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DIRECTOR OF INTELLIGENCE AND RESEARCH

Research Memorandum

REU-13, March 1, 1967

To : The Secretary
Through: S/S
From : INR - Thomas L. Hughes Thomas L. Hughes

Subject: Reasons for West German Opposition to the Non-Proliferation Treaty

Indications since the turn of the year that the US and the Soviet Union were moving closer to agreement on a draft non-proliferation treaty (NPT) have aroused wide-ranging discussion, criticism, and hostility in West Germany. Although the Kiesinger-Brandt cabinet is understood to have reached agreement in principle in January not to oppose the treaty, its approbation has spurred, not deterred, the opponents of the NPT. Embassy Bonn has observed that "raging" was not too strong a word to describe the debate in mid-February. This paper surveys the major stated West German objections to the draft treaty, identifies its chief critics and defenders, and tries to analyze the real (and largely unstated) reasons for the opposition within the FRG.

ABSTRACT

FRG Fears Loss of Technological Benefits. Many West German critics of of the NPT are concerned that it would prevent their country from pursuing programs for the peaceful uses of atomic energy and would deprive them of the "technological spin-off" from the development of nuclear weapons. Those expressing such concerns have included Foreign Minister Brandt and SPD Fraktion Leader Helmut Schmidt, both of whom support the treaty in principle, as well as former Chancellor Erhard, Fritz Berg, president of the Federation of German Industry, members of the German scientific community, including Dr. Carl Friedrich Weizsäcker, and various newspapers and commentators.

A number of critics have voiced the worry that the safeguards article in the draft treaty would make it possible for IAEA inspectors from Communist

countries to carry out industrial espionage in the Western non-nuclear countries in regard to nuclear technology. A related fear is that the NPT would enable the Soviet Union to hobble West German research and industry by claiming that the FRG's civilian projects secretly aimed at arming the country with nuclear weapons.

Opposition Really Based on Political-Military Factors. Specific and compelling (at least to their proponents) as some of the above objections to the NPT are, we do not believe that they reach to the heart of West German opposition to the treaty. In our judgment, the most deeply felt FRG antagonisms are rooted in psychological, political, and military considerations. Underlying this more serious opposition is the old West German anxiety that the US and the Soviet Union might make -- if they had not already made -- a deal behind the FRG's back.

Fears of Permanent Second-Class Status. It is widely believed that the NPT would lock West Germany in a permanently disadvantageous position, making the power monopoly of the US and the USSR permanent while relegating the FRG to the status of a second-class power. We believe that there is a general revulsion in the FRG at the idea that it should forever be kept in a position inferior to that of Britain and France.

Critics Allege "European" Option Would Be Foreclosed. Another objection is grounded in the fear that the NPT would rule out the eventual establishment

of some kind of multilateral nuclear force. Strauss, a long-time champion of a European nuclear force, reportedly warned the cabinet in mid-January that the NPT must not prevent the formation of such a force. A month later, calling the NPT a "super-Yalta," he wrote Kiesinger that it would prevent the creation of a European nuclear force. Others who object to the NPT for this reason include Disarmament Commissioner Schnipperkoetter, CDU Deputy Birrenbach, and an estimated 70 CDU/CSU deputies. However, Brandt himself, at a background press briefing on January 27, said that the question of an option for a European nuclear force was not important because "if there should be a United Europe some day," it would not be bound by commitments that had been made before it came into existence.

Finally, many West German observers are angered by what they consider the rapid turn-around in US policies and priorities -- from not so long ago urging FRG participation in some kind of MLF to exhorting FRG accession to the NPT. Embassy Bonn has observed that certain of the arguments put forward by some critics of the NPT raise the suspicion that they simply do not want to foreclose the possibility that the FRG might yet some day become a nuclear power.

FRG Expected to Sign Treaty Despite Objections. Although numerous and influential West German figures oppose the draft NPT for the reasons summarized above, we agree with Embassy Bonn and most other observers that in the end the Kiesinger-Brandt coalition government will subscribe to the treaty. The leaders of the grand coalition, and even most of the opponents of the NPT, realize that in the interest of its moral image in the world West Germany cannot put itself

in the position of refusing to sign the treaty. Moreover, failure to sign would undercut the grand coalition's ability to pursue its goal of improving relations with Eastern Europe.

Cabinet Approves in Principle, but Opposition Persists. The cabinet is understood to have reached agreement in principle on January 11 not to oppose adherence to the NPT. Yet, that decision by no means reflected an equal commitment by all members. Both Kiesinger and Brandt favor the NPT but feel that the FRG must get certain assurances before it can sign the treaty. Strauss remains strongly opposed. Schroeder, though less vehement, also has objections. Wehner is for it, period.

Resentment Toward US Likely. Even if the FRG signs the NPT, many West Germans, particularly conservative CDU/CSU elements, will probably harbor ill feeling toward the US because of their belief that Washington pushed the treaty through at West Germany's expense. For this reason, Embassy Bonn has stressed the importance of persuading the FRG that its interests were taken fully into account and that its assent was given freely.

Damage to Coalition Government Possible. Some observers have warned that if the Brandt-Kiesinger government should sign the NPT under duress, or even with reluctance, not only would the value of its signature be reduced but its position could be jeopardized. If the government should be unable to allay the fears of the treaty's important opponents, it is possible--though not necessarily probable--that Strauss and some other CSU members of the cabinet might resign. That might lead the bulk of the up-to-then undecided members of the CDU to refuse to support the treaty. Kiesinger might still be able to muster a majority, but it would be one that included only a minority of his own party--a situation he could not really consider tenable for the maintenance of the coalition.

Objections on Economic and Scientific Grounds

Fear of Denial of Technological Benefits. Many West German critics of the NPT allege that it would hamper their country (and other non-nuclear states) in pursuing programs for the peaceful uses of atomic energy and would deprive them of "technological spin-off" arising from the development of nuclear weapons. Foreign Minister Brandt, though not himself an opponent of the NPT, has frequently expressed determination to ensure that the FRG's adherence to the treaty not cause his country to lose out in those two fields.

Brandt told the Bundestag on February 3 that the FRG and other states were seeking to make certain that the NPT would not "further widen the already existing technological gap between the nuclear powers and the non-nuclear countries." He also noted that a prohibition on nuclear explosions for such peaceful purposes as the building of canals would probably result in "a considerable impairment of the civilian nuclear industry of the non-nuclear countries."[1] Finally, he said, the non-nuclear states would have to insist on the inclusion in the NPT of provisions enabling them "to participate in the experience and know-how gained by the nuclear powers from military work with nuclear energy for peaceful purposes."

Helmut Schmidt, leader of the SPD Fraktion in the Bundestag, issued a statement on February 17 expressing his support for the NPT in principle but insisting that the non-nuclear industrial states be assured that their adherence to the treaty would not cause them to be excluded from the benefits of nuclear research and would not inhibit their freedom to compete in the field of civilian and commercial uses of atomic energy. Similar concerns have been expressed by former Chancellor Erhard, Fritz Berg, president of the Federation of German Industry, members of the German scientific community, and various newspapers.

The US and Britain have taken special pains to try to allay these fears. President Johnson sent a message to the recently reconvened 18-Nation Disarmament Conference on February 21 in which he recommended that the NPT contain a pledge that "the full benefits of peaceful nuclear technology" be made available to all the signatories of the treaty. A similar assurance was given by Lord Chalfont, the British Minister of State responsible for disarmament matters, who said that a way should be found for the nuclear powers to share any significant "spin-off" with the non-nuclear states.

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[1]Brandt said that the US offer to undertake such explosions for non-nuclear countries (whenever technical and legal problems, including those under the Test Ban Treaty of 1963, could be worked out) was of "great interest." However, just a few days earlier, the FRG Ambassador to NATO, Wilhelm Grewe, one of the NPT's strongest opponents, said that such an offer was merely further evidence of the permanently inferior position to which the non-nuclear states would be relegated by the treaty.

An attempt to reassure worried West German leaders on this score has also been made by one of their own countrymen. Earlier in February, Dr. Karl Wirtz, an expert in reactor technology, testified before the Defense Council of the cabinet that the lack of "spin-off" would not have a damaging effect on West German research in the peaceful uses of atomic energy; and this was reported to have relieved the anxiety of most of the ministers present. But Dr. Carl Friedrich Weizsäcker, one of West Germany's most prestigious scientists, told the CDU parliamentary group on February 21 that the draft treaty would harm the country's industry and scientific research.

Apprehension That Treaty Will Facilitate Industrial Espionage. A number of critics of the NPT have voiced the worry that the safeguards article in the draft treaty would make it possible for IAEA inspectors from Communist countries to carry out industrial espionage in the Western non-nuclear countries in regard to nuclear technology. CDU Deputy Erik Blumenfeld, CSU Deputy Guttenberg, and various scientists, among others, hold this view. A related fear, expressed by CDU defense expert Werner Marx, is that the NPT would enable the Soviet Union to hobble West German research and industry by claiming that the FRG's civilian projects were secretly aimed at arming the country with nuclear weapons.

Western spokesmen have sought to allay these apprehensions by noting, first of all, that the country to be inspected by IAEA officials has the right to veto any particular inspector, by denying that inspection procedures permit industrial espionage in any case, and also by proposing certain possible modifications in the draft NPT. The US has suggested, for example, that the inspection machinery of EURATOM might be used during a transition period, rather than that of IAEA. Some Western sources have put forward the idea of joint inspections by the two agencies. Finally, the West Germans have been informed by US officials that the USSR has no objections to dropping the safeguards article entirely.

Opposition on Political and Military Grounds

Specific and compelling (at least to their proponents) as some of the above objections to the NPT are, we do not believe that they reach to the heart of West German opposition to the treaty. In our judgment, the most deeply felt FRG antagonisms are rooted in psychological, political, and military factors.

Suspicion of US-Soviet Deal Behind FRG's Back. The comments of most West German newspapers and politicians have reflected a widespread concern that the US, in its rush to get Soviet agreement to an NPT, had not taken West Germany's interests sufficiently into account. Underlying this concern has been the old West German anxiety that the US and Soviet Union might make -- if they had not already made -- a deal at the expense of the FRG.

By mid-February, the general feeling within the CDU/CSU parliamentary group was that the NPT amounted to a sellout of West Germany's national interests, and that the US was intent on reaching an agreement with the Soviet Union that disregarded those interests. Criticism of the treaty had become so bitter and widespread that Chancellor Kiesinger and CDU Fraktion Leader Barzel had to take action at a meeting of the parliamentary group on February 16 to keep it from getting out of control.

Wilhelm Grewe, the FRG Ambassador to NATO, and one of the NPT's most vehement critics, dramatized the inclination of some West Germans to believe that their country had been the victim of a US-Soviet deal when he talked with Ambassador Cleveland late in January. Grewe contended that the Soviet Union looked upon the NPT as a means of achieving one of the consistent objectives of its postwar foreign policy -- keeping West Germany in a permanently inferior position. He said that his countrymen could appreciate the Soviet attitude, but that they could not understand how the FRG's ally, the US, could help the USSR, to attain this goal. "How," Grewe asked, can the United States, advocate and want to sign a treaty with so overt an anti-German purpose?"

Some fairly sophisticated, if somewhat extreme, West German critics of the NPT have argued that conclusion of the treaty would work to bring about a dissolution of the NATO Alliance. They reason that, while the US and the Soviet Union will have more and more in common as nuclear powers, the members of NATO will have less and less unity of interest and that consequently NATO will tend to fall apart. The same circles also profess to believe that an NPT would violate certain provisions (Articles 3 and 5) of the North Atlantic Alliance, as well as run counter to its spirit of resistance to the USSR.

Fear of Permanent Relegation to Second-Class Status. Embassy Bonn has reported a widely held and deeply emotional belief that the NPT would lock West Germany into a permanently disadvantageous position. Those who subscribe to this view contend that the NPT would consolidate the power monopoly of the US and the USSR, while relegating the FRG to the status of a second-class power.

Grewe told Ambassador Cleveland that the treaty would "institutionalize inequality" among the main European countries. The NPT, he maintained, would freeze nuclear arrangements within NATO at their present level, with the result that West Germany, which had swallowed the existing inequalities in the hope that they were only temporary, would have to live with inequalities that were formal and permanent. Although Grewe is considered to be far more rabidly opposed to the NPT than are most West Germans, we believe that there is emphatic rejection in the FRG of the idea that it should forever be kept in a less-favored status vis-a-vis Britain and France.

Worry That ABM's Will be Precluded. Defense Minister Schroeder, while apparently not dissenting from the agreement in principle reached by the cabinet on January 11 not to oppose the NPT, stressed two concerns during that meeting. He emphasized 1) that West German participation in NATO nuclear planning and West German access to nuclear weapons under current US-FRG arrangements within NATO should not be jeopardized by the NPT; and 2) that defensive nuclear systems, e.g., ABM's, should not be foresworn for the long-term future. Toward the end of February, CDU Deputy Birrenbach, who is chairman of a CDU/CSU committee charged with developing a party policy on the NPT, asked why defensive ABM's could not be made an exception to the treaty, why some kind of West European entity short of a truly supranational federation could not be permitted to organize a defensive ABM force.

Apprehensiveness that the NPT would preclude access to ABM's has also been voiced by CDU Deputy Zimmermann, chairman of the Bundestag defense committee, and by some members of the West German scientific community. The aide memoire that Ambassador Knappstein presented to the Secretary on February 3 stated that "a binding interpretation by the Soviets" would be necessary to remove the FRG's objection to the draft NPT regarding "the reservation of the possibility to protect Western Europe by a nuclear anti-missile system."

Concern That European Nuclear Force Would be Prohibited. Some highly placed figures within the cabinet and the CDU/CSU are opposed to the NPT on the ground that it would rule out the eventual establishment of some kind of multilateral nuclear force. Defense Minister Schroeder, a veteran advocate of an MLF or an ANF, and Finance Minister Strauss, a long-time champion of a West European nuclear force, reportedly warned the cabinet in January that the NPT must not prevent the eventual formation of one or the other kind of multilateral grouping. In mid-February, Strauss wrote Kiesinger that the NPT would prevent the later establishment of a West European nuclear force.

Other important figures who believe that the NPT would preclude the possibility of a European nuclear force include Disarmament Commissioner Schnippenkoetter and Birrenbach. Birrenbach has recently said that, while he considers the formation of a truly supranational European federation highly unlikely, he does believe that there might one day be created "a central entity" that might be able in time to assume control over a common nuclear force containing the French and possibly the UK national forces. It was such a development that he feared the draft NPT would foreclose. In addition, perhaps as many as 70 CDU/CSU deputies oppose the NPT in part because they believe that for all practical purposes it would eliminate any hope for a West European nuclear force.

In rebuttal to the US legal interpretation that the draft NPT would not prevent a new West European sovereign entity that incorporated the UK or France from having its own nuclear force, West German opponents of the NPT contend that Soviet officials have already come up with the contrary interpretation and can be expected to do so again in the future. The West German aide memoire delivered to the Department on February 3 stated that "the exclusion of a Soviet right to veto possible forms of European integration in the field of foreign policy and defense" was one of the doubts raised by the draft NPT that called for "a binding interpretation by the Soviets." However, Brandt himself, at a background press briefing on January 27, said that the question of an option for a European nuclear force was not important because "if there should be a United Europe some day," it would not be bound by commitments that had been made before it came into existence.

Dislike of Prevention of Ultimate Access to Nuclear Weapons. Many West German observers are puzzled, piqued, and angered by what they consider the rapid turn-around in US policies and priorities -- from urging FRG participation in some kind of MLF to exhorting FRG accession to the NPT. Such critics complain that not so long ago the US was discussing with the FRG (and others) ways and means to make it possible for them to participate in the making of nuclear decisions and even to share in the co-ownership of nuclear weapons. Now, these opponents assert, the US and the Soviet Union have made a deal behind West Germany's back that would rule out either of those possibilities. Grewe has said that, whereas the MLF aimed at achieving long-term equality, the NPT aims at producing long-term inequality.

Embassy Bonn has observed that certain of the arguments put forward by some critics of the NPT raise the suspicion that they simply do not want to foreclose the possibility that the FRG might yet some day become a nuclear power. We would agree, even though none of the critics has given any evidence of a belief that West Germany should now embark on a program to acquire its own nuclear weapons.

Even when advocates of the NPT point out that in signing the treaty the FRG would be giving up nothing that it either has not already foresworn to do (i.e., the renunciation of the production and ownership of nuclear weapons) or that it will never be able to do, opponents of the treaty still refuse to back down. They argue that what West Germany has already agreed to do they do not wish to see put anew into written, concrete form to which their country will be pressured to subscribe. Moreover, they contend that it is one thing to enter into an agreement with one's allies to accept limitations on the use of nuclear weapons for defense, but that it is quite another to enter into such an agreement with one's traditional enemy, the USSR.

Outlook and Implications

FRG Expected to Sign Treaty Despite Objections. Although numerous and influential West German figures oppose the draft NPT for the reasons summarized above, we agree with Embassy Bonn and most other observers that in the end the Kiesinger-Brandt coalition government will subscribe to the treaty if it is once opened up for world-wide accession. Kiesinger, deeply concerned about the public furor that the NPT has aroused and the lack of solidarity within his cabinet that it has revealed, has tried to bring the debate back to a more orderly level. Brandt, Wehner, and Barzel have also attempted to cool off the emotionalism of the discussions. Barzel told the press on February 25 that most of the concerns that had been voiced over the draft treaty had been removed, and he expressed confidence that the government would be able to resolve the remaining problems.

As noted earlier, the cabinet is understood to have reached agreement in principle on January 11 not to oppose adherence to the NPT, but details as to the qualifications it attached -- if any -- are lacking. However, according to a recent American visitor to Bonn who spoke to many top-level officials, it seems that no CDU/CSU minister at that meeting except Kiesinger supported West German accession to the treaty. A clandestine account of an eight-hour meeting between Kiesinger and Wehner early in February reported that the discussion had confirmed the Chancellor in his intention to sign the treaty.

Strauss remains strongly opposed -- he has dubbed the NPT a "super Yalta." Schroeder, though less vehement than Strauss, also has objections. Brandt favors it in principle. Wehner is for it, period.

Since the January 11 cabinet meeting, both Brandt and Kiesinger have spelled out some of the assurances that they feel the FRG would have to get before it could sign the NPT. Brandt threw some light on these conditions when he told Belgian Foreign Minister Harmel, then visiting Bonn, on February 20 that West Germany favored the NPT in principle, provided: 1) that it was linked to general disarmament; 2) that civil uses of nuclear energy were not hindered by accession; and 3) that the FRG received binding interpretations of certain other provisions of the treaty. And Kiesinger himself, in an off-

the-record press conference in Stuttgart on February 24, after expressing his own belief that West Germany must be satisfied on these counts, added a couple of significant other concerns. He termed "particularly difficult" the decision to affect the world ranking of the FRG by adhering to the NPT, and he noted that the effect of his country's accession on the possibility of a European nuclear force must be "thoroughly thought through." More recent reports have had Kiesinger wavering, and some of his recent remarks, both public and off the record, have betrayed growing anxiety over the political pitfalls for his government that are connected with the NPT.

As for opinion in the Bundestag, Embassy Bonn reported that the situation as of February 21 was as follows: In its present form, the draft treaty had very few outright supporters. A majority within the SPD felt that it was useless and harmful to oppose the NPT because West Germany would have to sign it any way. The remainder of the SPD and a majority of the CDU hoped that the draft treaty could be made more palatable by assurances that the FRG's status as an industrial power would not be adversely affected by its accession. A group of no more than 70 deputies within the CDU/CSU opposed the NPT for various reasons and would vote against it even if some changes were made in the draft.

Notwithstanding such evidence of opposition, the leaders of the grand coalition, and even most of the opponents of the NPT realize that in the interest of its moral image in the world West Germany cannot put itself in the position of refusing to sign the treaty. As Herbert Wehner, Deputy Leader of the SPD and Minister for All-German Affairs, has reportedly said, the FRG can change its image as a troublemaker only by making many concessions in advance, and signing this treaty is one of them. Ernst Majonica, chairman of the CDU working group on foreign affairs, has noted that West Germany cannot afford to be the only state to reject the NPT. Even Grewe has conceded that the FRG could hardly stand out alone against the treaty without suggesting that Bonn was anxious to have its own nuclear weapons.[1]

Another reason that the coalition government would feel under pressure to sign the treaty is that failure to do so would undercut its ability to pursue the policy of improving relations with Eastern Europe that it has set as one of its major goals. Wehner in particular looks upon West German accession to the NPT as an aid in his efforts to achieve detente between the FRG and the states of Eastern Europe.

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[1]In this connection, the FRG has sought to exchange views on what it sees as the shortcomings of the treaty with such other non-nuclear states as Japan, Italy, Israel, Sweden, Canada, and India. Strauss once reportedly urged Chancellor Kiesinger to persuade de Gaulle to oppose West Germany's signature of the treaty and thereby to take the onus off Bonn, but Kiesinger refused. Late reports indicate, however, that Kiesinger has asked the French whether they would object if the FRG did not sign but merely promised to abide generally by the treaty's terms. Up to now, Paris has held to the line that adherence to the treaty is a decision which each nation must take for itself.

Resentment Toward US Likely. Notwithstanding the strong likelihood that West Germany will find the above (and other) reasons compelling enough to sign the treaty, Ambassador McGhee has pointed out that there will be a residue of ill feeling toward the US, particularly among conservative CDU/CSU elements, similar to that which followed the conclusion of the limited test ban treaty. To minimize this feeling, he has stressed that it is important for Bonn to feel that it has given its assent freely and that its interests have been taken fully into account.

Gunther Diehl, head of the planning staff in the FRG's Foreign Office, has said that if the impression arose that the Kiesinger Government had signed under duress, or even with reluctance, this would reduce the value of its signature and complicate its position. Embassy Bonn has reported that both SPD and CDU members have stressed to it the "disastrous" results to be expected if West Germany's adherence to the NPT were widely equated with a renunciation of its national interests. A Bavarian SPD leader has observed that the neo-Nazi National Democratic Party might well be able to capitalize on such reactions for its own political aggrandizement.

Possible Effect on Coalition Government. The breadth and depth of the opposition to the draft NPT has led some observers to speculate on the possible implications of the government's signing it without having obtained sufficient concessions and assurances from the US to allay the fears of many of the treaty's opponents. It is possible, though not necessarily probable, that Strauss and some other CSU members of the cabinet might resign. That might lead the bulk of the up-to-then undecided members of the CDU to refuse to support the treaty. Kiesinger might still be able to muster a majority, but it would be one consisting of SPD members, of the FDP opposition, and of only a minority of his own party -- a situation he could not really consider tenable for maintenance of the coalition government.

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