

Ukraine Insta-Symposium: Russia's Rule-breaking as Power Politics

by Alexander Cooley

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Among the many political layers of the crisis in Ukraine, I am especially interested in how these unfolding events are part of a broader attempt by Russia to confront the West's broadly "**liberal world order.**" By the term I mean not only its most visible organizations such as NATO or the EU, but also the broader system of international rules, organizations, non-governmental advocates, and normative assumptions that have underpinned **Western political engagement with the post-Communist space** since the Soviet collapse. In Ukraine, we are now seeing this order in open conflict with Russia's revisionist "great power" legal and normative grammars, as Chris Borgen has described them, though Moscow's brazen response in Crimea is more of an act of international desperation than we might initially realize.

From the outset of the 1990s, US policy has been to promote the "sovereignty and independence" of the post-Soviet states. These remain code words for extricating them from Soviet era legacies and ties to Russia, and integrating them into new international organizations, laws, infrastructures and governance institutions. The more advanced reformers applied for **membership in the European Union** and **NATO**, but throughout the region Western economic and legal advisors instructed governments in reform, while non-governmental organizations and regional bodies such as the OSCE assumed that a common normative space would be forged on the values of the Helsinki Accords themselves.

Vladimir Putin's ascendancy to the power in 1999 initiated a renewed bid to consolidate a hollowed out state power at home and elevate Russia's global status by forging new forms of security ties to its former republics. After a brief period of cooperation following the events of 9/11, US-Russia relations steadily deteriorated in the 2000s as interests came into open conflict on important issues such as the US plans to deploy a missile defense system, NATO expansion, and the Iraq War.

But it was the so-called Color Revolutions in Georgia (2003), Ukraine (2004) and Kyrgyzstan (2005) that redefined the scope and terms of this new power politics within Eurasia itself. Election day demonstrations, led by NGOs and international observers' declarations that elections were flawed, swept aside corrupt regimes with ties to the Kremlin and replaced them with new rulers aligned with the West. Though all three states continued to face **significant barriers in their democratic consolidation**, it is difficult to overestimate their political significance and **demonstration effects** across the region. For the West, these were democratic triumphs, but to the Kremlin they crystallized the West's unrelenting appetite to reshape the domestic political affairs and geopolitical orientations of its immediate neighbors.

In response, the Kremlin adopted three countermeasures in its efforts to roll back the legitimacy and activities of the West, all of which remain on full display.

First, Russia recast NGOs working on democracy and human rights as Western-trained instigators of disorder and revolt. In 2006 the Kremlin introduced new restrictions on the activities of NGOs that in 2012 were extended in the passage of **the Foreign Agents law that has impacted hundreds of civil society groups**. As **one analyst shrewdly observed** of Putin's commentary during a press conference about the Crimean crisis, the very equivocation of Euromaidan supporters, allegedly trained by the West in Poland and Lithuania, with Russian Special Forces reveals much about how Putin himself views "civil society" groups. The brittleness of the Yanukovich regime and its crumbling has only reinforced this understanding.

Second, Russia has been at the forefront of publicly flagging the West's own normative and legal inconsistencies. The meme of **US hypocrisy** and accusations that Washington routinely practices of double standards has gained traction, especially in the wake of US government complicity in torture or violations of civil liberties. Stripped of its allegedly universal and consistent values framework, liberal order is nothing but raw geopolitics.

In this light, Putin's use of the Kosovo analogy to justify both the recognition of Abkhazia and South Ossetia in 2008, as well as the possibility of Crimea's status change is more than just cynical moral equivalency. Moscow was incensed by Washington's seeming wave of the hand that, as if by fiat, Kosovo was *sui generis* and so could not possibly constitute any type of **international precedent for future sovereign recognitions**. Power is the ability to engage in ad hoc legal reasoning or offer

no reasons at all.

Third, even while taking every opportunity to point to the often-substantial gap between liberal principles and actual US behavior, Russia as **Charles King** recently noted has become almost obsessed with **drawing moral and legal equivalencies** between its own actions and those of the West. It has funded the rise of **rival regional election monitoring organizations**, patriotic youth groups and global media outlets, adopting the language of Western values in a prolonged bout of international normative jujitsu.

The latest script that justifies Crimea's incorporation is interlaced with a pastiche of such norms ranging from the responsibility to protect Russian citizens abroad, to appeals to a non-existent humanitarian and refugee crisis, to warnings of a minority group in peril, and the absolute sanctity of the principle of local self-determination. Of course, righteously adopting the latter necessitates that Russian officials deny the obvious origins of Crimea's thousands of so-called "self-defense" forces that have seized the peninsula's strategic and military assets. A highly choreographed political theater between Simferopol and Moscow has crossed over into pantomime.

It is tempting to see the Crimean crisis as the marking a high tide for Russian aggression, which it might be, and influence. But in a region where political demonstration effects are strong, from Riga to **Astana** reactions have ranged from alarm to outright panic. Moreover, Russia's actions will **give pause to those partners** who are members of its new style-security and economic regional organizations that seek to **institutionalize Russian dominance within a contemporary organizational framework**. Chief among these is the Customs Union, soon to be known as the Eurasian Union, comprised of Belarus, Kazakhstan and Russia. Deepening the common economic space was always likely to be challenging, but Moscow's ability to demonstrate to its partners that it can actually credibly commit to be bound by the organization's embryonic rules may now prove impossible.

But on a more international setting, **as Daniel Nexon has recently observed**, and contra its portrayal US media and political partisans, Russia's moves on Crimea are more a flailing act of a regional power that simply lacks the array of international legal actors, tools and institutions to pressure its most critical neighbor in more internationally acceptable ways. In fact, Russia's attempts to internationalize its neighborhood revisionism have found few overseas backers, as Syrian President Assad's current lone supportive voice underscores. In the wake of the 2008 Georgia War Moscow's vigorous diplomatic efforts to secure international recognitions for Abkhazia and South Ossetia yielded few successes- just Nicaragua, Venezuela and three small Pacific island states, **one of which embarrassingly revoked**.

By generating its own rules over sovereign boundaries, definitions of humanitarianism, human rights, and norms of intervention in the former Soviet space, Russia has proven powerful enough to break and change the rules of international relations in its own neighborhood. But in the longer run the price Moscow pays for fending off the West near home will be the abdication of **the very status it craves** as a responsible and rule-setting power in the international order that it hopes to remake.

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