

JOURNAL OF ADVANCED MILITARY STUDIES

# JAMS

Vol. 14, No. 2, 2023



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# Substitute to War

## Questioning the Efficacy of Sanctions on Russia

Brent Lawniczak, PhD

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**Abstract:** Western nations enacted harsh sanctions against Russia after its 2022 invasion of Ukraine. However, sanctions are rarely successful and policy makers should not expect sanctions to coerce Russia into a withdrawal. This article examines several concepts including the instrumental effectiveness of sanctions, the significance of state identity, the pitfall of mirror imaging, and aspects of prospect theory as they relate to the effectiveness of sanctions. Additionally, the weakness of sanctions used for moral signaling and the notion of sanctions as an act of war are considered. Recommendations are offered should policy makers continue to view economic sanctions as an attractive policy choice.

**Keywords:** economic sanctions, Russia, Ukraine, Crimea, instrumental effects, expressive sanctions, moral signaling, state identity, prospect theory

### Introduction

The Megarian Decree is viewed by many as the first instance of state sanctions recorded in Western history.<sup>1</sup> These decrees—economic sanctions issued circa 432 BCE by Athens against the city of Megara—remain a source of disagreement among historians and political scientists. Some argue that the sanctions were the *cause* of a 27-year long war, while others postulate that the decrees were actually an act *of* war.<sup>2</sup> Thucydides, in his highly regarded work on the Peloponnesian War, notes the issue only in passing.<sup>3</sup> The history and political science literature on economic sanctions in world politics has not been able to conclusively resolve the role and effectiveness of sanctions for more

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*Journal of Advanced Military Studies* vol. 14, no. 2

Fall 2023

[www.usmcu.edu/mcupress](http://www.usmcu.edu/mcupress)

<https://doi.org/10.21140/mcu.j.20231402011>

than 2,000 years. The ongoing failure of Western sanctions in changing the policies of Russia vis-à-vis Ukraine is another case against the efficacy of sanctions regimes in international politics.

Other modern examples of the failure of economic sanctions include those imposed by the United States and other nations on Japan, Germany, Iraq, Iran, Cuba, Venezuela, and North Korea. The evidence of the effectiveness of economic sanctions within international relations literature is mixed, but it leans toward a conclusion that economic sanctions, particularly sanctions alone, do not work to change target state behavior toward the better relative to the desires of the sanctioning party.<sup>4</sup> Iraq, despite the dramatic results of the 1991 Gulf War, was determined to absorb 13 years of United Nations sanctions, even as its gross domestic product (GDP) per capita fell by some 98 percent within the first three years.<sup>5</sup> Some studies have statistically shown that sanctions often precede war, particularly for democracies that impose sanctions, because sanctions signal political weakness or lack of commitment of the sanctioner that further incentivizes aggression by the sanctioned.<sup>6</sup> Japan before World War II was estimated to be the world's seventh largest economy.<sup>7</sup> After just 18 months of sanctions, Japanese trade was reduced by 20–25 percent, and most historians agree that the progressive sanctions enacted against Japan ultimately led to it lashing out across the Pacific.<sup>8</sup> This can certainly be counted as a failure of economic sanctions if the goal were to check Japanese aggression or prevent escalation. Several decades of U.S. sanctions against Cuba, likely kept in place for the purpose of moral signaling, have failed to deliver freedom to the Cuban people and are estimated to have cost Cuba \$130 billion and U.S. companies up to \$1.2 billion per year.<sup>9</sup> These historical examples are significant, since it also has been observed that despite such ambiguity regarding the effectiveness of sanctions, governments often attempt to use them as a first-choice foreign policy to deter or avert war, or as an alternative to armed conflict.<sup>10</sup>

Because economic sanctions have such a spotty historical record of success, Western nations should not expect sanctions on Russia to have immediate positive short-term effects on Russian aggression in Ukraine, or long-term positive influence on Russian behavior. In fact, events since the Russian annexation of Crimea in 2014 indicate that international sanctions have had primarily negative effects in terms of Western strategic influence on Russian foreign policy decisions. Russian targets of Western sanctions wear international economic sanctions as “a badge of honor.”<sup>11</sup> Likewise, notable Western leaders take pride in being the target of Russian sanctions.<sup>12</sup>

To properly examine the effects of sanctions on Russian foreign policy behaviors, it is necessary to capture what constitutes success when targeting a state with sanctions and to examine potential barriers to the effectiveness of sanctions. To accomplish these tasks, this article is comprised of five sections. The first section briefly introduces various measurements of the effectiveness of sanctions. The second section discusses the lack of instrumental effectiveness of economic sanctions. In the third section, the weakness of moral signaling

through expressive sanctions is considered. The fourth section notes that economic sanctions may be considered an act of war itself. The fifth and final section provides an analysis and several recommendations concerning the use of sanctions as an alternative to war.

## **What Constitutes Success of Economic Sanctions?**

The sanctions enacted against Russia after its March 2014 illegal annexation of Crimea had significant negative impacts on segments of the Russian economy, including a fall in oil revenues, the devaluation of the ruble, increased capital flight, negative GDP growth, and inflation.<sup>13</sup> It is estimated that the sanctions subsequent to the annexation cost Russia upward of \$50 billion per year during the first seven years.<sup>14</sup> However, those sanctions had no deterrent effect on Vladimir Putin's future policy choices regarding the 2022 invasion of Ukraine.

Subsequent to the 24 February 2022 Russian invasion of Ukraine, Western nations renewed existing sanctions and enacted a large body of additional sanctions against more than 2,500 Russian assets and actors.<sup>15</sup> Within the first eight months of war, sanctions "immobilized about \$300 billion worth of Russian Central Bank assets," ostensibly negatively impacting the Russian government's ability to fund the ongoing war.<sup>16</sup> The sanctions to date have reportedly taken a significant toll on the Russian economy. Yet, there are some assessments that the total collapse of the Russian economy touted by some officials will not occur and that "it is unlikely Moscow will run out of money to fight the war."<sup>17</sup> There are also potentially fatal gaps in the sanctions regime that will lead to their failure in convincing Russia to exit Ukraine.

The international sanctions enacted after the 2022 invasion are both deep and broad, affecting businesses and individuals. However, Group of Seven (G7) nations determined to set a price cap on Russian oil rather than enact a complete embargo.<sup>18</sup> The U.S. Treasury Department stated that the cap was "designed to achieve two seemingly contradictory goals: restricting Russia's oil revenues while maintaining the supply of Russian oil" to make it more difficult for Russia to wage the war and to "keep energy costs down for consumers and businesses around the world."<sup>19</sup> Thus, this price cap measure may have indicated to Russia weakness in the sanctions regime. Indeed, the price cap has since been breached by Japan (a G7 nation).<sup>20</sup> Russia has also been able to shift significant levels of oil trade to China and India, both of which drastically increased imports of Russian oil in the first months of the war, even if at a reduced price.<sup>21</sup> Further, the European Union (EU) "has not imposed sanctions on Russian gas because it relies on it for about 40% of its gas needs."<sup>22</sup> These are all significant detriments to the effectiveness of the sanctions regime given the fact that Russia is one of the top three global oil producers and the world's second largest producer of natural gas.<sup>23</sup> Russian oil and gas make up nearly 40 percent of the Russian government's annual revenue.<sup>24</sup>

Yet, the effectiveness of sanctions on international relations cannot be captured by economic impacts alone. Some scholars have noted an increase in

the effectiveness of sanctions since the end of the Cold War. While post–Cold War sanctions have been enacted more quickly and have had increased negative impacts on a target’s trade and GDP, linking sanctions to positive changes in a target state’s policy choices is difficult, at best.<sup>25</sup> Additionally, these claims are marred by changes in methodology used to capture and analyze data regarding economic sanctions.

The Joseph R. Biden administration has made several claims about the purpose of the sanctions enacted against Russia after the Russian invasion of Ukraine. According to administration officials, the sanctions were enacted to express that a large segment of the international community is united against Russian aggression *and* that sanctions also intended to punish bad Russian behaviors, while maintaining that the sanctions enacted prior to the 2022 invasion of Ukraine were never intended to deter that particular act of aggression.<sup>26</sup> Yet, prior to the Russian invasion in 2022, the current U.S. administration did make allusions to the potential deterrent effects of the *threat* of sanctions.<sup>27</sup> In January 2022, a month before the Russian invasion, President Biden warned Russian president Putin that any Russian incursion into Ukraine would result in “a severe and coordinated . . . economic response.”<sup>28</sup>

Deterrence, signaling unity, punishment, and ending the Russian war against Ukraine all reflect the different purposes economic sanctions have been intended to serve throughout history. Of course, each purpose potentially comes with a different associated measure of success. If deterrence is successful, it is difficult, if not impossible, to credit sanctions for something that ultimately did not occur. Moral signaling, or enacting sanctions merely for expressive purposes, is measured in terms of how satisfied the *sanctioning actor* is, not in a change in behavior of the target of sanctions. The success of punishment is measured entirely by whether the target of sanctions views the sanctions as an effective form of punishment and how much punishment the target is willing and capable of absorbing. The clearest measure of success for sanctions is a change in behavior of the target of the sanctions toward the desired policies of the sanctioning body.

It may be that Russia—or at least Putin—simply has “a greater willingness to be harmed” than the West has assumed.<sup>29</sup> For Putin, the seizure of some or all of Ukraine may be worth absorbing costs in other realms, particularly if those costs can be partially or entirely borne by others. Subsequent to the Russian invasion, President Biden made several statements regarding the effectiveness of the economic sanctions the West has placed on Russia, apparently measuring effectiveness or success of sanctions in terms of the degradation of the Russian economy.<sup>30</sup> The effects of sanctions on the Russian economy are clear. Sanctions have significantly and negatively impacted Russian economic growth, trade, and inflation.<sup>31</sup> But, sanctions have yet to induce a perceptible change in Russian behavior as measured by its foreign policy choices. If sanctions were to be considered effective, the sanctions placed on Russia after the 2014 annexation



of Crimea would have factored into the Russian decision to invade Ukraine. They did not.

The government of the United States has claimed significant and near-immediate impact of sanctions on Russia, including severe negative impacts on Russia's ability to wage war. This declaration that sanctions against Russia have been successful is misleading. The claim mistakes the means and ways for ends. The West is attempting to change Russian behavior by enacting sanctions against Russia with the intended goal of ending Russian aggression in Ukraine. While there has been significant deleterious impact on Russian economy, the sanctions have not resulted in a change of behavior vis-à-vis ending Russian aggression in Ukraine.

A widely accepted view of the effectiveness of sanctions is that they can be measured by "either full target compliance or at least partial policy change in line with the stated policy objectives of senders."<sup>32</sup> However, international relations literature notes how sanctions may be enacted for differing intents, including instrumental and expressive purposes. A brief overview of these instrumental and expressive purposes is necessary to frame an argument for the ineffectiveness of economic sanctions in influencing target behaviors.

### **The Instrumental Effectiveness of Sanctions: Negative Impact to Target's Economy**

A simple but incomplete definition of effectiveness can be measured by the extent of the impact on the economy of the target of sanctions. It is widely agreed that sanctions have had serious impacts on target state economies.<sup>33</sup> Yet, this purely instrumental view of sanctions falls short in terms of articulating how well sanctions actually achieve foreign policy objectives—how sanctions actually change state behaviors. A state may levy significant sanctions on another, with severe consequences for the target's economy, yet still fall short of a positive change of policy of that target state.<sup>34</sup>

For example, it is clear that sanctions enacted against Russia following its annexation of Crimea in 2014 have not resulted in a positive change in Russia's foreign policy behaviors, despite significant adverse effects on the Russian economy.<sup>35</sup> Russia did not withdraw from Crimea and was not deterred from further aggression in Ukraine. At the time, it was thought that one of the best ways to impact the Russian economy was by sanctioning oil sales. Though Europe reduced its imports of Russian oil and the global price of oil plunged subsequent to the 2014 Russian aggression, it was not sufficient cause for a positive change in Russian behavior.<sup>36</sup> There were two primary reasons for the ineffectiveness of sanctions enacted after the annexation of Crimea. First, Europe likely did not reduce its purchase of Russian oil enough. Second, Russia was able to make up the reduction through increased oil sales to other parties such as China.<sup>37</sup> The weakness of the sanctions regime possibly even encouraged future Russian aggression by signaling that Western nations were not willing to pay the price

required to truly strangle Russia into submission. Russia knows that Europe is likely not willing to suffer what is required to enact crippling sanctions on Russian oil and gas. These facts remain relevant subsequent to the 2022 invasion of Ukraine.

Indeed, sanctions may influence a target state, but in ways undesirable to the sanctioning actor. For example, sanctions may embolden such actors, as discussed in greater detail below. In the case of post-Crimea sanctions, the Russians may simply have calculated that they are not painful enough to cause a shift in aggressive policies against Ukraine. Alternately, Russia may have determined that the economic pain these sanctions might cause would be offset by the perceived gains to be had in invading Ukraine—be they economic, moral, or political. Two key factors that impact the potential of economic sanctions to change target behaviors include state identity and mirror imaging.

State identity is described by constructivist political scientists as a set of “intersubjectively shared meanings, norms, and narratives . . . [that] shape state practices.”<sup>38</sup> Because state identity aids in determining state interests, such identity often proves a powerful force in world politics.<sup>39</sup> A state’s identity is heavily influenced by its past, including its interactions with other actors on the world stage.<sup>40</sup> Importantly, state identity takes into account not just interactions between nations vis-à-vis international politics but also domestic politics within states. Both international and domestic issues are part of the calculus for how state identity may shape policy choices, including what is valued and how much it is valued. A state makes policy choices that it deems appropriate based on its role in the world and its internal domestic norms and beliefs—its state identity.<sup>41</sup> State identity, driving the determination of what a state considers appropriate behavior, will often override international norms, or in the case of Russia, Western rationalizations. Thus, state identity likely plays a powerful role in determining a target’s response to economic sanctions.

As expected by constructivist international relations theory, scholars have posited that Putin’s behavior is shaped by Russian national discourses and its history—the state’s identity.<sup>42</sup> The formation of Russian state identity is beyond the scope of this article; however, some key aspects of that state identity are important for understanding Russian responses to the threat and enactment of economic sanctions as a response to its aggressive foreign policies. One aspect is that Russia “must be a strong and independent great power” that stands against the West.<sup>43</sup> Another is that a world exists in which Russia dominates outside of the influence of Western civilization—one that is directly opposed to the liberalism of the United States and Europe.<sup>44</sup> A third important aspect is Ukraine’s historical subservience to Russia, at least in the Russian view of its identity vis-à-vis Ukraine.<sup>45</sup> Because Russian leadership likely values Ukraine—in terms of a perception of the appropriateness that accords with its deeply ingrained identity rather than merely economically—it will likely lead to the failure of economic sanctions changing Russian foreign policies toward Ukraine. Simply put, Russia’s understanding of itself as a nation impacts its calculus about the

impact of economic sanctions in foreign policy decisions. In the case of the Russian invasion of Ukraine, it appears likely that rational economic calculations are outweighed by those Russia deems to be congruent with its own identity.

The instrumental intent of sanctions has another obvious major weakness—mirror imaging. Mirror imaging may be a result of a failure to understand another state's identity, or from a U.S. or Eurocentric view of world politics. Simply put, mirror imaging occurs when an individual or state assumes that another state or individual will react or perceive the same as they would in similar circumstances. Mirror imaging occurs in this instance when the United States assumes that the calculus it would use to determine *what* is valued and *how much* value is placed on something is the same calculus for the target of sanctions—in this case, Russia.

Whether the result of mirror imaging, poor assessment of a target state's identity, or both, the results are the same. The sanctioning state assumes, likely based on incomplete or inaccurate knowledge, that the targeted state values the same things and also that the target places a similar measure of worth on those things. Therefore, it is assumed that Russia in this instance values its economic interests above other tangible or intangible Russian interests, such as international standing, relative power, and position on the world stage, actions considered appropriate in terms of congruency with its own understanding of state identity, or just a base domestic interest in the economic benefits of controlling Ukrainian territory. Another interest Russia likely has is an unambiguous, if misinformed, interest in national survival and security. However misinformed Russia may be in terms of the intent of the North Atlantic Treaty Organization (NATO), or how poorly Russian leadership's perceptions of NATO reflect reality, their views are genuine to them.<sup>46</sup> Simply put, if Russia perceived, correctly or not, that NATO threatened Russia's survival and security in what it views as its own sphere of influence, Russia acted in a way that is rational to Russia, but unexpected by the Western calculus of a rational economic cost-benefit analysis regarding economic sanctions. In other words, sanctions enacted by the West for instrumental purposes, without a complete understanding of the value system of the target, are quite likely to fail. Therefore, rather than the more common expected utility model of rational decision-making, prospect theory may offer insights into Russian decision-making in the face of economic sanctions.

Prospect theory suggests that individuals make different choices based on how a problem or situation is framed across a gain-loss spectrum. If an issue is framed for or by an individual as a gain, they are less likely to make high-risk choices. Given a perception that the decision domain falls into the loss category, actors will be more inclined to engage in higher-risk actions.<sup>47</sup> Western nations likely have framed the Russian invasion of Ukraine in terms of the potential gains for Russia. They view the aggression as a grab for power, territory, economic, or possibly political benefits. This results in Western expectations that Russia will use a rational cost-benefit analysis and conclude that the economic and political losses incurred by aggression are not worth the potential gain of

Ukrainian territory. However, it is likely in this case—given the aforementioned Russian state identity, Russia-Ukraine history, and possibly even Putin’s personal goals for Russia—that the Russians view the Ukraine situation with a *loss* frame. This loss perception has resulted in high-risk Russian behavior that couples with Russia’s willingness to endure even strong economic sanctions to achieve its goals in Ukraine.

In the end, without a full understanding of a target’s value system and whether there is a gain or loss frame in force in a given situation, the effect of sanctions on actual behavioral outcomes are no better than a coin toss. That is, until you begin to calculate costs for the sanctioning actors. If the sanctioning body cannot bear the costs of its own sanctions regime, the cost-benefit calculus may well shift in favor of the sanctioned state. Indeed, one of the criticisms of prospect theory is that it is difficult, if not impossible, to discern where actors’ perceptions are or will be on the gain-loss spectrum.<sup>48</sup>

### **Sanctions as Expression: The Weakness of Moral Signaling**

An alternative view of the effectiveness of sanctions, rather than instrumentalism, is that sanctions can serve an expressive purpose. That is, sanctions are a manifestation of domestic groups’ disapproval of a foreign country’s policies.<sup>49</sup> Thus, the success or effectiveness of sanctions, rather than affecting *target* state behavior, is measured in terms of the expressive goals of domestic groups in the sanctioning state.<sup>50</sup> Effectiveness is determined by the satisfaction the sanctioner perceives.

Evidence suggests that sanctions imposed for such expressive notions are likely to fail to change target state behavior since they are “designed deliberately to be ineffectual” because they are not designed to “impose maximum harm on the target country.”<sup>51</sup> Rather than signaling strength and resolve, targets of such sanctions are often aware that sanctioning states design sanctions to minimize the impact on the sanctioner’s economy. The result is a signal of weakness and lack of commitment.<sup>52</sup> There are also several potential pitfalls of sanctions being enacted for expressive purposes, which lead to sanctions being less effective in terms of measurable changes in target behavior. A savvy target may know of and exploit these pitfalls. Two such phenomena include the Abilene Paradox and the collective action problem.

### **The Abilene Paradox: Just Going Along with a Sanctions Regime**

The Abilene Paradox is a concept that anyone who has participated in group decision-making may have encountered. This paradox occurs when a decision-making body agrees to a decision or action unanimously because no individual member is willing to speak out against the perceived will of the majority.<sup>53</sup> At the suggestion of one member of a group, the group ends up taking an unwanted trip to Abilene, even though nobody wanted to go in the first place.<sup>54</sup> This

occurs because group members may wish to avoid criticizing another member creating, among other things, an “illusion of unanimity.”<sup>55</sup> The implication of the paradox in international relations is that “organizations frequently take actions in contradiction to what they really want to do and therefore defeat the very purposes they are trying to achieve.”<sup>56</sup> The organization focuses myopically on one potential course of action or solution, ignoring other potential solutions, the potential costs of the proposed solution, or the possibility that the proposed solution may fail to produce the desired results.<sup>57</sup> The result is that when an international body, be it a loose confederation or a long-standing alliance such as NATO, determines to enact sanctions, the Abilene Paradox may lead to several states not being as committed as necessary, for as long as necessary, for sanctions to be effective. Such states merely go along with the sanctions regime because they feel pressured to do so or because they believe others want them to. When costs to the sanctioning body begin to manifest, members’ dedication to the sanctions regime will likely diminish and enforcement will become difficult.

When states enact sanctions as an expression of a domestic interest group’s views on target state behaviors—with the intent to simply express condemnation of the target’s actions—the sanctions will be weaker. First, the state enacting such sanctions may not have the same values as the interest group and may not desire to fully back and empower the enforcement of sanctions. They are sanctions in word only, not fully enforced in deed. Second, interest groups may lose interest over time and sanctions are not known for resulting in quick changes in target state policies. The interest group sees the futility and moves on to another issue.

Another problem with expressive sanctions is similar to that of sanctions enacted for purely instrumental purposes. Expressive sanctions are put in place because the sanctioning actor wishes to condemn a target’s actions as being immoral or contrary to international norms. The efficacy of such sanctions may be measured in terms of the signaling insofar as the sanctioning actor is satisfied with the message sanctions send not only to the target but to the international community. However, this is not likely to change the policies of the target state. First, target states are likely to have a selection effect. Targets simply may not care about international opinion in the first place because they are doing things that provoke sanctions.<sup>58</sup> Likewise, the target state may not care about the principles of interest groups outside of the target country. The target may also have a different value set in terms of how it views international norms. The threshold for what constitutes an international norm is actually quite low. According to international relations scholars, as few as one-third of countries need to accept a norm for it to be considered international.<sup>59</sup> That leaves the potential that nearly one-half of the nations of the world do not consider a given behavior to have normative power. What is moral and just in one state or collective may be completely different from what is considered moral and just in another state or collective.

Second, even if a target state accepts a certain international norm as valid,

states are continuously balancing many domestic and international norms and interests at any given time. In a given situation, an international norm may take a back seat to prevailing domestic norms, cultural constraints, or domestic political considerations. As is true with instrumental sanctions, sanctioning states are not likely to have an accurate assessment of the cost-benefit calculus of the target of expressive sanctions.

## **The Collective Action Problem and the Weakness of Sanctions**

It is also possible that some members of a coalition or alliance may not be as committed to sanctions as others in the group. This can occur due to the Abilene Paradox, as previously noted. There are also several other reasons for weaker commitment to a sanctions regime, including different domestic norms, individual state power and position in the global community, or disparate economic impacts across the sanctioning body members. This impacts the cost-benefit analysis of states: “Thus, an actor will choose cooperation over independent action only if the increased value of the benefits—that is, the ‘surplus’ resulting from cooperation exceeds the cost of cooperation.”<sup>60</sup>

Without some enforcement mechanism within the sanctioning coalition itself, there may be individual state interests that override interests of the sanctioning body. Some states may defect and violate the sanctions regime they initially agreed to join. Any individual state may intentionally or unintentionally sabotage the sanctions. A single state may lack the same level of will as other members of the collective. A state may experience disparate economic impacts of its own relative to the collective or other individual members, leading to a subsequent cost-benefit analysis that leads to weak or no enforcement of the sanctions regime, such as the lack of sanctions on Russian gas to Europe, and the Japanese breach of the oil price cap noted above. This could ultimately lead to coalition fracture through the actions of just one member. The target of sanctions, often being an individual state, does not have this problem. The target is not required to hold together a coalition and can base its decisions on an individual—and likely more constant—rationale. Collective action is difficult and grows more difficult as the number of actors in a group increases. Thus, another paradox of sanctions arises. Effective sanctions require a large body of sanctioning states to enact meaningful sanctions; however, the larger the sanctioning body the more difficult it becomes to agree to a sanctions regime and to enforce it.

Additionally, a sanctioning body must be comprehensive. Unless all non-target states are brought into the sanctions regime, there will always be back doors for continued trade. Gaps in international sanctions on Russian oil sales and Russian purchases of critical microchips through “third party vendors”—including NATO member Turkey—are just two examples of such weaknesses.<sup>61</sup> The greater number of states that form the sanctioning coalition, the more difficult the agreement on sanctions and their enforcement become. Additionally,

if the success of sanctions benefits members of the sanctioning organization differently, and as a result any member of the group disavows its commitment to the sanctions regime, it will decrease the effectiveness of sanctions and increase the cost of enacting sanctions on the other members of the group.<sup>62</sup> Some have argued that the single most significant reason sanctions have historically failed is due to “third-party spoilers.”<sup>63</sup> As noted previously, China and India have dramatically increased their purchases of Russian oil and gas since the 2022 invasion of Ukraine. Third parties do not need to fully replace the trade or economic benefits that have been cut off by a sanctioning body. Third parties merely need to provide a temporary lifeline. Success of sanctions requires consensus of the entire coalition but can potentially be wrecked by the dissent of just one. The single actor does not require consensus and can commit to expressive desires or otherwise make noninstrumental cost-benefit decisions. This is particularly true for a dictatorial regime like Russia.<sup>64</sup>

## **Sanctions as an Act of War**

Sanctions may be used merely to signal “displeasure with a certain behavior” of a target state.<sup>65</sup> Sanctions may also signal a reluctance to use military force, which in turn can signal that sanctioning state commitment could be in question.<sup>66</sup> In addition to those purposes and perceptions, sanctions may also be considered as an act of war by both the sanctioner and the sanctioned. Sanctions that are enacted after undesirable target state behavior are typically used for the purpose of exacting punishment. Such sanctions may not result in positive changes in behavior of the target state, but they are intended to exact a measurable cost for foreign policy choices deemed unacceptable in the larger international community. How much punishment a target state is willing to absorb will depend greatly on how much the target values that which sanctions target relative to its goals for taking the actions that resulted in sanctions in the first place. This is really not much different than carrying out the same punishment through military actions. The ways employed are different, but only slightly so. More important, the intended effects are the same. That is, to exact enough punishment by damaging something of value to the target to get them to change their behavior. Therefore, it is not unreasonable for a target of economic sanctions to view sanctions as an act of war.

This is not a new discovery, as noted previously with some scholars’ interpretations of the Megarian Decree. More recently, People’s Liberation Army (PLA) officers included sanctions on the list of potential means that “can have a destructive effect that is equal to that of a military operation.”<sup>67</sup> Further, these Chinese colonels argue that “financial war is a form of non-military warfare which is just as terribly destructive as a bloody war” and that the “destruction which [sanctions] do are not secondary to pure military wars.”<sup>68</sup> Russian strategists have also noted the utility and potential destruction wrought by economic warfare. It has long been noted that Russia’s use of hybrid warfare leverages economic and other instruments of power to achieve its objectives, which changes

the very “conceptual approach to war.”<sup>69</sup> Russian president Vladimir Putin has even gone so far as stating that Western sanctions are “akin to a declaration of war.”<sup>70</sup> President Biden has also stated that these sanctions on Russia constitute “a new kind of economic statecraft with the power to inflict damage that rivals military might.”<sup>71</sup>

If the target of sanctions views sanctions as a literal act of war, it is not difficult to see how sanctions might prove ineffective. As an act of war, sanctions will almost automatically create a defensive reaction in all but the weakest of states. When states are threatened militarily, they most often react defensively. There is no reason to think that states that feel they are being attacked economically will react differently. Even the perception, correct or not, that economic sanctions threaten state survival, will, in the mind of the target, create the need for defensive measures. This is often cited as one of the primary reasons Japan lashed out and sought increased resources at the outset of World War II.

Regarding Russia and its activities in Crimea and Ukraine, it is evident that the sanctions that followed Russian aggression have had significant economic impacts but have continued to fall short in reversing Russian belligerence. That is to say, the sanctions may have significant effects on Russian decisions and behavior, but not in the way intended by sanctioning countries. Any sanctions regime must consider the negative effects that may result from sanctions—that sanctions may actually increase bad behaviors.<sup>72</sup> Sanctions perceived by the target state as an act of war will likely result in such behaviors.

One reason that sanctions might encourage continued bad behaviors is because sanctions may enrage elites who make foreign policy decisions. Some scholars have posited that “autocratic leaders tend to be more defiant as they often escape the intended costs of the coercion to themselves and their support base.”<sup>73</sup> The West, and particularly the United States, has moved to a regime of targeted sanctions for this reason. Rather than blanket sanctions that impact an entire populace, targeted sanctions aim to punish or coerce elite actors who directly or indirectly influence foreign policy decisions. However, “there is no strong evidence that targeted sanctions are more successful than conventional sanctions.”<sup>74</sup> In addition to low success rates in achieving sanctioning states’ policy goals, even targeted sanctions often have deleterious effects in the targeted country, including increased political repression, increased authoritarianism, corruption, and poor governance.<sup>75</sup> Additionally, as noted above in the discussion of sanctions intended to have a coercive effect or act as a punishment, the target of sanctions may not have the same value system. Thus, “economic rationality, or at least the pursuit of it, is far from being such a dominant motive for some states, especially with certain forms of absolutist or authoritarian regimes.”<sup>76</sup>

Sanctions may also enrage the population of a target country. Scholars have posited that “sanctions can have the perverse effect of bolstering authoritarian, statist societies. By creating scarcity, they enable governments to better control distribution of goods.”<sup>77</sup> Sanctions may also lend credence to authoritarian



claims of oppression from abroad: “By combining authoritarian governance and nationalism, local leaders [may manage] to mobilize the population against the sanctioning enemy states.”<sup>78</sup> It has also been suggested that sanctions may bring additional allies into the sphere of the targeted state, rather than causing it to be isolated.<sup>79</sup> For example, there is evidence that Western actions intended to thwart Russian aggression have increased ties between Russia and China.<sup>80</sup>

## Analysis and Recommendations

Sanctions may be intended to serve various purposes, from deterrence to compellence and from diplomacy to punishment. Sanctions may have a range of goals, including instrumental or expressive aims. They may have positive effects in terms of achieving sanctioning state policy goals for target state behaviors. Sanctions may have a delayed effect—for which many policy makers may be unwilling to wait. More likely, they will have negative effects, particularly on the types of countries against which the United States tends to use sanctions. Yet, just because sanctions have a variety of intended purposes does not mean they automatically result in the desired ends. The means—negative economic impacts—cannot and should not be mistaken for the real ends, which are defined best as the desired change in policy of the target of sanctions. This measure of the success of sanctions and the review of several importance concepts discussed above lead to several policy recommendations regarding the use of sanctions.

First, sanctions should be considered as a tool of foreign policy on par with military intervention, with a similar collateral damage and cost-benefit analysis. Sanctions should be just as cautiously considered as a tool of foreign policy as is military intervention.<sup>81</sup> The United States should not assume that other states view sanctions in exactly the same way in all contexts. That is, as an alternative to war. Perceptions and intentions of the target of sanctions matter greatly. Sanctions may be perceived by a target country as acts of war. This is especially true if the economic effects of sanctions result in the same level of economic, social, and political upheaval—and perhaps significant loss of life—that would result from acts traditionally associated with armed conflict. Even if the impacts of sanctions do not approach the economic, physical, social, or political effects of war, it is logical to assume that sanctioned parties can and will use international sanctions as a rallying call to their cause both domestically and internationally. Whether or not such a rally-around-the-flag message will resonate with the domestic population depends on numerous factors—too numerous for policy makers to predict with any level of accuracy.

Second, sanctions should not be used as an expressive foreign policy tool.<sup>82</sup> There are two reasons for this. First, domestic groups that have an interest in such expressive foreign policy actions may not have the complete picture of world events and the long-term consequences of sanctions—especially the failure thereof. The expressive measures may be based on emotion, religious or moral conceptions, or other factors that do not translate to the culture or state identity of the target country’s elite policy makers or its population. Quite sim-

ply, there may be vastly differing conceptions of right and wrong, of moral and immoral, between the sanctioning state and the target. Without agreement on those and other factors, determination of how much and how long a state will withstand the effects of sanctions cannot be made.

If such expressive sanctions are, in fact, designed deliberately to be less effective by providing loopholes to circumvent them, it will weaken the entire international sanctions regime. Sanctions as a tool will be generally less effective because the target state will not be able to determine if the goal of a sanctioning state is instrumental or expressive—if they are merely signaling or if they really mean it. Again, the perceptions of all parties involved are central to the effectiveness of sanctions. Add to these perceptions the differing values placed on interests and goals that sanctioning states and targets have but do not necessarily fully comprehend, and any result of sanctions—positive or negative—will be nearly impossible to predict.

Third, sanctioners must avoid mirror imaging. Mirror imaging is certainly one of the easiest pitfalls to identify but also one of the most difficult things to avoid when deciding to enact sanctions. It takes a tremendous amount of time and experience to study any state or alliance and accurately determine what it values and how much. In a specific set of events—such as determining the value of Ukraine to Russia—it becomes even more difficult to do so. Understanding the value Russia places on Ukraine cannot be understood from a purely Western viewpoint because it requires a global one.

Fourth, and likely most difficult, is that sanctioning bodies must also strive to understand the state identity of the target of sanctions. Because state identity can be a driving force behind state interests and resultant policy choices, it is imperative that sanctioning bodies understand the motivations of target states. More than merely avoiding mirror imaging when it comes to enacting sanctions, states need to comprehend as much as possible the origins of the target state's interests. This will not be an easy task. State identity may drive policy decisions based on a leader's intersubjective understanding of state identity vis-à-vis other states; however, international relations rarely involve relatively simple bilateral relationships. States have various identities that may come to play in a given situation. States do not "have a portfolio of interests that they carry around independent of social context; instead, they define their interests in the process of defining situations."<sup>83</sup> Hence, state identity may provide insight into the reason for state policy choices, but state identity alone will be unable to "specify which particular action will follow in any [specific] situation."<sup>84</sup> Despite such difficulties, enacting sanctions without a clear understanding of the perceptions of the target will likely result in an ineffective sanctions regime. Attempts to influence a target by appealing to or otherwise leveraging aspects of the target's state identity will have greater purchase.<sup>85</sup>

In sum, this article has advanced the argument that economic sanctions alone have had and will likely continue to have a poor track record in creating positive changes in the policy decisions of target states. The current case of

sanctions against Russia before and after its invasion of Ukraine add empirical evidence to the ineffectiveness of sanctions on changes in a target's foreign policy behaviors. Sanctions enacted for instrumental reasons are often measured in terms of impact to the target's economy rather than desired shifts in foreign policy behaviors. This is an incomplete and inaccurate measurement. Relatedly, there has been a notable lack in instrumental effectiveness of sanctions in terms of changes in target policies, both historically for many countries and currently in the case of Russia. The case of Russia continues to highlight the fact that target states may determine to suffer greatly rather than bend to the will of sanctioning states. There is also an inherent weakness of expressive sanctions regimes based on moral signaling by interest groups. Such sanctions are doomed to fail because they are weak by design. Finally, many actors may view economic sanctions as an act of war. This last observation is especially important, particularly for Western policy makers, who often view economic or other damage inflicted by sanctions differently than that wrought by military force. Other nations that do not view sanctions with such an innocuous lens will likely default to a defensive stance. Thus, this analysis has suggested four recommendations for policy makers when deciding whether and how to enact economic sanctions:

- Sanctions should be considered as a tool of foreign policy on par with military intervention.
- Expressive sanctions should not be considered as a national foreign policy tool.
- Sanctioners must avoid mirror imaging.
- Sanctioners must strive for a deeper understanding of a target state's identity.

The Megarian Decree may or may not have played a significant role in the Peloponnesian War, either as a spark leading to war, or as a significant act of war itself. The Megarian Decree, despite many details regarding their intent and effectiveness being lost to history, are nonetheless instructive. The primary lesson of these ancient decrees is that scholars, political pundits, and policy makers continue to disagree on the purposes and effectiveness of sanctions as a foreign policy tool. Intentions, interpretations, and perceptions all matter considerably for both the sanctioning body and the target of sanctions. This fact makes the use of economic sanctions a gamble at best, and policy making folly at worst. It should be remembered that the Athenian powerhouse—the *sanctioning* state—was ultimately defeated and replaced by the Spartan empire.

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