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SANCTIONING LIBERAL DEMOCRACIES¹

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Much work has been done in recent political theory on the question of the appropriate scope of international involvement in the internal affairs of states. Two dominant debates come to mind in this respect: the ‘humanitarian intervention debate’, which explores the legitimacy of military intervention in cases such as massive violations of human rights, collapse of states and humanitarian disasters; and the ‘global justice debate’, which examines the appropriate scope of economic aid from rich to poor nations. In neither of these discussions has much attention been given to the particular question of the legitimacy and necessity of international military intervention, or supply of economic aid, to *democracies*, let alone liberal democracies. This omission may be due to the fact that liberal democracies rarely find themselves in situations that provoke the outrage or concern of the international community. Even so, liberal democracies do perpetrate, from time to time, serious injustices: in recent decades the world has witnessed liberal democracies engaging in colonialism and occupation; liberal democracies violating international treaties that forbid torture and indefinite detention of prisoners of war, and liberal democracies denying political rights to minority groups within their borders. Should the international community get

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involved in those cases? Is its involvement a moral obligation? And if so, what should be done? While these questions are rarely addressed in the current literature they are the concern of ordinary citizens and policy makers who need to decide whether and how to react when liberal democracies behave in an unjust manner.

The answers to the questions posed above may seem straightforward to the cosmopolitan liberal, who regards states as mere instruments for implementing global justice and equality. On the cosmopolitan liberal account, serious violations of human rights, towards a state's own citizens or towards foreigners, violate its very own *raison d'être* and may give grounds for the international community to interfere (Buchanan, 1993, Shue, 2004). However, for the social liberal (a position also known as 'the morality of states view') things are not that simple.² The grounding premises of social liberalism are that political communities, nations or peoples (I will not discuss the differences between these definitions) have an ethical and moral value in and of themselves, and that members of these communities have special obligations to each other, which are much stronger than the obligations they have to persons outside their community. These premises cast doubt on both the right and the obligation of political communities to get involved in each other's internal affairs. This paper explores the question of international response to unjust liberal democracies from a social liberal perspective. One reason for focusing here on this worldview is its appeal for many political and international theorists today. A second and no less important reason is that we still live in a world of nation-states, and the social-liberal premises still have great appeal for most people in the world today (Brown, 2002, Miller, 2007, Nagel, 2005). Therefore exploring the legitimacy and necessity of international

² The terms 'social liberals' and 'cosmopolitan liberals' are borrowed from Beitz, C. (1999) 'Social and Cosmopolitan Liberalism', *International Affairs*, 75(3), 515-29.

response to unjust liberal democracies from this perspective has the practical advantage of being relevant to contemporary political debates and concerns.

I mentioned above that political theorists pay scant attention to the specific case of involvement in liberal democracies. A sceptic might reply that such discussion is superfluous, as liberal democracies are founded upon principles of justice, so when they perpetrate violations of human rights of the type described above they can no longer be called liberal democracies. But this claim seems too remote from political reality: if we define liberal democracies in ideal terms, then indeed the likelihood of them seriously violating human rights would greatly diminish. But if real-world liberal democracies are our concern, then the fact of the matter is that they do from time to time commit serious violations of human rights. This observation raises the question of what makes a democracy a democracy, and when an erstwhile democracy should no longer be described as such. For the purposes of the current discussion I set these questions aside. I assume that real-world liberal democracies are political communities that live up to a familiar set of values and practices: that the body of citizens has control and authority over political power; that the government is accountable to its citizens; that it is chosen by a free and fair system of voting to which all citizens have equal access; and that all citizens enjoy a certain set of civil, political and economic rights and liberties, which enables them to participate in the political system effectively.³ These principles commit liberal democracies to certain norms that govern their treatment of their own citizens, as well as their behaviour towards communities and individuals outside their borders. However, while real-

³ See Christiano, T. (1996) *The Rule of the Many: Fundamental Issues in Democratic Theory*, Boulder, Colo., Westview Press, Dahl, R. A. (1989) *Democracy and its Critics*, New Haven, Yale University Press, Estlund, D. M. (ed) (2002) *Democracy*, Oxford, Blackwell Publishers, Pettit, P. (1997) *Republicanism: A Theory of Freedom and Government*, Oxford, Clarendon Press, Rawls, J. (1993) *Political Liberalism*, New York, Columbia University Press..

world democracies profess allegiance to democratic values and practices they also, from time to time, deviate from them. The wrongdoings of liberal democracies can be roughly characterized as either self-regarding or other-regarding: self-regarding injustices are directed towards members of the political community. Other-regarding injustices are directed towards persons who are not members of the political community, e.g. the torture of prisoners of war.

This paper aims to clarify the proper international response to such violations of justice and international law from the social liberal perspective. More specifically, it reflects upon the proper response that *we* - citizens and governments who live in liberal democracies - should have towards other liberal democracies who behave in such unjust manner. There are several types of international responses which political communities use in order to bring about a change of policy or leadership in other political communities. The most extreme is 'intervention', namely the use of military force in order to bring about that change. The range of means short of military force will be referred to here as 'interferences'. Perhaps the most extreme form of interference is economic sanctions; less intrusive forms are political and cultural sanctions and boycotts as well as verbal condemnations.⁴ The discussion here focuses specifically on the legitimacy and necessity of economic sanctions against unjust liberal democracies,⁵ for two reasons: first, the rising popularity of sanctions in international politics; and second, the fact that economic sanctions are the most controversial form of interference in light of their high costs to both the sender and

⁴ For typologies of international pressure tools see Baldwin, D. A. (1985) *Economic Statecraft*, Princeton, Princeton University Press, Doxey, M. P. (1996) *International Sanctions in Contemporary Perspective*, Basingstoke, Macmillan, Miyagawa, M. (1992) *Do Economic Sanctions Work?*, Basingstoke, Macmillan.

⁵ The phrase 'unjust liberal democracies' is used throughout the paper for simplicity sake. What I mean by it is 'a liberal democracy which commits a serious injustice'.

the target states. Notice that the conclusions I draw here could possibly be applied to other forms of interference as well, but I do not examine those in detail.

The paper will proceed as follows: It opens with an exploration of the social liberal approach to international involvement in the domestic or foreign affairs of states. Drawing upon social liberals' accounts of the use of military intervention, it unfolds the range of objections that social liberals would have to the use of economic sanctions as a pressure tool: the limited right to interfere in the affairs of the target state; the limited obligation of the sender state to incur the costs of sanctions; and the questionable efficacy of sanctions. Next, the paper introduces a fourth factor which social liberal democracies should consider with regard to the use of economic sanctions against unjust liberal democracies, namely their own relations with the unjust target state, and the detrimental effects that non-interference can have on their own democratic stability. The discussion leads to the conclusion that democracies have additional reasons to use economic sanctions as pressure tool when the target state is a liberal democracy. The next section points to some empirical data that supports the normative case. The final section replies to a major objection to the use of economic sanctions, namely the problem of collective harm.

The Problem of Getting Involved

Social liberals tend to focus their discussions of international involvement on types of involvement which are less relevant for the discussion here, namely military intervention and economic aid to poor nations. However, the limitations they place on these forms of involvement can help to flesh out the social liberal response to the use

of economic sanctions as well. As noted above, the adherent of this world view would justify international involvement in light of its core premises, which extol the autonomy and self-determination of nations, but also uphold a universally shared minimal understanding of morality (Walzer, 1994). These premises justify military intervention and economic aid only where the target state is in severe crisis. Thus military intervention is legitimate, as Michael Walzer famously argued, in self-defence against an act of aggression; in support of a political community in its justified struggle for independence; as counter-intervention; and in response to massive violations of human rights by dominant forces within a state (Walzer, 1992).⁶ Similarly, economic aid to poor nations is limited, as far as justice is concerned, to the duty of the well off nations to bring extremely poor nations up to a threshold where their population can achieve a minimally adequate standard of living (Miller, 1999, Nagel, 2005, Rawls, 1999).

There are three main justifications for the social-liberal limitation of intervention and economic aid to crisis situations. The first is *consequential* and connected to the idea of national autonomy. It claims that a viable change in a political community can only be achieved from within, by the people who are most familiar with the dynamics of their own political community. Walzer refers to this idea as ‘the doctrine of self-help’. He warns that foreign policy makers are very likely to misread the internal politics of the target state and therefore risk using inadequate means to correct the situation, thus generating unintended yet disruptive consequences (Walzer, 1992). The second justification is deontological: states do not have the *right* to intervene in each other’s

⁶ Other social liberal accounts follow roughly the same lines; for example Rawls justifies intervention only in cases of grave violations of the right to liberty, property and formal equality, in a minimal interpretation Rawls, J. (1999) *The Law of Peoples*, Cambridge, Mass., Harvard University Press. cf. Miller, D. (2005) ‘Reasonable Partiality Towards Compatriots’, *Ethical Theory and Moral Practice*, 8(1), 63-81.

affairs, in light of the moral status and autonomy of political communities. This argument seems to apply mainly to the perpetration of internal injustices. It rests on the assumption that nations have the right to shape their own fate, even if their policies seem unjust or unwise to the outsider. To put it differently, social liberals adopt something like the harm principle at the international level: as long as other political communities do not cause significant harm to others, we do not have a right to force upon them our own notions of morality. The third justification for the limitation of international involvement is that it encumbers sender states with unreasonable burdens. This argument is derived from the social liberal premise that citizens have particular and strong positive obligations to members of their own community, and that these special obligations can rarely be overridden by the need and suffering of individuals outside the political community. For example Thomas Nagel has recently argued that while obligations of distributive justice exist between members of a political community, the duty of assistance to outsiders arises only in cases of severe suffering, which triggers humanitarian concerns (Nagel, 2005).⁷ Admittedly, most social liberals depict a more complex system of duties than Nagel's, with *some* duties of justice to foreigners, but stronger duties to co-nationals. David Miller, for example, identifies several competing sets of duties we have both to co-nationals and to foreigners; it may be the case that our duties to foreigners will have the upper hand, in light of considerations of urgency and severity of need (Miller, 2005). However, on this account too, it is only with relation to a rather limited range of basic rights that the needs of compatriots and foreigners compete. Moreover, even with relation to these basic rights there is an upper limit to the extent of sacrifice that a political community can be required to make in order to help foreigners. This upper

⁷ Cf. Allan Buchanan's critique of social liberalism Buchanan, A. (1999) 'The Internal Legitimacy of Humanitarian Intervention', *The Journal of Political Philosophy*, 7(1), 71-87.

limit is significantly lower with regard to deprivation of rights which the sender political community itself bears no direct responsibility for.

As noted earlier, the injustices that liberal democracies perpetrate are not on a *massive* scale and therefore do not raise grounds for military intervention by other liberal democracies. But do perhaps they call for other, milder forms of response, such as economic sanctions? There is surprisingly little discussion in social liberal writings about this question, and this lacuna is all the more salient in light of the rapid growth in the use of international sanctions as a pressure tool. I will say more about the nature of economic sanctions before I move on to evaluate them from a social liberal perspective.

Economic sanctions take several forms, which Jonathan Kirshner divides into ‘actions which disrupt trade, aid, finance, currency and assets of the target state’ (Kirshner, 1997). The instrumental goal of economic sanctions is to generate policy change in the target political community in accordance with the requirements of the sender political community. The rationale behind this is that if the target community (or more specifically, the core group which supports the objectionable policy) will be denied commodities which it values, it will do whatever is necessary in order to regain access to those commodities, including changing its policy or bringing about a change of government. Johan Galtung disparagingly referred to this as the ‘naïve theory’ of sanctions. His criticism was based on his analysis of the UN sanctions on Rhodesia, which he concluded were unsuccessful (Galtung, 1967).⁸ Many researchers agree with

⁸ For critique of Galtung’s empirical findings see Baldwin, D. A. (1985) *Economic Statecraft*, Princeton, Princeton University Press.

Galtung that economic sanctions are an ineffective pressure tool.⁹ Others question these conclusions, and point to the symbolic goals of economic sanctions which should be taken into account when measuring their success.¹⁰ These include sending a message to the sender state's domestic constituency; sending a message to the international community as a whole; signalling support for internal opposition within the target state; and even inflicting pain on the target political community as a means of punishment or revenge. As David Baldwin argues, such symbolic goals are powerful political tools, whose importance should not be overlooked (Baldwin, 1985). I will return to discuss the question of the efficacy of sanctions at a later stage.

Despite the on-going controversy over the definition of the goals of sanctions and their corresponding success rate, sanctions have been increasingly used in the last two decades, to the extent that the 1990s were labelled the 'sanctions decade'. The UN Security Council alone has imposed sanctions against twelve countries in the 1990s, compared with only two sanction episodes in the four preceding decades. In addition, more than three dozen unilateral, bilateral and regional sanctions were imposed in that period. Particularly relevant for the discussion here is that democracies are 24 times more likely than non-democracies to impose economic sanctions (Cox and Drury, 2006).

⁹ e.g. Clifton, M. T. and Schwebach, V. L. (1997) 'Fools Suffer Gladly: The Use of Economic Sanctions in International Crises', *International Studies Quarterly*, 41(1), 27-50, Doxey, M. P. (1996) *International Sanctions in Contemporary Perspective*, Basingstoke, Macmillan, Gordon, J. (1999) 'A Peaceful, Silent, Deadly Remedy: The Ethics of Economic Sanctions', *Ethics and International Affairs*, 13, 123-41, Pape, R. (1997) 'Why Economic Sanctions Do Not Work', *International Security*, 22(2).

¹⁰ e.g. Baldwin, D. A. (1985) *Economic Statecraft*, Princeton, Princeton University Press, Cortright, D. and Lopez, G. A. (2000) *The Sanctions Decade: Assessing UN Strategies in the 1990s*, Boulder, Colo., Lynne Rienner Publishers, Cortright, D. and Lopez, G. A. (2002) *Smart Sanctions: Targeting Economic Statecraft*, Lanham, MD, Rowman & Littlefield Publishers.

The discussion already pointed to some contentious aspects of the use of economic sanctions which, as noted, are a highly controversial form of interference. In fact, the common objections to sanctions in contemporary debates are very similar to the social liberal objections to the use of military intervention and economic aid. Firstly, the *consequential argument* against intervention applies to sanctions as well. The most comprehensive study of sanctions concluded they have a success rate of merely 34 percent (Hufbauer et al., 1990), and even this disappointing figure has been argued by some to be over-optimistic (Gordon, 1999, Pape, 1997).¹¹ Next, the argument that states do not have the *right* to intervene in each other's affairs applies to the use of sanctions as well. After all, although sanctions are not a direct form of coercion they have been referred to as a 'peaceful, silent, deadly remedy', which 'no modern nation can resist'.¹² As such they can certainly be perceived as an illegitimate coercive intrusion. Indeed, in their few references to sanctions, social liberals do seem to take this view: Miller portrays economic sanctions which aim to force a political community to comply with the demands of justice as highly problematic because they are 'widely regarded as compromising the self-determination of the nation in question' (Miller, 1995). In a similar vein Rawls and Walzer restrict the use of sanctions to cases where significant harm is caused by the target state, e.g. gross violations of human rights (Rawls, 1999) or the brutalities of tyrannical regimes (Walzer, 2002). Finally, the argument that states do not have an *obligation* to bear the costs of intervention has force also with regard to economic sanctions. Sanctions are certainly not as costly as military interventions, but they too impose high expenditures on the sender states. These costs will be determined by such factors as the size of the

¹¹ Success is defined here in instrumental terms, and is measured in light of two factors: the change of policy in the target state and the extent to which the sanctions were responsible for that change Hufbauer, G. C., Schott, J. J. and Elliott, K. A. (1990) *Economic Sanctions Reconsidered*, Washington, DC, Institute for International Economics..

¹² Woodrow Wilson, quoted in Ibid.

economies of the states involved in the sanctions episode, their trade relations, and the type of sanctions imposed.¹³ I should note that some studies argue against the claim that sanctions are significantly costly to the sender states: one study shows that 27 percent of all sanctions cost their sender less than 0.1 percent of GNP and 65 percent cost less than 1 percent of GNP (Cox and Drury, 2006). However these numbers are somewhat misleading since democracies tend to avoid imposing sanctions in cases where there is a risk of high costs (Lektzian and Souva, 2003). Imposing sanctions on an unjust liberal democracy with a large economy and flourishing international trade relations can be very costly to other liberal democracies, and would therefore heighten the concerns of social liberals.

Relations between democracies: an additional reason for interference

I mentioned three factors that social liberals would consider when judging whether sanctions should be imposed on an unjust liberal democracy - the predicted effectiveness of sanctions, the legitimacy of interference as measured by the level of harm caused by the target state, and the costs of sanctions to the sender state. Taking all these factors into account it seems plausible to argue that, in most cases, social liberals would object to sanctioning liberal democracies, as it is likely that the violations of human rights they perpetrate are on a smaller scale, and that the cost of such interferences would be rather high. In this section I propose a fourth factor which could potentially overturn this conclusion, by providing additional reasons to impose sanctions against democracies. What I have in mind here is the relationship that exists between the unjust liberal democracy and the sender state prior to the sanctions

¹³ See analysis with case studies in Doxey, M. P. (1996) *International Sanctions in Contemporary Perspective*, Basingstoke, Macmillan.

episode. More specifically, when both the target state and the sender state are democratic political communities, special relations can develop between them which will have a significant effect on the cost, legitimacy and on the efficacy of sanctions, thus rendering them more positive in the eyes of the social liberal.

The starting point of the argument is the parallel between political communities and persons, which is a core social liberal assumption: on this account political communities are perceived as collective moral agents, i.e. collectives which have intentions and moral capacities over and above the agglomerated intentions and moral capacities of their individual members (Dworkin, 1986). As moral agents, political communities are bearers of rights and obligations; they have defined interests; and they pursue those interests at the international level, with and against each other. One justification for the attribution of moral agency to political communities is the fact that they have a *collective identity* which stretches over time and which is not exhausted by the accumulative identities of their citizens. This identity is developed through, and expressed by, the political community's political culture, tradition, religion and language. National collective identity, the social liberal would argue, has a value in and of itself, a value which is derived from the importance of that collective identity to the individual members of the political community (including past and future generations) (Miller, 1995). Therefore the political community has the obligation to cultivate and to preserve its collective identity. In the particular case of *liberal-democratic* political communities, the collective identity is committed to a specific political vision, namely a liberal and democratic one, and this vision shapes the nature of their collective interests (Viroli, 1997). So for example, in Rawls' interpretation, '[just liberal people] seek to protect their territory, to ensure the

security and safety of their citizens, and to preserve their free political institutions and the liberties and free culture of their civil society' (Rawls, 1999). There are certainly disagreements between social liberals with regard to the thickness of the national identity which the democratic liberal community is committed to cultivate and preserve.¹⁴ But these controversies are not of concern here. Rather, what is relevant for the rest of the discussion is that, as all social liberals agree, a democratic political community has special positive obligations of justice to its own citizens; and it has a fundamental interest to preserve its particular collective identity as a democratic community.¹⁵

Social liberal political communities are collective moral agents. However, like individuals, they are not *isolated* moral agents. Rather, they develop special relations of interdependence with other political communities with which they have something in common (culture, religion, geographic proximity). Such relationships are often referred to as *international regimes*, namely 'sets of implicit or explicit principles, norms, rules and decision-making procedures around which actors' expectations converge in a given area of international relations' (Krasner, 1983). International regimes promote the interests of their member political communities since they allow them to enjoy the gains of international cooperation (Keohane, 2005). They are created between political communities, usually between democratic political communities, in order to deal with wide ranges of collective policies, such as trade, foreign policy and human rights. Take for example the notion of international *security*

¹⁴ A thinner notion of collective identity, which revolves around liberal political institutions is offered by Dworkin and Rawls Rawls, J. (1993) *Political Liberalism*, New York, Columbia University Press, Dworkin, R. (2000) *Sovereign Virtue: The Theory and Practice of Equality*, Cambridge, Mass., Harvard University Press.. A thicker one, which includes culture, language and other ethnic components, is offered by Miller and Tamir Miller, D. (1995) *On Nationality*, Oxford, Clarendon Press, Tamir, Y. (1993) *Liberal Nationalism*, Princeton, Princeton University Press.

¹⁵ I thank an anonymous referee for this point.

communities: communities which members create alliances against common threats and develop joint foreign policies. Security communities are typically created between democratic polities (Risse-Kappen, 1995). They are generated by democracies' shared values and cultures, mutual transactions, links of social communication, and mobility of persons between the member political communities (Deutsch, 1957). They are, in Karl Deutsch's words 'a matter of mutual sympathy and loyalties; of "we feeling" trust, and consideration; of at least partial identification in terms of self-image and interest; of ability to predict each other's behaviour and ability to act in accordance with that prediction' (Deutsch, 1957).

I will discuss other examples of international regimes between democracies at a later stage. But first, let us examine the moral implications that these observations generate with regard to economic sanctions between liberal democracies. Consider the following hypothetical case: two social liberal democracies are engaged in an intense transnational relationship.¹⁶ They have strong economic relations with each other; they form trans-governmental networks by which they influence each other's judicial and executive systems; there are links of social communication and mobility of persons between them. As a result they develop a "we feeling" trust, which involves partial identification in terms of self-image and interest, expressed in their foreign policy and their increased interactions. This relationship is grounded in their shared values and norms, it is a relationship *of* liberal-democracies. Now suppose that, due to internal or external pressures, the government of democracy *A* adopts a policy which violates a core liberal democratic norm. For example, increased security risks lead the government of *A* to impose restrictions upon civil liberties which target certain

¹⁶ For simplicity sake I give an example of two democracies. But the argument can be applied to multilateral sanctions as well.

sections of its population (e.g. an ethnic minority). These restrictions limit political and civil freedoms, compromise standards of fair trial, give the state additional grounds to intrude into people's lives, or restrict the minority's share of political and material resources. Suppose that democracy *B* has considered *A*'s behaviour with great care. It comes to the conclusion that, even when taking into account considerations such as security and supreme emergency, *A*'s treatment of its citizens cannot be justified. Infringing upon civil liberties in the way in which *A* chose is not in line with those self-restrictions to which liberal states are committed. Putting aside the reasons why *A* chose this unreasonably non-democratic course of action, it is rather clear that *A* violates the norms and values both political communities share in common.

Upon reaching those conclusions, *B* can respond in several ways. For one, it can ignore *A*'s behaviour. As I will explain below, I think it would be wrong to do so. Suppose *B* does decide to respond to *A*'s behaviour, and expresses its discontent through the usual diplomatic channels. However, as often happens, *A* disregards these verbal condemnations. *B* is then in the position to consider other courses of action. Military intervention is of course out of the question, if only because the violation of human rights perpetrated by *A* is neither gross nor massive. But *B* might contemplate the use of other means, such as economic sanctions. The factors it takes into account in order to assess this course of action have already been discussed: first, *B* examines its right to interfere in the affairs of *A*, based on the severity of the harm the latter causes and other relevant considerations. Second, it assesses the cost of imposing such sanctions in terms of disruption of trade and so on with *A*. Third, it estimates the chances that the economic sanctions would actually bring about the desired change of

policy in *A*. The fact that the two democracies have a close relationship will have significant effect on all three factors. My argument here draws upon the more expansive understanding of sanctions which, to recall, includes expressive and symbolic goals: sending a message to the domestic constituency of the sender state and to the international community as a whole. These point to the fact that *B* can have additional rights and obligations as a result of the two political communities' special relationship; and that, in light of these, *B* has good reasons not to ignore the behaviour of *A*, and to express its disapproval by means other than verbal condemnation.

The first effect that the relationship can have on *B* is the fact that *B* itself could be harmed by *A*'s behaviour, and would therefore have a stronger right to express its objection and to attempt to put an end to the injustice. My justification for this argument, which offers a reply to one of the social-liberal concerns I discussed earlier, is that democracy *A*'s policies may lead in the long run to the weakening of democracy *B*'s own democratic values. I described earlier the 'transnational community' that was formed between the two political communities, based on their shared values, practices and norms. I argued that one of the expressions of this relationship is the influence and impact that these two communities have on each other. After all, they form what one may call a community of peers. As social liberals repeatedly argue, the values of individuals, and presumably of groups, develop in response to and in light of those that surround them and with whom they are in a relationship of mutual esteem (Taylor, 1994). That implies that the nature of democratic culture in one liberal democracy could be at least partly affected by what happens in other liberal democracies with which it shares values and ideals. In the particular scenario I described above, we can think of at least three potentially

harmful effects which the behaviour of *A* could have on *B* in this regard. The first effect is relevant in particular to cases where *B* faces at present similar threats to those of *A*, not an unlikely scenario in light of their close relationship. The fact that *A* - the esteemed partner of *B* - chose to handle those threats through policies that compromise its democratic identity and values (that is, by imposing unreasonable restrictions upon civil liberties) may well encourage movement in a similar direction in *B*, by bolstering internal support for adopting similar policies, and fostering anti-democratic tendencies and tensions within *B*. In order to secure itself from such dangerous effects, and to maintain its commitment to democratic self-regulation, democracy *B* ought to disassociate itself from *A*'s behaviour. A second, and related, source of harm to *B* concerns the long-term effects of *A*'s behaviour. If there is a real possibility that *B* will find itself in a similar situation to *A* in the future, or if there is a likelihood that it may be tempted to restrict minorities' rights in the same way as *A* (in order to promote the interests of the majority, or for any other reason), then *B* has an increased right, and a better reason, to interfere in the affairs of *A* in order to reduce the risk of future damage to its own democratic culture. Finally, a third reason why *B* should be worried about the violation of democratic standards in *A* concerns the latter's effect on other liberal democracies in the world. Suppose that other democracies follow *A*'s example and relax their commitment to commonly accepted democratic norms. Surely the greater the number of democracies who disregard those norms, the weaker will be their hold in *B* itself. After all, citizens in democracy *B* may ask: if other democracies do not grant minorities equal political and civil rights, why should we restrain ourselves in that way?¹⁷

¹⁷ I discuss here the effects that a self-regarding injustice committed by *A* would have on *B* (namely an injustice directed at *A*'s own citizens). However, similar conclusions can be drawn with regard to an other-regarding injustice. Consider a case whereby, as part of an ongoing military conflict, *A* captures and holds civilians of the third country in custody as bargaining chips, denying their basic human rights

It is important to note that such weakening of the democratic norms in democracy *B* may not be immediate. The processes I described above could be implicit, and their detrimental consequences may only be apparent after the event. However, as I argued before, *B* is committed to maintain its collective identity as a democracy *over time*. In order to preserve its democratic identity *B* has the right to make it clear that it rejects the non-democratic policies of those liberal democracies with which it is in close contact. For as long as it does not express its outright condemnation of this behaviour, it risks being influenced by the changing norms in democracy *A*, norms which so far it had claimed to share. On this account, the immediate costs of sanctioning which the citizens of *B* will be bound to carry are justified as part of their obligations to preserve the collective democratic identity of their own political community. After all, in the social liberal account the commitment of the political community to its own collective identity, seen as stretched over time, can take precedence over the immediate material needs of its citizen body. In this respect economic sanctions might actually be advantageous over other forms of sanctions and condemnations in achieving the goal, precisely because they are more costly to the sender state: the fact that *B* is willing to pay a price in order to express its objection to the undemocratic policy of democracy *A* attests to its strong commitment to its democratic values, and can also increase the sanctions' efficacy (Damrosch, 1994).

A second argument for the use of sanctions also relates to the *message* that economic sanctions send, this time to the international community. Democracy *B* has additional

and committing a violation of international law. In this case too *B* has an additional right (and therefore a reason) to sanction *A* for its behaviour, as it may result in the weakening of its democratic standards of treatment of foreigners in conflict situations, as well as weakening the norms of the community of liberal democracies in the world.

reasons to sanction *A*, especially if it has developed stronger communal attachments with it, in order not to be seen as biased or hypocritical when it imposes sanctions on non-democracies in the name of justice and human rights. To recall, social liberals argue that imposing such sanctions (and even intervening) is a moral obligation of liberal democracies when gross violations of human rights are perpetrated elsewhere. But in order for sanctions against tyrannical non-democracies to be effective, democracies should be able to show that they themselves are committed to the values of democracy and human rights which they promote, and that they are willing to sanction each other if they themselves violate these values. Again, the point is that by *not* reacting to the undemocratic behaviour of its close ally, *B* sends a message to the international community, as well as to its own citizens, that its professed values do not have a strong enough hold.

A third sense in which the relationship between the two democracies can effect democracy *B*'s policy goes back to the instrumental value of sanctions. It revolves the potentially increased *capacity* of democracies to influence each other. This argument rests on the observation that condemnation and reproach, as well as praise and incentives, may have greater effect on us if they come from people we value or see as our peers (May, 1992). To the extent that group members have the capacity to influence their peers in those ways, then they may sometimes have the obligation to reproach their co-members when they deviate from the group's values and practices.¹⁸ This responsibility can arise between liberal democracies as well, and in this respect provide an answer to the aforementioned social-liberal concern that democracies have no obligation to sanction each other. For if democracies develop valuable peer group

¹⁸ I assume that such obligations may be acquired non-voluntarily. cf. Honoré, T. (1999) *Responsibility and Fault*, Oxford, Hart.

relations with each other, and as a result they have the increased capacity to influence each other, then they may have an obligation to respond by means of condemnation and sanctions when one of them commits a serious injustice. The purpose of such condemnation would be to shame the citizens and government of the target community, by demonstrating to them how far their political community has strayed from its own democratic ethos. Notice that this obligation is owed to the victims of the injustice. Of course, obligations which are grounded in the capacity to help are restricted, especially when they are acquired involuntarily, and are subject to considerations of fairness and cost (which are, admittedly, difficult to determine).¹⁹ So it is quite possible that even though it is capable of its influencing *A*, *B* would not be the first agent who ought to bear the costs of such interference, because a third country has a greater obligation than *B*, or because the costs of sanctions for *B* are simply too high to ground an overall obligation. The capacity to influence *A* may not necessarily ground the obligation to impose sanctions against it, but it is a factor that should be taken into account when *B* considers its response.

I have argued that the instrumental goal of sanctions could be more easily reached when both target and sender states are closely related democracies. This brings to the forefront the third objection to sanctions, namely their poor rate of success. This objection too is weakened when the target state involved is a liberal democracy. Interestingly enough, twelve out of the fourteen cases which Hufbauer et al. define as ‘successful’ were sanctions against democracies or semi-democracies. Of these, seven were against liberal democracies (Hufbauer et al., 1990, Nossal, 1999). This data is perhaps correlated to the fact that the ‘naïve theory’ of sanctions, according to which pressure on the population will lead to change of policy, is, as one author critically

¹⁹ For discussion of the problem of balancing of capacity with other sources of remedial obligations see Miller, D. (2001) ‘Distributing Responsibilities’, *The Journal of Political Philosophy*, 9(4), 453-71.

noted ‘overlaid with what is in essence a liberal-democratic assumption about the relationship between the governed and the governors’ (Nossal, 1999). Indeed there is some evidence that ‘states characterized by institutionalized and competitive political processes are less likely to resist sanctions pressure’ (Bolks and Al-Sowayel, 2000). One explanation is that democracies are more sensitive to the material harms caused by sanctions, as democracies are committed to maintain the welfare of their citizens (Bolks and Al-Sowayel, 2000). An additional explanation is when the target state is a democracy, the sender state’s motivations as well as the impact of sanctions on the economy of the target state are publicly known and open to debate.²⁰ It has also been argued that sanctions have a greater chance of success when there is already considerable domestic opposition to the government’s policies (Nossal, 1999, Cortright and Lopez, 2000). Presumably, such opposition is more likely to flourish in democratic regimes. Note that the claim that sanctions are more effective when they are imposed against democracies has been contested (for example by (Lektzian and Souva, 2003). This empirical controversy cannot be settled here, but since there are strong arguments for the claim that sanctions on democracies could work, we can conclude that the consequential objection to sanctions against unjust liberal democracies loses some of its bite.

We can now revisit the list of factors that social liberal democracy *B* ought to take into account when it considers its response to the serious injustices perpetrated by democracy *A*. In light of their relationship, *B* will need to ask the following questions: (1) what is the likely *efficacy* of sanctions against *A*? The answer would be

²⁰ Contrast this with the case of the sanctions of Rhodesia, to name one example, where the government hid information about the true impact of the sanctions Galtung, J. (1967) ‘On the Effects of International Economic Sanctions: With Examples from the Case of Rhodesia’, *World Politics*, 19(3), 378-416.

determined by such factors as the relations between the two democracies, the size of their economies, the level of internal opposition in *A* and so on. (2) What is the level of *B*'s obligation to interfere, owed to the victims of *A*'s unjust policy? The strength of the obligation will be determined, amongst other things, by the level of harm caused by *A* (the greater the harm the stronger the obligation), and the capacity of *B* to influence *A*. (3) What are the costs of interference to *B*? These costs will be affected by the size of the two economies and the economic relations between them, and also by the type of sanctions *B* plans to impose. *B* should certainly take prudential considerations into account here. If *A* has a very big economy, or if severing economic relations with it will have detrimental effects on *B*'s economy, then the case for sanctions is weakened. (4) What are the costs of non-interference to *B*? These cost concern the political and cultural damage inflicted upon *B* as a result of *A*'s policies, as well as the potential loss of its standing in the international community. They will be determined by such factors as the strength of the relations between the two democracies, the stability of democratic tradition in *B*, and the likelihood it will be affected by the fact that its ally committed those particular injustices. The answers to these questions would change in light of the relationship between the sender and target political communities: the stronger the 'we feeling' between them, the greater the obligation and the right to impose sanctions. Similarly, the less stable the democratic culture in the sender state is, the stronger the justification it would have to sanction its ally in order to protect itself from undemocratic influences.

Communities of Democracies in the world

The previous section made the normative claim that special relations between democracies can affect the overall assessment of the legitimacy and necessity of sanctions. In this section I point to some empirical evidence which concurs with the normative case. The first piece of data which is relevant for the discussion here is that liberal democracies are indeed very likely, more than other types of regimes, to create close transnational communities amongst themselves. A dominant explanation for this behaviour is that democracies' domestic values provide a solid basis for relationships of mutual trust, as demonstrated in the notion of the democratic peace. As Steve Chan explains, 'democracies' shared values and common institutions provide the political foundation for a league of peace in which, over time, norms of reciprocity and expectations concerning a preference for non-violent procedures develop to regulate interaction' (Chan, 1997). Democracies' shared values and common institutions ground more than simply relationships of non-aggression. They can also constitute more intensive relationships of cooperation and mutual influence. I have already mentioned the notion of 'security communities' which typify specifically relations between democracies. A concrete example of such security communities is the North-Atlantic alliance: According to Thomas Risse-Kappen the foreign policy of each of its members was influenced by the shared interests of that alliance as a whole (Risse-Kappen, 1995, Ikenberry, 1996). Other types of transnational relationships that develop between democracies are intense economic co-operations and trans-governmental networks which allow for mutual influences and responsiveness in different areas of government and jurisdiction (Slaughter, 2000). Liberal democracies sometimes form deeper, more institutionalized relationships, most notably the human rights regime imposed by the Council of Europe, which limits the sovereignty of its member states under the European Convention on Human Rights. Two explanations

for the willingness of member states to participate in such international regime are compatible with the normative claims advanced in this paper. Jack Donnelly argues that human rights regimes such as the Council of Europe are grounded in the moral commitment of their member states to democratic values: ‘the strong national commitment of the European states to human rights greatly increases the perceived value of the “moral” benefits states can expect to achieve, suggesting that moral interdependence can indeed rival material interdependence in political force when national commitment to moral goals is particularly strong’ (Donnelly, 1989). This explanation is compatible with the claim that democracies are motivated to create transnational communities in light of their commitment to their own democratic values. The second (and not incompatible) explanation for the creation of human rights regimes, offered by Andrew Moravcsik rests on the social-liberal recognition that states are self-interested and rational actors, whose interests at the international level are largely shaped by domestic social pressures (Moravcsik, 2000).²¹ According to Moravcsik, an important domestic interest that democracies act upon is to protect and preserve the stability of the domestic democracy. This interest motivates them to create human rights regimes (Moravcsik, 2000).²² He concludes that fledgling democracies, or democracies in which democratic political culture is under threat, would be more likely to join institutional regimes of human rights.²³ These

²¹ Moravcsik refers to this as the ‘republican liberal’ view of international relations. It roughly corresponds to the social-liberal view which I explore here.

²² Moravcsik focuses here on the reasons for entering a human rights regime. Elsewhere he concurs with Donnelly that the on-going success of an international regime of human rights depends on the commitment of the member states to their shared values Moravcsik, A. (1995) ‘Explaining International Human Rights Regimes: Liberal Theory and Western Europe’, *European Journal of International Relations*, 1(2), 157-89.

²³ Moravcsik’s theory serves to explain the relationship of mutual-involvement which was created between the fledgling democratic nations of the Southern Cone in South America in the 1980’s Fournier, D. (1999) ‘The Alfonsian Administration and the Promotion of Democratic Values in the Southern Cone and the Andes’, *Journal of Latin American Studies*, 31(1), 39-74.. Another example is the ‘Santiago Commitment’, signed in 1991 between the Organization of American States (OAS). This agreement commits the OAS to intervene when the political stability of one of its member democratic

observations are compatible with my argument, since they portray democracies as motivated to create transnational communities in order to protect their own democratic identity from unwelcome influences. Accordingly, they could be motivated to sanction each other if that identity was under threat.

A final empirical observation that should be taken into account here is the fact that while democracies indeed tend to use economic sanctions expansively, much more so than non-democratic regimes, they are five and a half times more likely to sanction non-democracies than democracies (Cox and Drury, 2006, Lektzian and Souva, 2003). This data could be interpreted to mean that liberal democracies *de facto* do not tend to impose economic sanctions on other liberal democracies. This means that there is a gap between the normative account and the actual behaviour of democracies in the world. This gap is not necessarily detrimental to my argument, since the fact that democracies do not actually sanction other democracies does not mean that they do not have the right or the obligation to do so. In addition, there are at least two explanations for this gap. The first is that democracies are less likely to behave in ways which call for international sanctions, and for this reason there are less examples of sanctions episodes in which democracies act as the target state (Cox and Drury, 2006). This explanation is compatible with the claim that when democracies do violate human rights, they should be sanctioned. A second explanation is related to the democratic peace thesis: it has been argued that democracies do not engage in war with each other because they have alternative modes of conflict resolution, and because they are more likely to settle disputes by compromise (Chan, 1997).

states is threatened by 'sudden or irregular interruption'. As Stephen Schanbly notes, the agreement is partly based on 'the increased recognition that the overthrow of democratic government is not purely a domestic matter' Schanbly, S. (2000) *Constitutionalism and Democratic Government in the Inter-American System*. in G. H. Fox and B. R. Roth (eds) *Democratic Governance and International Law*. Cambridge: Cambridge University Press, pp. 123-54.

Accordingly, we can assume that there will be fewer cases in which the target democracy refuses to reach a compromise with the sender states regarding its offensive policy. But this conclusion is not incompatible with the claim that if all other means have failed, sanctions against unjust liberal democracies are justified.

The problem of harming the innocent

A final, and perhaps the most common, objection to economic sanctions that should be addressed here is that they inflict harm upon innocent populations who have nothing to do with the deviant policies of their leaders (Gordon, 1999). This critique has been raised against several multilateral sanctions in recent decades, which resulted in devastating humanitarian consequences (most notably sanctions against Haiti and Iraq). It is a powerful objection when it comes to economic sanctions against non-democratic communities, where the level of control that citizens have over their governments' actions is severely limited, and where often the harm inflicted upon them is of no great concern to their own leaders (Lopez, 1999). However, the objection is less powerful in the case of liberal democracies, precisely because one of the core assumptions of the democratic order is that, usually, ultimate responsibility for a government's policy lies with the body of citizens who authorize its policy. This claim requires some clarification. In particular we should distinguish here between the *moral* responsibility and the *consequential* responsibility of citizens for government's policies. Moral responsibility implies blameworthiness, and justifies reactions such as anger, revenge and punishment. Consequential responsibility means that agents are to bear the cost of the consequences of a situation, whether or not they are to be blamed for it (Dworkin, 2000). When democratic governments act unjustly, often (though not

always) the body of citizens shares moral responsibility for those injustices, to the extent that it authorized and supported them. However, even when the population of the target state is collectively morally blameworthy, it does not follow that each and every member of the population shares its guilt. The attribution of moral responsibility to agents is justified only under strict conditions, which include their intentions, capacities and actions. So for example citizens who did all that was within their power to protest against the unjust policies of their government cannot be held morally responsible for them.

The implications of the above distinctions for the use of collective economic sanctions are that, at least when the citizenry of the target state is collectively morally blameworthy for governmental policies, it is a legitimate target of economic sanctions. The fact that it shares moral responsibility for the injustices is sufficient reason to impose pressure on it so that it changes its behaviour (and withdraw support from its unjust government). Against this conclusion one could argue that, however we present the goals of collective sanctions, they will always harm citizens who do not share moral responsibility. Therefore collective sanctions are morally impermissible. But one rebuttal of this comprehensive ban on collective sanctions is that while individual citizens in democracies are not morally responsible for the policies of their government or for the behaviour of their public as a whole, they can be held consequential responsibility for that behaviour, and that the cost of sanctions which are imposed upon them are precisely part of such consequential responsibility. Briefly, this line of argument is grounded in the recognition that as members of a political community who enjoy the rewards and benefits of their membership status (and of the particular injustices which their government commits); and who are

participants in the decision making procedure who have a fair chance of affecting their government's policies, should also bear the costs of those policies.²⁴ This burden is part of the 'common destiny of citizenship', to use Walzer's expression (Walzer, 1992). The burden of collective sanctions imposed on unjust liberal democracies are thus part of the common destiny of individual citizens. Accordingly, the message of sanctions for the citizens of the target state should not be that each and every one shares the blame of injustice and is condemnable, but rather that the unjust policies of their government have costly consequences in terms of the willingness of other democracies to maintain normal relations with their state. And, that if they want to eliminate these costs, and continue to enjoy the benefits of cooperation with other democracies in the world, it is their responsibility to use their democratic power in order to change their government's policies.²⁵

That said, when possible, sender states need not ignore the fact economic sanctions can impose high costs on morally innocent citizens. There are many ways in which sender states can try and reduce such damage, and contain economic sanctions so that they target directly the unjust policy or those responsible for it. What I have in mind here is smart, or targeted sanctions, which are the focus of growing interest and debate in recent years (Winkler, 1999).²⁶ One concrete example of such targeted sanctions are boycotts on Israeli products that are manufactured in the Palestinian territories

²⁴ Such defences of consequential responsibility in democracies can be found in Dworkin, R. (1990) 'Equality, Democracy, and Constitution: We the People of the Court', *Alberta Law Review*, 28(2), 324-46. Kelly, E. (2003) The Burdens of Collective Liability. in C. D.K and D. E. Scheid (eds) *Ethics and Foreign Intervention*. Cambridge: Cambridge University Press., pp. 118-39. Miller, D. (2007) *National Responsibility and Global Justice*, Oxford, Oxford University Press.. David Runciman reaches similar conclusions from a corporatist view of the state Runciman, D. (2007) 'The Paradox of Political Representation', *The Journal of Philosophy*, 15(1), 93-114.

²⁵ It is probably crucial for the success of sanctions that the sender states are careful not to make statements which can be interpreted as a comprehensive condemnation of all members of the target state. Such statements may depress internal opposition and encourage the 'rally around the flag' effect.

²⁶ See Cortright, D. and Lopez, G. A. (2002) *Smart Sanctions: Targeting Economic Statecraft*, Lanham, MD, Rowman & Littlefield Publishers. for a recent collection on different types of just sanctions.

(employing Israeli rather than Palestinian workers). The harm that these boycotts bring is directed mainly at Israeli (and international) factories that are located in the occupied territories, and the Israelis who work in them, but the message they send is aimed at Israeli society as a whole.

Conclusions

This paper sought to provide a social liberal account of the use of economic sanctions against unjust liberal democracies. It argued that while in general social liberals have reasons to object to the use of economic sanctions as an international pressure tool, there is an additional set of considerations to take into account when the target state is an unjust liberal democracy. Since liberal democracies engage with each other in special ways, and create transnational communities based on their shared values and norms, they are likely to be affected by the way in which these values and norms are kept in peer democratic communities. A persistent violation of core democratic norms by one liberal democracy can have a ripple affect beyond its borders, and requires a firm response. It is in order to pre-empt the risk of perpetrating serious violations of human rights themselves that liberal democracies have the right and the obligation to impose sanctions on their unjust counterparts, and this risk is one from which no democracy in the world today is immune.

The implications of the argument are therefore that the special transnational communities of values that are created between democracies in the world give liberal democracies a *double reason* to interfere in the affairs of unjust liberal democracies. It is not only because *A* harms its citizens, or violates international law, that *B* has the

right to interfere, it is also because *A* has violated the *democratic* norms which it shares in common with *B* and which it professes allegiance to. This leads to the conclusion that while liberal democracies have good reasons to sanction other democracies that violate human rights, they do not necessarily have similarly strong enough reasons to interfere when non-democratic regimes violate the *same* human rights, to the same degree. For example, a case where a *liberal democracy* kidnaps or tortures a small number of prisoners may provide sufficient grounds for sanctions from other liberal democracies. But when a *non-democracy* commits a similar violation of human rights the three social liberal objections to the use of economic sanctions would hold ground.

Similar conclusions should sometimes be drawn when it is necessary to make the realistic choice between imposing sanctions on a liberal democracy that commits a small injustice, and imposing sanctions against a non-democracy that commits a more serious injustice. Taking into account all the factors mentioned throughout the paper can lead to the decision to impose sanctions against the unjust liberal democracy rather than against the authoritarian regime, despite the fact the latter commits more serious injustices.

Are these conclusions counterintuitive? After all, one could argue that the primary consideration that should guide our decision as to whether to intervene or interfere in the affairs of another state is the extent to which it causes harm, either to its own citizens or to others. The greater the harm is, the greater our obligation would be. But this intuition is generated from a cosmopolitan-liberal rather than a social-liberal worldview. To recall, cosmopolitan liberals are motivated by a global egalitarian

notion of justice, and in their view political actions should be guided primarily by the extent of suffering and the scope of need of individuals across the globe. On the cosmopolitan-liberal account it would therefore be counterintuitive to interfere in the affairs of a slightly unjust liberal democracy, which causes relatively little harm, but to stand aside in the face of greater injustices committed by authoritarian regimes. But as we have seen throughout this paper, social-liberals will not share those intuitions. On the social liberal account, the mere fact that a state commits an injustice does not necessarily ground the right or the obligation for other political communities to get involved. If the injustices are of a massive scale and cause severe human rights violations, social liberals would agree that standards of universal morality takes precedence, and command that we sacrifice our own in order to put an end to the atrocities. But when it comes to injustices of a smaller scale which do not cross that threshold, the picture becomes by far more complicated for the social liberal, and the intuition according to which the greater the suffering, the stronger the obligation, is replaced by intuitions of collective self interest and self-preservation. Social liberal states take into account the extent to which other states cause harm, but they first and foremost take into account the stronger obligations they have to the welfare of their own citizens. Thus, social liberals need to be convinced that interference is justified in light of the rather minimal set of obligations that political communities have to outsiders, and the more expansive set of obligations they have to their own citizens and to their collective identity. A non-democracy may commit serious injustices, yet its behaviour would not cross the threshold which requires interference, let alone intervention. I argued in this paper that in the case of unjust *democracies*, that threshold can be set much lower.

As the discussion above demonstrated, social liberals do not offer us a simple formula for when to impose sanctions against unjust liberal democracies. Rather, this worldview requires that we take into account our expansive obligations to our fellow citizens and to the democratic identity of our political community, and balance those against the more minimal set of obligations we have to people outside the community, taking into account considerations of rights, efficacy and costs. Undoubtedly, calculating all these factors and balancing them against each other will be extremely complicated. But in the social liberal account, getting involved in the affairs of another political community - whether by sending troops, providing aid, or imposing sanctions - is indeed an extremely complicated business which should be handled with great care. Social liberal democracies do not necessarily have the right or the obligation to interfere when an authoritarian regime commits violations of human rights; if such interference would be too costly, and/or if it violates the principles of political autonomy and of toleration. As I have shown in this paper, when it is a liberal democracy that violates the democratic norms, other social liberal democracies may have additional reasons to interfere, in light of the very premises of their worldview. Whether these conclusions strengthen or weaken the moral appeal of the social liberal worldview is a much disputed question which will not be resolved here.

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