



Is Germany sovereign? - Can Germany become neutral?

An attempt at clarification - The question of Germany's sovereignty is a difficult one, an issue that has an existential impact on the population and is avoided by officialdom. But it is time to bring it into the public discourse, as several peace organizations are currently attempting to do.

Sat 08 Nov 2025

Recently, there have been calls for Germany to become neutral,^[1] as Stalin had already proposed in 1952. At that time, he offered the other three main victorious powers of World War II to negotiate a peace treaty with Germany. The condition was the neutrality of a future united Germany, with the exception of the eastern territories under Polish administration. Since, at the same time, the Adenauer government had already decided in secret negotiations to rearm and join NATO, the

Western Allies boycotted the Soviet proposal. Konrad Adenauer also rejected it as an „unserious diversionary tactic” intended to block the integration of the FRG into the West, thus squandering the opportunity for a self-determined German policy.

Instead, the two German relics, which had been stripped of their sovereignty by the victorious powers after their unconditional surrender, remained under foreign control, which was only gradually relaxed. According to prevailing opinion, the Federal Republic of Germany, as a “subject of international law identical to the German Reich,”[2] regained “full sovereignty” (Article 7, paragraph 2) through the Two Plus Four Treaty of September 12, 1990, so that—theoretically—Germany's neutrality would be achievable today.

That is the official position.[3] However, the granting of sovereignty has been relativized by additional treaties, such as the Troop Stationing Agreement, NATO membership, the military alliance for “Permanent Structured Cooperation” (PESCO), [4] other military and economic agreements, and overarching EU legislation. In particular, Germany's scope for action in foreign policy is limited due to the Allies' rights of reservation and influence. [5]

Although agreements such as the Stationing Agreement or the NATO Treaty can be terminated, and Germany could also leave the EU, it is highly questionable whether a German government would dare to take this step or be able to assert itself against the US and the UK. It is also well known that the US does not abide by any treaties once they no longer suit its respective government.

CDU politician Wolfgang Schäuble, who has played a key role in shaping German politics for decades, said on November 18, 2011, twenty years after the so-called reunification and the Two Plus Four Treaty, at the European Banking Congress in Frankfurt am Main:

"Critics who believe that there must be congruence between all policy areas are in fact assuming the regulatory monopoly of the nation state. That was the old legal order, which still underpins international law with the concept of sovereignty, which has long since been reduced to absurdity in Europe, at the latest in the two world wars of the first half of the last century. And we in Germany have not been fully sovereign at any point since May 8, 1945."
[7]

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That is the opinion of an experienced politician.

In international law, sovereignty is defined according to older legal interpretations as the absolute authority of a state over its domestic and foreign policy actions.[8] This is clearly not the case for Germany. However, according to more recent interpretations of international law, a state can waive certain rights through treaties with other states, i.e., it can voluntarily restrict its sovereignty. This could be an option for Germany. However, various restrictions to which Germany is subject are not voluntary.

This raises the following questions:

1. Can a country whose population is constantly lied to, deceived, and humiliated, which has no peace treaty, and which, according to the Charter of the United Nations (Articles 53 and 107), is still an enemy state vis-à-vis the victorious powers of World War II, be sovereign? The enemy state clause states that coercive measures could be imposed without special authorization by the UN Security Council, including military intervention if Germany were to pursue an aggressive policy again. What this means is open to broad interpretation, and the interpretation would be made by the victorious powers of World War II, i.e., primarily the US.
2. Can a country with eleven huge US military bases, which permanently keep around 37,000 soldiers under arms in Germany (including nuclear weapons) and invite international conferences to their Ramstein military base, from where they command drone killings, be sovereign?
3. Can a country in which the victorious powers of World War II still reserve powers be sovereign? There is a view that so-called “petrified occupation law” still applies,[10] i.e., “occupation law which, upon conclusion of the ‘Transition Treaty,’ was not subject to any disposition by the German state authority,” and that individual provisions of which remain in force.[11]
4. Can a country that is unquestioningly cut off from cheap energy supplies from Russia, that constantly allows itself to be dictated to and has disadvantageous laws imposed on it by the EU Commission, be sovereign?

The question of Germany's sovereignty is a difficult one, an issue that has an existential impact on the population and is avoided by officialdom. But it is time to bring it into the public discourse, as several peace organizations are currently attempting to do.

Conclusion

Perhaps one could say that Germany is not completely sovereign (if such a thing as incomplete sovereignty even exists), and that with a self-confident, independently acting government, it would be possible to achieve at least approximate sovereignty in the sense of a more recent interpretation of international law. However, considering the circumstances mentioned above, it seems reasonable to conclude that the German government is not able to act independently for the benefit of the population, and that Germany is therefore not sovereign in the sense codified in the Two Plus Four Treaty.

In this respect, the current real conditions stand in the way of achieving German neutrality, which would solve many of today's problems. Intensive diplomatic efforts at the highest level would be necessary to pave the way for a more peaceful future. There is little hope for this at present. But despite seemingly insurmountable hurdles, the goal of German sovereignty and neutrality should not be lost sight of. In this regard, there are commendable approaches that deserve support.

The writer and journalist Dr. jur. Wolfgang Bittner lives in Göttingen. He has published more than 80 books, and his book "Geopolitik im Überblick. Deutschland-USA-EU-Russland" (Geopolitics at a Glance: Germany-USA-EU-Russia) was recently published. He is the first signatory of the appeal for German neutrality.

Notes and sources

1. See <http://www.nrhz.de/flyer/beitrag.php?id=29559&css>

2 See www.bundestag.de/webarchiv/presse/hib/2015_06/380964-380964

3 In detail, but weak in its argumentation, the Scientific Services of the German Bundestag, "Transition Agreement and 'Enemy State Clauses' in Light of the Sovereignty of the Federal Republic of Germany under International Law": www.bundestag.de/resource/blob/414956/52aff2259e2e2ca57d71335748016458/wd-2-108-06-pdf-data.pdf

4 See *Spiegel online*, November 13, 2017, www.spiegel.de/politik/ausland/bruessel-23-eu-staaten-gruenden-pesco-zusammenarbeit-bei-verteidigung-a-1177685.html

5 Sebastian Fries comments, "Between security and sovereignty: American troop deployment and the Federal Republic of Germany's scope for action in foreign policy," https://edoc.bbaw.de/opus4-bbaw/frontdoor/deliver/index/docId/359/file/26PiNaLFNd6L_327.pdf

6 Schäuble (1942-2023) was Federal Minister for Special Tasks and Head of the Federal Chancellery from 1984 to 1989, Federal Minister of the Interior from 1989 to 1991 and again from 2005 to 2009. From 2017 to 2021, he was President of the German Bundestag.

7 www.youtube.com/watch?v=hdg8_9diL2E (opened on October 15, 2025)

8 See Burkhard Schöbener (Hrsg.), „Völkerrecht. Lexikon zentraler Begriffe und Themen, C.F. Müller, Heidelberg 2014, S. 393.

9. See Wolfgang Bittner, „Niemand soll hungern, ohne zu frieren“, Verlag zeitgeist, Höhr-Grenzhausen 2024, p 63 ff.

10 See „Überleitungsvertrag und ‚Feindstaatenklauseln‘ im Lichte der völkerrechtlichen Souveränität der Bundesrepublik Deutschland“, S. 7.

11 In detail: <https://de.wikipedia.org/wiki/Überleitungsvertrag> (opened on October 15, 2025).

12 See <https://deutschlandneutral.de>

ARTICLE TAGS:

Analysis Schäuble, Wolfgang Stalin, Joseph Germany US USA EU NATO