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Melly Masni

Department of Political Science, Faculty of Social and Governmental Sciences, Universitas Islam Negeri Ar-Raniry Banda Aceh, mellymasni@gmail.com

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NORM EXEMPTION IN STATES’ NPT NUCLEAR DISARMAMENT OBLIGATIONS

Melly Masni

Department of Political Science, Faculty of Arts
Universitas Islam Negeri Ar-Raniry Banda Aceh

Email: mellymasni@gmail.com
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Abstract
The Nuclear Nonproliferation Treaty (NPT) is highly appreciated for its ability to stop further nuclear proliferation in the world. Since its existence, this treaty has been said to be successful in preventing potential states from possessing weapons of mass destruction. At least, there are more than 40 states who have the capability to develop their own nuclear programmes, although such programmes are restrained from coming to fruition. However, this successful story has not taken place in the area of nuclear disarmament. None of its nuclear weapon-owning members seem to proceed with realising a full disarmament aim. This raises the question of why the NPT is unable to achieve success in the field of nuclear disarmament as it has in the field of nuclear non-proliferation. The NPT does not only contain the idea of nuclear non-proliferation, but also the idea of nuclear disarmament. In understanding this question, using a political psychology approach, this study finds that nuclear-weapon states face the so-called moral dilemma between the desire to achieve national interests and the desire to fulfi l social demands required by the international norm. By taking advantage of the shortcomings in the NPT narrative as well as relevant world situations, these states attempt to be exempted from dismantling nuclear weapons under their possession.

Keywords:
deterrence, disarmament, norms, proliferation

1 This article is derived from the author’s master’s thesis at Monash University, Australia.
INTRODUCTION

Nuclear weapons have been considered as the ultimate weapons since the detonation of atomic bombs in Hiroshima and Nagasaki in August 1945. The weapons are often associated with great power states since all five countries which exclusively sit as permanent members of the United Nations Security Council (UNSC) possess the weapons of mass destruction. As these weapons are known to have immense destructive power and deterrence capability, many scholars, particularly those from the rationalist approaches of International Relations (IR) theory—such as realism and neorealism—predicted that with the end of the Cold War, more countries would acquire nuclear weapons (Long, 2000, p. 24). They projected that with the end of the bipolar world, marked by the demise of the Soviet Union in 1991, the world would enter an era of multipolar system where the source of power might come from various poles. Mearsheimer (1990, p. 37), for instance, predicted that further nuclear proliferation would be the most likely scenario in Europe after the Cold War ended. Former United States president John F. Kennedy estimated that around 25 to 30 new nuclear weapon states would come into existence by the 1990s (Long, 2000, p. 24). Both scholars and policy experts became intensely interested in the possibilities of further nuclear proliferation at that time.

Nevertheless, since Hiroshima and Nagasaki until today, the predicted increase in the proliferation rate has not happened. Today, only nine states are known to have nuclear weapons, comprising only five percent of all states in the world. What about the other 95 percent? Rublee (2009, p. 31) shows that among the 95 percent of states which ignore the enchantment of nuclear weapons and support the nuclear non-proliferation regime, in fact, more than 40 states have the capabilities to build nuclear weapons, but they choose not to do it.

The slow rate of nuclear proliferation is hard for rationalists to explain, given their prior forecasts. Besides, the nuclear non-proliferation regime is much praised for its achievement in contributing to the current success of non-proliferation. In explaining this phenomenon, constructivists contend that the success cannot be separated from the critical role played by the Nuclear Non-proliferation Treaty (NPT). The treaty, which embodies the international nuclear non-proliferation norms, is deemed as an important component in successfully blocking the spread of nuclear proliferation. The great contribution of this treaty lies in how it offers a permanent solution to the awful possibility of a nuclear age; that is encouraging the Non-Nuclear Weapon States (NNWS) to agree to forego nuclear weapons programmes and remain non-nuclear indefinitely.
Furthermore, in terms of membership, this treaty is acknowledged as the most universal treaty in history, with only four states remaining outside of it.

Nonetheless, the importance of the NPT is not only in how it imposes non-proliferation obligations on the NNWS. As its main goal is to realise a world free of nuclear weapons, this treaty looks forward to the full removal of nuclear weapons from the face of the earth, by also imposing disarmament obligations on the Nuclear Weapon States (NWS), as well articulated in the Article VI of the treaty. Article VI of the NPT states that in order to pursue a world without nuclear weapons, the nuclear states need “to pursue negotiations in good faith on effective measures relating to a cessation of the nuclear arms race at an early date, and to nuclear disarmament … under strict and effective international control” (IAEA, 1970, art. 4). Yet the reality appears to be the opposite. The NPT has been heavily criticised because it does not set any time frame for NWS to take effect the complete dismantlement of their nuclear weapon programmes. Moreover, instead of fulfilling their obligations under Article VI of the NPT Treaty, the U.S. and Russia, for instance, are planning to allocate billions specifically for upgrading and modernising their nuclear arsenals. Meanwhile, China has been in the process of modernising the quality as well as adding the quantity of its nuclear weapons (Sulaiman, 2020). Consequently, there is growing dissatisfaction among NNWS that, while they keep their promise not to “receive, manufacture, or otherwise acquire nuclear weapons” as articulated by Article II of the treaty, their NWS counterparts lack serious engagement in achieving the goal set by the NPT, which is to fully eliminate their nuclear weapons. Moreover, it can be seen as a severe blow to constructivists who put their trust in the effects of international norms on states’ behaviour.

As a result of frustrations over the failure of NWS to make adequate progress on their commitments over nuclear disarmament, since 2010, states, civil society, and individuals have engaged in what came to be known as the Humanitarian Initiative. Through this initiative, the possession of nuclear weapons, which has long been seen as inevitable or normal, particularly for those possessed by great powers, is now subject to fundamental reassessment. The idea that was embraced by the Humanitarian Initiative advocates was to publicise nuclear weapons’ inhumane effects widely, in order to delegitimise the weapons as parts of states’ military arsenals (Hanson, 2018).

There were three Humanitarian Initiative conferences expected to provide a forum for developing acknowledgement for a humanitarian framing in the debate on nuclear weapons and disarmament. The Oslo conference (2013) marked the first ever meeting on
the humanitarian impact of nuclear weapons, with 127 states joined the talks. However, resistance to the humanitarian reframing was also gathering, mainly from the side of nuclear weapons states as well as a number of their allies. More than 40 states, including the five recognised nuclear-armed states under the NPT framework, took a joint position to boycott Humanitarian Initiative’s negotiation. The second conference, held in Nayarit, Mexico, on 13-14 February 2014, is interesting because the number of participating states increased to 146. Raising a topic similar to Oslo, the Nayarit conference included discussions about the risk of accidental nuclear explosions and the possibility of miscalculated uses of nuclear weapons. There were unexpected occurrences at both the Oslo and Nayarit Humanitarian Initiative meetings, when two nuclear weapons states which are not NPT signatories, India and Pakistan, took part in the negotiations while the five acknowledged nuclear weapons states did not. India and Pakistan also attended the third Humanitarian Initiative meeting in Vienna.

Furthermore, the Treaty on the Prohibition of Nuclear Weapons was adopted on 7 July 2017 at the United Nations’ (UN) headquarter in New York (Kimball 2017). The basic premise of the treaty is a recognition of “the catastrophic humanitarian consequences that would result from any use of nuclear weapons,” and a consensus that complete elimination of these weapons “remains the only way to guarantee that nuclear weapons are never used again under any circumstance,” (Gladstone 2017, para. 27). Therefore, the new treaty outlaws for its parties the use, threat of use, testing, development, production, possession, transfer and deployment of nuclear weapons under international law (NTI, 2018). In addition, for nuclear weapon states which choose to join, the new accord outlines a further process for their nuclear stockpiles to be demolished and for enforcing the states’ commitment to remain nuclear weapons free.

The result was unsurprising. This new treaty was strongly rejected and was not signed by a number of key states, including states who possess nuclear weapons, as well as most of their allies. The U.S. along with its close Western allies, for instance, publicly opposed the treaty by calling it misguided and reckless (Gladstone 2017). In a joint statement released just after the treaty was adopted, three nuclear weapon states—the U.S., the United Kingdom (U.K.), and France—clearly said “We do not intend to sign, ratify or ever become party to it” (The Permanent Representatives to the United Nations of the United States, United Kingdom, and France, 2017). The unwillingness of those nuclear weapon states to make any significant progress is, at the same time, seen as a
justification for the realist belief that international institutions are beneficial only as the instrument to serve great powers’ interests (Mearsheimer 1994).

Based on the background of the problem described above, the author highlights that there are two contrasting responses shown by the NPT member states in regard to the ideas of nuclear non-proliferation and disarmament, although both principles are contained in the NPT. When it comes to nuclear non-proliferation, it can be found that both NWS and NNWS are in the same group, which is to accept the norm as well as willing to implement the related obligations required by the NPT. On the other hand, NWS seem to take the opposite direction against NNWS in terms of nuclear disarmament principle. Furthermore, previous studies under realist and constructivist approaches cannot provide explanations which fit for all given situations. Realists, for instance, are only able to explain the dynamics in the nuclear disarmament but fail to understand why the majority of states in the world choose not to possess nuclear weapons. Meanwhile, constructivists are only successful in providing the reasons of why the option of non-proliferation is preferable but cannot provide further explanations over the ongoing non-progressive nuclear disarmament.

Therefore, this study would like to question why the NPT is unsuccessful in the field of nuclear disarmament as it has in nuclear non-proliferation. To answer this question, the next section will elaborate on the main factors influencing states’ nuclear policies using a social psychological approach. The use of this approach is intended to bridge the logics prescribed by both rationalists and constructivists in relations with the states’ needs to fulfil national interests and their obligations to social expectations at the same time. By using this political psychological approach, this study argues that in response to the moral dilemma faced by the NWS, they take advantage of plausible interpretation of the NPT narratives and situation at hand so their possession of nuclear weapons can be seen as a norm exemption.

**ANALYTICAL FRAMEWORK**

The basic assumption of the constructivist perspective is that ideas matter. As proposed by Wendt (1992, p. 398), “the social world (or “reality”) is comprised of a set of ideas and beliefs that structure and give meaning to relations.” This is supported by Jackson and Sorensen (2006, p. 254) who also argue that “the social world is a world of human consciousness of thoughts and beliefs, of ideas and concepts, of language and discourses, of signals, and understanding among human beings, especially group of human beings,
such as states and nations.” In explaining the nuclear weapons which devastated Hiroshima and Nagasaki, for instance, constructivists might contend that the weapons were just physical entities. It was the ideas that give the meaning to this material object whether seen as security or insecurity instruments. It is as suggested by Malik (2015, p. 72) that a material object can be perceived in various ways by actors since meanings associated to them are intersubjectively constituted.

By understanding the role of ideas, constructivism has successfully explained the success of the non-proliferation regime, which brought 95 percent of states in the world to decide not to possess nuclear weapons. Rublee (2009) explains that the change of ideas about nuclear weapons—from the idea of nuclear weapons as attractive political tools to the idea of nuclear weapons as dangerous agents of mass destruction—has successfully led most states in the world to nuclear forbearance. This argument is also supported by Long and Grillot (2000, p. 27), who suggest that changes in ideas and beliefs about the value of nuclear weapons are followed by changes in the strategies chosen by states to obtain their interests. Consequently, nuclear weapons are no longer seen as a security tool but rather as a source of insecurity. Nonetheless, in regard to nuclear disarmament, an unanswered problem is that it seems that the great powers have not experienced any change in their ideas about nuclear weapons. This was proven by the Obama administration, who admitted that ‘nuclear weapons continue to play a unique role in protecting U.S. national security and in maintaining international peace and stability’ (White & Santoro, 2011, p. 102). Why has the change of ideas about nuclear weapons not also been experienced by the great powers or NWS, as it has by their NNWS counterparts?

One of the prominent studies in the nuclear disarmament area that comes from the constructivist group is the work of Hayes (2015). In his concept of the logic of habits, he explains that the current unsatisfactory state of nuclear disarmament is caused by the fear that conducting a complete elimination of nuclear weapons would create instability. Hayes (2015, p. 508) contends that instability could occur because of the habituated understanding of the role and importance of nuclear weapons in ensuring security among nations. Hence, states with this habituated understanding cannot imagine their future survival without the existence of nuclear weapons. Nevertheless, if, for instance, the America’s slow disarmament progress was due to such a habituated understanding, why did Obama make a very bold declaration about American’s commitment to realising a world without nuclear weapons under his leadership? It was, indeed, a bold break with the disarmament scepticism of the previous administration.
To answer several questions arising from the above discussion, the relevance of norms will be considered. This social trait has often been used by constructivists to explain events in international relations. Constructivists believe that material considerations alone, such as cost-benefit calculations are insufficient to understand international events, and that states’ behaviours are also influenced by their social environments. Therefore, the incorporation of social concepts into IR debates is deemed necessary. Regarding the importance of norms, for example, Jackson and Sorensen (2013, p. 210) explain the significance of the inclusion of norms in understanding states’ political attitudes within the international political system. They believe that international norms, which are understood as the global standard of appropriateness, often affect and motivate states to choose certain political choices.

What distinguishes critical approaches, such as constructivism, from its rationalist peers, such as realism and neoliberalism, is that this perspective stresses how social environments influence elite decision making. In regard to the dynamics of nuclear politics, constructivists might argue that material considerations alone cannot be relied upon to understand the different attitudes shown by those with or without possession of this type of weapon. If states did not take non-material considerations into account, nuclear weapons would continue to be seen as an important defence strategy by every country in the world; thus, there will be no reason for them to either non-proliferate or disarm their nuclear weapons. Nonetheless, it has been shown that only five percent of the total states in the world currently possess these weapons. Realists may counter this argument by using the nuclear umbrella as practised by the U.S. and its allies to explain why not all countries need a nuclear weapon to defend their territories. Furthermore, the economic benefits of participating within multilateral organisations such as the NPT, according to neo-liberalists, have discouraged states from acquiring nuclear weapons.

These material explanations offered by the rationalists, however, leave a loophole. First, in the international system, which is portrayed as anarchic by realists, why would a state prefer to rely for its survival on other states? Who can assume that today’s friend will be tomorrow’s friend? Moreover, if economic benefits are the only things that states try to secure in exchange for not having nuclear weapons, why would states like North Korea, known as one of the poorest countries in the world, for instance, choose to maintain its nuclear weapons programme? Those questions suggest that material explanations alone, through military and economic analyses, do not match with reality.
Therefore, against this background, an idea-centred analysis underpinned by the key normative trait of norms is considered important to be taken into account. Norms are identified by social constructivists as one of the social aspects that can have strong effects on policy-making process. Jackson and Sorensen (2013, p. 210) argue that thoughts and ideas, and thus norms, need to be taken more into account if one wants to understand political movements within the international political system. The basic idea proposed by the norms literature is that cost-benefit calculations or material considerations are not the only measurements actors use in generating a decision. In the process of decision-making, non-material considerations such as the logic of appropriateness, for instance, also play an important role in motivating states to take certain policy actions.

One of the general definitions of norms is found in the work of Finnemore and Sikkink (1998, p. 891), who argue that a norm is “a standard of appropriate behaviour for actors with a given identity.” By that definition, it is obvious that intersubjective dimensions are involved, since a norm is framed by a standard of “appropriate” or “proper” behaviour. Appropriateness itself, therefore, must come in various forms, since it derives from the intersubjective interpretations of actors; what is considered appropriate by one party may not be considered appropriate by others. This explains why it is important to formalise or institutionalise a standard of “appropriateness”, so that everyone can have common standards and avoid misinterpretation about what is appropriate or inappropriate. Therefore, Finnemore and Sikkink (1998, p. 892) stress that even though actors may vary in giving meanings to certain norms, they may accept the appropriateness of a norm because they either believe it is inevitable or have no choice but to accept it. This is how norms can have powerful effects on states’ behaviours. States may obey certain norms not only because they have an ultimate belief about the ideals and values being shared by the norms, but also because they take a reference from the judgement of others in the international community. Therefore, though they are not in an agreement with the norm being discussed, they may obey it because of the quality of “oughtness” and shared moral assessment that a norm embodies (Finnemore and Sikkink 1998, p. 892).

Then the question arises: how does an idea become a norm? Since a norm embodies shared assessments, to be called a norm it has to achieve a common meeting point shared among a number of actors. Finnemore and Sikkink (1998, p. 893) further suggest that to understand the process of a norm’s emergence, one needs to examine the norm’s “life cycle”. This is the constructivists’ way of explaining how an idea becomes a
norm. Moreover, to be a norm, a tipping or threshold point, which is part of a norm’s life cycle, needs to be reached. That is how an agreement on emergent norms is achieved by a critical mass of actors. Furthermore, Finnemore and Sikkink (1998, p. 901) prescribe that in order to reach the threshold point, there are two conditions that need to be realised. The first is that at least one-third of the total states in the system need to adopt the norms. The second condition regards who adopts the norm. The more critical actors join the crowd, the greater possibility that the norms will reach the tipping point.

Furthermore, to gain a better understanding of how deeply a norm can affect states’ behaviours, it is important to trace the life cycle of the norm, which, according to Finnemore and Sikkink (1998), may pass through a three-stage process, although the completion of all stages is not an inevitable process. As presented in Figure 1, the first stage of the norm life cycle is “norm emergence”. The focus in this stage lies in how norm entrepreneurs attempt to persuade a critical mass of relevant states to embrace new norms that they are promoting. It can be seen from Figure 1 that the first and second stage of a norm’s life cycle is divided by a tipping point. This point can be reached once a number of relevant states adopt the norms, which is detailed in the Finnemore-Sikkink’s research (1998) as one-third of the total states in the system. The second stage involves the so-called “norm cascade” where imitation becomes the main characteristic of the stage. In this stage, norm leaders, which are those critical states that have adopted the norm, attempt to socialise the norm to other states so they can become norm followers as well. Finnemore and Sikkink (1998, p. 895) argue that various motivations may encourage states in this second stage of the norm’s life cycle; among prominent motivations are pressure for compliance, motivation to gain international legitimation, as well as the state leaders’ desire to improve their self-esteem through promoting such norms. The peak of the norm life cycle is when norm internalisation takes place. This is where a norm adoption achieves a taken-for-granted quality. At this stage, states’ motivation to embrace a norm is not influenced by either the desire to imitate norm leaders or fear of social costs.
but rather, as suggested by Rublee (2009), there is a change in their basic ideas or perspective about the norm such as that they believe it to be morally inevitable.

In the adoption of norms, Shannon (2000) argues that state decision makers are often challenged by what so-called “moral dilemma” which is the condition when self-defined national interests conflict with a given norm. The dilemma is caused by actors’ perceived obligations to both conform to social expectation and pursue national interests. In such condition, leaders who prioritise their standing in the international community would resolve the dilemma by seeking a way that will exempt them from the norm’s constraints without risking their positive reputation in the international society’s eyes. In this case, leaders would attempt to gain social approval so their actions against the norm would be unlikely seen as norm violation, but rather be seen as norm exemption.

In order to be seen legitimate, Shannon (2000, p. 303) further states that “norms become what decision leaders make of them”. To be legitimate, it depends on two aspects. First, if the norm itself, seen from the decision makers’ point of views, as having prescriptions or parameters which allow new interpretations to arise. Second, if there are relevant situations which could lead to a justification toward the socially accepted violation. In the case that these two aspects exist, the leaders would seek a room for reinterpretating the given norm so they could negotiate the ambiguous norm and situations given to get such a kind of social approval from domestic and international audiences. By doing so, it would absolve them from moral weights in which others would see the non-compliance to be a legitimate exemption. Meanwhile, in the case that these two conditions are not found, leaders who value their positions in the international community would rather comply with the norm and abandon their self-perceived interests, otherwise engage in covert operations.

**RESEARCH METHOD**

This study is a discourse analysis which constitutes an interpretative approach. The significance of discourse is recognised by Milliken (1999, p. 229), who suggests the incorporation of discourse within a research because it will allow scholars to “de-naturalize dominant forms of knowledge and expose to critical questioning the practices that they enable.” Levornik (2015) also asserts the importance of discourse by stressing how it is able to reveal the perceptions of individuals and groups and can have a constructive effect on other people’s views. Discourse is not merely descriptive; it affects the knowledge and meanings people hold and assign to a situation. Therefore, meanings,
according to Jørgensen and Phillips (2002), are never fixed, since they are subjected to social struggles, which are influenced by norms and identity.

The particular significance of the discourse analysis in this study, therefore, is in assessing how a norm was constructed about nuclear weapons and how they were either legitimised and de-legitimised so as to make them “normal” or “inevitable” to certain actors and “evil” or “inhumane” to others. Finally, discourse analysis is used in this study to examine the effects of international norms on the security perceptions of international actors.

Moreover, an interpretative approach is inherent to social and political sciences (Gerring, 2004, p. 69). Thus, the interpretation of primary and secondary source materials from an array of printed, as well as online sources will be a prominent feature of this study. The resources examined range from official documents and speeches made by governments and international organisations, to books and journal articles. Further, to enrich this research, newspaper articles in mass media are utilised as well. The information collected from those diverse resources are interpreted by the author of this study to understand how the interpretation of a norm can influence states’ behaviours in the international system.

**DISCUSSION**

Since their first creation, nuclear weapons have attracted various reactions from actors in international relations. Schelling (1960) points out that the status of nuclear weapons has changed from what it was thirty years ago. Quester (1991) notes how states like Australia, Sweden, and Switzerland once competed to acquire nuclear weapons, which would ensure their reputation as the possessors of the latest modern weapons. Tannenwald (2001, p. 66) comments that “Whereas in the 1950s, U.S. leaders argued that nuclear weapons should be viewed as conventional, just like any other weapon, no one makes this argument today.”

Even though the international normative context surrounding nuclear weapons emerged before the creation of the first atomic bomb, the growing popular sentiment against nuclear weapons was widely strengthened in 1945, after the first and only use of the atomic bomb by the U.S. at Hiroshima and Nagasaki (Rublee 2009, p. 34-35). At that time, what Tannenwald (1999) calls a “nuclear taboo” was growing, associated with popular revulsion against the potential evils of nuclear weapons. The tragedy at Hiroshima and Nagasaki, as well as following events such as the Lucky Dragon incident
and the Chernobyl disaster, gave rise to immediate negative reactions from all over the world. These events became the basis for norm entrepreneurs, including grass-roots communities such as the Vatican, the Federal Council of Churches, and several citizens’ movements, to construct a new norm against nuclear weapons. Tannenwald (1999, p. 450) notes that anti-nuclear sentiments intensified, leading U.S. policy-makers in 1953 to acknowledge that “in the present state of world opinion, we could not use an-A bomb”; … “This stigmatization of nuclear technology is probably the peace movement’s most important contribution to world history” (Tannenwald 2001, p. 66).

Since then, nuclear weapons have never been seen as “just another weapon.” To understand the shift which occurred in how actors attach meanings to nuclear weapons, it is important to include a normative explanation in the discussion of the dynamics of nuclear weapons. The NPT as the international norm has been frequently mentioned as successful in moving states’ perspectives about the enchantment of nuclear weapons. This type of weapon once was seen as an effective defence system that all states must chase for. After the presence of the NPT, more and more states dismantled the weapons from their security system as well as tried to ban their existence from the international system, regarding them as weapons of mass destruction. The desire to escape likely challenges from non-adherence of an international norm also led South Africa to dismantle its established nuclear arsenals.

Moreover, the taboo that arose after Hiroshima and Nagasaki not only leads to the popular consensus for non-use of nuclear weapons, but also for their non-acquisition. Although there is no doubt that nuclear weapons still have the most powerful capacity in defence and deterrence strategies, it is a fact that only five percent of the total states in the international system possess the weapons. It can be assumed from this condition that the credibility of deterrence ensured by control over nuclear weapons is not powerful enough to encourage states to realise their nuclear desire. This is in accordance with Eisenhower’s remark in August 1958, that “The new thermonuclear weapons are tremendously powerful; however, they are not . . . as powerful as is world opinion today in obliging the United States to follow certain lines of policy” (Rublee 2009, p. 36).

A proposal by Brazil, Burma, Ethiopia, India, Mexico, Nigeria, and Egypt opened the way for the creation of the NPT in 1963 (Pande 1995, p. 8). Since the NPT came into force in 1970, it was said to be successful in “converting potential proliferators to active non-proliferation supporters” (Abe 2020, p. 4). Several countries who once considered nuclear weapons as their defence options such as Australia, Canada, West Germany,
Japan, Sweden, and Switzerland are currently active in campaigns and voluntary contributions to support non-proliferation efforts, International Atomic Energy Agency’s (IAEA) safeguards, and export control regimes. Moreover, while the NPT is often mentioned in regard to its success in containing the spread of nuclear weapons, this treaty’s success is unevenly assessed in relation to its non-proliferation achievements. There is growing dissatisfaction, particularly from the non-nuclear weapons parties, with the lack of nuclear disarmament efforts conducted by their nuclear weapon counterparts. Although they have responsibility to pursue complete disarmament under Article VI, the facts show how slow progress has been made in the area of nuclear disarmament. On the other hand, the modernisation of nuclear arsenals on a large scale has continued to take place. For instance, in the period of 2009–2013, the U.S. and Russia only reduced 309 and approximately 1,000 of their warheads, compared to 3,287 and roughly 2,500 respectively in the previous five-year period (Kristensen & Norris, 2014, p. 95). Meanwhile, China, after declaring that it had the smallest nuclear arsenal among the other NPT nuclear-armed states in 2014, Kristensen & Norris (2014, p. 95) found that it slightly increased its nuclear arsenal. Nevertheless, instead of working toward progressive reduction of nuclear weapon numbers, it appears that the nuclear weapon states have aggressive nuclear weapon modernisation programmes in place. The U.S., for instance, has spent $350 billion for the purpose of its nuclear weapons modernisation by 2015. Furthermore, Russia is modernising its ballistic-missile submarines, while China is equipping its submarines with nuclear weapons. In addition, the U.K. is in progress of replacing its Trident nuclear programme (Moran, 2015, p. 126). Overall, according to Kristensen & Norris (2014, p. 95), the worldwide nuclear weapon programmes currently in place include “27 ballistic missiles, nine cruise missiles, eight naval vessels, five bombers, eight warheads, and eight weapons factories.” The slow reduction in terms of number of nuclear weapons does not only delay the realisation of global zero, but it seems like the nuclear era is intentionally extended through how modernisation of nuclear weapons continues to take place.

**Interpreting Non-proliferation Norms (NPT)**

Norms, particularly international norms, have been long included in the debate about how international social environments can influence states’ behaviours. Since norms are defined as a standard of “appropriate” behaviour, they must contain intersubjective dimensions. To know what is appropriate, for instance, people usually rely on the
judgments of a community or society (Finnemore & Sikkink, 1998, p. 891-892). Then, according to Finnemore and Sikkink (1998, p. 892), the power of international norms rests in how states put their trust in the norms to manage certain behaviours. This may be because states believe in the norms’ shared moral assessments, or because they fear the social costs of choosing otherwise.

In 1959, the nuclear non-proliferation treaty was being negotiated in the UN General Assembly. The French nuclear test in 1960 as well as the 1962 Cuban missile crisis had increasingly generated support for a global non-proliferation treaty to be agreed upon. In 1965, both the U.S. and the Soviet Union, for the first time, proposed draft treaties to the UN’s Eighteen Nation Disarmament Committee (ENDC). This very first draft, which did not contain Articles 4, 5, or 6, triggered criticism from the non-nuclear weapon states. Articles 4 and 5 are concerned with states’ rights to civilian use of nuclear energy and technological assistance from the nuclear weapon states, while Article 6 is about the need for the nuclear weapon states to work toward nuclear disarmament. With the serious efforts of non-aligned countries, demanding both non-proliferation and disarmament be included in the treaty, the U.S. eventually proposed another draft on 18 January 1968. This draft included an article in which the nuclear weapon states promised to take effective measures relating to the cessation of the nuclear arms race. In July 1968, the Nuclear Non-proliferation Treaty was opened for signature and it came into force in 1970.

The creation of the NPT, at the same time, marked the emergence of a formal international normative standard which was agreed upon by both nuclear and non-nuclear weapon states. The idea was to stigmatise and de-legitimise the existence of nuclear weapons. With the existence of an international standard in regard to the legitimisation of nuclear weapons, the message is clear: that “Nuclear weapons are not acceptable weapons of war, that no new states should be allowed to obtain them, and that states with nuclear weapons should work to reduce and eventually eliminate them” (Rublee 2009, p. 39). Furthermore, the NPT today is categorised as the most universal treaty, with 187 states joining the membership and only four states remaining outside the treaty. Further, the NPT in its role as an international norm is considered as a success; Rublee (2009) found that more than forty states actually have the capability to establish their own nuclear weapons programmes. Yet, their membership in the NPT showed that nuclear options had been dropped from their foreign policy choices.
Nevertheless, in its implementation, there are several issues which can be highlighted within the NPT itself that are considered to contribute to the minimum progress made in the area of nuclear disarmament. First, the NPT’s problem in interpreting nuclear weapons values. Along with the acknowledgement of NWS status in the NPT, it implicitly indicates that nuclear weapons are not totally viewed as evil or destructive within the NPT. The weapons would be only considered bad and catastrophic and those who possess them would be called “rogue” when proliferation is involved, as when such nuclear weapons programmes were established after the NPT opened for signature. The nuclear weapons, such as those owned by the P5, which had been possessed since before July 1968 would be still allowed and considered “appropriate” under the NPT. In other words, the NPT has demarcated which nuclear weapons are legitimate and which are not. It is as highlighted by Hanson (2018, p. 466) who claims that what the NPT has done for the P5 nuclear weapons is to establish the “normality” of those states’ nuclear weapons. She contends that the NPT has created a condition where the possession of these weapons by the nuclear weapon states was perceived as “natural” and inevitable, and at the same time, “any attempts made by other states to acquire nuclear weapons were seen as unnecessary, irrational, and destabilizing to global security”.

Second, even though the NPT constitutes a formal standard of “appropriate” behaviours in the relations with nuclear weapons through its three main principles, it seems that the NPT gives disproportionate emphasis to the separate goals of nuclear non-proliferation and disarmament. It is no wonder that the NPT, as an international norm concerning nuclear weapons, is able to gain success in terms of its non-proliferation achievement, but not in the area of nuclear disarmament. It is because the norm formulated by the NPT is unevenly stressing on non-proliferation components only, very little attention was made on disarmament area. This is evident in the fact that only one article in the NPT, Article VI, mentions nuclear disarmament, whereas there are three articles focusing on nuclear non-proliferation (Article I, II, and III). In addition, the unequal stressing on only its non-proliferation aspect can also be obviously seen from the naming of the treaty itself. The treaty was named “Nuclear Non-proliferation Treaty”, not “Nuclear Non-proliferation and Disarmament Treaty”. Besides, the author perceives that the NPT as a norm could not be said to fail in influencing states’ behaviours in the area of disarmament, because Article VI, the only treaty’s article concerning nuclear disarmament, as Ford (2007, p. 401) says, “merely requires all states to pursue negotiations in good faith; specific disarmament steps are not required.” It is also
supported by Kristensen and Norris (2014, pp. 106-107) who contend that though the modernisation trends appear to contradict the NWS promises to seek nuclear disarmament, in fact, “the NPT does not explicitly place limitations on modernizations and has accepted them in the past.”

Third, the facts that there are no time frame and verification provisions set for nuclear-armed states to show their nuclear disarmament commitments under the NPT further adds to the loopholes that nuclear weapon states can use to evade their commitments. In contrast, non-nuclear countries must go through verification provisions regulated by IAEA to verify their compliance with commitments under the NPT (NTI, 2018). Article III, for instance, prescribes that non-nuclear weapon states to immediately commence an agreement with IAEA to protect all nuclear materials in all peaceful nuclear activities upon their accession to the NPT. In addition, it should be in effect within 18 months. In case where this obligation could not be fulfilled by those states, the IAEA Board of Governors (BOG) will report it to the UNSC and, all at once, give a warning to the states concerned to immediately rectify the situation. The BOG also reserves the rights to impose specific penalties such as suspension of assistance, return of materials, as well as the restriction of privileges and rights to those who do not comply. Furthermore, the UNSC may also impose sanctions and take other measures. In response to this condition, Carlson (2019, p. 108) suggests that there is a need to establish timelines in order to instil a sense of commitment and urgency in the goal of disarmament. If a time frame is set, it enables IAEA to review whether nuclear weapon states have conducted sufficient steps for its nuclear disarmament commitment or not. Also, it would give a clear vision of when analysis and dialogue can begin to move from a concern over minimising the number of nuclear weapons to eliminating them entirely. Besides, nuclear disarmament verification has been recommended as one of the available solutions to discipline nuclear weapon states to take their nuclear disarmament commitments seriously. As highlighted by Erästö, Komžaitė, and Topychkanov (2019, p. 1), disarmament verification should be included and treated equally with its non-proliferation counterpart because both provide “a considerable pool of knowledge that can be drawn on to verify future reductions in nuclear weapons, as well as their complete elimination”.

Interpreting the Situation at Hand

In the attempts to be exempted from their obligations of nuclear dismantlement under the NPT, the NWS need to use several issues to justify their persistence over nuclear weapons
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acquisition. Shannon (2000) suggests that actors with a given identity would be able to be exempted from norms requirements if they could find plausible situations to justify the exemptions. In this section, several issues used to construct justifications be the NWS nuclear weapons are elaborated.

First, dismantling nuclear weapons entirely would put their citizens’ security at stake. Aristotle (1991) suggests that leaders often use rhetoric to manipulate emotions. In his remark to the British House of Commons in August 1945, Churchill (1945) answered the condemnation that the U.S. received after detonating bombs in Hiroshima and Nagasaki by justifying the bombings as a means to save the U.S. citizens from a possible attack of Japan.

“There are voices which assert that the bomb should never have been used at all. I cannot associate myself with such ideas. ... I am surprised that very worthy people—but people who in most cases had no intention of proceeding to the Japanese front themselves—should adopt the position that rather than throw this bomb, we should have sacrificed a million American and a quarter of a million British lives.” (Churchill, 1945, para. 5)

The detonation which killed almost 200,000 people in Hiroshima and Nagasaki deserved condemnation due to its huge catastrophic effects toward human beings’ lives. Nevertheless, in his speech, it could be seen how Churchill utilised people’s fear of Japanese soldiers to justify the government’s action, even though the action itself was aggressively condemned by others. Through his rhetoric, he tried to deliver that the bombings were conducted with the purpose of ending the war, meaning that it was justified by military considerations. Otherwise, too many lives of American soldiers and citizens would have to be sacrificed. As the consequence, from a survey conducted immediately after the bombings, a Gallup poll from 1945 found that 85% of Americans apparently supported the bombings of Hiroshima and Nagasaki (Stoke 2015, para. 3). This result showed how the bombings are, in fact, widely approved by the Americans. Henceforth, instead of being seen as an aggressive behaviour, the bombings were seen as a legitimate means to protect Americans’ lives from the possible danger of Japanese soldiers.

This is how the justification over Hiroshima and Nagasaki bombings are also used to depict how nuclear weapons are still important security instruments for the NWS.
Though in this contemporary era, national security threats might not come from adversary states; instead, non-state terrorist actors and rogue states pose even greater potential nuclear threats to the NWS and international community. Fear over possible threats from terrorists as well as rogue states become the reason why the dismantlement of nuclear weapons seems to be unattractive to the recognised NWS and their allies. Dunn (2013) argues that such a formal obligation to abolish nuclear weapons will just pose a potential disaster to the world since it is hard to imagine how rogue states and terrorists would just voluntarily abide to it. Dunn (2013) further explains that if the legitimate nuclear powers agree to denuclearise their weapons whilst others, such as North Korea and terrorists, do not have the same commitment, the subsequent nuclear powers will be used to destroy major power states and change the international order to a favourable condition for them. Concerns over these entities’ attacks can be best captured through Obama’s first National Security Strategy Report:

“There is no greater threat to the American people than weapons of mass destruction, particularly the danger posed by the pursuit of nuclear weapons by violent extremists and their proliferation to additional states.” (NSS 2010)

Second, total nuclear disarmament could weaken non-proliferation efforts. One of the reasons why states choose the nuclear non-proliferation option is due to a security guarantee through the nuclear umbrella provided by the NWS. There are several conditions showing how the nuclear umbrella has apparently contributed significantly in reinforcing nuclear non-proliferation. The nuclear umbrella policy might prevent states from acquiring their own nuclear weapons because without having to pay the costs of developing their own, they can just enjoy security guarantees from the U.S. which might be even greater than their own nuclear weapon systems. Besides, the U.S. promises to use nuclear guarantees to counterbalance new proliferations, which might discourage the desire to attain one. Consequently, aggressive states expecting that nuclear weapons would help them to secure regional power positions might find proliferation unattractive since it would just increase the U.S. military presence in the region. Take examples from Germany and Japan, which used to be of primary proliferation concerns where they were once mentioned as potential nuclear proliferators. If not because of security guarantees from the U.S., it would not be certain that both nations would have refrained from their own nuclear capabilities and became parties to the NPT as the NNWS.
Henceforth, halting nuclear proliferation is clearly the most important agenda, because as Utgoff and Adesnik (2008, pp. 1-2) prescribe, “the more states that possess independent nuclear capabilities, the more likely it is that nuclear weapons will be used.” Besides, reducing nuclear weapons possessed by the NWS, according to Brown (cited in Moran, 2015, p. 130) would have minimal influence in disciplining potential nuclear weapon states. It is also because even if their physical capabilities were destroyed, the knowledge would still exist. The condition can even deteriorate once aggressive states acquire nuclear weapons successfully and use them to threaten others to gain other important interests. In addition, it is also too risky to let a lot of parties to possess their own nuclear weapons since the possibility that nuclear materials could fall into irresponsible hands is also increased.

Therefore, maintaining and securing an effective nuclear deterrent is viewed as strengthening non-proliferation regimes. Therefore, other acts diminishing the effectiveness of this extended deterrence system such as nuclear disarmament is feared to trigger a nuclear proliferation race to happen. Daalder (2020) suggests that “the next president should move swiftly to reassure allies that the U.S. nuclear guarantee remains credible—or risk rapid nuclear proliferation.”

**CONCLUSION**

Since the atomic bombs exploded in Hiroshima and Nagasaki in 1945, the world has realised that nuclear weapons are the ultimate weapons, incomparable with any other weapons. Since then, both states and non-state actors have collectively attempted to prevent both the proliferation and acquisition of these weapons. As a consequence, an international non-proliferation norm, which was embodied by the NPT, came into existence. The importance of the NPT is not only found in how it imposes a non-proliferation obligation on non-nuclear armed states, but also in an obligation imposed on nuclear power states, which is to gradually conduct the complete elimination of nuclear weapons from their military arsenals. Notwithstanding the disarmament obligation, nuclear states keep on modernising their nuclear stockpiles, leading to a growing dissatisfaction among their non-nuclear armed counterparts. It raises a question of why the NPT was unable to achieve success in the field of nuclear disarmament as it has in the field of nuclear non-proliferation.

Given this background of the problem, rational theories in the discipline of IR prescribe that nuclear weapons, as the ultimate weapons, cannot be separated from states’
national security, since the weapons still act as the most effective deterrence tools in the world. In fact, however, for deterrence purposes, major nuclear states do not have to sacrifice their images as “responsible” actors at the international level. Henceforth, challenging conventional theories’ explanations of the prevailing issues, constructivists offer the use of social concepts, such as norms, to understand the dynamics of international nuclear non-proliferation as well as disarmament. By understanding the normative elements of states’ behaviours, states’ stances in regard to their non-proliferation choice can be well understood. However, looking at current open and massive modernisations conducted by the NWS, it is hard for constructivists to explain why the NPT, as an international norm, could not influence the NWS’s behaviours in regard to their nuclear disarmament obligations under the NPT.

Therefore, this study uses a political psychology approach as the framework to bridge utilitarian logics suggested by rationalists and normative explanations delivered by constructivists. It is because the author feels that both recommendations could well explain the NWS’s behaviours in their response to the nuclear disarmament requirements. According to the political psychological approach, it is found that the slow progress of nuclear disarmament is attributed to a moral dilemma faced by the NWS in which they are standing in the middle of two conditions: their responsibility toward the survival of their citizens and humanity as a whole; and their attempt to keep their positive reputation in the international community. Therefore, norm exceptions become the current strategy through which they are striving for the achievement of those two purposes. The norm exceptions themselves can only be achieved through these two preconditions: by interpreting the given norm which is the NPT; and by interpreting situations at hand so they might justify the exemption toward the international norm conducted by these actors. Furthermore, by examining the narratives of the NPT, there are several points the NWS use to justify the exemption: the particular value that the NPT attached to nuclear weapons possessed by the NWS; disproportionate emphasis on the nuclear disarmament steps; and the lack of measurements toward the nuclear disarmament progress. Meanwhile, several situations, such as the North Korea nuclear proliferations and terrorist attacks, as well as the concern over the effectiveness of the nuclear umbrella, are translated as the underlying reasons to explain why the NWS nuclear weapons are still worth to be maintained.
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