

THE CASE FOR AMBIGUOUS AGREEMENTS IN U.S.-RUSSIAN RELATIONS

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“I am not risking my head when I promise to teach my donkey to read—in twenty years one of us will surely die—either myself, or the emir, or the donkey.”
- [Hodja Nasreddin \(XIII century\)](#)

Challenges have been piling up in U.S.-Russian relations over the last five years. Confrontations—from arms control crises and Moscow shutting down NGOs to the Ukraine and Syria conflicts and sanctions regimes—will continue unless either government opts for a significant policy change. These policy disagreements largely result from core differences in perspective between Washington and Moscow on the fundamental issues of what constitutes the global and regional “order.” Given these deep-seated contradictions, the best chance to enable substantive U.S.-Russian negotiations on matters of regional and global concern could lie in aiming for agreements with ambiguous outcomes. Such agreements would set in motion a certain rules-based process that would be expected by each party to lead, with time, to a satisfactory solution without pre-determining that solution at the time the initial negotiation is concluded.

While for Russia, regime change in Eurasia or the Middle East carries the promise of instability and even chaos, for the United States, under any administration, such events are likely to be considered progress toward democracy and, as a consequence, stability in the longer run. In a similar vein, a reduced role by the United States in the European security architecture would be welcomed by Moscow as an opportunity for a mutually beneficial alliance between Russia and Europe, while Washington would normally argue that a U.S. pullout from Europe would result in scores of old and new conflicts breaking out due to the absence of a stabilizing force.

At first glance, such a discrepancy in visions for a desirable world order makes any long-term cooperative initiatives involving the two sides unrealistic, so that only tactical *ad hoc* cooperation can be negotiated. Short-lived periods of U.S.-Russian cooperation at

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the beginning of the 1990s, 2000s, and 2010s appear to bolster that assessment. If agreeing on the fundamentals of worldviews is difficult while distrust is at an all-time high, it is hard to see how the United States and Russia could agree on the outcomes of any processes that they set in motion. Any clear outcome would be assessed by each side against the backdrop of its preferred shape of the world order, which guarantees a stark difference in assessments. Indeed, Moscow and Washington have long suspected each other of hidden agendas and plans to gear end-results of their joint efforts to parochial needs. And yet there may be one usually neglected path to an agreement, even if tacit, on some of the most contentious issues, such as NATO enlargement, deployment of conventional forces in Europe, interference in domestic affairs, and cyber operations.

How Does “Constructive Ambiguity” Work?

When preferences about outcomes are diametrically opposed, demonstrating commitment to the process is easier than finding clear-cut solutions. In such a situation, conflicting parties may be advised to avoid seeking full clarity about the outcome of an agreement and allow for reasonable differences in its interpretation. This means making agreements constructively ambiguous. Inking an ambiguous deal is different from ending a negotiation in failure, even if pledges are made for “continued engagement” or agreeing to postpone the resolution of a pressing issue (for example by “agreeing to disagree”).

The key to success of constructive ambiguity is allowing for a difference in what the parties expect to achieve with the agreement. A constructively ambiguous deal relies on variance in assessments of the ultimate outcome. In other words, the contracting sides frame (often unconsciously) their utilities in probabilistic terms. Assessing probabilities instead of seemingly guaranteed outcomes makes win-sets (the groups of solutions acceptable to both negotiating sides) substantially larger—for example, if one party favors bigger wins at lower probabilities (risk-prone behavior) while the other party prefers more assured but smaller wins (a risk-averse attitude).

The reality of the international arena is always more complicated, so usually none of the negotiating parties’ expectations actually materialize. What comes into being is usually an outcome unforeseen at the time of the original closure of a negotiation, with all or most stakeholders accepting it. This is because such an “unintentional” outcome is not perceived as orchestrated by the rival and because resuming the conflict to improve the outcome is often too costly.

In a way, the “constructive ambiguity” tactic leverages the stochastic (probabilistic, random) nature of the world—including the social world—to alleviate conflict and/or reduce the damage it inflicts on participating (international) actors. Leaving a difficult dispute to chance is sometimes the most sensible approach. It can be employed if each stakeholder is prepared to face an unpredictably evolving environment and expect

his/her own assessment of the distribution of benefits ultimately to be vindicated. To offer an analogy, a chess game cannot be decided without playing it—attempts to identify the winner before the game is started will be futile given its complexity.

In several recent cases, ambiguous agreements helped to achieve de-escalation when tensions were running high, to ensure predictability in relations between conflicting parties, and sometimes even to avoid the resumption of hostilities, arms races, or wars of words for sustained periods of time. Examples include the Soviet-German agreement on the withdrawal of Soviet troops from East Germany reached in 1990, the Iran nuclear deal, the Minsk II solution for Eastern Ukraine, and even the new U.S.-Russian START Treaty in force since February 2011.

The understanding reached between Soviet President Mikhail Gorbachev and West German Chancellor Helmut Kohl in the summer of 1990 envisaged Soviet troops withdrawing from East Germany in exchange for substantial loans from the Federal Republic of Germany. The agreement remained notably ambiguous on the prospects of united Germany's membership in NATO. Such ambiguity allowed each side to keep faith in its own interpretation of the deal and cleared the way for a final settlement. Adjudication between diverging interpretations was left to subsequent administrations in both countries. Controversy was not avoided or swept under the carpet, but rather postponed until a future date when resolving it became a "whole different story."

In another example, the Joint Comprehensive Plan of Action (JCPoA) on Iran's nuclear program left open the possibility of Iran scaling up uranium enrichment after the agreed restrictions expire in 15 years. While Tehran never ruled out such a course of action, international mediators believed that over the next 15 years the underlying motives of Iran's foreign policy would become more conciliatory toward its regional rivals and their Western allies. In any case, without sufficient ambiguity on the nuclear enrichment issue, JCPoA would not have been possible given Iran's record of standing up for its right to enrichment since 2005.

In a similar vein, deliberate ambiguity about the sequencing of political reform in Ukraine, on one hand, and restoration of Kyiv's actual control over the breakaway part of Donbas, on the other, allowed the stakeholders to sign Minsk II in February 2015 and significantly reduce the level of hostilities on the ground. While Moscow expected to be able to ensure legitimization in Ukraine of the incumbent rulers of the separatist "people's republics," Kyiv and its allies planned to re-establish full control over the breakaway entities after taking over their eastern border with Russia.

Finally, the New START Treaty only made it through the ratification process thanks to an unresolved divergence of views on the treaty's implications for missile defense. While the U.S. Senate refused to recognize any restrictions on missile defense development and deployment when ratifying the treaty in December 2010, Russia assumes that the

language of the treaty's preamble points to a linkage between reducing strategic arsenals and limiting missile defenses. Had the two sides sought definitively to resolve the missile defense controversy, they would have found concluding the negotiation on the treaty to be extremely difficult. Instead, Moscow apparently took into account the immense technological difficulties associated with building effective missile defenses while Washington believed that Moscow would never walk out of a key arms control agreement even if U.S. missile defense programs achieved substantial progress.

Current Opportunities

The United States and Russia could overcome a number of major controversies and reduce tensions if they were open to constructive ambiguity when negotiating agreements. Most of those agreements would not be formal—at least at the initial stage—and would instead rely on credible mutual signaling and other forms of tacit negotiation.

First, a compromise on NATO enlargement could be reached through an informal understanding whereby Russia commits not to destabilize countries that seek entry into NATO while the alliance guarantees that it will openly and clearly explain the net security benefit for NATO from accepting a certain candidate. Such agreement would not compromise the “open door” principle espoused by the alliance. At the same time, it would give Russia an opportunity to offer credible security guarantees to the candidate country if NATO's purpose in accepting the candidate turns out only to be addressing the candidate's fear of Russia (not increasing the security and stability of the alliance as a whole). That might be enough immediately to defuse the “enlargement bomb” while giving both sides enough room for maneuver in domestic politics and alliance commitments. In the future, changes in the regional or global security environment or shifts in mutual attitudes between Russia and NATO may water down the acute differences surrounding enlargement at the current stage.

Second, the problem of alleged mutual interference in elections and domestic politics in general has now spilled over into the cyber domain and acquired a European dimension, as the 2017 presidential campaign in France has demonstrated. To address this problem, Moscow and Washington [could make](#) a joint declaration (for example, at a presidential meeting) promising not to undertake covert action in the run-up to elections in order to support or undermine a particular candidate or political party. That would significantly reduce the risk of a sharp confrontation, but remain ambiguous on the issue of longer-term U.S. and Russian efforts to support political change in, respectively, Russia and the United States. The U.S. administration would not compromise its commitment to promote democracy (despite the tactical move by the State Department under Secretary Rex Tillerson to distance itself from democracy-building) while the Kremlin would feel that its hands remain free to pursue long-term relationships with friendly politicians and forces in European countries. Attempts to agree on complete

non-interference in politics in Russia, the United States, and its European allies would likely destroy any prospect for an agreement.

Third, risks associated with Russian and NATO conventional arms postures in Europe may be easier to reduce if the sides agree not to undertake “provocative” deployments and maneuvers. That would signify a return to the initial rationale for the Mutual and Balanced Force Reductions (MBFR) negotiations and increase stability in one of its few meanings shared by Moscow and Washington. While such an agreement would imply a consistent effort to de-militarize the Donbas breakaway republics, a deal on advance warning about large-scale exercises, and perhaps also NATO’s commitment not to build large-scale military infrastructure around the Baltic Sea, the size of permissible contingents engaged in maneuvers need not necessarily be specified and would only be subject to reasonable limits arising from the definition of the term “provocative.”

“Constructively ambiguous” solutions may also be available in the cyber domain or on the future of Syria. Allowing for time to show the way toward mutually acceptable solutions may be preferable to throwing more oil on the fire of the ongoing confrontation between the United States and Russia.

Conclusion

Agreements based on constructive ambiguity may be more attractive to the contracting parties because each of them has reason to believe that circumstances will eventually play out in their favor. The eventual outcome, as the historical record shows, is likely to be different from original expectations because of the fundamental difficulty of forecasting and strategizing in international politics. While in the end neither side may find its negotiating position vindicated, they would probably be less disappointed with the ultimate outcome and less likely to try to break out of the agreement or demand unrealistic compensation.

While the courses of both Russia and the United States have now been firmly set for conflict, policymaking on both sides remains highly volatile and *ad hoc*. This lack of strategic vision and ability to appreciate the win-win opportunities in the relationship have been rightly criticized by the detractors of both the Trump and Putin administrations, and yet the resulting volatility can be leveraged paradoxically for the benefit of regional (European) and global stability.