

THE RUSSIA-UKRAINE WAR IN THE STUDY OF HISTORICAL LAW & CONFLICT OF STATE SECURITY AREA

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Abstract

This study aims to provide an explanation of the history of the conflict between Russia and Ukraine during the reign of Vladimir Putin. Considering the Russo-Ukrainian conflict has become a war that is not only carried out by two countries, but many western countries interfere in this matter with their respective political goals. The conflict in Ukraine from the beginning was just the escape of Crimea from Ukraine to Russia, it was later followed by separatist efforts in other regions in Ukraine, in the eastern region which was also dominated by ethnic Russians. As a result, the US and NATO immediately sought to intervene to prevent the fall of Ukraine to Russia. So all the maneuvers of the US and NATO were immediately responded to by the maneuver of Russia deploying its troops and weapons on the Ukrainian border. The method used in this study applies quantitative methods with data collection techniques obtained from various literatures. The references used are literature studies on various books, newspapers, clippings, scientific journals, the internet, and other documentation that contains information about the conflict between Russia and Ukraine during the reign of Vladimir Putin in 2012 - 2018. The conclusions of this study is that Russian President Vladimir Putin claimed and emphasized that the act of sending Russian military forces to Ukraine and Crimea (NATO) is a form of Russian preparedness in case of violence and other things that can hurt Russian citizens who live in Ukraine and Crimea.

Keywords: Conflict; Military.Political; War.

A. INTRODUCTION

Russia is one of the most influential countries in the world. Because it has a strong political and military system. In February 1917 a Provisional Government was formed under Princes Lynov and Alexander Kerensky until 25 October 1917, when it was replaced by the Government of the Bolshevik Revolution by Vladimir Ilyich Lenin. In the next period, the government was continued as a dictator by Josef Stalin (1922) who created the Soviet Union (Soviet means Council) by joining the countries around Russia. The rule of the Soviet Union ended after on December 25, 1991 President Mikhail Gorbachev resigned and the Russian tricolor flag was flown in the Kremlin¹.

After the collapse of the Soviet Union, the Russian government was headed by Boris Yeltsin who has been in office since 1991. Further

¹ A Transneft JSC Shareholder intends to bring the company Management to Criminal Liability, *Transfer Journal*, Moscow, 2008, page 5.

developments, Russia was led by a former KGB official (Gosudarstvennoy Bezopasnosti) who was none other than Vladimir Putin who tried to restore Russia's image as a superpower like the Soviet Union formerly. The KGB is an extraordinary Russian commission to combat counter-revolution and sabotage called the Cheka, which was founded in December 1917 and first by a Pole, Felix Dzerzhinsky. After the success of Vladimir Putin in resurrecting Russia from a deteriorating economic slump, Russia was led by Dimitry Medvedev as Russia's third president, and under the government of Dimitry Medvedev, Vladimir Putin served as Prime Minister of Russia.²

During the 2012 administration of Vladimir Putin, the Ukrainian government was led by President Viktor Yanukovich who was more pro-Russian. But in 2014 violent demonstrations rocked Ukraine. The protesters demand the resignation and impeachment of President Viktor Yanukovich. Because Yanukovich refuses to sign a treaty with the European Union and prefers to maintain close ties with Russia³.

B. RESEARCH METHODS

The method used in this study applies quantitative methods with data collection techniques obtained from various literatures. The references used are from literature studies on various books, newspapers, clippings, scientific journals, the internet, and other documentation that contains information about the conflict between Russia and Ukraine during the reign of Vladimir Putin in 2012 – 2018. This study aims to provide information about the conflict between Russia and Ukraine explanation of the history of the conflict between Russia and Ukraine during the reign of Vladimir Putin.

C. RESULTS AND DISCUSSION

1. The Initial Conflict Over The Division Of The Country's Territory

Recently, Ukraine has again become the center of world attention because of the occupation by the Russian military in the Special Autonomous Region of Crimea (WOK Crimea), which is formally part of the territory of Ukraine. The mass media said it was a military action that violated the sovereignty of the Ukrainian territory. As for the issue of the WOK Crimea region, the history of the Soviet Union and Russia, the history of the Ukrainian state, the 1997 nuclear agreement, and the history of socio-cultural identity between Crimea and Ukraine contributed to the political escalation in the region.⁴

2 Branislav L. Slantchev. *Introduction to International Relations Lecture 8: Deterrence and Compellence*. University of California, San Diego, 2005, page 3

3 Buckley, Cynthia, Ralph Clem, Jarod Fox and Erik Herron, *The war in Ukraine is more devastating than you know*, The Washington Post, April 9, 2018, accessed on 6 December 2018. And see Danilovic, Vesna., *When The Stake Are High Deterrence and Conflict Among Major Powers*, University of Michigan Press, 2002, pages. 225-228.

4 Deutsche Welle (DW), 25 May 2018, <https://p.dw.com/p/2yJqd>, accessed on 6 December 2018. And see Elfita Agustini, Yaya Kareng, and Ong Argo Victoria, (2020), *The Role of ICAO (International Civil Aviation Organization) in Implementing International Flight Safety Standards in Excellent Human Resource for the Sustainable Safety of Inland Water and Ferries Transport in New Normal Era-International Webinar (IWPOSPA 2020)*, *KnE Social Sciences*, pages 100–114

Looking at Russia's intervention in WOK Crimea in relation to the history of Russia's political relations with Ukraine. So we need to separate the problem of the internal conflict between various factions that occurred in WOK Crimea and the political conflict that has occurred between Russia and Ukraine that has been going on since the dissolution of the Soviet Union in 1991. Like the history of the political journey of other nation states, perhaps we will not be able to find an interpretation which can be considered as the most correct interpretation of history among other interpretations⁵.

The rejection of the financial assistance to be provided by the European Union occurred because of conditions that could not be met, namely to immediately cut off economic relations with Russia. This situation, of course, triggered the anger of the residents, because the funds were needed by the residents. The anger of these residents was heightened by the disappearance of President Viktor Yanukovich who allegedly asked for protection from the Russian side. In the end, residents staged a protest in the Ukrainian capital, Kiev.

In response to this incident, the Ukrainian Parliament Verkhovna Rada which handles the legal field issued sanctions for the perpetrators of the riots in Kiev. This decision, of course, was not accepted by the community, who considered their actions to be their right as citizens to express their opinions. The decision in the end further strengthened the anti-government action that led to the desire to overthrow the leadership of president Viktor Yanukovich, which resulted in 80 deaths and 700 injuries. The large number of victims in the incident did not simply dampen the spirit of the community. This is evidenced by the revolution in the capital Kiev. In February 2014 managed to overthrow the government of President Viktor Yanukovich. The incident apparently caused outrage on the Russian side.⁶

This situation has actually been going on for a long time, starting in 1991 when Ukraine broke away from the Soviet Union after a coup in Moscow resulted in a referendum which stated that 90% of the votes voted to break away from the Soviet Union. Regional disputes that were triggered by domestic political issues then spread to rebellions and separatist movements which led to the imposition of sanctions in the form of embargoes on countries considered to have contributed to increasing conflict tensions such as Russia. Ukraine itself, before declaring its independence in 1991, was part of the sovereign territory of Russia or the Soviet Union. Years after the separation of territories, Russia still believes that Ukraine is part of Russia, where they have similarities both in terms of ethnicity, language, and history.⁷

The struggle for territory over Crimea itself is motivated by various

5 Trudolyubov, *Roots of Russia's War in Ukraine*, Woodrow Wilson Center Press Columbia University, Columbia, 2015;

6 Alex Mintz and Karl DeRouen Jr. *Understanding Foreign Policy Decision Making*, Cambridge University Press, Cambridge, 2010, page 121-122.

7 Bower, Gordon H. Thompson-Schill, Sharon, Tulving, Endel. *Reducing Retroactive Interference: An Interference analysis*, Tufts University, Medford, 1995, page 51.

things, although one of them is motivated by historical conflicts, also because of the energy potential possessed by Crimea in the form of natural gas. Judging from the historical aspect itself, Russia sees a connection between its country and Ukraine in the past where the glory of the Russian empire has its roots in the Greek period which is located on the Crimean Peninsula. From the demographic aspect, a third of Ukrainians living in eastern Ukraine are ethnic Russians who not only have the culture and also speak the original Russian language, but also share a common ideology and form of strong support for the Russian regime. With the fear of western influence spreading in Ukraine⁸.

The Ukrainian conflict has actually emerged since 2004 during the Orange Revolution, after presidential candidate Viktor Yanukovich. However, Russia was strongly opposed to the Orange Revolution. Russia accused America of provoking and founding a group of young people called Nashi to prevent a revolution that occurred because of Russia. Due to the massive mass movement in favor of the western world, Russian president Vladimir Putin cut off gas flows to Ukraine from 2006 to 2009. In 2010, as a result of the severe economic crisis experienced by Ukraine, Viktor Yanukovich was re-elected president⁹.

Russian politicians and media consider the leaders in Kiev as Ukrainian nationalists who violate the rights of the indigenous people living in Ukraine. In March Russia finally annexed Crimea giving the opposition hope of breaking away from Kiev. This is because the pro-Russian opposition rejected the existence of a pro-Western government after President Yanukovich¹⁰ downgraded in February due to allegations of corruption, a stagnant economy and a refusal to cooperate with the European Union. On March 16, 2014 a referendum for Crimea to secede from Ukraine was held.

This Russian-smelling separatist movement does not only occur in Crimea, but continues to develop and spread to eastern Ukraine. The conflict escalated as pro-Russian activists surrounded government buildings in Donetsk and Luhansk. This illustrates that the current situation in Ukraine is divided into two different camps, namely the pro-EU camp and the eastern part of Ukraine, which is mostly pro-Russia. The separatist movement demanded to secede from Ukraine and asked to join the Russian federation. This is evidenced by the proclamation of the independence of Donetsk, one of the regions in eastern Ukraine, by

8 Godson, Roy. Shultz. H Richard. Quester H, George., *Security Studies for the 21st Century*, Virginia, 1997, page 404.

9 Harris, Jonathan. *Subverting the System: Gorbachev's Reform of the Party's Apparatus, 1986-1991*. Lanham: Rowman & Littlefield Publishers. 2005. Pages. 201. And see John Burton, Frank Dukes, *Conflict: Reading in Management and Resolution*. Center for Conflict Analysis and Resolution, George Mason University Virginia, USA. Hampshire. The Mcmilan Press. page 15.

10 Obydenkova, Anastassia., Comparative regionalism: Eurasian cooperation and European integration. The case for neofunctionalism? *Journal of Eurasian Studies*. Vol. 2. No 2, 2014, page 91. And see Poroshenko, Petro, *For Ukraine, Putin must be punished*, The New York Times, 7 December 2018, page 1.

the pro-Russian masses. A separatist leader from Donetsk stated that “based on the results of the referendum and the declaration of sovereignty of the Donetsk People's Republic, we declare that the Donetsk People's Republic is a sovereign state. We ask the Russian Federation to consider our request to become part of the Russian Federation.” This of course made the Ukrainian government even more wary, considering the previous case in Crimea. To fight and eradicate these separatist movements, Ukraine asked for help from a number of countries, such as the United States. Because the government thinks that under these conditions they will need more political support from the international community.

Ukraine does not accept the referendum in Crimea. Protests and demonstrations from the public also exacerbated the increasingly heated conflict situation in Ukraine. Efforts to stop the conflict in Crimea are also being intensified. From the dialogue between the two warring countries, the ceasefire, and the international community also participated in responding to the results of the referendum in Crimea.

The conflict between Ukraine is a conflict caused by the government's goal to unite separate countries. This attraction cannot be separated from the history of Crimea which was once a province of the Soviet Union which was handed over to Ukraine on the basis of a symbol of friendship by Khrushchev in 1954. When the Soviet Union collapsed, and was divided into 15 independent countries. Including Crimea which is experiencing upheaval where the demand for independence is now back to being a 'coal of fire' which is a source of conflict between Russia and Ukraine at this time. Future plans, President Vladimir Putin who wants to re-create the “Soviet Union”, and the alliance of states under the control of Moscow, aim to geopolitically upgrade Russia into a new power, and Ukraine to become a “pile” of strategic projects.

2. Other conflicts, especially security and military issues and interference with western countries in Russia's internal affairs

Continuous and heated conflict can turn violent. Similarly, the conflicts that occurred in Russia and Ukraine. These conflicts can turn into violence such as looting, killing, kidnapping, and closing market access for some groups of people from different clans. Violence is any act, speech, attitude, structure or system that causes physical, mental, social or environmental damage and prevents a person from reaching his or her full potential⁷. Conflict and violence are two different things even though many people consider the two concepts the same. This can be understood because often conflicts are accompanied by acts of violence perpetrated by the conflicting parties¹¹.

There are several experts who try to formulate¹²the roots or

11 Jeffrey Z. Rubin, et.al., *Social Conflict : Escalation, Satlemate, and Settlement*, USA: McGraw-Hill Inc., 1994, page. 5.

12 KJ Holsty, *International Politics: A Framework for Analysis*, IKAPI Member, 1988, page. 173-174.

sources of ;conflict. One of them is KJ Holsti who stated that conflict is a problem of the types of issues that have led to confrontation and war. Based on the above, conflict can be divided into six main types of state goals or sources of conflict¹³, that is :

- a. Territorial conflict or limited territory, there is a conflict against the ownership of a special part of the territory, or the right to manage the territory in or around the border area with other countries.
- b. Conflicts related to the composition of the government, there is a conflict about who has the right to lead the country and in it there is a strong ideological dispute.
- c. Conflict of national honor, in this case the government threatens or takes military action to clean up actions that are considered wrong. This can turn a small incident into a major crisis.
- d. Regional imperialism, where a government tries to destroy the independence or sovereignty of another country usually with ideological, security and trade purposes.
- e. Liberation conflict or revolutionary war, which is carried out by a country to liberate the people of another country for ethnic or ideological reasons.
- f. Conflicts caused by the government's goal to unite separate countries.

Based on KJ Holsty's study of the source of the conflict, we can conclude that the conflict between Russia and Ukraine is a conflict related to territorial or bordered areas, as well as a conflict of one country to liberate the people of other countries. Crimea is a region bordering Ukraine and the people who are pro-Russian want to separate from Ukraine and choose to join Russia.

The conflicts that occur in Ukraine are not only conflicts that occur within the country itself but conflicts involving other countries, including Russia. The domestic conflict in Ukraine involves groups that are pro and contra with Russia. This counter group has always strongly rejected international policies carried out jointly between Ukraine and Russia.

The conflict in Ukraine has worsened, especially with the Russian military annexation of Crimea, a strategic area in Ukraine with the status of an autonomous republic. The Russian military annexation of Crimea was a personal request of the Prime Minister of Crimea Sergei Aksenov to Russian President Vladimir Putin.

The conflict in Ukraine from the beginning was just the escape of Crimea from Ukraine to Russia, it was later followed by separatist efforts in other regions in Ukraine, in the eastern region which was also dominated by ethnic Russians. As a result, the US and NATO immediately sought to intervene to prevent the fall of Ukraine to Russia. So all the maneuvers of the US and NATO were immediately responded to by the

13 Lahart, Justin, Yield Seeker Prone to Russia's Disease, *Wall Street*, Journal Vol. 4, December 2014, page 20. And see Menon, Rajan and Eugene B. Rumer. Conflict in Ukraine The Unwinding of the Post-Cold War Order, The MIT Press, 2015

maneuver of Russia deploying its troops and weapons on the Ukrainian border.

Allegations leveled against Moscow escalated the conflict in the Lugansk and Donetsk Regions, and alleges that Russia through unofficial channels had threatened to use tactical nuclear weapons against Ukraine. The death toll from the war was in the thousands and even tens of thousands.

However, the action of Vladimir Putin, who immediately deployed his troops to the strategic area, created new tensions in Ukraine, causing the interim President of Ukraine, Oleksandr Turchynov, to declare war alert. The military occupation of Crimea by Russia is an act of aggression against Ukraine. Russia has deployed 2000 troops at its military base in Simferopol, the capital of Crimea.

In response to the military action carried out by Russia, the Kremlin has the right to protect their country's interests in Ukraine and also to be a protector from the threat of violence that may occur for Russian citizens who mostly live in Eastern Ukraine, the region that borders Crimea.

Vladimir Putin stressed that the act of sending Russian military forces to Crimea was to be on alert in case of violence that hurts Russian citizens who live in Crimea and Ukraine, Russia has the right to protect the interests as well as the citizens living there.

Russian President Vladimir Putin wants to destroy Ukraine as an independent country and return to the era of the Soviet Union. Currently Russia and Ukraine are still at war stage and the main attacker is the Russian Federation. The goal is not just to take on Donetsk and Lugansk. But the goal is to take the entire territory of Ukraine. Russia is a threat to the global order and European security. Vladimir Putin's goal is to take all of Ukraine. He does not accept that Ukraine will become part of the EU's extended family and wants to return to the Soviet Union era¹⁴.

Vladimir Putin claims his country has the right to protect state and ethnic Russian interests in Ukraine in relation to the movement of Russian troops in Ukraine. American threats to Russia regarding the presence of Russian troops in Ukraine. In order to prevent the spread of unrest to Eastern Ukraine and Crimea, Russia reserves the right to protect the interests of the Russian-speaking state and people in the region.

Russia's parliament has authorized Putin to send troops to Crimea, an autonomous region in Ukraine's ethnically and Russian-speaking majority that is home to the Naval Fleet.

Russian black. Although it has not fully exercised this authority, sending troops to Crimea is necessary to protect the Crimean people of ethnic Russians and Russian military bases there.

The conflict in Ukraine itself is a conflict that has been rooted since the formation of the Ukrainian state. The ethnic distribution in Ukraine

14 Mitchell, Sara McLaughlin, *Could the new fighting between Russia and Ukraine escalate into an all-out war?*, The Washington Post, accessed on 6 December 2018.

itself is divided into two, namely those who are pro-Western and pro-Russian. The ongoing conflict which is protracted is suspected as a result of the situation in Ukraine itself, which since its independence has not been able to completely break away from Russia. The existence of Russia's role as one of the great powers in the world is also the cause of the protracted conflict. Even today in some areas in Ukraine there are still protests from pro-Russian militants.

D. CONCLUSION

Based on the formulation of the problem and the basic framework of thought that has been stated above, the author can conclude that Russian President Vladimir Putin claims and emphasizes that the act of sending Russian military troops to Ukraine and Crimea (NATO) is a form of Russia's preparedness in case of violence and other things which can harm Russian citizens living in Ukraine and Crimea. This attitude is also the attitude of Russia which considers its country entitled to protect the interests of the Russian-speaking state and people in Ukraine and Crimea.

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