

Guilt and Responsibility of Russian Citizens for Aggression Against Ukraine: Modern Reading of Karl Jaspers

Volodymyr A. Iashchenko*

Full Doctor in Law, Professor, Chief researcher, State Scientific Institution
"Institute of Information, Security and Law of the National Academy of Legal Sciences of Ukraine"
01024, 3 Pylyp Orlyk Str., Kyiv, Ukraine

Olha M. Balynska

Full Doctor in Law, Professor, Vice-Rector,
Lviv State University of Internal Affairs
79007, 26 Horodotska Str., Lviv, Ukraine

Abstract. The purpose of the study is to analyse the problems of guilt and substantiate the expediency of establishing the collective responsibility of Russian citizens for aggression against Ukraine. Using the theoretical legacy of the German scientist K. Jaspers, the authors justify their own approach to the interpretation of the concept of guilt and responsibility of both the individual and the public community as a whole in the context of the war that Russia has unleashed against Ukraine. The urgency of the problem lies in incriminating moral and political guilt to Russian citizens for military aggression against Ukraine and in the expediency of them realising their personal share of guilt and responsibility for the crimes committed by the political leadership and military personnel of the Russian Federation. The paper highlights the dialectic of the relationship between personal guilt and the so-called collective culpability of the Russian public, which should bear the main responsibility for the politics and criminal actions of its state. It is noted that the solution of this problem is largely connected with ensuring that all citizens of the aggressor state realise their involvement in criminal actions and atone for their guilt. Based on the theoretical legacy of K. Jaspers, theses regarding the phenomenon of guilt, its varieties in relation to the period of fascism in Germany were developed and these approaches were applied to the analysis of Russia's aggressive policy. The study focuses on the moral and existential methodological paradigm of guilt as a determining factor in its awareness. Techniques and methods of comparative analysis of the behaviour of Germans during the Second World War and Russians in modern conditions, extrapolation of the experience of denazification of the German people to the Russian public are also used. The conclusion about the need for the perpetrators to bear not only personal criminal responsibility, but also the consolidated political and moral responsibility of the Russian nation, the community, and the public in general for the war against Ukraine, and to feel the need to change the totalitarian political regime in Russia as dangerous for all mankind, is substantiated. This paper would be useful for anyone interested in the problems of the modern political and legal continuum generated by the Russian-Ukrainian war

Keywords: culpability, moral guilt, metaphysical (existential) guilt, Russian public, direct and indirect guilt, collective guilt

Introduction

Russia's military aggression against Ukraine is accompanied by both a gross violation of international law and the commission of war crimes, the murder and terror of civilians, hundreds of Ukrainian children, and nuclear blackmail of the whole world, which categorically condemns this aggression.

At the same time, the number of Russian citizens who supported this aggression, unfortunately, has not significantly decreased today, and representatives of the Russian ruling elite and propagandists are threatening war on other peoples and states, which encourages the Kremlin to continue the war. In this regard, the problem of determining the guilt and responsibility of the Russian community, finding out the degree and share of guilt of both an individual citizen of Russia

and the Russian nation as a whole for aggression against Ukraine is extremely urgent.

This problem has acquired a global scale, as evidenced by the corresponding sanctions against Russia by the countries of the European Union, the United States, Japan, Australia, etc., including many international organisations.

Recently, the problem of Russian responsibility for aggression against Ukraine has become the subject of numerous publications, the content of which is mainly reduced to the problem of collective guilt with reference to the corresponding work of K. Jaspers "The question of guilt" [1], with immediate consequences of the conviction of Nazi criminals. At the same time, as a rule, this refers both to individual

Suggested Citation

Article's History: Received: 06/02/2022 Revised: 07/20/2022 Accepted: 08/12/2022

Iashchenko, V.A., & Balynska, O.M. (2022). Guilt and responsibility of Russian citizens for aggression against Ukraine: Modern reading of Karl Jaspers. *Social and Legal Studios*, 5(3), 45-51.

*Corresponding author

responsibility and “collective responsibility” (D. Sudyn [2], A. Arkhangelskiy [3]). However, K. Jaspers and his follower H. Arendt [4; 5] rejected the term “collective guilt” as abstract and insisted on the category of political “collective responsibility” of society, which is supported by the authors of this study.

A historical and socio-philosophical analysis was carried out regarding the mentioned work of K. Jaspers: Bruno Jasieński revealed the extent of responsibility of the “indifferent” for their “criminal neutrality” towards Nazi policy [6]. A.B. Ponomarenko and D.V. Kovalov raised the question of the responsibility of the people for national policy [7]. O.V. Petukhova substantiated the term of consolidated liability [8].

The problem of guilt was also covered in the papers by V.A. Bachinin [9], M.M. Samuilik [10] and other researchers. They substantiated the need to both condemn Russian aggressors and bring them to justice. Also interesting in this context is the work by Oxford professor C.A. Koonz, who studied the mechanisms of instilling Nazi ideology in the political and everyday consciousness of contemporaries [11].

The purpose and objectives of this study are to theoretically analyse the problem of guilt and substantiate the need to establish collective responsibility of Russian citizens for aggression against Ukraine, and therefore, to contribute to achieving historical satisfaction for Ukrainians (not for the sake of quenching resentment, but for the restoration of justice) through the public recognition of Russians as world aggressors.

Materials and Methods

The starting methodological guide is an existential and humanistic analysis of the phenomenon of guilt of Russian citizens in the context of responsibility for direct and indirect support of the war against Ukraine. The methodological arsenal of the study includes techniques and methods of comparative analysis of the behaviour of Germans during World War II and Russians in modern conditions, extrapolating the experience of denazification of the German people to the Russian public. The authors are guided by a specific historical approach, identifying certain categories of citizens who should bear their share of the blame for what they did. It is proposed to change the paradigm in countering Russian propaganda, that is, the transition from a protective and defensive to an informational and offensive strategy. The paper uses the results of sociological research, thematic scientific publications, and author’s own best practices.

Results and Discussion

The questions raised by this study are not trivially rhetorical. They are connected with the practical solution of the dilemma – to what extent Russians and the Russian public in general should be held responsible for the war unleashed by Russia against the Ukrainian people. One way or another, the answer to this question is related to the interpretation of the phenomenon of guilt and culpability as its specific embodiment. The experience of collective guilt in Russia for the crimes of the Soviet regime did not take place, which significantly affected the formation of public consciousness of Russians, which, being under the influence of Soviet apologetics, positively perceived the totalitarian imperialist policy of the Putin regime.

Consideration of the dialectics of these phenomena reveals the nature and social essence of individual guilt and

shared responsibility of those who are the subject of this aggression. The immediate perpetrators and organisers of this war will inevitably be punished accordingly for their criminal actions in one way or another. They are subjected not only to political condemnation, which is already taking place today, but also to criminal punishment for what they have done. The fact that Ukraine documents the facts of the killing of civilians, the occupation of Ukrainian lands, and appeals to international and European political and legal institutions regarding the punishment of Russian occupiers is the basis for accusation and condemnation and represents Russia as a dangerous aggressive state for the whole world.

Therefore, the question naturally arises about the responsibility and guilt of those persons who do not directly take part in such actions, but under the influence of Russian propaganda openly support, or by their behaviour of non-interference and indifference tacitly do not seem to notice the aggressive policy of the Russian leadership.

This gives rise to a disorienting view of the causes and consequences of the war among the Russian public and gives the impression of the population’s tacit support for these criminal actions. Therefore, the specific culprits of aggression, in addition to the state leadership, are also the following categories of the Russian population: indifferent, representatives of the so-called “Russian world” and everyone involved in the aggression in one way or another. Special attention should be paid to the layer of indifferent people, whose number is quite significant, since these citizens consider themselves unable to influence events, and therefore, do not feel guilty for their consequences. In fact, their share of guilt is no less than that of war apologists. As B. Jasieński notes: “be afraid of the indifferent – they do not kill or betray, but only with their tacit consent there is treachery and murder on earth” [6].

A. Arkhangelskiy, in his speech on Radio Svoboda in relation to the indifferent, argues that “being out of politics today means liberation from conscience, from natural human feelings – including from suffering. Today, many of the silent people are ashamed, but shame does not turn into political concessions. As a result, the massive ‘rejection of politics’ caused damage not only to their own country, but also brought numerous sufferings to the neighbouring state, and now it also threatens the whole humanity. We all have a political responsibility for this” [3].

The indifferent must bear their share of political and moral responsibility for the unleashed war, because they are representatives of the civil community, which means that they perceive its customs and laws, fulfil the conditions of the social contract, and are subjects of civil society. According to A. Ponomarenko and D. Kovalov, “the political responsibility of the people consists of the responsibility of every citizen of the state as a representative of their people. That is, every citizen is responsible for their state. Consequently, the political responsibility of a citizen is also total. The political responsibility of the people is collective and consists of the individual responsibility of each individual representative of their people” [7, p. 34].

Awareness of this responsibility is somehow connected with the establishment of a certain share of their guilt for the victims suffered by the Ukrainian people and other negative consequences of Russia’s aggressive policy. To change this situation, there is no other way than to bring to the indifferent and supporters of the “Russian world” the belief that

they are somehow the culprits of this war and must bear their own share of responsibility for its resolution and not countering the criminal intentions of their leaders.

In this regard, there is doubt about the division of guilt in this case into two types: direct and indirect guilt. Direct – those who give criminal orders and carry them out, and indirect – the entire Russian population.

The reality of Russian public life makes adjustments to this categorical division. The fact is that it is too problematic to talk only about the indirect attitude of the Russian public to the war in Ukraine. Their electoral support for the current leadership of the Russian state and its aggressive course towards Ukraine and the West as a whole, solidarity with the unleashed war against Ukraine, the inability of citizens to objectively critically assess manipulatively propaganda clichés, the actual recognition of the war as a natural way of resolving conflicts, gives grounds to conclude that the Russian public politically supports the current regime, and therefore, acts as a direct subject of this war and, accordingly, bears the full political blame for this.

The recognition of the Russian public as a subject of war shows that Russia's social norms have come into conflict with the world's moral values and civilizational achievements of humanity and even threaten its existence. Hence, its direct guilt takes place not only before the Ukrainian people, but also before the entire international community.

Thus, the Russian public, which objectively, regardless of its desires, is responsible for the actions of its state and their consequences, must directly bear its share of moral and political guilt for what Russia has done as a state and is subject to condemnation both in Ukraine and on a global scale. According to K. Jaspers: "In the face of crimes committed on behalf of the German Empire, responsibility is assigned to every German. We 'answer' collectively. It is asked in what sense each of us should feel responsible for ourselves. Of course, in the political sense, it is the responsibility of every citizen for the actions committed by the state of which he is a citizen" [12].

All these circumstances raise the problem of theoretical coverage of the phenomenon of guilt, which goes beyond its conventional interpretation as a purely subjective phenomenon. It is worth noting that in its essence, guilt is really a subjective factor, while the content of guilt is always objective, since it reflects specific acts.

The specificity of guilt is that it is not limited to the sensory world, but tends to a rational and conceptual understanding, awareness of this phenomenon. Guilt is not just experienced, it, like conscience, is redeemed, needs to be realised in certain actions. Hence the constructive and regulatory function of guilt. It is the awareness of guilt that allows taking retribution measures for what has been done. That is, guilt is not something abstract, eternal "Damocles sword". On the contrary, it is a fault for specific, real actions. And this determines the degree, measure of guilt and, accordingly, the limits of responsibility and its measure.

V. Bachinin, who defines guilt as "a religious, socio-ethical and legal category that characterises the objective position and subjective state of the subject who has violated social norms... and is forced to bear responsibility for what he has done before his conscience and the law" is correct in this sense [9, p. 14]. The category of liability in this case allows clarifying the completeness of the fault and its derivatives. This is especially true for the concept of guilt, in which the phenomenon of guilt acquires its own objectivity. This

objectification is carried out through awareness of guilt, that is, feeling and conceptualising it. The category of guilt determines the degree of this awareness. Admittedly, awareness not only by the direct subject of guilt, but also by the environment, the environment to which this degree of awareness of guilt serves as the basis for incriminating the charge.

At the same time, the category of guilt in both political and moral aspects has not yet become an independent subject of research. Almost all scientific research and journalism identify guilt with culpability. However, these really related phenomena do not coincide in their essence. In addition, the category of culpability, when it comes to such a tragedy as war, gets a special resonance, becomes a priority.

A certain proof of this is the mentioned work by K. Jaspers "Question of guilt". However, all its content actually reveals the phenomenon of guilt of the Germans as instigators of the Second World War. It is no coincidence that V. Bachinin translates this work under the title "Questions of culpability" [9, p. 147].

To clarify the essential nature of guilt, obviously, it makes sense to consider this phenomenon within three epistemological categories: general, individual (separate), and special, where the general is an actual guilt as a reproach of conscience, a specific guilty act as a single act, and culpability as a special concept that expresses the degree of guilt for violating a social contract, an agreement that gives guilt the status of public conscience. That is, culpability objectifies guilt, makes it, so to speak, an additional phenomenon for the subject, an object of redemption and repentance.

Since it is the state that guarantees the implementation of this social contract, its citizen bears their measure of public responsibility for national policy, forms their guilt for violating the principle of justice, for observing human rights and freedoms.

In this case, the Russian state, with its propaganda influence, actually eliminates the possibility of the public developing guilt for the unleashed war against Ukraine, imposing on the Russians a false thesis of the need for denazification of Ukraine, which tries to justify aggression. This stereotype does not create a sense of guilt for aggression, but on the contrary, creates in the public consciousness of Russians an idea of its legality and the absence of guilt among its specific subjects. This also imposes responsibility on the state as a subject of guilt. In this case, it is a natural conclusion that such a state, being a political organisation of society, needs political, moral condemnation, and legal condemnation. As an organisational subject of politics, a state that violates political norms and international and domestic obligations acquires the status of a subject of political guilt responsible for aggressive policies. Due to its particular danger to both Russian citizens and humanity as a whole, it must be limited in its ability to influence international politics and its ability to continue the war against Ukraine.

Such actions of the Russian state should be properly evaluated not only in Ukraine, but also on an international scale. In particular, "the Seimas of the Republic of Lithuania recognises the full-scale armed aggression against Ukraine by the armed forces of the Russian Federation and its political and military leadership, which began in 2022, as genocide of the Ukrainian people", and "Russia is a state that supports and commits terrorism", including since the armed forces of the Russian Federation "deliberately and systematically choose civilian targets for bombing," – says the document

published on the parliament's website. Among the crimes that the Russian army is involved in in Ukraine, Lithuanian deputies named mass killings, including children, kidnappings, torture, rape, shelling of civilian facilities – hospitals, maternity hospitals, schools and kindergartens, blockade of settlements, obstruction of the delivery of humanitarian aid and evacuation of civilians, seizure and deliberate destruction of infrastructure necessary to meet the basic needs of the population [13].

Famous sociologist and philosopher Z. Bauman, studying the issue of genocide (on the example of European Jewry), suggests looking at the genocide (Holocaust) not as a manifestation of the fragility of civilisation, but as evidence of its powerful collective potential. At the same time, he believes that the roots of genocide have the nature of modernity, the important features of which are nationalism, the construction of an artificial social order, rational bureaucratic management, etc. [14].

According to the British journalist D. Patrikarakos, the Russian-Ukrainian war is a new type of war, where the world of conflicts of the old type finally gave way to the new world. As he writes, “the boundaries between politics and war have never been so blurred, and politics has never been so unstable” [15]. His field research on the territory of Ukraine demonstrates the interweaving of military operations and information carried by “operatives of the 21st century” (media professionals) and which forms public opinion and manipulates public perception of everything that happens in reality (retells isolated cases for generalisation and “collectivisation” of what is done through mass participation).

Another of the largest researchers of the problems of genocide A. Jones emphasises the human dimension of this tragedy: it is human collectives (even vulnerable and oppressed) that are able to initiate genocide [16, p. 19]. He also draws attention to the fact that he described examples of specific genocides in very general terms, but this does not mean complete abstractness and depersonalisation, because one way or another this crime against humanity, as a rule, concerns one people in relation to another.

K. Jaspers, noting that the people are not responsible, at the same time addresses his book to the “silent majority” of the population, with the connivance of which (its collective and individual responsibility) the Second World War became possible.

For this majority, he introduces and justifies such two types of guilt: moral and personal (existential). Moral, like reproaches of the conscience of “the whole nation”, to which a false, falsified conscience was imposed, which led a significant part of the population to self-deception. The victims of this falsified conscience were not only the population, but also soldiers who carried out criminal orders. Existential guilt, as a self-awareness of the guilt of each individual person in the fact that they did not do everything to prevent and prevent what the political rulers did. In other words, it is about forming a sense and understanding of the degree of one's own guilt for crimes, although committed by others.

At the same time, Jaspers considers only one repentance as an atonement for guilt insufficient, the main thing is specific actions of each person to restore a true sense of conscience, to prevent its distorted understanding in the future. Admittedly, this ideology was positively received by the German public, which allowed this state and nation to take its rightful place in the European family.

In this regard, the concept of “collective guilt” of Russia, which is now actively postulated in scientific publications and journalism, requires a critical rethinking. In particular, K. Jaspers, emphasising the “limitations and harmfulness of the thesis of collective guilt”, stated that “there is no such thing as people in general” [12]. He wrote: “It is quite obvious that it is pointless to place moral blame on all people, and to blame the entire nation for the crimes of its individual representatives. The moral and metaphysical aspects of guilt imply an internal transformation of the individual, which is impossible on a collective level. As for criminal guilt, in this case, punishment is possible only for those people who directly participated in the commission of crimes” [12]. Notably, the “metaphysical” type of war is considered by Jaspers as existential and personal.

Thus, K. Jaspers argues that what really takes place is not the collective guilt of the German people, but their “collective thinking”, acquired by them in the conditions of a totalitarian fascist regime. He recommends that each individual be freed from the legacy of this collective thinking as soon as possible, since “any real change occurs only through the individual” [12].

This recommendation should be especially addressed today to Russians, where the collective-choral, herd thinking acquired by them during the Soviet era and the rule of the Putin regime has become the object of information manipulation, in particular, Ukrainophobic. According to K. Jaspers, such purification from the depth of guilt awareness should become the main concern of a person, and not the complacency of simple animal-type existence [12].

This rejection of the concept of “collective guilt” is also supported by H. Arendt, emphasising its social harmfulness: “The result of this spontaneous recognition of collective war was an extremely successful (though unintentional) whitewashing of all those who really did something... where everyone is to blame, no one is to blame.” At the same time, the researcher makes a categorical conclusion: “There is no such phenomenon as collective guilt or collective innocence; guilt and innocence have meaning only in relation to an individual” [5, p. 60].

But it is not just the practical harmfulness of such a concept, focusing on collective guilt somehow reduces the potential for the guilt of the real perpetrators, in particular, Putin and his political apologists, for the crimes they commit. First of all, the legality of using the term “collective guilt” itself is questionable. After all, the word “collective” means the unity of interests of people belonging to a particular community. As for the collective guilt of the Russians, they have no unity of interests. A significant part support the Putin regime or are indifferent to its atrocities. The minority today protests and fights against the war, sacrificing their position and freedom.

Obviously, these latter can be blamed for not doing everything possible to prevent this war and other crimes. But only these people themselves can incriminate themselves to the extent, to the extent of their perceived guilt. Thus, guilt cannot be collective in any way, it is only individual. At the same time, guilt is a factor of general responsibility of society in its entirety, especially when it comes to the totalitarian regime that has developed in Russia. According to H. Arendt: “Total power extends to all aspects of life, not just political ones. A totalitarian society... completely monolithic... There is not a single, at least any socially significant position... from whose

representatives it would not be required to unconditionally support the accepted principles of behaviour. Anyone who takes part in public life, regardless of whether they belong to the party or the ruling elite, is somehow involved in all the actions of the regime as a whole" [5, p. 65].

Thus, the relationship between the categories of guilt and responsibility is specific. Collective responsibility exists, but so-called collective guilt does not. A person (community) is responsible for the fact that they exist, act, even for their inaction. Responsibility, so to speak, is an eternal category, it is consonant with existence itself, it is an attribute feature of human existence. Guilt does not have such a quality; it is only a partial, transient, variable case of existence. Its essence is only in the violation of the existing. The attributive nature of responsibility is the ability to give an answer for what has been done and not done, violated, and undisturbed before the law and conscience, that is, it can only be conscious.

K. Jaspers thoroughly analysed the culpability of almost all strata of German society: criminals, those who support the war, the indifferent, those involved, observers, etc. At the same time, he made an unambiguous conclusion about the general sense of responsibility of each citizen, and therefore, of a particular community as a whole, for what they have done. The terms "individual guilt" and "collective guilt" for K. Jaspers is not a sophism, but a stubborn reality, a condition for bringing to justice (legal, political, moral, metaphysical) all those responsible.

The specificity of moral responsibility is that it reflects the fact that personal behaviour corresponds (does not correspond) to social customs, traditions, and public assessments of certain events, that is, it reflects the real connection of a person with other people and its influence on public opinion in general, so it is quite evidentiary and legitimate to consider the existence of collective responsibility of Russians for the unleashed war against Ukraine in the form of individual and solidary guilt of the Russian national, professional, and social community for what has been done. K. Jaspers writes "This is the fate of every person – to be woven into the way of power, due to which it lives. This is the inevitable fault of all, the fault of human existence. Non-participation in the struggle for power in the meaning of serving the law is the main political fault, which is at the same time a moral fault" [12].

Therefore, the guilt of Russian society is a consolidated feeling of each of its participants: ("indifferent", supporters of the "Russian world", all those involved in the war unleashed by Russia against Ukraine) for violence against the Ukrainian people. In support of this, M. Samuilik makes the following conclusion: "Consolidated responsibility of civil society subjects arises in the course of their activities and the activities of its institutions – political parties, public associations, etc." [10, p.53].

In this case, the term "consolidated" responsibility more successfully reflects the content of collective responsibility, considering both the general sense of guilt and the specific guilt of each citizen. As stated by O. Petukhova [8]: "consolidation is primarily a joint activity of government bodies and institutional structures of civil society; it is a consent based on trust and solidarity of views, joint efforts of citizens, the state, political and public organisations", in fact, an organisational association of public life at all levels of its functioning and development.

This category is practically embodied in the idea of "social solidarity as a social state of unity of common interests, inherent in humanity throughout its history. "Solidarism" means common interests and unanimity of actions, unity, interdependence, common responsibility [8, p. 131]. Notably, the term "solidarity" is also used by K. Jaspers: "In relation to moral guilt, one can truly speak only ... to people in solidarity with each other" [12].

Thus, all social partners of the Russian public should bear a common, consolidated responsibility for Russia's aggressive policy towards Ukraine, where everyone's guilt is conditioned by the awareness of their own responsibility to conscience and the law for solidarity with the current political Russian regime.

Analysing the guilt of each of the strata of the German population, K. Jaspers synthesised it into a common guilt of a particular society, implemented through the consolidated responsibility of the entire society. Thus, he has armed us today with new knowledge to understand the indisputable consolidated solidary guilt of the Russians.

As for those Russians who support the war against Ukraine, it is necessary to rid them of propaganda bias, to free them from false propaganda stereotypes, to reveal the truth about Ukraine, its real and historical past.

At the same time, as for the Ukrainian community in the temporarily occupied territories, in addition to their awareness of their share of responsibility for what they have done, it is necessary to encourage them to engage in a constructive dialogue, the platform of which should be not so much ideological and political as universal values. This is primarily the right to life, to a safe existence (individual and in the family, collective, community, etc.). It is these, so to speak, pain points and the implementation of information influence on them that should contribute to the growth of this category of people's awareness of their national mentality as immunity against separatism.

Conclusions

The problem of guilt and culpability of Russians for military aggression against Ukraine has now acquired the status of a worldwide resonant factor that threatens the very existence of humanity and its civilizational development.

The phenomenon of guilt has acquired a new meaning in the current conditions of the Russian aggression against Ukraine, namely – the problem of incriminating those Russian citizens who are not directly involved in the war, but their political position serves as a factor of its support and further escalation, has become acute.

This category of Russian citizens should be considered not abstractly, but by carrying out their gradation according to the political principle: supporters of the so-called "Russian world", indifferent, and observers, which is conditioned by the need to determine and consider the degree of guilt of each of these strata for the consequences of their actions or omissions.

In this context, the analysed work by Karl Jaspers has actually become extremely relevant for the modern world. After all, despite the position that the entire people are not responsible, the author addresses his book to the "silent majority". By analogy, it is precisely because of the indifference of such a majority of Russian citizens that the threat of a Third World War has now become quite real. And here it is necessary not only to focus on individual guilt, but also to pay attention to the concept of consolidated (joint) responsibility

of Russians for what they have done. The term “consolidated guilt”, as noted, is the most appropriate category in terms of collective guilt and responsibility. Consolidation is essentially a type of social obligations of citizens to the state, civil society institutions and the overall society, and allows fully considering the specifics of assessing the behaviour of each individual category of citizens.

Considering the above, it is necessary to develop a whole cycle of measures to activate the implementation of anti-Russian propaganda in the latest information and security paradigm, which should become a likely area for

further study. At the same time, it is necessary to rethink the phenomena of statehood, national identity, and collectivity in the context of the current state of the globalised world and an adequate understanding of the content of the latest phenomena and processes caused by the increasing aggression of the current Russian Federation against Ukraine and world democracy as a whole. Such an information and security paradigm should be able to contribute to the development of the most optimal solutions based on large-scale service predictive analytics, considering all the many factors of the current situation and designing possible solutions to it.

References

- [1] Jaspers, K. (1946). *Die Schuldfrage. Ein Beitrag zur deutschen Frage*. Heidelberg: Lambert Schneider.
- [2] “Pushkin and Putin say the same thing.” Danylo Sudyn on “good Russians” and imperial ambitions. (2022). *ZAXID.NET*. Retrieved from https://zaxid.net/pushkin_i_putin_govoryat_te_same_n1543938.
- [3] Arkhangel'skiy, A. (2022). Release from conscience. Andrey Arkhangel'skiy on collective guilt. *Radio Free Europe/Radio Liberty*. Retrieved from <https://www.svoboda.org/a/osvoboditj-ot-sovesti-andrey-arhangeljskiy-o-kollektivnoy-vine/31828510.html>.
- [4] Arendt, H. (2013). *Banality of evil. Trial of Eichmann in Jerusalem*. Kyiv: Dukh i Litera.
- [5] Arendt, H. (2013). *Responsibility and judgment*. Moscow: Publishing House of the Gaidar Institute.
- [6] Jasieński, B. (1986). Conspiracy of the indifferent. In *Main culprit* (pp. 217-448). Moscow: Pravda.
- [7] Ponomarenko A.B., & Kovalov D.V. (2019). Political responsibility of the people. *Political Life*, 1, 31-36. doi: 10.31558/2519-2949.2019.1.4.
- [8] Petukhova, O.V. (2015). Consolidation: Definitions and types. *Investments: Practice and Experience*, 3, 130-135.
- [9] Bachinin, V.A. (2006). *Encyclopedia of philosophy and sociology of law*. St. Petersburg: Yurtsentr.
- [10] Samuilik, M.M. (2019). Political responsibility of the civil society and its hybrid deformation in modern conditions. *Politicus*, 3, 50-54.
- [11] Koonz, C.A. (2003). *The nazi conscience*. Cambridge, Massachusetts: The Belknap Press of Harvard University Press.
- [12] Jaspers, K. (2020). To the question of German guilt (excerpts). *Ukraina Moderna*, 28, 362-395.
- [13] Saakov, V., & Sotnikov, D. (2022). The Seimas of Lithuania recognized the Russian Federation as a terrorist state. *Deutsche Welle*. Retrieved from <https://www.dw.com/uk/seim-lytvu-oholosyv-rosiiu-terorystychnoiu-derzhavoiu/a-61747219>.
- [14] Bauman, Z. (2022). *Modernity and the Holocaust*. Kyiv: Dukh i Litera.
- [15] Patrikarakos, D. (2019). *War in 140 characters: How social media is reshaping conflict in the twenty-first century*. Kyiv: Yakaboo Publishing.
- [16] Jones, A. (2019). *Genocide: A comprehensive introduction*. Kyiv: Dukh i Litera.

Список використаних джерел

- [1] Jaspers K. Die Schuldfrage. Ein Beitrag zur deutschen Frage. Heidelberg: Lambert Schneider, 1946. 106 p.
- [2] «Пушкін і Путін говорять те саме». Данило Судин про «хороших русских» та імперські амбіції. *ZAXID.NET*. 2022. URL: https://zaxid.net/pushkin_i_putin_govoryat_te_same_n1543938.
- [3] Архангельский А. Освободить от совести. Андрей Архангельский – о коллективной вине. *Радио Свобода*. 2022. URL: <https://www.svoboda.org/a/osvoboditj-ot-sovesti-andrey-arhangeljskiy-o-kollektivnoy-vine/31828510.html>.
- [4] Арендт Х. Банальність зла. Суд над Айхманом в Єрусалимі / пер. з англ. А. Котенка. Київ: Дух і Літера, 2013. 367 с.
- [5] Арендт Х. Ответственность и суждение / пер. с англ. Д. Аронсона, С. Бардиной, Р. Гуляева. Москва: Издательство Института Гайдара, 2013. 352 с.
- [6] Ясенский Б. Заговор равнодушных. *Главный виновник*. Москва: Правда, 1986. С. 217–448.
- [7] Пономаренко А.Б., Ковальов Д.В. Політична відповідальність народу. *Політичне життя*. 2019. № 1. С. 31–36. doi: 10.31558/2519-2949.2019.1.4.
- [8] Петухова О.В. Консолідація: сутність і види. *Інвестиції: практика та досвід*. 2015. № 3. С. 130–135.
- [9] Бачинин В.А. Енциклопедія філософії і соціології права. Санкт-Петербург: Юрцентр, 2006. 1093 с.
- [10] Самуйлік М.М. Політична відповідальність громадянського суспільства та її гібридні деформації в сучасних умовах. *Politicus*. 2019. Вип. 3. С. 50–54.
- [11] Koonz C.A. The nazi conscience. Cambridge, Massachusetts: The Belknap Press of Harvard University Press, 2003. 368 p.
- [12] Ясперс К. До питання німецької провини (уривки) / пер. з нім. Р. Свято. *Україна модерна*. 2020. № 28. С. 362–395.
- [13] Сааков В., Сотников Д. Сейм Литви визнав РФ терористичною державою. *Deutsche Welle*. 2022. URL: <https://www.dw.com/uk/seim-lytvu-oholosyv-rosiiu-terorystychnoiu-derzhavoiu/a-61747219>.
- [14] Бауман З. Модерність і Голокост / пер. з англ. К. Дисси. Київ: Дух і Літера, 2022. 344 с.
- [15] Патрикаракос Д. Війна у 140 знаках. Як соціальні медіа змінюють конфлікти у XXI століття / пер. з англ. І. Рудько. Київ: Yakaboo Publishing, 2019. 352 с.
- [16] Джонс А. Геноцид: вступ до глобальної історії / пер. з англ. К. Дисси. Київ: Дух і Літера, 2019. 696 с.

Вина та відповідальність громадян Росії за агресію проти України: сучасне прочитання Карла Ясперса

Володимир Арсентійович Яценко

доктор юридичних наук, професор, головний науковий співробітник Державної наукової установи «Інститут інформації, безпеки і права Національної академії правових наук України»
01024, вул. Пилипа Орлика, 3, м. Київ, Україна

Ольга Михайлівна Балинська

доктор юридичних наук, професор, проректор
Львівського державного університету внутрішніх справ
79007, вул. Городоцька, 26, м. Львів, Україна

Анотація. Мета дослідження – проаналізувати проблеми вини та обґрунтувати доцільність встановлення колективної відповідальності російських громадян за агресію проти України. Використовуючи теоретичний спадок німецького вченого К. Ясперса, автори обґрунтовують власний підхід до трактування концепції вини та відповідальності як окремої людини, так і громадської спільноти загалом у контексті війни, яку росія розв'язала проти України. Актуальність проблеми полягає в інкримінації морально-політичної винуватості російським громадянам за військову агресію проти України й у доцільності того, аби вони усвідомили особисту солідарну частку вини та відповідальності за те, що вчинило політичне керівництво та військовослужбовці російської федерації. У статті висвітлено діалектику співвідношення особистісної вини і так званої колективної винуватості російської громадськості, яка повинна нести основну відповідальність за політику і злочинні дії своєї держави. Наголошено, що вирішення цієї проблеми значною мірою пов'язане з тим, аби всі громадяни держави-агресора усвідомили свою причетність до злочинних дій і спокутували вину. На основі теоретичної спадщини К. Ясперса розвинуто тези щодо феномену вини, її різновидів відносно періоду фашизму в Німеччині та застосовано ці підходи до аналізу агресивної політики росії. У центрі уваги дослідження – моральнісно-екзистенційна методологічна парадигма вини як визначальний чинник її усвідомлення. Використано також прийоми та способи порівняльного аналізу поведінки німців під час Другої світової війни та росіян в умовах сьогодення, екстраполяції досвіду денацифікації німецького народу на російську аудиторію. Обґрунтовано висновок про необхідність того, щоб винуватці понесли не лише особистісну кримінальну відповідальність, а й консолідовану політичну та моральну відповідальність російської нації, спільноти, громадськості загалом за війну проти України, відчувати потребу змінити тоталітарний політичний режим у росії як небезпечний для всього людства. Ця розвідка буде корисною для всіх, хто цікавиться проблемами сучасного політико-правового континууму, породженого російсько-українською війною

Ключові слова: винуватість, моральна вина, метафізична (екзистенційна) вина, російська громадськість, вина безпосередня і опосередкована, колективна вина