

# J - Justice

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Justice is one of the central and most frequently mentioned concepts of Russia's foreign policy at the beginning of the 21st century.

The notion of justice in interstate affairs entered the foreign policy vocabulary as early as the 19th century: Alexander Gorchakov said more than once that "there are no diverging interests that could not be reconciled by means of zealous and hard work for this goal in the spirit of justice and moderation."<sup>1</sup> This approach enabled him, on the one hand, to defend Russia's strategic interests, in particular, by revising the Treaty of Paris of 1856 and securing the return of the Black Sea into Russia's zone of influence, and on the other hand, maintain mutually beneficial relations with the leading European powers in accordance with the current lineup of forces.

The ideas of a fair world order also formed the basis of the concept of the Hague peace conferences held at the initiative of Russian Emperor Nicholas II in 1899 and in 1907, which adopted the first international conventions on the laws and customs of war, thus laying the foundations of international humanitarian law. As Fyodor Martens, a Russian lawyer, diplomat and one

<sup>1</sup> From A.M. Gorchakov's message to Russia's Ambassador to the U.S. E.A. Stoeckle. July 1861. Foreign Policy Archive of the Russian Empire. F. Chancellery. Register 470, 1871. File 94. Sheets. 502–513 overleaf., French language.

of the main organizers of the Hague conferences, said, the goal was not to search for utopian recipes for establishing eternal peace, but to “structure international life on the basis of law and justice” and to restore order there “where arbitrariness reigns.”<sup>2</sup>

Amid the Cold War and bipolar confrontation, the term ‘justice’ was almost excluded from the vocabulary of Soviet diplomats: neither Vyacheslav Molotov nor Andrei Gromyko regarded it as a reflection of the realities associated with the world order of that time.

The recent history of Russia saw a renaissance of the ideas of justice in relation to the world order. Only a few other foreign policy terms are mentioned probably as frequently in fundamental documents and in official speeches of modern Russia’s political leadership. Interestingly enough, the current foreign policy interpretation of the idea of justice is consonant with the traditions of Russian philosophy of the late 19th and early 20th centuries. On many occasions Russia’s domestic politics drew inspiration from the ideas of Russian philosophers: in his addresses to the Federal Assembly Vladimir Putin quoted Alexei Losev, Lev Gumilyov and Nikolai Berdyaev while explaining the Russian model of conservatism and its deep roots in Russian mentality. In relation to foreign policy, the image of “blooming complexity,” a term coined by Konstantin Leontiev, and Vladimir Solovyov’s and Nikolai Berdyaev’s ideas of justice and truth turned out very appropriate.

Truth-verity and truth-justice have always been central to Russian thought, which originally emerged as historiosophically and socially oriented. It was focused on such questions as: What was the Creator’s intentions for Russia, what is Russia, what is its fate and what is its role in the world historical process, the purpose of which is to build a fair world order? “Everyone is prescribed one truth in two aspects: as a law of justice and as a commandment to seek perfection. The latter implies the former, that is, the law of justice is unconditional and mandatory always and in all respects,” Solovyov wrote. However, world justice should not be confined to the legal interpretation: according to Berdyaev, the juridical interpretation is not only ontologically incorrect, but also practically dangerous, because

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<sup>2</sup> Pustogarov V.V. F. F. Martens - Lawyer, Diplomat. - M.: Mezhdunarodnyie Otnosheniya Publishers, 1999. pp. 150-153. (in Russian)

“the enforcement of truth-justice at all costs can be very unfavorable for freedom; likewise, the assertion of formal freedom may cause the greatest injustices.”

Unlike the philosophers of the early 20th century, Russian diplomats and politicians of the globalization era are keen to emphasize the importance of legal norms and the rule of law as the foundation of a fair international system. This idea has been running through all editions of the Russian Foreign Policy Concept since 2000. According to Russia’s main foreign policy document, the UN, which has “unique legitimacy” (2008) and is the main organization that regulates international relations, has been and should remain the central element of the system. The key to stability of a fair international system are equitable relations and partnership between countries, which together must build an international architecture “on a collective basis.”

It is noteworthy that in the modern interpretation, the concept of justice is always adjacent to democratic principles. One of the main proclaimed foreign policy goals is “the formation of a stable, fair and democratic world order,” and in the field of economic cooperation it is the construction of a “fair and democratic global trading, economic, monetary and financial architecture.”

Throughout 2000-2013, the Kremlin assessed a number of regional conflicts precisely through the lens of justice. The 2000 Foreign Policy Concept stated that fair consideration of the status of the Caspian Sea was required, which would take into account the legitimate interests of all parties. It was also postulated that Russia would “contribute to the achievement of a lasting and just settlement of the situation in the Balkans, based on coordinated decisions of the international community” and guaranteeing the territorial integrity of the Federal Republic of Yugoslavia. The resolution of the conflict in Afghanistan is also seen by modern Russian leaders from the standpoint of justice: Russia has always sought and continues to seek a lasting and fair political settlement of the Afghan problem and to prevent the export of terrorism and extremism from that country. In 2013–2014 the demand for justice in international relations keyed Vladimir Putin’s Valdai speeches, which were addressed first and foremost to the world public at large. In October 2013, Putin said

that Russia, while demonstrating strength in its foreign policy, had always used it gallantly and fairly. The world order, established on the basis of the results of the Congress of Vienna of 1815 and the Yalta Agreements of 1945, with Russia playing a very active role, ensured lasting peace and a fair world order, which reflected the power sharing realities of the day in world politics. At the same time, Putin emphasized that Russia had always distanced itself from unfair international decisions, for example, the Treaty of Versailles, which created the prerequisites for future World War II.

In the post-Crimean period, the notion of justice became especially important. In the Valdai speech in October 2014, the Russian president mentioned this term in different respects eight times. That speech was brimming with bitterness over the wide abyss between Russia and the collective West. The true reason was by no means Crimea or the future of Ukraine, but the accumulated contradictions stemming from conflicting interpretations of the world order, which from the Russian point of view is unambiguously unbalanced and unfair. Its origins should be looked for in the results of the Cold War, which ended not with the conclusion of “peace” and clear and transparent agreements to observe the existing rules and standards or to create new ones, but with the illusion of one bloc’s victory over the other and the subsequent euphoria that absolutized one socioeconomic model as perfect and suitable for everyone. Objectivity and justice were sacrificed to political expediency, and legal norms were replaced by arbitrary interpretations and biased assessments. In addition, the so-called victors unanimously introduced the practice of punishing dissenters. Putin mentioned such punitive measures as the use of force, economic and propaganda pressure, meddling in domestic affairs, and appeals to a kind of “supralegal” legitimacy when it is necessary to justify the illegal intervention in a conflict or topple inconvenient regimes. To conclude his description of the world situation Putin said: “Let’s ask ourselves how comfortable, safe and pleasant is it for all of us to live in such a world, and how fair and rational is it?”

In 2016, justice becomes one of the main Russian foreign policy notions: in the 2016 Foreign Policy Concept, there appeared a special clause entitled “Formation of a Fair and Sustainable World Order” and included in the section “Priorities of the Russian Federation in Solving Global Problems.”

This section reiterates the rule of law, as well as the central role of the UN. The new feature of this section is the emphasis on ensuring “sustainable manageability of world development,” which should be based on the “collective leadership by the major states,” whose group should not be limited to the usual list of developed countries, but must necessarily reflect the geographical and civilizational world diversity. In practical terms, the Russian idea of justice in relation to the international world order implies a more significant role of integration associations of the developing countries such as the G20, BRICS, SCO, and RIC.

The civilizational dimension of the idea of justice is also found in the section “The Modern World and the Foreign Policy of the Russian Federation.” Special attention is paid to creating “the ideological foundations of joint actions with reliance on the general spiritual and moral potential of major world religions, as well as such principles and concepts as the striving for peace and justice, dignity, freedom, responsibility, honesty, mercy and hard work.” According to the document, only on the basis of such values can genuine synergy of efforts by the international community be achieved.

Since 2016, it has been important for Russia to establish a fair system for regulating the Internet, since in recent years the global network has become a separate dimension of international relations requiring a special approach. Russia's position on this issue was reflected both in the Foreign Policy Concept and in the 2016 Information Security Doctrine. Its key message is that it is necessary to promote equitable distribution between countries of the resources necessary to ensure the safe and sustainable operation of the Internet, based on the principles of trust.

The guidelines for searching and building a fair world order model, enshrined in Russia's fundamental foreign policy documents, are a reflection of how the Russian political and diplomatic elite sees world politics and Russia's place in it. Yevgeny Primakov in his works on foreign policy paid considerable attention to this aspect of the Russian Foreign Ministry's activities. His thoughts help to better understand why the notion of justice has become one of the main ones. In the book *A World Without Russia? What Political Shortsightedness Leads To* (2009) Primakov examines the origins of the world order that emerged at the beginning of the 21st century

and proves that the “unipolar moment” was, firstly, a strategic goal of the U.S., which all along pressed for uncontested dominance in international relations, and secondly, in essence, it was a delusion stemming from the foreign partners’ conviction about their “victory” over the Soviet Union in the Cold War. This interpretation turned out utterly false during the financial crisis of 2008, which demonstrated that the United States was unable to single-handedly run either world politics or the world economy. Moreover, this kind of concept already then was in total disagreement with international realities, in which the developing countries began to play a more significant role, including that in the world of finance.

According to Primakov, the lessons of the late 20th and early 21st centuries must be learned by the international community, and the new system of international relations built on balanced and fair principles that would not let one country take on too much obligations and at the same time reflect the changing architecture of world politics. Lately, Russia has stopped talking about justice in international affairs with its Western partners to shift the focus to such discussions with other partners—China and Africa. It is symbolic that as it builds up influence in relations with China and on the African continent, the Russian leadership stresses that it is driven by the desire to improve the international situation and create a more just and democratic world order.