Stigmatizing and Delegitimizing Nuclear Weapons

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ABSTRACT
The Treaty on the Prohibition of Nuclear Weapons was opened for signature on 20 September 2017, the purpose of which is said to be the stigmatization of nuclear weapons. How does one stigmatize nuclear weapons when nuclear-weapon states and states under the nuclear umbrella are strongly opposed to this Treaty? In this article, the significance of the Treaty is clarified by studying the background and by showing the stigmatization of nuclear weapons as one of the main purposes of the Treaty. The concept of the stigmatization of nuclear weapons is being compared to the delegitimization thereof. This article argues that the common purpose of both approaches is to have a world without nuclear weapons, although their reasons, means, and perceptions of security differ. The two approaches can complement each other to achieve a nuclear-free world. The stakeholders are accordingly recommended to pursue each approach simultaneously so that the proposals of both complement each other in their quest for a world without nuclear weapons.

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Introduction
The Treaty on the Prohibition of Nuclear Weapons (the Prohibition Treaty) was adopted on 7 July 2017 at the United Nations Conference and was opened for signature on 20 September 2017. Beatrice Fihn, the Executive Director of the International Campaign to Abolish Nuclear Weapons (ICAN), thus explained the Treaty’s significance and effectiveness:

The case for prohibiting nuclear weapons is clear: they are by nature inhumane and indiscriminate. . . . Negotiating a treaty prohibiting nuclear weapons will codify the stigma against causing such inhumane consequence. . . . A prohibition delegitimizing nuclear weapons would significantly contribute to a strengthen norm against the weapons. . . . Stigmatizing weapons creates perceptions of unacceptable 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. (Fihn 2017b, 43–50)

Brazil also praised the Treaty and its role in nuclear disarmament in the following statement:
A nuclear weapons prohibition can play the role of catalyst of a new momentum. Besides filling the legal gap concerning the weapons of mass destruction, the prohibition will certainly add pressure for nuclear weapons States’ compliance with Art.VI. It would do so basically by stigmatizing nuclear weapons, delegitimizing nuclear deterrence and reaffirming the humanitarian narrative against the existence of this kind of weaponry. (Patriota 2017)

As revealed in these two statements, the Prohibition Treaty has been positively evaluated from the viewpoints of stigmatization and delegitimization, even though the main argument of the Treaty is from the viewpoint of stigmatization. The purpose of both stigmatization and delegitimization is the same, namely, how to find useful ways of establishing a world without nuclear weapons. Both examine the effective means to proceed with nuclear disarmament. Stigmatization is a rather new term, which was employed mainly in relation to the Prohibition Treaty whereas delegitimization has been used for the last 20 years while discussing how to bring about a world without nuclear weapons.

The purpose of this article is to examine the concepts of stigmatizing and delegitimizing nuclear weapons by examining their contents, purposes, functions, characteristics, and security implications as well as explore the effectiveness and usefulness of these concepts for pursuing a world without nuclear weapons.

Stigmatizing nuclear weapons

Humanitarian approach to nuclear disarmament

The traditional approach to nuclear disarmament has been based on how to improve and strengthen the national and military security of states. At the 2010 Nuclear Non-Proliferation Treaty (NPT) Review Conference, the Foreign Minister of Switzerland argued that nuclear weapons have no use, they are immoral and illegal, and made the following proposal:

As a nuclear war would threaten the very survival of our common humankind, a debate should be launched concerning the legitimacy of the use of nuclear weapons. In addition to military and political considerations, Switzerland’s aim is to bring humanitarian aspect to the heart of the current debate on nuclear disarmament. (Calmy-Rey 2010)

At the first Preparatory Committee for the 2015 NPT Review Conference in 2012, 16 states led by Switzerland submitted the Joint Statement on the Humanitarian Dimension of Nuclear Disarmament, in which the following is stated:

It is of utmost importance that these weapons never be used again, under any circumstances. The only way to guarantee this is the total, irreversible and verifiable elimination of nuclear weapons, under effective international control. All states must intensify their efforts to outlaw nuclear weapons and achieve a world free of nuclear weapons. (Joint Statement 2012)

Similar statements have been continuously adopted at the NPT Preparatory Committees and the United Nations General Assembly, thus increasing the number of supporting states. At the 2015 NPT Review Conference, Austria read the Joint Statement on behalf of 159 states.
To measure the concrete progress of this approach, the International Conference on the Humanitarian Impact of Nuclear Weapons was held three times. The objective thereof was to present a facts-based understanding of the humanitarian effects of nuclear weapon detonation and facilitate an informed discussion of these effects with stakeholders from states, the United Nations, other international organizations, and civil society. Delegations representing 127 states, the United Nations, the International Committee of the Red Cross, and civil society participated in the first conference, which was held in Oslo in March 2013. There were delegates from 146 states who participated in the second Conference in Nayarit, Mexico, in February, 2014, and 158 states including the United States and the United Kingdom participated in the third Conference in Vienna in December, 2014.

Key points from the presentations and discussions in these conferences included the following: the unlikelihood that a state or an international body would be able to address the immediate humanitarian emergency caused by a nuclear weapon detonation, evidence from historical experience that the use of nuclear weapons has had devastating immediate and long-term effects, the improbability that the effects of a nuclear weapon detonation will be constrained by national borders, and the reality of immediate death and destruction caused by a detonation as well as restricted socio-economic development and environmental damage.

**Humanitarian pledge**

On the last day of the Vienna Conference on the Humanitarian Impact of Nuclear Weapons in December 2014, Austria emphasized concerns for the security of all humanity as well as the importance of moral and ethical questions beyond the legality of nuclear weapons. Furthermore, the state affirmed that it is in the interest of the very survival of humanity that nuclear weapons never be used again under any circumstance. Austria accordingly made the following pledge:

1. Austria pledges to follow the imperative of human security for all and to promote the protection of civilians against risks stemming from nuclear weapons,
2. Austria pledges to cooperate with all stakeholders to identify and pursue effective measures to fill the legal gap for the prohibition and elimination of nuclear weapons, and
3. Austria pledges to cooperate with all relevant stakeholders in efforts to stigmatize, prohibit and eliminate nuclear weapons in light of their unacceptable humanitarian consequences and associated risks. (Austrian Pledge 2014)

Originally this pledge was called the “Austrian Pledge” and was presented solely in Austria’s national capacity. Because the pledge was supported by many states, it was renamed the “Humanitarian Pledge.” An examination of the pledge reveals the following: first, the pledge places emphasis on human security; second, it purports to fill the legal gap; and third, it stresses co-operation so as to stigmatize, prohibit, and eliminate nuclear weapons. In the context of the current examination of stigmatization, the third aspect, which directly refers to “stigmatize nuclear weapons,” is the most important and influential facet of the pledge.

It is evident from an analysis of the humanitarian approach and the Humanitarian Pledge that the fundamental reasons or the basis for stigmatization emanates from the
inhumane and immoral or unethical nature of nuclear weapons. In 2016, the United Nations General Assembly adopted resolutions for “Taking forward multilateral nuclear disarmament” in which a decision was made to negotiate a treaty to prohibit nuclear weapons. This decision is based on “the humanitarian consequences of nuclear weapons,” which emphasizes the humanitarian aspect of nuclear weapons, and on “the Humanitarian Pledge for the prohibition and elimination of nuclear weapons.” In addition, it adopted a resolution on “ethical imperatives for a nuclear-weapon-free world,” in which the ethical imperatives for nuclear disarmament and the urgency of achieving and maintaining a nuclear-weapon-free world were acknowledged and stressed that discussions on decisions and actions on nuclear disarmament must focus on the effect of these weapons on human beings and must be guided by the resulting unspeakable suffering.

In this regard, it is of importance that the opinions of Hibakusha, namely, the survivors of the 1945 atomic bombings of Hiroshima and Nagasaki are taken into account when discussing the humanitarian impact of nuclear weapons detonation and the subsequent suffering of the affected. In its preamble, the Prohibition Treaty notes, “mindful of the unacceptable suffering of the victims of the use of nuclear weapons (Hibakusha).”

_Meaning of stigmatize_

According to the Oxford English Dictionary, “stigmatize” means “to set a stigma upon; to make with a sign of disgrace or infamy; to ‘brand’; _esp._ to call by a disgraceful or reproachful name; to characterize by a term implying severe censure or condemnation” (Simpson and Weiner 1989, XVI, 691). Patricia Shamai stated

> The term stigma is generally understood to signify ‘something that is degrading or disgraceful’. It has been associated with labeling; ‘stigma denotes a special discrepancy between virtual and actual social identity. It is referred to as attribute that is deeply discrediting’. (Shamai 2015, 104–122)

Nina Tannenwald analyzed stigmatizing nuclear weapons in the context of “nuclear taboo” and argued for a broader explanation that emphasizes the role of a global anti-nuclear weapons movement, of non-nuclear states, as well as of Cold War power politics in the development of the taboo (Tannenwald 2005, 7). In the first critical 15 years of the nuclear era, when important precedents of non-use were set, and continuing in the same fashion to the present, less powerful states and non-state actors have sought to stigmatize nuclear weapons by exerting pressure in favor of nuclear arms control and calling for a ban on their use (11). Tannenwald constructed four pathways by which the taboo developed: the first pathway, social pressure, is a bottom-up process of normative change; the second pathway is normative power politics to publicly delegitimize weapons; the third pathway is the role of decision-makers of individual states whose actions foster nuclear restraint in crucial ways; and the fourth pathway is normative development, which is an iterated behavior over time (12–13). She declared: “The antinuclear weapon movement contributed to the formation of a taboo in three
ways: by shifting the discourse on nuclear weapons, by engaging in moral consciousness-raising, and by mobilizing public support in favor of nuclear restraint” (22).

Joelien Pretoius explained:

To stigmatize means to brand something (or someone) disgraceful, odious, and worthy of disapproval,” after stating, “I don’t see a ban treaty as a tool that can force nuclear-armed sates to give up their nuclear weapons. Rather, it’s a tool that can stigmatize nuclear weapons and more deeply entrench the taboo against their use – creating the conditions for disarmament. (Pretoius 2017)

The concept of stigmatization emerged from the deeper understanding of the inhuman nature of nuclear weapons because the humanitarian approach to nuclear disarmament has gained much acceptance and approval. At the same time, the moral and ethical aspect of nuclear weapons has been emphasized in many quarters as one important aspect to appeal for the stigmatization of nuclear weapons.

**Stigmatization: main purpose of the prohibition treaty**

Even as early as 2012, ICAN responded the question, “What are the practical benefits of stigmatizing nuclear weapons?” when they asserted:

A ban on nuclear weapons would strengthen the global taboo against the use and possession of weapons of mass destruction. It would put pressure on nuclear-armed nations to suspend their nuclear weapons modernization programmes and to work towards complete abolition. It would challenge allies of nuclear-armed states to end their support for the indefinite retention of nuclear forces. . . . In short, it would challenge all those who help sustain our nuclear-armed world. (ICAN 2013)

Reaching Critical Will identified “stigmatizing nuclear weapons” as one of the merits of the Prohibition Treaty, by stating:

Banning specific weapon systems can and does have a wide-ranging ethical standard-setting function that goes far beyond the terms and signatories of a particular treaty. . . . The stigmatization effects 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. (Acheson and Fihn 2013, 9)

Reaching Critical Will thus explained one of the potential impacts of the Prohibition Treaty:

Establishing a clear rejection of nuclear weapons would enhance the stigma that already exists against nuclear weapons. For individuals and for states, stigma shapes how certain weapons are recognized as unacceptable and incompatible with the identities they wish to hold in the world. (Acheson 2014, 25)

Article 36 states:

By establishing the clear rejection of nuclear weapons the ban treaty will enhance the stigma that already exists against these weapons. For individuals and for states, ‘stigma’ shapes how certain weapons are recognized as unacceptable and incompatible with the identities we wish to hold in the world. . . . Whilst it should not be expected that the existence of a treaty banning nuclear weapons will transform the policies of nuclear armed
state immediately, it will ensure that both domestic and international discussions regarding these weapons are conducted with a clear recognition that they are widely considered morally and legally unacceptable because of the catastrophic humanitarian consequences that they cause. (Article 36 2013, 2)

Beatrice Fihn further argued:

By stigmatizing nuclear weapons – declaring them unacceptable and immoral for all – the international community can start demanding and pressuring the nuclear-armed states and their military alliances to deliver what they’ve actually promised: a world free of nuclear weapons. Negotiating a new international treaty prohibiting nuclear weapons, even without participation of nuclear-armed states, would be one of the most effective tools for achieving such stigmatization. (Fihn 2017a)

From these analyses and statements, it is evident that stigmatizing nuclear weapons has been one of the most important purposes or elements of a prohibition treaty from the beginning of this process.

**Delegitimizing nuclear weapons**

**ICNND report**

The report titled “Eliminating nuclear threats: a practical agenda for global policymakers” was published by the International Commission of Nuclear Non-proliferation and Disarmament in December 2009; the chief purpose thereof was for the discussion at the 2010 NPT Review Conference. The report is very useful as it emphasizes the issue of “delegitimizing nuclear weapons” as an indispensable element of tackling the challenge of how to proceed with nuclear disarmament. “Delegitimizing nuclear weapons” is one of the main themes in the report so as to meet the challenge of nuclear disarmament. In the report, it is asserted: “The critical need is to finally transform perceptions of the role and utility of nuclear weapons, from occupying a central place in strategic thinking to being seen as quite marginal, and ultimately wholly unnecessary” (Evans and Kawaguchi 2009, xix). In addition, many measures with concrete actions, which should be carried out by 2025, are proposed in the report.

In the report, it is stated that this process had already begun to a significant extent and was reinforced by the advisory opinion of the International Court of Justice in 1996; three pieces of evidence were outlined:

(1) It is now broadly accepted that nuclear weapons have little or no utility as instrument of warfighting. Nuclear weapons, creating impassable terrains and causing long-lasting environmental damage, cannot rationally be used to take territory. Nor can they sensibly be used in the types of contemporary conflicts in which the international community now finds itself often embroiled, from Afghanistan to the Congo, or against non-state terrorist actors.

(2) There is a strong taboo on the actual use, if not possession, of nuclear weapons: a profound normative constraint, as well as a practical one, against using weapons of such indiscriminate and disproportionate destruction. Nuclear weapons are essentially self-deterring for actors who depend upon public support from their own populations, their allies, and broader international society.

(3) There is a base of delegitimization on which to build: it is a matter of restoring the momentum lost in the last decade, rather than starting from the beginning. Whatever
their perceived political role, nuclear arsenals no longer occupy pride of place in the security policies of the major powers. (Evans and Kawaguchi 2009, 59–60)

The arguments for nuclear deterrence and the shortcomings of deterrence utility of nuclear weapons are also examined in the report:

First, against the argument that nuclear weapons have deterred and will continue to deter war among major powers, it is not clear if there is any evidence to support the view that Soviet leaders any more than their US counterparts were determined to actually go to war at any particular time and only discouraged by the existence of the other’s nuclear weapons.

Second, against the argument that nuclear weapons will deter any large-scale conventional attacks, factors other than the possession of nuclear weapons or explosive devices can explain why the US, Russia, China, the UK, France, India, Pakistan, and North Korea have not been subjected to a large-scale attack.

Third, against the argument that nuclear weapons will deter any chemical or biological weapons attack, these weapons do not have the destructive potential as that of nuclear weapons.

Fourth, against the argument that nuclear weapons will deter terrorist attacks, nuclear weapons are neither strategically nor tactically nor politically necessary or useful for this purpose.

Fifth, against the argument that extended nuclear deterrence is necessary to reassure allies, there appears to be no doubt that for the foreseeable future Washington’s own nuclear deterrent will continue to be extended to its allies to protect them against any nuclear attack or threat that they might experience. However, extended deterrence does not have to mean “extended nuclear deterrence.” United States conventional capability constitutes a deterrent to any conceivable aggressor at least as credible as that posed by its nuclear weapons.

Finally, against the argument that any major move toward disarmament is inherently destabilizing, what is required is the progressive delegitimization of nuclear weapons, with states working to reduce the role of these weapons in their security policies (Evans and Kawaguchi 2009, 61–68).

After critically examining the validity of the central issue of nuclear deterrence, other justifications for retaining nuclear weapons are examined and criticized in the report. These are outlined as follows:

First, against the argument that nuclear weapons cannot be uninvented so there is no point trying to eliminate them, it is argued that like chemical and biological weapons, they can be outlawed. The two basic requirements for effective abolition are verification and enforcement procedures.

Second, the argument that nuclear weapons confer unequaled status and prestige is rebuffed because the acquisition of nuclear weapons is no longer quite the natural route to political prestige that it might have had once.

Third, the argument that disarmament is not necessary to advance nonproliferation is criticized by stating that it is a position that ignores the NPT obligations of the nuclear weapon states under Article VI.
Fourth, against the argument that nuclear weapons do not inhibit security cooperation among nuclear-armed states, it is stated that it is difficult to imagine such intense cooperation in an environment when the major nuclear-armed states still have thousands of nuclear weapons pointed at one another.

Fifth, against the argument that nuclear weapons cost less than conventional forces, it is argued that when taking into account the cost of a weapon system’s entire life cycle, the calculation changes significantly.

Finally, against the argument that nuclear weapons establishments are needed to maintain expertise, it is asserted that real expertise will be needed throughout the minimization and elimination process to ensure effective verification and other security measures.

The report includes 76 recommendations of the Commission; the general delegitimization of nuclear weapons is thus discussed in Recommendation 2:

2. Short- and medium-term efforts should focus on achieving the general delegitimization of nuclear weapons; on achieving this as soon as possible and by no later than 2025, there should be a “minimization point” characterized by:

(a) low numbers: a world with no more than 2,000 warheads (less than 10 percent of present arsenals);
(b) agreed doctrine: every nuclear armed-state committed to no first use of nuclear weapons; and
(c) credible force postures: verifiable deployment and alert status reflecting that doctrine.

(Evans and Kawaguchi 2009, 77)

The contents in this recommendation are elaborated and detailed with concrete information in other recommendations. In recommendation 42, it is stated that the minimization point objective should be to achieve a global total of no more than 2000 nuclear warheads, with the US and Russia reducing their warheads to a total of 500 nuclear weapons each, and with no increases at least in the arsenals of the other nuclear-armed states, by 2025.

Recommendation 49 puts forward that pending the ultimate elimination of nuclear weapons, every nuclear-armed state should make an unequivocal “no first use” declaration, committing itself to not using nuclear weapons either preventively or preemptively against a possible nuclear adversary, keeping them available only for use, or threat of use, by way of retaliation following a nuclear strike against itself or its allies.

Recommendation 53 proposes that new and unequivocal negative security assurances (NSAs) should be given by all the nuclear-armed states, supported by a binding Security Council resolution that they will not use nuclear weapons against non-nuclear weapon states.

In recommendation 54, it is suggested that all NPT nuclear-weapon states members should sign and ratify the protocols for all the nuclear-weapon-free zones and the other nuclear-armed states should issue stand-alone NSAs for each of them.

It is proposed in Recommendation 56 that it is crucial that ways be found to lengthen the decision-making fuse for the launch of any nuclear weapons and in particular, weapons be taken off launch-on-warning alert as soon as possible.

Recommendation 57 proposes that in order to achieve strategic dialogues capable of making real progress on disarmament, maximum possible transparency in both nuclear
doctrine and force postures should be offered by all nuclear-armed states (Evans and Kawaguchi 2009, 171–181).

**Report of James Martin Center for Nonproliferation Studies**

The report by James Martin Center for Nonproliferation Studies, Monterey Institute of International Studies, “Delegitimizing nuclear weapons: examining the validity of nuclear deterrence,” was published during the 2010 NPT Review Conference. The main purpose of the publication is thus described as follows: in order to eliminate nuclear weapons, we first need to deconstruct the nuclear weapons security edifice, examine the beliefs surrounding nuclear deterrence and nuclear weapons, and remove the value that has been assigned to nuclear arms. A process of delegitimization requires revoking the legal or legitimate status of the weapons through a process of devaluation, i.e., diminishing and destroying all claims to legitimacy, prestige, and authority.

In the report, nuclear deterrence is criticized: nuclear deterrence has been such a risky strategy, fraught with the consequences of accident and unchecked aggression, bound to promote proliferation, and not based on historical evidence. Small mistakes are not possible with nuclear weapons. Deterrence is the most commonly accepted quality of nuclear weapons, and in debates on nuclear weapons, it is an area in which the proponents of nuclear weapons and advocates of arms control find that they can compromise. However, it is striking how widely accepted nuclear deterrence is, given the paucity of real evidence in support of it (Berry et al. 2010, vi).

In conclusion, delegitimization of nuclear weapons is emphasized in the report as follows: Delegitimization of nuclear weapons is fundamental to prevent their use and achieve nuclear disarmament. Delegitimization is a process of devaluation, i.e., diminishing and destroying all claims to legitimacy, prestige, and authority. Delegitimization gets to the heart of the nuclear deterrence debate. The evidence for nuclear deterrence has been found wanting. Nuclear weapons are not particularly useful in today’s world, and may even have increased pre-existing dangers in the form of international terrorism and old and decaying weapons lying in storage. Nuclear weapons have no inherent legitimacy as weapons of war in that they are inhumane and indiscriminate and cause unacceptable harm. What deterrent legitimacy they possess has been conferred on them through the mind-games of the Cold War, a period that is now over. Delegitimization will be a self-reinforcing endeavor, affecting the credibility of deterrent threats and allowing the restatement of the immorality of both the use and threat of use of nuclear weapons (Berry et al. 2010, 69).

Various studies on issues having a deep connect with the delegitimization of nuclear weapons are outlined in the report. These studies are thus summarized.

First, there is clear evidence that the destruction of Hiroshima and Nagasaki did not end the Pacific War in 1945, but rather the declaration of war by the Soviet Union on August 8 did. Recent historical research in Japan and not-so-recent research from the Soviet archives have demonstrated that the destruction of Hiroshima and Nagasaki did not significantly influence the willingness of Japan’s General Staff and government to fight. Rather, the declaration of war by the Soviet Union on 8 August 1945 brought the Pacific War to an end because only at that point did Japan find itself in a no-win situation of fighting on two fronts simultaneously.
Second, contrary to the common belief, there is no evidence that nuclear weapons were instrumental in keeping peace during the Cold War. There is positive evidence that nuclear threats do not prevent conventional, chemical, or biological weapons attacks, even in circumstances where nuclear deterrence ought to work robustly. Nuclear weapons did not prevent the Soviet Union from occupying and holding most of Eastern Europe in the years after World War II. Nuclear weapons had no impact on events in China, where communist forces were victorious despite the possession of nuclear weapons by the US. Furthermore, US nuclear weapons had no power during both the Korean War and the Vietnam War.

Third, nuclear weapons have become a currency of power; even though nuclear weapons provide status today, new and different status symbols of power could be identified in the future. One of the fundamental mistakes of much of the thinking about nuclear weapons has been to be overly impressed with means, while ignoring ends. It is not surprising that this happened: nuclear explosions are awe-inspiring and impressive events. However, nuclear weapons have been around long enough for common sense to prevail.

Finally, nuclear weapons and their use are generally prohibited under existing international humanitarian law and customary international law. Some rules derived from the UN Charter and the Geneva Conventions require that the use of any weapon

- must be proportional to the initial attack;
- must be necessary for effective self-defense;
- must not be directed at civilians and civilian objects;
- must be used in a manner that makes it possible to discriminate between military targets and civilian non-targets;
- must not cause unnecessary or aggravated suffering to combatants;
- must not affect states that are not parties to the conflict; and
- must not cause severe, widespread or long-term damage to the environment.

Nuclear weapons violate each one of these rules (Berry et al. 2010, 15–36).

As a way to achieve nuclear disarmament, the engagement of the public has been identified as the single most important factor for achieving success in delegitimizing nuclear weapons. Mobilizing international public and political support and sustaining it throughout the disarmament process are possibly the most fundamental preconditions for progress on the path toward a world without nuclear weapons. A like-minded representative core group of states could begin a parallel track process to negotiate such agreements over a non-use treaty. It is time to open up a new debate and to consider the possibility that nuclear deterrence is not a valid framework for international security in the twenty-first century. It is time to make arrangements to get rid of nuclear weapons while we still have the opportunity.

Other arguments for delegitimizing nuclear weapons

First, at the panel discussion on delegitimizing nuclear weapons at the United Nations in December 2010, Randy Rydell argued for delegitimizing nuclear weapons as follows:
The entire nuclear weapons enterprise rests on a bedrock foundation of strata. The first strata is what could be called “interest,” consisting of material and political interests and institutional constituencies representing them who have an interest in the perpetuation of these weapons.

The second stratum is known as “ideas,” i.e., the power of ideas in shaping the thinking about nuclear weapons. These include the doctrine of deterrence, myths like the genie out of the bottle, and the alleged value of nuclear weapons in preventing further proliferation and preventing the use of other types of weapons of mass destruction, as well as conventional war, the perceived prestige value of such weapons, and the declared value of such weapons in alliance.

The prescription for the future elimination of nuclear weapons implies the need to eliminate its superstructure, which includes all of these institutions and ideas that support it. Therefore, one has to address the weakness at the foundation of this superstructure. (Rydell 2010, 3)

Second, Amandeep Gill in his “Taking the path of delegitimization to nuclear disarmament,” by employing the definition that delegitimization is to diminish or destroy the legitimacy, prestige, or authority of an entrenched idea or object, stated that if nuclear weapons are presently an established currency of politics and security, delegitimizing them would imply numerous actions or processes that devalue nuclear weapons and render them increasingly worthless. In Gill’s paper, a “base camp” on the path to the “summit” of nuclear elimination in which the current tradition of nuclear non-use has been strengthened significantly so that nuclear use and nuclear threats are delegitimized as instruments of national power is described (Gill 2009).

Third, in 2006, Jack Mendelsohn, in his “Delegitimizing nuclear weapons,” argued as a proposal for the next US Administration that the country should take the lead in making the use of nuclear weapons unacceptable under any but the most extenuating circumstances. He asserted that the next administration should declare that the US does not consider nuclear weapons to be a legitimate weapon of war and will not use them unless they are used by an adversary. A first-use policy of the US reinforces the value and prestige attributed to nuclear weapons and undermines the efforts of the US to persuade other nations to refrain from developing their own nuclear arsenals. As another important aspect of the delegitimization process, the US, rather than preserving and heralding the right of first use, should urge the international community to ban the use of nuclear weapons except in retaliation for nuclear use by others or particularly, in the case of small states such as Israel as a last resort if the survival of the nation is at risk. In addition, the next US administration should encourage the creation of nuclear-weapon-free zones, the goal of which would be to make increasing areas or the globe off limits to nuclear weapons. Thus far, however, the United States has resisted the notion of new zones being created (Mendelsohn 2006, 14).

Fourth, the Reaching Critical Will argued that one way toward nuclear disarmament is the delegitimization of nuclear weapons. To delegitimize something means to diminish or destroy the legitimacy, prestige or authority of a given idea concept or object. In order to delegitimize anything, there is a critical need to change the perception of its role and utility; from a position in which it occupied a central strategic place to one in which its role is viewed as wholly unnecessary as well as undesirable. They expressed the view that the absence of any great catastrophe can be attributed to luck than to the effectiveness of nuclear deterrence, the indiscriminate nature of nuclear weapons would
be a violation of international humanitarian law and nuclear weapons would have little or no utility as instruments of war. Therefore, they argued that in order to abolish nuclear weapons today, their role as a central strategic asset in a state’s national security needs to be redefined and security issues have to principally focus on human security concerns (Reaching Critical Will 2012).

Finally, Ward Wilson critically examined the value of nuclear weapons and concluded that the conventional ideas or perceptions are nothing but myths. He surveyed five myths: (1) nuclear weapons necessarily shock and awe opponents, including Japan at the end of World War II; (2) nuclear deterrence is reliable in a crisis; (3) destruction wins wars; (4) bomb has kept the peace for 65 years; and (5) nuclear genie cannot be put back into a bottle (Wilson 2013). He did not use the word “delegitimization,” but his analysis concerned with delegitimating nuclear weapons.

Meaning of delegitimize

According to the Oxford Dictionary, “legitimate” means “conformable to law or rule; sanctioned or authorized by law or right; lawful; proper,” and, “normal, regular; conformable to a recognized standard type” (Simpson and Weiner 1989, VIII, 811). From this definition, “delegitimize” would mean to remove or revoke legitimacy from what is thought to be legitimate. Delegitimization principally is concerned with a legal or lawful aspect. However, it does not exclude a political aspect; a political agreement or a unilateral action can be included in the concept.

In essence, delegitimization means to diminish or destroy the legitimacy, prestige, or authority of an entrenched idea or object. Delegitimization of nuclear weapons is generally understood as transforming perceptions of the role and utility of nuclear weapons, from occupying a central role in strategic thinking to being seen as quite marginal and ultimately, wholly unnecessary. A process of delegitimization requires revoking the legal or legitimate status of nuclear weapons through a process of devaluation, i.e., diminishing and destroying all claims to legitimacy, prestige, and authority of nuclear weapons. Delegitimating is a necessary precondition to proceed to a world without nuclear weapons.

Delegitimization: concrete measures for nuclear disarmament

The basis for delegitimization of nuclear weapons rests on the re-examination of current discourses, ideas, and perceptions thereof as well as nuclear deterrence. The most important issue is nuclear deterrence, which is the basic concept supporting the idea of maintaining nuclear weapons as one of the best ways to ensure national security. However, if these issues are examined critically and based on reality, the current powerful perceptions or ideas on nuclear weapons and nuclear deterrence do not appear to have logical and realistic bases.

With reference to nuclear deterrence, there is no clear evidence that nuclear weapons have deterred war among the major powers. The argument that nuclear weapons deter conventional attacks clearly lacks evidence; there are many cases where a non-nuclear-weapon state has attacked a nuclear-armed state. It is generally believed that nuclear deterrence will not work against terrorist attacks. Deterrence is the most commonly accepted argument for nuclear weapons, but real evidence in support of it is very limited.
Other reasons for keeping nuclear weapons, for example, myths like the genie out of the bottle, perceived prestige, or status value of such weapons and declared value of such weapons in alliance need to be reexamined, based on the current situation surrounding nuclear weapons. In this process, it is necessary to learn from research and arguments, which have cast doubts on the value of nuclear weapons with respect to not only strategic and military aspects but also humanitarian and moral aspects, and take into account the taboo against nuclear weapons.

The following concrete measures to delegitimize nuclear weapons are recommended. The first is the adoption of the policy of no first use of nuclear weapons. This policy would not deny nuclear deterrence, but would ensure that nuclear weapons are used only when other states use them first. The second is the reduction of nuclear weapons by the US and Russia, which will hopefully be followed by other nuclear-armed states. The third involves providing stronger NSAs to non-nuclear-weapon states, which will hopefully be legally binding. The ratification of the protocols to the nuclear-weapon-free zone treaties is the fourth measure and, the fifth involves de-alerting nuclear weapons by lengthening the decision-making fuse for the launch as well as by removing the launch-on-warning alert. There are also many other measures that should be considered as soon as possible.

Two approaches toward a world without nuclear weapons

The two approaches toward a world without nuclear weapons, namely, stigmatizing and delegitimizing nuclear weapons, have been discussed from several angles in this article. The two approaches are similar in some respects, but quite different in other respects. It is necessary to compare the two approaches to find out how each one of them differs from and relates to the other. The main purposes of their arguments, reasons for adopting their approaches, means to achieve their purposes, how each of them define security, and the effectiveness of each proposal are examined.

First, the purpose of stigmatizing nuclear weapons is to make a world without nuclear weapons a reality through the stigmatization of nuclear weapons. There exists strong support for the idea that it is indispensable to stigmatize nuclear weapons in order to create a nuclear-free world. The proponents thereof believe that it is fundamentally necessary to change people’s views on nuclear weapons by stigmatizing them. On the contrary, the proponents of delegitimization of nuclear weapons argue that in order to create a world without nuclear weapons, delegitimization of nuclear weapons as a logical process toward a nuclear-free world is necessary. In conclusion, one can deduce that the purpose of the two approaches is the same, namely, to achieve a world without nuclear weapons.

Second, one may ask what reasons there are for two different approaches that have the same purpose, namely, a world without nuclear weapons. The arguments of the proponents of stigmatization of nuclear weapons focus on the humanitarian aspects of nuclear weapons. The starting point for them is the recognition of the catastrophic humanitarian consequences of nuclear weapons detonation. They believe that it is in the interest of the very survival of humanity that nuclear weapons never be used again in any circumstances. The latter implies the complete elimination of nuclear weapons. The fundamental reason for stigmatizing nuclear weapons is the inhumane nature of nuclear weapons. In addition, nuclear weapons are strongly criticized from a moral or
ethical point of view. They argue that nuclear weapons are indiscriminate and have the power to destroy all humankind. From this point of view, nuclear weapons cannot be admitted as a normal weapon system.

In contrast, the proponents of delegitimization of nuclear weapons argue that the main logic supporting nuclear weapons, that is, nuclear deterrence is based on ideas or perceptions, which are completely mistaken or have an incorrect understanding of the real situation. They demand that we should think about security issues based on reality not myths. They argue that there is no clear evidence that nuclear deterrence among nuclear-armed states worked; there are many cases where non-nuclear states attacked nuclear-armed states and nuclear deterrence will not work against terrorists. Furthermore, additional nuclear risk is increasing by the unintentional use of nuclear weapons or cyber-attacks on nuclear-related facilities. The reasons for the proponents of delegitimization of nuclear weapons are based on the mistaken perception of nuclear weapons, mainly nuclear deterrence. Stigmatization focuses on humanitarian concerns while delegitimization focuses on military and political concerns.

Third, one may ask about the means with which they are proposing to accomplish their purposes. The means to realize the stigmatization of nuclear weapons was the conclusion of the Treaty on the Prohibition of Nuclear Weapons. The Treaty was proposed by like-minded non-nuclear-weapon countries with strong support from international civil society. The main regulation of the Treaty is to prohibit the use and possession of nuclear weapons. The Treaty was negotiated only among non-nuclear-weapons states. Those states which have nuclear weapons strongly oppose the Treaty, and currently, there is no prospect that they will join the Treaty. However, the proponents of stigmatization of nuclear weapons argue that the Treaty will create perceptions of unacceptability through the stigmatization of nuclear weapons, which may be incompatible with the identity that a state wishes to have in the world.

In contrast, the means proposed by the proponents of delegitimization are concrete measures, which can be a precondition for the complete elimination of nuclear weapons. The main measures that are proposed for delegitimizing nuclear weapons include the adoption of the policy of no first use of nuclear weapons, the reduction of nuclear weapons, the provision of stronger NSAs to non-nuclear-weapon states, and the adoption of de-alerting nuclear weapons. These measures would reduce the role of nuclear weapons in a national security policy or doctrine. President Obama once argued for the reduction of the role of nuclear weapons. Moreover, in the US Government, various discussions on these issues were held. The means are quite different in the two approaches. On the one hand, the Prohibition Treaty is rather abstract and has a long-term program. On the other hand, the measures for delegitimization are very concrete and have short-term objectives.

Fourth, the meaning that each approach ascribes to security appears to be different. In the case of delegitimization, security means national and military security, which has traditionally been discussed in international relations and international peace and security studies. However, the proponents of stigmatization do not regard security of a national and military nature but human security or security for all humanity. The Humanitarian Pledge referred to the imperative of human security for all, and the Preamble of the Treaty stipulates that risks posed by nuclear weapons concern the security of all humanity. The two approaches have very different views on this issue. As
a new trend, the proponents of stigmatization emphasize human security and security for all humanity because nuclear weapons are not a risk to one state but to all mankind.

There has been a general trend that the concept of security has been vertically and horizontally expanded in the international society. Vertically, the concept was expanded to include global security and human security and horizontally, it now includes environmental security, energy security, economic security, water security, etc. The expansion of the concept means that new areas of security are as important as traditional national and military security. The evaluation of the importance or significance of subjects or areas in international relations is shifting to putting more emphasis on non-national or non-military issues.

Fifth, the effectiveness of each approach depends on the future actions of stakeholders. In the case of stigmatization, the Prohibition Treaty was adopted and will be enforced in the near future; the Treaty requires the ratification of 50 states to enter into force, while 122 states agreed to adopt the Treaty. The enforcement of the Treaty will not mean that the goal of stigmatization has succeeded, but it will be a starting point of stigmatization of nuclear weapons. Stakeholders will include civil society and the states supporting the Treaty to promote the abolition of nuclear weapons by producing strong public opinions that oppose nuclear weapons mainly in democratic countries such as the US, European states, Japan, Australia, and the Republic of Korea, all of which now strongly oppose the Treaty. It will take a long time to promote an anti-nuclear policy in these states. Those who promoted the Treaty must continue to work much harder to stigmatize nuclear weapons. In the cases of Russia, China, and other countries, the situation appears to be more severe. There is a possibility that the promotion of stigmatization may stimulate a practical and concrete nuclear disarmament movement in areas other than those stipulated in the Prohibition Treaty.

In the case of delegitimization, stakeholders include not only civil society, but also non-nuclear-weapon states, states under the nuclear umbrella, and even nuclear-armed states. The measures proposed for delegitimization are so wide-ranged and varied that any stakeholder would be able to work for their realization. For example, the US adopted a new NSAs policy in its nuclear posture review; President Obama looked for an opportunity to adopt the policy of no first use at the end of his second term. These measures can be thought of as concrete nuclear disarmament measures, for which Article VI of the NPT obligates the state parties to pursue negotiations.

Sixth, nuclear deterrence is one of the most significant justifications for countries having nuclear weapons in order to maintain and improve the weapons. It is also the main focus of arguments for and against nuclear weapons. Those owning nuclear weapons and those under the nuclear umbrella always strongly argue for the importance of nuclear deterrence for their national security. The argument against nuclear deterrence is one of the points that both approaches have in common.

However, the relations between nuclear deterrence and each of the two approaches are different. The stigmatization approach denies not only nuclear deterrence but also the very existence of nuclear weapons and directly argues for nuclear abolition. The delegitimization approach focuses on nuclear deterrence because it is one of the most significant aspects of the utility of nuclear weapons. Then, this approach tries to reduce the role of nuclear weapons in national security policy, mainly criticizing nuclear deterrence. Proponents also argue to reduce the number of nuclear weapons and
prohibit some nuclear-weapon-related activities to delegitimize nuclear weapons. This is a gradual attempt to proceed to nuclear abolition by delegitimizing nuclear weapons.

Finally, the two approaches have common purposes but different reasons and means, which are neither conflicting nor exclusive of each other. As their purposes are common, the relation between the two approaches is complementary. The difference in their reasons and means is relative. For example, the issue of nuclear taboo is discussed in both approaches. These two approaches are pursuing the same goal through relatively different ideas and processes. In essence, stigmatization emphasizes humanitarian and moral aspects while delegitimization stresses political and military aspects and questions the utility of nuclear weapons. Stigmatization mainly appeals to human sensibility, while delegitimization appeals to human reasoning. Stigmatization stresses human security and the security of all humanity, while delegitimization emphasizes national and military security. In spite of these differences with respect to emphasis on some aspects, the purpose of both approaches is the same. Subsequently, both approaches should make efforts in their quest for a world without nuclear weapons. The two approaches will function to complement each other to produce better results.

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