

Ukraine Wars

A geopolitical perspective

Richard Falk

Richard Falk is professor emeritus of international law at Princeton University and was Professor of Global Law, Queen Mary University of London. He served a six-year term as United Nations Special Rapporteur on the situation of human rights in Palestinian territories.

This article is a somewhat modified version of a talk given on March 9th, 2022 at a session of the Global Studies Colloquium, University of California, Santa Barbara, convened by Professor Jan Nederveen Pieterse. I regret not having a transcript as a series of challenging questions followed my remarks, including several participants in Europe. Covid has made transnational dialogue much more of a common and enriching feature of intellectual activity on university campuses.

RF, 12/03/2022

When we agreed on a theme for my presentation, we were in a pre-Ukraine world. In the interim, developments in Ukraine, including the imprudent US-led provocations, Russian aggression against a sovereign state has created a severe humanitarian crisis in a country of over 44 million people. The confrontational Western response, by way of sanctions, and a surging Russophobia, has produced a win/lose calculus rather than striving for partial win/win political outcomes. I would identify such outcomes as restoring respect for Ukrainian sovereign rights (ceasefire, orderly Russian withdrawal; reconstruction assistance; emergency humanitarian aid) coupled with a commitment by Ukraine to never join NATO or allow Western troops or weaponry to be deployed on its soil. In addition, a commitment to allow self-government in Eastern Ukraine and the protection of human rights in Donbas region in accord with the reinvigoration of the Minsk Agreements of 2014-15 are required. The West's refusal to practise

win/win diplomacy is suggestive of an absence of political and moral imagination at a time in world history when the resources and energies of the world need to be dedicated to global problem-solving as never before, and not be diverted by geopolitical dramas of the kind that has been tragically unfolding in Ukraine since February 24th.

Geopolitics is often invoked vaguely and abstractly, frequently given diverse meaning, and thus needs to be explained. Geopolitics is most usefully understood as referencing the behaviour of dominant states: what used to be called Great Powers. There is a confusion embedded in the discipline of International Relations, which generally refers to a state-centric world order based on juridical equality as exemplified by international law, and has been recently mystified in the political discourse of the US Secretary of State, Antony Blinken. This high official insists that US foreign policy adheres to the restraints of a rule-governed international order, while that of its rivals, China and Russia, does not, and that for him makes all the difference. In actuality, the reality of geopolitics is most manifest in war/peace or international security contexts where all Great Powers throughout the world history of several centuries privilege their strategic priorities over adherence to rules or norms of general application.

At the end of World War II there were basically two geopolitical actors – the US & USSR. Additionally, through the strength of Winston Churchill's personality and the vitality of the trans-Atlantic alliance, the UK was treated as a third geopolitical actor. France was later added as a courtesy urged by Churchill to avoid Britain enduring the loneliness of being the predominant colonial power. China as the most populous country and the sole representative of the Global South was the final state admitted to this exclusive club of geopolitical actors, who not only became the five permanent members of the United Nations Security Council, but were also the first five countries to develop and possess nuclear weapons. Franklin Roosevelt exerted American influence, backed by Stalin, to ensure that the United Nations would be established in a manner that took account of the institutional failures of the League of Nations that had been brought into existence after World War I to keep the peace. FDR attributed the failure of the League as arising from its Westphalian state-centric framing of authority.

Instead of juridical equality as the dominant organizing principle, Roosevelt favoured the establishment of a hybrid institution: geopolitical primacy for the Security Council (SC) endowed with sole authority to reach and implement, if necessary by force, binding decisions. Westphalian statism was relied upon to legitimate claims of authority in

the General Assembly and rest of UN System, yet limited in its efforts to influence behaviour to advisory and recommendatory authority that has turned out to have had inconsequential impacts in relation to the most pressing items on the global policy agenda.

Additional support for hybridity came from the Soviet Union that sought not only Permanent Membership in the Security Council but structural assurances that it would not be victimized by a tyranny of the majority composed of anti-Communist Western-leaning countries. Soviet concerns were set forth as part of the justification for granting a right of veto to the permanent five (P5). The central idea was to frame the peace and security priorities of the new UN in a manner that provided clearer ample political space for the practice of geopolitics within the four walls of the Organization. It is not surprising that this accommodation of geopolitics produced an impasse at the UN, approaching political paralysis during the Cold War. It also perversely meant that the P5 were constitutionally empowered to opt out of compliance with international law whenever their strategic interests so decreed by simply casting a veto blocking a Security Council decision.

It should be noted that a quite different approach was taken in the economic sphere of the Bretton Woods institutions of the World Bank and International Monetary Fund, where Western primacy for market economies was achieved by weighted voting and leadership traditions proportionally based on capital contributions. Such a capitalist consensus did indeed lead to a rule-based international liberal order, which contrasted with the contested ideological combat zone of post-1945 geopolitics.

Roosevelt's vision of the UN was vindicated to some extent by achieving and maintaining universality of membership throughout the entirety of the Cold War. Providing a comfort zone for geopolitics did overcome one of the principal procedural weaknesses of the state-centric League. The League suffered from non-participation (US), withdrawal (USSR), and expulsion (Germany), arguably the most important international actors between the two world wars.

The most hopeful part of FDR's vision for the UN proved irrelevant and naïve. Roosevelt was hopeful that countries with diverse ideologies that had cooperated so effectively in responding to the fascist challenge in the war would extend their alliance to peacetime. He believed, or maybe just hoped, that the victors in World War II would take on the less onerous challenges of peacetime. In retrospect, it seems clear that those who led the peace diplomacy after World War II underestimated the intensity of antagonistic geopolitical ambitions that had been temporarily subdued to

address the common threat posed by fascism, and that the removal of that threat made possible the resumption of fierce geopolitical rivalry between the two military superpowers.

The Cold War, despite its periodic crises, proxy wars, and arms races managed to avoid a ‘Third World War’ by producing a relatively stable geopolitical balance of power based on two principal elements: deterrence (mutual assured destruction) and respect for each other’s spheres of influence. The risks of war during this period arose over different perceptions of respective degrees of control over spheres of influence, as in the Cuban Missile Crisis of 1962 and the interplay of nationalisms and ideological affinities in the three divided countries of Korea and Vietnam – that led to horribly destructive proxy wars – and Germany that produced recurrent crises that endangered peace in scary ways. War prevention was more successful in Europe where respective spheres of influence accepted hostile interventions by the Soviet Union in Eastern Europe and more subtly by the US in Western Europe.

What might be called ‘the geopolitics of peace’ during the Cold War reflected patterns of assertion and restraint that reflected the prevailing geopolitical structure: the presence of nuclear weapons, and the collapse of European colonialism. The structural reality of the Cold War period was captured by a militarist understanding of geopolitics in the nuclear age, and by the imaginary ‘bipolarity.’ Such abstractions, unless elaborated, obscure the role of geopolitical leadership, internal cohesion and governance, and perceptions of the adversary. Yet ‘bipolarity’ gives a more instructive view of geopolitics than does an emphasis on the Permanent 5 in the UN setting, and has prevailed in the academic International Relations literature.

The collapse of the Soviet Union led to what the right-wing neoconservatives in the US heralded as the onset of ‘a unipolar moment,’ which meant that the logic of balance and deterrence no longer applied, especially in conflicts within the spheres of influence bordering on China and Russia. Balance was replaced by the logic of dominance and asymmetry. A triumphalist atmosphere emerged in the US during the 1990s conveyed by such phrases as ‘the end of history,’ ‘the second [New] American Century,’ ‘the doctrine of enlargement,’ and ‘democracy promotion.’ No longer was geopolitics conceived largely in regional terms, but rather as a global undertaking of a single political actor, the United States, the first truly ‘global state’ whose security zone encompassed the planet.

But there were problems with operationalizing a Monroe Doctrine for

the world: the potency of nationalist resistance neutralizing over time the impact of military superiority enjoyed by the intervening geopolitical actor, a revision of the balance of forces as between intervenors and national sites of struggle recently evident in Iraq and Afghanistan; the fact that China's challenge was not primarily military, and thus could not be 'deterred' by force alone; the growing Russian resentment at being hemmed in and threatened by the geopolitical acrobatics of unipolarity.

One further observation of a conceptual nature: world order is constituted by two normative logics: a geopolitical logic based on inequality of states and a juridical logic based on their equality. For relations based on equality, international law provides a framework; for those based on inequality, strategic priorities – including war avoidance – underpin action. Bipolarity proved to be relatively resilient, unipolarity turned out to be dysfunctional, producing massive human suffering, widespread devastation and human displacement while frustrating the pursuit and attainment of geopolitical goals.

Before the Ukraine crisis, there seemed to be forming a new geopolitical configuration based on somewhat different patterns of alignment: 'containment' was being resurrected in relation to China and focusing on the defense of South Asia, including the islands, with a less Euro-centric alliance on both sides. Instead of NATO v Warsaw Pact there is the relations of US, India, UK, and Australia. Russia seemed to be replacing East Europe as the principal ally or partner of China suggesting a new phase of bipolarity and the onset of a second cold war.

Putin's attack on Ukraine drastically challenged that playbill, or so it now seems. He had previously pledged 'the end of the unipolar world,' and seemed to mean this primarily in relation to the Russian sphere of influence along its Western borders, starting with Ukraine. Such a geopolitical approach is running into some comparable obstacles to those encountered by the US with respect to unipolarity. China is placed in an awkward position of conflicting priorities, balancing US encroachments and hegemonic geopolitics, yet uphold the sanctity of territorial sovereignty, the major premise of Westphalian world order.

One can conjecture that if a diplomatic solution is soon found for Ukraine, the Sino-Russian defensive geopolitics will revive. The Trump factor cannot be discounted in the near future, and with it a return to a geopolitical realignment scheme that was friendlier to Russia and more economic in character, viewing China as the more troublesome rival of the US from the perspective of trade, investment, and technological innovation.

What seems clear is that the 30-year aftermath of the Cold War is ending amid the ruins and humanitarian crisis unfolding in Ukraine. What comes next depends on many factors, including the impingement of unmet global challenges not previously prominent on geopolitical agendas, yet posing dire threats to the future stability of planetary political, economic, and ecological arrangements if they are not treated as matters of urgency.

First published at <https://richardfalk.org/2022/03/12/the-ukraine-war-a-geopolitical-perspective/>

Ukraine: Stop the Carnage, Build the Peace!

In March 2022, Just World Educational held a series of eight webinars on the international crisis sparked by Russia's February invasion of Ukraine. The sessions were co-hosted by JWE President Helena Cobban and Board Member Richard Falk; in each one, they conducted a broad public conversation on issues raised by the crisis with superbly well-qualified and thoughtful guests.



The multimedia records of all these conversations can be viewed at bit.ly/JWE-UkraineCrisis. Policy Recommendations arising from these conversations are as follows:

1. *Ukraine-wide ceasefire now!*
2. *An embargo on arms shipments into Ukraine by all countries.*
3. *Start negotiations now, involving all relevant parties, for a lasting peace arrangement for Ukraine, and commit to completion within six months.*
4. *Monitoring and verification of the ceasefire and arms embargo to be led by the United Nations and the OSCE, or any other party acceptable to both Ukraine and Russia.*
5. *Immediate aid for rebuilding in Ukraine, including for agriculture, ports, residential areas, and related systems.*
6. *Immediate international talks on implementation of 1970 Nuclear Non-Proliferation Treaty, under which all signatory states including the United States and Russia committed to complete nuclear disarmament, and a call for all governments to support the 2017 Treaty on the Prohibition of Nuclear Weapons .*
7. *Leaders of NATO countries should oppose all manifestations of Russophobia.*
8. *The United States should give up all efforts at regime change in Russia.*

A full report on the conversations can be accessed at justworldeducational.org