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INTERNATIONAL SANCTIONS

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International sanctions have become a commonly used tool of statecraft on the international stage. The most comprehensive database compiling sanctions 'episodes' since 1914 notes that their number has nearly doubled in two decades, from 103 in 1985 to 204 in 2007 (Hufbauer et al. 2008). The growing importance of sanctions has generated a number of debates in scholarly and policy circles, the most famous asking whether economic sanctions 'work' or not. Other sub-debates have emerged over time, including the effectiveness of multilaterally imposed sanction regimes compared with unilateral sanctions, the right mixture of comprehensiveness and accuracy in selecting the targets of the sanction episode, or the unintended (and potentially counterproductive) effects of sanctions (Andreas 2005).

While it is clear that the academic literature on sanctions has made very important progresses, using the methods of social sciences to the best of their possibilities by generating original databases and important quantitative and qualitative analysis, it has sometimes fallen into the trap of being caught within the poorly conceptualized vocabulary and issues defined by policy-making debates in an effort to influence decision-makers. This chapter takes stock of this literature, illustrating how international sanctions are now an integral and important part of the international security agenda. It has four parts. The first looks at different types and definitions of sanctions as a basis for their analysis. The second focuses on one core debate in the literature: whether sanctions work or not and how academic knowledge about this fact does not travel to policy-makers well. The third section shifts the debate to a broader understanding of sanctions, away from their utility, towards the question of whether they are the best tool available for policy-makers in specific contexts. The fourth discusses newer types of literature that study how and why sanctions are actually employed, rather than focusing on their level of success.

What are international sanctions?

In very broad terms, sanctions can be defined as the imposition, by a sender, of measures designed to impose a cost on a receiver, short of the use of military force. As such, there is a wide variety of sanction types, which target different areas of interactions between states; and several different functions. Furthermore, there are different rules for, and ways of, implementation.



Types

Cultural and sportive sanctions are usually symbolic, but are a means for the international community, or a group of countries, to express their disagreement towards the target's specific policy, without imposing further costs. For example, during the apartheid era, South African teams were banned from a number of sports competitions.

Diplomatic sanctions target state representatives and key individuals. Diplomats, politicians, or important personalities from the targeted state can have their visa denied, or be excluded from international organizations. In the wake of the Ukraine crisis in 2014, the European Union, the United States, and other countries adopted a list of Russian individuals who would be denied entry visas to those countries. Russia retaliated a few days later by publishing a list of its own, targeting a number of Western officials.

Military sanctions target specific forms of military cooperation. Training programmes, arms deals, or joint exercises can be suspended or cancelled. For example, France cancelled the selling of two warships of the *Mistral* class to Russia, after Moscow invaded Crimea and continued to support an armed rebellion in Ukraine.

Economic sanctions are of two kinds: trade sanctions and financial sanctions. Trade sanctions are usually comprehensive, such as the embargo the US imposed on Cuba for several decades. Financial sanctions are more targeted, and usually consist of the freezing of the foreign assets of specific individuals. Economic sanctions are the most commonly used type of sanctions, have thus received a large attention in the literature, and are the type that is primarily addressed in this chapter.

Functions

Sanctions can have different functions, in particular signalling, coercing or punishing the receiver.

Signalling is an important aspect of what sanctions are supposed to achieve. By imposing sanctions, the sending state signals its discontent with another state's policy, and leaves open the possibility for further measures. Signalling can also serve to stigmatize states breaking acknowledged international norms. The target audience of the signalling move can also be the sender's own population, for example in order to satisfy a popular demand without jeopardizing further relations with the receiver (Giumelli 2011).

Coercing is the second potential role of sanctions. In this case, the goal is to force the target to change its policies by imposing a cost. The dynamic is similar to those observed in other forms of coercion (in particular military coercion), and there is usually a complementarity, and not a caricatural dichotomy, between sanctions (in particular economic sanctions) and military-based coercion (Schmitt 2015).

Finally, *punishing* is another function of international sanctions, which to a degree overlaps with signalling and coercing, but not entirely. International interactions are never conducted between rational actors maximizing their utility based on a material definition of interests. In fact, passions play an important role in the conduct of statecraft. As such, sanctions can be imposed because a sender feels like doing justice itself, notably of international institutions



are perceived as unable to act (Nossal 1989). Punishing can also be understood as a form of constraint, in limiting the target’s access to specific commodities, or financial facilities.

Implementation

The imposition of sanctions is legally defined, and must respect the general principles of international law. In order for sanctions to be implemented, the legal requirements of Article 39 of the UN Charter must normally be satisfied; that is, that there is a threat to the peace, a breach of the peace, or an act of aggression, and that the purpose of the sanctions is to maintain or restore international peace and security. Of course, several types of sanctions (for example cultural sanctions mostly fulfilling the signalling function), fall outside this legal scope, which is more appropriate for sanctions with a coercive intent. Sanctions must also respect human rights and the general principle of not aggravating any humanitarian situation: for example, they should not target products necessary to the survival and well-being of the population (Segall 1999).

Sanctions can also be multilateral or unilateral. International organizations such as the United Nations or the European Union can decide to impose sanctions, but so can individual actors. It is very common to see several types of sanctions imposed simultaneously on a receiver, for example with multilateral sanctions agreed upon within an international organization and imposed by their members, and individual states deciding to go further than the commonly agreed framework. The sanctions regime imposed on Iran was composed of several layers of UN sanctions, EU sanctions, and sanctions implemented by the United States. While the UN sanctions did not target the Iranian energy and petroleum industry, the EU and the US sanctions did. The US was also the only actor to impose sanctions on foreign firms dealing with Iran.

Finally, sanctions regimes can be comprehensive, or target specific individuals. The idea of imposing economic sanctions came under heavy criticism because of the human rights costs of the comprehensive sanctions regime imposed on Iraq after the Gulf War. Therefore, much thinking was devoted to improving the design of sanctions in order to avoid other humanitarian disasters. This triggered the move from comprehensive sanction regimes towards targeted (or so-called ‘smart’) sanctions (Brzoska 2003).

Table 33.1 summarizes the different factors to take into account in order to analyse a sanction regime.

The debate about sanctions’ effectiveness

The question ‘do sanctions work?’ has dominated the academic debate about sanctions from its inception to the past decade, when scholars finally developed more sensible approaches taking into account the context in which sanctions are applied; but is still prevalent in the policy debate

Table 33.1 Factors and characteristics of sanctions

<i>Types of sanctions</i>	<i>Objective of sanctions</i>	<i>Legal framework</i>	<i>Number of senders</i>	<i>Scope</i>
Cultural/sportive	Signalling	UN charter	Multilateral	Comprehensive
Diplomatic	Coercing	Respect for	framework	Targeted
Military	Punishing	human rights	Unilateral sender	
Economic				



at every sanction episode. In part, this is due to a normative commitment from policy-makers and scholars alike to find viable alternatives to military force in the strategic interaction between states: if sanctions 'work', they may become a tool for non-violent coercion, and thus reduce the calamities of war. This question was also triggered by the apparent failure of sanctions to change a state's behaviour in a number of historically important cases, such as the sanctioning of Italy for its invasion of Ethiopia (1936), the US embargo against Cuba (1962–2015) or the UN sanctions against Serbia (1992–6). Given the absence of obvious high-profile cases of sanctions' effectiveness, the focus on whether sanctions work or not is justified from a normative perspective, but also from a scientific one: if sanctions do not work, why do states keep using them?

This focus on the utility and effectiveness of sanctions (in particular economic sanctions) has a methodological consequence. The first step of many analyses is to classify cases of sanctions based on their 'success' or 'failure', the degree of success being measured by observing whether the target complied and changed its behaviour according to the desires of the sender. The second step is to conduct a quantitative and/or qualitative analysis in order to identify the variables with which success or failure correlate more strongly, and thus derive policy prescriptions about the conditions under which sanctions 'work' or not (Allen 2005; Cortwright and Lopez 2000, 2002; Hufbauer et al. 2008; Pape 1997). As David Baldwin explains, setting the record straight on success rates is critical in order to identify 'the conditions under which sanctions are likely (or unlikely) to succeed. Knowledge of such conditions is necessary [. . .] for deciding whether sanctions should be employed in a given situation' (Baldwin 1999/2000: 87).

To summarize, the main issue addressed in the literature comes from a desire to advise policy-makers on when and how to employ sanctions effectively, but this ambition has strong methodological and theoretical consequences. First, this effort has downgraded the theorizing about how sanctions are used and how they operate. The main debate in the literature on sanctions, which opposed sanctions optimists (arguing that sanctions can be a useful tool for policy-makers) such as Baldwin and sanctions pessimists (arguing that sanctions are useless) such as Pape, is actually a methodological debate about measuring and classifying the success or failure of sanctions episodes. David Baldwin's important argument about sanctions is that their critics adopt a too narrow definition of success (Baldwin 1985, 1999/2000). Similarly, there was an important debate between Pape, Baldwin, and Elliott at the end of the 1990s, which stemmed from the fact that Robert Pape had classified as 'failures' thirty-five of the forty cases that the comprehensive database compiled by Hufbauer, Schott, and Elliott had identified as 'successes' (Baldwin 1999/2000; Baldwin and Pape 1998; Elliott 1998; Pape 1997, 1998).

Thus, the long-standing debate over whether sanctions work is actually a debate about the proper taxonomy of cases. The problem with this focus on taxonomy is that it generated little progress on the understanding of how economic power works. The reference on this issue remains Baldwin's 1985 book on *Economic Statecraft*, and little progress has been made since then. As Marinov correctly observes: 'after more than two decades of debating the effectiveness of economic pressure, the state of disagreement on whether pressure works remains something of an embarrassment' (Marinov 2005: 565).

Moreover, this literature is at pains to explain why policy-makers keep using economic sanctions while the main conclusion that stems from the comparative analyses is that they are a relatively weak instrument of statecraft when it comes to influencing a target's behaviour. Depending on the authors, and their classification of what passes as 'success', sanctions work from 5 per cent to about 30 per cent of the cases (Hufbauer et al. 2008; Pape 1997): even the most optimistic accounts do not identify a stellar success rate for economic sanctions. Moreover, the successes are usually recorded in cases where the issues at stake were of limited importance. Logically, the literature advises policy-makers to use sanctions sparingly, and not to invest too

much hope in their effect. Robert Pape writes that there is ‘little empirical evidence that sanctions can achieve ambitious foreign policy goals’ (Pape 1998: 76). Yet, despite what the literature suggests, sanctions have been increasingly used by policy-makers over the past twenty years, sometimes for ambitious goals. There are three potential explanations for this disconnect between the policy prescriptions of the literature and the actual practice of policy-makers: policy-makers do not read the academic literature and its results (even disseminated in a more digestible form); policy-makers are stupid; or the academic literature failed to address their needs. While the first two explanations could be perfectly plausible in other contexts, the next section explains why the third is actually more likely when it comes to economic sanctions.

Do sanctions have to ‘work’?

As noted above, the main debate about sanctions has generated little progress on the interactions between economic power and statecraft, most notably because it is stuck with a taxonomic effort of classifying sanctions as either success or failures.

Success is usually defined as the capability for sanctions to achieve the goals for which policy makers use them. However, Baldwin acknowledged early on that this classification based on an *ex post* assessment of policy makers’ intentions is problematic (Baldwin 1985). First, it is very difficult to know what it is that policy-makers wanted to achieve in the first place: the declared objectives (on which an assessment is usually made) can be very different from the actual motivations to use the sanctions tool. It is naive to base an assessment of sanctions’ effectiveness on the declared objectives of policy-makers, as these are not the most credible sources to evaluate the actual intention. Moreover, it is quite rare that the imposition of sanctions has a single objective. In fact, coercion, signalling, and punishing can be simultaneous objectives, aiming at different audiences. The problem of classifying sanctions episodes as ‘success’ or ‘failure’ is then obvious: not only is the attempt riddled with a difficulty to actually know what the objective really was; it also reduces the utility of sanctions to an ‘either/or’ dichotomy which obscures the fact that sanctions serve several purposes simultaneously. A fair assessment of the success rate of sanctions should take into account their multiple objectives, and the multiple levels on which they operate.

Thus it is much more productive to envision the utility of sanctions in the context of the coercive toolbox at the policy-makers’ disposal. In that regard, usefulness is more important than effectiveness: the debate is not so much about whether sanctions ‘work’ or not as whether they are the best tool available for policy-makers. Let us take the example of a state willing to coerce another state. The available tools range from diplomatic measures (such as an initiative in a multilateral framework) to military force, and include economic sanctions. Depending on the situation, the use of military force is just unthinkable, and diplomatic measures would be considered insufficient. In such a case, economic sanctions would be the best available option, because it is the most tailored one. For example, during the 1956 Suez crisis, the United States wanted to coerce France and the United Kingdom to stop their aggression against Egypt. Of course, the United States never envisioned the use of military force against its NATO allies. Yet, the stakes were deemed high enough for President Eisenhower to prevent the International Monetary Fund from granting a loan to the United Kingdom, which badly needed it. This sanction weighed heavily in London’s strategic calculation and in the unfolding of the crisis.

Therefore, sanctions should not be approached through the question of ‘effectiveness’, i.e. whether they ‘work’ or not. They should be understood as part of a broader spectrum of policy tools, and assessment should be based on a comparison with other available options. Had the dominating literature focused on this aspect, our understanding of the dynamics of economic power would have been significantly better, and the literature more policy-relevant.



What's next for the study of international sanctions

As discussed, the debate over whether sanctions 'work' or not, even though it is often referred to in international media, is actually a theoretical dead end. Fortunately, the literature on sanctions has moved towards new areas of research that appear much more promising, both in theoretical and empirical terms. These areas share an interest in studying how and why sanctions are actually employed, instead of focusing on their results.

Sanctions and international organizations

An interesting development is the systematic analysis of the conception and implementation of the United Nations' targeted sanctions between 1991 and 2013 (Bianchi 2007; Graham-Brown 1999; Noland 2009; Thielman 2010). A project compiling data on such sanctions episodes, involving a consortium of international researchers and hosted at the Graduate Institute of International and Development Studies (Geneva), is currently ongoing. A quantitative database is expected for 2016, and preliminary results have already been disseminated. The analysis of twenty-two UN targeted sanctions regimes leads to several interesting insights. First, it seems that sanctions are more effective in signalling or constraining a target than they are in coercing a change of behaviour. However, sanctions regimes are unique and complex, and reflect different contexts, previous experiences being hardly predictive of future outcomes. This sensitivity to context is a welcome development compared to the previous literature on sanctions effectiveness. Moreover, UN sanctions regimes are never applied in isolation, and must be evaluated within the context of an overall approach to security challenges. In that regard, UN sanctions are usually complemented by regional sanctions (which often even precede the UN regime).

Other findings are also important. For example, although arms embargoes are the most frequently imposed types of sanctions, they are the least effective ones when they are not complemented with sanctions targeting individuals or commodities. In contrast, commodity sanctions (diamond-trade sanctions for example) seem to be highly effective. Targeting also matters greatly: the list of targets must be carefully elaborated in order to reflect the purposes of sanctions, as a wrong targeting undermines the credibility of the regime. Moreover, it seems that a great deal of institutional learning has occurred within the United Nations over time. In particular, systems such as the use of panel experts, greater precision in making individual designations, and internal review procedures have developed and are now common practice. However, the UN institutional machinery is difficult to operate within, and coordination problems within the UN system still occur. It takes the UN Security Council six months between the time that it first takes note of a security situation and the imposition of a sanctions regime in the case of proliferation. However, it is an average of seventeen months in case of conflict, which reflects the political priorities and divergences within the UNSC (Biersteker et al. 2013).

Another area of research has been the use of international sanctions as a tool of foreign policy for the European Union (EU). In fact, the EU has been imposing sanctions without a UNSC mandate since the early 1980s and, since the mid-1990s, the EU has adopted a practice of imposing targeted sanctions rather than comprehensive embargoes (Giumelli 2011; Hufbauer and Oegg 2003; Kryvoi 2008). The EU adopts sanctions in a variety of frameworks. First, sanctions adopted in the intergovernmental framework of the Common Foreign and Security Policy (CFSP) are reflected in a Common Position. Measures imposed in this framework constitute the only 'sanctions' according to the EU's own understanding. Second, informal sanctions are sanctions decided by the Council or the European Council outside the formal framework of the CFSP. They are reflected in council conclusions or presidential statements rather than in legally



binding documents. Finally, there are also Article 96 sanctions suspending the application of the partnership agreement between the EU and African, Caribbean, and Pacific (ACP) states – routinely called the Cotonou Agreement – on parties in breach of human rights and democratic principles. This entails the suspension of trade preferences and the freezing or redirection of development cooperation.

What is most surprising is that Article 96 suspensions record the highest incidence of positive outcomes. By contrast, the CFSP sanctions display mostly failures, and informal sanctions have an even lower success rate. The concentration of most positive outcomes in the Article 96 groups seems to illustrate that even in the era of targeted measures, sanctions continue to prove more effective if they entail economic disutility for the target, which is normally the case with Article 96 sanctions, given that they consist of the partial suspension or the redirection of aid. Yet, the number of episodes in which Article 96 sanctions did not lead to success remains high enough to invalidate any assumption of automaticity between their presence and a positive outcome.

A detailed examination of how EU sanctions are implemented also reveals interesting dynamics. First, in those cases in which the crises were resolved, the lifting of the measures came about after the sender had conducted an intensive diplomatic campaign in which a deal was struck between the sender and the target. Such a deal often emerged from a direct negotiation between both actors and consisted in an exchange in which both sides conceded to some extent, resulting in a watered-down version of the original demands. In other words, the EU managed to obtain some key concessions from the target, but it settled for outcomes notably inferior to the original aspiration. Secondly, the assumption that the pain inflicted by sanctions compels the target to seek accommodation with the sender is disconfirmed by the examination. Targets' motivation to seek accommodation with the EU is due less to a desire to be freed from the effects of CFSP sanctions than to the targets seeing their ambitions of economic growth frustrated by the presence of sanctions. From the targets' vantage point, the removal of sanctions opens up the possibility of enhanced investment and trade with the EU, along with the benefits they entail, which are unavailable elsewhere (Portela 2009).

This area of research, focusing on the multilateral nature of the sender, illustrates interesting dynamics, in particular in terms of how sanctions are designed, and to what extent they may be applied effectively. A promising development would be to keep exploring in detail the ways sanctions regimes imposed by different international organizations interact, or how they may inspire each other in their design and implementation.

Bridging the gap with the literature in Strategic Studies

For researchers familiar with the literature on Strategic Studies, observing the debates happening in the field of sanctions seems familiar, as many concerns are shared by authors on both sides.

Going through the academic literature about sanctions, it is striking to observe two phenomena. First, authors may use concepts developed by Strategic Studies without a complete recognition of their full implications or, second, they can describe a concept without identifying and defining it correctly. The assumed deterrent effect of sanctions perfectly exemplifies this phenomenon.

Several authors emphasize the fact that sanctions may have a deterrent effect, or try to identify the conditions for the deterrence effect to be effective. Building on Margaret Doxey's initial thoughts about the deterrent effect of sanctions (Doxey 1972), many authors acknowledge that 'the threat of sanctions is often more powerful than sanctions themselves' (Cortwright and Lopez 2002: 13). Such statements are based on a counting of case studies where deterrence is supposed to have been efficient. However, looking closely at these assumptions reveals that they rely heavily on



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a basic rational-actor model and do not take into account how sophisticated deterrence theories have become. The conditions described by Hovi et al. for successful sanctions are based on such a simplistic understanding of deterrence:

Assuming that both sender and target behave rationally, there are three main possibilities. First, a threat of sanctions could fail because it is not deemed credible by the target. Second, the threat might fail because it is not sufficiently potent, meaning that the target considers sanctions, however regrettable their consequences, to be a lesser evil than yielding to the sender's demands. Finally, a threat of sanctions might fail because the target expects sanctions to be imposed regardless of whether it yields to the sender's demands.

(Hovi et al. 2005: 484–5)

Basing the model on the assumption of both actors being rational is problematic and needs further conceptualization. Deterrence theories, as they have been developed in the field of Strategic Studies and have moved away from the assumptions of rationality, may provide such concepts for the analysis of sanctions.

But the opposite phenomenon also appears: describing a strategic concept without naming it correctly. For example, Galtung's statement that 'the central concept here is vulnerability' (Galtung 1967, 385) is very close to the Clausewitzian concept of 'centre of gravity'. Clausewitz describes centres of gravity as:

particular factors [that] can often be decisive ... One must keep the dominant characteristics of both belligerents in mind. Out of these characteristics a certain centre of gravity develops, the hub of all power and movement, on which everything depends. That is the point against which all our energies should be directed.

(Clausewitz 1984 (1832): 595–6)

But we should keep in mind that there may be several centres of gravity at all levels of strategy. At the tactical and operational levels, candidate centres of gravity may include certain military formations, fortifications, or strategic communication lines. But at the strategic level, a political leader can be the centre of gravity, for instance. This notion is a very powerful analytical tool but raises a series of questions concerning its implementation: 'does the enemy actually have a centre of gravity? Can the enemy's centre of gravity be identified? [...] Even if a centre of gravity has been correctly identified, is it always possible to put it under sufficient pressure?' (Lonsdale 2008: 45).

Those questions underline the necessity of reliable intelligence information and the specificities of each case. There may be no 'toolkit for military action' listing the enemy's centres of gravity, as the list of such centres depends on each case. In line with Galtung's observation, Crawford and Klotz identify four 'sites for potential consequences of sanctions' inside a political system: elite decision-makers, government structures, economy, and civil society (Crawford and Klotz 1999: 31). It is also the logic underpinning smart sanctions: by targeting heads of state, high-ranking officials, and some institutions (banks, for instance), the targeted state should comply more easily. However, what Strategic Studies teach us is that centres of gravity can be multiple and, more importantly, that the pressure must be applied upon the 'crucial vulnerability'. It is outside the scope of this chapter to engage in a systematic review of sanctions mechanisms in order to determine whether or not they are designed in order to put pressure effectively on the 'crucial vulnerability', but we can argue that strategic thinking during the





phase of sanction design would likely increase their efficiency; it would be required during decision-making (resolution taken by the Security Council) and that of implementation by the Sanctions Committee.

The issue of senders could also benefit from a thorough analysis. By applying sanctions, sender states face a dilemma: if they send sanctions alone, how can they be sure that other states will do the same, and if they send sanctions collectively, how can they be sure that their partners will adopt an attitude as strict as theirs? The best historical example of this dilemma is given by Napoleon's attempt to make Russia comply with the 'continental blockade' he was trying to impose on Great Britain. Napoleon attacked Russia, which led to a disaster, and eventually to his loss of power a few months later. As Colin Gray emphasizes, 'allies are both a curse and a blessing' (Gray 1999: 169). Alliance theorists have for a long time identified the difficulties of being part of an alliance:

Rigidity of organization, superpower domination, lack of consultation, domestic instability among the partners, suspicion between allies, uncertainty about the status of one's allies, doubt about the exact nature of the commitments one has entered into, the existence of acrimonious sub-groups within an alliance, disagreements about issues not concerned with the alliance, and differences about the appropriate share of burdens, influence and rewards.

(Booth 1987: 269)

To address those problems, the answer is invariably the same: the need of mutual trust and cohesion between allies (see the chapter on alliances in this volume). Similar problems in the field of sanctions are demonstrated by the phenomenon of 'sanctions busters' (states refusing to apply sanctions to another state) which undermine the effectiveness of sanctions regimes (Early 2015).

Other issues could be covered, for example including exploiting sanctions into thinking about coercion, or drawing useful parallels between limited and total wars on the one side and targeted and comprehensive sanctions on the other (Schmitt 2012).

It is also useful to envision sanctions within the larger framework of grand strategies and the multiple objectives they can fulfil for great powers, for example as a bargaining tool: 'while great-power policy-makers will typically invoke sanctions with the stated aim of coercing a publicly designated 'target' actor, their actual goal is often to influence one another in the context of executing and advancing their respective grand strategies' (Taylor 2010: 15). Also, an interesting area of research looks at the sanctions' impact on nuclear proliferation, a classic concern in Strategic Studies (Solingen, 2012). Connecting the literature in Strategic Studies with the literature on sanctions could be an interesting theoretical development.

Conclusion

The study of international sanctions is a promising venue for understanding international security dynamics. Now that the academic debate is moving away from determining whether sanctions 'work' or not, it is possible to have a theoretically richer debate, exploring different (and more interesting) questions. This renewed approach on sanctions also has the potential to actually fulfil a long-term objective of sanctions research: policy relevance. By investigating how sanctions are actually employed, by obtaining a more nuanced understanding of their potential effects, and by integrating them within a broader range of tools of statecraft, it becomes possible to speak more directly to policy-makers' concerns.



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