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A Volunteer Army instead of Conscription

Universal conscription no longer fulfils the principle of equality enshrined in the constitution and is untenable from a justice perspective. Nor can a case for universal conscription in Germany now be made on security policy grounds.

The German constitution, the Basic Law, allows but does not prescribe universal conscription. The armed forces' personnel requirement can therefore be met by volunteers or conscripts. If the legislator opts in favour of universal conscription, then all male citizens must on principle be required to serve in the armed forces, in line with the principle of equality enshrined in Article 3, para. 1, of the Basic Law.

And yet for many years, "universal" conscription for men has been a fallacy. At present, the German Bundeswehr (Federal Armed Forces) can call on around 40,000 to 47,000 conscripts a year to fill its 35,000 basic military service posts lasting nine months. A further 15,000 recruits are needed annually to fill 25,000 volunteer posts with enlistment for up to 23 months. Given that, at present, approximately 400,000 young men become liable for military service every year, this means that around 340,000 of them – even if they are willing to serve and are in the best of health – have no chance to perform military service. Even in the smallest age-group year to date (2005), there are still 350,000 potential conscripts. Conscription can no longer be organized fairly on this basis. And if half the potential conscripts in any given age group are mustered out or declared unfit for service and a quarter of them perform civilian service, universal conscription becomes a farce, with military service becoming the exception rather than the rule.

Conscripts who are enlisted to serve in the Federal Armed Forces or undertake alternative service are clearly disadvantaged compared with their male and female peers. Among other things, they are adversely affected by the delay to their studies or training, their jobs may be at risk, and they have fewer earnings opportunities. For both military conscripts and persons performing civilian service, fundamental rights such as the right to choose one's trade, occupation or profession, freedom of movement, freedom of expression and freedom of assembly are forcibly curtailed. And while some people are required to perform military service or undertake civilian service as conscientious objectors, others are able to earn a living or pursue further



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training in the career of their choice. In international competition too, German men are at a substantial disadvantage compared with their French, Italian, British, Hungarian or US peers, for example.

Nor can a case now be made for the retention of conscription on security policy grounds. Today, it is no longer the traditional defence of the country but participation in multilateral crisis management operations within the framework of the UN, EU and NATO which determines the structure of the German Bundeswehr. There is a consensus that only volunteers – i.e. regular soldiers, temporary-career volunteers and volunteers for extended service – should participate in the Bundeswehr missions abroad. For multilateral crisis management tasks serving collective security, what is required are troops who not only know how to operate military hardware but who also have "soft skills" such as social and intercultural skills. This applies especially to the increasingly frequent – and particularly challenging – stabilization missions. As a result of the changed overall security conditions, most of Germany's alliance partners have abolished conscription in recent years. In terms of efficiency, too, basic military service lasting nine months is more of a burden than a benefit for the Bundeswehr and the basic service conscripts themselves, as well as being a waste of scarce resources. After completing their basic training, basic service conscripts can only be entrusted with simple tasks. As a consequence, their skills and abilities are rarely adequately utilized and developed. At the same time, providing training and welfare for 30,000 basic service conscripts ties up the capacities of around 10,000 male and female soldiers. Furthermore, a complex bureaucracy is involved in the identification, medical examination and drafting or enlistment of these recruits, which is quite disproportionate to the intake and force requirements. If we consider that the administration of civilian service must be factored in as well, it becomes apparent that conscription is, in every respect, an extremely personnel-intensive, expensive and uneconomical approach to recruitment.

In recent years, a transformation process has been initiated in the German Bundeswehr, leading in the direction of a volunteer army. Measures include the expansion of voluntary military service and the opening of the Bundeswehr to women volunteers, along with a reduction in the overall force level, especially the conventional posts for conscripts. The armed forces have been reduced in size from 340,000 to the present level of 250,000 troops. In 1989, 44 percent (218,000) out of 490,000 troops in the Federal Armed Forces were conscripts performing 15 months of basic military service. In the new target structure with a maximum of 250,000 military posts, no more than 30,000 posts (12 percent) are earmarked for basic service conscripts, who now serve for nine months. Up to 25,000 posts (10 percent) are reserved for conscripts who volunteer for better paid extended service in the Bundeswehr lasting up to 23 months. The phasing-out of conscription is therefore



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largely complete. Today, 88 percent of the troops in the Bundeswehr are volunteers: in other words, it is already largely a volunteer army.

The Greens parliamentary group in the German Bundestag takes the view that completing the phase-out of conscription would make an important contribution to more justice in Germany. Instead, the Federal Government has committed to conscription but has done nothing to resolve the existing justice and constitutional problems with which conscription is associated. After taking office, Defence Minister Jung ordered that the number of posts for basic service conscripts would not be cut back to 30,000 as planned, but would be frozen at 35,000 until 2008. As the overall force level will not be increased, these 5,000 posts will be maintained at the expense of the temporary-career and regular soldiers and will thus undermine the efficiency and operational capability of the Bundeswehr. And in light of the principle of equality enshrined in the Basic Law, the SPD's proposal for voluntary conscription does not go far enough. This applies especially in relation to the criteria by which conscripts are to be selected and closing the gap if not enough volunteers are available.

We attach great importance to the recruitment of qualified personnel for the fulfilment of the Bundeswehr's tasks. However, the recruitment argument cannot justify universal conscription. Conscripts are often regarded as the guarantors of the integration and connection between the armed forces and society. However, this task is too much for them to discharge on their own. In any case, a volunteer army also draws its recruits from society. It is not the form of military service but the selection of personnel and the practice of internal leadership which are crucial for the integration of the Bundeswehr into society. It is precisely internal leadership that characterizes the comparatively "civilian" mentality of the Federal Armed Forces, and its implementation is the yardstick of the Bundeswehr's integration into society. Policy-makers also have a duty of care to the armed forces which extends far beyond issues of pay and equipment. This applies especially to the question of deployment in international and life-endangering missions. The best pay and equipment are of no avail whatsoever if soldiers are sent off on military adventures or if the Federal Government does not do enough in the civilian and police sector to bring international missions to a swift and successful end or render them unnecessary in the first place. It is not conscription but a responsible attitude towards the soldiers themselves which is the best recruitment policy for the armed forces. The transition to a volunteer army which has now begun can be improved and must be accelerated. To this end, better recruitment and the introduction of an option for volunteers to sign up for a period of attractive and flexible short-term service are necessary steps. This new type of short-term service would be more appealing to potential recruits and would greatly enhance efficiency, thus allowing further force reductions to be achieved. The Weizsäcker Commission, in its report published in May 2000, confirmed that a volunteer army with an overall force level of 220,000 temporary-



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career and regular soldiers would be able to meet security policy requirements in full. Short-term service allows a progressive transition to take place without abrupt changes. It must be integrated into an improved strategy of recruitment, personnel service, political education and career development. The appeal of the armed forces also depends on the career development opportunities and civilian qualifications that they offer to young people.

Civilian service is the alternative to military service. It cannot be used as an argument to justify conscription. We explicitly acknowledge the contributions made by those who, for reasons of conscience, refuse to perform armed service and undertake civilian service instead. They make a major contribution to social peace in Germany. Today, more conscripts undertake civilian service than military service. While the number of places for military service has been drastically reduced, the Federal Government is maintaining the number of places for civilian service. This turns the principle of universal conscription on its head and creates the impression that it is a form of universal service obligation for conscientious objectors. This structural inequality in the treatment of conscientious objectors must end. In order to maintain the character of military service as the regular form of service, with civilian service being the exception, the number of conscripts enrolled for civilian service should no longer exceed the number enlisted for military service.

So along with the swift phase-out of conscription, a shake-up of civilian service is also required. Universal conscription cannot be justified by the argument that civilian service is essential for our social welfare system, nor retained on the grounds that civilian service facilitates social learning. These are arguments in favour of reforming our social welfare system and expanding our voluntary services and civic engagement; they are not arguments against the abolition of conscription. Nor can the fear that phasing out conscription will lead to the collapse of our social welfare system be used as an argument for retaining conscription. In view of the declining acceptance of conscription – especially among those who are directly affected – the organizations responsible for civilian service began to identify alternatives long ago. Proposals for the transformation of civilian service are on the table and must be implemented. In its report published in January 2004, the Commission "Impulses for Civil Society – Perspectives for Voluntary Services and Civilian Service in Germany" identified ways of developing other services to take over the roles of those currently performing civilian service, in the event of conscription being abolished. This three-pronged approach – the abolition of conscription, the transformation of civilian service and the expansion of voluntary services – is the cornerstone of our strategy, and we will continue to lobby intensively to generate social and political support for it.