

**Rethinking Europe in an Unequal World:  
The Case for a Just and Strengthened  
United Nations**

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**World Constitution and Parliament Association  
India Chapter**

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The Case for a Just and Strengthened United**

“Peace research so far has not been radical enough—  
and it still isn’t.” (E Krippendorff)

“But the real obstacle lies in the well-founded certainty that the criminals and their blinded followers in Germany have not regretted or given up anything, but are thinking day and night of nothing else but the possibility of resuming their enterprise with other means and allies ... ‘Believe me, young man,’ said General Haushofer to the American journalist Calton Smith in 1941, ‘We think in centuries. You can be sure that in the event of defeat from the first hour after the armistice, day and night we think of nothing else but to prepare for the next war.’ The majority still thinks that today—shall all that be forgotten?”<sup>1</sup>

Great Britain’s recent decision to part company with the EU has disrupted the European order. In this essay I would like to suggest that the new situation also opens up new opportunities. The EU runs the risk, if these opportunities are not recognised and acted upon, that the European project may fail. The historical failures after 1945 and the fact that the European Union has done

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<sup>1</sup> Friedrich Wilhelm Foerster, Die deutsche Frage von drinnen und drauen gesehen. Friedrich Wilhelm Foersters Stellungnahme und Antworten des In- und Auslandes [The German question seen from inside and outside. Friedrich Wilhelm Foerster’s statement and answers from home and abroad], Hannover, Verlag Das Andere Deutschland 1947, pp. 5-6. Germany is now in the process of integrating brigades from smaller European countries into the Bundeswehr. See: Germany is quietly building a European army under its command, Foreign Policy, 22 May 2017.

nothing to strengthen the United Nations and facilitate the dismantling of military peacekeeping facilities are both grounds for concern. In particular, the prompt rearmament of the Federal Republic after the war, and most recently its commitment to and vocal support for an EU army, are warning signs that cast doubt on its intentions. The military, the “reified irrationality of the state” (Ekkehart Krippendorff), is ultimately not able to guarantee the peace and security of citizens in the long term. The inclusion of the Global South is a necessary prerequisite for a new global security structure. To understand the problems we are facing today, we have to rethink Europe and the world from a historical perspective. The following are preliminary, often overlooked precedents: 1. the Hague Peace Conferences (1899 and 1907), which already aimed at the abolition of war but failed because of the veto imposed by Germany; and 2. Germany’s failure during the years 1949/1950 to follow the path to disarmament and genuine collective security under the UN Charter.

## A peaceful Alternative?

In the first few years after WW2, nations like France, Italy, Switzerland, India and Japan had set the stage for a Central-European legislative initiative to empower the United Nations and take steps against the deployment of state powers. Mahatma Gandhi, for example, at the start of the United Nations San Francisco Conference in 1945, said: “India stands for ... a world federation of free nations ... Such a world federation would ensure the freedom of its constituent nations, the prevention of aggression and exploitation by one nation over another, the protection of national minorities ... and the pooling of the world’s resources for the common good of all. On the establishment of such a world federation, disarmament would be practicable in all countries, national armies, navies and air forces would no longer be necessary, and a world federal defence force would keep the world peace ... An independent India would gladly join such a world federation.” Japanese Prime Minister Kijuro Shidehara on 24 January 1946 proposed to General Douglas McArthur that the new Japanese Constitution include an article declaring the universal NON-RECOGNITION of the right of belligerency. France in its new Constitution agreed to limitations of its national sovereignty in favour of the UN and the defence of peace. British Foreign Minister Ernest Bevin called for the establishment of a World Parliament, and Switzerland submitted to the compulsory jurisdiction of the International Court of Justice (ICJ). Italy renounced war in its new Constitution in 1948, and in 1949 both Houses of the Government of the United States of America adopted a resolution “to support and strengthen the United Nations and to seek its development into a world federation.” The 1949 German

Constitution stipulated that Germany submit to the compulsory jurisdiction of the ICJ and take legislative action to initiate the process of empowering the United Nations.

What prevented the government under Konrad Adenauer from carrying through a decision that was meaningful and peace-inspiring, and at the same time would have atoned for the blunder committed at the Hague?

In the event, the path to peace stipulated in the UN Charter, which was to confer primary responsibility for maintaining world peace and international security on the Security Council, was not taken by Germany, and consequently the Charter's original purpose has never been fulfilled. From then on, the intention of politicians, international lawyers and political scientists seems to have been to show that the Charter was ill-conceived and was never meant by the victorious powers to work—an absurd allegation. It was wrongly assumed that the Charter did not envisage any such thing as a transitional period, and therefore its critics could argue that the consensus principle made it impossible for the United Nations Security Council to perform its tasks effectively. It was assumed that, contrary to the wording and intention of the article, it was not for the Members to confer primary responsibility for the maintenance of international peace and security on the Council, but that the Charter had already completed the transaction. Did the international lawyers commenting on the UN Charter deliberately misrepresent the text to cover up the omission?

While it is well known that Konrad Adenauer lied

about the reason for his inaction in order to achieve his objectives—to revise the Constitution and rearm—what were the consequences of this course for Europe and the world at large?

## The meaning of Brexit and the Future of Europe

“We live in a world of predictable unpredictability.”

The Brexit vote brings about a situation where the European project is in question and emphasises the fact that a clear peace policy concept is still lacking. It needs to be remembered, however, that the original idea of European unity was to bring peace to Europe and the world and renounce war. Political scientist Ekkehart Krippendorff advocates unilateral disarmament, arguing that an end to the “world military system” is achievable if Germany presses ahead. In this essay I maintain that the European project can only succeed if: 1.) a permanent EU representation in the UNSC can be arranged; and 2.) Britain is prepared to take the unprecedented course of ceding its seat to India.

Like the Federal Republic, Great Britain also has a wide diplomatic network with a global outreach beyond the European continent—good conditions for a farsighted, peace-oriented and forward-looking common EU foreign policy. However, in order to combine the two legal systems (those of the British Commonwealth and of the EU), the parties involved need to take action on a higher plane, and work toward a world federation; a concept traditionally viewed positively in Great Britain, but not generally taken seriously by most EU countries. Nobody has any doubt that the British vote on leaving the EU was largely motivated by chauvinistic, anti-immigrant sentiment and a general discontent with the way the EU operates. However, a small number (perhaps 4-8 %) may have voted for Brexit because they oppose the idea of a “European Army,” an idea which,

according to the British press, was spearheaded by Germany. In fact, a month before the vote, practically all British newspapers published an almost identical article which, as worded in this headline from The Guardian, asked: “Is there a secret plan to create an EU army?” The EU, the British newspapers said, wanted at all costs to prevent the plans from becoming known before the referendum. A month later, the population voted for Brexit. There were obviously, besides the generally acknowledged reasons, also security-related political reasons (including monetary policy), which is why US President Donald Trump is now calling for a militarily stronger EU.

At the time of the EU referendum, the OSCE Security Days were held in Berlin, designated as From Confrontation to Cooperation – Restoring Cooperative Security in Europe. The participants in the OSCE summit were noticeably shocked by the result of the vote. Gernot Erler, the official German OSCE Special Representative and advocate of military peacekeeping and a powerful European military, called it “a black day for Europe.”

Indeed, a few days after the Brexit vote, the High Representative of the European Union for Foreign Affairs and Security Policy, and President of the European Commission, Federica Mogherini, published a document titled Shared Vision, Common Action: A Stronger Europe. A Global Strategy for the European Union’s Foreign and Security Policy, which replaced the European Security Strategy (ESS) of 2003. In her preface, Federica Mogherini states that the EU’s three priorities are: “a Strategy,” “a shared vision” and “common action.”

As strategy, the document calls for the implementation of the peace clauses contained in numerous European constitutions; a shared vision focuses on a world without wars; and common action calls for the empowerment of the United Nations to realise disarmament and establish a global system of collective security. Such a program would be forward-looking and auspicious, and would meet with worldwide approval.

This would all be very well if it were so, but the true state of affairs is far from it! The new security policy document speaks a different language. Although the term ‘EU army’ does not appear in the text, the intentions and objectives are all too obvious: to support and further the military-industrial-academic complex. The document means business—supporting arms deals and joint ventures to develop and produce military hardware and software. Soft power is “not enough,” it says; investments in security and defence and the channelling of “a sufficient level of expenditure to defence” are necessary. The document states: “Our Union is under threat, and is being questioned.” Therefore the EU “will step up its contribution to Europe’s collective security” and invest in “security and defence” as a “matter of urgency.” So, the EU will “systematically encourage defence cooperation and strive to create a solid European defence industry.” The EU, with its global diplomatic network, wants to become a “global security provider,” systematically “encourage defence cooperation and strive to create a solid European defence industry.” Furthermore it is “in the interests of our citizens to invest in the resilience of states and societies to the east stretching into Central Asia, and to the south down to Central Africa.” Obviously there is “a direct connection between European prosperity and Asian security,”

and a necessity to “scale up our security role in Asia.” The EU’s technological edge in defence procurement should benefit all, “expand our partnerships, including those involving security, with Japan, the Republic of Korea, Indonesia and others [,] ... help build maritime capacities and support an ASEAN-led regional security architecture.” It is not difficult to see where this is going. Why this sudden enthusiasm for regional (military) collective security systems? As a matter of fact, in July 1994 the German Federal Constitutional Court in Karlsruhe had, in a politically motivated decision, eliminated the basic legal difference between collective security and collective self-defence. As if by coincidence, since then many regional military alliances have formed, all of which have started to refer to themselves as ‘collective security systems’. Did the judgment of the Karlsruhe Court trigger the trend? Indeed, as jurist Dieter Deiseroth, a leading German peace scientist, notes, the “argumentation of the Constitutional Court [BVerfG] bypasses the history of the origin, the normative structure and normative content of Article 24 Para. 2 of the [German] Basic Law,” which had traditionally differentiated between ‘defence alliances’ and ‘systems of collective security’ as reflecting “two opposite concepts of security policy.”

It is astonishing that the BVerfG subsequently continued to pursue quoting the same chain of argument—without any discussion of the issue concerning the erroneous equation of NATO’s and the UN’s concepts of collective security. At the same time, a massive increase in worldwide defence spending can be seen to be taking place.

Although the Bonn Basic Law is committed to collective

security, peaceful dispute resolution, and the necessary limitation of national sovereignty to achieve those goals, the Federal Republic has for decades, and right up to the present day, taken no steps to implement its Constitution's peace imperative. Since essential provisions of the United Nations Charter and the constitutional clauses pertaining to peace have not been applied, assurances from the EU foreign and security law advocates that they would comply with international law and strengthen the UN are not convincing.

### **France and Germany for a permanent European Union seat in the UN Security Council**

“Today that new world is struggling to be born, a world quite different from the one we've known. A world where the rule of law supplants the rule of the jungle. A world in which nations recognize the shared responsibility for freedom and justice. A world where the strong respect the rights of the weak. This is the vision that I shared with President Gorbachev in Helsinki.” (G.H.W. Bush , 11 Sept. 1990)

If France and Germany would take the initiative to establish a permanent seat for the EU in the UN Security Council, this could be a major step toward enforcing the rule of law worldwide. Together Germany and France could make a decisive contribution to peace and a more efficient UN.

In fact, the victorious powers can do little to put the UN system into effect as long as the Security Council has not been empowered by its Members. Russia and the US have, just like the other Members of the “Permanent Five” (P5), until the system of collective security is in force, merely a transitional role to play. They have to ensure that during the transitional period, as UN Members disarm, there will be no security gaps. Until then, according to the Charter, the Security Council has not even, as stated in Article 106, “[begun] to exercise the responsibilities assigned to it.” When the transition comes to an end, their assumed ‘privileges’ also end.

In this context, it should be noted that an effective security regime for the transitional period must be based on the principle of unanimity, which categorically

calls for retaining the number 5. This was not an issue when the League of Nations was formed. In fact, it was probably India in the ICIC, the predecessor of UNESCO, who proposed the Panchayat system for our planet's 'Global Village'.

Interestingly, since the end of the Second World War there has always been a certain amount of rapport between the US and the USSR. In 1961 the US under John F. Kennedy and the Soviet Union under Nikita Khrushchev agreed to achieve the "dismantling of military establishments ... cessation of the production of armaments ... elimination of all stockpiles of nuclear, chemical, bacteriological and other weapons of mass destruction [and] ... discontinuance of military expenditures." Member States were expected to make "agreed manpower" available to the United Nations, in numbers that would be considered "necessary for an international peace force." The McCloy-Zorin Accords (or Agreed Principles for General and Complete Disarmament) were unani-mously adopted by the U.N. General Assembly on 20 December. Introducing the Accords on 25 September 1961, US-President John F. Kennedy famously stated: "The program to be presented to this assembly ... would achieve ... a steady reduction in force, both nuclear and conventional, until it has abolished all armies and all weapons except those needed for internal order and a new United Nations Peace Force." The failure of the McCloy-Sorin Accords shows that the capabilities of the permanent Members of the Security Council (the P5) to bring about change are limited, even if agreement exists.

A legislative initiative from the heart of Europe could have put the agreement into effect. Pursuant to

Article 24 (1), the German Bundestag may by a simple majority in Parliament confer security sovereignty (Jan Tinbergen) "by law" to the Security Council of the United Nations and initiate the process of the transition to genuine collective security and disarmament. In the same year politicians on both sides of the Iron Curtain proposed to move important agencies of the United Nations—or even the UN itself—to Berlin.

In order to realise these plans, one would probably have had to return to the 1947 agreements, when the Military Staff Committee "submitted ... estimates of the overall strength required by the United Nations." In these, "the United Kingdom, the Soviet Union and China were all thinking in terms of a land army consisting of not more than 12 divisions; the highest estimate, that of the United States, was for 20 divisions. Similarly, the United Kingdom, the Soviet Union and China would have been satisfied with an international air force totalling not more than 1200 aircraft; the corresponding figures in the French and American estimates were 1275 and 3800. As regards naval forces, none of the five delegations proposed more than 3 battleships, 6 aircraft carriers, 15 cruisers, 84 destroyers and 90 submarines, with the majority of them proposing a much smaller force. "The United States subsequently revised its estimates downwards."

If the EU wants to do something for peace before it is too late, it should strive for a permanent seat on the UN Security Council. Until Europe becomes a political union—and even if it does not—France and Germany should take the initiative to jointly represent the EU to begin with. Italy and the Netherlands constitute a precedent, sitting jointly in the Security Council for two

years as of 2017. Already in 1960 Poland and Turkey shared a common seat as non-permanent Members. From the perspective of security policy the idea of a common EU seat in the Security Council opens up “rather fascinating” possibilities. Among other things it would create room for a candidate representing the “Global South,” possibly without any change to the text of the UN Charter. Europe owes the world a plan that can be implemented and enforced by adequate political and legislative measures.

There is evidence that things are already moving in this direction. Since 2011 the EU has been represented at the United Nations General Assembly and can actively participate in the debates and make submissions. Also, on 11 May 2011 the European Parliament passed resolutions in which it called on “Member States which have seats on the UN Security Council to defend common positions and interests of the EU and to work towards a reform of the UN whereby the EU as such could have its own permanent seat.”

On the other hand, at the beginning of the 1990s chances to strengthen the United Nations and put the UN System of Collective Security into effect were missed and apparently deliberately thwarted. Regrettably, despite clear signals, in particular from the French President, the German Government did nothing to support the proposals, in spite of the fact that at the end of the Cold War the USA and Russia had once more become reconciled. US President George Herbert Walker Bush in an address to the UN General Assembly on 1 October 1990 envisaged a United Nations “fulfilling its promise as the world’s parliament of peace,” stating further: “This is a new and different world. Not since 1945 have we

seen the real possibility of using the United Nations as it was designed—as a center for international collective security.”

The Russians agreed; traditionally Russia appears to have been in favour of collective security. As a member of the League of Nations from 1934 to December 1939, it campaigned for collective action to fight aggressor states: e.g. when Italian troops attacked Ethiopia, or when Spain was attacked and Hitler annexed Austria. Unfortunately, both the British and French governments rejected an intervention at a time when a coordinated effort by the Permanent Security Council, with Russian support, could have been successful. Foreign Minister Maxim Litvinov, the Russian representative in the League of Nations, told the Powers in September 1938 that if they did not intervene, as a ‘reward’ a “great war” would come “for sure.” For Russia, it has been an objective ever since the Hague Peace Conferences to positively define its place under international law. It is a fact that in 1950 Russia agreed to join UN Forces against North Korea (see <http://legal.un.org/repertory/art106.htm>).

After the Cold War, as the world community faced a new, potentially destabilizing situation, President François Mitterrand in January 1992 announced that France was ready to share its nuclear responsibilities in Europe, suggesting that he favoured a permanent European representation on the Security Council. In a complementary proposal on 31 January 1992, at the “first-ever” UN Security Council summit in New York, France offered 1000 French troops to form the basis of a rapid deployment force at the Council’s disposal, and suggested “revitalising the Military Staff Commit-

## The United Kingdom and India

tee.” This had been suggested by the Russians also. The former French commander of the UN forces in Bosnia-Herzegovina, General Philippe Morillon, remarked, “I am not the first to think that it is both possible and desirable to reactivate the General Staff Committee.” Similarly, the British Foreign Minister, Douglas Hurd, said: “The Secretary General needs a General Staff.” Germany was suspicious and seems to have opposed all these proposals.

Interestingly, Russian President Vladimir Putin, two days before Brexit, in a speech on the occasion of the anniversary of the “great patriotic war” 75 years ago, had called for a “modern, block-free system of collective security equal for all states,” and expressed his willingness to discuss this with his European partners. However, as to the outcome of his efforts, he was pessimistic.

“For I dipt into the future, far as human eye could see,  
Saw the Vision of the world ... the Parliament of man,  
the Federation of the world...”

(Alfred Lord Tennyson)

In times of crisis, the available peacekeeping mechanisms ought not turn out to prove inadequate, as was the case before the Second World War. The idea of a Franco-German initiative for an EU Security Council seat would solve the European problem and provide for a representation of the Global South in the United Nations. But will the United Kingdom give up its seat in favour of India? Is the number 5 really that important for the transition period, and how realistic is the assumption that the community of nations could act as a legislator in order to initiate the transitional period? And finally, what is the objective justification for a Security Council seat for India?

Currently, in addition to the five permanent Members of the Security Council and the African Union (AU), there are 87 states that “expressly and publicly” support a permanent Security Council seat for India. British support is vital to establish India as a representative of the Global South. A prerequisite is the honest commitment to share the responsibility and history between the two nations.<sup>2</sup>

India was, like China before the arrival of the Europeans, a rich country with multiple cultural and trade relations

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<sup>2</sup>Klaus Schlichtmann, A Peace History of India. From Ashoka Maurya to Mahatma Gandhi, Delhi, Vij 2016.

to the east and to the west. England owes India a great debt, in terms both of economic success and cultural status, and in fact the European Enlightenment as a whole benefited a great deal from Asian influence.

In the Indian city of Kolkata (Calcutta) around 1800, employees of the East India Company collected and translated volumes of Eastern philosophical and religious literature, learnt many of the languages of India, including Sanskrit, Persian, Pali, and Tibetan, and translated the texts into English. For example, a drama written by the poet Kalidasa (4th / 5th cent.), *Shakuntala* (to name just one), was read by and inspired Johann Gottfried Herder, Friedrich Schlegel, Chateaubriand, Victor Hugo and even Johann Wolfgang von Goethe. In 1802 it appeared in German translation in *Asiatisches Magazin*. The German reception of Indian influence became the basis for a tradition leading to a particular cultural identification, and in the course of time Germany even became known as “the India of the Occident.”

But not only culturally is Europe indebted to Asia, most of all India. In fact, the Indian treasures accumulated by the English in Bengal after the Battle of Plassey in 1757 enabled Britain to “cross the threshold” (Braudel) “that led to truly modern science.” The “expansion of credit, which followed” provided a massive investment which triggered the Industrial Revolution and played a decisive role in the evolution of Europe and the world. British author Geoffrey Moorhouse describes how “a hundred boats ... laden with 7,500,000 silver rupees,” and “six weeks later another four million rupees went coasting into the Calcutta treasury ... This was the compensation money.” And the British historian Percival Spear writes:

“Bengal’s financial exodus began.” J. P. Losty tells us: “Never before did the English nation at one time obtain such a prize in solid money; for it amounted (in the mint) to 800,000 pounds sterling.” Alfred Comyn Lyall writes: “All authorities agree that in the eighteenth century the richest province of all India, in agriculture and manufactures, was Bengal.”

Since the end of the eighteenth century and until 1945, Britain has represented British colonial India on the world stage. Without the participation of India, the Allies might have lost the Second World War, and even the First World War. England could, in certain respects, be considered to occupy a borrowed special position in the United Nations, courtesy of India. It would therefore appear only logical that the United Kingdom should give its seat to India; this would undoubtedly be a most significant contribution to world peace.

However, Britain is still adhering to the conventional concept of national security. Parliament’s approval of the renewal of its Trident nuclear force in July 2016 has shown that Britain, like the rest of the international community, still believes that the sovereign nation-state is, for the time being, in charge. To that extent, it is absurd that, contrary to the wording and the intention of Article 24 of the Charter, some international lawyers argue that the Security Council of the United Nations has already been given “the primary responsibility for the maintenance of international peace and security.” So far, each nation bears this responsibility either itself or within the framework of a military alliance. As the wording of Article 24 states, membership in the UN alone is clearly not enough. The well-known international law professor and former head of the

German Red Cross, Knut Ipsen, confirms this view in a letter to this author, stating:

“I do not believe that States have already given the Security Council the primary responsibility for maintaining peace in the sense of a sovereignty transfer. Something like that would presuppose that the States have, to this extent, regularly removed a competence that existed so far from their sphere of competence and shoved it over to the UN.”

But something like that is precisely what's required, and if it is not done peace can not be guaranteed and disarmament can not be achieved. The Security Council lacks its own basic law, to define its competencies and tasks, fielding powers and decision-making mechanisms, in order to effectively maintain international peace and security.

Britain must not repeat its mistakes of the pre-war period, and has a duty to stand up for collective security. From a historical perspective, Britain as a permanent Member of the Security Council is a powerful representative of India. It would therefore be reasonable for the country to agree to relinquish its seat to India, thereby rendering an invaluable service to world peace and international security.

## Conclusion

If the current trend could be reversed and future wars thus be brought to an end forever, the matter would be settled. It must be remembered that the task of the permanent Members of the Security Council is a temporary one, and lasts only as long as the transitional period. This could be quite a long time, however. In 1942, American political scientist Quincy Wright conjectured: “Will the transitional period take a few months or decades? A clear answer can not be given, but a period of four to five years is assumed, in which most of the changes envisaged should be achieved.” (Q. Wright, Political Conditions of the Period of Transition, Commission to Study the Organization of Peace, International Conciliation, No. 379 (1942), p. 271. Online: [www.unfor.info/transition\\_text.pdf](http://www.unfor.info/transition_text.pdf))

If the Federal Republic were to immediately take the necessary measures to initiate the transition to genuine collective security and disarmament, the transitional period could end in 2022.

Making room for a representative of the Global South would be a geopolitically important and peace-promoting measure, and the Security Council as a whole would represent the world community much more convincingly.

To avoid future wars, we must fully understand pacifism in its broadest sense. Konrad Adenauer wrote in the 1950s: “Let me say a word about pacifism. If any man is a pacifist out of sincere conviction, I respect this as I respect all sincere convictions. But when Germany, in

her present situation, is asked to pursue a pacifist policy, that is equivalent to advising her to commit suicide.”

Obviously, Adenauer had only a very partial understanding of pacifism as ‘Gesinnungs-Pazifismus’ (Max Weber). Adenauer had no conception and no knowledge of the history and importance of the ‘organisational’ or ‘scientific’ pacifism that led to the creation of the League of Nations and the United Nations.

The decade-long concealment and the cover up of the importance of peace provisions in the German law and in the UN Charter remind us of the “great time of lies,” when pacifists like Hellmut von Gerlach (1866-1935), E. Kurt Mühsam (1878-1934, killed in the Oranienburg concentration camp), Kurt Hiller (1885-1972), Walther Schücking and others before the two world wars fought for peace and disarmament, while the government held back and spread false information.

For the vast majority of people war is not the natural state; man is not belligerent by nature. “It is historically a comparatively late phenomenon,” says Ekkehart Krippendorff. The warlike spirit has to be instilled into men. Even if one assumes that peace has to be endowed (I. Kant) or invented (Michael Howard) in order to conquer aggressive human inclinations, legislative empowerment of the United Nations is necessary in order to preserve it.

Political scientist Joseph Ebegebulem writes: “The First World War pointed to a fundamental error in the balance of the forces. When the system failed, the result was catastrophic. The incredible destruction of

the war meant that most of the nation states rejected a balance of forces as the basis for international security after the war. Instead, the victorious states sought to institutionalise a system of collective security.” This was not a German aim even after the Second World War.

German Chancellor Konrad Adenauer achieved his aim of changing the Constitution and rearming by various ploys, the most conspicuous of which was creating panic during the Korean crisis, when, mistakenly as it turned out, he assumed that the Soviet Union was planning and preparing to attack and conquer Western Europe and was behind Kim Il-sung’s attack on South Korea—another assumption that proved false. Der Spiegel editor Rudolf Augstein: “The new German army was not founded to protect the state ... but the new state was founded to put up an army against the Soviets.” Not only that, it seems that Adenauer contributed to the panic in the USA, manifested in the excesses of the McCarthy era. E. Krippendorff:

“Those who think and act in military categories are criminals not in the simple criminalistic sense, but in the sense of the reduction of human, social, cultural complexities and qualities to the quantities of extermination aggregates. The crime lies in the stupidity, the stupefying existence of the military...”

The argument that rearmament was a “condition” that “had to be fulfilled ... in order for the young nation ... to assert its sovereignty in the community of nations” is not convincing. If, instead of remilitarising, Germany had submitted to the compulsory jurisdiction of the International Court of Justice in 1949/1950, a comparable but decidedly peace-enhancing effect

would have resulted, extending a powerful and positive signal to the erstwhile enemy powers, including Russia. As recognition of its acceptance of renunciation of war (in the act of submission), according to Nobel Peace Prize Laureate A.H. Fried (who considered armed peace to be nothing but “latent war”), Germany would automatically have accrued “interest in the form of obligations” from the other states, since, “deployed in such a way, [the] accumulated power of the State” brings real advantages and benefits, and is reciprocated, the purpose being to achieve a future world order committed to peaceful conflict resolution, disarmament and collective security. Not taking action had dire consequences.



Klaus Schlichtmann studied Asian history, public and international law and political science at Kiel University, Germany, from where he obtained his Ph.D. in 1997.

His dissertation was on former Prime Minister of Japan Shidehara Kijûrô, who is credited with proposing Article 9 of the Japanese Constitution, rejecting the institution of war, to General Douglas MacArthur on 24 January 1946. Klaus Schlichtmann is presently teaching language at Nihon University, Tokyo. He has published extensively, e.g. on the Hague Peace Conferences, Germany and Japan in the interwar period, the history of diplomacy and UN reform