

German chancellor's military adviser a sympathiser of Nazi jurist

Justus Leicht
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It would be a mistake to think that the “you’re either for or against us” attitude and contempt for democratic and legal principles were exclusive to the former US President George W. Bush. Germany’s Chancellor Angela Merkel has for years courted the support of a professed admirer of Carl Schmitt—an intellectual forerunner of this kind of thinking.

Erich Vad, CDU (Christian Democratic Union) member and federal army officer, is Merkel’s security policy adviser. Having served briefly in the foreign office—headed at the time by Joschka Fischer of the Greens—he became a consultant in matters of national defence for the CDU/CSU (Christian Democratic Union/Christian Social Union alliance) parliamentary faction and thereby became acquainted with Merkel. After assuming governmental office, she drew him into her chancellery in 2006. There, at her express wish, he became team leader in the field of defence and security policy.

Under the headline “The Man in the Background,” the *Potsdamer Neuesten Nachrichten* newspaper reported at the time: “Vad provides Merkel with background briefings that enable her to find her way through the jungle of conflicting interests within UNO (United Nations Organisation), the EU (European Union) and NATO (North Atlantic Treaty Organisation), the security interests of the G8 (Group of Eight leading countries) and parliamentary politics in Berlin. He summarises the pros and cons of various options, makes recommendations—which she mostly follows—formulates arguments, writes speeches.”

Vad was due to be replaced on April 1, but Merkel was intent on retaining him and promoted him from colonel to brigadier general. No brigadier general has served as adviser in the chancellery since Helmut Schmidt (SPD—Social Democratic Party) headed government. According to information obtained by the magazine *Focus*, Merkel wanted to ensure that the officer, “who has advised her on military matters for years and accompanied her regularly on visits to troops, engaged in operations in foreign countries, would be at her side longer than initially planned.”

In its online edition of the same day, the *taz* newspaper pointed out exactly what kind of thinker the top military adviser to the chancellor is. Among other things, it referred to an essay, written by the officer seven years previously for the right-wing

magazine *Sezession*. Vad had already authored a book in 1996, titled *Strategy and Security Policy: Perspectives in the Works of Carl Schmitt*. The essay in *Sezession*, which he apparently continues to endorse, bears the headline “Friend or Foe: On the Relevance of Carl Schmitt.”

Vad resolutely refuses to disassociate himself from the man who was the leading jurist of the Third Reich. On the contrary, Vad justifies Schmitt’s “occasional collaboration with the Nazi regime” by referring to the right-wing historian Ernst Nolte and claiming that this “seemed to be the only way of preventing a complete collapse of the country.”

Schmitt’s “epoch-making achievement” is said to have consisted primarily in the theory he drew in the sphere of politics, “which he essentially understood in terms of the distinction between friend and foe.” Vad expressly affirms that this conception holds true “for today.” He quotes Schmitt to claim: “As long as a people exists in the political sphere, it must determine for itself the distinction between friend and foe, if only in the most extreme case—the actuality of which, however, it must also decide for itself. Herein lies the essence of its political being.”

Schmitt left his reader in no doubt about what he means: “The terms ‘friend,’ ‘foe’ and ‘war’ obtain their real meaning when they specifically make and retain reference to the real possibility of physically killing people.”

One such example (not mentioned by Vad) of who constituted “the foe” in Schmitt’s time was Hitler’s former comrade-in-arms, SA (paramilitary army) boss Ernst Röhm, who was murdered along with dozens of other politicians on Hitler’s orders in 1934 in the so-called “Night of the Long Knives.” Schmitt was quick to praise “the Führer’s deed” in an essay entitled “The Führer Protects the Law,” in which he wrote of “genuine jurisdiction” and the “highest judicial process.” Schmitt then rejected any legal enquiry into this act of state terror, since it would be “destructive of the law and the state.”

Schmitt later praised the notorious Nuremberg race laws for being “a constitution for liberty” and supported “the outstanding campaign of the Gauleiter [leader of a branch of the Nazis], Julius Streicher”—publisher of the anti-Semitic smearsheet “Der Stürmer”—against the Jews, who had now also

been declared “the foe.”

Vad uses Schmitt to attack the foreign policy of the former SPD-Green federal government, which refused to back the war in Iraq. He derides “faith in a domination-free discourse in the sphere of foreign relations” and takes up “Schmitt’s critical questions”: “Who now has the right to define the enemy and to proceed against him with every means—i.e., in certain circumstances, also with weapons of mass destruction? Who should be allowed to demand punishment for whoever has been defined as the enemy and to enact it—if necessary, as a pre-emptive measure? And how can international law and means be created to implement this punishment, if necessary, with the use of force?”

The significance of these statements became clear in the Iraq war. The US and their “friends” disregarded international law to wage war against the “enemy” Iraq, perpetrating crimes that are now indelibly associated with the catchwords “Shock and Awe,” Abu Ghraib and Fallujah. People, declared “foes” without recourse to legal proceedings, were incarcerated in Guantanamo and tortured, or otherwise killed by bombs and rockets in targeted killings. It is highly significant that Brigadier General Vad is now to support Chancellor Merkel in the commission of enquiry, set up following the Kunduz massacre in Afghanistan.

Also remarkable is just how often a high-ranking military and national security politician espouses great power and pressure-group politics. Vad specifically praises Schmitt for recognising “the significance of understanding the ‘Großraum [Greater space] and the order it requires.’”

He goes on to claim: “The US Monroe Doctrine of 1823, which defined the Western Hemisphere as the US’s region of interest, was for Schmitt an excellent model for a corresponding European conception. That this project of a European Großraum has since then continually floundered in no way contradicts its necessity. Like other geographical regions, Europe constitutes a unity because of its living conditions and general conception of the world, its traditions, customs, culture and religions.

According to Schmitt, it is “specifically located” and “historically concrete,” and hence, in order to continue its existence, it must assert a proportionate claim to power and justify itself ideologically. In the field of politics, such ideologies are nothing more than “the defining of categories to facilitate major planning projects,” drawn up by elites at a particular moment in history to create the intellectual basis of a political course for themselves and the masses they intend to steer.”

Underlying all this presumptuous intellectual babble is nothing other than German megalomania. Economically dynamic but poorly endowed with its own sources of raw materials, German capitalism regards Europe as its own backyard, its “sphere of influence.” It was not by chance that Carl Schmitt’s abundant writings on this subject, to which Vad

directly refers, appeared in the years beginning in 1939, when Hitler carried out his expansionist project by waging war and wreaking destruction.

In the 1941 fourth edition of the document cited by Vad, “Internationally recognised spheres of interest [Großraumordnung] and prohibition on their intervention by powers from other spheres,” Schmitt rejoices: “What the Führer did has given the idea of our empire political reality, historical truth and a great future in international law.” Prior to this, an essay entitled “Total Enemy, Total War, Total State” had appeared in 1937.

It should not be assumed that Vad is a Nazi, a fascist or an anti-Semite. But neither was Carl Schmitt until 1933. On the other hand, Vad completely fails to criticise the fascist and anti-Semitic tendencies and implications of Schmitt’s conceptions. Rather, he rails against anti-fascism, referring to it contemptuously as “re-education,” “ossified rituals of dealing with past history, and the mythology of the 68-ers.”

He closes his essay with the words: “These intellectual aberrations are in need of an antidote, and that may well be found in the political philosophy of Carl Schmitt. Like Hobbes in the 17th century, Schmitt developed in the 20th century political ideas that arose under exceptional circumstances, from a state of exception and the constant threat of domestic and international anarchy and violence. Such an approach stands in contrast to the idealistic utopia of a worldwide unfolding of human rights, of a peaceful reconciliation of cultures and civilisations, as well as more liberal, more open and more multicultural societies. Despite what many hope, it is precisely these conceptions of society that are the potential sources of conflict. They constitute a danger that cannot be combated with moral appeals, but only with the ability to recognise the real dangers, with political and military realism and with rational answers to the objective challenges of the situation.”

Identifying the enemy, the use of violence as a preventative measure (even with weapons of mass destruction), spheres of influence and expansionist projects instead of human rights and peaceful settlement—these are the ideological nostrums of Merkel’s top military adviser.



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