

Analysis on German Use of Force Policy after Unification
Why Germany accepts or refuses ‘out-of-area’ deployments?

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Introduction

Out of area military involvement and deployment (*militärischen Auslandseinsätzen*) was a taboo before German unification. German Army refrains from military involvement abroad, and keeps the rule of territorial defence. When German mine sweepers were asked to the Mediterranean after the Gulf War, in a report to the *Bundestag*, Hans-Dietrich Genscher said on August 23, 1990, that the German constitution forbid a German participation in the war. (Otte, 2000:93) However, it does not mean that German troops did not go abroad. From 1960s on, Germany has started to send troops to other countries for humanitarian rescue missions. However, these missions were in the scope of “humanitarian rescue” without any risky or combat missions.

The first humanitarian mission of Germany was in 1960 when an earthquake happened in Agadir in Morocco. Germany sent sanitarian soldiers to rescue and help to deal with the problems after the earthquake. From then on, Germany has taken more than 140 times of humanitarian rescue missions worldwide. These missions follow after some natural disasters and emergent conditions, including earthquake, aridity, famine, flood, or other states of emergency. Some of these missions are in cooperation with the Catholic Church (Rauch, 2006:48-51). The differences between what we want to discuss regarding the scope of “use of force policies” in this paper and these humanitarian missions are regarding risks or combat missions. Before unification, *Bundeswehr* is confined to humanitarian missions and has no risks and combat missions, which are indisputable. Therefore, the focus of this paper is on those disputable missions after unification.

Based on the Basic Law for the Federal Republic of Germany (*Grundgesetz*), there are many restrictions on the use of force. The original design of Article 87a on the Basic Law shows that The Federation shall establish Armed Forces for purposes of defence. Apart from defence, the Armed Forces may be employed only to the extent expressly permitted by the Basic Law.¹ Because of the militarism history, the article 91 of the Basic Law stresses the important role of parliament, which is, “If the Land where such danger is imminent and is not itself willing or able to combat the danger, the Federal Government may place the police in that Land and the police forces of other Lands under its own orders and deploy units of the Federal Border Police. Any such order shall be rescinded once the danger is removed, or at any time on the demand of the Bundesrat”. The article 115a states, “Any determination that the federal territory is under attack by armed force or imminently threatened with such an

¹ Art. 87a (1): Der Bund stellt Streitkräfte zur Verteidigung auf. Art.87a(2): Außer zur Verteidigung dürfen die Streitkräfte nur eingesetzt werden, soweit dieses Grundgesetz es ausdrücklich zuläßt.

attack (state of defence) shall be made by the Bundestag with the consent of the Bundesrat.”² We can see also in article 26, which states, “Acts tending to and undertaken with intent to disturb the peaceful relations between nations, especially to prepare for a war of aggression, shall be unconstitutional. They shall be made a criminal offence”³.

However, these restrictions are loosened gradually after the German unification. What was taken as a taboo is under public debates. For example, in the Chancellor Kohl’s ruling period, he gradually broadens the scopes of out of area deployment policy. One year after the unification, he proposed that German security includes not only self-defence, but preventive security policy (Otte, 2000). To show that Germany is a reliable ally, Germany decided to send minesweepers to Gulf and send troops to Somalia and Cambodia.

Germany broke the taboo of “not involved in combat missions” and sent 14 Tornado Jets to Operation Allied Force without the authorization of UN Security Council (UNSC) when Chancellor Schröder ruled the government. He also proposed the “German way”(Der deutsche Weg) in the election campaign, which shows that Germany is not only positive in use of force policy but also more autonomous. Former Defence Minister Peter Struck has also said, “Defence as it is understood today means more.... includes common management of crises and post-crisis rehabilitation (Breuer, 2006: 208).

Besides, changes in law are also an important cause for the more positive German use of force policy. In 1994, the Federal Constitutional Court of Germany (*Bundesverfassungsgericht*) reached its verdict for the out-of-area deployment. If the missions are in accordance with humanitarian intervention and in the context of collective security, then the missions are justified, and *Bundeswehr* soldiers participating in operations outside NATO’s area is also justified. However, the Court did not try to distinguish between peacekeeping and other forms of military operations, stating instead that *Bundeswehr* soldiers could be sent on missions that might involve combat provided the government had received a simple parliamentary majority in support (Martinsen, 2005:30). Based on this, Germany has been involved in many military missions from then on, including the NATO-led Implementation Force (IFOR) in Bosnia and Herzegovina from 1995 to 1996, and the Kosovo Force (KFOR) in 1999, International Force

² Art. 91(2): Ist das Land, in dem die Gefahr droht, nicht selbst zur Bekämpfung der Gefahr bereit oder in der Lage, so kann die Bundesregierung die Polizei in diesem Lande und die Polizeikräfte anderer Länder ihren Weisungen unterstellen sowie Einheiten des Bundesgrenzschutzes einsetzen. Die Anordnung ist nach Beseitigung der Gefahr, im übrigen jederzeit auf Verlangen des Bundesrates aufzuheben.

Art. 115a: Begriff und Feststellung: Die Feststellung, daß das Bundesgebiet mit Waffengewalt angegriffen wird oder ein solcher Angriff unmittelbar droht (Verteidigungsfall), trifft der Bundestag mit Zustimmung des Bundesrates.

³ Art. 26, Handlungen, die geeignet sind und in der Absicht vorgenommen werden, das friedliche Zusammenleben der Völker zu stören, insbesondere die Führung eines Angriffskrieges vorzubereiten, sind verfassungswidrig.

for East Timor (INTERFET) in 1999, International Security Assistance Force (ISAF) in Afghanistan from 2002, the United Nations Interim Force in Lebanon (UNIFIL) from 2006 etc. On March 18, 2005, the parliament also ratified the Act of Deployment (*Parlamentsbeteiligungsgesetz*⁴). This act offers further legitimization for out-of-area deployment on the one hand, and consolidates the role of parliament on the other hand. Parliament is to be informed adequately prior to and during the action and parliamentary agreement is to be sought in retrospect. Parliament still has the right to refuse to agree, in which case the action must be cancelled immediately (Bundestag, 2004; Jacobs, 2006: 274).

According to the statistic, at least 7,997 German soldiers are in the international missions till April 11, 2007. Among them, 3,151 soldiers are in Afghanistan (3,005 for ISAF, 1 for UNAMA, and 145 are personnel of Tornados Jets), 2,832 soldiers are in Kosovo (KFOR, ERFOR), 853 soldiers are in Lebanon, and 822 soldiers are in Bosnia, the four major missions in the out-of-area deployments of Germany (Federal Ministry of Defence, 2007).

The positive attitude of German use of force policy provoked the debates among the scholars who are interested in that. Scholars debate on which theory is more proper in researching use of force policy after the German unification, the decisive formational causes of the use of force policy, the role of Germany on European security and international security after the unification. For example, realists take on the change of international system, which was from bipolar system to unipolarity without hegemony (Rittberger, 2001:63). Germany, accordingly, faces the choices between autonomy and influence. Liberalists stress the effects of institutions and strategic culture. They think that Germany still insists on its strategic culture and the role as a civilian power. Constructivists start from the effect of international and societal norms. They think the change of German use of force policy is also related to history, culture and norm.

Rainer Baumann (2001) analysed German out of area operations in his paper, *German Security Policy within NATO*. He tested the predictions of realists, liberalists and constructivists and explained constructivism is the most effective theory in these cases. However, his method may oversimplify relative theories. For example, he confines liberalism in utilitarian liberalism and neglects neo-institutional liberalism. This paper takes John Duffield's view in his book *World Power Forsaken*. He proposed that German security policy after unification includes neo-realism, institutionalism and political culture, and it is too early to predict which theory could explain more. He suggested that it is better to do research from the external factors like international structure and institution and the domestic settings like

⁴ The whole name is: Gesetz über die parlamentarische Beteiligung bei der Entscheidung über den Einsatz bewaffneter Streitkräfte im Ausland.

national capacity and national predisposition (Duffield, 1998:6-8). I will try similar approach in discussing German use of force policy. In the second part, I start with how scholars in the international studies see as external and internal determinants in German use of force policy. Then, I will review some important use of force policy cases in order to examine these factors.

1. Determinants of German Use of Force Policy

This paper doesn't deal with the ontological, epistemological or methodological debates among theories, and doesn't present a synthesis among them. The key focuses are on the external and internal factors of German policy and find out which is significant in related with the cases. I start from the determinants of German use of force policy, and propose that the sources of use of force policy should include external and internal factors.

1.1 External Factors

A. International system, power position---neo-realism

Neo-realists stress that, due to the state of anarchy, the most important goal of state is to pursue power, in which sovereignty is the major concern. In the research regarding European security and use of force policy, researchers should base on the unit of states, and security is accomplished by the operation of power politics and military forces. Since the security dilemma is unavoidable, states assure peace through balance of power (Hyde-Price, 2001). Baumann (2001) separated neo-realism from traditional and modified neorealism. Traditional realists hold that effects of international institutions are limited and are only the reflection of distribution of powers. Major Powers often neglect the rules of institutions (Grudzinski & Ham, 1999:144). In the opposite, modified realists stress the importance of participating in international organizations, which may increase states' influence and power.

Traditional realists focus on the "normalization" process when they research on German use of force policy. They insist that Germany would take a less restrained and benign position after unification (Longhurst, 2004: 4-6; Mearsheimer, 1990:6, Otte, 2000:5). The major reason that Germany decided its positive attitude in the use of force policy is for power. If the periphery of Europe is unstable, many refugees could flow into Germany because of its geographical position. It will ultimately affect Germany's interests (Harnisch & Maull, 2001: 119). The major considerations of German government, therefore, are not culture or public opinions, even less identity as what constructivists say. It is purely from state interests. Robert Gilpin (2001) also emphasized the importance of "political motivation" and interests. He

considered that research on German security policy should not neglect the international structure, interests, ability, and the relationship between Germany and France.

Prezmyslaw Grudzinski stressed that the culture of cooperation in Europe is still weak and the identity problem still exists among European countries. Therefore, although we can explain the motivation of European security with neo-liberalism, neo-realism is still the major approach in security studies (Grudzinski & Ham, 1999:145).

Max Otte (2000) took unified Germany as a revisionist power. He admitted that the power of Germany did not enhance much after unification, but he predicted that Germany would still incline to neo-realism in its policy because of the enhancement in its capability. Other scholars, including Christian Hacke, Gregor Schöllgen, Robert B. Zoellick and David Anderson also think that Germany would consider its national interests more, cooperate with others selectively, and pursue for the leadership in NATO and EU. Brian C. Rathbun takes the refusal of Germany to take part in Haiti for example to show Germany's selective cooperation and the myth of German "pacifism"(Rathbun, 2006:72).

Critics on neo-realism failing to explain German use of force policy derive from both rationalist and reflectivists⁵. Stefano Guzzini(2004) emphasizes that the realists face "twofold negation" problem. They criticized utopian and social engineering, but criticized "realpolitik" at the same time. As Norberto Bobbio has showed in his article, conservative neo-realism opposes the "ideal" while critical neo-realism opposes the "apparent". Few realists can disentangle this conflict (Guzzini, 2004: 553).

Goddard advocates that the critics on neo-realism from many constructivists are misdirected. He thinks that Waltz's analysis is far more sophisticated than what critics said. He emphasizes that the separation between structure and agent by neo-realism is not a question in ontology. Structure and agent are mutually constructed in ontology, but neo-realists distinct methodologically on explanatory purpose (Goddard, 2005:10-11, 36).

To sum up, if we use the method of neo-realism to examine the external factors regarding the use of force policy, we have to deal with these variables: 1. international structure: it affects states to consider its own interests rationally, and 2. power position and capability. Though Germany would not change much after the end of bipolar system, the new structure still brings new policy options (Baumann, 2001:32; Otte, 2000:61). Therefore, if we review the case, we should clarify if Germany has interests in this operation. If the answer is no, then Germany inclines not to send troops. Otherwise, Germany would send troops, but it would

⁵ Robert O. Keohane proposed these words in 1988. He thought that the major cleavage in international relation theories is the cleavage between rationalist and reflectivists. Rationalists include realism and neo-liberalism, and the reflectivists include normative theory, constructivism, feminism, etc.

also see if it could enhance the influence toward the international organizations through its operation. If the answer is yes, then combat missions may also be allowed.

B. Institution and international regimes---Neoliberalism and civilian power

Neo-liberalists (or neo-institutionalists) stress the cooperation among states and the functions of institutions in international relations (Baldwin, 1993:121-122), and consider that states may decrease their concerns toward power and security. They emphasize that institutions can play roles in reducing transaction costs and helping states focus on absolute gains, rather than relative gains.

Based on these hypotheses, scholars propose “security regime” to solve the security dilemma. Security regime is established on principles, rules, norms and decision-making process among states, in order to maintain security. Allen Buchanan and Robert O. Keohane (2004) used the cosmopolitan normative perspective to discuss the theoretical character of use of force and proposed “cosmopolitan accountability regime”. There are some principles in this regime to maintain peace and security, which are: just war principle, competent authority, proportional, noncombatant immunity, realistic likelihood of success, and avoidance of excessive force against enemy combatants. But before the formation of such international regime, UN Security Council is still an important resource of legitimacy (Buchanan & Keohane, 2004:4, 19).

Corneliu Bjola (2005) focuses on “legitimate use of force” with communication theory from Jürgen Habermas. He thinks that actors shall interact on the basis of the logic of arguing, and the best institution for communication is UN. The legitimacy of using force is not contingent upon the consensus reached by, but the manner to reach consensus. Deliberative legitimacy of use of force, as he said in his paper, can be accomplished with full information, open and equal right on debate, and using argumentative reasoning for reaching consensus (Bjola, 2005:280-281)

Relating to German use of force policy, neo-liberalists emphasize the importance of institution or international regimes. Wolfgang Wagner (2005) considers that Germany is constrained on the pressure from institutions, i.e. NATO, EU, or UN, so it will definitely adopt use of force policy and out-of-area deployment (Wagner, 2005:467). Though Germany may have its own strategic culture and national interest, it has no choice but take the responsibility.

The idea of civilian power approach also derives from neo-liberalism. It emphasizes that interdependence has two effects, lowering the transaction costs among states and enhancing the mutual vulnerabilities among states. States cannot protect its security and prosperity unilaterally, and would seek to establish modes of governance among states. Through the formation of security regime, states can establish broadly accepted norms, lowering military costs and assure security collectively (Harnisch & Maull, 2001: 4, Tewes, 2002:10-11).

Hans Maull takes Germany as a civilian power and proposed four normative reasons that Germany as a civilian power. (1) Never again: including pacifism, moralism, and democracy; (2) never alone: including stressing on integration, multilateralism, and democratization; (3) politics, not force: emphasizing the importance to resolve politically; (4) norms define interest (Breuer: 2006:207). Thus, a civilian power like Germany would insist the importance of international law and institution, and pursue the collective decision-making process and cooperate with other states. If there is a collective resolution for military involvement, a civilian power will not hesitate to join it (Wölfle, 2005:18-20). In sum, the main reason that Germany decides to send troops are from the institution, not power position or other reasons.

Critics on neo-liberalism hold that, however, if Germany is restricted by international organization rules, why Germany doesn't show as positive as before in the establishment of European Rapid Response Force? Germany promised to offer 73 new jets to EU, but only ordered 60 (Wagner, 2005:466). This shows the ineffectiveness of neoliberalism.

To sum up, if we take neoliberalism as one of the hypothesis, we shall focus on the effect of institutions and international regimes. When the regime has been already established, state will incline to maintain cooperation in the regime.

C. International norms --- Constructivism

Constructivists emphasize mutual construction and inter-subjectivity between agents and structure. As Nicholas Onuf stresses, human are social beings, and the social relations makes or constructs human, but on the contrary, human also construct what the world is. Being a researcher, we have to find out the middle cause in this dual process, that is, rules (Kubáľková, 1998:58). As he said, we shall examine how rules construct institution and have the effects on ruling.

Alexander Wendt (1999) hopes to find a third way between rationalism and reflectivism. He thought that there would be three different cultures of anarchy, including Hobbesian, Locksian, and Kantian, with the different interaction character among states. He also used the idea of "collective identity" on explaining altruistic actors, which infers that actors define

their interests on a higher level of aggregation, based on feelings of solidarity, community, and loyalty. The behavior of Germany could be interpreted as reflecting such a collective identity, and enable the *Bundeswehr* to participate in multilateral operation as part of NATO and WEU (Zehfuss, 2002:57).

Barry Buzan (1998) with the Copenhagen School stressed on the practice of securitization. He accepted the state of anarchy and proposes the idea of “security complexity”. The so-called “security complexity” is a group of states under anarchic system, which is connected with security perceptions and interests. However, because of inter-subjectivity, these states establish common recognition and decide not to use of force among them. Security complexity, therefore, would be a predictable characteristic in the anarchic system (Buzan, 1998:14-27).

We can see the Copenhagen School combine the logic of constructivism and realism, and takes security issue as a process of practice. They accept that the security dilemma still exists in the international system, but on the regional level, states are not bound to be involved in security dilemma. They can “construct” their own security complexity or security community to make the region more stable.

Constructivism expects German use of force policy consistent with international or societal norms. International norms include international law and those international treaties that Germany has ratified. Of course, decisions taken and documents adopted by the North Atlantic Council and other NATO organs indicate more precisely what behavior is expected from member states (Baumann, 2001:145).

1.2 Internal Factors

A. Strategic culture ---Neoliberalism

Kerry Longhurst (2004) and John S. Duffield (1999) argue that strategic culture approach is the best way to understand German security policy. In Duffield’s words, since neo-realism has been proved lacking of prediction ability in researching on German use of force policy after unification, take culture as an independent variable is the other choice (Duffield, 1999: 766).

Kerry Longhurst focused on German history and considered that the German strategic culture after unification is derived from the West Germany. Because of the past history and the “Zero hour”(*Stunde Null*), “shame” and “guilt” become the two major contents in German strategic culture that make German tend to emphasize the limitation of use of force and nationalism. When it is reflected to policies, it includes anti-unilateralism, inclining to

promote stability, detesting war-fighting strategies, opposing to militarism, pursuing a responsible, countable and reliable security policy, and integrating to civil society and pursuing consensus (Longhurst, 2004:46-47). He doesn't think there is a great change of strategic culture after unification, though there are some modifications, and the best way to explain German use of force policy in the 1990s is the approach of strategic culture (Longhurst, 2004:147).

Hans Maull (2006) also pointed that Germany remains faithful to its almost "reflexive" multilateralism, and continues to adhere to its traditional "culture of reticence" toward the use of force. Therefore, even though Germany participates in the NATO war against Serbia over Kosovo, without the international legitimacy provided by a UN Security Council Resolution authorizing the use of force, it is a mere modification of policy role concept as a civilian power (Maull, 2006:1). It can also be proved that Germany did not support the US unconditionally in the Iraq War, because of the contradiction between US President Bush's unilateralism and the multilateralism in German strategic culture (Buras & Longhurst, 2004:242, Longhurst, 2004:94). Also, due to the strategic culture, though the tasks of *Bundeswehr* have been extended to out of area deployment, Germany still doesn't change to a "normal" state (Breuer, 2006:216).

Buras argues that key characteristics of German strategic culture include: an aversion to singularity, unilateralism, and leadership in security matters; prediction to pursue multilateral solutions; predisposition for the promotion of stability; preference for non-confrontational defence; general restraint to use armed force, coupled with strong antimilitary sentiments; an aspiration to pursue a responsible calculable and reliable security policy, and to "make amends" to previous wrong-doings wherever possible; a commitment to fully integrating armed forces to civilian politics and society; pursuit of compromise and consensus building (Buras & Longhurst, 2004:216-7).

Although different scholars point out the characteristics of German strategic culture, it is not possible to infer that Germans share a set of basic assumptions that are potential relevance to national security policy and to identify what those beliefs and values are (Duffield, 1998:33). Because political culture is relatively hard to measure, it is easier to pay particular attentions to the beliefs and values of German political and administrative elites (Duffield, 1998:33).

Among the characteristics that scholars propose, German strategic culture can be inferred to two basic elements: 'never alone' and 'never again'. 'Never alone' includes multilateralism

and pursuit for consensus, and 'never again' includes 'never again war' and 'never again Auschwitz'.

Critics said that the so-called strategic culture is a myth because culture can only explain the influence of past on now, but it is hard to explain long-time change (Rathbun, 2006, 2004:9). Some focus on the difficulty of culture approach. Hudson points that the difficulty is not 'what is included' but 'what is not include' (Hudson, 2007:106).

B. Bureaucracy, political party, public opinion, and consideration on election --- Foreign Policy Analysis

Taking international system as an arena for foreign policy, and explaining the formation of use of force policy with variables such as bureaucracy, political party, elite, and the rational calculation to win the election belongs to the subject of traditional Foreign Policy Analysis (FPA) (Houghton, 2007:25). FPA scholars stress that FPA is an agent-oriented theory. Since state is abstract and without agency, human beings are true agents. We should focus on individual, decision-makers or groups when we research on foreign policy (Hudson, 2007:6).

Rathbun (2006) even argues only political party is the major variable which affects German policy because Germany has a tradition in coalition government, and political parties used to compromise (Rauthbun, 2006:7).

Sebastian Harnisch and Hanns W. Maull said that Germany considers five criteria when it decides to intervene and deploys troops abroad. These are: the consent of *Bundestag*, the German interest, the availability of well-equipped and trained soldiers and financial means, the consequences of the German past, and support in the German population (Harnisch, 2001:60-61). They agreed that bureaucracy and the public opinion as important variables.

Some scholars emphasize on the policy network, which is comprised of the Chancellor, the *Bundestag*, the Foreign, Defence and Finance Minister, and the *Bundeswehr*. The fundamental interest of the political actors is to get re-elected and, to a lesser extent, to enhance their competences. Because of financial costs and risks, both Chancellor and the members of the *Bundestag* will be reluctant to allow German troops to participate in out of area operation under the calculation of their prospects of re-election. But if Germany refuses to offer help, it would also endanger the desired protection that Germany received through NATO or UN, therefore, they will not object to some logistical or financial support to these out-of-area operations (Baumann, 2001: 162-163). Among these actors, Foreign and Defence Minister and the *Bundeswehr* usually support out of area operations for enhancing their competences.

Individual or the generation of politicians influence on German use of force policy, too. Some scholars take the new generation of politicians, like Gerhard Schröder, Oskar Lafontaine and Joschka Fischer, especially Schröder, as important factors, because they are not rooted in the experience of World War II, but in the leftist student movements of late 1960s. After the electoral success of Red-Green Coalition, Germany participated in the Kosovo operations. Plus, the character of this generation is that they don't hesitate to discuss the issue of "normalization", and therefore, German collective memory no longer remained completely intact (Buras & Longhurst, 2004: 218-223). Piotr Buras and Kerry Longhurst said that it could be showed in the two famous debates, the Walser-Debate and the *Opferdebatte*. In other words, they think that Germany may still be influenced by long time strategic culture, but these consensus are not taken for granted anymore. And what is more important is that these politicians can turn out to change the strategic culture.

Although many factors can influence on decision-making, including individual political party, and public opinion, this paper consider that the role of decision-maker or groups is still the most significant. It is easier to be described with the attitudes of decision-makers and groups. Besides, scholars like Elizabeth Pont point that elites in Germany are incline to dismiss public opinions on important issues than elites in the U.S.(Duffield, 1998:34). Consideration on election is could be one of factors in the decision-making process, but not the major factors. Thus, this paper consider that we should focus more on the attitudes of decision-makers and groups, especially political parties, when we research on German use of force policy.

C. History and Norm --- constructivism

Related to German use of force policy, Peter J. Katzenstein emphasizes that system level is not the best way in explaining German security policy. He points that cultural-institutional and national identity are two decisive reasons in German security policy in his paper in 1996(Longhurst, 2004:11). However, after the terrorist attack on September 11, he added more variables in discussing German security policy, especially the formation of anti-terrorist policy. The influencing variables, he thinks, is not material, but the process how groups and governments build the use of force policy, how public opinion perceive and interpret insecurity, and how threats are politically constructed (Katzenstein, 2003, 734).

Andreas M. Rauch (2006) describes German use of force policy with historical constructivism. He thinks use of force policies are the effects from past history. First, the ignorance of political and diplomatic effort that leads to the World War I in the Kaiser

William II era causes the emphasis on multilateralism and political resolution. We can see what Germany always endeavor to use political negotiation to avoid the war in its use of force policy. Reconciliation to the past and strengthening the identity of the history can be proved in the rebuild of Kaiser William II era's museum in Berlin after unification (Rauch, 2006:24-26).

The second reason that affects German use of force policies derives from the experience of Hitler and the World War II. It makes the Bonn government and even the Berlin government to support the United Nations politically and financially. The Bonn government also shows support of humanitarian activities in Catholicism and worry about military in soul (*Militärseelsorge*) (Rauch, 2006: 47).

Besides, the German society constructs a special political culture of "protecting democratic values". This political culture serves as the challenge of salvation (*heilsame Herausforderung*), in order to get much legitimation on the use of force policies (Rauch, 2006:59).

Joachim Krause (2005) also starts from the experiences of history. He criticized the policy of the Red-Green government in the relationship with the US with the history of what Kaiser William II did to the United Kingdom. He thinks that Germany should remember the history of being alone, not to incline to France, but play the balancing role (Krause, 2005:47-48).

Scott Erb also looks at the historical construction of German foreign policy norms and understandings, and thinks that a stable post-sovereign identity persists and defines the essential components of German foreign policy values (Erb, 2003: 15). He proposed to understand Germany policy with history, geography, economic interests, domestic conditions, and cultural norms. He also argues that those who expect a realist are for the most part non-Germans or those whose specialty is not specifically German politics or policy (Erb, 2003:8). For him, Germany's identity is not just about pursuing national interest in terms of direct gains or relative power, but rather to promote Western values through cooperative institution building. And these values include a commitment to democracy, concern for human rights and individual liberty, and distrust of militarism as a means to pursue political objectives (Erb, 2003: 221).

Baumann (2001) proposed three conclusions of German societal norms in his paper. First, a broad consensus did not emerge before 1994. Since then, the norm that Germany should contribute troops to multilateral peacekeeping operations has gained sufficient commonality. Second there is no societal norm calling for German participation in multilateral combat operations. Finally, after examining the party programmes, he argued that Germany should

only contribute troops to an operation with a firm international legal basis (Baumann, 2001:168). However, in my opinion, he stressed too much on rules and laws, and neglected some other factors like culture and identity.

Normative factors would forge public opinion, policy, and even interests. Those which may fundamentally influence on German use of force policy include: multilateralism, political resolution, protecting democracy rules and human rights. If the operation does not obey these fundamental factors and international norms, then German would send troops. Germany might involve in combat missions related in the memory of past, that is, in protecting democracy and human rights.

2 German Use of Force after unification as a puzzle

The decisions of German use of force policies after unification are made in different governments, including Chancellor Kohl (before unification till 1998), Chancellor Schröder (1998 till 2005) and Chancellor Merkel (2005 till now). Because many operations persist in different governments, therefore, I decide to discuss case by case.

2.1 Gulf War (1990-91)

Iraq invaded Kuwait with 10,000 soldiers on August 2, 1990, which was confirmed as breaking international security and peace by UNSC Resolution 660 on the same day, condemning the invasion and demanding a withdrawal of Iraqi troops. On August 6, UN Resolution 661 placed economic sanctions on Iraq.

On November 29, UNSC Resolution 678 gave Iraq a withdrawal deadline of January 15, 1991, and authorized “all necessary means to uphold and implement Resolution 660,” and also asked member states for proper support. (UNSC Resolution 678)

Two-plus-Four talks on German unification reached the final states at that time, and the first parliamentary election would be held on December 2. Scholars argued that Germany was in the situation of ‘decision making overload’, and had no time and interests on other issues that are not related to unification (Erb, 2003:149). Therefore, although Chancellor Kohl considered sending troops under the UN resolutions, after discussing with FDP (*Freie Demokratische Partei*), he decided not to contribute armed forces to a military operation in the Gulf region, for constitutional reasons (Baumann, 2001:170). Germany did not send troops to the Gulf up to the end of the war. German forces temporarily took over some functions of units of NATO allies that were sent to the Gulf, and provided logistical support to

US, British and Dutch forces. In addition, it paid about 18 billion DM to the war (Baumann, 2001:170). Germany also offered some mine-weepers to the region after Gulf War.

We start from the external factors in this case. Neo-realism seems to explain this case better. If we follow the logic of neo-liberalism and constructivism, Gulf War was legitimated because of the UNSC resolution, and it also corresponded to international norms. Thus, Germany would send troops theoretically. However, Germany seemed not to consider the factors of institution and international norms, but structure factors. Since the fundamental interest for Germany at that moment was unification, and it was necessary to find a balance between US and Soviet Union. Therefore, “nothing will change after unification” seemed to be the best way to persuade some worries of increasing power of a unified Germany. However, some scholars said that Germany mistook the expectation of alliance, which was why even Germany paid 18 billion DM to the operation, its alliance still asked Germany to play more positive role after Gulf War (Harnisch, 2001:51). Besides, sending troops seems to lack the function of enhancing Germany’s power position.

Some internal factors also affect German use of force policy in Gulf War. According to the government, the reason for German involvement was to work for human rights, international law, and Western values (Erb, 2003:152), and using force is the last resort. These arguments are embedded in the German strategic culture (Harnisch, 2001:51). However, the method of strategic culture cannot fully explain why Germany chose with checkbook policy during wars, but sending troops after wars, if these missions all embedded in the German strategic culture.

German politician and political parties also plays some roles. They are also affected by the public opinion and the consideration of coming election. On January 26, 1991, more than 200,000 protesters converged on Bonn against the war. But the protesters did not speak for the majority. Most Germans expressed support for action against Iraq, but a clear majority consistently opposed the participation of the German military in combat (Erb, 2003:150-151). Therefore, though Chancellor Kohl once considered to send troops, with the coming election and the possible risks, he had to compromise to his partner party, FDP. FDP, like the Social Democrats (SPD), argued for non-military measures for conflict prevention (Gutjahr, 1994:89-90). SPD provoked that war is unpredictable, and should be rejected as a means of policy. But after the Scud missile attacks on Israel, the SPD changed its attitude, too. The attack on Israel with threats of “German gas” (Iraqi chemical weapons made partially with German assistance) being used on innocent Jews by a man often compared to Hitler evoked the historical memories (Erb, 2003:153).

Germany started to debate between a more intense German cooperation with US and NATO, or plan strategy accordingly. But after the success of the unification and parliamentary election, the government realized that it is not enough with the checkbook diplomacy (*Scheckbuch-Diplomatie*) in dealing with pressures from the alliance. Although the government decided to send minesweepers to the Gulf region, they still insisted that this operation is in the name of humanitarian operation and international responsibility (Longhurst, 2004:58). The government also decided to deploy air defense units to Turkey and additional naval vessels to the Mediterranean (Duffield, 1998:181).

In this case, because of the bipolar system and there was no further interest for Germany in participating in this operation, therefore, it is not surprising that realism explains more. Institution really affects, but only in the financial supports that Germany contributed.

Scholars defence that strategic culture did not change in this case. That is, Germany still holds on multilateralism, stressing on non-confrontational methods, pursuit for consensus and political resolution. True, but if they follow multilateralism, Germany should involved more, including sending troops during the war, not after that. If Germans still support the non-confrontational methods, the public opinion and the attitude of political party like SPD would not change after that attack on Israel. Public opinion supported the war on Iraq in the poll, but with condition: Germany doesn't involve in the war.

Among all factors, external factor 1(power) and internal factors 2(individual, political party) and 3(history and norm) can explain this case better.

2.2 Bosnia

I will separate the German involvement in Bosnia into three parts. First, I will discuss the use of force policy on Operation Sharp Guard and Airborne Warning and Control System (AWACS). Second, I will discuss in the participation in Implementation Force (IFOR) and Stabilization Force (SFOR). Finally, I will examine these cases theoretically with hypotheses that I proposed.

2.2.1 Involvement in Operation Sharp Guard and AWACS

Hostilities in Yugoslavia broke out in 1991, after Slovenia and Croatia declared their independence in late June 1991. Fighting first broke out between Serb and Croat forces, and then spread to Bosnia. UNSC authorized economic sanctions and weapons embargo on Serbia and Montenegro, and deployed a United Nations peacekeeping force, UNPROFOR (United Nations Protection Force) based on Resolution 713 and 757.

In mid-July 1992, NATO decided to deploy maritime patrols in the Adriatic to prevent armaments from reaching the warring parties, which is called as Operation Sharp Guard, and asked Germany to participate with naval vessels (Martinsen, 2005:28). UN Secretary General Boutros Ghali also asked Germany to participate in that operation, and Chancellor Kohl wanted Germany to participate. At first, Foreign Minister Kinkel reiterated that the FDP line that the constitutionality had to be settled before any deployment could be undertaken, which was supported by SPD and the public opinion. But unlike the results in Gulf War, FDP made compromise with Chancellor at this time. Kinkel announced in mid-July 1992 that he supported the Conservative standpoint and said that Germany should not be an impotent dwarf (Martinsen, 2005:28). Germany decided on July 15 to participate with one plane and two ships in this mission. However, this mission is still restricted in non-combat mission (Schröder, 2005:40).

With UNSC Resolution 781 on October 9, 1992 and the Resolution 816 on March 31, 1993, UN decided to establish a ban on military flights in the airspace of Bosnia and Herzegovina to protect UNPROFOR (UNSC Resolution, S/RES/781, S/RES/816). UN also authorized NATO to enforce this resolution. Therefore, NATO decided to use AWACS airplanes, which includes a third of the German crew on the planes. The government decided to join on April 2, 1993 with a destroyer and three reconnaissance planes. Transport planes also took part in the international airlift to Sarajevo (Baumann, 2001:170). However, at the same time that NATO was threatening Serb forces around Sarajevo with air strikes, the German government was stressing that AWACS would in no way be involved in such strikes (Baumann, 2001:171).

In April 1993, the Constitutional Court ruled in favour of the government's position: German officers could remain. In the famous verdict on July 1994 that I mentioned above in this paper gave the legitimacy of German soldiers to participate in operations outside NATO's area. But Germany still didn't want to end its restrained style of security policy. Defence minister Rühe stressed after the verdict," Judged on a case-by-case basis, Germany would continue say ,no' more than ,yes'"(Longhurst, 2004: 65).

NATO asked Germany to contribute Tornado fighter planes with radar suppression equipment, and could be used for reconnaissance flights or for low-level attacks against Serb installations. These air strikes in support of the United Nations Protection Force in 1994 and 1995 were based on UNSC Resolution 836 of June 4, 1993 and Resolution 844 of June 18, 1993 (Baumann, 2001:171). Unlike other member states, Germany was reluctant to contribute fighter planes.

In 1995, UN and NATO started to plan for the deployment of NATO's Rapid Reaction Force. This decision caused debates in the government and parliament. But after the report showed that the Serbs took hundreds of peacekeepers hostage, using them as human shields against NATO attacks and the brutal assault that led to the mass execution of at least 7,000 death in Srebrenica alone, Chancellor Kohl's cabinet approved deployment of 1,500 troops to Bosnia, and got the support of the majority of 386 members in favour and 258 against in the Parliament (Erb, 2003:162). Although the RRF plan was never carried out in full, on September 1, 1995, Tornados attacked Bosnian Serb artillery positions. This was the first time German soldiers had been engaged in combat since the end of the Second World War (Martinsen, 2005:33).

2.2.2 Involvement in IFOR and SFOR

After the signing of the Dayton Accord to end the war in Bosnia-Herzegovina, the NATO-led IFOR was given the task of monitoring compliance with the Accord and of providing a secure environment for civil reconstruction. The deployment was authorized by the UNSC Resolution 1031 on December 15, 1995 (Baumann, 2001: 171). On December 6, 1995, the *Bundestag* approved German involvement in IFOR, but this involvement would focus on humanitarian aid and the transport and medical assistance to the troops of other participating countries. Their headquarters was not in Bosnia itself but in Croatia (Erb, 2003:166; Baumann, 2001:171).

After the success of 1996 election in Bosnia-Herzegovina, the main goal of IFOR was reached and was replaced by SFOR with the UNSC Resolution 1088 on December 20, 1996. SFOR comprised some 35,000 soldiers, and Germany contributed about 3,200 soldiers (Schröder, 2005:63). Germany increased its contingents with 7,000 soldiers in 2004, and there are still about 400 soldiers now in Bosnia (Federal Ministry of Defence, 2007).

Unlike IFOR, German troops have been regular combat troops stationed in Bosnia, not just humanitarian uses agreed in IFOR. The major part of this German contingent is part of a French-German unit commanded by a German officer. Germany demanded a high-ranking post in SFOR's overall command structure, and the allies also accepted this request. And the *Bundestag* approved this operation with a majority of 499 to 93. (Baumann, 2001:171; Erb, 2003:166; Maull, 2006:80).

2.2.3 Factors examination

These cases of German involvement in Bosnia show that the external factor 1, which concluded by realists' view, is insufficient. For Germany, the international system has changed and the relative capability of Germany has also been raised. Germany would act as a rising middle power in the fall of bipolar system (Otte, 2000). If we follow up modified realists' view, the refugees caused by the crisis in Bosnia could affect German interest and in order to get more influences in international organizations, Germany would send troops in these cases and accept combat missions. As the matter of sending troops, realists are right mostly, except not contributing fighting Tornados in 1994. Realism can only explain in RRF and SFOR with combat missions. In SFOR, Germany indeed asked for more command rights and high-ranking due to its upgraded contribution (Baumann, 2001:171), and accepted the combat missions.

The external factor 2 from neo-liberalism explains better in these cases. If we examine with institution and international regime, we have to make sure whether these international regimes are formed. If they are formed with legitimacy, Germany will accept combat missions. In these cases related to Bosnia, it is no doubt in legitimacy with the UNSC resolutions; therefore, Germany should send troops accordingly. But since use of force regimes are started to establish between 1988 and 1992(Dombroski, 2007:1), we can say that Germany decided not to involve in combat missions are still in line with neo-liberals' expectation. Because recent use of force regimes were formed in Bosnia, Germany accepted the SFOR missions with combat missions. As for why Germany decided not to participate in the operation "Deny Flight" in 1994, when NATO requested for Tornados, it can also be explained. Germany classified this request as an 'informal enquiry on the grounds that the NATO Council had not discussed it. Consequently, the government merely let it be known that the issue would be examined (Zehfuss, 2002: 73).

Examined with external factor 3, constructivists' view, all these cases in Bosnia are with legitimacy from UN and NATO, which can be seen as with international norms. But German societal norms were under the process of change. In the Bosnia cases, with the authorization of UN, Germany contributes troops in all cases, even though it might contradict with its societal norms. However, Germany refuses to participate in the "Deny Flight" and not to involve in combat missions except in 1995's mission and SFOR. It is worthwhile to examine the internal factors.

We started from the strategic culture and societal norms. Scholars said that Germany has crossed many barriers in its strategic culture, including willing to send troops, and accepting the risks of soldiers. At the same time, the doctrine that military should be last resort has been

changed. However Germany still insists that out-of-area deployment should under the German value, and strategic culture persists with the change of policies (Breuer, 2006:211).

As those variables I proposed in this paper, all these involvement in Bosnia are in line with multilateralism, pursuit for consensus and political resolution, and protecting democracy and human rights. These factors both exist in strategic culture and societal norms.

Therefore we should examine the factors on history and rules in the internal factor 3. After report of holocaust in Srebrenica, did Germany willing to involve in combat missions. But this factor cannot explain well in SFOR case. Without historical memory or holocaust, Germany should involve only in non-combat missions.

At last, we examine the internal factor 2. We found that getting re-elected might be a factor, but in these cases, it seems political party and other factors like historical memories as I examined above seems to be more effective. Foreign Minister Kinkel from the FDP always opposed the use of force at that time, because of his party stands. It was obviously that before the parliamentary election on October 16, 1994, operations that Germany involved were restricted in non-combat missions. However, after the election, Germany still refused the request from SACEUR General George Joulwans proposal of deploying Electronic Combat Reconnaissance-Tornados on November 30, 1994. Thus, we take the election factors as an insignificant factor in this case. But the political party and individual still plays important roles in these cases.

I would conclude that in the Bosnia case, neoliberalism seems to be more effective in explaining the external factors. In internal factors, it seems that historical memories play a key role in deciding whether combat or not.

2.3 Kosovo

2.3.1 Crisis in Kosovo and the formation of German use of force policy

Kosovo was traditionally as historical center of Serb nation, but now a region inhabited mostly by ethnic Albanians (Erb, 2003:167). In 1974 Yugoslav leader Josef Tito gave the region autonomy within Serbia. Albanian can control the right on schools, police, and other government functions, but the Serb minorities feel that Kosovar majority mistreated them. In 1989, Slobodan Milosevic removed the autonomy and gave Serb minorities dominance again. The major conflict broke up in 1998, when the Kosovo Liberation Army (KLA) gained lots of armed forces from Albania, and attempted to ethnically cleanse Kosovo of Serbs in order to gain independence (Bjola, 2005:282).

The United States and NATO did not want to wait until the situation out of control. Although the UNSC called upon the Serb authorities to end the atrocities against ethnic Albanians and to remove most of their forces from Kosovo with Resolution 1160 and 1199, the resolutions did not authorize the threat or use of military force against Yugoslavia in case of its non-compliance, since this Western request met with serious Russian and Chinese reservations (Baumann, 2001:172).

However, NATO threatened with air strikes from 1998. Chancellor Kohl agreed to join in these strikes on August 13, and decided to deploy Tornados-jets at the last day he ruled the government, September 30, 1998. The *Bundestag* also supported the action under the consideration of international law (Harnisch, Katsiouslis & Overhaus, 2004:18-19) on October 16.

In October, Yugoslav President Milosevic agreed to comply with UNSC Resolution 1199 and to admit the deployment of the OSCE-led Kosovo Verification Mission (KVM). NATO-led "Extraction Force" was stationed in Macedonia in order to rescue KVM with the UNSC Resolution 1203, if necessary. The *Bundestag* approved to send 250 men with a very broad majority (Baumann, 2001:173).

On January 17 1999, Serbs massacred 45 ethnic Albanians in the Kosovar village of Recak. This broke the October 1998 agreement, and because of the images from the holocaust in Srebrenica, many in the West believed that they should prevent it in time. Under the threat of NATO action, the parties were brought together in Rambouillet, France, but the compromise did not fulfil.

NATO decided to launch Operation Allied Force to force Milosevic to sign the Rambouillet agreement from March 24 to June 10, 1999. Germany decided to join with 500 soldiers and 14 Tornados, including Electronic Combat and Reconnaissance (ECR) and Reconnaissance (RECCE). In response, Serbs conducted a plan of ethnic cleansing, ultimately sending 900,000 Kosovar Albanians across the border into Albania and Macedonia (Erb, 2003:168).

It is disputable in this mission whether it still belongs to 'defence', and it is also disputable that it operates without the authorization of Security Council. PDS proposed to the Constitutional Court because they thought that Germany participating in Allied Force was a mistake, and it obeyed Article 25 in the Basic Law and Article 2 in UN Charter. However, this proposal was denied by the Constitutional Court (Schröder, 2005:80-81).

The air strikes ended on June 10, 1999 with the UNSC Resolution 1244, and established KFOR with about 42, 500 NATO troops. Kosovo was separated into five sectors, and the UN

Mission in Kosova (UNMIK) controlled the power of foreign relations, justice, law, order and finance. UNMIK also has the right to reject the resolution of Kosova Parliament. Germany contributed 8,000 soldiers, and took over the command in one of these sectors. From October 9, 1999 to April 18, 2000 and from October 3, 2003 to August 31, 2004, Germany was as field command of KFOR (Baumann, 2001:173; Redaktion Truppendienst, 2004:196). Among 38,000 soldiers in KFOR in July, 2000, 4,600 are Germans, and till now, there are still 2,468 soldiers in Kosovo (Ministry of Defence, 2007).

2.3.2 Factors examination

First, we examine external factor 1. In this case, the refugee from Kosovo might affect German interest, and Germany actually held the command role for two times. Thus, realism seems to be effective in inference.

In the view neo-liberalists, the legality of Operation Allied Force was weak because UNSC resolutions did not authorize to use of force. If we follow external factor 2, without UN resolutions, Germany should only support NATO because of institution, not sending troops. But as a matter of fact, Germany not only sends troops but also involves in combat missions. Therefore, institution factor cannot explain this case. Relatively, the involvement of KFOR is under UN resolutions and established peacekeeping regime, therefore it is under neo-liberalists' expectation.

As for the external factor 3, international norms, it is also disputable in the Operation Allied Force. After all, the holocaust from FRY started after the air strikes, and the air strike itself also lacked of full legitimacy. According to the hypothesis, Germany should not join the air strike, but actually it did. Thus, international norm cannot explain well in the Operation Allied Force. As for the KFOR, it does not obey the international norm, therefore, Germany participates in the operation is expectable. This goal of this operation is to help Kosovo in the establishment of democracy, law, market economy, ect.(Karadjis, 2005:127), and the 1994 Constitutional Court also gave the legality in sending troops. Because of the consistency of international and societal norms, KFOR is under constructivists' expectation.

For the internal factor 1, the strategic culture, Sebastian Harnisch argued that operations in Kosovo still correspond to traditional values: 'never alone', caring of the stability in East and South Europe, and the credibility and effectiveness of European and international institutions. These values are embedded in both elites and the public (Harnisch, 2001:117-118). Although there was a hesitation on the issue of legitimacy, Schröder's government emphasized the importance of these values. The SPD even made this as a theme in their ad campaign for the

European Parliament election (Erb, 2003:171). Schröder's arguments focused on ethical concerns and confronted the meaning of German history: "Especially because we Germans have been guilty in the past we cannot simply stand back and accept massive human rights violations with the contented excuse that our abstinence has something to do with our history." (Der Spiegel, June 7, 1999:33; Erb, 2003:171). He stressed that this was not just a German use of military force, but German participation in NATO and OSCE operations. Examined by factor 1, this operation is still in line with multilateralism, pursuit for consensus, political resolution (negotiation in Rambouillet). Therefore it can be said that German use of force is expectable by strategic culture.

As for the internal factor 2 I proposed, there is no pressure on being re-elected because the parliamentary election was just ended. Therefore, although German public opinion at the start of the war was opposed to the conflict⁶, most of the political parties support the operation. Only the PDS stood against German involvement. As we mentioned above, if the risks and costs of the operation is not great, Germany would send troops. If there is no pressure from election, the new generation of politicians will be more willing to make the combat missions decisions. Since air strikes were less risky than ground war, therefore, most of the political parties supported the operation but rejected the idea of a ground war. The major parties even joined forces to respond to the PDS by noting the necessity of NATO solidarity and accused the PDS of near treason, showing its totalitarian roots by allegedly being an ally of Milosevic, the similar charge against Gerhard Schröder from CSU when he criticized the Gulf War in January 1991 (Erb, 2003:173).

In this case, we can say the public opinion seems not to be a major factor when there is no election. The difference of ideology among different parties is not as significant as what Brian C. Rathbun (2004) proposed in his books. Calculation on risks and multilateralism are still important, if the multinational operation is not too risky, Germany will join and contribute troops.

In these two cases, only realism predicts better in the Operation Allied Force, but there is no difference in prediction in KFOR. Among the internal factors, strategic culture, historical memories are relevant. Public opinion, consideration on re-elected and non-confrontational culture is insignificant in both cases.

2.4 Afghanistan

2.4.1 Operation Enduring Freedom (OEF)

⁶ In a poll taken on March 26-27, 61.6 percent were against the war, with only 21.5 percent supporting it in the East (Erb, 2003:171).

After the terrorists attack on September 11, 2001, Chancellor Schröder expressed ‘unconditional solidarity’ (*uneingeschränkte Solidarität*) with US. On September 12, UNSC Resolution 1368 took terrorism as threat on world peace and international security, and gave the basis for OEF. Within ten days of the attack, the German parliament passed a resolution expressing full solidarity with the US, with only the PDS showing solid opposition.

US President announced that terrorists’ behavior is an act of war, and asked NATO for common operation with US based on Article 5 of the NATO Treaty. NATO Council decided that the terrorist’s attack met the condition of Article 5 of the NATO Treaty on September 12 and October 2 (Rauch, 2006:211-212).

US started to use of force in October, however, German unconditional solidarity did not translate into unconditional support. There was still a fear that the US would over-react and respond unilaterally, which could lead to an uncontrolled escalation of conflict in Middle East (Buras & Longhurst, 2004:232; Longhurst, 2004:83). Although 57 percent Germans believed that a counterattack by the United States on those responsible would be justified, the same percentage, 57 percent, also rejected the idea of German participation in such a counterattack (Erb, 2003:193). In order to show willing and able to back the deployment, and consistent security policy in line with multilateralism, on November 6, Chancellor Schröder announced that 3,900 *Bundeswehr* troops would be available for the campaign against terrorists and tied this issue to a vote of confidence (*Vertrauensfrage*). (Longhurst, 2004:84)

Critics on Schröder’s tactics in the *Bundestag* are cross-parties. In order to get support, Chancellor Schröder stressed that military action was only one of many steps being taken. The goal was to establish peace and brought humanitarian help to the refugees and ready to be used to rebuild Afghanistan after hostilities ceased. “This is an international coalition against terrorism”, he stressed, “not a war between states in the traditional sense” (Buras & Longhurst, 2004:233-234; Erb, 2003:198-199).

Finally, the *Bundestag* authorized OEF for one year. German Navy units were sent to control the maritime area around the Horn of Africa and prevented possible movements of terrorists between the Arabian Peninsula and the African coast. Maritime patrol aircraft, which had been sent to Mombasa, Kenya, and later to Djibouti, supported the deployed frigates (Maull, 2006:81). Germany held the leadership in the multinational maritime troops (Task Force 150) in May 2002. The *Bundestag* extended the mandate for another year on November 14, 2003 but took the previously assigned Nuclear, Biological and Chemical (NBC) defense forces out of the contingent. Germany also supported the Operation Active Endeavor, which was started from October 2001. However the total sum of soldier was decreasing.

There are only 260 soldiers from October 2005, and most of Germany's missions in the OEF are indirect. They only offer maritime patrol, AWACS, missiles, but not involve in Middle East directly (Rauch, 2006:218).

2.4.2 International Security Assistance Force (ISAF)

In order to rebuild Afghanistan, UNSC mandated ISAF with Resolution 1386 on December 20, 2001, and extended the mandate for another six months in May 2002 with Resolution 1413 because the situation in Afghanistan still constituted a threat to international peace and security. Chancellor Schröder showed the willingness of staying in ISAF when he visited Afghanistan in May 2002. He said, "Security is important for people in Afghanistan and international investors the country needs. If it is to be able to move forward with reconstruction and we want to be able to do that". (Bundesregierung, 2002a) The *Bundestag* approved these mandates, and in cases of natural disasters, there is possible for German contingent to enlarge the number from 1,200 soldiers to 1,400 (Bundesregierung, 2002b).

Germany also showed its willingness to command and lead. In the NATO ministerial meeting on September 24, 2002, Defence Minister Peter Struck had an agreement with Netherlands at working level, and showed that Germany can lead with Netherlands if there is a renewed UN resolution and an extension of the mandate by the *Bundestag*. (Bundesregierung, 2002c) Germany contributed 1,300 soldiers in ISAF at that time, which was only less than Turkey, and lead the multinational troops composed with Germany, Austria, Netherlands and Denmark soldiers. Germany also lead the Kabul Multinational Brigade (KMNB) technically (Bundesverteidigungsmisterium, 2002a). Thus, Defence Minister Peter Struck stressed that risks and threats were without boundary, and the meaning of defence should be in cooperation with UN, NATO, EU and OSCE. He urged to increase the contribution in ISAF to 2,500 soldiers. (Bundesverteidigungsministerium, 2002b)

The *Bundestag* approved the extension; therefore Germany shared the leadership with Netherlands from February 2003, and contributed as the major troops in ISAF (Mauß, 2006:82). In 2006, Germany got the leadership again from coordinate role to independent responsibility of command and control to ISAF. The *Bundestag* approved to increase the contingent from 2,250 to 3,000. However, because of the risks in southern and eastern Afghanistan, the *Bundestag* only approved that the *Bundeswehr* could only operate in Kabul and the quiet northern Afghanistan region. (Bundesregierung, 2006).

2.4.3 Deployment of Tornados and the Extension of OEF and ISAF in 2007

The Bundestag approved the Tornados deployment with 405 to 157 in March 2007. These planes helped the patrol missions in southern Afghanistan (IHT, 2007). Die Linke proposed to the Constitutional Court, which included two questions: Whether this mission is still in line with the meaning of defence in NATO Treaty? And if it is in line with protecting freedom. The answer from the Constitutional Court was “yes”. They did not think the deployment contradicted with Basic Law and refuted the application from the Leftists. Some scholars criticized that this verdict gave a “blank check” for Germany to participate all kinds of military interventions without giving any restrictions (Kerscher, Helmut, 2007).

UNSC authorized the extension of ISAF in the abstention from Russia in September 2007, and Germany decided to keep participating. Although the *Bundestag* approved the deployment on October 12, it was still under debate whether Germany should keep its deployment in OEF. There are only 200 high-rank generals involved in the OEF and without any missions in two years, but many members in the *Bundestag* shows that they won't agree on this US-led mission.

Defence Minister Franz Josef Jung(CDU) and Foreign Minister Steinmeier(SPD) stress the importance of these three deployments. If Germany refuses to contribute in OEF, it will lose its influence, which is not good for German interests (Tagesschau.de, Sep. 20, 2007).

2.4.4 Factors examination

Military involvement in ISAF and the early OEF operations show that Germany can increase their influence and hold the leadership in these missions. As mentioned above, Foreign Minister Steinmeier also related influence in the operation with German interests, including the OEF. Therefore, contributing with combat troops can enhance Germany's influence and is under the expectation of realism. However, realism cannot explain well in why Germany confines itself in indirect missions in OEF and safe region in ISAF, especially when Germany held the command and control power in ISAF. If we follow the logic of realism, Germany would not get influence with such a small number of contribution and under the leadership from the US. Then, Germany could withdraw its troops from OEF. However, Germany did not withdraw from the OEF, and the *Bundestag* has approved the OEF mandate.

But if we followed the logic of neo-liberalism, with the authorization from UN and NATO, it is reasonable that Germany participated in these operations with combat missions. But because of the non-confrontational strategic culture, Germany still avoided in direct combat

missions, especially in ground war. Germany will also keep contributing in the future operations, if those are legitimate.

For the constructivists, the goal of ISAF is to rebuild Afghanistan, which is in line with international and societal norms. Therefore, it is reasonable that Germany participates with combat troops in ISAF. But though OEF doesn't contradict to international norms, it doesn't fit very well in societal norms like protecting democracy and political resolutions. Thus, it is reasonable why OEF faces much difficulty in the *Bundestag*, and accordingly, Germany might keep participating in OEF, but only for support as it does now.

From the internal factors of decision-makers, risks, financial burdens and the consideration on election, Germany would keep contributing because Germany still confines itself in the safe region. It is still difficult for Germany to deploy ground troops in the dangerous region. The factors of election and political party seem not to be significant in these cases.

2.5 Iraq War

2.5.1 Opposing to the US-led War on Iraq

In January, 2002, US President Bush named Iraq as part of the "axis of evil", and suspected that Iraq was circumventing the sanctions from UN and developing WMDs and maintained links with terrorist groups. In August 2002, Iraq agreed to let UN weapons inspectors into the country to search for weapons. Although the US seemed all too determined to wage war, Chancellor Schröder's approach to Iraq was to let the UN inspections have more time to complete their task. In August, he argued against any form of military intervention and declared that Germany would not take part in an attack on Iraq (Martinsen, 2005:89).

Schröder warned that the US-led activities in Iraq to oust Saddam Hussein would actually distract from the war on terrorism and would endanger the West's relations with Islamic world (Buras & Longhurst, 2004:236). He also proposed the notion of a *Deutscher Weg*, or "German Way" during the election campaign. No matter it is an election ploy or not, this issue helped Schröder overcome a deficit in the polls that was near 10 percent a month before the election. Finally, SPD beat Stoiber's CDU/CSU by only 8,000 votes on September 22, 2002(Erd, 2003:206).

In November 2002, UNSC passed Resolution 1441 indicating that Iraq violated Security Council Resolution 1373, and continued to shelter and support terrorists organization. It also warned "Iraq that it will face serious consequences as a result of it continued violations..."

(UNSC Resolution 1441). However, US interpreted this as the support for an attack from UN if the illicit weapons or weapons programmes are discovered (Martinsen, 2005:89).

Germany and France initiated a debate about terrorism including the issue of Iraq in the UNSC. This initiative also unleashed a wave of indignation across both eastern and western parts of Europe causing bitter intra-European discord about “who speaks for Europe?” (Buras & Longhurst, 2004: 237). The “letter of ‘8’”⁷ on January 30 in Wall street Journal stressed that Europe and America must stand united. US Defence Minister Donald Rumsfeld denounced France and Germany as “old Europe” and criticized that Germany was ungrateful for the role that US played in rescuing them from Nazism and bringing them to Unification in 1990 (Buras & Longhurst, 2004:239).

Germany, together with France and Belgium, blocked all attempts to let NATO’s Military Committee discuss Turkey’s request on Patriot missiles and AWACS surveillance flights. Finally, the Defence Planning Committee decided to assist Turkey with AWACS aircraft. Germany accepted this, offering the Patriots through Netherlands, but declared German crew members would be withdrawn if Turkey entered the war (Maitinsen, 2005:92-93).

At the same time, Germany kept united with France and Russia. They issued a joint statement that they wouldn’t let the Resolution allowing for using of force pass in the Security Council. On March 18, it was evident that United States was giving up in pursuing the second UNSC Resolution. The war on Iraq began on March 20, 2003.

After the war happened, Germany insisted that there was no change in its standpoint, but it would follow the rule of alliance. Under the structure of OEF, Germany sent Fuchs NBC reconnaissance vehicles to Kuwait. Germany also permitted allied forces to use Germany as staging area, provided 3,500 additional *Bundeswehr* soldiers to guard US military installation in Germany and sent patriot missile defence systems to Israel and Turkey. Schröder also used the opportunity to pursue the agenda for reconstruction of post-war Iraq (Buras & Longhurst, 2004:240).

2.5.2 Factors examination

External factor 1 can explain why Germany decided not to join the Iraq War, but cannot fully explain why Germany sent the missiles, crews and vehicles to Turkey and Israel. Because Germany doesn’t seem to have so many interests in the war on Iraq, it is better for Germany to keep autonomously. In order to make the balance of power policy, Germany decided to cooperate with France and Russia. However, Germany had the chance to keep

⁷ This letter entitled as “Europe and America must stand united” was signed by the leaders from Spain, Portugal, Italy, the UK, Czech Republic, Hungary, Poland, and Denmark.

boycotting the war decisions in the NATO, for example, removing from the military planning cell or refusing to offer weapons and crews. However, these actions did not happen. The final communiqué was passed without deleting original plans and priorities (Maritnsen, 2005:100). Thus, realism cannot totally explain this case.

In the view of our neo-liberalists' external factor 2 and internal factor 1, Germany followed the NATO decision to offer weapons to Turkey, but refused to send troops "even with UN Resolutions" (Erb, 2003:205). However, we can still infer that what Schröder said that Germany would not participate in even with UN resolutions might be propaganda for the public in corresponding to the culture of non-confrontational and pursuit for consensus in Germans. However, when the NATO decided to join, though Schröder said that the government did not change position, he started to say that Germany would not obey the rule of alliance. Truly in this case, as Buras and Longhurst(2004) argued, Germany appeared able to balance elements of its strategic culture (Buras & Longhurst, 2004:231). Institution and German strategic culture like multilateralism still play roles in this case.

With constructivists' external factor 3 and internal factor 3, Germany should not join if it obeys the international norms. This war also conflicted to the societal norms with US unilateralism, not waiting for political resolution, and protecting human rights. NATO treaty may be one of the sources from international norms but not all; therefore, Germany should not send troops without a clear authorization from UNSC according to the hypothesis. Of course, sending crews, missiles, and vehicles to Turkey instead of Iraq cannot be seen as sending troops to Iraq, and Germany also stressed that if Turkey participate in the war, Germany would withdraw all the crews. It can still be partly explained by the constructivism.

Calculation on being re-elected and the public opinion is a significant factor in this case. By late August 2002, it became clear that the Iraq issue was helping Schröder in the polls, and in their August 25 debate, Stoiber accused the chancellor of using Iraq as an election ploy (Erb, 2003:205). However, no matter it was a ploy or not, Schröder won the election again.

When the war broke out, 500,000 protested in Berlin. According to the poll on February 2003, 72 percent Germans against the war on Iraq, 73 percent of Germans regarded Bush as "the greatest danger to world peace". Saddam Hussein only earned a small 20 percent (Martinsen, 2005:96-97). With the sympathies on the US side, the CDU leader, Angela Merkel, maintained lower profile than Edmund Stoiber, who also declared himself against German participation. But Schröder started to improve the relations with US, and promised to offer missiles for Turkey after election. As some scholars said, politicians in the post-war generation like Schröder may be more pragmatic (Buras & Longhurst, 2004:218-223), since

there is no emergent pressure from election and for Germany, and the US is still an important partner for Germany, there is no necessary to keep conflict with the US.

As a result, we found that in theory, neo-liberalism and constructivism can explain better than realism. And calculation on re-elected and the role of individual like Schröder are also significant factors in this case.

3 The making of German Use of Force Policy

In this Section, I will conclude those hypotheses that I have proposed, and examine which hypotheses are more significant in German use of force policy. I will start from the external and internal factors, and then I will conclude what theory is also more significant in these cases.

3.1 External Factors

As we can see in the Table 1, among thirteen cases that I have examined in this paper, factor 2 is the most significant one in explaining external factors (in eleven cases with high predictive power). In comparison of that, factor 1 is only qualified in six cases with high predictive power. Factor 3 is qualified in eight high-related cases.

The only two cases that factor 2 cannot explain fully is Gulf War and Operation Allied Force. Germany offered financial supports in the Gulf War, but only agreed to send troops after the war. Truly, institution has some effects on this case, but not fully. In the Operation Allied Force, factor 2 has no predictive power. If we follow the hypothesis, Germany should only support the operation in logistics as they did in the War on Iraq. However, Germany not only sent troops but also involved in combat missions.

Compared to the lack of prediction power of factor 2 in these two cases, factor 1 is significant in these two cases. Or, we can say that factor 1 has the predictive power especially in most operations related with combat missions. But the realists' hypothesis also fails in predicting non-combat operations.

For constructivists' factor 3, the fact that post-unification Germany has gradually increased the scope of its participation because of international norms does not come as a surprise. German decision makers tried to satisfy the growing expectations of Germany's international environment, but they were also bound by domestic norms that would change only slowly (Baumann, 2001:176).

Besides, this paper concludes that in the use of force policy, Germany not only needs the legitimacy but also need the legality; that is: formal decisions from institutions. As it is written in the German Security White Paper 2006, the security policy goal of Germany is based on the relations with UN, EU, NATO, and OSCE (Federal Ministry of Defence, 2006:6-8). Hence, the external factors of institutions can explain most of the cases in German use of force policy. Germany may still concern of the societal norms and strategic culture, but it is obviously that following the rules and decisions from the international organizations is more important than societal norms and strategic culture. It has been proven in the War on Iraq. Increasing the power and influence is still significant when Germany decided to participate in combat missions. However, Germany still has a strong strategic culture on “never again in war”, which makes the realists sometimes difficult to explain empirically. Germany is also criticized by many of its alliances at this culture of restraint.

Table 1. Case-specific predictive power of external hypotheses

Cases	Factor 1 (power position, influence)	Factor 2 (institution or regime)	Factor 3 (international norms)	Note (Which factor is more significant)
Gulf War	High	Some(support only)	Some(support only)	F1
Bosnia/ Operation Sharp Guard	Some(non-combat)	High	High	F2, F3
Bosnia/ AWACS	Some(non-combat)	High	High	F2,F3
Bosnia/ Deny Flight	None (refuse to send troops)	High	Some (legitimacy)	F2
Bosnia/ RRF and Tornado flights	High	High	High	F1,F2,F3
Bosnia/ IFOR	Some(non-combat)	High	High	F2, F3
Bosnia/ SFOR	High	High	Some (societal norms)	F2
Kosovo/	High	None(support	None(without	F1

Operation Allied Force		only)	authorization)	
Kosovo/ KFOR	High	High	High	F1, F2, F3
Afghanistan/ OEF	Some(indirect missions)	High	High	F2, F3
Afghanistan/ ISAF	Some(safe region)	High	High	F2, F3
Afghanistan/ Tornado Einsatz	High	High	High	F1, F2, F3
Iraq War	Some(offer support)	High	Some(NATO Treaty)	F2

3.2 Internal Factors

For the predictive power of internal hypotheses (see in Table 2), factor 1(strategic culture) is significant in ten cases, factor 2(FPA) is significant in two cases, and the factor 3(societal norms) is significant in ten cases. Both strategic culture and societal norms are significant in these cases. Both of them face some modification after unification regarding combat missions. Before unification, the opinion that the Basic Law prohibits any use of force by the *Bundeswehr* for purposes other than individual or collective self-defence was common among legal scholars and predominant among politicians (Baumann, 2001:166). But the 1994 Federal Constitutional Courts' verdict actually plays the role of what Onuf(1998) wrote as "rule" in constructing the societal norms and ruling the citizens.

Although Rathbun(2006) criticized that culture can only explain the influence of past on now, but it is hard to explain long-time change (Rathbun, 2006, 2004:9), this paper holds the opposite opinion. The reason why strategic culture seems not to explain well comes from the culture of "never again". This idea has two different meanings: never again in war, and never again Fascism, which are conflicting sometimes. However, if there is a worry about the violation on human rights, Germany would accept combat missions as they did in the operation of Tornado flights in Bosnia. The culture of 'never again in war' should be modified as a culture of restraint after unification. If there is possibility not to contribute in

combat missions, Germans would always say ‘no’ in sending troops. But since external factors like getting influence on international organizations and the rules of institutions, German government would hard to say ‘no’ to its alliance but restrains its *Bundeswehr* in less risky situations in order to correspond to the culture in different manners.

Public opinion, individual and financial burdens are important only under the pressure of being re-elected. On the opposite, risks on soldiers are always the concern of Germans. As I proposed above, if there is a possibility for Germans to choose whether to participate a risky combat mission or not, they would always choose ‘no’. But since there are some other factors, which are more important than that, risks calculation may not be the major consideration except during the election.

In sum, this paper concludes that both factor 1 and factor 3 are significant internal factors in determining German use of force policy. Politicians also use international norms as a tool to change the societal norms, as we can see in many formal speeches of politicians in this paper. They showed the attitude that it was not the German government that wanted to participate in the combat missions, but the alliances asked. But they also used the public opinion as an excuse for not participating in risky operations. Of course, there is a lot of pressure from the external environment; therefore, it would be more thoroughly to combine external and internal factors together when we research on German use of force policy.

Table 2. Case-specific predictive power of internal hypotheses

Cases	Factor 1 (strategic culture: never again, never alone)	Factor 2 (decision makers, political parties and election)	Factor 3 (societal norms)	Note (Which factor is more significant)
Gulf War	Some(never alone?)	High(individual, party, election)	High(constit ution)	F2, F3
Bosnia/ Operation Sharp Guard	High	Some(individual, party)	High	F1, F3
Bosnia/ AWACS	High	Some(decision groups, individual, political party)	High	F1,F3
Bosnia/	Some(never	Some(individual,	High	F3

Deny Flight	alone?)	political party)		
Bosnia/ RRF and Tornado flights	High	Some(political party)	Some(non combat?)	F1
Bosnia/ IFOR	High	Some(political party)	High	F1, F3
Bosnia/ SFOR	High	Some(political party)	Some(non- combat?)	F1
Kosovo/ Operation Allied Force	High	Some(political party)	High(history, HRs)	F1,F3
Kosovo/ KFOR	High	Some(political party)	High	F1, F3
Afghanistan/ OEF	High	Some(election, party?)	Some(protect ing democracy?)	F1
Afghanistan/ ISAF	High	Some(election, party?)	High	F1, F3
Afghanistan/ Tornado Einsatz	High	Some(election, party?)	High	F1, F3
Iraq War	Some(never alone?)	High	High	F2, F3

Conclusion

I examined the prediction power of IR theories in the table 3(see below). The clearest finding is that neoliberalism is still the most significant theory in explaining German use of force policy. Neorealism cannot explain fully in seven among the thirteen cases, whilst constructivism in six. However, neorealism is the only theory that is significant in two cases, while neoliberalism in four cases, and constructivism in none.

After the empirical studies in this paper, we found that neoliberalism with the strategic culture could be the most significant theory in researching German use of force policy.

Although consideration on power, influence, election, public opinions and norms may influence on the decision making sometimes, consideration on institution and international regime and the strategic culture like “never again” and “never alone”, especially multilateralism under the concept of “never alone” is still more significant.

However, as we have seen in this paper, there are only differences between more significant and less significant, and none of the theories can explain every case. Since there is no theory can be falsified like Imre Lakatos said⁸(Dougherty, 2001: 8), we have to take a more comprehensive and open methodology before the “meta-theory” is established(Buzan & Little, 2000:10-11).

The comprehensive approach, in my opinion, can be seen as a bigger system with political, economic and cultural system both in international and domestic level. What Kenneth Waltz has written in his book, *Theory of International Politics*, is only the external political system. If we follow the logic from neo-liberalism and constructivism, the reasons of German security policy are both external and internal. According to constructivist like Nicolas Onuf’s (1998) view, we shall find out different levels of rules to analyze the dynamic developing process and the effects of institution.

Lars Erik Cedermann and Christopher Daase (1993) also offer the idea of “endogenizing corporate identity”. Daase (1993) cited Georg Simmel’s sociational theory and focused on processes and corporate identity with spatial representation. Georg Simmel’s two social conflict’s function (*zwei soziale Funktionen des Konflikts*) includes the establishment on unity of collective actor (*die Herstellung der Einheit des kollektiven Akteurs*) and the establishment on the relation among opponents(*die Herstellung einer Beziehung mit dem Gegner*)(Daase, 1993: 55). He emphasized that we can’t take the corporative identity of groups for granted, and we have to find out the real actors in a spatial and timely structure. Therefore, no matter our research method is historical sociology, empirical or positivist, we have to do more comprehensive research.

I also agree with what Henry L. Hamman (Kubáľková, 1998) has proposed. Since natural science has evolved into theory like “uncertainty principles”, “chaos theory” and “non-linear phenomenon”, if we don’t use a dynamic and adaptive method, but use a regulatory structure to research on international relations, we would put ourselves in eighteen or nineteen century science (Kubáľková, 1998:178). Therefore, it is important to examine the internal factors like

⁸ If the old theory (T) can be falsified, the new theory (T1) should fulfill these conditions: 1. T1 can empirically explain what T can’t explain. 2. What T1 can explain must include what T has explained. 3. What T1 can explain and T can’t be proved true.

culture, societal norms or identity, and external factors, like structure, institution or international norms at the same time.

Table 3 Use of Force Policy and the prediction power of IR theories

Cases	German Participation	Neorealism(power, interest)	Neo-liberalism(in stitution, risks, and strategic culture)	Constructivism(international norms, societal norms and history)	Theories with predictive power
Gulf War	Support only	(less in security, but high in interests) support only	(with UN Resolutions, strategic culture) Non-combat troops	(international norms, history) Non-combat troops	Realism
Bosnia/ Operation Sharp Guard	Non-combat troops	(interests) Combat troops	(institutions , lack of relative regimes, risky) Non-combat troops	(international norms) Non-combat troops	Neo-liberalism, Constructivism
Bosnia/ AWACS	Non-combat troops	(interests) Combat troops	(institutions, strategic culture) Non-combat troops	(international norms) Non-combat troops	Neo-liberalism, Constructivism
Bosnia/ Deny Flight	No participation	(interests) Combat troops	(without formal decisions from NATO	(without formal decisions) No	Neo-liberalism, Constructivism

			Council) No participation	participation	
Bosnia/ RRF and Tornado flights	Combat troops	(interests) Combat troops	(institution, strategic culture) Non-combat troops	(international and societal norms) Combat troops	Realism and constructivis m
Bosnia/ IFOR	Non-combat troops	(interests) Combat troops	(institutions, strategic culture) Non-combat troops	(international norms) Non-combat troops	Neo- liberalism, Constructivis m
Bosnia/ SFOR	Combat troops	(interests) Combat troops	(institution, peacekeeping regime) Combat troops	(international norms) Non-combat Troops	Realism, neo- liberalism
Kosovo/ Operatio n Allied Force	Combat troops	(interests) Combat troops	(without UN Resolution, Institution) Support Only	(None) No participation	Realism
Kosovo/ KFOR	Combat troops	(interests and influence) combat troops	(institution) Combat troops	(internal and societal norms) Combat troops	All
Afghanis tan/ OEF	Indirect combat troops	(interests) Combat troops	(institution, strategic culture) Indirect Combat mission	(international and societal norms) Combat mission	Neo- liberalism

Afghanis tan/ ISAF	Combat troops in quiet north	(interests, influence) Combat troops	(institution, strategic culture) Combat troops in quiet north	(international and societal norms) Combat mission	Neo- liberalism
Afghanis tan/ Tornado Einsatz	Combat troops	(interests) Combat troops	(institution) Combat troops	(international and societal norms) Combat Troops	All
Iraq War	No participation, but support Turkey and Israel	(no interests) No participation	(NATO) Support only	(None) No participation	Neo- liberalism

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