

**Domestic political and security situation in Germany –  
The debate over domestic assignments of the German army**

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When the big flooding hit several parts of Germany this month, the military was requested immediately to help with about 850 soldiers and special equipment to clear streets, secure supplies, help with the damages and prevent new floodings (Bundeswehr, 2021a). The army is allowed to support civil organisations during natural disasters like floodings or forest fires (Bundeswehr 2021b) but is not present in maintaining internal order like it is in other countries. The debate on whether it is necessary to change that has been going on for a while and the question will be discussed critically in this article.

In other European countries like France, Belgium or Austria it is part of the military's job to secure law and order in cases of the stability being threatened (Deutscher Bundestag, 2021, pp.3-7). The army is therefore part of everyday life and is present at airports or train stations. The reason for Germany's different laws is historical. During imperial times, the Weimar republic and National Socialism the military was used to force state control, especially against political protesters (Wiegold, 2017). Now it is only permitted to help with mentioned catastrophes or if the government declares a state of inner emergency when the democratic order is at risk. This has never been the case so far (Bundeswehr 2021b). The debate of whether it is necessary to change the

constitution has been going on for a while but intensified after 9/11. It has been discussed controversially if the current law allows the military to act in case of a terrorist attack. The federal constitutional court ruled 2012 that the constitution gives the base for the army to be requested in case of severe tragedies with catastrophic extent, to which the government counts huge terrorist attacks. The obstacles are really high on this, the army could not act by itself, but would have to be requested by the affected state and the situation would have to be highly critical (Wiegold, 2017).

That is why the demands on changing the constitution and allowing the army to help maintain inner security are increasing especially within the CDU/CSU. The bigger part of the population is also in favor of it (Knelangen; Irlenkaeuser, 2004, p. 1-2). The main tasks that determine the discussion is the protection of critical infrastructure like nuclear power plants and the possibility of an airplane kidnapped by terrorists that has to be shot down (Fischer, 2004, p. 377). For the reformulation of the constitution a two third majority in the parliament would be necessary, which is not realistic right now with only the CDU/CSU openly supporting the idea (Deutschlandfunk, 2016). The pros and cons politicians and experts argue with will be listed shortly and then discussed.

Arguments of the group supporting domestic missions are that peace and security in a democratic state have to be ensured for by the military in some situations. For them the political situation in Germany and the relationship of the population to the armed forces have changed enough since the second World War (Wiegold, 2017). In addition, the army, other than the police, has special qualifications and big personal resources, which can be essential during attacks on critical infrastructure or with weapons of mass destruction. Relevant capabilities can be air defense, monitoring situations from the air, transportation and the high degree of organisation. On the other hand, the abilities of the armed forces should not be overestimated, the troop size is decreasing rapidly and the condition of equipment is poor (Knelangen; Irlenkaeuser, 2004, pp. 6-8). Another argument is the fact that if the military would be used for police tasks, the incentive to equip the police better personally and materially would decrease (Fischer, 2004, p. 378).

The idea of heavily armed soldiers being present in everyday life seems unreasonable as we are not at war right now, which seeing soldiers on the street would suggest to many people. It is undisputed that the army can be of help in special situations like the flooding or with Covid, but these are exceptional duties. It is surely useful to have the

possibility to use them during a heavy threat like a terrorist attack, but it would be the wrong signal to send them out on the street into demonstrations or just to patrol. Since Germany has a different history than other countries and the police seems to have been fine for the last decades, there is no need of changing the constitution.

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