup>112</sup> Once in control, Alam divided up the province and gave control to loyal local commanders; ethnic Pashtuns were almost completely excluded from the division of Kunduz.<sup>113</sup> Both Dostum and Alam are important because throughout Afghanistan's recent history, the same key figures appear again and again in influential positions.

Germany's main priority in northern Afghanistan was training Afghan National Security Forces (ANSF). Germany's main concern in the region was destabilizing forces such as insurgent groups and corruption. Afghanistan's National Army (ANA) improved significantly from its re-establishment in 2002. Based out of Mazar-i-Sharif, the ANA's 209<sup>th</sup> Shaheen "Falcon" Corps is responsible for nine northern Afghan provinces.<sup>114</sup> Germany's Provincial Reconstruction Team (PRT) was responsible for coordinating security with the 209<sup>th</sup> Corps as well as assisting in training of the unit. While the ANA is important to the security of the region, Afghan National Police (ANP) units are more important than the army units.

Afghan National Police are the second largest security force in Afghanistan. The ANP is a force of 151,000 with various responsibilities throughout the country.<sup>115</sup> Despite such a large

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<sup>111</sup> Matthew Rosenberg, "Afghanistan's Vice President Is Barred From Entering U.S." *New York Times*, April 25, 2016, accessed October 17, 2016, [http://www.nytimes.com/2016/04/26/world/middleeast/abdul-rashid-dostum-afghanistan-barred-from-entering-us.html?\\_r=0](http://www.nytimes.com/2016/04/26/world/middleeast/abdul-rashid-dostum-afghanistan-barred-from-entering-us.html?_r=0).

<sup>112</sup> Goodhand & Hakimi, "Counterinsurgency, Local Militias,..." 32.

<sup>113</sup> Ibid.

<sup>114</sup> "209 Shaheen Corps," accessed November 15, 2016, <http://mod.gov.af/en/page/corps/corps-of-209-shaheen>.

<sup>115</sup> NATO, "Afghan National Security..."

force, the ANP numbered just 1,700 personnel in Kunduz.<sup>116</sup> This led to severe security problems throughout the province. Until 2009, northern Afghanistan was relatively safe as most of the fighting was concentrated in the southern and eastern provinces. However, the Taliban established a significant presence in Kunduz in the spring of 2009. German reluctance to fight the Taliban (discussed further in this chapter) allowed the Taliban to successfully launch a wave of attacks and deteriorate the security situation in Kunduz.<sup>117</sup> The provincial government requested further ANSF to assist in Kunduz however Kabul ignored both the Kunduz government's request for more security forces and the German recommendation for an additional 2,500 ANP personnel.<sup>118</sup> Out of necessity and with German reservations the provincial government turned to local militias for security.

Arbakai militias, while an effective fighting force, severely undermined the Afghan government's position in Kunduz. Essentially, the Arbakai were comprised of non-Pashtuns who had previously fought the Taliban and were loyal to Mir Alam Khan.<sup>119</sup> The Arbakai were formed out of necessity; the security situation in Kunduz was deteriorating and the ANA and ANP units either could not or were not improving the situation. The Taliban was driven out of Kunduz, not because of fighting, but due to bribery.<sup>120</sup> Despite the success of the militias, in 2015, a surprise Taliban offensive in the north gave the Taliban control of Kunduz city for 15 days.<sup>121</sup> The security situation in Kunduz and northern Afghanistan as a whole remains precarious.

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<sup>116</sup> Goodhand & Hakimi, "Counterinsurgency, Local Militias..." 32.

<sup>117</sup> Ibid., 33.

<sup>118</sup> Ibid.

<sup>119</sup> Ibid.

<sup>120</sup> Ibid., 34.

<sup>121</sup> Rob Nordland, "Taliban End Takeover of Kunduz After 15 Days," *New York Times* October 13, 2015, accessed December 5, 2016, <http://www.nytimes.com/2015/10/14/world/asia/taliban-afghanistan-kunduz.html>.



Germany's concerns that the Arbakai would undermine the Afghan government's position in Kunduz proved correct. In 2011, funding for the Arbakai militias ceased and most militias fought in power struggles and extorted the local population.<sup>122</sup> ISAF and the central government made efforts to replace the Arbakai militias. The Afghan Local Police (ALP) was supposed to take over security responsibilities in Kunduz and the Arbakai were to be disarmed, however this program was extremely unsuccessful; as of 2011 only 51 people had been disarmed.<sup>123</sup> In Kunduz, the Arbakai remain the true power brokers and it remains to be seen whether this will further marginalize Pashtuns in the province.

German support for reconstruction efforts were high. Germany's reconstruction bank, the KfW Development Bank, funded many of the German reconstruction projects in Afghanistan. The KfW invested five million Euros into constructing a pipeline network, two pump stations, and a water tower that provide clean water to some 10,000 people in the town of Balkh.<sup>124</sup> The KfW's report rated the project as satisfactory, noting that parts of it fell short of expectations.<sup>125</sup> This project exemplifies Germany's and others' efforts to reconstruct Afghanistan.<sup>126</sup>

German public opinion largely dictated what type of intervention Germany would have in Afghanistan, which shaped outcomes. The Afghan National Security Forces were unable to effectively combat the Taliban so Arbakai militias were bought and the militias in turn bribed the Taliban into submission. The initial success of the Arbakai was overshadowed by the Taliban

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<sup>122</sup> Goodhand & Hakimi, "Counterinsurgency, Local Militias..." 34.

<sup>123</sup> Ibid., 34.

<sup>124</sup> KfW, "Water Supply – Afghanistan," last modified September 2014, accessed November 15, 2016, <https://www.kfw-entwicklungsbank.de/PDF/Entwicklungsfinanzierung/L%C3%A4nder-und-Programme/Asien/Projekt-Afghanistan-Trinkwasser-2014-EN.pdf>.

<sup>125</sup> Ibid.

<sup>126</sup> See *Deutsche Gesellschaft für Internationale Zusammenarbeit* in Nicola Abé, "A Feeling of Abandonment in Northern Afghanistan," *Der Spiegel*, April 22, 2014, accessed September 25, 2016, <http://www.spiegel.de/international/world/security-eroding-in-northern-afghanistan-after-german-withdrawal-a-965522.html>.

taking control of Kunduz city for 15 days. Finally, reconstruction efforts have largely failed in the north. A water pipeline was successful in Balkh province, but other projects have fallen short. Few if any infrastructure projects have been attempted by external actors now that German forces have left northern Afghanistan. The overall outlook for Kunduz, Balkh, and the Afghan people is bleak.

### *Consequences of the Intervention*

Afghanistan has been Germany's most significant war experience since WWII. The Afghanistan intervention has had far reaching implications particularly for the *Bundeswehr*, but also German politics, the German public, NATO, and perhaps most importantly Afghanistan. These results have shaped and will continue to influence German foreign and military policy.

While German forces first fought in Kosovo, German ground troops had never seen combat. With the collapse of the Soviet Union, the *Bundeswehr* was transformed into a military force with offensive capacities.<sup>127</sup> The Kosovo intervention changed public perception of the use of force and improved relations with NATO allies.<sup>128</sup> However, the war in Afghanistan completely changed the *Bundeswehr's* capabilities. Germany's first commander in Afghanistan, Harald Kujat states

‘Afghanistan has been the most important experience for the German armed forces. It was the first time since World War II that the German military was involved in real combat action.’ [...] the Afghanistan experience has created a new generation of young officers with personal combat experience contributing to a ‘more self-confident’ *Bundeswehr*.<sup>129</sup>

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<sup>127</sup> Noetzel & Schreer, “All the Way?...,” 212.

<sup>128</sup> Ibid.

<sup>129</sup> Alessi, “How Afghanistan changed...”

The German Defense Ministry attempted to increase the military's capabilities with the Defense White Paper of 2006 (the most recent version was updated in 2016).<sup>130</sup> The Defense Ministry attempted to evolve the *Bundeswehr* into a "highly deployable force."<sup>131</sup> Most experts, especially current and former members of the military, argue that the German combat mission in Afghanistan succeeded, but it was the political aspect that failed.

German politicians were hesitant for the *Bundeswehr* to take on a combat role in Afghanistan, even going so far as to avoid calling the intervention in Afghanistan a war. German soldiers claimed that there was a clear disconnect between the situation on the ground and the information available to politicians in Berlin. Former *Bundeswehr* General Staff Officer and current member of parliament Roderich Kiesewetter noted that "the military command did not adequately communicate to the German political leadership what the actual situation on the ground was – a war zone – and what equipment soldiers needed."<sup>132</sup> Communication between the *Bundeswehr* and politicians has improved especially as former soldiers become members of the government.<sup>133</sup> The Afghanistan experience made politicians more willing to deploy German troops around the world.<sup>134</sup> German troops were deployed in the fight against the Islamic State in Iraq and Syria (ISIS).<sup>135</sup> Clearly, Afghanistan has given German politicians more confidence in the ability of the military and paved the way for more use of the military abroad when German strategic interests and objectives were clear and a limited military campaign was possible.

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<sup>130</sup> Dagmar Breitenbach, "Germany presents new 'military roadmap,'" *Deutsche Welle*, July 13, 2016, <https://www.dw.com/en/germany-presents-new-military-roadmap/a-19397153>.

<sup>131</sup> Alessi, "How Afghanistan changed..."

<sup>132</sup> Ibid.

<sup>133</sup> Ibid.

<sup>134</sup> See "Germany to send 650 troops to Mali after hotel attack," *Al-Jazeera*, November 26, 2015, accessed November 16, 2016, <http://www.aljazeera.com/news/2015/11/germany-send-650-troops-mali-hotel-attack-151126044746049.html>.

<sup>135</sup> See Gordon Repinski & Christoph Schult, "Are German Ground Troops Inevitable in Syria?," *Der Spiegel*, December 8, 2015, accessed November 16, 2016, <http://www.spiegel.de/international/world/threat-of-ground-war-grows-for-west-in-syrian-conflict-a-1066513.html>.

On the other hand, the Afghanistan intervention has made policy makers more reluctant to get involved in protracted wars overseas. Germany refused to participate in the Iraq War, discussed in the following chapter as well as the 2011 NATO intervention in Libya. The Afghanistan War was longer than WWII for Germany and Germany has no desire to participate in long, drawn out conflicts, especially when there is no clear strategic interest for Germany or endgame.

Mounting German casualties affected German support for the Afghanistan war. The *Bundeswehr* lost 54 soldiers in Afghanistan with 35 of them dying in combat.<sup>136</sup> While politicians seem to support using the military selectively to achieve limited security goals abroad, the German public is much more skeptical.<sup>137</sup> Lagging public support is mostly explained by the human costs of the war. Kiesewetter cited a 2009 airstrike ordered by German forces that left well over 100 Afghan civilians dead as a turning point in declining support for the war. The German public could no longer believe that German soldiers were building schools and hospitals after German forces ordered the airstrikes. This public skepticism has also led to rifts within NATO.

Germany was reluctant to be a full participant in combat operations in Afghanistan, preferring instead to let the US, UK, and Canada do the bulk of the fighting. Despite having the third largest ISAF contingent of troops,<sup>138</sup> Germany placed heavy restrictions on what its forces were able to do. For example, German forces could not leave their area-of-operation to assist Norwegian forces that were in combat.<sup>139</sup> The way NATO is structured allows for some contributors to do less than others. Countries limit their troop contingent's capabilities by not

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<sup>136</sup> Alessi, "How Afghanistan changed..."

<sup>137</sup> See Repinski & Schult, "Are German Ground..."

<sup>138</sup> "How many foreign ...?"

<sup>139</sup> Auerswald & Saideman, "NATO at War..." 1.

supplying certain assets.<sup>140</sup> States also place restrictions on what their troops can and cannot do. Germany placed some of the highest restrictions of any NATO member on its troops.<sup>141</sup> The lack of capabilities and the restrictions placed on each country's contingents contributed to the friction between NATO members in Afghanistan.

Not only did a lack of capabilities strain the alliance, but a perception that some countries were not doing their part led to a rift between alliance members. NATO members of ISAF were categorized into two groups by Noetzel and Schreer: "Warrior States" and "Ration Consumers". The "Warrior States" were the ones who did the fighting and thus suffered the most casualties in Afghanistan.<sup>142</sup> Germany was labelled a "Ration Consumer" because of their relatively few responsibilities as well as the German contingent's avoidance of combat operations. Countries also tended not to share too much intelligence with other contingents and there was a clear lack of coordination between contingents; "each country was fighting its own war."<sup>143</sup> The caveats placed on the use of troops and force as well as a lack of coordination and cooperation caused a significant strain on the alliance.

Oftentimes, the two separate missions, OEF and ISAF, were at odds with one another. ISAF focused more on winning the "hearts and minds" of the population while OEF focused on hunting down terrorists and insurgents. One of the favorite strategies of OEF was to conduct night raids on suspected insurgent compounds. However, these night raids undermined efforts to make the population more trusting of ISAF forces.<sup>144</sup> The local population could not differentiate

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<sup>140</sup> Ibid., 7.

<sup>141</sup> Ibid., 19.

<sup>142</sup> Ibid., 3.

<sup>143</sup> Ibid., 47.

<sup>144</sup> Auerswald & Saideman, "NATO and the Primacy..." 45.

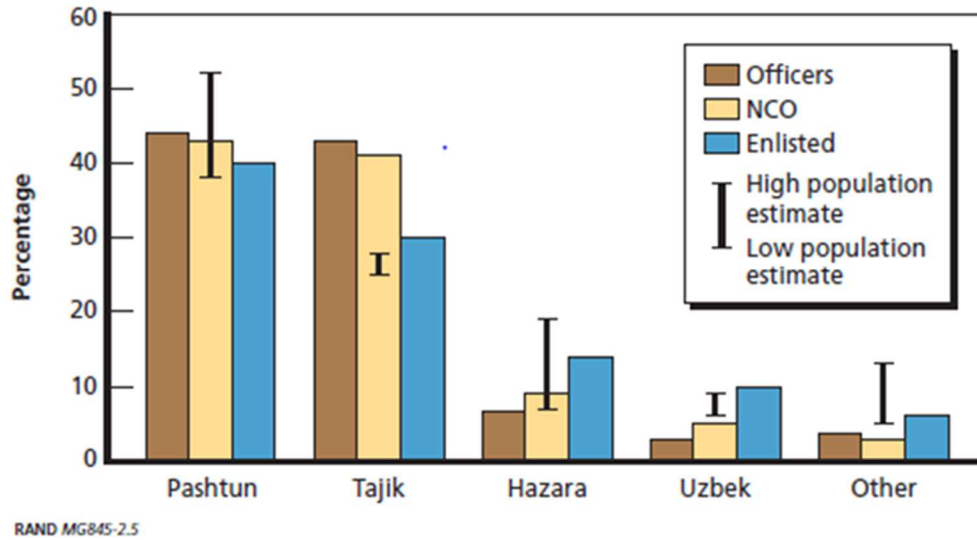
between the two missions; all of the forces were foreign. In short, Afghanistan severely strained the NATO alliance.

The actual impact of the war in Afghanistan and its people is important as well. While Germany and NATO have been affected greatly by the war in Afghanistan, the people of Afghanistan have suffered more. Even prior to 2001, Afghanistan had been in a constant state of war since 1979. Lofty promises made by foreign governments and others to rebuild Afghanistan have failed. So, the question must be asked, are Afghans better off following the German intervention? Simply put, no. Ethnic groups in Afghanistan have long been at odds with one another and these ethnic divisions continue to plague the Afghan National Security Forces. Ethnic groups are either overrepresented or underrepresented in all ranks of the ANA (See Figure 3). Ethnic groups who mostly populate the north like Tajiks are being used in operations in the Pashtun dominated south where the Tajiks do not speak the language and are viewed as foreign as ISAF troops.<sup>145</sup> The ethnic composition of the ANA has led to fears of dominance by one ethnic group over another.

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<sup>145</sup> Heidi Vogt, "Afghan army struggles with ethnic divisions," *ABC News*, July 27, 2010, accessed October 17, 2016, [http://www.nbcnews.com/id/38432732/ns/world\\_news-south\\_and\\_central\\_asia/t/afghan-army-struggles-ethnic-divisions/#.WCy20LrLIU](http://www.nbcnews.com/id/38432732/ns/world_news-south_and_central_asia/t/afghan-army-struggles-ethnic-divisions/#.WCy20LrLIU).

Figure 3. Ethnic Composition of the ANA



Source: Younossi, Obaid, Peter Dahl Thruelsen, Jonathan Vacarro, Jerry M. Sollinger, and Brian Grady. "The Long March: Building an Afghan Army." *Rand Corporation* (2009). Accessed October 17, 2016. [http://www.rand.org/content/dam/rand/pubs/monographs/2009/RAND\\_MG845.pdf](http://www.rand.org/content/dam/rand/pubs/monographs/2009/RAND_MG845.pdf).

Civilians have suffered the most as a result of the current war in Afghanistan. The United Nations first began tracking civilian casualties in Afghanistan in 2009. From the period of January 1, 2009 to June 30, 2016, 22,941 civilians had been killed and another 40,993 wounded.<sup>146</sup> Development projects in the north by Germany have been all but abandoned. Afghan civilians will likely continue to suffer tremendously from poor governance, the Taliban and other insurgent groups, and ethnic infighting once all or most Western forces exit Afghanistan.

Germany's intervention in Afghanistan has had profound impacts on the *Bundeswehr*, German politics, German society, NATO, and Afghanistan itself. The *Bundeswehr* has transformed itself from a defensive minded military organization into an offensively capable and

<sup>146</sup> UNAMA, "Afghanistan: Record Level of Civilian Casualties Sustained in First Half of 2016 – UN Report," July 25, 2016, accessed November 16, 2016, <http://unama.unmissions.org/afghanistan-record-level-civilian-casualties-sustained-first-half-2016-un-report>.

combat experienced fighting force. Politicians in Germany have become both more likely to send troops abroad and less likely to do so. German politicians are more willing to deploy troops when the mission has clear and achievable objectives, and a slim chance of a protracted conflict. Over a decade of war left the German public tired and wary of military interventions. Germany and its NATO allies' relationship have been strained significantly because of the Afghanistan War. Finally, Afghanistan itself has suffered greatly from the intervention. Northern Afghanistan's residents are at best marginally better off than they were before the war.

### ***Conclusion***

The Afghanistan intervention was Germany's largest deployment of troops in a combat mission since WWII. Unsurprisingly, the intervention had far reaching impacts on Germany as well as NATO and Afghanistan. The intervention in Afghanistan was seen as legitimate because it was legal, multilateral, and pragmatic, as Germany understands those requirements. Germany's intervention was initially passive, focusing on reconstruction and stabilization efforts rather than combat. Later in the intervention, this role changed leading to a significant drop in public support for the war. Germany is both more and less willing to deploy its forces abroad as a result of the Afghanistan experience. The NATO alliance was strained by the war and Afghanistan itself is at best slightly better off than before the intervention. Furthermore, the "salami tactics" were furthered in Afghanistan. In the two years before the Iraq War, Germany learned valuable lessons from its experience in Afghanistan that influenced Germany's decision not to intervene in Iraq.



## **IV. Germany Says No: The Iraq War**

### ***Introduction***

During the build-up to the US war in Iraq, Gerhard Schröder and Germany's lack of support for the war were quite controversial. Germany chose not to intervene in Iraq because the war was not legitimate in the German context. The war was not legal because it was a war of aggression and therefore did not satisfy Germany's constitutional requirement, was not authorized by the United Nations Security Council, and no NATO member invoked Article V of the NATO charter. Furthermore, the war was not multilateral as the US and UK provided the vast majority of troops and no multilateral organization authorized the use of force. Finally, the Iraq war was not pragmatic for Germany; Germany had no strategic interests in Iraq and Schröder was up for re-election. This chapter analyzes the factors that determined Germany's decision not to participate in the Iraq intervention, how Germany opposed the war, and the consequences of Germany's opposition.

### ***Why Did Germany Oppose the Iraq War?***

Germany did not participate in the Iraq war because it was not legitimate based on the criteria laid out in this thesis. The war was not legal, multilateral, or pragmatic and therefore made German support and participation in the war impossible even if Chancellor Schröder wanted Germany to fight in the war. While the Iraq war clearly and simply did not satisfy the legal and multilateral criteria, the pragmatic considerations of Germany, especially Chancellor Schröder, are critical in understanding Germany's decision not to intervene.

The Iraq war was quite clearly illegal from the German perspective. Germany was not attacked; therefore, it could not attack Iraq. However, as Bosnia and Kosovo demonstrated, Germany could participate in wars of aggression so long as they were part of a multilateral treaty

obligation: Iraq was not. While hotly contested in the United Nations, the Iraq war did not have Security Council approval.<sup>147</sup> As Chancellor Schröder stated, “those who want to use military force can only do so on the basis of the UN charter.”<sup>148</sup> Additionally, UNSCR 1441, while recognizing Iraq’s failure to be transparent about its weapons of mass destruction (WMD) program, did not authorize the use of force against Iraq.<sup>149</sup> Despite US claims that Saddam Hussein was connected to 9/11 and the Al-Qaeda terror network,<sup>150</sup> this was patently false and the US did not invoke Article V of the NATO charter in regard to Iraq, only Afghanistan. The Iraq intervention was very clearly not legal in the German context.

In addition to not being legal, the Iraq war was also not multilateral. In Iraq, 44 nations contributed troops at some point between 2003 and 2011, most of which were under the command of the Multi-National Force-Iraq (MNF-I).<sup>151</sup> However, of those 44, only ten contributed at least 1,000 troops, and the United States and United Kingdom provided by far the most troops with, at their peak, 250,000 and 46,000 respectively.<sup>152</sup> While this is roughly the same number of nations who contributed at least 1,000 troops in Afghanistan, the Iraq war was not multilateral because it was a “coalition of the willing,” not supported by a formal organization like the ISAF mission under the auspices of both NATO and the UN. The “coalition of the willing” was simply individual states who agreed to participate in the Iraq war, not a

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<sup>147</sup> Richard Falk, “The Iraq War and the Future of International Law,” *Proceedings of the Annual Meeting (American Society of International Law)* 98, (March 31-April 3, 2004): 264; Corneliu Bjola and Markus Kornprobst, “Security Communities and the Habitus of Restraint: Germany and the United States on Iraq,” *Review of International Studies* 33, no. 2 (April 2007): 294.

<sup>148</sup> Leithner, *Shaping German Foreign Policy*...110.

<sup>149</sup> “Resolution 1441: The situation between Iraq and Kuwait,” *United Nations Security Council*, November 8, 2002, accessed November 5, 2018, <http://unscr.com/en/resolutions/doc/1441>.

<sup>150</sup> “Bush rejects Saddam 9/11 link,” *BBC*, September 18, 2003, <http://news.bbc.co.uk/2/hi/americas/3118262.stm>.

<sup>151</sup> Christopher M. Blanchard & Catherine Marie Dale, *Iraq: Foreign Contributions to Stabilization and Reconstruction*, Washington D.C.: Congressional Research Service, December 26, 2007, accessed November 5, 2018, 10-19, <http://www.au.af.mil/au/awc/awcgate/crs/rl32105.pdf>.

<sup>152</sup> *Ibid.*, 10-19.

multilateral treaty organization. While NATO committed troops to training Iraqi security forces, NATO provided only some 300 personnel and did not participate in combat like in Afghanistan. Furthermore, the command structure was entirely different. Several members of the ISAF mission commanded different regions and provinces of Afghanistan (see figure 2) and the overall command of ISAF rotated between participating countries, but this was not the case in Iraq. In Iraq, MNF-I was commanded by the US through the entirety of its existence, and the command and control structure went directly from the US Secretary of Defense to US Central Command, leaving little room for input from non-US members of MNF-I.<sup>153</sup> Despite having roughly the same number of troop contributing nations and nations that contributed at least 1,000 troops as in Afghanistan, the Iraq war was not multilateral in the same way that Afghanistan was.

The United States invaded Iraq under the pretext that Saddam Hussein possessed weapons of mass destruction and was linked to the September 11<sup>th</sup> terrorist attacks. Evidence of WMDs was never found in Iraq.<sup>154</sup> No concrete evidence existed or has ever been discovered to support this idea, and both President Bush and Vice President Cheney admitted that Saddam Hussein had no link to 9/11.<sup>155</sup> Germany felt that the Bush administration was not forthcoming in its claims of Iraq's WMDs.<sup>156</sup> Besides the lack of credible intelligence on the two key justifications for the US war in Iraq, several other reasons prevented German participation in the war.

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<sup>153</sup> Stephen A. Carney, "Allied Participation in Operation Iraqi Freedom," *Center of Military History*, Washington D.C.: United States Army, 2011, accessed November 5, 2018, 31, [https://history.army.mil/html/books/059/59-3-1/CMH\\_59-3-1.pdf](https://history.army.mil/html/books/059/59-3-1/CMH_59-3-1.pdf).

<sup>154</sup> Kristen Allen, "Iraq War Seen as 'Strategic Failure by Many,'" *Der Spiegel*, March 20, 2013, accessed November 5, 2018, <http://www.spiegel.de/international/world/german-press-criticizes-us-on-10-year-anniversary-of-iraq-war-a-889962.html>.

<sup>155</sup> "Bush rejects Saddam 9/11 link."

<sup>156</sup> Szabo, *Parting Ways: The Crisis*...26.

Germany had no clear strategic interests in Iraq making support for the war almost nonexistent. But even in Afghanistan where the intervention was legitimate and Germany had strategic interests, political support for the war was still split. In order to deploy troops to Afghanistan, Schröder tied the decision to intervene to a vote of no confidence; Schröder won by just two votes.<sup>157</sup> While political motivations largely explain the closeness of the vote, the vote still illustrates the limited support for the war. The Iraq war was not legitimate. Even if Schröder had wanted to send German troops to Iraq, he simply did not have the political or public support to do so. Beyond a lack of strategic interests, the objectives of the war were unclear.

Other than the removal of Saddam Hussein, US objectives in Iraq were unclear. The US's lack of a strategic plan for after it toppled Saddam's regime, coupled with Germany's disbelief in the justifications for the war made German support impossible. The lessons Germany had learned in to that point, the two years it had been fighting in Afghanistan taught Germany that the scope and objectives of missions must be clearly defined beforehand. This was not the case in Iraq. According to Schröder, "there needed to be an exit strategy" in Iraq.<sup>158</sup>

As discussed in the first chapter, Germany believes in restraint; war should be a last resort. "Germany does not reject the option of military steps but prefers a 'civilian' approach: economic incentives and international cooperation among law enforcement authorities."<sup>159</sup> In the case of Iraq, Germany felt that not all options had been exhausted in preventing Saddam's pursuit of WMDs, therefore the military option was premature. According to Schröder, Fischer, and other leading members of the SPD and Greens, weapons inspections work and they were the

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<sup>157</sup> Russell A. Miller, "Germany's Basic Law and the Use of Force," *Indiana Journal of Legal Studies* 17, no. 2 (Summer 2010): 204; Leithner, *Shaping German Foreign Policy...*, 90; Szabo, *Parting Ways: The Crisis...*23-24.

<sup>158</sup> Szabo, *Parting Ways: The Crisis...*18.

<sup>159</sup> *Ibid.*, 70.

best path forward towards ending Iraq's WMD program as well as avoiding war.<sup>160</sup> Furthermore, "given the limits of the military capacity of most European states, the use of force tends to be impracticable or far down on the list of options."<sup>161</sup> For Germany, war in the case of Iraq was not justifiable until all peaceful options were exhausted and to that point, the peaceful alternatives had not been exhausted.

The most critical factor in explaining Germany's decision not to intervene in Iraq is Gerhard Schröder's re-election campaign. In July of 2002, Schröder and the SPD were trailing in the polls and his re-election prospects looked bleak.<sup>162</sup> In order to boost his poll numbers and garner support from the German public, Schröder began publicly hinting at a lack of German support for the war in Iraq. Then, in a speech on 5 August, Schröder unequivocally stated that Germany would not support, nor participate in a war with Iraq. "We must get international inspectors into Iraq. But playing games with war and military intervention—against that I can only warn. This will happen without us... We are not available for adventures, and the time of checkbook diplomacy is finally at an end."<sup>163</sup> Schröder further cemented this view when he stated: "Germany will not participate in [a war in Iraq] under my leadership," while his opponent Edmund Stoiber did not explicitly state his position.<sup>164</sup> Schröder's opposition to the Iraq war is best summed up by respected journalist Steve Erlanger: "[Schröder] did this in part on principle, and in part out of electoral opportunism in appealing to popular anger created by the Bush [administration]."<sup>165</sup> While Schröder did personally object to the Iraq War, it appears that electoral politics was the reason for his clear opposition to the war. Had the German public

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<sup>160</sup> See Leithner, *Shaping German Foreign Policy...*112-114.

<sup>161</sup> Szabo, *Parting Ways: The Crisis...*72.

<sup>162</sup> *Ibid.*, 21.

<sup>163</sup> *Ibid.*, 23.

<sup>164</sup> *Ibid.*, 27.

<sup>165</sup> *Ibid.*, 33.

supported the war, it is reasonable to think that Schröder may have supported the war publicly, while still opposing it privately or at the very least not stating his position one way or the other publicly.

Germany's opposition to the Iraq war stems from the fact that the war was illegitimate in the eyes of Germans. It was certainly not legal and although there was a "coalition of the willing," the coalition was not within the framework of a multilateral institution. Furthermore, Germany had no strategic interests in Iraq, the pretexts for war were shaky at best, the war's objectives were unclear, and perhaps most importantly, Schröder's re-election campaign prevented any possibility of German support of or participation in the war. How Germany opposed the war had serious implications for Germany's relationship with several actors.

### *How did Germany Oppose the War?*

Germans clearly opposed the war in Iraq. While German opposition itself was not the issue in US-German relations, the way in which Germany, and particularly Gerhard Schröder and his cabinet, openly criticized US policy vis-à-vis Iraq created a severe rift in US-German relations. Germany's very public and high-profile opposition to the war strained old relationships, improved others, and forged new ones.

For George Bush and his highly personalized style of foreign affairs, Schröder and his cabinet's public personal attacks against Bush and his Iraq war policy created strong resentment towards Germany. At first, Schröder did not rule out the use of force in Iraq to Bush but was vague in what exactly would constitute the justifiable use of force.<sup>166</sup> What followed was a series of vague statements made by both Bush and Schröder about each one's intentions regarding Iraq. Schröder believed that Bush would inform him of any decision on Iraq and that the decision

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<sup>166</sup> Ibid., 18.

would not interfere with the German election.<sup>167</sup> Following Schröder's public statement of opposition to the war and open criticisms of the Bush administration's actions towards Iraq, US rhetoric on Iraq became increasingly hostile, which in turn led to more vitriolic public statements by members of Schröder's cabinet. The SPD's leading politician in the *Bundestag* compared Bush to a Roman emperor and Schröder's minister of justice likened Bush's tactic of drumming up support for the war as a distraction to domestic issues to Adolf Hitler, an unthinkable comparison in post-war Germany.<sup>168</sup> For the Bush administration, these public and high-profile criticisms were unacceptable and unforgiveable.

Besides political opposition at the highest levels, the vast majority of Germans did not support the Iraq war. In May of 2002, 61 percent of Germans "saw no legitimate reason for war;" this number increased to 83 percent by February of 2003, just before the start of the war.<sup>169</sup> German public attitudes towards the Iraq war and Schröder's willingness to exploit these attitudes for electoral gain further damaged the relationship between Germany and the United States.

A second source of friction between the US and Germany stems from who Germany chose to ally itself with in opposition to the war. France and Germany, historically competitors, allied themselves publicly against US policy towards Iraq and France vowed to veto any UNSC resolution authorizing the use of force in Iraq.<sup>170</sup> The German-French alliance Schröder and French president Jacques Chirac forged led to US Secretary of Defense Donald Rumsfeld to refer

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<sup>167</sup> Ibid., 20.

<sup>168</sup> Ibid., 28-29.

<sup>169</sup> Bjola & Kornprobst, "Security Communities and the Habitus..." 300.

<sup>170</sup> "France and Germany unite against Iraq war," *The Guardian*, January 22, 2003, accessed November 5, 2018, <https://www.theguardian.com/world/2003/jan/22/germany.france>.

to the two countries as “old Europe,” an attempt to characterize France and Germany as irrelevant.<sup>171</sup>

While Germany allying with France in opposition to the Iraq war was damaging to the US position, what further hurt the US-German relationship was Germany allying with Russia. Schröder pridefully boasted to fellow SPD members of Germany’s partnership with France and Russia: “Berlin is not as isolated as contended in Washington and elsewhere. Just the opposite: ever more countries are coming behind the German position to give peace a chance.”<sup>172</sup> Neither Bush nor Schröder were willing to reconcile with one another, preferring instead to continue to attack the other side, especially Schröder as it helped his re-election chances.

Germany also worked within the UN, particularly the Security Council to garner support for opposition to the Iraq war. While Germany does not have veto power in the security council, it became the chairman of the UNSC in early February 2003,<sup>173</sup> and strongly supported France, Russia, and China, all of whom had veto power and opposed UN authorization for the war.<sup>174</sup> Germany (and others) called for an accompanying resolution to UNSCR 1441 that authorized the use of force<sup>175</sup> knowing that the resolution would never pass due to French, Russian, and Chinese opposition. Germany, France, and Russia strongly supported the UN weapons inspectors and believed they needed more time to complete their work before military force was justified.<sup>176</sup> While Germany’s public disparagement of the Bush administration’s stance on Iraq and more importantly President Bush himself severely hurt US-German relations, Germany’s work with others and in the UN was also important in straining the relationship.

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<sup>171</sup> Szabo, *Parting Ways: The Crisis*...39.

<sup>172</sup> Szabo, *Parting Ways: The Crisis*...49.

<sup>173</sup> “France and Germany unite...”

<sup>174</sup> Szabo, *Parting Ways: The Crisis*...36.

<sup>175</sup> Leithner, *Shaping German Foreign Policy*...112; Szabo, *Parting Ways: The Crisis*...36.

<sup>176</sup> “France and Germany unite...”; Szabo, *Parting Ways: The Crisis*...40; Leithner, *Shaping German Foreign Policy*...113-114.



### *Consequences of Germany's Opposition to the War*

Germany's decision not to intervene in Iraq had important outcomes for Germany, the United States, and NATO. First and foremost, its active opposition to the war caused nearly irreparable damage to high-level US-German relations. Schröder's use of the Iraq war as an election issue as well as senior cabinet members' comments about President Bush and US policy all but ruined the Bush-Schröder relationship. In two meetings following the official end of hostilities in Iraq, Bush and Schröder attempted to fix their relationship. While the pair made strides, overall neither fully settled their differences. As Schröder put it: "we have a good working relationship."<sup>177</sup> George Bush had a highly personalized style of politics that relied upon good relationships and respect. After the German election and the back and forth between the two administrations, Bush would never again hold Schröder in high regard. The two continue to hold one another in low esteem to this day.<sup>178</sup>

It is important to acknowledge that despite the large differences between the two leaders and their administrations, US-German trade did not suffer and both countries continued close coordination of their militaries and intelligence services.<sup>179</sup> The Schröder-Bush relationship did not affect military operations in Afghanistan or elsewhere. For example, Germany:

allowed the United States unconstrained use of its bases in Germany and provided security for them. It expanded its military role in Afghanistan to include almost 2,000 troops [at that time] and assumed command of the ISAF once the force came under NATO's authority. It also contributed to a new NATO Reaction Force, which

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<sup>177</sup> Szabo, *Parting Ways: The Crisis*...131.

<sup>178</sup> See Charles Hawley, "Bush-Schröder Enmity Continues in Memoirs," *Der Spiegel*, November 10, 2010, accessed November 5, 2018, <http://www.spiegel.de/international/world/the-legacy-battle-bush-schroeder-enmity-continues-in-memoirs-a-728336.html>.

<sup>179</sup> See "Germany Delivered Intelligence to US for Iraq War, Says Report," *Deutsche Welle*, December 13, 2008, accessed November 5, 2018, <https://www.dw.com/en/germany-delivered-intelligence-to-us-for-iraq-war-says-report/a-3872854>; Michael R. Gordon, "German Intelligence Gave U.S. Saddams Defense Plan, Report Says," *Der Spiegel*, February 27, 2006, accessed November 5, 2018, <http://www.spiegel.de/international/iraq-war-german-intelligence-gave-u-s-saddams-defense-plan-report-says-a-403330.html>.

was established after the Prague NATO summit in the fall of 2002 to undertake counterterrorism operations. In short, Germany's political and diplomatic opposition to the war did not impede its military cooperation in efforts outside Iraq.<sup>180</sup>

Despite the bitterness between the leaders over Iraq, US and German cooperation on issues other than Iraq remained strong.

While opposition to the war damaged US-German relations, opposition brought Germany closer to France. As noted earlier, France held veto power in the Security Council and Germany supported France's threats to veto a resolution that authorized the use of force in Iraq. Germany and France promised to work in close cooperation on other issues facing the two countries.<sup>181</sup> Germany's relationship with France improved despite Jacques Chirac's very open support of Stoiber.<sup>182</sup> While Russia was important to Germany's opposition, the Iraq war did not have any significant long-term effects on German-Russian relations.

Even though NATO did not participate in the Iraq war, many members of NATO did, especially the newer members of NATO or countries who had NATO aspirations, located in eastern Europe. The Vilnius 10, eastern European countries looking to join NATO and the EU, offered their support to the US in Iraq.<sup>183</sup> Relations between the US and supporting members of NATO, specifically the UK, Spain, and Italy, as well as the NATO hopefuls in eastern Europe improved greatly because of their support for the war. A brief crisis hurt the credibility of NATO when Germany, France, and Belgium all blocked a move to provide Turkey, a NATO member, with preemptive aid in the event Iraq attacked Turkey.<sup>184</sup> The crisis did not have any long-term effects on NATO, but in the build-up to the Iraq war, further strained relations within NATO.

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<sup>180</sup> Szabo, *Parting Ways: The Crisis*...44.

<sup>181</sup> "France and Germany unite..."

<sup>182</sup> Szabo, *Parting Ways: The Crisis*...12; 29; 38.

<sup>183</sup> Ibid., 39; 143; Carrie Satterlee & Paolo Pasicolan, "'Coalition of the Willing' Already Larger than the 1991 Gulf War Coalition," *Heritage Foundation*, March 19, 2003, accessed November 6, 2018, <https://www.heritage.org/middle-east/report/coalition-the-willing-already-larger-the-1991-gulf-war-coalition>.

<sup>184</sup> Szabo, *Parting Ways: The Crisis*...41.

The Iraq war was a low point for NATO after arguably its high point just two years earlier when NATO rallied around the US after the 9/11 attacks.

German politics were affected greatly by Germany's opposition to the war. Gerhard Schröder's public refusal to participate in the war as well as his and senior cabinet ministers' remarks about the Bush administration won him significant support from the German public. This support was one of the main reasons why Schröder won re-election. As mentioned previously, Schröder's opponent Edmund Stoiber, while against the Iraq war, did not make his stance as clearly known as Schröder hurting his chances in the election. In the end, Schröder won re-election by just 6,000 votes.<sup>185</sup> Germany's refusal to follow the United States into Iraq also built upon Schröder's electoral promise of a *deutscher Weg*, German path, Schröder's attempt to have German policy be more independent of the United States, while also maintaining its multilateral approach.<sup>186</sup> The *deutscher Weg* was largely supported by the German public.<sup>187</sup> It is possible, this 'German path' led to Germany's refusal to participate in the NATO intervention in Libya while simultaneously allowing Germany to contribute troops to assist the French and Malian militaries. The impact of Schröder's refusal to participate in or support the Iraq war quite clearly helped determine the outcome of an election.

Of course, the effects of the war on Iraq cannot be overlooked. The Iraq war and subsequent withdrawal of foreign troops has been an unmitigated disaster for Iraq. The Watson Institute of International and Public Affairs at Brown University estimates that 165,000 Iraqi civilians have been killed as a direct result of the war from 2003 to 2015.<sup>188</sup> The country has also

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<sup>185</sup> Ibid., 31.

<sup>186</sup> Ibid., 115-116.

<sup>187</sup> Ibid., 121.

<sup>188</sup> "Costs of War: Iraqi Civilians," *Watson Institute of International & Public Affairs*, last modified April 2015, accessed November 6, 2018, <https://watson.brown.edu/costsofwar/costs/human/civilians/iraqi>.

been plagued by sectarian violence and Iraqi security forces crumbled in the face of attacks by ISIS. While ISIS has largely been defeated and Iraqi forces have regained control of Iraq, the costs of that violence are untold. It is impossible to speculate about the course of the war if Germany had participated. Overall, the Iraqi people are better off without Saddam Hussein in power, but their lives are only marginally improved due to the violence and poor future prospects of the country.

### ***Conclusion***

Germany refused to participate in the Iraq war for the very clear reasons that the war was not legal, multilateral, or pragmatic. The Schröder government was very public and critical in its comments regarding the Iraq war and the Bush administration. Germany and its allies argued against the US invasion in NATO and the UN, leading to strained relationships between the US and Germany as well as between NATO members. While Gerhard Schröder personally disagreed with the Iraq war, his electoral opportunism led to public denouncements of the war. Besides the strained German relations, the lack of participation in the war paved the way for a *deutscher Weg*, a foreign policy much more independent of the United States. The Bush-Schröder relationship remained rocky as did US-German relations at the senior level until Angela Merkel's election in 2005, which led to a normalization of US-German relations.

## V. Conclusion

### *Summary of the Cases*

Germany's decision to intervene in Kosovo was a critical historical juncture for Germany. This was the first time that Germany had used its military in an offensive mission since WWII. While highly controversial and hotly contested by German elites and the public, the Kosovo intervention was ultimately deemed legitimate by German elites and public opinion because the intervention was multilateral, legal, and had pragmatic outcomes. The Kosovo intervention was NATO sanctioned, but not sanctioned by the UN. However due to interpretations of the *Grundgesetz*, the fact that NATO sanctioned the intervention satisfied the legal criteria for the Schröder government. As I showed in Chapter II, Germany's historical experience of causing severe death and destruction in the Balkans during WWII as well as Milosevic's policies of ethnic cleansing shaped the political and public debates surrounding the intervention. Stopping the Serbian crimes against humanity was Germany's ultimate goal and one that was achievable, making the intervention pragmatic. Because the decision to intervene was so controversial, Germany participated in a very limited offensive capacity. Germany's experience during the intervention taught Germans that the *Bundeswehr* could be used as a force for good and a strictly passive foreign policy approach was no longer practical in the post-Cold War era. Furthermore, the success of the intervention and the cooperation amongst NATO members made Germany more willing to use force in Afghanistan.

While Kosovo did not satisfy the legal criteria in the sense that it was not sanctioned by the UN, the Afghanistan intervention was viewed as the most legitimate of the three discussed in this thesis. Not only was the Afghanistan intervention sanctioned by both NATO and the UN, but almost 50 NATO and non-NATO members contributed troops to the International Security

Assistance Force mission.<sup>189</sup> The Afghanistan intervention very clearly satisfied the legal and multilateral criteria for German policymakers. Germany's strategic interests in Afghanistan itself were largely non-existent, rather Germany felt it had to support its longstanding ally, the United States and repay the US for its "Special Friendship." In Kosovo, Germany had clear goals, but this was not the case in Afghanistan. Solidarity and support for the US trumped Germany's lack of attainable goals in Afghanistan, making the lack of clear goals irrelevant. While Kosovo showed Germans that the military could be used for good, Germans were still quite hesitant to contribute troops and insisted on contributing to reconstruction efforts, not combat. Germany's refusal to participate in combat until later in the war caused serious tension amongst NATO allies and resulted in significant outcomes for Germany and Afghanistan explored in Chapter III. Despite the "Special Friendship" playing a pivotal role in securing German participation in Afghanistan, this was not the case for Germany during the build-up to the Iraq intervention.

In the eyes of Germans, the Iraq intervention satisfied none of the criteria needed to make it a legitimate intervention. First and foremost, as seen in the debates surrounding the Iraq war, the United States had no legal backing to invade Iraq. Neither the UN or NATO passed a resolution in support of the intervention. Despite the Bush administration's insistence that the United States had a coalition of the willing, this group of countries did not adequately satisfy German policymakers' definition of multilateralism. Finally, Germany felt it had no strategic interests in Iraq nor were the US's goals attainable; the Iraq intervention did not meet the pragmatic criteria. Germany's opposition to the war, but more specifically how it publicly opposed the Bush administration at the highest levels, led to a severely strained relationship between Bush and Schröder. Despite this, US-German relations remained strong in areas not

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<sup>189</sup> "NATO and Afghanistan," *NATO*, last modified September 14, 2018, [https://www.nato.int/cps/en/natohq/topics\\_8189.htm](https://www.nato.int/cps/en/natohq/topics_8189.htm).

involving Iraq, such as trade and military and intelligence cooperation. However, Germany forged a close relationship with France due to France's opposition of the war. Relations within NATO were also negatively affected by opposition to the war from Germany, France, and Belgium. Even though NATO members had strained relations with one another, there did not appear to be long-term effects from this. German politics were the most affected by the Iraq war. Chancellor Schröder's opposition to the war is largely credited for his re-election. Finally, the Iraq war was disastrous for the Iraqi people and the region as a whole. The rise of ISIS is directly tied to the US invasion of Iraq. Simply put, the Iraq intervention was not a legitimate intervention for Germans.

### ***Final Thoughts, Future Research, and Shortcomings***

The three cases I examined in this paper provided insight into the German decision-making process vis-à-vis the use of military force. Clearly, legitimacy in the German context is the main determinant of whether Germany participates in military interventions. There is not necessarily a certain combination of the three criteria, legality, multilateralism, and pragmatism, that makes an intervention legitimate, but some combination is necessary for Germany to deploy the *Bundeswehr* in an offensive action. None of the criteria also appear to be more important than the others. However, the Schröder governments' decisions in the three cases is directly linked to the three criteria of legitimacy and the factors that influence those criteria, namely historical memory, domestic politics, and public opinion.

Kosovo, Afghanistan, and Iraq were ideal cases to analyze because the decisions to intervene or not intervene were all made by the same government. Additionally, the cases provide variance making the results more generalizable at least to other German interventions. Future research could test the results of this thesis by using Germany's decision not to intervene

in the NATO intervention in Libya as well as Germany's contribution to the French mission in Mali and to the anti-ISIS coalition in the Middle East. Like the three cases examined here, those cases would be beneficial to study because the decisions all occurred under the Merkel government and contain variance. The Mali and anti-ISIS cases had limited German involvement which mainly consisted of a support role not combat. Even with this fact, the results of those cases could further strengthen the arguments made in this paper.

I would be remiss if I did not acknowledge the shortcomings of this project. While the list of sources I used was extensive and covered a wide variety, I did not have first person interviews because they were simply not feasible. Interviews with key decision-makers as well as key actors within NATO and the countries analyzed would further flesh out the arguments made and provide even more insight. However, due to time and other practical considerations, it was not possible to conduct interviews. Despite the lack of interviews, the arguments I made in this paper are strong.



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