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GERMAN NON-PROLIFERATION POLICY AND THE IRAQ CONFLICT

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1. INTRODUCTION¹

Over the past decade, Germany has gradually changed its policy on military operations for its armed forces abroad. A key source of this change in so called “out-of-area” operations has been allied countries’ external expectations that a unified Germany should play a more active role in quelling civil wars and fighting hostile state and non-state actors. In Germany, these foreign expectations and domestic learning processes have shaped the public discourse by introducing such concepts as “Germany as a responsible power” or “a grown-up power”.² Indeed, shortly after the September 11 attacks on the United States, German Chancellor Gerhard Schröder pressed his own Red-Green coalition to accept German participation in the US-led military campaign against terrorism and the Taleban regime in Afghanistan by linking this decision with a confidence vote in Parliament on November 16, 2001.³ Germany, at last, appeared to becoming ever more “normalized” as several pundits of German Foreign policy pointed out.⁴

What went almost unnoticed in the heady days post 9-11 was, that the German Chancellor on September 19, 2001, when introducing a resolution to the Bundestag calling for “unconditional solidarity” with America, determined that Germany would not participate in any “adventures” and that the duty of helping allies corresponded with its right to consultation before the initiation of military action.⁵ As it turned out this early shot across the bow of those in the Bush administration, who favoured military action to change the Iraqi regime, had little influence on the following course of events. Instead, Germany’s refusal to participate in

¹ This article is a revised and extended version of a paper presented at the 23rd Annual GSA Meeting in New Orleans, 18-23rd September 2003. The author wishes to thank the British Academy for supporting the trinationnal research project: Beyond ‘Normalisation’: Politics, Society and Culture in Germany in the Social Democratic Era, which has both enriched and steered my own research.

² Cf. Nina Philippi, *Civilian Power and war: the German debate about out-of-area operations 1990-1999*, in: Harnisch, Sebastian/Maull, Hanns W. (Eds.) (2001): *Germany as a Civlian Power? The Foreign Policy of the Berlin Republic*, Manchester, pp. 49-68; Baumann, Rainer/Hellmann, Gunther (2001): *Germany and the Use of Military Force: ‘Total war’, the ‘Culture of Restraint’ and the Quest for Normality*, in: Webber, Douglas (Ed.) (2001): *New Europe, New Germany, Old Foreign Policy? German Foreign Policy Since Unification*, London, pp. 61-82.

³ Cf. Sebastian Harnisch/Wolfgang Brauner (2001), *The German Response to the September 11th Terrorist Attacks: A Shift in the Domestic Political Debate and Party Politics?*, in: *German Foreign Policy in Dialogue* 2(2001) 5, <http://www.deutsche-aussenpolitik.de/publications/newsletter/issue5.html#shift> [10.06.2003].

⁴ Cf. Martin Wagener, *Auf dem Weg zu einer “normalen Macht”? Die Entsendung deutscher Streitkräfte in der Ära Schröder*, in: Harnisch, Sebastian / Katsioulis, Christos / Overhaus, Marco (Eds.) (2004), *Deutsche Sicherheitspolitik. Eine Bilanz der Regierung Schröder*, Baden-Baden, pp. 89-118; James Sperling, *The Foreign Policy of the Berlin Republic: The Very Model of a post-Modern Major Power? A Review Essay*, Paper presented at the 2003 Annual German Studies Ass. Meeting, New Orleans 18-23 September 2003.

⁵ Cf. *Regierungserklärung von Bundeskanzler Gerhard Schröder vor dem Deutschen Bundestag zu den Anschlägen in den USA, am 19. September 2001* in: *Stichworte zur Sicherheitspolitik*, September 2001, <http://www.bundesregierung.de/Anlage255644/September+2001.pdf> [02.07. 2003], p. 16.

military action in Iraq and even to support US diplomatic initiatives in the United Nations created one of the worst crises within the transatlantic alliance and a serious blow to the emerging European Foreign, Security and Defence Policy (re)launched in the midst of the Kosovo war.

To date, two explanations of Germany's Iraq policy have emerged: one group of scholars, which could be dubbed "domesticists" stresses the role of the electoral concerns of the Schröder government in the run up to the federal elections on September 22, 2002. They argue that the SPD, and the Chancellor in particular, in August 2002, used the wide spread scepticism in the German public vis-à-vis a military intervention in Iraq on the grounds of Weapons of Mass Destruction (WMD), and a general resentment against the Bush administration's proclivity for unilateral and military action in order to turn the tide in the election campaign.⁶ More pointedly, Michael Hedstück and Gunther Hellmann hold that the "German way" Chancellor Schröder propagated during the campaign signified a further normalization of German Foreign and Security Policy, a process through which Germany was "resocialized" as a great power and has become ever more estranged from Washington.⁷

The other group of scholars argues that Berlin's Iraq policy can be understood best when looking at ideational factors in general and Germany's persisting "culture of restraint" concerning the early resort to military force.⁸ As Anja Dalgaard-Nielsen points out:

"The German Chancellor may have been moved by tactical considerations rather than deeply held convictions when he chose to run on an anti-war platform. But his success in mobilising voters on this issue and his subsequent inability to stop the anti-war buzz once back in office had to do with ingrained German beliefs and convictions."⁹

Thus one could argue that as long as this culture of restraint prevails Germany is likely to remain on a collision course with its main ally and several European partners when it comes to military action. This paper extends some of the arguments developed by these two schools of thought while taking issue with their main findings.

⁶ Cf. Michael Hedstück/Gunther Hellmann, „Wir machen einen deutschen Weg.“ Irak-Abenteuer, das transatlantische Verhältnis und die Risiken der Methode Schröder für die Außenpolitik, <http://www.uni-frankfurt.de/fb03/prof/hellmann/mat/irak/pdf> [25.06.2003]; Martin Walker, The Winter of Germany's Discontent, in: World Policy Journal 29(2002/03) 4, pp. 37-47; Christian Hacke, Deutschland, Europa und der Irakkonflikt, in: Aus Politik und Zeitgeschichte B 24/25(2003), <http://www.bpb.de/files/H1H7MN.pdf> [03.07.2003], pp. 8-16.

⁷ Cf. Hedstück/Hellmann, p. 2.

⁸ Cf. Anja Dalgaard-Nielsen, Gulf War: The German Resistance, in: Survival 45(2003) 1, S. 99-116; Klaus Larres, Mutual Incomprehension: U.S.-German Value gaps beyond Iraq, in: Washington Quarterly 26(2003) 2, pp. 23-42; Harald Müller, German National Identity and WMD Proliferation, in: The Nonproliferation Review (Summer 2003), pp. 1-20.

⁹ Dalgaard-Nielsen, p. 101.

To begin with, the German opposition to US military planning for an intervention dates back to the immediate aftermath of September 11th and has been fairly consistent ever since. Electoral considerations played a prominent role in popularizing concerns held by some key policymakers, but they did not bring them about. If this had been the main concern, the Schröder government should have changed course after the elections to mend fences with Washington or, at least, have been able to form a common European position.

Secondly, while Berlin's opposition to military action against Saddam Hussein has been fairly consistent, it has neither been coherent nor clear cut as the "cultural explanation" would have it. In March 2002, Chancellor Schröder suggested that Germany would probably back US military action in Iraq if there was a clear UN mandate. In December 2002, Foreign Minister Joschka Fischer, stated that US military action without a second Security Council resolution would be legitimate and in February 2003 Berlin supported a European Council Statement on Iraq which held that military action may be necessary as a last resort to enforce UN resolutions. Therefore, if there was a "German way" in the Iraq crisis, it should be considered a winding road between foreign expectations and domestic considerations.

The following paper argues that the early public opposition against military "adventures" in Iraq by Chancellor Schröder in September 2001 and the ensuing Iraq policy can be best understood when taking into account the domestic political consideration of preserving the Red-Green Government in the face of considerable opposition within the coalition government to foreign military interventions in general and early military action against Iraq in particular. Because he had had to link the decision that Germany participate in Operation Enduring Freedom against international terrorism, to a vote of confidence in order to sustain the government's majority in the Bundestag, Chancellor Schröder felt compelled to rule out any further military adventures (even before the Bush administration had committed itself to military action), because this could well have meant the end of his government.

In nuce, while electoral concerns and ideational factors can claim some explanatory reach, the Schröder government was bound by concerns for its political survival when it came to active participation in the war against the Iraqi regime and thus it failed to either promote a coherent European alternative to the Bush administration's approach or consistent resistance to expectations from the coalition of willing for acquiescence. Instead, the Schröder government supported the US war effort indirectly by sending German "Fuchs" NBC reconnaissance vehicles to Kuwait (under the mandate of Operation Enduring Freedom), by allowing allied forces to use bases in Germany as staging areas for the war, by providing 3.500 additional German soldiers to guard US installations in Germany, and by sending Patriot missile defense systems/components to Israel and Turkey for defensive purposes against an Iraqi counterattack.

There are four parts to the analysis. The first covers the early phase of the German opposition from September 2001 to August 2002, the run up to the election. This chapter focusses on the reactive and ambivalent nature of the German stance, the first dispute within NATO on

preemptive military action against Iraq in January and the Schröder-Bush Summit meeting in May. The second part discusses the electoral campaign dynamics as a factor in hardening the German opposition which led to a phase of vocal disagreement between Berlin and Washington (August 2002- January 2003). It shows the central dilemma in the Schröder government's approach which appeared when the Bush administration decided to engage the UN Security Council in September 2002. By going through the UN, the Bush administration exposed the premature determination that German armed forces would not participate in military action against Iraq, because even if the UN SC was to decide that force would be necessary to implement its former resolutions, the Schröder government would have a very tough job to sell German military participation in any UN mandated military action in Iraq. The fourth part examines the phase from January 2003 to the outbreak of the hostilities on March 20th. During this period the Red-Green Government, still under constant pressure from its own parliamentary party, used a shift in French policy to form a common position with Russia to prevent a UN resolution which may have legitimized the use of force against the Iraqi regime. The fifth section takes a closer look at Germany's policy after combat operation ended. It reviews how the Schröder government has tried to repair its damaged relationships both in the European and transatlantic realm while holding on to its policy position not to deploy any German forces to Iraq that would require parliamentary approval. The last section summarizes the main claims of the paper and argues that Germany's policy vis-à-vis Iraq should not be viewed as a precursor to a radical shift in its non-proliferation policy or its relationship with the United States. It posits that Germany's foreign policy can still be best understood when taking foreign and domestic expectations into consideration, although the latter has gained in influence due to the fluidity in Germany's institutional environment.

PHASE I: FROM "RASH NO – TO NO GO"

In the 1980s German non-proliferation concerns towards Iraqi programs for weapons of mass destruction were subordinated to commercial and energy interests.¹⁰ Dozens of German corporations and medium-sized enterprises (as well as a host of British, French, Russian and American companies) exported sensitive technologies thereby supporting Saddam Husseins quest for nuclear, chemical and biological as well as advanced missile and artillery technology and its use in the Iran-Iraq war 1980-1988.¹¹ Under intense pressure from Washington and Jerusalem because of its hesitancy to commit more than financial and political support for the war, the Kohl government subsequently changed its lax export control policy after the Persian

¹⁰ Cf. Joachim Krause (1998), *Strukturwandel der Nichtweiterverbreitungspolitik*, München: Oldenbourg, S. 383

¹¹ Cf. Andreas Zumach, „Blühende Geschäfte. In sämtlich Rüstungsbereichen haben Firmen aus den ständigen Ratsländern Irak unterstützt“, in: TAZ, 19.12.2002, <http://www.taz.de/pt/2002/12/19/a0076.nf/textdruck> [03.07.2003]; „Exklusiv: die geheime Liste der Waffenlieferanten – Saddams Geschäftspartner“, in: TAZ 19.12.2002, <http://www.taz.de/pt/2002/12/19/a0012.nf/textdruck> [03.07.2003]; Infobox, in: TAZ 19.12.2002, <http://www.taz.de/pt/2002/12/19/a0080.nf/textdruck> [03.07.2003].

Gulf War and supplied chemical protection gear as well as Patriot Anti-Missile batteries to Israel. Furthermore, and in contrast to its strict export policy, Bonn also decided to help finance two submarines for the Israelian marine forces.¹²

The involvement in Iraqi programs for weapons of mass destruction resulted in the later 1990s in an effort by the German government to strengthen the international non-proliferation regime. Not only did Bonn become, one of the most ardent supporters of the Chemical Weapons Convention (CWC) but also assisted the UNSCOM mission by supplying equipment and personnel.¹³ In early 1998, during the UNSCOM crisis following the expulsion of the inspectors from Iraq, German Foreign Minister Klaus Kinkel even went as far as calling on the Common Foreign and Security Policy (CFSP) of the European Union to consider (military) sanctions if the Iraqi regime did not adhere to the MOU negotiated with UN Secretary General Kofi Annan to bring the inspectors back in.¹⁴

In contrast to the Clinton administration however, which in December 1993 announced a counter-proliferation initiative that stressed the role of military force, the Kohl government issued a 10-point non-proliferation initiative that called for a strengthening of the non-proliferation regime through additional treaties and protocols, such as registers for nuclear weapons and plutonium.¹⁵ Friction between Germany and the United States increased due to Washington's increased reliance on military force in Iraq, especially the enforcement of no-fly zones, which Germany considered to be outside the mandate of UN SC Res. 688.¹⁶ And yet, while France and Russia actively blocked a further "militarization" of the UNSCOM/UNMOVIC regime after 1998, Berlin remained neutral.¹⁷ The Kohl government, however, did support the Clinton administration in 1998 when the United States used pre-

¹² Cf. Karl Kaiser/Klaus Becher (1992), Deutschland und der Irak-Konflikt. Internationale Sicherheitsverantwortung Deutschlands und Europas nach der deutschen Vereinigung (Arbeitspapiere zur Internationalen Politik, Nr. 68), Bonn 1992, p. 33-36; Harald Müller, Bundesrepublikanische NV-Politik am Scheideweg?, in: Constanze Eisenbart/Dieter von Ehrenstein (Hg.), Nichtverbreitung und Nuklearwaffen – Krise eines Konzepts, Heidelberg (FEST Reihe A 30), S. 521-556.

¹³ Cf. Bundestags-Drucksache 13/4450, 24. August 1996, Chapt. IV, Abrüstung irakischer Massenvernichtungswaffenprogramme nach dem Golfkrieg, <http://dip.bundestag.de/btd/13/044/1304450.asc> [02.07.2003], Chapt. IV Abrüstung irakischer Massenvernichtungswaffenprogramme nach dem Golfkrieg.

¹⁴ Cf. Karin Raible (1998), Völkerrechtliche Praxis der Bundesrepublik Deutschland 1998: XVII. Friedenssicherung und Kriegsrecht, Max Planck Institut für ausländisches Öffentliches Recht und Völkerrecht, Heidelberg, http://www.mpiv-hd.mpg.de/de/Prax1998/pr98_50.cfm [24.06. 2003].

¹⁵ Cf. „Die deutsche 10-Punkte Initiative zur Nichtverbreitungspolitik vom 15.12 1993, in: Presse- und Informationsamt der Bundesregierung (Hrsg.), Bericht zur Rüstungskontrolle und Abrüstung 1993, Bonn 1994, S. 147-173.

¹⁶ Cf. Christine Gray, From Unity to Polarization: International Law and the Use of Force against Iraq, in: European Journal of International Law 13(2002) 1, pp. 1-20 (9-10); Jochen Frowein (1998), Unilateral Interpretation of Security Council Resolutions – a Threat to Collective Security?, in: V. Götz/P-Selmer/R.Wolfrum, Liber amicorum Günther Jaenicke – Zum 85. Geburtstag, pp. 97, 101f.; oder Völkerrechtliche Praxis der Bundesrepublik, MPI Heidelberg, Tätigkeitsbericht für das Jahr 1999, Pkt. 11: Einseitige Durchsetzung und Staatengemeinschaftsinteressen: Kosovo, Irak und der Sicherheitsrat, http://www.virtual-institute.de/de/Taet1999/tat99_13.cfm [03.07.2003].

¹⁷ Cf. Schriftliche Fragen mit den in der Woche vom 8. Dezember 1997 eingegangenen Antworten der Bundesregierung, BT-Drs. 13/9392, pp. 1ff.

emptive military action against Al Qaeda in Sudan and Afghanistan in response to attacks against US embassies in Kenya and Tanzania earlier that year.¹⁸

The Red-Green Government, which came into power in October 1998, continued the course of the Kohl government in non-proliferation affairs as well as vis-à-vis Iraq. While Foreign Minister Joschka Fischer early on in his term called for a reconsideration of the first-use of nuclear weapons option within NATO's military doctrine, non-proliferation issues and Iraq took a back seat. The new government voiced open scepticism towards US plans to resign from the ABM treaty and to build a Ballistic Missile Defense (BMD) system although it also pressed ahead with Medium Extended Air Defense System (MEADS), a smaller, regionally based anti ballistic missile system.¹⁹

The terror attacks of September 11th 2001, considerably shifted the threat perceptions in Germany, but these did not result in a similar change of course in non-proliferation. In the 2001 Report on Disarmament (Abrüstungsbericht) the threat by terrorist groups and the proliferation of weapons of mass destruction took center stage and thus a vigorous effort in disarmament, arms control and non-proliferation policy was called for. But when it came to Iraq, the report did not mention its WMD programs in the section on worldwide and regional proliferation concerns (p. 19) but stated in a later section that the status of disarming Iraq had remained unchanged after the eviction of the UNSCOM inspectors in 1998.²⁰ Whereas the German Foreign Intelligence Agency (BND) in 1999 had found that a revival of Iraqi WMD programs was likely after the UNSCOM inspectors had been expelled and that several questions remained open concerning the biological and chemical weapons program,²¹ the 2001 report did not sense any necessity for a German or European initiative but reflected upon the "difficult consensus finding process" in the UN Security Council. Thus, Foreign Minister Fischer ruled out any military action against Iraq when he met UN Secretary General Annan in March 2001.²²

¹⁸ Cf. Oliver Meier (2001), A Civilian Power caught between the lines: Germany and nuclear non-proliferation, in Sebastian Harnisch/Hanns W. Maull (Hrsg.), Germany as a Civilian Power. The foreign policy of the Berlin Republic, Manchester, New York: Manchester University Press, pp. 68-87 (74).

¹⁹ Cf. Eckart Lose, Der außenpolitische Blick schweift nun über Europa hinaus, in: Frankfurter Allgemeine Zeitung (FAZ), 17.02. 2001; Joachim Krause/Oliver Thränert, Raketenabwehr und nukleare Abrüstung gehören zusammen, in: FAZ, 14.02. 2001; Camille Grand (2000), Missile Defense: The View From the Other Side of the Atlantic, in: Arms Control Today Online (September 2000), http://www.armscontrol.org/act/2000_07-08/2000_09/grandsept00.asp [18.06. 2003].

²⁰ Cf. Bericht der Bundesregierung zum Stand der Bemühungen um Abrüstung, Rüstungskontrolle und Nichtverbreitung sowie über die Entwicklung der Streitkräftepotenziale (Jahresabrüstungsbericht 2001), <http://www.auswaertiges-amt.de/www/de/infoservice/download/pdf/publikationen/jab2001.pdf> [18.06. 2003], pp. 7, 31

²¹ Cf. Bundesnachrichtendienst, Proliferation von Massenvernichtungsmittel und Trägerraketen, (Oktober 1999) Pullach, pp. 28-31.

²² Statement by Joschka Fischer, German Minister of Foreign Affairs Meeting with Kofi Annan, UN Secretary General, 4 March 2001 (Excerpts), <http://www.iraqwatch.org/government/Germany/germany-mfa-iraq-3-4-01.htm> [26.06. 2003].

Unconditional solidarity against terrorism but no military adventures in Iraq

Despite recent accounts that stress the proactive und uncompromising character of the German stance, Berlin's Iraq policy remained reactive and undetermined until the August 2002 election campaign. In the immediate aftermath of the September 11th attacks on New York and Washington, Chancellor Schröder stated Germany's "unconditional solidarity" (September 19th 2001) with the United States in the fight against international terrorism. However, Schröder also hinted that there would be no participation in any foreign "adventures". In addition, he stressed that any military action within the framework of the North Atlantic Alliance required advance consultations.²³

„Naturally: Every right corresponds with a duty. But this, of course, also applies the other way around, which means information and consultation. What do we want to achieve as Germans and Europeans: unlimited solidarity with the United States in all necessary measures. Risk, including military, will be shared by Germany but she is not prepared for adventures. These are not asked for by the American administration, because of its considerate position after the attacks, and they they will certainly not be asked for in the future."²⁴

This early statement, however, reflected the rapidly emerging post-9/11 debate in the United States on broadening the war on terrorism.²⁵ Right after the attacks US Deputy Secretary of Defense Paul Wolfowitz had argued that both within the administration and publicly, that the war on terrorism must not be unduly restricted:

"It's not just simply a matter of capturing people and holding them accountable, but removing the sanctuaries, removing the support systems, ending states supporting terrorism."²⁶

When Foreign Minister Fischer met with Wolfowitz on September 19th 2001, the Undersecretary informed Fischer that the Pentagon had plans to act militarily against Iraq after the Taliban regime had been dealt with.²⁷

In the fall and winter of 2001, there were clear domestic limits to the extension of the war on terrorism to other regions. When the Red-Green Government brought the necessary mandate for German military participation in "Operation Enduring Freedom" to a vote in the Bundestag, the coalition fell short by several votes because 28 members of both the Social Democratic and the Green party threatened to vote against the bill. Subsequently, the Chancellor invoked the vote of confidence procedure, thereby putting extreme pressure on the

²³ In the Ottawa Declaration (19.06. 1974) NATO partners codified a general consultation clause for (military) actions outside the alliance geographic scope.

²⁴ Cf. Regierungserklärung von Bundeskanzler Gerhard Schröder vor dem Deutschen Bundestag zu den Anschlägen in den USA, am 19. September 2001 in: : Stichworte zur Sicherheitspolitik, September 2001, <http://www.bundesregierung.de/Anlage255644/September+2001.pdf> [02.07. 2003], S. 16.

²⁵ Cf. Michael Naumann, Ein Krieg Wider Willen. Mit Amerika gegen den Terrorismus, aber nicht gegen den Irak. Die deutsche Bündnistreue hat ihre Grenzen, in: Die Zeit 46(2001), http://www.zeit.de/2001/46/Politik/200146_1_leiter.html [18.06. 2003].

²⁶ Cf. Bob Woodward (2002), Bush At War, New York, S. 49, 60 (citation).

²⁷ Cf. Gunter Hofmann, Der lange Weg zum lauten Nein, in: Die Zeit 05(2003), <http://www.zeit.de/2003/05/Hofmann> [19.06. 2003]; Even before Chancellor Schröder, the British Prime Minister Tony Blair had declared that Britain would not participate in military action against Iraq, *ibid.*

dissidents, but still several of them decided to stick to their principal opposition against “the militarization of the fight against terrorism.”²⁸ In order to gain as much support as possible from the parliamentary party, the government’s bill proposal included a clear restriction of the geographic scope of the mandate for German Forces in Operation Enduring Freedom.

„German forces will participate in missions against international terrorism outside Afghanistan only with the consent of the governments concerned.“²⁹

Opposition parties - with the exception of the Party of Democratic Socialism, the former SED - supported this solidarity course in general and the troop deployment to Afghanistan in particular, but they voted against the bill in order to preserve the chance of toppling the governing coalition.³⁰ In November, Foreign Minister Fischer, again stressed the sceptical view of the coalition during the debate on the budget, adding that Germany was not alone in its opposition to an extension of the war on terrorism to Iraq:

„We know, for example, that European discussion on Iraq differs substantiately from the US debate – which is controversial too. Europeans totally agree, to put it diplomatically, that they view an extension [of the war on terrorism, S. H.] to Iraq with utmost scepticism.“³¹

NATO’s war scenario (CMX02): preemptive military action against Iraq?

If there had been any doubt that Germany and its main ally were on a collision course, the NATO „Crisis Management Exercise 2002“ (CMX02) in January 2002 brought these differences to the fore. The war scenario, with all 19 member states as well as SACEUR and SACLANT involved, depicted Turkey and „Amberland“ approaching military conflict due to a dispute on the oil-rich territory of “Oilia” (which closely resembles the Midyat Batman region on the Turkish-Iraqi border). Part of the scenario was the inadvertent airing of biological weapons agents, which were threatening NATO forces in Turkey and the presumed launch of other weapons of mass destruction in the case of war.³² It appeared that the Alliance

²⁸ Cf. Sebastian Harnisch/Wolfgang Brauner (2001), The German Response to the September 11th Terrorist Attacks: A Shift in the Domestic Political Debate and Party Politics?, in: German Foreign Policy in Dialogue 2(2001) 5, <http://www.deutsche-aussenpolitik.de/publications/newsletter/issue5.html#shift> [10.06. 2003]; a detailed account of this episode provides: Gunter Hofmann, Kanzlers Wende. Vom Moderator zum Eisernen Kämpfer – Tagebuch eines Krise, in: Die Zeit 47(2001), http://www.zeit.de/2001/47/Politik/200147_krise.html [18.06.2003].

²⁹ „Einsatz bewaffneter deutscher Streitkräfte bei der Unterstützung der gemeinsamen Reaktion auf terroristische Angriffe gegen die USA auf Grundlage des Art. 51 der Satzung der Vereinten Nationen und des Art. 5 des Nordatlantikvertrags sowie der Resolutionen 1368 (2001) und 1373 (2001) des Sicherheitsrats der Vereinten Nationen“, Antrag der Bundesregierung vom 7. November, in: Stichworte zur Sicherheitspolitik November 2001, <http://www.bundesregierung.de/Anlage256835/November+2001.pdf> [02.07.2003], S. 2-6, hier: S. 5.

³⁰ Cf. Rede des Fraktionsvorsitzenden der CDU/CSU, Friedrich Merz, in der Bundestagsdebatte vom 16.11.2001, Plenarprotokoll der 202. Sitzung des Deutschen Bundestages, <http://www.bundestag.de/plenargeschehen/pp/2001/140202a.zip> [02.07.2003].

³¹ Cf. Rede des Bundesministers des Auswärtigen, Joschka Fischer, vor dem Deutschen Bundestag im Rahmen der Haushaltsdebatte am 28. November 2001 (Auszug) in: Stichworte zur Sicherheitspolitik November 2001, <http://www.bundesregierung.de/Anlage256835/November+2001.pdf> [02.07.2003], Nov. 2001, p. 22.

³² Cf. Bettina Vestring, Der simulierte Krieg, in: Berliner Zeitung, 13.09. 2002; <http://www.berlinonline.de/berliner->

could not reach a consensus on the preferred course of action and had to end the exercise early. The United States and Turkey pushed for preemptive strikes against WMD (even without a UN Security Council mandate) whereas the German government together with France and Spain pleaded for deterrence through a public declaration of the use of massive force in the event of an attack.³³

Thus, the Schroeder government stuck to its (former) interpretation of Article 31 of the NATO-Strategy (Washington Summit 1999), which links the use of NATO's crisis reaction forces to a clear mandate under international law.³⁴ A NATO official made the following comment on the premature end to the manoeuvre:

"This game has been far too close to the reality. Decision made during the exercise may have set a precedence for the reality, but at this point no nation wanted to come clear on this and let others know how they would decide."³⁵

Taking war to the enemy: the emerging transatlantic divide

In the aftermath of President Bush's State of the Union address 2002, in which he counted Iraq as a member state of the "axis-of-evil" against which the United States would have to act to prevent it from threatening the US and its allies the transatlantic divide on Iraq spread into the public. At the 38th Security Conference in Munich, Deputy Secretary of Defense Wolfowitz stated that the US was (still) at war after the September 11th attacks and that the new threats meant that Washington had to act preventively and "to take the war to the enemy".³⁶ Senator John McCain proclaimed, that the 9-11 attacks had unified decision makers from all parties in the belief that Washington already possessed a mandate for worldwide action against terrorists and states that support or harbor them. He specifically mentioned Iraq when talking about where the next front line may be:

„A day of reckoning is approaching. Not simply for Saddam Hussein, but for all members of the Atlantic Community, whose governments face the choice of ending the threat we face every day from this rogue regime or carrying on as if such behavior, in the wake of September 11th, were somehow still tolerable."³⁷

zeitung/archiv/bin/dump.fcgi/2002/0913/politik/0049/index.html?keywords=Simulierter%20Krieg;ok=OK%21;match=strict;author=Vestring;ressort=;von=;bis=;mark=krieg%20simulierter;start=60 [23.06. 2003]; Annalisa Monaco/Sharon Riggle, NATO Squares Off with Middle East Foe: Threat of WMD challenges Alliance", in: NATO Notes 4(2002) 2, pp. 1-2; "Irakkrieg: NATO-Generalprobe CMX02 gescheitert", in: ami32(2002) 10, pp. 35-43.

³³ Cf. Annalisa Monaco/Sharon Riggle, NATO Squares Off with Middle East Foe: Threat of WMD challenges Alliance, in: NATO Notes 4(2002) 2, S. 1.

³⁴ The Alliance's Strategic Concept, Approved by the Heads of State and Government participating in the meeting of the North Atlantic Council in Washington D.C. on 23rd and 24th April 1999, <http://www.nato.int/docu/pr/1999/p99-065e.htm> [03.07. 2003].

³⁵ Cited in: Bettina Vestring (2002), Der simulierte Krieg, in: Berliner Zeitung, 13.09.2002.

³⁶ Remarks of Deputy Secretary of Defense Paul Wolfowitz, 38th Munich Conference on Security Policy, Munich, Germany, February 2, <http://www.usembassy.de/consular/munchen/speeches/wolfowitz2002.htm> [23.06. 2003].

³⁷ Cf. „From Crisis to Opportunity: American Internationalism and the New Atlantic Order, Remarks by Senator John McCain, 38th Munich Conference on Security Policy, Munich, February 2, 2002, <http://www.usembassy.de/consular/munchen/speeches/mccain2002.htm> [23.06. 2003].

In contrast to the American participants, German defense minister Rudolf Scharping stated there were no concrete plans for military action against Iraq and he added that it would be naïve to think that European societies would support military action. Only if several conditions were met: a clear mandate under international law, a clear role for the United Nations as well as a multinational political and military approach, publics in Europe may be persuaded.³⁸ In an interview with “Newsweek” Chancellor Schroeder declared that he did not expect any unilateral action by the Bush administration but a close cooperation with moderate Muslim states to uphold the “alliance against international terrorism”. An unnamed German official suggested that hardliners in Washington regularly dominated the public discourse but in practical politics moderates, such as Secretary of State Colin Powell, still prevailed.³⁹ During this period, the Schröder government obviously tried to send cooperative signals to moderate policy makers in Washington while hedging against an American course of action that would create problems within the coalition government. Part of this strategy was the offer to send German NBC reconnaissance vehicles to Kuwait under the mandate of Operation “Enduring Freedom” in February 2002.⁴⁰ While Foreign Minister Fischer made it clear that the circumscribed parliamentary mandate for Operation Enduring Freedom did not cover any participation of the Fuchs reconnaissance vehicles in contingencies involving military action in Iraq,⁴¹ Chancellor Schröder declared that the Fuchs vehicles would not be withdrawn in the case of a war in Iraq, because otherwise “no German Chancellor would need to go to Washington for the next 50 years”.⁴² In “private discussions” in early March with several intellectuals (that where leaked to the public at the time) Schröder went even further and suggested that he would not rule out any (political or military) support for military action if there was a clear UN Security Council mandate for this.⁴³

Do not mention the coming war: The Schröder-Bush Summit

The widening transatlantic gap on Iraq was also the main issue at the summit talks when President Bush visited Berlin on May 23rd 2002. Both, the President and the Chancellor obviously agreed to keep the issue out of the headlines: the Red-Green Government would not speculate in public on American contingency planning on Iraq and the Bush administration

³⁸ Cf. Rede von Bundesverteidigungsminister Scharping auf der Münchener Sicherheitskonferenz 2002, 3. Februar 2002, http://www.securityconference.de/konferenzen/rede.php?menu_2002=&menu_konferenzen=&sprache=de&id=88& [23.06. 2003].

³⁹ Cf. Peter Dausend, Grüne wollen ein ‚Abenteuer Irak‘ nicht unterstützen, in: Die Welt, 05.02. 2002, <http://www.welt.de/daten/2002/02/05/weitereartikel> [23.06. 2003].

⁴⁰ Cf. Karl Feldmeyer, Aufgedrängte Füchse, in: FAZ, 12.06. 2003.

⁴¹ Cf. Rede von Bundesaußenminister Fischer zur USA-Irak Problematik vor dem Deutschen Bundestag 22.02.2002, http://www.auswaertiges-amt.de/www/de/infoservice/ausgabe_archiv?archiv_id=2725&type_id=3&bereich_id=0 [23.06. 2003].

⁴² Cf. Feldmeyer, Aufgedrängte Füchse“, in: FAZ, 12.06. 2003.

⁴³ Cf. Gunter Hofmann, Der lange Weg zum lauten Nein, in: Die Zeit, 05 (2003), <http://www.zeit.de/2003/05/Hofmann> [19.06.2003].

would consult Berlin before making the final decision.⁴⁴ If this understanding contained a specific time frame and commitment under which the Bush administration would not request any German support for military action before the federal election in September and Schröder would not make the war a campaign issue, remains unclear.⁴⁵ It would however explain the kind of personal alienation between the Chancellor and the President that occurred later in the year.

In July 2002, it became clear that both Washington and Berlin were not really committed to keeping the Iraq issue out of the election campaign. Already on June 1st President Bush had laid out the principles of a new US National security strategy in a commencement speech at West Point. The new strategy, which was formally made public in September, featured prominently preemptive military action against the proliferation of weapons of mass destruction in member states of the “axis of evil”.⁴⁶ In the first weeks of July both the Washington Post and New York Times reported comprehensive and detailed plans for military action against Iraq⁴⁷ so that William Pfaff opined that European nations should stick to their opposition against US war plans. This opposition would save rather than destroy NATO because it would rebalance the Alliance.⁴⁸ At the end of July several Congressional hearings dealt with the leaked Pentagon planning for Iraq with senators from both parties urging caution.⁴⁹ With the German government still keeping its head down at the end of July, top US military officials voiced scepticism over the wisdom of military action: no military action was necessary because the strategy of containment was still working, so that Iraq posed no immediate threat to the United States or its neighbors.⁵⁰

The German government remained cautious when a US inquiry for military support in the case of action against the Hussein regime became known: as long as there was no specific request from Washington, a Berlin spokesperson stated, there was no need for a decision.⁵¹ At the German French summit meeting in Schwerin, both Chancellor Schröder and France’s

⁴⁴ Cf. Remarks by President Bush and Chancellor Schroeder of Germany in Press Availability Kanzleramt, Berlin, May 23, 2002, <http://www.whitehouse.gov/news/releases/2002/05/print/20020523> [26.06.2003].

⁴⁵ Cf. Holger Mey, European Unification and Transatlantic Relations: A View from Germany, <http://www.fpri.org/wv/0403.200306.meyhay.europeanunification.html> [26.06.2003].

⁴⁶ Cf. Remarks by President Bush at 2002 Graduation Exercise of the United States Military Academy, West Point, June 1 2002, <http://www.whitehouse.gov/news/releases/2002/06/20020601-3.html> [29.06.2003].

⁴⁷ Cf. Eric Schmitt, U.S. Drafting 3-front attack against Iraq, in: IHT, 6.-7.07.2002; Eric Schmitt, U.S. considers Jordan as a base for staging attacks on Iraq, in: IHT, 11.07.2002.

⁴⁸ Cf. William Pfaff, NATO’s Europeans could say ,no’, in: IHT, 25.07.2002.

⁴⁹ Cf. “Hearings To Examine Threats, Responses and Regional Considerations Surrounding Iraq”, Hearings before the Cmte. On Foreign Relations, US Senate, 107th Congr., 2nd sess., July 31, August 1 2002, http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=107_senate_hearings&docid=f:81697.pdf [26.06.2003]; Brian Knowlton, Senators urge care on Iraq War Plans, in: IHT, 01.08.2002; for further military plans leaked to the press: David E. Sanger/Thom Shanker, U.S. Weighs cutting off Iraq Leaders in first hit, in: IHT, 30.07.2002.

⁵⁰ Cf. Thomas E. Ricks, Top Brass express doubts on Bush’s Iraq plan, in: IHT, 29.07.2002.

⁵¹ Cf. „Bundeswehr gegen Saddam Hussein?“, in: Der Spiegel (2002)31, S. 20-21; „USA fordern Zusagen von Europäern“, in: Die Berliner Zeitung, 27.07.2002.

President Jacques Chirac declared that any military action in Iraq would require previous UN Security Council legitimization.⁵²

Hence, at the end of phase one it remained unclear under which specific conditions US military action or German support/opposition would take place. Rumours, such as British Prime Minister Blair and President Bush had already agreed in Spring 2002 to act militarily against Iraq nurtured critical assessments in the German political class. In one widely noticed Op-Ed for the liberal weekly „Die Zeit“ former Chancellor Helmut Schmidt wrote that the Bush-Administration was not really interested in a UN mandate for action against Iraq and that allies had to point out the risks of its policies to the administration.⁵³ Parallel, on the other side of the Atlantic the Washington Times opined that even a further blockade of the inspections by Iraq would not convince the Red-Green Government that military action was necessary.⁵⁴

In sum, in the first phase the Iraq debate on both sides of the Atlantic was characterized by a strong domestic bias and through a lack of any serious consideration of a renewed and reinvigorated inspection process: in Germany a consensus emerged that pre-emptive (military) action against terrorists with a UN mandate was acceptable, but this consensus did not include pre-emptive military action against (potential) weapons of mass destruction in member states of the “axis of evil”. Thus, the Schröder government opposed a “silent extension” of the NATO mission spectrum with respect to the proliferation of weapons of mass destruction, in particular in Iraq. In contrast, the Bush administration, starting with State of the Union address in January and repeated in several strategic documents in 2002, openly argued for military action against the “axis of evil”, pre-emptively or otherwise. In the American Iraq debate, the question of WMD played an important but not a decisive role since different policymakers favored military action for different reasons.⁵⁵

PHASE II: WINNING ELECTIONS BY WAGING PEACE?

In this situation the party council of the SPD decided on August 1 to start the final phase of the reelection campaign earlier than planned due to deteriorating public opinion polls.⁵⁶ Franz Müntefering, the party’s General Secretary, took the helm as election campaign manager and proposed a new campaign concept „the German Way“, which initially had a domestic focus and was meant to preserve and reform the German “Sozialstaatsmodell”. Before the discussion of the foreign policy agenda in the campaign Chancellor Schröder left the party

⁵² Cf. “UN must sanction Iraq strike”, in: The Guardian, 31.07. 2002.

⁵³ Cf. Helmut Schmidt, „Europa braucht keinen Vormund“, in: Die Zeit, 01.08.2002.

⁵⁴ Cf. Germany, reality and Saddam, in: Washington Times, 27.07. 2002.

⁵⁵ Cf. Philip Gordon, Iraq: the transatlantic debate (ISS Occasional Paper No. 39/2002), <http://www.iss-eu.org/occasion/occ39.pdf> [02.07. 2003]; Alfred Prados, Iraq: Divergent Views on Military Action (RS 21325), CRS-Report for Congress Updated March 31, 2003, <http://fpc.state.gov/documents/organization/19443.pdf> [03.07. 2003].

⁵⁶ Cf. Jetzt wird geholt, in: Der Spiegel (2002) 33, S. 22-25.

board meeting and gave a television interview. Asked how the SPD would try to improve their reelection chances, the Chancellor repeated the central points of his party's agenda but added ominously: "We have alarming news from the Middle East. There is talk of a war." While Germany would act in solidarity with its allies, the Chancellor said, „it would not participate in any adventures (Abenteuer)“. This will certainly be a topic in the election campaign.⁵⁷ Schröder repeated this position in his first major campaign speech in Hannover, but without linking the Iraq statement to the campaign concept "the German Way".⁵⁸ In the following weeks only Franz Müntefering spoke of the German Opposition to military action against Saddam Hussein as part of a „German Way“, but this fact was missed in most press reports. In September, the SPD further distanced itself from the US position, when Chancellor Schröder, after the speech by Vice President Dick Cheney, criticized the Bush administration for shifting (common) policy goals vis-à-vis Iraq from WMD disarmament to regime change.⁵⁹ In an interview with the magazine „Stern“ Schröder elaborated his position by saying that Germany, under his leadership would not participate in a military intervention in Iraq and that the coming election would not change his stance. SPD-Secretary General Müntefering stressed that the Chancellor's no was definite: „We should not participate in any case“. „The UN will not decide“, Müntefering added, „that all nations of the world will march there.“⁶⁰

The governing parties further strengthened their opposition vis-à-vis Washington in the heated end phase of the election campaign. On August 11 the new Defence Minister Peter Struck said, picking up on a theme Helmut Schmidt had introduced into the debate, that the Federal Republic was not a "charge of the United States".⁶¹ The anti-American rhetoric peaked when German Justice Minister Herta Däubler-Gmelin suggested that President Bush was instrumentalizing the Iraq war to distract attention from the worsening economic situation in the US. A tactic, Ms. Däubler-Gmelin added, that had also been used by „Adolf Nazi“. ⁶² The Bush administration, reacted, understandably, with indignation and declared that this lapse was far beyond acceptable limits. A personal letter from Chancellor Schröder, who obviously misread the situation, did not mend fences in Washington so that American-German relation took a first serious blow.⁶³

⁵⁷ Cited after Joachim Rieker, Schröder und der Irakkrieg“, in: Neue Gesellschaft/Frankfurter Hefte 49(2002) 12, S. 717-719.

⁵⁸ Cf. Rede von Bundeskanzler Gerhard Schröder am 05.08.2002 in Hannover, http://www.spd-stormarn.de/wahlen/btw2002/wk_start020805.htm [02.07.2003].

⁵⁹ Cf. Steven Erlanger, Schroeder cautions Bush on ‚big mistake‘ over Iraq, in: IHT 05.09. 2002.

⁶⁰ Cf. Kein Krieg, keine Waffen, kein Geld, in: Spiegel Online, 10.09. 2002, <http://www.spiegel.de/politik/deutschland/0.1518.213296.00html> [2309.2002].

⁶¹ Cf. „Kritik an Schröders Irak-Äußerungen“, in: FAZ, 12.08. 2002.

⁶² Cf. Nikolas Busse, (2003), Die Entfremdung vom wichtigsten Verbündeten. Rot-Grün und Amerika, in Hanns Maull/Sebastian Harnisch/Constantin Grund (Hrsg.), Deutschland im Abseits. Rot-Grüne Außenpolitik 1998-2003, Baden-Baden: Nomos, S. 28.

⁶³ Cf. „Der Brief des Kanzlers besänftigt US-Präsident Bush nicht“, in: Frankfurter Rundschau, 23.09. 2002.

In comparison to the Social Democrats, the Green Party, led by Foreign Minister Fischer, stressed security arguments in his sceptical assessment of military options in Iraq.⁶⁴ Fischer did not use the metaphor “the German Way” as used by some SPD officials, but focussed on the lacking necessity and risks of a military intervention in Iraq. In an interview with the liberal daily „Süddeutsche Zeitung“ on August 7th Fischer argued that Saddam Hussein was a tyrannical dictator, but that the present containment strategy was working. The biggest threat, Fischer continued, was posed by islamic terrorism und international groups such as Al Qaeda. Since there was no proof of a direct link between Bin Laden’s group and Iraq no immediate military action was needed. The second biggest concern was the conflict in the Middle East that could not be resolved without close international cooperation with Muslim countries. These two conflicts required utmost attention. Opening a „third front“ would certainly interfere with efforts in resolving the former.⁶⁵

Fischer called for a „European Way“ which had to include a reintroduction of UN weapons through direct talks between the Iraqi government and UN Secretary Annan. In addition, progress had to be made in the conflict between Israel and Palastine for which a strong US input was needed. Anti-American statements were inadequate and particularly unhelpful.⁶⁶ On August 15th Fischer declared that in the case of clear proof that Iraq had provided terrorists with WMD’s, this would change the whole situation. Obviously, he added, this was not the case at the time.⁶⁷

Parts of the oppositional Christian Democratic Party (CDU) mirrored Fischers but were more concrete in terms of a German military contribution to a UN mandated intervention. Wolfgang Schäuble, the CDU’s grey eminence in foreign and security affairs, denounced Chancellor Schröder for irresponsibly proclaiming „the German Way“ which had isolated Germany.⁶⁸ Instead Schäuble pleaded for the commitment of German troops if there was a UN Security Council resolution legitimizing military action.

„We want that mandates of the United Nations to be implemented and if there is a United Nations decision no one can stand aside.“⁶⁹

⁶⁴ Still, a majority in the Green Party was highly sceptical of the Bush administration’s Iraq policy, cf.: <http://www.gruene-link.de/aussenpolitik/irak/> [02.07.2003].

⁶⁵ Cf. Remarks by Joschka Fischer, German Foreign Minister, August 7, 2002 (Excerpts), <http://www.iraqwatch/government/Germany/germany-mfa-fischer-080702.htm> [23.06. 2003]; Deutschlandfunk-Interview with Joschka Fischer, German Foreign Minister, August 28 2002, <http://www.iraqwatch/government/Germany/germany-mfa-fischer-082802.htm> [22.06. 2003].

⁶⁶ Cf. Interview with Joschka Fischer, German Foreign Minister (Excerpts), August 10 2002, <http://www.iraqwatch/government/Germany/germany-mfa-fischer-081002.htm> [22.06. 2003].

⁶⁷ Cf. Interview with Joschka Fischer, German Foreign Minister (Excerpts), August 15 2002, <http://www.iraqwatch/government/Germany/germany-mfa-fischer-081502.htm> [23.06. 2003].

⁶⁸ Cf. Wolfgang Schäuble: Heuchelei der SPD nützt Iraks Diktator Saddam, in: Die Welt, 06.08. 2002, <http://www.welt.de/daten/2002/08/06/0806de348939.htx?search=Sch%E4uble+Interview+Irak&searchHILI=1> [03.07.2003].

⁶⁹ Cf. Wolfgang Schäuble, Interview mit dem Deutschlandfunk, 20.09. 2002, <http://www.wolfgang-schaeuble.de/interviews/deutschlandfunk-020920.pdf> [02.07.2003].

The Christian Social Union in Bavaria and their candidate, Edmund Stoiber, held a considerably more sceptical view. However, when the governing coalition gained in public opinions – especially after Vice President Cheney’s speech at the End of August - the CSU position drew nearer to that of Chancellor Schröder. On August 27th 2002 Stoiber warned the Bush administration in public that unilateral action without consultation and a UN mandate was not compatible with the UN Security Council’s monopoly on legitimate decisions and actions.⁷⁰ Michael Glos, leader of the CSU group in the Bundestag declared, mirroring Schröder’s earlier rhetoric, that Germany was not prepared to participate in any “adventures in Iraq”.⁷¹

In comparison to the other parties the Liberal Free Democratic Party took a middle position. On the one hand the FDP criticized the SPD sharply for the „German Way“ rhetoric in combination with the Iraq issue, claiming that it would not only isolate Germany, but also harm further European integration.⁷² On the other hand, the liberals called on the Bush administration (and the Schröder government) to act exclusively through the United Nations in order to strengthen the international rule of law.

„With regard to an intervention in Iraq and its unknown effects utmost attention must be paid to the compliance with international law. This requires the indispensable preservation of the monopoly of the United Nations for the use of force. Questionable reinterpretation or interpretations of former UN resolutions are inadmissible from a liberal point of view.“⁷³

„Participation in war: no; alliance preservation: yes.“⁷⁴

After the successful reelection in September, the Schröder government made an effort to improve the relationship with the Bush administration, but without any significant change in its position on military intervention. Hence, the Chancellor welcomed the decision by the Administration to seek a UN Security Council Resolution.⁷⁵ Foreign Minister Fischer, however, stressed that this Security Council Resolution should not contain any mechanism that would justify immediate military action in the case of Iraqi non-compliance (Two-

⁷⁰ Cf. Auch Stoiber auf deutschem Weg, in: Spiegel Online, 28.08. 2002, <http://www.spiegel.de/politik/ausland/0,1518,211356,00.html> [30.06. 2003].

⁷¹ Cf. Patrick Schwarz, Union sagt Nein zum Irakkrieg, in: taz-Online, 17.08. 2002, <http://www.taz.de/pt/2002/08/17/a0085.nf/text> [30.06. 2003].

⁷² Cf. Wolfgang Gerhardt, Der Irak und der ‘deutsche Weg’, in: liberal 44(Dezember 2002), S. 39-43, hier S. 39.

⁷³ Cf. Wolfgang Gerhardt, Der Irak und der ‘deutsche Weg’, in: liberal 44(Dezember 2002), S. 39-43, hier S. 40.

⁷⁴ Cf. Interview von Bundesaußenminister Fischer mit der Frankfurter Rundschau vom 13.12. 2002 (Auszüge), http://www.auswaertiges-amt.de/www/de/infoservice/presse/presse_archiv?archiv_id=3866 [02.07.2003].

⁷⁵ For the decision of the President to engage the UN, after intense consultations with both Colin Powell and Condoleezza Rice: Bob Woodward (2002), Bush at War, New York, London, Toronto, Sydney, Singapore: Simon & Schuster, S. 331-334; for the German reaction: Rede des Bundeskanzlers vom 13. September 2002, <http://www.bundesregierung.de/rede,-440810/Rede-von-Bundeskanzler-Schroed.htm> [30.06. 2003].

resolution approach).⁷⁶ On September 27, Fischer also restated the earlier position that Germany would not participate in a military intervention even if there was a clear UN mandate for military action.⁷⁷

At the same time Berlin actively sought to bring about a consensual statement on Iraq at the NATO Summit in Prague in November. NATO nations agreed that Iraq may face serious consequences if it did not completely and verifiably implement UN SC Res. 1441.⁷⁸ Thus, the Red-Green Government relied upon the US and Great Britain to apply military pressure but it also started initiatives to improve relations with Washington. After the Iraqis accepted further UNMOVIC inspections the federal government immediately offered German experts help in the hunt for weapons.⁷⁹ At the end of September Foreign Minister Fischer declared that Germany may participate in a post-war UN mandated force although it still opposed a military intervention in the first place.⁸⁰ On November 15th Parliament extended the mandate for the German contingent for Operation Enduring Freedom including the NBC reconnaissance unit in Kuwait.⁸¹ In addition, the Federal government, in spite of concerns of several members of the governing coalition who deemed this would violate international and German constitutional law granted transit rights for German territory and air space as well as rights for the use of US installations in the case of military intervention.⁸² Chancellor Schröder promised to protect US military installations with a Bundeswehr contingent (3,500 soldiers) but he rejected the expansion of the operational scope of the NBC unit to Iraq. Upon request, Berlin also provided Patriot missile batteries to Israel.⁸³

The Schröder Government also adapted its policy position in two other questions addressing US expectations. First, in the run-up to the EU Summit in Copenhagen, Berlin pushed for a clear signal to Turkey for a membership perspective.⁸⁴ Secondly, at the Warsaw NATO

⁷⁶ Cf. die Äußerung Joschka Fischers am 18. September 2002 im Fernsehsender ntv: Schröder: Chance für eine kooperative Neuordnung im Nahen Osten jetzt nutzen, <http://www.bundesregierung.de/Nachrichten-417.439497/Schroeder-Chance-fuer-eine-koo.htm> [02.07.2003].

⁷⁷ Cf. Interview with Joschka Fischer, German Foreign Minister, September 27, 2002, <http://www.iraqwatch/government/Germany/germany-mfa-fischer-092702.htm> [30.06. 2003].

⁷⁸ NATO Prague Summit Declaration, November 21, 2002, <http://www.nato.int/docu/pr/2002/p02-127e.htm> [02.07.2003].

⁷⁹ Cf. Presse- und Informationsamt der Bundesregierung, Pressemitteilung Nr. 488 vom 17.09.2002, Bundeskanzler Schröder: Großer Verhandlungserfolg für UN-Generalsekretär Annan, http://www.bundesregierung.de/pressemitteilung_-439676/Bundeskanzler-Schroeder-Grosse.htm [30.06. 2003].

⁸⁰ Cf. „Bagdad-Debatte: Berlin dreht bei“, in: FAZ, 26.09. 2002.

⁸¹ Cf. „Einsatz der Bundeswehr innerhalb von „Enduring freedom“ um ein Jahr verlängert, 15.11.2002, http://www.bundesregierung.de/artikel_-447590/Einsatz-der-Bundeswehr-innerha.htm [30.06. 2003].

⁸² Cf. „Berlin Sends Mixed Signals on Iraq Issue“, in: http://www.dw-world.de/english/0,3367,1430_A_687406,00.html [20.12. 2002].

⁸³ Cf. „Bundesregierung gewährt USA und NATO Überflug- und Transitrechte für möglichen Militäreinsatz gegen den Irak“, 27.11.2002, http://www.bundesregierung.de/artikel_-451588/Bundesregierung-gewaehrt-USA-u.htm [30.06. 2003].

⁸⁴ Cf. Interview mit Hans Martin Bury, Staatsminister für Europa im Auswärtigen Amt zur Diskussion über einen EU-Beitritt der Türkei, Deutschlandradio, 27.11. 2002, in: Außenpolitik im Monatsrückblick, November 2002, S. 26-29.

Ministerial Meeting, German Defense Minister Struck offered that Germany and the Netherlands would take on the role as lead nations for the ISAF mission in Afghanistan.⁸⁵

In sum, it appears that the Red-Green Government stuck to its former threat assessment also in the second phase. It even ranked the Iraqi issue considerably lower than the risks involving the conflict in the Middle East, between India and Pakistan and international terrorism. The early and increasing opposition to a US military intervention in Iraq was obviously based on two assumptions: first, that the Bush Administration would not be able to produce enough counter arguments to German scepticism and secondly, that the US would not act through or at least in accordance with the United Nations. This, seemed to have been in consensus with large segments of German society which viewed the vocal opposition by “their Government” as legitimate. From this perspective it was the Bush Administration that had betrayed common values, i.e. not acting according to international law, and not the German government. The governing parties, especially the leadership of the SPD used this widespread sentiment in the election campaign (at least in part) to cover its vulnerability when it came to producing the necessary majorities for the implementation of UN Security Council mandates and German participation. As a result, the Schröder Government faced a formidable dilemma: the more convincingly the US presented its case at the United Nations, the less legitimate Germany’s opposition to participate in a military operation sanctioned by the Security Council appeared to be.

Of course, Berlin supported the UNMOVIC inspection process substantially and in January it even started to provide Luna unmanned air vehicles (UAVs) to monitor Iraqi territory. But the German Government proved unable to start constructive initiatives in this phase, such as a search for a common European position or a beefed-up and structured inspection framework. The reason for this was the fragile state of the coalition majority in the Bundestag. With just a few votes more than the opposition, the Government was bound to circumvent any decision involving military assets because that would have required a formal mandate for which there was no firm majority in the coalition parties.

4. PHASE III: THE GERMAN DILEMMA AND THE FRENCH SOLUTION

In the third phase Germany’s Iraq policy was characterized by the self-inflicted dilemma of having ruled out German participation in military action even under a UN mandate and thereby seriously limiting Germany’s diplomatic leverage to influence the inspection process under UN SC Res. 1441. In this situation, the Foreign Minister took the initiative in an interview on December 30th 2002, to expand his diplomatic room of manoeuvre through drawing closer to the French Position, which was at this time still open to participation in the military implementation of Res. 1441. When questioned, on whether Germany – which would

⁸⁵ Cf. the report by the national television channel ZDF: <http://www.heute.t-online.de/ZDFheute/artikel/26/0,1367,POL-0-2015994,00.html> [02.07.2003].

join the Security Council on January 1st as a non-permanent member and take over the Presidency on February 1st- would vote against a resolution legitimating military action Fischer did not repeat the former German position, but said:

„No one can predict this, because no one knows the conditions under which the Security Council will take up this issue.“

When asked to clarify, whether Germany would vote against a war, Fischer declared:

„We have always made clear, that we will not send soldiers. However, we are on the United States' side in the alliance against terrorism und we have an vital interest, that this alliance is preserved.“⁸⁶

In addition, in early January, the new German Ambassador to the UN, Günther Pleuger, a close confidant of Fischer, told the New York Times, that a second Council resolution would be welcome but not necessary.⁸⁷ Pleuger added, however, taking up the position of the Chancellor that more time was needed for the inspectors to do their job.⁸⁸ The Chancellory reacted angrily to this pressure from the Foreign Ministry,⁸⁹ because a considerable number of members of the governing coalition were opposed to the Foreign Ministry's initiative.⁹⁰ Hans-Christian Ströbele, a vocal opponent of the use of the Bundeswehr against international terrorism, stated that he thought German approval of military action in the Security Council was „unthinkable“.⁹¹ Thus on January 6th Chancellor Schröder himself tried to mend fences within the Coalition by saying that although decisions would be made according to the situation at the time, the government would stick to its “principle position”.⁹²

The Chancellor failed however to quell the conflict. After Defense Minister Struck had remarked that the NBC reconnaissance vehicles deployed in Kuwait would protect US troops and Kuwaiti installations (in Kuwait) even if they were involved in military action against Iraq, members of the coalition and the oppositional CDU/CSU called for a new mandate for the NBC unit. This, however, was anathema for a small blocking minority in the Green party,

⁸⁶ Cf. Joschka Fischer: Die Hoffnung wird immer kleiner, Spiegel-Interview mit Joschka Fischer, http://www.gruene-partei.de/rsvgn/rs_dok/0,,18255,00.htm [30.06. 2003].

⁸⁷ On December 17th Fischer himself had taken this position in the Talkshow “Maischberger” on n-tv, cf. Interview von Bundesaußenminister Fischer u.a. zur deutschen Position im Irak-Konflikt in der Sendung “Maischberger” des Fernsehsenders n-tv am 17.12.2002 (Auszüge), http://www.auswaertiges-amt.de/www/de/aussenpolitik/ausgabe_archiv?archiv_id=3888&type_id=4&bereich_id=11 [13.07. 2003].

⁸⁸ Cf. Julia Preston, “Threats and Responses: The U.N.; Germany will not insist on 2nd vote, Envoy”, in: New York Times, 09.01. 2003.

⁸⁹ Cf. Patrick Schwarz, „Rot-Grün setzt auf Zeitgewinn“, in: TAZ, 15.01. 2003.

⁹⁰ A responsible staff member of the Green party characterized the situation in early January as following: „If the Federal government had voted for a second resolution legitimizing military action or if the government had abstained and thereby German officers would have been able to participate in missions of AWACS planes under international law, then the Federal government would have had no own majority to approve the necessary mandate for this military action under German constitutional law.“ Telephone interview with a Staff member of the Bündnis90/Die Grünen July 2nd 2003.

⁹¹ Cited after Interview mit Gernot Erler, Außenminister Fischer schließt Ja zum Krieg im UN-Sicherheitsrat nicht aus, 30.12. 2002, http://www.ndr4.de/pages/info_std/0,2235,OID55354,00.html [30.06. 2003].

⁹² Cf. Gerhard Schröder: Keine Änderung der deutschen Politik, 06.01. 2003, <http://www.bundesregierung.de/index-413.456959/Schroeder-Keine-Aenderung-der-.htm> [02.07. 2003].

so that the government tried to avoid by all means any vote on a new mandate for the NBC unit or any other military contingent already deployed.⁹³

Trapped between the possibility, that the Government had to withdraw previously approved rights of passage to US forces stationed in Germany and thereby putting the NATO Alliance at risk and the option of voting for a second resolution, thereby cleaning the way for a legitimate German military participation – actively or passively – under German constitutional law, the Government again tried to circumvent and postpone the issue, in order to avoid an almost certain defeat in such a vote on the necessary mandate in the Bundestag was almost certain.⁹⁴ Thus, on January 21st the Chancellor in an election campaign speech for regional elections in his home state Lower Saxony, declared:

„Do not count on Germany to approve a second resolution that legitimizes war. Do not count on it.“⁹⁵

Schröder further noted that Germany fulfilled its duties as well as any other state, spending some € 2 billion a year on peacekeeping operations. Therefore, Schröder concluded, Germany's strong commitment gave it the right to tell its partners when they are wrong.⁹⁶ What was missed in the public debate was that Schröder precluded only the approval of a second resolution and that this would leave the option to abstain thereby facilitating the adoption of a resolution!

To defend or not to defend Turkey?

In this difficult domestic situation for the Schröder Government, the Bush Administration actively started planning the defense of Turkey in the event of a military intervention in Iraq. Washington requested German contributions, Patriot missile batteries, German participation in AWACS planes, mine sweepers to guard the Mediterranean as well as substitutional forces in the Balkans for American units leaving for the Iraq theater. Formidable conflict ensued, as in the case of the NATO Exercise CMX 02, during which Secretary of State Colin Powell called the German behaviour „unexcusable“ and Secretary of Defense Donald Rumsfeld branded France and Germany as exponents of the „Old Europe“.⁹⁷

⁹³ Cf. „Parteien streiten um Bundestagsmandat zum Bundeswehreininsatz“, in: Financial Times Deutschland, 20.01. 2003; „Grüne und Union wollen neues Mandat für Spürpanzer“, Berliner Zeitung, 21.01. 2003; „Überflugrechte der USA bei Irak-Krieg umstritten“, in: Frankfurter Rundschau Online 23.01. 2003; http://www.fr-aktuell.de/uebersicht/alle_dossiers/politik_ausland/krieg_gegen_irak/?cnt=96795 [02.07. 2003].

⁹⁴ Cf. „SPD scheut Debatte über Mandat für Bundeswehr-Einsatz“, Frankfurter Rundschau Online, 24.01. 2003, http://www.fr-aktuell.de/ressorts/nachrichtens_und_politiki/deutschland/?cnt91299 [03.07. 2003].

⁹⁵ „Schröder schließt Ja zur Kriegsresolution aus“, in: FAZ Online, 22.01. 2003, <http://www.faz.net/s/Rub0FD2A01780F049ABBF1810273C0524C3/Doc~E32C8579B82894ED09988DF916C3B8365~ATpl~Ecommon~Scontent.html> [30.06. 2003].

⁹⁶ Cf. „Keine Zustimmung Deutschlands zu einem Irak-Krieg“, <http://www.spd-goslar.de/Irak.html> [02.07. 2003].

⁹⁷ Cf. Craig Smith, „Debate over Iraq Raises Fears of a Shrinking Role for NATO“, in: New York Times, 26. 01. 2003; Serge Schmemmann, „The Quarrel Over Iraq Gets Ugly“, in: New York Times, 26.01. 2003.

For the German Government approval of the American requests would have meant a clear step towards military intervention but more importantly it would have required formal approval in the German Parliament which in turn could have brought the Government down.⁹⁸ The debate in NATO lasted several weeks. A solution was found only after Turkey had initiated formally Article IV and after the Defense Planning Committee (in which France is not represented) presented a compromise.⁹⁹ The Federal Government decided to deliver 46 Patriot missiles, which had to be fitted on Dutch Patriot batteries in order to avoid any participation of German personnel which would have required a mandate by the Bundestag. Wolfgang Schäuble, CDU/CSU foreign and defense policy expert, rightly argued that the Government tried by all means to avert a voting in the Bundestag because it would not find a majority in the coalition.¹⁰⁰

Already in December the Government had promised its NATO partners that Berlin would not withdraw its officers from the integrated AWACS planes even in the case of a war in Iraq. The Government reasoned that since the AWACS systems would not participate in any offensive military action, but only in the defense of Turkish territory and the NATO troops deployed there, no Bundestag mandate would be necessary.¹⁰¹

Ganging up with France?

In early 2003, the German Government faced a considerable dilemma. After the reintroduction of weapons inspectors on November 27th, and the presentation of the Iraqi weapons report on December 7th, Chief inspectors Hans Blix and Mohammed ElBaradei issued preliminary reports on the inspections' progress finding that Iraq was cooperating but that important issues remained.¹⁰² At the same time, the Bush Administration signaled that inspections could not go on forever, because the Inspectors needed full Iraqi cooperation to do their job and that this cooperation was not forthcoming.¹⁰³ While this situation called for an improved and speeded up inspection process, the German government was unable to present any initiative when it took over the Security Council Presidency on February 1st 2003.¹⁰⁴

In this situation, Berlin closed ranks with Paris, which had shifted its position only in early January. Previously, the French Government had been open in principle to a military implementation of Security Council resolutions including Res. 1441. However, in January,

⁹⁸ Cf. Annalisa Monaco, Iraq: Another test for NATO?, in: NATO Notes 5(2003) 1, S. 1-2.

⁹⁹ Cf. Annalisa Monaco, 16-to-3: The Allies at loggerheads over Iraq, in: NATO Notes 5(2003)2, S. 1.

¹⁰⁰ Cf. Stephan Haselberger, Verheerende Entscheidung, in: Die Welt, 28.02. 2003, <http://www.welt.de/data/2003/02/28/46304.html> [30.06. 2003].

¹⁰¹ Cf. Germany will participate in NATO Operations Against Iraq, 12.12 2002, http://www.dw-world.de/english/0,3367,1430_A_712661_1_A,00.html [20.12.2002].

¹⁰² Cf. 12th Quarterly Report by the Chairman of UNMOVIC, January 27, 2003, <http://www.un.org/Depts/unmovic/documents/2003-232.pdf> [02.07. 2003]; Timothy O'Brien, "Cooperation falls short, Blix Says", in: IHT, 28.01. 2003.

¹⁰³ Cf. Brian Knowlton, "U.S. Tries to rally UN unity on Iraq", in: IHT, 21.01. 2003; "State of the Union", Adress by President Bush, 28.01.2003, <http://www.whitehouse.gov/news/releases/2003/01/20030128-19.html> [03.07.2003].

¹⁰⁴ Cf. Andreas Zumach, „Aussitzen bis zum jüngsten Bericht“, in: TAZ, 06.01. 2003.

after the Inspectors had made some progress, President Chirac changed course and pleaded for an extension of the inspection period and openly opposed a military intervention at this time.¹⁰⁵ On January 20th, the Security Council convened upon a joint German and French request to discuss international terrorism. When Secretary Powell showed up after being pressed by his French colleague, he was confronted with the charge by Dominique de Villepin “that nothing could justify a war at this time”.¹⁰⁶

At the 40th Anniversary German-French Summit Meeting in Paris German Chancellor Schröder and French President Jacques Chirac agreed to cooperate closely to find a peaceful solution for Iraq and to oppose a military intervention as envisioned by the Bush Administration.¹⁰⁷ Rhetorically the new found joint position was linked to the joint German-French initiative at the European Convent for a European Security and Defense as proposed in December.¹⁰⁸ However, a joint EU declaration on Iraq (January 27th)¹⁰⁹ which called for an extension of the inspections was singularized by the joint letter of eight European heads of state and government supporting the Bush Administration’s policy.¹¹⁰

Robust inspections without consultations

In the following weeks the Federal Government coordinated its position closely with France and Russia. The extension of the inspections were the subject of several bi- and multilateral initiatives within the Security Council. In comparison to the Bush Administration, for which Secretary Powell presented the case of lacking Iraqi cooperation to the Council on February 5th,¹¹¹ the German Government stressed the progress the Inspectors were making and the necessity of working through the Council in each step. Hence, in his reply to Colin Powell’s presentation Joschka Fischer did not react to any of the allegations but supported a new French proposal for a restructured inspection process.¹¹²

Meanwhile the German weekly news magazine „Der Spiegel“ reported that a small group of experts in the Chancellory was working on a „secret plan“ for a more „robust inspection

¹⁰⁵ Cf. Brian Knowlton, “France to rally EU against early war”, in: IHT, 22.01. 2003; “France’s Foreign Policy: Ever awkward, sometimes risky”, in: Economist, 01.02. 2003, S. 29-30.

¹⁰⁶ Cf. Sonni Efron/Maggie Farley, “France Says It May Veto Use of Force in Iraq”, in: Los Angeles Times, 21.01. 2003.

¹⁰⁷ Cf. John Tagliabue, “Chirac and Schroeder go slow on war”, in: IHT, 23.01. 2003.

¹⁰⁸ Cf. „Neuer Anlauf zwischen Frankreich und Deutschland“, in: NZZ, 23.01. 2003, <http://www.nzz.ch/servlets/ch.nzz.newzz.DruckformatServlet?url=/2003/01/23/al/article8MZF.N.nzzoml> [02.07. 2003].

¹⁰⁹ Cf. „Die EU für verlängerte Irak-Inspektionen“, in: NZZ, 27.01. 2003, <http://www.nzz.ch/2003/01/28/al/page-article8NB6K.html> [02.07. 2003].

¹¹⁰ Cf. Hanns Maull, Germany, Iraq, and the Crisis of the Transatlantic Alliance System, Opinion Editorial, 02.06. 2003, http://www.deutsche-aussenpolitik.de/digest/op-ed_02.php [02.07. 2003].

¹¹¹ Cf. Sec. Of State Colin Powell, Remarks to the UN Security Council, Febr. 5, 2003, <http://www.state.gov/secretary/rm/2003/17300.htm> [02.07. 2003]; “The case made clearer”, in: Economist, 8.02. 2003, S. 25-27.

¹¹² Cf. „Rede von Bundesaußenminister Fischer im Rahmen der öffentlichen Sitzung des Sicherheitsrats der Vereinten Nationen über die Situation zwischen Irak und Kuwait“, New York, 05.02.2003, http://www.auswaertiges-amt.de/www/de/aussenpolitik/ausgabe_archiv?archiv_id=4036&type_id=3&bereich_id=11 [02.07.2003].

scheme“, which contained among other things an increased number of Inspectors, continuous satellite monitoring of Iraq as well as the creation of a special panel or court for violations against the UN inspections and sanctions regime.¹¹³ After the plan had been leaked to the public during the Conference on Security Policy in Munich the French Government withdrew, stating that there was no plan only “considerations”. Both Foreign Minister Fischer and Secretary of Defense Rumsfeld, who were attending the Conference on Security Policy in Munich, had obviously not been briefed on the plan.¹¹⁴ Thus, the German-French „considerations“ were viewed as another manoeuvre to undermine the American push for an early conclusion to the inspection process.¹¹⁵

In his February 13th address to the Bundestag Chancellor Schröder took issue with this view and argued that the UNSCOM inspections regime (1991-1998) had definitely led to more disarmament than the preceding Gulf War and that this showed that inspections could provide a potent instrument against the proliferation of weapons of mass destruction. In particular Schröder noted that the current status of Iraqi WMD programs did not require going to war:

„Iraq does not possess nuclear weapons and definitely no long range ballistic missiles which could deliver what the Iraq does not have. There are indications, however, that Iraq may be able to produce other WMDs. Therefore we have said – that is the core of our reasoning: the Inspectors must be allowed to proceed with their work. We must know, if Iraq has weapons and which these are.“¹¹⁶

After another report by UN Inspectors Blix and ElBaradei on February 14th in which a considerable lack of cooperation on the part of Iraq was noticed,¹¹⁷ Foreign Minister Fischer declared that the inspectors through, for example, the use of drones and surveillance planes had “effectively” reduced the threat posed by Iraqi weapons programs. However, there was still considerable work to be done. The inspection regime had to be improved, verification and control mechanisms (under UN-SC Res. 1284) had to be strengthened so that a restart of Iraqi programs could be precluded.¹¹⁸

In this situation the Red-Green Government gave its approval to an EU-Summit declaration on February 17th that foresaw – as a last resort – military action if Iraq did not succumb to peaceful measures and rid itself of its illicit weapons programs.

¹¹³ Cf. “Das Projekt Mirage“, in: Der Spiegel, 10.02.2003, S. 94-102.

¹¹⁴ Cf. „Blauhelmsplan bringt Rot-Grün in Not“, in: Spiegel Online, 10.02. 2003, <http://www.spiegel.de/politik/ausland/0,1518,234501,00.html> [02.07. 2003]; Joseph Fitchett, “France and Germany Weigh Plan to Send More Inspectors to Iraq”, in: New York Times, 09.02. 2003.

¹¹⁵ Cf. Joseph Fitchett, “Allies face a fresh crisis”, in: IHT, 10.02. 2003; John Vinocur, “For Paris and Berlin, a drive to stay important”, in: IHT, 11.02. 2003.

¹¹⁶ “Unsere Verantwortung für den Frieden”, Regierungserklärung von Bundeskanzler Schröder vor dem Deutschen Bundestag zur aktuellen internationalen Lage am 13. Februar 2003, <http://www.bundesregierung.de/regierungserklaerung,-466959/Unsere-Verantwortung-fuer-den-.htm> [02.03. 2003].

¹¹⁷ Cf. Timothy O’Brien, „Inspectors’ findings spur spirited debate in council“, in: IHT, 15.-16.02. 2003.

¹¹⁸ Rede von Bundesaußenminister Fischer im Sicherheitsrat der Vereinten Nationen in New York am 14. Februar 2003 zur Lage in Irak/Kuwait, <http://www.bundesregierung.de/rede,-467383/Rede-von-Bundesaussenminister-.htm> [04.03. 2003].

„War is never unavoidable. Force should be the last resort. It is the duty of the Iraqi regime to end this crisis by implementing the resolutions of the Security Council.“¹¹⁹

Berlin however resisted fixing a specific date by which the Saddam regime would have to comply. Instead, at this time the German Government, in a joint memorandum with France and Russia, proposed specific measures in the Security Council for improving the inspections regime – these mirrored earlier proposals by US think tanks such as the Carnegie Endowment for International Peace – that would have taken considerable time to implement, months if not years.¹²⁰ Against the background of continuing US efforts for a second resolution legitimizing military action the Foreign Ministers of France, Russia and Germany met to prevent this. In a joint declaration on March 5th, the three stated that they would not approve a second resolution legitimizing war. Instead, they called for an extension of the inspection process.¹²¹ Despite intensive efforts to bring about an improvement and extension of the UN-led inspection process, hostilities broke out on March 20th 2003. In a last minute appeal, French President Chirac had called for an all-or nothing meeting of the Security Council at the level of Heads of State and Governments.¹²² Finally, the Russian, French and German Foreign Minister issued another declaration on March 15th in which they sharply criticized the end of the inspection process and declared that military action was not justified.¹²³ In a speech broadcast on German public national television Chancellor Schröder reiterated that the German Government did not believe that military action was justified by the threat posed by Iraq. He added that Iraq was complying more and more with UN resolutions the longer the inspections process lasted.¹²⁴

In sum, in this phase the Red-Green Government stuck to its former threat assessment but changed its strategy and policy instruments. It started several policy initiatives with others, France and Russia in particular, in order to improve and prolong the inspections process. Thereby, the Government could regain some legitimacy and room for manoeuvre, because if Germany's opposition was joined by others, the chances of success would be increased, leaving room for concessions such as the EU Summit statement on the use of force as a last resort. However, even at this late stage the Schröder Government's primary goal was to

¹¹⁹ Cf. Gemeinsame Erklärung der EU-Staats- und Regierungschefs auf dem EU-Sondergipfel zum Irak-Konflikt. Schlussfolgerungen des Europäischen Rates 17. Februar 2003, <http://www.bundesregierung.de/artikel,-467784/Schlussfolgerungen-des-Europae.htm> [04.07. 2003]; Thomas Fuller, „Reaching accord, EU warns Saddam of his' last chance“, in: IHT, 18.02. 2003.

¹²⁰ Cf. Memorandum von Deutschland, Frankreich und der Russischen Föderation zur Lage im Irak, 25.02. 2003; Brian Knowlton, U.S. lobbies for UN votes, in: IHT, 26.02. 2003.

¹²¹ Cf. Gemeinsame Erklärung von Russland, Deutschland und Frankreich vom 5. März 2003, <http://www.bundesregierung.de/artikel,-470338/Gemeinsame-Erklaerung-von-Russ-htm> [04.07. 2003]; Patrick E. Tyler, „Loud and clear, a ‚No‘ to Bush is shouted across the Atlantic“, in: IHT, 07.03. 2003.

¹²² At the same time, Chirac had publicly stated that France would veto a second resolution that would legitimize military action thus undermining a US-British draft resolution to this effect, cf. Brian Knowlton, „France promises ‚no‘ vote“, in: IHT, 11.03. 2003.

¹²³ Cf. Französisch-russisch-deutsche Erklärung zum Irak, 15.03. 2003, <http://www.bundesregierung.de/artikel,-472472/Franzoesisch-russisch-deutsche.htm> [04.07. 2003]

¹²⁴ Erklärung von Bundeskanzler Schröder am 18. März 2003 zur aktuellen Lage in Bezug auf den Irak, <http://www.bundesregierung.de/basisattribute,-472828/Erklaerung-von-Bundeskanzler-S.htm> [04.07. 2003].

prevent a military contingency in which German soldiers might have to participate and that would require a formal vote in Parliament.

5. PHASE IV: GERMANY AND POST-WAR IRAQ: REPAIR MISSION

Since the end of US and allied forces combat operations in Iraq, the Schröder government's policy has shifted even further away from non-proliferation goals as more and more information indicated that there have been no active WMD programs, not to mention deployable weapons. Instead the Red-Green government has focussed on the more immediate goal of stabilizing the war and sanctions-torn country as well as mending fences within the European Union and NATO.

As a consequence, the Schröder government has clearly toned down its rhetoric although it insists that its analysis of the threat posed by Iraq and the negative effects of the military intervention were accurate. The seizure of the regime and the capture of Saddam Hussein are, of course, welcomed, because they end one of the most vicious regimes in a volatile region and improve the chances for democratic development in Iraq.¹²⁵ However, criticism as to the necessity of going to war, the way in which the Bush administration and the coalition acted in- and outside the United Nations as well as the poor planning for the reconstruction phase remains strong, if subdued, in the Red-Green coalition and German society at large.¹²⁶ Hence, the most important lesson the German government has drawn from the Iraq crisis seems to be: Yes, we were right but that does not necessarily help us now. The security situation in Iraq remains unstable and our most important relationships are in need of maintenance.

Mending fences across the Atlantic

Since mid-2003 the Schröder government has taken several parallel steps to improve its damaged relations with the United States and its European allies by strengthening policy cooperation on Iraq, non-proliferation issues and the fight against terrorism. Starting as early as May, Chancellor Schröder suggested that Germany would be willing to participate in the reconstruction of Iraq if there were a clear UN mandate and a strong role for the world organisation. When US Secretary of State, Colin Powell, visited Berlin for the first time after combat operations had ceased in Iraq, Foreign Minister Fischer signalled that Berlin was in favour of lifting sanctions against Iraq, thereby weakening the leverage of other Security Council members, such as France and Russia, on the Bush administration.¹²⁷ In late May,

¹²⁵ Cf. Interview mit Bundesaußenminister Fischer, in: Süddeutsche Zeitung 21.08.2003.

¹²⁶ Cf. Entwicklungsministerin Heidemarie Wieczorek-Zeul, Es ist nicht unsere Aufgabe die Trümmer wegzuräumen, in: Frankfurter Rundschau, 27.03.2003, <http://www.deutsche-aussenpolitik.de/daparchive/anzeige.php?zaehler=1522> [24.02.2004]; Poll shows U.S. isolation: In war's wake, hostility and mistrust, in: International Herald Tribune, 04.06.2003; Die Entfremdung, FAZ, 24.07.2003, <http://www.faz.net/s/RubFC06D389EE76479E9E76425072B196C3/Doc~E9D55DC943A6044CE85608B7B6D197A7C~ATpl~Ecommon~Scontent.html> [24.02.2004].

¹²⁷ Cf. Germany Favours lifting U.N. sanctions on Iraq, in: Washington Times, 17.05.2003, <http://www.washtimes.com/world/20030517-010333-4787r.htm> [24.02.2004].

Defense Minister Peter Struck indicated a willingness to consider a mission expansion in Afghanistan by sending “Provincial Reconstruction Teams” (PRT) outside the Kabul area. Finally, at the G-8 Summit meeting in Evian (June 1-3), the Chancellor met briefly and shook hands with President Bush, thereby at least symbolically ending the worst personal transatlantic rift in the last decades.¹²⁸

More substantially, at the ministerial meeting in early June, Germany and other NATO members did not rule out a future deployment of NATO contingents for peace-keeping purposes in Iraq. In addition NATO allies agreed to supply technical assistance to Polish forces deployed to Iraq. However, Foreign Minister Fischer and other (old) European members made clear, that they were not willing to contribute forces to a NATO mission in Iraq at this time.¹²⁹ But then again, in early August, Defense Minister Struck was somewhat more forthcoming and stated, that he could imagine a NATO force in Iraq while also not explicitly ruling out a German contribution.¹³⁰ In contrast, at the same time, Chancellor Schröder first implicitly ruled out German soldiers going to Iraq, because German forces were already stretched thin in Afghanistan, but then explicitly excluded German participation after the attack on the UN Headquarters in Bagdad (August 19th).¹³¹

Despite strong US pressure for more substantial contributions to the Iraqi stabilization and rehabilitation effort, the Red-Green coalition resisted further calls for German deployment in autumn 2003.¹³² Berlin argued, that before it could consider such a move, the United Nations Security Council would have to provide an appropriate mandate and that the UN would have to take over much of the civilian administration in the transition period towards Iraqi self rule. As a model, the German government suggested, the Bush administration should consider the so-called “Petersberg Process” for Afghanistan.¹³³ Instead of troops, Berlin offered financial contributions (€ 50 Mio.), technical assistance for infrastructure projects (water supply), as well as training for Iraqi security forces and police.¹³⁴

¹²⁸ Cf. Bush seeks reconciliation with ‘Old Europe’ leaders, in: Washington Times, 30.05.2003, unter: <http://www.washtimes.com/national/20030531-122823-5731r.htm> [24.02.2004].

¹²⁹ Cf. Die Nato schließt einen Einsatz im Irak nicht aus, in: Die Welt, 04.06.2003, <http://www.welt.de/data/2003/06/04/110891.html> [21.2.2004].

¹³⁰ Cf. German Minister sees NATO role in Iraq, in: IHT, 10.08. 2003, <http://www.iht.com/articles/105665.html> [11.08. 2003].

¹³¹ Cf. Bundeswehr soll nicht in den Irak, in: Süddeutsche Zeitung, 21.08.2003, <http://www.sueddeutsche.de/sz/politik/red-artikel662/> [23.08. 2003].

¹³² Cf. Richard Meng/Vera Gaserow, Rot-Grün will am liebsten nicht gefragt werden. Aus der zweiten Reihe schallt ein klares Nein zu einem deutschen Irak-Einsatz, in: Frankfurter Rundschau, 05.09.2003, <http://www.deutsche-aussenpolitik.de/daparchive/anzeige.php?zaehler=2365> [17.01. 2004].

¹³³ Cf. Powell Asks Countries for More Money, Troops in Iraq, in: Washington Post, 22.08.2003; Amerikanische Umarmung, in: Die Welt, 23.08. 2003, <http://www.welt.de/data/2003/08/23/158313.html> [24.08.2003].

¹³⁴ Cf. Richard Meng/Axel Vornbäumen, Schröder bietet Ausbildung irakischer Polizisten und Militärs an, in: Frankfurter Rundschau, 11.09. 2003, <http://www.deutsche-aussenpolitik.de/daparchive/anzeige.php?zaehler=2369> [24.02.2004].

To Deploy or how to deploy?

German troop deployments to Iraq remained a hotly debated topic both within and outside the coalition. In late summer, Christian Democratic Party leader Angela Merkel and Foreign Policy experts Wolfgang Schäuble and Friedbert Flüger called for a German contribution (within the limits of its capabilities) if a UN mandate were forthcoming. However, when leading members of the coalition speculated about German deployments in Iraq, the Chancellor in early September issued a strong rebuttal.¹³⁵ Consequently, Secretary of State, Colin Powell stated, that Washington did not expect Germany to contribute troops, thereby paving the way for the first official meeting between Chancellor Schröder and President Bush in late September.¹³⁶

In mid-October Germany agreed to UN Security Council Resolution 1483 which substantially broadened the financial assistance for Iraq. But despite US plans in November to speed up the transition of authority to an Iraq government, Berlin remained silent on the issue of troop deployment. Instead, the Red-Green government reacted bluntly, when Deputy Secretary of Defense, Paul Wolfowitz, issued a decree in early December banning, among others, German enterprises from reconstruction contracts in Iraq. A Spokesman for the government called the action “unacceptable” and Chancellor Schröder intervened personally with President Bush, who subsequently sent a special envoy, former Secretary of State James Baker, to smooth ruffled feathers.¹³⁷

Finally, in January 2004, after the new NATO Secretary General, Jaap de Scheffer had (again) proposed a NATO force for Iraq, Chancellor Schröder floated the idea that German military medical personnel aboard the Air Forces’ flying hospitals (MEDEVAC) could contribute to the allies effort. More importantly, Schröder stated, that Germany would not block any NATO decision on a military mission for Iraq. With regard to the German MEDEVAC-contingent he argued that such an engagement would not constitute “military deployment”, which the Bundestag would have to approve, but “humanitarian action”.¹³⁸ However, as the issue of Bundestag approval had been *the* crucial point for the coalition ever since the September 11 attacks, the Schröder initiative met strong resistance within the coalition’s own party caucus.¹³⁹ Thus, any German troop deployments in Iraq, that require parliamentary approval, remains unlikely in the foreseeable future.

¹³⁵ Cf. Schäuble: Militärische Hilfe für Irak vorbehaltlos prüfen, in: Die Welt 22.08. 2003, <http://www.welt.de/data/2003/08/22/157716.html> [24.08. 2003]; Koalitionsdebatte um den Irak verschärft sich, in: Financial Times Deutschland, 3.09. 2003, <http://www.ftd.de/pw/de/1062516658398.html> [05.09.2003].

¹³⁶ Cf. Powell macht es Schröder leichter, in: Tagesspiegel, 12.09. 2003, <http://archiv.tagesspiegel.de/archiv/13.09.2003/741915.asp> [14.09. 2003].

¹³⁷ Cf. Iraq contract ban angers U.S. allies, in: IHT, 11.12.2003, <http://www.iht.com/articles/121074.html> [13.12.2003].

¹³⁸ Cf. Irak – Ein Schröder-Satz und viele Fragen, in: taz, 16.01.2004, <http://www.taz.de/pt/2004/01/16/a0182.nf/text> [17.01. 2004].

¹³⁹ Cf. Unbehagen in SPD über NATO Einsatz im Irak, in: Frankfurter Rundschau, 16.01. 2003, http://www.f-r.de/ressorts/nachrichten_und_politik/international/?cnt=371808 [18.01. 2004].

Transatlantic cooperation on the ground

Germany also considerably strengthened its collaboration with the United States in the non-proliferation area in the aftermath of the Iraq intervention. First, Germany joined the so called “Proliferation Security Initiative” (PSI) President Bush had launched in Crakow (May 31st) to limit the transfer of WMD technology. In PSI, Germany and eleven other states have subsequently pledged to harmonize their policies on the export of sensitive materials and to improve the flow of intelligence information in order to intercept illegal exports more effectively. In a joint statement of principles in Paris (June 2003) PSI members have agreed to take effective action to interdict WMD transfers among both state- and non-state actors, adopt streamlined procedures for rapid exchange of relevant intelligence, harmonize national export regulations and strengthen international law frameworks, and directly intercept suspect shipments within (and beyond) national jurisdiction.¹⁴⁰ In late September 2003, German, American and Italian officials in close cooperation interdicted a suspicious ship, the German-owned BBC China, with nuclear material from Dubai destined for Libya which subsequently led to the disclosure of a widespread illicit proliferation network and a successful diplomatic initiative by the United States and Great Britain to end and roll-back Libya’s WMD programs.¹⁴¹

In February 2004, German Foreign Minister Joschka Fischer, at the annual Munich Security Conference, also called for a new transatlantic Middle East initiative structured around NATO, thereby embracing the US position that the status quo in the region entails a security risks for both Europe and America.¹⁴² The plan foresees a common NATO strategy towards the region that would help to modernize the so called “Greater Middle East” by trading economic benefits for regional disarmament.

Home alone, no more! Building a European working consensus

With regard to the European Union, the lessons drawn from the Iraq experience seem to be twofold. First, the Schröder government (as well as other European governments) seems to have concluded that the spread of WMD has to become a top priority for the Union and that if there is a peaceful solution for these problems it has to be pursued proactively by the Europeans themselves. As a consequence, the European Union, pushed by various member states, issued two important security documents in June 2003: the draft for a “European Security Strategy“ and a draft for a “European Strategy against the Proliferation of Weapons

¹⁴⁰ Cf. Sebastian Harnisch, *Transatlantic Cooperation and Weapons of Mass Destruction. Come together Now*, in: *Internationale Politik* (Transatlantic Ed.) (forthcoming).

¹⁴¹ Cf. Robin Wright, *Ship Incident may have swayed Libya*, in: *Washington Post*, 01.01. 2004.

¹⁴² Cf. Speech by Joschka Fischer, Federal Minister for Foreign Affairs, at the 40th Munich Conference on Security Policy, Munich, 7 February 2004, http://www.auswaertiges-amt.de/www/en/ausgabe_archiv?archiv_id=5338 [23.02. 2004]; Fischer Call for New Roadmap for Mideast Peace, in: *Deutsche Welle*, 07.02. 2004, http://www.dw-world.de/english/0,3367,1432_A_1107745_1_A,00.html [23.02. 2004].

of Mass Destruction” both of which positioned the EU conceptually much closer to the Bush Administration’s approach in the security and non-proliferation field.¹⁴³

Secondly, the German government (as well as the French) seem to have concluded from the Iraq experience and the negotiation process of the draft proposal for a “European Constitution” that they cannot lead the Union’s Foreign, Security and Defense Policy without (at least) Great Britain joining them.¹⁴⁴ As a consequence, Chancellor Schröder hosted two trilateral meetings with Britain’s Prime Minister Tony Blair and France’s President Jacques Chirac in September 2003 and February 2004 to patch up foreign as well as European policy cooperation among the three.¹⁴⁵ In a related move, German Foreign Minister Fischer and his colleagues from France and Great Britain in August 2003 launched a diplomatic initiative in close cooperation with the State Department to press Iran to cease suspicious nuclear activities and sign the IAEA additional safeguards protocol, thereby addressing one of the most important WMD concerns of the Bush Administration.¹⁴⁶

And yet, in the months following the Iraq conflict, the Red-Green government has lost its role as a “bridge between Paris and Washington”, as both partners seemed to be pulling Berlin in increasingly opposing directions.¹⁴⁷ Despite tilting towards Paris in the run-up to the war, since then several members of the Red-Green coalition have publicly renounced any (French) efforts to integrate Europe in order to counterbalance the United States.¹⁴⁸ Instead, Berlin propagates a two-pillar approach in its European and transatlantic policies. This view holds that a stronger European pillar in NATO is (or must be made compatible) with the American approach towards the Alliance. To facilitate a new transatlantic division of labor and effective multilateralism, the Schröder government in September 2003 gave up plans for an independent European policy planning capacity (the Tervuren cell) and opted for a scheme

¹⁴³ Cf. Javier Solana, A Secure Europe in a Better World. European Security Strategy, <http://ue.eu.int/solana/docs/031208ESSIEN.pdf> [23.02. 2004]; EU Strategy Against the Proliferation of Weapons of Mass Destruction, <http://ue.eu.int/pressData/en/misc/78340.pdf> [23.02. 2004].

¹⁴⁴ Cf. Alan Cowell, Softly, Europe walks in parallel with U.S., in: IHT, 23.02. 2004.

¹⁴⁵ Cf. 3 European Leaders Back UN Role in Iraq, in: Washington Post, 21.09. 2003, <http://www.washingtonpost.com/wp-dyn/articles/A40489-2003Sep20.html> [23.09. 2003]; Ménage à trois, in: The Economist, 21.02.2004, p. 28-29.

¹⁴⁶ Cf. Auswärtiges Amt: Teheran will sich Atomwaffen beschaffen, in: <http://www.faz.net/s/Rub28FC768942F34C5B8297CC6E16FFC8B4/Doc~E3EF3CAD4FF6E4EDD97128A2351CD5420~ATpl~Ecommon~Scontent.html> [21.06.2003]; Fischer will mehr Druck auf Iran, FAZ, 05.07.2004, <http://www.deutsche-aussenpolitik.de/daparchive/anzeige.php?zaehler=1895> [24.02.2004].

¹⁴⁷ Cf. Overhaus, Marco / Harnisch, Sebastian / Katsioulis, Christos, (2004): Schlussbetrachtung: Gelockerte Bindungen und eigene Wege in der Sicherheitspolitik?, in: Harnisch/Katsioulis/Overhaus, op. cit., pp. 253-262 (258).

¹⁴⁸ Cf. Gerhard Schröder, Rede von Bundeskanzler Schröder zum 100jährigen Bestehen der American Chamber of Commerce, 9.5.2003, http://www.bundesregierung.de/servlet/init.cms.layout.LayoutServlet?global_naviknoten=413&link=bpa_notiz_druck&global.printview=2&link.docs=484516 [24.04.2004]; Rede von Bundesaußenminister, Joschka Fischer, „Europa und die Zukunft der transatlantischen Beziehungen“, an der Princeton University, 19.11.2003, http://www.germany-info.org/relaunch/politics/new/pol_fischer_USA_11-2003_5d.htm [24.02.2004]; Rede des Bundesministers der Verteidigung, Peter Struck, auf der 40 Münchener Konferenz für Sicherheitspolitik, 7. Februar 2004, http://www.bmvg.de/archiv/reden/minister/040206_rede_struck_nato_muenchen.php [17.02. 2004].

which ensures close transatlantic cooperation.¹⁴⁹ In addition, in autumn 2003, Germany, after a lukewarm reception in the beginning, has given top priority to the establishment of the NATO's Response Force (NRF), thereby paralleling its efforts to meet the contribution requirements of the Helsinki Headline Goals for the EU's Rapid Reaction Force (ERRF).

In sum, the Schröder government has recalibrated much of its non-proliferation and Iraq policy in this last phase, but it has stuck to its stance on German troop deployment to Iraq because of domestic concerns about the necessary parliamentary approval. In the relationship with the United States, Berlin has pursued a policy of "no remorse and active cooperation", especially in the non-proliferation area. In the European context, the Red-Green government has realigned itself between Paris and London in the past months, rather than between Paris and Washington, thereby shedding its traditional role as Washington's most important partner on the continent. Instead, Germany seems to seek a new role as facilitator of a new European consensus in foreign and defense affairs, that will ensure that Germany will never again (appear to) be isolated when holding views different from those in Washington.

6. CONCLUSION

Germany's Iraq policy reflects a greater degree of reactivity and self-centeredness of its foreign and security policy than at any time during the first years of the Schröder government (and probably the 1990s as such). In this sense, the previous diagnosis of norm- or electoral-politics driven Iraq policy would appear to be rather shortsighted. Germany's Iraq policy reflects that of a status quo power where several of its major allies perceive a major change in international politics. The domestic discourse was mainly driven by what German policy makers (and the public) perceived as the Bush administration's push for military action. Yet, the debate and the subsequent policy were starkly coloured by domestic considerations, i.e. the eagerness of the Red-Green coalition leadership to preserve its parliamentary majority in the face of a blocking majority in its own ranks. While this blocking majority still holds the traditional "culture of restraint" and thus represents the "good conscience" of the coalition, the analysis has shown that the Schröder government's position on military intervention in Iraq was much more flexible – despite the opposition of the blocking majority – than claimed in earlier analysis. In March 2002, Chancellor Schröder could still imagine German military participation if a proper UN mandate existed; in December 2002, Foreign Minister Fischer thought Res. 1441 sufficient legitimization for US military action (although without German participation); in January 2003 the Foreign Ministry pondered whether German abstention from approval of a second resolution could strengthen the diplomatic pressure on Iraqi compliance and in February 2003, the Schröder Government agreed that if all other means had been pursued military action might be necessary to implement UN resolutions.

¹⁴⁹ Cf. Marco Overhaus, *Deutschland und die Europäische Sicherheits- und Verteidigungspolitik 1998-2003: gewollte Ambivalenz oder fehlende Strategie*, in: Harnisch/Katsioulis/Overhaus, *op. cit.*, pp. 37-58 (51).

The extent to which the government's Iraq policy was located in concerns about its very survival is unprecedented but it is not all that new. Both in the Kosovo crisis and the Afghanistan operation, the Schröder Government took pains to shape a domestic consensus so that Germany could live up to expectations of its allies, self-expectations as that of a responsible power in Europe and of critics within its own ranks that feared a "militarization" (and or Americanization) of German foreign policy. In the Kosovo war, the Foreign Ministry initiated the so-called Fischer plan which brought both a consensus with Russia and in the Security Council as well as the "Stability Plan for South-Eastern Europe". These rules-based and civilian measures (in combination with the strong humanitarian rhetoric of the government) garnered a lot of domestic support so that Germany's participation in a military intervention without a proper UN mandate could pass the critical hurdles in the Bundestag. In the same vein, the Schröder Government, after September 11th, initiated the so-called Petersberg Conference with the participation of all major Afghan factions to contemplate a political process after allied nations (with German support) had attacked Taliban forces. This initiative again served as a critical hedging instrument to gather enough votes in the governing coalition for the mandate for "Operation Enduring Freedom".

In the case of Iraq, the Schröder Government proved unable to bridge the gap between its own domestic supporters and its allies for several reasons. First, as Foreign Minister Fischer pointed out at the Security Conference in Munich in February 2003, leading policymakers were not convinced that Iraq posed an immediate threat to Washington and/or its allies and that it thus had to be dealt with militarily. In contrast to the US debate, where those concerned with Iraqi WMDs were part of a coalition that also included liberal imperialists that wanted to reshape the whole landscape of the Middle East starting with Iraq, those concerned with Iraqi WMDs were a minority in the German discourse where a strong coalition exists that questions the Bush Administration's foreign and security policy at large.

Secondly, in contrast to other European discourses on Iraq, the continuing German debate on the use of forces has had a cumulative effect through which the government's majority shrank with every military commitment abroad. As Chancellor Schröder argued: because Germany had taken up more military responsibilities than most other nations it has the "right" to say no in the Iraq case without its credentials as a trusted ally being questioned. As a consequence of the cumulative effect the German Iraq debate started very early – in fact in conjunction with the debate on Operation Enduring Freedom in November 2001 – with the Government making concessions to critics in its own party also at a very early stage, i.e. the obvious limitations of the Bundestag's mandate for Operation Enduring Freedom. Thus, the German Government had to or at least felt pressed to establish its position on Iraq earlier than other European government thereby foreclosing a "European Option" and becoming ensnared in its own rhetoric. This, of course, is particularly true for the SPD-led instrumentalization of the hostile public attitude towards military intervention in Iraq during the Federal election campaign in September 2002. Only because the Government's policy had been on opposition

course towards a US-led intervention for almost a year, the SPD could tap the reservoir of negative voter sentiment without being charged of hypocrisy.

Thirdly, after an early British initiative in early November 2001 – the so-called London dinner –¹⁵⁰ failed to bring about a consensus between France, Germany and the United Kingdom, Germany's increasing diplomatic isolation in the EU, forced the Schröder government in January 2003 to openly side with Russia and France, two permanent members of the Security Council with dubious histories of forcefully implementing the Council's resolution on Iraq. Even if the German-French proposal for the extension and revamping of the UNMOVIC inspection in February 2003 seemed to be a sensible move to test grudging Iraqi compliance, this initiative backed by Germany smacked of previous Franco-Russian delaying tactics in the 1990s. Thus, while many Germans perceived that the Bush Administration was indicating that it would circumvent the UN Security Council (in order to save it!), Washington felt that Germany and its allies tried to again use the UN to avoid action thereby undermining (or killing) the credibility of the UN and compromising the security of the United States.

Of course, this reflects a more general in US Foreign Policy in which US elites in general and the Bush administration in particular put less and less trust in a treaty- and/or institution-based strategies whereas German elites still trust and prefer various forms of multilateralism for this and other security concerns.¹⁵¹

Hence, widespread scepticism characterizes the German political spectrum when it comes to pre-emptive military action against states that pursue programs for weapons of mass destruction. As the positions taken by leading CDU politicians before, during, and after the election campaign, indicate, a CDU/CSU-led government would have preferred and may have insisted – because of the likely coalition partner, the FDP – on a proper UN mandate. However, because a conservative government would not have been under pressure to cement its position early or to avoid any – even indirect as in the case of preliminary planning for Turkey - military participation, transatlantic relations would certainly have been much smoother in the run-up to the war. But as the cases of the British and Australian governments suggest, even a conservative government might have been under intense pressure to “sell an immediate threat” by Iraqi WMDs in order to persuade members of its own coalition.

As the analysis of Germany's policy since the intervention shows, there is compelling evidence that the Iraqi case is less a precedent for any major change in German Foreign and Security policy but rather the story of a social-democratic led government sandwiched between a strongly conservative ally and a partially if equally strong left-leaning parliamentary base. Of course, as foreign and domestic expectations as to the right course in German foreign policy diverge, Germany's old foreign policy role as a “civilian power” becomes ever harder to sustain. The Schröder government's recent recalibration of its

¹⁵⁰ Cf. Guess who wasn't coming to dinner?, in: *The Economist*, 10.11. 2001, p. 31f.

¹⁵¹ Cf. Joachim Krause, *Die transatlantische Beziehungen seit dem Ende des Kalten Krieges* (Kieler Analysen zur Sicherheitspolitik Nr. 9), Kiel, Juni 2003.

security, non-proliferation and transatlantic policies however suggest that Germany is not up in arms against the United States but slowly and fitfully adapting to changes in the Bush administration's policies.

The analysis also suggests that the exceptionally high approval ratings for the government's Iraq policy are a consequence of case-specific factors rather than a viable indicator for a different kind of German non-proliferation policy in the future. Even if there was a strong consensus or concern against a more robust handling of the Iranian (or North Korean) case in Germany at large or the coalition in particular, the Iraq case appears to be unique (so far) in the sense that the Iraqi regime was able to form a strong policy consensus within a US Administration that has been riddled by deep divisions in world view, strategy and style.¹⁵²

While the jury is still out to find evidence on Iraqi programs for WMDs (even if there are no WMDs), the deteriorating security situation in Iraq and the Middle East as well as the ongoing campaign against international terrorism may keep transatlantic divisions at bay at least for now. Policy makers in Washington and Berlin concur (at the time of this writing) that these concerns have to be addressed first before starting any new engagements. Therefore, we should be wary of projecting the "evidence" of the Iraq case too far. In particular, we should be sceptical as to the SPD campaign slogan that there is a "German Way" in foreign affairs. If there was one, that would be a long winding road between foreign and domestic expectations, between German reconnaissance vehicles in Kuwait and transition rights for US troops and forceful but vague rhetoric by leading policy makers.

Nevertheless, the Iraqi case suggests that because foreign and institutionally-rooted expectations become ever more ambivalent or divergent as the Bush administration withdraws the hegemon's support for institutions of the existing international order – which has served Germany so well that it could unify, democratically, freely and peacefully - Germany becomes more self-centered in the sense that foreign expectations become less important in shaping German conduct. While this does not bode well for transatlantic cooperation it appears to strengthen the role of European partners in Germany's foreign policy outlook in the future. The evidence reviewed here reveals that an "European option" (let alone a balancing one towards the United States) has given Germany policy makers reason to pause because a European Union in Foreign and Security Affairs propelled by a Franco-German engine is clearly not in the cards for the foreseeable future. Rather the German lesson from Iraq is that if Germany wants to keep the "old" rules-based international order it has to make it work better for all its members and in particular the United States.

From a theoretical perspective, this study holds that German foreign policy is neither driven by external incentives nor domestic expectations alone, but by a mix of both which is gradually evolving. Germany's Iraq policy was strongly coloured by its traditional "culture of restraint" which is (still) strongly rooted in German constitutional law and which was

¹⁵² This is particularly true in the case of North Korea: Harnisch, Sebastian (2002): US-DPRK Relations under the Bush Administration: From "go slow" to "no go", in: *Asian Survey* 42(2002) 6, pp. 856-882.

activated by the fragile nature of Red-Green government's coalition forces in the Bundestag. And yet, German behaviour cannot be understood when underestimating the influence of external, especially American expectations. Berlin clearly tried to address Washington's expectations within the limited scope of its domestically defined room for manoeuvre. While this certainly did not satisfy the Bush Administration, it does not sit well with an explanation that holds that the Schröder government was executing a predefined national strategy to undermine Washington's push for an early and military solution to the Iraq problem. Rather, the evidence suggests that both policy makers in Washington and Berlin (and elsewhere) should reflect on the causes and consequences of this transatlantic conflict for the alliance and Iraq in order to learn from bad politics and policies in the near future.