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RUSSIA'S WAR AGAINST UKRAINE: INSTITUTIONAL AND LEGAL FACTORS AND CHALLENGES TO INTERNATIONAL SECURITY

Abstract. *The article explores the genesis of the institutional and legal factors that necessitated the Russian Federation's transition to a model of overt military aggression. It analyzes the process of power consolidation, the transformation of security agencies (siloviki) into independent political actors, and the degradation of legal institutions. The war is presented as a systemic result of the prolonged erosion of Russian statehood and the formation of a "monocentric authoritarian" model.*

The conflict functions as a primary tool for the legitimation and economic reproduction of dominant security-service clans. Special attention is paid to the dismantling of legal checks and balances and the militarization of the executive vertical.

It is argued that the foundation of the modern militaristic architecture was laid by the 1993 Constitution, whose institutional dualism allowed the presidency to transform from an arbiter of branches into the dominant force of the political system. The article reveals the mechanisms of constructing the power vertical through the elimination of federalism, the conversion of parliament into a body for the legislative endorsement of executive decisions, and the total subordination of the judiciary to the interests of ruling security clans.

The role of security agencies and state monopolies is identified as key "shareholders" of the regime, for whom external expansion is a means of seizing new resources and legitimizing internal dominance.

The author concludes that within the current institutional model of the Russian Federation, aggression is the only viable format for regime self-reproduction. The stability of the "vertical" depends directly on the level of external destabilization, making militarization a functional state of the Russian state rather than a mere political choice. Sustainable security in Europe is shown to be possible only through the complete institutional dismantling of the existing Russian system and a return to the actual rule of law.

Keywords: *monocentrism of power, authoritarian consolidation, institutional degradation, security agencies (siloviki), State Corporation, legal nihilism, revisionism.*

Problem Statement. The contemporary political system of the Russian Federation is characterized by the concentration of strategic political, financial, and military resources within a narrow interest group, effectively neutralizing the principles of separation of powers and genuine political competition. This monocentrism is not merely an internal element of regime stability but a fundamental prerequisite for the transition to open military aggression. Within this system, public administration has been transformed into a mechanism for resource extraction by the ruling elite, where security agencies and state corporations have become the key subjects of foreign policy decision-making. This configuration provides the regime not only with the means to suppress internal centrifugal tendencies but also with a high degree of mobilization readiness for prolonged military confrontation.

The foreign policy of the Russian Federation is a direct projection of its internal institutional nature. The establishment of the authoritarian model is aimed at creating conditions for the restoration of a neo-imperial project, where war serves as the primary instrument for legitimizing the ruling elite. Relying on revisionist rhetoric regarding the collapse of the USSR as the "greatest geopolitical catastrophe", the Russian leadership utilizes military expansion to

compensate for lost status and to dismantle the existing world order (Yablonskyi & Karavaiev, 2026). The full-scale invasion of Ukraine should be viewed as a consequence of the Russian Federation's internal transformation, where monocentrism and the interests of power factions make external aggression the only available mechanism for regime self-reproduction.

Analysis of Previous Research and Publications. In the vast majority of scholarly inquiries, the transformation of the Russian political regime is examined through the prism of the formation of a “super-presidential republic”, where the institutional foundations of authoritarian transition and the crisis of democracy were laid as early as the 1990s (Sakwa, 2011). Researchers emphasize the dominance of monocentrism, where the concentration of key financial and security resources in the hands of a narrow group led to the complete destruction of the principles of separation of powers and political competition (Dawisha, 2015). Currently, intellectual discussions are actively focusing on the degeneration of Russian authoritarianism into military totalitarianism, accompanied by the “securitization” of the economy, mass de-privatization of assets, and the subordination of civilian institutions to military planning (Toth-Czifra, 2025; Allied Command Transformation, 2021).

Furthermore, the full-scale military aggression against Ukraine has actualized academic debates on the role of intelligence services in state capture and their evolution into powerful corporate structures that use war as a mechanism for wealth redistribution (Huminski, 2020; Dawisha, 2015). Overall, scholarly works highlight that external aggression has become an indispensable tool for the Kremlin to legitimize its power (Yablonskyi & Karavaiev, 2026), while the systemic degradation of federalism and the Russian Federation's withdrawal from the global legal sphere act as strategic prerequisites for the destruction of the international legal order (Starodubtsev, 2018; Allison, 2013).

Some researchers focus on the specificities of irregular security structures (PMCs, Rosgvardia) and their integration into the military vertical, signaling the final monopolization of the right to violence by the security elite (Klein, 2025; Crippa, 2024). A vital aspect of modern discourse is the analysis of the ideological justification of aggression through the cult of “traditionalism” and the sacralization of the leader's figure, which nullifies any internal legal safeguards against military expansion (Beer, 2019; Huminski, 2021).

Objective. The purpose of the article is to analyze the institutional and legal transformations of Russian statehood that determined the regime's transition to full-scale military aggression against Ukraine.

Research Results. To analyze the causes of Russian aggression, it is necessary to shift the focus toward the institutional and legal nature of the Russian Federation regime, which has adapted over decades to the needs of expansionism. The military aggression against Ukraine is not an accidental political decision or a product of purely personalist ambitions; it is the systemic result of a long-term institutional degradation of the Russian state.

The war against Ukraine is the output of a power hierarchy where state institutions, the legal system, and economic assets are integrated into a single structure. In this system, aggression emerges as a survival condition for the elites, allowing them to maintain internal stability during periods of exhausted development resources.

The foundation of future authoritarianism was laid in the early 1990s. The 1993 Constitution was drafted amid acute conflict between branches of power, resulting in a significant strengthening of presidential authority. Despite its liberal facade and declarations of human rights, the document contained mechanisms that allowed the head of state to dominate the system of checks and balances. This institutional dualism – combining democratic rhetoric with “super-presidential” mechanisms – created a legal collision that facilitated the later dismantling of republican principles. Instead of acting as an impartial arbiter between the branches of power, the presidency evolved into the hegemonic force of the political system, effectively insulating executive decisions from any institutional checks (Sakwa, 2011).

Throughout the 2000s, constitutional norms were effectively replaced. The creation of the so-called “power vertical” involved the consistent deprivation of agency from all alternative power centers. Specifically, the elimination of gubernatorial elections and the transformation of the Federation Council into a loyal body of direct appointment destroyed genuine federalism. The State Duma was transformed into a tool for the legal formalization of Presidential Administration decisions, making any debate on the expediency of military measures impossible. Consequently, the Federal Assembly of the Russian Federation lost its function of representing citizen interests, becoming a mechanism for the “legislative accompaniment” of executive decisions.

The constitutional majority of “All-Russian Political Party United Russia” ensures the lightning-fast adoption of repressive laws (concerning “foreign agents”, “army fakes”, and the annexation of territories). These processes led to the formation of “monocentric authoritarianism”, where the absence of institutional counterweights allowed the ruling elite to prepare the country for a major war without hindrance.

A defining factor of the Russian Federation domestic policy has been the merger of the state apparatus with security structures and big business. This symbiosis produced a model of the state where the country is managed according to the logic of corporate management rather than public policy. The key “shareholders” of this system are the heads of special services and state monopolies.

The primary ideological and practical basis for this system is the mechanism of resource acquisition through force. Unlike classical capitalism, wealth here is not created through competition but extracted through control over state finances and the forced seizure of others’ assets (Huminski, 2020). For security groups, Russia’s internal space became a field for corporate raiding. High-profile cases, such as the forced seizure of “Bashneft” or the show trial of Ulyukayev, demonstrated that even loyal technocrats and large owners are merely temporary holders of assets. Any property in the Russian Federation today is “delegated”, and its retention depends directly on supporting the Kremlin’s aggressive course.

This internal logic of aggressive resource redistribution naturally evolved into external expansion. When internal sources of enrichment began to dwindle, war became a means for the security elite to expand, allowing them to seize assets in occupied territories and absorb colossal funds from the military budget.

As economic legitimacy waned after 2013, the regime pivoted toward actualizing existential threats. This strengthened the authoritarian model by fulfilling a societal demand for a “strong hand”, which de facto legalized the further dismantling of remaining democratic institutions. The centralization of management led to the replacement of “formal federalism” with “de facto unitarism” (Starodubtsev, 2018). Key aspects included: mass rotations and the appointment of former security officials (FSB, FSO) as governors, turning regional heads into technical executors of the Kremlin’s will; the concentration of financial resources in the center, depriving regional elites of an economic basis for autonomy; and the deployment of Moscow-appointed leaders to national republics (e.g., Dagestan) to dismantle local clans that might resist the center’s mobilization policies.

The Putin team transformed the state into a structure where decisions are made exclusively at the center. This “vertical” did not just unify power; it effectively destroyed any independence of business, courts, and regions. Instead of a classical dictatorship, a model emerged where power belongs not to one person, but to a consensus of influential security clans. This system rests on a vertical of loyalty, where access to resources is granted only to those who support the leadership’s aggressive course (Allison, 2013).

External war became the primary survival strategy for this elite, as it allows internal problems to be blamed on enemies and resources to be seized. Leading state corporations and security agencies act as autonomous subjects of international destabilization, whose interests are organically integrated into the strategy of geopolitical revisionism. Thus, the militarization of

Russian policy is a logical consequence of the ruling elite's internal survival logic (Dawisha, 2015), for whom a state of conflict becomes the only available format for maintaining a monopoly on power and resources.

Russian security agencies have evolved from law enforcement bodies into powerful economic corporations. Today, the siloviki (specifically Sechin, Patrushev, Chemezov) control not only the security sector but also strategic sectors of the economy. War has become a tool for asset redistribution. Under the banner of patriotism and military necessity, property is alienated from "old oligarchs" in favor of the security bloc. Any liberal critique of the isolationist course is punished by the expropriation of resources.

One of the most significant steps in preparing for large-scale aggression was the creation of the Rosgvardia (National Guard), designed as an autonomous security structure reporting directly to the president, effectively removing it from the general system of civilian control. Its primary function is to protect the monocentric model from any internal challenges – both from civil society and potentially disloyal segments of the elite. In the context of the war against Ukraine, Rosgvardia has transformed into a key instrument of occupational administration. Its task became not only the suppression of resistance in captured territories but also the physical enforcement of the "new legal order" (Crippa, 2024).

Thus, the militarization of the internal security bloc was a direct prerequisite for external expansion, providing the regime with a stable rear and a punitive apparatus for exploiting occupied territories.

After 2012, external aggression became the main tool of consolidation – to maintain its monopoly on power; the regime requires permanent war, which in turn demands further centralization. The completion of the National Defense Management Center (NDMC) of the Russian Federation marked a turning point in the public administration system (Allied Command Transformation, 2021, p. 42-43). This institution ensured the coordination of not only the military component but also all federal and regional authorities within a single military-strategic design. The NDMC effectively functions as a "Stavka" (General Headquarters), where civilian ministries (energy, transport, health) are integrated into military planning. This means that the entire infrastructure of the Russian Federation is pre-adapted for prolonged warfare.

This transformation implies that the Russian Federation state apparatus no longer functions within a paradigm of socio-economic development. The effectiveness of any executive branch is now measured solely by its ability to meet the resource demands of the war. The NDMC has become the embodiment of "staff-based management", where the state is viewed as a single military-industrial complex and its citizens as a mobilization resource.

Furthermore, the legalization of irregular structures (PMCs and paramilitary groups, such as the "Kadyrovites") provided tools operating outside international law but under strict intelligence control. PMCs served as instruments of "indirect aggression", allowing the Kremlin to deny involvement in war crimes for a long time. After 2022, these structures moved from autonomous units to direct subordination under the Ministry of Defense, completing the monopolization of the right to violence (Klein, 2025). The use of such irregular tools indicates a total degradation of international law in the eyes of the Russian elite, who view treaties only as temporary screens for corporate ambitions.

In this system, the giants of the defense and energy sectors occupy a special place. Structures such as "Rostec" (under Chemezov) and "Rosneft" (under Sechin) have ceased to be classical commercial entities. They have transformed into closed corporations where the political interests of ruling clans dominate economic logic. These corporations act as "wallets" for the security elite, financing not only the military machine but also extensive networks of influence abroad. Through their security services, staffed by career FSB and SVR officers, they engage in industrial espionage, procure sanctioned components via shadow schemes, and fund destabilization projects in Europe and the US. War has become a "golden age" for these structures,

as the opacity of defense procurement allows for the uncontrolled absorption of budget funds under the guise of “import substitution”.

The total loss of judicial autonomy has turned justice into a mechanism for repressing regime opponents and legalizing asset expropriation.

To understand the legal factors of aggression, one must analyze the Russian Federation’s consistent withdrawal from the global legal field. Starting in 2015, when the Constitutional Court of the Russian Federation was granted the right to declare the decisions of international courts (primarily the ECHR) “unenforceable”, the country’s legal system entered a mode of isolationism. This was not a formal change of priorities; it was an act of creating legal immunity for future war crimes.

The legal justification for the annexation of territories through manipulative referendums and “accession treaties” became the apex of legal nihilism. Within the Russian model, the law ceased to be a tool for seeking justice and became a tool for the legalization of force. This approach allowed the ruling elite to present a blatant violation of the UN Charter as “the protection of national sovereignty”, removing internal moral and legal barriers to a full-scale invasion.

The institutional-legal factor of the war also includes a new wave of asset nationalization. After 2022, the Prosecutor General’s Office began mass challenges to the privatization results of the 1990s. This process, termed “de-privatization”, became a powerful lever of pressure on business elites (Toth-Czifra, 2025).

Any owner showing insufficient loyalty to the military course risks losing assets to new actors from the security bloc. The judiciary has become the guarantor of internal plunder that finances external war.

The Russian state, by its nature, is incapable of peaceful competition. Its survival depends on creating zones of chaos where international trade rules do not apply and dominance by force plays the decisive role. This is why the Russian Federation invests in destabilizing energy markets, cyberattacks, and supporting radical movements worldwide. Unless Russian aggression is halted by the institutional collapse of the regime itself, the regime’s logic will push the Kremlin toward new conflicts, as a state of peace for this elite means the inevitable loss of control over resources.

Amid military failures, the Russian elite increasingly appeals to nuclear deterrence as a “superior right”. This indicates a total degradation of classical diplomacy. The Russian Federation’s legal doctrine was altered to make the use of weapons of mass destruction theoretically possible even in response to a conventional threat, interpreted subjectively by the elite itself. This endangers the entire global security architecture, as the legal mechanism for such a decision in the Russian Federation is entirely devoid of civilian filters.

The Russian Federation’s war against Ukraine has a clear economic dimension for the ruling class. It allows for the writing off of management inefficiency – all economic failures are explained by sanctions and “Western plots”. Corporations like Rostec receive limitless access to budget funds through a bloated defense sector. In occupied territories, a zone of extra-legal economic plunder is created (resource extraction, nationalization of enterprises), serving as a source of super-profits for the security elites.

The institutional and legal model of the Russian Federation has turned into a mechanism where aggression is the only way to maintain internal stability. The monopolization of power by the siloviki, the destruction of justice, and the totalitarian transformation of the state make peaceful coexistence impossible under the current regime. The transformation of the Russian Federation’s internal legal field directly correlates with its strategy of destroying the international legal order. A key stage was the revision of the hierarchy of legal norms in the Russian Federation Constitution (2020 amendments), which established the priority of national legislation over international treaties and decisions of interstate bodies.

The external aggression of the Russian Federation against Ukraine and the West is realized through a symbiosis of state institutions and affiliated business structures. Russian intelligence

services (FSB, SVR, GRU) utilize the network of foreign subsidiaries of Russian corporations as cover for reconnaissance and destabilization activities.

Russian energy and raw material giants act not merely as market participants but as instruments of political pressure (“energy weapon”). Through offshore mechanisms and shadow financial flows, the Russian Federation imports its management model into the democratic institutions of other countries, attempting to erode their value systems (Huminski, 2021). This transforms the Russian Federation into a disruptor of global security, where the institutional stability of the Russian Federation itself directly depends on the level of destabilization of the external environment.

In the Russian Federation, “human rights” are interpreted as a threat to national sovereignty from the West. Instead, the primacy of “collective interests” (state, nation, church) is proposed, which in legal terms means the total defenselessness of the individual before the state apparatus. This allows the regime to brand any opposition activity or legal defense as “foreign influence” or “extremism” that lies outside the boundaries of Russian traditionalism.

The ideology of “traditionalism” is inextricably linked to the cult of victory and militarism. The figure of the president is sacralized as a “savior” and the sole guarantor of identity preservation in a “hostile world” (Beer, 2019). A model of passive citizenship is imposed on society, where the state assumes the function of distributing goods in exchange for total political loyalty and readiness for mobilization. Ultimately, ideology performs the function of psychological and legal preparation of the population for war. It removes moral barriers regarding violence against Ukraine by presenting aggression as a “sacred mission” to protect invented traditional values.

The institutional and legal environment of the Russian Federation was purposefully transformed to ensure the stability of the authoritarian vertical. The war against Ukraine became the logical conclusion of this transformation, where the militarization of management, the degradation of law, and the corporatization of the special services formed a single mechanism of aggressive regime survival.

Conclusions. The war against Ukraine is an inherent component of the contemporary institutional nature of the Russian Federation. The monocentrism of power, the dominance of security corporations, the controllability of justice, and the ideological intoxication of society have created a system incapable of peaceful transformation. The institutional and legal factors of aggression are deeply rooted in the evolution of Russian authoritarianism.

The militarization of the Russian Federation is not just a political choice but a functional state of the modern Russian state. Any attempt at de-escalation poses a threat to the material interests of the Russian elite, as peaceful coexistence requires a return to legal norms incompatible with their model of extracting economic advantages. War has become the basis for the legitimation and enrichment of dominant clans, making external aggression an irreversible vector until the existing system is completely dismantled institutionally.

The deliberate degradation of constitutional norms and the withdrawal from the international legal field were necessary conditions for the invasion. Without the destruction of the independent court and parliament, the decision to launch a major war would have been institutionally impossible. Security clans and state monopolies feed on conflict, gaining colossal profits and power through it. War has legalized the redistribution of property. For security factions, peace is an economically harmful state because it requires transparency and legal guarantees, which are incompatible with their management model.

Any peace agreements that do not involve the institutional dismantling of the power vertical and a return to a genuine separation of powers in the Russian Federation will be temporary. Without restoring the rule of law and eliminating the siloviki’s monopoly on assets, Russia’s aggressive revisionism will remain a constant threat to humanity. Ukraine’s struggle is not only a defense of territories but a confrontation with a model where the power of law is replaced by the law of power. Global security is possible only under the condition of a complete overhaul of the

institutional nature of Russian statehood, which currently operates as a transnational corporation of aggression.

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ВІЙНА РФ ПРОТИ УКРАЇНИ: ІНСТИТУЦІЙНО-ПРАВОВІ ЧИННИКИ ТА ВИКЛИКИ МІЖНАРОДНІЙ БЕЗПЕЦІ

У статті досліджується генезис інституційно-правових чинників, що зумовили перехід РФ до моделі відкритої воєнної агресії. Аналізується процес моноцентризму влади, трансформація силових структур у самостійних політичних акторів та деградація правових інститутів. Війна постає результатом тривалої деградації російської державності та формування моделі «моноцентричного авторитаризму». Війна виконує функцію інструменту легітимації та економічного відтворення панівних силових кланів. Особлива увага приділяється демонтажу правових стримувань та мілітаризації виконавчої вертикалі.

Розкрито механізми вибудовування владної вертикалі через ліквідацію федералізму, перетворення парламенту на орган законодавчого супроводу рішень виконавчої влади та повне підпорядкування судової системи інтересам центру. Визначено роль силових структур та державних монополій як ключових суб'єктів режиму, для яких зовнішня експансія є способом захоплення нових ресурсів та легітимації внутрішнього панування.

Автор доходить висновку, що в межах чинної інституційної моделі РФ агресія є безальтернативним форматом самовідтворення режиму. Стабільність «вертикалі» прямо залежить від рівня зовнішньої дестабілізації, що робить мілітаризацію не просто політичним вибором, а функціональним станом російської держави. Обґрунтовано, що безпека в Європі можлива лише за умови повного інституційного демонтажу існуючої в РФ системи влади та повернення до реального верховенства права.

Ключові слова: моноцентризм влади, авторитарна консолідація, інституційна деградація, силові структури, державна корпорація, правовий нігілізм, ревізіонізм.