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Three Ballots and the War. Russian Policy of Accomplished Facts in Ukraine

Zarys treści: Celem artykułu jest pokazanie, jak historyczne działania ZSRR z czasów II wojny światowej na terenach II RP zajętych po 17 września 1939 r. przeplatają się z polityką faktów dokonanych realizowaną obecnie przez Federację Rosyjską wobec Ukrainy na przykładzie głosowań i referendum, które mają dać Kremlowi „prawne podstawy” aneksji okupowanych ziem suwerennego państwa.

Outline of Content: The goal of this research paper is to discuss how the actions carried out by the USSR during the Second World War on the territories of the Second Polish Republic, seized after the aggression of 17 September 1939, intertwined with the policy of accomplished facts conducted today by the Russian Federation against Ukraine, as illustrated by ballots and referendums organised to provide the Kremlin with “legal grounds” for the annexation of occupied territories of a sovereign state.

Słowa kluczowe: wojna na Ukrainie, nielegalne referenda na okupowanych terytoriach Ukrainy, rosyjska polityka historyczna

Keywords: war in Ukraine, illegal referendums on the occupied territories of Ukraine, Russia’s historical policy

Introduction

The outcome of the war in Ukraine has been hanging in the balance for nearly three years now. The Russian Federation challenged Western Europe through a series of accomplished facts, overtly trampling on international law which it had a particular duty to comply with as one of the UN founding members (oddly enough, together with Ukraine and Belarus) and the permanent member of its



Security Council. The result of the US presidential election may turn out to be more or less unfavourable for Ukraine, not least because after all its strategic capabilities were exhausted, Russia has now been trying, by means of proverbial frog leaps, to seize, patch by patch, the areas which remain “its territory”, in the light of the law of the Russian Federation and its illegal accomplished facts. Notably, the stratagem used to produce these “facts” harks back to 1939 when elections to “People’s Assemblies” were held in the annexed lands of the Second Polish Republic, renamed by Soviet propaganda as Western Belarus and Western Ukraine. The stance taken by Russia so far shows that in any potential peace talks, it will use vindications similar to those raised during the conferences of the Big Three in the Second World War, namely that the issue of lands whose population took a “democratic decision” about its future is not negotiable.

Research Goals and Questions

This research paper intends to show the significance of history in the Kremlin’s actions and the use of “referendums” and “ballots”, historically rooted in the times of Soviet Russia, as a factor helping the Russian Federation – the legal and historical successor of the USSR – to absorb the territories of Ukraine by means of accomplished facts, and to simultaneously spread disinformation that the very same lands have never belonged to that country.

According to my basic research assumptions, the policy of the Russian Federation is based on the propagandistic use of the experience gathered in 1939 and the annexation of the eastern lands of the Second Polish Republic with a view of achieving today’s imperial endeavours of the Kremlin, i.e. uniting the lands which “historically belonged” to Tsarist and Bolshevik Russia and the Russian Federative Soviet Socialist Republic.

Therefore, the following research questions have been formulated:

1. Which features of the historical policy from the times of the USSR have now been reused by the Russian Federation in its venture to disintegrate the territorial cohesion of the independent Ukrainian state?
2. When partitioning the parts of Ukraine by way of illegal referendums, do the authorities of the Russian Federation hope that the situation from World War II (i.e. the case of the eastern lands of the Second Polish Republic) will repeat itself?
3. Is it likely that the “referendum” policy will become a fixture of the international policy of the Russian Federation once it has achieved success in relation to Ukraine?

This paper has been based on analytical reviews, and has used deduction and conceptual modelling, as well as a case study methodology.

Three Referendums

Since the hybrid aggression against Crimea, the ensuing civil war unleashed in Donetsk and Luhansk Oblasts in 2014, and a failed attempt at a similar intervention in Odesa, the Russian Federation has launched a series of disinformation, inspiration and intoxication operations with the intention to put the West to the test and check how vulnerable it would be to the redrawing of borders in Europe which are now governed, *inter alia*, by the arrangements of the 1975 CSCE Conference and its Final Act. These are multi-level operations, and when first accusations were made against the Kremlin for initiating the annexation of Crimea, Russia decided to reach back to a narrative which claimed that Western Europe and the US were indeed responsible for the break-up of Serbia and the breakaway of Kosovo. Interestingly, its narrative did not include Montenegro, being, like Kosovo, part of Serbia at the time of the breakup of Yugoslavia, and its proclamation of sovereignty following the independence referendum held on 3 June 2006.

If you peruse the Russian narrative of *fait accompli*, you will see that this “explanation” of the aggression has no grounds in international law and that the Kosovo case can in no way be equalled with the subliminal belligerence, the bogus referendum on “the independence” of Crimea and “the sovereign decision” regarding its incorporation into the Russian Federation.¹ As noted by Adam Balcer, “For the annexation of Crimea – an autonomous republic within Ukraine – an analogy may rather be found in the aggressive policy of the Union of Soviet Socialist Republics”.² The decisions to incorporate sovereign states (Lithuania, Latvia and Estonia) after rigged parliamentary elections, and to swallow up Western Ukraine and Western Belarus based on bogus elections to their People’s Assemblies both fit into that pattern. Remarkably, in the plebiscite of October 1939, in the 2014 vote held in Crimea, and in four referendums of 2022, decision-makers at the Kremlin would invoke *vox populi* and would only slightly change their ideology from the communist to the nationalist one (“the Russian World” doctrine). When analysed from the perspective of 80 years, “the reunification” of the historical territories of Ukraine and Belarus was *de facto* an item on the agenda to rebuild the lands of the triune nation of Russians, Little Russians and Belarussians, which has now become the foundation of the Kremlin’s imperial policy. Even articles published on some Ukrainian portals depict the USSR’s occupation of Western Ukrainian lands as “reunification”.³

Let’s now discuss the three ballots and their historical implications. For the purpose of my analysis, I chose the watershed votes held in 1939, 1991, and

¹ A. Balcer, ‘Gdzie Krym, gdzie Kosowo? Rosyjskie argumenty dla aneksji Krymu’, *Prawo i Polityka*, no. 6 (2015), pp. 161–76.

² *Ibid.*

³ О. Шама, ‘Приход красного Востока. Как 80 лет назад СССР оккупировал западноукраинские земли’, *New Voice*, 22 Sept. 2019, <https://nv.ua/ukraine/events/kak-sssr-okkupiroval-zapadnuyu-ukrainu-novosti-ukrainy-50042618.html> (accessed: 7 May 2024).

2014, i.e., respectively, at the moment of “the reunification” of Western Ukraine with the USSR and its incorporation thereto, the collapse of the Soviet empire with *de facto* two ballots held as a result (on the continuance of the USSR and the independence of Ukraine) and the vote on the annexation of Crimea to the Russian Federation. The subsequent four “referendums” on the incorporation of the Donetsk and Luhansk People’s Republics and Kherson and Zaporizhzhia Oblasts, organised in September 2022, happened as a result of the 2014 decision and stemmed directly from the Russian Federation’s plans to weaken and subjugate Ukraine and to extort from Western Europe and the US the official recognition of its actions.

The People’s Referenda, staged by the occupying Soviet authorities in the eastern voivodships of the Second Polish Republic, after the USSR had annexed them as a result of the aggression of 17 September 1939, were the first of the USSR’s official operations meant to sponge up the territories of sovereign states which had emerged after the fall of Tsarist Russia and the conclusion of the Treaty of Riga, governing the outreach of the new Bolshevik state. The very concept of Western Belarus and Western Ukraine permeated Soviet propaganda already after the Treaty of Riga was signed, when it was announced that Belarusian and Ukrainian lands, after all, represented by the Ukrainian and Belarusian SSRs, had been subject to an illegal partition. The same narrative was reused 80 years later by the president of the Russian Federation, Vladimir Putin, in the article ‘On the Historical Unity of Russians and Ukrainians’, published on 12 June 2021 on his official Website.⁴ It can be inferred from V. Putin’s claims that Russia’s losses to Poland included “Western lands of the former Russian Empire”, i.e. not only “Western Ukraine” and “Western Belarus” if the term Russian Empire is to be taken literally.

Let’s return to the People’s Assembly of Western Ukraine, held in the autumn of 1939. It may be assumed that the ballot organised back then was the first attempt at using *vox populi* as a tool to officialise the illegal appropriation of another country’s lands in order to prevent the emergence of a narrative about any territories being illegally occupied by the USSR. It is difficult to occupy lands whose inhabitants voted of their own accord for the reunification within the Ukrainian state, which, as the Ukrainian SSR and by a strange coincidence, was part of Soviet Russia – a singular successor to the Russian Empire. Similar efforts were taken to unify the Belarussian SSR, this time reaching much further west. Historically speaking, its lands were part of the Grondo Governorate, and therefore, in the light of today’s narrative by V. Putin, such an operation was by all means justified. However, the reliance on the element of nationality was problematic.

An awfully interesting situation could have occurred if Soviet authorities had successfully implemented their initial plan based on the territorial partition of the Second Polish Republic under the Ribbentrop-Molotov Pact, which envisaged

⁴ V. Putin, ‘On the Historical Unity of Russians and Ukrainians’, *President of Russia*, 12 July 2021, <http://en.kremlin.ru/events/president/news/66181> (accessed: 10 May 2024).

the creation of the Polish People's Republic. However, this issue is outside the scope of my analysis, for it could be of relevance only for the partition of occupied territories between a potential Polish Soviet Socialist Republic, on the one hand, and the BSSR and USSR on the other.⁵

The election of members to the People's Assembly of Western Ukraine, conducted under the terror prevailing in areas occupied by the Red Army and pacified by the NKVD, was orchestrated in Moscow, and its details were next refined in Kyiv and "the capital" of Western Ukraine, i.e. Lviv.⁶ For Soviet decision makers, this was a key moment when procedures for their similar future actions were hatching out. Just look at illegal suffrages staged in 2022 by the authorities of the Russian Federation on the territory of the conquered and occupied Ukraine and you will quickly spot many points of intersection in terms of the narrative in use, ballot modalities, intended goals and procedures triggered to "incorporate" the Donetsk and Luhansk People's Republics and Kherson and Zaporizhzhia Oblasts into the Russian Federation. By contrast, in the case of Russia's doings in Crimea, a number of interdependencies can be found with the 1940 Soviet actions which ended up with the absorption of the Baltic States. There, "elections" were orchestrated for new parliaments, and it was eventually decided that these republics were to be incorporated into the USSR. It was obvious that the ballots and the ensuing decisions were in stark contrast with international law.⁷

Elections to the People's Assemblies were held in occupied territories, and as such they were not legally binding.⁸ The Kremlin still felt, though, that it managed to find an effective form of annexation without annexation. First, the People's Assembly was elected in illegal suffrage. After the proclamation of henceforth Soviet authority over the territories under the USSR's control, it requested the Supreme Soviet of the USSR to incorporate them into the Ukrainian SSR. Thereby, the Supreme Soviet of the USSR was able to "legalise" the *de facto* actions that it

⁵ For more see D. Boćkowski, *Na zawsze razem. Białostoczczyzna i Łomżyńskie w polityce radzieckiej w czasie II wojny światowej (IX 1939 – VIII 1944)* (Warszawa, 2005), <https://core.ac.uk/download/pdf/51296071.pdf> (accessed: 25 Oct. 2024).

⁶ A. Głowacki, 'Procedura aneksji przez ZSRR wschodnich ziem II Rzeczypospolitej w 1939 roku', *Dzieje Najnowsze*, vol. 29, no. 3 (1997), pp. 89–112, <https://rcin.org.pl/dlibra/doccontent?id=46326> (accessed: 25 Oct. 2024); see also 'WESTERN UKRAINE VOTES SOVIET RULE; National Assembly at Lwow in Proclamation Accuses Poland of Oppressing Millions Poles Assail Annexation', *New York Times*, 28 Oct. 1939, <https://www.nytimes.com/1939/10/28/archives/western-ukraine-votes-soviet-rule-national-assembly-at-lwow-in.html?smid=url-share> (accessed: 10 June 2024).

⁷ L. Mälksoo, *Illegal Annexation and State Continuity* (Leiden, 2022), <https://doi.org/10.1163/9789004464896>.

⁸ R. Kwiecień, 'Belligerent Occupation Under International Law: Legal Nature, Consequences, New Tendencies', *Annales Universitatis Mariae Curie-Skłodowska Lublin – Poloniae, Sectio G*, vol. 60, no. 1 (2013), <https://journals.umcs.pl/g/article/viewFile/1188/960> (accessed: 10 June 2024); S.F. Nicolosi, 'The law of military occupation and the role of the jure and the facto sovereignty', *Polish Yearbook of International Law*, vol. 31 (2013), pp. 165–87, <https://journals.pan.pl/Content/95651/PDF/5%20nicolosi.pdf> (accessed: 10 June 2024).

had engineered itself, by way of a decision whereby Western Ukraine was to be included in the Ukrainian SSR “at the request of its population”. Based only on this decision-making path, on 15 November 1939, the Presidium of the USSR in Kyiv passed the resolution to annex the territories controlled by the Soviet clerical officialdom. Annexation procedures were completed on 29 November 1939, when all the inhabitants of these lands were mandatorily stripped of their Polish nationality and received the imposed citizenship of the USSR instead. From that moment on, in any discussion about the eastern territories of the Second Polish Republic, political leaders in Moscow would consistently invoke democratic elections, which could be regarded as a form of plebiscite. In theory, until the end of World War II, allied countries did not recognise the USSR’s decisions, but in practice and with huge implications for the future, the Kremlin’s leaders “legalised” their operations at the conference of the Big Three in Tehran, in December 1943, when Stalin informally forced the recognition of the annexation of the eastern territories which had earlier been incorporated into the Ukrainian and Belorussian Soviet Socialist Republics, together with the shifting of the borders of the future Poland to the West.⁹ Final decisions which legitimised the will of the People’s Assemblies were made between the Big Three at the Yalta Conference. The Kremlin showed off its power once again when it was decided that the Ukrainian and Belarusian SSRs should have their own representatives in the UN.¹⁰ As for the Baltic States, Moscow considered their decisions of 1940 to join the USSR as final and binding. It confirmed its position upon their re-occupation in 1944.

Based on the review of the procedures and the voting process in place in 1939, and the analysis of how documents were circulated and decisions were made, it may be concluded that all these elements became a ready-made template for action for the USSR’s successor, i.e. the Russian Federation. The supreme authorities of the USSR were not formally approached by leaders in Kyiv but rather by “independent” Western Ukraine, through the intermediary of its “democratically” elected representatives. Similar procedures were employed in Crimea in 2014 and in the Donbas and Luhansk People’s Republics, where vox populi was predominantly represented by Russians, “severed from their motherland”, who were residing in the Ukrainian SSR when the USSR collapsed, and the decision was made to regain sovereignty.

The second key ballot, which turned out to be decisive for the fate of Ukraine, was the independence referendum preceded by the vote on the future of the USSR and an attempt at overthrowing Mikhail Gorbachev during the putsch of 19 August 1991. In V. Putin’s belief, the collapse of the USSR was a geopolitical catastrophe

⁹ F.D. Roosevelt, ‘Tehran Conference: Tripartite Political Meeting’, Memo, 1 Dec. 1943, *From Teaching American History*, <https://teachingamericanhistory.org/document/tehran-conference-tripartite-political-meeting/> (accessed: 17 June 2024).

¹⁰ S. Yekelchik, *Ukraina. Narodziny nowoczesnego narodu* (Kraków, 2009), pp. 211–12.

for Russia,¹¹ and it was of benefit for Ukraine, which took back Crimea, handed over “illegally” by the first secretary of the CPSU, Nikita Khrushchev, in 1954.¹² In the aforementioned article, V. Putin claimed that the Ukrainian SSR “gained” Western Ukraine, previously taken away from Poland, as well as parts of Bessarabia and northern Bukovina: “In 1939, the USSR regained the lands earlier seized by Poland. A major portion of these became part of the Soviet Ukraine. In 1940, the Ukrainian SSR incorporated part of Bessarabia, which had been occupied by Romania since 1918, as well as Northern Bukovina. In 1948, Zmiinyi Island (Snake Island) in the Black Sea became part of Ukraine. In 1954, the Crimean Region of the RSFSR was given to the Ukrainian SSR, in gross violation of legal norms that were in force at the time”.¹³

Let’s return to the independence referendum and its prelude, i.e. the first nationwide plebiscite in the history of the USSR organised to determine its future. On 17 March 1991, the inhabitants of the USSR were asked the following question: “Do you believe that it is necessary to preserve the Union of Soviet Socialist Republics as a renewed federation of equal sovereign republics, in which the rights and freedoms of a person of any nationality will be fully guaranteed?”. 75.44 per cent of citizens participated in the vote, with 76.4 per cent of them voting for “the preservation” of the USSR¹⁴ and 21.7 per cent voting against, which in absolute values corresponded to 32 million people. Interestingly, despite campaigns for the rejection of the USSR in its revamped version and even the distribution of voting flyers results in Ukraine were very convergent. The turnout was 83.5 per cent of those entitled to vote, with 70.2 per cent voting in favour and 28.0 per cent against.¹⁵ Nevertheless, only some months later, the very same people voted “yes” for a sovereign republic, and the entire USSR collapsed like a house of cards.¹⁶

These results were undoubtedly influenced by the failed putsch of August 1991. The people of Lithuania, Latvia, Estonia, Ukraine and Belarus realised that

¹¹ G. Toal, ‘Geopolitical Catastrophe’, *Near Abroad: Putin, the West and the Contest over Ukraine and the Caucasus* (Oxford, 2017), online edn, Oxford Academic, 12 Nov. 2020, <https://doi.org/10.1093/oso/9780190253301.003.0008> (accessed: 19 May 2024).

¹² I. Shapoval, ‘The Ukrainian Years, 1894–1949’, in: *Nikita Khrushchev*, ed. W. Taubman, S. Khrushchev, and A. Gleason (New Haven, CT, 2000), online edn, Yale Scholarship Online, 31 Oct. 2013, <https://doi.org/10.12987/yale/9780300076356.003.0002> (accessed: 19 May 2024).

¹³ W. Putin, ‘On the Historical Unity’.

¹⁴ ‘История референдумов в СССР и России’, *Коммерсант*, 15 Jan. 2020, <https://www.kommersant.ru/doc/4220658> (accessed: 12 May 2024). According to other data 80,03 per cent of citizens voted, 77,85 per cent for, and 22,15 per cent against; see *Сообщение Центральной комиссии референдума СССР. Об итогах референдума СССР, состоявшегося 17 марта 1991 года*, https://www.gorby.ru/userfiles/file/referendum_rezultat.pdf (accessed: 12 May 2024).

¹⁵ *Сообщение Центральной комиссии референдума*.

¹⁶ ‘Лишь бы не было страны. 30 лет назад власть и народ решали судьбу СССР. Почему никто не захотел спасти Союз?’, *Lenta.ru*, 24 Sept. 2021, https://lenta.ru/articles/2021/09/24/referendy_sssr/ (accessed: 12 May 2024).

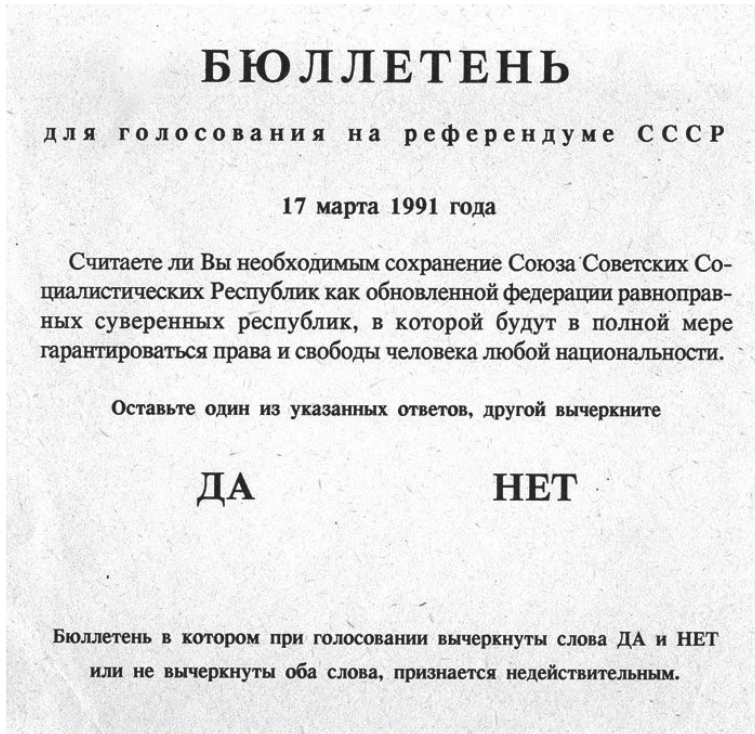


Fig. 1. Ballot slip for the referendum of 17 March 1991; http://www.foto-a.narod.ru/dokument/page_dok/001/dok_11.htm, <https://commons.wikimedia.org/w/index.php?curid=13720455>.



Fig. 2. Flyer opposing the referendum of 17 March 1991; <https://ru.wikipedia.org/w/index.php?curid=9037308>.

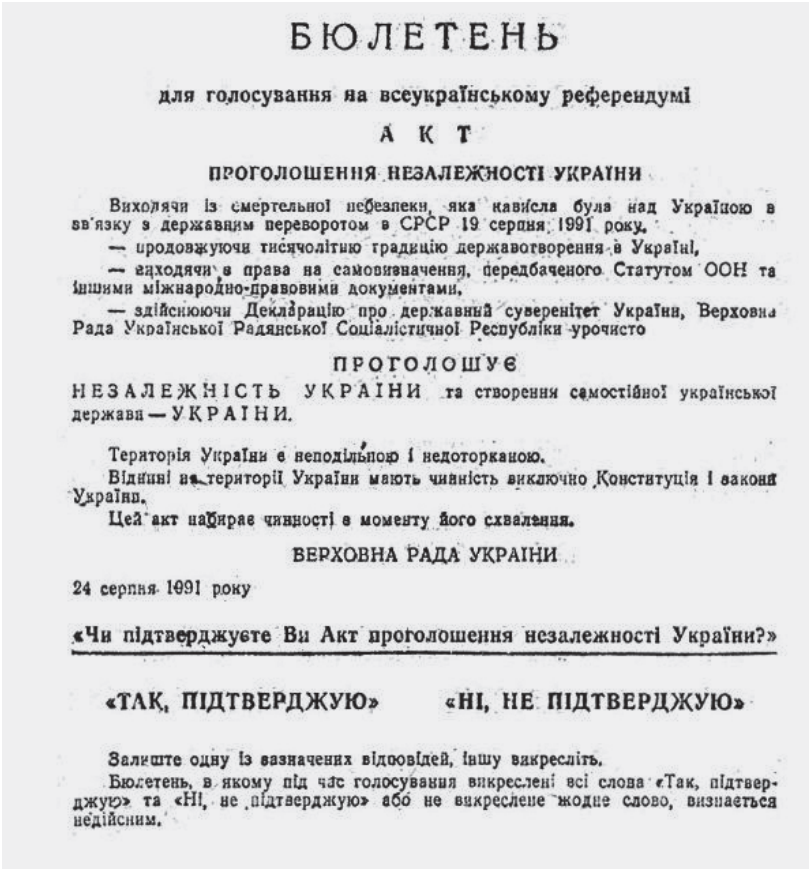


Fig. 3. Ballot slip used in the referendum on the independence of Ukraine; <https://web.archive.org/web/20190729111549/https://www.istpravda.com.ua/articles/2011/12/1/63565/>.

the promised Union of Sovereign Soviet Republics could soon turn into the old USSR in new clothes. On 24 August 1991, the Supreme Soviet of the USSR passed the Declaration of Independence, and on 1 December 1991, the referendum was held. The ballot slip included a note about the grave danger persisting after the coup of 19 August 1991. The turnout in the independence referendum was 84.18 per cent (almost the same as in the vote on the preservation of the USSR). 90.35 per cent of the population replied “yes” to the question, “Do you consent to the Act of Declaration of Independence of Ukraine?”¹⁷

A week later, in the estate of Viskuli, in Belarus, close to the border with Poland, at their meeting concerning gas supplies to Ukraine and Belarus, and in reliance

¹⁷ ‘20 років референдуму на підтвердження Акту незалежності. Підсумки’, *Історична Правда*, 1 Dec. 2011, <https://web.archive.org/web/20190729111549/https://www.istpravda.com.ua/articles/2011/12/1/63565/> (accessed: 18 May 2024).

of the provisions of the 1977 USSR Constitution, the leaders of Russia, Ukraine and Belarus signed the treaty on the dissolution of the USSR and the establishment of the Commonwealth of Independent States. It was the final act of the war between the President of the Russian SFSR, Boris Yeltsin, and the USSR President Mikhail Gorbachev.¹⁸ Most notably, upon the dissolution of the USSR, Boris Yeltsin made no territorial claims towards Ukraine on behalf of Russia. This notwithstanding, the greatest geopolitical disaster of the twentieth century became a reality.

Interestingly, the year 1991 brought another important ballot. On 20 January 1991, pursuant to the resolution passed at the extraordinary session of the Crimean Regional Council of People's Deputies of 12 November 1990, a vote was held to restore Crimea's autonomy which had existed between 1921 and 1945 – as the Crimean Autonomous Soviet Socialist Republic – within the still existing USSR. 81.3 per cent of the peninsula's population took part in the vote, with 93.3 per cent voting in favour of the autonomy. As a result, the parliament of the Ukrainian SSR adopted the resolution on the establishment of the Crimean Autonomous Soviet Socialist Republic, while the relevant constitutional amendments were adopted only on 19 June.

In the referendum of 17 March 1991, nearly 88 per cent of the Crimean population voted for the USSR to be revamped. In contrast, in the vote on the Ukrainian independence of 1 December 1991, only 54.19 per cent of voters said “Yes”. In Donetsk Oblast 83.9 per cent voted in favour, and 83.86 per cent in Luhansk.¹⁹

The final piece of the puzzle was added in 2014 when Crimea was illegally annexed and the civil war was unleashed by the Russian Federation in Donbas. This was the first step in Vladimir Putin's plan to recreate Russia, which was to return as a player on the European stage and to reunify historically “Ruthenian” lands at the same time. Moreover, the Crimean operation was thought of as a gauge of potential reactions among the public opinion in the West and the US to the redrawing of borders in Europe by way of accomplished facts.

The Crimea intervention and the operations in Donetsk and Luhansk Oblasts were all conducted with the use of age-old Soviet concepts which had paved the way for territorial annexations in 1939 and 1940 and the doings aimed at destabilising eastern voivodships in the Second Polish Republic. Please also note that according to propaganda messaging, Western Ukraine and Western Belarus apparently came into existence much earlier and only after their territories were seized could elections be held there at short notice. At the moment of their proclamation, the Donetsk and Luhansk People's Republics were used as tools to wreak havoc in Ukraine,

¹⁸ S.A. Voitovich, ‘The Commonwealth of Independent States: An Emerging Institutional Model’, *European Journal of International Law*, vol. 4 (1993), pp. 403–17, <http://www.ejil.org/pdfs/4/1/1211.pdf> (accessed: 18 May 2024).

¹⁹ С. Мокрушин, ‘Референдум 1991 года: как Крым выбрал независимую Украину’, *Крым. Реалии*, 1 Dec. 2021, <https://ru.krymr.com/a/referendum-1991-god-krym-vybral-nezavisimuyu-ukrainu/31588455.html> (accessed: 17 May 2024).

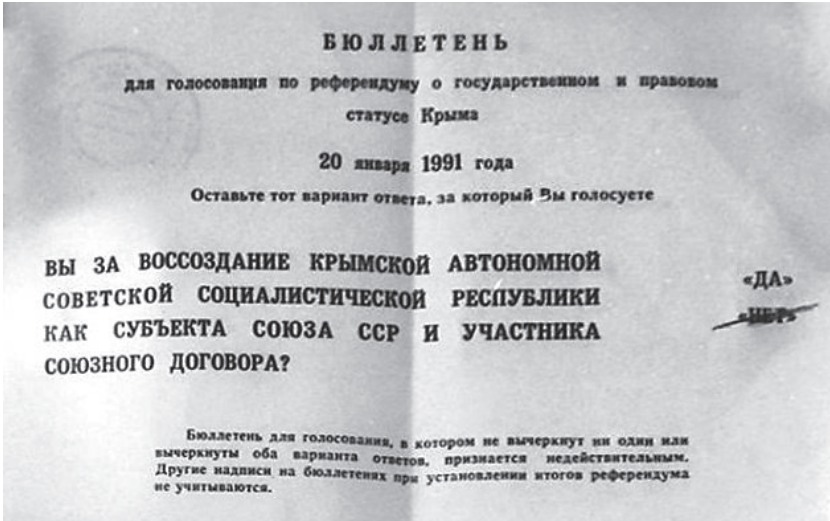


Fig. 4. Crimea. Ballot slip for the referendum of 20 January 1991; https://commons.wikimedia.org/wiki/File:1991_Crimean_referendum_ballot.jpg.

like in Transnistria, South Ossetia or Abkhazia. In turn, the formal concept of a Federal Republic of Novorossiya, put forward in May 2014 by the self-styled Governor of Donbas, Pavel Gubarev, was meant to profoundly destabilise Ukraine's territory and to pose yet another challenge to the European order. If the idea had held good, Russia would have had two options to choose from: absorb it either as an autonomous republic or as an oblast. In theory, it could have also resorted to the "Baltic" scenario of 1940 and annexed the republic as a state by enlarging the Union State of Russia and Belarus, subject to one pre-condition only: the entirety of both oblasts had to be subordinated to the Kremlin's power beforehand.

If you look from a distance at Russia's actions in 2014, you can see that it reused many lessons from the USSR era, but its vantage point changed. The whole operation was essentially based on "people's" ballots and political entities similar to Western Ukraine (DPR, LPR), established in order to be able to organize the vote on the annexation of the Republic of Crimea to the Russian Federation. As a next step, attempts were made to force through accomplished facts on the international stage. Please note also that "the Crimean operation" was conducted in one go, while the Donetsk and Luhansk People's Republics had to wait before political decisions on their absorption were made in 2022. Notably, Ukrainian authorities responded with great restraint, as if they assumed that the electoral sham and its scale did not threaten the country's cohesion. The counter-terrorist operation, which was underway in these regions, did not grow any stronger.²⁰

²⁰ S. Walker, O. Grytsenko, H. Amos, 'Ukraine: pro-Russia separatists set for victory in eastern region referendum', *The Guardian*, 12 May 2014, <https://www.theguardian.com/world/2014/>

Unlike Western Ukraine in 1939, the territories of the self-proclaimed republics became a space of clashes between different ideas of how the future should look like. As the analysts from the Centre for Eastern Studies (OSW) wrote: “Everything indicates that there are different, competing groups among the separatists, which are difficult to identify. This may be indicated by their different statements on the future of the region. The fact that certain separatist groups have harshened their rhetoric since the ‘referendum’ may indicate that the group directly coordinated by Moscow is trying to take full control of the situation in the region and marginalise the other groups. The main conflict seems to be between the ‘Strelkov group’ and the separatists being paid by Akhmetov”.²¹

In the case of Crimea it was easier to act since two entities existed in the peninsula: the Autonomous Republic of Crimea and the city of Sevastopol. After the Russian Federation’s troops had taken control of the area following a combined operation based on so-called little green men, as a first step, at their joint session held on 11 March 2014, the Verkhovna Rada of the Autonomous Republic of Crimea and the Municipal Council of Sevastopol declared the independence of the Republic of Crimea, invoking to this end the status of Kosovo and the related ICC judgment of 22 July 2010. Next, the referendum on the status of Crimea was organised and held on 16 March 2014. The first of the questions: *Are you in favour of Crimea’s reunification with Russia as a subject of the Russian Federation?* was allegedly answered in the affirmative by 96.77 per cent of voters.²² Based on the outcomes of the referendum, on 17 March 2014, the Verkhovna Rada of the Autonomous Republic of Crimea resolved to declare the independence of the peninsula and to establish the Republic of Crimea, which was immediately recognised by the Russian Federation. On 18 March, an agreement was signed on the incorporation of the independent Republic of Crimea into the Russian Federation, and a new entity – the Crimean Federal District – was created, then subsequently abolished by the decree of President Putin dated 28 July 2016, and eventually incorporated into the Southern Federal District.²³

may/11/eastern-ukraine-referendum-donetsk-luhansk (accessed: 17 May 2024); A. Wierzbowska-Miazga, T. Iwański, P. Żochowski, ‘The farce of the “referendum” in the Donbas’, *Center for Eastern Studies*, 14 May 2014, <https://www.osw.waw.pl/en/publikacje/analyses/2014-05-14/farce-referendum-donbas> (accessed: 17 May 2024).

²¹ Wierzbowska-Miazga, Iwański, Żochowski, ‘The farce’.

²² ‘Результаты общекрымского референдума’, *Государственный Совет Республики Крым*, 19 April 2014, <http://web.archive.org/web/20140419021243/http://www.rada.crimea.ua/referendum/resultaty> (accessed: 17 May 2024).

²³ ‘Ten Years of Occupation by the Russian Federation: Human Rights in the Autonomous Republic of Crimea and the City of Sevastopol, Ukraine’, *United Nations. Ukraine*, 28 March 2024, <https://ukraine.un.org/en/261831-ten-years-occupation-russian-federation-human-rights-autonomous-republic-crimea-and-city> (accessed: 19 May 2024).

The War

From that moment until 24 February 2022, Russia spared no effort to wreak havoc along the contact line between Ukraine and the occupied territories, which formally existed as the Donetsk and Luhansk People's Republics. The goal of the Russian aggression against Ukraine was to reach Kyiv as quickly as possible, to overthrow its democratically elected leaders and to politically subjugate Ukraine to the Russian Federation. In the initial stage of the operation, no one brought up the question of annexation of the DPR and the LPL. Similarly, despite combat operations in the southern directions, the issues of formal affiliation of Zaporizhzhia and Kherson Oblasts were not raised. This was to change when the Russian offensive failed; Ukraine moved to active defence and massive support from the EU and NATO countries, especially the United States, began to flow in.

Due to an unexpected counter-offensive launched by Ukrainian troops in Kharkiv Oblast, crowned with the recapture of territories reaching up to the Ukrainian-Russian border, and growingly strong incursions of Ukrainians in the Kherson direction, Russia was forced on defence, both militarily and politically. As a response, the decision was made to absorb the territories of the Donetsk and Luhansk People's Republics, as well as Kherson and Zaporizhzhia Oblasts, within the borders which were still beyond the control of the Kremlin. The referendums called by the occupying authorities were a pure sham, and the narrative around them was reminiscent of the propaganda practised by the USSR in Western Ukraine in October 1939, with the difference that this time Poland, whose eastern voivodships were in the past under illegal occupation, was now replaced by Ukraine. A real giggle of history was that, once again, the aggressor came from the East.

These bogus referendums were extensively covered by Russian propaganda in both traditional and electronic media. They made headlines on Russian television and in all online propaganda channels. Like in 1939, they were depicted as the final "act of historical justice" and the time of return to the homeland for people who had suffered from reprisal of "the fascist regime", now directed from Kiev and not from Warsaw.²⁴ Russian propaganda messaging, like the one disseminated by the Soviets 80 years earlier, took fully for granted that there was and could be no other option but the reunification of the two people's republics and the said oblasts with Russia. Moreover, drawing on any available historical and geopolitical arguments, it persistently stressed that those lands were part of the Russian Federation.

²⁴ W. Śleszyński, *Okupacja sowiecka na Białostoczczyźnie w latach 1939–1941: propaganda i indoktrynacja* (Białystok, 2001); M. Gnatowski, *Zgromadzenie Ludowe Zachodniej Białorusi. Fakty, oceny, dokumenty* (Białystok, 2001); D. Bockowski, "'Together Forever': The Soviet Occupation of Eastern Poland during the Second World War", in: *Occupation Regimes in the Baltic States 1940–1991* (Riga, 2009), pp. 599–616, <https://www.scribd.com/document/75705641/Occupation-Regimes-in-the-Baltic-States1940-1991-OKUPACIJAS-REŽĪMI-BALTIJAS-VALSTĪS-1940-1991> (accessed: 17 May 2024).

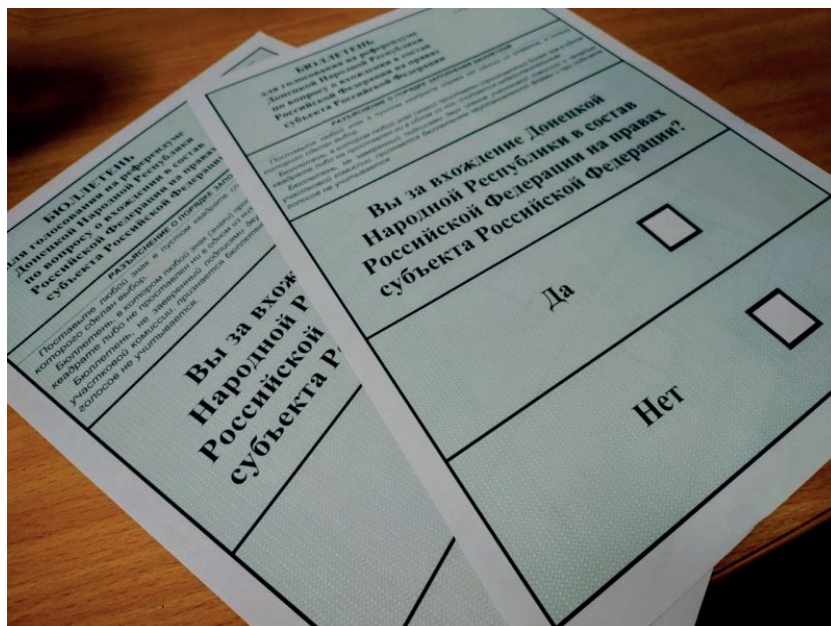


Fig. 5. Ballot slip, Donetsk People's Republic; <https://www.osw.waw.pl/en/publikacje/analyses/2022-09-28/sham-russian-referendums-ukraine>.

All the media repeated relentlessly that the referendums could yield only one result and that the incorporation into the Russian Federation was the sole option or otherwise, the local community would be annihilated. On the election date, propaganda became almost euphoric and if not for their modern look, cities could easily be used as a set for the movie about “the reunification of Ukraine” in 1939. Specially selected observers argued with zeal that the turnout was massive, the vote was spontaneous and that no coercion was involved – a discourse meant to lend credence to the supposed fairness of “the referendum”. The joy of returning to the Russian homeland was omnipresent.²⁵

From the onset, all of this was an obvious sham or, rather, a fully premeditated plot to partition Ukraine under the historical banner of the reunification of Russian lands – a message intended for home consumption in order to consolidate the weakening war propaganda of the Kremlin. Externally, this was meant as a challenge to the Western world to show that the Russian Federation would no longer abide by any of the arrangements laid down in the 1975 Helsinki Accords. As has already been stressed, the Crimea annexation was but the first manifestation of this venture, and the question of Donbas became just one more piece of the puzzle. Despite

²⁵ ‘Sham Russian “referendums” in Ukraine’, *Centre for Eastern Studies*, 28 Sept. 2022, <https://www.osw.waw.pl/en/publikacje/analyses/2022-09-28/sham-russian-referendums-ukraine> (accessed: 18 May 2024).

efforts from local authorities, Russia managed to maintain the bogus sovereignty of Donetsk and Lugansk Oblasts, disrupting the internal situation in Ukraine; it invoked the Minsk Agreements, in the wording of convenience, and persistently stressed that it was not and had never been a party to the conflict. Russia's aspiration to make Ukraine its vassal state was evidenced by the plan to end the Ukrainian crisis, proposed on 17 March 2014; the truth is that the Kremlin strived to put Ukraine under its control by advocating the idea of federalisation which would most probably soon lead to broader claims of autonomy and demands to become part of the Russian Federation.²⁶ Importantly, already back then, the Kremlin would raise fascism allegations, which no one in Europe took seriously.

The unexpected recognition of the Donetsk and Luhansk People's Republics as state actors on 21 February 2022 was just another sign that Russia was putting into action its goals so vaguely defined in 2014. Three days later, Russian troops invaded Ukraine, and Putin explicitly stated that Russia's aim was to revise the international order established after the collapse of the USSR and to have it return to its rightful place in Europe.²⁷ As a matter of fact, Putin had overtly defined what this place should be two months earlier, on 17 December 2021, via the Russian Foreign Ministry, when he demanded a complete redesign of the security architecture in Central and Eastern Europe.²⁸ Calling referendums on the reunification of the DPR and the LPR as well as Kherson and Zaporizhia Oblasts, at the time when the major part of these lands was not even controlled by Russian troops, sent a clear message that the Kremlin did not plan to settle those issues with Kiev. It hoped for another Yalta, this time made of Russia – the US – and China. The recognition of the partition of Eastern Ukraine was to mark symbolically the beginning of the remodelling of Europe and, indirectly, of the world as well.

Conclusion

Russia lives deeply immersed in its historical policy. History remains a fixture of its propaganda and a glue of Russian society. Myths of patriotic war, great battles of the tsarist era, “the reunification” of Ruthenian lands and the need for

²⁶ A. Wierzbowska-Miazga, ‘Russia’s plan to vassalize Ukraine’, *Centre for Eastern Studies*, 19 March 2014, <https://www.osw.waw.pl/en/publikacje/analyses/2014-03-19/russias-plan-to-vassalise-ukraine> (accessed: 19 May 2024); T. Kuzio, ‘Ukrainian versus Pan-Russian Identities: The Roots of Russia’s Invasion of Ukraine’, *Studies in Ethnicity and Nationalism*, 2 May 2024 (early view), pp. 1–24, <https://doi.org/10.1111/sena.12422> (accessed: 19 May 2024).

²⁷ A. Wilk, A. Domańska, ‘Russia attacks Ukraine’, *Centre for Eastern Studies*, 24 Feb. 2022, <https://www.osw.waw.pl/en/publikacje/analyses/2022-02-24/russia-attacks-ukraine> (accessed: 19 May 2024).

²⁸ M. Menkiszak, ‘Russia’s blackmail of the West’, *Centre for Eastern Studies*, 20 Dec. 2021, <https://www.osw.waw.pl/en/publikacje/analyses/2021-12-20/russias-blackmail-west> (accessed: 19 May 2024).

the spiritual leadership of “the Third Rome” are permanently interwoven into the narrative about Russia being wronged by the West and existing under a constant threat of NATO expansion. The enlargement of the USSR in 1939 – an event anchored in the policy of remembrance, which helped to knit together the lands of the former tsarist empire lost after the fall of Tsarist Russia and the victory of the Bolsheviks – could therefore be leveraged in Russian propaganda to justify the annexation of Crimea and the absorption of four Ukrainian oblasts which were historically part of Russia.

Events in Crimea and in Donbas were orchestrated as a general test before the decision was made to launch an armed attack against Ukraine in 2022. Unfortunately, the war did not go as planned by the Kremlin, and what eventually happened was the variant of 1920 instead of the one of 1939. In line with earlier narratives, Ukraine was ranked as a fascist state just to align the messaging with the narrative about salvation from the lust for conquest by NATO, the US and the EU.

If you assume that Russia succeeds in enforcing talks about the demarcation along the contact line between the troops, in terms of historical continuity the solution will bear resemblance to the Treaty of Riga. If so, the eastern oblasts of Ukraine would constitute the proper part of the shared Russian homeland, while the territories spanning westward would be deemed temporarily lost and awaiting their reunification in the future, like in 1939. It can neither be ruled out that Russia will seek international recognition of the partitioned lands as a condition for Ukraine’s “continuance”. Please note, however, that the Kremlin has given up neither its plans of March 2014 nor those of December 2021.

It is far easier to engineer the conscience of the Russian society based on deeply entrenched historical codes which are universal and reaffirm Russia’s sacred and inalienable right to be an empire, with lesser brothers, i.e. Little Russians and Belarusians, placed under its protection. For the Kremlin’s propaganda, the symbolic return to the Yalta order, rebuilt after the recapture of Crimea and Sevastopol – the iconic city of the Great Patriotic War, would seal Russia’s return to the West, even if the current propaganda locates it in Asia. All in all, the Russian policy of remembrance cannot be pursued without an enduring connection to the West.

This means that Ukraine and Belarus, as well, are doomed to be the pillars and the tools in the revival of the tsarist-Soviet sphere of influence. Alas, as it is well known from physics, the three-body problem provides the evidence that a system of that kind is inherently unstable, and therefore an in-depth analysis would be needed to determine which pieces of history and with what intensity are now being interwoven into the propaganda narrative spread to shape the Russian society of today.

Abstract

The article probes into the Russian policy of accomplished facts in the context of the annexation of Ukrainian lands, conducted according to historically established patterns. Parallels are drawn between operations orchestrated by the USSR in 1939 and the current policy pursued by the Kremlin. Its stratagem to rely on referendums – the one organised in Western Ukraine in 1939 or those held today, in Crimea (2014) and in Donbas (2022) – is meant to justify its illegal international actions while invoking narratives rooted in history and based on propaganda. The article discusses three landmark referendums: the ballot of 1939, the 1991 referendum on the independence of Ukraine, and the plebiscite on the annexation of Crimea to the Russian Federation, held in 2014. It is easy to discern how the Russian strategy developed, starting with the invocation of the *vox populi* through territorial annexations and military operations and ending with bogus referendums staged to justify the redrawing of borders. The author stresses that historical narratives, e.g. the idea of “the reunification of Ruthenian lands” play a key role in substantiating Russia’s actions today. The paper also highlights the importance of the geopolitical ambitions of Russia, which strives to rebuild its empire and dominance in Eastern Europe, as it is reflected by its operations in Ukraine. It accentuates how history is used as an instrument of Russian propaganda, including in its narrative about “the threat from the West”. The author posits that today’s Russian policy of accomplished facts poses a challenge to the international order and evokes the pre-World War II period. He underlines that Ukraine and Belarus remain core elements of the Russian sphere of influence and that steps taken by Moscow so far fit into its long-term plan to revise the security architecture in Europe.

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