STRATEGY RESEARCH PROJECT

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SERVING U.S. NATIONAL INTERESTS IN 2025: THE VIABILITY OF UNILATERAL ECONOMIC SANCTIONS

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USAWC CLASS OF 1999

U.S. ARMY WAR COLLEGE, CARLISLE BARRACKS, PA 17013-5050

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Serving U.S. National Interests in 2025: The Viability of Unilateral Economic Sanctions

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ABSTRACT

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TITLE: Serving U.S. National Interests in 2025: The Viability of Unilateral Economic Sanctions

FORMAT: Strategy Research Project

DATE: 5 March 1999 PAGES: 59 CLASSIFICATION: Unclassified

This study provides a framework for consideration of unilateral economic sanctions to serve U.S. national interests in 2025. Its futuristic 2025 setting anticipates a muted multipolar world in which U.S. defense policy relies on technological superiority. Given such a global environment, the following questions assume strategic import: What is a unilateral economic sanction? What is a successful unilateral economic sanction? What procedures ensure coordination between the Executive and Legislative Branches for the consideration and imposition of unilateral economic sanctions? Answers to these questions offer a deliberate and disciplined approach for the imposition of unilateral economic sanctions that can successfully serve U.S. interests. This analysis also addresses the timing of economic sanctions and the formulation of policy goals sought in considering and implementing such sanctions.

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ACKNOWLEDGEMENTS

Thanks go to Mr. Gideon Rose, Council on Foreign Relations, and Professor Jim Hanlon, Shippensburg State University, who reviewed earlier drafts of the paper and provided valuable suggestions.

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> *"Embargo only bolsters Castro....Dropping sanctions against Cuba would acknowledge that long-standing policy hasn't worked for U.S."*
>
> — Washington Post

> *"U.S. decides inspections cannot work against Iraq....Sanctions, military force now preferred to control Saddam."*
>
> — Harrisburg Patriot-News

> *"U.S. lifts sanctions on India, Pakistan....Aim is to reward, encourage nuclear curbs."*
>
> — Washington Post

Since the United States is constantly under pressure to exert its influence and power globally, U.S. national interests must be clear.[1] The 1998 U.S. National Security Strategy establishes three categories of interests: vital interests, important national interests, and humanitarian and other interests. Vital interests are of the highest priority and link directly to national survival. Important national interests are less critical; they relate to the quality of national life, and seek to determine the kind of world we live in. Humanitarian and other interests are the least critical; they link, perhaps tenuously, to national values and on occasion may prompt a national response on their behalf.

Whenever a challenge to any of these national interests occurs, decision-makers begin to consider ways to respond. Typically, the decision-makers assess the option of doing nothing (an atrophic approach) against more proactive alternatives. Unilateral economic sanctions are such an alternative. However, the record of accomplishment for unilateral economic sanctions reflects more failures than successes, and more frustration than satisfaction with the eventual outcomes. Even so, unilateral economic sanctions have become an alternative of first resort. Its proponents would admit that unilateral economic sanctions were not perfect but sometimes the right thing to do.

Topical literature on these sanctions is remarkably lopsided— far more negative than positive. There are no indications of a let-up in this critical disapprobation. Consider the following titles: "Economic Sanctions: Too Much of a Good Thing," "Sanctions Almost Never Work," "Time to Revisit Sanctions," "Sanctioning Madness," "Sanctions— With Care," "Serious About Sanctions."[2]

Unilateral economic sanctions nonetheless remain an instrument of national economic power— a tool of choice as the U.S. pursues its national interests in an increasingly interdependent world. This study considers the ongoing viability of unilateral economic sanctions. It begins with a projection of the future of the U.S. in 2025; this projection articulates the environment for determining how unilateral economic sanctions could serve U.S. national interests in 2025. In light of this futuristic environment, deliberation of three questions yields a framework for a deliberate and disciplined approach to using sanctions. This approach allows for the imposition of unilateral economic sanctions that can successfully serve U.S. national interests. This analysis also addresses the timing of unilateral economic sanctions and the formulation of policy goals to be sought in considering and implementing these sanctions. The problem of definition comes first: What is a unilateral economic sanction? The issue of quality comes second: What makes a unilateral economic sanction successful or effective? Last comes the question of procedure: In our system, how must our executive and legislative branches go about the task of deliberating and imposing effective unilateral economic sanctions? Following detailed discussion of these questions, this study concludes with a summary, a statement of limitations, and a set of recommendations. This concluding section then is a calculus of variations that optimizes the use of unilateral economic sanctions within the political art of the possible.

What is a unilateral economic sanction? Current literature offers a variety of definitions of economic sanctions. Hufbauer et al define them as "the deliberate, government-inspired withdrawal, or threat of withdrawal, of customary trade or financial relations."[3] Izzo retains deliberateness, but focuses on economic relations: "[D]eliberate government actions to inflict economic deprivation on a target state or society through the limitation or cessation of customary economic relations."[4] Carter focuses on policy: "[C]oercive economic measures taken against one or more countries to force a change in policies, or at least to demonstrate a country's opinion about the other's policies."[5] Most recently, Haass offered two expansive definitions. First, he broadly defines sanctions as "[T]he introduction of penalties aimed at a state or other entity for the purpose of altering its behavior."[6] Then he expands his definition to specific various sanctioning instruments: "[M]ostly economic but also political and military penalties introduced to alter political and/or military behavior."[7] Private industry's definitions of economic sanctions include success parameters. Trade Compass, a leading web site for electronic products and services that facilitate international commerce over the Internet, defines economic sanctions as measures

> used for foreign policy purposes [as] economic penalties, such as prohibiting trade, stopping financial transactions, or barring economic and military assistance, used to achieve the goal of influencing the target nation. Sanctions can be imposed selectively, stopping only certain trade and financial transactions or aid programs, or

> comprehensively, halting all economic relations with the target nation. While sanctions can be imposed to serve multiple goals, the measures are more successful in achieving the less ambitious and often unarticulated goals of: (a) upholding international norms by punishing the target nation for unacceptable behavior and (b) deterring future objectionable actions. Sanctions are usually less successful in achieving the most prominently stated goal of making the target country comply with the sanctioning nation's stated wishes.[8]

Senator McConnell (R-KY), Chairman of the 1998 Senate Task Force on Economic Sanctions, observed that a common understanding of the term is requisite to any plan for its consideration and imposition. McConnell believes that any interruption of commercial activity, especially a ban on investment or restrictions on exports, imports, and financial transactions, constitutes a sanction.[9]

In contrast, the term "unilateral economic sanction" is broadly defined as any prohibition, restriction, or condition on economic activity, including economic assistance, imposed by the United States on a foreign country or foreign entity for reasons of foreign policy or national security, unless the United States is acting pursuant to a multilateral regime and the other members of that regime are imposing substantially equivalent sanctions.[10] More narrowly, a unilateral economic sanction may simply mean "the termination of all meaningful bilateral economic contact between the U.S. and the country in question."[11]

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Futuristic studies tend to take one of two approaches: forecasting or projecting alternative futures.[12] Forecasting seeks to identify what will happen in the future based on evidence of what has happened in the past. Alternative futures analysis identifies alternative possible future environments we may have to address; this approach does not seek to predict the particular environment we should plan to address.[13] This paper uses the second approach because it provides greater capability and flexibility to respond to yet unknown variables than does the forecasting approach.[14] However, this study retains forecasting as a tool to develop alternative futures. In this regard, the purpose of forecasting is not to be right, but to avoid being surprised.[15]

This study blends a set of alternative futures to focus on a single projection of the U.S. in 2025. Then, the United States will belong to a muted multipolar world[16] whose volatility is such that conflicts will relate more to "pricing wars than to shooting wars" and characterized by increasing globalization and interconnectedness.[17] The U.S. will then rely on a highly innovative defense policy.[18] In capsulated form, this scenario affirms Hughes's optimistic scenario: "A community of nations, working together, improving global interaction and a stable economic grid."[19]

Muted Multipolar World

The post-Cold War environment has effectively displaced the muted bipolar world formerly described in Army long-range appraisals.[20] After a brief fling with the New World disorder envisioned by Schwartz,[21] the model of the muted multipolar world has assumed greater plausibility, replacing the former bipolar model. Kegley and Raymond,[22] as well as Taylor,[23] portray a muted multipolar world that is described as a productive economic world wherein U.S. political leadership favors social and welfare investments over defense expenditures.[24] Its predominant characteristics are displayed in Table 1.

• U.S. local community infrastructures inhibit military stationing and reduce installation investments. [Taylor]
• U.S. national political leaders advocate a strong welfare and social investment economy. [Taylor]
• Postindustrial infrastructures, along with specialty industries, lack the capacity to support industrial surge requirements adequately. [Taylor]
• Tradeoffs of nationalism for economic development strengthen U.S. influence and preserve U.S. military presence overseas. [Taylor]
• Great powers have three general paths from which to choose as they contemplate how to bring about a stable form of multipolarity. They can act unilaterally; they can develop bilateral relations with one or more other states; or they can engage in multilateral collaboration with many countries. [Kegley/Raymond]

Table 1. Scenario Drivers

Beyond these characteristics are generally accepted futuristic extrapolations. The Institute of National Strategic

Studies provides two representative predictions: First, the reliance on military technology will increase. Second, most of Asia will be richer, but larger countries (such as Indonesia and China) will remain less affluent than Europe is today.[25]

Globalization and Interconnectedness

Globalization will continue to transform commerce, culture, communications, and international relations. This transformation will increasingly integrate of national economies.[26] Driving forces include finance, trade, labor, technology, and advanced emerging markets.[27] False starts, and many will follow the Russian crash of 1998[28] and the Brazilian devaluation of 1999, provide abundant lessons to be learned.

The Institute of National Strategic Studies offers the following predictions about the world economy in 2018 and extended to 2025:

> The world's economy will doubtless grow more interconnected. Trade will account for a growing share of GNP, more capital will be invested overseas, and multinationals of all sizes will do more business outside their home region.[29]

Metz affirms this trend toward interconnectedness, which he defines as the "increasing electronic and physical linking of individuals, groups, commercial entities, and organizations of all sorts."[30]

More recently, Linden described the general global well being of the past seven decades:

> There has been no serious global economic contraction since the Great Depression started seventy years ago (in the century before it, panics and depressions tended to roil the markets every twenty years or so). The last armed conflict between great powers ended over fifty years ago. The last great killing epidemic was the swine flu of 1918, which killed twenty million people— more than died on the battlefield in all of World War I— in twelve months.[31]

And while the positive slope of complex interdependence— a world in which security and force matter less and countries are connected by multiple social and political relationships—[32] continues, modernists' projections of the continuity of beliefs, the persistence of institutions, and the strategic options available to statesmen— although quite sanguine— have proven rather sound.[33] Decision-makers retain the power and the wherewithal to control crosscutting transnational factors. More importantly, nation-states have continued to control the two essential assets that make them nation-states— military and money.[34]

Recently, the increasing globalization of business and industry led U.S. Secretary of Defense Cohen to appoint a defense policy panel on national security and the globalization of business and industry. This panel examined "security issues and potential security risks resulting from the accelerating globalization and related trends affecting business and industry, including the increased number of U.S.-owned defense contractors with overseas facilities and the increased foreign ownership of U.S. based suppliers."

"This accelerating globalization and transformation of defense-related business," according to Cohen, "offers important cost and efficiency advantages to the U.S. defense establishment. At the same time— individually and collectively— these trends raise new issues and potential security risks."[35] Cohen then charged the Panel to address the following issues: increasing reliance by U.S. defense firms on overseas suppliers and subcontractors for electronics and computer software; increasing foreign ownership of U.S.-based suppliers; increasing reliance on commercial components in defense equipment; and new business practices such as interconnected commercial and defense data bases. Cohen's early understanding that the U.S. must shape, prepare, and respond to the inevitable new realities of a global economy and to the full range of attendant security implications is paving the way for creation of an innovative defense policy of 2025.

Schwartz and Leyden are watching a "relentless process of globalization" that will see:

> the opening up of national economies and the integration of markets, will drive the growth through much of rest of the world. An unprecedented alignment of an ascendant Asia, a revitalized America, and a reinvigorated Europe— including a recovered Russia— together will create an economic juggernaut that pulls along most other regions of the planet. These two

> megatrends— fundamental technological change and a new ethos of openness— will transform our world into the beginnings of a global civilization, a new civilization of civilizations, that will blossom through the coming century.[36]

In comparison, Kobrin astutely specifies the kinds of anxieties that are surfacing in the wake of globalistic trends:[37]

• Economic globalization had gone too far.
• The state-market balance of power has shifted and corporations have too much power.
• Globalization compromises national sovereignty.
• Globalization reduces transparency and accountability, shifting power from elected national (and local) officials to nonelected (trade) bureaucrats and international officials.
• Globalization limits national and local economic policy choices.

Table 2 Globalization Anxiety

Finally, the future of money itself will appear in various ways. Wriston, for example, suggests that stateless money will move around the world with increasing velocity, that the nation-state is not about to disappear, and that intellectual capital will be more important than money.[38]

Innovative Defense Policy

The U.S. will pursue the innovative defense policy first advanced by the Council on Foreign Relations in 1998:

> Given our considerable overall military superiority against current and future rivals, the only challenge to that superiority comes from the chance that one or more of them could achieve a devastating breakthrough in military technology. To meet this challenge, we will need innovative technology to do most military missions with smaller and smarter forces, and with fewer casualties. Future wars, even more so than in

> the past, will run on applied technology, and we must focus defense dollars less on current readiness and more on keeping our technological superiority. We can do this without raising military spending and perhaps even see a slight reduction in the defense budget in future years.[39]

Preceding this Council on Foreign Relations initiative was a report of the Defense Science Board Task Force on Tactics and Technology for 21st Century Military Superiority. Positive response to the Task Force's recommendations will go far to attenuate the weaknesses of the emerging innovative defense policy. The Task Force offered three sets of recommendations. First and most important, establish a joint effort and a "try-before-buy" environment to pursue these concepts. Second, support critical enabling systems and mechanisms— many already ongoing, others new. Third, pursue these concepts because they may produce beneficial results elsewhere.[40]

This innovative defense policy nicely responds to the likelihood of Freedman's emerging revolution in strategic affairs:

> Rapid developments in information technology and precision weaponry have led many analysts and practitioners to herald a "revolution in military affairs" (RMA), making possible quick and decisive victories with minimal casualties and collateral damage....Important changes are underway which may indeed be revolutionary in their impact. However, the issues that drive conflict will persist, and many of the technical advances associated with the RMA will not necessarily produce a transformation in the nature of warfare. The end of the Cold War has meant that another revolution— one in political affairs— has

> taken place. In this new political setting, major powers appear less likely to go to war with one another than they are to intervene in conflicts involving weak states, militia groups, drug cartels, and terrorists. The precision-guided weapons and space-based infrastructure at the heart of the RMA may be less suited to conflicts such as these. If the cumulative effect of the changes outlined above is to produce a revolution, it is a revolution in strategic, as much as military, affairs.[41]

Future strategy thus must enable the U.S. to make the transition from leader of a global military alliance to leadership of a global economic system.[42]

U.S. INTERESTS IN 2025

The nation's perceived needs and aspirations largely in relation to its external environment define U.S. interests.[43] In 2025, the U.S. will seek to protect two categorical interests: homeland defense and economic vitality. Intensity or other subjective criteria will no longer prioritize specific national interests. Instead, U.S. strategists will consider it sufficient that a given interest may be cross-walked to either or both categories.

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Thus, the U.S. in 2025 will be a leading post-industrial nation, existing in a muted multipolar world, and pursuing an innovative defense policy. This blended alternative future provides an environment for determining how unilateral economic sanctions may serve U.S. national interests in 2025.

Nonetheless, this study does not assume that little thought should be given to "entirely unanticipated results or even to consequences that would be inconsistent with or counterproductive to the original intent."[44] Rather, this study takes one plausible set of circumstances wherein we can rationally consider the utility of unilateral economic sanctions.

DISCUSSION

> *The argument against unilateral sanctions is an argument against American leadership and suggests that if we cannot get some sort of majority vote from other traders and investors, we must set our scruples aside. The larger issue is whether foreign policy should be driven by commercial objectives or only informed by them.*
>
> — Elliot Abrams commenting on U.S. sanctions on Iraq

Six basic instruments support U.S. foreign and defense policy: conventional diplomacy, foreign aid, economic sanctions, political coercion, covert operations, and military interventions.[45] The United States used sanctions against the British and French from 1808 to 1809 to impel them to make concessions on the rights of neutral states.[46] Since the late 1950s, U.S. sanctions include multilateral measures against South Africa imposed in 1985 and 1986 in response to its policies of racial segregation; U.S. financial sanctions against Panama in 1988 to destabilize the government of General Manuel

Noriega; selected embargoes on China in 1989 after its repression of political dissent, most dramatically in response to the Tiananmen Square incident; and the comprehensive U.S.-sponsored UN trade quarantine against Iraq in 1990 after it invaded Kuwait.[47]

Despite the frequent use of sanctions in recent times, there is considerable controversy over their effectiveness. Some critics simply declare that sanctions are ineffective. They claim that in an interdependent trading world where multiple buyers and suppliers provide particular goods and services, it is difficult to devastate the targeted economy with sanctions. Even in those rare cases in which substantial economic pressure can be brought to bear, the government in the target state often will remain politically intransigent in the face of an external challenge. Sometimes these governments are strengthened by using sanctions to increase their standing among its population; that is, they gain solidarity by using the sanctions to popularize an "us-against-the world" mentality.

Opposing this view is a growing number of academic analysts who recognize that economic sanctions are often employed when there is domestic pressure in the sanctioning state to take some action against the target nation, especially when diplomatic measures are perceived as too weak and military action is seen as too strong. These more subtle analysts believe sanctions can be used to send important signals to other nations and to deter them from persisting in objectionable behavior.

Representative views and conclusions about the use of economic sanctions[48] in general, and unilateral ones in particular, include the following: First, sanctions alone are unlikely to achieve desired results if their goals are especially ambitious or time is short. Second, sanctions can on occasion achieve (or help to achieve) various foreign policy goals ranging from the modest to the significant. Third, unilateral economic sanctions are rarely effective. Fourth, secondary economic sanctions can make matters worse. Fifth, sanctions are blunt instruments that often produce unintended and undesirable consequences. Sixth, sanctions can be expensive for American business, farmers, and workers. Seventh, sanctions tend to be easier to introduce than to lift. It is usually more difficult to change the status quo than to continue with it. Eighth, sanctions fatigue tends to settle in over time, their international compliance tends to diminish. Ninth, economic sanctions are a rung on the ladder of escalation. Tenth, unilateral economic sanctions have never induced a sizable country to make a major change in policy. Eleventh, a cost-benefits analysis suggests that economic sanctions are one of the most costly and least effective U.S. foreign policy tools.

To achieve their political goals, unilateral economic sanctions can be designed to inflict varying degrees of economic pressure. The GAO has aptly described three categories of sanctions in order of declining economic severity.[49]

Category I: instrumental sanctions, measures designed to prevent the target country from obtaining specific goods or financial capital (Iraq, 1990). Category II: punitive sanctions, measures designed to punish the target economically for unacceptable behavior. These sanctions usually do not prevent the target nation from obtaining goods or capital, but they can impose substantial costs (Poland, 1981-1982). Category III: symbolic sanctions, measures whose economic effects are so slight that sanctioning nations do not expect them to cause great economic harm to the target (PRC, 1989).

The United States has imposed unilateral economic sanctions to achieve various foreign policy goals:[50]

Category	Example
• Change target-country policies in a modest way	• Sudan
• Destabilize the target government	• Cuba
• Disrupt a minor military adventure	• Falkland Islands
• Impair the military potential of the target country	• Soviet Union
• Change target-country policies in a major way	• South Africa

Table 3. Foreign Policy Goals

Congress has passed laws authorizing U.S. economic sanctions for foreign policy reasons. For example, during World War I, the

Trading With the Enemy Act (16 October 1917) was designed to inhibit trade with the German enemy. More recently, the Foreign Operations, Export Financing and Related Programs Appropriations Act, Fiscal Year 1997 (30 September 1996),[51] authorized sanctions against 12 countries and the Palestine Liberation Organization for assorted foreign policy reasons.

Issues related to unilateral economic sanctions

Currently, the U.S. government has imposed unilateral sanctions on more than 70 countries, encompassing two-thirds of the world's population.[52] During 1993-1996, President Clinton's first term, the U.S. enacted 61 laws and executive actions imposing unilateral economic sanctions on 35 countries.[53] These countries are home to 2.3 billion people, or 42% of the world's population. They import $790B of goods annually, approximately 19% of the world's export markets. Figure 1 graphically illustrates the global impact of U.S. sanctions.[54]

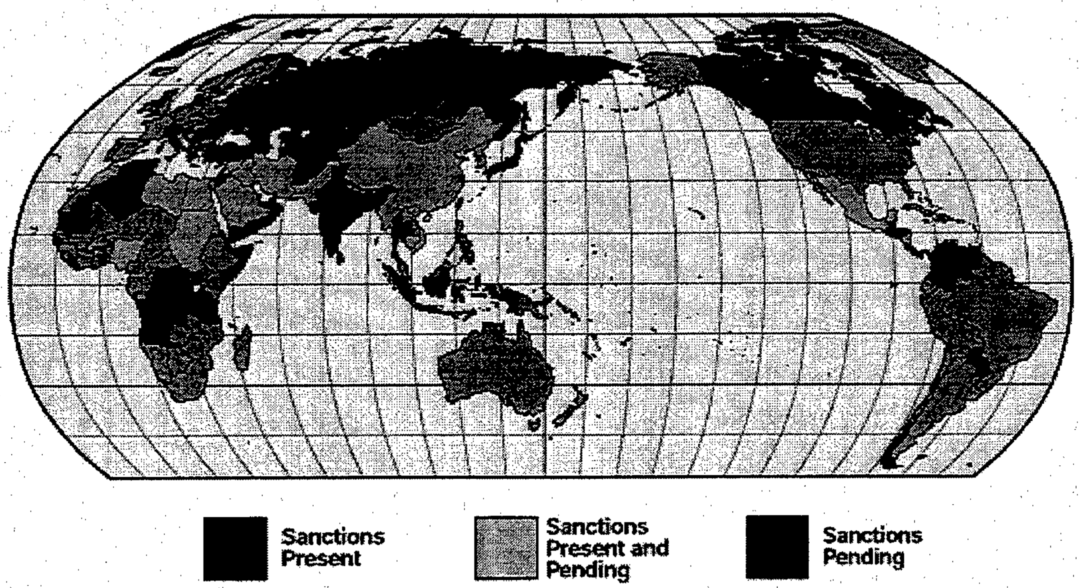

Figure 1. Countries Subject to or Threatened by U.S. Unilateral Economic Sanctions

The U.S. International Trade Commission, in a September 1998 report to the House Ways and Means Committee, identified 42 separate laws that authorize unilateral economic sanctions. In its report, the Commission noted that:

> These laws may mandate particular actions, or may serve as the basis of mandatory or discretionary actions by the Executive Branch. Under these laws, 142 statutory provisions pertaining to unilateral economic sanctions were identified. Twenty percent of the measures concern terrorism. Other sanctions concern nuclear and other arms proliferation, national security, narcotics, and expropriation of U.S. property, human rights, environmental protection, and communism.[55]

How can the U.S. determine the success of a unilateral economic sanction? Table 4 summarizes the factors affecting the possibility that unilateral sanctions will succeed.[56]

General sanctions	Specific sanctions	Factor contributes to a positive outcome	Factor reduces chances for a positive outcome
Goals	Compliance with U.S.' Political wishes	X	
	Deterrence	X	
	Punish target to uphold International norms		X
	Support opposition groups in Target	X	
Severity	Harsh, comprehensive Sanctions; severe economic Damage		X
	Moderate sanctions and threat Of more severe measures as Leverage	X	
Target attributes	Target: friendly	X	
	Target: adversary		X
	Significant political Opposition in the target	X	
	Target's cultural norms: Strict shame and honor code		X
	Target's cultural norms: Similar to U.S.'	X	
Publicity	Publicized threat of more Severe sanctions after Moderate measures imposed "fifth column effect" predominates	X	
	Publicized harsh, Comprehensive sanctions (causing the "rally around the flag effect")		X

Table 4. Factors Affecting the Possibility That Economic Sanctions Will Succeed

What procedures ensure coordination between the executive and legislative branches for the consideration and the imposition of unilateral economic sanctions? The Lott Bipartisan Senate Task Force on Sanctions ("Task Force on Sanctions") has been a welcome initiative to achieve consensus in the use of unilateral economic sanctions as a foreign policy tool to advance U.S. national interests. Since both the Executive and Legislative Branches have clear responsibilities for the conduct of foreign policy,[57] the Task Force has served as a welcome facilitator. Mr. Eizenstat, Under Secretary of State for Economic, Business and Agricultural Affairs, and the Administration's point man for economic sanctions policy, testified that:

> Most of the sanctions imposed since 1993 have been non-discretionary measures required by Congress in law. In contrast, only three of the 62 unilateral economic sanctions regimes imposed since 1993 have been imposed by the Executive Branch using the President's authority under the International Emergency Economic Powers act (IEEPA)— the tightening of the U.S. embargo in Iran in 1995 and the imposition of a comprehensive embargo on the Sudan in November 1997. In addition, after the President determined that certain factual predicates had been met concerning Burma, he used his authority, gained under IEEPA, to impose a new investment ban on Burma in May 1997, as required by law.[58]

Framework for unilateral economic sanctions

> *"....Truth is, we acted too late. Only when our own national security was threatened did we act.... We issued economic sanctions and hid behind the rhetoric of diplomacy.... Tonight, I come to you with a pledge to change America's policies. Never again will I allow our political self-interests to deter us from doing what we know to be morally right...."*
>
> — President Jim Marshall ("Air Force One")

Their questionable record of accomplishment notwithstanding, unilateral economic sanctions will successfully serve U.S. national interests in 2025. However, they will be employed more flexibly. Such elastic employment will occur across and among three levels of relationships that exist in the broadest of applications. The first level is the U.S. government. At this level, the focus is on the Executive and Legislative Branches' policy making and execution roles. The second level is the U.S. economy. Here the focus is on the U.S. government and its public and private citizens who are exposed to the second order effects of the unilateral economic sanctions. The third level is the global, interconnected economy. Here the focus is on the U.S. role as a supplier of a good or service to a targeted nation, which likely has multiple alternative sources. This three-level elasticity serves to compensate for the 20th century circumstance that "the competitiveness of American business is a good that almost always trumps all others, including U.S. military superiority and the defense of democratic values."[59] So effective 21st century unilateral economic sanctions will depend upon a more complex set of circumstances than did the 20th century variety.

Building on efforts of the late 1990s, Congress will legislate a framework for unilateral economic sanctions that successfully enables the development of a viable doctrine governing their use to serve U.S. national interests. This doctrine, which could be called elastic employment, should prove viable because more times than not, it successfully balanced the competing interests of the three previously detailed levels of relationships. This doctrine of elastic employment will be built of several specific assumptions: First, national security, economic and foreign policy interests are interdependent[60] Second, policymakers must reconcile the dilemmas caused by the need to take action and taking action that achieves the desired outcome.[61] Third, impacts of unilateral economic sanctions may be substantially larger than perceived.[62] Fourth, the success of unilateral economic sanctions must be considered in both absolute and relative terms.[63] Fifth, unilateral economic sanctions are a viable instrument in the U.S. policy tool chest.[64]

These assumptions should also guide formulation of appropriate objectives for U.S.-imposed unilateral economic sanctions. Initially drafted by the Congressional Research Service, such a set of objectives is shown at Table 5.[65]

•	Express condemnation of a particular practice such as military aggression; human rights violations; militarization that destabilizes a country, its neighbors or the region; proliferation of nuclear, biological, or chemical weapons or missiles; political, economic, or military intimidation; terrorism; drug trafficking; or extreme national political policies contrary to basic interests of values of the U.S. (e.g., apartheid, communism).
•	Punish those engaged in objectionable behavior and deter its repetition.
•	Make it more expensive, difficult, or time-consuming to engage in objectionable behavior.
•	Block the flow of economic support that could be used by the targeted entity against the U.S. or U.S. interests.
•	Dissuade others from engaging in objectionable behavior.
•	Isolate a target country (or company or individual).
•	Force a change or termination of objectionable behavior.
•	Coerce a change in the leadership or form of government in a targeted country.

Table 5 Reasons to Impose Unilateral Economic Sanctions

Goals and rationales for unilateral economic sanctions having been determined, our leaders next will choose among specific unilateral economic sanctions available to policymakers. Again, the Congressional Research Service has offered a menu of unilateral economic sanctions from which 2025 U.S. leaders can make their selections:[66]

• Foreign assistance, all, or some programs, could be terminated, suspended, limited, conditioned, or prohibited.
• Both public and private sector financial transactions could be restricted; assets in U.S. jurisdictions could be seized or frozen, or transactions related to travel or other forms of exchange could be limited or prohibited.
• Importation and expectation of some or all commodities could be curtailed by denying licenses, closing off shipping terminuses, or limiting related transactions.
• Government procurement contracts could be canceled or denied.
• Negative votes on loans, credits, or grants in international financial institutions could be cast, or the U.S. could abstain in voting.
• Trade agreements or other bilateral accords could be abrogated, made conditional, or not renewed.
• Funding for investment, through the Overseas Private Investment Corporation, Trade and Development Agency, or Export-Import Bank, could be curtailed.
• Aviation, maritime and surface access to the U.S. could be canceled or denied.
• Certain acts associated with sanctionable behavior could be made a criminal offense— making the targeted individual subject to fines or imprisonment. Also, sanctions could be applied against those individuals, businesses, or countries that continue to trade with or support targeted individuals, businesses, or countries.

Table 6 Available Unilateral Economic Sanctions

A major effort to reform the use of unilateral economic sanctions came in 1998 when Senator Lugar (R-IN) unsuccessfully submitted for consideration a bill to enhance trade, security, and human rights through sanctions reform.[67] Although unsuccessful, his effort is the genesis of an effective framework for the Legislative and Executive Branches' considerations of unilateral economic sanctions. Senator Lugar's significant contribution is the statement of U.S. policy displayed in Table 7.[68]

It is the policy of the United States—

(1) to pursue United States interests through vigorous and effective diplomatic, political, commercial, charitable, educational, cultural, and strategic engagement with other countries, while recognizing that the national security interests of the United States may sometimes require the imposition of economic sanctions on other countries;

(2) to foster multilateral cooperation on vital matters of United States foreign policy, including promoting human rights and democracy, combating international terrorism, proliferation of weapons of mass destruction, and international narcotics trafficking, and ensuring adequate environmental protection;

(3) to promote United States economic growth and job creation by expanding exports of goods, services, and agricultural commodities, and by encouraging investment that supports the sale abroad of products and services of the United States;

(4) to maintain the reputation of United States businesses and farmers as reliable suppliers to international customers of quality products and services, including United States manufacturers, technology products, financial services, and agricultural commodities;

(5) to avoid the use of restrictions on exports of agricultural commodities as a foreign policy weapons;

(6) to oppose policies of other countries designed to discourage economic interaction with countries friendly to the United States or with any United States national, and to avoid use of such measures as instruments of the United States foreign policy; and

(7) when economic sanctions are necessary—

(a) to target them as narrowly as possible on those foreign governments, entities, and officials that are responsible for the conduct being targeted, thereby minimizing unnecessary or disproportionate harm to individuals who are not responsible for such conduct; and

(b) to the extent feasible, to avoid any adverse impact on economic sanctions on the humanitarian activities of United States and foreign nongovernmental organizations in a country against which sanctions are imposed.

Table 7 Statement of Unilateral Economic Sanctions Policy

Thus, the U.S. currently has access to a framework of acknowledgements, objectives, tools, and policy for considering and imposing unilateral economic sanctions. The question thus becomes how to employ these sanctions elastically.

Strategic doctrine offers iterative courses of action to both policymakers and decision-makers. It recognizes that the employment of unilateral economic sanctions will ordinarily be neither a first nor a last resort— but always an available option. O'Quinn's early work has laid the groundwork for congressional enactment of flexible strategic doctrine.[69]

Certain guidelines should govern the elastic employment of unilateral economic sanctions. At the macro level, the decision to impose unilateral economic sanctions lies somewhere between diplomacy and war.[70] Regardless of which Branch imposes the unilateral economic sanction, other alternatives should be favored first, such as private persuasion, public appeals, consultation with allies on multilateral sanctions, and non-economic sanctions.[71] Likewise, decision-makers should use a four-pronged test to ascertain the likelihood of a unilateral economic sanction's success while acknowledging that national interests sometimes dictate certain courses of action regardless of the probability of success (Table 8).

Test	**Question**
Achievability	Is the objective narrow enough to achieve the objective?[72]
Integrity	Is the sanction powerful enough to minimize or eliminate external assistance to the target?
Productivity	Is the target expected to change its policies?
Acceptability	Is the impact on U.S. business, workers, and jobs acceptable?

Table 8 Tests for Successful Unilateral Economic Sanctions

Affirmative responses to the four-pronged test indicate a unilateral economic sanction is likely to succeed. One or more negative responses are indicative of probable failure and raises serious doubts about using the unilateral economic sanction.[73]

Having decided to impose a unilateral economic sanction, our leaders next must seek to avoid dilution by limiting the application of the International Emergency Economic Powers Act (IEEPA) to only those situations which a national interest can be cross walked. They should avoid using the IEEPA to address problems below this threshold.

Next our leaders should assume that the Executive and Legislative Branches consult closely on the imposition of a unilateral economic sanction, much as they would act in nonpartisan fashion in invoking the War Powers Act.

Then the Executive Branch should clearly report projected and actual costs of the unilateral economic sanctions to the U.S.

Before actually imposing the unilateral economic sanction, our leaders should carefully consider diplomatic engagement as a means to achieve limited objectives when time is not a dominant factor. Bottom line: Our leaders must decide whether long-term sanctions are preferred to the alternative of diplomatic engagement. Consider these examples: Demonstrating the effectiveness of engagement, the Catholic Church's outreach to

Cuba recently resulted in the increase of religious freedom for Cubans as the government lifted the ban on the observance on Christmas.[74] Likewise, the U.S. had diplomatically engaged China by extending its most-favored-nation status. In short, the U.S. can sometimes use a diplomatic carrot rather than a unilateral economic sanction stick.

Haass succinctly summarized ten basic lessons learned from the late 20th century use of economic sanctions as an instrument of American foreign policy: Sanctions alone are unlikely to achieve desired results if the aims are large or time is short (China, Iran, Iraq, Libya). Under the right circumstances, sanctions nonetheless can achieve (or help to achieve) various foreign policy goals ranging from the modest to the significant (China, Cuba, Libya, Pakistan, The Former Yugoslavia). Unilateral sanctions are rarely effective (China, Cuba, Haiti, Iran, Libya, Pakistan). Sanctions often produce unintended and undesirable consequences (Cuba, Haiti, Iran, Iraq, Libya, Pakistan, and The Former Yugoslavia). Sanctions can be expensive for American business, farmers, and workers (China, Cuba, Iran, Libya). Authoritarian, statist societies are often able to hunker down and withstand the effects of sanctions (China, Cuba, Haiti, Iran, Iraq, Libya, Pakistan, and The Former Yugoslavia). Military enforcement can increase the economic and military impacts (although not necessarily the political effects) of a given sanction (China, Iraq, The Former Yugoslavia). Sanctions can increase pressures to intervene with military force when they are unable to resolve the crisis at hand (Haiti, Iraq, and The Former Yugoslavia). Sanctions tend to be easier to introduce than to lift (China, Haiti, Iran, and The Former Yugoslavia). Finally, sanctions "fatigue" tends to settle in over time, and as it does, international compliance tends to diminish (Cuba, Iraq, Libya).[75]

CONCLUSION

Summary

The elastic employment of unilateral economic sanctions using the framework described earlier will be no less appropriate in 2025 than it is today. Indeed, the trends presaging the U.S. of 2025 reinforce the observation that circumstances surrounding unilateral economic sanctions will be relatively constant: the track record will be poor and their frequency high. The U.S. and the world will change en route to 2025 and the new doctrine of elastic employment will be timeless in application. This study acknowledges that similar advice for the employment of unilateral economic sanctions is all too often disregarded today. It is difficult to argue against a tool that so easily demonstrates something is being done, is symbolically attractive, and is potentially capable of changing behavior.

Even so, Unilateral economic sanctions are here to stay. Presidents invoke executive orders to impose unilateral economic sanctions and Congress continues to pass legislation employing them. Both the Executive and Legislative Branches agree they are not the preferred tool, but both persist in using them. Everyone wants reform— but on their own terms. Amidst this confusion, our foreign relations suffer because "American foreign policy is distorted through the power of domestic lobbies and the arrogant unilateralism of congressional leaders."[76]

Will the emerging wisdom that informs this study provide the platform on which unilateral economic sanctions can serve U.S. interests in 2025? Indeed current legislative proposals (although not immediately passed) and academic analysis does provide a constructive alternative to the status quo. Moreover, these efforts do exhibit essential components for 21st century American foreign policy: vision, pragmatism, spine, and resources.[77] The deeper answer lies in the degree to which this emerging doctrine responds to the most recent collection of criticisms of unilateral economic sanctions.[78] This new doctrine advances elastic employment in exchange for what some have described a creative tension.[79]

Pessimists must be convinced that their argument that sanctions rarely work is flawed. The doctrine of elasticity does not require or assume the success of a sanction. Rather, this new doctrine provides policymakers with a means to assess whether to pursue a unilateral economic sanction. The pessimists' second flawed argument is that unilateral economic sanctions never work. The new doctrine is oriented toward success, not failure. The third flawed argument is that sanctions hurt U.S. trade. But the evidence for this is less conclusive than the trade industry admits. However, the new doctrine intentionally includes consideration of trade impacts when considering unilateral economic sanctions. The fourth flawed argument is that sanctions are immoral because they hurt ordinary citizens more than they hurt powerful and wealthy elite. The new doctrine includes policy consideration of humanitarian concerns.

The optimists also advance two flawed arguments. First, sanctions are a cheap and harmless alternative force. The new doctrine acknowledges there are costs and provides measures of their amount and impact. The new doctrine also acknowledges that there are second- and third-order effects such as secondary boycotts. Second, optimists sanguinely believe that congressional mandates will lead to an effective sanctions policy. Yet, there are no guarantees. Any policy, even the one proposed in this study, is subject to idiosyncratic processes and different applications, not to mention the personalities involved. Nonetheless, a clearly stated policy, like this one, seems preferable to current vicissitudes and inconsistencies.

Limitations

This study suffers from two limitations— one is potentially significant, the other is more an annoyance. During the course of this study, the Task Force on Economic Sanctions was created, met, and held hearings. Unfortunately, the results, other than some testimonies made available by USA-ENGAGE, were not available for consideration in the study. This Task Force addressed many of the issues posed in this paper. Obviously, the Task Force Report, whenever it may be issued, would have influenced this study, probably positively. The annoying limitation is the increasing frequency of Internet-accessed references that appear one day and disappear within the month or sooner. Not surprisingly, U.S. government Internet sites were the sole source of this here-today/gone-tomorrow irritation!

Recommendations

Future studies should focus on multilateral economic sanctions. Unless the Senate Task Force on Economic Sanctions report turns up significant data for subsequent research, the current literature has all but exhausted original research vehicles, with the exception of ongoing case studies.

The employment of sub-federal sanctions appears no longer to be a legal option given the recent ruling in *National Foreign*

Trade Council v. Baker[80] that held only the federal government has the power to regulate foreign affairs.

WORD COUNT = 5755

ENDNOTES

[1] William J. Clinton, A National Security Strategy for a New Century (Washington, DC: GPO, 1998), 5.

[2] All but the last title drawn from an Internet literature search on 29 September 1998. The final title is from The National Interest, no. 53, Fall 1998.

[3] Gary C. Hufbauer, Jeffrey J. Schott, and Kimberly Ann Elliott, Economic Sanctions Reconsidered (Washington, DC: Institute for International Economic, 1990, second edition), 2.

[4] Paul S. Izzo, Economic Sanctions: Are They a Viable Instrument of Power? (Carlisle Barracks, PA: 1996), 2.

[5] Barry E. Carter, International Economic Sanctions: Improving the Haphazard U.S. Legal Regime (Cambridge: Cambridge University Press, 1988), 4.

[6] Richard N. Haass, Economic Sanctions, testimony before the Task Force on Economic Sanctions, United States Senate, 9 September 1998.

[7] Richard N. Haass. "Economic Sanctions: Too Much of a Bad Thing," Brookings Policy Brief Series No. 34 (June 1998); available from <http://www.brook.edu/comm/policybriefs/pb34.htm>; Internet; accessed 29 September 1998.

[8] TradeCompass, "Economic Sanctions;" available from <http://www.tradecompass.com/library/books/terms/EconomicSanctions.html>; Internet; accessed 3 Sep 98.

[9] Mitch McConnell, Statement of U.S. Senator Mitch McConnell, Chairman, Task Force on Economic Sanctions; available from <http://www.senate.gov/~mcconnell/Press/sanc1.htm.>; Internet; accessed 15 November 1998.

[10] Larry E. Craig, chairman, Senate Record Vote Analysis (Washington, DC: Republican Policy Committee, 15 July 1998), 105th Congress, 2nd Session, Vote No. 201, S-8212 Temp. Record.

[11] CSIS, Unilateral Economic Sanctions, Interim Report of the Steering Committee of the CSIS Project on Unilateral Economic Sanctions (CSIS: Washington, DC, 10 June 1998), v.

[12] Some futurists use the term "alternative scenario approach."

[13] John DePauw and Edward Hymson, A Critical Examination of Alternative Approaches to Futurist Studies (Riverdale, MD: 352d CA Command, 1996 (DRAFT)), 1-2.

[14] Ibid., 2.

[15] Peter Bishop, "Thinking Like a Futurist," The Futurist 32, no. 5 (June-July 1998): 40.

[16] Charles W. Taylor, Alternative World Scenarios for a New Order of Nations (Carlisle, PA: Strategic Studies Institute, U.S. Army War College, 1993), 46, 54-56, 58.

[17] Hans Binnendijk, ed., Strategic Assessment 1998 (Washington, DC: Institute for National Strategic Studies, National Defense University, 1998), 217-230.

[18] John Hillen, project director, Future Visions for U.S. Defense Policy (New York: Council on Foreign Relations, Inc., 1998, 1-18 and 35-49.

[19] Cynthia G. Wagner, "Future Quest," The Futurist, 32, no. 8 (November 1998): 42.

[20] Depauw and Hymson, 7.

[21] Peter Schwartz, "The New World Disorder," Global Business Network Scenario Thinking; available from <http://www.gbn.org/scenarios/Disorder>; Internet; accessed 19 October 1998. Schwartz advanced a scenario that the new world order that many people expected with the end of the Cold War would turn out to be vastly more complex and chaotic than the simple bipolar system that had endured for the previous half century. Starting in the 1990s, global economies and politics diverged. By 2010, the world was carved up into three rigid and distinct trading blocs (European Union, Asia Pacific Region, and the third developed around the Indian union), but political boundaries were more fragmented than ever, and ethnic conflicts raged out of control.

[22] Charles W. Kegley, Jr. and Gregory A. Raymond, A Multipolar Peace? (New York: St. Martin's Press, 1994).

[23] Taylor.

[24] Ibid., 54.

[25] Binnendijk, 218.

[26] Clinton, 27.

[27] In 1998, the CSIS initiated a project on "The United States and the New Global Economy." This project intended to develop a policy blueprint for the U.S. to prosper in a rapidly changing world economic landscape.

[28] Steven Mufson and David Hoffman, "Russian Crash Shows Risks of Globalization," The Washington Post, 8 November 1998, sec. A, pp. 1 and 34-35.

[29] Ibid.

[30] Steven Metz, Strategic Horizons: The Military Implications of Alternative Futures (Carlisle Barracks, PA: Strategic Studies Institute, 1997),v.

[31] Eugene Linden, The Future in Plain Sight (New York: Simon and Schuster, 1998), 15. Linden's thesis allows for a return to instability.

[32] Robert O. Keohane and Joseph S. Nye, Jr., "Power and Interdependence in the Information Age," Foreign Affairs 77, no. 5 (September/October 1998), 83.

[33] Ibid, 81.

[34] Gideon Rose, Deputy Director of National Security Studies and Olin Fellow at the Council of Foreign Relations, interview by author, 22 September 1998.

[35] U.S. Information Agency (USIA), "Defense Department on risks from Globalized Business;" available from <http://www.usia.gov/current/news/topic/econ/98090301.eee.html?/products/w…/newsitem.shtp>; accessed 13 Sep 98.

[36] Peter Schwartz and Peter Leyden, "The Long Boom," Wired 5-07 (July 1977): 116.

[37] Stephen J. Kobrin, "The MAI and the Clash of Globalizations," Foreign Policy 112 (Fall 1998): 105.

[38] Thomas A. Bass, "The Future of Money," Wired 4-10 (October 1996): 201, 203, and 205.

[39] Hillen, 2.

[40] Defense Science Board, Tactics and Technology for 21st Century Military Superiority (Washington, DC: Office of the Secretary of Defense, 1996), S-4.

[41] Lawrence Freedman, The Revolution on Military Affairs, International Institute for Strategic Studies Adelphi Paper 318 (Oxford: Oxford University Press, 1998): ii.

[42] Eric Izraelewicz. Review of "In the Stream of History: Shaping Foreign Policy for a New Era." Foreign Policy 112 (Fall 1998): 147.

[43] Robert H. Dorff, course director, Core Curriculum, Course 2: "War, National Policy & Strategy" (Carlisle Barracks, PA: U.S. Army War College, 1998), 145.

[44] R.L. DiNardo and Daniel J. Hughes, "Some Cautionary Thoughts on Information Warfare," Airpower Journal 9, no. 4 (Winter 1995): 71.

[45] James Burns, "Foreign and Defense Policy," Government by the People; available from <http://www.prehall.com/~bookbind/pubbooks/burns/chapter15/objectives/deluxe-content.html>; Internet; accessed 30 September 1998.

[46] U.S. General Accounting Office, Economic Sanctions—Effectiveness as Tools of Foreign Policy, (Washington, DC: U.S. General Accounting Office, February 1992), 8.

[47] So why are the sanctions still in effect? Patrick Clawson provides one explanation when he offers four criteria: preventing rearmament, securing full compliance with UN, end Saddam Hussein's rule, and to punish Iraq.

[48] These conclusions are drawn from the following sources. Richard N. Haass, "Economic Sanctions: Too Much of a Bad Thing," Brookings Policy Brief Series No. 34 (June 1998); available from <http://www.brook.edu/comm/policybriefs/pb34.htm>; Internet;

accessed 29 September 1998. Council on Foreign Relations, "Great Debate Series, Sanctions Against Rogue States: Do They Work?"; available from <http://www.foreignrelations.org/studies/transcripts/bergsten.html>; Internet; accessed 30 August 1998.

[49] Ibid, 8-9.

[50] Hufbauer et al, 8.

[51] USIA, "Overview of U.S. Sanctions Laws Related to Foreign Policy," available from <http://www3.itu/MISSIONS/US/ejournals/ejsanct.htm>; Internet; accessed 30 August 1998.

[52] Thomas Omestad, "Addicted to Sanctions," U.S. News and World Report 124, issue 23 (15 June 1998): 30-31, UMI ProQuest, General Periodicals Ondisc [CD-ROM], 1998, access number 03755811.

[53] The target countries are Afghanistan, Angola, Bosnia-Herzegovina, Brazil, Burundi, Canada, Chile, Columbia, Croatia, Cuba, Gambia, Guatemala, Haiti, Iran, Iraq, Italy, Libya, Maldives, Mauritania, Mexico, Myanmar (formerly Burma), Nicaragua, Nigeria, North Korea, Pakistan, Qatar, Russia, Rwanda, Saudi Arabia, Sudan, Syria, Taiwan, United Arab Emirates, Yugoslavia, and Zaire (now Congo).

[54] USA ENGAGE, "Countries Subject to or Threatened by U.S. Unilateral Economic Sanctions;" available from <http://www.usaengage.org/resources/map.html>; Internet; accessed 22 November 1998.

[55] U.S. International Trade Commission, USITC Report on U.S. Unilateral Economic Sanctions; available from <http://www.usia.gov/current/news/topic/econ/98091101.cec.html?/products/ w…/newsitem.shtm>; Internet; accessed 13 September 1998.

[56] U.S. General Accounting Office, 22.

[57] Stuart E. Eizenstat, Economic Sanctions, testimony before the Task Force on Economic Sanctions, United States Senate, 8 September 1998.

[58] Ibid.

[59] CSIS, 15.

[60] President's Export Council, "Unilateral Economic Sanctions;" available from <http://www.bxa.doc.gov/TACs/unilat1.html>; Internet; accessed 2 October 1998. Interests called out are: defense relies on commercial technology leadership for battlefield advantage; competitiveness of U.S. high-tech industry requires free access to world markets; growth in living standards depends heavily on trade; international trade was 13 percent of GDP in 1970 versus 30 percent in 1995; exports are projected to grow by 9.5 percent per year through the year 2000; expanding trade is critical to creating good, high-wage jobs; our 11 million export-related jobs pay 13 to 17 percent more

than non-trade jobs; established trading partners' economics and populations are relatively mature; the big emerging markets (BEMs), by 2000, will take more U.S. exports than all of the European Union and Japan; BEMs pose the greatest challenges to our foreign policy interests; proliferation threat is created by desire of some BEMs for independent defense; and some BEMs do not yet have the democratic processes and respect fort human rights required to meet international norms.

[61] These dilemmas include the following. Proliferation, terrorism, human rights (including worker rights) abuse, and drug trafficking by third world emerging nations are high priority issues for both domestic and foreign policy. Threats to the security and well-being of Americans or their affinity groups in foreign countries create a national imperative for effective national reaction. While the stated foreign policy objective actions ordinarily is to improve the offending behavior, there are times when it is sufficient domestically to demonstrate resolve and distance us from the behavior. Even though unilateral economic sanctions may be ineffective in achieving change in the target country's policies, such sanctions are seen by many as the weapon of choice when multilateral cooperation is not achieved because: they show national resolve to deal tangibly with unacceptable behavior, perceived direct costs to economic interests are unlikely to be of political significance relative to the immediate priority of dealing with the target, economic sanctions have no visible effect on the budget deficit, and cost-bearing parties and their political representatives are reluctant to be portrayed as "soft" on the target behavior. When a target country's economy or national security is not linked significantly with the U.S., the potential for nonmilitary unilateral action against the target to accomplish more than distancing has been very limited.

[62] For example, access to the $50 billion nuclear energy market of china is critical to the survival of the U.S. nuclear power supply industry. The repeated denials of the use of U.S. civil aircraft in the fleets of, or in the service to, countries targeted for various foreign policy purposes have given a competitive advantage to the European aircraft and engine industry and weakened our most important exporting industry. And retaliation by our allies and trading partners against U.S. extra-territorial sanctions in the early 1980s created overwhelming losses of global market shares for some of our most competitive heavy equipment exporters and loss of thousands of well-paying jobs.

[63] Rose.

[64] Eizenstat.

[65] Diane E. Rennack and Robert D. Shuey, "Economic Sanctions to Achieve U.S. Foreign Policy Goals," available from <http://www.senate.gov/~dpc/crs/reports/ascii/97-949>; Internet; accessed 1 October 1998.

[66] Ibid.

[67] See <http://www.senate.gov/activities/105-2/vote_00201.html>.

[68] See <http://thomas.loc.gov/cgi-bin/query/D?c105:1/temp/~c105eG8PuL:e29625:>.

[69] Robert P. O'Quinn, "A User's Guide to Economic Sanctions," available from <http://www.heritage.org/library/categories/trade/bg.1126.html>; Internet; accessed 2 September 1998. Economic sanctions include: limiting exports to the export country; limiting imports from the target country; restricting investment in the target country; prohibiting private financial transactions between a sender country's citizens and the target country's citizens or government; and restricting the ability of a sender country's government programs, such as the U.S. Export-import Bank (Ex-Im Bank) and the Overseas Private investment Corporation (OPIC), to assist trade and investment with the target country.

[70] The Senate Record Vote Analysis for the Agriculture Appropriations/Restrictions on Sanctions provides what is probable the best synopsis of the two sides to sanctions reform. It is available in Acrobat reader format at <http://www.senate.gov/~rpc/rva/1052/1052201.pdf>.

[71] O'Quinn. Economic sanctions intend to penalize a target country financially. Non-economic sanctions focus on denying legitimacy or prestige. These measures include: canceling ministerial and summit meetings with a target country; denying a target country's government officials visas to enter the sender country; withdrawing a target country's ambassador or otherwise downgrading diplomatic and military contacts with a target country; blocking a target country from joining international organizations; opposing a target country's bid to host highly visible international events, such as the Olympics; withholding foreign aid; and instructing a sender country's directors to vote against new loans to a target country at the World Bank or other international financial institutions.

[72] "The introduction of broad economic sanctions is almost certain to make the challenge of promoting the full range of American interests more difficult"– Richard N. Haass and Morton H. Halperin, co-chairs, After the Tests– U.S. Policy Toward India and Pakistan, Council on Foreign Relations: New York, NY: 1998, 5.

[73] Appropriate guidelines for enacting legislation include the following, many of which were drawn from draft legislation not passed by the 105th Congress: (1) state the foreign policy or national security objective or objectives of the U.S. that the unilateral economic sanction is intended to achieve; (2) provide that the unilateral economic sanction terminate 2 years after it is imposed, unless specifically reauthorized by Congress provide for contract sanctity; (3) provide authority for the President both to adjust the timing and scope of the sanction and to waive the sanction, if the President determines it is in the national interest to do so; (4) target the sanction as narrowly as possible on foreign governments, entities, and officials that are responsible for the conduct being targeted; (5) seek to minimize any adverse impact on the humanitarian activities of U.S. and foreign nongovernmental organizations in any country which the sanction may be imposed; (6) provide, to the extent that the SecAg or the CBO finds that— (a) the proposed sanction is likely to restrict exports of any agricultural commodity or is likely to result in retaliation against exports of any agricultural commodity from the U.S.; (b) the sanction is proposed to be imposed, or is likely to be imposed, on a country or countries that constituted, in the preceding calendar year, the market for more than 3 percent of all export sales from the U.S. of an agricultural commodity; and (7) that the SecAg expand agricultural export assistance under U.S. market development, food assistance, or export promotion programs to offset the likely damage to incomes of producers of the affected agricultural commodity or commodities, to the maximum extent permitted by the obligations of the U.S. under prevailing agreements (such as the Agreement on Agriculture of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(2))).

[74] USA-Engage Latest News, accessed from <http://usaengage.org>; Internet; accessed 5 December 1998.

[75] Haass, 197-205. The literature adds these lessons learned: (1) as a substitute for military force— the Wilsonian notion— sanctions seldom achieve the desired change in the conduct of foreign countries; (2) naïve to think of sanctions as a substitute for force when dealing with authoritarian powers; (3) can inflict pain on innocent people while at the same time increasing the grip of the leaders we despise; (4) sanctions applied hard and fast are more likely to succeed (all other circumstances being equal) than sanctions applied soft and easy; and (5) erodes U.S. leadership.

[76] William Wallace and Jan Zielonka, "Misunderstanding Europe," Foreign Affairs 77, no. 6 (November/December 1998): 74.

[77] Madeleine K. Albright, "The Testing of American Foreign Policy," Foreign Affairs 77, no. 6 (November/December 1998): 50-64.

[78] Daniel W. Drezner, "Serious About Sanctions," The National Interest 53 (Fall 1998), 66-74.

[79] Stephen J. Rosenfeld, "Creative Tension in Foreign Policy," The Washington Post, 28 November 1998, sec. A, p. A29.

[80] See United States District Court, District of Massachusetts, National Foreign Trade Council, Plaintiff, v. Civil Action No. 97 12042 (JLT), Charles D. Baker, in his official capacity as Secretary of Administration and Finance of the Commonwealth of Massachusetts, and Philmore Anderson, III, in his official capacity as State Purchasing Agent for the Commonwealth of Massachusetts, Defendants.

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