

# NATO and the Kosovo War. The 1999 Military Intervention from a Comparative Perspective

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## From Kosovo Rush to Mass Atrocities' Hush. German Debates since Unification

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**Abstract:** Germany's involvement in the Kosovo War marked its first active participation in combat operations since the Second World War. For many observers at the time, the intervention represented a fundamental policy shift in the West, and in Germany in particular. Mass atrocities, no longer to be observed from the sidelines, were now to be actively prevented. Twenty years later, this stance seems rather puzzling. Mass atrocities continued to be committed; Germany has neither championed efforts to prevent such acts, nor has it been proactive in this regard. In this article, the authors develop three proxies that serve to indicate whether mass atrocities were highly politicised: the existence of parliamentary debates, media coverage, and church statements. They show that Kosovo is an outlier within an otherwise clear continuity of German political silencing in the face of mass atrocities. To prove this claim, they turn to German domestic debates on twelve mass atrocity cases abroad since the country's unification in 1990.



**Keywords:** silencing, mass atrocities, German foreign policy, Kosovo

## Introduction

“Never again war, never again Auschwitz.” Up through today, this famous quote by former foreign minister Joschka Fischer remains a symbolic talisman for the German discourse on how to react to the mass atrocities committed in the former Yugoslavia (‘Das wäre blutiger Zynismus’, *Der Spiegel*, 20 August 1995). In response to the genocide in Srebrenica in July 1995, Fischer initiated a substantial debate on the Green Party's (*Bündnis 90/Die Grünen*) position on humanitarian

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intervention. Only three years later, push came to shove when mass atrocities escalated in Kosovo. Germany's Western allies—the United Kingdom (UK), France, and foremost the United States (US)—decided to activate the North Atlantic Treaty Organization (NATO) and demanded that Germany take a stand. At this very moment the government headed by chancellor Helmut Kohl was transitioning out of power and the Green Party was forming a new governing coalition with the Social Democratic Party (*Sozialdemokratische Partei Deutschlands*, SPD) under Gerhard Schröder. In March 1999, these discussions about interventionism resulted in the first active German involvement in combat operations since the Second World War. Although Germany had on previous occasions deployed its military abroad, this active role in the Kosovo intervention, combined with the lack of a United Nations (UN) Security Council mandate, was widely seen to represent a fundamental policy shift among Western powers in general, and particularly of German foreign policy (Miskimmon 2009, 561). Mass atrocities, no longer to be observed from the sidelines, were to be actively prevented.

Today, more than twenty years after the Kosovo intervention, this alleged policy change seems rather puzzling. Mass atrocities continue to be committed; for its part Germany—so runs our thesis—has not acted vigorously to prevent such acts, and its policies have not been proactive in hindering their emergence. Despite the comprehensive discourse surrounding the Kosovo episode, and despite the German sense of responsibility towards its own past, mass atrocities have usually not been at the centre of the elites' political debates. On the contrary: we posit that Kosovo is an outlier within an otherwise clear continuity of German silencing of and subsequent inaction in the face of mass atrocities.

Considering the general discussion on German foreign policy, we distinguish two distinct camps. For some scholars, German foreign policy is to be understood as being continuous and stable. In their view, even the dramatic changes to the international system in 1989–91 did not alter this assessment (Bach 1999; Berger 1998; Duffield 1999; Harnisch and Maull 2001; Longhurst 2004; Maull 2008). In this reading, German participation in the Kosovo War was a result merely of a continuous activation of European security policies in the 1990s, and Germany stuck to its fundamental principles entailed by its role as a “civilian power” (Maull 2000).<sup>1</sup> An alternative interpretation of Germany's post-Cold War foreign policy tends to stress a process of significant change which made German foreign policy more “normal” with regard to great powers in general and European allies such as

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<sup>1</sup> According to Maull a civilian power promotes “multilateralism, institution-building and supranational integration, and [tries] to constrain the use of force in international relations through national and international norms” (2000, 56).

France and the UK in particular (Baumann 2006; Crawford 2007; Ein fordernder Multilateralismus, *Frankfurter Allgemeine Zeitung*, 4 February 2009; Roos 2012). This “normalisation” was grounded in a power-oriented re-socialisation of German elites (Hellmann 2004). Neither perspective, though both are prominent in theoretical debates on German foreign policy, has yet been systematically examined within the context of a wide range of mass atrocities. While acknowledging that the continuity-vs-change discussion is still useful analytically (Hellmann 2011, 735), our starting point in this article is a modified continuity thesis, which sees the silencing of mass atrocities as a prevalent general pattern, with Kosovo offering a notable exception to the rule.

To prove our thesis, we look at the domestic debates vis-à-vis a wide range of mass atrocity cases since German unification. Our understanding of mass atrocities encompasses genocide, crimes against humanity, and excessive war crimes as defined by the Rome Statute of the International Criminal Court (International Criminal Court 1998/2011). Referring to the UN’s (United Nations 2005, 30) World Summit Outcome, we also include “ethnic cleansing”. Admittedly, to investigate *all* mass atrocity incidents since the Cold War’s end lies beyond this article’s scope. Nonetheless, a broad spectrum of cases is essential to bring forth a holistic assessment of unified Germany’s treatment of mass atrocities. Therefore, we include twelve of the most significant mass atrocity cases, ranging from Somalia in the early 1990s to ongoing situations in Myanmar, Yemen, and South Sudan.

How is Germany’s attitude towards instances of mass atrocities to be analysed? We begin with the assumption that any meaningful form of foreign policy behaviour should be preceded or followed by a debate. Foreign policy debates signal whether—and if so, how—foreign policy actions are legitimised, and whether a foreign policy is contested. They further reveal the degree to which an issue is politicised, i.e. is “part of public policy, requiring government decision and resource allocations” (Buzan, Waever, and Wilde 1998, 23). “Silence”, by contrast, indicates that an issue should not be politicised (Dingli and Cooke 2018). The political elite and the society in general are satisfied with the government’s (non-) action. In theoretical terms, we would speak of a discursive hegemony, i.e. a cluster of legitimising arguments that are not contested in domestic debates (Stahl 2017b, 443). As we elaborated elsewhere,<sup>2</sup> silencing signifies a domestic ideational structure based on an identity mismatch (a national identity that cannot come to terms with formative events). Existing possibility spaces for foreign policy are frozen, inhibiting any political debate, in turn hindering new or innovative

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<sup>2</sup> For a comprehensive analysis of silencing in political discourse see Hering and Stahl 2022.

political ideas: silencing aims at non-politicisation. Thus, the public is not provoked or even remotely stirred up; rather, it is meant to continue to adhere to the worldviews of the current discursive hegemony.

How to assess domestic debates? To examine twelve cases qualitatively within the limits of an article, qualitative discourse analysis is not feasible. Therefore, we have chosen a two-step approach. First, we introduce three proxies for political, media, and societal debates: the existence of case-specific plenary parliamentary debates; the existence of relevant covers on the weekly magazines *Der Spiegel* and *Focus*; and statements of the two dominant Christian denominations. The three proxies are presented in greater detail below. By focusing on *plenary* debates, *magazine covers*, and *leading* church officials, we have deliberately chosen proxies with a certain level of issue salience. Accordingly, we do not yet endeavour to investigate comprehensive *silencing* but rather are investigating whether mass atrocities are strongly *politicised* in Germany.<sup>3</sup> After arriving at an overview of all twelve cases, we can, in our second step, discuss the findings referring to our aforementioned thesis and the continuity–change debate.

We will proceed as follows. We begin by examining the Kosovo case, the article's central point of reference as well as our thesis's outlier case. We then offer deeper insights into our methodological toolbox, which includes the case selection and the periods of investigation. A table will summarise our analytical findings regarding the three proxies for each case study. These determinations will be discussed in the light of the existing case literature and debates on German foreign policy. A general conclusion closes out the article.

## Germany's Kosovo Rush

Germany's reaction to the Kosovo crisis can be understood only within the overall context of the Yugoslav wars. Germany may have been very active politically when violence spilled over from Slovenia to Croatia in the spring of 1991, but it remained largely silent during the Bosnian War. Its reluctance to speak out was mainly due to the massive criticism it received after its unilateral recognition of the two northernmost former Yugoslav republics on Christmas Eve 1991 (Maull and Stahl 2002, 91). As a political consequence, Germany *de facto* tolerated mass atrocities in Bosnia while maintaining (unrealistic) diplomatic hopes (Maull and Stahl 2002, 89–90). The Kosovo crisis changed this posture.

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<sup>3</sup> See Hering and Stahl (2022) for three of the mass atrocity cases (Yemen, South Sudan, and Myanmar).

Kosovo had already been a region of political concern in Yugoslavia. Yet unrest increased after the peaceful entreaties of Kosovar politicians had fallen on deaf ears in the West. Only after 1996, when the Kosovo Liberation Army (*Ushtria Çlirimtare e Kosovës*, KLA) began attacking Serbian people and institutions in Kosovo, did the German *Bundestag* take up the issue, claiming to safeguard minority and human rights in the region (Krause 2000, 398). Over the course of 1998, when mass atrocities dramatically peaked in Kosovo, the German government participated in the international sanctions regime against Yugoslavia (foremost against Serbia). At the same time, it still worked hard for a diplomatic solution via the Balkan Contact Group, a region-specific ad hoc institution established during the Bosnian War and reactivated during the Kosovo crisis (Schwegmann 2003).

The escalation of mass atrocities and the subsequent refugee crisis hit the German political class during a delicate transition phase in which the outgoing Christian Democrat–Liberal government<sup>4</sup> was being succeeded by the incoming Social Democrat–Green coalition. Both governments supported German participation in a looming NATO bombing campaign despite the unlikelihood of a UN Security Council mandate supporting the action. The parliamentary debate on 16 October 1998 revealed the corresponding discursive positions, marking a “watershed” in German security policy (Damrosch 2004, 143; similar: Joetze 2001, 41–2; Schwab-Trapp 2002, 255–6). The following debates in the *Bundestag*, such as the discussion on 25 February 1999, only nuanced the positions under the assumptions that international negotiations were deadlocked and NATO intervention was imminent (Swoboda 2009, 144). The first of the two prevailing arguments in the political debates was grounded in the stated necessity of forestalling genocide (“never again Auschwitz”). This argument had strengthened over the course of the Bosnian War and in the German “out-of-area debate” (Katsioulis and Nadoll 2003, 356–7). This debate had been triggered during the run-up to the Gulf War in 1990, when questions arose of where, and how, Germany was allowed to deploy its military. Answers varied from radical pacifism and the use of force only for (national) self-defence to global deployment, for example in peacekeeping operations. The legitimacy debate came to a preliminary end with a ruling of the German Constitutional Court in 1994, according to which Germany could participate in missions within a system of collective security outside the NATO area. At the same time a second argument,

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<sup>4</sup> Christian Democratic Union of Germany (*Christlich Demokratische Union Deutschlands*, CDU), Christian Social Union in Bavaria (*Christlich-Soziale Union in Bayern*, CSU) and Free Democratic Party (*Freie Demokratische Partei*, FDP).

underscoring Germany's loyalty and trustworthiness as an ally and NATO partner as well as in the international community, had become stronger (Dalgaard-Nielsen 2003, 105; Swoboda 2009, 144–8).

Germany's participation in NATO's bombing campaign—its first active involvement in combat operations since the Second World War—combined with the lack of a clear-cut UN mandate and the transitional political situation served to trigger controversy and widespread debate. As a revealing indicator, the German weekly *Der Spiegel* featured Kosovo on its cover seven times in 1999, including five consecutive issues (Die Entscheidung, 25 April 1999; Ernstfall Frieden, 13 June 1999; Frieden?, 6 June 1999; Krieg gegen das Morden, 28 March 1999; Krieg ohne Sieg, 18 April 1999; Was geschieht wirklich im Kosovo?, 18 April 1999; Wohin führt dieser Krieg?, 4 April 1999). The second weekly under consideration, *Focus Magazin*, devoted two covers to the topic (Die Akte Milosevic, 12 April 1999; Droht ein großer Krieg?, 29 March 1999). Overall, the titles were indicators of the counter-narrative to the discourse-hegemonic arguments heard in the *Bundestag* lying squarely in the “culture of restraint” tradition (“never again war”), reflecting sentiments also prevalent among the *Bundestag*'s left-leaning parliamentarians (Swoboda 2009, 148–50). Germany's two dominant Christian denominations, the Roman Catholic and Evangelical churches, emphasised the ethical and political dilemma encapsulated in “never again war, never again Auschwitz”. Initially, both seemed to support Germany's participation in NATO's actions (Deutsche Bischofskonferenz 1999; SPD-Linke und Grüne protestieren, *Frankfurter Neue Presse*, 26 March 1999). During the intervention, however, the Evangelical Church became fiercely critical and largely returned to its pacifist position, highlighting that “violence is no solution” (Kock: ‘Bomben verhärten die Menschen’, *Saarbrücker Zeitung*, 22 April 1999). Remarkably, the Catholic Church continued its support despite the intervention's appearance of illegality under the terms of international law. According to its chairperson, Bishop Karl Lehmann, the intervention highlighted a transitional period, in which the UN did not—yet—possess the means to prevent mass atrocities on its own (Lehmann, *Deutschlandfunk*, 4 April 1999).

Overall, the Kosovo debate signified a radical change in comparison to the previous “culture of restraint”: Not only had the *Bundestag* approved military intervention with a remarkable ratio of 503:63 (with 18 abstentions, Deutscher Bundestag, 16 October 1998, 23161) but the general population largely supported Germany's participation in the bombing campaign (63% to 34%, Ramet and Lyon 2001, 92).

## Methodological Remarks

The nature of the assessed phenomenon—domestic debates—as well as the relatively small number of cases means that most large-N quantitative methods cannot be used here. At the same time, the twelve cases cannot be assessed in depth. To solve this methodological dilemma, we follow a two-step approach. We begin with an analysis of all twelve cases, using three proxies for domestic debates in Germany. This first step provides a long-term overall research picture. Subsequently we identify cases where a detailed discussion of the academic case literature looks promising.

### Proxies for the Study of Domestic Debates

Regarding the initial step's three proxies, we first ask whether the given case was brought up as an issue for a plenary debate in the German federal parliament, the *Bundestag*. It is well established in Germany that parliamentary debates are conceived as typical political discourses. Moreover, the federal parliament plays a relevant role in the legitimation of foreign policy, at least compared to its counterpart in many other states. Here we are not interested in individual parliamentarians' statements or committee work. Instead, we consider only events where the case became sufficiently salient to trigger a case-specific plenary debate among several speakers. This approach is a reasonable way to assess legitimations of the political elite and serves as a proxy for the political debate for several reasons. For instance, the *Bundestag*'s different factions possess an array of views that usually cover most of the relevant positions along the political spectrum, and all factions are able to schedule a debate. The data for this proxy has been collected through searches of all the plenary protocols during the investigation period for case references.

For the second proxy, we examine whether the German weekly magazines *Der Spiegel* and *Focus* featured the case on their covers. This takes us to the broader intellectual elite and further serves to indicate the salience of the case within the media. We chose *Der Spiegel* and *Focus* as they are in the centre of the political spectrum, possessed of a slight centre-left and centre-right perspective, respectively. In addition, their weekly publication schedules as well as their customary single-topic covers allow for a relatively quick assessment of three decades of cases. We chose two different weeklies in order to increase the validity of this proxy. For both magazines, all covers are available online. At least two different researchers determined the case reference.

Lastly, for the third proxy regarding societal debates, we look at the two dominant German churches.<sup>5</sup> Specifically, we analyse whether the chairpersons of the Catholic German Bishops' Conference and of the Council of the Evangelical Church in Germany mentioned the particular case. Savelsberg has already highlighted the role of the German churches in mass atrocity debates (2015, 78). In Germany, the churches are generally regarded as independent moral authorities that can publicly discuss any topic they deem relevant. They can even act as "norm entrepreneurs" on specific issues, if they wish to do so (Finnemore and Sikkink 1998). Thus, as is the case with plenary debates or magazine covers, mass atrocities compete with other issues to a certain extent. Whether or not the churches' chairpersons choose to debate mass atrocity cases can therefore serve as a proxy for the issue's importance as a subject of societal debate. In contrast to the other two proxies, the lack of systematic archives makes it more difficult to provide a truly comprehensive account of statements from the clergy. We begin with a search for statements, interviews, press releases, and sermons in the available online archives of their respective institutions, which is then supported by an open search via internet search engines for relevant statements made during the period under consideration. To complement these discoveries, we search for references to the churches' chairpersons as well as to the mass atrocity cases in German national and regional newspapers using the *wiso-net.de* database. The three steps are conducted individually, with the assembled results crosschecked to ensure that each individual event is counted only once.

Undeniably, each proxy, taken by itself, would have very limited explanatory value, such that a more extensive analysis of each case would be necessary. However, for our purpose—examining twelve cases with a period of three decades—we believe that the combination of these proxies provides a good indication of the cases' relevance and salience within German debates.<sup>6</sup> Based on

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5 Admittedly, finding a valid, practicable, and time-consistent proxy was quite difficult for societal debates. We considered different possibilities, for instance specialised non-governmental organisations such as Human Rights Watch or Amnesty International. They certainly address mass atrocity cases. Yet this comes as no surprise. Their specialisation on the topic is precisely why they cannot provide valid proxies for general societal debates. Another possibility considered but eventually rejected was the German federal president. After all, his role (no woman has yet acceded to the office) is to be impartial, and he possesses the authority to provide moral statements on a wide range of issues. Yet we deemed him to be too close to the political discourse, i.e. because most former presidents have been recruited from the political realm and because the support offices are closely entangled with the state's bureaucracy.

6 It should be noted that all three proxies include mention of the general *case* and are not specifically limited to *mass atrocities*. Being aware of the risk of potentially including references unrelated to mass atrocities pertaining to a case in our overview, we consciously opted for the procedure described for reasons of clarity and research efficiency.



the overview offered by the three proxies, we proceed to discussion of selected cases and the respective literature. Here we are not interested in case-specific details but rather are looking at patterns or anomalies relating to our initial continuity thesis.

## Case Selection

Twelve cases of mass atrocities since 1990 may seem a substantial sample, but the total of mass atrocities committed in this period was significantly higher.<sup>7</sup> Hence, we should explain the rationale for our selection of cases. The overall idea is to cover those particular cases most relevant for either Germany or the international perception of mass atrocities (e.g. Somalia, Kosovo, Rwanda, and Bosnia). Additionally, we aim at including a sufficient number of cases to provide the foundation for a comprehensive argument, which at the same time should be free from as many potential biases as possible. The final selection (see below) covers, *inter alia*, the entire twenty-nine-year period and spans various world regions, religions, and ethnicities, as well as different durations, different forms of mass atrocities, and different sorts of outcomes. Below and in the Appendix, we further elaborate on the individual cases by presenting and justifying the respective periods of investigation.

## Periods of Investigation

To meaningfully assess the large number of cases, precise definitions for the relevant periods of investigation are required. On the one hand, this serves to specify the timeframe for the examination of our proxies. On the other, it helps us distinguish the debates on ongoing mass atrocities and possible policy reactions from debates on lessons learned or memorial activities that usually happen much later. Our general approach is to cover the entire period during which mass atrocities were committed in a given case. Thus, differences regarding duration are one of the aspects we will have to include when discussing the findings. Only in the cases of Darfur, Syria, and to some extent Somalia did we opt for more limited timeframes, due to very long periods, decreasing intensity, or the transformation of one-sided mass atrocity situations into complex wars. Yet, the chosen period(s) of

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<sup>7</sup> A list of more than forty incidents of “mass atrocities and armed conflict” from 1990 to 2010 can be found in Appendix 1 of Bellamy 2011.

investigation (two in the case of Syria) in the examples discussed should be most revealing regarding German discourses. When the end dates were unclear or somewhat arbitrary, we usually opted for the more comprehensive period so as not to miss potentially relevant events. Moreover, we extended our examination into the month prior to the stated start date in order to include potential early warnings. The detailed justification for the period of investigation for each case can be found in the Appendix.

## Findings and Discussion

Table 1 summarises the results for the three proxies for each of the twelve cases. It reveals that the reaction of the German elites to mass atrocities—by and large—seems to support the continuity thesis. More than one-third, indeed almost half of the entries in the table, is in fact zero (26/60). Kosovo is clearly the outlier. Apart from Bosnia (which has, however, significantly lower event numbers), it is the only

**Table 1:** Reactions to Mass Atrocities in Germany.

Case	Beginning	End	Parliament	Media		Church	
				<i>Spiegel</i>	<i>Focus</i>	Cath.	Evang.
Somalia	3 Dec 1992	23 Mar 1994	5	1	0	2	1
Bosnia	2 Mar 1992	14 Dec 1995	7 <sup>a</sup>	4	3	5	4
Rwanda	6 Apr 1994	18 Jul 1994	0	0	0	0	0
Kosovo	1 Feb 1998	9 Jun 1999	14	6 <sup>b</sup>	2	11	10
Sudan (Darfur)	26 Feb 2003	12 Jul 2010	16	0	0	5	13
Libya	17 Feb 2011	20 Oct 2011	7	0	1	1	7
Syria (protests)	15 Mar 2011	29 Jul 2011	2	0	0	0	0
Syria (chem.)	21 Aug 2013	27 Sep 2013 <sup>c</sup>	0	1	0	4	1
Iraq (IS)	3 Aug 2014	31 Dec 2017	12 <sup>d</sup>	3	0	5	12
South Sudan	15 Dec 2013	1 May 2019	8	0	0	1	3
Yemen	26 Mar 2015	1 May 2019	7	0	0	0	0
Myanmar	25 Aug 2017	1 May 2019	2	0	0	0	0

Source: Authors' compilation; for details see the Supplementary material online. <sup>a</sup>The figure includes one parliamentary session without a specific debate on Bosnia that was, however, opened with a presidential statement in the name of the house addressing the collapse of the Srebrenica safe area. <sup>b</sup>The figure excludes one cover in the week after the bombing campaign ended (Kumanovo Agreement), hence after our investigation period. <sup>c</sup>Due to suspicions that the German debate might have been delayed by the federal elections, we extended our research for all three proxies regarding the Syria (chemical weapons attacks) case until 31 December 2013, which, however, did not yield significantly different results. <sup>d</sup>The figure includes five debates on the situation in northern Iraq, the fight against the so-called Islamic State (IS) or the involvement of German troops, which, however, did not significantly discuss the mass atrocities against the Yazidis.

case that all the proxies took up. All proxies combined, the number of events counted for Kosovo (43) is considerably higher than for Darfur (34) or Iraq (Islamic State, IS) (32), where in both instances the conflicts lasted considerably longer. In one-third of the cases (4/12), neither a cover by *Der Spiegel* nor *Focus Magazin* nor a statement by the churches could be found. It is noteworthy that this segment of total cases includes a clear-cut case of genocide (Rwanda; there was also no parliamentary debate) as well as a current case of crimes against humanity (Rohingya/Myanmar). Generally, the media proxy seems to yield the strongest support for our thesis. Here, two-thirds (16/24) of the entries are zero, while the Kosovo case, to the contrary, seems quite strongly represented. Other notable cases in terms of the media are Bosnia and Iraq (IS), although the latter was picked up on its cover only by *Der Spiegel*.

Regarding the church proxy, one-third (4/12) of the cases were not mentioned at all. Interestingly, in all cases the two churches reacted as if in concert: both either mentioned a case or were silent about it. Again, we find support for our Kosovo-as-outlier thesis, as it is the only case to be strongly addressed by leaders of both churches (11 Catholic, 10 Evangelical statements). Other prominent cases were Sudan (Darfur) and Iraq (IS), which showed a medium number of statements by the Catholic chairperson (both 5) and a high degree of interaction from his Evangelical counterpart (13 and 12, respectively). In general, the Evangelical Church, with a total of 51 statements overall (compared to 34 from the Catholic Church), seems to be a slightly stronger voice regarding mass atrocities. Bearing in mind that one-third of the cases were not picked up at all, the churches, however, seem to be more active than the media—and more active than parliament, as we argue below. A preliminary conclusion would be that the cases were sensitive enough to attract comment from norm entrepreneurs such as the churches, but they failed to interest Germany's intellectual and political elites. In other words, the norm entrepreneurs were not silent—the case of Darfur is outstanding in this regard—but calls to address the issue fell on deaf ears among the elites. Overall, the churches seem to follow an independent agenda, but without, however, a consistent logic.

As for the *Bundestag*, the study shows a mixed picture. Only two crises were not debated at all: Syria (chemical weapons attacks of 2013) and Rwanda. Beyond matters attracting minor attention (Myanmar, Syria [protests of 2011]; two debates each), members of the *Bundestag* spoke quite a bit about the cases, e.g. 16 times about Darfur and 14 times about Kosovo. Yet we should take a deeper look into the numbers. For instance, the *Parlamentsarmee*, the prerogatives of parliament regarding the deployment of armed forces (following the 1994

Constitutional Court decision on the “out-of-area debate” mentioned above), generally requires readings even when only a single soldier is to be sent abroad. Therefore, long-term crises such as Darfur, South Sudan, Iraq (IS), and Bosnia, all of which have (small) German contributions to UN observer or other missions, have to be debated in the *Bundestag* on a regular (usually annual) basis. Yet such deliberation, as it were, often appears to be a routine procedure, with the same wording sometimes given in mandating motions over time. To verify our thesis regarding the parliament proxy, we thus had to dig deeper into the different cases and reach for a more qualitative assessment so that we could find out whether the conflicts were framed as mass atrocity situations in the debates. Insights from the literature on older cases such as Darfur suggest that this might not be the case. Rather, the risks imposed on the soldiers sent to the particular conflict zones, the composition of the multinational mission force, and the UN or European Union (EU) mandate of the missions are typical themes invoked in German debates.

Even the Bosnian case hardly triggered parliamentary concern. Following the remarkable unilateral recognition in 1991 of independence for Croatia and Slovenia, German foreign policy (and the debates around it) became “almost invisible” (Maull 1995, 1999). Germany, together with the European Community, recognised Bosnia in April 1992. Table 1 includes six debates and one presidential statement. The two debates that took place in 1993—as well as a shorter debate in May 1995—were occasioned by the Green Party’s insistence that issues of humanitarian assistance in the case of the war situation in Bosnia and Herzegovina in general, and besieged Sarajevo in particular, be discussed. In summer 1994, the members of parliament had to discuss the implications of the Constitutional Court’s verdict on military missions abroad. Two more debates took place after the end of the war and further mass atrocities in Bosnia through late 1995. The only exception to show clear concern for mass atrocities was a parliamentary presidential statement on 13 July 1995, two days after the fall of Srebrenica, which was not, however, followed by a debate. The more interesting deliberation about Bosnia was an internal party discussion among the Greens after the party’s leader, Joschka Fischer, published an open letter on the implications of Srebrenica (Fischer 1995); it was met with fierce resistance within parts of the party and its leadership.

Regarding the Kosovo case, and considering its particularities, the fourteen parliamentary debates are not surprising in light of our argument. The particularities include the difficulties faced by the incoming government and its Social Democrat–Green coalition; the early (in comparison to Bosnia) activation of

NATO; and the insistence of the Clinton administration in the US to actively address other NATO partners, i.e. France, Germany, and the United Kingdom. What is more, coercive diplomacy in the Bosnian War required an ongoing engagement in Kosovo, comprising diplomatic efforts, military threats, and combat operations when diplomacy failed, as in the case of the 1998 Holbrooke–Milošević agreement. Indeed, the “humanitarian catastrophe” ranked high in the arguments of pro-interventionists (Swoboda 2009, 144–57). Of course, there were other arguments, such as the requirement of loyalty to NATO (*Bündnisloyalität*) and the German principle of multilateralism, but the main issue in the debate remained the situation “on the ground”: mass killings, ethnic “cleansing”, and the ensuing refugee drama.<sup>8</sup>

Looking at Table 1 it seems at first glance that the crisis in Darfur even exceeded Kosovo (sixteen debates). Yet the results cover a timespan of seven years, whereas Kosovo’s cover less than eighteen months. Digging deeper into the *Bundestag* debates, it becomes apparent that the high number of debates on Darfur simply correlates with the *Bundeswehr*’s deployment to the region. The very small contribution of troops to the African Union Mission in Sudan (AMIS) and the subsequent African Union/United Nations Hybrid Operation in Darfur (UNAMID) required at least one annual parliamentary reading and, thus, often triggered our debate proxy. In addition, some debates were counted although they concerned the contribution to the United Nations Mission in Sudan (UNMIS), whose geographical focus was not on Darfur but on the area that today is South Sudan. In total, out of the sixteen debates conducted over the seven-year period, only two (Deutscher Bundestag, 26 May 2004; 22 March 2007) were not (routine) approvals of minor military mandates. Nevertheless, the German government seemed to be rather vocal about mass atrocities committed in the initial phase of the ongoing conflict (Savelsberg 2015, 196). The ministers of economic cooperation and development as well as defence, Heidemarie Wieczorek-Zeul and Peter Struck, both referred to Darfur in 2004 as “genocide”, with Struck indicating a possible responsibility to intervene (Smith 2010, 226). However, Joschka Fischer, then the minister of foreign affairs, preferred to describe the situation as a “humanitarian catastrophe with genocidal potential” (Smith 2010, 225). In a parliamentary debate in May 2004, a motion on Darfur was unanimously adopted. Nonetheless, Smith argues that the use of the term “genocide” declined in the *Bundestag* after a UN commission of inquiry published its

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<sup>8</sup> The intervention’s critics rather emphasised the lack of legality, allegedly different motives on behalf of the US, and Germany’s responsibility to refrain from going to war (Swoboda 2009, 148–51).

assessment of the situation, and the German foreign affairs ministry advised against using it for legal and policy reasons (2010, 225).

In the debate over Libya, the government assessed the situation there as a “civil war” or “war” that would only escalate if there was an intervention (Stahl 2012, 589). While only minor voices around Fischer (by then no longer foreign minister) lamented the absent arguments on the Responsibility to Protect (R2P) in the German debate (Stahl 2012, 593), most critics of the German bystander position in Libya re-activated the multilateralism and NATO- and EU-solidarity argument, which devoted no attention to mass atrocities.

Interestingly, references to mass atrocities were much more prominent in the debate on arming the Kurds (Peshmerga) in the aftermath of the crimes against humanity against the Yazidis in Iraq beginning in 2014. This time, the issue was linked to Rwanda and Srebrenica and eventually to memories of Auschwitz (Stahl 2017b, 457–9). These arguments, crossing party lines, also were part of the churches' statements on the issue (Stahl 2017b, 458). Yet, as mentioned, in terms of our proxies the Iraq (IS) case spanned more than three years and while *Der Spiegel* and the Evangelical Church were active in their public outcry against atrocities, *Focus* and the Catholic Church showed more restraint. Regarding a possible debate on the chemical weapons attacks in Syria in 2013, the German government inhibited a debate in the federal parliament before the elections while publicly hovering between sympathy towards possible Western military responses and a rejection on principle to participate in any such action (Stahl 2017a).

Regarding the debates on the most recent cases, Yemen (from 2015, seven debates), South Sudan (from 2013, eight debates), and Myanmar (from 2019, two debates), the vast majority contained no discussion of mass atrocities (Hering and Stahl 2022). Instead, the cases were conceived of as a “humanitarian crisis” to be dealt with by sending humanitarian aid or by declaring general support for the UN's or the international community's conflict resolution approaches. For Yemen, another prevailing narrative held that the issue that would have to be dealt with was German arms exports to Saudi Arabia. Apart from very few notable exceptions these cases were never framed as mass atrocity situations.

## Conclusion: Mass Atrocities' Hush?

The analysis of the three proxies, combined with the subsequent discussion, largely supports our argument: With the notable exception of Kosovo, the

non-politicisation of mass atrocities seems to be the prevailing and continuous pattern in German domestic debates. Given that our three proxies are generally too wide rather than too narrow (for instance, a mass atrocity framing is not a condition to be included), it is striking that almost half (26/60) of the entries in Table 1 are in fact zero. Regarding the remainder, the previous section demonstrated for a number of cases that, especially in parliament, mere mention in the *Bundestag*'s schedule of debates does not necessarily indicate a significant discourse on mass atrocities. Thus, the discussion shows that our three proxies for mass atrocity discourse might rather be too comprehensive. Hence, the actual number of mass atrocity references might still be significantly lower.

More extensive, qualitative analysis for specific cases might be necessary to further substantiate our thesis. But in-depth study of the content of specific parliamentary debates or of individual media articles are beyond the rationale and scope of this article.<sup>9</sup> Our aim was to examine the continuity thesis for Germany over the long term by assessing three decades of cases, taking not just the political realm but also the media and society more broadly into account. In this regard, we see a remarkable continuity in the German discourses on mass atrocities. Despite small variations in the three proxies for the twelve cases, Germany was continuously neither a champion of mass atrocity prevention, nor did it react resolutely to ongoing mass atrocity situations.

Our article will undoubtedly not be the last contribution to the assessment of German foreign policy, especially vis-à-vis mass atrocities. It could be complemented by an analysis of Germany's "real" foreign policy behaviour, which should include the country's conduct in international organisations. Due to the broad approach regarding proxies and cases, in this article we assessed only whether mass atrocities have been strongly politicised in German debates. Nevertheless, we interpret our results as a strong indication of the truth of our initial starting point: the argument that Germany adopts an attitude of silence towards the issue of committed mass atrocities. By doing so, we understand our argument as a point of departure for future research, e.g. for non-politicisation in security studies or the relevance of "silencing" in foreign policy analysis.

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<sup>9</sup> Regarding parliamentary debates, we have done this for the three very recent cases of Yemen, Myanmar, and South Sudan (Hering and Stahl 2022). The results support our thesis here.

Appendix

Table 2: Periods of Investigation

Case	Beginning–End	Event Beginning	Event End	Comment
Somalia	3 Dec 1992–23 Mar 1994	UNSC resolution 794 (creation of “Unified Task Force”; “all necessary means”)	Withdrawal of German contingents	Resolution 794 reflects the turn from a humanitarian to a mass atrocity situation; it led to the expansion of the already present German troops.
Bosnia	2 Mar 1992–14 Dec 1995	Declaration of independence; start of ethnic “cleansing”	Dayton Accords	
Rwanda	6 Apr 1994–18 Jul 1994	Shooting down of presidential plane	Fall of Gisenyi (last city under Hutu control)	
Kosovo	1 Feb 1998–9 Jun 1999	Drenica massacres	Kumanovo Agreement	
Sudan (Darfur)	26 Feb 2003–12 Jul 2010	“It is usually said that the rebellion in Darfur began on 26 February 2003” (Flint and Waal 2008, 81–2)	ICC’s 2 <sup>nd</sup> arrest warrant for Omar al-Bashir on counts of genocide	We assume that when even a detailed judicial ICC investigation arrives at the conclusion of genocide, the political debates can be expected to have taken place beforehand.
Libya	17 Feb 2011–20 Oct 2011	“Day of revolt”	Gaddafi murder	
Syria (protests)	15 Mar 2011–29 Jul 2011	Start of demonstrations, crimes against humanity (Human Rights Watch 2011)	Formation of the Free Syrian Army	After the FSA’s creation, the one-sided mass atrocity situation became blurred due to the emerging civil war.
Syria (chem.)	21 Aug 2013–27 Sep 2013	Chemical weapons attack on Ghouta	UNSC confirmation of US-Russian agreement on	In this period, the UK Parliament and US Congress debated the attack, a UN



Table 2: (continued)

Case	Beginning–End	Event Beginning	Event End	Comment
Iraq (IS)	3 Aug 2014–31 Dec 2017	Sinjar offensive of the IS	dismantling Syrian chemical weapons Retaking of Yazidi-populated areas	report was released, and Syria joined the Chemical Weapons Convention.
South Sudan	15 Dec 2013–1 May 2019	Begin of current civil war	<i>Research for this paper was conducted in May 2019; mass atrocities were still ongoing</i>	Mass atrocities had previously been committed but the Saudi-led intervention caused a grave deterioration of the mass atrocity situation.
Yemen	26 Mar 2015–1 May 2019	Launch of Saudi-led intervention		
Myanmar	25 Aug 2017–1 May 2019	Attacks of radical Rohingya trigger state forces’ ethnic cleansing		

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