
WHY PUTIN DOES NOT HAVE ANY 'LEGITIMATE CLAIMS' ON THE TERRITORIES AND STATEHOOD OF EASTERN EUROPEAN COUNTRIES

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"[It] is we who are responsible for Putin's policies ... [s]ociety has shown limitless apathy ... [a]s the Chekists have become entrenched in power, we have let them see our fear, and thereby have only intensified their urge to treat us like cattle. The KGB respects only the strong. The weak it devours. We of all people ought to know that."

Anna Politkovskaya

At the time of writing this letter, Europe is on a brink of a war, with over 130 000 Russian troops amassed along Ukraine's borders. Ukraine is surrounded from three sides, including from the Black Sea, and nuclear-capable Russian bombers are flying over Belarus. While Ukrainians are preparing to defend their country from a foreign aggressor in an impressive demonstration of courage and resilience, Western Europe has been divided over how to respond to President Putin's whims.

We do not know if Putin will order an attack, but an important battle for the soul of Europe has already been underway for several months: between those recognising Ukraine's right to continue on its European path (and determined to protect this possibility) versus those willing to make a deal with Putin about Ukraine, at Ukraine's expense.

It is sometimes suggested in European intellectual debates that Europe and the US are somehow co-responsible for having turned

Vladimir Putin into the imperialist dictator he is today. If they can experience anger over the Ukraine crisis at all, it is not directed at Putin but rather at the US: "Didn't the West mingle too much in countries belonging to Russia's historical sphere of influence? Isn't Putin right to be afraid of NATO expansion? Isn't Russia right to feel humiliated by post-Cold War developments?" - they ask, and they recall Putin's speech at the Munich Security Conference in 2007, feeling empathy for the Russian dictator.

For some, international law and promotion of human rights and democracy seem to represent faded concepts from the "end of history" discussion of the 1990s, invalidated by subsequent developments. In a Realpolitik school of thought where interests prevail over values, there is often a thin line between a declared effort to understand Russia and an inclination to accommodate it.

In this letter, I propose that we Europeans gather courage to defend our values and the

international order – an order which came at a cost of over 60 million people who died in the Second World War. An order which is the biggest and most noble achievement of humankind – but unfortunately too easily reversible by the world's dictators, especially if they are helped by protagonists in European governments and businesses. I suggest that defending international law and Western values in the Ukraine crisis is actually our biggest interest. Dispensing with these values would be deeply detrimental for the future of Europe and of the world.

How did Putin come to power?

Those Europeans who blame the US or themselves for President Putin's alleged radicalisation, should remember how he came to power. He did not become an authoritarian because the West pushed him. He was an aspiring authoritarian who was given more and more space over time.

Putin was not part of the more liberal forces in the Soviet Union: he was a hardliner. He did not share the spirit of Mikhail Gorbachev's policies of *glasnost* and *perestroika*. His role model was Yuri Andropov, known as the 'butcher of Budapest' for his ruthless suppression of the Hungarian uprising. Putin was a KGB agent posted in Dresden, East Germany, a Soviet satellite state, where, as Anne Applebaum writes, "he endured the fall of the Berlin Wall as a personal tragedy." When anti-communist protesters gathered outside KGB offices in Dresden in 1989, Putin was trying to get instructions from Moscow, but Moscow remained silent. Ben Judah terms this experience of "paralysis of power" as Putin's "defining scar".

Upon his return to Leningrad, now St. Petersburg, Putin became Mayor Sobchak's indispensable man. One of his first 'contributions' in the city hall was permitting the sale of undervalued steel in return for food supplies from abroad that never materialised. From 1996 he made a career in the Presidential administration, got appointed as head of the FSB, then deputy Prime Minister and finally acting President. He managed to consolidate power through a heavy-handed authoritarian approach, also towards the war in Chechnya or in handling the 2004 Beslan school siege. In addition to the assassination of Anna Politkovskaya in 2006, more than 20 other journalists have been killed in Russia during Putin's reign. Hundreds of dissidents have been imprisoned, some of them poisoned or shot.

By 2007, as Russia enjoyed its share of the worldwide economic growth, more and more Russians felt empowered to restore imperial glory. As caricatured by Konstantin Eggert: "I bought my washing machine; where is my empire?" In his Munich speech at the time, Putin vocally challenged further NATO enlargement. Was this something for which he deserved praise?

Origins of Western European sympathy for Putin

Verstehers of Mr. Putin echo the narrative of Russia's 'betrayal' and 'humiliation' by the West in the 1990s. The Clinton Administration's 1993 idea of a Partnership for Peace was indeed sold to President Yeltsin for more than it was. More time and effort could have been invested into bringing Russia closer to the West.

But the effort was lacking on both sides.

Moreover, Russia was not the only ex-Communist country with interests to pursue. As Caroline de Gruyter writes, many of Yeltsin's collaborators understood the independence and sovereignty of ex-Soviet countries in the sense that they would still "remain together with Russia in a loose union". However, most post-Soviet countries did not have trust in Russia's goodwill, and preferred to seek NATO's protection, based on their previous experience with Moscow.

The main post-Cold War reason for Europeans to feel guilty is the Iraq war, spearheaded by US neoconservatives. This was an unjustified war that created massive suffering and instability in the Middle East. Putin, Schröder and Chirac might have been more right on Iraq than were the US, UK and most leaders of 'new Europe'. It is a historical irony, however, that neither Angela Merkel nor Nicolas Sarkozy were actively opposing the Iraq war in 2003, but the moment where they did refuse to follow the Americans' lead was at NATO's Bucharest summit in April 2008. There they declined to offer a NATO Membership Action Plan to Ukraine and Georgia, providing strong encouragement to Putin in his neo-imperial ambitions.

If we use for a moment the lens of 'winners and losers', then 2007-8 was a turning point. If the West can be designated as the 'winner' of the first half of the post-Cold War era, until the culmination of NATO and EU enlargement in the mid-2000s, Russia's authoritarian regime has probably 'won' the subsequent 15 years. Russia remained unchallenged for the 2008 war in Georgia that it successfully provoked, and it has benefitted from a friendly oligarchic government in Tbilisi since 2012. Nord Stream 1 was inaugurated in 2011. Russia captured Crimea and

part of the Donbass in 2014. Belarus has fallen into ever-greater dependence on Moscow, especially since the fraudulent elections of 2020. Russia has also entrenched itself as the key mediator between Armenia and Azerbaijan following the 2020 Nagorno Karabakh war. In October 2021, Moscow reasserted full control over Moldova's gas supplies. Serbia's progress in terms of EU accession remains limited.

Whoever boasts a Realpolitik mindset should therefore stop portraying Russia as the humiliated actor of the 1990s. The balance has long been shifting. The EU's Eastern Partnership policy, launched in 2009, does not have many successes to show.

On the other hand, it has been also approximately 15 years that Ukraine has been trying to become a modern European state. The 2004-5 Orange revolution was followed by disillusion. The post-Maidan years have been only moderately successful. But Ukraine has clearly made sacrifices for its European choice. The firm resolve that Ukraine still has to build a European future should not be disregarded by Europeans because of regrets that Clinton had disappointed Yeltsin, or because of anger at the US for the Iraq War. Thirty years after the Soviet Union's break-up, it is surely legitimate for a country like Ukraine to be able to define its future.

The spectre of NATO enlargement

Many Western European political thinkers consider that Russian military threats to Ukraine stem from Russia's 'legitimate fear' of NATO expansion and that it was a mistake to promise to Ukraine and Georgia at the 2008 Bucharest

summit that they would one day become NATO members.

These should ask themselves: in what ways does Russia have a legitimate concern about Ukraine and Georgia entering NATO? The answer would depend on whether Russia is actually threatened by NATO and what NATO membership entails.

NATO is a defensive organisation, and membership does not necessarily imply the stationing of dangerous offensive weapons in a country. NATO enlargements since the end of the Cold War were coupled with restraint in terms of permanent deployment of combat forces in Eastern Europe or the placement of nuclear weapons there. These commitments were referenced in the 1997 NATO-Russia Founding Act and maintained even after the annexation of Crimea. Overall, the US withdrew large numbers of troops from Europe after 1989 and European countries shrank their armed forces considerably. Faced with Russia's latest demands for security reassurances, NATO collectively and the US bilaterally have confirmed openness to discussions on risk reduction, transparency and arms control.

NATO has never been aggressive towards Russia, not even as Russia invaded Georgia and Ukraine.

As Chancellor Scholz stated as part of his de-escalation efforts, Ukraine's membership in NATO is currently not on the agenda, it is not even an issue. Nonetheless, it remains paradoxical that France and Germany, who benefit from the US security umbrella, do not wish to extend it to others, while the US has been in favour of enabling NATO enlargement.

Those Western Europeans who are afraid of NATO enlargement because they would not

want their soldiers to fight for Ukraine, should remind themselves of allied troops who fought on their soil in the First and Second World Wars. Freedom and democracy are only enjoyed by Europe today because America overcame its isolationist instincts when it mattered. Even now, in 2022, most of the foreign troops mobilised on the EU territory in support of Ukraine are American troops. This said, if Ukraine did become a NATO member, the likelihood of Russia daring to attack it would be actually reduced. In this sense, a more courageous decision at the 2008 Bucharest summit could have spared Europe some of the subsequent tensions.

Whether or not there will be a large-scale war in Ukraine, Russia's current muscle-flexing is a consequence of Chancellor Merkel's and her French counterparts' complacent policies, from vetoing the NATO MAP for Georgia and Ukraine in 2008, to the construction of the Nordstream I and II gas pipelines. The latter threaten to leave Ukraine at the mercy of the Kremlin, as Ukrainian pipelines will no longer be needed for bringing Russian gas to Germany.

Finally, it should be noted that Ukraine and Georgia are not keen to join NATO for the sake of it. They have mainly seen NATO as a means to defend their sovereignty. If Russia could credibly promise to leave their countries alone, they would not need to pursue NATO membership. Unfortunately, Russia has violated the 1994 Budapest Memorandum commitments to respecting the sovereignty and existing borders of Ukraine, in return for which the latter renounced Soviet-era nuclear weapons. And there is no sign as yet that Moscow intends to stop propping up the separatist entities that it has set up in the Donbass, Crimea, Abkhazia, South Ossetia and Transnistria.

If NATO enlargement represented a threat to Moscow in a purely military sense, Moscow would focus on engaging in arms reduction talks. However, the request for reassurance that Georgia and Ukraine never join NATO has been elevated by President Putin into a 'primary', existential demand.

Perhaps what Putin fears is not NATO enlargement per se, but the prospect that under NATO's security umbrella, Ukraine or Georgia could develop into stable and functioning European democracies. The question may therefore be reformulated: does Russia have a legitimate claim over limiting the free choice of Ukraine, Georgia, Moldova (and other Eastern European countries) to define their future? Unless we are going back to the pre-WWII order, where great powers were defining the fate of smaller countries, the answer is no.

Why it is dangerous to reason in terms of 'spheres of influence'

To accept Putin's 2007 speech at the Munich Security Conference implies accepting the logic of 'spheres of influence' whereby the Russian government is entitled to intervene in domestic and foreign policy choices of its neighbouring countries.

When some Europeans point at the map and shake their heads at "how much of the previously Russian controlled area is now part of the EU, NATO or the EaP," they should remind themselves of the agency of sovereign states, and their right to choose their own path as

enshrined in the 1945 Charter of the UN and other international agreements. If we are able to learn from history, we must refrain from looking at the map in 2022 in the same way as Molotov and Ribbentrop did in 1939.

Reasoning in terms of 'spheres of influence' prompts some academics to see Ukraine as a 'buffer state' between the EU and Russia - Ukraine's stability is not an aim in itself, but a means to maintain the EU's security. To protect the EU's strategic interest, they advise strengthening Ukraine with weapons only if and when Ukraine exhausts its own resolve and ability to fight.

This might sound logical to those who never really envisaged Ukraine as part of the West, let alone as a member of the EU or NATO. However, at the bottom of this thinking lies a dangerous trap: dehumanising a sovereign state with more than 40 million people, instrumentalising it for the EU's own security and neglecting its agency. The underlying assumption is that the purpose of the lives of Ukrainian children is to be 'buffers', i.e. enablers of children in the EU to have comfortable lives. At best, this assumption is arrogant and insensitive, also given how much blood Eastern Europe has shed on the altar of Russian imperialism in the last centuries. Moreover, the assumption is also short-sighted, because it leads to complacency and the underestimation of threats.

Instead of seeing Ukraine as a 'buffer', it would be wiser for Western Europeans to see it at least as an ally with whom it is useful to invest in a relationship, based on a modicum of respect. In a Europe that chooses to see neighbours as 'buffer zones', Putin has won: we have adopted his view of the world as our own. Lukashenka's recent instrumentalisation of migrants in pursuit

of revenge on Poland, Lithuania and Latvia is based on a similar logic: playing with human lives from the perspective of one's own (security) needs.

Remember the human aspect of living in a non-democratic country

For many Georgians, Ukrainians and Moldovans, democracy and rule of law are not elusive abstract terms, but the most concrete way towards a better, safer and fairer life. They stand for a system where you can be free to choose your government, express your opinion, choose your TV station, not be pursued for your sexual orientation, get a pension no matter who you vote for, not give your country's entire wealth to oligarchs, give education to your children, and live in a merit-based society where university entrance exams do not depend on the size of the chocolate box you bring to the professors.

A well-functioning state based on the rule of law is not a fancy concept invented by Eurocrats. It is a way of life that Ukraine, Georgia, Moldova and other countries are choosing to live and Russia is preventing them from living.

Twenty-two years of experience with Putin's regime represents enough time to reflect on the overall balance between the benefits of having Russian money parked in various European financial centres, versus the damage done by Putin's government, including in terms of opportunities for Eastern Europe's development that have been missed.

Why Europe should not bow its head to the bully

De-escalating the Ukraine crisis is important, but it must go hand in hand with deterrence. Bowing to the bully is not a solution for Europe. Those who invoke Russian speaking minorities as a justification for the Russian invasion of Crimea and Donbas, should remind themselves of Hitler's takeover of Czechoslovakia in 1938-9 on the pretext of 'suffering of the ethnic Germans' living in the Sudetenland. British Prime Minister Neville Chamberlain contended that German grievances were justified and that Hitler's intentions were limited. The French followed. In a speech in Berlin in 1938, Hitler declared that Sudetenland was "the last territorial demand I have to make in Europe". In a radio broadcast on 27 September 1938, Neville Chamberlain stated: "How horrible, fantastic, incredible it is that we should be digging trenches and trying on gas masks here because of a quarrel in a far-away country between people of whom we know nothing." By 1939 Hitler had taken the whole of Czechoslovakia and added new demands towards Poland and others. Several Western European countries soon found themselves conquered.

Putin's Russia is further away than Hitler's Germany, but distances have meanwhile shortened: after Ukraine, anybody can be next in line for cyber-attacks. Through steady support for far-right parties and disinformation outlets, Putin's regime has been destabilising a number of EU countries. Dependence on Russian gas represents a vulnerability of several Member

States, including Italy or Austria. In such circumstances, standing up to the bully and defending the most exposed target is important for everyone's security.

Conclusions

One should not feel too sorry for Mr Putin who has been building an authoritarian regime and pursued imperial ambitions for more than twenty years. Different choices had been possible, such as for Russia to become a cooperative European country, evolving towards democracy and the rule of law. Today such a prospect seems far-fetched but there has been nothing inherently legitimate or inevitable in the path that Putin has been taking.

Perhaps the biggest fallacy of Putin's European advocates is that they view him as the embodiment of Russian interest. Yet what he truly represents is the interest of his own regime. After weeks of building up a serious military threat to Ukraine, the Kremlin might of course start scaling it down, with face-saving rhetoric on how Russia never wanted war in Europe. Europeans will sigh in relief. Ukraine will still have to see at what cost further invasion was

avoided. But it cannot come at the cost of pushing Ukraine into subordination to the Kremlin.

If the EU wants to have a future as a Union, it needs to help Ukraine to deter further Russian invasions and step-up support for Ukrainian state-building. As the US is our strongest ally, with very similar objectives, this is the partner European leaders need to work with.

French and German leaders so far seem to have found some resolve, and they have been careful to involve Ukraine in their diplomatic efforts. Views and experience of Central and Eastern European Member States appear to have been taken into account. With some luck, the worst may be avoided.

However, if Europe wants to avoid re-living a similar crisis soon, it will need to convince itself more strongly about the principle that no country can be told that their sovereignty is irrelevant in the face of a bigger power's aspirations. It is important to speak up, and perhaps even accept some pain when jointly standing up to the bully. The hope for Europe is that this lesson from the Ukraine crisis will not be forgotten.

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