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The potential stigmatizing effect of the Treaty on the Prohibition of Nuclear Weapons

Tom Sauer and Mathias Reveraert

On July 7, 2017, seventy-two years after the start of the nuclear era, 122 states concluded the Treaty on the Prohibition of Nuclear Weapons (TPNW, or ban treaty). The treaty forbids the development, production, acquisition, possession, transfer, testing, use, and threat of use of nuclear weapons. Advocates of the TPNW understand that it will not automatically lead to a world without nuclear weapons. The treaty's main goal is to stimulate a societal and political debate inside the nuclear-armed states and their allies by strengthening the antinuclear norm and by stigmatizing nuclear weapons and their possessors. This article assesses to what extent this process of stigmatization might take place. It starts by elaborating on the concepts of stigma and stigmatization. It then matches the concept of stigma with nuclear weapons, and with the humanitarian initiative behind the momentum that led to the TPNW. The article concludes by looking to different stigma management approaches that can be used by the nuclear-armed states and their allies.

KEYWORDS: Treaty on the Prohibition of Nuclear Weapons; stigma; norms; nuclear disarmament; humanitarian initiative

On July 7, 2017, 122 states (against one) voted in favor of the Treaty on the Prohibition of Nuclear Weapons (TPNW, or ban treaty) that forbids the development, production, acquisition, possession, transfer, testing, use, and threat of use of nuclear weapons. The humanitarian initiative that drove the ban treaty's momentum succeeded in gathering the support of the majority of (non-nuclear-weapon) states in the world. The idea behind the ban treaty is not that it would automatically lead to the elimination of nuclear weapons, but that the norm against the use and possession of nuclear weapons will be strengthened. Consequently, the stigma on those states that keep hanging on to these weapons of mass destruction may trigger a new societal and political debate inside some of the (democratic) nuclear-armed states. That may, in turn, accelerate the process of nuclear elimination. As Beatrice Fihn, executive director of the International Campaign to Abolish Nuclear Weapons (ICAN), stated: "Stigmatizing weapons creates perceptions of unacceptability which can be incompatible with the identity a state wishes to hold in the world. A treaty prohibiting nuclear weapons will make it more difficult for nuclear-armed states to continue to justify possessing and planning to use nuclear weapons."¹

This article examines whether the TPNW can and may indeed impose a stigma on the nuclear-armed states and their allies, and by doing so accelerate the process of nuclear elimination. First, the concepts of stigma and stigmatization are described. Second, the concepts of stigma

¹ Beatrice Fihn, "The Logic of Banning Nuclear Weapons," *Survival*, Vol. 59, No. 1 (2017), pp. 47–48.

and nuclear weapons are connected. In this context, the humanitarian initiative will be further elaborated. Finally, we look to possible reactions by the nuclear-armed states (and their allies) to this stigmatization process.

Stigma and stigmatization

In *Stigma: Notes on the Management of Spoiled Identity*, sociologist Erving Goffman defines stigma as “an attribute that is deeply discrediting.”² The term originates from Ancient Greece, where inferior people were literally marked with a “stigma” to show their lesser social status. Although this meaning is still valid, stigma today applies “more to the disgrace itself than to the bodily evidence of it.”³ During the Cold War, for example, capitalists and communists imposed a stigma on each other based on political ideology, a non-physical mark of identification.⁴

Constructing a stigma does not depend on the attribute itself, but on its social classification as deviant. In other words, a stigma emerges when the actor’s actual attributes (the ones he actually possesses) do not coincide with the attributes society expects him or her to possess (the ones he should possess). Out of numerous differences, society decides which attributes are turned into stigmas. Social context is “pivotal” in this regard, since stigmatized actors must “hold the same beliefs about identity that we [the ‘normals’, implying those who do not possess the distinctive attribute] do.”⁵

Sociologists Bruce Link and Jo Phelan describe four components to the stigmatization process—“labeling, stereotyping, separation of us and them, and status loss and discrimination”—that “occur together in a power situation that allows them to unfold.”⁶ Power, they state, “is essential to the social production of stigma.”⁷ As examples, they cite the power dynamics in eighteenth-century England, nineteenth-century United States, and

² Erving Goffman, *Stigma: Notes on the Management of Spoiled Identity* (New York: Simon & Schuster, 1963), p. 3.

³ Ibid., pp. 2–3.

⁴ Norbert Gilmore and Margaret Somerville, “Stigmatization, Scapegoating and Discrimination in Sexually Transmitted Diseases: Overcoming ‘Them’ and ‘Us’,” *Social Science and Medicine*, Vol. 39, No.9 (1994), p.1. 341.

⁵ Goffman, *Stigma*, p.7.

⁶ Bruce Link and Jo Phelan, “Conceptualizing Stigma,” *Annual Review of Sociology*, Vol. 27 (2001), pp.375-77.

⁷ Ibid., p.375.

twentieth-century Nazi Germany as a vital component in the stigmatization of, respectively, the Dutch, the Irish, and the Jews.⁸ Society's powerful—the “normals”—engage in labeling, emphasizing and marking certain attributes as distinct while ignoring and considering other traits irrelevant. The second component, stereotyping, occurs when the “normals” associate labels with an oversimplified characterization, and one that is generally negative.⁹ The third element, separation between “us” and “them,” divides a society into an in-group and outgroup. Labeling and stereotyping “become the rationale for believing that negatively labeled persons are fundamentally different from those who don't share the label.” Multiple examples can be found in history, ranging from skin color (African-American slaves or American Indians) to health status (schizophrenics or epileptics).¹⁰ The last component is status loss and discrimination. Link and Phelan write that “when people are labeled, set apart and linked to undesirable characteristics, a rationale is constructed for devaluing, rejecting, and excluding them.”¹¹ The carriers of the negative label are banned from the group of “normals” and attributed to a lesser valued outgroup. Stigmatized actors are actively discriminated against and are disadvantaged with respect to material benefits, such as employment and housing.¹²

Although stigma research has a tradition in sociological and medical studies, especially concerning mental illness and HIV/AIDS, the stigma concept has been introduced to a wider range of research areas throughout the years,¹³ including the domain of international relations.¹⁴ Jeffrey Chwieroth (of the London School of Economics), examined the connection between stigma and the international financial sector.¹⁵ Patricia Shamai (of the University of

⁸ Ibid., pp.375–76.

⁹ Ibid., pp.368–69.

¹⁰ Ibid., p.370.

¹¹ Ibid., pp.370–71.

¹² Ibid., pp.370–75.

¹³ Bernice Pescosolido and Jack Martin, “The Stigma Complex,” *Annual Review of Sociology*, Vol.41 (2015), p.89.

¹⁴ Ayse Zarakol, “What Made the Modern World Hang Together: Socialization or Stigmatization?” *International Theory*, Vol. 6, No. 2 (2014), pp. 311–32; Rebecca Adler-Nissen, “Stigma Management in International Relations: Transgressive Identities, Norms and Order in International Society,” *International Organization*, Vol. 68, No. 4 (2014), pp. 143–76.

¹⁵ Jeffrey Chwieroth, “Managing and Transforming Policy Stigmas in International Finance: Emerging Markets and Controlling Capital Inflows after the Crisis,” *Review of International Political Economy*, Vol. 22, No. 1 (2015), pp. 44–76.

Portsmouth) studied the stigmatization of weapons of mass destruction.¹⁶ Our article will focus on one specific type of weapons of mass destruction: nuclear weapons.

Stigma and nuclear weapons

Nuclear weapons are the most destructive weapon systems ever invented, and there is no defense against them. Paradoxically, advocates of nuclear weapons rely on exactly the same characteristic: their destructive potential deter enemies from attacking. Nuclear weapons thus bring stability, security, and peace.¹⁷ In addition, nuclear weapons yield internal and external prestige.¹⁸ Opponents reply that the disadvantages of these weapon systems (like the potential failure of deterrence and the use of nuclear weapons, the proliferation of nuclear weapons to state and non-state actors, incidents and accidents, and financial costs) outweigh the benefits.¹⁹ The humanitarian initiative that drove the momentum toward negotiating the TPNW focuses on one cost in particular, namely the humanitarian consequences of the potential (authorized, unauthorized, or accidental) use of these weapons.

This article raises the question whether the non-nuclear-weapon states (NNWS) that supported the humanitarian initiative are able to stigmatize nuclear weapons, and therefore the nuclear-armed states, by means of the ban treaty to such an extent that it may accelerate the process of nuclear elimination. Before elaborating on the effects of the humanitarian initiative on stigmatization, we question to what extent nuclear weapons and nuclear-armed states are already stigmatized. A preliminary question is whether it is about stigmatizing the weapons themselves or stigmatizing the weapon possessors.

Stigmatizing nuclear weapons or stigmatizing the nuclear-weapon states?

¹⁶ Patricia Shamai, "Name and Shame: Unravelling the Stigmatization of Weapons of Mass Destruction," *Contemporary Security Policy*, Vol.36, No.1. (2015), pp. 104–22.

¹⁷ Kenneth Waltz, "The Spread of Nuclear Weapons: More May Be Better," *Adelphi Paper* 171 (1981).

¹⁸ Itty Abraham, "The Ambivalence of Nuclear Histories," *Osiris*, Vol. 21, No.1. (2006), pp.49–65.

¹⁹ Nick Ritchie, "Valuing and Devaluing Nuclear Weapons," *Contemporary Security Policy*, Vol.34, No.1. (2013), pp. 146–73; Tom Sauer, *Eliminating Nuclear Weapons. The Role of Missile Defense* (London: Hurst & Co, 2011).

The literature on stigma mostly discusses examples of attributes (like color) that are directly related to and cannot be separated from the person who bears it. People are stigmatized, not the attribute. In contrast, most authors in the nuclear domain talk about stigmatizing nuclear weapons and not the states that wield them.²⁰ Even nuclear-weapon proponents prefer the notion that the weapons, and not their possessors, are being stigmatized.²¹ While this reaction is perfectly understandable from their point of view, it does not make sense from the point of view of the “normals,” defined here as the NNWS. Stigmatizing the weapons only works if the intent is labeling and stereotyping, and therefore stigmatizing the states themselves, as the whole purpose behind the idea of stigma is to change the behavior of the possessor states.

To what extent do today's nuclear-armed states already carry a stigma? The Cold War put a lid on any nascent efforts to stigmatize nuclear weapons after the US bombing of Hiroshima in 1945. This bipolar period of confrontation provided the nuclear-armed states with an ideal pretext to legitimize nuclear weapons for deterrence and nonproliferation purposes.²² There was more or less no room for humanitarian arguments and stigmatization, except against their use. Nina Tannenwald (Brown University) argues that there has been a growing taboo with respect to the use of nuclear weapons, especially its first use, even during the Cold War. The taboo, however, did not apply to their possession. As Tannenwald wrote: “Even though U.S. leaders came to believe that nuclear weapons should not really be used, they were not willing to give up nuclear deterrence.”²³

The first major international treaty that aimed to contain the threat of proliferation and that also included the goal of disarmament was the 1968 Treaty on the Non-Proliferation of Nuclear Weapons (NPT). The NPT was not, however, an instrument meant to stigmatize

²⁰ Robert Spulak, “The Case in Favor of US Nuclear Weapons,” *Parameters*, Vol. 27 (1997), pp.1. 06-118; Nina Tannenwald, “Stigmatizing the Bomb: Origins of the Nuclear Taboo,” *International Security*, Vol. 29, No. 4 (2005), pp.5-49; Katarzyna Kubiak, *Hold-out or Silent Supporter? Implications of the Humanitarian Initiative on Nuclear Weapons for Germany* (Hamburg: Institute for Peace Research and Security Policy, 2015); Shamai, *Name and Shame*; Alberto Perez Vadillo, *Beyond the Ban: the Humanitarian Initiative of Nuclear Disarmament and Advocacy of No-First-Use Nuclear Doctrines* (London: BASIC, 2016); Fihn, “The Logic”.

²¹ A senior representative from a nuclear-armed state made this comment at an expert seminar attended by one of the authors.

²² Benoit Pélopidas, “Nuclear Weapons Scholarship as a Case of Self-Censorship in Security Studies,” *Journal of Global Security Studies*, Vol.1. , No.4 (2016).

²³ Nina Tannenwald, “The Nuclear Taboo: The US and the Normative Basis of Nuclear Non-Use,” *International Organization*, Vol.53, No.3 (Summer 1999), p.464.

Met opmerkingen [KRT1]: Please include as much information about the seminar as you feel comfortable doing (date, location, etc.)

Met opmerkingen [TS2R1]: You can add: in Brussels

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Met opmerkingen [TS4R3]: Except against their testing and use

nuclear-armed states. The NPT makes a distinction between the (temporarily) legitimate possessors of nuclear weapons and the rest. Over time and through its near universality, the NPT did effectively stigmatize states that are in noncompliance with or are outside the NPT (like North Korea), but for reasons of nonproliferation and not of disarmament.²⁴ The NPT certainly does not categorize the NWS as a lesser valued outgroup. One can argue that the opposite is true, since the NWS have the “privilege” of being part of the small and exclusive nuclear club, which also corresponds to the veto-bearing members of the United Nations Security Council.

As a result, the nuclear-armed states do not regard nuclear-weapon possession as “an attribute that is deeply discrediting”.²⁵ nuclear-armed states perceive (their own) nuclear weapons as an indicator of superiority, not inferiority. They believe that their nuclear arsenals enhance their security, their standing, and prestige in international society. The latter applies also to the United Kingdom and France.²⁶ Boris Johnson, as mayor of London, once declared: “If a Labour-[Scottish National Party] coalition were to junk Trident... we would suffer a public and visible diminution of global authority; we would be sending a signal that we no longer wished to be taken seriously;...; that we were becoming a kind of military capon”²⁷). Scott Sagan of Stanford University explains that “[f]or de Gaulle, the atomic bomb was a dramatic symbol of French independence and was thus needed for France to continue to be seen, by itself and others, as a great power.”²⁸ Gabrielle Hecht of Stanford University observed that France and the United Kingdom hoped “that the atom bomb would substitute for colonialism as an instrument of global power; they also saw in it a means of preventing their own colonization by the superpowers.”²⁹ nuclear-armed states regard nuclear weapons as a

²⁴ Maria Rost Rublee, *Nonproliferation Norms. Why States Choose Nuclear Restraint* (Athens: The University of Georgia Press, 2009).

²⁵ Goffman, *Stigma*, p. 3.

²⁶ Nick Ritchie and Benoit Pélopidas, “European Nuclear Nationalism: UK and French Perspectives on Nuclear Disarmament,” in Nick Hynek and Michal Smetana, eds., *Global Nuclear Disarmament* (London: Routledge, 2016), pp. 225-250.

²⁷ Boris Johnson, “If We Want to be Taken Seriously, We Have to Defend Ourselves,” *Daily Telegraph*, February 16, 2015, <www.telegraph.co.uk/news/uknews/defence/11414624>If-we-want-to-be-taken-seriously-we-have-to-defend-ourselves.html>.

²⁸ Scott Sagan, “Why do States Build Nuclear Weapons? Three Models in Search of a Bomb,” *International Security*, Vol. 21, No.3 (1996-1997), p. 78.

²⁹ Gabriela Hecht, “Nuclear Ontologies,” *Constellations*, Vol.1. 3, No.3 (2006), p. 322.

“currency of power” that boosts—not besmears—their state identity.³⁰

The resulting general belief is that stigmatizing those who possess these powerful instruments will be extremely hard, if not impossible. Throughout this article, we will first criticize the reductionist notion of power that is behind this logic, and explore alternative concepts of power.

As Anne Harrington of Cardiff University rightly observes: “Nuclear weapons are powerful because we treat them as powerful.”³¹ From a constructivist point of view, these military objects are given meaning—and power—by humans.³² Could it be that humans have imbued nuclear weapons with exaggerated power and meaning? Could it be that nuclear weapons have become a kind of fetish object?³³ Nuclear fetishism is a process by which weapons are regarded as carriers of a positive social value, namely security and power.³⁴ As the political philosopher Hannah Arendt once stated: “The danger is that these [deterrence] theories are not only plausible because they take their evidence from actually discernable present trends, but that, because of their inner consistency, they have a hypnotic effect; they put to sleep our common sense, which is nothing else but our mental organ for perceiving, understanding, and dealing with reality and factuality.”³⁵ The result is a world in which humans abdicate responsibility of wielding these weapons to the weapons themselves. They are unique; they deter and keep the peace. As a result, a world without nuclear weapons cannot even be imagined. Humans simply react to the power of these weapons. This is what Marianne Hanson at the University of Queensland calls the “normalization” of nuclear weapons.³⁶

By the same token, if human beings were to start to think differently about nuclear weapons, these weapon systems might receive another, perhaps more negative, meaning. If we are aware that there is human agency at work in our perception of the weapons’ power, it is

³⁰ Anne Harrington, “Nuclear Weapons as the Currency of Power. Deconstructing the Fetishism of Force,” *Nonproliferation Review*, Vol.1. 6, No.3 (2009), pp. 325–45.

³¹ Ibid., p. 327.

³² Maria Rublee and Avner Cohen, “Nuclear Norms in Global Governance: A Progressive Research Agenda,” *Contemporary Security Policy*, Vol.39, No.3 (2018), pp. 317–40.

³³ Harrington, “Nuclear Weapons as the Currency.”

³⁴ Ibid., p. 327.

³⁵ Quoted by Anne Harrington, “Power, Violence, and Nuclear Weapons,” *Critical Studies on Security*, Vol.4, No.1. (2016), pp. 105–06.

³⁶ Marianne Hanson, “Normalizing Zero Nuclear Weapons: The Humanitarian Road to the Prohibition Treaty,” *Contemporary Security Policy*, Vol.39, No.3 (2018), pp. 464–86.

possible “to imagine changes that might otherwise be considered unrealistic.”³⁷

After the Cold War, there was more room for criticizing the nuclear-armed states, but not sufficiently so for their stigmatization. Since nuclear-armed states still regard nuclear weapons as prestigious, and that they are therefore bound to a “separate system of honor,”³⁸ mounting criticisms of continued nuclear-weapon possession still did not amount to a stigma. This conceivably changed with the launch of the humanitarian initiative.

The humanitarian initiative and the ban treaty

The slow pace of nuclear disarmament during and after the Cold War led to resistance among both non-allied NNWS and nongovernmental organizations (NGOs). Despite substantial reductions, there remain today ~15,000 nuclear weapons. Many perceived this track record on nuclear disarmament as insufficient, leading some NNWS to question whether the NWS are genuinely striving for nuclear elimination, which they promised to pursue in good faith under Article VI of the NPT. This dissatisfaction contributed to the emergence of the so-called humanitarian initiative.

The humanitarian initiative does not regard nuclear weapons as implements of deterrence and prestige, but instead views them through a humanitarian lens: it focuses on the devastating effects of the use of nuclear weapons on both humankind and the environment.³⁹ These effects are by definition not limited to the territories of the nuclear-armed states. According to the advocates of the humanitarian initiative, any use of nuclear weapons is contrary to international humanitarian law. Nuclear weapons are simply too destructive to be used, and should therefore be banned and eliminated.

Following the example of the NGO campaign that succeeded in adopting the 1997 Ottawa Convention to ban landmines, and disappointed by the outcome of the 2005 NPT Review Conference, NGOs like the International Physicians for the Prevention of Nuclear War, the Women’s International League for Peace and Freedom—particularly through its Reaching

³⁷ Harrington, “Nuclear Weapons as the Currency of Power,” p. 329.

³⁸ Goffman, *Stigma*, p.7.

³⁹ Tom Sauer and Joelen Pretorius, “Nuclear Weapons and the Humanitarian Approach,” *Global Change, Peace & Security*, Vol. 26, No.3 (2014), pp. 233-250.

Critical Will project—and the Campaign for Nuclear Disarmament (CND) established the ICAN in 2007. The initiative quickly gathered the support and endorsement of hundreds of NGOs worldwide.⁴⁰

Support for the humanitarian initiative was not limited to NGOs.⁴¹ “Middle power”⁴² states such as Norway, Austria, Switzerland, Mexico, Brazil, and others were actively involved. The movement gained momentum through three international conferences on the issue, hosted in turn in Oslo, Norway (March 2013), Nayarit, Mexico (February 2014), and Vienna, Austria (December 2014). A large majority of states signed statements that supported the idea behind the humanitarian initiative. By using the power of their number, the NNWS (or at least those that are not protected by a nuclear umbrella)—and not the nuclear-armed states—were at the steering wheel of nuclear governance. The NNWS have always outnumbered the nuclear-armed states, but they had never used that power strategically. Power, here, can best be understood through Hannah Arendt’s definitions of strength and power. Rejecting the traditional Realist definition of power, which is more appropriately understood as *strength*: “something in the singular … the property inherent in an object or person (...), which may prove itself in relation to other things or persons, but is essentially independent of them.” Power, on the other hand, “corresponds to the human ability not just to act, but *to act in concert*. Power is never the property of an individual; it belongs to a group.”⁴³ In other words, Arendt dismisses the connotation that power is synonymous with commands and obedience, since power relates to consent and support. Rules, norms, and values are not orders that are commanded from above, but are consented to and supported by society. Organizational capacity plays an important role in Arendt’s concept of power, since proper organization of the few, or poor organization of the many, can lead to minority rule.⁴⁴ This concept also corresponds to the definitions of power in feminist, post-structural, and post-colonial schools

⁴⁰ Rebecca Gibbons, “The Humanitarian Turn in Nuclear Disarmament and the Treaty on the Prohibition of Nuclear Weapons,” *Nonproliferation Review*, Vol. 25, No.1. -2 (2018), pp.1. 1-36.

⁴¹ John Borrie, Michael Spies, Wilfred Wan, “Obstacles to Understanding the Emergence and Significance of the Treaty on the Prohibition of Nuclear Weapons,” *Global Change, Peace & Security*, Vol.30, No. 2 (2018), pp.95-119.

⁴² A “middle power” is an economically and politically significant, internationally respected state that holds a position in the international power spectrum that is in the “middle” – below that of a superpower or great power.

⁴³ Hannah Arendt, *Crisis of the Republic: Lying in Politics, Civil Disobedience, On Violence. Thoughts on Politics and Revolution* (New York: Harcourt Brace and Company, 1972); Harrington, *Power*.

⁴⁴ Arendt, *Crisis of the Republic*, p. 149.

of thought. Interestingly, some leaders of ICAN—such as Ray Acheson—are very familiar with these schools.⁴⁵ She points out that: “The story of the nuclear ban ... must be seen in the much larger context of broad global resistance to injustice and oppression. Nuclear weapons are part of bigger systems of patriarchy, racism, militarism and capitalism—systems that have been challenged throughout history.”⁴⁶

The power prerequisite, as defined by Arendt, is now (better) met in the case of nuclear disarmament. The reframing of nuclear weapons as a humanitarian issue allowed non-aligned NNWS to stop acting like the “latent ally of the minority.”⁴⁷ As the majority of states, they organized themselves to effectively move the nuclear-elimination agenda forward.

Until the emergence of the humanitarian initiative, the NNWS were unwilling or unable to unite against the nuclear-armed states, with the exception of the Non-Aligned Movement (NAM) sponsoring perennial, non-binding resolutions in the UN General Assembly (UNGA). The NWS succeeded in ameliorating their grievances through promises stipulated in the NPT process (especially at the 1995, 2000, and 2010 Review Conferences), as well as through several arms-control agreements. The NNWS were unable to find common-enough ground to forge a coherent anti-nuclear-weapons coalition to counter the nuclear-armed states.

All this changed with the emergence of the humanitarian initiative. From 2010 onward, the NNWS (except those that are allied with a nuclear-armed state) found common ground through the changed discourse on nuclear weapons.⁴⁸ Nick Ritchie of the University of York and Kjolv Egeland (ILPI) call this “diplomacy of resistance.”⁴⁹ Since a majority of states in the world now explicitly consider nuclear weapons to be abhorrent weaponry whose use goes against international humanitarian law, the nuclear-armed states will probably have more difficulty in the future envisioning nuclear weapons as instruments of prestige.

⁴⁵ Michael Bolton and Elisabeth Minor, “The Humanitarian Initiative on Nuclear Weapons: An Introduction to Global Policy’s Special Section,” *Global Policy*, Vol. 7, No. 3 (2016), pp. 380–84.

⁴⁶ Ray Acheson, “Impacts of the Nuclear Ban: How Outlawing Nuclear Weapons is Changing the World,” *Global Change, Peace & Security*, Vol. 30, No. 2, (2018), p. 249.

⁴⁷ Arendt, *Crisis of the Republic*, p. 141.

⁴⁸ Sauer and Pretorius, *Nuclear Weapons and the Humanitarian Approach*.

⁴⁹ Nick Ritchie and Kjolv Egeland, “The Diplomacy of Resistance: Power, Hegemony, and Nuclear Disarmament” *Global Change, Peace & Security*, Vol.30, No.3, pp.1. 21-141.

Nevertheless, the fact that the majority of states in the world, as well as the Holy See, now explicitly consider nuclear weapons in that regard is not sufficient to speak of a stigma.⁵⁰ As long as the nuclear-armed states do not share the belief that nuclear weapons are abhorrent—and not prestigious—weapons, the nuclear-armed states cannot be prone to stigma and stigmatization. Advocates of stigmatization will nevertheless argue that the nuclear-armed states already share, to a certain extent, in the same social belief system as the NNWS: the nuclear-armed states expressed their “deep concern at the continued risk for humanity represented by the possibility that these weapons could be used and the catastrophic humanitarian consequences that would result from the use of nuclear weapons” in the 2010 Final Document of the 2010 NPT Review Conference.⁵¹

The effect of the Prohibition Treaty, according to the advocates of the humanitarian initiative, will be that the nuclear-armed states will be stigmatized. Acheson and Fihn point out that: “The stigmatization effects [of the ban treaty] make nuclear weapons incompatible with the principles of human rights and humanitarian law, becoming increasingly unattractive to governments that wish to be viewed in good standing in the international community.”⁵² Critics, however, remain unconvinced.⁵³ The nuclear-armed states may indeed react in different ways.

Stigma-management options for the nuclear-armed states

⁵⁰ The Holy See has Permanent Observer status at the UN and as such has the rights of full membership, except for voting in the General Assembly. The Holy See has been particularly vocal in disarmament fora. See, for example, Paolo Foradori, “The Moral Dimension of ‘Global Zero’: The Evolution of the Catholic Church’s Nuclear Ethics in a Changing World,” *Nonproliferation Review*, Vol. 21, No. 2, (2014) pp. 189–205.

⁵¹ 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, “Final Document: Volume I, Part I and II,” NPT/CONF.2010/50, New York, 2010, <[https://undocs.org/NPT/CONF.2010/50%20\(VOL.I\)](https://undocs.org/NPT/CONF.2010/50%20(VOL.I))>, p. 12.

⁵² Ray Acheson and Beatrice Fihn, *Preventing Collapse: the NPT and a Ban on Nuclear Weapons*, Reaching Critical Will (2013), p.9., <www.reachingcriticalwill.org/resources/publications-and-research/publications/8316-preventing-collapse-the-npt-and-a-ban-on-nuclear-weapons>

⁵³ Scott Sagan and Benjamin Valentino, “The Nuclear Weapons Ban Treaty. Opportunities Lost,” *Bulletin of the Atomic Scientists*, 16 July 2017, <<https://thebulletin.org/2017/07/the-nuclear-weapons-ban-treaty-opportunities-lost/>>; Michal Onderco, “Why Nuclear Weapon Ban Treaty is Unlikely to Fulfil its Promises,” *Global Affairs*, Vol.3, No.4-5, (December 2017), pp.391-404; Brad Roberts, “Ban the Bomb? Or Bomb the Ban ? Next steps on the Ban Treaty,” *ELN Global Security Policy Brief* (2018).

This section assesses the possible reactions by those who are the targets of the stigmatization campaign. Multiple management strategies exist for the nuclear-armed states and their allies. If stigmatization has little or no effect, it could be the result of four distinct strategies: stigma avoidance, stigma rejection, counter-stigmatization, and stigma evasion. Alternatively, the stigma is recognized and may have a substantial effect.

Stigmatization has little or no effect

Avoidance

One coping strategy is stigma avoidance. Rebecca Meisenbach of the University of Missouri stipulates that the possessor of the attribute can choose to avoid the stigma by either concealing the deviant attribute, or by refraining from situations in which the stigma can be imposed.⁵⁴ The carrier of the deviant attribute thus recognizes that his distinctive feature can be the basis of stigma imposition. But he either attempts to leave the “normals” in the dark on whether he possesses the deviant attribute, or he prevents contact as much as possible, especially scenarios in which the deviant attribute may be the subject of discussion.

Concerning the nuclear-armed states, this avoidance strategy is already taking place in two ways. First, Israel, the NATO allies that host US tactical nuclear weapons in Europe, and Japan arguably deploy this strategy. Israel neither confirms nor denies that it possesses nuclear weapons. This strategy of opacity “is widely seen as a deception, because it is a long-held conclusion among governments and experts that Israel has produced a sizable stockpile of nuclear warheads (probably unassembled) designed for delivery by ballistic missiles and aircraft.”⁵⁵ Next to Israel, so-called “host nations” in Europe also refuse to clarify whether they have US nuclear weapons on their territory. Still, as in the case of Israel, it is widely known that five European countries—Belgium, Germany, Italy, the Netherlands, and Turkey—store US tactical nuclear weapons on their territory.⁵⁶ The Japanese government has also been

⁵⁴ Rebecca Meisenbach, “Stigma Management Communication: A Theory and Agenda for Applied Research on how Individuals Manage Moments of Stigmatized Identity,” *Journal of Applied Communication Research*, Vol.38, No.3 (2010), pp. 280-82.

⁵⁵ Hans Kristensen and Robert Norris, “Nonstrategic Nuclear Weapons”, *Bulletin of Atomic Scientists*, Vol.68, No.5 (2012), pp.97.

⁵⁶ Ibid., p.1. 100.

silent on “secret agreements” with the United States to permit the presence of nuclear warheads on US Navy ships during port calls in Japan and to allow the return of US nuclear weapons to Japan in the event of a war in Korea.⁵⁷ Israel’s and Japan’s behavior as well as that of the “host nations” can be interpreted as stigma avoidance.

A second example of avoidance strategy is in the NWS’ and their allies’ refusal to attend the humanitarian conferences and the TPNW negotiations. According to John Borrie of the UN Institute for Disarmament Research), “the five NPT nuclear weapon states (China, France, Russia, the United Kingdom, and the United States) have so far dismissed the relevance of the humanitarian initiative as distractions from their own glacial ‘step-by-step’ approach to elimination.”⁵⁸ Moreover, most nuclear-armed states and their allies—with a few notable exceptions—voted against UNGA draft resolution L. 41 in October 2016 that called for the convening of a conference to negotiate the ban treaty.⁵⁹ France, Russia, Israel, and North Korea abstained from participating in all humanitarian conferences, while the United States and the United Kingdom (and informally China) only attended the one in Vienna. None of the nuclear-possessing states attended the treaty negotiations in 2017. This behavior can be interpreted as stigma avoidance.

Rejection

The second response is stigma rejection. Here, the stigmatized recognize the stigma, but do not believe that it applies to them. Adler-Nissen demonstrates this by referring to the election of the extreme right-wing party Freiheitliche Partei Österreichs (FPÖ) to the Austrian government in 2000, which sent shock waves across Europe.⁶⁰ Austria was labeled a Nazi-sympathizing and xenophobic country, leading to cultural boycotts, symbolic sanctions (like the appeal by Belgian Minister of Foreign Affairs Louis Michel to refrain from skiing in Austria), and negative media coverage. The Austrian population rejected the imposition of such a

⁵⁷ Jeffrey Lewis, “More on US-Japanese ‘secret agreements’,” Arms Control Wonk, March 11, 2010, <www.armscontrolwonk.com/archive/202660/more-on-us-japan-secret-agreements/>.

⁵⁸ John Borrie, “Humanitarian Reframing of Nuclear Weapons and the Logic of a Ban,” *International Affairs*, Vol.90, No.3 (2014), p.626.

⁵⁹ “Taking Forward Multilateral Nuclear Disarmament Negotiations,” United Nations General Assembly First Committee, A/C.1/71/L.41, October 14, 2016, <www.reachingcriticalwill.org/images/documents/Disarmament-fora/1com/1com16/resolutions/L41.pdf>. Exceptions include China, India, Pakistan, and the Netherlands—which all abstained—and North Korea, which voted in favor.

⁶⁰ Adler-Nissen, *Stigma Management*, pp.1. 60-65.

stigma applying to them, arguing that since the Austrian people chose the FPÖ through free and fair elections, it therefore conformed with European principles of democracy, and others should not interfere in Austrian domestic politics. Eventually, the boycott and sanctions ended, which Austrians perceived as a victory: “the Austrian representatives had never fully accepted the stigma imposed upon them, insisting on belonging to the European community of values and rejecting stigmatization.”⁶¹ The effort to stigmatize was counterproductive, since it reduced the support of the Austrian population for the European Union and strengthened nationalist sentiment. Notably, when the FPÖ again won seats in the Austrian elections in 2017, international uproar was more or less absent.

The nuclear-armed states may indeed reject the stigmatizing effects. That is what many critics of the TPNW mean when they claim the treaty is polarizing.⁶² As a result of this polarization, the nuclear-armed states may cling even more to their nuclear weapons. The most forceful evidence is the outright rejection of the Prohibition Treaty in the joint statement by the United States, the United Kingdom, and France right after the conclusion of the treaty negotiations on July 7, 2017. They claimed: “We do not intend to sign, ratify or ever become party to it. Therefore, there will be no change in the legal obligations on our countries with respect to nuclear weapons.”⁶³ There was a similar statement by NATO on the day the treaty opened for signature in September 2017 that stated: “Seeking to ban nuclear weapons through a treaty that will not engage any state actually possessing nuclear weapons will not be effective, will not reduce nuclear arsenals, and will neither enhance any country’s security, nor international peace and stability.”⁶⁴ Similarly, a former high-level US defense official wrote a piece provocatively titled “Ban the bomb? Or bomb the ban?” that warned: “Politicians considering the fate of the TPNW should understand that actual entry into force of the TPNW with US allies among the states parties would do significant damage to the US nuclear umbrella and the practices of extended deterrence.”⁶⁵

⁶¹ Ibid., p. 1. 64.

⁶² Onderco, *Why Nuclear Weapon Ban Treaty*.

⁶³ <https://usun.state.gov/remarks/7892>

⁶⁴ <https://www.nato.int/cps/en/natohq/news_146954.htm?selectedLocale=en>

⁶⁵ Roberts, *Ban the Bomb*, p. 2-3.

Counter-stigmatization

A third response is counter-stigmatization, whereby stigmatized actors shift the attention to the positive value of the attribute. Meisenbach gives an example of strippers, who tend to shift the attention from erotic dancing to the money they earn. While they recognize the negative aspects of their attribute, they point out that their job allows them to support their family. In other words, the stigmatized “acknowledges that the stigma attribute applies to the individual but reduces its sting by identifying it with a higher purpose.”⁶⁶

Adler-Nissen highlights Cuba as another example of this coping strategy: by embracing the stigma imposed on it by the United States, Cuba turned it into a source of pride.⁶⁷ The country is proud of its communist label that distinguishes it from the capitalist world, considering itself as a superior model of society. In other words, “Cuban leaders … created a separate system of honor for the purpose of staying outside the discriminating identity system proposed by the United States.”⁶⁸

In the nuclear-weapon case, counter-stigmatization has been taking place. Nuclear possessors have always tried to turn the conversation away from the evils of nuclear weapons to their benefits, referring to nuclear weapons as serving a “higher purpose”⁶⁹—the survival of the state and the maintenance of the international order.⁷⁰ As in the case of rejection, counter-stigmatization may make stigmatization counterproductive, and lead further away from a world without nuclear weapons.

Evasion

A fourth reaction to stigma imposition is evasion. The stigmatized party recognizes the possession of the deviant attribute, but simultaneously assigns responsibility to a third party

⁶⁶ Meisenbach, *Stigma Management Communication*, p. 283.

⁶⁷ Adler-Nissen, *Stigma management*.

⁶⁸ Rebecca Adler-Nissen, “The Downside of Shaming Russia,” *Al Jazeera America*, March 30, 2014; <<http://america.aljazeera.com/opinions/2014/3/shame-russia-sanctionsdontwork.html>>

⁶⁹ Meisenbach, *Stigma Management Communication*, p. 283.

⁷⁰ Nikolai Sokov, “Russia and the Nuclear Ban Treaty,” in Shatabhisha Shetty and Denitsa Raynova, eds., *Breakthrough or Breakpoint? Global Perspectives on the Nuclear Ban Treaty* (London: ELN, December 2017), pp. 1. 2-16; Paul Schulte, “The UK, France and the Nuclear Ban Treaty,” in Shetty and Raynova, *Breakthrough or Breakpoint*, pp. 1. 8-24; Raymond Wang and Tong Zhao, “China and the Nuclear Ban Treaty,” in Shetty and Raynova, *Breakthrough or Breakpoint?*, pp. 27–31; Matthew Harries, “The Ban Treaty and the Future of US Extended Nuclear Deterrence Arrangements,” in Shetty and Raynova, *Breakthrough or Breakpoint?*, pp. 50–56.

or to external circumstances. One can think of child abusers referring to their own experiences of child abuse.⁷¹

This coping strategy is also taking place among nuclear possessors, most of whom transfer responsibility to their enemies or, more abstractly, to the “dangerous” security environment. India, for instance, refers to Pakistan and China to justify its nuclear arsenal. India fought repeated wars with these countries, and to counter their threats to its continued existence, India had to develop nuclear weapons, particularly after the nuclear monopoly of China on the Asian continent and the increasing rumors of a Pakistani military nuclear program.⁷² For its own part, Pakistan emphasizes the Indian threat to justify its own possession of nuclear weapons. Due to India’s conventional military superiority, nuclear weapons are needed to deter India from aggressive action. Pakistani Prime Minister Zulfikar Ali Bhutto once even stated that “[i]f India builds the bomb, we will eat grass and leaves for a thousand years, even go hungry, but we will get one of our own.”⁷³ Israeli experts⁷⁴ and North Korea, too, justify their nuclear-weapons possession by blaming the hostile attitude of the Arab countries in the Middle East or that of the United States, respectively. The main thrust of this argument is: if their enemies were not so hostile toward them, they would not need nuclear weapons.

Stigmatization has a substantial effect: recognition, acceptance, and adaptation

When an actor recognizes and agrees with its own stigmatization, it may attempt to escape the stigmatized outgroup by adapting its behavior to the required standards.⁷⁵ The stigmatized party seeks to change the salient attribute in order to enter the group of “normals.” Stigmatization can be seen as a norm enforcer, since it persuades the norm offender to

⁷¹ Meisenbach, *Stigma Management Communication*, p. 282–83.

⁷² Paul Kapur and Sumit Ganguly, “India, Pakistan and the Unlikely Dream of a Nuclear-Free South Asia,” in Nick Hynek and Michal Smetana, eds., *Global Nuclear Disarmament: Strategic, Political and Regional Perspectives* (New York: Routledge, 2016), p. 270; Chris Ogden, “India: the (Accepted) Gatecrasher,” in Harsh Pant, ed., *Handbook of Nuclear Proliferation* (New York: Routledge, 2012), p. 155.

⁷³ Feroz Khan, *Eating Grass: The Making of the Pakistani Atomic Bomb* (Stanford: Stanford University Press, 2012).

⁷⁴ Avner Cohen, “Israel’s Nuclear Future: Iran, Opacity and the Vision of Nuclear Elimination,” in Catherine McArdle Kelleher and Juddith Reppy, eds., *Getting to Zero: the Path to Nuclear Disarmament* (Stanford: Stanford University Press, 2011), p. 187.

⁷⁵ Adler-Nissen, *Stigma Management*.

conform with the norm.⁷⁶ Post-World War II Germany is an example, when Nazism became a stigma. The country—both its leaders and public opinion—largely accepted the imposed stigma, apologized for it, and adapted its behavior to reintegrate into the group of “normals.” Germany can now be considered a driving force of the spread of Western values such as human rights and democracy.⁷⁷

Critics of nuclear stigmatization are correct in that most states that possess nuclear weapons tend to be powerful, both economically and militarily. Using norms and stigmatization to convince these powerful states to relinquish a weapons category that they regard in high esteem will not be easy, to say the least. Even if political leaders were convinced of the need to eliminate their nuclear arsenals, they would have to consider the military, scientific, and industrial organizations that strive to maintain their budgets and personnel. This is a recipe for inertia.⁷⁸

The basic power mechanisms that are at work under the recognition strategy, however, are in the realm of norms and ideas. As Adam Bower of St. Andrews University argues about international law:

[M]ultilateral treaties may generate powerful new social expectations and alter behavior even when they do not correspond to the prevailing distribution of material power in the international system . . . [T]he nested structure of international law means that treaties may generate social pressures toward compliance even among those states that reject their binding legal obligations.⁷⁹

The same reasoning may apply to the TPNW. As one critical observer of the TPNW acknowledges:

⁷⁶ Jo Phelan, Bruce Link, and John Dovidio, “Stigma and Prejudice: One Animal or Two?,” *Social Science and Medicine*, Vol.67 (2008), pp. 362–63.

⁷⁷ Adler-Nissen, *Stigma Management*, pp. 156–60.

⁷⁸ Tom Sauer, *Nuclear Inertia. U.S. Nuclear Weapons Policy after the Cold War* (London: I.B.Tauris, 2005).

⁷⁹ Adam Bower, “Norms Without the Great Powers: International Law, Nested Social Structures and the Ban on Antipersonnel Mines,” *International Studies Review*, 17 (2015), p. 353.

[R]ejecting the ban treaty outright is politically uncomfortable for many umbrella states, for a variety of reasons, including a general desire to conform to international norms, the opacity and sensitivity surrounding nuclear weapons, and the fact that these are democratic states and thus responsive (albeit to varying degrees) to public pressure.⁸⁰

Nuclear-stigma recognition can take place top-down (= direct) or bottom-up (= indirect). A direct mechanism is elite-learning.⁸¹ State elites are persuaded that adhering to the norm is the right thing to do and thereby reshape the interest of the state so that it is in accordance with the newly adopted international norm. As Ritchie points out: “The image, role, and self-esteem of a state – *or, perhaps more accurately, of a state’s elite* – are reinforced through norm compliance.”⁸² Tannenwald, although limited to the use of nuclear weapons, also points out “the role of individual state decision-makers whose actions in crucial ways foster nuclear restraint.”⁸³

The best example with respect to nuclear-weapons possession is the case of South Africa.⁸⁴ The country decided, at the end of the 1980s, to give up its nuclear-weapons arsenal that had existed for ten years. President F.W. de Klerk played an important role in this decision. According to Archbishop Desmond Tutu, de Klerk remarked that “[d]ivesting of the bomb was ... an essential part of our transition from a pariah state to an accepted member of the family of nations.”⁸⁵ Later, South Africa used its non-nuclear status as an element of prestige. The country played a crucial bridge-building role between the NWS and the NNWS during the 1995 NPT Review and Extension Conference and at the 2000 NPT Review Conference. Similarly,

⁸⁰ Matthew Harries, “The Ban Treaty and the Future of US Extended Nuclear Deterrence Arrangements,” in Shetty and Raynova, *Breakthrough or Breakpoint?*, p. 51–52.

⁸¹ Jeffrey Checkel, “Norms, Institutions and National Identity in Contemporary Europe,” *International Studies Quarterly*, Vol. 41, No. 1. (1997), p. 88; Jeffrey Checkel, “International Norms and Domestic Politics: Bridging the Rationalist-Constructivist Divide,” *European Journal of International Relations*, Vol. 3, No. 4 (1997), pp. 476–77.

⁸² Nick Ritchie, “Nuclear Identities and Scottish Independence,” *Nonproliferation Review*, vol. 23, No. 5–6 (2016), p. 655 (our emphasis).

⁸³ Nina Tannenwald, “Stigmatizing the Bomb: Origins of the Nuclear Taboo,” *International Security*, Vol. 29, No. 4 (2005), p. 13.

⁸⁴ William Long and Suzette Grillot, “Ideas, Beliefs, and Nuclear Policies: The Cases of South Africa and Ukraine,” *Nonproliferation Review*, Vol. 7, No. 1. (2000), pp. 24–40.

⁸⁵ Desmond Tutu, “Imagine a World Without Nuclear Weapons,” CNN, February 13, 2014, <www.cnn.com/2014/02/13/opinion/nuclear-weapons-desmond-tutu/index.html>.

after the end of the Cold War, the decision makers in Ukraine, Belarus, and Kazakhstan calculated, under pressure from the West, that the costs of keeping Soviet nuclear weapons on their territory were higher than the benefits.⁸⁶

The stigma could therefore lead the decision-making elites in the nuclear-armed states and their allies to internalize the norm against their use and possession and ultimately change their country's stance on nuclear weapons. However, because of slow-changing strategic cultures⁸⁷ and in particular "nuclearism"⁸⁸ —the psychological, political, and military dependence on nuclear weapons—it is unlikely that decision-makers in the nuclear-armed states will change direction in the short term. Nevertheless, they may if they perceive a change of attitude toward nuclear weapons *within* their country. This brings us to the second mechanism.

The second, more indirect, mechanism is a "bottom-up process of normative change in which domestic and transnational social groups ... put pressure on decision-makers to change state policy or practices."⁸⁹ This mechanism is in line with the liberal theory of international politics, whereby "government policy is ... constrained by the underlying identities, interests, and power of individuals and groups (inside and outside the state apparatus) who constantly pressure the central decision makers to pursue policies consistent with their preferences."⁹⁰ In other words, it is imperative that decision makers consider the norms and values of the public in order to be re-elected.⁹¹

The degree to which stigmatization triggers a domestic debate will influence how stigmatization is managed.⁹² Presumably, this debate will be livelier in democratic countries,

⁸⁶ Mariana Budjeryn, "The Power of the NPT: International Norms and Ukraine's Nuclear Disarmament," *Nonproliferation Review*, Vol. 22, No. 2 (2015), pp. 203-237.

⁸⁷ Jeffrey Lantis, *Strategic Culture* (Washington DC: DTRA, 2006).

⁸⁸ Robert Lifton and Richard Falk, *Indefensible Weapons: The Political and Psychological Case Against Nuclearism* (New York: Basic Books, 1982).

⁸⁹ Tannenwald, *Stigmatizing*, p.1. 2-13; Richard Price, "Transnational Civil Society and Advocacy in World Politics," *World Politics*, Vol.55, No.4 (2003), pp.579-606.

⁹⁰ Andrew Moravscik, "Taking Preferences Seriously: A Liberal Theory of International Relations," *International Organization*, Vol.51, No.4 (1997), p.518.

⁹¹ Checkel, *Norms*, p.88; Checkel, *International Norms*, pp.476-477.

⁹² Adler-Nissen, *Stigma Management*, p.1. 54.

where public political participation is more robust than in countries where autocrats pull the political ropes.

A stigma on the nuclear-armed states and their allies can thus raise public awareness in these states, and induce societal pressure.⁹³ Perez Vadillo of the British American Security Information Council also believes that “the possession or continued reliance on nuclear weapons would put decision-makers under varying degrees of domestic and international pressure.”⁹⁴ Hellmut Lagos, a Chilean diplomat, thinks that “the new Ban Treaty, even without the participation and adherence of those countries (NWS), would still constitute an important milestone, in particular in stigmatizing and delegitimizing nuclear weapons in the eyes of the citizens of nuclear-weapons and umbrella states.” Lagos emphasizes the importance of parliaments in this regard as well.⁹⁵ The media, too, plays an essential role in providing society with the necessary information to induce societal interest in nuclear disarmament.

The humanitarian initiative consciously used a different narrative to attract more attention from the general public. Individuals can relate more to a humanitarian approach than to the traditional deterrence and arms-control debates, the technical complexity of which likely scare them off.⁹⁶ As Matthew Bolton of Pace University and Elisabeth Minor of the NGO Article 36 explain: “there is also a self-consciously performative element to some of ICAN’s work, aimed at re-emotionalizing the conversation about nuclear weapons, which has for so long privileged a dry, technocratic and affectless discourse.”⁹⁷ Civil society in nuclear-armed states and allied states might start to recognize that their country’s policies are contradictory to shared international norms, making their state an international pariah. According to Joelen Pretorius of the University of the Western Cape, “[i]n the public eye, states that possess nuclear weapons must come to be seen (and their defenders must come to feel) like Gollum,

⁹³ Benoit Pélopidas, “The Next Generation of EU Citizens Facing Nuclear Weapons: Forgetful, Indifferent, But Supportive?” *EU Non-proliferation Consortium Nonproliferation Paper* 56 (2017).

⁹⁴ Perez Vadillo, *Beyond the Ban*, p.3.

⁹⁵ Hellmut Lagos, “Disarmament and Deterrence: Bridging the Divide,” Presentation given at the 5th EU Non-Proliferation and Disarmament Conference, November 3, 2016, <www.youtube.com/watch?v=XIZQ0v0hO-o>

⁹⁶ Sauer and Pretorius, *Nuclear Weapons and the Humanitarian Approach*, pp. 248-49.

⁹⁷ Bolton and Minor, *The Humanitarian Initiative*, p.7.

the odious creature in J.R.R. Tolkien's book *The Lord of the Rings*.⁹⁸ The TPNW may attract the attention of individuals and groups within the nuclear-armed states, leading to increased public pressure to dismantle the nuclear arsenals⁹⁹, or so the treaty advocates hope.

This process is to a certain extent already happening. PAX, the main Dutch peace organization, collected 40,000 signatures against nuclear weapons. In the Netherlands, the latter automatically triggers a parliamentary debate. That debate took place on April 28, 2016, in the presence of Minister of Foreign Affairs Bert Koenders, and lasted more than four hours. Different motions were approved in favor of a nuclear-weapons ban, supported by both government and opposition parties. As a result of that parliamentary debate, the Netherlands played a constructive role at the UN open-ended working group tasked with "taking forward multilateral nuclear disarmament negotiations" in August 2016.¹⁰⁰ It was also the only NATO member state that abstained in voting on draft resolution L.41 at the UN GA in October 2016, and it was the only NATO state that participated in the TPNW negotiations.¹⁰¹ Dall (RUSI) points out the future dilemma for states like the Netherlands: "As domestic criticism will not go away these governments will have to ensure that nuclear deterrence, a core component of NATO's defense posture, is partnered with continued progress on multilateral disarmament to manage this."¹⁰² States like Norway, Italy, Sweden, and Switzerland are already undertaking investigations into the legal and political consequences of joining the TPNW. For the same reason, some observers demand that the nuclear-armed states accept the reality that the TPNW exists, and to start an honest dialogue with the NNWS. Former UN High Representative for Disarmament Affairs Angela Kane, for instance, calls for the nuclear-armed states to abandon the dismissive and offensive language against the TPNW supporters, include the non-NPT nuclear possessors in the discussion, consider more transparency, determine the lowest number of nuclear weapons at which nuclear deterrence is still valid,

⁹⁸ Joelen Pretorius, "The Ban Treaty: An Interim Step, but Politically Profound," *Bulletin of Atomic Scientists* (2016, December 14), <<http://thebulletin.org/can-treaty-banning-nuclear-weapons-speed-their-abolition>>

⁹⁹ Ray Acheson, Thomas Nash, and Richard Moyes, *A Treaty Banning Nuclear Weapons: Developing a Legal Framework for the Prohibition and Elimination of Nuclear Weapons* (London: Article 36, 2014); Thomas Doyle, "Moral and Political Necessities for Nuclear Disarmament: An Applied Ethical Analysis," *Strategic Studies Quarterly*, Vol.9, No. 2 (2015), p. 26.

¹⁰⁰ <www.reachingcriticalwill.org/disarmament-fora/oewg/2016/august/reports>

¹⁰¹ Ekaterina Shirobokova, "The Netherlands and the Prohibition of Nuclear Weapons", *Nonproliferation Review*, Vol. 25, No.1. -2 (2018), pp.37-49.

¹⁰² Emil Dall, "A Balancing Act: NATO States and the Nuclear Ban Treaty," in Shetty and Raynova, *Breakthrough or Breakpoint ?*, pp.39-43.

and assess the level of security to be reached before nuclear disarmament can be considered.¹⁰³

In both nuclear-armed states and NNWS, the financial sector, too, may show signs of stigmatization's effect. Although the ban treaty does not explicitly forbid financing nuclear weapons, it does prohibit assisting with nuclear-weapons activities. In general, the financial sector has demonstrated increased attention to norms.¹⁰⁴ Chwieroth states that "policy stigmas exist in all areas of world politics, but they are likely to be particularly influential in finance because of the importance of confidence and credibility."¹⁰⁵ Here, a two-step process may take place: first, individuals and groups within civil society may divest from financial institutions that continue to support nuclear-weapons-related activities. In turn, the financial sector may feel sufficiently pressured to cease its support for and investments in nuclear-related businesses within the NWS.

This process is already underway. The Council on Ethics for the Norwegian Government Pension Fund Global (GPFG) guarantees that the fund invests solely in conformity with international obligations of the Norwegian State. Therefore, the Norwegian Council on Ethics established a criterion prohibiting GPFG investment in companies associated with the production or financing of nuclear weapons. According to the GPFG Annual Report, companies such as Lockheed Martin Corporation, Safran SA, and BWX Technologies Incorporation were excluded due to their association with, respectively, the nuclear arsenals of the United Kingdom, France, and the United States.¹⁰⁶

These exclusion activities by the private sector are not limited to the NNWS. The UK-based Co-Operative Bank adopted an antinuclear investment policy.¹⁰⁷ The City Council of Cambridge

¹⁰³ Angela Kane, "Cooperation or Conflict ? Walking the Tightrope of NPT and Ban Treaty Supporters," *Toda Policy Brief No.6* (2018), p.7-8.

¹⁰⁴ Chwieroth, *Managing*, p.44.

¹⁰⁵ Jeffrey Chwieroth, "Creating Policy Stigmas in Financial Governance: the International Monetary Fund and Capital Controls," in David Mayes, and Geoffrey Wood, eds., *Reforming the Governance of the Financial Sector* (New York: Routledge, 2013), p.1. 88.

¹⁰⁶ *Annual Report 2015* (Oslo: Council on Ethics for the Norwegian Government Pension Fund Global, 2015), pp.1. 2-17.

¹⁰⁷ Susy Snyder, Wilbert van der Zeijden, and Maaike Beenens, *Don't Bank on the Bomb: A Global Report on the Financing of Nuclear Weapons Producers* (Utrecht: PAX, 2016), p.1. 2.

(Massachusetts, USA) unanimously decided to divest \$1 billion dollars of their financial assets related to nuclear weapons, citing ethical concerns. Cole Harrison of the NGO Massachusetts Peace Action explained the decision by indicating that “divestment is a powerful way to stigmatize the nuclear arms race through grassroots campaigning, without having to wait for politicians who aren’t listening. … If you’re against spending more money making us less safe, then make sure it’s not your money.”¹⁰⁸

In all likelihood, the entry into force of the Prohibition Treaty will further stimulate these kinds of initiatives by banks and the private sector in general, and this under pressure from clients and employees. Comparable to the banning of cluster munitions,

A treaty that prohibits investment in corporations materially involved in the production of nuclear weapons or that prohibits material assistance or investment in the development, production, or testing of nuclear weapon systems would go a long way to undermining these companies’ rationale for being involved with the nuclear weapons business.”¹⁰⁹

Financial institutions within TPNW states parties may be obliged to refrain from investments related to nuclear weapons, which will further increase divestment initiatives. Any connection with nuclear weapons production or stockpiling activities will damage the reputation of the financial institution. In contrast, adhering to international norms might enhance corporate reputation. Ongoing norm violations have reputational costs. The *Guardian* reports that “[i]n recent years, the campaign [against cluster munitions] and its Hall of Shame has been successful in persuading some countries to suspend their involvement in cluster munitions producers.”¹¹⁰ The number of financial institutions excluding nuclear weapons-related companies, listed in the PAX “Hall of Fame,” increased from eight in 2014 to eighteen in 2016.¹¹¹ If you include the “Runners up” category—financial institutions that limit the engagement with nuclear-weapons-related companies—the number grows to fifty-four. The

¹⁰⁸ Cited in Max Tegmark, “Hawking says ‘Don’t Bank on the Bomb’ and Cambridge Votes to Divest \$ 1 Billion from Nuclear Weapons,” *The World Post*, April 4, 2016, <www.huffingtonpost.com/max-tegmark/hawking-says-dont-bank-on_b_9606926.html>

¹⁰⁹ Acheson, Nash, and Moyes, *A Treaty*, p. 27.

¹¹⁰ Lauren Gambino, “JP Morgan and Bank of America in Cluster Bomb Investors “Hall of Shame,” *The Guardian*, June 16, 2016, <www.theguardian.com/world/2016/jun/16/jp-morgan-bank-of-america-cluster-bomb-investors-hall-of-shame>

¹¹¹ Snyder, van der Zeijden, and Beenens, *Don’t Bank on the Bomb*.

“Hall of Shame” category, those insufficiently curbing their nuclear-weapons activities, decreased from 411 in 2014 to 390 in 2016. While the scope of the impact might be considered small, the stigmatizing strategy of PAX’s “Don’t Bank on the Bomb” campaign forces financial institutions to defend their policies of supporting and maintaining nuclear weapons. KBC, the largest Belgian bank, immediately felt the obligation to comment on its “Hall of Shame” status as a result of its connection with Serco, a British service company indirectly connected to the production and maintenance of UK nuclear weapons. KBC Bank stressed that, in the meantime, its policy concerning nuclear weapons financing became much stricter.¹¹² That happened before the conclusion of the ban treaty negotiations. Since the TPNW will further change the connotation of nuclear weapons, financial institutions may be likely more hesitant to invest in nuclear weapons-related companies out of reputational concerns. Individual clients and groups within society are already increasingly questioning their financial institutions and demanding corporate social responsibility. In January 2018, the largest Dutch pension fund, ABP, made the same decision as the Norwegian pension fund. It will divest in firms that are related to the nuclear weapons business.¹¹³ In May 2018, Deutsche Bank announced stricter policies, and one month later, KBC decided to divest completely from nuclear weapons-related firms, explicitly referring to the TPNW. All this will put pressure on the nuclear military-industrial-complex that, as stated before, is one of the major breaks on moving forward with nuclear disarmament.

Transnational advocacy networks are needed, too: domestic activists must organize with activists from other countries to ensure effective international norm diffusion.¹¹⁴ ICAN, a coalition of nearly 500 NGOs in more than 100 states, is such a transnational advocacy network. Desmond Tutu compares the strife for nuclear elimination with the struggle against the apartheid regime:

¹¹² “Belgische banken investeerden tussen 2013 en 2016 miljoenen in kernwapens,” [Belgian banks invested millions in nuclear weapons between 2013 and 2016] *De Standaard*, December 8, 2016, <www.standaard.be/cnt/dmf20161208_02614841>

¹¹³ “Largest Dutch Pension Fund to Divest From Nuclear Weapons,” Pax (2018), <www.dontbankonthebomb.com/largest-dutch-pension-fund-to-divest-from-nuclear-weapons/>

¹¹⁴ Margaret Keck and Kathryn Sikkink, “Transnational Advocacy Networks in International Politics: Introduction,” in Margaret Keck and Kathryn Sikkink, *Activists Beyond Borders: Advocacy Networks in International Politics* (New York: Cornell University Press, 1998), p.8-9.

In our decades-long fight against apartheid in South Africa, we depended upon the combination of an irrepressible domestic groundswell of popular opposition to the regime and intense sustained pressure from the international community. The same combination is needed now in the movement to abolish nuclear weapons.¹¹⁵

A combination of international pressure from fellow states and transnational advocacy networks, and bottom-up pressure from civil society within the nuclear-armed states is needed to convince the decision makers within the nuclear-armed states and their allies to change their existing nuclear-weapons policies. The TPNW may help stimulate civil society to put pressure on their governments, in both nuclear-armed states and NNWS. Ritchie (University of York) stipulates that “a process of normative and potentially legal delegitimation will diminish the values assigned to nuclear weapons through explicit and widespread political and social stigmatization.”¹¹⁶ Also Kibaroglu (MEF University) indicates that “[t]he Ban Treaty may not end the reign of nuclear weapons on its own, nor do so in the foreseeable future, but it can be expected to create a universal stigma around nuclear weapons – signifying the beginning of the end.”¹¹⁷ Even Thomas Countryman, as US assistant secretary of state, stated in November 2016 that “[declarations and symbols] play a valuable role in raising consciousness.”¹¹⁸ The goal of the humanitarian initiative, and more precisely of the ban treaty, is to “see nuclear weapons for what they really are. Not a sign of power and prestige. But … a weapon created to ensure as much destruction and human suffering as possible.”¹¹⁹

The most likely nuclear-armed state to come under pressure to give up its nuclear weapons in the medium-term is the United Kingdom, where there has been an active peace movement

¹¹⁵ Tutu, *Imagine*.

¹¹⁶ Nick Ritchie, “Valuing and Devaluing Nuclear Weapons,” *Contemporary Security Policy*, Vol.34, No.1. (2013), p.1. 50.

¹¹⁷ Mustafa Kibaroglu, “To Abolish Nuclear Weapons, Strip Away their Handsome Mask,” *Bulletin of Atomic Scientists*, December 19, 2016, <<http://thebulletin.org/can-treaty-banning-nuclear-weapons-speed-their-abolition/abolish-nuclear-weapons-strip-away-their-handsome-mask>>

¹¹⁸ Thomas Countryman, Disarmament and Deterrence: Bridging the Divide. Presentation given at the 5th EU Non-Proliferation and Disarmament Conference, November 3, 2016, <www.youtube.com/watch?v=XlZQ0v0hO-o>

¹¹⁹ Beatrice Fihn, “Stigmatize and Prohibit: New UN Talks on Nuclear Weapons Start Today,” *The World Post*. February 2, 2016, <www.huffingtonpost.com/beatrice-fihn/stigmatize-and-prohibit-n_b_9287144.html>

for years.¹²⁰ Current Labour leader Jeremy Corbyn is a lifelong CND member who made disarmament one of his major election themes since September 2015. Despite criticism from some Labour unions and members of parliament, Corbyn has already stated that, if he becomes prime minister, he will “never push the button.” He further proposed replacing the nuclear weapons in UK submarines with conventional weapons. The Scottish Nationalist Party is also outspoken against nuclear weapons and made substantial electoral gains in recent elections, partly on the basis of the nuclear-disarmament issue. Apart from the Greens, who are by definition against nuclear weapons, the Liberal Democrats are not enthusiastic advocates of Trident, either. As a result, in the United Kingdom today, only the Conservatives are still in favor of a full-blown renewal of Trident. With increased financial pressure on the defense budget and with the TPNW into force (in the future), the debate about the role of nuclear weapons in the United Kingdom is open. If one nuclear-armed state acquiesces to the stigmatization of its nuclear weapons, other nuclear-armed states may follow. If that is the case, the Prohibition Treaty may indeed have accelerated the process toward nuclear elimination.

Conclusion

The intent of the TPNW is to enhance the norm against the use and possession of nuclear weapons. The article questions whether this stigma may impact the nuclear policies of the nuclear-armed states and, as a result, may accelerate the process toward nuclear-weapon elimination. We have argued that the humanitarian initiative and the resulting TPNW could further alter the paradigm on nuclear weapons, changing them from being a symbol of prestige to a “discrediting attribute.” By doing so, the pressure from citizens on their governments within the nuclear-armed states may increase. It could also widen the scope of the already existing discriminatory measures against nuclear weapons-related entities, particularly in the financial sector.

Still, the stigmatization of nuclear-armed states will not automatically lead to the abolition of nuclear weapons. Multiple strategies exist to cope with stigmatization. Recognition, acceptance, and adaptation of behavior is just one possibility. Further research requires an

¹²⁰ Ritchie, *Nuclear Identities*.

analysis of each individual NWS in more detail. A typology of the nine NWS with respect to stigma management can be developed, in which the expected stigma management of each individual nuclear-armed state should be thoroughly analyzed. Regarding stigma recognition, one can examine for each nuclear-armed state which of the two stigma mechanisms, namely elite-learning and societal pressure, or whatever combination, could bring about stigma recognition. We conclude that the TPNW can enhance stigma imposition on the nuclear-armed states, and may persuade nuclear-armed states and their allies to adhere to the norms against the use and possession of nuclear weapons.