

## Should Democracies Sanction Democracies?

Written by Avia Pasternak

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AVIA PASTERNAK, AUG 13 2008

The question of the legitimacy of international intervention in the domestic affairs of states has been subject to much public debate recently, especially with relation to brutal regimes like those in Zimbabwe or Burma. The focus on such regimes may be justified in light of the scale of human rights atrocities which they commit, as well as the urgent plight of their victims. Nevertheless, there is also room for the less-examined question of the legitimacy of international pressure in cases where the violating state is a liberal democracy. After all, even liberal democracies can and do commit violations of human rights, whether of oppressed minorities within their borders or in other places. Should the fact that the violating state is a democracy influence the set of considerations that democratic states take into account when they decide whether or not to interfere in the domestic affairs of another state?

There is a range of methods which democracies may use in order to affect the policy decisions of an unjust democracy, from mere condemnation to military intervention. The former measures often prove to be ineffective. On the other hand, the types of human rights violations that democracies commit rarely justify international military intervention. The question we are concerned with here, therefore, is should 'midrange measures' such as economic sanctions be employed against an unjust democracy?

There are several factors which are usually used in order to assess the legitimacy and necessity of international interference in the affairs of states. First, the extent to which such interference is likely to be **effective** in bringing about a change of policy. Second, the extent to which one state (or group of states) has **the right** to interfere in the policy decisions of another. Third, the extent to which one state (or group of states) has the **obligation** to incur upon itself the costs of such interference. According to one common view these three factors result in cautious conclusions with regard to the legitimacy of international economic sanctions, for several reasons.[1] First, it has been shown that the effectiveness of economic sanctions as an external pressure tool is rather low.[2] Second, it has been argued that economic sanctions potentially violate the independence and political self-determination of states. Finally, it can be argued that economic sanctions impose unreasonable costs on the sender state. The idea here is that imposing economic sanctions on another state can be a rather costly endeavour which will reduce the welfare level of a state's own citizens. Since states have obligations primarily to their own citizens, they can be expected to incur such costs only when the injustices committed by the target state are very serious or urgent.

The conclusion that this short review leads to is that economic sanctions against an unjust liberal democracy would rarely be justified, because of their potential low efficacy; the fact that they violate the political autonomy of a democratically elected government; and because the human rights violations that democracies commit are not usually the type that calls for an immediate and urgent response. However, in what follows I will argue that in fact, when the target state is a liberal democracy, additional factors may come into play which will overturn this conclusion. More specifically, when both the sender and the target states are liberal democracies, special relations may develop between them that could have a significant effect on the cost, legitimacy, and efficacy of sanctions, thus rendering the overall assessment of such sanctions more positive.

My argument rests on the observation that liberal democracies often develop special relations of interdependence with other liberal democracies, in light of their shared values and common institutions. Such relationships promote the interests of their member states since they allow them to enjoy the gains of international cooperation. Important examples are democratic 'security communities' which concentrate around shared security interests; democratic

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trade communities within which intense economic co-operation develops; democratic trans-governmental networks; and finally, deeper and more institutionalized relationships like the human rights regime under the Council of Europe.

The fact that democracies are sometimes engaged in such special relations can affect their assessment of economic sanctions in cases where one of them deviates from shared democratic values and norms. The idea here is that when democracies are engaged in intense transnational relationships they are more likely to be influenced and affected by each other. After all, our values develop in response to and in light of those that surround us and with whom we are in a relationship of mutual esteem. Thus the viability and strength of the democratic culture in one democracy would be at least partly affected by what happens in other democracies with which it shares values and ideals in the ways I have described. The conclusion that follows is that when one democracy adopts an undemocratic practice, it sends the message to other democracies that such behaviour is compatible with democratic norms. Other democracies that are in close contact with it could therefore potentially be influenced themselves by these changing norms. In order to prevent this detrimental effect they have a right to express their outright condemnation of this behaviour. In other words, in order to preserve their own democratic identity these other democracies have the right to make it clear that they reject the non-democratic policies of the liberal democracy with which they are in close contact.

The fact that the target state is a democracy may not only establish an increased **right** for other democracies to interfere. It can also increase their **obligation** to do so. This argument rests on the observation that condemnation and reproach have greater effect on us if they come from people we value or see as our peers. As a result, group members who have the capacity to influence their peers also have the responsibility to reproach their co-members when they deviate from the group's values and practices. Such obligations can arise between liberal democracies as well: if democracies develop valuable peer group relations with each other, then they have increased capacity to influence each other, and as a result, may have an obligation to respond by means of condemnation and sanctions when one of them commits a serious injustice.

Finally, the objection that sanctions have a poor rate of success is also potentially weakened when the target state involved is a liberal democracy. In fact, in the history of economic sanctions, the majority of successful sanctions were against democracies or semi-democracies.[3] One explanation for this phenomenon is that democracies are more sensitive to the material harms because they are committed to maintain the welfare of their citizens. Another explanation is that in democracies the motivations of the sender states as well as the impact of sanctions are publicly known and open to debate. Finally, it is possible that sanctions have a greater chance of success when there is already considerable domestic opposition to the government's policies.[4]

To conclude, when a democracy commits human rights violations, other democracies have to take four factors into account when they consider their reaction: the likely efficacy of interference, their right to interfere; their obligation to incur the costs of interference, and finally, the extent to which they themselves could be affected by non-interference, in light of their special relationship with the democracy in question. We saw that when the target state is a democracy, other democracies may have 'double reasons' to sanction it. The justification for sanctioning would be not only that the democracy in question violated international law and harmed a third party, but also that it violated the **democratic** norms which it shares in common with other democracies and which it professes allegiance to. This leads to another important conclusion: while liberal democracies have good reasons to sanction other democracies that violate democratic norms, they do not necessarily have strong enough reasons to interfere when non-democratic regimes violate the **same** norms, because they do not have similarly intense relationship with these regimes. We see then that the regime type of an unjust state can certainly affect our overall assessment of the legitimacy and necessity of international interference in its internal affairs.

*Avia Pasternak is a Postdoctoral Fellow in the Program on Global Justice at the Freeman Spogli Institute for International Studies, Stanford University. Her research interests concern the global responsibilities of liberal democracies; the notion of collective responsibility; the scope of democratic civic duties and the nature of democracy. This piece is based on her paper 'sanctioning liberal democracies' which is forthcoming in Political Studies.*

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[1] I am referring here to the 'nationalist' or 'statist' view, according to which political communities have an ethical and moral value in themselves, and the members of these communities have special obligations to each other. For a good articulation of this view see David Miller, *On Nationality* (Oxford: Clarendon Press, 1995).

[2] e.g in Robert Pape, "Why Economic Sanctions Do Not Work," *International Security* 22, no. 2 (1997).

[3] Gary Clyde Hufbauer, Jeffrey J. Schott, and Kimberly Ann Elliott, *Economic Sanctions Reconsidered*, 2nd ed. (Washington, DC: Institute for International Economics, 1990).

[4] David Cortright and George A. Lopez, *The Sanctions Decade: Assessing Un Strategies in the 1990s* (Boulder, Colo.: Lynne Rienner Publishers, 2000) 22.