

*Int. Her. Trib.*

*19. Jan. 1989*

*JHT*

## One German's Analysis of the Chemie Complex

By Josef Joffe

MUNICH — West German intelligence knew about the "Libyan connection" as early as 1987 and told Bonn so repeatedly. Presumably, President Reagan and Secretary of State George Shultz were trying to be good allies when they discreetly informed Chancellor Helmut Kohl. The point was to allow Mr. Kohl to move against Imhausen-Chemie and other poison gas mongers on his own.

Instead, Washington and Bonn got into the worst slanging match in memory. Stung by reports and columns in *The New York Times*, Mr. Kohl's infuriated cohorts decided to ignore the evidence and attack the messengers instead.

For a while, the paranoid days of Kaiser Wilhelm seemed to be here again. Back then, "those foreigners" begrudged Germany its rightful "place in the sun." Now an "intolerable media campaign" was besmirching West Germany's good name. Self-righteousness ran rampant. One colleague of Mr. Kohl trundled out the ultimate weapon: If "they" don't stop, we might just close down our cultural institutes in the United States. There — no more Goethe for you!

Since then, Bonn has been forced to eat crow. But why the hauteur, the self-pity and the aggressively good conscience in the first place?

The most charitable explanation has to do with commercial law. In America nothing can be exported without an official seal of approval. In West Germany everything can be exported unless it is expressly forbidden. Hence it is not so easy to take a company to court after the fact, unless the government can prove malice aforethought.

That is hard with "dual-use" technologies, items that can produce pharmaceuticals as well as lethal gases. It becomes even harder when the evidence derives from intelligence sources, which governments are notoriously loath to compromise in a public trial. Nor are judges likely to send somebody to the slammer when the law is as fuzzy as a satellite photo of a suspected poison gas plant in the desert. And if the prosecution fails, the government might be stuck with a costly counter-suit. Hence Bonn's hesitation to get involved.

A second, less charitable explanation has to do with commercial self-interest. As a country that sells a third of its GNP abroad, West Germany has export laws whose liberality is probably exceeded only by Hong Kong's. Bonn is so impotent in the pursuit of malefactors precisely because government and business both want it that way.

There is now a mad rush to tighten up the law, which is all for the good. However, good intentions will have to compete against a solid profit motive, and so it will be surprising if the revised law turns out as tough as that of the United States.

A third layer of explanation is also the most vexing. Why the fury? Why, for instance, did Bonn go to the extreme of reminding Washington through back channels that it was not a "banana republic"? Because West Germany feels cornered on matters that clearly dwarf Moammar Gadhafi, Imhausen and others.

Bonn's key allies — the United States, Britain

and France — are fearful of the course of West German foreign and security policy. The whispered codeword is "Genscherism." The fear flows from a policy associated with Foreign Minister Hans-Dietrich Genscher, who holds the balance of power in the Kohl coalition.

There is a fear of too much reaching out to Soviet bloc countries, and too much faith in the Gorbachev promise. There is the sense that West Germany is holding up nuclear modernization in Europe, that disarmament might shoulder aside the demands of a credible defense. Nor is the evolution of public opinion a source of comfort. Nowhere else in the West have Mikhail Gorbachev's promises cut such a wide swath through the defense consensus, and the end is not yet in sight.

Meanwhile, the tide of conscientious objectors is rising along with opposition to NATO's low-level training flights and military maneuvers. And so the government feels trapped between alliance obligations and popular resentments.

Mr. Kohl is trying earnestly to keep a balance, but everyone in the government seems to have a nasty case of nerves. They suspect they cannot fence-straddle indefinitely. They feel unspoken pressures building in Washington and elsewhere.

And sometimes governments behave like people, lashing out when they feel threatened. The Bush administration will have to tread softly, for West Germany — strong, but unsure of itself — remains, alas, the linchpin of the NATO alliance.

*The writer, foreign editor of Süddeutsche Zeitung, contributed this comment to The New York Times.*