

**Germany as a Kin-state**  
**The Development and Implementation of a Norm-consistent External**  
**Minority Policy towards Central and Eastern Europe**

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## 1. Introduction<sup>1</sup>

Germany's role as a kin-state of ethnic German minorities in Central and Eastern Europe stems from a number of factors.<sup>2</sup> At one level it is part and parcel of a unique historical legacy. It is also inextricably linked with the country's foreign policy towards this region. The most profound policy that the Federal Republic of Germany developed in this context after the early 1960s was Ostpolitik which contributed significantly to the peaceful end of the Cold War, but has remained relevant thereafter despite a fundamentally changed geopolitical context, as Germany remains a kin-state for hundreds of thousands of ethnic Germans across Central and Eastern Europe, particularly in the former Soviet Union, in Poland, Romania and Hungary (Bade 1993: 393-411). As such, a policy towards these external minorities continues to form a significant, but by no means the only manifestation of Ostpolitik.

Our aim in this paper is to show the basic continuity of German Ostpolitik since the late 1960s and to explain it in terms of the development of, and adherence to a set of norms to which the overwhelming majority of the German political class and public subscribes.<sup>3</sup> This is not to say that Ostpolitik has not been affected by changes in the wider political environment that have occurred since the late 1960s. Rather, our point is that German Ostpolitik priorities—peace, reconciliation and 'change through rapprochement'—have remained largely constant, while the opportunities for success have at times gradually and at other times rapidly

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<sup>1</sup> The authors would like to thank Andrzej Dybczyński and Zdeněk Hausvater for their assistance in conducting interviews cited in this paper.

<sup>2</sup> Geographically, our understanding of Central and Eastern Europe covers ethnic German minorities in the following countries: Poland, Czech Republic, Slovakia, Hungary, Romania, and the successor states of the former Yugoslavia and of the Soviet Union. On the origins of these communities as well as more recent developments, cf. Cordell and Wolff (2005a and b) and Wolff (2003, 2006). We take ethnic Germans to be people whose ancestors emigrated from the German heartlands and who have retained some affinity with German language and culture, as well as the descendants of people who assimilated German culture and language during periods of German rule of territories that are now integral parts of nation-states other than Germany.

<sup>3</sup> This is documented in public opinion polls conducted by the Institut für Demoskopie Allensbach since 1947. See Noelle and Neumann (1956, 1957, 1965, 1967, 1974, 1981), Noelle-Neumann (1976, 1977, 1981, 1996, 2005), Noelle-Neumann and Piel (1983), Noelle-Neumann and Köcher (1983, 1993, 1997, 2002), and Köcher (1993a and b, 2004).

increased.<sup>4</sup> This broader analysis forms the context within which we will use the case study of Germany's external minority policy as an example to illustrate this policy continuity in practice.

We develop our argument in several steps. Initially we present the framework for our analysis that is informed by a constructivist approach to international relations and foreign policy. Following a broad contextualisation of Ostpolitik since the 1960s, we examine in greater detail how one of its key components, external minority policy, has been implemented in the Cold War period and since 1989/90, illustrating the latter with three brief case studies of Poland, Russia, and Romania. We then return to the broader context of Ostpolitik and demonstrate that its defining norms have remained the same even when another major change occurred in the geopolitical environment—EU enlargement. We conclude with some general observations about the development and implementation of Ostpolitik as a norm-consistent foreign policy.

## **2. A Framework for Analysis**

Our interest in Ostpolitik, and by extension external minority policy, is primarily in its grand design: Ostpolitik as a broadly conceived strategy of foreign policy designed to achieve peace, reconciliation, and regime change. While an analysis of this kind cannot ignore a consideration of the more mundane aspects of foreign policy, our argument that Ostpolitik is an example of German foreign policy continuity based on the persistence of, and adherence to a set of norms is much better pursued in the context of foreign policy as grand design. Following a levels-of-analysis approach,<sup>5</sup> the main elements of our analytical framework are:

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<sup>4</sup> This is illustrated to some extent by the fact that after 1990, aiding the transition process and consolidating the newly emerging democracies in Central and Eastern Europe replaced the objective of regime change.

<sup>5</sup> This is a modified and adapted version of a basic approach in international relations theory that emerged in the late 1950s, early 1960s. For first applications, see Waltz (1959) and Singer (1961). A

The German domestic context: public discourse; political parties; expellee pressure groups.

The German governmental context: individual political leaders and their skills and visions; specific features of the foreign policy making system (including institutional culture and administrative capacity); availability and commitment of resources to the pursuit of specific foreign policy objectives.

The bilateral context: historical legacy of bilateral relations; perceptions of German intentions and actions in host-states of German minorities; expectations about the course of bilateral relations in all countries concerned.

The international context: constraints and opportunities in the regional (i.e., European) and wider international context (Cold War versus post-Cold War constellations).

This general analytical framework provides only a partial foundation for the main argument that we develop, namely, that long-standing links between the states and nations of Central and Eastern Europe, and especially events before, during, and after the Second World War and their interpretation on the part of the German political elite have given rise to a set of norms that since the late 1960s have governed the conduct of German foreign policy in the sense of setting out the objectives of Ostpolitik and the appropriate means with which to pursue them. While this accounts for those elements of our argument that focus on the importance of German political actors and the nature and significance of bilateral relations in a wider regional and international context, it does not fully explain why a particular set of norms has governed this specific dimension of German foreign policy. In order to locate the missing element of the theoretical foundation of our argument and in order to be able to test comprehensively our proposition,

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useful summary of its advantages and disadvantages is Levy (2001). For an application to foreign policy analysis and Ostpolitik in particular, see Cordell and Wolff (2005 and forthcoming).

we must turn to more general conceptions and theories of international relations and link them with the analysis of foreign policy in our specific case.

Since the early 1990s, constructivist international relations theory has emerged as a major third school of thought set against realism and liberalism.<sup>6</sup> It derives from a metatheory of social constructivism (e.g., Berger and Luckmann 1966), that seeks to explain 'how agency and interaction produce and reproduce structures of shared knowledge over time' (Wendt 2001: 421) in the conduct of international relations. Constructivist international relations theory, therefore, is more than, and different from foreign policy theory. The pre-eminent effort to create a constructivist foreign policy theory was undertaken in an essay by Henning Boekle, Volker Rittberger and Wolfgang Wagner (2001), in which they proceed from the constructivist assumption that 'actors follow a logic of appropriateness rather than a logic of consequentiality' (ibid: 105). A constructivist foreign policy theory, naturally builds on the two foundational principles of constructivist international relations theory—the claim 'that the fundamental structures of international politics are social rather than strictly material...and that these structures shape actors' identities and interests, rather than just their behaviour' (Wendt 2001: 417). We share Boekle, Rittberger and Wagner's (2001: 105) assumption that 'social norms...are best suited to explain foreign policy'. This assumption does not contradict constructivist international relations theory that places significant emphasis on the fact that the objectivity of social structures 'depends on shared knowledge' (Wendt 2001: 419). Rather, it identifies one key component of shared knowledge—social norms—that are 'seen as the more influential the more they are shared among the units of a social system and the more precisely they distinguish between appropriate and

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<sup>6</sup> We are aware of the proliferation of different schools of thought within both the broader realist and liberalist conceptions of international relations, but as these are not central to our argument we use the more general labels 'realist' and 'liberalist' to denote approaches in opposition to our constructivist perspective (see also Cordell and Wolff 2005a).

inappropriate behaviour' (Boekle, Rittberger and Wagner 2001: 105). As such, they have 'an immediate orientation to behaviour' (ibid: 107). By referring to a set of widely shared norms, actors are able to choose appropriate courses of action in a given situation that are congruent with preferences defined 'in accordance with the goals that have been designated as legitimate' (Boekle, Rittberger and Wagner 2001: 107) on the basis of social norms. In other words, because social norms—accepted standards based on widely shared beliefs in a given social environment about what kind of behaviour is acceptable in a particular situation—rule out the pursuit of certain goals as illegitimate, they prescribe appropriate courses of action on the basis of value-based expectations of behaviour.<sup>7</sup>

The link between social norms and actual foreign policy behaviour is seen in the socialization processes that foreign policy decision makers undergo both domestically and internationally, i.e., they learn what kind of foreign policy behaviour is expected of them in the domestic and international arenas in which they have to make choices (Boekle, Rittberger and Wagner 2001: 105ff.). It is easy to see why both societal and international norms are relevant to a discussion of German foreign policy in general and in particular in relation to Ostpolitik as one of its distinct manifestations. Between the 1960s and the end of the Cold War, Ostpolitik could, quite easily, be interpreted within a realist conception of international relations theory. From this perspective, Ostpolitik would be interpreted as strategy developed in response to the prevailing balance of power rather than as a result of a conscious course of action with regard to West Germany's relations with the countries of Central and Eastern Europe. Yet, if balance-of-power considerations had been the driving force behind Ostpolitik during the period between the late 1960s and the end of the Cold War, one would

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<sup>7</sup> On social norms more generally, see, among others Elster (1989a and b), Hechter and Opp (2001) and contributions therein, and Fehr and Fischbacher (2004).

have had to expect a change in Ostpolitik from the early 1990s onwards. Within a realist conception of international relations, the significant change in Germany's foreign policy arena that began in the early 1960s, and especially the increase in power that it experienced following the end of the Cold War and German unification, would have inevitably led to a more assertive Ostpolitik.<sup>8</sup> This would have included a more aggressive stance vis-à-vis countries in Central and Eastern Europe, exploiting the power-differential between the reunified Germany and the countries of the former East bloc to exert concessions from them, for example in the treatment of ethnic Germans. Instead, as we demonstrate below, Germany continued to be guided by its traditional objectives of peace, reconciliation, and regime change and became one of the foremost advocates of EU and NATO enlargement (Hajnicz 1995: 65-75). Thus, with regard to Ostpolitik, classically conceived balance-of-power arguments were no longer paramount to an increasingly broad spectrum of German policy-makers. Instead, the goals of Ostpolitik remained broadly speaking the same precisely because of the societal and international norms that determine which courses of action are appropriate in the context of Ostpolitik.

In order to develop a persuasive argument to this effect, however, we first need to identify the relevant social norms at the domestic and international levels. Here we can again rely on Boekle, Rittberger and Wagner (2001: 124-132), who suggest the following indicators of international and societal norms:

Indicators of international norms: general international law; legal acts of international organizations; final acts of international conferences.

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<sup>8</sup> We should note at this stage that we are not concerned with a general testing of neorealist, neoliberal and constructivist theories in the case of Germany. Our analysis is limited to exploring the extent to which Ostpolitik, and external minority policy as one of its key manifestations, can be explained within a constructivist framework.

Indicators of societal norms: constitutional and legal order of a society; party programmes and election platforms; parliamentary debates; survey data.

Whilst our study examines these different categories in order to demonstrate that the norms that guided Ostpolitik decision-making during the Cold War period have not changed since the end of that conflict, we need to show first of all that the indicators identified by Boekle, Rittberger and Wagner at a more general level bear relevance for the specific study of Ostpolitik. As far as general international law is concerned, this category primarily refers to treaties, customary international law, general principles of law, and to judicial decisions and opinions (Boekle, Rittberger and Wagner 2001: 124-127). The relevance of this category for our discussion is obvious. Since the early 1970s, Germany has entered into several legally binding treaties with the countries of Central and Eastern Europe and is also bound by the obligations that derive from its membership in the United Nations. These include limitations on the use of force, plus respect for the sovereignty and territorial integrity of other states. The Federal Republic has long been an advocate of the employment of peaceful and diplomatic means for the resolution of disputes, and in particular in relation to Ostpolitik judicial decisions and opinions at domestic and European level have been significant in determining (and post hoc confirming) the appropriateness of specific courses of action. As a member of the EU, Germany is bound by legal acts of this organization that at the same time it shapes significantly. The critical role that Ostpolitik played in making the process of the Conference on Security and Co-operation in Europe (CSCE) possible and the mutually sustaining relationship that the two have had since the Final Act of the Helsinki Conference of the CSCE in 1975 indicates the significance that can be attached to this process and the principles upon which it was founded.

It is also obvious how societal norms, manifest in the German constitutional and legal order, in party programmes and election platforms of the major political parties, and in parliamentary debates and survey data are relevant for our analysis. The architects of Ostpolitik never questioned another fundamental norm with which German foreign policy had to comply—the maintenance of close and permanent ties with Western political, security and economic structures that were established from the early 1950s. The gradual development of a consensus on the value-based norms governing Ostpolitik was only possible as a double consensus on Westbindung and Ostpolitik (Erb 2003: 48). In other words the triumph of Germany's first post-1945 chancellor Konrad Adenauer facilitated the (success of) the 'new thinking' toward the Soviet bloc on the part of the SPD.

This set of circumstances also illustrates the close and dynamic relationship between societal and international norms. These were very clear at the international level with regard to what appropriate West German foreign policy behaviour should look like. The norms were by no means identical, but they overlapped on crucial issues, such as territorial claims and the use of force. Eventually, the success of Ostpolitik in establishing a modus vivendi that allowed both Westbindung and the pursuit of a policy of reconciliation, peace and regime change towards the countries of the communist bloc in Central and Eastern Europe contributed to the broadening consensus on the norms that governed Ostpolitik. In other words, our argument is not that certain norms suddenly appeared on the horizon of German foreign policy and were immediately embraced by political elites and the general public, but rather that a number of factors combined during the 1960s to transform the context of German foreign policy towards the Soviet bloc. Most important among them was the overall climate of détente within which the Brandt government embedded its new Ostpolitik, including the reorientation of policy on German reunification. Other important factors included the success of the integration process of expellees and

refugees, Germany's economic recovery (the economic miracle), reconciliation with the Western Allies and Germany's incorporation into Western economic and security cooperation structures. Against this background, Willy Brandt's determined Ostpolitik diplomacy succeeded in reconciling West Germans to the reality of two German states and in re-establishing a *modus vivendi* with Bonn's eastern neighbours' (Wallace 1978: 40). This did not mean that German reunification ceased to be an objective of West German foreign policy, but rather that more attainable objectives were placed higher on the foreign policy agenda and in the relevant policy and public discourses (Brandt: 1967).

In summary of our analytical framework, we broadly follow Boekle, Rittberger and Wagner's (2001) theoretical model, but apply it to the specific case of German external minority policy in the broader context of Ostpolitik, which necessitates a combination between constructivist foreign policy theory and a specific levels-of-analysis approach that allows us to identify continuity and change in policy and underlying norms at all four relevant levels of analysis: the German domestic and governmental contexts, the bilateral context and the international context. This article is thus partially an exercise in testing an existing theory by extending it to a new case, and partially a methodological modification of an existing approach. We contend that in order to understand continuity and change in German external minority policy we need to look at its underlying norms at four different levels of analysis as they drive formulation and implementation of this specific policy. We examine this proposition by means of a rich narrative, based on document analysis and elite interviews which we interpret in the light of the constructivist approach to foreign policy analysis.

### **3. The Broader Context: German Ostpolitik since the 1960s**

Little doubt exists in the academic literature on the subject that from the 1960s onwards, a gradual reorientation of German foreign policy occurred towards a

more constructive engagement with Central and Eastern Europe. The reasons for this are varied, but most significantly for our own analysis, they include the consolidation of Germany's links with the West through membership of NATO and the predecessor organizations of today's European Union, the completion of the social, political and economic integration of about 10 million refugees and expellees primarily from Poland and Czechoslovakia, and a generational change in the German political class with younger and more pragmatic leaders rising to the top (Bender 1995: 118-158). In addition, the 1960s were a time of socio-political upheaval in the midst of growing economic prosperity in the Federal Republic and the student movement and so-called extra-parliamentary opposition contributed to an environment in which Germany's more recent past came under renewed scrutiny, including its relations with Central and Eastern Europe.

In this context and following the post-1963 general relaxation of tensions in Europe, in the Grand Coalition (between 1966 and 1969) of the Christlich-Demokratische Union/Christlich-Soziale Union (Christian Democratic Union/Christian Social Union-CDU/CSU, and the Sozialdemokratische Partei Deutschlands (Social Democratic Party of Germany/SPD), and then in an SPD-led coalition government (between 1969 and 1982) with the liberal Freie Demokratische Partei (Free Democratic Party/FDP), Willy Brandt and a close-knit circle of his foreign policy advisors grouped around Egon Bahr developed a new policy towards the countries of Central and Eastern Europe (Löwenthal 1974). It proceeded from the recognition of the political and territorial status quo and the acknowledgement that this status quo could and should not be changed through force or a policy of isolation. Rather, the premise of the new Ostpolitik was that stable peace, reconciliation, and regime change in Central and Eastern Europe could only be achieved by means of rapprochement. After 20 years of marginal relations with the East, this shift in foreign policy orientation had something quite revolutionary about it. In a domestic and governmental context in which fear and

distrust of the East's intentions had been the order of the day for so long, rapprochement could not but meet initial significant resistance.

Yet, both the governmental and international, as well as to some extent the bilateral contexts of Ostpolitik enabled Brandt and his team to reshape underlying societal norms at the domestic level. Concluding treaties with the Soviet Union, Poland, East Germany and Czechoslovakia, as well as other countries in Central and Eastern Europe, became possible because of an international climate that presented a window of opportunity in the form of détente between the superpowers (Bender 1995: 119). The initiative was further strengthened because the SPD/FDP coalition had a secure parliamentary majority as of November 1972 and because of a bilateral context in which coalitions of interest emerged that were able to respond positively to the opportunities that arose.<sup>9</sup>

In turn, the success of the new Ostpolitik had a profound impact on the content of societal norms in the domestic context of foreign policy making. Not only did a majority of the population recognise that Ostpolitik was the only way forward in relations with the East under the conditions of Cold War geopolitics but more importantly previously dominant norms that were most obviously embodied in Chancellor Adenauer's Politik der Stärke (Policy of Strength) lost credibility very quickly (a process that had begun following the building of the Berlin Wall in 1961).<sup>10</sup> Over time, smaller and smaller constituencies, mainly comprising the elderly, and those who had experienced expulsion and flight as adults, continued to adhere to foreign policy concepts of hostility towards Germany's eastward neighbours, and they were becoming increasingly unimportant in electoral

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<sup>9</sup> In the case of the German-Czechoslovak treaty of 1973, it was also, and perhaps primarily, Soviet pressure put on the Czechoslovak communist regime that made a successful conclusion of the negotiations possible.

<sup>10</sup> This is most evident in the 1972 elections which were fought as a *aussenpolitische Richtungswahl*, that is, an election in which the Federal Republic's relations with Central and Eastern Europe were the predominant theme and in which the Ostpolitik approach by Brandt and his allies in the FDP won out over the more traditional westward orientation and eastward hostility of the CDU/CSU.

terms,<sup>11</sup> in a similar way that foreign policy issues did not figure prominently in German federal elections again until the Iraq crisis in 2001. We are not seeking to suggest that the SPD's main political opponent in the domestic arena, the CDU/CSU, lost sight of its traditional constituency of expellees. Yet unlike in the 1950s, and the 1972 election to one side, 'expellee issues' of either a domestic or foreign policy nature no longer dominated party platforms and election manifestos. This change had come about because of the successful integration of the large majority of expellees within the social fabric of the Federal Republic, and the gradual realisation on the part of the expellee generation that 'what had been gambled away had been lost forever' (Brandt: 1967). In addition, Ostpolitik had been too successful and the norms become too deeply ingrained. Its policies became so embedded within the overall political culture of the Federal Republic that it would neither have been worthwhile, nor possible for any mainstream party to depart from a long-established consensus. Consequently, the change in government in 1982 did not mean a return to an Adenauer-style Politik der Stärke, despite new Cold War tensions. The new CDU/CSU-FDP coalition in Bonn pursued a modified course of change through rapprochement, helped, in part, by the political and bureaucratic continuity in the German Foreign Office, which, since 1969, had been in the hands of the FDP (Loth 1989: 189-214).

While one could argue, from a realist perspective that none of this suggests that German Ostpolitik was indeed norm-consistent, i.e., pursued following a logic of appropriateness rather than one of consequentiality,<sup>12</sup> the preservation of the basic direction of this specific instance of German foreign policy in the post-Cold War era suggests otherwise. A realist prediction, several of which were quite

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<sup>11</sup> While the expellees in Bavaria remained an important electoral constituency for the CSU, expellee 'issues' were less important in their voting behaviour. Cf. Köcher (1997).

<sup>12</sup> Constructivists could, of course, make an argument that the very fact that Ostpolitik was initiated bears witness to the fact that German foreign policy in this instance was guided by a normative conviction that peace, reconciliation and regime change were the necessary and normatively justifiable goals of German foreign policy vis-à-vis Central and Eastern Europe because of the country's moral obligations towards its neighbours. In other words, the realist perspective falls short in explaining why Ostpolitik was initiated, even though it can explain its timing.

influential at the time, would have assumed that Germany's power gains, both relative and absolute, as a consequence of the end of bipolarity, the collapse of communism in Central and Eastern Europe and German unification would inevitably lead to a more assertive foreign policy, including in relation to its eastern neighbours. Yet, none of this occurred. Germany remained committed to the project of European integration and its ties to its Western partners in the various regional and international organizations in which it was a member, while at the same time continuing its Ostpolitik (Schröter: 2004).

The important point to bear in mind in this discussion is that our argument is about the norm-consistent character of Ostpolitik and the fact that the norms guiding its formulation and implementation have by-and-large remained identical since the 1960s and beyond the end of the Cold War. In other words, neither a change in the content of the policies that were part of Ostpolitik nor different policy outcomes are inconsistent with our argument. Policy content may have changed over time but its underlying norms have remained the same. In particular, changing dynamics in the international context, can explain this. Take the example of regime change. Always one of the guiding norms of Ostpolitik, the opportunities to realise it were obviously more limited during the Cold War than they were after the collapse of communism. Once the reform process in Central and Eastern Europe was successfully under way, regime change in itself was no longer the key issue, but rather consolidating the achievements of political and economic reforms. Clearly, this reorientation in goals required a change in policy content, which in turn was enabled by the broader overall context in which these policies were pursued during the Cold War, the transition period and the period of democratic consolidation in Central and Eastern Europe. As different countries progressed at distinct speeds and paths, policy options towards each country were by necessity diverse. The example of external minority policy helps to

illustrate these broad claims, and it is the analysis of this policy area that we turn to next.

#### **4. Ostpolitik in Practice (1): The Limits of External Minority Policy, 1949-1989**

In the immediate post-war period after 1945, large numbers of ethnic Germans from Central and East European countries were expelled from their traditional settlement areas in Poland, Czechoslovakia and a number of other East European countries and/or deported to forced labour camps, prior either to their expulsion to Germany or release back into wider society.<sup>13</sup> By the early 1950s the (communist) authorities had decided upon who they did and did not want to expel and so had completed the process of expulsion. Remaining ethnic Germans had their citizenship rights gradually reinstated, their situation was still not considered satisfactory by the West German government, partly because they suffered all the 'usual' disadvantages of life under communism, and partly because the experience of German occupation during the Second World War by the titular nation of their respective host-states made them vulnerable to continued discrimination.<sup>14</sup> As a result full citizenship rights were not fully re-instated in some countries until as late as the 1960s, and even then, on the de facto condition that total assimilation into the host society was accomplished (Cordell and Wolff 2005b: 106-126). Yet, in the early years of its existence, the Federal Republic was preoccupied with other issues domestically and considerably constrained by the geopolitical situation of the early Cold War in its international relations. Domestically, the rebuilding of society and the economy, including the

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<sup>13</sup> On the expulsions more generally, see Benz (1985), Naimark (2002), Ther (2001), and Wolff (2004).

<sup>14</sup> This took different forms and occurred at different levels of intensity. For example, in the former Soviet Union, until the 1960s ethnic Germans had restricted access to higher education and were among the few minority groups who were not allowed to return to their pre-deportation settlement areas. At the other end of the spectrum, members of the German minority in Romania did have various opportunities to maintain, express and develop their ethnic identity, if only to enable the Ceausescu regime to obtain premium fees from the West German government from the 1970s onwards for each ethnic German allowed to emigrate to the Federal Republic.

integration of millions of refugees and expellees took priority. On the international stage, Chancellor Adenauer had set a foreign policy agenda whose foremost aim was to ensure the integration of the country into the Western Alliance (Adenauer: 1967).

This process of integration into the West, which provided a path to political security, economic recovery, and gradually also to social prosperity, was the preferred option of the overwhelming majority of the population and politicians. Yet, at the same time, the Western alliance as a symbol of post-war developments signalled, at least temporarily, an acceptance of the *status quo*, which, given the German borders in 1949, found significantly less support, particularly among the several millions of people who had experienced flight or expulsion, many of whom had never lived in Germany prior to the advent of war in their ancestral areas of residence. While it was generally accepted that the *Sudetenland* could not rightfully be claimed by Germany, the fixing of the German-Polish border along the Oder-Neiße line was denounced in public by West German politicians of nearly all political colours, including the Chancellor and his cabinet ministers (Loth 1989: 26-47). Simultaneously, however, it was equally clear that the federal government was in no position to offer a credible political approach as to how to revise the German-Polish border. Not only was this contrary to the interests of all four allied powers of the Second World War, but West Germany itself did not possess a common border with Poland. Despite the claim of the Federal Republic to be the sole representative of the German people (*Alleinvertretungsanspruch*),<sup>15</sup> it was a matter of political reality that the East German state had officially recognised the new border in a treaty with Poland in July 1950.

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<sup>15</sup> In a speech before the German *Bundestag* on 21 October 1949, Chancellor Adenauer declared that 'pending German reunification, the Federal Republic of Germany is the only legitimate state organisation of the German people.'

When integration into the western world had sufficiently progressed by the mid-1950s through membership in NATO and the precursor institutions of today's European Union, Germany could, more confidently, turn eastwards again (Brandt 1967). As a result of public pressure and political lobbying by the various expellee organisations, but also as a consequence of the *Alleinvertretungsanspruch*, the Federal Republic committed itself to a foreign policy vis-à-vis the communist countries in Central and Eastern Europe that incorporated humanitarian efforts to improve the situation of ethnic Germans in these countries. Until 1989, the possibilities of direct involvement were however, extremely limited, so that the major instrument of German external minority policy was the negotiation of terms with the host-states that would allow ethnic Germans to migrate to Germany. A precondition for this was establishing of diplomatic relations with the relevant states in the east bloc.

A first step in this direction was the Soviet-German treaty of 1955, followed by a verbal agreement in 1958 according to which all those persons of ethnic German origin who had been German citizens before 21 June 1941 were entitled to repatriation.<sup>16</sup> This policy was continued by all successive governments, and after 1970, it began to include a variety of other states in the Soviet zone of influence. Treaties with Poland (1970) and Czechoslovakia (1973) specifically addressed the sensitive issues of borders, confirming that the German government of the day respected the territorial *status quo* (Cramer 1972: 1121-1123). Both treaties thus included provisions to the effect that the signatory states assured each other of respect for each other's territorial integrity and of the fact that neither had territorial claims against the other (cf. *Bulletin* 1970: 1815 and *Bulletin* 1973:

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<sup>16</sup> This, however, solved only a part of the problem as it included only the Germans of the northern territories of former East Prussia, the so-called Memel Germans, and those ethnic Germans who, in the aftermath of the German-Soviet treaty of 1939, had been resettled to the then German territories from the Baltic states, Galicia, Volhynia, Bessarabia, and the Northern Bukovina, but found themselves again on Soviet territory at the end of the war. Thus, it did not cover the by far largest group of ethnic Germans who had migrated there, mostly between the middle of the eighteenth and nineteenth centuries.

1631). Thus, even though the international context remained relatively constraining, important changes occurred at the bilateral level, driven, especially after 1969, by a reorientation of policy in the German governmental context and the support that a majority of the general public was ready to provide to the government for this.

Ostpolitik priorities of promoting peace, reconciliation and 'change through rapprochement' against the background of the political realities of the Cold War did not leave the West German government any other option apart from facilitating the emigration of ethnic Germans from Central and Eastern Europe to the Federal Republic, which included primarily ethnic Germans from the Soviet Union, Romania, and Poland.<sup>17</sup> German external minority policy was thus not very active between 1945 and 1989, partly because it had always been suspected of a hidden revisionist agenda not only by the host-states, but also within Germany itself, and partly because remaining in their host-countries was not the preferred option of most ethnic Germans in Central and Eastern Europe,<sup>18</sup> nor was it seen as an acceptable or achievable alternative by the federal government. Thus, international expectations in east and west of what was an appropriate Ostpolitik for the Federal Republic to pursue combined with a pragmatic recognition of what was achievable through bilateral engagement during the Cold War and given a broader German commitment to peace and reconciliation. From this perspective, the set of norms that came to guide German Ostpolitik was determined by both domestic and external factors. It manifested itself in both spheres: in the international obligations that Germany entered into in the form of multilateral and bilateral treaties and agreements; as well as in a set of complementary domestic

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<sup>17</sup> The agreements between West Germany and some of the host-states on the repatriation of ethnic Germans included financial arrangements setting 'per capita fees' to be paid by the federal government. Average figures of annual emigration of ethnic Germans after 1950 are as follows: 1955-59: 64,000; 1960-64: 18,000; 1965-69: 26,000; 1970-74: 25,000; 1975-79: 46,000; 1980-84: 49,000; 1985-89: 148,000, 1990-94: 258,000; 1995-99: 148,000; 2000-04: 83,000. In 2005, the number fell to 35,000 (*BMI, 2006*).

<sup>18</sup> Ethnic Germans in Hungary are somewhat of an exception here.

policies that sought to promote the permanent integration of expellees and refugees after 1945 and of ethnic Germans emigrating from Central and Eastern Europe thereafter. It did not therefore nurture hopes for a subsequent return to, let alone re-conquest of their original homelands and as such remains entirely consistent with the underlying norms of Ostpolitik.

### **5. Ostpolitik in Practice (2): External Minority Policy after 1990**

The transition to democracy in Central and Eastern Europe, which began in earnest in 1989-90, provided an entirely different framework of new and increased opportunities for Germany's external minority policy. On the one hand, democratisation meant the granting of such basic rights and liberties as the freedoms of speech, association, and political participation, allowing ethnic Germans in their host-countries to form their own parties, stand for election as candidates of such parties, and actively advocate the interests of their group. On the other hand, it also meant that there were no longer any restrictions on emigration, and given the experience of at least the past forty years, many ethnic Germans, particularly in Poland, Romania, and the Soviet Union and its successor states, seized this opportunity and emigrated to Germany. Both developments required a measured and responsible policy response from Germany – domestically to cope with the enormous influx of resettlers, internationally to assure the neighbouring states in Central and Eastern Europe of the inviolability of the post-war borders, while simultaneously continuing the support for the German minorities at qualitatively and quantitatively new levels, and ensuring their protection as national minorities. All this had to happen within the framework of general German foreign policy premises, such as the support for the transition process to democracy and a market economy, the creation of a new collective security order embracing all states in Europe, and respect for international law and human rights.

### 5.1. The Domestic Response: Restriction of Immigration

The most important legal act passed in response to the vast increase of ethnic Germans<sup>19</sup> leaving their host-states to migrate to Germany was the 1993 War Consequences Conciliation Act. Entitlement to German citizenship, formerly automatic, was revoked – ethnic Germans now had to prove ethnically-based discrimination in their host-states and a long-standing affinity to German culture, language, and traditions in order to qualify. Furthermore, the annual intake of ethnic Germans was limited to the average of the years 1991 and 1992 within a 10 percent margin, i.e., a maximum of about 250,000 people. Since, prior to this in 1990, a bill had been passed that required ethnic Germans to apply for admission to Germany from their host-states; the annual intake could effectively be restricted to these quotas. In 1996, a language test was introduced that has to be passed by ethnic German applicants for citizenship as a way of testing their affinity to German language and culture. Together, these changed regulations have considerably reduced the influx of ethnic Germans to the Federal Republic – from around 220,000 each year between 1993 and 1995, the immigration figures dropped to 178,000 in 1996 and 134,000 in 1997. Since then, yearly immigration numbers have remained by and large below 100,000, almost all of them now coming from the former Soviet Union.<sup>20</sup>

It is important to view these changes within the overall context of Ostpolitik. This is not to deny that the federal government did not have one eye on domestic concerns regarding the rate of migration to Germany of individuals who had increasingly tenuous links with Germany, and who were accused of using such connections simply to escape from political and economic uncertainty. However,

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<sup>19</sup> In 1988, over 200,000 ethnic Germans 'returned' to Germany, in 1989 it was 377,000, and in 1990 a figure of 397,000 was recorded.

<sup>20</sup> This drop has two further reasons apart from legal restrictions – many ethnic Germans who have successfully applied for citizenship have not yet exercised their option to migrate to Germany, but keep it as a fall-back position. In addition, the majority of people from Romania and Poland who had wanted to leave had already done so by the late 1980s and early 1990s, thereby greatly reducing the demand from those two countries.

the German government in partnership with states such as Poland, Romania and Russia had wider objectives. The primary goal was of course to nurture a set of circumstances that would allow bilateral relations to flourish. In order to achieve these goals a set of measures had to be undertaken which would provide ethnic Germans with a *Zukunftsperspektive* in their countries of origin (as opposed to Germany), and which would make sure that ethnic Germans living in these countries did not become a constant strain on bilateral relations, as had been the case in the past when their presence had been instrumentalised by the governments of both their host- and kin-states.

In addition, the new policies formulated by the German government after 1989/90 would simultaneously also have to align German nationality laws with post-Cold War realities. Moreover, the aforementioned War Consequences Conciliation Act of 1993, which was passed in light of the changed situation, cannot be viewed as being analogous to the so-called benefit laws that have been passed in recent years in countries such as Hungary, Romania or Slovakia that deal with the position of co-ethnics who live outside the borders of their kin-states. The crucial difference is that these benefit laws seek to freeze ethnic identity by allowing the descendants of kin-state passport holders to obtain the nationality of their parents. The German law of 1993 does the opposite, and accords no special nationality privileges for the descendants of those who obtained German nationality under that statute (Cordell and Wolff 2005b: 142). On the other hand, both sets of laws lay down the basic framework of interaction between the kin-state and ethnic compatriots living in neighbouring states. Hence, while we can note important changes in the German domestic and governmental contexts in response to a dramatically changed international environment, these changes do not undermine the general premises of Ostpolitik as a whole or of its external minority policy component. On the contrary, German

domestic law, as an indicator of societal norms, remains fully committed to Ostpolitik objectives.

## 5.2. The External Response: Creating an Alternative to 'Repatriation'

Realising that the changed conditions after 1990 required a fundamentally different foreign policy approach, the German government embedded its external minority policy into the wider framework of its efforts to promote democracy, prosperity, and security in Central and Eastern Europe. While peace and reconciliation remained two key objectives of Ostpolitik, 'change through rapprochement' gradually gave way to aiding and consolidating the democratic transitions that occurred in Central and Eastern Europe after 1989. Another objective was to stem the inward flow of migrants into Germany, many of whom had increasingly tenuous links to Germany (Bade 1993: 393-401). In so doing, the federal government sought not only to ease the burden on its own resources, but endeavoured to minimise the economic damage that the outflow of skilled workers was inflicting upon some areas, particularly in Poland.

Given the ethnopolitical demography of the region with its many national minorities, latent border disputes, and inter-ethnic tensions, it was obvious that the role of minorities would be crucial one two ways. The ultimate test of successful democratisation would have to include an assessment of whether or not members of national minorities, individually and collectively, were entitled to full equality and the right to preserve, express, and develop their distinct identities in their host-states. Equally important, however, would be whether old and new democracies with external minorities would pursue foreign policies in this context that were compatible with the aims democratisation across Central and Eastern Europe, as it was clear that it would not be possible to operate a viable collective security system without settling existing ethnic and territorial conflicts and establishing frameworks within which future disputes could be

resolved peacefully. Taking these assumptions as a starting point, the German government concluded that national minorities should play a crucial part in bringing about results in these two interrelated processes as they could bridge existing cultural gaps.<sup>21</sup> The federal government sought and continues to create partnerships with Central and East European host-states and the German minorities living there that, on the basis of international treaties and bilateral agreements,<sup>22</sup> would promote the government's 'overall foreign policy concept of a European peace policy of reconciliation, understanding, and cooperation' (*Bundestagsdrucksache* 13/3195).

Cultural, social, and economic measures to support German minorities, although primarily 'aimed at an improvement of the living conditions of ethnic Germans in their host-countries', would naturally benefit whole regions and their populations independent of their ethnic origin, and thus promote inter-ethnic harmony and economic prosperity while strengthening the emerging democratic political structures (*Bundestagsdrucksache* 13/3428 and *Bundestagsdrucksache* 13/1116). Thus, by creating favourable conditions for the integration of ethnic Germans in the societies of their host-states as citizens with equal rights, the German government hoped to provide an alternative to emigration (*Bundestagsdrucksache* 13/3428). In the immediate post-Cold War era, the emphasis was on the creation of large-scale structural projects. In recent years the emphasis has shifted to youth work, the construction of community centres and promoting twinning projects between towns, villages and provinces in Germany with their counterparts in East-Central Europe and the former Soviet Union (*BMI* 2006). Also, migration rates from East-Central Europe have slowed to

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<sup>21</sup> Cf., for example, 'Vertriebene, Aussiedler und deutsche Minderheiten sind eine Brücke zwischen den Deutschen und ihren östlichen Nachbarn', *Bundestagsdrucksache* 13/10845, 27 May 1998.

<sup>22</sup> The key international agreements in this context are the 1990 Copenhagen document of the CSCE and the Council of Europe's Framework Declaration on minority rights. Bilateral treaties exist between Germany and Poland, the Czech and Slovak Republics, Hungary, Romania, and Russia. Major bilateral agreements were concluded with Ukraine and Kazakhstan.

a trickle. In part this is due to the improving economic situation in countries such as Poland, the Czech Republic and Hungary. The other main factor is declining prejudice toward ethnic Germans. With regard to the former Soviet Union, the economic situation is far more uncertain, and residual prejudice is still widespread, particularly in Kazakhstan. Correspondingly, there is much greater migration from the former Soviet Union of ethnic Germans to Germany, although once again the rates of migration are much reduced since the peak years 1989-2002 (BMI 2006).

The following three case studies illustrate how this approach was implemented in practice, and how, despite changing geopolitical and bilateral opportunity structures, German Ostpolitik remained guided by its fundamental commitment to peace, reconciliation and 'change through rapprochement'. We shall commence our analysis with Russia, which (together with Kazakhstan) by virtue of the factors mentioned at the end of the previous paragraph is the main target of the federal government's endeavours to improve the situation of ethnic Germans in formerly communist countries.

#### 5.2.1. Russia

The German government estimates that around 800,000 ethnic Germans still live in Russia (BMI 2006). The legal framework of German external minority policy vis-à-vis Russia is provided by a bilateral treaty between the two states. Unlike the Polish case, however, the German minority is far larger and more dispersed. Although German efforts, again, encompass cultural, economic, and social projects, they can only target specific regions and not yet cater for all members of the minority in the same way. The grounds the German government gives for focussing its efforts on three specific areas are based on the assumption that a significant section of ethnic Germans does not necessarily want to migrate to Germany, but seeks to live in areas together with other ethnic Germans.

Therefore, the federal government sees it as essential to stabilise particular settlement areas, by providing housing for ethnic Germans coming to these areas from other parts of the Russian Federation and from the Central Asian successor states of the former Soviet Union. It also seeks to improve the general living conditions in these areas in order to turn them into an acceptable alternative to 'repatriation' and ensure peaceful inter-ethnic relations between ethnic Germans, Russians, and other ethnic groups.<sup>23</sup>

The three areas on which material aid has been focussed since 1990 are the two German rayons Halbstadt and Asovo in Western Siberia, the Volga area, and the St Petersburg region (Hasn't there also been investment into the Kaliningrad region, given the more or less spontaneous migration of a few thousand Germans there?). Projects supported by the German government include the construction of residential areas, aid for farm businesses (e.g., management and agricultural consulting, provision of machinery), loans and consulting for small-business start-ups, and occupational training to improve qualifications. In order to achieve a general improvement in living conditions, the federal government has directly funded, or backed by guaranteed loans, measures to improve the infrastructure in some of the regions where ethnic Germans live. This has included projects in the health care sector (e.g., the Ambulance Centre in Burni, Saratov area), the improvement of the local infrastructure (e.g., telecommunications network and petrol station in the Halbstadt rayon), and the expansion of retail and food production facilities (e.g., the dairy farm in Baskatowka, Marx area). Cultural restoration projects have also been undertaken. Perhaps the most significant of them is the renovation and expansion of the official archive of the Volga Germans in the town of Engels in the Saratov area (*InfoDienst* 49 2006). Most of these

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<sup>23</sup> On a smaller scale, similar efforts are also made in the Central Asian republics and in Ukraine.

projects are co-funded by the Russian government, but the majority of the financial support is provided by Germany.

Given the decades of communist rule during which ethnic Germans were denied the right to express and develop their cultural identity. As indicated above, a considerable amount of effort and funding has been spent on projects that relate to education and culture. Since 1990, almost ninety cultural centres have been set up throughout the Russian Federation in order to give ethnic Germans an opportunity to become familiar with present-day Germany and, above all, to learn the language of their ancestors. Using existing infrastructure the German government has supplied these centres with technical equipment, books, and newspaper and magazine subscriptions. However, due to continued migration publications have been forced to close, and some argue that despite the endeavours of the German government, the dire state of the Russian hinterland will promote further migration to Germany. According to this prognosis, no amount of support for the German language and culture will save it from extinction (InfoDienst 29 2006). Whatever the future holds, most of the projects in the cultural sector occur in cooperation with the Russian government, which normally commits funds to the maintenance of buildings and the payment of staff.

The particular emphasis on educational efforts in the areas of language teaching and information about Germany is derived from the need to prepare ethnic Germans better for their potential migration to Germany in order to make integration into German society easier. Over 30,000 courses in over 1,000 different locations have been offered since 1996 (BMI 2006). Special programmes for young ethnic Germans include language classes and summer camps, both aimed at securing knowledge about, and awareness of, their German roots among the coming generations. Despite good intentions, however, the decreasing

availability of funds over the past years has limited the success of this policy, if only in terms of the number of people that could be reached. Another problem encountered in recent years revolves around the very real differences that exist between Germany and Russia. Ethnic German migrants from rural Russia find it particularly difficult to adapt to life in Germany, and there has in fact been a small trickle of returnees (BMI 2006).

#### 5.2.2. Poland

The German government estimates that around 400,000 ethnic Germans live in Poland (BMI 2006), although official Polish figures are in the region of 125,000. As in the case of Russia, relations between Germany and Poland have their legal basis in the 1990 border recognition treaty, in which the Federal Republic explicitly guaranteed the Oder-Neiße line as the common border, and in the 1991 treaty on good neighbourly relations and cooperation. Prior to that, in 1989, a joint declaration by the German Chancellor and the Polish Prime Minister acknowledged the existence of a population of German descent in Poland and of the need to protect its cultural identity.<sup>24</sup>

To secure a legal framework for the development of the German minority in Poland was only one part of German foreign policy and has been complemented by substantive material aid in the areas of culture and education (the responsibility of the Foreign Office), economic reconstruction (the responsibility of the Ministry of the Interior), and social and community work (the responsibility of the German Red Cross, before 1990 also through the Ministry of Inner-German Affairs). Material aid had been committed to the German minority before 1989, but in comparatively smaller proportions. The changes in Poland in 1989/90 allowed the allocation of larger funds, through different channels, and for new

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<sup>24</sup> Successive Polish governments had never denied the existence of a German minority. There was, however, serious disagreement between the two sides over its number.

purposes. Geographically, material support has always been concentrated on Opole Silesia and to a lesser extent Upper Silesia proper.

Funding in the education and cultural sector has included a variety of activities. The German government has provided staff support to improve the quality of German language teaching in Poland. Between 1994 and 1989, the number of teachers sent to Poland has increased from just one to 111. In addition, four federal government-sponsored experts on German language teaching have been working in Poland since 1994; the German Academic Exchange Service is funding twenty-six lecturers at Polish universities, and the Goethe Institute has supplied eight lecturers for the further training of Polish teachers of German. Since 1993, members of the German minority in Poland have had access to a special grant programme to study in Germany for a period of up to twelve months. The federal government also provides partial funding for TV and radio broadcasts and print media of the German minority and supplies German newspapers and magazines to the friendship circles of the minority.

Financial aid channelled through the Ministry of the Interior was given to various associations of the minority, but by far the largest amount of support has been spent on projects to support the economic recovery of the areas in which members of the German minority live, thus benefiting not only the minorities but also these regions and their (other) population as a whole. Efforts here were concentrated on infrastructural improvements, e.g., water supply systems, and on promoting small businesses and private farms. For the distribution of these funds, the federal government uses the Foundation for the Development of Silesia, a private body registered in Opole, and partly funds three staff positions there.<sup>25</sup> Finally, if we turn to social service provision, we find that the German

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<sup>25</sup> Similar foundations exist in Romania, Russia, and the Czech and Slovak Republics.

government has provided funds for the improvement of medical services in Upper Silesia and for the setting-up of a network of *Caritas*-operated centres to care for the elderly (*Bundestagsdrucksache* 13/1116).

### 5.2.3. Romania

Based on the German-Romanian treaty of April 1992, the aim of German external minority policy vis-à-vis Romania is to secure and improve the living conditions of the German minority in the country in order to provide its members with a viable future in their host-state. In contrast to Poland, but similar to Russia, there have never been border or territorial disputes between Germany and Romania, so that German foreign policy has a primarily humanitarian dimension. However in contrast to the Russian and Polish cases, due to the relatively liberal migration policy of the Ceausescu regime, and massive post-communist outward flows to Germany, the age structure of the residual ethnic German population in Romania is disproportionately elderly. Furthermore, it is estimated that the total number of ethnic Germans in Romania may be now be as low as 20,000.

Because the Romanian constitution does not allow for positive discrimination as a means to remedy the situation of historically disadvantaged minority groups, article sixteen of the German-Romanian treaty states specifically that all concrete measures, taken jointly by the two governments to secure the continued existence of the German minority and to support it in the reconstruction of its social, cultural, and economic life, must not disadvantage other Romanian citizens. As this coincides with one of the objectives of Germany's external minority policy – contributing to an environment of inter-ethnic harmony – this has not limited its humanitarian aid efforts.

As in Russia and Poland, the aid projects can be grouped into three main areas – social, economic, and cultural. About seventy cultural centres have been set up

since 1990, enabling the German minority to preserve, develop, and express its cultural identity. Language teaching, again, plays an important role in the cultural sector, but it is primarily aimed at preserving the already existing relatively high level of knowledge. Part of the aid package, therefore, is infrastructural support, such as the reconstruction of the main building of the Honterus secondary school in Kronstadt. A special youth programme has been in operation since 1995.

Social projects have included the provision of medical equipment to hospitals in areas where ethnic Germans live, yet because of the general situation in Romania, these projects have great importance well beyond the regions at which they were originally aimed. Medical support has also encompassed the supply of spare parts, medication, and first aid equipment.

The economic aid programme has focussed on small businesses and the agricultural sector. Loans for start-up companies on preferential conditions, and the supply of technology and machinery, support around seventy companies founded or run by ethnic Germans in Romania every year. The initial emphasis on providing farms with modern equipment was replaced a couple of years ago by a programme of support for the creation of networks that enable ethnic Germans (and their Romanian neighbours) to achieve greater cost efficiency. In this context, a project to form a regional community of agricultural producers and an initiative to set up an organisation for the wholesale distribution of fuel has been funded by the German government. Another source of support have been training programmes for agricultural engineers and managers in, and funded by, the Federal Republic of Germany. The agricultural support programme as a whole has been co-ordinated and administered by two German experts.

#### **5.2.4. 'Bilateral' Ostpolitik: Continuity and Change in Germany's External Minority Policy**

The three brief case studies above illustrate the substance of post-1990 external minority policy. As such they reflect the increased opportunities that the German federal government had for a more active pursuit of such policies following the end of the Cold War and constitute an element of change in Germany's 'bilateral' Ostpolitik. Importantly for our argument, however, there is also a significant amount of continuity in the approach to formulating and implementing external minority policy. A number of observers concur that no significant in approach changes have occurred in recent years. On the contrary, initiatives launched by the German government in partnership with their interlocutors in East-Central Europe testify to do this. Concrete examples are legion. They include the work of branches of the Friedrich-Ebert Institute in Prague and Gliwice in Poland (Larischová: 2004). We also find initiatives undertaken by the Czech and German Greens to promote reconciliation and cross-border co-operation (Lintzel: 2004). To these we can add the work of the Willy-Brandt Institute in Wrocław Poland (Ociepka: 2004) particularly in the field of higher education, and numerous efforts on the part of the German and Polish governments together with local agencies to improve the economic infrastructure of Opole Silesia (Rossmann: 2004).

This evidence from the German governmental context clearly indicates that the norms underlying the formulation and implementation of Germany's Ostpolitik, and by extension of its external minority policy, remained broadly the same despite the significant changes in the international context. This norm continuity explains why, contrary to realist expectations, Germany's policy outlook towards Central and Eastern European host-states of German minorities did not change in its fundamental assumptions. Germany remained normatively committed to peace, reconciliation and regime change (in the guise of democratic transition and

consolidation) after 1990, and thus pursued policies towards Russia, Poland and Romania that would make a practical contribution towards achieving these aims.

## **6. The 'Return to Europe' and Its Consequences**

The opportunity of EU accession presented another important turning point for Ostpolitik in general, and for external minority policy in particular. Negotiating entry into the EU meant determining the terms under which the formerly communist countries of Central and Eastern Europe could join a value community with very strong legal foundations (Posselt: 2003). This implied implementing the vast body of existing regulations and laws known as the *acquis communautaire* but also subscription to the values and principles upon which the EU and its various predecessors had been founded. Crucial among these were some of the very norms that came to guide Ostpolitik in the 1960s in an attempt to replicate the ensuing success of Franco-German understanding and reconciliation. Given the complexity and number of residual issues stemming from the past, it does not come as a much of a surprise to learn that accession negotiations quickly became embroiled in renewed bilateral controversy suggesting that the German question was far from completely resolved.

What then were the apparent advantages of EU membership that made the political elites on all sides persist and eventually succeed in the negotiations? From the German perspective, following Hyde-Price (2000: 182-183), the country's commitment to EU enlargement derives from four key factors. First, there is the desire to ensure stability along its own eastern frontier. Provided that membership brings the expected economic benefits, migratory flows from the Czech Republic and more especially Poland should be kept to a minimum. Within this context, political stability should also be secured. Second, it is believed that enlargement will bring substantial economic benefits to Germany itself by facilitating trade and investment. Third, by embedding its bilateral relations with

these East-Central European countries within the overall framework of the EU, Germany hopes to dispel fears that it seeks to re-create a German-led Mitteleuropa. Finally, there has long been widespread agreement within Germany that EU membership has been beneficial to all member-states. Therefore, the EU accession of countries in Central and Eastern Europe was supported in full, as it was seen as being virtuous in itself. This, of course, is a realist perspective offering primarily an account of the rationality of EU enlargement that is informed by cost-benefit calculations in terms of national (political, economic and security) interests. That such an assessment of the driving forces behind German support for enlargement is a valid assessment, however, does not mean that it is comprehensive, nor, in fact, that it offers an adequate explanation of its fundamental causes. While it is difficult to establish with absolute certainty what these fundamental causes were, a constructivist approach contributes a complementary perspective in which EU enlargement is the logical conclusion and culmination of Ostpolitik providing it with the means to fulfil its core objectives of peace, reconciliation and (securing the permanence of) regime change.

From a realist perspective, Germany's option to secure national political, economic and security interests after 1989 could have been achieved by means other than EU enlargement. NATO membership of Poland and the Czech Republic (a reality as of 1999) provided for improved military security. Bilateral treaties (in place as early as 1990) offered comprehensive ways and means of addressing some of the residual issues of the past, including the borders and minorities. Foreign direct investment from Germany into Central and Eastern Europe also occurred long before EU accession was even seen as a realistic possibility. Yet, in many ways it was clear to German policy makers that the desire of the formerly communist countries of Central and Eastern Europe to become EU members presented a unique opportunity for Germany to assure the permanence of political and economic reforms in the two neighbouring countries that were seen

as the best guarantee to ensure a constructive approach to the very sensitive issues that remained in relations with the two countries (Heimsoeth 2002). The very fact that the German government found this important, that no significant public counter-discourse emerged, and that large, albeit not all, sections of the expellee community were included in the implementation of this policy testifies to the fact that German post-1989 policy vis-à-vis Central and Eastern Europe was indeed a continuation of Ostpolitik. In short, it remained within the parameters of what was deemed appropriate according to persisting norms of German foreign policy conduct.

Former CDU chancellor Helmut Kohl saw the collapse of communism not simply as an opportunity to unite Germany, but also to promote the eastward enlargement of the EU (Ingram & Ingram 2002: 55). In fact, in the case of Poland, Kohl attempted to develop a strategy that sought to replicate post-1949 Franco-German rapprochement and incorporate Poland within the Franco-German axis through the creation of the 'Weimar Triangle' of regional co-operation (Ingram & Ingram 2002: 59). The overall strategy was designed to ensure that if the countries of Central and Eastern Europe would be able to accede to the EU, and then membership could and should offer a resolution to most if not all of the residual issues arising from World War Two. After all, the EU operates on the principle of shared sovereignty, regional co-operation, malleability of borders and the freedom of movement. Yet equally importantly, the EU is a community of shared values and norms, and membership in it effectively requires subscribing to these norms and values.

The Red-Green government that succeeded Kohl's CDU/CSU-FDP coalition in 1998 also made it clear that it regarded eastward enlargement as necessary in order to right a historical injustice and in order to promote harmony, growth and stability throughout Europe. They also left no doubt for the Bund der Vertriebenen (Union

of Expellees/BdV), and to the Czech and Polish governments, that Berlin would not support demands that expellees be compensated or be given special privileges with regard to re-settlement in their former homes. On the other hand, more or less the entire Polish political class perceived a tilt on the part of the Red-Green government toward Moscow. As a result, the period 1998-2005, witnessed a distinct cooling in German-Polish relations. There are few if any indications that the basic orientation of Germany's Ostpolitik has significantly changed under the new CDU/CSU—SPD grand coalition government. Yet, as the visit by Polish President Lech Kaczyński to Berlin in March of this year demonstrated, both sides are eager to re-invigorate bilateral relations. However, the prickly nationalism of the (current) Kaczynski government in Poland means that their German counterparts have had to be doubly sensitive with regard to issues pertaining to the Second World War and its aftermath.

## **7. Conclusion**

Germany's Ostpolitik and external minority policy may have undergone significant changes in their concrete manifestations over the past four decades, but these are due to changing external conditions rather than to fundamentally different objectives. The latter remain guided by a set of norms that have emerged in the 1960s and have remained by and large the same. This was more than mere instrumental recourse to an accepted rhetoric peace, inviolability of borders, etc. The formulation and implementation of German external minority policy followed and follows the broad guidelines set by the norms that underlie Ostpolitik more generally—peace, reconciliation, and 'change through rapprochement'. In this sense, any policy adopted to improve the situation of ethnic Germans in Central and Eastern Europe had to measure up against these overall objectives.

Deriving, in part, from an acceptance of responsibility for the consequences of the Second World War, Ostpolitik norms implied the tacit recognition by German

political elites and the German public of the geopolitical and territorial realities of Europe. For reasons of geopolitics coupled with pressing domestic priorities such as economic reconstruction and the crafting of a liberal democratic political culture, Germany's role as a kin-state during the Cold War was thus both externally and internally constrained within a framework of Ostpolitik priorities aimed at peace, reconciliation and 'change through rapprochement'. Political engagement with German minorities in Central and Eastern Europe, even if it was not put aside completely, was scaled down and largely limited to facilitating the emigration of ethnic Germans from their host-countries and their smooth integration into German society, rather than to demand their recognition and protection as minorities.

From the end of the 1980s onwards, this began to change gradually. The democratisation of the formerly communist societies in Central and Eastern Europe opened new opportunities for Germany's external minority policy. Greater possibilities to support the German minorities in their host-states, the need to do so in order to halt the mass exodus of ethnic Germans, and the genuine interest of the former communist countries in improving their relationship with Germany, which was seen as an important stepping-stone towards accession to the European Union and NATO, complemented each other in a unique way. Germany's desire to bridge the gap between cultures and across history could only be fulfilled through reconciliation and mutual understanding. Part of this was the eventual unconditional recognition of the borders with Poland and Czechoslovakia. Yet, a common future of Germany and its eastern neighbours could not be secured without addressing the situation of the German minorities in these countries. On the basis of numerous treaties and within the framework set out by the 1990 Copenhagen Declaration of the CSCE, Germany and Poland, the Czech and Slovak Republics, Hungary, Romania, the Russian Federation, Ukraine, and Kazakhstan have developed relationships that allow both respective parties,

with the participation of representatives of the German minority in each country, to tackle the issue of minority protection and external support for ethnic Germans.

For historical as well as contemporary reasons, Germany's engagement with Eastern Europe and Russia has remained a very sensitive issue. The countries of Central and Eastern Europe have seen a resurgence of minority-related questions during the transition process to democracy. German external minority policy, therefore, has always been, and remains only one part of the more comprehensive foreign policy approach towards its eastern neighbours that aims at a stabilisation of democracy and the creation of a market economy in these countries as the wider social framework within which harmonious inter-ethnic relationships can develop that will inevitably benefit the German minorities as well. Gradually since the early 1960s the deliberate setting of a different foreign policy agenda in the form of Ostpolitik has contributed to changing and eventually increasing opportunities for a successful external minority policy that does not treat minorities as objects of farther-reaching policy goals, but makes them one of the beneficiaries of a co-operative rather than confrontational foreign policy.

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