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## The war in Ukraine is the logical next step for Russian politics in the neighbouring countries

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Russia's attitude towards the basic principles of international law, such as sovereign equality or the inviolability of established borders, varies from country to country. It appears from the Kremlin's official statements and practices that, in the Russian worldview, there are three tiers of sovereignty: 'superpowers' that are equally sovereign; 'regular countries' that have limited powers in international relations; and 'vassal states' that are inferior and whose borders are not inviolable.

This formula is a combination of the peculiar nationality politics of the Soviet era and the trauma that the collapse of the Soviet Union caused to the current leaders of Russia. Following the formula has led the Russian government to interfere in the internal affairs of neighbouring countries and to use indirect and also increasingly direct military force against them – always under the excuse of protecting minorities. These justifications find no support in existing international law, however, which has resulted in an almost total falling-out between Russia and the rule-based West.

### **The Russian Federation (1991–) is an artificial state**

Modern Russia is a relatively young country, due to celebrate its 32nd anniversary in December. Although the transition from the Soviet era has naturally been difficult, 32 years is plenty of time to build functional democratic institutions, establish the rule of law, a free civil society and free media and weed out chronic corruption. Political competition would have been possible; Russia could be on its sixth president by now (as Ukraine is) and there could have been countless different prime ministers and major parties.

All this was achieved in the same amount of time in, for example, Poland, which started from a similar position.

Russia is not a regular country, because its leaders refuse to see it as one. Considering its huge population and wealth of natural resources, the country keeps underperforming decade after decade. The biggest reason for this is that the Russian government has never seen the welfare of the people or social dialogue as a priority. It spends all its energy on obsessively watching and manoeuvring the country's borders.

Where does this kind of interpretation of a government's role and priorities – that in no way benefits the majority of the people – come from? History has two answers.

Firstly, the notion that Russia has a unique, messianic destiny in world history dates back to the *Romanovs* (the reigning imperial house of Russia from 1613 to 1917). The tsarist era saw missionaries preaching the gospel of the Russian Orthodox Church – and increasingly of Russian ideology in general – to pagans of different beliefs. Disguised as a religious mission, this policy allowed Russia to claim vast territories, ultimately making it the largest country in the world. Growing the empire was like a drug that prevented the rulers from thinking about anything else – like the living conditions of the Russian people. When the people finally revolted in 1917, the Tsar's police-state-like machinery of oppression toppled surprisingly easily and quickly.

The Russian Provisional Government (from March to November 1917) that followed the dissolution of the Russian Empire was unfortunately short-lived due to the outbreak of the First World War. We will never know whether the provisional government could – had it extricated Russia from the war – have reined in the Bolsheviks' communist agitation and established a democratic rule of law in Russia. All we know is that, by staying in the war, it was unable to do so.

The next messianic experiment in Russia's history was the Union of Soviet Socialist Republics (1922–1991). The very first Union Constitution (1924) declared that the country's objective was to 'conclude treaties concerning the reception of new Republics into the Union' until the whole world would be one huge Soviet Union.<sup>1</sup>

The divine mandate to spread the teachings of the Russian Orthodox Church was conveniently replaced by a mandate based on *Marx's* 'scientific socialism' to effectively overthrow the governments of all existing countries in the world and annex them to the Soviet Union. What both these missions had in common was that they 'happened' to expand Moscow's realm. The country grew again after the Second World War, at which point it controlled, through its satellites, almost half of Europe.

As we all know, the Soviet system – which was held together purely by the threat of violence – was unable to compete against the West in living standards and collapsed under its own weight in the satellite states in 1989 and in Moscow in 1991.

This brings us to the tragedy that is modern Russia. The country is built literally on the traumatic fall of the Soviet Union, and its current KGB-trained leadership is still suffering from an imperial hangover. The country has not been able to come up with a new identity or purpose to replace the Soviet Union, which is evident in, for example, the most recent official Concept of the Foreign Policy of the Russian Federation from March.<sup>2</sup> The concept talks about Russia's special position as a 'unique country-civilization' and the 'successor of the USSR', which is performing 'a historically unique mission' to act as a counterweight to the United States.<sup>3</sup>

In other words, Russia does not know how to be a 'regular' country with straightforward aspirations of prosperity and a higher standard of living. However, it also does not have the

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<sup>1</sup> Constitution of the Soviet Union, Part 1: Declaration of 31 January 1924.

<sup>2</sup> [https://mid.ru/en/foreign\\_policy/fundamental\\_documents/1860586/](https://mid.ru/en/foreign_policy/fundamental_documents/1860586/).

<sup>3</sup> Ibid, Articles 4 and 5.

ability or the resources to be the 'superpower' that it sees itself as and that should act as a counterweight to the US in world politics.

This is why Russia is constantly agonising over the undesirable status quo, which shows in its foreign policy and interpretations of international law. The curious supranational union with Belarus (since 1999) and the 'Eurasian Economic Union' (since 2015), which has all but disappeared from the public eye, are Freudian manifestations of Russia's attempts to claw back the glory days and geographical reach of the Soviet Union.

The second reason for Russia's idiosyncratic interpretation of the role of government is nationality politics.

The Russian Federation is an artificial country because its borders are not its own. The country is full of internal borders and consists of a total of 83 federal subjects. These include, among others, 21 republics (such as the Chechen Republic, the Republic of Karelia and the Republic of Tatarstan), which each have their own constitution and parliament. President *Putin* has repeatedly accused *Lenin* of having whimsically drawn 'artificial' borders between parts of the USSR.<sup>4</sup>

The 14 countries that gained their independence from the Soviet Union were, until 1991, just these kinds of 'republics' within the Union. This is why the Russian leadership is, on the one hand, worried about a further split and, on the other, adamant that former Soviet states (such as Georgia and Ukraine) are in fact arbitrary creations of *Lenin*.

A staggering 25 million ethnic Russians found themselves outside the Russian borders after the fall of the Soviet Union, and many never returned. With the population decline in Russia spiralling out of control,<sup>5</sup> the government cannot let go of the 'loss' of these citizens. The Russian leadership refuses to accept that these people voted with their feet – by not relocating to Russia – and instead sees them as instruments of power and their homelands as naturally belonging to the Russian sphere of influence.

Russia's temper tantrums against the international rule-based system can therefore be seen – from the Kremlin's perspective – as an underdog's understandable attempts to change the status quo, which has made Russia smaller and weaker than what it 'should' be.

In Russia's attitude towards international law, this translates to a cynical taxonomy in respect of the neighbouring countries. In the eyes of the Russian government, only 'superpowers' enjoy full sovereignty and the benefit of inviolable borders under international law. 'Regular' countries, such as Finland, have limited sovereignty – they are, in theory, independent and equal in international affairs but, in reality, controlled by the superpowers. This is why Russia generally does not consider France and the UK – both nuclear states and permanent members of the UN Security Council – as superpowers but sees them instead as vassals of the United States.

What is comical about this concept is the fact that Russia – with its very modest GDP and almost full economic dependence on China – would hardly qualify as a superpower by the Kremlin's logic. The most important point to remember, however, is that – realistic or not

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<sup>4</sup> See, for example, <http://en.kremlin.ru/events/president/news/66181>.

<sup>5</sup> [https://www.trtworld.com/magazine/why-the-population-decline-in-russia-has-hit-its-highest-in-history-54327#:~:text=During%20this%20period%2C%20the%20number,Statistics%20Service%20\(Rosstat\)%20data.&text=A%20natural%20decrease%20in%20population,exceeds%20the%20number%20of%20births](https://www.trtworld.com/magazine/why-the-population-decline-in-russia-has-hit-its-highest-in-history-54327#:~:text=During%20this%20period%2C%20the%20number,Statistics%20Service%20(Rosstat)%20data.&text=A%20natural%20decrease%20in%20population,exceeds%20the%20number%20of%20births).

– the current leaders of Russia seem to believe this narrative, and it shows in the country's foreign policy and interpretations of international law.

On the bottom rung of the taxonomy ladder are former Soviet states, which are artificial creations of Lenin and should never have become independent in the first place. The existence of these countries is – in President Putin's words – a 'genuine tragedy' and 'the greatest geopolitical catastrophe of the century'.<sup>6</sup>

As a result of this credo, Russia has – in flagrant disregard of international law – classified these countries as being in its 'sphere of influence', as was plainly put by, for example, President *Medvedev* in 2008,<sup>7</sup> and tried to stop them from integrating with the West. Russia refuses to recognise the full competence of these countries and is constantly meddling in their affairs. In the context of the war in Ukraine, for example, Russia has repeatedly expressed its willingness to engage in peace talks with the United States<sup>8</sup> – even though the US is not a party to the war.

After bouncing back from its setback in the 1990s, Russia soon knuckled down and started to rebuild its 'sphere of influence'. The Baltic states just had time to escape and join the EU and NATO in 2004 but, for the other former Soviet states, Russia drew a firm red line that squashed any hopes of Western integration. It has made several attempts, using various excuses, to justify to the West – namely the US as a fellow superpower in its taxonomy – why NATO cannot expand eastwards.

In 2007, for example, Putin claimed in a speech that the then-General Secretary *Wörner* had 'assured' Russia that NATO would not expand eastwards after the dissolution of the Warsaw Pact.<sup>9</sup> This fable has been retold numerous times since then – in connection with the annexation of Crimea, for example. The problem is that even if *Wörner* had had a mandate to rule out – forever and ever – an eastward expansion (he did not), he never made such a promise. This has been confirmed by the first, last and only President of the Soviet Union *Mikhail Gorbachev*.<sup>10</sup>

With the crumbling of this argument, Russia has started to talk about the military threat that the expansion of NATO poses, which is forcing the Russian government to take preventive action. This argument, too, violates international law, as it proposes to take away the sovereign right of the former Soviet states to decide on their own security. The argument is also easy to rebut since NATO is – as per the founding Treaty – a defensive alliance that cannot start an offensive operation without being attacked first.<sup>11</sup> As a defensive alliance, NATO can only threaten Russia's ability to make threats.

Unfortunately, Russia's rhetoric has escalated to action. Despite promising to withdraw its 'peacekeepers' from the Trans-Dniestrian region of Moldova back in 1999,<sup>12</sup> it has continued to occupy the region to this day in order to block Moldova's accession to the EU.

<sup>6</sup> <https://www.nbcnews.com/id/wbna7632057>.

<sup>7</sup> <https://www.tandfonline.com/doi/pdf/10.1080/01636600903231089>.

<sup>8</sup> <https://rand.org/blog/2023/10/negotiating-with-russia-is-still-a-bad-idea.html>.

<sup>9</sup> <https://www.washingtonpost.com/wp-dyn/content/article/2007/02/12/AR2007021200555.html>.

<sup>10</sup> <https://www.brookings.edu/articles/did-nato-promise-not-to-enlarge-gorbachev-says-no/>.

<sup>11</sup> [https://www.nato.int/cps/en/natolive/official\\_texts\\_17120.htm](https://www.nato.int/cps/en/natolive/official_texts_17120.htm).

<sup>12</sup> <https://www.osce.org/files/f/documents/6/5/39569.pdf>.

The declaration of the 2008 NATO Summit promised to admit Ukraine and Georgia to NATO.<sup>13</sup> Since the Russian government knew how effective the presence of a 'peacekeeping' occupying force is in foiling such plans, it shrewdly took advantage of the plight of the Abkhaz and Ossetian minorities of Georgia, sided with them in a war against Georgia and has occupied approximately 20 per cent of Georgia since the summer of 2008.

### **Anti-Russian sentiment and Ukraine's special place in Kremlin's eyes**

*'It cannot be stressed enough that without Ukraine, Russia ceases to be an empire, but with Ukraine suborned and then subordinated, Russia automatically becomes an empire.'*<sup>14</sup>

Of all the former Soviet states, the current Russian leadership is most obsessed with Ukraine. This is because of the Kremlin's traditional ideology according to which the peoples of Russia, Belarus and Ukraine are one nation. The split of the nation into separate independent countries is not ideal, but it can be controlled. Belarus, for example, is not going anywhere – on the contrary, it is being brought more and more closely under Moscow's influence.

Ukraine, on the other hand, has become more and more difficult to manipulate. Ukraine's becoming an example of a country where 'Russians' have managed to establish a democratic rule of law and prosper through Western integration and with support from the West would erode the notion of Ukrainians as Russians, the effectiveness of the Russian system of government or both. This cannot be allowed to happen.

The relationship between Russia and Ukraine was strained before, but the situation escalated quickly in early 2014 when it became apparent that Ukraine's increasingly West-friendly government could be aspiring to join the EU or even NATO. It was time to unleash the Russian 'peacekeepers' – the 'little green men' – ostensibly to protect the minorities in Crimea and eastern Ukraine.

With hindsight it is clear that the West's reaction to the events of 2014 was far too muted, which undoubtedly encouraged Russia to maintain the 'frozen' conflict in eastern Ukraine and lowered the threshold for the use of stronger military force later.

Putin published a baffling ideological article called 'On the Historical Unity of Russians and Ukrainians' in the summer of 2021, which signalled the start of the countdown to the open war that broke out in February 2022.

In the article Putin claimed, for example, that the idea of Ukrainian people as a nation separate from the Russians was a concept made up by the Poles and that the 'Ukrainisation' of the people of Ukraine was down to a policy promoted in the Soviet Union in the 1930s.<sup>15</sup> He also stated as his opinion that all former Soviet states should return the lands that were incorporated into them during the Soviet era – these lands include Crimea, which was transferred to Ukraine in 1954.

This interpretation, too, is completely inconsistent with international law. The borders of the countries that gained their independence from the Soviet Union were drawn on the basis of the colonial legal principle of *uti possidetis juris*, which turned the internal borders of the

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<sup>13</sup> [https://www.nato.int/cps/en/natolive/official\\_texts\\_8443.htm](https://www.nato.int/cps/en/natolive/official_texts_8443.htm).

<sup>14</sup> Z Brzeziński: *Strategic Vision: America and the Crisis of Global Power* (Basic Books, 2012).

<sup>15</sup> <http://en.kremlin.ru/events/president/news/66181>.

Soviet Union into borders of the newly independent countries as they were at the time of the Soviet Union's collapse.

This approach was the general practice in the event of a dissolution of a country, in addition to which the former Soviet republics expressly agreed to its application in the Charter of the Commonwealth of Independent States in December 1991.<sup>16</sup> Moreover, Russia has recognised the borders of all the former Soviet states time and time again in bilateral and multilateral treaties.

Putin ends his article with the chilling assertion that external forces are turning Ukraine 'anti-Russian' and that as such it must, if necessary, be destroyed.

In the winter of 2021, Russia demanded that NATO give written assurances that it would not expand any further east – in other words, that countries such as Ukraine, Finland and Sweden would be considered only partially sovereign and within Russia's sphere of influence. The West did not know how to respond to the demand and refused to even discuss it.

Russia invaded Ukraine a few months later; in the eyes of international law, this was an escalation of the war that had begun in 2014. The special military operation has failed miserably in its aim to stop the 'anti-Russia project', and it now seems that Russia is more interested in a traditional territorial conquest: in September 2022, it announced that it had annexed Donetsk, Luhansk, Kherson and Zaporizhzhia, even though none of these regions is completely under its control. All in all, the war has not gone well for Russia and has turned it into a pariah state in the eyes of the West, which has imposed heavy sanctions on Russia and issued an arrest warrant for President Putin over alleged war crimes.<sup>17</sup>

### **There is a logic to Russia's neo-imperialism**

Russia's vexation is driven by its leadership's belief that the current world order is unfair to Russia.

It is unfair that 'harmless' internal borders tore up the Russian Empire when the Soviet Union was dissolved and replaced it with a host of 'artificial' nations. It is also unfair that the US used this as an opportunity to expand its own sphere of influence through NATO at Russia's expense.

It is unfair that the US, as a superpower, is allowed to do whatever it wants in international politics – such as start a war in Iraq in 2003 without authorisation from the UN Security Council, cause Kosovo to become independent in 2008 at the expense of Russia's ally Serbia and overthrow the Libyan dictator *Gaddafi* in 2011. As the successor of the Soviet Union, Russia should have the same special rights.

Since, from the Kremlin's perspective, practically every international political development during the existence of the Russian Federation has been detrimental, it is natural for the Kremlin to want to restore the optimal state of affairs – the borders and power of the Soviet Union, only without the real socialism that has been proved impractical.

This restoration project has become a formula that Russia uses to justify imperialist invasions by claiming to protect Russian or pro-Russian minorities. After the initial invasion, it

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<sup>16</sup> Charter of the Commonwealth of Independent States, 8 December 1991, 31 ILM 138.

<sup>17</sup> <https://www.icc-cpi.int/news/situation-ukraine-icc-judges-issue-arrest-warrants-against-vladimir-vladimirovich-putin-and>.

starts to hand out passports to the local people, thereby creating more Russians in need of protection and cementing its control over the occupied territory.<sup>18</sup>

It then sends 'peacekeepers' to protect the newly created citizens and prevent retaliation from the invaded country. This is why a large proportion of the population in the Trans-Dniestrian region of Moldova and the separatist regions of Georgia as well as the occupied 'people's republics' of Ukraine now also has Russian citizenship.

Russia in the 2020s appears to be more prepared than any other country in the world to resort to military force.<sup>19</sup> However, there is a formula to Russia's imperialistic expansion policy.

Its primary target are the countries on the bottom rung of the taxonomy ladder, i.e. former Soviet states excluding the Baltic countries. The more ethnic Russians there are in a country, the more likely it is to become a target. The red lines around Belarus and Ukraine are the darkest, as the Kremlin views them as completely artificial states with artificial borders.

The escalation of the war in Ukraine in February 2022 falls naturally into Russia's formula and, for as long as the current leadership remains in power, its logical next steps are relatively easy to decipher.

Russia's goal surely is to occupy the whole of the invaded regions and then freeze the front lines. However, it does not appear to have the military capability to achieve this goal.

The Kremlin will never give up the dream of replacing Ukraine's 'anti-Russian' democratic government. A corrupted Russian-leaning and Russia-dependent semi-democracy – as Ukraine was under the deposed President *Viktor Yanukovych* between 2010 and 2014 – would be a good outcome. However, even this seems far-fetched in the light of the current reality.

Since Ukraine understandably will not agree to cede territory and as Russia refuses to negotiate directly with Ukraine's anti-Russian leadership, a compromise seems impossible at the moment.

The West's support to Ukraine must not begin to waiver – it is the one thing currently stopping Russia from winning the war. Right now, Russia seems to be just sitting back and waiting for the West to get tired of the conflict – or for politicians with less affinity to Ukraine to get into power. The West should make provision for this and ensure, for example, that enough weapons can be supplied to Ukraine even if a big country withdraws its support.

The Russian formula also foretells instability elsewhere in Eastern Europe and the Caucasus.

My colleague and I predicted in 2016 that, were there to be an uprising in Belarus that forces President *Lukashenko* to flee the country, Russia would very likely quickly occupy Belarus and prevent the establishment of a democratic government.<sup>20</sup> Such a scenario would make the annexation of Belarus to Russia under the excuse of a deeper union between the two countries considerably more likely.

The Russian-occupied regions of Georgia – Abkhazia and South Ossetia – are also possible targets. Russia has so far refrained from actually annexing these regions, as such a move would make its neo-imperialist aspirations of reinstating the borders of the Soviet Union

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<sup>18</sup> <https://www.atlanticcouncil.org/blogs/ukrainealert/how-soft-power-works-russian-passportization-and-compatriot-policies-paved-way-for-crimean-annexation-and-war-in-donbas/>.

<sup>19</sup> <https://www.libera.fi/2022/02/22/paattamatomyys-jattaa-tilaa-venajalle-tehda-valintoja/>.

<sup>20</sup> L Hannikainen and T Lundstedt: The Role of International Law in the Foreign Policy of the Russian Federation – especially in the light of state sovereignty, the use of force and the self-determination of peoples. Research Report, Ministry of Defence, 3 June 2016.

even plainer for the world to see. However, Russia's relationship with the West is so badly damaged at the moment, that the reputational risk has become negligible. The only deterrents left are likely to be China's reaction and the minor significance of these regions.

Finally, the Kremlin could well have the Trans-Dniestrian region of Moldova in its sights. Such a conquest would require better success on the southern Ukrainian battlefields, however, and the threat is therefore not imminent.

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Russia's formula and the logic behind it are clear. So is the effect that the West's action or inaction has on Russia's aggressive behaviour. The best that the West can do is to communicate clearly and consistently to Russia what the consequences of its actions will be.

The signals that Russia picked up from the West after the annexation of Crimea showed weakness, which prolonged the crisis and led to an invasion that has now escalated to war crimes. This was a mistake that Europe cannot afford to make ever again.

It must be made clear to Russia that any invasion that violates international law will be automatically met with at least the current level of economic sanctions and material assistance to the country under attack.

Russia must also be told, in no uncertain terms, that the current level of support to Ukraine will be maintained for as long as is necessary, and that more economic sanctions will be imposed at regular intervals until the war ends.

If this message gets across, there is a chance of finally cracking Russia's violent formula.