Deploying Sanctions while Protecting Human Rights: Are Humanitarian "Smart" Sanctions Effective?

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Human rights advocates suggest that traditional trade sanctions do the most damage to innocent populations, while leaving political and economic elites largely unscathed. The result is an ineffective policy that, at its worst, rises to the level of human rights violations. In response, human rights advocates have offered smart sanctions that target elites rather than the general population. However, if smart sanctions are to offer a practical humanitarian alternative for governments, then policymakers must have demonstrated evidence that such sanctions are also more effective. Otherwise, governments are left with an unattractive trade-off between effective sanctions policy and the protection of human rights, and this will likely limit the degree to which smart sanctions become adopted. This article systematically examines the effectiveness of smart sanctions across a large number of varied cases. The statistical results confirm that smart sanctions are more effective than traditional sanctions, undercutting the notion of a humanitarian versus effectiveness trade-off.

Since Thucydides, diplomats, decision makers, and governments have struggled to resolve a basic dilemma. The domain of international politics lacks a central government and is thus dominated by the norm of self-help. Enforcing international law is, therefore, a task that falls back to the states, themselves. Such behavior, however, often involves the use of military force or, with increasing frequency, the use of economic sanctions. Such action often produces results that run counter to other norms, like the protection of innocents and the promotion of basic human rights that are embedded in the United Nations Charter and human rights treaties.

The current debate surrounding the use of economic sanctions as a non-violent method to compel compliance and to resolve disputes embodies the challenge posed by this type of political organization. For example, the UN Secretary General notes, "It cannot be too strongly emphasized that sanctions are a tool of enforcement and, like other methods of enforcement, they will do harm" (Report of the Secretary General on the Work of the Organization 1998). That is, there seems to be an inherent trade-off between enforcing the agreed rules for conduct in the international community, and the mechanisms available to governments for such enforcement. This article explores, in greater detail, the potential tradeoffs between effective sanction policies, and the protection of human rights. Recent studies of

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economic sanctions initially suggested that the dilemma is acute: effective sanctions often do more harm than good. Sanctions advocates responded by offering new arguments about how sanctions should be deployed. While the arguments of advocates are often compelling, there has been little systematic empirical research of their claims.

First, we offer a background for understanding the debate surrounding the use of economic sanctions, and their impact on human rights. Next, the arguments of so-called 'smart' sanctions advocates are detailed. The question of effective versus moral action is then defined within the context of this debate. The data and statistical methods for exploring the nature of the trade-off are then explained. A discussion of our results follows, and the article ends with a brief evaluation of implications and our suggestions for further study.

Background

For at least two decades, governments have increasingly gravitated towards economic sanctions to resolve political disputes. This is in due part to the widespread perception that sanctions constitute a "liberal alternative to war" (Pape 1997: 90). That is, sanctions hold the potential for leverage without the devastating humanitarian consequences inherent to open military conflict. As a result, it is not just the "frequency with which sanctions are used" that is of note, but also their "centrality" as a core element of foreign policy (Haas 1997: 1).

However, two parallel developments have recently undermined the notion that sanctions constitute a humanitarian alternative to conflict. First, years of experience with sanctions revealed a rather dismal record of success. Galtung (1967) initially criticized the central logic of sanctions—that the higher the cost to the target the greater is the probability of compliance—several decades ago. The argument took some time to gain acceptance, however, the (now) well-documented historical record clearly shows that sanctions are not consistently effective (e.g., Hoffman 1967; Nincic and Wallensteen 1983; Wallensteen 1968; Doxey 1971). The observation has developed into a truism among sanctions critics: the economic pain inflicted on the target does not translate into political gain for the sender because even if the target regime enjoys little domestic support, sanctions tend to produce a "rally around the flag" effect, thereby increasing governmental support and thus target intransigence.

Subsequent research has uncovered a variety of additional reasons why sanctions are ineffective. What is of interest here is the degree of empirical detail with which this point has been established. The record now suggests that sanctions almost never fully achieve their stated objectives, and they often fail completely, having little or not measurable impact on the behavior of the targeted government. Indeed, modern critics now forcefully argue that the record is so compelling, that "at the end of the day, there is little empirical evidence that sanctions can achieve ambitious foreign policy goals" (Pape 1997: 76).

The second development involves new questions concerning the humanitarian consequences of sanctions. Whatever their effectiveness, critics charge that sanctions frequently miss their intended target and do often damage to the very groups they are intended to help. The main impact is upon "the civilian population in the target who are unable to protect themselves and often have little or no influence on the policies which sanctions are intended to change" (Doxey 1999: 207). Indeed, critics note that sanctions against one country alone, Iraq, were the direct cause of suffering for literally "hundreds of thousands of children" under the age of five (Normand 1996: 40).

Combined, these two critiques have placed the utility and desirability of economic sanctions very much in doubt, such that there is now a growing call to bring economic sanctions under scrutiny from a human rights perspective (e.g., Weiss 1999; Fausey 1994).

The argument begins with the established assertion that individuals posses rights consistent with the norms and obligations of international law outlined in the UN Charter, and several multilateral human rights instruments (the Universal Declaration of Human Rights (1948), International Covenant on Civil and Political Rights (ICCPR) (1966), and International Covenant on Economic, Social and Cultural Rights (ICESCR) (1966)—what is also known as Universal Bill of Human Rights. While legally binding nature of human rights obligations spelled out in Universal Declaration of Human Rights and the UN Charter is disputed, International Covenant for Civil and Political Rights (ICCPR) and International Covenant of Economic, Social and Cultural Rights (ICESCR) are binding multilateral human rights treaties creating legal norms and obligations for international community and member states. Both covenants, among many others, proclaim rights to self-determination, free disposition of natural wealth, and non-deprivation of means of sustenance. The ICCPR among many others secures right to life, right not to be subject to torture or to cruel, inhuman or degrading treatment or punishment, rights to liberty and security of persons. On the other hand, ICESCR guarantees equal rights of men and women, right to work, social security, adequate standards of living "including adequate food, clothing and housing, and to the continuous improvement of living conditions," enjoyment of highest attainable standard of physical and mental health, and right of education.

In addition to treaty law, legal scholars view legally binding nature of human rights law arising from norms of customary international law and general principles of law as recognized by civilized nations. Moreover, it is recognized that certain rights, i.e., against torture, slavery, and others rise to the level of peremptory norm *jus cogens*, from which no derogation by governments is allowed under any circumstances, including times of war or any other public emergencies.

While the use of sanctions is permitted under the principles of international law (UN Charter, Art. 39 & 41, as well as notion of state sovereignty),[1] they often produce consequences that run counter to the obligations of governments to protect human rights. Hence, sanctions constitute violations of human rights to the extent they deny the above-mentioned fundamental basic rights and violated norms of *jus cogens*. Even the United Nations, often the focal point for a sanctioning effort, now acknowledges that the damage imposed by sanctions can rise to the level of human rights abuses (Committee on Economic, Social and Cultural Rights, General Comment No. 8, 1997). Similarly, the United Nations authorized a number of studies detailing humanitarian impact of sanctions and their devastating effect on human rights (Garfield 1999; Minear 1997). While some disagree that sanctions constitute human rights violations directly (e.g., Marks 1999), there is nonetheless near universal consensus on the main point: economic sanctions, even when used for humanitarian purposes, (often unintentionally) impose significant hardship on innocent populations.

Smart Sanctions

Critics of traditional sanctions have thus argued that sanctions tend to disproportionately damage innocent populations and because such populations often have little capacity to affect their government's policies, sanctions are by definition unlikely to meet with success. In order to be effective, sanctions must impose costs on the target's ruling elite. To be humane, they must avoid damage to innocent civilians.

In response, sanctions advocates have offered the concept of smart sanctions. The term is analogous to smart bombs: conventional explosives intended to concentrate military damage on select targets while avoiding collateral damage. The goal of smart sanctions is similar, and intended to overcome what we now know to be the failures of conventional sanctions.

Advocates argue that the value of smart sanctions "lies in the fact that they would sharply focus [pressure] on the targeted leadership or group, with little or any negative impact on civilian populations and third states" (United Nations Secretariat 2000). Proponents argue that this produces several concrete benefits including; the protection of innocent groups, exclusive targeting of political elites who have the capacity—directly or through political pressure—to alter government policy and, therefore, greater overall effectiveness. The approach is designed to "hit the real perpetrators harder and to spare potential innocent victims, leading to speedier change of sanctionee behavior" (Tostensen and Bull 2002).

Which Sanctions are "Smart"?

Typically, economic sanctions involve either trade or financial restrictions and sometimes both.[2] Trade sanctions ban target exports and restrict targets imports. The goal of trade action is to disrupt the flow of goods and services in the target economy and thereby, reduce overall economic activity. By contrast, financial sanctions seek to restrict elite access to financial and monetary resources and may take many forms including reduction in aid, denial of loans, and the seizure or freezing of individual and organizational accounts. Of the two approaches, trade restrictions are least likely to serve the humanitarian purposes of smart sanctions. Trade action, in the form of embargos or export restrictions, is a blunt instrument that affects the target economy as a whole. It tends, therefore, to impose economic pain disproportionately on poor and middle class populations by depriving them of essential goods and services for which they are not economically positioned to secure substitutes. Wealthy elites are typically less affected because they have the economic resources and international contacts to secure substitute goods or to circumvent the restrictions via black or gray markets.

By contrast financial sanctions focus economic pressure and are therefore possibly more effective than trade restrictions (Elliott 1999). Because the pain of trade action is diffused, elites have little incentive to concede to the demands of sender governments. Moreover, as noted above diffusion across domestic groups can be turned to political advantage by elites who can claim that outsiders are responsible for the terrible plight of civilians. This inoculates the target regime against a critique of its own failures and provides a convenient scapegoat for societal ills that would otherwise be pinned to the existing government (Tostensen and Bull 2002). Financial restrictions, on the other hand, target elites directly, thereby creating incentives for compliance within the groups that can actually alter government policy. For example, individual and government assets can be frozen, and this squarely targets policy makers. Elite access to off-shore accounts can also be severed. While such measures place costs directly on the ruling regime and associated elites, they also minimize collateral damage to the general population. Financial restrictions are also less public, and thus hold the potential to reduce elite capacity to capitalize on "rally around the flag" effects (Olson 1979).

Smart sanctions advocates, therefore, see financial restrictions as the best way to mitigate the pernicious aspects of traditional trade sanctions. Financial restrictions focus economic pain on the true targets—government officials and associated elites—while minimizing damage to innocent populations. For this reason, financial sanctions are both more effective and humane than trade sanctions, and as a result, hold the greatest potential to constitute both an effective and humane alternative to war.

Smart versus Effective?

Despite the arguments of smart sanction advocates, the imposition of smart sanctions involves difficulties for policy makers. There is a fairly restrictive set of conditions under

which financial restrictions are thought to work and significant political obstacles to meeting those conditions (Newcomb 1998; Doxey 1999). For example, locating hidden financial assets is often difficult and usually requires the cooperation of third party countries in which such assets are located. Critics have charged that while the concept of smart sanctions is politically attractive to sender governments, "the operational problems are so numerous and formidable that a smart sanctions regime is hardly feasible to enforce" (Bull and Tostensen 1999/2000:85). This poses a compelling dilemma; one that is little discussed by advocates of smart sanctions.

While humanitarian concerns are no doubt often an important component in the calculus for initiating sanctions, so too are more practical concerns about effectiveness. Stated directly, implementing a policy that is more likely to protect human rights but that is less effective (than available alternatives) is not an attractive trade-off. The set of possible relationships between smart sanction effectiveness and the protection of human rights is captured by the simple graphic in Figure 1. Notice that if smart sanctions are both more effective and more protective of human rights—as advocates claim—then there is no dilemma for policymakers. However, the relationships represented in the lower left and upper right quadrants of Figure 1 represent compelling policy dilemmas. Smart sanctions may be less effective but more humane, or more humane but less effective than traditional trade sanctions.

Now, the arguments offered by smart sanctions advocates noted previously suggest that such a dilemma does not exist because smart sanctions should be both more effective and more humane. But there is very little systematic evidence to support this contention, despite the consensus regarding the humanitarian benefits of smart sanctions. The relationship depicted in the lower left cell of Figure 1 (that financial restrictions are more effective but less humane), therefore, is not likely a cause of concern for policymakers.[3] Instead, the meaningful impediment is the policy dilemma represented by the upper right cell of Figure 1: a concern that financial sanctions are more humane but less effective than trade restrictions. Empirical studies on smart sanction effectiveness tend to focus on a few anecdotal cases (e.g., Newcomb 1998; Kirshner 1997; Tostensen and Bull 2002; Lopez and Cortright 2004),[4] and some of this work casts doubt on the utility of smart sanctions as a "magic bullet" (Hufbauer and Oegg 2000). In sum, while the body of empirical work on the general issue of sanctions is considerable, there is little systematic empirical research directly comparing smart against traditional sanctions with respect to effectiveness. It remains an open empirical question as to whether smart sanctions represent a viable alternative for policymakers, and it is for this reason that a comparative assessment of trade and financial sanctions is needed.

Ultimately, the extent to which smart sanctions are adopted by policy makers will doubtless be a function of the degree to which they represent a humane *and* effective

Effectiveness

	More than Trade	Less than Trade
More than Trade	N	Y
Less than Trade	Y	N

HR Protections

Figure 1. Policy conflict? Effectiveness versus protection of human rights for smart sanctions.

alternative to trade sanctions. We propose an analysis that separates the two types and permits a comparative assessment of their effectiveness. To date, studies examining the success of sanctions have tended to lump the two into a single group. The result, as noted above, is the conclusion that sanctions are in general are not very effective. The implicit—and yet untested—assertion of smart sanctions advocates is that once smart and trade sanctions are separated into distinct groups, the historical record will reveal a new pattern of increased effectiveness when governments deliver smart sanctions.

Data and Models

We use Hufbauer, Schott, and Elliott (1990) events data (henceforth referred to as the "HSE dataset"), consisting of 115 cases of economic sanctions to examine the relationship between financial sanctions and effectiveness.[5] While the debate over smart sanctions suggests a sharp distinction between financial and trade restrictions, the HSE dataset reveals that policymakers have used them both separately and in combination. The literature is largely silent on how this combination of instruments would impact effectiveness. Nonetheless, because it represents a real world strategy, we have created two categories for our analysis. *Pure Financial* sanctions indicates cases in which only financial sanctions were used.[6] *Combination* sanctions indicates cases in which financial sanctions are used in combination with other instruments.[7] Pure trade sanctions are then the reference category in our analysis.

Assessing effectiveness is often difficult as there are several competing measures for sanctions success in the literature. Perhaps most problematic is the HSE composite measure, which is the cross product of two ordinal rankings. HSE combine ordinal scale of "policy result" defined as "the extent to which the policy outcome sought by the sender country in fact was achieved" (HSE 1990:41), with a ranking of the contribution sanctions made to that result. This composite measure has been frequently criticized in sanctions literature.[8] Fortunately, there are two generally accepted measures. Drury (1998) argues that a 4-point *policy result* measurement is sufficient.[9] The HSE measure is an ordinal scale where 1 = failed outcome; 2 = unclear but possibly positive outcome; 3 = positive outcome that is somewhat successful, and, 4 = successful outcome. Drezner (1999) modifies this measure by crafting a scale that takes into account both the magnitude of sender's demand and the concession of the target. The result is a 5 point scale where 0 = no concession; 1 = minor concession to a minor demand; 2 = minor concession to a major demand or major concession to a minor demand; 3 = full concession to a minor demand or major concession to a major demand; and, 4 = full concession to a major demand. Because these two measures capture slightly variant but significant differences in how one might assess the effectiveness of sanctions, this article will test the effectiveness of financial sanctions against both HSE's original *policy result* scale and Drezner's modified scale.

The empirical literature on sanctions effectiveness, while it does not focus on the distinction between smart and traditional sanctions, has identified several additional variables that may affect sanctions outcomes. We have included these as controls in our statistical model in order to isolate the unique impact of the distinction between smart and traditional sanctions. As our main theoretic concern is in the distinction between smart and traditional sanctions, the direction of the relationship for the control variables is of less interest. The controls included in this study are as follows.

Regime Type

Regime type may have an impact on the effectiveness of sanctions. For example, democratic governments can deliver more credible sanctions because political leaders in democratic

countries are elected, and are more likely to select only targets with a good chance of success. In addition, political leaders in democracies may suffer a domestic political back-lash if fail for follow-through on public commitments. This fear of "domestic reprisal . . . gives the state the ability to use even public statements in a credible fashion" (Hart 2000: 270). Democracies are, therefore, better in using economic sanctions as signals of resolve. Likewise, democracies are better targets because the pain of sanctions is borne by the vary population that elects its political leaders, making democratic states potentially more vul-nerable to sanctions pressure. Regime type for sender and target is taken from Polity IV dataset (Marshall and Jaggers 2002).[10]

Durability

This variable measures the number of years since the last regime transition (Marshall and Jaggers 2002). New regimes may be less willing to compromise than established states because they need to create reputation for toughness.[11]

Target Cost

The total economic cost to the target resulting from sanctions. Past research has sug-gested that the greater the target cost the more effective the sanctioning effort (Morgan and Schwebach 1997; Drezner 1999). Cost measured in millions (HSE 1990).

Target GNP Ratio

The result of sanctions episode may be dependent on the relative size of sender and target states at the time of initiation. HSE assert that the size of the sanction is dependent "very much on relative country size. . ." (HSE 1990:48). HSE measure relative size of countries by a GNP ratio.

Trade Linkage

Target states that are more dependent on trade with the sender could be more likely to concede to the sender's demands. HSE operationalize trade linkage between the target and the sender as percentage of pre-sanction target country's total trade (HSE 1990:48).

National Security

If the sanctions issue is a matter of national security, sender state would impose stronger sanctions in order to prevail (Powell 1994; Drury 1998). Thus, if issues of national security are involved, sanctions should be more successful. Drury (1998) codes this variable as a dummy with 1 = threat to sender's security (military dispute between any involved nations, nuclear proliferation, threat to sender's macro-economy, threat to alliance, or threat of communist expansion); 0 = no national security threat.

Military Force

In order to evaluate the success of sanctions episode accurately, a control for military force is necessary to account for the impact of the threat or use of force on the outcome. In their study HSE (1990) identify cases where covert actions, quasi-military or regular military force are used.[12]

US Imposed

The United States uses sanctions more than any other country: it is a participant in more than 67% of all episodes in the dataset. If the United States is better (or worse) at extracting concessions using sanctions this may bias the overall results. A dummy control where 1 = US is a sender, 0 = US is not a sender was created to capture the potential unique effects of US sanctioning efforts.

Results

Table 1 displays the results of an ordered logit regression.[13] The coefficients represent the unique effect (in logged odds) of each variable on the success of sanctions. In both models trade sanctions are the reference category. The positive and statistically significant coefficients for our two main independent variables confirm that for both models pure financial sanctions and financial sanctions in combination with trade sanctions are more effective than trade sanctions alone. Among the control variables, level of democracy for the sender, trade linkage, and target cost are statistically significant. The coefficient for target cost is exceedingly small, suggesting that this variable exerts a negligible influence over the dependent variable.

In an ordered logit regression, the relationship between independent and dependent variables is non-additive and non linear: that is, the effect of independent variables on probabilities varies depending on the value taken by the dependent variable. The coefficients here represent the effect of independent variables in logged-odds. However, logged-odds carry little intuitive meaning and so we transformed the effect of the coefficients into probabilities, which are easier to interpret. We follow Liao (1994) to calculate the marginal effect of sanctions type on success. As trade sanctions are the reference category, we can use marginals to compare the effectiveness financial sanctions (alone or in combination) to trade sanctions. First, we fitted a baseline model by setting the pure and combination

Table 1
Ordinal regression results

	Coefficient (Z)	
	Concession size	Policy result
Combination	1.59* (2.42)	1.27* (1.96)
Pure financial	1.64* (2.29)	1.42* (1.98)
Regime sender	0.15** (2.65)	0.14** (0.01)
Regime target	0.03 (0.38)	0.02 (0.73)
Durability	0.00 (0.41)	−0.00 (−0.16)
Military force	0.78 (0.15)	0.39 (0.47)
Trade linkage	0.01* (0.03)	0.12* (2.00)
National security	0.91 (0.07)	0.67 (1.33)
US sender	−0.83 (−0.09)	−0.66 (−0.89)
GNP ratio	−0.00 (−0.59)	0.00 (−0.68)
Target cost	0.00* (2.03)	0.00 (1.88)
	Prob. > Chi^2 = .0052	Prob. > Chi^2 = .0269

Obs. = 92; **p < .01; *p < .05.

sanctions variables to zero, with all other variables set to their mean. This baseline model is then used to generate predicted probabilities for each outcome. We then fit two additional models for the other two types of sanctions: one where pure financial sanction is set to a value of 1 and combination is set to zero; and, the reverse, with other values set to their means. These models generate predicted probabilities for each outcome that can then be compared to the baseline model.

The results are summarized in Table 2. For both dependent variables, the use of financial sanctions alone or in combination increases the probability of success. For example, pure and combination sanctions increase the predicted probability of the best outcome for concession size by 19 percent and 18 percent, respectively compared to trade sanctions, and by 23 percent and 20 percent for policy result. Similarly, pure and combination sanctions reduce the predicted probability of the worst outcome for concession by 31 percent and 30 percent, respectively, compared to trade sanctions, and by 29 percent and 25 percent for policy result. Also noteworthy is the fact that for each category the benefits of smart sanctions are visible. That is, the row values for 'difference' get progressively larger across values for the dependent variable suggesting that smart sanctions are exerting a beneficial and consistent influence over every possible sanctions episode outcome.

While it is true that the percentage difference between smart and traditional trade sanctions is not large (never more than 31 percent), as noted previously, the central unanswered question in the debate over smart sanctions is whether or not policymakers faced a trade-off between human rights and effectiveness. The results here suggest that such a trade-off does not exist: surely a comforting conclusion for smart sanctions advocates. Financial sanctions are more effective than trade sanctions, when imposed alone or in combination with trade restrictions.

However, the use of financial and trade sanctions in combination raises new concerns. While combination sanctions appear to be more effective than trade sanctions alone, their attractiveness on the human rights dimension remains in doubt. That is, by definition combination, sanctions include a component (trade restrictions) that smart sanctions advocates

Table 2
Probability change in dependent variable

	0	1	2	3	4
Concession size					
Pure financial	0.134	0.174	0.259	0.183	0.249
Trade	0.442	0.253	0.176	0.069	0.060
Difference	−.308	−.079	+.083	+.114	+.189
Combination	0.139	0.178	0.261	0.181	0.241
Trade	0.442	0.253	0.176	0.069	0.060
Difference	−.303	−.075	+.085	+.112	+.181
Policy result					
Pure financial		0.145	0.291	0.218	0.345
Trade		0.413	0.394	0.124	0.113
Difference		−.286	−.103	+.094	+.232
Combination		0.165	0.309	0.214	0.312
Trade		0.413	0.394	0.124	0.113
Difference		−.248	−.085	+.090	+.199

have criticized as inhumane. Are combination sanctions a humane alternative to pure trade restrictions?

There is little consistent and reliable data comparing the collateral damage to innocent populations generated by sanctions, and so a direct examination of this issue is just not possible. However, we can use the duration of the dispute as a proxy. We take as axiomatic the assertion that the longer the duration of an episode the greater the cumulative pain imposed on the target by the sanctions. Accordingly, for both trade *and* combination sanctions, the longer the dispute the greater the collateral damage done to innocent populations compared to pure financial sanctions. It is plausible that policymakers use the combined pressure of trade and financial sanctions together because they believe that this creates increased pressure on the target government: two types of sanctions are more compelling than one. If true, such a strategy should decrease the duration of a dispute. However, this possibility raises yet another dilemma: between a quick resolution of the crisis and a full measure of protection for human rights. By contrast, if combination sanctions do not significantly shorten the duration of an episode, then they would represent an inferior alternative to pure financial sanctions on the human rights dimension.

Our dependent variable is the duration of the sanctions episode, measured in years, and so we use hazard analysis to assess the impact of sanction type on duration of the dispute. This class of models provides information about the rate at which episodes—in this cases sanctions episodes—end. A commonly accepted technique for data like ours is Weibull regression (Box-Steffensmeier and Jones 2004). Increasing hazard rates mean sanctions episodes are ending earlier, and this is represented by a positive coefficient. Decreasing hazard rates mean that episodes are lasting longer and are represented by negative coefficients.

Several controls are included in our model, with the following expectations. The more democratic the sender, the longer sanctions will last because backing down can produce a domestic backlash once the government has publicly committed to the policy. Democratic targets are more susceptible to domestic public pressure and so would shorten the duration of a dispute. Newer regimes have fewer domestic and international resources to resist sanctions. The smaller the target's economy is in comparison to the sender's, the less it could resist to the sender's demands, thus shortening the duration of the episode. States that rely more on each other for trade would resolve the sanctioning issue faster in order to minimize their losses, while non-trading partners with less to lose would prolong the episode. If national security issues are involved for the sender, policymakers would be less likely to compromise and would be more persistent and patient until the target fully complies with their demands. If political leaders revert to military force, it reflects the unwillingness of sender's state to extend the period of sanctions. The greater the economic cost to the target the shorter the dispute. Finally, given the frequency the US imposes sanctions, a control for the US as sender is included.

The results are presented in Table 3. Once again, the reference category is trade sanctions. The variables for combinations sanctions, sender regime, and target cost are all significant. Surprisingly, the coefficient for combination sanctions is negative suggesting that combinations sanctions reduce the hazard rate compared to trade sanctions. That is, disputes involving combination sanctions are less likely to end at any point in time compared to trade sanctions. The coefficients for sender regime and target cost are both positive, suggesting that more democratic senders and higher cost are more likely to end disputes—though the coefficient for target cost is nearly zero. Pure financial is not statistically significant, suggesting that it does not affect the duration of sanctions episodes.

The previous analysis demonstrated that smart sanctions, used alone or in combination with trade sanctions tend to be more effective than traditional trade sanctions and that

Table 3
Determinants of sanction episode duration

Weibull regression estimates; standard errors below coefficients	
Combination	−.7734*
	.3930
Pure financial	−.6470
	.3934
Sender regime	.1034**
	.0255
Target regime	.0278
	.0191
Durability	−.0094
	.0064
Military force	.2996
	.3052
National security	.0250
	.2751
Target cost	.0006**
	.0001
GNP ratio	−.0001
	.0002
US sender	−.5901
	.3257
Constant	−1.6756**
	.4788
p^1	1.2757*
	.1043
N	92
Log-likelyhood	−120.6870
Prob > chi^2	0.0012

*Denotes statistical significance at .05; ** at .01.
[1]This parameter affects the shape of the Weibull distribution. A significant value greater than one implies that the hazard rate of sanctions episodes ending increases over time.

financial and combination sanctions are roughly equivalent with respect to overall success However, hazard analysis shows us that there is no benefit on the human rights dimension to using combination sanctions. Because combination sanctions by definition include a component that human rights advocates have identified as troubling, there seems to be little support for their use. They are not significantly superior to purely financial sanctions in terms of effectiveness and, as smart sanctions advocates convincingly argue, they are inferior in terms of damage to innocent populations.

Conclusions

The results of this study provide further support for the notion of smart sanctions and continued justification for the increasing momentum behind their use. While advocates had argued

convincingly that such sanctions represent the best alternative with respect to the protection of human rights, the effectiveness of such an approach remained largely unexamined. The good news for advocates is that smart sanctions also appear to be more effective than the alternatives. Thus, policymakers need not choose between normative imperatives and effective policy. These results should also comfort those who wish to construct a broader ethical framework for the deployment of economic coercion (e.g., Scharfen 1995: Ch. 5).

Critics of trade sanctions have argued that the global community appears to be uninterested in coordinating policy with respect to the use of smart sanctions to protect human rights (Aznar-Gomez 2002). Instead, individual governments tackle the problem in an adhoc way. One explanation for this approach is that the level of international coordination required for effective financial sanctions is significant. Indeed, critics of smart sanctions have argued those who recommend them do so with "a total disregard for the realities of global politics" (Bull and Tostensen 1999/2000:133). Another possible explanation is that policymakers are not yet fully convinced of the utility of purely financial sanctions. One implication of the findings here is that better coordination on this issue is justified and that smart sanctions advocates are justified in pushing for a consensus. The current view that, "the international community needs to examine alternatives to comprehensive trade sanctions, which by their nature impact the weakest members of a society first and the leadership last and therefore violate basic principles of international law," is now well-established (Normand 1996:43). The findings here demonstrate that smart sanctions are a potentially attractive alternative.

We suggest that the scholars ought now turn their attention to study the more nuanced aspects of financial sanctions. One important set of questions revolves around the different types of financial restrictions and their comparative effectiveness. In addition, there is considerable research on the problems of maintaining international cooperation between governments with respect to sanctions (e.g., Green 1983; Miyagawa 1992). While financial restrictions often require meaningful international cooperation, the conditions for successful collaboration have not been systematically explored. Not all potential targets of sanctions will be vulnerable to financial sanctions—if for no other reason than that their financial assets are not accessible. Smart sanctions advocates will need to think about alternative mechanisms that serve the twin purposes of effective pressure, and the protection of basic human rights.

Academics can also assist in this regard, as the other forms of smart sanctions—beyond the financial restrictions examined here—also demand further study. Unfortunately, there is little systematic data available, so the development of quality datasets remains a priority. Financial sanctions may be more or less effective when combined with other forms of smart sanctions: e.g., travel rescisions, arms embargoes, and soon. Understanding such interactions are a necessary condition for the delivery of effective and humane sanction bundles that both promote compliance and protect fundamental human rights.

Notes

1. Legality of multilateral economic sanctions has been recognized in international law under mandate of the UN Charter. Imposition of multilateral sanctions under auspices of the UN is spelled out in Chapter VII of the UN Charter. Here, articles 39 and 41 of the Charter deserve particular attention. Article 41 authorizes "measures not involving the use of armed forces . . . these may include complete or partial interruption of economic relations . . ." However, the authorization in article 41 is limited by the terms of article 39, which states that "the Security Council shall determine the existence of any threat to the peace, breach of the peace . . ." In other words, any decision in favor of imposition of sanctions by the UN member states must first rests upon Security Council's finding of threat or breach to peace.

Legality of unilateral sanctions is established *vis-a-vis* a notion of state's sovereignty. For instance, it is widely accepted that regulation of trade falls within the purview of a state to conduct its foreign policy. Hence, absent any treaty obligations, any infringement on the matters of internal affairs is viewed as violation of state's sovereignty.

2. Included in the smart sanctions classification are a number of different mechanisms including, financial restrictions, travel restrictions, arms embargos, along with various forms of diplomatic pressure. The discussion here focuses largely on financial restrictions because they are the form most comparable to traditional trade sanctions in that they involve economic assets. In addition, the material cost to the target state is quantifiable and so direct comparison to trade sanctions is possible. Financial restrictions are also widely utilized and so there is a good deal of data with which to test hypotheses. As a result, our conclusions regarding smart sanctions are limited to financial restrictions. The comparative effectiveness of other forms of smart sanctions remains an important, unexplored, topic.

3. We found nothing in the literature to suggest that policymakers are concerned with the humanitarian consequences of smart sanctions.

4. There is, to our knowledge, no large-n statistical test of smart sanction effectiveness using causal (as opposed to correlation) analysis.

5. HSE is widely recognized as the most comprehensive study of sanctions, and includes a wide range of sanctions disputes ranging from the recovery of economic assets to the protection of human rights. However, HSE data is not without shortfalls. The data and operationalization have been criticized for biased sample selection, questionable coding, and methodology (see Morgan and Schwebach 1997; Pape 1997; Drury 1998; Drezner 1999). To minimize some of these criticisms, some of the cases in the HSE dataset have been removed. For example, those involving strategic embargoes and cases of economic warfare during armed conflict, as well as cases in which there are multiple senders have been eliminated (for detailed list of cases see Appendix A). Of the original 115 cases, 92 remain—a number sufficient for statistical analysis.

6. Where 1 = only financial sanctions, and 0 = trade or any combination of other instruments.

7. Where 1 = if financial sanctions were used in combination with trade restrictions, and 0= for any other type of sanctions.

8. For example, Dashti-Gibson, Davis, and Rodcliff (1997) assert that multiplication of two 4 point scales has ìno theoretical, empirical, or statistical reason (p. 611).

9. Dashti-Gibson et al. (1997) agree, and argue further that policy result scale should be collapsed to a dummy variable, where 1 = clearly positive outcome and 0 = failure. However, this would diminish the amount of information available for analysis.

10. For cases including multiple senders or targets, average polity scores are taken.

11. For cases including multiple targets the average durability score is taken.

12. In addition, Pape (1997) recodes three more cases where he argues some sort of military force was used (UK & US v. Uganda 72-1; US v. Nicaragua 77-5; US v. UK & FR 56-3). We code cases 1 = any force was used; 0 = no force was used. To account for Pape's criticism, we recode the previously mentioned cases as instances of military force (see Appendix A for more cases).

13. Regressions were run using STATA 8.0 sample means.

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Appendix A

Excluded Cases

Category 1—Embargoes designed to impair adversaries' military ability: (7)*
United Kingdom v. Germany (14-1) World War I;
Alliance Powers v. Germany and Japan (39-1) World War II;
Arab League v. Israel (46-1) Palestine;
US and COCOM v. USSR and COMECON (48-5); Technology Controls;
US and CHINCOM v. China (49-1) Control of China;
UN and UN v. North Korea (50-1) Korean War;
US and South Vietnam v. North Vietnam (544) Vietnam War;

Category 2—Institutions, no clear sender/target: (11)**
League of Nations v. Yugoslavia (21-1) Border Dispute;
League of Nations v. Greece (25-1) Border Skirmish;
League of Nations v. Paraguay and Bolivia (32-1) Chaco War;
UK and League of Nations v. Italy (35-1) Abyssinia;
United Nations v. South Africa (62-2) Apartheid;

*Drezner (1999:104).
**Arab League v. United States (73-1) is included, since Saudi Arabia is the clear sender, Drezner (1990:104).

UK and UN v. Rhodesia (65-4) Black Majority Rule;
United States v. Arab League (65-4) Antiboycott Measures;
Arab League v. Egypt (78-6) Peace Treaty with Israel;
Arab League v. Canada (79-3) Embassy Move;
UN and Organization of African Unity v. Portugal (63-5);
US and OECS v. Grenada (83-4) Restore Democracy;
US and UN v. Iraq (90-1) Invasion of Kuwait;

Category 3—Missing Data: (5)***
EC v. Turkey (81-4) Restore Democracy;
Netherlands and US v. Suriname (82-2) Human Rights, Cuban Influence;
India v. Hyderabad (48-2) Political Integration;
Canada v. Japan and EC (77-4) Nuclear Safeguards.

***US v. Iran (79-1) Hostage crisis; this case is excluded since Iran pressured US to concede to its demands.