

Theory-Practice Interplay of Conflict Resolution: The 2008 Russo-Georgian War

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In the light of the ongoing Ukrainian crisis and the renewed fighting in Nagorno-Karabakh in April 2016, the almost forgotten events of August 2008 in South Ossetia deserve special attention. The military actions of Georgia against South Ossetia and ensuing peace enforcement operation of Russia have marked significant political, strategic and symbolic changes for all involved parties. The long-lasting conflict between Georgia and Abkhazia and South Ossetia escalated, the security landscape changed in the Caucasus and Russian relations with the EU and the US took a different shape. The five-day war of August presented a demanding challenge for both analysts and practitioners of conflict resolution.

Conflict resolution in research agenda and in an area of practice has been dominated by causal or positivist, traditionalist way of analysis. The post-positivist school, which is gaining in strength, advocates a constructivist understanding of conflicts. Both of these broad traditions have different sets of prescriptions and logic, although only effective combination of these schools can bear fruit for successful conflict resolution. This paper purports to argue that causal analysis can elaborate a good conflict resolution scheme. However, a constructivist approach is necessary to make a solution viable via creating a favourable environment and changing attitudes towards given material conditions.[1]

This paper uses the Russia-Georgia war of 2008 as a single case study. The analysis starts with a focus on the Medvedev-Sarkozy plan. It draws upon the existing studies of the roots and developments of the conflict (e.g. Francis, 2011; Nilsson, 2014) and immediately addresses the theory-practice interplay of conflict resolution. The first section, the use of causal theories, which looks at the roots of the conflict and at interests of the parties, helps to reveal the rationale of the diplomatic process reflected in the plan. The next section takes into account the failure of the plan to guarantee a lasting peace. Against this background, a different perspective of causal analysis presents a different way of applying theories which might help the practice of conflict resolution. The last section considers existing constraints of the proposed framework. Thus, a constructivist way of analysis is seen as capable of facilitating the peace process.

Theory-practice interplay and the six points of the Medvedev-Sarkozy plan

The undertaken research conceives the complexity of the diplomatic efforts used to settle the August crisis as an output of the causal theories' mechanism. The Medvedev-Sarkozy plan could be seen as a product of "social engineering of peace" (Kivimaki, 2015). By agreeing to sign this conflict settlement plan, all parties, from academic perspective, used the causal understanding of conflict resolution process. A decision maker had in mind that a particular factor (x) led to a result (y). Therefore, logically an inference was made that by eliminating or changing the power of factor (x) in the matrix of the conflict stakeholders' interests, it is possible to offer a proposal which will be accepted by other parties.

The logic of causation clearly underlies several points of the Medvedev-Sarkozy plan. To start, the first point "No recourse to the use of force" and the second "Definitive cessation of hostilities" (Security Council S/2008/570, 2008) are engineered within the frustration hypothesis. The idea of conflicts stemming from "frustration of specific

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demands” was initially coined by Coser (1956, p. 49). This idea became a part of conflict resolution mechanisms in the work of Burton, who argued that “internal or personal problems” spill over and are used to “divert attention” in international conflicts (Burton, 1996 in Wallensteen, 2002, p. 41). The positivist reasoning is concerned with the actions of the Georgian government preceding the scrimmage on the 8th of August. The frustration in this case is the desire of political elites, and the president Micheil Saakashvili in particular, to re-establish the territorial integrity and put an end to the question of South Ossetia. The precipitating cause is the determination to use the blitzkrieg strategy and in a speedy manner to regain the control of South Ossetia by the use of force. The fact of the latter is acknowledged in the Tagliavini’s report (IIFMCG, 2009). Here the first and the second points of the plan are logically intertwined. As the both Georgian (loser) and Russian (winner) sides were comfortable with not continuing fighting, these points were welcomed and adopted. A strategic dimension recognises an inclination of a state to use force/start hostilities (realist nature of politics) as a given objective factor. That is why there were no attempts to address this phenomenon in this case, as for instance a constructivist analysis could have done. In this regard, the causation rationale here simply prescribes that by avoiding the use of force and ceasing hostilities (i.e. the causal factor) by all parties, the frustration was suppressed and the process of the conflict resolution was set in motion.

The third point “Free access to humanitarian aid (and to allow the return of refugees)” (Security Council S/2008/570, 2008) is subordinate to the previous points. It serves as a next consistent step in the process of the conflict settlement in the framework of a de-escalation model (Ramsbotham, 2011, p. 12). The necessity of this point stems from presuppositions which can be found in the basic human needs theory (Maslow, 1970) and in the theory of obligation (Nockerts and Van Arsdale, 2008). Although obvious in practice, the conceptualisation of this question is in a way complex and also could be supplemented by the aforementioned concept of frustration. Taking all this into account, one may assert that the suffering of people as a result of an armed conflict might create frustration. Eventually it could worsen the situation on the ground which could be used by one of the parties for a renewal of hostilities. This theoretical reasoning demands alleviating people’s grievances through the provision of humanitarian aid and the guarantees of the safe return of refugees to their homes.

The fourth point “Georgian military forces must withdraw to their normal bases of encampment” and the fifth point “Russian military forces must withdraw to the lines prior to the start of hostilities” (Security Council S/2008/570, 2008) should be seen as an embodiment of the military tactic aspect of the first two points. The fifth point also envisaged that the Russian peacekeeping forces will continue to provide security along the border of South Ossetia until the implementation of international mechanisms (ibid.). It seems necessary here to make clear why the Georgian (loser) and the Russian (winner) sides agreed on this proposal. The assumptions are that Georgia lost its initial political and military advantage. And in the light of the absence of substantial support from western powers, the Georgian government managed at least to secure its domestic political position and territorial integrity within the borders, excluding Abkhazia and South Ossetia which were not de-facto controlled (Markedonov, 2015). Russia in this point avoided the internationalisation of the conflict resolution process, which might have ignored the interests of Russia, and was by and large satisfied with the status quo ante bellum. Having this in mind, the fourth and fifth points are seen as the result of reasoning within the deterrence theory.

Based on the seminal paper of Schelling (1966), Huth (1999) spoke about a group of deterrence tactics. He specifically focused on the strategy of immediate deterrence which is understood as using threats in response to actions undertaken by the other party, and therefore it serves as a tool to prevent or de-escalate a military conflict (ibid.). In this case, the initial step of Georgia to come close to the borders of South Ossetia and then attack its capital could be seen as a first-strike attack intended to deter planned or impending military attack from Russia. One may note that this was an example of when deterrence failed due to the underestimation of the other’s capabilities to respond. The Russian support to its peacekeeping forces was a tit-for-tat response and then ordered a further deployment. In this chain of mutual deterrence, the causal analysis from a military perspective, would identify the progress of both armies as a trigger of hostilities. In this vein, as was mentioned above, coming back to “the bases of encampment” and “the lines prior to the start of hostilities” (Security Council S/2008/570, 2008) paved the way for the conflict de-escalation. In this theoretical framework (and in the light of aforementioned assumptions) both parties as rational actors did not then have incentives to resort to deterrence any longer.

The sixth point “Opening of international discussions on the modalities of lasting security in Abkhazia and South

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Ossetia (based on the decisions of the UN and the OSCE)” (Security Council S/2008/570, 2008) could be seen as a more sophisticated step, and specifically as an element of structural peacebuilding (Ramsbotham, 2011, p. 16). The caveat here is that it was later reformulated and envisaged “Provision of international guarantees of ensuring stability and security...” (MFA of Russian Federation, 2008) which was accepted by the parties. The rationale of this point also fits the hypothesis of deterrence. From a military standpoint, a third-party presence trusted by others (e.g. UN/OSCE mission) diminishes the opportunity of a face-to-face confrontation and recurrence of hostilities.

The following developments showcase how the conflict settlement stalled and failed to become a constructive conflict resolution process. This section looks at the downside of the negotiation process. The previously mentioned caveat implies the differences in Russian and in English/French versions of the plan. It was interpreted differently in the three languages and Russia has been accused of not fulfilling the plan’s requirements. A hasty decision of Russia to strike a deal was later treated as leading to an uncontrolled internationalisation of negotiation process which goes against the interest of Russia. Using the terminology of the game theory, Russia decided to cheat in this game. The actions of Russia can be hypothesised within the scope of offensive realism (Mearsheimer, 2001) and general deterrence (Huth, 1999). Causal rationale implies that internationalisation of the process is a threat and it should be considered as an arising threat and hence deterred with the help of military and political instruments (*ibid.*). Instead of accepting a new status quo, Russia acts as power-maximiser (Mearsheimer, 2001) and takes the side of Abkhazia and South Ossetia. This underlies the logic why Russia forced the recognition of Abkhazia’s and South Ossetia’s independence and in a unilateral way provided military security to the republics. This has become the outcome of the Kosovo precedent (often cited by the Moscow’s officials) and the bilateral deterioration of Russia-Georgia relations with regards to the Georgian government’s policy towards South Ossetia from 2004 to 2008.

The initial six-point plan was later supplemented by three new points centred on the continuing the work of the UN and OSCE missions alongside with a new one by the EU (MFA of Russian Federation, 2008). The dysfunctionality of this diplomatic attempt to save the negotiations lies in the fact that all previous international mechanisms were mandated by the Dagomys agreement 1992 and the Moscow agreement 1994 (Markedonov, 2015). After Russia had stopped to be a third-party to the Georgia-Abkhazia-South Ossetia conflict and Georgia withdrew from the agreements, a legal vacuum was constituted. Normalisation became impossible without the interaction of both Russia and Georgia, whereas Russia pointed at the sovereign status of the republics and demanded their recognition as a ground for a renewal of the conflict resolution process.

Harvard principled negotiation and conflict resolution

The Medvedev-Sarkozy plan did not bring a solution, on the contrary, the parties have found themselves in a “hurting stalemate” (Zartman in Wallensteen, 2002, p. 45). Recalibration of strategies and change in theoretical analysis can create a new set of factors which will determine a new conflict resolution process. In this regard, it seems vital to consider alternative creative peace formula. Before looking at a possible solution, it is necessary to make a disclaimer. Any contractual argumentation can be eventually boiled down to the fact that a proposal for the Russia-Georgia dispute over the republics is tied to the current historic context. In other words, due to the high internationalisation of the conflict, one should look at it in the light of relationships between the West and Russia amid the Ukrainian crisis. The view outlined further posits that it is important to switch off from the current processes of international relations for a moment in order to better understand the nature and developments of the case in point. The suggested ideas incorporate the interests of Russia, Georgia and the (un) recognised republics of Abkhazia and South Ossetia.

The subject specific terminology could define the Medvedev-Sarkozy plan as conflict settlement, whereas a more advanced proposal could be described as conflict resolution. The negotiations and the resolution process might take either a form of a package deal or be reviewed on a case-by-case manner (first South Ossetia and then Abkhazia or vice-versa). These are the questions of diplomatic tactics. What is important here is that theory-practice interplay in this case can be elaborated on a problem-solving approach as it was in the case of Camp David Accords (Kelman, 1998). This negotiation technique contends that it is interests, not declared positions which should be analysed by the parties (Fisher, 1999, pp. 20–42). When the interests are met on a mutually beneficial basis and promise better gains than a best alternative to a negotiated agreement – BATNA (*ibid.*), then a viable solution can be found. For the

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sake of illustration and analytical accessibility, this paper identifies the following BATNA: Russia – to support the republics and the status quo, not to resume diplomatic relations with Georgia without the latter recognising the republics as independent; Abkhazia and South Ossetia – to support the status quo, enjoy Russia's patronage, reject Georgia's sovereignty over its territories; Georgia – to insist on territorial integrity, continue considering the territories as occupied, and enjoy the support of the West. Thus, the challenge is to come up with a creative solution when the parties will reject their BATNA and seek a consensus decision respecting all genuine interests.

The key aspects in this framework are to identify the interests of the four parties while differentiating between the capabilities of Abkhazia and South Ossetia to keep a sovereign status in future. The traditional Russian concern in the Caucasus is the security of its own borders and avoidance of any risks of instability. Russia needs strong and reliable guarantees that the territory of Georgia or of Abkhazia and South Ossetia are not used as a springboard by a state or a non-state actor (terrorist group) to destabilise the republics of the Northern Caucasus. These calculations are made taking into account the legacy of the Chechnya campaigns and the clashes between Ossetian and Ingush forces in 1992. With this in mind, it is possible to assume that even partial sovereignty of the republics with peacekeeping forces insuring stability, as it was before 2008, will meet Moscow's interests. Only full territorial integrity of Georgia cannot be accepted, because it will effectively mean Russia gives ground and acknowledges its actions as incorrect.

The regional stability and the absence of threats emanating from the Russian Northern Caucasus also fully corresponds with Georgian national interests. Having finally accommodated the dispute over the status of the republics and normalised the relations with Russia, Georgia would be able to focus on its economic development and on new formats of relationship building with the republics. This is a pressing issue for Georgia especially in the light of the recent opinion poll published by the National Democratic Institute stating that top three concerns are economy related issues and also that the support for the pro-Atlantic vector dropped from 81% in 2013 to 65% in 2015 (NDI, 2015). Although full Georgian sovereignty over the territories of the republics is an unrealistic scenario after 2008 (Gegeshidze and Haindrava, 2011, p. 21), a Georgian government will need to justify the loss by getting something in exchange or by credible international guarantees (e.g. a referendum held with the UN/EU observers).

Turning to the case of Abkhazia, the problem-solving approach can take the following shape. Abkhazia has gone a long way to get independence. And it seems to be unimaginable in the current conditions that it will sacrifice this to be a part of Georgia or even Russia (Markedonov, 2014). The will of the Abkhazian people could be recorded in the referendum under the facilitation of international bodies which will thus legitimise the status of the republic and let it be recognised by Georgia. The issue of the Gali district (with over 90% of Georgians in its population (Potier, 2000, p. 128) could also be resolved in the referendum and letting it to be placed under the control of Georgia (Trenin, 2010). In this case the internationalisation of the negotiations will make the process more credible, and not contradicting Russian interest, since the outcome will be in its favour. This common denominator alongside with Georgia-Abkhazia dialogue will eventually lead to a decrease of Russian military support to Abkhazia and hence to escaping the security dilemma between Russia and Georgia (ibid).

Application of this framework to South Ossetia is an interesting case for analysis. South Ossetia has already tried to officially ask Russia to join it as a part of the federation in 2006 (Regnum, 2016). The fact that Russia has distanced itself from such an option shows that this is highly unlikely. However, it does not have any real potential to become a normal independent state, and equally it does not want to lose its new independent status. In respect to South Ossetia's case, scholars have proposed the so called "Andorra model" (King, 2008, p. 7; Trenin, 2010). South Ossetia will then have formal attributes of independence (e.g. a currency, a flag, etc.), but as in case of Andorra it will have a conjoint sovereignty, i.e. the political power divided between a local governor and a president of Georgia (ibid.). It will enable the presence of Russian and Georgian or mixed groups of peacekeepers mandated by interstate agreements. Russia will keep its political and military control over South Ossetia and ensure the stability of the region. Georgia will ensure a safe return of internally displaced persons and refugees and make away with the oppressor identity as well as save face by retaining a political stake in South Ossetia.

Contribution of constructivism. From conflict resolution to conflict transformation

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The outlined solution based on the problem-solving approach is a good representation of the situation when the key interests of the parties are met. However, it ignores, to some extent, a driving belt of such policy change or underlying motivation behind these decisions. One may claim that there are no real tangible incentives which would induce Abkhazia to put the Gali district under the control of Georgia or South Ossetia to acknowledge the necessity to share its sovereignty with Tbilisi. As academics of conflict resolution have noticed, this kind of antagonism existing in sovereignty conflicts qualifies as highly “intractable conflicts” (Francis, 2011, p. 35). Appealing to the aspects of the problem-solving approach, it is worth noticing that the parties may not be interested in finding objective criteria, in being reasonable and in not resorting to pressure (Fisher, 1999, pp. 75–90). It seems to be the case when profound policy modifications are impossible without, as Galtung noticed, developing a “positive peace” (Ramsbotham, 2011, p. 11). The terminology helps us then to frame it as conflict transformation which focuses on a deep change (ibid., p.9). And using the hourglass model it is possible to assert that unlike settlement and resolution, transformation of conflicts focuses primarily on normalisation and then on reconciliation of relations (ibid., p.14).

Thus, it is possible to assume that there are particular stumbling blocks which are seen as having a deterministic nature and impeding the restoration of peace. Constructivist way of thinking can help with overcoming or deconstructing these barriers. Wendt, the main proponent of this approach, argues that ideas formulate or construct identities and interests which are not simply a material dimension of reality (1999, p. 1). This assumption underlies the logic of constructivist research saying that factors leading to a conflict are not exogenous or deterministic, but are a product of social interaction and hence could be changed. The last section does not offer a step-by-step guideline policy for the conflict transformation. It rather shows, by focusing on particular aspects, how the constructivist perspective can help with deconstructing the conflict situation and creating a favourable environment.

At the level of Russia-Georgia relations, the aforementioned security concerns in the region could be reviewed. The common interests in stability and security force the parties to rely more on each other. To bolster this process, both parties can manipulate each other's identities. Russia should focus efforts on the deconstruction of a Georgian victim identity through building friendship in non-political spheres such as trade, logistics, human dialogue that eventually might reach a threshold and have a “spill-over effect” (Haas, 2004). In an international setting of Russian foreign policy, this could be viewed as signalling to the elites in Ukraine and in the West that Russia can find a common language even in an intractable conflict. Georgia in its turn should appeal to a great power identity of Russia acknowledging its role as a security provider. This could include accentuating the position of Russia as a counterweight to rising influence of Turkey and Azerbaijan. It might send a signal to Moscow that its concerns are considered and respected. As a result, it would be easier for both parties to address the Russian identity and/or strategic positioning as a patron to Abkhazia and South Ossetia. It should be emphasised that the parties would hence dismantle the stereotype of Russia allegedly being the only trouble maker in the Georgia's relationships with the two regions; and also strip away the illusion that a potentially weak Russia in future could be ignored and Georgia could take advantage of it (Gegeshidze and Haindrava, 2011, p. 23). Both in the case of Russia and Georgia, either of the parties will be going through three degrees of socialisation (Hill, 2006, p. 15). And reaching the third degree would mean that previous identities are deconstructed and a new identity is created (e.g. a partner/an ally in the Caucasus).

At the level of Georgia's relations with the republics, the analysis is complicated due to the ethnical dimension of the conflict and the difficult legacy of 1990s. Since a multifaceted approach requires separate research, the analysis is concentrated on the Gali district issue. Taking into account the infant stage of the nation-building process in Abkhazia, the predominantly Georgians populated Gali district could again become trouble for Sukhumi (Gegeshidze and Haindrava, 2011). For Abkhazia letting the Gali district to be put under the Georgian control in exchange for independence is not simply a diplomatic bargaining tool. It could and should (especially in the light of the post-Soviet legacy) be framed as a step allowing both national groups to live at home and in harmony. Abkhazia will not be able to form a united identity with an ongoing ethnical dispute with Georgia (ibid.). Eventually there will be barriers for a strong Abkhazian state to emerge. A sovereignty conflict ultimately hinges on the question of “favouring mutual recognition” (Zartman in Francis, 2011, p. 36). A mutual support of the Abkhazian identity formation will benefit Georgia, since it provides ground for a deconstruction of the Georgian oppressor identity and building beneficial trust-based relationships.

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Coming back to theoretical aspects of the framework, it is possible to generalise the presented empirical considerations. By manipulating and appealing to identities of the Other, each party tries to reinforce a positive cooperative behaviour. These steps bear in mind the principle of reflected appraisals, according to which the Self internalises an expected image constructed by Others (Wendt in Hill, 2006, p. 16). Instead of invoking old phobias and stereotypes, the parties in this case induce the Other to mirror a wishful image, which is a mutually beneficial one and leads to a further cooperation. The realisation of this pattern of behaviour would enable the parties to go from Hobbesian through Lockean to Kantian “cultures of anarchy” while developing cooperation and escaping intense security dilemmas (ibid.). This will subsequently reinvigorate the conflict transformation and application of solutions as in the example of the problem-solving approach.

The five-day war of 2008 and the nature of relations between Russia and Georgia together with the dispute over Abkhazia's and South Ossetia's status present an interesting case for analysis. The Medvedev-Sarkozy conflict settlement plan is the reflection of the diplomatic rationale which is revealed through a number of causative theories. In this respect, this paper views the deterministic nature of the plan as a reason for its failure to establish a lasting peace. The theory-practice interplay of conflict resolution is demonstrated by the application of Harvard principled negotiation or problem-solving approach. However, it is argued that although this approach offers a creative solution, it does not address the issue of underlying motivation behind these decisions. It is against this background that the constructivist approach can help the practitioners to change the attitudes of the parties and eventually to transform the whole setting of the conflict.

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[1] Due to its limits, this paper does not claim to be either an overarching description of events (e.g. activities of particular NGOs on the ground), or a guideline policy draft. It rather serves as an important illustrative analysis of how academic perspectives are/could be behind real conflict resolution

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