

Walter Scheel, The German policy of the renunciation of force

Caption: In 1971, Walter Scheel, Foreign Minister of the Federal Republic of Germany (FRG), analyses the importance of the treaties concluded the previous year by his country with the Soviet Union and Poland in the context of the FRG's Ostpolitik.

Source: The Treaty of August 12, 1970 between the Federal Republic of Germany and the Union of Soviet Socialist Republics. Bonn: Press and Information Office of the Federal Government, 1970. 204 p. p. 47-55.

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The German Policy of the Renunciation of Force

In an article published in the "Frankfurter Allgemeine Zeitung" on July 15, 1970, the Federal Minister for Foreign Affairs, Walter Scheel, explained the ideas on which the German-Soviet negotiations were based as follows:

Twenty-five years ago, at the end of the Second World War, the hopes of mankind and, above all, the intense longing of the peoples of our continent were directed towards one goal: peace for all and for all time. Today, in 1970, we in Europe are still far from reaching this goal, the establishment of a peace order embracing the entire continent. A security system based upon a precarious balance of confrontation and deterrence has spared us wars in this quarter of a century. It has not been able to create an atmosphere of trust. For all that, our continent has a future only if all European countries, notwithstanding all that separates them, make the conviction of common responsibility the basis of their policy.

It is true that parts of Europe are growing into supranational units which preclude thoughts of warlike conflicts inside these groupings, but this has not affected the glaring contrast, the confrontation between East and West. On the contrary: highly-equipped military alliances face each other in a worldwide framework, standing constantly on the alert. On German soil there is one of the biggest concentrations of military strength and means of mass destruction. Any great warlike conflict on European soil would smite and wipe out the German nation in its entirety.

No German Government can turn a blind eye to this situation. From it flow certain political consequences the disregarding of which would be tantamount to the physical suicide of our nation:

1. German policy can only be a policy of peace.
2. German policy must not be illusory or emotional; it must be realistic.
3. German policy must aim at trust in Europe; it must not foster present distrust.
4. German policy can be pursued only in association with friends and allies.

These perceptions are not new. They suggest themselves to anybody who feels himself committed to serve the well-being and the future of our nation. Their consequence is an imperturbable foreign policy based upon the renunciation of the use or threat of force in any form.

The foundations of this policy were laid in the last two decades: the reconciliation with France, the economic and political integration in Western Europe, the North Atlantic Alliance with the cooperation of the United States, the cooperation and friendship of many European and non-European countries.

Since 1961 (Foreign Minister Schroeder), continued in 1966 and intensified since the formation of the new Federal Government by SPD and FDP, efforts to achieve a reconciliation with the East European States have come to the fore. The focal point is the German offer to conclude comprehensive and closely interconnected agreements on the renunciation of force. Accordingly, in Moscow and Warsaw intensive preparatory talks have been going on for months, and Erfurt and Kassel are also to be mentioned in this connection. Further discussions are contemplated.

The question can be asked, why the renunciation of force, which in any case is part of enforceable international law, is enunciated in the Charter of the United Nations and was laid down in the treaties of the North Atlantic Alliance, as in the Warsaw Pact in Article 1, shall be an issue in bilateral arrangements at all. It must be admitted that problems are neither settled nor prejudiced by a treaty on the renunciation of force. It neither provides a substitute for material solutions nor definitely fixes existing circumstances; it is merely a renunciation of their assertion by force. This renunciation must be absolute and fundamental; by its very essence it leaves no room for one-sided reservations or claims to intervention.

In spite of this, the renunciation of force is more than a gesture without material substance. It starts with the situation as it is. It does not immobilize it; it merely describes it without at the same time passing judgment upon values. It does not say whether anything is fine or not, just or unjust. If it wished to do so, one would come to a dead stop even in the preparatory talks. It starts with the geographical status quo and offers a *modus vivendi* within the limits of this status quo. It respects and accepts reality. It does not undertake to recognize it in terms of international law and thereby to legalize it. These circumstances also include the present course taken by frontiers in Europe, the territorial, factual ownership of the European States.

Both sides commit themselves in the knowledge that there will continue to be problems between them. Were there no such problems — and, moreover, serious problems and at the time seeming insolvable — a renunciation of force would be superfluous.

We are not closing our eyes to the current and the long-term objectives of others, e.g., the Communist policy vis-à-vis Germany and Europe. In the same way, the Soviet Union well knows — and we leave no doubt about this — that for us the question of Germany and Berlin continues to take first place on the list of our East-West problems.

Our policy is determined by the principles summarized in the statement made by the Federal Chancellor on January 13, 1970:

1. Right to self-determination.
2. Striving for national unity and freedom within the framework of a European peace order.
3. Solidarity with West Berlin without prejudicing the responsibility of the Four Powers for Berlin.
4. Respecting the rights and responsibilities the Three Powers have in relation to Germany as a whole and Berlin.

Thereby we are fulfilling the task set in the Basic Law but are also complying with the claim, which no German can surrender, to be able one day to decide in free self-determination our own future as a nation.

A definite, contractually agreed peace in Europe is possible only if account is taken of these problems. To assert otherwise would be irresponsible illusion. It is, however, just as irresponsible if nationalistic hopes which are never to be realized by peaceful means are fostered. Finally, it is to be observed that the solution of these problems depends first of all on the Four Powers who have the responsibility for Germany as a whole and Berlin.

We know that at present there are many problems for which there is simply no offer of a solution. Whether, when and how solutions are found must be left to a long process, and we are only at the moment standing at its beginning.

The renunciation of force is no final package treaty and certainly no anticipation of the settlement in a peace treaty of substantial issues, but a necessary initial step. It alone permits the growth of trust which — in the knowledge of the great political, military and ideological confrontation on the soil of our continent — facilitates further steps to reduce tensions.

With this more balanced relationship between the treaty partners, material and not only procedural qualities also accrue to the renunciation of force:

1. Many tensions have their origin in the confrontation that is heightened by the apprehension of force. This applies particularly to the East-West relationship, which is extraordinarily overburdened with emotions and faulty assessments, with painful experiences having a traumatic effect, with internal political connections on

both sides. Positions which were, perhaps, once justified but which now seem obsolete and will have to be demolished have taken on form and become consolidated.

2. Agreements on the renunciation of force accelerate and facilitate the solution of disputes. They are the opposite to a policy of strength on the brink of open confrontation which — as the last two decades have shown — brings advantage to no side who operates in this manner.
3. In an atmosphere of the credible and unconditional renunciation of force, dangerous tensions and fresh, serious differences become rarer.
4. The reassurance that a renunciation of force brings into the relations of the partners—and we are convinced of this — will also be conducive to peoples coming to understand one another better and dissipate distorted ideas.
5. As such, the talks on a renunciation of force already represent a step forward. In the course of them, misunderstandings can be overcome and positions clarified. There can — indeed must, if no misunderstandings are to arise — be discussion of points at issue, in which connection everything that affects the opposite partner should be brought up for discussion even if they are problems for the solution of which neither side is legally responsible.

This exchange of ideas on the fringe of the preparation of treaties on a renunciation of force will allow much to seem more realistic in the eyes of the other side than was, perhaps, hitherto the case. This dialogue alone can lead to less agitation.

That is why more should be seen in this form of concrete or qualified renunciation than in the classic model of the non-aggression pact. Like an abstract renunciation of force, such a renunciation could be described as an objective in itself, a conclusive assurance of two States which do not want war to descend upon them. On the other hand, a qualified renunciation of force has a preparatory character. It is intended to be a firm foundation for further steps which guide the way out of the existing state of affairs unsatisfactory for all. It does not, therefore, signify foregoing the tackling of problems requiring solution; it is intended to have precisely the opposite effect. If a renunciation of force is to have such a foundation, it must be clear that it may not contain either open or concealed differences of opinion and thus jeopardize mutual confidence. In addition, each side must take into account the difference in the other's political and social structure. Here, too, the renunciation of force can change nothing in any direction.

What do we promise ourselves from further agreements on the renunciation of force? We promise ourselves changes in the present situation which lie in the well-understood interests of all concerned and are not only related to temporary situations; thus, not the consolidation of the status quo but an improvement of it.

The first thing to mention is a normalization and objective consideration of the relations. The first encouraging signs are the agreement on the institution of consular representations in Hamburg and Leningrad and the start of negotiations on the investment of consular authority on the mercantile agencies of the Federal Republic of Germany and the People's Republic of Poland.

A treaty on the renunciation of force further increases objectively the security of the treaty partners, since security is enhanced not only by a preparedness and capacity to defend, but also by a lowering of tension and improved intercommunication. This also improves the prospects for the project of an East-West conference on an improvement of security for and in Europe and the inevitably connected talks on balanced, mutual and controlled reductions of forces. But also included are extended agreements on trade, science and culture, the improvement of East-West transport and traffic conditions and of other infrastructural spheres, even the possibilities of cooperation inside and outside Europe — here the German-Soviet natural gas agreement sets a significant example. In short, the promotion of the exchange of people, goods and information runs parallel and is facilitated as a consequence of these agreements on the renunciation of force.

Indeed, it is possible to visualize steps in the direction of a compulsory arbitration jurisdiction in the European area.

That being said, such results are to be expected only if these agreements on the renunciation of force are not considered in isolation. They have to be upheld by us in association with our allies, as happened in an impressive manner at the meeting of NATO Ministers in Rome in May, 1970. They form part of the East-West detente and are at the same time conducive to it. They demonstrate the will of the people concerned to overcome the dangerous, costly and paralyzing confrontation of force. That is why there is a close connection between talks on a renunciation of force with Moscow, Warsaw and East Berlin and the Four-Power talks on Berlin. Nor can the SALT soundings between the leading Powers in East and West be completely divorced from this connection. It is impossible — for example, vis-à-vis West Berlin — to pursue a policy of keep-ing up tension and at the same time make preparations for a renunciation of force with the effect of reducing tension in other spheres, for example, between the Soviet Union and the Federal Republic of Germany.

The process of reducing tension in Central Europe is — and all concerned must proceed on this premise — indivisible if it is to be effective and further steps in the direction of detente are to be prepared. This connection is a political reality which we do not create, but which is facing all persons concerned. For this reason our policy is planned so that progress in one talk exercises a positive influence on the others. This does not, however, also mean that difficul-ties, or even a failure, in one place can be passed over in silence in other spheres. It should be a matter of course for all European States, irrespective of their size, situation and internal structure, that, even if apparent initial successes can give another impression, in the long term no responsible policy can be pursued by force in its manifold forms, which also include the threat of force or subversion.

After all, it is a question of a long road. Antagonisms which have developed in a quarter of a century of European history and have — in part artificially — been exacerbated cannot be overcome without difficulties and setbacks and cer-tainly not in one attack. Here it is a matter of seeing the renunciation of force in the proper perspective; it is a first, but an indispensable, step that must be followed by others.

One can ask oneself whether a sober estimation of the relative strengths in the world and on our continent and the proportion of energy and possibilities that we can muster, justifies any such policy at all. In other words: is there an alternative to the policy of renouncing force?

The absolute counterpart — the policy of force — is no genuine alternative at all. There remains the possibility to leave things as they are. This would, perhaps, be possible in a political setting in which nothing ever changes. But things have been set in motion and the development would overtake us. Anyone who wished to pursue such a policy of no action would be isolating himself and standing aside condemned to increasing "provincialization". Were we to follow this line we should enjoy the protection of the Western Alliance only to such a limited extent as the others' interests made it necessary. Thereby we should be saddled with the most expensive policy of all: immobility on the line of "what need not be, cannot be". Hand-in-hand, too, goes the assertion that "time is on my side". But time is always on the side of the one who is up and doing.

A fundamental political tenet says: "one risks peril not only by going it alone; one can also do so by standing still alone". This sort of "policy" would rightly deserve the designation "policy of renunciation". Day after day it would be less and less reconcilable with the political re-ality surrounding us. As the art of the possible, it would, through its own efforts, renounce guaranteeing our people peace, freedom and prosperity.