State Identity Disjuncture and the Politics of Transitional Justice: The Case of Russia

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Abstract:

The emerging global normative expectations related to the states' duty to come to terms with their violent legacies present unique challenges to the sustenance of their continuous sense of 'self'. This paper unpacks ontological security-seeking as a generic social mechanism in international politics which allows to conceptualise the connection between state's transitional justice (TJ) and foreign policies. It utilises the example of post-Soviet Russia's limited politics of accountability towards the repressions of its antecedent regime in order to illuminate the role of historical memory in the ontological security-seeking struggles of states caught between the liberal premises of the global(ising) norm of TJ and their quest for sustaining status as a great power, regardless of the mismatch between the traditional and contemporary normative connotations attached to it. With simultaneous pressures on revising its spatial and mnemonic vision of itself, Russia's post-Soviet, and particularly Putin-era, political handling of the communist past has been marked by the desire to establish mnemonic security rather than embrace reflexively a range of TJ measures. This has had palpable implications for the country's policies and practices in the post-Soviet neighbourhood and international society at large. How can we study the way(s) Russia's idiosyncratic approach towards TJ has produced preconditions for the country's international action? The paper puts forth a novel methodological framework for understanding the link between state's approach to TJ at home and its pursuance of specific notions of order and justice in international politics.

1. Concatenating Transitional Justice (TJ) and Foreign Policy (FP)

Transitional justice (TJ) is an interdisciplinary approach to redressing past human rights violations and international crimes in the post-conflict or post-authoritarian/-totalitarian setting through a variety of judicial and non-judicial means of accountability, ranging from trials to truth commissions, reparations and institutional reform. The cross-disciplinary theory and practice of TJ is a major topic in International Relations (IR), International Law (IL) and Comparative Politics (CP). Yet, the lack of systematic attention on the connection between states' (non-)adoption of particular TJ measures domestically and their foreign policies remains a glaring oversight in mainstream scholarship. This is especially problematic for analysing the international behaviour of the Russian Federation (RF) whose coming to terms with its communist past has been complicated by the conflicting demands the antecedent regime has presented for state continuity and the stability of its self-concept after the collapse of the Soviet Union. The fact that the sources of Russia's sense of ontological security and insecurity are located in the same temporal backdrop has had fundamental implications for its foreign policy discourse and practice in the post-Cold War era. The scholarship has failed to grasp the significance of this connection, remaining ill-equipped and scattered between distinct disciplines for its comprehensive study.

At a time of the post-Cold War nadir in Russia's relationship with the West, it is most pertinent to turn to the perennial problem of the sources of Russia's international behaviour. This paper focuses on Russia's political handling of its communist past in order to determine how its idiosyncratic approach towards transitional justice (TJ) has produced preconditions for the country's international action, enabling certain policies and practices in the immediate neighbourhood, as well as in international society at large. In spite of seeming affinities with the research agenda focusing on the impact of the ideational factors in the decision-making of state actors and in their actual foreign policy behaviour, the present research seeks to understand why certain developments in Russia's post-communist TJ politics have taken place in the first place, as well as how the ongoing development of the respective policies relates to the dynamics of foreign policy discourses and practices of the Russian Federation (cf. Guzzini 2012b: 48). My ultimate aim is to tease out the international implications of Russia's post-communist politics of truth and justice-seeking (cf. Pettai and Pettai 2015), asking which (perceived) threats Russia has tried to stave off by its limited application of TJ measures. How has 'coming to terms with the communist past' been understood in Russia in the context of the country's post-communist transition? How has TJ repertoire been applied – or *not* applied in post-communist Russia; why so, and to what effect and resonance for the country's foreign policy doctrine and practice? The puzzle for this study thus concerns the meaning and function of state's reckoning with the antecedent regime's human rights violations on its foreign policy discourse and practice.

While keeping the empirical gaze firmly on Russia, my central aspiration with this paper is, in fact, methodological – and therefore more limited in generating actual empirical answers to the questions driving the broader research project this paper forms a preliminary part of. I seek to specify the relationship between state's adoption or non-adoption of (a core set of) TJ measures and its international outlook and foreign policy. This is, admittedly, a very ambitious aim, not short of clarifying a *causal* relationship between the two policies, while the overall knowledge of the state-level effects of TJ has been described as 'insufficient' (Thoms *et al*. 2010). Nonetheless, this paper attempts to look even further, by investigating the links between state's TJ and foreign policies, and proposing a novel methodological framework for studying this alleged connection. At this phase, Russia provides a general empirical context for my discussion, whereas the systematic empirical analysis according to the analytical model proposed in this paper remains yet to be undertaken in due course.

The methodological framework put forth here draws on three whales in IR theory: Milja Kurki's Aristotelian deepened and broadened understanding of cause (Kurki 2008); Stefano Guzzini's interpretive process tracing (Guzzini 2012), and Ned Lebow's account of inefficient causation (2014). Specifically, this paper unpacks ontological security-seeking as a generic social mechanism in international politics which allows to productively conceptualise the connection between state's TJ and foreign policies. It utilises the example of post-Soviet Russia's limited politics of accountability towards the repressions of its antecedent regime in order to illuminate the role of historical memory in the ontological security-seeking struggles of states caught between the liberal premises of the global(ising) norm of TJ and their quest for sustaining status as a great power, regardless of the mismatch between the traditional and contemporary normative connotations attached to it. Developing a novel analytical framework in order to explain how ontological security-seeking actually works in international politics; how it relates to major transitions and consequent state identity disjuncture, as well as state's policies of truth and justice seeking, and with what kind of resonance for its foreign policies, is the core aim of this paper.

This is important as long as ontological security (OS) theory in IR remains still relatively schematic to date (Browning 2016). OS perspective underscores the intimate relation between state identity and its sense of security (Mitzen 2006; Steele 2008; see also Giddens 1984, 1991; Huysmans 1998). Accordingly, states not only seek physical survival, but importantly also the stability and continuity of their identities (or 'selves').[1] The realm of dangers to the state's existence hence also includes normative threats as specific kind of transgression besides physical violations (Creppell 2011), generating the tendency to protect one's mnemonical self-narrative internationally, along with the pursuance and defence of a particular normative order (Mälksoo 2015a). Retaining a sense of continuous state identity becomes particularly acute in periods of political transformation, such as in transitions from non-democratic to democratic regimes or from the suppression by a foreign power to self-government. Russia's long-time reluctance to systematically reckon with its antecedent regime's repressive legacy is, against that backdrop, consistent with its attempts to sustain the basic stability of a positive sense of its national and international 'self'. The extent of adopted TJ measures and the analysis of accompanying political and public debates thus enable to shed light on the issue of what kind of subject Russia wants to be.

As the analytical model proposed in this paper is deeply contextual, some context needs to be provided before its proper introduction. I will subsequently outline the prevailing argument on TJ as an emerging global norm. While this line of thinking has been prevalent in the post-conflict applications of the TJ repertoire, the applicability of such understanding on the case of post-communist Russia will be related to the recent debates on socialisation/stigmatisation dynamics in IR theory (Finnemore and Sikkink 1998; Risse and Sikkink 1999; Simmons 2009; Hafner-Burton 2013; Posner 2014; Zarakol 2011, 2014; Adler-Nissen 2014). Thereafter, I will take stock of the existing attempts to conceptualise the relationship between TJ, memory politics, and foreign policy in comparative politics and international studies, indicating the limitations and blind spots in the current literature. The next section offers a brief overview of Russia's post-communist record of TJ, using Pettai and Pettai's (2015) three temporalities of post-communist truth and justice seeking – that is, *transitional*, *retrospective* and *post-transitional* justice – as an analytical guideline. Understanding TJ as a liminal rite, I discuss the potential of the notion of *protracted liminality* for making sense of Russia's post-communist predicament in the field. These building blocks in place, I delineate a methodological model for studying the link between Russia's post-communist approach(es) to TJ and its foreign policies in a number of key areas, allegedly most affected by its political

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[1] Note that in international legal sense, state identity and continuity have an identical meaning. See Marek (1954) and Crawford (2007).

handling of the communist past at home. Specifically, these include Russia's relations with the former Soviet satellites and subjugate states; Russia's international politics on human rights and state responsibility and its historical justice discourses pursued in various international fora (such as the UN, Council of Europe and the OSCE). The ultimate aim of the broader study this paper lays the groundwork for is to explain both Russia's mnemopolitics-laden international behaviour (or practices) and the outcomes (or implications) of the choices made by the actors observed.

2. TJ as a Liminal Rite and an Emerging Global Norm(ative Duty)

What is generally being referred to when talking about 'transitional justice'? To what extent has 'coming to terms with one's past' become recognised intersubjective standard of appropriate behaviour in international society? Which systemic background factors are important to take into account when tackling Russia's position vis-à-vis the allegedly emerging global norm of TJ?

Originally emerged as 'handmaiden to liberal political transitions' and increasingly associated with postconflict peacebuilding and reconciliation more generally (Sharp 2014: 1), TJ is a quintessential rite of collective passage. In her TJ genealogy, Ruti G. Teitel associated it 'with periods of political change', aimed at 'confront[ing] the wrongdoings of repressive predecessor regimes' (2003: 69). According to a 2004 report by the then-UN Secretary General Kofi Annan, TJ comprises 'the full range of processes and mechanisms associated with a society's attempts to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation' (UN SecGen 2004: 3). Along the dimensions of criminal, political and symbolic justice, the mechanisms and reckoning practices of TJ include court trials against former decision-makers, lustration policies (that is, banning of former officials and secret agents from occupying public positions in the new regime), public identification of former agents, enabling access to previous regime's secret files, rehabilitation and restitution policies vis-à-vis victims, and various symbolic measures (such as the establishment of truth commissions and state-sponsored memory collection, government-funded museums and other historical research institutions, victim organisations and reconciliation programmes, rewriting history textbooks, various memorialisation initiatives, official apologies and condemnations). As the process of TJ pertains to fracturing and changing identities and the transgression of boundaries in the course of re-gearing the communities from their violent legacies, be it in the course of transitioning from undemocratic to democratic regime or from war to peace, supposedly leading to the healing and reconciliation of a society, it is a rite of transition of its own kind. The toolkit of TJ is indeed symbolically charged as trials, truth commissions and memorialisations 'not only enact liberal ideals and subjectivities but also signify a purification of the social body, which is symbolically moved from a contaminating state of conflict and illiberalism to a condition of liberal democratic purity' (Hinton 2010: 8). Especially for the democratic transitions in Eastern Europe and Latin America Western liberal market democracy has been deemed as an end point of the transition in question (Sharp 2013). TJ is hence not only about confronting a violent or nondemocratic past, but also a 'symbolic resource legitimating, directing, and consolidating democratic transition processes' (Fein 2005: 216). Akin to the rites of re-aggregation or incorporation in the theorisations of liminality (see van Gennep 1960; Turner 1969), TJ aims to lead to the delineation of the violent past in a way that increases the social cohesion of the fractured society as well as legitimates the postconflict/post-authoritarian government that initiated the TJ process (Osiel 1997).

Only in reality TJ is hardly as linear. Although liberal democratic transitions implicitly constitute the paradigmatic transition of TJ (Teitel 2000: 5; McAuliffe 2011), the understanding of transition based on a teleological view of history whereof western liberal democracy constitutes the end (cf. Fukuyama

1992) is empirically not accurate (Sharp 2014: 7). For instance, 'TJ' label has been applied to contexts that do not involve liberal political transition (Rwanda, Chad, Uganda, Ethiopia), or no significant political transition at all (Kenya, Colombia), or to liberal western democracies that have used certain measures from the TJ toolkit (Australia, Canada) (ibid.). In explicit terms, most definitions of TJ actually leave the supposed end point of transitions unspecified and the questions of when and how the transition really ends or who defines the end of transition unanswered (Karl 2014: 733; Roht-Arriaza and Marieqcurrena 2006: 1). Indeed, until the recent introduction of a more rigid temporal criteria by Pettai and Pettai (2015), there has been hardly any clarity among scholars and practitioners 'as to whether there is or needs to be a bounded concept of „transition" during which transitional justice applies' (Bell 2009: 23-24). Exploring the TJ process towards the disappeared in Mexico, Karl has thus taken it to be an unfinished rite of passage (2014: 733). She builds upon Hinton's (2010) earlier adoption of liminality in analysing TJ as a rite of passage in the phase between an old and new status of society. Karl's approach is victim-centric, enabling only the victims of violence to define the end point of transition or to measure when a new status of integration (in a ritual theory sense) has been achieved and the justice established. Taking a diversion from the bulk of literature that regards TJ as a liberal goal with a universal toolkit, Karl emphasises the conflictive character of the transitory phase whereby emerging conflicts and friction become 'expected outcomes' (Karl 2014: 734). She concludes that in the Mexican case the global discourse of TJ was only an instrumentalised part of political rhetoric of change, serving to legitimise the new power holders and leaving the goal of founding just and peaceful society unachieved (ibid: 744-745). Indeed, the legalistic veneer of TJ does not change the fact that 'very real power dynamics and contested political choices [are] at the heart of any set of transitional justice mechanisms' (Sharp 2014: 7). Speaking of justice in the context of transition it is therefore pertinent to keep in mind Rosemary Nagy's question, 'when, to whom and for what transitional justice applies' (Nagy 2008: 279). Consequently, transition could be fairly conceptualised in a broader way than a liberal political mould would presume (see Sharp 2014: 8).

As we see, the term 'transitional justice' has been ambiguous from its inception, leading to three developmental accounts of the phenomenon, ranging from TJ as human rights to its understanding as conflict resolution and international intervention (Bell 2009: 15). In regard to the increasingly scattered attempts to delimit the respective field, Christine Bell has suggested to view TJ rather as 'a cloak that covers a range of particularized bargains on the past' (ibid.). According to this view, TJ is increasingly delivered 'not through one holistic mechanism but through a range of institutional vehicles that often operate simultaneously without a clear legal hierarchy (ibid.: 19). In her recent stock-taking exercise of the development of the field by its original name-giver, Ruti G. Teitel also refutes the idea that there can be one right response in dealing with a state's repressive past, most supportive of a lasting democracy (Teitel 2014: 103). Instead, states' approach to TJ is politically contingent, regardless of the presence of a paradigmatic transitional response in the law (ibid.). Teitel nonetheless points at the emergence of a 'global' paradigm of TJ wherein the problem of justice is being reconceptualised through global politics of accountability which is not presumed on a clear or consolidated political transition (ibid.: xiv). Accordingly, TJ has become 'normalised', departing from the original 1980s' transitions associated with justice-seeking for exceptional times and increasingly disassociated from the *politics* of transition (ibid.).

Today TJ discourse has gained global normative proportions and its mechanisms have become increasingly institutionalised as general obligations of accountability for the past, required as a matter of constitutional[2] and/or international law (ibid.: 181; see also Ben-Yosef Hirsch 2014). The United Nations endorses the 'right to the truth', affirming that '[e]very people has the inalienable right to know the truth

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[2] Understood broadly as 'the set of fundamental legal and political norms and practices that are constitutive of the polity' (Teitel 2014: 181).

about past events concerning the perpetration of heinous crimes and about the circumstances and reasons that led, through massive or systematic violations, to the perpetration of those crimes' (for discussion, see Ben-Yosef Hirsch 2007).[3] Measures, such as truth commissions, have spread worldwide and become institutionalised at the international level and by major non-governmental organisations (e.g., Amnesty International, Human Rights Watch, International Center for Transitional Justice) (see Ben-Yosef Hirsch 2014 for a detailed account). But what are the policy implications of such an emerging general obligation of accountability for the past for individual states then?

Leading constructivist human rights scholars Martha Finnemore and Kathryn Sikkink have offered a concise social constructivist definition of a norm as 'a standard of appropriate behaviour for actors with a given identity' (Finnemore and Sikkink 1998: 891). For them, norms imply a moral obligation, making them distinct from other kinds of rules. Yet, according to this constructivist view, while norms create permissive conditions for action or constrain behaviour by offering standards of judgement and the possibility of disapproval or condemnation by other states, they do not determine action: they 'enable' rather than 'ensure' a particular behaviour (Finnemore 1996: 157-158). Norms nonetheless do more than regulate behaviour by also moulding the identities of actors, defining social roles, and shaping actors' understandings of their interests (Finnemore and Sikkink 1998: 913). Accordingly, a convincing argument has been made that leaders' legal justifications regarding particular international norms and their favoured principles 'cannot be divorced from wider conceptions of position, status, and recognition within the international system' (Allison 2013: 10).

Contrary to Risse and Sikkink's famous *socialisation* model for understanding the domestic adaptation and internalisation of international norms (see Risse and Sikkink 1999), Ayşe Zarakol (2014, 2011) has put forth a persuasive argument for figuring out both norm-compliance and norm-rejection by non-Western states (including Russia) through the dynamic of *stigmatisation* instead. According to her account, modern international society has been fundamentally shaped by stigmatisation as non-Westerners allegedly joined the system at a disadvantage (regardless of their formally colonised status in history) with major consequences for their modern national narratives and state identities (Zarakol 2014: 312-313; cf. Epstein 2012). In case of stigmatisation, or the '*internalisation* of a particular normative standard that defines one's own attributes as undesirable' (Zarakol 2014: 314), the response of the norm-taker 'is much more likely to be failed attempts at correction, overcompensation, or a stubborn denial that a problem exists' (ibid.: 317). Consequently, the proposition to examine in depth to what extent the norm of TJ is actually shared by Russia (as a state as well as societally) is premised on the idea that the way Russia has been brought into the framework of the normative expectations associated with coming to terms with one's past has major repercussions for its perceived place and posture in international society. Examining Russian perceptions of the legitimacy of the TJ norm should therefore shed light on its broader international outlook on issues as varied as human rights,[4] individual accountability[5] and state responsibility and the pursuance of ideas of 'historical justice' in various international formats. The enthusiastic policy predictions of the preachers of the logic of (legal) appropriateness in IR should accordingly be tempered with a more pragmatist emphasis on the states' logic of consequences (Snyder and Vinjamuri 2003/2004: 40). Accordingly, instead of 'supplanting the norm of sovereignty and bolstering

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[3] Annie Bird points to the even more comprehensive approach to TJ laid out in Swiss Foreign Affairs Department´s holistic framework for 'Dealing with the Past', involving the 'right to know', 'the right to reparation', 'the right to justice', and a 'guarantee of non-recurrence' (see Bird 2015: 23). See also De Baets (2016) and Rikka (2014).

[4] The Russian Federation ratified the European Convention on Human Rights (ECHR) in 1998.

[5] As embodied in the International Criminal Court (ICC). Russia is not a state party of the Rome Statute of the ICC.

the norm of human rights and individual accountability, the norm of justice has mutated in directions that recognize the right of states, especially powerful states, to exert control over the terms of justice' (ibid.).

Yet another qualification is in order when examining the adoption of the global(ising) normative duty of TJ in Russia. As Roy Allison's (2013) important study of Russia's approach to military intervention and the norm of Responsibility to Protect (R2P) has demonstrated, the global level of analysis needs to be juxtaposed with the observation of the regional dynamics of a particular norm. Besides the exploration of emerging global standards of conduct (and their contestation thereof), it is also essential 'to consider the way major states' commitment to global standards may be influenced by standards of conduct defined within and for a region' (ibid.: 18-19). That is, states might wish to keep their own regional order in a different register as far as the particular norm's global expectations and restraints are concerned (ibid.: 19). As Allison demonstrates, Russia's rhetoric over global principles of sovereignty and non-intervention is only selectively applied in the Commonwealth of Independent States (CIS) regional order (ibid.). Moscow has often interpreted norms differently when applied to the CIS regional setting (ibid.: 216). This resonates further with Ben-Yosef Hirsch's studies on the ideational change in the content of a norm facilitating its emergence as international norm (Ben-Yosef Hirsch 2014, 2007). I take cue from her suggestion that when studying international norms, we should focus on 'uncovering changes as they occur', in order to offer 'a better understanding of the actual processes through which the ideational normative and international environment is shaped'' (Ben-Yosef Hirsch 2014: 825).

With these caveats in mind, would we not be better off analysing Russia's political handling of its communist past through the perspective of the politics of memory rather than that of TJ? After all, while legal norms and argumentation arguably continue to be central to TJ as a field (Bell 2009: 23), Russia's record in criminal-judicial,[6] but also political-administrative measures[7] adopted vis-à-vis the perpetrators of the human rights violations of its antecedent regime is at best scant. Nanci Adler even laments, in her entry on Russia in the comprehensive *Encyclopedia of Transitional Justice*, that 'the post-Soviet governments have implemented none of the known and/or institutionalized justice mechanisms' (Adler 2012a: 406). Russia's chosen TJ model has indeed been aimed at impunity rather than accountability while its stance on various kinds of 'Nazis', past and present, is strongly punitive (cf. Bell 2009: 23-24). I find a compromise term - the politics of truth and justice' (cf. Barahona de Brito et al. 2001) - of considerable analytical value in the Russian context. Eva-Clarita and Vello Pettai have utilised this term in order to keep the focus on 'the struggles waged by political and social actors to influence the role the state plays (a) in setting prevailing truth discourses about a non-democratic past and (b) in passing measures to enact some interpretation of justice in relation to this past' (2015: 4). I largely concur with their criticism about the relative vagueness of the politics of memory as a broad field encompassing the activities of various mnemonic actors, with different abilities to influence and shape public perceptions of the past and leave their imprint on the state's respective policy-making process (ibid.: 6). Even though there is considerable overlap between the politics of truth and justice seeking and what is generally referred to as the politics of memory/mnemopolitics, the latter alone would not enable to explicitly examine the aspect of *justice* (be it historical, criminal, political or symbolic) in the political handling of a state's past, both discursively and practically understood. That is why I have chosen to alternate between the notions of 'the politics of truth and justice', 'the politics of TJ' and 'the political handling of/dealing with the communist past' rather than use the significantly broader and less concise 'politics of memory' in the context of post-communist Russia.

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[6] See boxes 1a and 1b in Pettai and Pettai's matrix of post-communist truth and justice (2015: 32).
[7] See boxes 2a and 2b in ibid.

3. TJ and FP: State of the Art

What is the nature of the connection between historical memory, TJ and foreign policy? How do understandings and politics of TJ condition particular foreign policy discourses and practices? Does the choice of adopted TJ measures entail specific conceptions of state-society relationship and state identity in the international system? How has Russia's version of post-communist TJ produced preconditions for the country's international action? In particular, how has Russia's state identity disjuncture with the collapse of the Soviet Union influenced its way of 'coming to terms with' its Soviet legacy – and to which effect for its foreign policy in the post-Soviet era?

These are research questions that have not previously been addressed in a systematic manner in the existing literatures on Russia's reckoning with its communist past, states' adoption of a particular set of TJ measures and the implications for their international behaviour thereof. My interdisciplinary framing of the research subject seeks to bring together the currently disconnected (and generally legal issues-oriented) scholarship on TJ, critical IR perspectives accounting for the central role of historical memory in Russia's contemporary international predicament (e.g., Neumann 2013; Morozov 2015), and practical foreign policy analysis. While the impact of historical memory on the international behaviour of Germany and Japan in particular, has been analysed in extensive detail (e.g., Berger 2012; Langenbacher and Schain 2010; Lind 2008; Buruma 1994), a comprehensive exploration of the Russian case remains yet to be written. This is a costly omission for 'memory is clearly crucial to understanding the case of Russia's international politics' (Neumann 2013: 24). Yet, there has not been sufficient theoretical conceptualisation of the mechanisms that have driven and continue to drive Russia's idiosyncratic politics towards TJ, nor their wider international implications. Generally, post-Soviet Russia remains just a footnote in the burgeoning field of TJ. Russia is frequently dismissed in scholarly debates as an example of TJ failure since its official record in legal, political, administrative and symbolic dimensions of addressing the legacy of the antecedent regime has been half-hearted, if not outright revisionist during the consolidation of the current illiberal government. Except for the rehabilitation of the victims of the communist political repressions, no legal adjudication of the perpetrators of crimes in connection with the administration of the Soviet justice has taken place; the modest suggestions for lustration by the Duma Deputy Galina Starovoitova led to nowhere (with Starovoitova herself assassinated in 1998), and the opening of the former Soviet archives has remained severely limited, leading, at times, to the reclassification of certain files (see further Kramer 2012).[8] Altogether, a clear structural, political, and symbolic break with the past has simply not happened in post-Soviet Russia. The state's general aversion to assuming responsibility for past-related claims and towards the political and legal reassessment of the Soviet past is not particularly surprising considering the strong degree of continuity between the Soviet and post-Soviet elites in Russia (Sakwa 2011; Gill 2013; Nuzov 2014; cf. Gjerde 2015). The overall post-communist transition of Russia has purportedly produced a hybrid regime (see Robertson 2011) which is selectively mimicking the normative language of the Western (particularly European) community, rather than fully abiding with democratic practices (cf. Allison 2013: 16; Allina-Pisano 2008; Shevtsova 2008). The Russian case has been described as a good counterexample of TJ for its 'faux' or pseudo-TJ interventions that have not aimed at democratisation and the protection of victims' rights as much as at legitimising the new political elite (Andrieu 2011). While there is a number of thorough accounts of Russia's choices in adopting particular TJ measures (see Adler 2012 a, b, c; Andrieu 2011; Calhoun 2004; Nuzov 2014; Stan 2009; Cole 2007; Fein 2007; Kritz 1995), the broader implications of the country's limited reckoning with its antecedent regime's human rights violations have not been addressed. The exploration of Russia's

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[8] See also http://www.themoscowtimes.com/news/article/battle-in-the-archives---uncovering-russias-secret-past/563566.html (accessed June 5, 2016).

reckoning with its communist past has been generally relegated to the scholarship on the politics of memory (Khapaeva 2016; Sherlock 2007, 2011; Shlapentokh and Bondartsova 2009; Smith 2009; Torbakov 2011; Wertsch 2002, 2008) and cultural studies on Russia's 'working out' of its traumas induced by the communist experiment (e.g., Etkind 2009, 2013; Satter 2012; Schlögel 2013). What is critically absent in the existing literature on Russia's post-communist *Vergangenheitsbewältigung* is the realisation that it is as crucial to analyse Russia's reasonings for *not* adopting certain TJ measures as the measures Russia *has* adopted in its political handling of the communist past.

Previous works have acknowledged the symbolic centrality of TJ for liberal transition (Teitel 2000), focusing on the ways Russia's failed TJ has affected its post-communist democratic consolidation, human rights protection and civil society development, while not necessarily problematising the universalist presumptions and liberal teleology of the transition paradigm. While the connection between the commemoration of victims of state violence in the past and debates over human rights in the present has not gone unnoticed in the literature on historical memory (see Huyssen 2003; Winter 2013), the implications of Russia's political handling of its communist past for its international behaviour have not been systematically analysed or understood in the study of IR. Yet, Russia's way of reckoning with its forebear's legacy has considerable repercussions for its relations with its former Soviet dependents and foreign policies in various multilateral settings, ranging from its politics of human rights and state accountability to pursuing particular discourses of historical justice in international fora, such as the UN and the OSCE. As the continuator state of the Soviet Union in international legal terms, the RF has been persistent in refusing to assume legal responsibility for the internationally wrongful acts of the Soviet regime, both within its current borders and beyond. Russia's lack of political penitence towards the Eastern European nations and states affected by the Soviet repressive policies has made it an antipode of a 'sorry state', unwilling to publicly express contrition for past human rights abuses in order to promote reconciliation between the former repressor state and the repressed (cf. Lind 2008). Meanwhile, the Putin regime has cunningly appropriated the discourses of human rights, genocide prevention and Holocaust remembrance for identity-political projects. In 2014, the State Duma passed a 'memory law' targeted specifically against the 'dissemination of false information on the activities of the Soviet Union during World War II' and the 'rehabilitation of Nazism', thereby explicitly criminalising certain ways of public discussion and remembrance of World War II as a crucial period in the Soviet history and Russia's relations with its former dependents (see Art. 354.1. of the RF's Criminal Code; Koposov 2014). This has major implications for its relations with the former Soviet republics and satellites, themselves seeking to consolidate their post-communist state identities in international politics (Mälksoo 2015a). Most recently, Russian annexation of Crimea in 2014 and its support for the separatists in eastern Ukraine have been shaped by mnemonical undercurrents in complex ways: Russian media has systematically demonised pro-democratic forces in Ukraine as 'Nazis', insinuating their intention to erase the historical memory of the Soviet Victory in the war against Nazism and perpetrate genocide against Russian and Jewish minorities (for a good overview and discussion, see Fedor 2015). It is tempting to suggest that Russia's failure to come to terms with the past has contributed to its intervention in Ukraine. However, as the scholarship on the issue currently stands, we have no way of establishing the causal connection with any degree of certainty. The basic argument drawn from the literature on democratic peace about the impact of domestic regime type and political culture on state behaviour in international politics on the peaceful-aggressive-scale is far too generic to account specifically for the TJ and foreign policy-linkage.

The well-covered German and Japanese cases in the literature are generally quoted as examples revealing the connection between countries' way of coming to terms with past violence and the prospects for international reconciliation (see further Gustafsson 2014, 2015; Hagström 2015). This connection is not straightforward, however, as Jennifer Lind's (2008) study on international apologies and their potential domestic backlashes has demonstrated. While contrition is likely to reduce threat perception

and promote reconciliation, apologies are not prerequisites of international reconciliation. Forgetting, denying, or glorifying past atrocities nonetheless tend to elevate threat perception and inhibit reconciliation in international relations, as such practices signal contempt for victimised country's people, its status in international society, and the future of the bilateral relationship between the former perpetrator and victim state (Lind 2008: 9, 13). Typically for IR's predisposition to follow the power(ful), representations of the past in former perpetrator states have received more attention than those in the victimised states (but cf. Gustafsson 2014; Mälksoo 2009). Russia's mnemopolitical predicament is all the more complicated for its ticking of both boxes concurrently. Paraphrasing Alexander Etkind (2009: 184), Russia's post-communist reckoning with the Stalinist terror has thus as if amounted to coming to terms with the suicide (cf. Viola 2013).

Altogether, the effects of historical memory on international relations range from indirect (through shaping identities and values that the foreign policy makers bring into the process of decision-making) to concrete historical 'lessons' and analogies drawn on in making a particular foreign policy decision (Müller 2002; Lebow, Kansteiner, Fogu 2006; Olick 2007; Langenbacher 2010: 38-39). Memory nonetheless remains generally underestimated in IR explanations of state behaviour in the international system (Neumann 2013: 24). Anne Clunan (2009) has offered one of the few systematic attempts to incorporate temporality, historical memory, and aspirations into the explanation of the emergence of state's national interests and status-seeking in international politics on the example of Russia. While her aspirational constructivist theory remains somewhat marred by the presumption of essentially rationally-minded foreign policy makers, the observation that 'the past self can serve as the key identity standard, particularly in times of change, and the past becomes the benchmark against which the self attempts to verify its present identity' (Clunan 2009: 27) is insightful for my general objective to establish the causal nexus between TJ and foreign policy by way of a thick description of the post-communist Russian case. Prompted by the limitations of the existing literature, my account follows the reasoning of the scholarship emphasising the centrality of status, recognition and international standing for states' sense of ontological security (cf. Lebow 2008; Clunan 2009; Zarakol 2010), in order to unpack the unique challenges presented by the emerging global normative expectations related to TJ on sustaining the international state identity in question.

Hence, this study relates to broader theoretical debates in the social sciences and law about the influence of international norms on the domestic policies and practices of states (Finnemore and Sikkink 1998; Risse and Sikkink 1999; Simmons 2009; Hafner-Burton 2013; Posner 2014). Capitalising on the studies of stigmatisation in international society (Zarakol 2011, 2014; Adler-Nissen 2014) and impelled by calls for a model describing how societies end up being ontologically insecure (see Morozov 2015: 57), I intend to move the debate forward in a number of ways. Besides seeking to account for how TJ influences foreign policy, another important question concerns the internal vs external sources of Russia's long-time difficulties related to acknowledging the criminal legacy of its predecessor (cf. Zarakol 2010, 2011, 2014). The proposition to examine in depth to what extent the allegedly global(ising) norm of TJ (see Teitel 2014) is actually shared by Russia (as a state as well as societally) is premised on the idea that the way Russia has been brought into the framework of the normative expectations associated with coming to terms with one's past has major repercussions for its perceived place and posture in contemporary international society. Interlinking the adoption of particular TJ measures and state's ontological security-seeking in international politics therefore improves the understanding of system-level conditions enabling or disabling state's reckoning with the antecedent regime's legacy. I depart from the assumption that Russia's enduring inability to clearly distinguish its current predicament from the problematic chapters of its Soviet past has significantly contributed to the country's entanglement in the routinely antagonistic behaviour in its immediate neighbourhood and increasingly vis-à-vis the West at large.

4. Post-Soviet Russia: What Kind of Transition and Politics of TJ?

In order to determine the international implications of Russia's political handling of its communist past, the conceptual assumptions which have guided Russia's post-communist dealing with the legacy of its antecedent regime should be established first. These include Russians' conceptualisations of the transition *from* communism (as well as *to what* exactly; the jury is still out) and Russia's limited adoption of TJ repertoire. Only then it becomes possible to account for the ways the domestic model of reckoning with the repressive legacy of the Soviet regime has been translated into Russian foreign policy discourse and practice from Gorbachev to Putin's third term.

The study of political transitions in CP and IR tends to focus on states in transit, generally understanding politics through a narrow institutionalist lens, and thus demonstrating more often than not an alarming lack of experiential depth in making sense of what a transition really means for the communities in question (but cf. Oushakine 2009). This has been the gist of criticism directed against various approaches of transitional politics drawing on the modernisation theory, allegedly subscribing to evolutionary Westernisation 'in the sense of believing in the need of transition societies to catch up with and model themselves after Western society and its basic institutions' (Kollmorgen 2013: 89). Contra the assumptions of transitioning towards a fixed model as the bulk of literature on post-communist democratisation presumes (see Wydra 2008: 14-15), adopting a liminal perspective to Russia's transition from communism enables to address the concrete practices of those in transition without depoliticising their particular historical experiences in the course of the allegedly teleological move toward a universalised normative and political model (such as liberal democracy).

This is important for lived experience has a transformative effect on human beings and the larger social circles they are part of in various ways (Wydra 2015: 97). The liminal experience hence encapsulates the transformation of subjectivity in course of a passage to an 'other world' (Thomassen 2014: 16). Regime transitions when people are initiated into new forms of authority are therefore not just political transformations but 'total social facts, liminal situations where the two main aspects of experiences coincide in the „objective" character of a major sudden event, and the „subjective" perspective of how this event was lived through by the individuals undergoing the changes' (Wydra 2009: 92; see also Wydra 2007: 51-54). The trying experience of transition brims with possible dangers not only for those directly partaking it, but also potentially defying the overall structure of the existing order. As liminal subjects fall in-between established structures and hierarchies, they inherently challenge them, thereby appearing as threatening to those concerned with their maintenance (Turner 1969; cf. Rumelili 2003: 219; see also Rumelili 2012). Applying the lens of liminality for studying international transitions therefore forces us to rethink the role of agency in the politics of transition and take note of the implicit and explicit hierarchies at play. It compels us to be attentive to what actually happens in the course of large-scale political transitions; *who* are subjected to the transition and consequent transformation by *whom*; and what is the role of the transitional ordeal in shaping a nascent political community in a particular way. Any transition naturally raises the question of its ultimate direction and *telos*, as well as the way of its conduct (Buckley-Zistel et al. 2014, p. 5). Indeed,

> the very notion of transition implies a kind of teleology: we always transit 'towards' something, and in the post-Cold War era… the political horizon was always defined as some form of liberal democracy: a plural, open regime, tolerant of diversity, and not publicly dependent on any metaphysical conception of truth or morality (Andrieu 2014: 97).

Instead of a pre-determined vision of a post-transition political community, liminality recognises the phase of transition as the founding political moment wherein 'a new *demos*, a new *we*, is created through the construction of a new social vision and a new order' (Renner 2013: 160; cf. Schaap 2006). Liminality

embraces the fundamental ambiguity and unpredictability of large-scale societal transitions. The notion of liminality entails a cyclical rather than progressive understanding of international politics and a relational rather than absolute conception of power (Wydra 2015: 98; Mälksoo 2012). As Turner's famous quip goes, liminality implies that 'the high could not be high unless the low existed, and he who is high must experience what it is like to be low' (Turner 1969: 83). Whether addressing the shift from one regime type to another or from war to peace, transitions amount to the concentrated moments of 'the political' wherein a new community is born (Edkins 1999: 3). Yet, adopting a liminal perspective to political transitions also compels us to ask '[w]here is the authority in transition' (Teitel 2000: 71), and to address who exactly sets the parameters of the new normality and measures the milestones of sufficient transition. Against that backdrop, the notion of protracted, or permanent, liminality (Szakolczai 2000; Thomassen 2014: 93) should likewise be accompanied with a critical discussion of for whom the said community is perceived as permanently liminal in order not to be compromised in the way the wholesale condemnation of defective, unfinished or failed democracies remains vulnerable to criticism of the allegedly uniform application of the Western yardstick (see Wydra 2008: 2). Consequently, the attentiveness to the liminal origins of democracy (Wydra 2009) enables to unfold the particularist democratic projects outside of the 'West' (cf. Morozov 2013).

The present research seeks to address the criticism according to which '[e]xisting scholarship has not yet captured the prevailing dynamic of transitional justice or its nexus with ongoing political change' (Teitel 2014: 60). Understanding TJ as a liminal rite of a particular kind has fundamental consequences for making sense of Russia's post-communist *Vergangenheitsbewältigung*. The structure of the (democratic) transition is generally presumed to be of key significance in predicting which TJ measures a country will adopt in the course of its coming to terms with the past. Russia's post-communist transition has been notoriously difficult to categorise: it does not fit effortlessly into the categories of transformation, negotiated transition or rupture (Calhoun 2004: 146). 'The Soviet-Russian mode of transition was neither imposed nor pacted. No hegemonic power spelled out new rules of the game for others to follow,' Michael McFaul (2001: 123) similarly maintains. Russian case pokes the very nature of transition in 'transitional justice': while Russia has certainly undergone a change of power since the Soviet era, it remains an open question how substantive, in fact, this change has been (as epitomised, in particular, by the continuity and significance of the internal state security structures, or the KGB-FSB continuity in post-Soviet Russia). Historically, Russia has generally been viewed as a 'land of transition' or an intermediary between two worlds (cf. Koschmal 2008). Its postcommunist transition has incarnated its subjugation to constant measurement of its European credentials and ostensible deviance from a liberal democratic model or 'the West' more generally (cf. Prozorov 2009). The 1990s, in particular, have emerged as a period of heightened liminality in Russia's postcommunist transition, as this decade is often characterised in terms of 'timelessness' (*bezvremenie*), 'a veritable black hole in between the collapse of the Soviet order and the reassertion of the Russian state under President Putin' (Prozorov 2009: 40); 'a period of momentous *change without end*'; 'an uncomfortable *time out of time*' standing for 'the revolutionary moment of foundation' (ibid.: 42-43). Indeed,

> this period condenses a multiplicity of times, uniting in a single decade all that *might have happened*, all possibilities of Russia's political development, and *suspending* them at the very moment when a single model of the future looked set to become irreversible. The 1990s were therefore also a *time of trials*, of trying out every possible pathway of future development at the same time, without a final commitment to any single one of them (ibid.: 46).

Yet, the lingering state of political rupture of the early Russian experience of postcommunism demonstrated that 'Russia was not moving anywhere other than in circles', and certainly not transitioning to Western-style democracy in an unequivocal sense (ibid.: 45-46).

In the context of TJ in particular which is generally understood as a process that should lead to the healing or reconciliation of a society, the reestablishment of human dignity and the rule of law after the collapse of a repressive regime, the policies post-Soviet Russia has adopted have remained conspicuously half-hearted. Considering the enormity of human rights violations and mass repressions of the Soviet regime, Russia's failure at most mechanisms of TJ after the collapse of the communist order is rather striking. Except for the increasingly persecuted work of the Memorial Society,[9] the piecemeal rehabilitation of the victims of most serious political repressions, and most recently, the guarded de-Stalinisation campaign of the Medvedev administration, Russia's reckoning with its predecessor's repressive legacy has remained eclectic, if not outright revisionist during the Putin era (Khapaeva 2016). While the country went through a radical political transition in the early 1990s, most TJ mechanisms never really took hold as part of the Russian politics of transition. Most conspicuously, Russia has essentially ignored the question of punishing perpetrators of the political repressions and gross human rights violations of its antecedent regime (see further Nuzov 2014). Putin's political handling of the communist past, in particular, has been denounced as aimed at constructing a new national mythology of the positive legacies of the communist period in Russian history, rather than accounting for the repressions of the antecedent regime. While human rights organisations, such as the Memorial Society, have dug into the social memory of communism in earnest ever since the gradual collapse of the Soviet system, the political elites have generally avoided contemplating issues of responsibility and guilt in the context of World War II, the Soviet suppression of Russia's neighbouring nations and states, and mass repressions inflicted on the Russian nation itself. The preferred frame of public remembrance regarding the violent legacy of communism has been the victimhood if not outright martyrdom of the Russian people.[10] There is a prevalent tendency to evade questions of accountability by foregrounding the immensity of the Russians' own suffering under the Soviet regime (Mälksoo 2015b). The overall Russian approach to Stalinist repressions (as well as later human rights violations by the Soviet regime) has been characterised as victim-based, not perpetrator-centric (see further Roginski 2008). Still, the prospect of building an official central monument to the victims of political repressions in Russia has become realistic only recently.[11]

Considering the length of the Soviet communist regime, the varying degree of its repressiveness throughout its seventy years of existence, and the stuttered nature of Russia's post-communist transition towards a more democratic form of government, the attentiveness towards the temporal dimension in Russia's post-communist *Vergangenheitsbewältigung* becomes crucial. While in theory TJ mechanisms aim to establish a clear distinction between 'now' and 'then' by bridging 'a violent or repressive past and a peaceful, democratic future' (Nagy 2008: 80), states' engagement with the past tends to be considerably murkier and more spread out on a temporal scale in general. Pettai and Pettai (2015) have offered the most recent and analytically convincing distinction between different temporalities of truth and justice seeking, highlighting how transitions and TJ happen in 'bouts and waves'. They distinguish between *transitional justice*, or the immediate reckoning with the crimes, repression, and wrongdoing of the regime that has just been toppled from power, *retrospective justice*, referring to truth and justice initiatives vis-à-vis the early wrongdoings of the previous regime that lasted for many decades, and further yet, *post-transitional justice* – that is, the emergence or intensification of truth and justice processes long after a democratic transition is over (Pettai and Pettai 2015: 22-31). In the Russian case, *transitional justice* would accordingly demarcate the reckoning with the repressive legacy of the Brezhnev and Khruschev eras (and not forgetting the short-lived Andropov and Chernenko's reigns, of course) immediately after the collapse of the communist regime, while the measures of *retrospective justice* engage with the

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[9] For an important grassroots initiative, see also the 'last address' project (www.poslednyiadress.ru).

[10] As famously captured by Sergey Karaganov's 'Russia is one large Katyn' (see Karaganov 2010, 2011).

[11] See further http://konkurs.gmig.ru/ (accessed June 5, 2016).

Stalinist crimes and repressions, and *post-transitional justice* signifies the most recent mnemopolitical initiatives, such as the project on the 'Perpetuation of the Memory of the Victims of the Totalitarian Regime and National Reconciliation' launched twenty years after Russia's post-communist regime change by the then-president Dmitri Medvedev. [12] Such a temporally nuanced approach enables to significantly temper the whole-scale reduction of stalled or protracted processes of reckoning with the past to a societal diagnosis of 'stuck in permanent transition' as well as yield a more gradated analysis of the alleged TJ-foreign policy linkage. Russia offers a particularly engaging case for testing the suggestion to solidly incorporate temporality into the analysis of truth and justice processes. Its recently adopted policy on condemning attempts to justify mass Soviet repression adds an intriguing new twist to this sequence.[13]

Taking a cue from Pettai and Pettai (2015), an attempt to make sense of the TJ measures Russia has adopted since the gradual disintegration of the communist regime would need to focus on the politics of their emergence, contestation and implementation. That would necessitate, first, a systematic description of the full spectrum of historical truth and justice-seeking measures adopted in the Russian Federation since *perestroika*. The process-tracing of the relatively meagre list of TJ measures adopted in Russia should be supplemented with a comprehensive account of the country's post-communist discourses on how to come to terms with the communist past (distinguishing between its political, academic, and public/popular layers). In Russia's case, there are not many adopted TJ measures along the criminal-judicial and political-administrative axis to scrutinise. The presence of TJ has been most palpable in regard to state-led policies involving the symbolic-representational acknowledgement of victims. Yet, the reasoning given for the dismissal of particular TJ policies by the political leadership, as well as in broader societal debates on which measures would actually be desirable, and which allegedly counterproductive for the society's and state's healing and moving on (which are not necessarily overlapping goals) are most interesting for making better sense of Russia's choices in regard to its political handling of the communist past and, consequently, their effects on Russian foreign policy discourse and practice. As these choices illuminate Russian understandings of human rights, rule of law, the 'proper' relationship between state and society, the normative convergence or divergence from the expectations of the emerging norm of TJ, and relatedly, the perceived place of the country in international society, they have fundamental foreign policy implications. The suggestion that `Russia's permanent and sometimes agonizing quest for identity' has been the 'ultimately most poignant influence' on Russian foreign policy (Legvold 2007: 20) is particularly evocative in this context.

To further contextualise Russia's post-communist politics of TJ, international discourse on the desired aims and means of Russia's reckoning with the darker legacies of the communist regime should be summarised next. This step should enable to offer a close reading of the interaction between the normative expectations of the international community (*pro* 'the West') on a proper way of handling the violent legacies of the past regime and Russia's own domestic debates on the issue throughout the 1990s and 2000s to this date.[14] Russia's hurdles with coming to terms with its communist past have been

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[12] An intriguing question from the viewpoint of this taxonomy concerns the categorisation of Khrushchev's exposure of Stalinist crimes in the 20th and 22nd CPSU Congresses (in 1956 and 1961, respectively), as well as the trials of Beria and a number of secret police bosses and NKVD interrogators in 1953-1955, along with the early rehabilitation measures towards the victims of Stalinist repressions (for a detailed overview, see Nuzov 2014: 284-93; for an excellent broader cultural discussion, see Jones 2006, 2013).

[13] See http://www.themoscowtimes.com/news/article/new-policy-on-commemorating-victims-of-repression-at-odds-with-actions/528254.html (accessed June 5, 2016).

[14] This resonates with Vincent Pouliot's 'subjectivist' methodology, combining induction (in order to recover subjective meanings), the objectification of meanings in their intersubjective context, and their setting in motion through historicization (Pouliot 2007: 360).

exacerbated by the lack of a clearly distinguishable 'self' to which Russia could have returned after the collapse of the Soviet Union in order to sustain the consistency of its collective 'selfhood'. It is hardly surprising, against that backdrop, that contemporary Russia's state-sanctioned politics vis-à-vis its relationship to the Soviet past might be described as ambivalent, to say the least. Victory in the Great Patriotic War and the mass crimes of the very Stalinist regime that governed and led the country through that war sit uneasily together in the modern Russian mnemonical template, marking the poles of ontological security and insecurity, respectively. Russia's difficulties in reckoning with the communist past have been magnified by the complicated demands of facing the 'other in oneself' as unlike the Central and East European nations, Russians have lacked the option to lay the blame on someone other than themselves. As Zarakol (2010: 4) has suggested in the context of Japan and Turkey, intersubjective pressures to handle one's past in a particular way matter more at times when traditional self-routines are broken – and are more likely to create ontological insecurity outside the West. Against that backdrop, it might be reasonable to claim that Russia's difficulties in fully reckoning with its forebear's legacy are related to the complicated demands of ontological security due to the still continuing openness of its international belonging (cf. Zarakol 2010: 6). Russia's general non-compliance with the Western norm of TJ reflects its sensitivity towards the particular origin of that norm (cf. Zarakol 2014: 313). At the same time, its occasional emulation of the TJ discourse reveals an equal obsession with the country's perceived position in the socially stratified international society of established and still liminal members.

Grounding Russia's international behaviour in the analysis of the political handling of its communist past dovetails with a recent argument made in the context of Russian approach to military intervention, according to which 'the Russian view of global norms and law… interacts in significant ways with conceptions of regional and domestic state order' (Allison 2013: 18; cf. L. Mälksoo 2015). As any policy a state pursues internationally is likely to be at least informed by, or reflective of, the care for its ontological security or a consistency of its 'self', it is important to avoid getting caught in the tautological trap and trying to cover essentially everything. I will therefore concentrate, in my further study, on three core foreign policy areas. These include: (i) Russia's relations with its former Soviet subjugate states; (ii) Russia's international politics on human rights and state responsibility, and (iii) Russia's historical justice discourses pursued in various international fora. The first sphere enables to address Russia's reflexes of imperial oversight in the former Soviet space, including its attempted control over the mnemopolitical developments in countries like Poland, the Baltic states, Ukraine and Georgia. Russia's behaviour towards its former Soviet subjugate states in Eastern Europe offers, in turn, potentially interesting insights about its self-positioning vis-à-vis the West. If we are to follow Orlando Figes (2002: 415), according to whom there is 'the Russian tendency to define their relations with the East in reaction to their self-esteem and status in the West', Russia's refusal to participate in the European Neighbourhood Policy on par with its former imperial periphery (such as Ukraine or Georgia) is symptomatic of its ontological insecurity vis-à-vis its post-Soviet status in international society. The analysis of Russia's bilateral relations with its former Soviet subjugate states further allows to demonstrate its casual inheriting of the useful bits of the USSR for its international presence, and the concurrent strategic silences (cf. Knutsen 2016) on the more problematic chapters of the Soviet past, including the Molotov-Ribbentrop Pact and the consequent occupation and annexation of certain Eastern European states in the course of World War II. As TJ pertains directly to the norm of accountability, its way of adoption has potentially intriguing implications for Russia's politics of human rights and state responsibility at large. The latter is, in Russia's case, mainly understood geopolitically, with reference to special international responsibilities of great powers in comparison to the insignificance of small states, rather than via endorsing certain international norms. In addition to investigating Russia's little-studied perspective on the ICC, I will pay special attention to Russia's historical justice discourses as pursued in various international fora (e.g., the UN, OSCE). The logic of this choice departs from the assumption according to which great powers are particularly motivated to

reproduce at the international level the values enshrined in their domestic political cultures (see Morris 2005).

The international implications of Russia's political handling of its communist past could consequently be delineated on *bilateral*, *regional*, and *global* levels. The first dimension would, for instance, refer to Russia's guardedly regretful stance adopted towards the Katyn massacre in its relations with Poland since 2010, as well as a number of bilateral 'history commissions' established in recent years with Poland, Ukraine, Latvia and Lithuania. Russia's state commission to counteract attempts of 'falsification of history to the detriment of Russia's interests', legislation on the legitimate frames of remembering the role of the USSR in World War II (i.e. Art. 354.1. of the Russian Criminal Code), and handling of the relevant cases at the European Court of Human Rights (ECtHR) (e.g., *Kononov v. Latvia*) have their wider resonance in the Eastern European region as well as a 'backlooping' effect for Russia's domestic politics (e.g., consider the recent ruling of the Russian Constitutional Court on the precedence of the Russian constitution over the decisions of the ECtHR) (Mälksoo forthcoming). These 'mini-case studies' will thus be an important part of the broader case study on the Russian TJ-foreign policy linkage. At the global level, I will investigate the ways Russia 'translates' its experiences with coming to terms with the communist past to international institutions, by pursuing particular ideas of historical justice in various international fora, ranging from the OSCE and the Council of Europe to the United Nations. These include, for example, Russia's fight against neo-Nazism in the UN and its refutation of the East European policies calling for the international condemnation of 'communist crimes' in OSCE and the Council of Europe (see further Mälksoo 2014). Ilya Prizel's (1998: 246) verdict that '[m]ost Russians have found it difficult to accept comparisons between the USSR and the defeated fascist powers' still holds, as illustrated by the reaction to the Ukrainian crisis perhaps more firmly than ever since the collapse of the Soviet regime. It thus becomes urgent to investigate *how precisely* the practices of TJ at home have been connected to specific notions of security, justice and order in international politics.[15]

5. Unpacking the TJ-FP Nexus: Which Causality?

How should we then best examine the conditioning causal power of state's truth and justice-seeking policies over its foreign policy discourses and international action? A cursory overview of the existing literature confirms that a theory connecting historical memory and state's consequent practice of TJ to its foreign policy is clearly overdue. My main aim is to contribute to our understanding of the way in which the (lack of) reckoning with the antecedent regime's human rights violations affects foreign policy. I understand the latter as a combination of state's self-vision and its vision of its place in the world; that is, as entailing a foreign policy or security imaginary (Weldes 1999; Mälksoo 2010; Guzzini 2012b), a respective foreign policy doctrine, and state's consequent international practice. 'Foreign policy' thus refers both to the basic defence of a particular notion of state's 'self' within international society as well as the normative projection of its values and ideas at the international level. I suggest that analysing the reasons provided for the adoption or non-adoption of specific truth and justice-seeking measures enables to track the emergence of Russia's post-communist state identity which, in turn, contributes towards a sociologically rich and thick understanding of the sources of state's international conduct (cf. Campbell 1998; Hansen 2006). Studying the impact of state's TJ policy on its foreign policy consequently allows for engaging with deeper causal ontology of the emergence and evolution of state foreign policy. I take the

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[15] Think, for instance, of Gorbachev´s policies of *glasnost* and ´new thinking´ − and his idea of a comprehensive security in Europe.

domestic and international levels to be ontologically intertwined, or fundamentally connected, and therefore also analytically not so clearly separable levels of analysis in international politics (cf. Kurki 2008: 252). The hypothesised causal relationship between state's TJ and foreign policies is not understood as a single mono-causality in the empiricist-positivist tradition of conceptualising causation. Instead of a strict Humean understanding of cause, I follow Milja Kurki's (2008) Aristotelian 'deepened' and 'broadened' conceptualisation of cause in my exploration of the causal logics governing state's TJ and foreign policies.

Kurki exemplifies her account of causation in international politics via a critical discussion of the core question animating the extensive literature on 'Democratic Peace' (i.e. 'does democracy cause peace?'). Contra traditional taxonomical indexation of the concept of democracy through a checklist of quantifiable charateristics and against the grain of the assumption about democracies being essentially the same through time, Kurki proposes to start with asking 'detailed questions about how democracies work institutionally, socially and historically' (2008: 271). In the context of the present research, this translates into not merely checking Russia's fitting or non-fitting with the various matrixes of TJ measures, but providing a thick, multi-level description, how reckoning with the communist-era human rights violations and international crimes has been actually understood in Russia; how this understanding has changed throughout the post-communist period (including *perestroika* years as a particularly volatile and discursively illuminating stage of immediate transition between the Soviet regime and the new Russian state); and which reasonings have framed various TJ-related moves? Coupling Russia's respective understandings and state- and society-led truth and justice-seeking initiatives with its historical sensitivities towards (alleged) Western stigmatisation and orientalisation of Russia (cf. Zarakol 2011; Neumann 1999) recognises the complex international-domestic dynamics at play in *both* the emergence of the country's truth and justice-seeking policies at home and their international reverberations. In the spirit of 'how' causality (cf. Vennesson 2008: 232), this study is interested in determining *how* the adoption or non-adoption of various TJ measures is causal for state's international outlook and behaviour, as well as concrete foreign policies in particular areas, and how the reckoning with the antecedent regime's human rights violations interacts with other causal forces affecting state's foreign policy. How we interpret actors' motives and perceptions in the process is clearly of key here – which is why the research approach adopted in this study falls under historically informed interpretive methodology.

The proposed approach thus reaches beyond establishing regularities between independent and dependent variables and seeks to engage in more sociologically and historically grounded interpretive analysis of causal relations (see further Kurki 2008: 272). It departs from an understanding that different causes of state's foreign policy conduct are deeply intertwined. Therefore, the active powers of agents (or the so-called efficient causes) need to be related to final causes (purposes and reasonings provided by actors, the analysis of their intentionality) and contextualised within the 'constitutive' conditioning causal powers of rules and norms as well as material conditions (ibid.: 296-7). The causal effect of state's truth and justice-seeking policies on its foreign policy are hypothesised to follow most closely the logic of Aristotelian formal causes, that is, structures, ideas, rules, norms, or generally 'ways of thinking' 'according to which' social life is made' (for instance, by the agents' forming of their identities, intentions, decisions, and actions). This effect is thus distinct from that of material conditions ('out of') as well as from the extrinsic causes, such as efficient (actor/action 'by which') and final causes (reason/purpose 'for the sake of') (ibid.: 220-4). Following the Aristotelian conception of formal cause, the causal relationship between state's TJ and foreign policies is accordingly suggested to be of 'constraining and enabling' type, rather than an active 'pushing and pulling'-kind of cause (ibid.: 225). Russia's policies of reckoning with its antecedent regime's human rights violations and international crimes is consequently taken to be a contextual cause conditioning the country's international outlook and practices in a particular way rather than actively bringing about concrete effects. By 'constraining and enabling' Russia's foreign policy making

agents, the country's post-communist politics of truth and justice-seeking has provided a specific contextual context, meaning and conditions of possibility for particular empirical patterns in the country's foreign policy (cf. Weldes and Duvall 2001: 196). The account of the causal effects state's TJ policy has on its foreign policy therefore needs to be deeply and thickly contextual, paying also attention to alternative chains of causation, their mechanisms, processes and enabling conditions. Moreover, the constitutive part of causation (as traditionally dubbed in constructivist literature) which is the primary source of identities and values (which, in turn, are main determinants of human behaviour) needs to be accounted for as well (see Lebow 2014: 148-9).

In terms of social scientific approach, the present endeavour is located within the critical constructivist and poststructuralist traditions in IR which are interested in the constitution of actor identities and the intersubjective construction of the enabling conditions for their international action (e.g., Weldes 1999; Neumann 1999). The research approach falls under historically informed interpretive methodology which involves a careful reconstruction of historical context and actors' narratives (Pouliot 2007). As interpretivism seeks to unearth the meaning of human experience, including 'the variations in possible meanings for given events, how meaning is made through knowledge construction, how power and ethics constitute meaning, the implications of meaning for political and social phenomena' (Lynch 2014: 2), it is particularly well-suited for the current study. I take agency to be located within the constraints imposed by the structural space, and social action to be contingent on time, space, and context. The approach underlining the analysis of this project moves back and forth between inductive and deductive reasoning,[16] pinpointing the social context out of which policy outcomes arise. I begin, on the one hand, with a set of theoretical assumptions, analysed through empirical evidence subsequently generated, and turn then back to generating broader theoretical claims on the basis of the case-study material. My analytical 'toolbox' combines poststructuralist discourse analysis (Hansen 2006; Hopf 2002; Milliken 1999; Torfing 1999, 2005) and interpretive process-tracing (Guzzini 2011, 2012; see also Ish-Shalom's 2006 model of discourse-tracing;[17] cf. Bennett and Checkel 2015; George and Bennett 2005). The former enables to avoid anthropomorphisation of the state and the necessity to translate emotions from the individual to state level (Morozov 2015: 60). The latter, meanwhile, takes the diverse interpretations actors themselves give to their state identity disjuncture (shaping consequently both state's truth and justice-seeking and foreign policies) as the starting point of the analysis (see further Guzzini 2012, full volume). Careful empirical checking of *how* particular inputs have become translated into policy responses enables to control the risk of equifinality[18] and spurious relationships (Guzzini 2012a: 4). This is done by adopting Lebow's model of inefficient causation – a multi-step searching for connections between and among causes at multiple levels of inquiry (Lebow 2014: 65). As an elaboration of singular causation, Lebow's approach offers a detailed variation on the theme of how-causality, seeking to account for how various frames of reference, processes, mechanisms, and other features of context (such as confluences, actor goals, and interactions) may be responsible for particular outcomes (ibid.). Importantly, this kind of causal analysis is wary of determining a single, original cause for specific outcomes. Causes remain hypothesised as, at the end of the day, 'there is no way of *effectively*

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[16] For a good recent take on combining the two, see Blagden (2016).

[17] That is, analysing the process in which one kind of discourse transforms into another, or how the academic and theoretic discourse becomes a public and political one 'shaping the understanding of world politics, thus framing the menu of acceptable policies' (Ish-Shalom 2006: 566-7).

[18] Equifinality refers to the possibility that the same outcome may have been reached by following 'several explanatory paths, combinations and sequences' (George and Bennett 2005: 20). Theoretically, in order to keep equifinality under control, all possible alternative causal paths that could have produced the same outcome would have to be checked (see Guzzini 2015).

establishing causation' (ibid.: 144; emphasis mine). Inefficient causation therefore aims at developing 'layered accounts of human behaviour in lieu of law-like statements', highlighting that outcomes (along with their meanings) are context dependent (ibid.: 146; cf. Guzzini 2015). Following Lebow, I hypothesise Russia's idiosyncratic approach to TJ to be a necessary but insufficient condition for explaining the country's post-Soviet foreign policy dynamics.

Since Russia's post-Soviet TJ and foreign policies share a constitutive crisis about continuous state identity, I propose to examine the alleged linkage between TJ and foreign policy from an ontological security perspective. Ontological security concerns the sense of confidence the self has in its own continuity (Browning 2016; Kinnvall 2004: 746). This sense was obviously significantly shaken in Russia's case with the collapse of the Soviet Union, leading to a major disjuncture in state identity due to the interruption of previously taken-for-granted self-understandings and foreign policy role positions (cf. Guzzini 2012a: 3). Combining and refining elements of the ontological security research programme in IR, my main theoretical aim with the present study is to more clearly define and operationalise ontological security-seeking on the example of the meeting point of Russia's limited politics of accountability towards the repressions of its antecedent regime and its post-Soviet foreign policy. I take Russia's political handling of its communist past as a theory-generative case for making sense of the condition of protracted liminality in contemporary international society.[19] The case-study approach enables to focus on empirical detail without reducing the social scientific ambition to only the observable. While any foreign policy move (and even more so its outcomes) is overdetermined, my analytical framework does not claim to fundamentally challenge the existing explanations of Russia's post-Soviet foreign policies, but rather supplement the existing literature with an overlooked, yet substantively highly yielding perspective. It combines the concepts of *narrative identity*, *mnemonic security*, and *protracted liminality* ensuing from the state's limited engagement with TJ and its consequent foreign policy practice into a novel conceptual and methodological model (Figure 1).

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[19] While my empirical focus does not accommodate systematic comparison with cases like Japan, China, Turkey or Israel, I intend to draw on relevant secondary literature for comparative insights to support my theory generation ambition *in spe* (e.g., Gustafsson 2014, 2015; Hagström 2015).
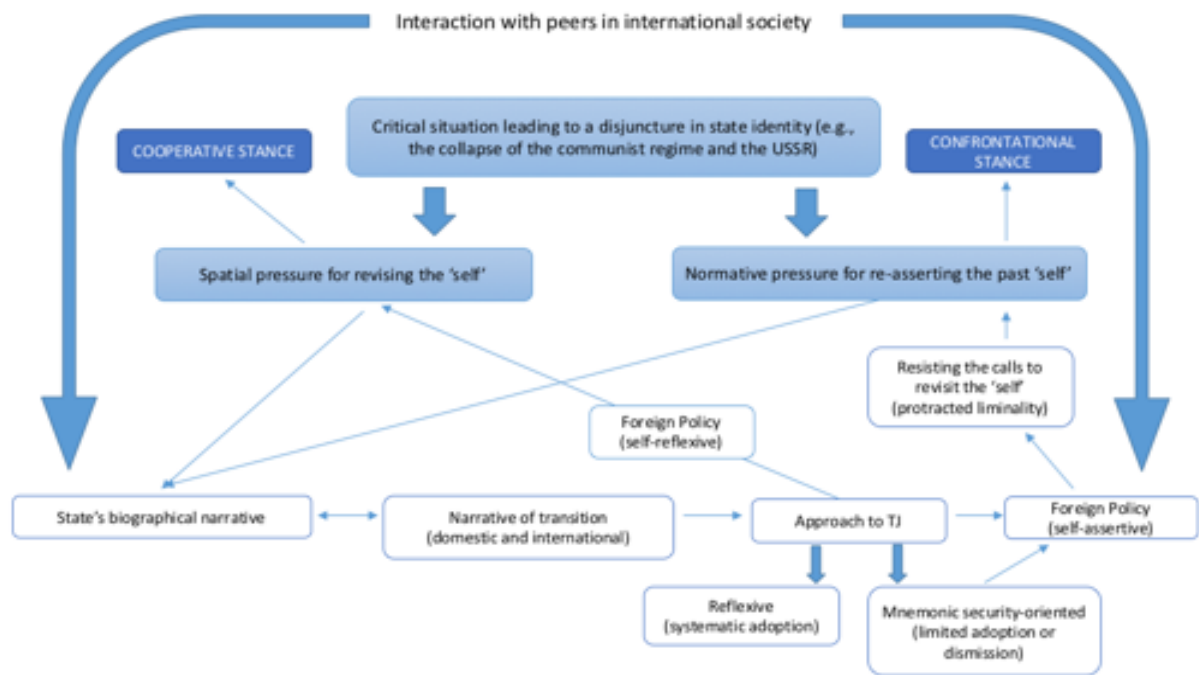
Figure1. State ontological security-seeking in case of a major disjuncture in self-concept.

Let me now dissect each element in the suggested matrix in turn. First, some parameters of ontological security need to be clarified in order to make the concept more operative. Delineating the *mnemonic* dimension in **state's biographical narrative** (which, in turn, constitutes the backbone of its ontological security narration) and drawing attention to the *narratives of transition* in particular will yield a more comprehensive and convincing analytical framework for examining the international implications of a state's domestically adopted TJ package than the existing accounts. To operationalise state's ontological security-seeking in international relations, or the quest for its continuous sense of 'self' in international society, I will turn to the analysis of the formation and representations of state's biographical narrative in political, academic and public discourses (Steele 2008:10; Berenskoetter 2014). I take state's biographical narrative to combine both the internal dynamics of the formation of its so-called 'I' and exogenously induced production of its so-called 'Me', or its social 'self' in international society (Berenskoetter 2014: 266). Taking my cue from Brent Steele (2008) whose account of ontological security-seeking in international politics remains the most detailed to date, I consider the biographical narrative to be of central importance for state identity 'because it is the locus through which agents „work out" their understanding of social settings and the placement of their Selves in those settings' (Steele 2008: 7). As endogenous identity formation processes at the domestic level are deeply intertwined with the engagement and reflection over the pertinent discursive framings by the outside actors, the configuration of a state's 'I' and 'Me' is entangled to the extent not to warrant an attempt at their analytical distinction (cf. Hopf 2002). The stories states tell about themselves have behavioural consequences: identities are not only *told*, they are also *enacted*. Since states allegedly seek consistency between their self-identity narratives and their behaviour in international politics, to increase their credibility and to defend them from threats to that identity, foreign policy is expressive of state identity (Steele 2008: 11). State's biographical narrative constitutes and maintains its 'self', giving life to routinised foreign policy actions (Steele 2008: 3). Affirming one's biographical narrative is paramount for states, happening, at times, at

the expense of states' material interests, or in extreme cases, even their physical survival (cf. Mitzen 2006). Narratives and practices send signals about state's intentions to its international counterparts. Accordingly, we need to analyse both discourse and practice; both what is being said and actually done. The reading of texts should thus be carefully combined with the process-tracing of particular policy moves and the linking of discourses and policy choices in the field of TJ to specific discursive counterparts and practical outcomes in that of foreign policy.

Fundamental transitions (be they political, economic, ideological, or all at once, as has been the case with Russia's emergence from the USSR) present specific challenges for maintaining state continuity[20] and the consistency of its self-concept.[21] To understand state's ontological security-seeking against the backdrop of a major regime transition and the related expectations to 'come to terms with the past', we need to break state's biographical narrative[22] further down, considering the particular challenges presented for its *temporal* and *spatial* continuity, in turn. If the purpose of a biographical narrative is 'to provide the Self with knowledge of its place in „the world", specifically to meaningfully situate the Self and delineate its existence in time and space, to provide us with a necessary sense of orientation about *where* we come from, and *where* we are, or could be, going' (Berenskoetter 2014: 269), the maintenance of the *mnemonic* backbone linking state's former and emerging 'self' within its biographical narrative becomes of key significance. 'Coming to terms with the past' calls for the revision of the state's mnemonic vision of itself, thus destabilising its identity and potentially endangering its continuous agency in international politics (Mälksoo 2015a: 224). The normative expectations related to the adoption of TJ measures can subsequently emerge as identity threats of a specific kind. The status-related costs entailed with coming to terms with the past are not just emotionally charged, but have concrete political consequences. In Russia's case, the unqualified renouncing of the communist regime would have made it difficult to concurrently 'inherit' the desirable legacy of the USSR in the international system as a 'state continuator' (*gosudarstvo-prodolzhitel'*) of the Soviet Union (i.e. Russia's privileged position in the international system through the permanent membership of the UNSC, as well as its great power status in general). Against that backdrop, Russia's notorious unarticulation, or strategic silence, about certain problematic chapters in the life of this antecedent 'self' is not particulary inconsistent with the basic premises of the OS theory (cf. Fivush 2010, Knutsen 2016). For Russia, the political handling of its communist past has been further complicated by the additional challenges the collapse of the antecedent regime has presented for its *spatial* continuity. It is in this context we should interpret Putin's famous words on the collapse of the Soviet Union being the greatest geopolitical catastrophe of the twentieth century ('Poslanie Prezidenta' 2005; see also Tsygankov 2013). Losing a considerable junk of the formerly inhabited space, as well as millions of Russian compatriots to the newly independent states at Russia's borders has forced the country to fundamentally reconsider (and thus far not particularly successfully) its historical self-definition as an empire rather than a nation-state.

Subsequently, the stories states (and societies) tell about their experiences of the fundamental transitions in the life of the collective 'self', come into focus. **Narratives of transition** are important to consider for they illuminate the struggles related to the revision of the core biographical narrative of the state in the context of a major upheaval and change. They also shed light on the TJ choices the state makes as they build a connection between a political community's past with its future by constructing a particular

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[20] State 'identity' and 'continuity' are understood as identical in international law, while IR theoretical schools assign concrete properties to state identities, such as rational ego-drivenness, or various role characteristics.

[21] On the relationship between policy change and state narrative continuity, see Subotić (2015).

[22] Cf. the understanding of identity as a coherent 'narrative representation' of the self (Bially Mattern 2005: 129).

normative relation. In that sense, '[t]ransitional histories are not „meta"-narratives but „mini"-narratives, always situated witin the state's preexisting national story' (Teitel 2014: 109). Taking stock of the Russian narratives of post-communist transition needs to factor in the elite and popular accounts of the broader shift that occurred in the international context, setting on the Russian transition. Russian accounts of the end of the Cold War (and the nature of its alleged defeat thereof) will thus be of particular resonance for the country's contemporary foreign policy reasonings and choices, ranging from Russia's position on NATO enlargement to its assessment of the general normative dynamics in international society. How has the meaning of Russia's transition from the USSR been articulated within the country's foreign policy discussions will thus be the guiding question for this stage of analysis.

Establishing the link between state's transitional narratives and its approach towards TJ logically follows. It is my core assumption that unpacking state's application of particular TJ measures in combination with a close examination of its transitional narratives provides an excellent window for 'reading' the said state's identity, discursively and in practice. As the bottom-line poststructuralist argument goes, identities are best revealed at their limits, or borders. Consequently, it is fair to presume that the delineation of Russia's transition from communism, both discursively and in practice, would reveal the (intended) limits of its 'self', with fundamental consequences for the country's foreign policy (which, as we know from the trail-blazing work of Campbell, 1998, is a boundary-producing exercise of a specific kind) in turn.

The empirical analysis should consequently delve into an extensive background research of Russian government sources (policy documents, speeches by political leaders and elites, public announcements, political memoirs), academic sources and the media (following in particular such newspapers and periodicals as: *Argumenty i fakty*, *Izvestiya, Kommersant-Daily, Moscow News, Moskovskie novosti, Nezavisimaya gazeta, Novaya gazeta, Rossiiskaya gazeta, Russia Profile, Russia Today, Vedomosti, Voenno-promyshlennyy kurier*). The main primary sources would accordingly include official statements, speeches and documents by Russian political leaders and public officials in Russian and English, mostly readily accessible online. This would provide the starting point for determining the nodal points of the discourse by relying on the most authoritative texts (Milliken 1999: 229), which satisfy the criteria for text selection specified by Hansen (2006: 85): 'they set out clear constructions of identity and policy; they are widely attended to by other politicians, the public and by governments throughout the world; and they are articulated by a formal political authority'. The aim would thus be to seek to discern a set of historically determined signifiers that relate to TJ (such as the accountability of the government to the people), examining the ways discourses and technologies of government are intertwined in the Russian case. Having done this, the pool of sources would be further expanded by adding materials from the media, especially texts written by leading public intellectuals on the topic. There is abundant public opinion poll data related to the topic available in Russian which would also be consulted for this study.

Combining my original reading of the scholarly literature, the analysis of primary sources and semi-structured interviews with Russian lawyers, sociologists, civil society activists, policy analysts, journalists, political scientists and historians on the subject, I seek to provide a deep qualitative reconstruction of Russia's evolution in the field of TJ. The focus of the study is on the meanings that agents attach to the social reality: that is, when analysing foreign policy *actions* and state's international practice, we try to understand them through the actors' own justifications of their conduct. Consequently, the emphasis will be on the meaning and legitimation provided for particular choices by the core state actors. The underlying methodology is informed by Guzzini's interpretivist, historical and multi-layered approach to process tracing whereby links between possible causes and observed outcomes are mapped out in a way that take the actors' understandings of events and phenomena in question as the starting point of

analysis, rather than the events and phenomena themselves (see Guzzini 2012a: 4; George and Bennett 2005: 6, 176). Adopting an interpretive version of process-tracing within a single, complex case (Guzzini 2012; cf. George and Bennett 2005), I will examine the adopted TJ measures, institutionalisations of state TJ policies in laws, commemorative and educational practices, and respective positions pursued by Russia in the UN, OSCE, Council of Europe as well as in bilateral relations with Russia's East European neighbours. I intend to focus on the Russian post-communist debates over the (non-)prosecution of the perpetrators of the Soviet violators of human rights (and the related definitional difficulties thereof), but also pay particular attention to the revision of official national-historical narratives (incl. in history textbooks and related 'patriotic education' policy documents), various history commissions in Russia's bilateral relations with its former Soviet satellites; the prevailing attitudes towards official apologies for the criminal legacy of the Soviet regime in Russia's public diplomacy, and related commemoration and memorialisation practices (including the so-called 'monumental politics' vis-à-vis remembering the communist regime).

Taking further up the suggestion to break the analytical problem into two steps in order to explain political outcomes, I will consider, first, the behaviour of actors, and then, its consequences (see Lebow 2014: 4). The analysis of reasons actors give for their choices and behaviour needs accordingly be supplemented with the identification of the mechanisms and processes that turn behaviour into outcomes. Lebow's model of inefficient causation which entails a multi-step process of searching for connections between and among causes at multiple levels of inquiry (ibid.: 65) provides the third methodological source of inspiration for this study. To meaningfully 'activate' the method of process-tracing and to make a serious attempt at looking for 'causes of causes, tracing back causal links as far as possible' (ibid.: 144), it would be important to interview also policy-makers in order to determine the actors' own views of how Russia ended up where it currently is in terms of its political handling of the communist past. While it is unlikely for an Estonian scholar to receive topical interviews from the members and advisors of the Putin administration in the current political atmosphere, it might still be possible to get access to the members of the Standing Committee on Historical Memory,[23] and possibly even the functionaries of the Ministry of Foreign Affairs.

The analytical model foresees two basic ways of engaging with TJ: that is, (i) a reflexive and (ii) a mnemonic security-oriented approach. While the pursuit of ontological security is arguably central to the human condition (Browning 2016), the strategies of aspiring a sense of ontological security can significantly vary, with major consequences for state's predisposition for cooperation or confrontation in its foreign policies. I suggest that a reflexive approach in state's reckoning with its antecedent regime's human rights violations and international crimes tends to contribute towards a more systematic and comprehensive adoption of a range of TJ measures. Showcasing adaptability and a developed ability to cope with change in reckoning with the legacies of the past 'self' (cf. Craib 1998: 72) indicates, in turn, a heightened capacity for a self-reflexive, creative and innovative engagement with the changing world (cf. Giddens 1991: 40-1), and lays the basis for a more cooperative stance in state's foreign policy. Meanwhile, if state's approach towards coming to terms with its repressive legacies is geared towards the safeguarding and securitisation of its glorious memories and 'useful past' at the expense of engaging with the more problematic chapters in its history, self-interrogation and self-reflexivity tend to be actively discouraged and the adoption of TJ remain accordingly limited or highly selective (to the degree of its substantive dismissal). The calls to revisit state's past 'self' are thus resisted, the alternative approaches depicted as dangerous and undermining for the state's sense of ontological continuity, leading eventually

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[23] This is a subcommittee on the Presidential Council of Human Rights. See http://president-sovet.ru/about/comissions/permanent/read/5/ (accessed June 5, 2016).

to a more confrontational stance vis-à-vis the perceived challengers of the state's mainstream self-narrative in international society.

My main hypothesis is that Russia's ambivalent settlement of its relationship towards the repressive Soviet legacy, exacerbated by the conflict between the emerging global normative expectations related to TJ and Russia's domestic normative order, has contributed to a more aggressive form of ontological security-seeking behaviour internationally. This proposition dovetails nicely with MacFarlane's decade-old argument, according to which Russia's insistence on the primacy of order over justice domestically has been powerfully reflected in its conception of international society: 'its privileging of order over justice at the international level is in many respects an external projection of this internal preoccupation' (MacFarlane 2003: 184-5, 206; see also Allison 2013: 20). In brief, the Russian state has long been preoccupied with order and the concentration of power at the domestic level, and Russia's conception of international society has strongly reflected the priority of preserving its own domestic structure of power. Ontological insecurity arising from the half-hearted approach towards reckoning with the communist legacy is hence understood here both as a symptom *and* a trigger of Russia's assertiveness in international relations. Protracted liminality, in turn, refers to a particular outcome of Russia's limited adoption of TJ measures and its consequently still-lingering state in-between a thoroughly illiberal and guardedly more democratic, if renewedly authoritarian, mode of government. As a socially stigmatised condition, protracted liminality in international relations is a toxic combination of its sufferer's vulnerability and danger it is perceived to be presenting to the 'normals' (i.e. TJ norm-bearers and norm followers of international society).

By the bulk of generally recognised TJ criteria then, Russia's limited state-led reckoning with the internationally wrongful acts of the antecedent regime points to its continuing liminal status in the contemporary international normative order. Assuming the centrality of TJ measures in consummating the normative transition towards democracy and a state at peace with itself as well as with its former subjects in international affairs, Russia has as if become stuck in the ritual passage from totalitarianism/authoritarianism to an admittedly more democratic, if still soundly illiberal, regime. Its ominous record with human rights and the rule of law along with the tendency to claim the right to oversee the mnemopolitical developments of the former Soviet republics[24] illustrate the twofold precariousness of the condition of protracted liminality: the subject's ontological insecurity and its ensuing attempts to compensate for this vulnerability on the international plane. The irony of mnemonical security-seeking lies precisely in its tendency to beat the purpose of enhanced ontological security in reality (see further Mälksoo 2015a). Putin's controversial politics of memory towards the Soviet past has sought to orchestrate Russia's transition from the protracted post-communist phase assuming to the leadership the role of a master of ceremony. The presidential commission to 'counter attempts at falsifying history against Russia's interests' established in 2009 by the then-president Medvedev is a symptomatically Orwellian initiative of the kind (for a good overview and discussion of the now-dissolved commission, see Brandenberger 2013). Meanwhile, the bottom-up working through the past conducted by civil society agents like the Memorial Society has had to sustain with persistent political and legal persecution by the authorities and consequent threats of closure. Accordingly, Kora Andrieu concludes that 'genuine transitional justice mechanisms cannot occur when the government remains all-powerful and co-opts and controls their outcome' (2011: 213). Her verdict on Russia's post-Soviet politics of TJ subscribes to Brian Grodsky's earlier argument on the success of TJ measures only 'in the context of a

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[24] For instance, by meddling in the ´Bronze Soldier´ crisis in Estonia in 2007 (see Mälksoo 2009) or seeking to establish common declassification and secrecy policies for the Commonwealth of Independent States (see further Kramer 2012: 208-210).

complete (or at least intended) transition from non-democratic rule to democracy' (Grodsky 2008: 284). The reminder that actual applications of TJ might need qualifying labels just like the spread of democracies has necessitated distinguishing between their liberal and 'illiberal' varieties underscores the fuzziness of real-life transitions compared to the ideal-typical assumptions of transitology literature (ibid.: 296).

Russia's discrete way of coming to terms with its forebear's legacy should therefore also sensitise us to the liberal blinds of the TJ paradigm (cf. Sharp 2014). Simply labelling Russia a 'failure' at TJ for its limited, and occasionally twisted, adoption of most TJ mechanisms also demonstrates a certain failure of imagination on the part of Western scholarship and policy circles, thus underestimating the immense difficulties related to Russia's forthright breaking with its Soviet past. Unlike several of its Central and East European counterparts, Russia did not have much of a democratic tradition to return to after the collapse of the Soviet regime and its post-Soviet transition therefore 'came with no clear set of rules or paths to follow' (Oushakine 2009: 4). Compared to the de-Nazification policies adopted in Germany under international control after the end of World War II, Russia's de-Sovietisation happened in very different circumstances after the unravelling of the Soviet empire. While post-World War II Germany was stigmatised by the Western Allies and the Soviet Union *inter alia* by being refused a veritable foreign and defence policy (Adler-Nissen 2014: 156-157), no systematic normative requirements to handle the violent legacy of Soviet communist regime and restrain its successor's international ambitions were presented by the Western community for Russia emerging from the shambles of the USSR. Concerning the legalistic gist of manifold TJ measures, it is further interesting to notice, as Michael Urban points out in his analysis of elite political discourse in Russia, that 'law has traditionally played a very weak role in regulating social behavior' in Russia (Urban 2010: 14). Drawing on Russian literature, semiotician Yuri Lotman (1990) has shown that instead of appearing as an extension of morality, law emerges in the Russian imaginary as something actually opposed to it. Lotman's essentialist suggestion that law has historically occupied 'the space of the alien or the negative' in the Russian cultural system (Urban 2010: 92-93) might nonetheless shed some light on the aversion to legal adjudication in Russia's post-Soviet reckoning with the communist past. It further illuminates the way the standards of liminal subjectivity in international politics tend to be determined by someone other (i.e. 'the West') than those actually subjected to the very standards (i.e.'the non-West') (cf. Zarakol 2011).

6. Conclusion

This paper has sought to demonstrate the theoretical and empirical mileage of ontological security and liminality in analysing the international implications of Russia's political handling of its communist past. I provided a preliminary sketch for operationalising the TJ-foreign policy nexus on the example of post-Soviet Russia. The suggested analytical model remains to be empirically substantiated on the basis of the detailed analysis of the Russian case, yet to be undertaken in due course. The broader study this paper paves the way for aims to provide an in-depth critical assessment of the understandings and applications of TJ in post-communist Russia. Furthermore, the project also seeks to contribute to the critical revision of the liberal premises of TJ paradigm, conceptualise the nexus between TJ and ontological security-seeking in international relations and to advance the notion of protracted liminality in the international society against the backdrop of the critical exploration of Russia's own model of 'putting the past behind'. The findings should help us to understand and assess the role of historical memory in the ontological security-seeking struggles of states caught between the liberal premises of the global(ising) norm of TJ (cf. Teitel 2014), managing the stigma associated with having to internalise externally established norms (Zarakol 2011; Adler-Nissen 2014), and their quest for sustaining status as a great power, regardless of the mismatch between the traditional and contemporary normative connotations attached to it. The

theoretical implications of the study are hence siginificantly broader than just shedding light on the Russian case. The conceptual framework developed in this study should enable to draw further-reaching conclusions about the enabling or constraining role of the state's perceived status in the implicit hierarchies of international society contributing to its success or failure of the adoption of particular TJ measures.

The potential impact of this study is therefore twofold. Empirically, it will systematise the ways TJ needs and challenges have been politically and publicly 'self-diagnosed' in post-communist Russia, especially under the Putin regime. This enables to engage in theory-building on the issue of how the failure to undertake major TJ measures translates into ontological insecurity-led behaviour internationally. Herein lies the added value of the project. The empirical investigation should advance our understanding of the condition of protracted liminality in IR, and the associated problems. Through the combination of empirical research of an underexplored case and novel theory development, I hope to open up new avenues for research on the message of Russia's arguable 'non-case' of TJ for the allegedly liberally biased 'transitology' paradigm as such. Further research could address a normative issue whether Russia's selective and instrumental appropriation of TJ mechanisms could potentially blur the original purpose and meaning of the concept.

Besides conceptualising the missing link between states' adoption of a particular set of TJ measures and their international outlook, I intend to also make an empirical contribution to the discussion by accounting for the connections between post-communist Russian discourses and practices of coming to terms with the past and the Putin regime's promotion of a set of normative principles in its foreign policies. Through an original reading of Russia's post-Soviet disourses and practices of TJ, my study will hopefully make a critical contribution to the understanding of Russia's preferences for a global normative order, the contemporary dynamics of its international identity and political outreach, and Russia's current regime's perception of and attempted mobilisation against certain normative threats.[25] My project aims to develop the coherence and validity of the conceptual model on the TJ and foreign policy-nexus so that it would be of use for future comparative studies (e.g., on Japan and China). As a result, I hope to offer a more precise understanding how the adoption of TJ measures domestically and state's international outlook relate to each other. The approach introduced in this paper enables to overcome the current ignorance of the effects of TJ on international state behaviour, as well as rectify the presently ill-equipped frameworks for making sense of Russia's post-communist international predicament, in particular. The analysis of Russia's post-Soviet foreign policies needs to take into account the complicated demands of ontological security-seeking the transition from communism (and yet to be determined to what exactly) has presented it with.

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[25] Such as, in the domestic context, the dismissal of the history professor Andrei Zubov from his university post at MGIMO for criticising Russia's intervention in Ukraine and Crimea by a comparison to the Nazi treatment of the Sudeten Germans issue (see Antonova 2014). Shortly after Crimea's accession to Russia, public calls for secession were criminalised in Russia (see Article 280.1 of the Russian Criminal Code, introduced by the Federal Law No. 274-FZ, 21.04.2014). The first person convicted for this crime is a Crimean who actively expressed on social media his disapproval of the accession of the peninsula to Russia. He was sentenced to three years of imprisonment and has recently filed a complaint to the ECtHR (see further http://www.sobytiya.info/news/16/59135).

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