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## **Soldiers as Servants of Peace**

Statement on the Status and Tasks of  
Soldiers in the Federal Armed Forces

29 November 2005



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## Soldiers as Servants of Peace

### Statement on the Status and Tasks of Soldiers in the Federal Armed Forces

In its 50 years, the Federal Armed Forces (*Bundeswehr*) have established themselves as an integral part of the constitutional and democratic order of the Federal Republic of Germany. While always treating the creation and maintenance of any means of military force with all the due fundamental caution, it can be said that the Federal Armed Forces have proven themselves.

Recent years have seen the mission and scope of the Federal Armed Forces undergo decisive change. The proven foundations are being called into question as a result of major changes to the peace and security policy situation. Adequate answers now need to be found to the new challenges. In this situation, we want to draw attention to one of the indispensable foundations of the Federal Armed Forces – the concept of *Innere Führung* (leadership and civic education). We attach all the more importance to this since the proven and in many ways forward-looking principles of *Innere Führung* are currently in danger of being levelled down to a minimum standard. This is why we emphasise a concern that we had already expressed back in 2000 in our peace statement entitled "A Just Peace" (JP) (cf. JP nos. 140–144). The dynamic continuing development of the concept of *Innere Führung* is one of the decisive prerequisites for the peace-ethical legitimacy of the armed forces.

## I. The Concept of *Innere Führung*

To define the outstanding significance of *Innere Führung* more clearly, it may make sense to once again call to mind the basic principles of this concept.

### I.1 The basic ethical principles

Founded, in the final analysis, on the belief that man is made in the image of God, each human being enjoys inalienable and indivisible rights: Human rights. As far as the situation of using military force is concerned, this leads to the problem that this force often represents an invasion of the human rights of others. This is why the Second Vatican Council already emphasised the key significance of an adequate soldierly identity: "Those too who devote themselves to the military service of their country should regard themselves as the agents of security and freedom of peoples. As long as they fulfil this role properly, they are making a genuine contribution to the establishment of peace" (cf. Pastoral Constitution "*Gaudium et Spes*" no. 79). This is not the place to deal in detail with the ambivalence and prerequisites relating to the use of military means (for more on this, cf. JP nos. 150–161). However, when military means are used with responsibility, an understanding of the specific dilemmas involved in the use of military instruments has a central role to play. Because, the use of force fundamentally bears the risk that the users of force might themselves become caught up in that force and so themselves become a part of the force, with the result that they also do severe damage to their personalities respectively to their social and political contacts. A critical attitude towards force and its dynamics is a necessary prerequisite for being able to repel the inescapably founded evils associated with the use of force. Restrictions to the duty to obey orders and



respect for the soldier's freedom of conscience and human rights in the face of the ethically precarious situation of using force attempt to address this fundamental situation. "... professional ethos includes the ability to assess a situation and act accordingly. That is why a decision-making procedure that encourages soldiers to make decisions on the basis of ethical responsibility is so eminently valuable." (JP 142)

## 1.2 The historical principles

The founding of the Federal Armed Forces, a highly controversial development in domestic policy terms, especially given the background of the experience of the Second World War, aimed to establish the armed forces in such a way that they corresponded with the basic democratic order, both in orientation and in internal constitution.

The constitutional integration into the state order, the strict subjection to parliamentary control, and the primacy of politics were just as much part of the core principles as was the aim to use social integration to rule out the development of a separate soldierly ethos right from the very beginning which, in the worst case scenario, could even lead to a "state in the state" developing. This is why the model of a "citizen in uniform" (*Staatsbürger in Uniform*) obliges soldiers to an ethos of respect for human rights, fairness, tolerance, and loyalty towards democratic decisions. The armed forces of a democratic, constitutional state require that their soldiers make their decisions in a morally responsible way.

*Innere Führung* continues, as it always has, to be a modern concept that responds to the most recent German history, especially the moral and political failure of the *Reichswehr* and *Wehrmacht* in the face of National Socialism. The introduction

of *Innere Führung* drew concrete conclusions from the extremely violent experience of the Second World War. This experience and these conclusions continue to remain valid to this very day.

### 1.3 The legal principles

The above-mentioned principles and considerations have found their legal framework in the German Basic Law (the constitution: *Grundgesetz*), in a number of statutory and administrative regulations for the armed forces as well as in institutions such as the Parliamentary Commissioner for the Armed Forces (*Wehrbeauftragter des Deutschen Bundestags*).

The armed forces are integrated into the system of the democratic separation of power and control (system of checks and balances) in such a way that the primacy of democratically legitimised politics is assured. This serves to prevent the armed forces from becoming an autonomous body.

Binding military action to national and international legal orders sets limits to the soldier's military authority and duty to obey orders. The duty to obey orders ends where unlawful or illegal actions are commanded.

The protection of basic rights defines the legal status of soldiers and of citizens in general. Militarily necessary restrictions to individual rights are governed by law subject to the principle of commensurability. Superiors are not authorised to decide whether to grant or restrict basic rights. The basic right to freedom of conscience that serves to protect the individual as a moral person also applies without restriction in the armed forces. It cannot be suspended with reference to aspects of military purposefulness or functionality.

This means that the concept of *Innere Führung* includes normative principles which aim to ensure that the armed forces, in terms of their organisation and internal order, constructively integrate the rights and duties of soldiers, and the soldierly identity into the democratic order. They ensure that the arrangement of a soldier's duty corresponds with human dignity and human rights. If these principles and the patterns of action that arise from them are to take effect, then they need to be updated and practised in accordance with the situation in question. A purely formal treatment and application of the principles would fail to do justice to their significance.

## **2. Challenges to the Concept of *Innere Führung***

### **2.1 The changing mission profile of the Federal Armed Forces**

#### **2.1.1 Missions abroad**

Even in the future, national defence will continue to be the core task for the Federal Armed Forces. Nevertheless, the current transformation of the armed forces aims to create an internationally, fully operational army. Within the scope of the Federal Armed Forces' extended range of tasks and responsibilities, federal government and parliament have in recent years not only approved classical UN missions and other peace-keeping measures, but also combat missions to prevent the most serious human rights violations.

This kind of foreign mission or assignment calls for soldiers to have extensive moral decision-making capabilities that must also be able to stand up to extreme situations and stress. Conflicts often call for individual interpretations of the situation, personal decisions that cannot be facilitated only by a knowledge of the mission rules. Preparations oriented in line with the principles of *Innere Führung* should, along with a knowledge of the key legal points, consequently sharpen the soldier's moral decision-making power and raise the emotional willingness and cognitive ability to follow the norms and values of the people living in the operational area. The latter aspect has a particularly important role to play, especially in respect of the highly-sensitive field of gender relations.

The experience gained through the various kinds of missions and assignments abroad places a high burden on the soldiers

and their families and shows, on the one hand, that any ethically sustainable grounds for a mission demand and indeed must demand higher standards from the responsible politicians and armed forces. On the other hand, they also indicate that trends towards the formation of mercenary and warrior mentalities cannot be ruled out. This is why it is important to respond early and unequivocally to these challenges.

Multidimensional peace-keeping missions are made up of a special mix of civil, police and military elements. The success of these assignments depends to a not insignificant degree on a perspective that focuses on reducing the military (or police) element. Skills are needed that extend far beyond the classical military ones. These so-called soft skills (civility, intercultural skills, communications skills) are not least fruits that have been generated by the concept of *Innere Führung*.

### **2.1.2 Multinationality / Interoperability**

Within the scope of their missions, the Federal Armed Forces are increasingly being integrated into multinational units. This means that soldiers come across various leadership cultures which, in some cases, differ substantially from the culture of *Innere Führung*. Moreover, the soldiers of the Federal Armed Forces quite often find themselves in situations in which they are subordinated to a military leadership that has been shaped by a completely different culture of the military. This often results in the concept of *Innere Führung* being challenged. Arising ambiguities or questions regarding the legal status of the soldiers lead to uncertainties among the soldiers.

However, the trend towards levelling down *Innere Führung* to a minimum level, initiated by the endeavour to harmonise decision-making processes within multinational units, proves to be

problematical in many respects. A special role is played in this context by the oft-asserted but in the final analysis only apparent conflict between military efficiency and *Innere Führung*. At closer sight it can be seen that it is especially the soldiers trained with a critical mind and eye and with a deeper-reaching and more sustained understanding of their mission who are more suited to meeting the complex challenges and who are able to repel the temptations that accompany the daily handling of violence and means of force.

This is why it is necessary that the soldiers are prepared for situations in which differing legal and cultural norms can cause uncertainty. Working in multinational contingents they must also be able to rely on the fact that their rights are preserved and that the principles of *Innere Führung* continue to apply for them.

### **2.1.3 Restructuring / Shortage of resources**

A lack of staff, a tight programme of tasks, rationalisation and economisation generate noticeable pressure in everyday life in the Federal Armed Forces. And this pressure threatens to push less relevant tasks into the background. These burdens additionally encourage a "technicised" and abridged understanding of a soldier's duty that is unable to meet the complex challenges faced by modern armed forces. The concrete implementation of *Innere Führung* in the everyday life of the Federal Armed Forces is substantially affected by these developments. The concept of *Innere Führung*, which so decisively promotes the soft skills that are so urgently needed in international assignments, faces the danger of being undermined. This is also seen in the more than regrettable treatment of political education, which is only being inadequately provided.

## **2.2 Society's new relationship with the Federal Armed Forces**

### **2.2.1 The debate on general military conscription**

Altered foreign and security policy frameworks mean that the issue of general military conscription has become a subject of public debate (cf. JP nos. 145–149) in Germany. We notice with concern that the requisite debates very apparently do not seem to be held with the necessary sincerity and concentration. Many highly-differing criteria and aspects are all too often emphasised without transparent priorities being set. Consequently, the general conscription debate threatens to become a projection area for various political interests. The continuing lack of debate in society on the pressing peace and security policy challenges may contribute to this overburdened military reform debate just as may society's relatively little interest in security policy questions. While the latter may, on the one hand, seem to be the result of a system of social civility that has grown over decades, it will, on the other, hardly be possible to circumvent the fact that society's lacking interest in questions relating to the armed forces inherently includes a dangerous element of suppression of the issue. This is why we conclude that it is a question of political responsibility (including towards soldiers) that the pressing peace and security policy questions, including their military policy aspects, are addressed with the necessary differentiation and determination.

Yet, depending on the concrete assessment of the kind of military question, it is important to draw up ethical measures along which the political opinion-forming process can orient itself. So each and every military form must be questioned in terms of whether it serves to integrate the armed forces into the state and society as well as to develop an ethically reflected soldierly

identity. Furthermore, each military form must also be designed in such a way as not to weaken the conditions needed for implementing the principles of *Innere Führung*; rather, it must be designed to help to improve these.

### **2.2.2 Recruitment**

A sensitive indicator for the integration of the armed forces into the free and pluralistic society of the Federal Republic of Germany is seen in how the armed forces are made up in terms of their staff. This make-up must reflect the social and ideological diversity of German society. Pluralism in the armed forces serves to counteract trends towards the formation of a specific and separate military culture.

In fact, the spectrum of social outlooks and groups represented within the armed forces has noticeably narrowed over recent years. Not least, this mirrors the decreasing social interest in the armed forces. All this gives ground for concern.

So this raises the question as to how – in the future more than at present – staff are to be recruited for the armed forces from all relevant areas of society? The selection of staff plays an important role in this respect. The selection process must prevent soldiers of the Federal Armed Forces from belonging to any one-sided political orientations. Furthermore, efforts need to be intensified that aim to achieve an ethically reflected soldierly identity.

### **2.2.3 The soldierly identity in the face of increasingly individual and pluralistic value orientations**

The soldierly identity in the Federal Armed Forces is oriented in line with the idea of a "citizen in uniform". This idea gives



expression to a democracy-compliant, professional ethical model for soldiers, and formulates expectations for the value systems and characteristic features of the members of the armed forces. The increasingly individual and pluralistic value orientation in our society means that the question as to whether the propagation of this identity by the Federal Armed Forces is compatible with the ideological neutrality of the state is occasionally asked. This must be countered by the fact that, much like social consensus on the principles of the constitution, we cannot dispense with consensus and agreement on the soldierly identity either. We are allowed no relativism in this respect. For, as soon we are no longer aware of the demanding ethical prerequisites relating to the use of means of force, or when these are doubted, then we can no longer expect with certainty that such means and instruments will be used appropriately or properly – with far-reaching consequences for all involved.

However, an ethically reflected soldierly identity cannot be safeguarded or assured by orders or threats of sanctions. Moral loyalty to the values and standards of the democratic order and the formation of a democratic ethos must rather be the goal of comprehensive educational processes within the armed forces. The culture of *Innere Führung* creates the necessary freedom and space for developing the desired identity.

### 3. Prospects

#### 3.1 Consolidating *Innere Führung* within the Federal Armed Forces

Given the outlined challenges, a high degree of priority attaches to the systematic consolidation of *Innere Führung* within the Federal Armed Forces. The valuable experience gained over the course of decades needs to be made productive for new forms of assignments and missions by the armed forces. The setting of such priorities demands increased educational efforts in the armed forces. Just as necessary are mission and problem-related training measures regarding the concrete application of the principles of *Innere Führung* under conditions of crisis. Continual efforts to provide information and education on the current norms regarding the protection of the civilian population and safeguarding enemy combatants are, not least, also indispensable in view of the background of the perilous experiences in Iraq.

Furthermore, it would be necessary to check whether the principles of *Innere Führung* could be strengthened by firmly defining them in a federal act. Such an approach would underline the normative significance of *Innere Führung* with legal effect.

#### 3.2 Ethics and leadership culture in the joint European and Euro-Atlantic defence efforts. *Innere Führung*: not a separate path, but rather paving the way

Given the fact that multinational missions – in particular in the European and Euro-Atlantic context – will become ever more important, the question as to the development of a common leadership culture must be asked very emphatically. However,

this comes up against the fact that the respective national armed forces have been formed within the scope of matured legal systems. So, in each case, individually unique military traditions have been established, in some cases with a high identificational value. With all due respect to cultural diversity, however, it will not be possible to avoid serious debate on the ethical principles of leadership cultures in the various armed forces, subject to the current requirements of multinational military cooperation and a common European security and defence identity. Recent events and developments (e.g. in Iraq) underline the urgency of this question. The positive experience gained with the principles of *Innere Führung* need to be introduced into this discussion process with confidence.

The occasionally heard accusation that *Innere Führung* is only an expression of a separate German path related to the specific requirements after the Second World War holds no water. For example, a look at the leadership cultures of the Scandinavian armies shows that comparable conclusions were drawn there from quite different historical roots. The "Code of Conduct on Political-Military Aspects of Security" approved by the "Organisation for Security and Cooperation in Europe – OSCE" in December 1994 points in the same direction. It obliges the member states to observe minimum standards on the integration of the armed forces into the democratic state, on the control of the armed forces, on ensuring that soldiers have a legal status that protects basic rights, and on ensuring that all members of the armed forces are personally responsible for their actions. It is the responsibility of politicians to actively drive forward the continuing development and specification of the standards agreed on in the code.

In our publication entitled "A Just Peace" (no. 140) we demanded that "efforts should be made to extend the opportunities for taking morally responsible decisions in all Alliance armies

enabling greater cohesion between them on the basis of these legal provisions." The principles of *Innere Führung* pave the way in this respect.

### **3.3 The church's share of responsibility in the sense of *Innere Führung***

In the military chaplaincy, the church has been close to the soldiers of the Federal Armed Forces for decades. We endeavour to support the soldiers and their families in a humane and appropriate manner. Through this, the church has not insubstantially contributed also to integrating the armed forces into society and to the success of missions carried out by the Federal Armed Forces. This experience spurs us on and encourages us to not falter along this path. In the future, too, we will stand by the members of the armed forces personally and through our pastoral care, and will promote an ethically reflected soldierly identity – including, not least, by teaching about life. The culture of *Innere Führung* is among the indispensable prerequisites for our commitment and dedication in the armed forces.

In the past, the church has repeatedly voiced its opinion in social discussions on peace and security. And we will continue to do so in the future. Wherever we are of the impression that the various social and political players are only inadequately meeting their responsibility for preserving and enhancing the common good in this question, we will continue to be reliable advocates by acting with and in the armed forces in such a way that meets the deeply serious nature of this matter.