



There Are Few Good Options in Ukraine Crisis

Western governments made promises they didn't keep and offered assurances they can't fulfill.

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One of the challenges of setting yourself up as the world's policeman is that people may take you seriously. Then they expect you to intervene in horrendous situations that you have limited will or capability to address. That's the situation that faces the United States and NATO in Ukraine after the long-awaited invasion of the country by Russian forces.

"This morning Russia launched a new military operation against our state. This is an unjustified deceitful and cynical invasion," Ukraine's President Volodymyr Zelenskyy announced as missiles struck Ukraine's cities and troops crossed its borders. "There are strikes on military and other important defense facilities, border units are under attack, the situation in the Donbas has degraded. The Armed Forces of Ukraine, all special and law enforcement agencies of the state are on alert. The National Security and Defense Council is working in an emergency mode. Martial law will be imposed."

For all of Ukraine's flaws, ranging from deep corruption to questionable elections, the country is a far more sympathetic party than the aggressor in this fight. Democratic-ish is probably the best way to characterize Ukraine's government; it's classified by *The Economist's Democracy Index 2021* as a "hybrid regime" with a flawed but functioning electoral system. "Media remained pluralistic and largely free, although harassment of outlets in connection with their editorial policies, and intimidation and violence against journalists, were regularly reported," adds Amnesty International.

In contrast, Russia is bluntly characterized as an "authoritarian regime" under which "political pluralism is absent or heavily circumscribed." Amnesty International observes that hundreds of people have been fined or prosecuted under a so-called "fake news" law that lets the government punish expression it doesn't like. "Opposition activists and other dissenting voices faced severe reprisals."

At least as important, it was Russian forces that invaded Ukraine, not the other way around.

"There are few, if any, more fundamental violations of international law than seizing other nations' territory by force for the purpose of annexing it or ruling through a puppet regime," observes Russia-born George Mason University law professor Ilya Somin at the *Reason*-hosted *Volokh Conspiracy*. "The United Nations Charter specifically forbids 'the

threat or use of force against the territorial integrity or political independence of any State.' That description fits Russia's assault on Ukraine to a T."

That's the morality of the situation. Where things get complicated is that Ukraine, victim to a much more-powerful neighbor's aggression, has a decades-old claim to protection from the West under the Budapest Memorandum.

"Washington brokered with Kyiv and Moscow the terms under which Ukraine agreed to eliminate the strategic missiles, missile silos and bombers on its territory and transfer the 1,900 nuclear warheads to Russia for disassembly," the Brookings Institution's Steven Pifer noted in 2014. "A key element of the arrangement—many Ukrainians would say the key element—was the readiness of the United States and Russia, joined by Britain, to provide security assurances."

Ukraine surrendered its ability to obliterate foreign threats in return for an arrangement under which Russia, the U.S., and the United Kingdom would guarantee its independence. That's a problem when it's Russian troops against which you need protection.

Another complication is that Ukraine has applied to join NATO (though it's unlikely to be admitted). That's understandable given the multi-year threats it has faced from Russia, including the seizure of Crimea. But that feeds into Russian complaints about supposedly violated promises by western political leaders, including then-U.S. Secretary of State James Baker and German Chancellor Helmut Kohl, that the military alliance would not extend its borders eastward. Those assurances appear to have been informal, but that has long translated as "lies" to Russian officials who have seen NATO grow right to their border. After all, the credibility of assurances and formal alliances alike is found in the willingness and ability of the parties to them to live up to what they've said.

Living up to promises can have wide-ranging repercussions, far beyond the already serious fighting in Ukraine. The fact that western countries promised to defend Ukraine against a powerful and aggressive neighbor is not lost on other nations.

"The people and government of Taiwan stand with Ukraine," Lai Ching-te, vice president of Taiwan, tweeted this week. "The principle of self-determination cannot be erased by brute force."

That's a supportive sentiment from one government to another. But it can also be taken as a reminder to the United States that it has made assurances (however fuzzy) to the island nation, and that both China and its belligerent neighbor, the People's Republic of China, are watching.

If all of this seems messy, that's not a new revelation. In his first inaugural address, President Thomas Jefferson urged "peace, commerce, and honest friendship with all nations, entangling alliances with none." That word "entangling" seems a perfect description of decades of treaties, alliances, promises, and assurances that have left officials in the United States, Britain, and allied NATO nations trying to figure out just how they're going to help Ukraine protect itself from whatever Russia, under the governance of a political gangster, decides to do.

Against the reality of a powerful and nuclear-armed Russian military, along with public disinterest in getting deeply involved in a potentially ruinous war (just 26 percent of Americans say the U.S. should have a major role in the conflict, according to a new poll), western governments have so far confined themselves to sanctions. That's less dangerous than troops on the ground, but it means yet more interference in private economic activity with resulting loss of liberty and prosperity.

"War and elevated national security concerns have always and everywhere promoted the growth of the state," the Cato Institute's Robert A. Levy and Peter Goettler point out. "Military intervention should only be used to counter true security threats to the nation, while restraint is critical to maintaining a free society in the United States and to avoiding reckless and costly foreign entanglements."

It's too late to undo decades of entanglements which the United States is unlikely to be able to credibly fulfill, and which may have deterred countries such as Ukraine from taking full responsibility for their own defense. But promoting freedom overseas as well as at home requires that, in the future, the U.S. government make fewer hollow promises to act as the world's policeman.