Happy Moments: Solving the Special German-Soviet Russian Conflict

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Introduction

In the 1950s, we had the German “economic miracle”; in 1990, we could watch the “miracle” of German unification. The first has been explained over and again, so why not pause for a moment and ask what made the second, the fairy-tale-like conjecture: Bonn, bypassing East Berlin, backed by Washington, attaining one, if not the most surprising successful arrangements of any Western power with Moscow?

The notion “Happy Moment” brings to mind the “Stehaufmännchen” (Skip-jack), which have been long with us, i.e., those figures-of-speech familiar to us, although we are all too aware that in the real world such imagined scenarios might never happen. Until May/July 1990, the scenario: The Federal Republic of Germany, represented by its Chancellor and Foreign Minister, can go on its own and meet the President of the Eastern military superpower and offer him to pay a price for the definite release of the up-to-then second (Communist) German state, which was also the gatekeeper of the (former) Soviet Empire, and get him to concede “freedom of choice”—both with regard to free elections and opting for the “West”—such a scenario had only existed in the wishful thinking of Konrad Adenauer, Franz Josef Strauss, and the “old Bonn guarde.” To all the others, both in German politics and among the Allies, such visions had been well beyond the horizons of operational policies. But then, under specific circumstances, the long-term aspirations (the “Stehaufmännchen”) were shaping realities. It is important to realize that certain figures-of-speech, coined in the 1980s, had constituted a body of declaratory terms, and with the confidence-building measures of the various Kohl-Gorbachev and Genscher-Shevardnadze meetings, following signposts set by Baker and Bush in their talks with the Kremlin leadership, helped pave the way for a mutual understanding and complacency with a set of propositions:

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(1) From the German side, the offer to the Soviet Union was that they could and should be partners in the process of rebuilding post-Cold-War-Europe. Kohl played, so to speak, Robert Schuman to the Soviet Union's Konrad Adenauer, Gorbachev. To many West Germans, the policy of détente towards the East became an extension of the accommodating and cooperative style which the Bonn Republic had applied to its Western partners since the early stages of the Cold War period. The Ostpolitik rhetoric actually reinforced such links. This rhetoric, the emphasis on necessary cooperation with the Soviet Union in the Harmel Report of 1967, and its extension into "Genscherism," or a second German Ostpolitik in the mid-1980s, offered the governments led by the Christian Democratic Union (since 1982) the shelter of continuity. In that sense, the Harmel Report philosophy became part of Germany's political culture; the Harmel formula, according to Joffe and Kaiser, also enhanced Bonn's role as an actor in the politics of European security.

(2) The Americans were the "federators" of the post-1945 processes of European integration and West European security. They offered to the Kremlin, at the summit meeting held at Malta on 2-3 December 1989, and with a statement by Baker in Berlin on 12 December 1989, that the West would welcome the Soviet Union's, becoming in the 1990s the "West Germany" of the New Europe, and that the U.S. as the Western superpower would not exploit the weakness of the Soviet Union.

Bonn was also lucky that it could benefit from the efforts of its foremost allies in the past: France and the United States did assert, and do assert, what the Bonn Republic could not risk to proclaim and pursue itself. The center of French policy, as Pierre Hassner emphasized, was to encourage anti-Yalta behavior, "behavior that transcends the division of Europe into two blocs, even if it cannot do away with the two alliances themselves." France had encouraged East European states to be as independent and to have as many contacts with the West, especially

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1. The Harmel Report, which was approved by NATO's Council of Ministers Meeting in December 1967, called for a reform of NATO strategy to reflect readiness for détente as well as an adequate (conventional) defense posture. From Germany's point of view, the Harmel Report is important, for it re-established the notion that the division of Germany and of Europe was the central cause of the unresolved East-West conflict, implying that this cause had to be addressed, and not just the arms race issue.

3. P. Hassner, The View from Paris, in Eroding Empire, supra note 2, at 214.
France, as possible without going so far as to provoke the Soviet Union. The United States, on the one hand, recognized the special security interests of the Soviet Union in Eastern Europe. (By the way, the Bonn Republic has always recognized the legitimate security interests of the Soviet Union, since Adenauer, but especially and expressedly since the Grand Coalition in 1967). On the other hand, the Nixon, Reagan, and Bush administrations rhetoric ally attacked the concept that "Yalta" or the Helsinki (CSCE) accords sanctioned the division of Europe. Henry Kissinger, at a crucial stage in late November 1989, repeated in a lecture at Essen the message that Nixon's first annual policy review had noted:

Ultimately, a workable system of security embracing all of Europe will require a willingness on the part of the Soviet Union to normalize its own relations with Eastern Europe, to recover from its anachronistic fear of Germany, and to recognize that its own security and the stability of Central Europe can be best served by a structure of reconciliation.

It is important to note that when Kissinger repeated this in late November 1989 it was by no means settled that the question of German unification would be on the immediate agenda of all the parties concerned.

The "Happy Moment" in my title also refers to the fact that the ongoing détente between the U.S. and the Soviet Union spared Bonn the options which had mired the past: First, who controls Germany? Second, who is going to pay the price for German unity, the Alliance, or West Germany, or both? Third, who is to underwrite Germany's legitimate ambitions, i.e., status as first-class partner in NATO and in the Western European Union (WEU), as well as in the European Community (EC), notwithstanding the security interests of Germany which were and are still safeguarded by NATO?

The systemic conditions, according to Joffe, had to be right for German policy to flourish at all. American policy, with Bush's "Partner in Leadership" speech of 30 May 1989, had become, so to speak, "Germanized" in the sense that Washington was willing to take consideration of Bonn's pivotal role in European security (vide Bush's move on the modernization issue of short-range nuclear weapons on the eve of the NATO summit in May 1989) and in international economics; and, further, that Bonn be compensated for its supportive-actor role to American leadership, as had Britain been rewarded in the late 50s and in the

4. L. Gordon, The View from Washington, in ERODING EMPIRE, supra note 2, at 78.
5. First Annual Report to the Congress on United States Foreign Policy for the 1970s, 18 Feb. 1970. Kissinger's speech at Essen (I witnessed the performance) encouraged Bonn to move toward unification and NATO membership; he cautioned against a policy—obviously referring to Britain's (Mrs. Thatcher's) attitude—which pretended that chances for real change in the Soviet Union were slim—hence the West had better accommodate itself to some sort of restraints on German sovereignty if that were the price for security and stability for the East and the West. Cf. Kissinger, Delay Is the Most Dangerous Course, Wash. Post, Feb. 9, 1990, at A27.
6. U.S. Asks Europe to Reconcile, Int'l Herald Tribune, June 1, 1989, at 1; Bush's speech in Mainz followed his well-received arms control proposal to the NATO Summit meeting in Brussels.
Thatcher years. Bush had tuned American “European” policy towards Germany before the unification process started. When Hungary opened the gates for East Germans “to go West,” Bush directed American foreign policy fully to back German efforts. Thanks to Bush and Baker—at the Ottawa meeting in mid-February 1990—the “2+4” formula rather than the more obtrusive “4+2” scheme prevailed, i.e., Washington granted competence and sovereignty to the (two) Germanys to design a solution of German unification compatible with the security interests of the “Big Four” and Germany’s neighbors. The systemic conditions were also shaped by Bonn itself when it recognized and stated in public that Moscow’s security sensitivities and interests had to be acknowledged.

Bonn also managed to obtain Moscow’s consent to the Federal Republic’s role as representing Germany in establishing a European security order.7 When it came to creating a European security regime, it is very important to realize that the Soviet Union acknowledged that there was only one German player, West Germany,8 that counts, and no longer the German Democratic Republic (GDR). Bonn and Washington both recognized that the “force of change across the continent was the decline of the Soviet Empire” (Cuthbertson), and that they better keep on the pressure for a final settlement before uncertainties about the future of Gorbachev interfere with the negotiations. At the same time, they acknowledged Moscow’s need for assurances.

The commonality of views and assessments is reflected in the German-American “team-working”: To give just one example, briefly: On 10-11 February 1990, Kohl and Genscher followed Baker on a spur-of-the-moment visit to Moscow;9 Baker himself had visited Moscow after Genscher had been to Washington at the end of January to get “approval” for accelerating the German unification process; due to the alarming decay in the GDR, and the plea of the Modrow government to get DM 10-15 billion in cash, without any strings attached, Bonn decided there had to be a German monetary union, a decision which had been delayed, but which also hinged on achieving political reunion soon afterwards. Why hand out DM’s to GDR authorities who could not even indicate the rough size of the financial troubles they were in, but denied that Western advisors would have to do the auditing and accounting and even run the show in East Germany? Would Baker, please, convince Moscow that Bonn had to work out the unification of the two German states, in order to stop mass emigration from the GDR to West Ger-

many, starting off with monetary union, but to be followed, sooner rather than later, by political union?

Returning from Moscow, where Baker had laid the ground for the external flanking operation, Kohl and Genscher informed reporters that Gorbachev had promised them unmistakably that the Soviet Union would respect the decision of Germans to live in one state, and that it was up to the Germans, and only to them, to determine the time and the method of domestic unification. However, the price for the external conditions of German unity still had to be settled, and in this respect Kohl-Genscher's offers of taking over the GDR's economic contracts and Bush-Baker's insistence on united Germany's membership in NATO were not yet good enough to satisfy Gorbachev.

So much for matters of introduction. I shall now turn your attention to three specific aspects. The first is the importance of vocabulary in this whole process of power realignment.

I. The Importance of Vocabulary

Bonn was the self-appointed translator of Gorbachev's "common home," a figure of speech, into Western debates. But Bonn also pressed Moscow to come forth with a "European" policy. It took a long time to pass this message through. During the whole period between Gorbachev's coming to power in March 1985 and Kohl's visit to Moscow in October 1988, Bonn was given the cold shoulder. Kohl's visit to Moscow still demonstrated continuity rather than change; Gorbachev issued a clear message of continuity by stressing that the division of Germany remained the central interest of the Soviet Union and that the existence of the GDR as a prerequisite of a pan-European security order should not be questioned.

The Bonn Republic, nevertheless, conceived as one of Germany's missions in Europe to bring Russia truly into Europe again. There is much to be said in favor of the judgment, for instance by A. James McAddams and Hannes Adomeit, that the Soviet Union's ability to portray itself as European had come to a halt in 1961 with the building of

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Bush had assured Kohl—in a letter before Kohl departed for Moscow—that the Americans trusted him to make the best of the opportunity of talking the Soviets into German unity, without damaging the security interests of its Western allies (i.e., succumbing to Gorbachev's insistence on German neutrality).

Both authors claim that the Soviet Union did not want to build the wall in the first place. With the wall coming down, the chance and opportunity was presented to the Soviet Union to become European again.

From Moscow’s perspective, the most urgent problem was the question of how the Kremlin could succeed in retaining an influential role in Europe whilst the power bases of the Soviet Union continued to erode. Bonn pledged, in an important political step, to make the Helsinki process the hub-center for constructing a European security system and to let Moscow have a big say in the forum. The German-Soviet Treaty of November 9, 1990, goes even further in consenting to a very far-reaching “no-resort-to-force” clause, rather than a non-aggression formula as in the Helsinki treaty. The French, in their treaty with the Soviet Union, deliberately stuck to a traditional non-aggression formula; furthermore, the French thought aloud that the German-Russian treaty made the Franco-German Accords of January 1988, establishing a Joint Defense Council (as well as a Monetary and Economic Council) of Ministers null and void: Why talk about European Political/Security Union and Monetary/Economic Union, predicated on the Franco-German core, when “United Germany” in the Russian Treaty stipulates “neutrality?” Moscow had always combined German unification with “neutrality” whereas France had insisted on “freedom of choice” for a sovereign Germany, i.e., opting for a Western-type political and economic system as well as for complete, integrated partnership with the West.

This is my first point in elaborating the German-Russian situation. To repeat, once again, there was a brief moment—in February 1990 and finally in mid-July 1990—when the West Germans, by reassuring Moscow that it had to be and would be a partner in reconstructing the European security system, got the big counter-concession that the German unification process would not be spoiled by the Soviet Union (intervening on behalf of the GDR). In the past, Moscow had always used East Germany to restrict the leverage of the West German government. But now, in this whole enterprise of uniting Germany, Moscow in fact bypassed East Berlin as if the GDR were no longer in existence. With

13. Adomeit, supra note 12, at 166.
15. The Treaty of Good Neighborhood, Cooperation and Partnership between the Federal Republic of Germany and the USSR was signed by Gorbachev during his visit in Bonn on Nov. 9, 1990; it was, however, concluded in early October 1990. The critical clause is in Article 3. The French objections are reported in an article by C. Treéan, Le Monde, Oct. 29, 1990.
the benefit of hindsight, one can state that this process was already underway in the period between October 1988 and June 1989 when Gorbachev paid his return visit to the West German capital. In the very elaborate Bonn Declaration of June 13, 1989, "the basis was laid, conceptually and practically, for the disappearance of the GDR as a separate state."16 I think that Adomeit's interpretation of the language of the Kohl-Gorbachev Joint Declaration is very convincing.

Changes in the power relationship, in conjunction with conceptual reinterpretations, the so-called "new thinking" in the Soviet Union,17 do help to explain the fundamental shift in Soviet policies for Central and Eastern Europe, including the German problem.

The most important category in this exercise is a formula "freedom of choice"; it is the key note in the CSCE decalogue. The joint German-Soviet Declaration of June 1989 spoke of the right of all peoples and states to determine their destiny freely; it referred to the holding of free elections in East Germany, which could only mean that the pre-conditions for the reestablishment of German unity were around the corner.18 The first sentence in this declaration refers to the Federal Republic of Germany (FRG) as Germania rather than Germanii, and this implies that there is only one single restructured federal Germany, rather than two Germanys, one of which has a federal structure. Second, the Declaration stated the will of both signatories to contribute towards overcoming the division of Europe, a point the Russians always had avoided in previous agreements. The division of Europe could not be overcome without ending the division of Germany, which was one of the standard West German formulas in the East-West vocabulary.

The dismantling of the Iron Curtain since May 1989 in Hungary was a practical demonstration that such views ("freedom of choice") were to prevail: East Germans could leave the GDR, albeit still under heavy personal risks. The alternative, either to seal the GDR's borders, not only to the West but to Poland and Czechoslovakia, and to disallow visits to Hungary and Bulgaria (the summer holiday resorts for East Germans), or to try to reform the political system, left on surface a choice for the GDR. But the power elites in the GDR did not feel pressed to launch into systemic transformation; proud of their achievements, Honecker & Co. wanted to stage the 40th anniversary celebrations (on Oct. 7, 1989) as a demonstration of the viability of a socialist GDR. Bonn had high expectations of big changes to come, and they, Genscher in particular, admonished the powers-that-be in East Berlin to follow the reformist

18. See Adomeit, supra note 12, at 170 ff.
pattern in Poland and Hungary. The fear was that the GDR, according to Krenz, Honecker's heir-apparent, might quell protests and follow the Chinese rather than the Polish or Hungarian example. The opportunity for the Bonn government to shape events, i.e., pushing for unification rather than regulated (confederal) co-existence of the FRG and GDR, did not arrive for another year, not until July 1990.

So we look to the final stage in this process which came with the mid-July visit of Kohl and Genscher to Gorbachev's resort in the Caucasus; the host had just managed to relegiate the Ligatchev opposition to the periphery. In the preceding stages, Kohl had played a major role on the Western summits—of the EC at Dublin on April 28, 1990, at NATO's summit in London on July 6, 1990, and at the G-7 meeting in Houston—to reassure everybody about the reliability of West German foreign policies, even if they were on the verge of attaining a ground-breaking understanding with the Soviet Union. The Germans also pressed for western reassurances towards the Soviet Union; the call for reform of NATO and NATO's lopsided nuclear strategy and the willingness to grant substantial economic help for Eastern Europe and the Soviet Union were regarded by Gorbachev as the signals of the West's intent not to isolate and singularize the Soviet Union, but to move towards peaceful settlement in Europe.¹⁹

The German success story with regard to the Soviet Union's non-interference with the merging of the GDR into the Bonn Republic (on the basis of Article 23 of the Basic Law) was mainly due to the Soviet Union-United States détente. Bonn could engage in solving its separate conflict with Moscow within the general East-West conflict, because Moscow discovered the advantages of the Bonn-Washington working relationship for its purposes to maintain authority in European security affairs. Only the U.S. could exert control over united Germany's reliability (Zuverlässigkeit kontrolle). Hence Bush/Baker had conditioned their support for Kohl's venture on Germany's continuing membership in an integrated NATO; and Kohl, in spite of many critics of NATO and of U.S. ascendancy to world leadership as the one remaining superpower, committed united Germany to the Alliance.

Kohl and Genscher managed to get the backing of the U.S. government, and Washington recognized that it was Bonn that held a "veto" on the future of both NATO and the EC. For his part, Kohl resolved to step up the process of European (monetary as well as political) integration, and to make German membership in NATO meaningful. Some commentators envisioned a scenario where the U.S., the USSR and Germany formed a triangular security arrangement of the kind which the U.S., the USSR, and the Peoples Republic of China had constituted in the 1970s, but then the Gulf Crisis and War in the Gulf Region, the

preoccupation of Germany with the first all-German free elections in December 1990, and the piling-up of serious economic, social, psychological, and ideological problems turned the spotlights onto U.S. ascendency and the submergence of Germany into "local/parochial affairs."

II. The Military-Strategic Dimension

My second point in substantiating the German-Soviet scenario and how it fits into West German ties with the West, i.e., NATO and the EC, relates to the military-strategic dimension. The military division of Europe since 1955 had made everyone except West Germany keen to work for stability on the basis of accommodating the territorial status quo, sometimes even cementing the division of Germany. (This, of course, does not imply that the FRG was about to challenge the status quo; however, Bonn objected to granting priority to this goal—via disengagement and disarmament schemes—over the "freedom of choice" theme for Germans and East Europeans in East-West negotiations.)

The disposition of forces since 1955 had reinforced the political division of Europe, especially with the "nuclearization" of NATO strategy. (Since Dec. 1954, i.e., before official German membership in NATO the divisive questions of the deployment of nuclear theatre weapons, MRBMs, and chemical weapons on German soil had been raised.) The FRG became ever more exposed as Frontstaat of the Western alliance. Germany, ever since the rearmament of the Eastern zone (and this was first) and of the FRG became the focus, was the premier stake, of the East-West or Soviet-American contest. Hence, any major alteration in the size and disposition of forces must have a significant impact on the political order in Europe. Any radical reduction of American or Soviet forces was bound to affect the policy of double containment, i.e., (1) containing the Soviet Union and (2) restraining the impact of a German economic "superpower" on its EC, NATO, and WEU partnerships. The pivotal position of West Germany in Western Europe raised the second German question, namely, how to deal with the claim of the Bonn Republic to full parity with France and the United Kingdom in European affairs, notwithstanding the other two’s nuclear capabilities and UN

20. Frontstaat is the propaganda slogan which the GDR and the Soviet Union employed during the 1960s in order to discredit the Federal Republic as the principal ally of U.S. imperialism. The left in Germany accused official German policy during the Reagan era of falling back into Cold-War patterns.


Security Council veto power in world politics. The issue is and has been about the future role of the two superpowers in their respective hemispheres and about the "special relationship" of the senior superpower to its "most obedient" ally, Great Britain. The Soviet Union has agreed to withdraw all her armed forces from Hungary and Czechoslovakia by June 30, 1991, but Poland is still unsure about the how and when of Soviet troop withdrawal. Even though the Soviet Union's power base is eroding all over the place, the position of the U.S. in European counsels and the related issues of German-American connections, with their impact on EC-Europe's "identity," and on regional collective security (CSCE) is still unresolved. Will the U.S.—despite its troop cuts (to about 70-100,000 in Europe) and despite Germany's voluntary, exemplary reduction of the total of united Germany's armed forces to 345,000 men (including 50-80,000 reserve troops)—stay in Europe in order to contain the mighty German state with a population of 80,000,000? Within a reformed NATO framework or a CSCE structure? Is there any need to bother containing the new Germany? Who is willing and would be capable of taking over de Gaulle's posture, namely telling the superpowers to leave Europe and let Europe organize its own security order? Bonn actively declined to follow such conventional wisdom, and decided to move in the opposite direction, even before the "unification miracle." The Kohl government managed, via the Declarations of Common Purpose respecting Interdependence of May/June 1989, with both Bush and Gorbachev, to make the U.S. and the Soviet Union part of the German equation.\(^\text{23}\) After unification, Bonn pressed the EC to follow-up the German-Russian Treaty of 9 November 1990 with the Transatlantic Declaration of 23 November 1990. Thereby, the Kohl government also counteracted the growing frustration among very large sections of the German public about the German role within NATO and about European security.\(^\text{24}\)

In 1989, after the Gorbachev speech at the United Nations on December 7, 1988, it had become evident that Moscow was really serious about making progress towards a reduction of its conventional superiority in Europe and about limiting its capabilities for surprise attacks and invasions.\(^\text{25}\) In a talk with German Foreign Minister Genscher on January 18, 1989, in Vienna, Sheverndadze had clearly stated that the Soviet Union had set forth as its objective "to withdraw all of its


\(^\text{25}\) Besides the articles of Legvold and Nye, supra note 17, see REFORCING EUROPEAN SECURITY: FROM CONFRONTATION TO COOPERATION (K. Gottfried & F. Bracken eds. 1990) [hereinafter REFORCING EUROPEAN SECURITY].
military forces from the territories of other countries." This opened visions as to a new shape for the European security scenario, established by bargaining and negotiations and governed by "collective" agencies.

The crucial point here is to remind you that the military presence of the Red Army in East Germany had been the centerpiece of Soviet domination since dominion was established after 1945. West German policies towards the Soviet Union, therefore, had a very special dimension, because the eastern part of Germany was Moscow's central mechanism for controlling Poland and Czechoslovakia and for tying these parts of the classic European state system into the Soviet Union's security regime. The FRG's special condition as the "free," really liberated western part of Germany, but at the same time essentially non-neutral "front-line" state of the Western world, facing the Eastern Bloc at the inner-German demarcation line and with West Berlin situated behind that Iron Curtain at the Elbe River, implied that its policy towards the Soviet Union meant more for West Germany than Ostpolitik could mean for any other state—France, Britain, you can name it—save the United States, which was in a global contest with the Soviets. This condition provided the particular dynamic if West German approaches to Moscow were to find any response. Until 1990, prepared by the overtures in 1988/89, it was a big "if."

Since power, especially military power, from the West German side could never be brought into play, and since economic clout had no significant spillover effects into the special political German conflict with the Soviet Union within the overall East-West conflict, the Germans were left with the alternative to rely on concepts and verbal bridge-building as means of influencing the Kremlin's perception of a new European security order, allowing for German unification. This is the reasoning why I put so much emphasis on the "vocabulary" above. The rhetoric of détente, arms control and cooperation might, and in the end did, induce Moscow to engage in a conciliatory policy. This at first worked in the U.S.-USSR relationship, and then alleviated Germany's approach to Moscow. Over the years, Bonn's political rhetoric had established not only the need to recognize Moscow's legitimate demands on any European security system, but also granted the Soviet Union a primary role in shaping the post-Cold-War strategic landscape.

28. Whenever West Germany "bailed out" East Germany (with huge credits), Moscow stepped in and curtailed German-German détente; cf. E. Frey, supra note 11, at 86; Bewegung in der deutschen Frage? Die ausländischen Besorgnisse über die Entwicklung in den beiden deutschen Staaten (E. Schulz & P. Danylow eds. 1985); Germany Between East and West (E. Moreton ed. 1987); A. J. McAdams, East Germany and Detente (1985).
29. Legvold, supra note 17; Nye, supra note 17.
The German vocabulary was based on the assumption that there had to be political answers to political crises; political conflicts had to be "demilitarized," and then one could go on to disarmament in practice. Although it was sometimes disturbing for Washington and London (in the Libya Crisis or recently in the Gulf War), this "grammar of politics" assured the Kremlin a pace-setting role in the emerging pan-European security structure, once Moscow began to convert its strategic doctrine and forces structure from an offensive into a defensive posture. The German formulas satisfied Moscow's insistence on developing the CSCE-framework as one of the pillars in the "common European home." In defending their stance against the allies' criticism, the West Germans pushed the notion that NATO analyses had long dismiss the possibility of military confrontation in essentially political crises between the two blocs; West Germany's logical conclusion was that a common language must be developed that would convert the mutual interests into practical deeds.31

The rationale for this German approach is evident: For the Bonn Republic, changes towards amelioration of the military division of Europe were in its own best interest, given the opportunity—which only Moscow could and would provide. The FRG considered itself in a key position, for it would have to contribute the most, and hence influence the nature of the future East-West relationship, but it would also benefit most from a "demilitarization" of East-West relations. The German "grammar of politics," the concept of willing cooperation, called for a more cooperative security system, which would make it impossible for any state to start or successfully wage war in Europe. The catchword for this is in German—unfortunately there is no adequate translation—\textit{strukturelle Nichtangriffsfähigkeit}, that is, a structure of forces not poised for offensive action at all.

This formula, \textit{strukturelle Nichtangriffsfähigkeit}, went beyond mere sufficiency and similar formulas that had been employed in the START-framework, but actually dates back to the McNamara period. The German notion figured prominently in the vocabulary that was addressed specifically to the Soviet Union, officially and in the so-called "Neben-Aussenpolitik" of the SPD opposition, who had after all "invented" the concept. Later, the concept was accepted by Gorbachev and implemented in his "peace offensives."

For Bonn, a more cooperative security system was a major step toward overcoming the political division of Europe, a prerequisite for overcoming the division of Germany. The West German objectives were to have the blocs restructure their forces into wholly defensive units incapable of launching short warning attacks and to obtain "pro-

\footnote{31. The "theory" was first developed and publicized by influential center-left intellectuals—Egon Bahr, Peter Bender—but then penetrated the thinking of the Foreign Office in Bonn (von Braunmiller as the key architect of Genscher’s "new Ostpolitik"), and later it even became the stock-in-trade of the CDU’s top echelon (Dregger, Rühe, Lamers).}
tection” which would not be heavily dependent on nuclear weapons systems (as was the case with NATO’s graduated and extended-deterrence posture).

In contrast to the erosion of détente in American domestic politics during the period 1975-85, the dominant West German perception ever since the mid-1970s of the eastern superpower had been that of a negotiating partner. It seemed in the FRG’s best interest, as Genscher emphasized repeatedly, to induce the Soviet Union to become a responsible and responsive participant in a European security partnership; the readiness of Gorbachev to advance in this direction not only in rhetorical terms, but with impressive actions, eventually substantiated the German position, in spite of many accusations against “Genscherism” and German illusions about the Soviet threat. Reducing the level of military confrontation was, from a German perspective since the 1970s, the major instrument for any attempt to create the proper context for political change in Europe, and this was to the benefit of West and East Germans alike. Since there could be no military solution applied to the European East-West conflict, especially not for the specific German conflict with the Soviet Union, a political solution had to be found for what had become, with the division of Europe into military camps, a military problem. As the “country in danger,” both militarily and with regard to being subject to blackmail, the Germans had to conceptualize a set of propositions convincing enough to persuade the Soviet leadership that if they resisted the temptation to rely on their military potential, they would be welcome to shape the process of changing and evolving a cooperative European security system; however, the Kremlin would have to accept the principle that who has most, must reduce more of his armed forces, in order to induce their opposite numbers to do their part in the process of mutual balanced force reductions (“MBFR”). That is what “Genscherism” is about.

In order to realize a solution for the German political problem, which had been turned into an issue of balancing armed forces and hence into a stalemate for more than thirty years, the Bonn Government had to offer a perspective on how to resolve the tensions in a regional (European) arena, which had resulted from the fears of both the Western and Eastern neighbors of a strong, united Germany. This task was to cope with the images of “1914” and “1939.” The second task derived from the results of the Cold War era: Uniting the two Germanys involved the willingness of the superpowers to disband their global rivalry and to let go of their dominant position in their respective

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33. Joffe, supra note 2, at 183 f.
spheres of the European "region." Washington had made known that it had no problem with restoring German unity. The U.S. was offended by the traditional Gaullist interpretation of the post-Yalta era, however, that the United States, as well as the Soviet Union, had exploited the stability created by bipolarity, denying the nations of Western and Eastern Europe the opportunity to work out an independent security regime. The more the vicissitudes of the U.S.-USSR rivalry in the 1980s demonstrated the supremacy of bipolarity over European visions of Europe as a "peace zone," the more the Gaullist view permeated continental European thinking.

Washington made its way back as a "European" power when Bush/Baker stated publicly that stability in Europe required the non-exploitation of the weakness of one of the poles in the bipolar system by the other. This device was considered a prerequisite of the peaceful transformation processes in the Soviet Union and in Eastern Europe, where "democratization" had already generated its own dynamic. It was Germany's turn to provide reassurances of non-exploitation, as Germany was to benefit most from this process; however, these reassurances had to be given both to members of NATO and to the Soviet Union—no one, particularly not the West Germans themselves, wanted to create the impression of German power "spilling around."

The public mood and the policy trends in West Germany in the late 1980s were all conducive to the Soviets' reassessment of the Soviet Union's security goals and to a new seriousness on the Soviet side in reducing conventional armed forces, and in holding talks with the "West" on a cooperative security regime, involving asymmetrical cuts, verification measures and a code of conduct for crisis management; the Paris Charter of 21 November 1990, albeit incomplete—as Ambassador Dean's lecture will argue—contains the principles and very sound details for such a regime.

The German response to the profound changes in the Soviet perception towards asymmetrical force cuts as a precondition to a pan-European security regime (from the Atlantic to the Urals) was the agreement to quintessential points on which Moscow had asked specifically for reassurances. The background to this is that Moscow had to "buy" Bush/Baker's and Kohl/Genscher's stipulation that united Germany was to be included in NATO; therefore, the Soviet Union felt bound to request that this "win" for the U.S. in the global contest between Washington and Moscow not add to decisive shifts in the military balance against the Soviet Union. The assurances were given during the July 1990 discussions in the Caucasus, but they had been considered and settled between Bonn and its foremost allies in December 1989 and February 1990. It is also important to realize that these "concessions" were

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34. Bush gave such assurances to Gorbachev at the Malta meeting on Dec. 2-3, 1989.
35. K. KAISER, supra note 7, at 73 ff; Adomeit, supra note 12; REFORGING EUROPEAN SECURITY, supra note 25, at 104 ff.
trademarks in stock ever since Germany and its allies debated the issue of what price the “West” (the Alliance?, West Germany?, or both?) had to pay for incorporating the GDR into the FRG. These are the main assurances:

1. East Germany is to have a special security status; it will be covered by NATO’s guarantee, but will not become a full-fledged part of NATO’s defense structure and forces deployment.

2. Soviet forces could be stationed in Eastern Germany for a time-limited transitional period.

3. The size of the United States military presence in West Germany would be reduced significantly.

4. Stringent limits would be placed on the overall size of the Bundeswehr (incorporating the GDR’s National People’s Army (NVA); the GDR’s armed forces would be dissolved from the Warsaw Treaty Organization before the Warsaw Pact would cease to exist as a military organization (April 1, 1991) and be absorbed—whenever fitting—into the Bundeswehr). The German armed forces were to be limited to 370,000 overall. From this ceiling, the naval forces—25,000—have to be reduced (naval forces are not yet part of the CFE Treaty); the remaining total of 345,000 men includes a 50-80,000 man territorial army, which is not integrated into NATO; the territorial army would absorb the non-dissolved parts (officers and men) of the former NVA. In the

36. Conze, Von Genf nach Ottawa. Zum Zusammenhang von deutscher Einheit, europäischer Sicherheit und internationaler Abrüstung am Ende der 50er Jahre und heute, Stiftung Wissenschaft und Politik 265, May 1990. My own research project on the foreign policies of Canada, the U.S., and Britain concerning European integration and NATO as the means to tie West Germany into the “West,” will elaborate on these aspects.

37. The former GDR would not become fully integrated into NATO’s defense posture and forces structure, although NATO’s guarantee will cover “united Germany.” It is left to the good judgment of future German governments whether non-German, NATO-assigned armed forces will be deployed (after the retreat of the Red Army from German territory) in East Germany or participate in maneuvers, etc.; Germany is permitted to deploy dual-capacity weaponry in the East, but only with non-nuclear warheads.

38. The Soviet troops will leave East Germany by stages; the process should be completed by December 31, 1994; this is related to (West) Germany’s paying for building houses, etc., to accommodate the returning troops; the total for this is fixed at DM 7.8 billion; the details are regulated in the German-Soviet Agreement on some transitory measures of October 9, 1990; the Soviets ratified the Agreement in late February 1991.

39. No figures were fixed; the outcome is related to the second round of Conventional Forces Reduction talks (CFE II), which is to concentrate on troop cuts; the talks are scheduled for fall 1991.

40. The figures were mentioned publicly in February 1990, but definitely offered to Gorbachev on the occasion of the Caucasus meeting; the figures are the outcome of deliberations in the German Defense Ministry on the impact of the (then projected) CFE Treaty on the manpower of the German armed forces; the figures were checked with NATO authorities before they became part of the German “price tag” offered to Gorbachev—courtesy to Professor Helga Haftendorn, who serves the Advisory Council of the Bundesverteidigungsministerium.
end, united Germany's contribution to NATO (excluding the naval forces) will be down to 265,000 (army and air force).

5. Germany will continue to have no right to possess or manufacture or hold in its "national" custody atomic, biological, and chemical weapons.\textsuperscript{41} There are to be no U.S. nuclear weapons on former GDR soil.

6. Germany must make a major contribution to the modernization of the Soviet Union's economy.\textsuperscript{42} Germany has to fulfill the existing obligations between the GDR as a partner of the COMECON and the Soviet Union, and it must also fill in the gaps that would be caused by the removal of the GDR as an important supplier to the Soviet Union.

III. The Future Role of Nuclear Weapons

My last point concerns the critical stage of NATO's defense strategy, i.e., the future role of nuclear weapons and especially the problem of a "third zero option."\textsuperscript{43} In the eyes of West German leaders, the INF Treaty made the "Soviet Union's advantages at the conventional level all the more glaring and militarily significant."\textsuperscript{44} For the Germans it was important to note that the Reagan Administration had apparently given up on Intermediate Range Missiles, the focus of the recoupling effort in the double-track decision of December 1979, without insisting on an equivalent concession by the Soviet Union to reduce asymmetrically its numerical superiority in conventional forces; NATO and Germany had always considered the Warsaw Pact, superiority in tanks, armored vehicles, etc., as an adequate counter-concession if NATO were to agree to reduce or forego resorting to nuclear forces in a worst-case scenario. Therefore, the Germans felt that this issue—an asymmetrical cut of Warsaw Pact forces in conventional weapons—should no longer be left to the two superpowers. Rather, Germany preferred to mobilize a European effort aiming at the reduction of the Soviet Union's conventional superiority in a pan-European security framework.

When Gorbachev addressed the United Nations in December 1988 and announced a unilateral troop cut, urging further progress towards denuclearization, he signaled a willingness to address West European concerns more forthrightly; he publicly acknowledged that conventional

\textsuperscript{41} The "self-denying ordeal" dates back to the German Basic Law, the European Defense Community and WEU-Treaties and Germany's entry into NATO. The obligation was confirmed by Genscher in his official statement to the Fourth Evaluation Conference on the Non-Proliferation Treaty at Geneva on August 22, 1990.

\textsuperscript{42} This assurance was given by Kohl to Gorbachev on his visit to Moscow in mid-February 1990 and finally detailed in the Treaty of Partnership and Cooperation of Nov. 9, 1990.


\textsuperscript{44} Cuthbertson, \textit{The Political Objectives of Conventional Arms Control}, in \textit{CONVENTIONAL ARMS CONTROL}, supra note 21, at 108 ff; Stratmann, \textit{The Military Objectives of Conventional Arms Control}, in id. at 143 ff; T. Risse-Kappen, supra note 24.
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asymmetries existed indeed.\textsuperscript{45} He also announced publicly a shift in
Soviet military doctrine toward greater emphasis on defense.\textsuperscript{46} These
public commitments by the Soviets were translated into the Warsaw
Pact's strategy. The Kremlin began a major move to transform the
problem at the heart of the postwar East-West confrontation.

The adaptation to Western priorities and values in respect to the
intellectual environment of Western thinking was reflected in the pick-
up of notions of arms control, détente, and mutual security in
Gorbachev's speeches;\textsuperscript{47} this "Western" thinking apparently had taken
root in the Soviet leadership. Anyway, Gorbachev indicated a general
political interest in transforming the existing military configuration into
a less burdensome, albeit reasonably sufficient, situation of defense sta-
bility. This reflects another prevalent notion in Western debates, and it,
too, paralleled West German objectives.

Militarily, the Soviet Union has always had the capability to hold
West Germany and Western Europe "hostage" by means of its offensive
capabilities in the context of the superpower global situation.\textsuperscript{48} The
dual superiority of the Soviet Union over Western Europe with regard to
nuclear and conventional forces had provided Moscow the means to
blackmail any Western nation, and this—more than the direct military
threat—had tied West German governments to the active leadership of
the U.S. in NATO. "The capability to ensure military victory in Europe
and to neutralize NATO's European based atomic stockpile was
designed to balance the global disadvantages of the Soviet Union in the
contest between the superpowers."\textsuperscript{49} With the Soviet Union's offer to
reduce its forces and to cut back the Red Army's presence in East Euro-
pean countries, and Moscow's willingness to proceed towards restruc-
turing conventional forces on "defensive" lines, the ball was in the
West's court.

The asymmetry between the conventional forces of NATO and the
Warsaw Pact was not the only problem left by the INF Treaty; the other
problem was that Britain and France, the two West European independ-
ent nuclear powers, insisted on calling a halt to the denuclearization of
the West's defense doctrine and forces structure; they pressed in partic-
ular for the modernization of the Lance missile (or the introduction of a
successor type); later, due to political concerns for the fate of the Kohl
government, Mitterand supported the German position, leaving Mrs.
Thatcher as the only advocate of improving the short-range/theatre
nuclear weapon exposure in NATO's extended deterrence posture. The
INF Treaty, therefore, created a serious rift among the Western allies.

In the context of the dissolution of the Warsaw Pact and of German
unification, the unresolved internal NATO dispute became unbearable.

\textsuperscript{45} Conventional Arms Control, supra note 21, at xxxv ff.
\textsuperscript{46} Cf. Legvold, supra note 17; Nye, supra note 17.
\textsuperscript{47} Cuthbertson, supra note 44, at 91 ff.
\textsuperscript{48} Stratmann, supra note 44, at 143.
\textsuperscript{49} Conventional Arms Control, supra note 21, at xxv.
From Bonn’s perspective, the obsolete division of Germany and Europe should not and must not ever be reinstated or prolonged with regard to short-range, land-based nuclear weapon systems, the only ones remaining on the West European continent. It was inconceivable that a military demarcation line constituted by short-range nuclear weapons would run through the middle of unified Germany. This political impossibility was predicated on an assessment of the military-strategic value of short-range nuclear weapons. It was claimed that the role of such systems was outliving its purpose, at least in the emerging European security scenario. Genscher made this point more than once: Devastating weapons should never be directed towards democratic (Eastern) European states. Instead, NATO should in the future rely on sea- and airborne systems in order to match the inescapable strategic advantages of the Soviet Union and to counter all its mobile nuclear systems—strategic, intermediate, and short-ranged. Did Gorbachev in the end attain what the Soviet Union had always asked for: a Europe denuclearized as far as U.S. deployments are concerned?

Conclusion

At present and for the future, this is what this lecture amounts to, the pull of the Soviet Union on Germany is as important as the well-established American connection in German foreign policy. This is indispensable, for what happens politically in the Soviet Union affects Germany and its East European neighbors, and secondly, the East’s economy—its energy resources, environmental problems, trading opportunities—and Germany’s obligation to help restore the East’s connections with the world economy—the outcome on both counts makes all the difference in the world for Europe and Germany’s “security.” On the other hand, Germany is to remain a willing and cooperative partner in the EC and NATO’s project to make “Europe” safe for democracy, to paraphrase Woodrow Wilson’s vision, which was, in January 1918, the Western allies’ response to the Leninist challenge, and hence marks the beginning of the East-West conflict. Now, with the demise of the ideological-military dimension of that conflict, and the interest of the major actors in enhancing the salience of the Paris Charter for a New Europe, that ideal seems more credible. The balancing acts are demanding, no doubt; but Bonn had been confronted for over forty years with the sometimes very conflicting demands of France and the U.S. on its loyalties. Nevertheless, the FRG gained its reputation as a solid repair station in inter-West conflicts. The West European, EC-Europe model did not suffer from these disputes. Rather, it attracted the East European, and

in the same manner NATO now holds the only hope for the East Europeans, should events in the Soviet Union take a turn for the worst. Although the new tasks of coping with the East’s pull on Germany and of resolving the ongoing conflict of interest between the French and American connections in Germany's “Westward Orientation” are of a different dimension, I trust that (West) German elites are willing and capable of cooperating in building a “European peace zone,” “peace in parts” (J. S. Nye), but nevertheless a worthwhile, challenging task.