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The Berlin Republic: An Independent Germany faces the 21st Century

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With the era of Germany's role as Cold War protectorate receding into history, the Federal Republic has steadily gained in confidence and assertiveness. It is growing into its large shoes, acting less beholden to traditional expectations and engaging in more independent reasoning. Germany's recovery of self-confidence is leading to the gradual discernment of its unique role in world affairs. To paraphrase Polish Foreign Minister Radoslaw Sikorski, Germany's friends and allies need not fear its "inaction" and should begin the learning process of how to engage Germany on its own terms. This winter's venting of transatlantic dissatisfaction is healthier than the alternative of festering silence. What was true about European integration also goes for transatlantic relations. The era of "integration-by-stealth" is past, so the case for cooperation needs to be made directly to Congress, the *Bundestag* and to the German and US publics.

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For decades after the end of the second World War, the Federal Republic of Germany, with Bonn as its capital, was known as a "semi-sovereign" state. Its defining traits – corporatism, federalism, strong institutional veto points – habituated German governments to cooperation at both subnational and international levels – from the federal constitution through the European Union (EU) and North Atlantic Treaty Organization (NATO) treaties. Germany's "reflexively multilateral" foreign policy gained the trust of fellow Europeans and the rest of the world in record time. Moreover, it accomplished this all while under Allied occupation. The contribution to international security came from its economic and monetary stability – and by hosting troops and weapons. West German ballast kept a divided Europe on an even keel.

This role was sometimes deferential, but it was never apolitical: postwar foreign policy has existed in a state of perpetual tension between the two World Wars' seemingly contradictory lessons: "*Nie wieder Krieg*" ("never again war") on the one hand, and "*Nie wieder Auschwitz*," on the other. Indeed, in Chancellor Angela Merkel's speeches on the EU campaign trail and before the US Chamber of Commerce in May, she emphasized this year's 100th and 75th

anniversaries of the starts of those two wars, both as a way of prefacing her Ukraine policy and to explain Germany's cautious stance towards military options – what former Foreign Minister Guido Westerwelle called a “culture of military restraint.”

This belies a critical new development: German governments in the 21st century will be much more likely to question the judgment calls of their friends' military deployment, fiscal policy, sanctions regimes, and, of course, intelligence community practices – issues that they previously considered outside their remit. German politicians now recognize that their power has increased relative to European partners, and their evaluation of American power is ever more nuanced. This reassessment concerns basic questions like: why should we leave Africa to the French? Part of Germany's charm, it has come to realize, is that there are ample roles to be played just by the default good fortune of not being either France or the US!

The world should expect to hear a more vocal expression of Germany's national interests around the globe – trade, regional stability and human rights – and of its strong commitment to the international legal order. This past winter witnessed the busiest frenzy of internal German debate over which leading politician could articulate the most robust vision of how to use German power to help shape the world order in its own image. But it is easy to get carried away with the headlines and personality clashes: Is Merkel 3.0 truly a different foreign policy animal than her earlier incarnations? Or, do the restraints that Germany places on itself conspire to keep it artificially “small,” as President Joachim Gauck put it in his Reunification Day speech last year? Although this is the third governing coalition led by Chancellor Merkel, she is only the 2nd Federal Chancellor to rule from Berlin and not Bonn.

September 7, 2014: The 20th Anniversary of German Sovereignty

One date that the Chancellor left out from her recitation of round anniversaries this year is the moment when the Berlin Republic arguably began: Merkel was a junior minister in Helmut Kohl's fourth cabinet on the rainy September day in 1994 when American and Allied troops marched through the Brandenburg Gate for the last time and the US army shut down its Berlin headquarters. That was also the first time German troops paraded through the same gate since the Nazi era. Despite Moscow's role in liberating Berlin, the Allies did not coordinate with the Russians and Russia had its own military parade one week earlier. In 1990, a quarter of a million US troops occupied West Germany. Their formal withdrawal – and Germany's recovery of full territorial integrity *and* sovereignty – dates back only 20 years. This took place at the same time that official blueprints of redesigned Berlin as capital city were unveiled: the prideful expression of independence regained.

The government's move to Berlin opened a new parenthesis of German foreign policy. It has been a period of coming-of-age for unified and unoccupied Germany. Both before and after the return to Berlin, the governments of Helmut Kohl, Gerhard Schröder and Angela Merkel have each given Germany's partners a different idea of what “normal” German foreign policy looks like. Each of them rooted Germany further in European and transatlantic communities, and each has shown commitment to remembering and learning lessons from German history that can apply to today's world.

Ambassador Wolfgang Ischinger, chairman of the Munich Security Conference, has said that Secretary Henry Kissinger's old question about Europe's phone number has been answered: it

starts with +49-30 (the country and city codes for Berlin). For example, in 1990-91, Chancellor Kohl's government financed over 12% of the costs of the Desert Storm military intervention in Kuwait – and it signed away the beloved *Deutsche Mark* at Maastricht later that year in the name of European unity. Chancellor Schröder's coalition sent forces to fight in Kosovo and Afghanistan – and its finance ministry was flexible about the entry criteria for the original Eurozone countries (the ministry required a bit of flexibility itself). Chancellor Merkel, for her part, has maintained her decade-long commitment to Afghanistan – and she has overseen the transfer of hundreds of billions of Euros to keep the common currency afloat. And yet, Berlin does *not* participate fully in *all* of the transatlantic discussions because it takes certain options off the table. For its critics, Germany still skirts the controversial line between “military restraint” and occasional “failure to render assistance.”

Germans and Americans have very high expectations of each other because of the intimate relationship engendered by military occupation and common interests. Despite the shared history, it is unrealistic to gaze across the Atlantic at each other and expect to see a mirror image. To rise and fall with each different position, to sigh in disappointment at each point of asymmetry or to focus on tabloid stories of the moment does not do justice to the relationship's depth and breadth. And it prevents more efficient institutionalization and routinization of cooperation and exchange.

It is obvious but worth stating that “what the US wants” from Germany must be concordant with what Germans want – and with the outcomes produced by German institutions that have significant safeguards against executive power – and against haste in general. The two countries' relationship should naturally emphasize process and engagement

rather than specific outcomes. Regardless of policy preferences, the US cannot ask more of the *Bundestag* than German governments do: safeguards are safeguards. As the differences in opinion become both subtler and potentially more obstructive, the transatlantic relationship should be gauged not by the alignment of opinions but rather by the mutual ability to understand and restate the other's position without caricature. Going from “Partnership” to “*Zweckgemeinschaft*” (or a goal-oriented alliance) need not be a demotion. Indeed it can even lead to more ambitious objectives.

It is possible to discern an *active, moral, frequently generous and risk-taking* German foreign policy in the past two decades. The country is still finding its voice and footing, learning to align those instincts with its significant human and capital resources. But Germany already makes a unique contribution to international security; it is not a free-rider nation. Of course, there are very few German voices that would like to shape public opinion towards military intervention *per se*. It was President Obama, not Chancellor Merkel, who noted during their press conference that German aircraft were patrolling the Baltics while Russian troops massed on the Ukrainian border. But that is the reality in the background: nearly 5,000 *Bundeswehr* soldiers are deployed worldwide. This does not change Germany's aversion to military solutions. The government platform states that the kinetics of its foreign policy remain “diplomacy, peaceful conflict resolution and development cooperation.”¹ Germans understand war to be literally the last resort. Even to rattle one's saber is to acknowledge that all other options have already failed.

¹ 2013 CDU, CSU, SPD Coalition Agreement, p.168, <http://www.tagesschau.de/inland/koalitionsvertrag136.pdf>

On the one hand, Germany has said “No, thanks” to some of its closest allies’ cherished proposals of military intervention in Iraq, Libya, Mali and Syria. And it has proceeded with its own *sovereign* pace and methodology in managing the Eurocrisis, the banking crisis, as well as the current situation between Russia and the Ukraine. Yet on the other hand, the same German coalitions have provided reassurance about the country’s orientation: Germans have suffered casualties in Kosovo and Afghanistan in the name of the alliance and shared values, and have repeatedly come to the Euro’s rescue at great individual expense.

Merkel 3.0

So what will be Germany’s global role: on which side of this ledger will it spend most of its time? Specific strengths will guide the broad outlines of its foreign policy. Germany is a leading exporter to war-torn countries of instruments of the rule of law, individual rights, and the administration of interior, justice and defense ministries – and of substantial shipments of weapons. It has an active network of NGOs and para-public associations across the developing world that serve as brokers and bridge-builders. The country’s statesmen and stateswomen play the role of moral conscience on the world stage – even outside their turf: See, for example Martin Schulz’s musings in the *Knesset* in February, or Joachim Gauck’s comments on Turkish politics in Ankara in April. This is not limited to speeches: Germany is seeking leadership of the UN Human Rights Council to give its views a higher profile.

Merkel 3.0 has given these familiar positions more teeth. The German stance goes beyond “respecting” international law and comes closer to “enforcing” it. This began with President Gauck’s comments in fall 2013 about how Germany could not afford to be “a mere

spectator” of world affairs. These words were spoken in the context of coalition negotiations and it is safe to say the government took up President Gauck’s challenge. The legislative program and cabinet of activist rivals have been articulating what that international role could look like, with a cabinet composed of Frank-Walter Steinmeier and Ursula Von der Leyen in diplomacy and defense matters as well as Wolfgang Schäuble on the economic front.

The coalition agreement’s segment on foreign policy was titled “Germany’s Responsibility in the World” – a very different tone from 2005’s grand coalition goals of “being in the service of peace.”² According to the document, Germany will now “actively help shape the global order” with a strong independent role and through the use of EU instruments. On the topic of military instruments and capacity, the agreement speaks not only of “crisis prevention,” but also of “participation in conflicts. In late January and early February, a concerted effort followed to preemptively lay the groundwork, to build public support for a larger German role in the world.

Once in office, everything happened very quickly. Within the space of a week and a half, every transatlanticist with a Twitter account was trumpeting that “Germany is back.” The old reunification slogan – “*Wir sind wieder wer*” (“We’re someone again”) – seemed more relevant than ever. This winter, the Policy Planning unit at the Ministry of Foreign Affairs and the speechwriting office at President Gauck’s Schloss Bellevue went into overdrive. The two most clamorous arrivals to the new cabinet, the foreign and defense ministers, “shook up” their ministries – to the extent a German minister can – by bringing along

² 2005 CDU, CSU, SPD Coalition Agreement, p. 125, <http://www.kas.de/upload/ACDP/CDU/Koalitionsvertraege/Koalitionsvertrag2005.pdf>

controversial advisors and reorganizing priorities. Steinmeier and Von der Leyen traded criticism over Africa and Ukraine policies, aiming for the right balance of activism and caution.

President Gauck's second major speech on German foreign policy at the Munich Security Conference on January 31 coincided with a window of opportunity to put this new activist approach to work. The government sent trainers to Mali and began to destroy Syrian chemical weapons in Münster (something the previous foreign minister said would be impossible). The new government has also showcased its talent for brokerage: Facilitating Mikhail Khodorkovsky's exit from Russia, Berlin also hosted the president of the Central African Republic and Ukrainian opposition politicians at key moments.

The "Munich Moment" was a short honeymoon: just four weeks after President Gauck's speech³ on "Germany's role in the world... based on values and human rights..." the Ukrainian government rejected more EU integration, and protesters gathered at Maidan Square – setting in motion a crisis that has severely tested this new activist stance. The timing is significant because it shattered the consensus that had begun to build around out-of-area deployment, notably in Africa, which suddenly was the less controversial topic – and replaced it with the older debate about NATO's and EU borders and the relationship with Russia.

This left only the defense minister still beating a drum of activism – which almost ended badly with the hostage taking of German military observers in Donetsk. But Chancellor Merkel settled the cabinet debate during her visit to

³ <http://www.bundespraesident.de/SharedDocs/Reden/DE/Joachim-Gauck/Reden/2014/01/140131-Muenchner-Sicherheitskonferenz.html>

Washington in May, siding with her foreign minister and saying she would reconsider all sanctions after Ukrainian elections. Merkel's cool expression of sovereignty under heated pressure from Washington, and her faith in the rule of law places into perspective the crude question of "what it would take" for the German government to add sharper sanctions against Russian financial and energy nodes. From the German perspective, raising threats and "all options" are not always deterrents – their very mention can escalate crises. In that way, the German reaction to more sanctions echoes the transatlantic and intra-European debate about arming the Syrian opposition. Escalation pushes parties further away from negotiating table – which is precisely where Germany feels most at ease – and towards the zone of war, where it is the least comfortable.

Unilateralism, German Style

Germany's other "global roles" are at the heart of EU and European Economic and Monetary Union (EMU) institutions. The same confidence in rule-based institutions has driven Germany's response to the Eurozone and banking crises. Here, however, the German logic from the realm of international security is turned on its head, and we see a very different side of the country's so-called "reluctant hegemony."

In the Eurozone, as with the banking union, ironically, the Germans try to avoid the "negotiating tables" they espouse in diplomatic contexts. This is sound reasoning – keep others guessing while holding the Euro together and trying not to foster moral hazard among spendthrift governments. German participation in Brussels rulemaking is still taking place within a "pro-European" framework. But the adjective "European" means something different in French than it does in German, and there is a risk of growing opinion gaps in that crucial relationship as well. Germans are now

the greatest enthusiasts of the Euro (72% approve compared to 44% of Italians) and are also the *only* Eurozone country where a majority (85%) agreed that “the economy is somewhat/very good.”⁴ French opinion has reversed itself on bailouts, now viewing them as a way to spread German budgetary austerity.

Berlin can do more to help broker the delicate relationship of other national capitals with Brussels. In particular, it must convince François Hollande and the French public that Paris and Berlin are on the same side.

An ironic and undesirable outcome of Germany’s rule-based approach to the Eurozone issues and the banking union would be to drive its most reliable partners (and customers) out of business. A French recession does not serve German interests either. That influence can be used to “positive” effect, such as in 2011, when the European Central Bank “reduced its buying of Italian bonds,” which helped sink Silvio Berlusconi’s coalition.⁵ There are increasing indications of the toll this is taking on the French left, which has been forced to shed budget items since the summer and faces internal resistance. French Prime Minister Manuel Valls’s recent budget included \$50bn in savings, and passed by a narrow margin (265 to 232) –with 41 Socialist Party abstentions. The EU had a similarly negative assessment of the budget, predicting that France could not abide by its promises.

Perhaps the German government would have preferred that the French finance ministry had remained under the center-right’s (UMP) control. But what good is it if conditions become so punishing for French Socialists as to make them less popular than the *Front*

National? This scenario is not science fiction. It first happened in the first round of the 2002 presidential elections, when Jean-Marie Le Pen beat out Prime Minister Lionel Jospin. It took place again this March with the FN’s outright victory in fourteen French municipalities larger than 9,000 inhabitants. In the EU Parliamentary elections on May 25 – the body that will review the banking union that Germany negotiates with its partners — the *Front National* (25%) outperformed the government’s candidates by double digits.

As German parties have come to understand within the “Berlin Republic,” there is only so much “going along to get along” – that is to say, international cooperation against one’s own public opinion – that can be asked of any country in the name of loyalty to treaties and alliances. There is a point when requisite dutifulness domestically weakens the very friends that were being counted on. But this is a delicate and complicated situation, since Chancellor Merkel cannot afford to be too conciliatory either. While Southern European voters feel they have been outfitted with a German belt around the waist – an economic chastity device – only 16% of German respondents consider their own government capable of protecting German national interests in the Eurozone.

If Merkel were to try and make life easier for the French government, then things become more difficult for her in the *Bundestag* and the *Bundesrat*. For every Socialist vote that Germany saves in the *Assemblée Nationale*, or snags from the hands of Marine Le Pen in the voting booth, Merkel’s strategists argue that the CDU hands one of its own voters over to the *Alternative für Deutschland (AFD)* – an anti-Euro party that demands an even firmer hand to be played against French indulgences. The AFD won 800,000 votes (more than 7%) in May’s EU Parliamentary elections, the first time its

⁴ http://www.pewglobal.org/files/2014/05/2014-05-12_Pew-Global-Attitudes-European-Union.pdf

⁵ <http://www.brookings.edu/research/essays/2014/monnets-brandy-and-europes-fate>

candidates were on the ballot. This points back clearly to the aforementioned constraints under which German governments operate and to frustrating unintended consequences that can flow from allies who overly limit one another's choices.

Princess Elsa, not Spiderman

There is a clear anti-German note in populist movements across Europe – from the *Movimento Cinque Stelle* in Italy to the UK Independence Party to mainstream parties in Greece. This feeling could spread to other parties if they start losing because of concessions to German rigor and austerity. That is why Gary Schmitt's "Spiderman doctrine"⁶ – that "with great powers come great responsibilities" – is inadequate. Precisely which great responsibilities come with these great powers? German diplomats cannot shoot webs around town willy-nilly. A more serious analogy would be to Princess Elsa in Walt Disney's *Frozen* – inspired transatlantically by Hans Christian Andersen's *Snow Queen*. Elsa is so intimidated by her own powers that she cloisters herself away from a society that needs her until she finds true love *and* the right apparel to harness her special abilities and use them to the benefit of the community that she happily rejoins.

The logic of self-restraint and knowing the limits of what can be asked of one's allies without inflicting collateral damage also applies fully to the transatlantic relationship. At present, slow progress on the key transatlantic agenda items is predictably being blamed on stereotypes. The US government is portrayed as the obstacle to intelligence sharing and limits on collection, the "corporate lobby" in Germany is said to have prevented a muscular response to

⁶ <http://www.aei.org/article/foreign-and-defense-policy/regional/europe/germany-and-the-spider-man-doctrine/>

the Ukraine crisis, and the Transatlantic Trade and Investment Partnership (TTIP) will be held hostage by protectionists in various guises – consumer advocates, industrial lobbyists, et al.

But the bottom line is US-German interdependence, which makes the relationship indispensable and requires all efforts to foster deeper understanding of one another's motivations. On the NSA and intelligence sharing point it is important to hear and respond to Germans' specific concerns while the US conveys its own constraints as the Snowden affair sends the 2004 intelligence reform in the other direction, away from collaboration. The American intelligence community is still reeling from these leaks and has been set back a decade in terms of internal US government sharing across national agencies – let alone across international borders. The US could adapt trust-building measures from the domestic experience in facilitating federal, state and local collaboration in intelligence affairs. A similar "fusion center" approach to transatlantic intelligence – information-sharing across jurisdictions – would increase face time and pool redundant resources.

When Chancellor Merkel says, as she did about the Ukrainian situation that "I am convinced that the rule of law will prevail," this can sound wishful to an American ear. It would be unfair to call this "doctrinal" – or Ptolemaic. But it does reflect a stubborn (and noble) vision that the international order is *fixed* – or ought to be so. Despite the best-intended political desires, however, the natural laws of the political universe still apply. The American position sounds an awful lot like "when they outlaw guns, only outlaws (and tyrants) will have guns" writ large. But as Slobodan Milosevic, Muammar Qaddafi, Bashar al-Assad and Vladimir Putin have demonstrated in

succession, *Eppur si muove* (as Galileo told his inquisitors): facts can outweigh ideas.

Chancellor Merkel likely believes that her two main challenges – economic and military leadership – can and should be decoupled. After all, German economic dominance will not be made more palatable just because the country plays a greater role in security policy. Similarly, American military dominance will not be more easily swallowed just by softening hardball tactics in the global “War on Terror” or cyber spying. The Chancellor also knows that the rule of law and the postwar international order are not a suicide pact. At the end of the day, Germany sent personnel to help allies in Iraq and Mali and installed Patriot batteries under NATO in southern Turkey. Since reunification, scores of German soldiers have given their lives in Bosnia, Kosovo, Georgia and Afghanistan.

Two public opinion-related dangers lurk. One is based on US-German differences. The television station ARD’s recent polling on Syria, Libya and Ukraine show that a solid two-thirds to three-quarters of German survey respondents shy away from military intervention in almost all circumstances.⁷ (The German public is more evenly divided with regard to economic sanctions against Russia.)

The other opinion pitfall arises from the danger of indifference: Post-NSA apathy and continental drift. Already, last month’s Merkel-Obama meeting was less “anticipated” than usual, most coverage concentrated on the absence of a “no-spy” agreement, not on the many areas of convergence. The divergences in opinion are leading German and American publics to tune out, which will only be improved when political leaders acknowledge the merits and historical roots of each other’s practices to

⁷ <http://www.tagesschau.de/inland/deutschland-trend1834.html>

begin closing the gap between them. Given US and Germany’s common security threats and development goals, it is counterproductive for these allies’ respective strengths to be a cause of division.

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