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**The Use of Sanction by Super Powers Countries and Their Impact on Other
Countries**

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Abstract

Purpose: The study sought to investigate the use of sanction by super powers countries and their impact on other countries.

Methodology: The study adopted a desktop methodology. Desk research refers to secondary data or that which can be collected without fieldwork. Desk research is basically involved in collecting data from existing resources hence it is often considered a low cost technique as compared to field research, as the main cost is involved in executive's time, telephone charges and directories. Thus, the study relied on already published studies, reports and statistics. This secondary data was easily accessed through the online journals and library.

Findings: The study concluded that sanctions are one of the most important and most attractive ways for deference of the targeted country. Security Council's sanctions that are issued on the basis of Article 41 of the Charter are the proof of this claim. But bilateral and multilateral sanctions outside the UN framework have many applications.

Unique Contribution to Theory, Practice and Policy: The study recommended that, U.S. and Russia must recognize the lasting quality of international politics and create a basis of understanding as such by acknowledging the legitimate interests and concerns of the others. The study also recommended that countries could consider establishing the authority and effective procedures or mechanisms to propose persons and entities to the Security Council for designation in accordance with relevant Security Council resolutions which impose targeted financial sanctions in the context of the financing of proliferation of weapons of mass destruction.

Keywords: *Use, Sanction, Super Powers, Countries, Impact, Other Countries.*

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INTRODUCTION

After the end of the Cold War America's unipolar moment of military and economic dominance conferred significant geopolitical influence. Globalization and new confidence in the potential effectiveness of international economic institutions led the United States, and the United Nations, to more frequently implement economic sanctions as a policy tool, one having greater impact than diplomacy, yet far less costly than using military force in resolving disputes or changing target states' behavior. Sanctions is use or threat of economic measures in a coercive or punitive manner by a sender state, either unilaterally or multilaterally, with the intent of changing the behavior of a target state (Bagheri,2016). This definition does not include positive economic inducements, nor does it include non-economic measures. The 1990s — 2000s saw a spike in use of such sanctions, with the United States a the largest sender country. The Clinton administration (1993—2001) averaged about 8 sanctions annually, with the U.S. targeting smaller countries such as Cameroon, Malawi, Sudan and Columbia over democracy and human rights abuses. By contrast, the George W. Bush administration (2001—2009) averaged about 35 sanctions per year, many of which targeted China, Iran, and North Korea over nuclear proliferation. Economic coercion was used more frequently during G.W. Bush's first term when John Bolton, a major proponent of sanctions, was undersecretary of state for arms control and international security

Historical perspective is critical to understanding Russia's confrontational posture. Selectively interpreting history mobilizes support for Kremlin policies, strengthens Russia's post-communist identity and focuses popular dissatisfaction on the West (Maahlesten, 2022). In his presidential address on the annexation of Crimea, Putin repeatedly referenced history to justify his decision, citing Russia's historic claim to Crimea, the sacrifices of World War Two (the Great Fatherland War, in Russian parlance) and the injustice of Nikita

Khrushchev's decision in 1954 to transfer Crimea to Ukraine. Putin also condemned the 'infamous policy of containment 'of the eighteenth, nineteenth and twentieth centuries to create the impression that the Western powers had consistently sought to deny Russia its rightful place as a great power in global politics (Putin, 2014).But Putin got the history wrong, at least with reference to the United States of American–Russia relations were quite friendly and productive before the twentieth century; there was no form of containment, and no attempt whatsoever by the United States to interfere with Russian politics. Contrary to what one might expect, relations deteriorated some two decades before the establishment of communism in Russia and mutual suspicion between the two nations has survived the Soviet collapse by another two decades (Harrel, 2017). What explains the evolution of this uniquely hostile relation-ship? Russia's current political regression toward a version of the Nineteenth century Empire, and a fascination with the pre-Soviet period among officials and the Russian public, suggests we may derive some insights from the history of US–Russian relations (Mearsheimer, 2010).

Certainly, political, military and ideological rivalry between the United States and the USSR defined twentieth century global politics, but Cold War enmity was something more than merely great power rivalry (Achanya,2019). Structural realism cannot provide an answer. It is true that American power was rising in the late nineteenth century, and a realist analysis would predict that

a rising power would become more confrontational toward other major powers. America's emergence as a great power did lead to war with Spain, the acquisition of an empire albeit a rather small one, and greater global activism (Zhao, 2019). Yet a neo realist approach would be hard-pressed to explain why Russian–American relations, marked by a century of amity and cooperation, deteriorated so dramatically, while ties to Britain, traditionally the greatest threat to American security and still a power to be reckoned with, improved substantially. Americans have under war time conditions demonized their enemies especially Germany and Japan, but no global rival has earned the enduring hostility evidenced toward Russia. Drawing on neoclassical realism (Campbell, 2019). The level of antipathy between Russia and the United States is more than great power competition, as a structural realist approach (George, 2019) would contend. The earliest period of Russian–American relations was characterized by pragmatic assessments of national interests. Balance of power considerations dominated; relations were businesslike and often warm, though disputes surfaced over access to resources in the Pacific. Starting in the late nineteenth century, however, the two sides constructed hostile, competing images that often obscure what in many respects might have been a mutually beneficial relationship. These hostile images have continued to shape relations to the present.

Statement of the Problem

Sanctions are such measures that are used before resorting to force and war. Sanction has been used repeatedly throughout the history. But the frequency of the use of sanction, as a tool to change the behavior of a regime or even a regime change, significantly increased after World War. But the most widespread and newest use of sanctions is between the West and Russia in Ukraine's crisis. In this crisis, America and European Union are trying to change Russia's behavior by imposing large volume of commercial and financial embargo and sanctions against individuals. On the other hand, Russia tries to deal with Western sanctions by imposing sanctions on Europe's citrus as well as European officials. In general, there is an obstacle, called the right of veto, for consensus on the sanctions against Russia and on the other hand, the other multilateral and unilateral sanctions outside the mechanism of the Charter is not contraindicated, but they cannot be imposed unlimitedly and regardless of imperative laws, the general principles of law, the specific rules of the Charter, human rights and humanitarian law. However, in this crisis, the political umbrella has made it actually difficult to apply definitive legal opinion.

Moreover despite sanctions being a measure before resorting to force and war Sanctions even when comprehensive and enjoying almost universal international backing for nearly six months failed to get Saddam Hussein to withdraw from Kuwait. In the end, it took Operation Desert Storm. Other sanctions have also fallen short. The Iranian regime continues to support terrorism, oppose the Middle East peace process, and press ahead with its nuclear weapons program. Fidel Castro is still in place atop a largely authoritarian political and economic system. India and Pakistan were not deterred from testing nuclear weapons by the threat of draconian penalties. Libya has refused to produce the two individuals accused of the destruction of Pan Am 103. Sanctions could not persuade Haiti's junta to honor the results of an election. Nor could they dissuade Serbia and others to call off their military aggression. And China continues to export sensitive technologies to selected countries and remains a society where human rights are violated. Our study will be essential as fewer research has been done on the use of sanction by super powers countries and

their impact on other countries our study will bridge that knowledge gap by shedding light on impact of sanctions on other countries.

LITERATURE REVIEW

Types of Sanction

Sanctions are generally divided into two categories of unilateral sanctions and multilateral sanctions (Fu, 2023). In terms of content, sanctions are divided into two categories of economic and non-economic. Non-economic sanctions usually begin before economic sanctions and they aim to persuade the desired country to change its policy. On-economic sanction is different depending on the nature of the subject, but it can include one of the these factors: cancellation of multilateral meetings, refraining to grant visas, reducing the level of political representation, preventing the membership of the desired country in international organizations, opposition to the hosting of the desired country for international meetings (Chen,2019). But the most important type of sanctions is economic sanctions. Economic sanctions have been defined as lack of trade and economic exchange of different countries with a country in order to punish due to political and military reasons; in other words, it is the use of economic instruments to achieve political ends (Kirikakha, 2021). Economic sanctions are often considered as an alternative to war. The purpose of economic relations is all types of economic relations, including trade and financial.

Different countries use limited economic sanctions for political purposes against the target countries. Before sanctions against Iraq in 1990, United Nations have used all-out sanctions twice, one of them was against Rhodesia in 1966 and the other was all-out arms embargo against South Africa in 1977 (Weber, 2020). Economic sanctions are either in the form of trade barriers or financial restrictions. If the country sending sanctions impose financial sanction against the target country, halting investment and pressure on financial transactions is put on its agenda to reach its goal and if it aims to impose trade sanctions, the economy of the target country will be crippled by stopping the import and export. In trade sanction, countries are asked to stop their trade transactions with the target country.

Trade sanctions were imposed on Iran and if any country violates this prohibition, it will be treated badly. In financial sanctions, trade transactions are not directly intended and trade transactions are displaced through controlling financial resources and are controlled as a result of exchange (Ghanbarloo, 2018). There is another classification of economic sanctions. The case that sanction is just related to the relations between the two countries, so that a country refuses to have transactions or exchange services or other economic and social relations with another country, is called primary sanction that has a limited scope. But a country may sometimes expand its sanctions' scope and halt trade and financial relation with countries that have a relationship with the target (the sanctioned) country, which is called secondary sanction and has a scope far beyond the primary sanctions; like America's D'Amato Act against Iran for countries and organizations that have trade and business relations with Iran. Cutting off these ties is as a punishment (Joshi, 2018).

Sanction from the Perspective of International Law

In the current world, where relations are bound together, the international community uses the tool of sanction when needed (Biersteker, 2018). According to paragraph 1 of Article I of the UN Charter, one of the main objectives of this organizations to "to maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace." One of these peaceful ways is sanction and the Security Council is its responsible.

According to Article 41 of the Charter, the Security Council may decide what measures to implement that do not involve the use of armed force and it can ask UN members to engage in such practices (Chang, 2015). These measures may include stopping all or part of economic relations, rail, sea, air, postal, telegraphic, radio and other means of communication, and the severance of diplomatic relations. At first, it may seem that the Council is not obliged to comply with international law in determining threat to international peace and security and action against it; however, despite that the charter does not iterate that Council's obliged to observe international law in this area, international law has been implicitly mentioned as the basis of norms of the Charter in the reports of San Francisco Conference (Weber, 2020).

So the Security Council is not without limits on the issue of sanctions and sanctions should be based on international law. Article 25 of the UN Charter is the main reason for fans of limitations for Security Council in issuing sanction resolutions. Article 25 of the UN Charter says: "the Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter." Accordingly, governments may seek exoneration of council's decisions that have been issued outside the scope of its responsibility. Therefore, under Chapter VII of the Charter, the Security Council is required to comply with international law when imposing economic sanctions (Whittle,2015).Council's limitations include general principles of international law, imperative laws, specific rules of the charter and principles of human rights and humanitarian law (Smith, 2020).

There are several theories in the doctrine of international law on sanctions. There is an argument that the countries have sovereignty and they have ultimately freedom of action in developing their foreign policy and relations with other countries. The theory states that the responsibilities and duties of a government toward its country are prioritized over responsibilities and duties of the country toward other countries and international community (Bagheri, 2016). Proponents of this view emphasize the 1803 resolution dated fourteen December 1996 on the principle of sovereignty of states over natural resources, Article I of the second paragraph of Economic, Social and Cultural Covenant says that all nations are able freely use their natural resources and wealth without prejudicing the obligations arising out of international economic cooperation based on mutual interests and international law to achieve their goals. There are other views on international law, one of which is neutral theory (Prah, 2020).Proponents of this theory allow direct economic war by one country against another one, but they aim to minimize harmful effects on third parties.

Empirical Review

Ziegler (2020) conducted a study on sanctions in U.S. and Russia relation .The article asserted that given America’s leading position in the global economy, the U.S. Government has frequently leveraged that power to punish “rogue states”, discourage nuclear proliferation, promote democratization, and create pressure for regime change. Washington relied on economic incentives in relations with Russia after 1991, but since 2012 the United States has utilized a broad range of economic sanctions against Russian side, leading to a significant deterioration in what was already a troubled relationship. In contrast to earlier comprehensive sanctions like those imposed on Iraq and Haiti, the U.S. is now crafting “smart” or targeted sanctions designed to exert maximum pressure on selected Russian elites and firms. Rather than evaluating the effectiveness of these measures on changing Russian behavior, the author explores the neglected domestic dimension of the U.S. sanctions process to improve understanding of U.S. foreign policy. This article draws on primary sources in the form of Congressional legislation, executive orders, and official statements to analyze U.S. sanctions imposed on Russia, and develops three brief case studies the Magnitsky Act, post-Ukraine sanctions, and the Countering America’s Adversaries Through Sanctions Act to explicate the main issues and actors driving U.S. Sanctions. The author argued that domestic factors, including Congressional pressures and interest group activity, are critical to understanding U.S. sanctions regimes. While President Donald Trump has frequently resisted congressionally imposed sanctions, expectations for a more conciliatory approach towards Russia under the Trump administration have not materialized.

Marlowe (2019) conducted a study on effective use of Sanctions in Drug Courts. The qualitative research based on the research, resulted to several findings and recommendations are offered on the use of graduated sanctions in drug court programs: (1) Sanctions need not be painful, humiliating, or injurious; (2) Sanctions are perceived according to the individual; (3) Sanctions should be of sufficient intensity; (4) Sanctions should be delivered immediately and for every infraction; (5) Undesirable behavior should be reliably detected; (6) Sanctions should be predictable and controllable; (7) Sanctions may have unintended side effects; and (8) Behavior does not change by punishment alone. Behavioral research on the effects of punishment and negative reinforcement for predicting and controlling behavior is reviewed, and the need for more research is emphasized.

Oluwatombi (2018) conducted a study to examine the challenges and implications of confrontation between two states. In a qualitative manner, the study examined the historical antecedents of U.S-Russia relations and adopted the neo-realist tenets as theoretical guide for approximating the complex realities of U.S Russia relations. Structured interview with expert in the field of international relations particularly those specializing in the study of U.S-Russian relations, alongside documents from official websites of states were engaged. The paper discovered that of all the bonds of bilateral relations, was the bond of U.S-Russian relations that directly implications on global security especially because of the threat of nuclear misconception and war. Consequently, the study recommended that, U.S. and Russia must recognize the lasting quality of international politics and create a basis of understanding as such by acknowledging the legitimate interests and concerns of the others.

Peter (2014) did an article on the EU sanctions and to what degree they have influenced the situation in Syria. Furthermore, the article sheds light on regional and international dimensions of EU policies towards Syria and demonstrates how the policies are met with the Syrian regime's ability to adapt to conditions related to changing internal and external challenges. The article concludes that what in the first phases of the EU sanctions against Syria represented a deviation from the traditional pragmatic EU policies vis-à-vis the Middle East, seems during the latest phase to be followed by a more cautious approach, which also takes security concerns into consideration

Callahan (2013) conducted a multi-site study of the use of sanctions and incentives in mental health courts. Subjects were 447 participants in four mental health court (MHCs) across the United States. Results showed that jail sanctions are used in three of four MHCs, and other sanctions are similarly used across the four MHCs. Participants charged with person crimes are the least likely to receive any sanctions, including jail, whereas those charged with drug offenses are most often sanctioned. The factors associated with receiving a jail sanction are recent drug use, substance use diagnosis, and drug arrests; being viewed as less compliant with court conditions, receiving more bench warrants, and having more in-custody hearings; and MHC program termination.

METHODOLOGY

The study adopted a desktop methodology. Desk research refers to secondary data or that which can be collected without fieldwork. Desk research is basically involved in collecting data from existing resources hence it is often considered a low cost technique as compared to field research, as the main cost is involved in executive's time, telephone charges and directories. Thus, the study relied on already published studies, reports and statistics. This secondary data was easily accessed through the online journals and library.

RESULTS

The results were grouped into various research gap categories namely as conceptual, contextual, and geographical and methodological gap.

Conceptual Gaps

A conceptual gap occurs when desired research findings provide a different perspective on the issue discussed. Callahan (2013), conducted a multi-site study of the use of sanctions and incentives in mental health courts. Subjects were 447 participants in four mental health court (MHCs) across the United States. Oluwatombi (2018) conducted a study to examine the challenges and implications of confrontation between two states. The two studies presented a conceptual gap as our study will focus on the use of sanction by super powers countries and their impact on other countries.

Geographical and Contextual Gaps

A geographical gap is the missing piece or pieces in the research literature, is the area that has not yet been explored or is under-explored. Peter (2014), did a study on the EU sanctions and to what degree they have influenced the situation in Syria. The study presented a geographical gap as it was conducted in Syria while our study will focus on super power countries sanctions on other countries.

Methodological Gaps

Methodological research gap is the missing gap of knowledge on a more appropriate underlying method(s) which can be used in research instead of the previously one. A methodological gap presents itself in this study, for example, the study conducted by Oluwatombi (2018), to examine the challenges and implications of confrontation between two states used methods to analyze data while our study will use a desk study literature review methodology.

CONCLUSIONS AND RECOMMENDATIONS

Conclusion

The study concluded that sanctions are one of the most important and most attractive ways for deference of the targeted country. Security Council's sanctions that are issued on the basis of Article 41 of the Charter are the proof of this claim. But bilateral and multilateral sanctions outside the UN framework have many applications.

Although in the international law, sanctions are not unlimited in and out of the framework of Security Council and they should observe conditions such as human rights, but the existence of Russia in the Security Council and having the right of veto has made it practically impossible to impose all-out sanctions.

The study also concluded that due to the lack of transparency and high political tasks in the Ukraine's crises, making decisions about what was the bases for parties' decision to use sanction and whether they have observed constrictive factors or not is ambiguous.

Recommendations

The study recommended that, U.S. and Russia must recognize the lasting quality of international politics and create a basis of understanding as such by acknowledging the legitimate interests and concerns of the others. The study also recommended that countries could consider establishing the authority and effective procedures or mechanisms to propose persons and entities to the Security Council for designation in accordance with relevant Security Council resolutions which impose targeted financial sanctions in the context of the financing of proliferation of weapons of mass destruction.

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