Economic Sanctions

An Effective Tool of Foreign Policy Statecraft?

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Introduction

Policy analysis literature has long been concerned with how the best tools are chosen in various circumstances in order to achieve a specific outcome. This method of policy design inherently demands efficiency and effectiveness in any instruments it selects. To this end, numerous classification schemes have been developed over the years to try to predict and prescribe the various policy tools and options a government has at its disposal. What initially began in 1964 with Étienne Kirschen’s sixty-two different types of economic policy instruments1 has evolved and been improved on over time, as witnessed by the efforts of Bruce Doern and Richard Phidd in the early 1990s.2 Further typologies can be seen in Christopher Hood’s ‘NATO’ scheme,3 or Lester Salamon's

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3 Pal, Beyond Policy Analysis, 137-191.

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emphasis on third-party governments. Yet despite these key foundations, very little research has been done on how these classifications could be used to examine a government’s foreign policy directives, given the domestic tools it has at its disposal. In an increasingly globalized world, how a country responds to policy challenges on the international scene has become ever more relevant. By looking at the main classification schemes and the tools contained therein, I intend to demonstrate that certain domestic instruments can be in fact be used on the international stage in order to achieve specific foreign policy goals. I will use Canada’s economic sanctions as an example, focusing on its ability to cast a light on how certain policy instruments can fall along a spectrum of ‘symbolic’ and ‘direct’ effectiveness.

There has always been a blurring of lines between the choice of instruments and the means of implementing those instruments. Politicians and government officials remain constrained by perceptions of legitimacy in the application of various policy tools. Yet legitimacy is elastic and culturally contingent; it tends to change with circumstances and only reflect the values of a specific timeframe. Regardless of how reliable legitimacy may be as a retrospective yardstick, the fact remains that it is extremely important in measuring the efficacy of instruments and whether or not a policy outcome can be considered successful. However, this use of legitimacy becomes even more intangible at the international level, where there is no hierarchal authority to which one can appeal or turn to for additional resources. While some may point to world bodies such as the United Nations as the exception to this assumption, there is rarely a guarantee that such an organization can support the foreign policy decisions of all its members, either through political or logistical support. It is for this very reason that globalization and the increased porousness of borders can act as a balancing weight in such an anarchic environment. While the tools at Canada’s disposal may be finite on a national level, it has greater leeway at the international level to work collaboratively with its allies; sharing resources, strategies and tools in order to effectively achieve their foreign policy aims. This multilateral approach serves to reinforce the idea of legitimacy by allowing progress to be made and measured by a nation and its allies.

This need for a multilateral approach provides a valuable baseline when comparing the usefulness of the different classification systems within policy analysis literature. Such a comparison

4 Ibid.
5 Ibid.
will show that when domestic tools are applied to foreign policy goals, they require a similarly ‘collaborative’ approach in order to be effective. That is, tools that work well on their own domestically, such as a certain type of regulation, will require additional help in the form of, say, information-based instruments from a country’s allies in order to maximize their effectiveness on the international scale. Overall, I intend to demonstrate that while certain government tools are little more than ‘empty symbols’ on one end of the spectrum, others such as economic sanctions can still serve a valuable political purpose when used in conjunction with Canada’s supplementary tools and international allies.

The Policy Instrument Toolbox

Many contributions have been made to the field of policy instrumentation since Kirschen first put forth his classification scheme. However, before any analysis of these different schemes can take place, it is important to first have a clear understanding of what defines a policy instrument. Evert Vedung sees these tools as “a set of techniques by which governmental authorities wield their power in attempting to ensure support and effect or prevent social change.”6 This definition clearly highlights how the ultimate end of a policy instrument lies in its ability to deliberately achieve a specific policy goal. What in turn defines which tool is used and when is based largely on the limited resources and techniques that a government has at its disposal. While Pal notes that there is no single, or universally agreed upon typology, it is interesting to examine which classifications are best suited to the domestic field and which have the potential to branch out into the international environment.

The schema developed by Stephen Linder and Guy Peters in 1989 was designed to improve upon what they felt to be the limitations within Hood’s ‘NATO’ model.7 They felt Hood was too broad in his group definitions of the different resources a government can use. Linder and Peters developed seven major categories of policy instruments: direct provision, subsidy, tax, contract, authority, regulation and exhortation.8 These categories were meant to allow for a greater graduation of choice, based on the choices regularly available to policymakers. The finer gradient that they

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7 Pal, Beyond Policy Analysis, 137-191.
8 Ibid.
developed serves to illustrate the overwhelming emphasis within policy analysis literature on internal policy issues; on public concerns and challenges rather than global ones. It would be very difficult to apply Linder’s classification of subsidies or regulation to the tools of foreign policy for the simple reason that their schema pre-supposes an existing hierarchy. The international arena does not have an overarching authority that can ensure issues such as tax regulations are upheld universally and with equality across all countries. The domestic and international environments consist of very different cultures with very different standard operating procedures. For this reason, employing a broader typology that can bridge the two environments and create a shared understanding among policy is what will be most useful for our case.

One classification that comes close to this ideal is the one developed by Doern and Phidd in 1992. They spread their five categories of self-regulation, exhortation, expenditure, regulation and public ownership along a continuum of legitimate coercion. Their logic was based on the reality of choice available within a liberal democracy. That is, a government in such a democracy inevitably employs at least some degree of coercion in its regular policymaking and accordingly, politicians tend to prefer to use the least coercive instrument possible. Some of the finer gradients of preferences include grants, guidelines and speeches, while others focus on tariffs and penalties. By presenting these instruments as being means, as well as ends in themselves, Doern and Phidd seek to affect the process and content of policymaking. It is this continuum of choice that is most appealing from a foreign policy standpoint. Given the lack of a central authority and the subsequent need for allies, how much coercion is necessary among these foreign partners? Is there a trade-off between the obligations a state has to its allies and the balance of power or coercion within the group? That is, is it possible to compare the ‘weight’ a member carries within an alliance to the amount of coercion it employs? While an interesting research topic in itself, the reality depends very much on the style, size and relative importance of the alliance to the global community. Are the nations involved all of the same governing type? Are they all authoritarian, democratic or somewhere in between? The level of coercion employed by these governments with their domestic partners will likely impact how they in

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9 Doern and Phidd, *Canadian Public Policy*, 110-137.
10 Ibid.
11 Ibid.
turn interact with their international allies.\textsuperscript{13} Further, the balance of power within the partnership can influence or affect its relations with the rest of the global community. Are the members all of equal size and importance? Is one more powerful than the other members? These are all factors that influence the actions of an alliance and in turn, how much coercion they may choose to employ to maintain their legitimacy on the international stage. In this way, Doern and Phidd’s classification system presents a useful way for examining why a country may choose a certain policy, but not how it will design or implement it. There are thus limitations in using their schema to analyze Canada’s foreign policy toolbox.

For this reason, I will turn to the more diverse model proposed by Leslie Pal. He presents a broad approach to instrument classification that can act as a filter for many foreign policy decisions. He starts by presuming a policymaker’s purpose centres around a desired outcome that affects either individuals; political, social or economic conditions; or services provided to the public.\textsuperscript{14} In this way, there is already a wider margin built into the classification that allows foreign policy decisions to be analyzed. By not limiting government actions explicitly to the domestic, or public sphere, it is possible to look at the outcomes policymakers may wish to accomplish in an international context. Accordingly, Pal then looks at three open policy instruments that governments can choose from: to act directly or indirectly, or to do nothing.\textsuperscript{15} The first involves the state being “…ultimately accountable for achieving its objectives”,\textsuperscript{16} where the state uses its own resources to change conditions. The indirect approach, by contrast, involves the government achieving its objectives via the actions of other actors, such as citizens or organizations. Finally, the option to do nothing involves what is called a “static response,”\textsuperscript{17} and flows from four rationales: problem-related, resource-related, precedent-related and the idea of a self-correcting system. This final category of instrument choice largely reflects the increased skepticism about government intervention within civil society.\textsuperscript{18} The idea that a problem may exist but that any policy intervention may establish a dangerous precedent and place unmanageable demands on the government is definitely an interesting lens through which to view a foreign policy decision.

\textsuperscript{13} Ibid.
\textsuperscript{14} Pal, \textit{Beyond Policy Analysis}, 137-191.
\textsuperscript{15} Ibid.
\textsuperscript{16} Ibid.
\textsuperscript{17} Ibid.
\textsuperscript{18} Ibid.
While these three instruments may represent potential actions that were designed according to the directives of a national public policy, it is interesting to look at how such an approach can be applied to a country’s foreign policy instead. The international community is not nearly as self-corrective as its domestic counterpart markets may be. Should a state actor choose to do nothing to avoid setting a slippery and expensive precedent internationally, its allies would be left with managing the burden alone. It is not hard to imagine that such action by a free-riding state would likely leave it less welcome in the alliance than it may have previously been. Taking humanitarian aid as an example, is a static response a viable policy option? While there may be no ultimate authority internationally, there are certainly norms that exist as guidelines for determining the behavior of state action. In this case, a ‘non-decision’ would be akin to withholding vital humanitarian support in a time of crisis. By creating a shared understanding, these norms therefore further narrow a state’s policy options, as well as limit the tools it can use. We are then left with two remaining avenues a country can choose to follow, based on Pal’s model: direct or indirect action. Does Canada want to use its own resources to pack up, ship, transport and deliver aid supplies independently? Or does it want to use its allies, either non-governmental organizations, multinational institutions or other nation-states, to pool their resources and potentially achieve a higher outcome? In this particular instance, the policy goal may be clear and the path of action simple. But what if the scenario involved something significantly more hostile to a state’s national security or the security of its allies? The proliferation of nuclear weapons is one example of a threat that directly affects all countries. How then should a state respond? Is sitting back and waiting preferable to the risk of setting a potentially overzealous precedent? A nation’s decision can fall anywhere along a spectrum of doing nothing and letting others bear the responsibility of action, to the alternate extremes of invasion and war. Countries must always walk a fine line between diplomatic signals and hard action. In certain cases, Pal’s open instrument categories can even be combined, with the result being that a country may rely on indirect support from outside groups and only take symbolic action itself. This symbolic action can be seen as another form of a non-decision, or static response. Since the nature of the international system often demands that fluid strategic alliances be made to achieve desired outcomes, the fact that Pal’s classification allows for this makes it a valuable tool when examining foreign policy choices.
Related to this idea of direct and indirect government action is what Vedung calls information-based instruments. These are “… attempts at influencing people through the transfer of knowledge, communication of reasoned argument, and moral suasion in order to achieve a policy result.”

Returning briefly to Doern and Phidd’s schema, these information-based instruments can be seen as being the least coercive, for there is no direct obligation to act on any information provided. Yet they also have the potential to be a powerful determinant of behavior, as evidenced by the propaganda used by both sides in conflicts around the world. A key tenet of these instruments is that their behavior is based entirely on knowledge, beliefs and values. As such, they are tools that work best and most effectively when these three principles are consistent with direct self-interest. In the international context, this means that nations need to have a shared understanding of each other’s culture, procedures, norms and values if such tools are to be remotely effective. Of further interest is the way information-based instruments can be used as ‘shaming’ tools. This notion has a great deal of significance internationally, where prestige and power go hand in hand. Global shaming doubtless has an effect on a country’s standing within the international community, though the degree to which this can in turn alter the behavior of the country is debatable. The relationship between shaming and behavioral deterrence is in fact a key milestone when it comes to measuring the effectiveness of economic sanctions.

**Economic Sanctions: An Overview**

Many countries have incorporated sanctions into their foreign policy toolboxes as a routine method of attaining national strategic or economic objectives, and Canada is no different. Defined as the actual or threatened withdrawal of economic resources to effect a policy change by the target, economic sanctions represent a desire on the part of the sender country to hinder or obstruct the target country’s economy by redistributing income, status and influence among its domestic constituents. By their very nature, sanctions focus on material deprivation as a means to gain political concession. Accordingly, William Kaempfer and Anton Lowenberg identify three typical

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20 Pal, Beyond Policy Analysis, 137-191.
arenas, or motivations, for the contemporary use of economic sanctions: national security objectives, to achieve moral or ideological goals, or international trade and investment dispute resolution.\footnote{W. Kaempfer, and A. Lowenberg, ed., \textit{International Economic Sanctions}. (San Francisco: Westview Press., 1992).} The first arena looks at an offending country whose policies directly threaten the wealth or security of the sanctioner or its allies. This highlights the overarching theme of multilateralism, and the importance of cooperation and coalitions on the international stage. The second arena concerns the objectionable moral principles of an offending country, rather than the direct welfare of the sanctioners. It is this arena that presents an opportunity for shaming instruments to be employed. The third and final arena deals with strategic trade policy among countries, specifically the increased concerns around intellectual property rights. For the purposes of this paper, however, it will be the first two arenas of justification that are most relevant.

Long regarded as the preferred and peaceful alternative to war, sanctions were established as the premier diplomatic instrument in Canada during the 1970s for dealing with wrongdoing in the international system.\footnote{Richard Nossal, \textit{Rain Dancing: Sanctions in Canadian and Australian Foreign Policy} (Toronto, ON: University of Toronto Press, 1994), 3-33, 219-243, 252-269.} Their popularity has not faded in Canada, where the government has imposed approximately 22 sanctions since the 1980s,\footnote{Ibid.} including against North Korea, a case I will return to later. The generic theory of sanctions suggests that they always have a set of “purposes”,\footnote{Ibid.} whether it be to deter or compel a target into changing its behavior, or to express a policy position symbolically either to one’s own domestic population or to the other states in the international system. An important reason why policymakers therefore find sanctions so appealing is because it allows them to show that they are doing ‘something’ in the face of some wrongdoing, without having to resort to the more volatile tools in their repertoire, such as war. It is interesting to note how close a symbolic action can come to a static response, or a non-decision. Sanctions are also used as diplomatic signals, representing tangible indicators of the sender country’s seriousness over a particular issue or dispute.\footnote{Chan and Drury, \textit{Sanctions}.} However, given Canada’s status within the global community as a ‘middle power’, the government’s ability to inflict significant and sufficient harm through sanctions on other states in the international system is quite limited. Canada simply does not have the capabilities, power, or resources that countries like the United States or the United Kingdom have.
Whether significant others decide to support or oppose the sanction effort can help to make or break it.\textsuperscript{28} It is for this reason that alliances become so necessary to both security and economic development in a globalized world.

Nevertheless, despite the popularity and relief they seem to offer from more extreme alternatives, economic sanctions rarely achieve their official objectives. Sanctions actually tend to increase the impoverishment and marginalization within target economies, though the evolution of ‘smart’ sanctions does offer some relief.\textsuperscript{29} Who suffers when such disruptions are imposed on a target economy? More often than not, economic sanctions tend to end up hurting the wrong people. The measures they impose against a particular government in fact ‘target’ an entire national economy, in which some people are more susceptible than others. Following the logic of economics, a national economy that is a target of sanctions is left with fewer resources. Disruptions in the society’s normal food distribution, health and educational systems can result, along with a rise in unemployment, rapid inflation and social unrest.\textsuperscript{30} Rising prices imply that those with the least resources will see the chance of satisfying their needs dwindle. Ironically, those able to maintain access to the diminishing supply of goods and services as economic sanctions are imposed tend to be those responsible for the wrongdoing in the first place: the political elites, the armed forces and the very rich. This is often called “reverse discrimination."\textsuperscript{31} As well, the longer sanctions last, the greater the chance that the targeted country will find ways to accommodate to the new situation.\textsuperscript{32} Franks calls this as a kind of sanction immunity, whereby the very globalization that makes it possible for sanctions to be imposed also allows the targeted state to gradually find access points that will allow them to bypass the imposed restrictions.

This then raises the question as to why the imposition of sanctions seems to be becoming more and more frequent despite this bad record. A large part of the answer lies in the fact that the real causes and effects of policies are rarely one-dimensional. That is, the motivations behind a specific policy, whether it is domestic or foreign, rarely stem from one clear stimulus. Kim Nossal, for example, argues that expanding immigration and the interest groups that result in a country like

\textsuperscript{28} Ibid.
\textsuperscript{32} Ibid.
Canada have a significant impact on the attractiveness of sanctions. Essentially, since large numbers of citizens in both states now have links of family, heritage and sentiment to a much wider range of political communities in the international system, such citizens will rarely be indifferent to the politics of their homeland.\textsuperscript{33} As a result of these ties, ethnic groups have not hesitated to press the concerns of their homeland on their new governments.\textsuperscript{34} Overall, the ethnic politics and interests groups of Canada serve to entrench the prominent place of sanctions as a tool of statecraft for such a middle power.

More broadly speaking, the pressure of interest groups on public policy is mirrored by the pressures countries face within their international alliances in terms of foreign policy. Such partnerships are often required in both environments in order to achieve a particular goal, but there are always costs and responsibilities that come with such an agreement. The give-and-take within any alliance requires a shared understanding among its members. The knowledge and values that connect them are also what will allow them to implement specific instruments towards a common end. The use of sanctions is an interesting representation of this relationship because it highlights these shared beliefs. For instance, the majority of the regimes which are subject to Canadian sanctions are so because of regulations put forward under the United Nations Act.\textsuperscript{35} This collective understanding in turn encourages collective action, for sanctions would stand no chance of even remote success unless nations acted together.

Despite this shared sense of values and a common goal, the reality is that economic sanctions are still not as efficient or effective as an alliance may intend. Acknowledging the problem of a lack of discrimination and adverse effects, Kimberly Elliott and Gary Hufbauer suggest the application of so-called “smart sanctions”.\textsuperscript{36} Designed with a humanitarian aspect in mind, these sanctions represent attempts to protect certain groups (such as the elderly, women and children) from becoming collateral damage. Smart sanctions focus more on financial coercion, on putting the punitive strain only on the elites by blocking their bank accounts, monetary outflows and arms

\textsuperscript{33} Nossal, \textit{Rain Dancing}, 252-269.
\textsuperscript{34} Ibid.
\textsuperscript{35} Canadian Department of Foreign Affairs and International Trade, "Countries or Groups that are Subject to Canadian Economic Sanctions," http://www.international.gc.ca/sanctions/countries_groups-pays_groupes.aspx?lang=eng&menu_id=3&menu=R.
embargoes.\textsuperscript{37} In this way, it is argued that the military will be less likely to back them up; this will eventually lead to a change in political behavior or action on the part of the elites in the target state. Yet there are no explicit guidelines for how to implement these smart sanctions.\textsuperscript{38} The context is always environmentally, culturally and diplomatically dependent, varying from case to case. While the idea that there is no possibility to pass the buck is appealing, the logic of smart sanctions is still debatable, especially in the case of North Korea.

**Economic Sanctions in Action: North Korea**

The Democratic People’s Republic of Korea (DPRK) presents an interesting example because it involves two of the motivations for sanctions as presented by Kaempfer and Lowenberg: national security concerns and a concern for human rights. In response to a claim by North Korea that it conducted a test of a nuclear weapon on October 9, 2006, the United Nations Security Council adopted Resolution 1718 a mere five days later, calling for a “travel ban; a prohibition on financial transactions related to the provision, manufacture, maintenance or use of arms or related material; and an assets freeze against persons designated by the Security Council.”\textsuperscript{39} Here we can see clear evidence of smart sanctions, of an attempt to minimize the humanitarian dangers while maximizing pressure on the elites. As well, by publicly claiming that the Security Council “shall keep the DPRK’s actions under continuous review,”\textsuperscript{40} the international community is attempting to shame North Korea by threatening to withhold both prestige and power until it complies with the Resolution. Yet do these smart sanctions meet the criteria set out by Elliott and Hufbauer? They argue that in order for smart sanctions to be effective enough to modify the target country’s behavior, four conditions must be met: the goal needs to be relatively modest; the target country should be economically weak and politically unstable compared to the sanctioner country; the sender and target should have a history of substantial trade between them; and the sanctions should be

\textsuperscript{37} Ibid.


imposed quickly and decisively to maximize their impact.\textsuperscript{41} In the case of North Korea, it does not seem that demanding a nation cede its development and production of nuclear weapons is a minor task. Such a goal would require a great deal of sacrifice within the country and likely a loss of political face to its people. It is a scenario made even less plausible by the fact that sanctions often have a boomerang effect, whereby instead of increasing public discontent against the ruling elite, they may produce a ‘rally round the flag’ syndrome that stiffens the target population’s resolve to resist against foreign coercion.\textsuperscript{42} When this happens, any hope of shaming the target state into modifying its behavior becomes slim. Further, due to the highly secretive and authoritarian nature of North Korea, very little information regarding its institutional structures or economy is readily available to the outside community.\textsuperscript{43} It is not a country that has embraced a high level of integration with its neighbors and therefore has not had a great deal of trade with many of the sanctioning nations to begin with. As such, it is unclear the level of impact the trade embargoes have had on the country. Finally, the longer sanctions last, the smaller their chance for success.\textsuperscript{44} It has been over three years since Resolution 1718 was established and it does not appear as though any significant progress has been made.

How then can sanctions be defensible as a policy tool? A large part of the explanation lies in the differences between foreign and domestic policy. Within a country’s own borders, the range of policy action is directed by some very refined policy tools, such as social regulation or procurement contracting.\textsuperscript{45} By contrast, the international arena requires a much broader toolbox, one that has specific goals in mind but only a limited means of achieving them. This limitation is due to the restricted power any single state has on affecting change within the global community. Economic sanctions are really one of the last steps a nation can take against some wrongdoing without escalating to more violent options. This does not mean, however, that sanctions are merely vacuous symbols held up by policymakers and governments to save political face. Sanctions can be an effective means towards a larger policy end when used in tandem with state allies and resources.

\begin{itemize}
\item\textsuperscript{41} Hufbauer and Elliott, Economic Sanctions Reconsidered.
\item\textsuperscript{42} Franks, Political Economy of Sanctions, 5-36; Chan and Drury, Sanctions as Economic Statecraft.
\item\textsuperscript{43} Franks, Political Economy of Sanctions, 5-36.
\item\textsuperscript{44} Ibid.
\item\textsuperscript{45} Pal, Beyond Policy Analysis, 137-191.
\end{itemize}
Conclusion: Symbolism, Effectiveness and Expectations

Nossal sees Canada’s justifications for sanctions differently, as a ‘rain dance’ of symbolism rather than effectiveness. He argues that the rhetoric employed by political leaders and the rationalizations offered are all framed as if Canada was a great power, rather than a middle one.\(^46\) This is a useful point, for it demonstrates the political need of a government to appear as powerful as they can, even if by no other means than assuming the vocabulary of the stronger powers. However, Nossal’s main thesis is that by adopting shortsighted measures and by justifying these sanctions in equally shortsighted rhetorical terms, Canadian policymakers have built a powerful logic of perpetuation.\(^47\) In this way, Nossal believes economic sanctions to be merely an empty symbol, not imposed for any instrumental purpose. Accordingly, he believes that in the future, Canada should embrace foreign policies that more accurately reflect the lack of capabilities of a non-great power and not resort to the inflated expectations that sanctions bring.\(^48\)

I would argue that while Canada’s status as a middle power can limit its foreign policy agenda, this does not mean that its actions are the result of inflated expectations. Without strong, multilateral cooperation and comprehensive enforcement, any attempts at coercive diplomacy or sanctions would fail outright. But Canada is not acting alone against North Korea. By sharing resources, willpower and political clout with its allies, Canada has earned the international status it has today and with it, the ability to implement and achieve its foreign policy goals. While still not a great power, Canada is much more powerful than it was in its early days. The tools it therefore chooses to employ given its status depend on normative, ideological and instrumental factors. As a tool of foreign policy statecraft, sanctions require a combination of shaming mechanisms, direct government action and information-based instruments. As noted by Pal, instrument choice can also be limited by legal restrictions or practical constraints.\(^49\) Along the continuum of legitimate coercion and choice, sanctions continue to present a viable alternative to the more severe option of the use of force. Acting alone, economic sanctions employed by a solitary state would simply be an empty effort to gain prestige, a ‘rain dance’. It is through international cooperation and collaboration that sanctions can serve a political purpose at home by denouncing an act of wrongdoing, while also

\(^{46}\) Nossal, *Rain Dancing*, 252-269.

\(^{47}\) Ibid.

\(^{48}\) Ibid.

ensuring that the punitive stick on the international level becomes significantly more imposing. Thanks to the shared values of the United Nations, which includes an understanding that the proliferation of nuclear weapons is wrong, sanctions allow member states to legitimately and directly affect a target country’s immediate self-interest.

Overall, the spectrum of instrument choice is not always as clear for a nation’s foreign policy as it is for its domestic options, and the range of potential effectiveness serves to reflect that. The continuum gradient of symbolism and efficiency tends to blur in the case of economic sanctions. How useful a tool of foreign policy they can be depends on the country’s experience and history with its allies, with Pal’s model serving as the best schema to reflect that. With diplomacy heavily reliant on intangible signals among nations, it is no surprise that countries have to walk a fine line between symbolic appeasement and direct effectiveness in order to remain legitimate.
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