

German armed forces prepare for domestic operations

Peter Schwarz
3 September 2016

German Interior Minister Thomas de Maizière announced somewhat casually on Wednesday that the police and Bundeswehr (armed forces) will conduct joint domestic operations in February 2017 for the first time. This represents a political turning point and is a clear breach of the German constitution.

Domestic military operations were formerly a strict taboo in post-war Germany. That was one of the lessons that had been drawn from the role of the army in the Weimar Republic in the 1920s and 30s. As a state within the state, the Reichswehr (German military from 1919 to 1935) contributed decisively to establishing an authoritarian regime and to the rise of Hitler.

The decision to undertake the joint exercises is a bipartisan one. The critical meeting was attended by Maizière and Defence Minister Ursula von der Leyen (both Christian Democratic Union, CDU) and the Social Democratic Party (SPD) state interior minister of North Rhine-Westphalia, Ralf Jäger, and his CDU counterparts from Saarland and Mecklenburg-Western Pomerania.

The exercises will initially take place in four states: Bavaria, governed by the CDU's sister party, the Christian Social Union (CSU); in the SPD-Green Party-governed North Rhine-Westphalia and Bremen; as well as in Baden-Württemberg, run by a coalition of the Greens and CDU under Prime Minister Winfried Kretschmann (Green Party). Other states have also expressed an interest.

All parties are keen to avoid any public debate on the domestic use of the Bundeswehr because they fear massive opposition. For this reason, they are trying to downplay the political importance and historical implications of this step.

They have cited Article 35 of the constitution, which governs so-called "official and disaster relief" between the federal and state governments. According to this, "in cases of a natural disaster or an especially grave accident" the states can call on the Bundeswehr for support. It was on this basis that German soldiers were used to secure dikes during the devastating Elbe river floods in 2013.

The Green Kretschmann and the Social Democrat Jäger, in whose parties there are some reservations, have cited the same article to support the joint exercises.

Jäger asserted that discussions and joint exercises between the

police and Bundeswehr were important because the various official channels have to work in an emergency. However, the exercise scenarios had to take into account the fact "that domestic security is the responsibility of the police, in the first place."

However, the planned exercises are not about disaster relief, but constitute an anti-terrorism operation. It is conceivable, Maizière said, "that we could face complicated, days-long and difficult terrorist cases." The exercises involved "a wise provision for an unlikely but possible situation."

What is meant by such anti-terrorism operations was seen three years ago in Boston in the US and, more recently, in France.

In Boston, the security forces used the hunt for a 19-year-old who had carried out an attack on the city's annual marathon as an excuse to put the entire city on a state of emergency for 24 hours. The authorities imposed a curfew, while thousands of heavily armed National Guardsmen and police combed the city and ransacked homes without a court order. The measures were wildly disproportionate to the actual threat. They served to accustom the population to a police state, in which constant monitoring, surveillance and intimidation are commonplace.

"Behind these and other assaults on civil liberties is fear of the buildup of class tensions on the domestic front, fueled by declining living standards and burgeoning social inequality," the WSWs commented. "Under conditions where the system has nothing to offer the vast majority of the American population but poverty and war, the ruling elite is amassing the repressive forces of the police-military apparatus to confront the social explosions that must inevitably arise."

In France, heavily armed elite soldiers have been a regular sight on the streets ever since the government imposed a state of emergency following the Paris attacks in November 2015. Here, too, it is a matter of accustoming the population to the constant presence of soldiers, to curfews and arbitrary house searches, and their use to tackle social resistance. The state of emergency has already been used to suppress demonstrations against the hated new labour law.

In Germany, the government's domestic deployment of the Bundeswehr is directed against its own people. The return of German militarism is inevitably connected to a return to the

police state.

By adopting the “White Paper 2016 on German Security Policy and the Future of the Bundeswehr” in July, the governing parties—CDU/CSU and SPD—agreed to link increased defence spending on foreign deployments of the Bundeswehr with the use of the armed forces domestically.

In the section “Deployment and Role of the Bundeswehr in Germany,” the White Paper states that “in order to assist the police in effectively managing emergency situations, the armed forces may, in certain conditions, perform sovereign tasks and exercise powers of intervention and enforcement.” In serious cases of terrorist attack the Bundeswehr could be called upon to “use specific military means” domestically, explained Defence Minister von der Leyen at the time. She added, “That is: it has jurisdiction.”

The “use of intervention and enforcement powers” and the enjoyment of “jurisdiction” are something completely different from technical and logistical disaster relief. The Bundeswehr is thus being fashioned into an instrument of domestic repression, and builds upon Germany’s fateful and tragic historical traditions.

Already in 1849, the Prussian military prevented Germany’s bourgeois-democratic development by suppressing the last gasp of the democratic revolution in southern Germany. In the Kaiser’s empire, it then formed a “state within a state,” as the historian Gordon Craig called it, and exerted a lasting influence on the aggressive domestic and foreign policy of the empire.

In the revolution of 1918-19, the Social Democratic defence minister Gustav Noske rested on the military to quell the workers’ and sailors’ uprisings, and to assassinate the revolutionary socialists Rosa Luxembourg and Karl Liebknecht. Throughout the Weimar Republic, the Reichswehr remained a stronghold of reaction. As president, its idol Field Marshal Paul von Hindenburg appointed Adolf Hitler as chancellor in 1933. In World War II, the Wehrmacht [unified armed forces under the Hitler regime] were then deeply involved in the crimes of the Nazis.

This and the devastating effects of World War II are the reasons for the deep-seated rejection of the military by broad layers of the German people. In the early 1950s, the rearmament that took place in the Federal Republic (West Germany) sparked massive protests, partially involving the trade unions. When the Bundeswehr was officially formed in 1955, this was accompanied by the assurance that it was intended solely for defensive purposes and would never be used domestically.

“Never again should soldiers fire on citizens. Never again should the military be used as an instrument of rule domestically. Where the armed forces under Hitler acted as a kind of Fourth Estate of force, independent of parliament, the Bundeswehr is deeply responsible to the Bundestag (parliament),” is how one contributor for the news show *tagesschau* recently summarized the principles which were then

enshrined in the constitution.

But while the German ruling class sometimes organise a sideshow about the constitution, when it is a matter of protecting their own interests—including naming the Federal Security Service the “protection of the constitution” and describing political opponents as “enemies of the constitution,” as well as sociologist Jürgen Habermas’ referring to “constitutional patriotism”—they treat the constitution as a scrap of paper when it stands in the way of their interests.

In May 1968, at the height of the French general strike and the international student revolts, the grand coalition of the CDU/CSU and SPD adopted the Emergency Laws. These allow the use of the Bundeswehr domestically “to avert an imminent existential danger or to the free democratic order” (Article 87a of the constitution), i.e., the defence of bourgeois rule. However, this paragraph has never been used.

Following German reunification in 1990, in its “out-of-area” judgment of July 12, 1994, the Supreme Court gave the green light to military operations outside NATO territory. Even inveterate militarists previously assumed that the constitution had precluded this. Since then, the Bundeswehr has been involved in numerous wars, from Yugoslavia to Afghanistan.

Other judgments followed which removed the obstacles to militarism without the text of the constitution being amended. For example, in 2012, in another historical judgment following the out-of-area ruling, the Supreme Court allowed domestic operations of the Bundeswehr in “exceptional catastrophic situations”—an infinitely flexible definition.

The constitutional court justices have thus “not interpreted the constitution, they have amended it,” the *Süddeutsche Zeitung* commented at the time. “This is a legal coup.”

Since then, the establishment political parties have endeavoured to exploit this new room for manoeuvre. The joint exercises planned by the police and military represent a milestone in German politics.



To contact the WSWS and the
Socialist Equality Party visit:

wsws.org/contact