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Ambiguity and Abuse of the R2P Doctrine: Discourse Analysis of the Russia-Ukraine War Justifications

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# **Declaration**

I, Laura Dolzenko, declare that this thesis is a result of my research investigations and findings. Sources of information other than my own have been acknowledged and a reference list has been appended. This work has not been previously submitted to any other university for award of any type of academic degree.

Signature:

Date: 13.05.2023

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Any errors are author's alone.

#### **Abstract**

Can Russia justify its aggression against Ukraine? Not according to International Law, but perhaps according to the *jus ad bellum* criterion, both traditional and contemporary. The ambiguous application, and possibly nature, of humanitarian interventions might provide a language for justifications and norm contestations. However, justifications about, and legality of, crimes against humanity do not necessarily go hand in hand. Empirically, Russia's war on Ukraine might provide evidence of geopolitical interests covered in moral justifications, which can enhance the inconsistency, subjectivity and hypocrisy of the R2P pillars. The ongoing, largest scale of violence in Europe since the WWII, has demonstrated types of discourse and securitization which are interesting to analyze, explain and understand.

Although war and humanity have existed alongside for centuries, the modern sovereign state security is turning towards human security. The international community is trying to condition the sovereignty to responsibility, in order to make the state responsible for human rights and lives. Whether that is permissive or preventive of destructive interventions, is a complex debate with empiric examples stretching between both ends. According to Russia, its actions in Ukraine are preventing a humanitarian crisis. From another perspective, it seems as though Russia's geopolitical interests have permitted an illegal intervention. When speaking of intervention, it is unclear whether Russia sees itself as an intervener in the sovereign country of Ukraine, or as a requested assistance to the self-declared Republics of Lugansk and Donetsk, or if Russia "intervenes" in a territory it views as a "common Motherland".

Russia might be behaving as a traditional, regional hegemon in similar manner to the Western interventional practices. In light of the eastward NATO expansion, perhaps there truly is a fear of the imbalance of global order and power-threat relation. With pro-Russian arguments about self-defense, and pro-Ukrainian voicing of mass atrocity crimes in Ukraine, the discursive contrasts are significant. Appeals to justice are in this case polarized, and perhaps unfortunate for the further development of, and commitment to, the R2P.

**Keywords:** Ambiguity; Discourse; Humanitarian Intervention; International Community; Just War Theory; Responsibility to Protect; Russia; Security; Sovereignty; Ukraine.

# **Acronyms and Abbreviations**

DA Discourse Analysis

CDA Critical Discourse Analysis

HI Humanitarian Intervention

ESS Emergency Special Session

EU European Union

jus ad bellum justice of war

JWT Just War Theory

NATO North Atlantic Treaty Organization

OSCE Organization for Security and Co-operation in Europe

R2P Right to Protect Doctrine

UN United Nations

UNGA United Nations General Assembly

UNSC United Nations Security Council

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## 1 Introduction

February 24<sup>th</sup> in 2022, as the European time zone entered dawn hours, the capital of Ukraine got covered in bombs. Fire glares from rocket strikes lit Kyiv up, expanding to other cities, directly from their biggest neighbor country Russia. The same morning, Ukraine's Minister of Foreign Affairs Dmytro Kuleba compared that full-scale attack to the one of Nazi Germany in 1941 (Sangal et al., 2022). An immediate state of emergency in Ukraine was witnessed and felt, as Russia launched the highest degree of violence since the World War II (WWII) (Zinets & Vasovic, 2022). Ukraine's President Volodymyr Zelenskyy announced the first hundred of Ukrainian soldiers' casualties only hours after the attack launch (Sangal et al., 2022). It was undeniably a dawn of dark war times for Ukraine, and for the global security order. At the time of writing, a year after the outbreak, the war is ongoing.

Horrific events unfolded one after another, such as the execution of civilians in suburb town of Bucha (Okoi, 2022; Gran et al., 2022). This massacre was against residents, according to the North Atlantic Treaty Organization (NATO) Secretary-General Jens Stoltenberg, an atrocity not seen in Europe for decades (Okoi, 2022). Several claims, such as the one Vice-President of the US, Kamala Harris (Wright, 2023), have implied that Russia has committed crimes against humanity in Ukraine by acts of murder, torture, rape and deportation. Similar claims were stated by Zelensky, who referred to the documentation of at least 400 cases of war crimes committed by Russia's forces in Kherson during occupation (BBC, 2022). Moreover, in about half a year, the Ukraine's prosecutor general's office stated to have documented 34,000 cases of potential war crimes. Moreover, the Human Rights Watch (2022) has documented commitments of laws-of-war violations against civilians by the Russian military forces specifically in occupied territories of Ukraine.

Shortly after the first strikes, condemnation of Russia's aggression against Ukraine poured forward, including Taiwan, New Zealand (Sangal et al., 2022), Norway (Regjeringen, 2022), a joint statement by the members of the European Council (European Council, 2022), NATO Secretary-General Jens Stoltenberg (CNBC, 2022), only to mention some examples. The White House followed by releasing a statement from the US President Biden, that Russia's attack is among else, unjustifiable (The White House, 2022). A week after the invasion start, the UN released a resolution supported by 141 member states, who reaffirmed Ukrainian sovereignty, independence and territorial integrity (United Nations, 2022). Same resolution demanded Russia to immediately, completely and unconditionally withdraw from Ukraine. Only five

member countries stood out by voting against, namely Belarus, Eritrea, North-Korea, Russia, and Syria.

Crime against humanity, such as e.g., genocide, and general use of force is concretely prohibited in the Charter of the United Nations (United Nations, n.d.) and the customary international law, which confine the use of violence to only some exceptions (Saxon & Pratt, 2015, p. 135). Moreover, rooted in the UN Charter, the latest security enhancing, international development is the Responsibility to Protect Doctrine (R2P), opening up for an international response to exactly this type of crime against humanity. In order for the crimes against humanity during the 90's to "Never Again" repeat (Iancu, 2014, p. 342; Okoi, 2022).

To be precise, the R2P is meant to encourage states to act responsibly in times of crises and protect their own populations as well as the populations of external countries (O'Connell, 2010, p. 43). The UN Charter Article 2(4) specifically prohibits the use of force to interfere in the territory of an independent state (Saxon & Pratt, 2015, p. 135), however, R2P opens up a possibility for intervention if mass atrocity is committed against a population and the sovereign state is unable to prevent it. Instinctively, one could have relied on the existing international law and principles of population protection, to safeguard sovereign entities from mass violence.

Although the R2P Doctrine was first accepted during the World Summit in 2005, it has already been initiated and acted upon by the international community. A significant case was the conflict in Libya in 2011, where an emerging humanitarian emergency and predicted atrocities against humanity made the UN Security Council (UNSC) approve an intervention in the national conflict, with support from NATO (Hobson, 2016, pp. 441-442). The main goal was protection of civilians in Libya. Other R2P-based preventive interventions have been engaged in Cote d'Ivoire, Guinea, Kenya and Kyrgyzstan (Hobson, 2016, p. 437). In other words, these cases illustrate that intervention, or at least some protective physical action that goes beyond diplomatic or financial sanctions, has indeed been carried out, and is possible, with legitimate and legal grounds in order.

By peaceful matters, the UN General Assembly (UNGA) called for an immediate end to war in Ukraine, by 141 Member States voting for such a resolution in the eleventh Emergency Special Session (ESS) regarding the war on Ukraine (United Nations, 2023). The international community is witnessing the exact situation which the R2P and the UN Charter were supposed to prevent- the mass atrocities against humanity, and breaches of peace and security. Suggestively, the UNSC, which has the mandate to authorize interventions and conflict

settlements with external assistance, might be one of the reasons to why the international community hasn't intervened in Ukraine. The authorization must get unanimous support from the Council members, whereas Russia is one of the permanent members with a veto right.

When mentioning the ESS, as a mechanism, it might be significant to pinpoint that it was adopted by the UN in 1950 as an alternative for the maintenance of international peace and security, in case the UNSC should lack unanimity from the permanent members. The ESS, adopted under the name of "Uniting for peace" Resolution 377, is meant to, in cases of lack of unanimity in UNSC, give the UNGA a right to decide whether the international community should act to preserve peace and security when these are threatened (General Assembly-Fifth Session, 1950, p. 10). Acts of aggression are to be counted as breaches of peace and can be responded to with armed force when necessary, if supported by the majority of the Members of the UN (General Assembly-Fifth Session, 1950, p. 10). Which would suggest that the UN's majority vote has a possibility to bypass the UNSC in certain conflicts, similar to the R2P. There might be obvious reasons as to why NATO or the UNSC haven't intervened in Ukraine so far, it is nonetheless interesting to discuss whether the war in Ukraine has met the necessary criteria for intervention.

The R2P, is perhaps a result of further development of ESS, in order to emphasize human security (Hoogensen Gjørv, 2018, p. 231) and avoid UNSC's authorization criteria. Russia's aggression has caught millions of civilians in the crossfire, violating human rights and securities, thereby, a question of R2P in Ukraine might rise (Okoi, 2022). The evident humanitarian challenges in Ukraine might initiate international responsibility to respond. Okoi (2022) suggests that Russia's aggression on Ukraine might reveal a contradiction in the international community's commitment to prevent populations from crimes by state leaders. Namely that the R2P, as a normative principle founded by liberal interventionist values, has met a setback from the traditional concept of sovereignty.

On the flip side, R2P might be the very justification which Russia is using to prompt its intervention in Ukraine. Russia (President of Russia, 2022a; President of Russia, 2022b) declared its actions in Ukraine as self-defensive, out of necessity, labeled as "Special Military Operation". What might seem like clear violation of the non-intervention principle might get diffused because claims of self-defense are accepted causes for violence, e.g., the UN Charter Article 51. Necessity is a recognized criteria for war in JWT, an armed attack as last resort (Orend, 2000, p. 49). For centuries, both thinkers and states, in multilateral contexts, have shaped and redefined non-acceptable causes for the use of military force. However, in the case

of Ukraine, it might be timely to question whether a war-enabling side to the R2P, and thereby UN Chapter as well as the JWT, is present.

Moreover, war on Ukraine has sparked an ethical-practical challenge in global governance, almost setting up the sovereignty concept and the humanitarian intervention against each other (Okoi, 2022). Gregory (2014, p. 55) delimitates that JWT is not a type of technology or a systematic decision machine, which the UN Charter and R2P perhaps became more like, however, not legally binding. Nevertheless, it can be a way of imagining the moral purposes of the international community by recognizing both the limits and possibilities of such aims of responsibility to protect humanity. Just war scholars might tend to gravitate towards lenses of realism or pacifism while debating, either seeing the justification as applicable in some ways or simply wrong. Nonetheless, that discussion is more than violence ethics, contemporary just war includes questions of national interests, international order and assessment of military action (Gregory, 2014, pp. 55-56).

At the time of writing, a year of war on Ukraine has passed, and the case is interesting to analyze from the just war perspectives. Although it might seem bizarre that an action so brutal as a war can be justified through certain lenses. There's a theoretical chance Russia's war is justifiable, and there is also a chance the international community disagrees about when R2P is necessary. Perhaps contemporary international society is more anarchic or realistic (Neumann, 2019, p.64) and less universal than one would assume at first glance. President Zelenskyy has specifically addressed the international community, pleading for a more direct Western intervention in Ukraine (Collinson, 2022), while Russia claims that the newly autonomous regions in Eastern Ukraine have requested help from Russia (source). This might illustrate the very ambiguity of intervention practices.

## 1.1 Thesis Organizing Strategy

So far, an impression has been building about the existence of grey zones within the principles of humanitarian intervention and their interpretation, based on the observation of war on Ukraine compared to other conflicts. Thereby, the aim of this thesis (Nygaard 2017, p. 98) is to identify and elaborate on the ambiguities, hypocrisy and subjectiveness of the contemporary criterion for humanitarian intervention, essential the R2P. Nonetheless, in connection to there being some exceptions to the prohibition of the use of violence, there's a need to discuss the criteria of when violence might be just and legitimate, with evidence from the war against

Ukraine. As a different approach than passing a definite, moral judgement of the conflict, but rather contribute to the debate and perhaps reveal in which ways justifications are used or abused in the case of Russia's aggression. In order to understand more about possible misinterpretations of the R2P and justifications for war, following research questions are established:

#### Research Questions:

- 1. In which ways does the recent perspective on the Responsibility to Protect (R2P) depart from the more established stipulations found in Just War Theory and the UN Charter, and what might the implications be?
- 2. What appeals to justice were made by Russian authorities ahead of and during Russia's invasion of Ukraine, and how can those appeals be interpreted with reference to the R2P, UN Charter and JWT framework?

#### Layout

Admittingly, it is tempting to dive into a detailed analysis of Ukraine-Russia relations for the past decades, and especially the events in Crimea in 2014 and onwards, as they do connect with the ongoing events. However, for the sake of the thesis and its size, there is a need to delimit the timeline. Therefore, introductory background information about Russia's geopolitical interests in Ukraine, and the respective region generally, will be presented together with discourse examples from 2014. Some attention will be given to the events and discourses shortly prior to the invasion of Ukraine in 2022, because the justifications in favor of an attack have been built through time. Thereafter, the thesis will focus on assessing mostly pro-Russian discourses starting from the full-scale aggression against Ukraine on February 24th, 2022, and follow some major statements until the time of writing in spring 2023.

Firstly, the thesis will present a literature review of the three different types of perspective on the justification of war in the second chapter. The following chapter will present the methods, analytical tools and discourse theory. While the fourth chapter will consist of the analysis itself regarding the Russia-Ukraine war and pro-Russian justifications, with some geopolitical background introduction. Later on, in the fifth chapter, the thesis will discuss the topics of

research questions more broadly, especially the ambiguities of contemporary just war concepts. Lastly, a conclusion will try to summarize the findings and answer the research questions.

# 2 Perspectives on the justification of war

Michael Walzer (2015, p. 3) opens the book *Just and Unjust Wars* with a statement about people talking of war in terms of right or wrong, for as long people have been able to talk about war. A presented perspective claims that there is no morality in war and that the human nature of self-interest and necessity surpasses moral judgement (Walzer, 2015, p. 3). The flipside proposes that here is no such thing as "just war" at all, even if resort to war can be justified (Gregory, 2014, p. 58). A vocabulary for such debate of justifications of war is provided by the JWT. Gregory (2014, p. 57) adds that the JWT facilitates grammar for moral reflection and deliberation, also for the statecraft.

Because the act of war requires complex language and involves a range of emotions, the way war is spoken of has developed through centuries of arguments (Walzer, 2015, p. 3). JWT is an attempt to balance the violence dilemma between the two extremes of war, which might be realism (war as self-gain) and pacifism (war is never right). Neither of these can single-handedly explain JWT, perhaps because humanity can turn into inhumanity when pressured (Walzer, 2015, p.4). This is where powerful concepts of necessity or self-defense enter the two-sided debate. For when is it truly necessary to resort to violence and who is the right judge or interpreter of that justification? Before entering a discussion of these elements, a brief introduction into the centuries of arguments follows.

Orend (2000, p. 3) puts forward thinkers, and compositors of JWT, such as St. Augustine, Aquinas and Grotius, which are briefly described in the next section. There are rules and laws for warfare, as of when it is wrong or justifiable. However, when those laws are breached, and warfare is unjust, other states might intervene for the sake of the civilians and stop atrocities, for example according to the R2P Doctrine. The literature review will present JWT, and its historical and legal formalization, then development of humanitarian intervention practices, followed by R2P as a tool to surpass restrictions of sovereignty during emergencies.

#### 2.1 Just War Theory (JWT)

Walzer (2015, pp. 4-5) turns to Ancient Greece and the *History of the Peloponnesian War*, to illustrate a dilemma: to reign or to be subject. This dilemma is described in a case of Athenian aggression onto Spartan colony of Melos Island. Already in 416 BC, debates about war consisted of perceptions about the *necessity of nature*, meaning conquer when possible or reveal weakness (Walzer, 2015, pp. 5-6). As slaughter in Melos carried on without Spartan intervention, Athenian violence policy was explained by the circumstances of war and, again, necessity of nature, by necessity being indispensable and inevitable violence (Walzer, 2015, p. 8.) Justification of destruction of Melos was identified as necessary, in order to ensure further existence of the Empire, the survival of polity (Neuman, 2019, p. 119). However, it might be questionable whether, and with which certainty, such survival truly was dependent on the destruction of others.

The case of Melos illustrates an issue of military probability, which can mirror moral anxiety and lack certainty, filled with opinions that might challenge the notion of necessity (Walzer, 2015, pp. 8-9). The killings of Melians were prompted by the fear of rebellion. Simply put, one man's cruelty was another man's necessity, whilst Melians claimed the invasion of the Island as unjust (Walzer, 2015, p.12). Unjust, because Melians were not attacking Athenians, which otherwise might justify Athenian violence (Walzer, 2015, p. 12). These descriptions present an ancient debate and the broad use of the notion of necessity, which made an impact on future JWT through centuries. Judging by the case of the Peloponnesian War, Walzer (2015, p. 11) argued that "War is an extreme case of anarchy of moral meanings".

Restraints on warfare have a long tradition, although they haven't necessarily been spoken of as the JWT (Lang Jr, 2009, p. 203). Centuries after the Greek Empire, St. Augustine's Christian theological thinking made influential suggestions about what type of cause for war could be just. St. Augustine implied that a grievous wrong must be done to an extent where neither the wrongdoer nor their victims deserve leniency (Saxon & Pratt, 2015, p. 140). A just or good cause could be the correcting of the wrong. However, a good cause alone wasn't sufficient. St. Augustine suggested additional criteria for war, such as last resort and high probability of success, before violence could be determined as just (Saxon & Pratt, 2015, p. 140). Gregory (2014, p. 58), Hobson (2008, p. 439) and O'Driscoll (2008, p. 192) all acknowledge the guiding influence of St. Augustine, based on the religious perspective that pleads to love one's neighbor

as oneself, requiring soldiers to do only what love permits to do in the name of what is right and just (O'Driscoll, 2008, p. 194).

There's an agreement that St. Augustine's writings from around 400 A.D. contributed to problematize the Christian participation in violence, e.g., Crusades, which led to discussions of justifications for such, which again laid cornerstones for JWT (O'Driscoll, 2008, pp. 194-195). Lang Jr (2009, p. 203) credits St. Augustine as the first true contributor to JWT. A possible critique detected by St. Augustine, was that the interpretations of holy callings to non-violence could fail in confronting situations where violence might be necessary to protect the innocent (Lang Jr, 2009, p. 213).

Another formative influence was the medieval catholic philosopher Thomas Aquinas, whose contributions would become influential in the development of the JWT (O'Driscoll, 2008, p. 192). A central conviction was that only the sovereign, appointed by God and acting in the name of Him, as a governing authority could declare a just war (O'Driscoll, 2008, p. 192). Contemporary JWT thinker Johnson claims that just war as a tradition didn't exist before the medieval ages and did develop first through the writings of Aquinas combined with the chivalric norms (Lang Jr. 2009, p. 209). According to Aquinas (O'Driscoll, 2008, p. 193), the sovereign's task is to secure peace. A just cause for war was treated by Aquinas in a similar way to St. Augustine, a war must be waged upon those who deserve to have a war waged against them (O'Driscoll 2008, p. 194). Despite formative influence from St. Augustine and Aquinas, a critique from Norris (2015, p. 180) describes these contributions to just war concept as "skeletal".

Other religious heritage, such as the chivalric codes of honor, shaped the conduct of war, norms which could resemble rules (Lang Jr, 2009, p. 209). Although chivalry had its peak in the Middle Ages among knights, norms regarding military honor, mutual recognition and respect have survived (Walzer, 2015, p. 34). These codes, seemingly influenced by Christian ethics, were some of the main perspectives shaping the JWT. Though just war isn't a sole Christian tradition, rather, as Lang Jr. (2009, pp. 209-210) calls it, a tradition of Christendom. It is exactly during medieval times that writers made a stricter division in the realities of wars and independent judgements of those (Walzer, 2015, p. 21). One is the justice *of* war, known as *jus ad bellum*, and the second is justice *in* war, accordingly *jus in bello*, sets of rules traceable to Greeks and Romans (Neumann, 2019, p. 116). However, a more systematic judgement of a just or unjust war might have been difficult until the territories became charted out as sovereign states.

The Peace of Westphalia around 1648 marked the creation of sovereign states in Europe (Hoogensen Gjørv, 2018, p. 227). That event, which was an agreement made by European leaders, established a principle of governance, which stated that the government should have the sole authority over its own territory and people without interference from outsiders (Weeks, 2015, p. 28). Since the Westphalian development of modern perception about state system (Neumann, 2019, pp. 62-63), war principles have been sharpened and categorized in terms of legitimacy and legal justification. Hugo Grotius carried out a comprehensive analysis of how JWT appeals to the sovereign state system, after the establishment of non-intervention principles in the Westphalian peace (Saxon & Pratt, 2015, p. 139).

Since the Peace of Wetphalia, the Western world started to discuss war with reference to the international society which sovereign states constructed together (Williams, 2018, p. 177). The debate and practice slowly started to shift from morality to justice, thereby legal, just causes for armed conflict, in the post-Westphalian Europe (Saxon & Pratt, 2015, p. 141). One of the first identified just causes of war by Grotius were self-defense and recovery of territory. Already then, Grotius worried about extending the just cause's applicability to agents that fight unjust sovereigns, fearing that *jus ad bellum* would be abused to legitimize humanitarian wars (Saxon & Pratt, 2015, p. 142). Grotius launched a more systematic vocabulary for the international order, which seemingly consisted of informal, political negotiations without formal mechanisms for conflict settlements (Saxon & Pratt, 2015, p. 142). Among other attentions of Grotius, was the formal declaration of war, which should be judged by formal authoritative bodies (Saxon & Pratt, 2015, p. 141).

Later on, liberal beliefs about the natural rights of humans gained recognition within Europe during the 18<sup>th</sup> century and became mutually reinforcing norms that influenced social movements (Finnemore, 2003, p. 71). Finnemore (2003, p. 72) points out that international normative understandings have been increasingly codified since the 19<sup>th</sup> century into international regimes, mandates and later international law. Steadily, multilateral interventions in unjust conflicts became more legitimate and frequent, such as when the six powers (Austria, France, Britain, Prussia, Russia and Turkey) united in 1860 to protect contemporary Turkey from then Lebanese/Syrian attacks (Finnemore, 2003, p. 61).

Contemporary JWT, according to Lazar (2017, p. 113), seeks to justify and to limit war. JWT is based on the premise that there is no universal right to wage war, and when use of force by states is initiated, this type of violence must be justified with evidence against certain criteria (Saxon & Pratt, 2015, p. 139)t O'Driscoll (2008, p. 189) describes JWT as a medium for inquiry

in which moral questions about the use of force are encountered, interpreted and debated. The authority which has decided to use force must base the decision on just cause, good intention, as well as necessity and proportionality of the use of force (Saxon & Pratt, 2015, pp. 139-140). In order to dismiss the wrongfulness of war, the authority responsible for the launch of violence must present sufficient proof that violence is an appropriate response (Saxon & Pratt, 2015, p. 140). Such response is, however, context-specific, it depends on seriousness of the offence, availability of alternative mechanisms and the likelihood of a swift end to the war (Saxon & Pratt, 2015, p. 140).

# 2.2 The United Nations (UN) Charter

Several elements of JWT have shifted into what is now recognized as modern international law (Saxon & Pratt, 2015, p. 141). It provides alternatives for sovereign states which were unavailable prior to the 20<sup>th</sup> century (Saxon & Pratt, 2015, p. 143). As the second attempt at universal international institution, after League of Nations, the UN was shaped during WW II and was formally effective from June 1945 (Weiss & Zach, 2018, p. 299). Experiences of atrocity crimes from the Holocaust made most of the world unite about "Never Again" and develop international humanitarian laws, in order to maintain international peace, security and respect for human rights (Bellamy, 2018, p. 236). As noted in the UN Charter.

The UN cooperation's hierarchy of functions and tasks are written in the UN Charter, which reflects the principles and values of the institution. Moreover, the Charter expresses its main purpose in maintaining international peace and security by limiting the use of force almost entirely, except for self-defense (Weiss & Zack, 2018, p. 299). Starting with 51 Member States, to 193 today, the UN's legitimacy is viewed as widely recognized and funded by the members. Although the UN has no real executive or legislative power, the institution is a platform for considerable influence on, and from, its members (Weeks, 2015, p. 386).

The foundation of the UN aims to save upcoming generations from the scourge of war, whereas the UN Charter has fostered a norm against conquest, name "nonintervention" (O'Connell 2010, p. 42). Charters Article 2(7) restricts intervention in domestic affairs of states (Weiss & Zack, 2018, p. 299). Among several other organs of the UN, one of the most exclusively powerful organs is the UNSC with direct responsibility for maintaining international order, as charted in Article 24(1) (Weiss & Zack 2018, p. 300). Member States comply with decisions

regarding security from UNSC, and by doing so have legitimized the power of UNSC to govern the use of force (Saxon & Pratt 2015, p. 143).

The UNSC has the primary responsibility to act in the interest of peace and security (Saxon & Pratt, 2015, p. 145), and is excepted from the use of force prohibition in UN Articles 39 and 41 (O'Connell, 2010, p. 41). Nonetheless, the UN Charter's Article 39 gives UNSC power to determine what the international threats are (Saxon & Pratt, 2015, p. 145.) Additionally, the Security Council can legally require states to use force against another state (Saxon & Pratt, 2015, p. 145.) Permanent members of the UNSC are, and have traditionally been, victors in WWII, namely China, France, Russia, United Kingdom and US (Weiss & Zack, 2018, p. 300). Although there are rotating members of the UNSC, the permanent member states can veto any resolution, which is a contested luxury; however, attempts to reform such veto-power have been fruitless (Weiss & Zack, 2018, p. 302). Perhaps as an attempt to establish an alternative to the exclusive authority of UNSC, the Resolution 377 of 1950 adopted the Emergency Special Session (ESS). Which was meant to give mandate to the UNGA to authorize interventions and conflict settlements in cases the UNSC is unable to provide solutions (General Assembly-Fifth Session, 1950, p. 10). Already then, one could suggest that the UN might have taken a step towards a more permissive intervention norm.

Saxon and Pratt (2015, p. 143) raise a somewhat controversial question of whether the UN Charter has led to the replacement of sovereign *right authority* from states to decision makers in UNSC at the international system level. However, force has been exercised without the authorization of UNSC, such as the US-led invasion of Iraq in 2003 (Weiss & Zack, 2018, p. 302), followed by relatively few sanctions (Saxon & Pratt, 2015, p. 143). UNSC doesn't have its own military division, therefore, it is up to Member States to facilitate resources so that UNSC can implement needed action (Saxon & Pratt, 2015, p. 137). Moreover, action from UNSC is meant to only come into effect when states are unable to settle conflicts themselves (Saxon & Pratt, 2015, p. 137).

Individual and collective self-defense is authorized by UN Charter under Article 51 as an exception from the prohibition of the use of force (Saxon & Pratt, 2015, p. 137), if an armed attack occurs (O'Connell, 2010, p. 41). Conflicts that were launched during the 90's, as described below, contributed to radically changing the nature of UN operations, which transitioned from peacekeeping to peace enforcement (Weiss & Zack, 2018, p. 304). Moreover, the definition of a threat to international peace and security kept getting wider, until violence against civilians became recognized as one of such threats by the UNSC. Results were

authorized military action in Bosnia, Somalia and Rwanda among others (Weiss & Zack, 2018, p. 304).

# 2.3 Right to Protect Doctrine (R2P)

Saxon and Pratt (2015, p. 143) attribute the shift in the use of force parameters to the post-Cold War security environment. Just prior to R2P, humanitarian interventions (HI) have conventionally been designed to assist citizens who are threatened with a life-or-death emergency (Walzer, 2015, p. 101). Based on crimes committed against humanity in e.g., former Yugoslavia (Saxon & Pratt 2015, p. 144). Especially in cases of grievous violence against political oppositions, minorities or religious groups. Although the idea of HI has been promoted since the 70's, it didn't get a formal hold until the Kosovo crisis in 1999, and then became a doctrine (O'Connell 2010, p. 42).

Mass killings in Srebrenica in 1995 and Rwanda in 1994 highlighted the inadequacies in international institutions (Saxon & Pratt 2015, p. 147; Green et al. 2022, p. 28; Bellamy 2018, p. 236), and the inability to respond within the legal framework of the UN (Hobson 2016, p. 434). War crimes against humanity during the 90's prompted a commission that was set up in 2001, namely the International Commission on Intervention and State Sovereignty (ICISS) (Saxon & Pratt 2015, p. 147). ICISS developed the R2P Doctrine to improve the UNSC and existing laws for HI (Saxon & Pratt 2015, p. 147). When questioning how interventions can bypass violations of sovereignty, ICISS concluded that sovereignty *includes* obligation and a responsibility to protect its people (Saxon & Pratt 2015, p. 147). UN's collective security allows a shared *responsibility* for the international community to ensure that R2P is reinforced (Saxon & Pratt 2015, p. 147). R2P differs from HI in the notion of responsibility, more than just a *right* to intervene when crimes against humanity occur.

Possibly prompted by anti-war movement after the US invasion of Iraq in 2003 (O'Connell 2010, p. 43), R2P was unanimously accepted in the 2005 with connections to the essential ICISS Report (Saxon & Pratt 2015, p. 147). That World Summit marked a recognition of the gap between legal prohibition of atrocity crimes and international society's poor response to actual cases (Bellamy 2018, p. 236). A just cause for R2P was narrowed down from the general proposal of ICISS to four types of violations, such as genocide, war crimes, ethnic cleansing and crimes against humanity. Governments declared themselves responsible for protection of

their populations from exactly these types of crimes, for the first time ever (Bellamy 2018, p. 237).

One of the weaknesses of R2P despite the wide acceptance, was the silence about actions available to UNSC should responsibilities fail (Saxon & Pratt 2015, p. 147). Later on in 2009, based on a report from the UN Secretary-General, the R2P discourse was transformed into three pillars; protection (national state), international assistance (if national state fails on first pillar), and international intervention (if peaceful means of assistance fail in second pillar) (Saxon & Pratt 2015, p. 147). The first pillar collected the widest agreement, while the latter two were met with more skepticism. On one side there was a worldwide agreement at its core, about the need to protect populations, but from another side came the disagreement about protection methods, especially the conditioning of sovereignty concept.

Essentially, R2P should provide means for the international community to find a way to intervene when sovereign states fail to meet the responsibility to protect or to accept assistance (Saxon & Pratt 2015, p. 148). Although R2P is at base the same as HI, it adds obligations of providing peaceful assistance, and thereby improves the HI. (Saxon & Pratt 2015, p. 148). Saxon and Pratt (2015, p. 148) suggest that R2P provides a legal test for HI, by shifting the focus onto the sovereign to complement responsibility, by lowering the threshold for intervention, when necessary, instead of blocking it.

As Walzer (2015 p. 101) points out, clear empirical examples of interventions whose sole purpose was humanitarian are rare. HI as a concept is quite unique considering how close the intervening power can come to being an authority of law enforcement and policing in another state (Walzer, 2015, p. 106). Naturally, interventions require a physical crossing of borders of another, likely, sovereign territory. Such border crossings need at least an authorization from the international community, such as the UNSC. However, this reconfiguration of sovereignty and its relation to human rights has produced a complex debate about the right authority to authorize interventions and in which context (Bellamy, 2018, p. 248). R2P represents an attempt that has sparked complexities and contradictions (Baranovsky & Mateiko, 2016, p. 50). Additionally, the multilateral and authorized intervention in Libya in 2011, which turned out to be unsuccessful over time, generated wide dissatisfaction with R2P and its international implementation (Jose & Stefes, 2022, p. 4)

Fearfully, the HI can be a cover which states might adapt in order to dominate their neighbors (Walzer, 2015, p. 106). Therefore, some argue against the legalization of such interventions.

Walzer (2015, p. 107) claims that HI's are easier to justify when they respond to types of acts that shock mankind, and any state capable of stopping such acts should have a right to do so. However, the actual requirements for a just intervention are rather constraining, although at times ignored, which makes universality a challenge (Walzer, 2015, p. 108). This kind of duality might be an accurate reflection of the problematic, but nevertheless valuable, commitments to human rights.

Hobson (2016, p. 434) describes a hope for the R2P to overcome the inconsistency of HI and make sovereignty conditional. Saxon and Pratt (2015, p. 169) admit that concept of sovereignty alone might reject the very essence of R2P as a universal norm. Therefore, some initiative has been taken to redefine conditions for sovereignty (Bellamy 2008, p. 617). From Westphalian Peace until the 19<sup>th</sup> century, Europe was dominated by the belief about sovereignty being absolute, granting governments rights to treat their populations in whatever way (Bellamy 2018, p. 237). During late 18<sup>th</sup> century and up to the Treaty of Versailles, the debate shifted and supported the idea that sovereignty derived from the people within a state, and governments were therefore more dependent on the approval from the governed (Bellamy 2018, p. 238). This exact consent from the governed can be withdrawn if the sovereign neglects its citizens and their basic rights, thereby comes the conditioning of sovereignty and its responsibilities (Bellamy 2018, p. 239). Although R2P is still true to the non-interference principles (Bellamy 2018, p. 248) with only exceptions to emergencies within the four types of crimes.

Although R2P is widely endorsed, its elements lack intersubjective agreement, particularly the third pillar (Jose & Stefes 2022, p. 4). China, Pakistan and Sudan are among countries which opposed the implementation of the third pillar, because it could undermine sovereignty (Saxon & Pratt 2015, p. 149). Even though sovereignty concept itself can be seen as flawed when facing disasters against humanity and inaction from external actors (Saxon & Pratt 2015, p. 150). Saxon and Pratt (2015, p. 150) and Bellamy (2018, p. 248) suggest to temporarily suspend or discharge sovereignty, in order to permit interventions when populations are undergoing emergencies according to R2P and with authorization from the UNGA. Meaning, that sovereignty could only be legitimate as long as the basic rights and needs to life are preserved, as a type of social contract, with reference to philosophers as Locke and Rousseau (Saxon & Pratt 2015, pp. 150-151).

### 2.4 Comparison of JWT, UN Charter and R2P

World Summit Outcome Document paragraphs 138 and 139 of 2005 have determined the contemporary three pillars of R2P (O'Connell, 2010, p. 43), whereas paragraph 139 has been split up into pillars two and three (Gobal Centre for the Responsibility to Protect, n.d.). What Orend (2000, p. 49) lists up as the six just war criteria (Table 1), the seventh is highly disputed, might have been inherited in the UN Charter, and further developed in R2P. A line is drawn between JWT's just cause, Chapter I of UN Charter and pillar I of R2P. Just cause implies that a war must be initiated due to a just cause, such as self-defense by a state from an external threat, protection of innocent citizens within the state's borders, or vindication for violation of the state rights as sovereignty and territorial integrity (Orend, 2000, p. 49).

Especially the criteria of protection of a state's population could be seen as inherited by the first chapter of UN Charter, whereas Article 1(3) pends to solve humanitarian problems and respect human rights. Which is strengthened in R2P's first pillar as a sovereign's responsibility to protect its population from mass atrocity crimes. Just cause resembles the basic, natural rights of states that correlate to Article 1(2) about self-determination, and general idea of the UN. It might seem as though the international purpose of the Article 1 is intensified in the first pillar, and on a domestic level, as it points out that the sovereign state is first and foremostly the responsible party upon its citizens, which is internationally recognized.

The criteria of right intention is also correlated to the first Chapter of UN Charter and first pillar of R2P, especially in terms of wars being unjust if they're fueled on ethnic hatred or national glory (Orend, 2000, p. 49). R2P speaks of the four mass atrocity crimes, as mentioned, which can provide a right intention for the international community, if it acts with clear intents to resolve e.g. a genocide in a state that has failed to exercise its responsibility to protect. The UN Charter's first Articles speak of maintaining peace, security and human rights, and therefore, violence due to national interest should be understood as unjust, opposite to a right intention.

Proper authority and public declaration for JWT is similar to UN Charter's Chapter VI because it grants the UNSC authority to investigate, solve and report about its inquiries on a dispute for all parties involved. The proper conflict process should be made public to national citizens and the enemy states (Orend, 2000, p. 49), whereas the UN and the UNSC work with transparency and give official notice about eventual orders, which are also inherited in Chapter VII. Similarly, for R2P, proper authority might be the international community, in a multilateral sense, that advocates for peaceful resolutions through official requests and initiations, as noted

in Pillar II about international assistance. The same pillar correlates also to the next criteria of JWT, namely last resort.

Orend (2000, p. 49) defines last resort as permitting violence if all other plausible, peaceful means are exhausted. This part resembles R2P's Pillar II, and UN Chapter VI, because it also begs for international assistance with peaceful, diplomatic means for the struggling state. While R2P's Pillar III confirms that the international community is responsible to take collective action if a state is failing to protect its population, past the peaceful assistance. This should be understood as the very last resort, an emergency. For the UN Charter, relevant, correlating Chapters are VII and VIII, mainly as responses regarding threats to peace, breaches of peace and acts of aggression, by armed force if needed, through the UNSC.

A bit of just cause as self-defense is inherited in the UN Article 51 of Chapter VIII, which also resembles the criteria of last resort. One of the main differences is that R2P speaks of the international community collectively, as a whole, while the UN Charter leaves main authority to act to the UNSC. Moreover, R2P seems to be oriented towards humanitarianism, more intensively than JWT, while the UN seems to speak more of a formal and practical peace, although additionally focusing on human rights. In contrast, the R2P seems to be less about the state security concept, less focused on the rights of the interveners (Bellamy 2008 p. 622). JWT criterion of probability of success and proportionality have, seemingly, not been inherited in either the UN Charter or the R2P. Therefore, these criterion will not get significant attention. The strongest heritage from JWT throughout UN Charter and to R2P seems to be the justifications and exceptions for violence in the name of self-defense, namely a just cause, and last resort, in the context of emergency, with evident right intention and not self-gain interest.

| Table 1, Transition from moral judgement to legal |                                     |                                       |  |  |  |
|---|-------------------------------------|---------------------------------------|--|--|--|
| Tradition   | The UN Charter                      | R2P Doctrine                          |  |  |  |
| Just War Theory criterion jus ad bellum           | UN Articles                         | R2P Pillars                           |  |  |  |
| Just Cause  Right Intention                       | Chapter I (Purposes and Principles) | Protection, Pillar 1                  |  |  |  |
| Proper authority and public declaration           | Chapter VI (Pacific Settlements)    | International assistance,<br>Pillar 2 |  |  |  |

| Last resort            | Chapter VIII (Regional Arrangements)  Chapter VII (Action with Respect to Threats to the Peace, Breaches of the Peace and Acts of Aggression) | International intervention, Pillar 3 |
|------------------------|---|--------------------------------------|
| Probability of success | Not inherited   | Not inherited                        |
| Proportionality        | Not inherited   | Not inherited                        |

### 3 Methods

So far, the previous chapters have revealed that the justifications of war are dependent on context and interpretation. Therefore, methods should accordingly choose to understand and explain the discursive and constructive power. Both when thinking of the just war criteria in JWT, UN Charter and R2P, and when researching examples of Russia's justifications for war on Ukraine. The thesis is dependent on both documents and discourse to make sense of the thesis objectives. Furthermore, the discursive focus will be bigger on the pro-Russian justifications, rather than pro-Ukrainian, in order to answer the second research question.

The sampling of units for the analysis was conducted through purposive sampling, which O'Dwyer and Bernauer (2014, p. 83) define as sampling of elements that possess particular characteristics relevant for the study. Sampling choices were made with purpose, not necessarily in a systematic selection, where samples were selected to be in the research due to their specific attributes or particular representations of desired aspects (O'Dwyer & Bernauer, 2014, p. 84). Data samples collected were given specific criterion, such as the content of particular keywords and context of war against Ukraine, a purposive criterion sampling of data which can allow the research questions to be answered (Bryman, 2016, pp. 409-410).

Samling was purposive, opposite to random, convenient, and non-probability sampling, rather the sampling was strategic with clear research goals in mind (Bryman, 2016, p. 408). In order to get to know the contemporary debate, e.g., about the R2P, some initial data generated data with references to other relevant sources, which contributed to a partial snowball sampling (Bryman, 2016, p. 415). Following the advice from Nygaard (2017, p. 55), the thesis did

initially set out to build its source foundation at a sample size of 30-50 units, without the discursive samples. Discourse, in the shape of speech quotes, was sampled until a representative selection of language and meanings was satisfied with the preferred keyword content, initially expected to be at about 20-30 units. The following sections will explain the research strategy in a more detailed manner.

| Table 2, Research strat  | Table 2, Research strategy |   |  |  |  |  |
|--|----------------------------|---|--|--|--|--|
| Sampling method  | Text type                  | Keywords and content criterion<br>(must contain one or more)  | Approximate<br>number of units<br>expected |  |  |  |
| Purposive sampling: - discourse  | Academic articles          | Aggression, Human Intervention,<br>Just war, NATO, norm contestation,<br>protection, R2P, right, rule, UN,  | 20-30                                      |  |  |  |
| decisionmakers and state leaders   | Mass media outlets         | Atrocity, crime, Putin, Russia, support, Ukraine, war   | 10-20                                      |  |  |  |
| - official, public, accessible content - discourse timeline: 24.02.2022- | Speech quotes, pro-Russia  | Aggression, Attack, danger, defense, genocide, human, intervention NATO, Nazism, protection, right, rule, Russia, security, sovereignty, Special Military Operation, threat, Ukraine, UN, war | 20-30                                      |  |  |  |
| 24.02.2023   | Speech quotes,             | Aggression, attack, invasion, legality, legitimacy, NATO, Russia,   | 5-10                                       |  |  |  |
| - background information timeline: 2014-2022                             | pro-Ukraine                | sovereignty, security, Ukraine, war,<br>Zelenskyy   |  |  |  |  |
| - preferred variety in<br>times of publication                           |                            |   |  |  |  |  |
| - avoid uncertain<br>sources to escape<br>disinformation, fake           |                            |   |  |  |  |  |
| news, etc.   |                            |   |  |  |  |  |

## 3.1 Document analysis

Tosh (2010, p. 122) warns against the assumption that sources offer immediate, meaningful answers and urges to analyze them with care as they might signify gradually. Additionally, the significance of the documents lies in the context of when, how and why those documents were created. McLennan and Prinsen (2014, p. 82) agree and urge to ask questions about who the intended audience is, together with who wrote a text and why. The document sources were given consideration throughout the research and data collection, with regards to their historical

periods of publishment. Therefore, data samples vary in age, in order to reflect the evolution of Just War Theory, HI and R2P over time, to a degree.

In accordance with Tosh (2010, pp. 124-126), external and internal criticism of documents is taken into account, meaning the assessment of authenticity, consistency with known facts and traceability back to the producer (external), as well as the interpretation and extraction of meaning (internal). These factors are taken into account, especially when selecting online sources from e.g., news media outlets. McLennan and Prinsen (2014, p. 82) claim that authors might have personal agenda, giving access to some information while undermining another. Written sources tend to be accessible, stable and verifiable (McLennan and Prinsen, 2014, p. 82).

While producing understanding through meaning, language plays a severe role (Tosh, 2010, p. 127). Tosh (2010, p. 127) stresses that words absorb new significance over time, which should make readers aware of not applying modern meanings onto the past. This reminder will be held tight, especially since this thesis will investigate norms, language, concepts and theories from different periods of time, and therefore shouldn't be confronted with present knowledge. Language, after all, is unstable and several layers of meanings might be embedded in the same text (Tosh, 2010, p. 127), which is then interpreter's task to untangle.

Moreover, when speaking of meanings and interpretations of texts, reliability of sources is influenced by the intention and prejudice of the writer (Tosh, 2010, p. 129), and, I would add, of the reader. Tosh (2010, p. 129) claims that sources carry reflections of writers' culture-bound assumptions and stereotypes, which need careful attention. This point might be especially relevant when assessing sources written and shaped by Western authors and values. McLennan and Prinsen (2014, p. 83) call it contextual integrity, requiring awareness while processing the data of the values, etiquette, and political purpose coherent with the time and at the time of writing.

Nonetheless, the assumption is that biggest international institutions, such as NATO, EU and UN are fundamentally influenced by the West. Which suggests a certain lens of perspective in texts about these institutions, however, overestimations should be avoided. Throughout the sampling of data, an attempt was made to gather texts from several worldviews. However, relevant data turned out to be dominated by, seemingly, Western scholars. Another point made

about institutions, is the fact that produced public records can contain particles of both the principal who delegated the writing task to another individual, and the writer itself, all while being influenced by civil opinions and political pressures (Tosh, 2010, p. 135). All these perspectives shouldn't be forgotten while analyzing, particularly institutional texts and public records.

Importantly, as Tosh (2010, p. 130) recommends, analysts should try to detect either unconscious or deliberate biases that attempt to please the readers while perhaps censoring something else. As the thesis will look into mostly pro-Russian but also pro-Ukrainian discourse, there might be a risk of finding sources with contents of possible propaganda, fake news or disinformation. Tosh (2010, p. 131) points out that texts formulated by institutions do evolve over time, together with the texts' function in the dynamic body of politics. Thereby, such sources produced by institutions should be seen as evidence and part of a process, and not as an end result. Contexts of these administrative, judicial or policy-making processes are likewise of significant importance, given the interests and administrative routines of the central actors. Considering remarks from Tosh, the development process of Just War into R2P, in relation to the UN and international community, should be paid attention to as they might give important insights.

While it's also important to remember that official publications from institutions represent a selection of intended practical influence, at least to a degree (Tosh, 2010, p. 133). Likewise, it is important to underline, that data sources used in the thesis represent only a selection and might be a sufficient representation for this particular cause. A comparison of sources to one another, and total consideration of all of them, might assist in revealing the chance of some true facts (Tosh, 2010, p. 134). Therefore, the selected sources intentionally do have several aspects in common, for instance the keywords. By doing so, thesis got a foundation of sources that either verify or outnumber each other, and that either strengthen or weaken original prejudice and research question.

Sources can be either or both witnesses and historical events themselves (Tosh, 2010, p. 131). By the way several scholars seem to treat Walzer's Just and Unjust Wars, originally from 1977, appears like an historical event itself, because it sparked many debates after publishment (Lazar, 2017, p. 115), while it also could be treated as evidence due to its analysis of historical events. Context is equal, if not higher, importance as the text, in order to understand the original thinker

(Tosh, 2010, p. 132). For instance, it is probably not a coincidence that President Putin made an official speech to address the "Special Military Operation" in Ukraine, on the day of the invasion, which is a situation that is better understood if context-level is added to the event.

A point should be made about all the sources being, in one way or another, inaccurate, incomplete, and fueled by self-interest (Tosh, 2010, p. 134). Assessment of document quality, first of all, should start by awareness about the fact that not all produced documents intend to be used for the specific purpose of social research, and can therefore risk to limit the validity of data (Bryman, 2016, p. 546). The classic four criteria of quality assessment for document data are authenticity, credibility, representativeness and meaning (Bryman, 2016, p. 546). Nygaard (2017, p. 32) suggests a reliability assessment, in any type of research, to evaluate whether the results of a study are repeatable and would be understood as they are meant to by different readers.

The state as a source produces a lot of significant information, both statistical and textual material, as for instance official reports and official press publications (Bryman, 20165 p. 552). When it comes to quality criteria, Bryman (2016, pp. 552-553) claims that official documents might be viewed as authentic, clear and comprehensive, in terms of having a meaning. Criteria of credibility and representativeness, however, require closer attention. Credibility assessment is dependent on whether the documentary source is biased or not, although bias can add special interest in that type of document (Bryman, 2016, p. 553), as it contains valuable information about the source's reality or intentions. Representativeness on the other hand, can get more complicated, because official documents are unique in a sense (Bryman, 2016, p. 553), and one of the most valuable elements is whose behalf they represent through text.

Relevant types of mass media documents for the thesis are newspapers. Bryman (2016, p. 555) argues that authenticity is hard to assess in mass media outlets, due to possibly unclear origin or anonymous writers. This might be more problematic for online media articles, where the content or author can get changed after publishment. Another issue might be credibility, however, uncovering an error could be valuable for the research (Bryman, 2016, p. 555). The two last criteria, representativeness and meaning, are rarely problematic, because the content is usually tracible to the original source and evidence is often clear and comprehensible, although special attention should be paid to context (Bryman, 2016, p. 555). Social media is a vast arena of virtual documents (Bryman, 2016, p. 558).

## 3.2 Discourse Analysis

Similar to documents, but more communicative, discourse analysis (DA) as an approach can be applied to forms of language beyond talk and onto texts, such as newspaper articles and other communicative methods (Bryman, 2016, p. 531). At core, DA has incorporated insights from Michael Foucault, who denoted how particular linguistic traits about objects frame the way in which that object is comprehended (Bryman, 2016, p. 531). Bryman (2016, p. 535) adds that discourse itself should be regarded as a form of action, it is performative. There is not only one single version of DA, however the branch of DA described here fits for social science and for naturally occurring and contrived texts (Bryman, 2016, p. 532). Nonetheless, the approach carries features of both epistemology, as in for instance realism, and ontology, like constructivism (Bryman, 2016, p. 531). In other words, DA allows inspection of the performance of language and the way language constitutes versions of reality.

DA aims at recognizing communication that intends to produce efficiency and action, while also considering the context (Bryman, 2016, p. 532). Including, a search for purpose behind the ways of that something is communicated or presented (Bryman 2016, p. 534). Taking Bryman's (2016, p. 534) citation, the thesis will recognize discourses connected to establishments of one version of the reality among many various versions competing about which reality of events to present.

Since the thesis will examine language use from power entities, such as state leaders and prominent international organizations, the power status follows these data sources quite naturally. Therefore, parts of Critical Discourse Analysis (CDA) will be useful (Bryman, 2016, p. 532). CDA allows a broader definition of discourse in an interrelated set of texts, adding on considerations about their production and reception (Bryman, 2016, p. 540). Access to reality is always through language, whereas *access* implies that a reality indeed exists, but doesn't gain meaning without discourse (Jørgensen & Phillips, 2002, pp. 8-9). Jørgensen and Phillips (2002, pp. 8-9) introduce discourse analytical approaches as a structuralist and poststructuralist linguistic philosophy, with the perspective that language contributes to constructing reality.

Discursive analysis in thesis will be used as a tool to gain meaning to the reality, including the realities of several perspectives of Russia's war in Ukraine. Foucault (Jørgensen & Phillips,

2002, p. 13) theorized that truth is discursive construction, influenced by different knowledge regimes that determine which reality is the truth. Giving meaning to reality can be a way of accessing a truth, although it may not be the universal truth. Jørgensen and Phillips (2002, p. 13) continue to further describe how knowledge, according to Foucault, is related to power in discourse. The claim is that power is productive, and therefore constitutes knowledge and discourse. Moreover, power creates particular ways in how the social world is shaped and spoken about, meaning power and knowledge together form us as subjects and the objects we can learn about. Therefore, discourse samples are purposively collected from governmental institutions and influential leaders of states, organizations and e.g., the church. Because these sources of power shape knowledge, norms and views about the ongoing war in Ukraine.

A similar example might be drawn to the international community and its power, not as a particular agent with interests, but rather as a social practice (Phillips & Jørgensen, 2002, p. 13). The international community can be said to have produced a common identity and characteristics, such as the EU for Europeans and NATO for the original, Western allies. The international field requires management of e.g., hierarchy, security and relations, which begs for specific language, practices and knowledge, like diplomacy, around subjects like member states and their representatives, with emerged theoretical tools such as International Relations or Political Science (Phillips & Jørgensen, 2002, pp. 13-14). Regimes of knowledge can change, for instance, as an initiative from the UN to commit more to human rights and add more consequences to human rights violations, new meanings and norms follow. Similar to the conditioning of sovereignty in R2P.

Jørgensen and Phillips (2002) with their description of Foucault's thinking can help provide necessary tools to understand how specific authors use and interpret words that might justify a war. By speaking, as the world leaders frequently do in various occasions, their language channels information which consists of both facts and behavior, and it generates social world (Jørgensen and Phillips, 2002, p. 9). Meaning, they might constitute social identities and relations through language, and similarly, a change in discourse affects the social world. The author will to a certain degree use the post-structural lens, which allows to interpretate use of language that aims to reproduce, create, or change a structure by speech and meanings (Jørgensen & Phillips, 2002, pp. 11-12). When mentioning meanings, it will be important to be aware of manifest and latent meanings (Berg & Lune, 2012, p. 355). Whereas the

interpretative process of the analysis will be looking for the underlying symbolism rather than obvious, manifest messages.

Meanings attached to words are not automatically inherent, rather, they're a result of social conventions over time which kept adding specific sets of sounds to the sets of letters and images (Jørgensen & Phillips, 2002, p. 10). One of the most contested terms for this thesis will be "humanitarian intervention", whereas the analysis will investigate how different meanings are being put into that set of letters by various actors. Jørgensen and Phillips (2002, p. 11) specify that words are not open to all meanings, however, they cannot be entirely fixed either, because they need to be adjusted to contexts. Foucault's claims address the infinite number of ways to formulate statements, although a specific domain will likely produce similar and repetitive statements (Jørgensen & Phillips, 2002, p. 13). Such as the condemnations from Western countries with repetitive statements addressing Russia, perhaps due to their similar human values and security practices which are different to Russia's actions in Ukraine. Perhaps a similar reason can give an explanation to why concepts of HI and R2P might instinctively seem similar, because they're essentially produced by actors with common values.

Universal understanding of what an intervention, or its criteria, is and at what times it should be engaged, might not be possible. Because, according to Foucault, universal truth is impossible, since it requires to speak from a neutral position of a discourse, however, representation always follows (Phillips & Jørgensen, 2002, p. 14). It might therefore be challenging to categorize what is true or false. Truth is shaped as a system of procedures, regulations and diffusion of statements. Perhaps one person's truth is another person's lie, and in the case of R2P, one state's assistance by intervention is another state's hostile breach of sovereignty.

#### 3.3 Critical discourse analysis (CDA)

To further understand the bond between discourse and social developments in various social domains, thesis will take a look at the critical discourse analysis for theoretical and methodological tools in an empirical study, by the school of Norman Fairclough (Jørgensen & Phillips, 2002, p. 60). Discursive practices are viewed as social practices through texts, both through production and consumption, by consumption meaning how texts are received prior to

the constitution of a social world (Jørgensen & Phillips, 2002, p. 61). CDA is acknowledged for fitting mass communication, democracy and politics, as a way of tracing the reproduction or a change of social practices through linguistic dimension in late modernity (Jørgensen & Phillips, 2002, p. 61).

Fairclough identifies discourse to be in a dialectical relationship with social practice, because it shapes, reshapes and reflects the social structures (Jørgensen & Phillips, 2002, p. 61). Especially when thinking of media, Fairclough analyses how media practices shape politics, influenced by societal forces such as political systems and institutions. Thereby, CDA from Fairclough's perspective might be useful when analyzing pro-Russia and pro-West discourses in media, particularly from individual representatives, who attempt to establish either a justifiable or an unforgivable discourse for war on Ukraine.

Jørgensen and Phillips (2002, p. 62) describe with the help of Fairclough the view on language from a CDA-lens, both as a type of action through which the world can be changed, and a type of action that is socially and historically situated. Additionally, in CDA, power relations are included to the claim that discursive practices can create and reproduce unequal power relations (Jørgensen & Phillips, 2002, p. 63). Unequal power relations in this sense are applied between social groups, social classes, genders, majorities and minorities. In this thesis, perhaps similar application can be used on the unequal power relations between the global powers, or between Russia and Ukraine. Perhaps even the unequal power relation between the dominant, autocratic Russian regime and the oppressed activists could be an example of discursive practice (Slabinski & Gorbacheva, 2023, p. 1). Another unequal power relation can be the international community's attempts to reshape the meaning and practice of HI, creating a new norm of sovereignty, which might be received as a dominant top-down imposing of Western values on to other continents.

Critical discourse concept was by Fairclough applied in three ways, as; 1) abstract, language use as a social practice, 2) more specifically, a kind of language within a particular field, 3) most concrete, a way of speaking that gives meaning to, and is distinguishable from, a certain discourse perspective (Jørgensen & Phillips, 2002 pp. 66-67). When analyzing discourse, the three dimensions of language should be included, meaning the text itself, which discursive practice it is communicated within, and which social practice the discursive practice is applied within (Jørgensen & Phillips, 2002, p. 68). For instance, when President Putin speaks about the

ongoing war, the text is a communicating speech including perhaps a political technical language, the discursive practice is meant for the consumers within both national population and international political society, performed as a social practice where a leader addresses a pressing issue in a typical press-conference event platform. All three dimensions are important, and moreover, the analysis should focus on the linguistic features, processes related to production and consumption of the text, and the wide social practice for which the textual event is meant for (Jørgensen & Phillips, 2002, p. 68). Based on Fairclough's three divisions, an analytical summary of discursive sources is made in Table 3 (Appendix).

Fairclough emphasizes that analysis of discursive practice should focus on how text producers draw on existing discourses to create a text, in combination with how receivers might apply existing discourses while consuming and interpreting the texts (Jørgensen & Phillips p. 69). For example, as residents in Russia citizens are probably used to public officials' addresses about Ukraine, since the Crimea conflict escalation in 2014, the recipients will compare that type of linguistic information to other relatable, perhaps previously received information, and evaluate if the new information is already experienced or not, if it's trustworthy, serious or whether the producers vocabulary was typical for that genre. Vocabulary, grammar and sentence coherence in particular belong to the category of formal features that belong to text analysis (Jørgensen & Phillips, 2002 p. 69).

The formal linguistic features influence both the production and consumption. A consideration will be kept in mind about whether the discursive practice reproduces or reconstructs the existing order of discourse and what consequences the social practice might face as a result. Words that initially were meant to initiate protective intervention for the sake of the suffering, might reconstruct its meaning and normalize state intervening in other states as self-protection. Main principle is that texts cannot be fully understood in isolation, but rather analyzed and understood in relation to other texts and social contexts (Jørgensen & Phillips, 2002, p. 70). Similar to the way as this thesis draws on existing works of prominent scholars, their discourses are then reproduced by the thesis, a kind of intertextuality (Jørgensen & Phillips, 2002, p. 73).

### 3.4 Speech Acts

Since topics of security and threats will be one of the keywords for sampled content, in addition to the aim about speech analysis, there might be a purpose to briefly introduce speech act and securitization theory. Security is claimed to be a speech act because when speech is spoken, it creates what it talks about and is thereby performative (Neumann, 2019, p. 89). The Copenhagen School (Neumann, 2019, p. 89) might be of particular relevance, because it understands security as a speech act capable of influencing the e.g., state leaders, about security threats (dos Santos, 2018, p. 229, Neumann, 2019, p. 89). Proposing that state representatives are able to move a security issue, particularly by using the term "security", into a specific arena, and claim a right to apply all means necessary in order to block the threat (dos Santos, 2018, p. 231). Illustrated by, if Putin should claim security threats to Russia, according to speech act theory, it can move the threat issue into a military arena of actions which must be given priority to solve that security problem.

Dos Santos (2018, p. 232; Neumann, 2019, p. 89) suggests that the security field is not in the same dimension as politics, because its emergency notion is on a higher level of imminence. Securitization of an issue asks to place the security problem into a domain of emergency, which triggers actions to guarantee further survival of the threatened (dos Santos, 2018, p. 232). Especially in cases of national security, the power to perform securitization lays within the official political authority (dos Santos, 2018, p. 233). Wilhelmsen (2016, p. 1) describes that problematization of security might be an effective way of legitimizing the use of force and equally gives the state special mandate to handle the immense security threat. In order to succeed in a securitizing process, the "securitizing speakers" must by means of rhetorical strategies upgrade issues to the stage of existential threat and get that securitizing discourse accepted by a significant audience (Wilhelmsen, 2016, p. 3), It's a procedure of giving the referent object an identity of an immense threat, like e.g., Russia's discourse which represented Chechnya as a terrorist threat, making a war as response acceptable (Wilhelmsen, 2016, p. 6)

Security is not a fixed phenomenon, but a process of naming social concepts and accepting them as parts of an extraordinary category called "security" (Neumann, 2019, p. 89). Neumann (2019, p. 148) adds that with Foucault's point of view (Jørgensen & Phillips, 2002, p. 13) about truth being a discursive construction makes the phenomenon of sovereignty emergent, without essence, but absorbs meaning from an ongoing contestation of a fixed meaning. Sovereignty is socially produced and delineates politics, but is itself either political or nonpolitical, it merely a discursive framing of boundaries, whereas discourses from outside of those boundaries gain less powerful meanings than those from within (Neumann, 2019, pp. 149-150). Although

sovereignty as a phenomenon can be used in a political way, as almost anything else, also in securitization.

Moreover, Neumann (2019, p. 150) suggests that sovereignty as a concept can form a link between international anarchy and domestic hierarchy, and that the Peache of Westphalia was the point where the difference between authorities of outside an inside made a significant shift. While in contemporary politics, the sovereignty concept tends to be used to frame ways of doing politics, and those who don't follow the new frame risk to be disqualified from their sovereignty (Neumann, 2019, p. 151). Furthermore, sovereignty becomes less dependent on the recognition from within, and rather more dependent on the recognition from the outside, from the international community.

This is quite different to the traditional idea about the national sovereign being the highest authority, while in modern order the international society might be able to decide which national politics are worthy of being sovereign (Neumann, 2019, p. 151). The discourses about R2P seem quite similar, because of the attempt to frame sovereignty as responsibility for populations, which states must prove in cases of crises, or else, the community might dismiss the sovereignty by intervening. This shift in discourse and meanings attached to sovereignty as Neumann (2019) explained, will be evident throughout the next chapters.

#### Norms

Discourse, through language, behavior and meaning, is also able to create norms. Norms are, by Jose and Stefes (2022, p. 2) in reference to Finnemore and Sikkink, suggested as standards of appropriate behavior for actors with specific identity. Commonly shared and accepted recognition of appropriate behavior facilitates the ability of norms to influence the behavior of an actor (Jose & Stefes, 2022, p. 2). The cycle of a normative idea might consist of several stages, such as emergence, succession and acceptance once the new norm is shown, or lobbied, to the global arena via effective framing and search of support (Jose & Stefes, 2022, p. 2).

Norm lobbying depends on the norm developers to strategically shape their idea and create an intersubjective agreement on the permissibility of a new norm. Equally to norm entrepreneurship comes the possibility to contest it, by questioning the application, meaning and appropriateness of the norm (Jose & Stefes, 2022, p. 2). This is particularly evident if a norm has dual quality, due to it being as stable as it is pliable, which might be the case with the

R2P. Is R2P preventive or permissive, and under what conditions does the norm apply? These are some of the parameters that can be contested in a set of actions that are relevant in certain situations (Jose & Stefes, 2022, p. 2), as the principles of R2P.

Moreover, contestation might get particularly fueled by ambiguities, which Jose and Stefes (2022, p. 2) claim is the case with the intervention norm. Another level of contestation is the one that touches the validity of a norm, and questions its general existence, especially regarding criteria such as moral standards and fairness (Jose & Stefes, 2022, p.2). Deliberate actions that breach with the existing norms might seek to frame an issue and send a message, which might serve as a tool to establish a new norm (Jose & Stefes, 2022, p. 10). Based on the information in these two paragraphs, the thesis will pay attention to how R2P, and JWT, are framed from different perspectives. With a hypothetical assumption that R2P is ambiguous, it is interesting to look into whether R2P as a norm is contested by some actors in a hypocritical way. It might also be evident, as the previous chapter introduces the development of JWT to HI, and into R2P, that several actors in the international community are seemingly yet to agree what those norms imply. By justifying its war on Ukraine, with similar criteria to the ones of JWT, Russia might perform a contestation of the R2P norm.

#### 3.5 Ethics

Analysts of silent texts get to select and omit views, as it is possible to construct a new meaning while interpreting (McLennan and Prinsen, 2014, p. 85). The research aims to keep in mind the original reason for which the studied documents were produced and does not intend to misrepresent or misinterpret the sources. A potential strength of document analysis of published public writings is the possibility for readers to cross-check the thesis and original sources (McLennan and Prinsen, 2014, p. 84-85.) Especially when the collected data origins from public academic work, both digitally and analogically accessible, and therefore not categorized as sensitive or needing special permissions. On the other hand, some of the documents are accessed through the academic journal portals which are open to students at specific educational institutions but might be restricted to other individuals. Therefore, one could argue that research documents are not equally accessible to all, although they're publicly published.

As for the online sources only, they differ from physically published sources by restraining the readers from actively controlling the content after publishment. Digital creators of online

sources have more active control of the content, which can be more easily changed after publication (McLennan and Prinsen, 2014, pp. 82-84). Meaning, that digital sources can get modified without notifying the readers, in a way that an analog source can't. Another concern of ownership rights might be about whether sources on the Internet are public or private (McLennan and Prinsen, 2014, p. 84). Mostly, the collected data had to be accessed through one or another type of membership, either a private account in a social media platform or a academic journal membership. It is important to remember that access to the Internet or social media is not universal, therefore, data sources might not be accessible for all. Additionally, some webpages in selective countries might be inaccessible. Which can be a weakness. Most often, social media platforms such as Facebook or Twitter require personal access.

Author refrains from being understood as a spokesperson or advocate of the analyzed documents and their respective authors (McLennan and Prinsen, 2014, p. 85). This point is of importance as the thesis will analyze and reproduce meanings and rhetorical effects, which shouldn't get pinned on original authors, who are, in addition, not notified about this research. The aim of the thesis is to objectively analyze data without underlying personal meanings about the contents, politics, authors' agendas, or the ongoing context of war in Ukraine at the time of writing. Thesis is written in good faith of not breaching ethical concerns, as it is not meant for wide publishment or mass-outlets. A disclaimer for the thesis is that it doesn't attempt to take sides in the conflict between Russia and Ukraine and will try to treat sources with objectively.

The risk present is the possibility of over-interpreting or overestimating the search of something that is creating contested interpretations. Which might get affected by an overrated belief and even unconscious claim that something *must* be missing. Such determination could make the researcher create interpretative openings that aren't in place. An awareness must be present of not adding more meaning to words than there is in written texts, or inventing more data than there is (Nygaard, 2017, p. 36). Risks might be present for the author to problematize a situation, e.g., the Russia-Ukraine conflict, because of personal opinion.

When it comes to possible bias in document sources, one unit might stand out, because the author might have ties with the development of the R2P concept. It could therefore be important to carefully consider the paper of Dr. Francis Deng (2010), given that particular individual's work environment (Bellamy, 2008, p. 618) and possibly a desire to justify, promote or excuse

the R2P Doctrine and its mandate. Deng is former UN Special Adviser on the prevention of Genocide and is related to the development of R2P.

### 4 The Russia-Ukraine War

The main event of the analysis is the outbreak of the war against Ukraine in 2022 and the following, related events up to the time of writing. Therefore, central attention will be given to discourse regarding the war. In order to give a sufficient impression of Russia's geopolitical interests and actions in Ukraine, a short summary of events from past decades will be presented. Additionally, since there is a connection between Russia's actions in Ukraine, particularly Crimea, its history, and the contemporary war, an insight to 2014 follows before fully returning to 2022.

## 4.1 Geopolitical Background

In the 2005 World Summit, Russia voted for R2P, but together with China and Brazil disagreed about the Doctrine's third pillar (Jose & Stefes, 2022, p. 4). Russia's Foreign Minister made a point and a question about whether R2P truly is a right or an obligation, stating that the two terms launch different actions (Jose & Stefes, 2022, p. 4). Traditionally, Russia has been a restrictive actor towards emerging norms and new patterns to established international practices (Baranovsky & Mateiko, 2016, p. 50). It might therefore not be surprising that Russia has warned against taking rushed steps towards the R2P, saying it risks too broad interpretations (Baranovsky & Mateiko, 2016, p. 50).

Some skeptics claim similarities of Kosovo and Serbia, and Crimea and Russia, because both territories were allegedly, wrongfully separated from their original states (Higgins, 2022). Right before the annexation of Crimea in 2014, Putin blamed the West for hiding its true aggression behind resolutions from international organizations, at times ignoring the UNSC, mirroring Yugoslavia in 1999 (President of Russia, 2014a). When speaking of hypocrisy, the Western accusations of illegal actions in Crimea without the authorization of the UNSC, have been used by Russia to chargetthe West for unauthorized intervention in Kosovo (Jose & Stefes, 2022, p.10).

Even post-Soviet and with R2P present, Russia might have maintained the intervention behavior for "Russia's-Near-Abroad", especially with regards to Caucasus during the years of 2000-2005, Georgia in 2008 and Ukraine (Jose & Stefes, 2022, p. 4; Baranovsky & Mateiko, 2016, p. 61). All while criticizing the UN and NATO for interventions in Libya and Syria (President of Russia, 2022b), because these interventions, according to Russia's perspective, were military and not humanitarian (Jose & Stefes, 2022, p.1). These examples, nevertheless, superficially, give an indication of possible double standards and contradictions from Russia's side regarding interventions and the non-intervention norm, which the thesis will return to.

#### 2014-2022 Main events and discourse

Military interventions from Russia with territorial claims of Crimea started already in 1992, followed by claims to the city of Sevastopol in 1993, followed up by attempts to annex the isle of Tuzla in 2003 (Chekalenko & Vasylyeva, 2017, p. 36). Ukraine did appeal the UN for assistance in terms of peacekeeping procedures, which were blocked by Russia's veto in the Security Council. Disputes regarding the territory of Crimea seem to date back to 1954, when the region was transferred from Russia to Ukraine. Some critique was then addressed with references to the popular rule, as Crimea's population wasn't consulted in 1954 (Myhre et al. 2022, p. 11).

Therefore, some regarded the popular referendum of 2014 as a legal, peaceful reunification of the region to the former unit of Russia, labelling the term "annexation" as irrelevant (Myhre et al 2022, pp. 11-12). President Putin (President of Russia, 2022a) mentioned Crimea in a speech, saying that in 1954, Nikita Khrushchev "took Crimea away for some reason and gave it to Ukraine", and that is the way Ukrainian state territory was formed. The overall impression is that disputes about Crimea's affiliation have prevailed for centuries, from several perspectives.

In 2014, the Ukrainian Parliament cancelled the non-alignment status of Ukraine and showed clear initiative to integrate into European political and legal space, in addition to Western security space (Chekalenko & Vasylyeva, 2017, p. 35). Efforts of joining EU and NATO became increasingly stronger through the last two decades and got declared as the main strategic objective of Ukrainian foreign policy (Chekalenko & Vasylyeva, 2017, p. 35). Perhaps as a direct result of Russia's ongoing threats and repetitive attacks, and as an attempt to strengthen own national security.

The elected President of Ukraine in 2014, Petro Poroshenko, stated that Ukraine indeed is at war, and that the country will intensify its goal to achieve full NATO membership (Chekalenko & Vasylyeva, 2017, p. 35). These developments were the opposite of what Russia wished for and warned against (President of Russia, 2022a). Eventual eastward expansion of NATO military infrastructure was understood by Russia as a severe threat on its western border, which was used to justify the Russian troop buildup on the Ukrainian border prior to invasion in 2022 (Jose & Stefes 2022, p. 1). Similar threats were put forward once Finland and Sweden decided to apply for NATO membership in 2022. Russia warned about serious military and political consequences for the two countries (Roth, 2022).

Russia still views NATO-expansion as a national threat (Green et al., 2022, p. 8), due to security balance concerns. Moreover, Russia blames the West for causing unrests and anti-human violence with interventions as tools, which is an argument also drawn to accusations of Western "Russophobia" (Baranovsky & Mateiko, 2016, pp. 65-66). According to Baranovsky and Mateiko (2016, p. 64), R2P in Russia is strongly associated with the liberal Western values on human protection, which hold little support due to West-oriented political elite losing influence by the late 90's. The contemporary influential group of hardliners in Russia underpin R2P as a geopolitical initiative, and some go further by calling it a Western conspiracy (Baranovsky & Mateiko, 2016, p. 64). Moreover, the so called "wars unleashed by the US" after 2001, were mentioned by Putin (President of Russia, 2023a) as a type of Western behavior which is harmful to humankind.

At the beginning of Russia's annexation of Crimea in 2014, Putin gave a speech about the shared history and pride of the region and Russia, back to the baptism of Prince Vladimir over a thousand years ago (President of Russia, 2014a). Putin stressed the democratic procedure and international norms regarding the referendum held in Crimea. Both legality and historical coherence of the entities can be exemplified in following quotes (President of Russia, 2014a):

"Millions of Russians and Russian-speaking people live in Ukraine and will continue to do so.

Russia will always defend their interests using political, diplomatic and legal means."

"In people's hearts and minds, Crimea has always been an inseparable part of Russia. This firm conviction is based on truth and justice and was passed from generation to generation, over time, under any circumstances, despite all the dramatic changes our country went through during the entire 20<sup>th</sup> century."

As the violence continued, Russia insisted on justifying their military actions on humanitarian grounds (Jose & Stefes, 2022, p. 1). Such is evident in a quote from Putin's speech in 2014 (President of Russia, 2014b), where an alleged humanitarian catastrophe was committed against the population of Donbass:

"It is clear the militia has achieved a major success in intercepting Kiev's military operation, which represents a grave danger to the population of Donbass and which has already led to the loss of many lives among peaceful residents."

Judging by the content of the quote above, Russia showed an interest in Donbass, in addition to Crimea, already in 2014. Putin suggests that Ukraine is performing atrocities against own citizens and territory. The notion of "grave danger" is traceable back to the very beginning of Christian-Ethical JWT thinking, as such danger was problematized when "the population" was threated. Clearly, Putin problematizes the loss of civilian lives in Donbass, stressing the humanitarian issue, exactly the issue at the core of UN Charter's Article 1 and the purpose of R2P. Additionally, Russia claimed that the Eastern Ukraine's region's right to self-determination was neglected, together with potential discrimination of ethnic groups (Baranovsky & Mateiko, 2016, p. 62).

Altogether, the arguments for a military intervention from Russia rely on the claim that the population of Donbass were dependent on defense from Russia, although the actual evidence for such necessity seem to lack (Baranovsky & Mateiko, 2016, p. 62). Arguments of civil protection might fall apart when the protection of the people as a whole can turn to be protection of Russian citizens only (Baranovsky & Mateiko, 2016, p. 63). Such measures of selective protection of certain ethnic groups in a mass of violated people are not differentiated by the R2P.

Jose and Stefes (2022, p. 7) suggest that Russia's discourse in 2014 seemed mostly humanitarian, based on the claims that ethnic Russians and Russian-speaking population were facing danger to a degree where Russia allegedly had no choice but offer protection. Another justification, as interpreted by the quote samples, is Russia's claims to deep, historical identity in Crimea, and perhaps attempts to blur the lines of Ukraine's sovereign borders (Jose & Stefes, 2022, p. 7). Russia's subjective use of the intervention principles, might, as a consequence, contest the validity of R2P parameters as a whole (Jose and Stefes, 2022, p. 3) Furthermore, Russia can potentially contribute to a "new" norm of "R2P", or essentially prove failure of the existing intervention concept (Jose & Stefes, 2022, p. 3). Additionally, Russia insists to have

imposed minimal loss of life in Crimea, compared to parameters of other interventions, something it claims to be counted as humanitarian (Jose & Stefes, 2022, 10).

Perhaps as a consequence of Crimea's history and the lack of universal agreement about whether the territory was rightfully given to Ukraine in 1954, big powers such as France and Germany were receptive of Russian justifications in 2014 (Jose & Stefes, 2022, p. 7). In contrast, Canada, the UK and the US criticized Russia for breaching the international law. Several countries sympathized with Russia's side in the conflict in connection to its alleged, legitimate security interests. However, security concerns were not presented as justifications by Russia then (Jose & Stefes, 2022, p. 7).

To absorb the disputed area into one state's own territory isn't legitimized within the R2P framework, or the UN Charter (Baranovsky & Mateiko, 2016, p. 62). Baranovsky and Mateiko (2016, p. 62) suggest that the application of R2P in Crimea is questionable. Although R2P in its third pillar permits "appropriate" collective action, perhaps the definition of appropriateness can be disputed, but the pillar is clear that action from international community must happen in accordance with the UN Charter. However, if Russia truly believes to have met the criterion listed in the UN Charter, or the R2P, the principles might get even more contested.

To round up the background information, a note should be made about the region of Donbass in Eastern Ukraine in 2022. Seemingly, at the center of Russia's attention in the ongoing war are the counties (*oblast*) of Lugansk and Donetsk within Donbass, which Russia acknowledged as Peoples' Republics two days prior to the invasion (Green et al., 2022, p. 17). A pattern repeated from 2014, when Crimea was recognized as a sovereign state by Russia. Following from there, the two republics have allegedly, officially requested military help from Russia (Green et al., 2022, p. 22), after ratifying a speedy Friendship Treaty. However, such a request applies when, and if, the UN has recognized the entity as sovereign, which is not the case for any "self-determined" territory within Ukraine.

In the following sections, the thesis will try to answer the second research question regarding Russia's appeals to justice in its invasion of Ukraine, and how these can be interpreted in terms of R2P. The structure of the upcoming analysis will try to follow the layout of first researching the humanitarian discourse expressed by Russia, before turning to discourse regarding sovereignty and then examining the discourse of security. The samples collected, however, have thematically diverse discourses, and when it comes to quotes from Putin, clearly different types

of discursive topics are intertwined. Therefore, it might be challenging to separate the content into thematic blocks, although an attempt will be made.

#### 4.2 2022 Humanitarian Discourse

A few days prior to the invasion of 24<sup>th</sup> February 2022, Putin was addressing humanitarian issues and the pressing life-or-death conditions for Donbass residents (President of Russia, 2022b). From the beginning, Putin tried to justify that Russia has acknowledged Lugansk and Donetsk as independent republics, stressed Russia's common history with Ukraine and events from 2014. Attempts were made to construct pressing humanitarian issues to residents of Donbass. Evident in following quotes (President of Russia, 2022b):

"Meanwhile, the so-called civilised world, which our Western colleagues proclaimed themselves the only representatives of, prefers not to see this, as if this horror and genocide, which almost 4 million people are facing, do not exist."

[...]

"They [Donbass residents] are fighting for their elementary right to live on their own land, to speak their own language, and to preserve their culture and traditions."

Genocide especially, is a serious emergency, and appeals to one of the four conditions to which international community must respond to, according to R2P. Allegations in the presented quotes do suggest, together with horrors of genocide and threats to right to live of the residents, an appeal for a HI. After all, R2P is meant to set aside sovereign borders in case of mass atrocities and permit intervention, which Russia seems to embrace. Additionally, the atrocities against residents include, allegedly, serious discrimination of ethnic identity, such as language, culture and traditions. These factors correspond with human rights and values which the UN Charter protects, particularly Article 1(3). The Donbass residents are, according to Putin, ethnic Russians or Russian-speaking populations which *fight for their own land*, and at this particular point, the argument might be contradictory. If the priority is human protection, then the dispute about territorial affiliation seems misplaced, however, this ambiguity of sovereignty concept will be revisited later.

Putin claimed that Kyiv got couped by West-supported actors in 2014, who would take the capital towards a "Neanderthal", "neo-Nazi" regime that will harm ethnic Russians (President of Russia, 2022b). Should ethnic cleansing become a reality, the R2P will become even more

relevant, because the principle defines ethnic cleansing as a mass atrocity crime. To use genocide and threats to ethnic population as justifications is discursively powerful, because the international society has agreed about preventing these exact mass atrocities after Rwanda and Kosovo, by developing R2P. From Russia's perspective, their intention could be right and cause just, to save populations in need. Moreover, it seems as though Putin rhetorically blamed the West for not seeing the ongoing horrors in Ukraine. A collective accusation as such can be irrelevant according to Walzer (2015, p. 61), because the multilateral action of international society depends on each individual, sovereign state's decision.

Russia's Minister of Defense, Sergei Shoigu, has provided similar, hostile discourse regarding the West. According to Shoigu, Russia is fighting the West in Ukraine, specifically the West-controlled Kyiv and their weapons against civilians (Setten & Nave, 2022) Jose and Stefes (2022, p. 1) stress that HI's are appropriate "under the right conditions", and Russia's justifications could fit under the R2P-umbrella, if those conditions are met. Green et al. (2022, p. 24) propose an interpretation of Putin's speeches in a way that appeals to a branch of humanitarian issues and human rights as the justifications for Russia's invasion. In that case, an intervention must be based on a fear different to the ordinary fearfulness of violence, a supreme emergency (Walzer, 2015, p. 250), a large-scale loss of life (Bellamy, 2008, p. 621). This corresponds with the criteria of last resort and R2P's third pillar, which Putin seemingly uses as a justification.

It is exactly at the definition of "the right conditions" that the R2P might get subjective and ambiguous, and perhaps permissive of actions it was meant to prevent. Putin claims that Russia was left with only one option (President of Russia, 2022c), an active help to the republics which are allegedly experiencing aggression. A constructed notion of necessity is evident in Putin's public speech (President of Russia, 2022c), stressing threats to humanity on the day of full-scale invasion:

"They [the West] did not leave us any other option for defending Russia and our people, other than the one we are forced to use today. In these circumstances, we have to take bold and immediate action. The people's republics of Donbass have asked Russia for help."

This quote resembles necessity, with genocide in mind, whereas JWT's criteria of just cause and last resort justify violence when necessary. Assuming that other peaceful measures are worn out, violence is justified in order to avoid death (Walzer, 2015, p. 251). In Russia's case, the defense of people was requiring immediate action. R2P's pillars provide justifications for

external intervention, if the state itself is failing to protect its population, which Ukraine, according to Russia, does due to Western influence and aggression towards the Eastern regions. However, with the lastly mentioned quote, a problematic conceptualization of sovereignty shows again. Seemingly, Russia must defend its people, but also Russia as a country. In which case, the argument slides away from humanitarian justification, which can cross sovereign borders, to seemingly contain a security justification regarding defense of sovereign Russia. Something that moves the discourse away from the R2P's purpose.

#### Nazism: Supreme humanitarian emergency

If WWII, with Nazism at center, is the ultimate evidence of danger, imminence and just self-defense (Walzer, 2015, p. 250), it might make sense why Russia is trying to set a similar bar. One of the goals with the Special Military Operation, as announced by Russia, is to de-militarize and to de-nazify Ukraine (Åtland, 2022). The comparison to "Nazism", as will be discussed, might be an attempt to establish a similar notion of supreme emergency (Walzer, 2015, p. 250). Fittingly for Russia's narrative, Pangle (1978, p. 1394) claims that it is only in "Nazi-like" cases that intervention on humanitarian grounds is legitimate. Moreover, in Putin speeches, it seems as though there's little difference between nationalism and radical far-right movements. It is significant to bear in mind that Russia's official memory culture is circling around the glorified Soviet victory in WW II (Lunde, 2023; Lunde, 2022, p. 5; Smetanina, 2006, p. 69). The fact that the Soviet Union was victorious, together with Western powers US and the UK, made an influential impact on the framing of the collective memory in contemporary Russia (Lunde, 2023). The following quote (President of Russia, 2022c) shows the sacredness of victory in WWII:

"The outcomes of World War II and the sacrifices our people had to make to defeat Nazism are sacred."

From the time of victory, Russia has divided the wartime past into a polarized world, those who were "on Russia's side" and those who weren't. This framework got reshaped since the Cold War, whereas the Western allies during WW II became those who are "not on Russia's side" (Lunde, 2023; Smetanina, 2006, p. 46). This divide from Russia's perspective and its understanding of reality seems to be fundamental, evident in its discourse about Ukraine. Similarly, contemporary Ukraine's nationalist movement got identified as "not on Russia's side" by Russia (Lunde, 2023). Putin's speeches might attempt to construct the West and the

allegedly West-infiltrated Kyiv to be "not on Russia's side". As Åtland (2022) comments, the accusations of Nazism in Ukraine seem misplaced, bearing in mind that President Zelenskyy is of Jewish heritage, however, this fact hasn't stopped the following claims (President of Russia, 2022b):

"It is not surprising that Ukrainian society was faced with the rise of far-right nationalism, which rapidly developed into aggressive Russophobia and neo-Nazism. This resulted in the participation of Ukrainian nationalists and neo-Nazis in the terrorist groups in the North Caucasus and the increasingly loud territorial claims to Russia."

"Aggressive Russophobia" speaks of threats to a certain group of population in Ukraine, although it is not the same as direct ethnic cleansing, as covered by R2P. Alleged territorial claims are, however, not humanitarian. On the day of full-scale invasion, Putin (President of Russia, 2022c) returned to the discourse of crimes against civilians:

"[...] 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."

It seems like Putin attempts to build a continuous impression of an urgent threat to Russia, a threat that was feared beyond the ordinary fearfulness during the WWII. By the end of the 20<sup>th</sup> century, about 91% percent of Russia's population had family that participated in the WW II, and since Russia suffered about 27 million casualties, at least every tenth citizen in Russia has lost its family member during the war (Smetanina, 2006, p. 70). The memory of WW II might therefore be vivid in Russia's population, which is perhaps why Putin's speeches appeal to it. Moreover, according to Åtland (2022), the overhanging goal to "denazify" Ukraine can be interpreted as a goal to prompt a regime change. In which case, the intervention is no longer humanitarian (Neumann, 2019, p. 158), something that steps outside of the R2P's mandate.

On the holiday of national Victory Day, a contrast to what Europe calls "Europe Day" of peace and unity, Putin (President of Russia, 2022d) made several points about the "lessons" of WW II:

"I am addressing our Armed Forces and Donbass militia. You are fighting for our Motherland, its future, so that nobody forgets the lessons of World War II, so that there is no place in the world for torturers, death squads and Nazis."

"Victory Day" gives association to the victorious Russia against Nazism, and it might imply that it is equally necessary to be victorious in Ukraine in order to liberate it from "torture and

Nazis" as a humanitarian necessity (Walzer, 2015, p. 241). Together with "Nazis", Putin used the word "Banderites" (President of Russia, 2022d), which denotes a specific nationalist movement in Ukraine from the 40's. Additionally, in the same speech (President of Russia, 2022d), Putin claimed that martyrs in Odessa were burned alive in 2014. Bearing in mind the crimes performed during WWII which included burning of Jews, one might assume that Putin attempts to make a similar connection to crimes allegedly performed in Ukraine in 2014. It might be interpreted as a rhetoric that frames Eastern Ukraine in the context of similar, ultimate threat that WWII was (Walzer, 2015, p. 252). On the day of the issued order of partial mobilization, Putin (President of Russia, 2022e) used following justifications:

"The descendants of Banderites and members of Nazi punitive expeditions are killing, torturing and imprisoning people; they are settling scores, beating up, and committing outrages on peaceful civilians."

By portraying the constructed enemy as a lawless group, a band of extremist criminals, Putin might attempt to shift the focus from the attack on a sovereign country, to a handling of a separate group of individuals with radical ideologies, and not Ukraine as a whole. In this case, R2P is silent about whether crimes against humanity must be performed by a state or a group of individuals. Nevertheless, when mass atrocities are inflicted, they give a just cause, and states become responsible to intervene. Russia's military forces might act in good faith that they're fighting for survival of their own civilization and families (Walzer, 2015, p. 252), from torture and imprisoning, because according to Putin, they are at risk. Walzer (2015, p. 252) reminds that possible consequences of Nazism's victory would have been immeasurably awful and would certainly threaten human lives and values, it was justifiable to fight against it and a similar threat would invoke justifiable violence. Both with regards to R2P, Un Charter and JWT. As a discursive comparison, with probable similar goal of constructing an enemy, President Zelenskyy has used a rhetoric that framed "Russia's Nazism" to "Rashism" (President of Ukraine, 2023):

«Grandfathers used to tell their grandchildren how they beat the Nazis. Now grandchildren tell their grandfathers how they beat the Rashists. [...]»

#### Borderless emergency

Necessity knows no rules, Walzer (2015, p. 253) wrote, and perhaps no borders, when it comes to emergency. So far, the section regarding humanitarian justifications has witnessed a few

signs of different conceptualization of sovereignty. It is important to note that in some discursive samples, Russia treats the population in Eastern Ukraine as abused humans in a foreign state, either it's Ukraine or the two republics of Lugansk and Donetsk. Whereas Russia's discourse treats Ukraine as a sovereign that hasn't been able to protect its residents and is therefore discharged of sovereignty in line with R2P. Perhaps by claiming concerns with human security, Russia attempts to securitize the local residents in Ukraine because of threats from the constructed neo-Nazi regime. HI speaks against violence deriving from social structures (Dexter, 2018, p. 219), by uplifting human security. Thereby, Russia might construct an image of a state that is willing to take care of suffering citizens abroad, in addition to their own residents (Hoogensen Gjøry, 2018, p. 229).

Another perspective of sovereignty conceptualization from Russia might be detected in its discourse about a requested military assistance from the two self-determined republics, like the expression that "republics of Donbass have asked Russia for help" (President of Russia, 2022c), or in the quote below (President of Russia, 2022c):

"[...] in accordance with Article 51 (Chapter VII) of the UN Charter, with permission of Russia's Federation Council, and in execution of the treaties of friendship and mutual assistance with the Donetsk People's Republic and the Lugansk People's Republic, ratified by the Federal Assembly on February 22, I made a decision to carry out a special military operation."

International assistance by request from sovereign entities, both with peaceful and violent means, is permitted by R2P's second pillar and by UN Charter's Article 1(5) when authorized by the UN. Thereby, there might be an attempt to securitize the self-determined republics of Lugansk and Donetsk as two sovereign entities because of the alleged threat from another country, NATO or the West. However, if Russia sees the two republics as parts of Russia, then the arguments about the right to self-determination in Article 1(2) of the UN Charter might fall apart. To intervene in a self-determined state might be contradictory in itself, because the non-intervention principle in Articles 1(7) and 2(4), is supposed to be a warranty that a self-determined state can carry on its government without interruption (Walzer, 2015, p. 88).

Although to ask for help is legitimate, and R2P stressed that the international community is responsible to protect the violated populations as an external help, but R2P doesn't cover military assistance. The second pillar speaks of peaceful measures as only just assistance from the international society. In which case, perhaps Western supplies of military equipment to

Ukraine aren't in line with R2P either. Walzer (2015, p. 62) underlines that in JWT, anyone should be able to come to the aid of the victim and use necessary force against an aggressor.

The above-mentioned quote appeals more to the UN Charter, because R2P doesn't mention self-defense, but it is nonetheless a just cause for violence according to JWT. However, as Walzer (2015, p. 62) claims, the only just cause for war and self-defense is a wrong received, and that wrong must actually be received. Whether that's the case in Eastern Ukraine is hard to determine, and usually, self-defense applies as a right of the victim itself (Walzer, 2015, p. 62). Allegedly, if these victims are the two republics Lugansk and Donetsk, they're acting out the right to self-defense by requesting help from Russia. Furthermore, if Russia views itself as the victim in the alleged attack on the sovereign republics, then the two republics are counted as integrated territories of Russia's sovereign state. What is meant by Putin's numerous descriptions of "common Motherland" (President of Russia, 2022c) is therefore unclear:

"Your [Comrade officers'] fathers, grandfathers and great-grandfathers did not fight the Nazi occupiers and did not defend our common Motherland to allow today's neo-Nazis to seize power in Ukraine."

## 4.3 2022 Security Discourse

A major topic in Russia's justification discourse is security of the national state, and perhaps in plenary the security of both Russia and the two self-determined republics of Lugansk and Donetsk. If the territories of Eastern Ukraine and Russia are to be counted as common, integrated, then Russia's security claims of self-defense might be justified, as a just cause and last resort in JWT. Russia's narrative about the UN Article 51 concerning self-defense is interesting, because it must mean that the victims of aggression are exposed to a danger so grave that it threatens both dimensions of a society, the individuals and a community as a whole which are left to self-defense to ensure further existence (Walzer, 2015, p. 59).

"One year ago, to protect the people in our historical lands, to ensure the security of our country and to eliminate the threat coming from the neo-Nazi regime that had taken hold in Ukraine after the 2014 coup, it was decided to begin the special military operation."

"[...] the leading political forces [in Russia] are consolidated and united in the main idea – the security and wellbeing of the people; our sovereignty and our national interests override everything else for us."

In these quotes (President of Russia, 2023a), Putin is speaking of protection of the people in *our lands* and security of *our country*. There is sufficient evidence in Putin's speeches to suggest that Russia is problematizing Ukraine's NATO-interests and holds own sovereignty high. Putin (President of Russia, 2022c) describes the security threats as unacceptable:

"[...] a military presence in territories bordering on Russia, if we permit it to go ahead, will stay for decades to come or maybe forever, creating an ever mounting and totally unacceptable threat for Russia."

Compared to humanitarian claims, this quote is a contrast and appeals more to a just cause of self-defense, evident in both the UN Chapter and the JWT. Adding to a later speech from Putin on Victory Day (President of Russia, 2022d):

"[...] an absolutely unacceptable threat to us was steadily being created right on our borders. There was every indication that a clash with neo-Nazis and Banderites backed by the United States and their minions was unavoidable.

Unacceptable threats and unavoidable battle were emphasized, pressing the security iisue further. During the course of the war, Putin kept painting a dramatic picture of an immense threat to Russia from the West, including an allegedly planned escalation into a global conflict (President of Russia, 2023a):

"The Western elite make no secret of their goal, which is, I quote, "Russia's strategic defeat".

[...] This means they want to finish us for once and for all. In other words, they plan to grow a local conflict into a global confrontation."

It is not clear, judging by the source, what Putin claims to quote, nonetheless, such threats could seem to qualify for defense, especially if an official attack has been declared against an entity, according to JWT. In such case, the R2P is silent with regards to territorial security of a state, it rather aims to awaken responsibility to protect populations and human rights, while the UN Charter might fit for acknowledged state-defensive measures. However, Walzer (2015, pp. 80-81) argues that actions such as military mobilization, troop movements, border incursions, naval blockades, do not always count as sufficient proof of violent intent, but at times they might do. This weakens Rusia's grounds to problematize an eventual, external military presence on its borders (President of Russia, 2022d). After all, as Orend (2000, p. 51) comments, states are left to ensure their own security personally, because no international authority can assure protection of state rights, especially if thinking from a realistic, anarchic point of view.

Discourse about the need to protect and defend Russia and its residents from threats has been frequently repeating, evident in the speech given by Putin (President of Russia, 2023b) on the special, military holidays, such as the Special Operations Forces Day:

"You [the Special Operation Forces, veterans] have proven it in battle, including during the special military operation, following the orders to the end, protecting your comrades, saving women, children and the elderly, defending Russia, our nation and our land from the neo-Nazi threat."

And another statement in a speech from Putin (President of Russia, 2022e) accused the alleged Western, West-sponsored, neo-Nazis of state coup, in which case Russia's attack might be interpreted as a counterattack. According to Walzer (2015, p. 93) the nonintervention principle can be suspended for a third-party intervener, because another foreign power has interfered in e.g., Ukraine's domestic affairs. However, it seems irrelevant for a domestic coup. A related quote (President of Russia, 2022e):

"The subject of this address is the situation in Donbass and the course of the special military operation to liberate it from the neo-Nazi regime, which seized power in Ukraine in 2014 as the result of an armed state coup."

A speech (President of Russia, 2022c) addressing the invasion of Ukraine in 2022, put forward security issues as a motivation for intervention and disclaim the interest of occupying Ukraine:

"The current events have nothing to do with a desire to infringe on the interests of Ukraine and the Ukrainian people. They are connected with the defending Russia from those who have taken Ukraine hostage [...] we are acting to defend ourselves from the threats created for us and from a worse peril than what is happening now."

On a linguistic level, the last-mentioned quote might contain a grammatical error in the official transcription of Putin's speech, a seemingly rare mistake in what is otherwise a professional translation from the Russian original. The discourse contains a range of security threats, from terrorism in Ukraine, to liberation of Ukraine, to national protection and defense. A confusion rises about the way Putin is speaking of defending Russia, as it at times seems as Donbass is addressed as "Russia". In which case, the argument of Lugansk and Donetsk being sovereign falls apart, as they cannot both be sovereign and count as Russia's territory simultaneously. It might appear as though Putin uses "Russia" interchangeably when speaking about defense, at times it's about defending Russia from the West in Ukraine, then at times it's about defending Russia, or Russians, in what is known as Eastern Ukraine.

The collective security discourse has evidently been adapted by the Patriarch Kirill I, leader of the Russian Orthodox Church (Horowitz, 2022), which was met with significant criticism from the Ukrainian Orthodox Church (RadioFreeEurope/RadioLiberty, 2022a). Traditionally in Russia, God and church are understood as highly powerful sovereigns (Smetanina, 2006, p. 142), and the Patriarch can therefore be a powerful actor able to securitize an issue. To Russia's soldiers, Kirill I said (Horowitz, 2022):

"We have been raised throughout our history to love our fatherland, and we will be ready to protect it, as only Russians can defend their country [...]".

While speaking of the West as the main antagonist whom Russia fights in Ukraine, it might seem as though Russia is using Ukraine for a proxy war against the West. Meaning, that Ukraine's territory is used as an instrumental battlefield in security concerns of global powers or a security struggle between those powers (Manchanda, 2018, pp. 123-124). Which is similar to colonialism, and how the Global South was treated during the Cold War. Proxy wars are not justified by the just war heritage. Russia keeps repeating that the West is a threat, and remarkably, when talking of the war in Ukraine from Western perspective, Putin used the term "war". While talking about the situation from Russian perspective, it is termed as "special military operation" (President of Russia, 2023a):

"[...] they [the West] were the ones who started this war, while we used force and are using it to stop the war."

"[...] they [the US and NATO] prepared the Kiev regime which they controlled and Ukraine which they had enslaved for a large-scale war."

Russia admits having used force to stop the war, which is a clear distancing to a HI in Donbass and speaks rather of self-defense or a counterattack. War is not listed as a justified criteria for force by the R2P. All in all, state security might be the strongest justification, allowed by both JWT and UN Charter. Notably, it is difficult to follow the different justifications presented by Russia, as they are merged within each other and used interchangeably. In an attempt to assess the timeline of discursive samples (Table 3, Appendix), it seems that Putin was speaking mostly of humanitarian issues in Ukraine in 2014 and prior to the attack in 2022. While after the 24<sup>th</sup> of February, and throughout the following year of war, the discourse has been weighing more on the scale of security.

#### Hypocrisy of security discourse

The West, by for example the US, has responded with a denial about there being a threat to Russia. US President Joe Biden claims war wasn't a necessity, and that Putin is responsible for the atrocities (Thomas et al., 2023). Jake Sullivan, the White House National Security Adviser, stated that nobody is attacking Russia (Aljazeera, 2023). The G7 (Canada, France, Germany, Japan, Italy, UK and US) countries condemned Russia once more when meeting on the date marking one year of war and highlighted Russia's disregard of the UN Charter (The White House, 2023). The counterarguments dismiss threats and thereby Russia's attempt to use Article 51 as a justification. President of the European Parliament, Ursula van der Leyen (European Commission, 2022), condemned the intervention in Ukraine shortly after the outbreak and described the aggressor as following:

"This [Russian invasion] is a clash between the rule of law and the rule of the gun; between democracies and autocracies; between a rules-based order and a world of naked aggression."

Already then, van der Leyen might have introduced a possible R2P issue, how the principle got stuck between the rule of law and anarchy without rules. Which could be understood as a gap between legal measures, approved by the international community, which compete against realism and geopolitical interests. Majority of states are not accepting justifications from Russia, or its attempt to establish new intervention discourse. However, it is tempting to not let condemnations of Russia by the West go by unnoticed. When Joe Biden claims that Putin's war isn't necessary, a question pends whether the war on Iraq from US was necessary in 2003. Neumann (2019, p. 158) states that the US has led several so-called HI's with significant political interests. Strikingly, George W. Bush was speaking of a similar "grave danger" and "threat" to populations, as Putin did in 2022. At the time of US launching its attack in Iraq, Bush (White House Archives, 2003) expressed:

"My fellow citizens, at this hour, American and coalition forces are in the early stages of military operations to disarm Iraq, to free its people and to defend the world from grave danger."

"To all the men and women of the United States Armed Forces now in the Middle East, the peace of a troubled world and the hopes of an oppressed people now depend on you." [...]

"We have no ambition in Iraq, except to remove a threat and restore control of that country to its own people."

Right before the "military operation" in Iraq, the former UK foreign secretary Robin Cook (CNN, 2003) made a statement, and a resignation, which might have messaged the lack of

certainty about the claims from US regarding "necessity" to invade Iraq. Nevertheless, the UK ended up being one of the first countries supporting the US, among other European powers. About 20 years later, several parties are convinced that the US military action was not a last resort and failed to meet the UN Charter's criteria for legitimate warfare (Menbiot, 2023). War on Iraq might be an example of bypassing the UN organs due to alleged humanitarian needs, in terms of threats to humanity due to nuclear capacity, even before the R2P was developed. Green et al. (2022, pp. 27-28) joins the argument about hypocrisy, in terms of condemnations of Russia's invasion from the same states that have previously engaged in similar military action. It suggests low clean-hands credibility, and that if a state's has a strong enough interest to invade another state, justifications or authorizations by the UNSC are put aside.

Whether Russia attempted peaceful measures and diplomatic settlements prior to launching an attack, as the UN Charter and R2P advice to, is difficult to interpret due to Russia's officials speaking and acting differently. For a period of time, Russia denied aggressive intentions in Ukraine prior to the invasion. In January 2022, Russian Embassy in Washington tweeted following update on Twitter (@RusEmbUSA, 2022):

"We stress once again: [image of Russia's flag] is not going to attack anyone. The practice of moving troops on our own soil is a sovereign right. We call to end the hysteria and not to pile on tension around the #Donbass problem."

Another source (Taylor, 2022) sums up that Russia denied aggressive intentions for months, including dismissals from Kremlin Spokesperson Dmitry Peskov, Foreign Ministry Spokesperson Maria Zakharova and Foreign Minister Sergei Lavrov. Their dismissals contained comments about false flags, Western disinformation and tension buildup, nonsense and provocations. Even just days before Russia's full-scale invasion, with obvious military upscaling on Ukraine's borders, President Putin agreed (President of Russia, 2022a) with President Emanuel Macron on measures of conflict settlement:

"Considering the current state of affairs, the two presidents found it expedient to step up the search for a diplomatic solution between the foreign ministers and political advisors to the leaders of the Normandy format countries. These meetings are to help restore the ceasefire and ensure progress in settling the conflict around Donbass."

Such agreement indicated, among other statements from Russia's officials, that an attack on Ukraine was unrealistic. Moreover, it suggests that Russia was acting in accordance to UN Chapter VI and R2P's second pillar, trying to solve the disputes peacefully. Although physical

observations reported otherwise, Peskov continued to dismiss Western reports as hollow and unfounded towards Moscow's intentions (Politico, 2021). Similar contradiction was evident in September 2022, when The Kremlin announced the absence of plans to initiate full or partial mobilization (RadioFreeEurope/RadioLiberty, 2022b), just a week before the partial mobilization order was officially issued.

Based on all the statements together, one might believe that full-scale war was less probable. Moreover, these contradictions stand out as a contrast to JWT's criteria of public declaration, similar to the fairly open decision making of the UNSC, according to its procedures prior to warfare, written in UN Charter Chapter VI. Putin did warn and threaten the eastward expansion of NATO, but adding up to claims of no aggressive intentions, the signals were mixed. Thereby, a proper public declaration about Russia's intentions seems to lack, together with the attempt of finding peaceful solutions.

Moreover, Russia's descriptions of the West have changed during recent decades, in 2014 Putin was mentioning Western states as "colleagues" (President of Russia, 2014a), while in 2022, they are threats "not on Russia's side". On the day of invasion in 2022, Putin (President of Russia, 2022c) took the opportunity to make a critical comment towards the international community's handling of the conflict in Libya:

"The illegal use of military power against Libya and the distortion of all the UN Security Council decisions on Libya ruined the state, created a huge seat of international terrorism, and pushed the country towards a humanitarian catastrophe, into the vortex of a civil war, which has continued there for years."

Such comment might indicate a belief about the UNSC being deprioritized when the West is interested in intervening, although Russia did authorize the intervention, its critique has been significant (Bellamy, 2018, p. 244). However, the contents of the quote might suggest that Russia seeks to construct the West in a bad light and frame the UNSC as a demoralized institution. Perhaps it was a way of saying that Rusia may act in the same manner as allegedly the US did, because of their national security interests in Libya.

#### Pre-emptive security

Putin's war-declaration speech on February 24th was sent to the UNSC as a letter, in accordance with the reporting requirement under UN Article 51 (Green et al. 2022, p. 7). Moreover, the

Article provides two types of rights to self-defense, individual and collective, and Russia invoked both (Green et al. 2022, p. 8). The individual self-defense is presented by Russia as a response to the threat of NATO's eastward expansion (Green et al., 2022, pp. 8-9). While the collective self-defense is claimed to be a response for the two entities Donetsk and Lugansk, recognized by Russia as two sovereign republics prior to the invasion, facing threats from Ukraine (Green et al., 2022, p. 17). Whereas the republics allegedly have met the criteria of "victim" states requesting military aid as a response to the imminent threat. These requests could perhaps have been lawful, if internationally recognized, as coming from sovereign states, which the two republics were not.

As Green et al. (2022, p. 9) points out, Putin indicated that Russia is facing future threats, which is similar to a pre-emptive, or anticipatory, defense which might not qualify for the Article 51. Because it is difficult to assess objectively whether NATO eastward expansion is an attack itself and how immense it is. For a security measure to qualify as a pre-emptive strike, the threat must be present but leave a time span within its still possible to make a decision when facing actual danger, too much time, however, can count as a future strike and the security measures then become preventive (Walzer, 2015, p. 81). In a pre-emptive case a threat must be highly imminent in order for the pre-emptive counterattack to be lawful, because preventive strikes count as less urgent. For instance, Russia's accusations of NATO funding biological weapon facilities in Ukraine make it difficult to assess whether such type of action is an "imminent" attack (Green et al. 2022, p. 11) and how much of an extreme, horrifying danger it is (Walzer, 2015, p. 252).

Russia promotes an application of Article 51, something that can contribute to a broader interpretation of an attack and self-defense. To be precise, the Article permits self-defense if, and only if, an armed attack occurs (O'Connell, 2010, p. 41). Walzer (2015, p. 253) argues that both danger and imminence must be present at once in order to construct a justifiable necessity, a mere recognition of a threat isn't enough. For instance, WWII is recognized by Walzer (2015, p. 254) as a case that contained both danger and imminence. R2P's criteria of dangers such as genocide, war crimes and ethnic cleansing, are precise types of factual emergencies. NATO's eastward expansion might seem incomparable to WWII. However, Pangle (1978, p. 1394) calls pre-emptive wars legitimate, "unaggressive wars" that are meant as counter interventions or aid to fighters of civil war. Russia can justify its attack in a narrative about aid to fighters, e.g., ethnic Russians against "neo-Nazis" in Kyiv, or a counter intervention as a response to the

alleged Western "attack" on Ukraine, and thereby fit the pre-emptive criteria according to Pangle (1978, p. 1394).

Orend (2000, p. 51) argues that anticipatory attack can only be legitimate if the threat is serious enough, especially according to Immanuel Kant, if a state's and human rights are threatened. The definition of "serious enough" can again circle back as a subjective interpretation. Nevertheless, the mentioning of Article 51 in the speech can be a latent a message about Russia bypassing the procedures of the UN guided by the Charter, including the authorization of UNSC, which otherwise would have gone through a bureaucratic process before intervening in a conflict. Because according to Russia the self-defense is framed as urgent, with appeals to R2P, which are not as dependent on authorization from the UNSC. Putin has admitted on several occasions that the self-defense measures launched by Russia were pre-emptive:

#### 1. (President of Russia, 2022d):

"Russia launched a pre-emptive strike at the aggression. It was a forced, timely and the only correct decision. A decision by a sovereign, strong and independent country."

#### 2. (President of Russia, 2022e):

"[...] the decision to start a pre-emptive military operation was necessary and the only option. The main goal of this operation, which is to liberate the whole of Donbass, remains unaltered."

A similar argument of pre-emptive self-defense was applied by President George W. Bush in 2002 against Iraq, but that justification gained as little support then as is it did for Russia in 2022, according to Green et al. (2022, p. 12). However, if the US could seem to "get away with it", why can't Russia? Some similarity might be drawn to Israel's airstrike on the alleged Syrian nuclear facility in 2007, a largely ignored case of pre-emptive self-defense by the international community (Garwood-Gowers, 2011, p. 263). Further on, the justification then was based on Israel's assessment of Syrian nuclear capability to be of existential threat (Garwood-Gowers, 2011, p. 268). Russia was one of the states to claim illegality of Israel's attack (Garwood-Gowers, 2011, p. 266), which might speak of hypocrisy for Russia, and other states like US. Whereas the so-called Bush-Doctrine about pre-emptive force seemingly allowed to act on concerns about dangerous regimes controlling dangerous weapons (Garwood-Gowers, 2011, p. 268). Walzer (2015, p. 80) is clear that concerns, insults, provocations or quarrels are not qualified as threats.

Green et al. (2022, p. 12) stress that there is no legal basis that could justify the use of force against a non-imminent threat. What is immense enough, is however, difficult to assess. Some go as far as saying that preventive security actions cannot sustain a self-defense justification, because it might not be immense enough (Green et al., 2022, p. 13; Orend, 2000, p. 51). An anticipatory, collective defense justification was aired by Russia weeks into its invasion of Ukraine, as the "special military operation" allegedly uncovered documents confirming Ukraine's preparations to attack the Donbass region, including the area with Russian population (Green et al., 2022, p. 19). These accusations were not independently confirmed, it does, however, launch a debate about whether such planned attack on Donbass could qualify as an active engagement in performing harm (Walzer, 2015, p. 81).

A manifest intent to injure must be present in order to justify counteraction, in cases when inaction magnifies the risk of harm, according to JWT (Walzer, 2015, p. 81). Translated to R2P, this could be the second pillar which would advocate peaceful conflict settlements in an ongoing conflict, corresponding to the UN Chapter VI. Russia's justification of a pre-emptive strike would be context-dependent, based on status of how current the alleged attack was, because assumed future attack or a could-be-attack doesn't qualify as an attack for Walzer (2015, p. 83) R2P seems to be clear about that a danger must be manifestly present. An injury must be inflicted before a justifiable, violent response can be launched, according to Kant (Orend, 2000, p. 51).

## 4.4 Discourse from the International Community

Far from all countries across the states and continents agree about the illegality of war against Ukraine. Iran's supreme leader Ayatollah Ali Khamenei supports Russia, accusing the West of objecting an independent and strong Russia, and that NATO would inevitably have waged a war against Russia by using Crimea as an excuse (Politico, 2022; Motamedi, 2022). Moreover, Khamenei claimed that Russia would suffer an attack from NATO if it didn't take the first military initiative in Ukraine. In North Korea, Kim Yo Jong, sister of the leader Kim Jong Un, seems to be of similar opinion, blaming the war against Ukraine on the US, which accordingly has threatened Russia's security (Shin, 2023). While Syria's President Bashar al-Assad has praised Russia for its military incursion in Ukraine, for the "correction of history and restoration of balance" after the fall of Soviet Union (Aljazeera, 2022).

Neither of these leaders seem to address the humanitarian issue in Ukraine, rather they sympathize with Russia's security interests. Perhaps, these countries are the audience of a succeeded securitization process, where Russia has securitized its security issue with the West or NATO (dos Santos, 2018, p. 232). In the nonacademic and nonpolitical conversation, Western citizens, mainly Europeans and Americans, agree that that the West should help Ukraine to with win (Ash et al., 2023). While the same poll suggests that citizens in China, India and Turkey prefer a quick end to the war, even if the outcome is not in favor of Ukraine's territory. Among Western support of Russia, although not an official decisionmaker of contemporary Italy, the former prime minister Silvio Berlusconi (Camut, 2023) has stated following:

"All [Zelenskyy] had to do was to stop attacking the two autonomous republics of the Donbas and this would not have happened,"

Leadership of People's Republic of China, especially, has positioned itself as an advocate for peaceful settlement of the war (Ministry of Foreign Affairs of the People's Republic of China, 2022). Same tactic to what the President of Brazil Jair Bolsonaro and Putin agreed upon just days prior to the invasion, to follow the international law and include diplomatic measures (Ministério das Relações Exteriores, 2022). These states seem to have adopted neutral positions to Russia. On the flipside, the UNGA has during the course of a year of war against Ukraine produced a number of resolutions in Russia's disfavor, during several ESS's (Haddad, 2023). NATO Secretary-General (NATO, 2023a) has urged Russia to stop the war, and suggested to hold the responsible for war crimes accountable. On another occasion, Stoltenberg confirmed that supporting Ukraine is a morally right decision, and confirmed that Putin's war is illegal, breaching the international rules (NATO, 2023b). Moreover, confirming the exact security politics which Russia is probably trying to resist, Stoltenberg claims that "Ukraine's future is in NATO" (NATO, 2023c):

"Building on our existing support, NATO is now working on a multi-year support initiative for Ukraine. [...] It will ensure full interoperability with the NATO Alliance. And it will move Ukraine closer to its rightful place in the Euro-Atlantic family."

The content of Stoltenberg's quote might suggest that Ukraine is perhaps even closer to a NATO membership after, than prior to, the attack. In the same speech, the Secretary-General confirms with personal experience the atrocities committed in Ukraine, particularly in Bucha (NATO, 2023c). Apparently, Russia's security concerns were attempted to be seriously

addressed by the OSCE, without appropriate response from the concerned party (Minister of Foreign Affairs Anniken Huitfeldt, 2023). Evidently, the West attempt to use the legal political tools in order to turn Russia around. Another prominent reaction was the "Zeitenwende" speech and policy statement by Olaf Scholz (The Federal Government, 2022), the Chancellor of the Federal Republic of Germany. "Zeitenwende", could be understood as a change of times, formally translated as "watershed", was underlined by Scholz in following sentences:

"The twenty-fourth of February 2022 marks a watershed in the history of our continent. With the attack on Ukraine, the Russian President Putin has started a war of aggression in cold blood. [...] That is inhumane. It is a violation of international law. There is nothing and nobody that can justify it."

Moreover, in Scholz' official address (The Federal Government, 2022) just days after the war outbreak, it was made clear that Russia's actions are unlawful seen from Germany's perspective, pinning the responsibility for the demolishment of European security order on Putin. From Ukraine's perspective, the year of 2022 was named as the year of invincibility by the President Zelenskyy (President of Ukraine, 2023), who made it clear that Russia is and has been an aggressor for the last 9 years. Quote from Zelenskyy's address on the day of one year of invasion:

"Every day, the occupiers killed our relatives and friends. [...] We will never rest until the Russian murderers face deserved punishment. The punishment of the International Tribunal. The judgment of God. [...] The verdict is obvious. 9 years ago, the neighbor became an aggressor. A year ago, the aggressor became an executioner, looter and terrorist."

What is interesting to note, among other things, is that Zelenskyy spoke of the preferred response for Russia in terms of a special tribunal, which seems like a turn to jurisdictional measures against Russia, compared to the demands for NATO military support one year earlier (President of Ukraine, 2022). Further on, the President made it clear that all the occupied territories by Russia will not get let gone off:

"Our citizens who are now under temporary occupation. Ukraine has not abandoned you, has not forgotten about you, has not given up on you. One way or another, we will liberate all our lands."

As of support, Ukraine has received massive assistance, donations, aid and symbolic cooperation from multiple contributors. Exemplified by Norway's five-year aid plan for Ukraine, including economic, humanitarian and military equipment and aid, in addition to

assistance of refugee evacuation (Regjeringen, 2023). The Kiel Institute for the World Economy (Trebesch et al., 2023) published a tracker of aid support to Ukraine, which shows massive bilateral contributions as of March 2023, mainly from the Global West, with the US as leading contributor (Armstrong, 2023), although Japan and South-Korea are also represented. Perhaps these actions could be interpreted as a sort of fulfillment of the second R2P pillar, by assisting Ukraine in meeting its responsibility to protect its population. The second pillar emphasizes peaceful measures, and perhaps economic aid from other states could be such a measure, even though they might fund weapons.

# 5 Ambiguous Just War Discourse

Russia might have contributed to a contestation of the R2P norm (Jose & Stefes, 2022, p. 1), by opening up for specific geographical limits of applicability for the R2P, by invading Ukraine in 2022, in 2014, and Georgia in 2008 (Jose & Stefes, 2022, p. 2). Russia's justification appeals might have contributed to validation of a broader HI discourse in general (Jose & Stefes, 2022, p. 2), without necessarily having to meet all the criteria of the UN or UNSC. Which challenges the existing R2P pillars, by strengthening their general norm (humanitarian intervention) and weakening their specific elements (criterion for intervention) (Jose & Stefes, 2022, p. 2). R2P is partially dependent on interpretation, and when these interpretations differ, the power of interpreter matters (Jose & Stefes, 2022, p. 3). Perhaps it has a connection to why global powers US and Russia have until recently been able to invade, in the name of self-defense and preemptive measures, without significant consequences or multilateral counter interventions.

Thereby, influence of the interpreters might affect outcomes of the R2P based on interpretations, and if one interpretation is agreed upon by most, it becomes true. However, Russia or China, as powerful states, might challenge the normative truth, such as the principles of R2P, and apply those differently. Jose and Stefes (2022, p. 3) remind that some states might struggle to accept norms dictated by powerful states if they ought to feel disrespected. This presents another possible element of ambiguity in R2P, if some states don't accept is as a norm and feel imposed by western values, e.g., the human rights, or the European Christian-Ethical thinking. After all, the term of international society might be understood as closely attached to the English School, English language, perhaps related to the English, colonial worldview (Neumann, 2019, p. 93), therefore some might oppose the idea of an international community and its R2P.

A state which identifies as a great power, but isn't treated as such, might challenge other great powers in a bid for recognition (Jose & Stefes, 2022, p. 3). Powerful actors are more influential in shaping norms and international law, because they determine appropriate discourse and behavior (Jose & Stefes, 2022, p. 3). R2P as a product of the international community's desire to solve atrocities experienced in Rwanda and Kosovo, is influenced by the UN's values. From traditional JWT to contemporary R2P, attempts were made to shape what is and isn't appropriate behavior. Now, if states such as Russia disagree on the fundamental grounds on which R2P is built, they might challenge the norm of what is an appropriate behavior. While disagreeing about appropriate intervention behavior, R2P might become increasingly inconsistent and inefficient.

R2P might, on the contrary, get strengthened if Russia's perspective of HI gets dismissed by the majority of international community (Jose & Stefes, 2022, p. 11). The overall applicability of R2P might then improve after the unsuccessful intervention in Libya, which gave the Doctrine an unfavorable reputation (Jose & Stefes, 2022, p. 11). Another option, which would admit R2P's failure in general, is a possible decision from the international community to scrap HI discourse and practice altogether (Jose & Stefes, 2022, p. 11). Based on the assumption, judging by the case of Russia and Ukraine, that sufficient motivations and meaningful outcomes in HI's might be utopic (Jose & Stefes, 2022, p. 11). Further application, direction and consistency of R2P might depend on the international reaction on Russia's multiple violations in Ukraine (Jose & Stefes, 2022, p. 11). Perhaps Russia even seeks to offer an alternative intervention practice, which opens up for broader acceptance and lower threshold for interventions.

R2P has received accusations of being a principle for non-consensual intervention, with humanitarian concerns as second priority (Bellamy, 2008, p. 617). Russia did criticize the non-consensual intervention in Libya in 2011 (Jose & Stefes, 2022, p. 10), and perhaps therefore claims that its military operation in Ukraine was "consensually" welcomed by the threatened. Nonetheless, it opens up for an ambiguous use of both UN Charter and R2P. Focarelli (2008, p. 193) claims that an emerging norm without support from states as a whole can hardly emerge, rather their existence is limited to paper. In such a case, one could say that R2P does draw on the UN Charter but is less legitimate, if it is more of a symbolic norm on paper. Gregory (2014, p. 53), suggests that by shaping first frames of JWT, even St. Augustine differentiated political life from human moral and emotional care. This suggests that R2P is a type of concept that

cannot be successful in the way that human consciousness and compassion would like it to, because of political interests.

Moreover, Deng (2010, pp. 85-86) admits that R2P might not contain anything new compared to the existing intervention practices, but that its discourse enhances the consciousness about crimes against populations. R2P as a term or a norm might have little power unless states believe in that term and persuade action in line with the principle (Deng, 2010, pp. 86). Otherwise, the R2P can risk failing to transform from words into deeds (Bellamy, 2008, p. 615). Deng (2010, pp. 86-87) seems to be hopeful that the adaptation of R2P created a momentum which will continue to debate the protection of populations and strengthen the implementation of the pillars. Deng (2010, p. 87) predicted that Russia and China would be difficult to convince to accept the Western framework of the Doctrine and to look beyond national interests.

R2P, with ancestors from the JWT is supposed to restrain war, but Booth (2007, p. 314) claims that it will not, cannot and has not done so. O'Connell agrees and claims (2010, p. 39) that there is a sincere wish to promote human rights and security behind the R2P, although it also incorporates the use of military force. Likewise, Gregory (2014, p. 56) claims that JWT can contribute to normalize violence. Furthermore, Booth (2007, p. 317) describes political leadership as a weak link for JWT, because wars will occur as long as politicians want. This might be the case with President Putin, or President Bush.

Political interests as a motive are supported by Gregory (2014, p. 56), who writes that *jus ad bellum* decision making can be charged with hypocrisy, co-option, false consciousness and moral laxity. These claims correlate with the overall impression of Putin being the main character in Russia's hard politics, as well as Biden's comment about Putin's responsibility to end war. R2P might therefore not have a chance of restraining a war that is politically desired. War decisions might be abused by individual, subjective influence. Interests do matter, although R2P is meant to bypass arguments of self-interest and overcome politics (Hobson, 2016, pp. 435-436).

Moreover, the diversity of content within quotes from Putin's speeches might indicate a forum shopping, or institution shopping within Russia's rhetoric. Forum shopping is by Rüland (2012, p. 256) defined as a strategy in which actors choose among the mechanisms that best fit their political agenda in given arenas. Russia might use that approach, by choosing among institutions and fitting discourses based on context. At least, a point should be made that the discourse gives an impression of cherry-picking and selective use of international law and HI

principles. Such shopping of convenient discourse might be a disadvantage for the R2P, and perhaps is prompted by the R2P, because both R2P and the UN Charter might have provided too much discourse about interventions, to a degree where they serve as discursive enablers.

Even though a preferable outcome of JWT and R2P would be a practical rule-based morality to provide a political framework for resort to war, it's questionable whether R2P-assessment can ever become a strict checklist of duty norms (Gregory, 2014, p. 59). One could say from moral perspective, that international community should intervene in Ukraine against Russia in order to protect civils, they can intervene according to counterattack logic. However, politically, it might seem impossible to counter-intervene in Ukraine without escalating the conflict. Similarly, Gregory (2014, p. 60) writes that morals and politics might not go hand in hand, because rulers must navigate complex political environments, different from moral expertise of ethicists. Neumann states (2019, p. 159) that interventions will remain controversial, as HI's can open up for other politics and interests.

The following sections will discuss some appeals to just war provided by Russia, and pro-Russia discourse, together with a broader comparison of R2P, UN Charter and JWT in a similar thematic layout as the previous chapter.

## **5.1 Humanitarian Appeals**

Russia has, for instance through Putin's rhetoric, compared the contemporary "evil Kyiv regime" with Nazism. Such terms wake reactions and memories, they attach a radical label, and accusation, to Ukraine's government. Especially when Putin emphasizes that a genocide is ongoing in Eastern Ukraine. That comparison might be intentional for several reasons. Neu (2013, p. 11) describes Nazism as an evil which has brought desperation and disasters, a crisis, a struggle for survival, a threat to human values so immense that a constitution of supreme emergency is inevitable.

Russia's national interests, if "denazification" of Ukraine is to be compared to a regime change, might be camouflaged by the alleged imminent threat (Green et al., 2022, p. 16). Fittingly, Jose and Stefes (2022, p. 1) and Neumann (2019, p. 158) claim that interventions from states are primarily motivated by material interests and not norms, let alone atrocities against humans. As Walzer (2015, p. 253) suggests, in an emergency, it might seem justifiable to violate the rights

of a smaller group of people, e.g. the neo-Nazi government in Kyiv, when the excuse is the protection of a whole nation, or the escape of mass enslavement.

Putin's Nazi-narrative might make the threshold to internationally intervene in Ukraine higher, because Russia's discourse might construct the international community as a "protector" of the "Nazis" in Kyiv. This type of powerful rhetoric might recruit pro-Russian supporters and make R2P more inefficient, because of produced doubt and subjectivity. If Nazism is universally topping the scale of emergency and extremity (Neu, 2013, p. 12), it might be one of the few occasions that permits violence to stop it, and R2P might come short in proving the abuse of its principles.

Nazism might be the only moral disaster that welcomes intentional killing (Neu, 2013, p. 12), which is also a potential statement that can be abused to justify intervention. Fighting Nazism, or terrorism, might be a necessary condition for a just cause, but isn't alone sufficient for just warfare according to Gregory (2014, p. 51). Nonetheless, it doesn't stop Russia from comparing the situation in Ukraine to WWII, and perhaps the forum-shopping of justifications is an attempt to provide several "valid" reasons for the aggression.

For Russia, victory is the ultimate achievement (Lunde, 2023; Smetanina, 2006, p. 69), especially since the WWII. These interpretations might provide a suggestion as to why anything else than victory in contemporary Ukraine might be too hard to recognize for Russia, and why the alleged western coup of Kyiv has turned into discourse of an enemy (Lunde, 2023). Rhetoric from Putin's speeches reproduce the vocabulary of the West being "against Russia", and it seems like a common claim for Russia. Which could explain the attempt to broaden the norm of self-defense and justify violence in the name of national security concerns. The discourse against Ukrainian nationalism seems to repeat itself, similar to the violent reactions against nationalist movements a 100 year ago (Lunde, 2023).

Justified war cases should be strictly emergencies (Neu, 2013, p. 8), however the argument circles back to the subjective definition of emergency and necessity. Which Russia is broadly applying in its invasion of Ukraine. Focarelli (2008, p. 197) adds to stressing the concrete interpretations of just war criteria and conditions, included contemporary R2P principles, whereas the just cause criteria can exclude some interventions and lead to other solutions. Furthermore, Neu (2013, p. 15) claims that war is always wrong, although not waging war may result in a moral disaster, such as the case with Rwanda.

War is, however, a disaster itself, and the necessity of war can be preventable (Neu, p. 15). Perhaps more careful political work around Russia's paranoia for NATO expansion and security-threat balance, could have prevented an aggressive reaction. Perhaps not, if Russia truly wished to follow it geopolitical interests. Neu (2013, p. 15), suggests that JWT is not critical enough, and calls for an *unjust* war assessment, rather than *just*. Otherwise, the JWT and R2P have provided tools to put morality aside, by giving options to violence in the name of human security (Neu, 2013, p. 17).

Neu (2013, p. 4) points out that JWT as put forward by Walzer (2015), enables violences in necessary, emergency situations, but lacks content about intentional killing. Neu (2013, p. 4) argues that emergency violence, when a state cannot help but choose violence, are comparative to intentional killing, also of innocents. However, this comparison seemingly lacks attention in JWT, despite it almost being impossible to justify aggressors' "clean hands" when performing violence. The "terms of special military operation" gives a manifest impression of a military technical action, perhaps rather on another military group. It doesn't instinctively give an impression about intentional violence on civils. Neu (2013, p. 5.) further criticizes Walzer's (2015) JWT for being too binary, clinical and unable to assess morally complex realities. Perhaps this is also why contemporary R2P is inconsistent in its action and inaction. Because clinical political decisions, such as veto votes, might skip the moral perspectives.

Both O'Connell (2010, p. 39) and Booth (2007, p. 320) state that the post-Cold War human right promotion and HI's have contributed to new militarism, by undermining the legal and moral norm which usually restrain the use of force. By such developments, one could propose that the UN fails in its purpose to save upcoming generations from war. O'Connell (2010, p. 44) claims that the paragraphs which lay foundation for R2P release an obligation for states to intervene in humanitarian crises, military if needed, despite the lack of authorization from UNSC. Such authorization can be made by the UNGA, by the ESS, or by a regional arrangement, although UNSC is at the prior authorization level. O'Connell (2010, p. 44) comments that the paragraphs added in 2009 contribute to even bigger confusion about the R2P's mandate. Nonetheless, states have had a right to peacefully support human rights and prevent atrocities by non-lethal means, prior to R2P.

Another flaw presented by Booth (2007, p. 321) states that JWT distracts from real human security, as was revealed by the Kosovo case, where human rights and security were neglected. R2P was a product from disappointing HI experiences, with a purpose to prevent future cases such as Kosovo and Rwanda. However, even with an intended upgrade for HI's such as R2P,

Russia demonstrates that human security still can be neglected, or abused as a justification. Booth (2007, p. 321) puts forward evidence, such as East Timor, where the West had sufficient reason to intervene, but didn't, due to serious costs. This speaks for the R2P, and JWT, being a selective mechanism in some situations instead of an overarching common sense of moral duty (Booth, 2007, p. 321).

### **5.2 Sovereignty Appeals**

Assuming by Russia's offensive actions and Putin's speech content, the concept of Westphalian sovereignty stands strong in Russia's view. Which is a contrast to the R2P principles that attempt to condition sovereignty. States that have generally opposed the implementation of R2P have been concerned with vagueness of the principles and uncertainty of how R2P stands out from traditional HI's (Focarelli, 2008, p. 202). The skeptical states have also criticized R2P for benefiting great powers to impose their national interests on weaker states, thereby expanding the sovereignty of interventionist states and limiting the sovereignty of the intervened (Focarelli, 2008, p. 202). If R2P is viewed as a discriminating tool, imposing Western values and European Christian ethics, it might get even more resistance in becoming a norm.

States are disagreeing on whether R2P is already provided for by the international law or not, whereas Russia has been particularly denying that international law includes R2P as it is (Focarelli, 2008, p. 203). Several governments had initially a strong resistance to R2P (Deng, 2010, p. 85), with the impression of sovereignty being a sensitive topic. Baranovky and Mateiko (2016, p. 66) suggest that Moscow contributes to R2P's vulnerability, by sustaining the aggressive manner of Russia's geopolitics after the establishment of R2P, in the same way as it did prior to the Doctrine, by using force against sovereign states. Russia might securitize Ukraine to the extent that it becomes one with Russia's sovereignty, while R2P might attempt to securitize human rights and lives, and these two are opposite to each other. R2P has contributed to the sovereignty being second, under the human security, but it probably didn't mean to dissolve sovereignty or territorial borders in the way which Russia uses. As an unfortunate side effect, R2P might expand the possibilities of continued aggression with humanitarian justifications, particularly the abuse which the pillars were meant to prevent.

If the well-being of a population is an internal matter, under a state's sovereignty, it should not be a negative concept which gives a state right to barricade itself against the world, especially if the population is suffering (Deng, 2010, p. 83). Bellamy (2008, p. 619) claims that states

which abstain from international cooperations during major crises and fail to realize their sovereign responsibilities, might sacrifice their sovereignty and legitimacy altogether. Deng (2010, pp. 83-84) agrees that sovereignty should mean a positive responsibility of a state for its people and to call on the international community's support when needed. This covers the intention to condition sovereignty to responsibility, something Deng (2010, p. 84) pinpoints by suggesting that the best way to protect a sovereignty is to discharge the sovereignty and work with the international community. Additionally, Deng (2010, p. 84) states that to discharge sovereignty at an early stage is better than waiting until a situation becomes genocidal, putting forward the case of Kenya in 2008 as a successful peace settlement. Evidently, the R2P might take the sovereignty concept more lightly than the UN Charter.

Gethings (2015, p. 1059) suggests that R2P has challenged the traditionally established understanding that human rights are a national matter, rather than an international one. Moreover, systematic abuse of human rights shouldn't be able to hide behind the sovereignty status (Gethings, 2015, p. 1059). On the flipside, other states, such as members of the Non-Aligned Movement, have accused R2P of being a "Trojan horse" that hides the desirable unilateral interventions (Bellamy, 2008, pp. 616-617). In a way, Russia has, perhaps unintentionally, confirmed that by justifying its aggressiveness with alleged humanitarian emergency in Ukraine. Which might prove that sovereign states lack a higher authority capable of holding them accountable, something R2P suggests changing by conditioning sovereignty (Bellamy, 2008, p. 20).

Although R2P is perhaps exactly the needed concept to bypass both the framed limits of sovereign borders and the UNSC to avoid cases like Kosovo, where intervention was blocked by the Council (Bellamy, 2008, p. 625). Perhaps sovereignty is necessary to condition to responsibility in the same way democracy relies on the notion of responsibility, which HI as a concept is similar to, according to Gethings (2015, p. 1060). R2P might be an example that pinpoints the importance of responsibility, although it blurs the lines between fields of responsibility of states and the international community, and some states oppose for these borders to get diffused. Already in 2014 (President of Russia, 2014a; President of Russia, 2014b), Putin claimed that Crimea is an inseparable part of Russia, and it is somewhat unclear which conceptualization of sovereignty was applied, Crimea as a sovereign territory or a part of another sovereignty. It might seem as though Russia attempts at establishing itself both as a recognized sovereignty from within Ukraine, and a recognized sovereignty from outside, as Russia, or perhaps even as an expanded Russia (Neumann, 2019, p. 151).

Sovereignty definition might be linked with the cosmopolitan changes, whereas the territorial borders and their significance get more elastic together with the almost unlimited exchange of information and citizens on a global level (Gethings, 2015, pp. 1059-1060). Almost 50 years prior to Gethings (2015), Pangle (1978, p. 1394) suggests that even criminal nations should be left their independence and sovereignty intact, and that interventions in domestic structures might only be available in the cases of clear, unlimited aggressiveness. In between these arguments, confusion arises about the actual definitions and applications of the term sovereignty, and universality seems to be far away.

## **5.3 Security Appeals**

Subjectivity, as presented by Booth (2007, p. 316), is present when interpreting the criteria of just cause and application of the term self-defense. At extreme, "just cause" can serve to broaden, ignore and manipulate a conflict situation. This might be equally evident in Russia's war on Ukraine, as there hard to adopt an agreement about whether Russia actually is facing life threatening force from the West. Russia's self-defense might thereby be manipulated and serve as an excuse for aggression. Booth (2007, p. 316) comments that it is almost impossible for a third party to control the discourse of a state that constitutes something as last resort or necessity. Additionally, this contributes to feeding the self-delusion (Booth, 2007, p. 321) and subjective self-righteousness of a decisionmaker (Booth, 2007, p. 318).

Focarelli (2008, p. 198) points out that the determination of specific rules, rather than broad principles, are problematic to get generally accepted. R2P attempts to coordinate and define the right course of actions in specific situations, however, the concept can end up as a tool for national interests. Booth (2007, p. 318) reminds that NATO is originally an organization that has polarized the global security balance into the West-against-the-Rest. Which might still be a traceable division, especially in Russia's criticism of the West and Western HI's. In the end, Booth (2007, pp. 323-324) suggests that JWT is legitimizing war. O'Connell (2010, p. 39) supports Booth (2007) by claiming that many R2P promoters agree that the concept supports the use of force in case of breaches of the international law. Taking a step further, O'Connell (2010, pp. 47-48) claims that R2P might undermine the respect for law, because it advocates for human rights by violating international rules.

Deng (2010, p. 85) confirms that the third pillar of R2P contains a component of last resort but affirms that it is wrongful to assume that the pillar is synonymous with a military intervention.

The ICISS report which started the R2P-development, might not have drawn a line that properly explains what is meant by the international community, making it difficult to understand what the proper authority should be (Focarelli, 2008, p. 198). Although the Commission forwarded the UN as the principal institution of the international community and main applicator of legitimacy, the veto right at the UNSC can be viewed as "anti-democratic" (Focarelli, 2008, p. 198). Perhaps therefore the R2P, or ESS, can bypass the UNSC in grave situations.

In order to get rid of the violent protection of human rights and human security, O'Connell (2010, p. 48) questions if the R2P principles should be abandoned. As a pacifist, Norris (2015, pp. 181-182) presents a misconception which includes a belief that peace can ever be achieved by violence, rather, nonviolence must seek to change both individuals and their environment. Moreover, Neu (2013, p. 6) adds that occurrence of true emergency situations which leave no other choice than violence, are rare in human history. The morally right application of R2P relies on a unanimous interest from all states in maintaining a stable international order (Focarelli, 2008, p. 199). Which reveals a potential weakness not addressed in the ICISS report, namely the possible deviations from moral beliefs to strategical, political motivations (Focarelli, 2008, p. 199). HI concept might be a victim of double standards.

Russia doesn't call its aggression as war, similarly to NATO avoiding the term war in the armed conflict with Milosevic's regime in 1999 (Booth, 2007, p. 323). Booth (2007, p. 324) is convinced that the human rights culture globally can be improved without the legalization of wars, although outsiders should have a duty to respond to crimes against humanity, war or violence in general shouldn't be an accepted tool. Russia's assumed justifications about self-defense for geopolitical interests are not the first case of its kind, similar justifications were forwarded during India's force against Pakistan and Vietnam's aggression against Cambodia (O'Connell, 2010, p. 46). O'Connell (2010, p. 46) claims these examples show that HI's can lead to more harmful than good outcomes. If more harm is done than good, there's a possible violation of the proportionality criteria which used to belong to the traditional JWT.

The UNSC veto problem is assumingly one of the reasons why further development of R2P is desired, according to Saxon and Pratt (2015, p.169). It is at the same time revealing, that certain decisions made by UNSC might be disliked, to a degree that new principles of R2P are still developing as an alternative. However, (Saxon & Pratt 2015, p. 168) another justification for R2P, instead of a remedy for UNSC, is that the Doctrine is meant to appeal to the whole international community including the non-aligned states. Although Pangle (1978, p. 1394) comments that JWT in connection to international governing departed from the idea that all

nations participate in a world community, but some nations and states might not see themselves as a part of international community and therefore don't follow international norms and rules. Perhaps R2P and other international norms have a disadvantage in a community of states with their borders and interests neither isolated nor diffuse (Pangle 1978, p. 1394).

According to Hobson (2016, p. 434), R2P has during its first decades of existence struggled to go beyond complexity of the humanitarian issues. Moreover, Hobson (2016, p. 434,) introduces an interveners dilemma for the international community, where actors can be damned both for intervening and for the lack of action (Deng, 2010, p. 88). R2P might contribute to this dilemma, because an intervention could be counted as an offense to sovereignty but might be the only assistance a violated population can receive. Further on, Hobson (2016, p. 436) comments that R2P is underspecified in terms of what is a "manifestly failing authority" and when is it failing to protect its population. Perhaps Ukraine would be regarded as a failing authority to protect its civils from war crimes, if it wouldn't be for the massive military equipment donations and economic support from various countries.

Norris (2015, p. 181) argues that just war tradition, just like any tradition, must be a reproduced argument over time and not a fixed lens of reality. Perhaps R2P has been created, or reproduced, in a way that has left behind some elements of the original JWT. So that just war is now not dependent on the criteria of right authority, such as the UNSC, but has skipped a step to a degree where other authority coalitions can authorize military intervention, such as the UNGA or other regional decisionmakers. Although Norris (2015, p. 181) reminds that it is important for a tradition to have a dialogue with its contemporary public, which should revise, elaborate and if needed reject parts of the inherited tradition. However, perhaps the contemporary principles of just war in R2P are ahead, or behind, its public. Further revisions or additions to the JWT might be needed.

The ICC issued an arrest warrant against Putin for war crimes and unlawful deportation of population from occupied areas in Ukraine (The International Criminal Court, 2023). The intermediate ex-president Dmitry Medvedev responded that an arrest warrant as such is a declaration of war against Russia (Bredvei, 2023). Several military threats followed from Russia's side as a response to the warrant. On another occasion, Putin stated that the West had begun not just a military and informational, but an economic, aggression against Russia, meaning sanctions (Thomas et al., 2023) These examples illustrate that the discourse of threats might get expanded by Russia, making it harder to assess what a threat worthy of a violent response actually is. For example, since R2P's main focus seems to be human security more

intensively than it is in the UN Charter, other principles of protection or responsibility might branch out, if e.f. Russia's perceptions of material threats emerge as new security norms.

## **6.0 Conclusion**

Answers to research questions will be summarized in the following paragraphs. When it comes to similarities between the JWT, UN Charter and R2P, there are a few. It seems that R2P has departed from the traditional *jus ad bellum* in search of ways to condition states to protect populations and intervene when violence on populations is severely unjust. R2P has defined, and inherited, the just cause for an intervention as a last resort option. The UN Charter on its side, is understood as the formalized and routinized practice of JWT, especially when it comes to authorization of action and interventional procedures. The R2P pillars don't mention what or who the right authority is to declare or decide an intervention as precisely as the UN Charter does.

All of the three concepts do agree that self-defense and protection of civil victims is justifiable, agreeably, as a matter of an imminent emergency. However, R2P stands out by focusing on mass atrocities against humanity only, instead of monitoring international peace and state security as the UN Charter does. R2P is less about state security concerns and conflict settlement, and perhaps outdoes the UN Charter and JWT by protecting individuals' rights and security. R2P might depart from the JWT and UN Charter, but its paragraphs haven't inherited all the criteria or aspects of JWT.

Neither JWT, UN Charter nor R2P are protected against misinterpretations, abuse or subjective use. In the case of Russia's aggression in Ukraine, although Russia has not claimed R2P as an excuse, the pro-Russia discourse nevertheless appeals to the humanitarian threat in accordance with R2P and security threat in accordance with the UN Charter, and JWT. In this context, it is evident that R2P emphasizes human security more than state security, which is a thematic difference to the UN Charter, and e.g., the purpose of UNSC. As Bellamy (2008, p. 622) suggests, R2P is more about endangered populations than the rights of intervening powers such as the UNSC. Additionally, both academic literature and empiric cases can provide arguments about R2P being able to, and is possibly meant to, skip the procedures of UNSC, and function as a permissive principle when abused, as much as a preventive threshold.

As a norm, R2P stands out from the traditional JWT, and the active UN Charter, with its purpose to condition sovereignty and make states responsible for human lives. R2P is disputed, and perhaps functions primarily as a language, discourse and a norm more symbolically than in practice. Although the World Summit in 2005 passed the paragraphs of R2P, they're vulnerable to political will and interests of decisionmakers, similarly as the JWT. R2P is meant to add a layer of moral commitment to the existing international law (Saxon & Pratt 2015, p. 160). However, both morals and memory risk getting overtaken by politics (Lunde, 2023). In which case some states might see R2P as a permissive opportunity to self-gain. Perhaps if human lives and values get problematized enough, they will become even bigger topics of securitization, and R2P might get developed further, or the opposite- if the R2P content gets politicized enough.

In response to the second research question, Russia's appeals to justice in its attack on Ukraine touches on the UN Charter specifically, by putting forward UN Articles directly, and R2P, perhaps unintentionally, when stressing the threat on human lives in Eastern Ukraine. Thereby, the JWT's criteria of just cause and last resort can be counted as evident in pro-Russia rhetoric. Threats to populations are by Putin directly associated with genocide, torture and specific crimes against residents, with direct comparison to Nazi-like abuse particularly against Russian-speaking humans. This speaks greatly of both an emergency, similar to the Nazi regime during WWII, and a just cause to protect a population.

Russia stresses genocide in Ukraine as a reason to Russia's military response, whereas genocide particularly correlates with one of the criteria of an unacceptable mass atrocity crime in R2P's first pillar. Ethnic security issues of Russian-speaking residents are claimed as well, fitting under Article 1(3) of the Charter, which aims to protect human rights and freedoms in respect to language, among others. Adding to the arguments of self-defense and self-determination in the Articles of the Charter, Russia seems to be shopping among fitting principles according to its discursive context. Moreover, Russia claims threats to sovereignty as justification to its aggression, drawing on JWT and Westphalian sovereignty tradition. As of right intention, Russia addresses both crimes against humanity and the protection of historical "common" land, wrongfully separated from Russia, together with self-defense against the West. According to several of Putin's rhetorical points, Russia didn't have a choice but engage military as last resort in times of emergency.

For the argument about sovereignty, however, clarity is lacking whether Russia counts Ukraine as a sovereign country, the Republics of Lugansk and Donetsk as sovereign entities, or whether

Russia sees the territories altogether as *common fatherland*. Russia might attempt to conceptualize the disputed areas as, abused populations in a foreign state, as independent sovereign entities, or as integrated parts of Russia. By erasing Ukrainian borders due to a humanitarian emergency and at the same time establishing new borders of the two republics, while constructing them all together as common. If properly acknowledged, an official request for assistance from a sovereign territory could be viewed as a just cause to intervene in accordance with the UN Charter. R2P does emphasize that help should be delivered to a state that is unable to protect its citizens. However, from the perspective of the international community, the two republics are not recognized as sovereign entities. Therefore, the claims of military assistance by request seems mudded, in line with Russia's narrative of Ukraine as its historical and cultural belonging to Russia.

As of 2022, Russia put forward different, security threats by Western powers and spoke of Ukraine as a puppet for NATO (Jose & Stefes, 2022, p. 11) more than persuading the humanitarian argument from 2014. Pre-emptive measures, Western armed coup of Ukraine's capital and their initiation of neo-Nazism were mentioned as fundamental grounds for Russia's military operation, a fight in Ukraine against the West. These points speak of geopolitical interest, a proxy war perhaps, and concerns of global security balance, which seemingly don't depart from either of the modern JWT branches. Especially from the point of view that NATO eastward expansion is not a type of supreme, imminent emergency that poses immediate, great danger. However, it is disputed, and perhaps a highly relevant example that politics, subjectivity and individual influence from state leaders can affect the use of justifications for war.

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## **Appendix**

| Table 3                                       |  |  |   |
|---|--|--|---|
| Table of three-dimensional discourse analysis |  |  |   |
| Date  | Social practice dimension  | Discursive practice dimension  | Text dimension  |
| 19.03.2003                                    | George W. Bush  President of the USA  Addressing the Nation on Iraqi Freedom Operation                                 | Speech Archived transcription  | "My fellow citizens, at this hour, American and coalition forces are in the early stages of military operations to disarm Iraq, to free its people and to defend the world from grave danger."  "To all the men and women of the United States Armed Forces now in the Middle East, the peace of a troubled world and the hopes of an oppressed people now depend on you."  "We have no ambition in Iraq, except to remove a threat and restore control of that country to its own people."                 |
| 18.03.2014a                                   | Vladimir Putin President of Russian Federation (RF)  Addressing the Crimeasituation  For political and civil receivers | Speech  Official, public release from president's office (Kremlin), originally in Russian, officially translated to English, recorded as a video and written as a transcribed text | "Millions of Russians and Russian-speaking people live in Ukraine and will continue to do so. Russia will always defend their interests using political, diplomatic and legal means."  "In people's hearts and minds, Crimea has always been an inseparable part of Russia. This firm conviction is based on truth and justice and was passed from generation to generation, over time, under any circumstances, despite all the dramatic changes our country went through during the entire 20th century." |

| 29.08.2014b     | Vladimir Putin President of Russian Federation (RF)  Addressing the conflict in Eastern Ukraine  For political and civil receivers | Speech  Official, public release from president's office (Kremlin), originally in Russian, officially translated to English, recorded as a video and written as a transcribed text | "It is clear the militia has achieved a major success in intercepting Kiev's military operation, which represents a grave danger to the population of Donbass and which has already led to the loss of many lives among peaceful residents."  |
|-----------------|--|--|---|
| 19.01.2022      | Russian Embassy in USA  Addressing reactions to Russia's military presence  For receivers with access to Twitter                   | Twitter post Official account of the Embassy   | "We stress once again: [Russia flag icon/emoji] is not going to attack anyone. The practice of moving troops on our own soil is a sovereign right. We call to end the hysteria and not to pile on tension around the #Donbass problem."   |
| 20.02.2022<br>a | Conversation between presidents Vladimir Putin and Emanuel Macron  Addressing the issue of tension of Ukrainian border             | Conversation<br>between the two<br>presidents<br>Macron and<br>Putin   | "Considering the current state of affairs, the two presidents found it expedient to step up the search for a diplomatic solution between the foreign ministers and political advisors to the leaders of the Normandy format countries. These meetings are to help restore the ceasefire and ensure progress in settling the conflict around Donbass."   |
| 21.02.2022<br>b | Vladimir Putin President of RF  Addressing the tension in Eastern Ukraine, and on Ukrainian border, just                           | Speech Official, public release from president's office (Kremlin), originally in Russian, officially translated to English, recorded as a video and                                | "Meanwhile, the so-called civilised world, which our Western colleagues proclaimed themselves the only representatives of, prefers not to see this, as if this horror and genocide, which almost 4 million people are facing, do not exist.  []  "They [Donbass residents] are fighting for their elementary right to live on their own land, to speak their own language, and to preserve their culture and traditions." |

| 24.02.2022 Vladimir Putin President of RF addressing the start of the ongoing invasion of Ukraine, justifying Russia, officially translated to Russia's motives for political and civil public, anyone concerned with the war outbreak.  See the concerned with the war outbreak.  Speech Official, public resident's office (Kremlin), officially translated to Russia's motives for political and civil public, anyone concerned with the war outbreak.  See the concerned with the war outbreak.  Speech Official, public resident's office (Kremlin), officially translated to English, recorded as a video and civil public, anyone concerned with the war outbreak.  Speech Official, public relations to find the control of the start of the option for defending Russia and our people, other than the one we are forced to use today. In these circumstances, we have to take bold and immediate action. The people's republics of Donbass have asked Russia for help."  "The illegal use of military power against Libya and the distortion of all the UN Security Council decisions on Libya ruined the state, created a huge seat of international terrorism, and pushed the country towards a humanitarian catastrophe, into the vortex of a civil war, which has continued there for years."  "[] in accordance with Article 51 (Chapter VII) of the UN Charter, with permission of Russia's Federation Council, and in execution of the treaties of friendship and mutual assistance with the Donetsk People's Republic and the Lugansk People's Republic and the Lugansk People's Republic and the Ukrainian people. They are connected with the defending Russia from those who have taken Ukraine hostage [] we are acting to defend ourselves from the threats created for us and from a worse peril than what is happening now."  "The current events have nothing to do with a desire to infringe on the interests of Ukraine and the Ukrainian people. They are connected with the defending Russia from those who have taken Ukraine, as well as bring to trial those who perintend and the use | days prior to invasion   | written as a<br>transcribed text  | "It is not surprising that Ukrainian society was faced with the rise of far-right nationalism, which rapidly developed into aggressive Russophobia and neo-Nazism. This resulted in the participation of Ukrainian nationalists and neo-Nazis in the terrorist groups in the North Caucasus and the increasingly loud territorial claims to Russia."   |
|---|--|---|--|
| I nernetrated numerous bloody crimes against  | Putin President of RF addressing the start of the ongoing invasion of Ukraine, justifying Russia's motives for political and civil public, anyone concerned with the war | Official, public release from president's office (Kremlin), originally in Russian, officially translated to English, recorded as a video and written as a | bordering on Russia, if we permit it to go ahead, will stay for decades to come or maybe forever, creating an ever mounting and totally unacceptable threat for Russia."  "They [the West] did not leave us any other option for defending Russia and our people, other than the one we are forced to use today. In these circumstances, we have to take bold and immediate action. The people's republics of Donbass have asked Russia for help."  "The illegal use of military power against Libya and the distortion of all the UN Security Council decisions on Libya ruined the state, created a huge seat of international terrorism, and pushed the country towards a humanitarian catastrophe, into the vortex of a civil war, which has continued there for years."  "[] in accordance with Article 51 (Chapter VII) of the UN Charter, with permission of Russia's Federation Council, and in execution of the treaties of friendship and mutual assistance with the Donetsk People's Republic and the Lugansk People's Republic, ratified by the Federal Assembly on February 22, I made a decision to carry out a special military operation."  "The current events have nothing to do with a desire to infringe on the interests of Ukraine and the Ukrainian people. They are connected with the defending Russia from those who have taken Ukraine hostage [] we are acting to defend ourselves from the threats created for us and from a worse peril than what is happening now."  "The outcomes of World War II and the sacrifices our people had to make to defeat Nazism are sacred.  "[] we will seek to demilitarise and denazify Ukraine, as well as bring to trial those who |

|                 |  |   | civilians, including against citizens of the Russian Federation."  "Your [Comrade officers'] fathers, grandfathers and great-grandfathers did not fight the Nazi occupiers and did not defend our common Motherland to allow today's neo-Nazis to seize power in Ukraine."   |
|-----------------|--|---|--|
| 27.02.2022      | Olaf Scholz,<br>Chancellor of<br>the Federal<br>Republic of<br>Germany<br>Addressing<br>the national<br>parliament | Speech  Policy Statement Official public release from the Federal Government, professionally transcribed to English, originally in German | "The twenty-fourth of February 2022 marks a watershed in the history of our continent. With the attack on Ukraine, the Russian President Putin has started a war of aggression in cold blood. [] That is inhumane. It is a violation of international law. These is nothing and nobody that can justify it."   |
| 01.03.2022      | Ursula von<br>der Leyen<br>President of<br>the EU<br>Parliament  | Speech  Official public release from the EU Commission, original language and transcribed text in English                                 | "This [Russian invasion] is a clash between the rule of law and the rule of the gun; between democracies and autocracies; between a rulesbased order and a world of naked aggression."   |
| 09.05.2022<br>d | Vladimir Putin President of RF  Addressing the citizens and the military personell on Victory Day                  | Official, public address on the Red Square in Moscow (?)  | "Russia launched a pre-emptive strike at the aggression. It was a forced, timely and the only correct decision. A decision by a sovereign, strong and independent country."  "[] an absolutely unacceptable threat to us was steadily being created right on our borders. There was every indication that a clash with neo-Nazis and Banderites backed by the United States and their minions was unavoidable.  "I am addressing our Armed Forces and Donbass militia. You are fighting for our Motherland, its future, so that nobody forgets the lessons of World War II, so that there is no place in the world for torturers, death squads and Nazis." |
| 21.05.2022      | Patriarch<br>Kirill I<br>addressing the<br>soldiers of   | Quote in a news article   | "We have been raised throughout our history to love our fatherland, and we will be ready to protect it, as only Russians can defend their country."  |

|                 | Russia's  |  |   |
|-----------------|---|--|---|
|                 | military force  |  |   |
| 21.09.2022<br>e | Vladimir Putin President of RF  Addressing the issued order on partial mobilization in Russia.            | Speech  Official, public release from president's office (Kremlin), originally in Russian, officially translated to English, recorded as a video and written as a transcribed text | "[] the decision to start a pre-emptive military operation was necessary and the only option. The main goal of this operation, which is to liberate the whole of Donbass, remains unaltered."  "The subject of this address is the situation in Donbass and the course of the special military operation to liberate it from the neo-Nazi regime, which seized power in Ukraine in 2014 as the result of an armed state coup."  "The descendants of Banderites and members of Nazi punitive expeditions are killing, torturing and imprisoning people; they are settling scores, beating up, and committing outrages on peaceful civilians."  |
| 13.02.2023      | Silvio Berlusconi Former prime minister of Italy  Addressing the war in Ukraine                           | Quote from a news article  | "All [Zelenskyy] had to do was to stop attacking the two autonomous republics of the Donbas and this would not have happened,"  |
| 21.02.2023<br>a | Vladimir Putin President of RF  Addressing the soon to be one year of Russia's aggression against Ukraine | Speech  Official, public release from president's office (Kremlin), originally in Russian, officially translated to English, recorded as a video and written as a transcribed text | "I would like to repeat, they [the West] were the ones who started this war, while we used force and are using it to stop the war."  "[] they [the US and NATO] prepared the Kiev regime which they controlled and Ukraine which they had enslaved for a large-scale war."  "The Western elite make no secret of their goal, which is, I quote, Russia's strategic defeat". [] This means they want to finish us for once and for all. In other words, they plan to grow a local conflict into a global confrontation."  "[] the leading political forces [in Russia] are consolidated and united in the main idea – the security and wellbeing of the people; our sovereignty and our national interests override everything else for us." |

| 24.02.2023      | Volodymyr<br>Zelenskyy<br>President of<br>Ukraine<br>Addressing<br>one year of<br>war, the year<br>of<br>invincibility | Speech  Official, professional, public release from the presidential office. Originally in Ukrainian, officially transcribed to English.   | "One year ago, to protect the people in our historical lands, to ensure the security of our country and to eliminate the threat coming from the neo-Nazi regime that had taken hold in Ukraine after the 2014 coup, it was decided to begin the special military operation."  "Grandfathers used to tell their grandchildren how they beat the Nazis. Now grandchildren tell their grandfathers how they beat the Rashists."  "Every day, the occupiers killed our relatives and friends. [] We will never rest until the Russian murderers face deserved punishment. The punishment of the International Tribunal. The judgement of God. [] The verdict is obvious. 9 years ago, the neighbor became an aggressor. A year ago, the aggressor became an executioner, looter and terrorist."  "Our citizens who are now under temporary occupation. Ukraine has not abandoned you, has not forgotten about you, has not given up on you. One way or another, we will liberate all our lands." |
|-----------------|--|--|--|
| 27.02.2023b     | Vladimir Putin President of RF  Addressing the Special Operations Forces on their holiday                              | Speech  Official, public release from president's office (Kremlin), originally in Russian, officially translated to English, recorded as a video and written as a transcribed text | "You [the Special Operation Forces, veterans] have proven it in battle, including during the special military operation, following the orders to the end, protecting your comrades, saving women, children and the elderly, defending Russia, our nation and our land from the neo-Nazi threat."   |
| 20.04.2023<br>c | Jens Stoltenberg Secretary- General of NATO On a visit to Ukraine, at a Summit of Cities and Regions in Kyiv           | Speech  Official, professional, public release from the International Summit. Originally in English, officially transcribed to English.  | "Building on our existing support, NATO is now working on a multi-year support initiative for Ukraine. [] It will ensure full interoperability with the NATO Alliance. And it will move Ukraine closer to its rightful place in the Euro-Atlantic family. Ukraine's future is in NATO. "   |

