

Deadly Passports

Russian War Justifications from Chechnya to Ukraine: A
Comparative Study Using Just War Theory

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Abstract

This thesis employs just war theory to analyze the 2022 Russian invasion of Ukraine within the context of earlier twenty-first-century Russian conflicts. By comparing the Second Chechen War, the invasion of Georgia, and the broader Ukraine conflict, this study outlines the evolution of Russian war justifications over the years. The central research question, "To what extent does the justification for the Russian invasion of Ukraine differ from other twenty-first-century wars?" guides the analysis across three main sub-topics: "The road from Chechnya to Ukraine," "Evaluating Russian interventions through Just War Theory," and "From regime change to a war of conquest." In exploring these sub-topics, the thesis applies just war theory to gain a deeper understanding of Russian military actions, focusing on identifying patterns in their justifications. This approach reveals how Russia's reasoning for its military interventions has shifted from combating separatism and terrorism in Chechnya to protecting ethnic Russians and historical claims in Ukraine. Furthermore, this thesis addresses a gap in the literature by applying just war theory to the Georgian and Crimean cases, areas that have been largely overlooked in previous research.

From a societal perspective, this research provides explanatory insights into the historical and political backgrounds of these conflicts, enhancing our understanding of the implications at both regional and international levels. The findings contribute to the public discourse by clarifying how Russian war justifications have transformed over time, reflecting broader changes in geopolitical strategies and national narratives. Additionally, this study examines the application of just war theory by the Kremlin, highlighting the ethical and legal dimensions of Russia's military interventions. By doing so, it offers a nuanced view of how Russian leaders have sought to legitimize their actions on the world stage, balancing between historical grievances, national security concerns, and international law. Overall, this thesis not only advances academic discussions on just war theory and Russian foreign policy but also serves as a valuable resource for policymakers and scholars seeking to understand the dynamics of Russian military engagements in the twenty-first century. Through a comparative analysis, it sheds light on the evolving nature of war justifications, providing a framework for interpreting current and future conflicts involving Russia.

Keywords: Just war theory: Russian invasion of Ukraine, Second Chechen war, Invasion of Georgia, Russian war justifications, Twenty-First-century conflicts, Military interventions.

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1. Introduction

The Russian invasion of Ukraine on February 24th, 2022, was the ultimate escalation of the Russia-Ukraine conflict. The events are recent, which means that the conflict still receives major media attention. There is no shortage of footage of Vladimir Putin doing his utmost to justify the invasion of Ukraine, first by framing it as a “special operation” and later by reverting to nationalist history. Well-known examples are the two Chechen wars, as well as the Russian invasion of Georgia in 2008. This work makes two comparisons. The first comparison identifies a trend between the invasion of Ukraine and the other Russian conflicts in the twenty-first century. The second comparison maps the changes between the framing of the start of the Ukraine invasion in February 2022 and then how it has changed to date. There is a striking break with how Russian wars were justified from the Second Chechen War in 1999 onwards. The Second Chechen War was framed as an attempt to fight separatists, but since Vladimir Putin came to power, he all too often returned to nationalistic and historical arguments. This work maps these changes to identify patterns in Russian war justifications. Is this a return to the old way, namely wars to protect our people, or are we dealing here with the imperialist ambitions of just one man? This thesis answers this question.

The research question for this thesis is as follows: “To what extent does the justification for the Russian invasion of Ukraine differ from other twenty-first-century wars?” The following sub-topics will be discussed, namely: the road from Chechnya to Ukraine,” “Between justice and power: Evaluating Russian interventions through the lens of Just War Theory” and finally “From regime change to a war of conquest.” The reason this research question has been chosen and associated sub-topics is that as the conflict continues, there is a shift visible in how the war is framed. Initially, the invasion was portrayed as a special operation aimed at deposing the “Nazi” government and protecting ethnic Russians in Ukraine. As the war progresses, Vladimir Putin increasingly begins to use historical arguments.

The research question is academically relevant because this research applies just war theory to Russian war justification. To date, much research has been done into the moral and legal aspects of recent Russian conflicts. However, not much research has yet been done into how the Kremlin itself applies just war theory in its war justifications. This work is also one of the first to apply just war theory in a comparative case study of several Russian conflicts. Additionally, there has been limited application of just war theory to the Georgian war of

2008 and the occupation of Crimea. This thesis provides insight into the reasons why the conflict started and whether this differs from previous Russian conflicts.

2. Theoretical Framework, Methodology and Sources

2.1 Introduction

Recent Russian history is an intensively studied subject in which numerous theories and research methods have been employed. This work focuses on four Russian conflicts from the twenty-first century, namely the Second Chechen War, the Russian invasion of Georgia, the Crimean Annexation and the ongoing Russia-Ukraine conflict. The chosen methodology for this research is a comparative case study to identify the differences regarding the justifications for military intervention from the Russian side. In terms of theory, this research will use the just war theory.¹ Just war theory studies the legitimacy of war and is therefore essential for studying whether a war is justified or not.² Furthermore, this chapter will provide a comprehensive analysis of the historiography surrounding modern Russian conflicts. The focus will be on perspectives that employ just war theory, but viewpoints from international law will also be applied. Finally, the advantages and limitations of the selected primary sources will be outlined. This is particularly important since the Russia-Ukraine conflict is ongoing, increasing the risk of misinformation. Additionally, there may be errors in the English translations, as many of the primary sources were originally spoken or written in Russian.

2.2 Methodology

The comparative case study is a fairly common method in science and has been used for a long time. One of the most complete explanations of the methodology comes from 1971 and was written by Lijphart.³ Lijphart states that the comparative method and the case study are strongly linked and that there are six different ones.⁴ Some examples of this are the atheoretical case study and the theory-confirming case study.⁵ The types are not mutually exclusive, a case study should connect multiple types according to Lijphart.⁶ The major weakness of the comparative case study is that it only concerns a single case and is therefore unsuitable for generalizing statements.⁷ This does not make the case study unsuitable, since

¹ Jean Bethke Elshtain, *Just War Theory* (New York: New York University Press, 1992), 1-3.

² Elshtain, "*Just War Theory*," 1-3.

³ A. Lijphart, "Comparative Politics and the Comparative Method," *American Political Science Review* 65(3)(1971):682-693, doi:10.2307/1955513.

⁴ Lijphart, "Comparative Politics," 691.

⁵ Lijphart, "Comparative Politics," 691.

⁶ Lijphart, "Comparative Politics," 691.

⁷ Lijphart, "Comparative Politics," 691.

the researcher can combine the case studies and still generate a generalizable outcome with the right research method. The success of a comparative case study therefore depends on the skill of the researcher, according to Lijphart.⁸

In terms of the research method, the speeches are very accessible. After all, they are published on the Kremlin's official site in English and Russian. To select relevant speeches, selection will be made based on relevant categories and times. What this means is that based on the start date of a Russian intervention, a search will be made for the accompanying speech, which somewhat reduces the amount of sources. You can also filter by person and type of speech. In the case of this research, public statements and speeches are the most relevant, which means that the amount of sources can be greatly reduced. What is particularly important in a comparative case study is comparability. A comparative case study derives its reliability from the similarities of the chosen cases. It is therefore desirable that all highlighted sources are actually speeches and that they are preferably given by the same person.

When analysing the speeches, we will first categorize which conflict they apply to and then use a comparative case study method to see whether any trends are visible in Russian war justifications since the year 2000. The secondary literature on modern Russian war justifications suggests that nationalism and terror play an important role in legitimizing military intervention.⁹ During the analysis, extra attention will be paid to these concepts since they are of great importance for identifying a trend. As for analysing the speech of February 24, 2022, this is a little more complicated.¹⁰ Putin's speech is very long and not particularly clear. The speech is a cocktail of revisionist, political and nationalist arguments, which makes the speech difficult to characterize. It is therefore valuable to compare the speech with a speech from 2023 to see how the justification of the Ukraine war has changed in the past year since this is also one of the sub-questions for this research.

2.3 Theory

As mentioned, the theory that will be applied is just war theory.¹¹ Just war theory is more or less a manual for ethics in the field of warfare. Although the theory has a tradition dating back to ancient times, the rules and principles are still applied today. Just war theory can be seen as the middle ground between pacifists and warhawks, i.e. violence is permitted under some

⁸ Lijphart, "Comparative Politics," 693.

⁹ Pavel Baev, "Examining the 'terrorism-war' dichotomy in the 'Russia-Chechnya' case," *Contemporary Security Policy* 24.2 (2003): 29-46.

¹⁰ Kremlin.ru, "Address by the president."

¹¹ Elshtain, "*Just War Theory*," 1-3.

conditions.¹² One of the key points in just war theory is that violence can only be used if the motivations are ethical, and that violence is the last option. Furthermore, the theory prescribes how one should behave when war has broken out, such as proportionate violence.¹³ Just war theory has long been discussed in military circles and by philosophers, but only really entered the academic arena with the publication of James Turner in 1975.¹⁴ Other writers soon followed, such as Michael Walzer's "Just and Unjust Wars" in 1977.¹⁵ Until recently, the just war theory has been regularly applied to explain Russian foreign policy since the year 2000. In 2003, for example, Coppieters used the theory to study the Chechen war.¹⁶

The question is why just war theory has largely disappeared in academia regarding more recent conflicts. Virtually no academics have applied just war theory to the war in Georgia, where hopefully this research can fill a gap. What may pose a problem is the applicability of just war theory. The theory largely stems from international law and political philosophy.¹⁷ This work has a more historical and geopolitical nature, which is slightly different. Yet just war theory is very applicable to this specific case study because there is a great emphasis on the justification of war. In virtually all twenty-first-century conflicts, Russian presidents have done everything they can to justify their interventions or even full-scale invasions to the Russian people and the international community at large. All too often, just war theory is used, be it intentionally or unintentionally. After all, speeches show that military violence is often depicted defensively and that there is no other solution to defend ethnic Russians abroad.¹⁸ The theory is therefore most relevant since this work, although not philosophical, investigates the methodology with which the Kremlin wants to justify its wars.

It is clear that in terms of research methodology, some considerations have to be made in selection. There may indeed be some translation errors in the speeches, but not to such an extent that it hinders this research. It can also be concluded that the subjectivity in the speeches does not pose a problem for this research, because research is being conducted into the justification of Russian warfare and not into the authenticity of their claims. In terms of methodology, it describes how a comparative case study will be used to try to identify a trend

¹² Elshtain, "Just War Theory," 1-3.

¹³ Carsten Stahn, "'Jus ad bellum', 'jus in bello' . . . 'jus post bellum'? –Rethinking the Conception of the Law of Armed Force," *European Journal of International Law*, Volume 17, Issue 5, 1 (November 2006): 924-926, <https://doi.org/10.1093/ejil/chl037>.

¹⁴ James Turner Johnson, *Ideology, Reason, and the Limitations of War: Religious and Secular Concepts, 1200-1740* (Princeton: Princeton University Press, 1975).

¹⁵ Michael Walzer, *Just and Unjust Wars* (New York: The Perseus Books Group, 1977).

¹⁶ Bruno Coppieters, "Secession and war: a moral analysis of the Russian–Chechen conflict," 1, *Central Asian Survey*, 22:4 (2003): 377-404, DOI: 10.1080/0263493042000202607.

¹⁷ Elshtain, "Just War Theory," 1.

¹⁸ Kremlin.ru, "Dmitry Medvedev."

in Russian war justifications since 2000. Finally, this work will attempt to apply just war theory to the speeches of Russian heads of state, since the principles of just war theory come up all too often in their speeches. In addition, just war theory has fallen into disuse in recent decades, while the theory is still certainly applicable. This thesis hopes to change that.

2.4 Historiography

Ukraine has conflicted with its larger neighbour, the Russian Federation, since 2014. It therefore seems logical to start the historiography of the Russia-Ukraine conflict from this point. Since the research question asked how the justification for the invasion differentiates from other justifications for Russian interventions, we have to go further back in time in terms of historiography. Two conflicts will be highlighted for comparison with the Russia-Ukraine conflict, namely the Second Chechen War from 1999-2009 and the Russian-Georgian War from August 7th to August 12th 2008. Since the Second Chechen War is the first Russian conflict of the twenty-first century, it will be used as a starting point for this historiography. However, the research question has a second element, namely Russian justification for war, so research into Russia's way of formulating a so-called “Casus Belli” or a reason for war, must also be taken into account for historiography.

One of the first political scientists to examine the ethical and legal implications of Russian wars in the twenty-first century was Bruno Coppieters.¹⁹ In December 2003 he wrote an article in which he applied just war theory to the Chechen right to secession as well as the Russian response.²⁰ Coppieters provides a nuanced answer to both the right to Chechen secession and Russian military intervention. According to him, Chechnya's right to declare independence from Russia was not valid because there was too little support for this at all levels of Chechnyan society.²¹ This did not justify the Russian response. Legally, Russia had the right to preserve its territorial integrity, but the military response was so disproportionate that there is little question that this was a just response.²² Coppieters pays little attention to the Second Chechen War which started in 1999 but briefly describes in his work that Vladimir Putin's military response in 1999 won him enormous popularity among the Russian people because he showed a strong hand against the terrorism of the Chechens.²³

¹⁹ Bruno Coppieters, 22:4 (2003): 377-404, DOI: 10.1080/0263493042000202607.

²⁰ Coppieters, “Secession and War,” 380-385.

²¹ Coppieters, “Secession and War,” 384.

²² Coppieters, “Secession and War,” 385.

²³ Coppieters, “Secession and War,” 378.

At almost the same time as Coppieters, Roman Khalilov published his article.²⁴ It was a special issue in the *Central Asian Survey*, specifically meant to discuss the Russian-Chechen conflict. Khalilov takes an opposed position to Coppieters by stating that according to his secession theory, Chechnya has the right to independence in every respect.²⁵ One of the main reasons for this rests on the historical abuse of the Chechens by the Russian state.²⁶ Moreover, Khalilov and Coppieters agreed that, in their opinion, the proportionality of the Russian response was excessive. However, Khalilov went further by saying that the proportionality part of the just war theory was not a valid point.²⁷ Khalilov argued that it is impossible to make a cost-benefit argument in advance of a conflict, making it virtually impossible to make a rational decision whether military force is justified.²⁸

Pavel K. Baev also published an article about the Russian-Chechen conflict in the same year, but unlike Khalilov and Coppieters, Baev did not use just war theory but examined the conflict from the perspective of international terrorism.²⁹ Baev explained that Russia did indeed have to contend with Chechen terrorism, but that this also served as a good cover-up for the broader conflict, namely the separatism that originally started the conflict.³⁰ The invasion of Iraq also allowed Putin to frame the war in light of the U.S.-led “war on terror.” The framing of the Chechen conflict as anti-terror operations may not have been deliberate, but Putin certainly used it to portray himself as a participant in the international war on terror, Baev said.³¹

Although each conflict is unique, clear patterns can be identified in Russia's war justifications. Whereas previous writers such as Coppieters and Khalilov approached the conflict from just war theory and Baev approached the conflict from the perspective of the War on Terror, Kristopher Natoli took a different path.³² The invasion of Georgia in 2008 was a different conflict than the war in Chechnya. After all, separatism and religious extremism were not the cause of the conflict. The Russian government therefore had another reason to justify the invasion. The excuse for this became one that Russia would use many times in its

²⁴ Roman Khalilov, “Moral justifications of secession: the case of Chechnya,” *Central Asian Survey*, 22:4 (2003): 405-420, doi: 10.1080/0263493042000202616.

²⁵ Khalilov, “Moral justifications,” 419.

²⁶ Khalilov, “Moral justifications,” 409-410.

²⁷ Khalilov, “Moral justifications,” 417-418.

²⁸ Khalilov, “Moral justifications,” 417-418.

²⁹ Pavel Baev, “Examining the ‘terrorism-war’ dichotomy in the ‘Russia–Chechnya’ case,” *Contemporary Security Policy* 24.2 (2003): 29-46.

³⁰ Baev, “Examining the Terrorism War,” 41.

³¹ Baev, “Examining the Terrorism War,” 39-40.

³² Kristopher Natoli, “Weaponizing Nationality: An Analysis of Russia's Passport Policy in Georgia,” *Boston University International Law Journal* 28, no. 2 (2010): 389-418.

recent history, namely to protect ethnic Russians.³³ Natoli therefore stated that Russia deliberately handed out Russian passports to the people of South Ossetia to claim that Russia had the sovereign right to protect its citizens.³⁴ Now the weaponization of nationality is not exactly unique, but Natoli already predicted that the failure of the international community to punish this would have far-reaching consequences.³⁵ The weaponization of nationality is an important part of Russian war justification because the Russian president is authorized by Russian law to protect people of Russian nationality abroad, by force if necessary. By handing out Russian passports abroad, a *casus belli* can be created in this way. Natoli's work can be considered a turning point because he not only approaches the weaponization of nationality from a legal perspective but also illuminates it as Russian foreign policy. For example, he warned in 2010 that similar scenes were taking place in Ukraine and Moldova, a warning that we now know was fully justified.³⁶

Natoli's reasoning makes sense given the contemporary scenes unfolding in Ukraine since protecting Russian citizens is a key part of justifying the invasion. However, this was not so obvious in 2008, which is reflected in the academic debate regarding the motives for Russia's invasion of Georgia. Emmanuel Karagiannis, an expert in the field of international relations and security, approached the conflict through the lens of offensive realism and concluded that the invasion of Georgia was the result of great power politics.³⁷ According to him, the invasion is partly due to American interference in the South Caucasus and the fear on the Russian side that Georgia would seek accession to NATO.³⁸ In a sense, classical realism was still very dominant in the academic world and academics often saw the conflict through the lens of Karagiannis, i.e. the regional superpower can do whatever it wants with its smaller neighbour.³⁹ Thus, studying Russian conflicts through international law is quite dominant in the academic world if we look at the works of previous authors.

Of course, there is also historical work on Russian conflicts for the twenty-first century. One of the most important of these is the work of Marshall Poe and Eric Lohr.⁴⁰ Poe and Lohr attempted to identify a trend in Russian military and strategic thinking from the year

³³ Natoli, "Weaponizing Nationality," 391-392.

³⁴ Natoli, "Weaponizing Nationality," 392.

³⁵ Natoli, "Weaponizing Nationality," 416-417.

³⁶ Natoli, "Weaponizing Nationality," 417.

³⁷ Emmanuel Karagiannis, "The 2008 Russian-Georgian war via the lens of Offensive Realism," *European Security*, Vol. 22, No. 1 (2013): 74-93, <https://dx.doi.org/10.1080/09662839.2012.698265>.

³⁸ Karagiannis, "The 2008 Russian-Georgian war," 89.

³⁹ Karagiannis, "The 2008 Russian-Georgian war," 89.

⁴⁰ Marshall Poe and Eric Lohr, "Introduction: The Role of War in Russian History," *The Military and Society in Russia, 1450-1917*, Brill, (2002): 1-15.

1500 to the present. In doing so, they created the concept: “The garrison state.”⁴¹ What is meant by this is that Russia has had to contend with an indefensible border since the beginning of its history.⁴² To remedy this, Russia, from the Muscovites to the Soviet Union, has done everything it can to acquire buffer states.⁴³ According to Poe and Lohr, Russia was also a very closed society with a huge army to survive in European power politics.⁴⁴ Poe and Lohr further stated that Russia is currently in a similar situation as in 1500, namely too weak to defend itself and surrounded by hostile neighbours.⁴⁵ According to the authors, the two options were European integration or a return to the garrison state.⁴⁶ Poe and Lohr wrote this in 2002, we now know that Russia chose the second option.

Ukraine is an example of an essential buffer state for Russia's defence. The only question is how you justify the invasion of a hostile neighbouring country. Natoli's work showed that Russian nationality was used as an excuse to protect the Russian residents of Georgia.⁴⁷ William W. Burke-White took a similar path by also focusing on nationality and the right to self-determination but applied to Crimea. He wrote that the Crimean invasion of 2014 was a masterful abuse of international law.⁴⁸ Burke-White combined the abuse of national self-determination and the right to defend Russian citizens.⁴⁹ Burke-White also argued that national self-determination only applies if a referendum is completely transparent and corruption-free.⁵⁰ Putin logically claims that this was the case, but it was impossible to verify by an outside independent source.⁵¹ Once again we see that nationality is used to justify territorial annexation in this case, something Natoli warned about in 2010. This pattern of using the Russian nationality to justify territorial land grabs is what makes a comparison between at least the Crimea annexation and the Russo-Georgian War possible.

What is remarkable about academic research from 2014 onwards is that legal approaches are often put forward. For example, there is a wide range of research on why the Crimean annexation was illegal under international law. This is an interesting difference from academic research into the justification of previous conflicts, which usually used realism or

⁴¹ Poe and Lohr, “Introduction: The Role of War,” 1-4.

⁴² Poe and Lohr, “Introduction: The Role of War,” 5.

⁴³ Poe and Lohr, “Introduction: The Role of War,” 8,12 and 13.

⁴⁴ Poe and Lohr, “Introduction: The Role of War,” 5.

⁴⁵ Poe and Lohr, “Introduction: The Role of War,” 14-15.

⁴⁶ Poe and Lohr, “Introduction: The Role of War,” 14-15.

⁴⁷ Natoli, “Weaponizing Nationality,” 391-392.

⁴⁸ William W. Burke-White, “Crimea and the International Legal Order,” *Global Politics and Strategy*, Vol. 56, No. 4 (2014): 66-67.

⁴⁹ Burke-White, “Crimea and the International,” 66-67.

⁵⁰ Burke-White, “Crimea and the International,” 71-72.

⁵¹ Burke-White, “Crimea and the International,” 72.

just war theory. The work of Thomas D. Grant is no exception.⁵² He reasoned that Russia justified the annexation, among other things, by claiming that the human rights of the inhabitants of Crimea were being violated.⁵³ Although this claim had no international support and was hardly investigated by Russia, it was sufficient reason for the Russians to annex the peninsula.⁵⁴ Although Grant does not challenge Burke-White's claim that the annexation of Crimea was a violation of international law, it is the first time that humanitarian reasons have been put forward to justify Russian aggression, a reason that is again reflected in the later invasion of Ukraine itself.

The Crimean annexation turned out not to be the last conflict that political scientists and historians had to deal with. On February 24, 2022, the Russians launched a full-scale invasion of Ukrainian territory. In particular, the video message that Vladimir Putin recorded before the invasion began attracted attention, which was full of historical references to justify the invasion. Arseniy Kumankov, a researcher at Princeton University, conducted research into Putin's speeches from February 2022 up until December 2022.⁵⁵ He concluded that the justification for the war was not described as political rivalry, but rather as a clash between the norms and values of East and West.⁵⁶ This does not alter the fact that historical elements were strongly reflected, with a focus on the Great Patriotic War as an example of how Russia is strong and invincible against the corrupt West.⁵⁷

What is striking about Putin's speech at the start of the invasion is the somewhat conflicting historical elements he describes. On the one hand, he uses the Great Patriotic War to portray Russia as an enemy of the Nazis and on the other hand, he uses Russian imperialism to deny that Ukrainians are a separate nationality, at least, this is what Kuzio noticed in the speech.⁵⁸ Taras Kuzio writes that Putin has essentially transformed old myths to justify the 2022 invasion.⁵⁹ Where after the First World War Ukraine was seen as a fabrication of Austria, today's Ukraine is depicted by Putin as a puppet state of the U.S.⁶⁰ The Ukrainians are also depicted as a Slavic brotherhood who would welcome the Russians with open arms,

⁵² Thomas D. Grant, "Annexation of Crimea," *American journal of international law* 109.1 (2015): 68-95.

⁵³ Grant, "Annexation of Crimea," 73-74.

⁵⁴ Grant, "Annexation of Crimea," 73-74.

⁵⁵ Arseniy Kumankov, "Nazism, Genocide and the Threat of The Global West: Russian Moral Justification of War in Ukraine," *Etikk i praksis-Nordic Journal of Applied Ethics* 1 (2023): 7-27.

⁵⁶ Kumankov, "Nazism, Genocide and the Threat," 23.

⁵⁷ Kumankov, "Nazism, Genocide and the Threat," 23.

⁵⁸ Taras Kuzio, "Imperial nationalism as the driver behind Russia's invasion of Ukraine," *Nations and Nationalism*, Vol. 29, No. 1 (2022): 36.

⁵⁹ Kuzio, "Imperial Nationalism," 36.

⁶⁰ Kuzio, "Imperial Nationalism," 36.

according to Kuzio.⁶¹ What makes Kuzio's work especially interesting is that he takes a more historical approach and thus moves away from the international law perspective that is so dominant regarding Russian wars in the twenty-first century.

Historical and ethnic arguments are common in explaining why the conflict broke out, but Christoph Mick largely dismisses these arguments.⁶² According to him, there is no ethnic conflict, but only the imperialist aspirations of the Russian government.⁶³ What is striking about Mick's statements is that he portrays the Russian people as misguided victims of Putin's lies.⁶⁴ This goes against Mamonova's research, where she argued that Putin still enjoys broad support among the rural Russian population and that they are by no means naïve victims.⁶⁵ Whether this is correct will become clear later, but Mick's argument is as follows: This is a war engineered by the Russian oligarchy with the ultimate goal of hegemony over Eastern Europe.⁶⁶ This is not necessarily a break with older historical works that attempt to explain Russian wars. Take Poe and Lohr's article in which they conclude that Russia has been desperate for means to defend their borders since 1500.⁶⁷ In that sense, this still ties in with Mick's more recent work, which also concludes that this is still the Russian oligarchy trying to secure Russia's future through imperialism.⁶⁸ Ethnic and historical arguments are put forward, but this is just a farce according to Mick.⁶⁹

It may be true that historical arguments are just a farce, but that they are widely used in Putin's Russia can't be denied. The book that Pearce published in 2020 made that all too clear.⁷⁰ Pearce tried to explain in his book how the Russian state tries to formulate a narrative as the natural heirs of the Kyivan Rus, Imperial Russia and the USSR.⁷¹ Pearce describes Russian history less as a constant search for military security, like Poe and Lohr, and more as a search for legitimacy.⁷² History is always subjective according to Pearce, but what makes the use of history unique in Russia is its use to achieve political legitimacy.⁷³ In practice, this

⁶¹ Kuzio, "Imperial Nationalism," 36.

⁶² Christoph Mick, "The Fight for the past: Contested Heritage and the Russian Invasion of Ukraine," *The Historic Environment: Policy & Practice*, Vol. 14, No.1 (2023): 135-153, <https://doi.org/10.1080/17567505.2023.2205703>.

⁶³ Mick, "The Fight for the Past," 147-148.

⁶⁴ Mick, "The Fight for the Past," 148.

⁶⁵ Natalia Mamonova, "Understanding the silent majority in authoritarian populism: What can we learn from popular support for Putin in rural Russia," *Critical Agrarian Studies* 46.3 (2019): 220-221.

⁶⁶ Mick, "The Fight for the Past," 148.

⁶⁷ Poe and Lohr, "Introduction: The Role of War," 5.

⁶⁸ Mick, "The Fight for the Past," 148.

⁶⁹ Mick, "The Fight for the Past," 147-148.

⁷⁰ James C. Pearce, *The Use of History in Putin's Russia* (Wilmington: Vernon Press, 2020).

⁷¹ Pearce, *The Use of History*, 18.

⁷² Pearce, *The Use of History*, 19-20.

⁷³ Pearce, *The Use of History*, 19-20.

means that there is a search for continuity in Russian historiography, which, according to Pearce, manifests itself in a renewed interest in the Cossacks and the like.⁷⁴ Pearce does not dare to go so far as to say that this way of writing historiography is directly responsible for Russian hostility towards the West, but he does seem to be moving in that direction in his argument.

What can ultimately be concluded from the historiography is that each Russian armed conflict differed greatly in scale and nature and therefore also the justification for it. The Chechen Wars were strongly separatist. Although Russia was within its rights to maintain its territorial integrity, the armed response was so fierce that many doubted its justice, which is what most researchers concluded using just war theory. The invasion of Georgia was a kind of template for how Russia would justify the invasion of Crimea and later Ukraine. Natoli's alleged abuse of nationality can be seen as a turning point in historiography because Russia has repeatedly used it to legitimize the invasion of Ukraine.⁷⁵ The difference in approach to research into the Crimean annexation is striking. While other wars such as the Ukraine war were studied using concepts such as irredentism or imperialism, the Crimean annexation was approached almost exclusively from the perspective of international law. This may be due to the relatively non-violent takeover and the use of a referendum, which placed the focus on legal aspects rather than on historical precedent for taking over a country.

A final point is the absence of just war theory in the study of more recent Russian wars. While the theory was still very popular when studying the Chechen wars, it is almost impossible to find research into more recent Russian conflicts, like the war in Georgia. This is where this thesis aims to position itself, namely applying just war theory to all Russian conflicts of the twenty-first century to realize a comparative study. This gives this work its uniqueness in a sense, the methodology. Indeed, there is no shortage of literature regarding recent Russian wars and the legitimacy they question. However, this work mainly attempts to respond to the absence of research into the Russian use of just war theory in justifying for example the war in Georgia. After all, there are strong parallels with the invasion of Georgia, where Russia claimed to protect Russian citizens.⁷⁶ This thesis hopes to take a similar position as Natoli did in 2010.

⁷⁴ Pearce, *The Use of History*, 25.

⁷⁵ Kristopher Natoli, "Weaponizing Nationality: An Analysis of Russia's Passport Policy in Georgia," *Boston University International Law Journal* 28, no. 2 (2010): 389-418.

⁷⁶ Natoli, "Weaponizing Nationality," 391-392.

2.5 Sources and Criticism

The Kremlin's speeches will be used as the primary sources. Numerous speeches have been given in recent years by Vladimir Putin, Dmitry Medvedev and Boris Yeltsin. It is therefore desirable to make a selection of the most relevant speeches. The speeches that enjoy a high degree of relevance are those given on the eve of the invasion in question. In the case of the chosen case studies, this concerns the following speeches: The speech on March 10, 2000, by Vladimir Putin,⁷⁷ the speech on August 8, 2008, by Dmitry Medvedev⁷⁸ and the speech of February 24, 2022, by Vladimir Putin.⁷⁹ This is not to say that the other speeches are irrelevant, but these three speeches were delivered on the eve of the conflict and are to be regarded as the justifications for the military intervention in question. The Kremlin has published all speeches by Russian officials since the year 2000, at least those that are allowed to be made public.⁸⁰ This has both advantages and disadvantages. On the one hand, no manual translations need to be made into English, since the Kremlin itself publishes the speeches in English on their site. This does not alter the fact that misunderstandings can still occur since Russian cannot always be translated one-to-one into English. Since the speeches are public and have been studied worldwide, especially Putin's in 2022, these possible translation errors can be considered negligible.

A second point that may be problematic is the differences in target group and author. Putin's 2022 speech is addressed to the entire Russian nation, but the one of March 10, 2000, is addressed to the CIS interior ministers council.⁸¹ This is because no public statement was made at the start of the Second Chechen War, making this speech the only one to work with. Then there is the fact that the speech was given in 2008 by Medvedev and not Putin. This is not necessarily problematic since the investigation is into Russian war justification in general and not Putin himself. The advantage of studying speeches is that subjectivity does not invalidate the source. Speeches are often not written themselves and are riddled with subjectivity. This is not problematic because research is being conducted into the possible

⁷⁷ "Acting president and prime minister Vladimir Putin addressed an extraordinary meeting of the Council of Interior Ministers of the Commonwealth of Independent States," Events President of Russia, Kremlin.ru, accessed 12-01-2024, <http://en.kremlin.ru/events/president/news/38855>.

⁷⁸ "Dmitry Medvedev made a statement on the situation in South Ossetia, August 8, 2008," Events President of Russia, Kremlin.ru, accessed 12-01-2024, <http://en.kremlin.ru/events/president/news/1043>.

⁷⁹ "Address by the president of the Russian Federation," Events President of Russia, Kremlin.ru, accessed 12-01-2024, <http://en.kremlin.ru/events/president/news/67843>.

⁸⁰ "President," Events President of Russia, Kremlin.ru, accessed 12-01-2024, <http://en.kremlin.ru/events/president/news/by-date/24.02.2022>.

⁸¹ Kremlin.ru, "Dmitry Medvedev."

propaganda that Russia uses to justify its military interventions. All of this makes speeches extremely relevant for a comparative case study in this case.

2.6 Conclusion

This chapter has provided an analysis of the theoretical framework, methodology, and sources used in this research. The comparative case study method, as outlined by Lijphart, is the most useful approach for comparing Russian interventions in the twenty-first century and will therefore be employed in this study. Given that only two individuals have served as President of the Russian Federation since the year 2000, and the focus is solely on speeches and interviews, this study is well-suited for a comparative case study. Just war theory offers a lens through which the legitimacy of Russian military interventions can be examined. By comparing these so-called war justifications, it is possible to identify a trend showing how Russian war justifications have evolved since the Second Chechen War.

The historiography reveals that Russian war justifications are imbued with political and military arguments, as well as historical elements and territorial claims. The selected primary sources provide valuable insights into how Russian war justifications are formulated. Since these are translated into English by the Russian parliament, it is relatively easy to access the selected speeches and interviews. However, it is important to keep the potential limitations of the primary sources in mind. Translation errors are possible, and the speeches and interviews, in particular, are inherently subjective. Nevertheless, these limitations are manageable because the study does not aim to examine the objectivity of Russian speeches, but rather how Russian presidents attempt to justify their military actions.

The historiography also reveals a significant gap in the application of just war theory to the cases of Georgia and the annexation of Crimea. This complicates the linkage of secondary literature to these cases but also provides this research with an opportunity to contribute to the historiography. By applying just war theory to these cases, this thesis is the first study to do so. Just war theory remains a popular framework for studying war justifications in both historical and legal fields. Applying this theory to multiple conflicts allows for a comprehensive analysis of modern Russian conflicts.

3. The Road from Chechnya to Ukraine

3.1 Introduction

The invasion of Ukraine on February 24, 2022, marked the ultimate escalation of tensions between Russia and its former satellite state. For those who have studied modern Russian military history, the invasion of Ukraine appears to be just one of many Russian military interventions over the past twenty-five years. This chapter will investigate whether there is continuity in how conflicts between 1999 and 2022 are justified by the Kremlin. Additionally, an attempt will be made to distinguish different types of justifications for war. Firstly, the Second Chechen War will be examined, followed by the invasion of Georgia, and finally, the Ukraine conflict, which will be divided into the annexation of Crimea and the invasion of Ukraine itself. Initially, the just cause criterion of just war theory will be applied in this chapter. Although this is only one component of just war theory, it is crucial for identifying trends in war justifications in speeches. The focus of speeches by Russian presidents is primarily on this component, making it the most significant for identifying a trend. Chapter Four will then examine both the just cause component and the other components using the just war theory framework. Additionally, Chapter Four will provide a deeper exploration of just war theory in general. Therefore, the aim of Chapter Three is limited to justifying military intervention according to the just cause criterion. The just cause criterion determines whether a war is just or not. Innocent lives must be at risk, due to events such as genocide or other extreme forms of discrimination.⁸²

3.2 The Second Chechen War and Putin's Rise to Power

To begin with, the Second Chechen War lacked a public declaration or justification for several reasons. Firstly, the conflict started almost simultaneously with Putin's presidency and was a continuation of the previous First Chechen War.⁸³ Therefore, no public statement was made by the president himself prior to the military operations. The first speech that can be found from Putin himself is his address on May 8, 2001, addressed to both World War II veterans and

⁸² JT. Johnson, "Just war Theory: what's the Use?" *Worldview*, 19(7) (1976): 43.

⁸³ Bruno Coppieters, "Secession and war: a moral analysis of the Russian–Chechen conflict," 1, *Central Asian Survey*, 22:4 (2003): 378, DOI: 10.1080/0263493042000202607.

veterans of the Chechen war.⁸⁴ What stands out in this speech is Putin's emphasis on historical parallels between World War II and the Second Chechen War. He emphasizes that the Russian people heroically resisted in their hour of need now as in 1945, Russia secured a place on the world stage as a great power.⁸⁵ This heroism is also displayed by the military in the Chechen conflict, according to Putin.⁸⁶ The second notable aspect of the speech is the choice to label the Chechen fighters as terrorists. While the Chechens were indeed separatists, Putin deliberately chose to brand them as terrorists.⁸⁷

In the years following the war, much debate ensued about the reasons for portraying the Chechens as terrorists. Coppieters was one of the first to write about the Chechen conflict. Although he primarily focused on the legitimacy of the Chechen quest for independence, he did note that Putin's military actions made him immensely popular among the Russian people.⁸⁸ Other researchers placed more emphasis on the deliberate framing of the conflict as anti-terror operations, including Baev. Baev acknowledged that there was a legitimate claim to label the Chechen separatists as terrorists, as attacks were indeed carried out on Russian civilians.⁸⁹ However, Baev emphasized that this suited Putin well because it allowed him to frame the conflict as part of the global war on terror.⁹⁰ While Putin did indeed continue to use the label "terrorists" against the Chechens, Baev's claim is not entirely accurate. Baev asserts that Putin deliberately framed the Chechens as terrorists because of the American invasion of Iraq.⁹¹ However, as evidenced by the May 2001 speech, the Chechens were already being labelled as terrorists.⁹² The Iraq war didn't start until March 2003, nearly two years later. This doesn't make Baev's claim entirely incorrect, but it does show that framing them as terrorists prior to the Iraq war was already happening.

Now, the May 8, 2001 speech is just one speech, but Putin repeatedly refers to the role Russia plays in the global fight against modern terrorism. On December 20, 2001, Putin again gave a speech, this time addressed to the security services, in which he again emphasised that

⁸⁴"Address by President of the Russian Federation, May 8, 2001," The Kremlin, accessed March 19, 2024, <http://www.en.kremlin.ru/events/president/transcripts/21231>.

⁸⁵ The Kremlin, "Address by President, May 8, 2001."

⁸⁶ The Kremlin, "Address by President, May 8, 2001."

⁸⁷ The Kremlin, "Address by President, May 8, 2001."

⁸⁸ Coppieters, "Secession and war," 391.

⁸⁹ Pavel Baev, "Examining the 'terrorism-war' dichotomy in the 'Russia-Chechnya' case," *Contemporary Security Policy* 24.2 (2003): 31.

⁹⁰ Baev, "Examining the 'terrorism-war,'" 41.

⁹¹ Baev, "Examining the 'terrorism-war,'" 40.

⁹² "Address by President of the Russian Federation, May 8, 2001," The Kremlin, accessed March 19, 2024, <http://www.en.kremlin.ru/events/president/transcripts/21231>.

Russia is in a fight against modern terrorism.⁹³ Putin does not directly refer to the Chechen independence fighters, but it is clear that he means them by modern terrorism. Putin also refers to the role Russia plays in the war on terror.⁹⁴ This again emphasizes Baev's point that Putin is trying to frame the conflict as part of the war on terror.⁹⁵ The attacks of 9/11 had just occurred when he gave this speech, which may indicate that he is trying to align himself with the U.S. in its fight against international terrorism. Years later, on May 7, 2004, Putin again mentioned that he and Russia as a whole seemed to be on the brink of the abyss in their fight against international terrorism.⁹⁶ As described in this work, this is not the first time he has tried to frame the Chechen war as a fight against terrorists.

However, we also see the return of another element that can be recognized as a common thread throughout all of Putin's speeches, namely the romanticization of a glorious past. In both the May 8, 2001 and May 9, 2004 speeches, Putin praises the veterans who shed their blood in the fight against the Nazis.⁹⁷ This is not surprising in itself for a speech on the commemoration day of World War II, but in both speeches, the historical event is linked to the contemporary struggle that the Russian people are facing, namely that against international terrorism.⁹⁸ What is particularly important for the legitimization of both Putin's regime and the war in Chechnya is the use of recent history. In his speech, Putin emphasizes the crisis Russia faced when he came to power.⁹⁹ Although Russia was indeed highly unstable during this period, he does not mention the name of Boris Yeltsin.

This has been a deliberate choice according to Olga Malinova. According to her, criticizing a predecessor is a common way to legitimize oneself for the role of president.¹⁰⁰ However, Putin was appointed by Yeltsin to succeed him, which put him in a difficult position.¹⁰¹ Putin then chose to focus on the economic and political instability without holding Yeltsin responsible for it. A similar pattern can be seen in the Second Chechen War, according to her.¹⁰² Putin almost completely avoided mentioning the First Chechen War in his speeches

⁹³ "Speech by President of the Russian Federation, December 20, 2001," The Kremlin, accessed March 19, 2024, <http://www.en.kremlin.ru/events/president/transcripts/21455>.

⁹⁴ The Kremlin, "Speech by the President."

⁹⁵ Baev, "Examining the 'terrorism-war,'" 41.

⁹⁶ "Remarks by President of the Russian Federation, May 7, 2004," The Kremlin, accessed March 19, 2024, <http://www.en.kremlin.ru/events/president/transcripts/22452>.

⁹⁷ "Speech by President of the Russian Federation May 9, 2004," The Kremlin, accessed March 19, 2024, <http://www.en.kremlin.ru/events/president/transcripts/22453>.

⁹⁸ The Kremlin, "Speech by the President, May 9, 2004."

⁹⁹ The Kremlin, "Speech by the President, May 9, 2004."

¹⁰⁰ Olga Malinova, "Framing the Collective Memory of the 1990s as a Legitimation Tool for Putin's Regime," *Problems of Post-Communism* 68, no. 5 (2021): 4-5, <https://doi.org/10.1080/10758216.2020.1752732>.

¹⁰¹ Malinova, "Framing the Collective Memory," 4-5.

¹⁰² Malinova, "Framing the Collective Memory," 4-5.

but emphasized that the Chechen population had been left to terrorists.¹⁰³ This allowed Putin to avoid holding Yeltsin responsible for the failure to reintegrate Chechnya into the Russian Federation. Additionally, the terrorism narrative meant that Putin did not have to acknowledge the Chechens as separatists, which would have raised the difficult issue of national self-determination.¹⁰⁴ Malinova claims that, although Putin actively tried to avoid his predecessor in justifying the Second Chechen War, his policy would ultimately be seen as correcting Yeltsin's mistakes.¹⁰⁵ The justification for the war in Chechnya is thus multidimensional. On the one hand, historical trauma, such as World War II, is actively used as an example of the struggle the Russian people faced with their enemies.¹⁰⁶

On the other hand, recent history, namely the image of Russia in crisis, is actively used.¹⁰⁷ The war in Chechnya has consciously or unconsciously created an image of Putin as a saviour who prevented the disintegration of the Russian Federation. However, the most frequent and persistent aspect of Putin's speeches is terrorism. Virtually every speech, whether directed at veterans or the Russian people in general, mentions the fight against international terrorism. Despite Baev correctly analysing that the framing of the conflict as anti-terror operations began simultaneously with the American War on Terror, primary source analysis reveals that this began earlier than the invasion of Iraq, as Baev claims.¹⁰⁸ The argument Malinova raises, namely that Putin consciously distances himself from Yeltsin without explicitly stating it, holds up better.¹⁰⁹ In virtually none of Putin's speeches during the Second Chechen War is the previous First Chechen War mentioned. Additionally, his predecessor is almost entirely absent from his speeches, which Malinova explains from the position Putin was in during the period 2000-2004.¹¹⁰ Putin was not elected but was appointed by Yeltsin. A complete distancing from Yeltsin's policies was therefore not possible, so Putin had to legitimize himself in a different way.¹¹¹ This legitimation of his power would be his fight against terrorism, particularly Chechen terrorism.

When linking the justification for the military intervention in Chechnya to the just cause criteria, separatism and terrorism particularly fulfil the just cause here. The speeches

¹⁰³ Malinova, "Framing the Collective Memory," 7-8.

¹⁰⁴ Malinova, "Framing the Collective Memory," 8.

¹⁰⁵ Malinova, "Framing the Collective Memory," 7-8.

¹⁰⁶ "Speech by President of the Russian Federation May 9, 2004," The Kremlin, accessed March 19, 2024, <http://www.en.kremlin.ru/events/president/transcripts/22453>.

¹⁰⁷ "Remarks by President of the Russian Federation, May 7, 2004," The Kremlin, accessed March 19, 2024, <http://www.en.kremlin.ru/events/president/transcripts/22452>.

¹⁰⁸ Baev, "Examining the 'terrorism-war,'" 40.

¹⁰⁹ Malinova, "Framing the Collective Memory," 4-5.

¹¹⁰ Malinova, "Framing the Collective Memory," 4-5.

¹¹¹ Malinova, "Framing the Collective Memory," 4-5.

analysed for this conflict show that, in addition to historical references, Chechen terrorism is used as the main justification. Therefore, terrorism and separatism form the just cause of this conflict. There is a certain argument to be made that terrorism constitutes a just cause, as Russian citizens were indeed endangered by these terrorists. A further examination will follow in Chapter Four, but the focus of the just cause criterion during the Second Chechen War is primarily on protecting Russians from Chechen terrorists.

3.3 Exploring Medvedev's Template for Intervention in Georgia

The war in Georgia has relatively few similarities with the war in Chechnya because extensive use was made of Russian nationality as a justification for military intervention. While Medvedev was often portrayed as Putin's puppet, he inadvertently or deliberately created a template for future conflicts with his justification for war. Specifically, Medvedev claimed that he wanted to protect Russian citizens in South Ossetia. Whether this claim was true or not, Medvedev extensively utilized it. He emphasized in his speech on August 8, 2008, that Russia is fully within its rights to protect the Russian majority in South Ossetia according to the Russian constitution.¹¹² Furthermore, a historical argument can be found in the speech, namely that Russia guarantees the safety and stability of the Caucasus because it has held this position for hundreds of years.¹¹³

Protecting Russian citizens combined with the historical argument that the Caucasus belongs to the Russian sphere of influence are the two pillars upon which Medvedev justifies his intervention. Medvedev emphasizes multiple times in his address to the Russian parliament that Georgia committed an act of aggression towards the population of South Ossetia.¹¹⁴ According to Medvedev, this population consists largely of ethnic Russians.¹¹⁵ Additionally, Medvedev claims that Georgia's attack violates international law because there was no option for evacuating refugees.¹¹⁶ His historical justification goes even further in this speech. Firstly, he literally repeats what he said in his speech on August 8, namely that Russia has the historical duty to guarantee the safety of the Caucasus.¹¹⁷ Then comes a historical justification that refers back to World War II. According to Medvedev, military intervention is

¹¹² "Statement on the Situation in South Ossetia, August 8, 2008," The Kremlin, accessed March 24, 2024, <http://www.en.kremlin.ru/events/president/transcripts/1042>.

¹¹³ The Kremlin, "Statement on the Situation in South Ossetia, August 8, 2008."

¹¹⁴ The Kremlin, "Statement on the Situation in South Ossetia, August 8, 2008."

¹¹⁵ The Kremlin, "Statement on the Situation in South Ossetia, August 8, 2008."

¹¹⁶ "Opening Remarks at a Meeting with the leaders of parties represented in Russian Parliament, August 11, 2008," The Kremlin, accessed March 24, 2024, <http://www.en.kremlin.ru/events/president/transcripts/1067>.

¹¹⁷ The Kremlin, "Opening Remarks at a Meeting with the leaders of parties, August 11, 2008."

the only option because historically, appeasing aggressors has been utterly useless.¹¹⁸ He stated:

I remind you that history has seen numerous examples of attempts to appease aggressors. This was something the Western countries tried 70 years ago, and we know what tragedy this ended in. I am thinking above all of the lessons of the 1938 Munich Agreement. (Medvedev, when addressing leaders of the Russian political parties, August 11, 2008)¹¹⁹

The constant reference to World War II is something that was already evident in Putin's speeches during the Second Chechen War. The temptation is therefore great to conclude that Medvedev is a mouthpiece for Vladimir Putin. While some valid arguments can be made for this, we do not sufficiently take into account the Russian perspective. World War II is such a deeply ingrained historical trauma for the Russian nation that virtually every Russian could make the same comparison.¹²⁰ It is therefore not surprising that events in World War II are cited in a war justification by the Russian president, even if it is not Vladimir Putin.

Now, using the protection of own citizens as a justification for war is not exactly a new phenomenon, but the deliberate distribution of Russian passports to then claim that ethnic Russians are being defended is relatively new. Natoli researched the so-called weaponization of nationality by the Russians and concluded that the international community was asking the wrong question about the invasion.¹²¹ Russia was not condemned for distributing Russian passports just before the invasion began, but rather for the proportionality of military intervention.¹²² In a sense, Medvedev was still successful in convincing at least some world leaders of the legitimacy of his actions, according to Natoli.¹²³

Choosing nationality as the primary justification is also not coincidental, according to him. The right to defend a citizen of the nation is one of the most internationally recognized reasons to use violence.¹²⁴ However, granting citizenship to individuals who don't even have to leave their place of residence to obtain Russian citizenship strongly tends towards abuse of international law. Natoli concludes his article by stating that Russia deliberately eased its passport policy for former Soviet citizens to justify an invasion in advance, and warns of a

¹¹⁸ The Kremlin, "Opening Remarks at a Meeting with the leaders of parties, August 11, 2008."

¹¹⁹ The Kremlin, "Opening Remarks at a Meeting with the leaders of parties, August 11, 2008."

¹²⁰ Félix Krawatzek, and Nina Frieß, "A Foundation for Russia? Memories of World War II for Young Russians," *Nationalities Papers* 51, no. 6 (2023): 1347 & 1350-1351, <https://doi.org/10.1017/nps.2022.12>.

¹²¹ Kristopher Natoli, "Weaponizing Nationality: An Analysis of Russia's Passport Policy in Georgia," *Boston University International Law Journal* 28, no. 2 (2010): 389-390.

¹²² Natoli, "Weaponizing Nationality," 389-390.

¹²³ Natoli, "Weaponizing Nationality," 390-391.

¹²⁴ Natoli, "Weaponizing Nationality," 391-392.

repetition in Ukraine and Moldova, where a similar process was underway.¹²⁵ Although Medvedev's speeches cannot confirm whether the claim that passports were deliberately distributed is true, they do show that the invasion was largely based on this. Medvedev repeats in both his speeches on August 8 and August 11 that the population in South Ossetia is mostly Russian, which according to Natoli is correct, as eighty per cent of the population possess a recently obtained Russian passport.¹²⁶

The other pillar upon which Medvedev's justification for war rests is the historical duty to guarantee the safety of the Caucasus.¹²⁷ The primary source analysis showed that this historical argument is present in both speeches, but Karagiannis isn't convinced that it is historical. Karagiannis studied the conflict from an offensive realist perspective and concluded that the invasion was mainly motivated by the fear of losing local hegemony in the Caucasus.¹²⁸ According to Karagiannis, the USA attempted to balance Russia's influence in the region, which ultimately prompted Russia to intervene militarily.¹²⁹ Karagiannis also emphasizes that the Georgian-Ossetian conflict is deliberately perpetuated by Russia to sabotage Georgia's accession to NATO.¹³⁰ With this information in mind, the decision to invade Georgia seems logical from a Russian perspective. Russia evidently believes that the Caucasus still belongs to its sphere of influence, something that Medvedev repeatedly mentions in his speech.¹³¹ This sphere of influence is crucial regarding the war between Russia and Georgia. Indeed, everything seems to indicate that Russia deliberately distributed passports to justify a potential conflict.

Why did this happen specifically in Georgia and not in other former Soviet Union members? Ambrosio and Vandrovec researched the geopolitical situation in which Russia found itself under both Putin and Medvedev and concluded that above all, Russia wanted to reclaim its place in the sun.¹³² According to them, Russia attempted to integrate itself into the Western bloc, but NATO enlargement caused much distrust between both parties.¹³³ The

¹²⁵ Natoli, "Weaponizing Nationality," 416-417.

¹²⁶ Natoli, "Weaponizing Nationality," 391.

¹²⁷ The Kremlin, "Opening Remarks at a Meeting with the leaders of parties." & The Kremlin, "Statement on the Situation in South Ossetia."

¹²⁸ Emmanuel Karagiannis, "The 2008 Russian-Georgian war via the lens of Offensive Realism," *European Security*, Vol. 22, No. 1 (2013): 74-75, <https://dx.doi.org/10.1080/09662839.2012.698265>.

¹²⁹ Karagiannis, "The 2008 Russian-Georgian war," 75.

¹³⁰ Karagiannis, "The 2008 Russian-Georgian war," 89.

¹³¹ "Opening Remarks at a Meeting with the leaders of parties represented in Russian Parliament, August 11, 2008," The Kremlin, accessed March 24, 2024, <http://www.en.kremlin.ru/events/president/transcripts/1067>.

¹³² Thomas Ambrosio and Geoffrey Vandrovec, "Mapping the Geopolitics of the Russian Federation: The Federal Assembly Addresses of Putin and Medvedev," Vol. 18 *Geopolitics* (2013): 461-462, doi: 10.1080/14650045.2012.717554.

¹³³ Ambrosio and Vandrovec, "Mapping the Geopolitics of the Russian Federation," 454.

possible accession of Georgia was the last straw for Russia since Georgia's accession would mean that NATO would have allies in the old Soviet bloc.¹³⁴ The reason nationality played a significant role in justifying the invasion can also be explained by the research of Ambrosio and Vandrovec. They write that Russia was in an existential crisis after the fall of the Soviet Union and needed to find a new identity.¹³⁵ In the early 2000s, as integration into the Western world became increasingly difficult, the country returned to the former communist bloc.¹³⁶ Ambrosio and Vandrovec do not go so far as to say that Russia is trying to reconquer its former empire but rather seeks to balance American hegemony.¹³⁷ The possible accession of Georgia was unacceptable since it was seen as a country within the Russian sphere of influence.¹³⁸ Both authors conclude from their speech analysis that both Putin and Medvedev primarily emphasize that Russia deserves its great power status.¹³⁹ What can be gleaned from this is that both the historical justification and the abuse of Russian citizenship are merely means for Medvedev in this case to reclaim Russia's place as a great power on the world stage.

The main just cause provided by Medvedev is the protection of Russian citizens in South Ossetia. Again, we see that the primary pillar of the just cause criterion rests on the protection of one's population. The just cause criterion stipulates that there must be serious human rights violations. The analysis shows that Medvedev indeed claims in his speeches that the Georgian army is deliberately targeting Russian citizens. The nature of the conflict creates several differences from the Second Chechen War. The conflict in Chechnya focused strongly on protecting Russian citizens within Russia itself. Medvedev's just cause in his speech primarily rested on protecting ethnic Russians abroad. The trend that can be identified between the Chechen War and the war in Georgia is therefore the protection of Russian citizens, albeit in a different context. Historical arguments are once again brought forward, but the core of the justification rests on nationality.

¹³⁴ Ambrosio and Vandrovec, "Mapping the Geopolitics of the Russian Federation," 461.

¹³⁵ Ambrosio and Vandrovec, "Mapping the Geopolitics of the Russian Federation," 460-461.

¹³⁶ Ambrosio and Vandrovec, "Mapping the Geopolitics of the Russian Federation," 460-461.

¹³⁷ Ambrosio and Vandrovec, "Mapping the Geopolitics of the Russian Federation," 462.

¹³⁸ Ambrosio and Vandrovec, "Mapping the Geopolitics of the Russian Federation," 461.

¹³⁹ Ambrosio and Vandrovec, "Mapping the Geopolitics of the Russian Federation," 461-462.

3.4 "Building upon Medvedev's Passport Strategy: The Crimean Case"

On the 18th of March 2014, Vladimir Putin delivered a speech welcoming Crimea officially into the Russian Federation following an overwhelming majority vote in favour of annexation by Russia.¹⁴⁰ The annexation of Crimea occurred weeks after a revolution broke out in Ukraine, known as the Maidan or Revolution of Dignity. While the annexation may seem like opportunism from the Russian side, the situation is more complex. Putin had been justifying Russian military intervention in Crimea weeks before the annexation began. His reluctance toward a Russian military takeover was noticeable.¹⁴¹ Alongside discussions of military options, several elements reappeared, reminiscent of Medvedev's justification for the Georgian War, including emphasis on ethnic Russian minorities and historical factors.¹⁴² The question remains as to which elements represent a continuation of the trend initiated in Chechnya by Putin himself and which constitute a break from previous justifications for war.

The first statement Putin gave to the press was on March 4, 2014, in an interview specifically organized to address questions about the revolution in Ukraine.¹⁴³ He emphasized the illegitimacy of the takeover, stating that according to Ukrainian and international law, Yanukovich was the only legitimate president.¹⁴⁴ He also acknowledged the Ukrainian people's discontent and frustration due to decades of corruption and exploitation.¹⁴⁵ When asked by the Russian press about the possibility of Russian military intervention, Putin emphasized that military action would be a last resort but did not dismiss the possibility. He claimed the right to deploy Russian troops, asserting that Yanukovich had requested military assistance to halt the revolution.¹⁴⁶ Additionally, Putin warned of fascist violence in Kyiv and stated his readiness to intervene if nationalists reached the Russian-speaking east of Ukraine.¹⁴⁷ Finally, when asked if Russian soldiers were spotted in Crimea, he denied it entirely, rejecting the idea of Crimea being annexed by Russia unless decided by its population.¹⁴⁸

¹⁴⁰ "Address by President of the Russian Federation, March 18, 2014," The Kremlin, accessed March 27, 2024, <http://www.en.kremlin.ru/events/president/transcripts/20603>.

¹⁴¹ "Vladimir Putin answered journalists' questions on the situation in Ukraine, March 4, 2014," The Kremlin, accessed March 27, 2024, <http://www.en.kremlin.ru/events/president/transcripts/20366>.

¹⁴² The Kremlin, "Vladimir Putin answered journalists' questions on the situation in Ukraine, March 4, 2014."

¹⁴³ The Kremlin, "Vladimir Putin answered journalists' questions on the situation in Ukraine, March 4, 2014."

¹⁴⁴ The Kremlin, "Vladimir Putin answered journalists' questions on the situation in Ukraine, March 4, 2014."

¹⁴⁵ The Kremlin, "Vladimir Putin answered journalists' questions on the situation in Ukraine, March 4, 2014."

¹⁴⁶ The Kremlin, "Vladimir Putin answered journalists' questions on the situation in Ukraine, March 4, 2014."

¹⁴⁷ The Kremlin, "Vladimir Putin answered journalists' questions on the situation in Ukraine, March 4, 2014."

¹⁴⁸ The Kremlin, "Vladimir Putin answered journalists' questions on the situation in Ukraine, March 4, 2014."

The speech on March 18 demonstrated that Crimea's population had overwhelmingly voted to be annexed by Russia.¹⁴⁹ Though the speech was lengthy, several elements were reiterated. Firstly, Putin spoke about the legal aspect, namely the overwhelming majority of Crimean residents voting for annexation by Russia.¹⁵⁰ He also mentioned the historical significance of Crimea to Russia and their long history together. Putin emphasized that handing Crimea to Ukraine during the Soviet era was a grave mistake.¹⁵¹ Distinguishing between the historical and legal elements in the speech is somewhat challenging as Putin consistently intermingles them in his justification for the annexation. He refers to the Ukrainians who seized power during the Maidan as nationalists, neo-Nazis, Russophobes, and antisemites.¹⁵²

Putin highlighted discriminatory language policies proposed by this group towards the Russian minority in Ukraine, asserting that these Ukrainian nationalists are ideological successors of Bandera, a Ukrainian Nazi collaborator.¹⁵³ Putin claimed that he did not violate any international treaties because he stationed no more than 25,000 troops in Crimea. He concluded the speech by criticizing the West's hypocrisy towards Russia, stating that the international response to the Crimea annexation perpetuates the containment policy that, according to Putin, began in the eighteenth century.¹⁵⁴ He specifically mentioned Germany in his speech, suggesting that Germans, in particular, should understand the importance of national unity, referring to the reunification of East and West Germany.¹⁵⁵

What trend can be identified between these two speeches and those of Medvedev in 2008? The main trend is nationality. Both Putin's and Medvedev's speeches justify their invasions by claiming to protect the Russian population in the area.¹⁵⁶ They both emphasize that both the region in Georgia and the Crimea peninsula have a Russian majority, justifying their actions under Russian law to defend them. A second element is the use of history in their justifications. Medvedev's speeches about Georgia mainly referenced World War II, which is also evident in Putin's speech on March 18, 2014.¹⁵⁷ The shared history between Russia and Crimea, particularly their military glory in World War II in places like Kerch and Malakhov, is

¹⁴⁹ The Kremlin, "Address by President of the Russian Federation, March 18, 2014."

¹⁵⁰ The Kremlin, "Address by President of the Russian Federation, March 18, 2014."

¹⁵¹ The Kremlin, "Address by President of the Russian Federation, March 18, 2014."

¹⁵² The Kremlin, "Address by President of the Russian Federation, March 18, 2014."

¹⁵³ The Kremlin, "Address by President of the Russian Federation, March 18, 2014."

¹⁵⁴ The Kremlin, "Address by President of the Russian Federation, March 18, 2014."

¹⁵⁵ The Kremlin, "Address by President of the Russian Federation, March 18, 2014."

¹⁵⁶ The Kremlin, "Address by President of the Russian Federation, March 18, 2014." & The Kremlin, "Opening Remarks at a Meeting with the leaders of parties, August 11, 2008."

¹⁵⁷ The Kremlin, "Address by President of the Russian Federation, March 18, 2014."

emphasized.¹⁵⁸ The difference between Putin's and Medvedev's speeches lies mainly in the emphasis on political illegitimacy. While Medvedev mentions that Georgians act irrationally and breach international treaties with their attack on South Ossetia, he does not go as far as Putin in his defamation campaign.¹⁵⁹ As the March 18 speech shows, Putin refers to the Ukrainian government as Nazis and antisemites, accusing them of an illegitimate seizure of power.¹⁶⁰ Putin does everything to undermine the legitimacy of the new Ukrainian government. His earlier speech on March 4th already showed signs of this by labelling Yanukovich as the only legitimate candidate, even though Putin sympathized somewhat with the Ukrainian people.¹⁶¹

The annexation of Crimea looks like a repetition of Medvedev's invasion of Georgia. It is correct that Putin uses almost the same justifications, namely the argument that Crimea consists mostly of ethnic Russians, a similar justification to that of Medvedev.¹⁶² However, the situation is different because Medvedev deliberately distributed Russian passports in Georgia.¹⁶³ It is difficult to determine with certainty if this also happened in

Crimea, but it is clear that Crimea already had a majority of ethnic Russians before the conflict, see figure 1. Burke-White acknowledges that the population of Crimea did indeed have the right to choose their future, so the referendum was not illegitimate. However, the population had only a few days to decide, depriving them of their fundamental right to debate the decision. This was one of the reasons the UN declared the referendum invalid.¹⁶⁴

Grant, on the other hand, focuses mainly on the humanitarian aspect of the

Nationality	Total number	percentage
Total	2,033,700	100%
Russians	1,483,300	73%
Ukrainians	309,000	15.2%
Crimean Tatars	243,400	12.0%
Belarusians	8,800	0.4%
Crimean Tatar Bulgarians	2,000	0.1%

Figure 1: National Composition of the Population of the Autonomous Republic of Crimea, "Results of the 2001 Census," Ukrainian Census 2001, accessed March 27, 2024,

¹⁵⁸ The Kremlin, "Address by President of the Russian Federation, March 18, 2014."

¹⁵⁹ The Kremlin, "Opening Remarks at a Meeting with the leaders of parties, August 11, 2008."

¹⁶⁰ The Kremlin, "Address by President of the Russian Federation, March 18, 2014."

¹⁶¹ The Kremlin, "Vladimir Putin answered journalists' questions on the situation in Ukraine, March 4, 2014."

¹⁶² "Statement on the Situation in South Ossetia, August 8, 2008," The Kremlin, accessed March 24, 2024, <http://www.en.kremlin.ru/events/president/transcripts/1042>.

¹⁶³ Kristopher Natoli, "Weaponizing Nationality: An Analysis of Russia's Passport Policy in Georgia," *Boston University International Law Journal* 28, no. 2 (2010): 389-390.

¹⁶⁴ William W. Burke-White, "Crimea and the International Legal Order," *Global Politics and Strategy*, Vol. 56, No. 4 (2014): 72.

Russian justification for annexation. According to him, Russia based its justification for annexation on the fact that there was a humanitarian crisis in Crimea.¹⁶⁵ The speeches on both March 4 and 18 show that Putin did indeed mention this several times as a reason for annexation.¹⁶⁶ According to Grant, this humanitarian crisis was not recognized by any other state. Furthermore, according to Grant, evidence is available that it was the minority group in Crimea, the Tatars, who were the victims of human rights abuses by the Russians.¹⁶⁷ Grant also addresses the historical arguments. By essentially conceding to a revisionist claim by Russia, the international order has legitimized this method of justification for war, with far-reaching consequences for border conflicts in the future.¹⁶⁸ Putin did not follow Medvedev's methodology in justifying annexation. Medvedev chose to distribute passports deliberately to claim that he was protecting Russian citizens.¹⁶⁹ In Putin's case, this was not necessary, indicating Russian opportunism. Ukraine was in the midst of a revolution and unable to defend itself, prompting Russia to seize the opportunity to annex Crimea. This does not negate other arguments but demonstrates regional power politics.

In this case, Putin presents a similar just cause as Medvedev did in 2008, namely the protection of ethnic Russians against a hostile government, in this instance, Ukraine. However, there is no direct trend from the war in Georgia because Putin focuses on a legitimate non-violent takeover. Indeed, in his speech on March 4 2014, he stated that he was not willing to use force.¹⁷⁰ It may appear that Putin was acting solely based on international law, but the just cause remains the same: protecting ethnic Russians. Putin emphasized in all the analysed speeches that gross human rights violations were occurring in Ukraine, justifying his actions to protect them. In this sense, there is still continuity with the other conflicts in terms of protecting ethnic Russians, even though this time it was done without violence.

¹⁶⁵ Thomas D. Grant, "Annexation of Crimea," *American journal of international law* 109.1 (2015): 94.

¹⁶⁶ The Kremlin, "Vladimir Putin answered journalists' questions on the situation in Ukraine, March 4, 2014."

¹⁶⁶ The Kremlin, "Address by President of the Russian Federation, March 18, 2014." & The Kremlin, "Vladimir Putin answered journalists' questions on the situation in Ukraine, March 4, 2014."

¹⁶⁷ Grant, "Annexation of Crimea," 94.

¹⁶⁸ Grant, "Annexation of Crimea," 94-95.

¹⁶⁹ Natoli, "Weaponizing Nationality," 389-390.

¹⁷⁰ The Kremlin, "Vladimir Putin answered journalists' questions on the situation in Ukraine, March 4, 2014."

3.5 "Going to War with the Nazis: Delving into Putin's Delegitimization of Ukraine"

The analysis of Putin's speeches before and after the annexation of Crimea revealed his concerted effort to undermine the legitimacy of the new Ukrainian government. Furthermore, during his press briefing on March 4, 2014, he warned that Russian troops would be deployed if Ukrainian nationalists posed a threat to ethnic Russians in eastern Ukraine.¹⁷¹ Few could have predicted that this threat would culminate in a full-scale invasion eight years later. On Thursday, February 24, Putin followed through on his words by launching an invasion to overthrow the so-called "Nazi" government and pacify Ukraine.¹⁷² The justification for his invasion seemingly mirrors that of the Crimea annexation in 2014. The question then arises as to the extent of their similarities and whether the invasion represents an ultimate escalation of tensions since 2014 or rather a standalone conflict.

One of the primary pillars underlying Putin's justification for the invasion on February 24 is the illegitimacy of the Ukrainian state.¹⁷³ On February 21, three days before the invasion itself, Putin addressed the Russian people regarding the origins of the Ukrainian state. This address resembled more of a history lesson, with Putin emphasizing that the idea of a Ukrainian nation is entirely a fabrication of Vladimir Lenin.¹⁷⁴ According to Putin, the population in present-day Ukraine referred to themselves as Russians until the seventeenth century.¹⁷⁵ The only reason a Ukrainian state was created was to counter separatism. The Bolsheviks were in crisis in 1922 and were determined to keep the Russian empire intact at all costs. Lenin thus made the catastrophic mistake of creating Ukraine to retain power.¹⁷⁶ Putin then describes how Russians in the Donbas region are victims of systematic discrimination and persecution by the ultranationalist Ukrainian government, whom he again labels as Nazis.¹⁷⁷

¹⁷¹ "Vladimir Putin answered journalists' questions on the situation in Ukraine, March 4, 2014," The Kremlin, accessed March 27, 2024, <http://www.en.kremlin.ru/events/president/transcripts/20366>.

¹⁷² "Address by the President of the Russian Federation, February 24, 2022," The Kremlin, accessed March 27, 2024, <http://www.en.kremlin.ru/events/president/transcripts/67843>.

¹⁷³ The Kremlin, "Address by the President of the Russian Federation, February 24, 2022."

¹⁷⁴ "Address by the President of the Russian Federation, February 21, 2022," The Kremlin, accessed March 27, 2024, <http://www.en.kremlin.ru/events/president/transcripts/67828>.

¹⁷⁵ The Kremlin, "Address by the President of the Russian Federation, February 21, 2022."

¹⁷⁶ The Kremlin, "Address by the President of the Russian Federation, February 21, 2022."

¹⁷⁷ The Kremlin, "Address by the President of the Russian Federation, February 21, 2022."

He stated:

We want those who seized and continue to hold power in Kyiv to immediately stop hostilities. Otherwise, the responsibility for the possible continuation of the bloodshed will lie entirely on the conscience of Ukraine's ruling regime. (Vladimir Putin in a national address to the Russian people, February 21, 2022)¹⁷⁸

In other words, he calls on Kyiv to immediately cease hostilities towards the eastern separatists or risk bloodshed.¹⁷⁹ With these words, Putin essentially issues an ultimatum to Ukraine.

Subsequently, Putin's speech on the morning of the invasion itself begins with a more recent justification, namely NATO's eastern expansion. Putin expresses concerns about the essentially unipolar world order of the US, which has increasingly cornered Russia.¹⁸⁰ Furthermore, historical parallels are drawn once again with World War II. According to Putin, the USSR did everything to maintain peace in Europe until it was too late and had to accept the consequences in 1941.¹⁸¹ Putin indicates that he does not intend to let it happen a second time, implying that NATO will eventually attack Russia if it does not act.¹⁸² He also accuses the Ukrainian government of genocide against Russians in the Donbas, once again branding them as Nazis.¹⁸³ Finally, Putin draws parallels with earlier wars since the twenty-first century and emphasizes that all these wars were aimed at protecting the Russian people. The war in Chechnya, according to him, was meant to protect the Russian people from terrorism, while Georgia and Ukraine were intended to defend ethnic Russians against their oppressive government.¹⁸⁴ In essence, Putin portrays himself as the protector of all Russians, justifying military intervention.

The analysis reveals that almost all elements from previous conflicts can be found in the justifications for the invasion of Ukraine. Putin himself mentions in his speech the role he played in combating global terrorism as a key ally of the US, referring to the Chechen war.¹⁸⁵ Furthermore, the element that he is only protecting ethnic Russians is something Medvedev often cited in justifying the invasion of Georgia.¹⁸⁶ He also mentions Crimea several times in

¹⁷⁸ The Kremlin, "Address by the President of the Russian Federation, February 21, 2022."

¹⁷⁹ The Kremlin, "Address by the President of the Russian Federation, February 21, 2022."

¹⁸⁰ The Kremlin, "Address by the President of the Russian Federation, February 24, 2022."

¹⁸¹ The Kremlin, "Address by the President of the Russian Federation, February 24, 2022."

¹⁸² The Kremlin, "Address by the President of the Russian Federation, February 24, 2022."

¹⁸³ The Kremlin, "Address by the President of the Russian Federation, February 24, 2022."

¹⁸⁴ The Kremlin, "Address by the President of the Russian Federation, February 24, 2022."

¹⁸⁵ The Kremlin, "Address by the President of the Russian Federation, February 24, 2022."

¹⁸⁶ "Opening Remarks at a Meeting with the leaders of parties represented in Russian Parliament, August 11, 2008," The Kremlin, accessed March 24, 2024, <http://www.en.kremlin.ru/events/president/transcripts/1067>.

his speech to show that he only wants to defend Russians from extremists in the Ukrainian government, a reasoning he used in 2014.¹⁸⁷ What is striking is the relative absence of strong historical arguments in his speech on February 24. It may partly be because he extensively addressed this aspect in his speech on February 21.¹⁸⁸ Putin begins his speech on the 24 with a more geopolitical explanation, essentially stating that NATO's eastward advance is responsible for the invasion.¹⁸⁹ This strongly resembles the conclusion from the work of Ambrosio and Vandrovec, wherein they argue that above all, Russia wants to reclaim its place in the sun.¹⁹⁰ As the war continues, more attention will be paid to the historical reasoning, but that will be discussed in more detail in Chapter Three.

The analysis of Putin's speeches before and after the annexation of Crimea demonstrates a wide range of justifications presented for the invasion of Ukraine, which is also reflected in academic debate. According to Kumankov, the justification for the invasion primarily rests on historical arguments rather than political rivalry.¹⁹¹ He argues that the war is primarily depicted as a struggle between the norms and values of Russia versus those of the decadent West.¹⁹² Moreover, images of World War II are used to create a narrative that once again portrays Russia in an existential struggle as in 1941.¹⁹³ This portrayal partly explains why the support of the Russian population for the war remains high, according to Kumankov.¹⁹⁴ On the other hand, Kuzio primarily focuses on Russian nationalism. He does not necessarily reject the importance of historical elements in Putin's justification for the war but combines them with contemporary power politics.¹⁹⁵ According to him, the invasion is mainly driven by a combination of Tsarist nationalism and Soviet idealism.¹⁹⁶ This sentiment is further fueled by labelling Ukrainian nationalists as Nazis, drawing a parallel with World War II.¹⁹⁷ Whereas Ukraine was depicted by the Soviets as an Austrian fabrication, it is now portrayed as a puppet state of the US.¹⁹⁸

¹⁸⁷ The Kremlin, "Address by President of the Russian Federation, March 18, 2014."

¹⁸⁸ The Kremlin, "Address by the President of the Russian Federation, February 21, 2022."

¹⁸⁹ The Kremlin, "Address by the President of the Russian Federation, February 24, 2022."

¹⁹⁰ Thomas Ambrosio and Geoffrey Vandrovec, "Mapping the Geopolitics of the Russian Federation: The Federal Assembly Addresses of Putin and Medvedev," Vol. 18 *Geopolitics* (2013): 461-462, doi: 10.1080/14650045.2012.717554.

¹⁹¹ Arseniy Kumankov, "Nazism, Genocide and the Threat of The Global West: Russian Moral Justification of War in Ukraine," *Etikk i praksis-Nordic Journal of Applied Ethics* 1 (2023): 23.

¹⁹² Kumankov, "Nazism, Genocide and the Threat," 23.

¹⁹³ Kumankov, "Nazism, Genocide and the Threat," 23.

¹⁹⁴ Kumankov, "Nazism, Genocide and the Threat," 23.

¹⁹⁵ Taras Kuzio, "Imperial nationalism as the driver behind Russia's invasion of Ukraine," *Nations and Nationalism*, Vol. 29, No. 1 (2022): 36.

¹⁹⁶ Kuzio, "Imperial nationalism," 36.

¹⁹⁷ Kuzio, "Imperial nationalism," 36.

¹⁹⁸ Kuzio, "Imperial nationalism," 36.

Finally, there are academics like Mick who view the entire conflict as a revisionist power game.¹⁹⁹ According to him, Putin himself is primarily responsible for the entire invasion, driven by his dream of restoring the Russian empire.²⁰⁰ Mick argues that Ukraine is such a crucial part of Putin's vision of a reborn Russia that he will do everything to integrate as much land as possible into Russia.²⁰¹ This somewhat explains why Putin paid so much attention to the shared history of Russia and Ukraine in his speech on February 21.²⁰² After analyzing the speeches and studying current developments, Kuzio's argument seems the most solid. Putin's speech on the 24th shows that his primary concern is NATO expansion, with the moral and cultural struggle being a clear second in his justification for the invasion.²⁰³ However, both Mick and Kumankov have a point that historical arguments are indeed important and align with Putin's vision for Russia's place in the world. The speech analysis, however, shows that Medvedev also drew parallels with World War II, albeit not as frequently as Putin.²⁰⁴ This indicates that it is not only a specific method of manipulating history by Putin, as Mick claims.²⁰⁵

It is difficult to identify a clear just cause in the justification for the invasion of Ukraine. On one hand, the well-known just cause of protecting the rights of ethnic Russians is present, which would be a direct copy of previous justifications. However, the speech analysis reveals a strong focus on more political elements such as NATO expansion and the need to remove ultranationalists in the Ukrainian government. The difficulty here is that regime change or a hostile alliance is not considered a just cause by just war theory. Nevertheless, from a just war theory perspective, the trend regarding just cause remains the protection of Russians. The justification for the invasion of Ukraine may be a culmination of several elements, but the use of nationality is still present. The only difference from previous uses of nationality is the intensity, as Putin speaks of literal genocide against Russians in Ukraine. In this sense, it can be said that there are literally deadly passports since nationality remains the primary just cause for Russian presidents.

¹⁹⁹ Christoph Mick, "The Fight for the past: Contested Heritage and the Russian Invasion of Ukraine," *The Historic Environment: Policy & Practice*, Vol. 14, No.1 (2023): 147-148, <https://doi.org/10.1080/17567505.2023.2205703>.

²⁰⁰ Mick, "The Fight for the past," 147-148.

²⁰¹ Mick, "The Fight for the past," 147-148.

²⁰² The Kremlin, "Address by the President of the Russian Federation, February 21, 2022."

²⁰³ The Kremlin, "Address by the President of the Russian Federation, February 24, 2022."

²⁰⁴ "Opening Remarks at a Meeting with the leaders of parties represented in Russian Parliament, August 11, 2008," The Kremlin, accessed March 24, 2024, <http://www.en.kremlin.ru/events/president/transcripts/1067>.

²⁰⁵ Mick, "The Fight for the past," 147-148.

3.6 Conclusion

In summary, the following conclusion follows about Russian justifications for war in the twenty-first century: All justifications for war contain an element of the Great Patriotic War (World War II), whether it be the Second Chechen War, the invasion of Georgia, or the conflict in Ukraine. Additionally, each conflict serves to protect ethnic Russians. This element was not very clear in the case of the Second Chechen War, but as the speech of February 21, 2022, shows, Putin framed it as intended to protect the Russian people from global terrorism.²⁰⁶ Protecting people with Russian nationality seems to be a consistent method of Putin, but the analysis shows that Medvedev used this justification as early as 2008.²⁰⁷ Finally, except for the Second Chechen War, it can be argued that all justifications for war since 2008 contain an element of Russia's place in the world. This means that all justifications mention at least once that Russia is compelled to aggression by NATO's eastern expansion. This is a tradition that began under Medvedev, indicating that former Soviet republics such as Georgia are off-limits to the West. In a sense, this suggests that since the fall of the Soviet Union, Russia has been trying to reclaim its place as a great power, a process that began in Georgia, at least in the Caucasus, to regain regional hegemony. Ambrosio and Vandrovec concluded that the elements of history and nationality are merely a facade for Russia's real goal, namely to reclaim its place on the world stage.²⁰⁸ The speech analysis of this work has shown that it is somewhat more complicated than that, but many elements seem to point to old-fashioned power politics.

²⁰⁶ The Kremlin, "Address by the President of the Russian Federation, February 21, 2022."

²⁰⁷ The Kremlin, "Opening Remarks at a Meeting with the leaders of parties represented in Russian Parliament, August 11, 2008."

²⁰⁸ Thomas Ambrosio and Geoffrey Vandrovec, "Mapping the Geopolitics of the Russian Federation: The Federal Assembly Addresses of Putin and Medvedev," Vol. 18 *Geopolitics* (2013): 461-462, doi: 10.1080/14650045.2012.717554.

4. “Between Justice and Power: Evaluating Russian Interventions through the Lens of Just War Theory”

4.1 Introduction

A single component of just war theory, namely just cause, has already been used for the trend analysis in Chapter Three. In this chapter, the entire framework will be applied to identify elements of just war theory in Russian war justifications. Just war theory is essentially a kind of moral checklist for when a war is deemed justifiable. The theory traces back to early Catholicism and aims to provide guidelines for how a Christian could morally use violence.²⁰⁹ Modern Russian presidents likely didn't consult with the Vatican on whether they could use violence during their conflicts, but that doesn't mean just war theory is no longer applicable. Numerous elements of just war theory are evident in both Putin's and Medvedev's justifications for war. Several academics have also applied just war theory to Russian conflicts of the 21st century, attempting to identify a trend.

This chapter will consist of two parts. First, a speech analysis will be conducted to identify elements of just war theory in Russian justifications for war. Then, using secondary literature, the legal justifiability of Russian interventions will be examined. The aim of this study is twofold: firstly, to examine whether Russian presidents consciously or unconsciously employ the just war theory in their speeches; and secondly, to assess whether the application of just war theory can determine the actual justification of Russian military interventions. This is pertinent because elements of the just war theory often guide war speeches, as outlined in Chapter Three. Furthermore, secondary literature can be utilized to ascertain whether the findings of the speech analysis align with the academic consensus. Additionally, there is a lack of thorough application of just war theory to the cases of Crimea and Georgia, where this research can contribute.

²⁰⁹ Elshtain, “*Just War Theory*,” 1-3.

4.2 Exploring Just War Theory in Russian Discourse on Military Actions

While just war theory has already been discussed in the section "Theory and Method," it's important to identify the specific elements derived from it. Just war theory comprises two elements: *jus ad bellum* (the right to wage war) and *jus in bello* (the right conduct in war). *Jus ad bellum* consists of four elements. Firstly, a government intending to go to war must be legitimate, meaning it must have a functioning legal system to impartially judge military actions.²¹⁰ Secondly, there must be a realistic chance of success through the use of force, with violence being genuinely the last resort, and there must be a just cause.²¹¹ This means that innocent people are at risk on a massive scale, which could involve serious human rights violations such as oppression or even genocide.²¹²

Jus in bello also consists of several components. Firstly, there must be a distinction between civilians and military personnel. Violence against civilians and neutral targets, as well as mistreatment of prisoners of war, is not permitted.²¹³ Additionally, violence must be proportional, meaning that collateral damage to civilian targets must be minimized as much as possible when attacking a military target.²¹⁴ Lastly, the necessity of attacking a military target is crucial. An attack must genuinely contribute to defeating the enemy; otherwise, it falls under disproportionate violence.²¹⁵ Consciously or unconsciously, many of these elements are present in Russian justifications for war. For instance, in Putin's press speech on May 17, 2001, he repeatedly emphasized that Russia is not at war with Chechnya but with religious extremists who essentially hold the population hostage.²¹⁶ Putin also tries to convey that he does not apply excessive force and attempts to minimize civilian casualties. In essence, he seeks to liberate the Chechen population from these extremists, referring to *jus ad bellum*.²¹⁷

The annual speech to the Russian parliament on April 3, 2001, shows similar elements. Putin strongly emphasizes that the military has achieved almost all its goals and is therefore

²¹⁰ JT. Johnson, "Just war Theory: what's the Use?" *Worldview*, 19(7) (1976): 43.

²¹¹ Johnson, "Just war Theory," 43.

²¹² Johnson, "Just war Theory," 43.

²¹³ Johnson, "Just war Theory," 43-44.

²¹⁴ Johnson, "Just War Theory," 43-44.

²¹⁵ Johnson, "Just War Theory," 43-44.

²¹⁶"Statement for the Press and Answers to Questions at a Press Conference after the Russia-European Union Summit, May 17, 2001," The Kremlin, accessed on April 22, 2024, <http://www.en.kremlin.ru/events/president/transcripts/21238>[(<http://www.en.kremlin.ru/events/president/transcripts/21238>)]

²¹⁷ The Kremlin, "Statement for the Press and Answers to Questions at a Press Conference after the Russia-European Union Summit," May 17, 2001."

withdrawing from Chechnya.²¹⁸ He then states that the focus is now on rehabilitating the Chechens both socially and economically.²¹⁹ Almost every element of just war theory is reflected in his statements about the war in Chechnya. We see the realistic chance of success highlighted, as well as proportional violence. The military was only deployed to fight the terrorists, and once their task was completed, they withdrew, according to Putin.²²⁰ Both speeches also demonstrate an element of a just cause, namely protecting the Chechen population from religious extremists.²²¹ Lastly, the speech on April 3 includes an element of *jus in bello* by emphasizing that the Russian military only fought against the extremists to protect the Chechen civilian population. Thus, there is a strong distinction between enemy and civilian, according to Putin.²²²

Although elements of just war theory were fairly evident in Putin's justification for the war in Chechnya, they are even more apparent in Medvedev's. His first statement on August 8, 2008, focuses strongly on international law.²²³ Medvedev emphasizes that Russian troops were present solely for a peacekeeping mission in Georgia and were fired upon by the Georgian army.²²⁴ The elements of *jus ad bellum* are particularly strong here, especially the just cause. Medvedev states that innocent Russian lives in South Ossetia are in danger due to Georgian aggression, which violates basic human rights, thus justifying the use of force according to just war theory.²²⁵ The statement of August 8 is relatively short, so there are no identifiable elements of *jus in bello*; for this, the speech to the Russian parliament on August 11, 2008, is more suitable. As the first paragraph of the transcript of this speech indicates, Medvedev claims that the Georgian army committed an act of aggression by targeting hospitals and schools, thereby failing to distinguish between civilian and military targets.²²⁶ Medvedev also claims that the Georgian army did not allow civilians, the sick, and the wounded to evacuate, essentially violating all criteria of *jus in bello*.²²⁷ After all, no distinction was made between military and civilian targets, the proportionality of the attack was unheard of, and there was no clear military objective to bring the war to a swift end,

²¹⁸ “Annual Address to the Federal Assembly of the Russian Federation April 3, 2001,” The Kremlin, accessed on April 22, 2024, <http://www.en.kremlin.ru/events/president/transcripts/21216>.

²¹⁹ The Kremlin, “Annual Address to the Federal Assembly of the Russian Federation April 3, 2001.”

²²⁰ The Kremlin, “Annual Address to the Federal Assembly of the Russian Federation April 3, 2001.”

²²¹ The Kremlin, “Annual Address to the Federal Assembly of the Russian Federation April 3, 2001.”

²²² The Kremlin, “Annual Address to the Federal Assembly of the Russian Federation April 3, 2001.”

²²³ “Statement on the Situation in South Ossetia, August 8, 2008,” The Kremlin, accessed March 24, 2024, <http://www.en.kremlin.ru/events/president/transcripts/1042>.

²²⁴ The Kremlin, “Statement on the Situation in South Ossetia, August 8, 2008.”

²²⁵ The Kremlin, “Statement on the Situation in South Ossetia, August 8, 2008.”

²²⁶ The Kremlin, “Opening Remarks at a Meeting with the leaders of parties, August 11, 2008.”

²²⁷ The Kremlin, “Opening Remarks at a Meeting with the leaders of parties, August 11, 2008.”

according to Medvedev.²²⁸

In conclusion, it seems that Russia has a legitimate reason for military intervention, but does Medvedev justify the actions of the Russian military according to the principles of *jus ad bellum*? The principle of competent authority and likelihood of success logically does not appear in a speech by the Russian president. That would mean he would be questioning his legitimacy and expressing doubts about the likelihood of success of the military intervention. However, he does state at the end of his speech that military intervention is the only approach he deems effective.²²⁹ Medvedev's speech does not indicate that other options such as sanctions, etc., were applied, making the last resort principle not fully applicable. Additionally, the escalation of the conflict is disproportionate. According to the *jus ad bellum* principle, a small intervention force should be sent first before further escalation is justified.²³⁰

We now know that a military force of over 40.000 troops was deployed, which is much more than a small intervention force.²³¹ The other elements of *jus ad bellum* are better addressed in his speech on August 14, 2008, directed at Russian soldiers who participated in the military intervention. In this speech, Medvedev stated that the peacekeeping mission was carried out quickly and effectively, achieving all military objectives.²³² Additionally, Medvedev chooses to sharpen his tone somewhat here. On August 11, he spoke of a humanitarian tragedy, whereas here he refers to an attempted genocide against the Russian population of South Ossetia.²³³ In fact, he concluded this speech by emphasizing that Russia is waging a defensive war for a just cause, namely protecting ethnic Russians.

What we can conclude here is that Medvedev's tone changed significantly as the intervention came to an end. Whereas initially, the focus was on the *jus in bello* of the Georgian army, which was guilty of targeting civilian targets according to Medvedev, this changed to a focus on the *jus ad bellum* of the Russian army. We must also conclude that Medvedev opportunistically deals with developments on the ground. On the day of the invasion and the following days, he only stated that Georgia had committed an act of aggression, without making a distinction between civilian and military targets.²³⁴ Then, once

²²⁸ The Kremlin, "Opening Remarks at a Meeting with the leaders of parties, August 11, 2008."

²²⁹ The Kremlin, "Opening Remarks at a Meeting with the leaders of parties, August 11, 2008."

²³⁰ Johnson, "Just war Theory," 43-44.

²³¹ Jim Nichol, "Russia-Georgia conflict in August 2008: Context and Implications for US interests," Congressional Research Service, Library of Congress, (2009): 15.

²³² "Meeting with Servicemen from the Russian Armed Forces, August 14, 2008," The Kremlin, accessed April 22, 2024, <http://www.en.kremlin.ru/events/president/transcripts/1093>.

²³³ The Kremlin, "Opening Remarks at a Meeting with the leaders of parties, August 11, 2008."

²³⁴ The Kremlin, "Statement on the Situation in South Ossetia, August 8, 2008."

the Russian intervention was largely successful, he spoke on August 14 of an attempted genocide against ethnic Russians in the region.²³⁵ One possible explanation for this change in tone is the reaction of the international community.

For example, in the speech after the negotiations with French President Sarkozy, we see that Russia has achieved almost all its goals.²³⁶ Indeed, the agreements indicate that Georgia is forced to withdraw from the region, and a ceasefire is agreed upon.²³⁷ In a sense, from this point on, Medvedev is no longer vulnerable to a response from the international community, so more cautious language in his justification for the intervention is no longer required. The only thing largely missing in the *jus ad bellum* principle in his speech is the principle of violence as a last resort. Almost every element is reflected in at least one of the analysed speeches, but nothing indicates that other measures were taken before further escalation. Moreover, the prescribed small intervention unit, as outlined in just war theory, consisted of a 40,000-strong invasion force.²³⁸

As Chapter One somewhat touched upon, the justification for the invasion of Georgia formed a sort of template for the justification of the annexation of Crimea. Are there then also recognizable features of just war theory in the speeches of both presidents? The issue is that Crimea was not taken by the Russian army, at least not officially. Furthermore, there was hardly any, if any at all, widespread violence, making it difficult to apply *jus ad bellum* to the case. However, both the speeches before the annexation and afterwards are peppered with elements of *jus ad bellum*. A prime example of this is the press conference on March 4, 2014.²³⁹ During this press conference, journalists posed questions about the instability in Ukraine to Vladimir Putin.²⁴⁰ The criteria of competent authority and probability of success do not clearly resurface in the speech.²⁴¹ However, much attention is paid to the last resort and just cause criteria.

Putin explicitly stated that all options are still on the table on March 4 and that he is not currently planning to deploy the military.²⁴² He explicitly names it the last resort himself. The criteria of justice are extensively substantiated by Putin in the respective press

²³⁵ The Kremlin, "Meeting with Servicemen from the Russian Armed Forces, August 14, 2008."

²³⁶ "Press Conference following Talks with President of France Nicolas Sarkozy, September 8, 2008," The Kremlin, Accessed April 22, 2024, <http://www.en.kremlin.ru/events/president/transcripts/1330>.

²³⁷ The Kremlin, "Press Conference following Talks with President of France Nicolas Sarkozy, September 8, 2008."

²³⁸ Jim Nichol, "Russia-Georgia conflict in August 2008," 15.

²³⁹ "Vladimir Putin answered journalists' questions on the situation in Ukraine, March 4, 2014," The Kremlin, accessed March 27, 2024, <http://www.en.kremlin.ru/events/president/transcripts/20366>.

²⁴⁰ The Kremlin, "Vladimir Putin answered journalists' questions on the situation in Ukraine, March 4, 2014."

²⁴¹ The Kremlin, "Vladimir Putin answered journalists' questions on the situation in Ukraine, March 4, 2014."

²⁴² The Kremlin, "Vladimir Putin answered journalists' questions on the situation in Ukraine, March 4, 2014."

conference. Putin outlines that grave crimes are being committed in Ukraine, and he labels the revolutionaries as anti-Semites and nationalists.²⁴³ Examples of these are cold-blooded murders and torture of Ukrainian officials. Putin then continues his response to the press by warning that these crimes may spread throughout the entire country.²⁴⁴ Chapter One has delved deeper into the justification for Russian intervention, but also from a just war theory perspective, we see that Putin attempted to justify military intervention in advance. The emphasis at this press conference is at least on the last resort and just cause criteria of *jus ad bellum*.²⁴⁵

When we then compare these with Putin's speech after the annexation of Crimea on March 18, 2014, we see that both *jus ad bellum* and *jus in bello* are intensively used in his speech.²⁴⁶ Again, we see that the just cause criteria are applied, as Putin indicates in his speech that the ethnic Russians in Crimea were being assimilated against their will by the Ukrainian government.²⁴⁷ Putin also again refers to the Ukrainian revolutionaries as neo-Nazis and Russophobes, to convince the public of the justice of the Crimea annexation.²⁴⁸ Putin also mentions proportionality in this speech, which is part of the last resort criteria of *jus ad bellum*. According to him, only a group of 25,000 Russian soldiers were present in Crimea, so he did not violate international law.²⁴⁹ *Jus in bello* does not seem to apply at first glance since there were no large-scale firefights in Crimea, but elements are still visible in Putin's speech. Putin pays a lot of attention to proportionality. He repeatedly mentions that no civilians were injured, indeed the Ukrainian army did not resist.²⁵⁰ According to Putin, this is also evidence that there was no invasion, as invasions always involve bloodshed.²⁵¹

Whereas the annexation of Crimea may have occurred without bloodshed, this was not the case with the invasion of Ukraine in 2022. The vast scale of the invasion and the duration of the conflict make it relatively easy to identify elements and criteria of just war theory in Putin's speeches. Particularly in the well-known speech on February 24, 2022, the criteria strongly resurface.²⁵² This is unsurprising since Putin spent almost half an hour providing reasons for why he invaded Ukraine that morning. To begin with, the criteria for *jus ad*

²⁴³ The Kremlin, "Vladimir Putin answered journalists' questions on the situation in Ukraine, March 4, 2014."

²⁴⁴ The Kremlin, "Vladimir Putin answered journalists' questions on the situation in Ukraine, March 4, 2014."

²⁴⁵ The Kremlin, "Vladimir Putin answered journalists' questions on the situation in Ukraine, March 4, 2014."

²⁴⁶ The Kremlin, "Address by President of the Russian Federation, March 18, 2014."

²⁴⁷ The Kremlin, "Address by President of the Russian Federation, March 18, 2014."

²⁴⁸ The Kremlin, "Address by President of the Russian Federation, March 18, 2014."

²⁴⁹ The Kremlin, "Address by President of the Russian Federation, March 18, 2014."

²⁵⁰ The Kremlin, "Address by President of the Russian Federation, March 18, 2014."

²⁵¹ The Kremlin, "Address by President of the Russian Federation, March 18, 2014."

²⁵² The Kremlin, "Address by the President of the Russian Federation, February 24, 2022."

bellum. The analysis of the February 24 speech does not show clear attention to the probability of success criteria.²⁵³ One of the key elements here is a realistic assumption that the invasion can be successfully completed with the support of the international community. Support from the international community was not exactly present; in fact, Russia was immediately hit by severe sanctions from the West. The only attention Putin himself gives to this element in the speech is the sentence with which he concludes the address. He more or less says that he has full confidence that the Russian army will carry out his orders, without further explanation.²⁵⁴

Last resort is strongly present in the February 24 speech on one hand, and on the other hand, not. Putin mentions several times that he had no other choice for his actions. For example, he had no choice but to invade Chechnya due to the terrorist threat.²⁵⁵ He also argues that the annexation of Crimea had to happen because it was the will of the people.²⁵⁶ He also says that he has tried all diplomatic options, but the West keeps repeatedly breaking treaties through NATO's eastern expansion.²⁵⁷ However, this does not comply with the last resort criteria of *jus ad bellum* because Putin does not gradually escalate the invasion.²⁵⁸ Just war theory dictates that first a small intervention unit should be sent, while the Russian army deployed hundreds of thousands of troops. Just cause, on the other hand, receives sufficient attention in the speech. Just cause requires systematic oppression of the population, which Putin fills by stating:

The purpose of this operation is to protect people who, for eight years now, have been facing humiliation and genocide perpetrated by the Kyiv regime. To this end, we will seek to demilitarise and denazify Ukraine, as well as bring to trial those who perpetrated numerous bloody crimes against civilians, including against citizens of the Russian Federation. (Vladimir Putin when addressing the Russian people on February 24, 2022)²⁵⁹

He basically says, that this genocide is carried out by neo-Nazis and ultranationalists, whom Putin aims to overthrow through an invasion. Putin also indicates that he does not want to occupy Ukraine, only to overthrow the criminal government.²⁶⁰

When analysing the criteria of *jus in bello*, speeches during or after the conflict should

²⁵³ The Kremlin, "Address by the President of the Russian Federation, February 24, 2022."

²⁵⁴ The Kremlin, "Address by the President of the Russian Federation, February 24, 2022."

²⁵⁵ The Kremlin, "Address by the President of the Russian Federation, February 24, 2022."

²⁵⁶ The Kremlin, "Address by the President of the Russian Federation, February 24, 2022."

²⁵⁷ The Kremlin, "Address by the President of the Russian Federation, February 24, 2022."

²⁵⁸ Johnson, "Just war Theory," 43.

²⁵⁹ The Kremlin, "Address by the President of the Russian Federation, February 24, 2022."

²⁶⁰ The Kremlin, "Address by the President of the Russian Federation, February 24, 2022."

always be examined. Usually, *jus in bello* is applied to the actions of the enemy as we saw in Medvedev's speeches in 2008.²⁶¹ The Ukraine conflict is no exception here. One year after the invasion, in Putin's speech on February 21, 2023, various criteria of *jus in bello* resurfaced. Putin accuses Ukraine of violence and terror against innocent civilians, referring to the Donbas separatists.²⁶² This not only violates the distinction criteria but also the proportionality and military necessity criteria since civilians in the Donbas are the target, according to Putin. Putin also accuses NATO of placing chemical laboratories along the Russian border.²⁶³ All in all, Putin is doing his utmost to portray Ukraine's way of war as barbaric and genocidal, thereby violating all criteria of *jus in bello*.

4.3 “Russian Military Campaigns through a Just War Lens: Insights from Secondary Scholarship”

Russian military interventions have been a subject of intensive study in academic circles, with just war theory being applied multiple times. As outlined in the initial section of this chapter, Russia went to great lengths to justify its interventions, repeatedly invoking elements and criteria of just war theory. Not surprisingly, the dominant Russian perspective argued that the wars were indeed justified. This section examines whether the interventions were indeed justified from a just war theory perspective, utilizing existing secondary literature. Each Russian conflict will be examined in turn, starting from Chechnya up to the ongoing war in Ukraine.

The Chechen war was not so much a unilateral intervention as an escalation of several factors. Instability in the Caucasus during the 1990s and early 2000s, coupled with terrorist attacks, contributed to the conflict. Particularly when Putin came to power, the war escalated further, with Russia resorting to more military force. As discussed in the historiography, Coppieters and Khalilov were among the leading researchers in just war theory and the Chechen war. Both authors concluded that Russia did not act according to the criteria of just war theory for various reasons. Coppieters questioned Chechnya's right to secede from Russia due to a lack of support among the Chechen population, thereby violating the just cause and legitimate authority criteria.²⁶⁴ From the Russian perspective, Putin indeed had the right to use force, as preserving territorial integrity can be seen as a just cause. Coppieters mainly

²⁶¹ The Kremlin, “Opening Remarks at a Meeting with the leaders of parties, August 11, 2008.”

²⁶² The Kremlin, “Address by the President of the Russian Federation, February 21, 2022.”

²⁶³ The Kremlin, “Address by the President of the Russian Federation, February 21, 2022.”

²⁶⁴ Coppieters, “Secession and War,” 384.

criticized the proportionality and likelihood of success criteria. According to him, the Russian army was unprepared for the operation, leading to disproportional loss of life and material damage that could not outweigh the benefits of military intervention.²⁶⁵

While Coppieters grants Russia the benefit of the doubt on some criteria of just war theory, Khalikov outright rejects them. Khalikov focuses not so much on the modern Chechen conflict with Russia but more on historical conflicts. He argues that Chechnya had the right to declare independence due to centuries of systematic oppression or even genocide by the Russian tsardom and the Soviet Union.²⁶⁶ However, Khalikov also addresses elements of the Chechen wars in the twentieth and twenty-first centuries. Like Coppieters, Khalikov primarily focuses on proportionality. According to him, Russia committed such a significant amount of war crimes that Chechnya had the right to secede from the Russian Federation.²⁶⁷ Examples include bombing Red Cross convoys and setting up concentration camps.²⁶⁸ These are egregious violations of *jus in bello*, justifying Russia's actions according to just war theory.²⁶⁹ Khalikov also points out that Chechnya had the right to declare independence because the democratic government in Russia committed the same atrocities as the Soviet Union, making armed rebellion a last resort option and thus acting in accordance with just war theory.²⁷⁰

The reason for the disagreement over the justice and legality of Chechnya's declaration of independence is related to the aspect of terrorism. Just war theory is ancient and primarily deals with conflicts between states. There is a debate in the academic world about whether just war theory applies to terrorism, as it involves non-state actors. Eric Patterson, a historian and political scientist, has examined the applicability of just war theory to modern terrorism. He argues that just war theory needs to be more flexible in its definition of a just war to adapt to modern times.²⁷¹ By adopting a more minimal definition of just war and considering a state's obligation to self-defence, the theory can be better applied, according to him.²⁷² A state needs to distinguish between terrorists and civilians to wage a moral war. Applying this to the Chechen case, we see that this distinction is lacking. While Russia may have been justified in combating terrorism, the indiscriminate bombing of cities like Grozny shows that this

²⁶⁵ Coppieters, "Secession and War," 385.

²⁶⁶ Khalilov, "Moral justifications," 409-412.

²⁶⁷ Khalilov, "Moral justifications," 417-418.

²⁶⁸ Khalilov, "Moral justifications," 417.

²⁶⁹ Johnson, "Just war Theory," 43-44.

²⁷⁰ Khalilov, "Moral justifications," 416-417.

²⁷¹ Eric Patterson, "Just War in the 21st Century: Reconceptualizing Just War Theory after September 11," 42, *International Politics* (2005): 131, doi: 10.1057/palgrave.ip.8800100.

²⁷² Patterson, "Just War in the 21st Century," 124-125.

distinction is absent.²⁷³ Thus, Russia fails to meet even Patterson's more minimal criteria.

Just war theory is therefore difficult to apply to terrorism since the theory primarily deals with conflicts between states. One could assume that just war theory is more applicable to the Russo-Georgian conflict in 2008. Strangely, this war has received much less attention in academic circles. One possible explanation is the relatively short duration of this conflict. There are few articles explicitly applying just war theory to the war in Georgia. Killingsworth researched the Russo-Georgian war, and although he does not explicitly use a just war theory lens, he does pay attention to both *jus ad bellum* and *jus in bello*. The justification for the invasion of Georgia is rather contradictory according to Killingsworth. He argues that Russia can claim to act in self-defence.²⁷⁴ After all, the Russian peacekeeping mission in the region was indeed fired upon. However, according to him, Russia is only allowed to use violence to carry out an emergency evacuation of the peacekeeping mission.²⁷⁵ According to *jus ad bellum* standards, Russia was allowed to use force in the region to preserve its territorial integrity, as long as the secession of South Ossetia was legally done.

This claim, according to Killingsworth, is weak since the recognition of South Ossetia is a violation of international law.²⁷⁶ Although just war is not mentioned as an actual methodology, many elements can be found in international law. As the analysis of the speeches showed, a large part of the Russian justification for the invasion relied on protecting Russian citizens. Chatham acknowledges that Russia had the right to defend Russian citizens under certain conditions.²⁷⁷ Firstly, there must be a genuine connection with Russia for the Russian population in Georgia. This means that they must visit Russia or have family there, etc. If this is the case, Russia has a mandate to defend these people, but only that.²⁷⁸ By first distributing passports and then advancing further, not just into South Ossetia, Russia violated international law.²⁷⁹ Thus, the invasion was a violation of *jus ad bellum*, thereby violating both the proportionality criteria and that of just cause.

The literature surrounding the annexation of Crimea follows similar patterns to that of the Georgian war. Just war theory has not often been applied to the 2014 annexation of Crimea as a case study, possibly due to the asymmetrical nature of the conflict. Just war

²⁷³ Khalilov, "Moral justifications," 417.

²⁷⁴ Matt Killingsworth, "Understanding order and violence in the post-Soviet space: the Chechen and Russo-Georgia wars," *Global Change, Peace & Security* Vol. 24, No. 2 (2012): 231-232.

²⁷⁵ Killingsworth, "Understanding order and violence in the post-Soviet space," 231-232.

²⁷⁶ Killingsworth, "Understanding order and violence in the post-Soviet space," 231-232.

²⁷⁷ Robert P. Chatham, "Defense of Nationals Abroad: The Legitimacy of Russia's Invasion of Georgia," *Florida Journal of International Law*, no.1 (2011): 102.

²⁷⁸ Chatham, "Defense of Nationals Abroad," 102.

²⁷⁹ Chatham, "Defense of Nationals Abroad," 102.

theory is intended to be applied to an actual conflict between two or more states. However, the occupation of Crimea was carried out by soldiers without insignia. Additionally, the invasion was largely non-violent, at least according to Putin. The underrepresentation of just war theory in studies of the invasion does not mean that it is unconsciously applied. International law uses many elements of just war theory. An example of this is Rotaru's article, where he researched the justification for the Crimea annexation.²⁸⁰ Although Rotaru primarily focused on the parallels between the war in Georgia and the annexation of Crimea, he still paid a lot of attention to the Russian justification for the war. Rotaru does not directly use just war theory in his article but acknowledges that Russia repeatedly focuses on humanitarian reasons for its actions.²⁸¹ Rotaru argues that Russia bases its just cause on protecting innocent Russian citizens, which is a legitimate claim. The problem with this is that both the threat and the death toll are greatly exaggerated by the Russians, making it no longer seen as a legitimate action.²⁸²

While the annexation of Crimea was relatively non-violent, this was far from the case with the invasion of Ukraine in 2022. The aggressive nature of the conflict made just war theory more suitable for studying the conflict. This resulted in a significant increase in the popularity of just war theory in the academic world. A good starting point for studying just war theory perspectives on the Ukraine war is Nagy's article. Nagy examined what constitutes a just war according to Ukraine, Russia, and NATO.²⁸³ Nagy cited various examples, including Ukraine's right to self-defence and Russia's right to defend Russians.²⁸⁴ Although Nagy claims to have done his best to provide a neutral perspective on the conflict, he must conclude that the invasion of Ukraine is unjustified. His reasoning for this is that almost every criterion of just war theory is violated by the conflict. Particularly in terms of proportionality and the distinction between military and civilian targets, there are gross violations according to him.²⁸⁵ Regardless of whether the criteria of just war theory are violated or not, Nagy argues that the conflict is unjustified. In his view, the war is unjust because it is life-threatening to almost the entire world. The threat of nuclear war has increased significantly due to the conflict, which, according to Nagy, is reason enough.²⁸⁶

²⁸⁰ Rotaru, "Mimicking the West? Russia's Legitimization discourse from Georgia war to the annexation of Crimea," *Communist and Post-Communist Studies* (2019): 1-10, doi:10.1016/j.postcomstud.2019.10.001.

²⁸¹ Rotaru, "Mimicking the West?," 9.

²⁸² Rotaru, "Mimicking the West?," 9.

²⁸³ Gábor Dániel Nagy, "Can War Be Just? A Case Analysis Attempt on the Russia-Ukraine War Sine Ira Et Studio," *Open Journal of Philosophy*, 13 (2023): 413-415, <https://doi.org/10.4236/ojpp.2023.132027>.

²⁸⁴ Nagy, "Can War Be Just?," 413-414.

²⁸⁵ Nagy, "Can War Be Just?," 416.

²⁸⁶ Nagy, "Can War Be Just?," 416.

Other authors attempted to distance themselves from a pro-Russia or pro-Ukraine perspective by highlighting other parties. Smytsnyuk studied the perspective of the Vatican and its struggle with just war theory. According to him, the Vatican is very interested in the conflict but struggles with its position.²⁸⁷ Whereas the Catholic Church previously adhered to a doctrine of non-violence, the war in Ukraine seems to have made just war theory the new doctrine.²⁸⁸ Smytsnyuk does not dare to say whether this is the case, but everything seems to indicate it. The reason the Vatican does not dare to say that Ukraine has the right to resist or that Russia is justified is highly political. The pope is aware that his actions in this situation will be seen as a template for new conflicts.²⁸⁹ The moment the pope gives his blessing to send weapons to Ukraine, he must explain why he did not support weapon shipments to Iraq in the past.²⁹⁰ This article by Smytsnyuk shows that the invasion of Ukraine has revived just war theory as a legitimate doctrine, not only at the state level but also at the Holy See.

A unique voice within the debate in the academic world is Faez's article. Faez starts from the same point as Nagy, namely that no large-scale application of violence can be justified.²⁹¹ What makes Faez's argument unique is the labelling of both parties as violators of the just war theory criteria. According to Faez, it does not matter whether *jus ad bellum* criteria are met, as these are hardly, if ever, provable.²⁹² Faez also emphasizes that the motives for the invasion do not necessarily matter. As long as Russia's military power remained greater than that of Ukraine, this war was inevitable.²⁹³ Faez emphasizes that Russia is the greatest violator of *jus in bello*, at least according to Ukrainian media. If it turns out that this was fake news, then Ukraine is the violator of *jus in bello*, demonstrating that the line between violations of just war theory criteria is very thin.²⁹⁴ Although this stance is somewhat controversial, Faez somewhat aligns with authors like Smytsnyuk who draw parallels between Ukraine and Iraq. According to them, condemning Russia shows double standards because the US essentially did the same by invading Iraq.²⁹⁵

²⁸⁷ Pavlo Smytsnyuk, "The Holy See Confronts the War in Ukraine: Between Just War Theory and Nonviolence," *Journal of the European Society for Catholic Theology* 14(1) (2023): 17-18.

²⁸⁸ Smytsnyuk, "The Holy See Confronts the War in Ukraine," 17-18.

²⁸⁹ Smytsnyuk, "The Holy See Confronts the War in Ukraine," 18.

²⁹⁰ Smytsnyuk, "The Holy See Confronts the War in Ukraine," 18.

²⁹¹ Sahand Faez, "An ethical assessment of the Russia-Ukraine war based on the just war theory," (2022): 9, <https://dx.doi.org/10.2139/ssrn.4271992>.

²⁹² Faez, "An ethical assessment of the Russia-Ukraine war based on the just war theory," 9.

²⁹³ Faez, "An ethical assessment of the Russia-Ukraine war based on the just war theory," 9.

²⁹⁴ Faez, "An ethical assessment of the Russia-Ukraine war based on the just war theory," 9.

²⁹⁵ Faez, "An ethical assessment of the Russia-Ukraine war based on the just war theory," 10.

4.4 Conclusion

Elements of just war theory continued to surface in Russian speeches, from Chechnya to the current war in Ukraine. In the case of Chechnya, the focus was on the criteria of proportionality and just cause to save the Chechen population from religious extremists. In the cases of Georgia and Ukraine, Russia relied more on the criteria of legitimate authority and just cause. In 2008, Medvedev claimed that he was compelled to use force because Russian citizens were in danger.²⁹⁶ According to the Russian constitution, he did indeed have the right to do so, thereby acting on legitimate grounds. The second trend in Russian justifications for war was the so-called humanitarian invasion. Because Russian citizens were being fired upon, the Russian army was forced to rescue them in 2008. What many did not know at the time was that the war in Georgia would serve as a template for the later Ukrainian conflicts in 2014 and 2022. In both cases, the Ukrainian government was accused of discriminating against and killing ethnic Russians. For Putin, this was just cause enough to deploy the Russian army, something he repeatedly admitted in his speeches.²⁹⁷

The second subsection of this chapter consulted secondary literature to see if Russia did indeed act according to just war theory in its modern conflicts. Authors such as Coppieters and Khalilov saw the invasion of Chechnya as unjustified but for different reasons. However, both authors agreed that Russia did not act according to just war theory due to the likelihood of success and proportionality criteria. In their view, the Russian army was unprepared and used so much violence that any illusion of legitimacy disappeared.²⁹⁸ The Georgian war received much less attention in terms of just war theory perspectives, but one of the most plausible claims comes from Chatham. According to him, Russia did indeed have the right to deploy military personnel. However, Russia lost this right by escalating too quickly and deliberately distributing Russian passports, thereby violating *jus ad bellum*.²⁹⁹

The entire Ukraine conflict from Crimea to the present was assessed similarly by academics. Regardless of whether Russia had a just cause to invade Ukraine, the proportionality was so out of balance that it overshadowed all other criteria. Authors like Smytsnyuk and Faez also emphasized that Russia committed major abuses in Ukraine, but were still comparable to those during the invasion of Iraq.³⁰⁰ This comparison somewhat

²⁹⁶ The Kremlin, "Opening Remarks at a Meeting with the leaders of parties, August 11, 2008."

²⁹⁷ "Vladimir Putin answered journalists' questions on the situation in Ukraine, March 4, 2014," The Kremlin, accessed March 27, 2024, <http://www.en.kremlin.ru/events/president/transcripts/20366>.

²⁹⁸ Coppieters, "Secession and War," 385.

²⁹⁹ Chatham, "Defense of Nationals Abroad," 102.

³⁰⁰ Faez, "An ethical assessment of the Russia-Ukraine war based on the just war theory," 10.

illustrates the hypocrisy of the West's approach to the situation in Ukraine. Although this is certainly true, this work aligns with Nagy's perspective. Regardless of who is justified according to the criteria of just war theory, the nuclear threat and the escalating conflict mean that there is no moral argument for the invasion.³⁰¹ After all, this is what just war theory is designed for, a moral compass for the use of violence. Any layman can see that there can be no moral argument for killing thousands of soldiers and civilians, thus breaking virtually every criterion of just war.

³⁰¹ Nagy, "Can War Be Just?," 416.

5. From Regime Change to a War of Conquest

5.1 Introduction

At the moment Russian tanks rolled over the border into Ukraine in February 2022, Putin's motives seemed clear. The Ukrainian government needed to be ousted and replaced with a pro-Russian regime. This was evident in the Russian justification for the invasion, particularly in the speech of February 24, 2022.³⁰² This chapter delves deeper into the changing justification for the conflict from February 2022 to the present day. The first part of this chapter addresses the evolving justification as the conflict progresses, applying just war theory as the guiding framework. Subsequently, the second part of this chapter discusses the shortcomings of just war theory and proposes a new theory specifically tailored to the modern Russian case. The first section of this chapter focuses on the evaluation of Russian war justifications, as this is a notable new development. Previous chapters have shown a strong trend in the argumentation of Russian war justifications, usually involving comparisons to the Second World War, linked to NATO expansion and violations of the rights of Russian citizens. Since the invasion of Ukraine in 2022, a new trend has emerged, where historical arguments are becoming increasingly important, along with the delegitimization of the Ukrainian state. This may indicate a new type of war, or at the very least, a new way of justifying war by Vladimir Putin. This chapter will also demonstrate that the Russian concept of a just war deviates from the prescribed criteria of just war theory. Therefore, this chapter will introduce a new theory that takes greater account of the Russian worldview, namely the Russian Strategic Morality Theory.

5.2 "War Rhetoric in Transition: Putin's Varied Justifications Post-2022"

Putin was explicit in his speech on February 24, 2022, about his objectives. The "Nazi" government in Kyiv had to be ousted, Ukraine demilitarized and the self-determination of the Donbas republics recognized.³⁰³ Now, more than two years later, we see that his rhetoric has shifted. Whereas initially the justification for the invasion primarily rested on political elements, it has now transitioned to primarily historical arguments. This has implications not only for the framing of the conflict but also for the objectives of the Russian government.

³⁰² The Kremlin, "Address by the President of the Russian Federation, February 24, 2022."

³⁰³ The Kremlin, "Address by the President of the Russian Federation, February 24, 2022."

Everything seems to indicate that this is a new kind of war, with the ultimate goal being the annexation of Ukraine. This section analyses whether this new way of justifying can still be explained by just war theory, utilizing speeches from February 21, just before the invasion, up to the present.

While Chapters One and Two have already delved into the Russian justification for the invasion, a brief retrospective is desirable for a clear comparison. For example, we observed in the criteria for *jus ad bellum* that the last resort was particularly prominent. In Putin's view, Russia has been increasingly cornered by the West and has no choice but to defend itself. This translated into the just cause component of just war theory, which stipulates that waging war to prevent serious violations of human rights is justified.³⁰⁴ This is the aspect that Putin focuses on, the so-called humanitarian invasion.³⁰⁵ The invasion was portrayed as an operation to rescue ethnic Russians in Ukraine, as well as the Ukrainian people as a whole, from the oppression of the Ukrainian Nazi regime.³⁰⁶ This way of justifying was an excellent example of how the Georgia template was reapplied. The notion that Russian citizens were in danger was used as a reason for the invasion, similar to what Medvedev did in 2008.³⁰⁷

So, the speech of February 24 is essentially an application of the template created in Georgia. It is important now to identify when the first real shift occurred in this way of justifying war. The first noticeable shift in talking about the war in Ukraine by Putin occurred on December 31, 2022.³⁰⁸ Putin mentioned here for the first time in a speech addressed to the Russian nation that Russia is involved in a war to defend the new territories of the Russian Federation.³⁰⁹ He goes on to state that every citizen has a duty to defend the sacred motherland. The Russian citizen owes this not only to Russia itself but also to his or her ancestors. Putin then concludes the New Year's Eve speech with a call to all Russian citizens to strive for a just and multipolar world.³¹⁰

Firstly, there are similar just war elements to identify in this speech as in that of February 24. Again, the likelihood of success is absent, and Putin is relatively silent on foreign support and the course of the invasion.³¹¹ The last resort criterion is also difficult to find in the speech of December 31, 2022. It is mentioned that the West has tried to weaken

³⁰⁴ Johnson, "Just war Theory," 43-44.

³⁰⁵ Grant, "Annexation of Crimea," 94.

³⁰⁶ The Kremlin, "Address by the President of the Russian Federation, February 24, 2022."

³⁰⁷ The Kremlin, "Statement on the Situation in South Ossetia, August 8, 2008."

³⁰⁸ "New Year Address to the Nation, December 31, 2022," The Kremlin, accessed May 8, 2024, <http://www.en.kremlin.ru/events/president/transcripts/70315>.

³⁰⁹ The Kremlin, "New Year Address to the Nation, December 31, 2022."

³¹⁰ The Kremlin, "New Year Address to the Nation, December 31, 2022."

³¹¹ The Kremlin, "New Year Address to the Nation, December 31, 2022."

Russia by supporting Ukraine, and Russia could no longer tolerate this. However, Putin does not speak about military intervention as a last resort in this speech, unlike that of February 24.³¹² The just cause criterion is also only minimally present. There is a brief mention that the Nazi government in Ukraine is terrorizing the population of the Donbas, but that's all there is in this speech.³¹³ So, as the war continues, there is less focus on the humanitarian aspect of Russian justifications for war, as identified by Grant.³¹⁴ There is indeed a mention of human rights abuses in the Donbas, but the strong focus on this in previous speeches is absent here.

The analysis of speeches between 1999 and 2022 showed that almost every Russian speech had an element of history. However, often there was a lack of depth in the historical aspect, usually limited to a comparison with the Great Patriotic War. Nevertheless, we see that the historical element of Russian justification for war has become increasingly important since February 2022. For example, in the more than two-hour interview with Tucker Carlson, Putin dedicates almost a quarter of the entire interview to a history lesson on the shared history of Russia and Ukraine.³¹⁵ The interview is too long to delve into too much detail here, but in summary, Putin tries to make it clear that the minor differences between Ukrainians and Russians have been blown up multiple times by hostile European countries to drive a wedge into the unity of Russia.³¹⁶ The main goal of this reasoning seems to be the illegitimacy of Ukraine as a sovereign state. This is basically a repetition of February 21, 2023, when Putin declared Ukraine to be a fabrication of Vladimir Lenin.³¹⁷ By designating Ukraine as a fabrication of the West, a justification is created for the full annexation of Ukraine.

A significant part of the justification for the war has thus come to rely on the historical element. Just war theory struggles to explain this because historical arguments are not legitimate grounds for war according to the official doctrine.³¹⁸ Competent authority and the probability of success are not addressed in the interview. Last resort and just cause, on the other hand, are extensively discussed. According to Putin, at the beginning of his reign, he did everything in his power to seek rapprochement with the West but failed repeatedly.³¹⁹ The possible entry of Ukraine into NATO was the last straw for Putin. In this way, Putin tries to make it clear that he has tried to preserve the security of Russia time and again through

³¹² The Kremlin, "Address by the President of the Russian Federation, February 24, 2022."

³¹³ The Kremlin, "New Year Address to the Nation, December 31, 2022."

³¹⁴ Grant, "Annexation of Crimea," 94.

³¹⁵ "Interview to Tucker Carlson, February 9, 2024," The Kremlin, accessed May 8, 2024, <http://www.en.kremlin.ru/events/president/transcripts/interviews/73411>.

³¹⁶ The Kremlin, "Interview to Tucker Carlson, February 9, 2024."

³¹⁷ The Kremlin, "Address by the President of the Russian Federation, February 21, 2022."

³¹⁸ Johnson, "Just war Theory," 43-44.

³¹⁹ The Kremlin, "Interview to Tucker Carlson, February 9, 2024."

diplomatic ties.³²⁰ What is missing again in the interview with Putin is the slow escalation. Just war, and especially last resort, prescribes a slow escalation. This is absent in the speech because it simply does not exist.

Historical elements are not exactly new in Russian speeches. For example, there are references to World War II in speeches by Medvedev in 2008, just to name one example.³²¹ What sets the historical element in the speeches and interviews since 2022 apart from these previous speeches is that they border on revisionism. For example, Putin mentions that parts of Ukraine are ethnically Hungarian.³²² Carlson then asks if Hungary has the right to claim parts of Ukraine as Hungarian territory for that reason. Putin then tries to somewhat evade the question, after which Carlson asks if he had ever offered parts of Ukraine to Viktor Orbán.³²³ Putin firmly rejects this but then claims that he only knows that the Hungarians there want to return to their historical homeland.³²⁴ This is just an interview with a journalist with a questionable reputation, but spreading territorial claims can be worrying at the very least.

Some caution is needed in seeing Carlson's interview on February 9, 2024, as a complete shift in Russian justifications for war. For example, in the interview of February 14 of the same year, we see that Putin again starts to revert to his old way of speaking about the conflict.³²⁵ The interview is this time conducted by Pavel Zarubin, a Russian journalist working for the Russian public broadcaster VGTRK. As usual with Putin, he starts talking about the enlargement of NATO, but explicitly states that this was not the catalyst for the start of the "special operation."³²⁶ The reason for the invasion was according to Putin breaking the Minsk agreements, along with attacking the eastern separatists. According to Putin, breaking the Minsk agreements was the main reason, and he only regrets not having attacked earlier, he specifically stated:

Our only regret is that we did not take action sooner, believing that we were dealing with honest people. (Vladimir Putin during an interview with Pavel Zarubin, February 12, 2024)³²⁷

When applying just war theory to this interview, again only just cause and last resort can be confidently established. Putin stated that he did not want this war and tried all peaceful

³²⁰ The Kremlin, "Interview to Tucker Carlson, February 9, 2024."

³²¹ The Kremlin, "Opening Remarks at a Meeting with the leaders of parties, August 11, 2008."

³²² The Kremlin, "Interview to Tucker Carlson, February 9, 2024."

³²³ The Kremlin, "Interview to Tucker Carlson, February 9, 2024."

³²⁴ The Kremlin, "Interview to Tucker Carlson, February 9, 2024."

³²⁵ "Answers to questions from journalist Pavel Zarubin, February 14, 2024, The Kremlin, accessed May 8, 2024, <http://www.en.kremlin.ru/events/president/transcripts/interviews/73457>.

³²⁶ The Kremlin, "Answers to questions from journalist Pavel Zarubin, February 14, 2024."

³²⁷ The Kremlin, "Answers to questions from journalist Pavel Zarubin, February 14, 2024."

options, including the Minsk agreements.³²⁸ Whether this is the case is debatable, but ostensibly, he is acting according to the criteria of *jus ad bellum*. The second criterion again emerges quite clearly. The operation aimed to punish the breach in the agreements in Minsk and protect the Russian separatists in eastern Ukraine.³²⁹ *Jus ad bellum* requires that large groups of people be in danger, which at least in Putin's view is the case. There is no further discussion during the interview on February 14 about the actions of the military themselves in the conflict, making *jus in bello* impossible to address.

Now that a comparison has been drawn between the speech of February 24, 2022, and more recent interviews, several conclusions can be drawn. Initially, the justification primarily relied on political elements, but over time, the focus shifted to historical arguments, to justify the annexation of Ukraine. By applying just war theory, several criteria of the theory could be identified. While certain criteria such as just cause and last resort remained applicable, the justification increasingly relied less on humanitarian reasons and more on historical territorial claims. Just war theory is unable to explain these based on their model. What has become particularly clear from the analysis of these speeches and interviews is that the justifications primarily remain based on the defence of Russians. However, in terms of the objectives of the Russian government, there appears to be a shift from regime change to what seems to be a permanent occupation of Ukraine.

5.3 The Utility and Applicability of Just War Theory

Just war theory has been utilized in this dissertation as the guiding thread for analysing Russian presidential speeches, where it has proven to be well-suited. Just war theory was largely able to elucidate both the *jus ad bellum* and *jus in bello* aspects of Russian conflicts in the twenty-first century. However, this does not discount certain gaps in the applicability of just war theory. As gleaned from the analysis of the speeches, the criteria of competent authority and probability of success are rarely applicable. Competent authority requires that a war be initiated under the condition that the initiating state has a functioning legal system.³³⁰ In the context of this work, applying just war theory to speeches renders this criterion virtually useless. After all, no Russian president would admit openly to being a brutal dictator

³²⁸ The Kremlin, "Answers to questions from journalist Pavel Zarubin, February 14, 2024."

³²⁹ The Kremlin, "Answers to questions from journalist Pavel Zarubin, February 14, 2024."

³³⁰ Johnson, "Just war Theory," 43-44.

with nearly absolute power.

Similar arguments can be made for the probability of success criterion. Just war theory stipulates that there must be a realistic chance of victory. The theory itself somewhat concedes that this is nearly impossible to predict. It often translates into attempts at coalition-building to secure international support. However, in most cases, it is impossible to predict this because wars depend on speed and the element of surprise. The probability of success was thus hardly recognizable in the analysis of Russian speeches, rendering this criterion almost inapplicable in this case. Last resort and just cause, on the other hand, were identifiable in virtually every speech from 1999 to the present, making these criteria highly useful. *Jus in bello* was somewhat more complex because it often appeared as an accusation against the other party in Russian speeches. It concerns the ethical conduct of soldiers during a conflict.

Logically, a Russian president would not emphasize that Russian soldiers have attacked civilian targets or abused prisoners of war. Yet, *jus in bello* is still applicable because it is often used in Russian justifications to demonize the adversary. Consider the case of Georgia, where Medvedev accused the Georgian army of attempting genocide.³³¹ Thus, *jus in bello* is well applicable to military conflicts but is not particularly suitable for more asymmetrical conflicts like the annexation of Crimea. In 2014, there were no large-scale military confrontations, which poses a challenge for just war theory to explain.

A further shortcoming is just war theory's inability to recognize historical arguments and claims in justifications for war. The analysis of the speeches indicates that almost every speech had a historical component. Not only that, but the interview with Carlson revealed various revisionist elements and historical claims that do not fit within the framework of just war theory.³³² To analyse these historical elements in Russian justifications for war since 2022, this work proposes a new theoretical framework called "Russian strategic morality theory" (RSMT). RSMT is essentially a hybrid theory that combines the just cause component of just war theory with the political and historical components of Russian justifications for war.

RSMT comprises three elements. Firstly, the just cause principle remains present but adapted to the Russian concept of a just war. Military intervention is permissible in cases of humanitarian crises, such as the violation of the rights of ethnic Russians abroad. Unlike conventional just cause criteria, preventive intervention can also be considered justifiable.

³³¹ The Kremlin, "Meeting with Servicemen from the Russian Armed Forces, August 14, 2008."

³³² The Kremlin, "Interview to Tucker Carlson, February 9, 2024."

According to the Russian perspective, a hostile government in a neighbouring country constitutes sufficient reason for military intervention.³³³ The invasion of Ukraine is deemed morally justified from the Russian viewpoint due to a combination of geopolitical and historical factors. Ukraine is a puppet state of the West, which is geopolitically sufficient reason in itself. The fact that, according to Putin, a Nazi government rules Ukraine is the historical argument, thus this blend of modern and historical justifications is used to justify an invasion.³³⁴

The second element consists of revanchist delegitimization. This has a strong historical element, where Russia designates certain territories such as Ukraine as part of historical Russia.³³⁵ Intervention is seen as morally justified if a former member state is seen as illegitimate. By misrepresenting national history, Russia seeks to deprive other successor states of the USSR of their legitimacy. An important element here is framing former member states as Western fabrications without ethnic and historical identity. Consider the interview with Carlson where Putin does his utmost to portray Ukrainians as forerunners of Russia. He also emphasizes that Ukraine is linguistically and culturally a mishmash of Hungarians, Poles, and Russians, rendering Ukrainian nationalism virtually unfounded.³³⁶ This is not to say that this is openly used as a justification for war, but it repeatedly emerged in Putin's speeches since 2022.

The third element is geographical reunification. A war is seen as morally justified as long as it involves the reincorporation of former Russian territory. On the surface, this may seem similar to a 19th-century national reunification war, but nationality plays a subordinate role in the Russian case. After all, Putin repeats in his speeches that Russia is a multicultural country.³³⁷ It is therefore irrelevant whether someone is an ethnic Russian, as long as they possess Russian citizenship or speak the language. Historical and geographical elements go hand in hand here. As seen in Putin's speech after the annexation of Crimea, he lists all places of historical significance in Crimea and how they are part of Russian national history.³³⁸ He emphasizes that the ethnicity of the population does not matter; what matters is that Crimea is historically Russian territory, which has returned to the arms of the motherland after a long time.³³⁹

³³³ The Kremlin, "Interview to Tucker Carlson, February 9, 2024."

³³⁴ The Kremlin, "Address by the President of the Russian Federation, February 24, 2022."

³³⁵ The Kremlin, "Interview to Tucker Carlson, February 9, 2024."

³³⁶ The Kremlin, "Interview to Tucker Carlson, February 9, 2024."

³³⁷ The Kremlin, "New Year Address to the Nation, December 31, 2022."

³³⁸ The Kremlin, "Address by President of the Russian Federation, March 18, 2014."

³³⁹ The Kremlin, "Address by President of the Russian Federation, March 18, 2014."

Applying RSMT to modern Russian conflicts offers several new advantages. In addition to being useful for explaining policy statements and patterns in justifications for war, the framework is excellently suited for comparative studies. Russian justifications for war are still popular research cases, and RSMT is ideally suited for this purpose. This allows for a comparison of Russian claims with international norms and standards as well as the reactions to Russian actions from the international community. By applying this framework, a better analysis can be conducted on the moral and strategic considerations behind Russian military interventions, and above all, the historical aspects behind Russian justifications.

5.4 Conclusion

From both the analysis of speeches and interviews after February 2022, several conclusions can be drawn. First and foremost, the justification for the invasion primarily relied on political elements, with an emphasis on overthrowing the Nazi government in Kyiv. However, as time progressed, there was a noticeable shift towards primarily historical arguments to justify the annexation of Ukraine. This transition not only reflected a change in the methodology of Russian justifications for war but also suggested a step towards a permanent occupation of Ukraine. When applying just war theory to the speeches and interviews after February 2022, the criteria of just cause and last resort remained highly applicable. The outcomes of these analyses showed similar elements to previous analyses.

However, the interview of Carlson with Putin was an exception in terms of justification, primarily due to the strong emphasis on historical and territorial arguments.³⁴⁰ This proved problematic because historical arguments are not seen as legitimate reasons for war according to just war theory. This constituted a shortcoming of just war theory in studying the Ukraine conflict after February 2022. Through the application of the Russian strategic morality theory proposed in this work, historical arguments and territorial claims in Russian justifications for war can be accommodated. By applying RSMT to the Ukraine case, a more nuanced approach is used to study the evaluation of Russian justifications for war, taking into account the Russian understanding of a morally just war and the strategic considerations involved.

³⁴⁰ The Kremlin, "Interview to Tucker Carlson, February 9, 2024."

6. Summary and Conclusion

This thesis asked: to what extent does the justification for the Russian invasion of Ukraine differ from other twenty-first-century wars? Through an analysis of Russian justifications for war, several key findings emerged. Firstly, the comparison of case studies revealed both differences and similarities. Notably, historical references to the Great Patriotic War were consistently employed across conflicts, alongside a recurring theme of protecting ethnic Russians. While less evident in speeches concerning the Second Chechen War, this element became increasingly prominent from 2008 onwards. The notion of protecting Russians as a pretext for military intervention termed the "humanitarian" invasion, emerged as a template for subsequent interventions post-2008. An exception was the Second Chechen War, which was characterized predominantly by terrorism. Putin strategically framed this conflict as part of the global war on terror.

Secondly, the analysis of diverse justifications through the lens of just war theory revealed consistent trends. The criteria of just cause and last resort were almost always applicable, with each Russian president claiming to have exhausted peaceful options before resorting to military force. However, the principle of proportionality was frequently violated, as Russia often employed overwhelming force without gradual escalation, notably in the invasions of Chechnya, Georgia, and Ukraine. Furthermore, while Russian lives were indeed at risk, exaggeration by Russian leaders often undermined the legitimacy of their claims. Even in Crimea, where a majority voted for annexation, the action occurred through a Russian invasion of sovereign territory, rendering it illegitimate. Additionally, Russian presidents utilized *jus in bello* to depict opponents as deliberately targeting civilians, thereby damaging their enemy's legitimacy.

Lastly, the analysis post-February 2022 revealed a narrative shift in the Ukraine conflict towards historical arguments outweighing political motives. Departing from the template established by Medvedev in 2008 suggests a shift in Russian Federation objectives, although the extent remains speculative. Notably, just war theory exhibited limitations, particularly in applying the criteria of competent authority and probability of success to Russian justifications for war. In proposing the Russian Strategic Morality Theory (RSMT) for future research, this study delivers a nuanced approach that combines historical and territorial arguments with the moral aspects of just war theory. RSMT, specifically tailored to the Russian context, offers a more comprehensive framework for analysing recent

justifications by Putin, complementing the longstanding relevance of traditional just war theory in studying past conflicts.

In conclusion, while differences in justifications for the Ukraine conflict were minimal, a consistent trend emerged from the Georgian War onwards, characterized by common elements in Russian justifications for war. However, the post-February 2022 speech analysis highlighted a notable shift towards historical and revanchist rhetoric, albeit with exceptions like the Carlson interview.³⁴¹ This underscores the need for continued research into Russian war justification strategies, given the ongoing conflict in Ukraine and the potential implications for future conflicts. Such research is crucial for identifying indicators and predicting future conflicts, making it of paramount importance in understanding Russia's deadly passport tactics.

The call is therefore extended to fellow researchers to apply the findings from the speech analysis, as well as the new theoretical model, to their studies. Authors such as Eric Patterson have already made significant attempts to adapt just war theory to modern conflicts and asymmetrical warfare.³⁴² Killingsworth and Chatham have made some effort to fill the gap in academic discourse regarding the war in Georgia, but they approached the conflict solely from an international law perspective.³⁴³ By applying RSMT to their respective case, an explanatory theoretical framework can be integrated into their analysis, thereby strengthening their research. There are still significant strides to be made in understanding the Russian approach to a just war. Only time will tell how Russian justifications for war will continue to evolve as the war in Ukraine progresses.

³⁴¹ The Kremlin, "Interview to Tucker Carlson, February 9, 2024."

³⁴² Eric Patterson, "Just War in the 21st Century: Reconceptualizing Just War Theory after September 11" *International Politics* 42 (2005): 116-134, doi: 10.1057/palgrave.ip.8800100.

³⁴³ Matt Killingsworth, "Understanding order and violence in the post-Soviet space: the Chechen and Russo-Georgia wars," *Global Change, Peace & Security* Vol. 24, No. 2 (2012): 219-233. & Robert p. Chatham, "Defense of Nationals Abroad: The Legitimacy of Russia's Invasion of Georgia," *Florida Journal of International Law*, no.1 (2011): 75-103.

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